



**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, May 13, 2025

11:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

*Director Luz Gómez will participate via teleconference from
3207 34th St, #2, Astoria, NY 11106*

*****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. Conference with Labor Negotiators Keith Fleming and Stacey Cue from the Industrial Employers Distributors Association; Clifford C. Chan, General Manager; David A. Briggs, Director of Operations & Maintenance; Sophia D. Skoda, Director of Finance; Cindy R. Charan, Director of Human Resources; Samuel A. Feldman, Manager of Budget; Robert L. Hannay, Treasury Manager; Adam Smyer, Manager of Employee Relations; Vincent L. James, Manager of Recruitment & Classification; Lori L. Worden, Senior Human Resources Analyst; Adrian J. Pringle, Senior Human Resources Analyst; and Valerie R. Weekly, Human Resources Administrator, pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Locals 444 and 2019; International Union of Operating Engineers, Local 39; and International Federation of Professional and Technical Engineers, Local 21.
2. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.
3. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Jack London Square Operator, LLC
Claim No.: 2024-L-086
Date of Loss: 12/12/23
 - b. Jack London Square Operator, LLC
Claim No.: 2024-L-144
Date of Loss: 6/22/24

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

REGULAR BUSINESS MEETING

1:15 p.m.

*Director Luz Gómez will participate via teleconference from
3207 34th St, #2, Astoria, NY 11106*

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

ANNOUNCEMENTS FROM CLOSED SESSION:

PRESENTATIONS:

- Contra Costa County Science & Engineering Fair Award Winner
- American Society of Civil Engineers Region 9 - 2024 Outstanding Water and Wastewater Treatment Project: San Pablo Reservoir Hypolimnetic Oxygenation System Project

BOARD OF DIRECTORS: (Continued)

Proposed action to appoint Interim Vice President pending completion of the investigation into conduct of a District Board Member.

1. Nominate and appoint an interim Vice President of the Board of Directors, who shall serve pending the results of investigations and until such further action as the Board may take at a future meeting.

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.

COMMITTEE REPORTS:

- Planning
- Legislative/Human Resources
- Finance/Administration

CONSENT CALENDAR: (Single motion and vote approving 16 recommendations including 1 resolution)

1. Approve the Regular Meeting Minutes of April 8, 2025, Special Meeting Minutes of April 16, 2025, Regular Meeting Minutes of April 22, 2025, and Special Meeting Minutes of May 6, 2025.
2. File correspondence with the Board.

CONSENT CALENDAR: (Continued)

3. Award a contract to the lowest responsive/responsible bidder, Guerra Bros. Plumbing, Inc., in an amount not to exceed \$115,920 for the relocation of an existing water meter from a difficult-to-maintain location to the public right-of-way, and the associated installation of a private houseline for 3367 Kim Road in Lafayette.
4. Award a contract beginning on or after May 14, 2025 to the lowest responsive/responsible bidder, Hill Brothers Chemical Co., for supplying liquid ammonium sulfate for the District's Orinda, Lafayette, Sobrante, Upper San Leandro, Walnut Creek, and San Pablo water treatment plants for two years, with three options to renew for additional one-year periods for a total cost, including option years, not to exceed \$2,627,295 under Request for Quotation No. 2513.
5. Award a contract beginning on or after May 13, 2025 to the lowest responsive/responsible bidder, Portable Pipeline Systems, for supplying flexible temporary water distribution hoses for a total cost, after the addition of taxes, not to exceed \$1,074,000, under Request for Quotation No. 2511.
6. Authorize actions related to the procurement of copper tubing for the District.
 - 6.1. Award a contract beginning on or after May 13, 2025, to the lowest responsive/responsible bidder, WHCI Plumbing Supply, for supplying copper tubing to the District for one year, with four options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$3,121,172 under Request for Quotation No. 2506.
 - 6.2. Approve the fair market bidding and purchase of polyethylene covered copper tubing on the open market for a five-year period beginning May 14, 2025 and ending May 13, 2030 for a total aggregate amount not to exceed \$3,070,578.
7. Award a contract and authorize an agreement related to the Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project (Project).
 - 7.1. Award a contract to the lowest responsive/responsible bidder, Anvil Builders Inc., in an amount not to exceed \$54,647,046 for construction of the Project under Specification 2194.
 - 7.2. Authorize an agreement beginning on or after May 13, 2025 with Stantec Consulting Services, Inc. in an amount not to exceed \$7,106,647 for engineering services during construction for the Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project.
8. Authorize agreements beginning on or after July 1, 2025 with GSI Environmental Inc. and Terraphase Engineering Inc., for an aggregate amount of \$4,500,000 for three years, with two options to renew for additional one-year periods for a total aggregate amount, including option years, not to exceed \$7,500,000, for general environmental services.
9. Authorize an agreement beginning on or after May 13, 2025 with Insight Water Technologies, Inc. in an amount not to exceed \$429,000 for inspection services for Moraga Aqueduct No. 2 Prestressed Concrete Cylinder Pipeline Inspection.

CONSENT CALENDAR: (Continued)

10. Authorize an agreement beginning on or after May 13, 2025 with Sherwood Design Engineers in an amount not to exceed \$256,000 for final engineering design services for the rehabilitation of the existing wastewater lift station at the Mokelumne River Fish Hatchery.
11. Authorize actions related to equipment rentals.
 - 11.1. Authorize amendments to the agreements originally authorized under Board Motion No. 013-21, with ASK Equipment Rentals; Coast Counties Peterbilt PacLease; Darrah Trucking & Excavating, Inc.; Doc Bailey Construction Equipment Inc.; Gloria Washington Trucking, Inc.; Herc Rentals Inc.; Ibarra Team Construction Services, Inc.; Inder Trucking; JS Cole Company; KJ's Transport LLC; Monticello Trucking LLC; Nor Cal Rental Group dba Cresco Equipment Rentals; Owen Equipment Sales; Pape Machinery Inc.; S&L Transport, LLC; Saba Holding Company LLC dba Volvo Construction Equipment and Services; Sky Rock Inc.; Sunbelt Rentals, Inc.; Tri Valley Water Trucks, Inc.; United Rentals (North America), Inc.; and Western Pacific Crane & Equipment LLC to increase the aggregate amount of those agreements by \$6,000,000 to a total aggregate amount not to exceed \$31,000,000 for equipment rentals without change to the January 11, 2026 expiration date.
 - 11.2. Authorize additional agreements for equipment rentals, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 2025, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.
12. Authorize actions related to vehicle/equipment repair and other related services.
 - 12.1. Authorize amendments to the agreements previously authorized under Board Motion No. 087-24 with Auto Glass Techs; Autohaus Automotive Inc.; Crash Champions; Walnut Creek Ford; Got Power Inc. dba CD & Power; Doc Bailey Construction Equipment, Inc.; Falcon Collision Repair, Inc.; FH Dailey Chevrolet; Fleetworks, Inc.; Gold Country Auto Body; Golden Gate Truck Center; Grand Collision Center, Inc.; Kelly's Truck Repair; Safeshields dba Maz Glass; Nixon Egli Equipment Co., Inc.; Oakland Chevrolet; Owen Equipment Sales; Pape Machinery, Inc.; Patti's Auto Care, LLC; Peterson Power Systems, Inc.; Stewart's Body Shop, Inc.; United Transmission; Unlimited Tool Repair & Fabrication, Inc.; and Uptown Ford of Oakland to increase the aggregate amount of those agreements by \$1,200,000 to a total aggregate amount not to exceed \$2,030,000 and extend the term of the agreements to May 13, 2026 for vehicle/equipment repair and other related services.
 - 12.2. Authorize additional agreements for vehicle/equipment repair and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 2025, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Managers monthly report.

CONSENT CALENDAR: (Continued)

13. Authorize actions related to storage and maintenance services for the District's inactive records.
 - 13.1. Ratify the extension of Purchase Order No. BPA 122-77938-AX and the payment of \$8,297.96 to GRM Information Management Services of San Francisco, LLC (GRM) for the continuous work of supplying monthly storage and maintenance services for the District's inactive records.
 - 13.2. Authorize an amendment to Purchase Order No. BPA-122-77398-AX with GRM, to increase the agreement amount by \$80,000, which incorporates the ratified amount from the action above, for a total amount not to exceed \$160,000 to support the continued storage and maintenance of the District's inactive records through June 30, 2030.
14. Authorize actions related to printing and mailing services for the Proposition 218 rate notification mailing.
 - 14.1. Ratify the payments of \$42,800.56 to Admail Express, Inc. (Admail) and \$47,461.27 to Dakota Press, Inc. (Dakota) for the printing and mailing services of the District's Proposition 218 rate notification rendered between March 25, 2025, and April 17, 2025.
 - 14.2. Authorize agreements with an effective date on or after March 25, 2025, with Admail and with Dakota in an aggregate amount not to exceed \$90,261.83 for printing and mailing services of the District's Proposition 218 rate notifications.
15. Authorize the Office of General Counsel to continue the employment of the firm of Barboza & Associates for specialized investigative services and mediation and facilitation services relating to Equal Employment Opportunity workplace investigations in an additional amount not to exceed \$75,000.
16. Adopt a resolution to appoint a Standby Officer in Ward 6 for the East Bay Municipal Utility District Board of Directors as outlined in the Directors' Emergency Succession Plan.

(Resolution)

DETERMINATION AND DISCUSSION:

17. Appoint the Director of Water and Natural Resources.

(Resolution)
18. Appoint the Manager of Natural Resources.

(Resolution)
19. Legislative Update.
 - Receive Legislative Report No. 04-25 and approve positions on the following bills: AB 1153 (Bonta) Solid Waste Disposal and Codisposal Site Cleanup: Illegal Disposal Site Abatement; H.R. 1871 (Huffman) Water Conservation Rebate Tax Parity Act; H.R. 2269 (McClain) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act; and S. 1092 (Merkley) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act
 - Update on Legislative Issues of Interest to EBMUD

DETERMINATION AND DISCUSSION: (Continued)

20. Take actions related to revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for Fiscal Year (FY) 2026 and Fiscal Year 2027.
 - 20.1. File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for FY 2026 and FY 2027.
 - 20.2. Set a Public Hearing for Tuesday, June 10, 2025, during the Board's regular meeting, to consider the report and recommendation and to comply with Proposition 218 requirements.
21. Take actions related to revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for FY 2026 and to Select Regulations.
 - 21.1. File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for FY 2026 and to Select Regulations.
 - 21.2. Set a Public Hearing for Tuesday, June 10, 2025, during the Board's regular meeting, to consider the report and recommendation.
22. Take actions related to the Sobrante Water Treatment Plant Reliability Improvements Project.
(Resolution)
 - 22.1. Certify the Final Environmental Impact Report for the Sobrante Water Treatment Plant Reliability Improvements Project (Project).
 - 22.2. Make findings in accordance with the California Environmental Quality Act (CEQA), including a Statement of Overriding Considerations.
 - 22.3. Adopt the Mitigation Monitoring and Reporting Program in accordance with CEQA.
 - 22.4. Adopt the Practices and Procedures Monitoring and Reporting Plan.
 - 22.5. Approve the Project.
23. General Manager's Report.
 - Monthly Report – April 2025

REPORTS AND DIRECTOR COMMENTS:

24. Other Items for Future Consideration.
25. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 27, 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.

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BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, May 13, 2025	Planning Committee	9:00 a.m. Boardroom	- Sobranite Water Treatment Plant Reliability Improvements Project Update and Final Environmental Impact Report - Collaborative Project Delivery – Dewatering Improvements Project - Annual Watershed and Recreation Report
	Legislative/Human Resources Committee	10:00 a.m. Boardroom	- Legislative Update - Statewide Workforce Development Efforts - Diversity, Equity, and Inclusion Strategic Plan Update
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	- Closed Session - Regular Meeting
Monday, May 26, 2025	Memorial Day Holiday		<i>Offices Closed</i>
Tuesday, May 27, 2025	Finance/Administration Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	- Closed Session - Regular Meeting
Tuesday, June 10, 2025	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	- Closed Session - Regular Meeting

2025 Board Committee Members

Finance/Administration	Lewis {Chair}, Katz, Oddie
Legislative/Human Resources	Gómez {Chair}, Oddie, Smith
Planning	Chan {Chair}, Gómez, Lewis
Sustainability	Smith {Chair}, Gómez, Katz

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/>

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 13, 2025

MEMO TO: Board of Directors

FROM: Marguerite Young, Board President 

SUBJECT: Proposed Action to Appoint Interim Vice President Pending Completion of the Investigation into Conduct of a District Board Member

As the Board is aware, Tiffany Conway-Cornelius has publicly alleged that Director April Chan engaged in racially motivated, disrespectful conduct during an interaction between them at the District's Administration Building on March 27, 2025. At my request, Ms. Conway-Cornelius' complaint was referred to an independent investigator to determine if Director Chan's conduct violated District policies prohibiting harassment and discrimination on the basis of race.

Based on information that has been brought to my attention during the course of the investigation, I have asked the investigator to also determine whether Director Chan has failed to abide by the Principles of Conduct set forth in the District's Board of Directors Governance Manual. Additionally, the District's Security Division has conducted an investigation to determine whether workplace violence or a threat of workplace violence by either party occurred in accordance with the District's security policies and procedures.

The Board discussed this matter at the April 8, 2025 Board meeting. At the meeting, Director Chan volunteered to step down as Vice President of the Board until the Board meeting on May 13, 2025. No action was taken by the Board, which agreed that the item would be revisited at the May 13 Board meeting.

At the April 8 meeting, it was expected the investigation would be completed by May 13. However, due to the availability of witnesses, the process is taking longer than I had hoped. Director Chan has agreed to continue her voluntary suspension as Vice President of the Board. The Vice President has duties under the Board Ethics Policy and Board Governance Manual, and so I believe that it is important that the position be filled during the interim period. I have therefore requested that the following item be placed on the agenda for the May 13 Board meeting for discussion and consideration by the Board:

Nominate and appoint an interim Vice President of the Board of Directors, who shall serve pending the results of investigations and until such further action as the Board may take at a future meeting.

Proposed Action to Appoint Interim Vice President Pending Completion of the Investigation into
Conduct of a District Board Member
Board of Directors Meeting
May 13, 2025
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This action is not meant to reflect any judgment by the Board in advance of the outcome of the investigations. Instead, I believe it would demonstrate the Board's commitment to maintaining the public's trust in our leadership of the District.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 8, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Rischa S. Cole, Secretary of the District 

SUBJECT: Finance/Administration Committee Minutes – April 22, 2025

Chair Valerie D. Lewis called to order the Finance/Administration Committee meeting at 10:00 a.m. in the Administration Building Boardroom. Director Jim Oddie was present at roll call. Chair Andy Katz arrived at 10:07 a.m. Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Treasury Manager Robert L. Hannay, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled “Water System Revenue Bonds, Series 2025 and Wastewater System Revenue Bonds, Series 2025,” dated April 22, 2025.

Monthly Investment Transactions Report. Treasury Manager Robert L. Hannay reviewed the March 2025 report and the drivers that decreased the investment portfolio from \$572 million to \$552 million. He reported that no securities were purchased, matured, called, or sold during the reporting period. The portfolio is currently earning approximately 4.2 percent. Mr. Hannay noted the issuance of new bonds may result in future portfolio growth. He responded to Committee questions regarding investment transactions, reporting frequency, and the District’s investment strategy. This item will be submitted to the Board for consideration at its meeting in the afternoon. It was moved by Director Oddie, seconded by Director Lewis, and carried (2-0) by voice vote to accept the report. Director Katz was absent.

Quarterly Investment, Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended March 31, 2025. Treasury Manager Robert L. Hannay reviewed the quarterly reports for the period January through March 2025. The portfolio balance was \$552 million which is consistent with the March monthly report, and is currently earning approximately 4.2 percent. The two real estate transactions were executed at fair market price. Mr. Hannay defined voucher payments in the Payroll and Disbursement Report. It was moved by Director Oddie, seconded by Director Lewis, and carried (2-0) by voice vote to accept the reports. Director Katz was absent.

EBMUD Series 2025 Water System Revenue Bonds and Series 2025 Wastewater System Revenue Bonds. Treasury Manager Robert L. Hannay provided the presentation. Staff plans to issue Water System Revenue Bonds in three series – the series 2025A Bonds, 2025B Bonds, and 2025C Bonds (2025 Bonds) – in a total principal amount not to exceed \$1,265 million. The proposed 2025A Bonds are being issued to provide \$275 million in “new money” funding for the District’s Capital Improvement Program (CIP). The proposed 2025B Bonds are being issued to refund all or a portion of the District’s outstanding series 2015A, 2015B and 2015C Bonds. The proposed 2025C Bonds are

being issued to refund all or a portion of the District's outstanding series 2010B Build America Bonds (BABs). Bond proceeds will also be used to pay the costs of issuance of the Water System 2025 Bonds. Staff proposes issuing Wastewater System Revenue Bonds in two series – series 2025A Bonds and 2025B Bonds – in a total principal amount not to exceed \$255 million. The proposed 2025A Bonds are being issued to provide \$30 million in “new money” funding for the District's CIP. The proposed 2025B Bonds are being issued to refund all or a portion of the District's outstanding series 2015A-1 Bonds and to refund all or a portion of the District's outstanding series 2010B BABs. Bond proceeds will also be used to pay the costs of issuance of the Wastewater System 2025 Bonds. Bonds for both systems are scheduled to be issued beginning May 1, 2025 and will be issued as “Green Bonds” based on the District's Guidance for Issuing Green Bonds, approved in March 2022. Board authorization for this action will be effective for approximately 90 days. There was considerable discussion regarding the District's green bond strategy, credit ratings, and the risks associated with federal subsidy reductions tied to BABs. Mr. Hannay explained bond refunding instead of de-risking, strategies to mitigate subsidy risks, including replacing BABs with tax-exempt bonds, and clarified when staff would need to seek Board approval if the bonds are not issued over the next 90 days. Next, he provided an update on the District's credit ratings which remain strong with AAA ratings from both Moody's and Standard & Poor's. The Board will be asked to consider authorizing and approving issuance of the Water and Wastewater Systems' bonds at its meeting in the afternoon. The items were presented and voted on separately. It was moved by Director Katz, seconded by Director Oddie, and carried (3-0) by voice vote to accept the reports.

Director Katz announced that for the record, he supports acceptance of the reports presented for the Monthly Investment Transactions Report and the Quarterly Investment, Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended March 31, 2025.

Adjournment. Chair Lewis adjourned the meeting at 10:35 a.m.

CCC/RSC

MINUTES

**Tuesday, April 8, 2025
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:02 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Luz Gómez, Valerie D. Lewis, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call. Director Andy Katz arrived at 11:06 a.m.

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

PUBLIC COMMENT

- Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444, commented on the status of labor negotiations and the District's wage proposal and offers, and asked the Board to increase the authority of the negotiators; 2) Patrick Inthavisay, Water Distribution Plumber Foreman, commented on standby pay; 3) Eddie Cheung, Negotiator, AFSCME Local 444, commented on labor negotiations and Local 444's proposals regarding standby pay, job site reporting and fatigue pay; and asked the Board to direct management to negotiate in good faith; 4) Gilbert Loredó, Water Distribution Crew Foreman commented on job site reporting, commuting, and cost of living; 5) John Halselth, Member Relations Secretary, AFSCME Local 444, commented on Local 444's proposal about fatigue time and revising the morning call out minimum time; 6) Allison Brede, Water Treatment Supervisor commented on equity adjustments for Water Treatment Plant Supervisors; 7) Jeremy Williams, General Pipe Supervisor commented on the length of time it took Human Resources to respond to a 2022 request for a compensation study, as well as the sources used for the base salary survey data; 8) Ryan Fierner, General Pipe Supervisor expressed concerns regarding the base salary survey data used to determine compensation for General Pipe Supervisors; 9) Bret Bergmark, General Pipe Supervisor commented on the base salary survey data in the classification study for General Pipe Supervisors; classification study authorship; and 10) Dwight George, Executive Board Member, IFPTE Local 21, commented on previous compensation studies for Water Treatment Supervisors and General Pipe Supervisors and asked the Board to look into who prepared the studies and to grant the District's negotiators the authority to approve equity adjustments for Water Treatment Supervisors and General Pipe Supervisors.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:19 p.m. in the Administration Building Boardroom.

President Young announced the Board will receive reports from the Planning and Legislative/Human Resources Committees prior to considering the Consent Calendar.

Directors April Chan, Luz Gómez, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, and President Marguerite Young 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 Young led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

None.

President Young announced the agenda items would be taken out of turn and that the Public Hearing under Agenda Item 10 would be conducted after Determination and Discussion Agenda Item 13.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the March 25, 2025 Finance/Administration Committee Meeting.
- Chair April Chan reported the Planning Committee met earlier and received reports on 2024 Mokelumne Fishery Update; Upper Mokelumne River Watershed Authority and Blue Forest Update; Regulatory Compliance Semi-Annual Report – July 1, 2024 through December 31, 2024; and Backflow Prevention Program Update.
- Chair Luz Gómez reported the Legislative/Human Resources Committee met earlier and received Legislative Report No. 03-25. The Committee voted unanimously to support the staff recommendations.

CONSENT CALENDAR

General Manager Clifford C. Chan commented page two of the March 25, 2025 Regular Meeting minutes (Agenda Item 1) will be revised to correct the DERWA meeting dates. Section E8-2 of the Sewer System Management Plan (Agenda Item 7) will be updated before State submission to include details on District collaboration with various groups to address sea level rise impacts.

- Motion by Director Chan, seconded by Director Gómez, to approve the recommended actions for Items 1-9 (with the necessary corrections to Items 1 and 7) on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Motion No. 049-25** – Approved the Special Meeting Minutes and Regular Meeting Minutes of March 25, 2025.
2. The following correspondence was filed with the Board: **1)** Presentation entitled, “Assembly Bill 2561 Compliance Reporting for Fiscal Years 2024-2025,” dated April 8, 2025; **2)** Presentation entitled, “Water Supply Update,” dated April 8, 2025; **3)** Presentation entitled, “EBMUD Wildfire Preparedness and Response,” dated April 8, 2025; **4)** Memo dated April 8, 2025 from Board President Marguerite Young to the Board of Directors regarding Approved Updates to 2025 Assignments for Committees, Joint Powers Authorities, and Associations – April 8, 2025; **5)** Los Vaqueros Reservoir Joint Powers Authority (LVR JPA) Board of Directors Meeting Materials – April 9, 2025; **6)** AFSCME Local 2019 presentation entitled, “Equity Adjustment For Associate Electrical Engineers & Associate Control System Engineers,” dated February 5, 2025; **7)** Tiffany Conway comments to EBMUD Board of Directors, dated April 8, 2025; **8)** Copy of Policy 6.04 - Ethics of the EBMUD Board of Directors; **9)** Copy of Policy - 6.06 Equal Employment Opportunity (EEO); **10)** Copy of Policy 6.07 - Prevention of Workplace Harassment; **11)** Copy of Procedure 614 - EEO Discrimination, Harassment, and Retaliation Complaints, Investigations and Appeals; **12)** Copy of Resolution No. 35190-20 Authorizing Principles And An Action Plan For The East Bay Municipal Utility District's Response To Racial Discrimination And Violence Against Black And African Americans As Most Recently Exemplified By The Killing Of George Floyd” dated June 23, 2020; **13)** Copy of EBMUD Values as Core Competencies; **14)** Email dated April 1, 2025 from Lynn George to Office of the Secretary regarding closure of Lake Camanche and Lake Pardee due to the Golden Mussel; **15)** Email dated April 5, 2025 from Ivette Rivera to Office of the Secretary regarding, Corrected: RE: Two attached PUBLIC RECORD documents related to 2024 & 2025 Civil Rights Litigation (Rivera v EBMUD et al;) PLEASE file to the EBMUD Public Record and distribute to EBMUD Directors on April 8, 2025 (in the afternoon EBMUD BOD meeting.); **16)** Email dated April 5, 2025 from Ivette Rivera to Office of the Secretary regarding, Please include this youtube video, "EBMUD PREPARES TO RETALIATE AGAINST WHISTLEBLOWER," and this email to the Board of Directors packet for Tuesday’s EBMUD board meetings that contain discussions related to item 12, 12.1 & 12.2. Thank you; **17)** Email with attachments dated April 7, 2025 from Ivette Rivera to Office of the Secretary regarding, Last/additional file to attach to EBMUD’s PUBLIC RECORD -PLEASE file to the EBMUD Public Record and distribute to EBMUD Directors on April 8, 2025 (in the afternoon EBMUD BOD meeting a copy of a summons.); **18)** Contra Costa Times Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay

Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Legal No. 0006885908 Published March 21 and March 28, 2025; **19)** Oakland Tribune Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Legal No. 0006885908 Published March 21 and March 28, 2025; **20)** West County Times Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Legal No. 0006885908 Published March 21 and March 28, 2025; **21)** Calaveras County Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Published March 21 and March 28, 2025; **22)** Lodi-News Sentinel Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Published March 21 and March 28, 2025; **23)** Notarized Affidavit of Posting regarding Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561), dated April 8, 2025; **24)** Written comments from Bret Bergmark, General Pipe Supervisor; **25)** Written comments from Ryan Fierner, General Pipe Supervisor; **26)** Written comments from Jeremy Williams, General Pipe Supervisor; and **27)** Reference documents titled General Pipe Supervisor – dated April 8, 2025.

3. **Motion No. 050-25** – Awarded a contract beginning on or after April 8, 2025 to the lowest responsive/responsible bidder, Rexel USA, Inc., for supplying medium voltage electrical equipment for the Pardee Dam Powerline Safety Improvements Project for a total cost, after the addition of taxes, not to exceed \$1,200,000 under Request for Quotation No. 2503 Schedules II, III, and IV.
4. **Motion No. 051-25** – Awarded a contract to the lowest responsive/responsible bidder, Sierra Mountain Construction, Inc., in an amount not to exceed \$9,209,600 for the construction of the Mokelumne Aqueduct No. 2 Relining Phase 2 Project, under Specification 2199.
5. **Motion No. 052-25** – Authorized a direct award contract beginning on or after April 8, 2025 with Gooch Thermal Systems, Inc. for supplying one sludge spiral heat exchanger for the Main Wastewater Treatment Plant Blend Tanks for a total cost, after the addition of taxes, not to exceed \$119,375.
6. **Motion No. 053-25** – Authorized an agreement beginning on or after April 8, 2025 with Pacific Gas and Electric Company in an amount not to exceed \$139,944 for relocating the existing electrical service for the Lafayette Center Reliability Project.
7. **Motion No. 054-25** – Approved the Sewer System Management Plan for the Special District No. 1 sanitary sewer system, which has been updated to meet requirements established by the State Water Resources Control Board's updated Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems.

8. **Motion No. 055-25** – Approved the assignment of the agreement originally authorized under Board Motion No. 008-17 from Integral Group, Inc. to Introba for design and construction management support services for upgrading the heating, ventilation, and air conditioning systems at the Administration Building and Adeline Maintenance Center.
9. **Resolution No. 35442-25** – Amending The Expiration Date Of The 2021-2025 Memorandum Of Understanding With American Federation Of State, County And Municipal Employees, Local 2019.

PUBLIC HEARING

The Public Hearing was conducted after Agenda Item 13.

10. **Conduct a Public Hearing to receive a report on job vacancy rates of the International Federation of Professional and Technical Engineers Local 21 (Local 21), International Union of Operating Engineers Local 39 (Local 39), and the American Federation of State, County and Municipal Employees Locals 444 (Local 444) and 2019 (Local 2019), as required by California Assembly Bill 2561 (AB 2561): Local Public Employees: Vacant Positions.**

President Young opened the public hearing at 3:38 p.m.

Director of Human Resources Cindy R. Charan and Manager of Recruitment and Classification Vincent L. James provided the presentation. AB 2561 which was signed into law September 22, 2024 and added to California Government Code section 3502.3, aims to enhance transparency and accountability in public sector staffing. Ms. Charan reviewed key provisions of AB 2561 which includes requiring public agencies to present the status of job vacancies, along with recruitment and retention efforts, at a public hearing at least once per fiscal year prior to the adoption of an agency's final budget for the fiscal year; providing the right for an agency's bargaining unit to make presentations at the public hearing concerning bargaining unit positions; and additional reporting requirements if vacancies in a bargaining unit reach or exceed 20 percent of authorized full-time positions. Mr. James reviewed the status of Fiscal Year 2025 funded positions and vacancy analyses for Locals 21, 39, 2019, and 444 as of March 15, 2025; recruitment, retention and outreach efforts; specific outreach and partnerships with various resource agencies in the service area; and data on average years of service and average age by bargaining unit. Based on the average years of service for each unit, there are no specific recruitment or retention issues. There was Board discussion on having application caps for entry-level recruitments. Mr. James responded to Board questions about the status of Utility Laborer and Water Distribution Plumber hiring lists and reported the District is working with a consultant to review the testing requirements for Water Distribution Plumber I prior to an upcoming recruitment in May to identify and eliminate any barriers to employment. He also confirmed the District will be partnering with the Rising Sun Center for Opportunity in the future.

Next, Justin Young, Acting President, AFSCME Local 2019, provided a presentation from February 2025 regarding equity adjustments for Associate Electrical Engineers and Associate Control System Engineers. He commented on the staff presentation; staffing shortages for Associate Electrical Engineers, Electrical Engineers, and other job classifications; vacancy and turnover rates, historical and ongoing equity adjustment requests, and recruitment initiatives for

the Associate Electrical Engineer classification; AB 2561's mandate for collaboration between public agencies and unions to develop plans to address vacancies and improve recruitment, retention, and labor relations; and contracting out. He urged the District to work with bargaining units to determine which job classifications are funded but left unfilled, have recruitment and retention issues, or have been posted open continuously. President Young called for public comments. There were none. There were no questions from the Board. President Young called for a motion to close the public hearing and closed the public hearing at 4:19 p.m. In response to a request to discuss the information presented by Justin Young and recruitment at the District, General Manager Clifford C. Chan confirmed staff is scheduled to provide an update at an upcoming Legislative/Human Resources Committee meeting.

- Director Gómez left the meeting at 3:37 p.m. and returned at 3:39 p.m.
- Director Smith left the meeting at 4:18 p.m. and returned at 4:20 p.m.

Motion No. 056-25 – Conducted a Public Hearing to receive a report on job vacancy rates of the International Federation of Professional and Technical Engineers Local 21 (Local 21), International Union of Operating Engineers Local 39 (Local 39), and the American Federation of State, County and Municipal Employees Locals 444 (Local 444) and 2019 (Local 2019), as required by California Assembly Bill 2561 (AB 2561): Local Public Employees: Vacant Positions.

- Motion by Director Chan, seconded by Director Gómez to close the Public Hearing carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 057-25 – Closed the Public Hearing on job vacancy rates of the International Federation of Professional and Technical Engineers Local 21 (Local 21), International Union of Operating Engineers Local 39 (Local 39), and the American Federation of State, County and Municipal Employees Locals 444 (Local 444) and 2019 (Local 2019), as required by California Assembly Bill 2561 (AB 2561): Local Public Employees: Vacant Positions.

DETERMINATION AND DISCUSSION

11. Appoint Manager of Distribution Maintenance and Construction.

General Manager Clifford C. Chan announced Michael A. Rangel as the candidate for appointment to the position of Manager of Distribution Maintenance and Construction and highlighted Mr. Rangel's education and experience.

Board members commented about Board involvement in a hiring decision that should be under the General Manager's purview. General Manager Clifford C. Chan explained about classifications listed in the Municipal Utility District (MUD) Act that have historically been presented to the Board for appointment. Staff will provide an update on the appointment process for classifications in the MUD Act that are currently approved by the Board at a future meeting.

- Director Smith left the meeting at 1:26 p.m. and returned at 1:34 p.m.

- Motion by Director Oddie, seconded by Director Chan, to approve the recommended actions for Item 11 carried (6-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, and Young); NOES (None); ABSTAIN (None); ABSENT (Smith).

Mr. Rangel thanked the Board for the opportunity and said he looks forward to giving his best effort in leading the future at the District.

Resolution No. 35443-25 – Appointing Michael A. Rangel As Manager Of Distribution Maintenance And Construction (*effective April 21, 2025*).

12.1 – Allegations concerning the conduct of an EBMUD Board Member.

12.2

President Young announced the Board would review and discuss allegations of racially motivated conduct towards a member of the public and alleged behavior inconsistent with the Board of Directors Governance Manual by Board Vice President April Chan under Agenda Item 12.1. President Young reaffirmed the Board's commitment to the principles of racial equity as evidenced by the Board's adoption of a Resolution No. 35190-20 in 2020, following the murder of George Floyd. In that resolution, the Board committed to undertake the long and ongoing journey of becoming an anti-racist organization and to take seriously the conduct of everyone at the District regarding issues of race and fairness in accordance with the District's core values of stewardship, integrity, respect, and trust. President Young requested comment from Tiffany Conway.

- Addressing the Board were the following: 1) Tiffany Conway, commented on working with the District's Art Committee to display artwork in the Administration Building gallery and the encounter with Director Chan on March 27, 2025 when she came to de-install the artwork. She described the impacts of the interaction and demanded a public apology from Director Chan. She also asked the District to commit to doing better and commented on messages she received from employees following the March 27 incident; 2) Vernon Goins, attorney representing Director Chan, apologized to Ms. Conway on behalf of Director Chan and commented on the March 27 incident, Resolution No. 35190-20, the definition of racial profiling, and due process for Director Chan before taking action on Agenda Item 12.2; 3) Ivette Rivera commented on George Floyd's name being used in a matter involving a parking space; 4) Corina Lopez, San Leandro resident, thanked the Board for addressing this matter and commented on the remarks from Mr. Goins, abuse of power by elected representatives, the need for the Board to uphold high standards as it proceeds with this item, and noted she and members of the public are monitoring this situation; and 5) Dale Silva, Fairview resident, commented being surprised at the accusations, his interactions with Director Chan over the years, and due process for Director Chan.

Director Chan offered an apology to Ms. Conway (who was no longer in attendance) and asked everyone to reserve judgment until she could tell her side of the story. Director Chan also apologized to EBMUD staff working on this matter. President Young clarified no determination has been made, and that District policies and procedures require that the allegations be addressed. She also commented on why Resolution No. 35190-20 resolution was referenced as it set a marker for how the District intends to address systemic racism and racial bias in the organization and includes expectations for all employees, leadership, and the Board. She acknowledged

Director Chan's apology and the District's goal to complete a review of this matter in the coming weeks. President Young also reported that on or around March 28, under her authority as Board President, and on advice from the General Counsel, she directed Director Chan to refrain from representing the District in the public while this matter is being addressed. She opened the floor for comments from the Board. Director Chan commented Mr. Goins would speak on her behalf. President Young asked General Counsel Derek T. McDonald to comment on Mr. Goins speaking on behalf of Director Chan. Mr. McDonald commented the law would not prohibit Mr. Goins from speaking on behalf of Director Chan. President Young asked Secretary of the District Risha S. Cole for information on other agencies that have taken interim actions to address similar complaints or issues. Ms. Cole responded. There was significant Board discussion. Board members expressed their thoughts, offered apologies, acknowledged Ms. Conway's courage for coming forward, and thanked her for displaying her artwork at the District. They expressed overall support for President Young's decision to address this matter and the importance of taking this matter seriously. Board members thanked Director Chan for her apology and were in general agreement about her right to due process. Director Lewis reported on her personal and professional acquaintance with Mr. Goins. Mr. McDonald responded to questions on District procedures related to interim protective measures while investigations are pending against a Board member and clarified the decisions currently under Board consideration are political and not legally required. Assistant General Counsel Lourdes M. Matthew provided clarification on the purpose of interim measures and the relevant factors the Board may appropriately consider in making such decisions. The discussion continued about whether the actions outlined in Agenda Item 12.2 should be deferred until the investigations are complete; receiving more information before reaching a conclusion; the importance of making a decision in the best interest of the District and its customers; the importance of due process protections; Board member efforts to de-escalate the situation; and comments by Mr. Goins regarding the matter and the Board President. Mr. Goins, speaking on behalf of Director Chan, thanked the Board for considering Director Chan's position, being willing to hear both sides before taking any action, accepting Director Chan's apology, Director Chan's right to due process, and the District's guidelines on the Board's or the District's authority to take interim actions. President Young clarified the interim actions being requested while the investigations are underway. In response to comments about the time required to complete investigations, Special Assistant to the General Manager Derry L. Moten explained the District's investigation process in accordance with Policy 6.14 and said internal security and an EEO investigation by an external third party are in progress. Director Chan expressed appreciation for the Board's comments on Resolution No. 35190-20 and the importance of listening to Black and African American voices, while sharing personal feelings about the impact of the situation, her professional relationships with African Americans, the perception of being labeled a racist, and her family's history of immigration as indentured servants. She clarified that as agreed, she would not speak on behalf of the District in public but retained her right to speak as an individual to her constituents. Director Chan announced she would voluntarily step down as Vice President of the Board as an interim protective measure until the investigations are concluded and would remain Chair of the Planning Committee. The Board discussed whether they are required to take action to accept the voluntary step down and Mr. McDonald clarified no Board action is required. Additional discussion ensued and Mr. Goins asked for clarification about what defines the end of the investigations. Mr. McDonald clarified what constitutes the conclusion of the investigations, noting this would be upon completion of all three investigations, should a third be warranted. Mr. Goins proposed Director Chan step down as Vice President for no more than 30 days or until May 7. President Young said this matter will be calendared for reconsideration at the May 13, 2025 Regular Board meeting to determine if further

Board action is needed. There was considerable Board discussion about Director Chan stepping down until the investigations are concluded; concerns with conducting this matter in open session; taking action to remove Director Chan as Chair of the Planning Committee until May 13; and tabling Agenda Item 12.2 until May 13. Mr. McDonald clarified that the Brown Act does not provide a basis for holding this discussion in closed session.

- Addressing the Board were the following: 1) Carolyn Wysinger, not speaking on behalf of any board or committee, Mayor of El Cerrito, commented on anti-blackness, classism, her relationship to George Floyd, the constituents in Ward 7 monitoring this situation, and expressed concern that Ms. Conway’s experiences are being diminished; 2) Jamela Smith-Fold, not speaking on behalf of any organization or board, current West Contra Costa County Unified School District Board member, commented on anti-racism, racialized harm, and empathy bias; 3) Cheryl Sudduth, not speaking on behalf of any elected position or Board, current West County Wastewater Board member and Chair of the Northern California Environmental Caucus, commented on EBMUD’s policies, rectifying a situation when someone is harmed, and taking accountability; 4) Corina Lopez commented on Mr. Goins being allowed to comment under public comment and on behalf of Director Chan during discussions regarding Agenda Item 12.1; and 5) Lee Evans, EBMUD Dispatch Center Representative, offered an apology to Ms. Conway and commented on the length of investigations and similar past behaviors at the District.

President Young clarified Mr. Goins was speaking on behalf of Director Chan during public comment and during the discussion of Agenda Item 12.1. There was additional Board discussion and President Young put forth a motion to take interim action to temporarily remove Director Chan as Chair of the Planning Committee until the May 13, 2025 Regular Board meeting. The motion *died* for lack of a second. The Board discussed taking action to table Agenda Item 12.2 until May 13.

- Motion by Director Lewis, seconded by President Young to table Agenda Item 12.2 until the May 13, 2025 Regular Board meeting. Following Board discussion, Director Lewis and President Young withdrew the motions.
 - Director Oddie left the meeting at 3:19 p.m. and returned at 3:21 p.m.
 - Director Lewis left the meeting at 3:24 p.m. and returned at 3:26 p.m.
 - Director Chan left the meeting at 3:25 p.m. and returned at 3:28 p.m.

Director Chan voluntarily stepped down as Vice President of the Board **until May 13**. The matter will be revisited at the May 13, 2025 Regular Board meeting. President Young stated the Board would consider nominating an interim Vice President at the next Board meeting. Staff was asked to provide additional information on the District’s investigation processes. The Board did not take action on Agenda Item 12.2 to consider interim actions to temporarily remove Director Chan from the office of Vice President and from the position of Chair of the Board of Directors Planning Committee, or other interim actions deemed appropriate by the Board, pending the results of ongoing investigations and until further action of the Board.

13. **Legislative Update.**

Manager of Legislative Affairs Kathy Viatella reviewed Legislative Report No. 03-25, which included seven bills and staff recommendations for each bill. SB 431 (Arreguín) would add public utility employees or workers engaged in essential infrastructure work to the list of protected professionals under this law. Staff is recommending a "support and amend" position to include "wastewater" in the definition of "essential infrastructure work," which would then cover public-facing employees at the District for both water and wastewater. Staff is recommending a "support" position for the remaining bills. SB 599 (Caballero) would extend the scope of the Department of Water Resources' Forecast-Informed Reservoir Operations and Hazard Resiliency Program to include the development of extended-range atmospheric river forecasting. SB 654 (Stern) would allow the California Environmental Protection Agency to enter into a new three-year contract for the continued administration of the Water-Energy Nexus Registry program and provide an additional \$2 million to support these efforts. SB 682 (Allen) is intended to provide a comprehensive pollution prevention approach for PFAS aimed at phasing out products containing intentionally added PFAS by 2040. SB 735, SB 736 and SB 737 (Committee on Local Government) would enact the Validating Acts of 2025. The legislature usually enacts three bills known as the Validating Acts each year to retroactively correct procedural errors or omissions that public officials of state agencies, cities, counties, and special districts may make inadvertently. S. 322 (Padilla), the Improving Atmosphere Rivers Forecast Act, is intended to reduce flood risks and enhance emergency preparedness by improving atmospheric river forecasting. Next, Ms. Viatella provided an update on SB 858 (Committee on Local Government). As approved by the Board on January 14, 2025, EBMUD is sponsoring a legislative provision to amend the Municipal Utility District Act (MUD Act) to extend the term of office for appointed Board members to ensure there is no gap in Board representation when the Board of Directors fills a vacancy on the Board by appointment. The measure was introduced on March 12, 2025, and includes EBMUD's requested change to the MUD Act. Staff has expressed support for SB 858 and will provide updates to the Board, as appropriate.

- Motion by Director Gómez, seconded by Director Katz, to approve the recommended actions for Item 13 carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None)

Motion No. 058-25 – Received Legislative Report No. 03-25 and approved positions on the following bills: SUPPORT AND AMEND SB 431 (Arreguín) Assault and Battery: Public Utility Employees and Essential Infrastructure Workers; SUPPORT SB 599 (Caballero) Atmospheric Rivers: Research: Forecasting Methods: Experimental Tools; SUPPORT SB 654 (Stern) California Environmental Protection Agency: Contract: Registry: Greenhouse Gas Emissions That Result From the Water-Energy Nexus; SUPPORT SB 682 (Allen) Environmental Health: Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances; SUPPORT SB 735, 736, and 737 (Committee on Local Government) Validations; and SUPPORT S. 322 (Padilla) Improving Atmospheric River Forecasts Act; and received information on SB 858 (Committee on Local Government) Local Government Omnibus Act of 2025.

14. General Manager's Report.

Water Supply Update

Manager of Maintenance and Construction/Water Operations Roberto C. Cortez discussed end of season storage and 2025 total system storage projections and reported that according to measurements from the California Department of Water Resources, California experienced three consecutive years of near or above average snowpack for the first time in 25 years.

Wildlife Preparedness and Response

Due to time constraints, this presentation was deferred to a future meeting.

General Manager Clifford C. Chan announced the Speakers' Bureau Topics for 2025 which include community gatherings, sponsored events, tours, field trips, staff coordination meetings, and other events through December 2025, and the March 2025 Monthly Report were included in the Board materials. He asked the Board to contact him if they had suggestions or other events to include on the Speakers' Bureau Topics list. Next, he provided an update on District actions to address the golden mussel. District staff is working with State and Federal agencies, research institutions, and other water managers to track the spread of the golden mussel and to review inspection and decontamination protocols to prepare long-term plans. At this time, staff is not confident that the current protocols will be able to protect District reservoirs. The District plans to extend boat launch closures at its reservoirs through the end of the year. Recreation areas will remain open for shoreline fishing, boat rentals, camping, and day use.

DIRECTOR COMMENTS

15. Other Items for Future Consideration.

None.

16. Director Comments.

- Director Chan reported attending an event in Dublin two weeks ago (no date) and EBMUD staff's love of dancing.
- Director Gómez made a statement about current affairs and being emotionally impacted by policies of the current federal administration pertaining to immigration, health, environmental and water. She called for all to stand in solidarity with federal employees, and immigrants and individuals who have been deported. She called for all to do what we can where we are, noting that together we are strong.
- Director Katz reported attending the Ward 4 briefing in Berkeley on April 2 and presenting to a student audience at University of California Berkeley on April 5.
- Director Lewis reported attending the 27th Annual Madam C.J. Walker the 27th Annual Madam C.J. Walker Business & Community Recognition Luncheon & Empowerment Forum in Oakland on March 28.

- Director Oddie reported attending the East Bay Economic Development Alliance 2025 East Bay Innovation Awards in Oakland on March 27 and the Community of Harbor Bay Isle Owners’ Association Volunteer Appreciation dinner in Alameda on April 2. He also commented on his recent positive experience with Customer Services staff.
- Director Smith reported attending the Contra Costa County Monthly Women in Civic Leadership Luncheon in Richmond on March 26; Contra Costa County Special Districts Annual Dinner in Pleasant Hill on March 27; and the 27th Annual Madam C.J. Walker Business & Community Recognition Luncheon & Empowerment Forum in Oakland on March 28.
- President Young reported attending the Community Water Academy in Oakland on April 2; Hands Off Demonstration in Oakland on April 5; helping organize demonstrations in the Central Valley; and plans to attend the University of California Berkeley’s sponsored event Holy H2O, which explores the history of the creek protection movement in Berkeley on April 8.

ADJOURNMENT

President Young announced that today’s meeting would be adjourned in honor of lifelong environmental advocate and community leader David “Chicken” Nesmith. Mr. Nesmith was an advocate for the planet and people and dedicated over 40 years to advancing environmental justice, peace, and community well-being. She recounted how he got his nickname; their work together over the years; his legacy of environmental leadership; his work for the Sierra Club’s San Francisco Bay Chapter; his volunteer work with many organizations, including during the civil rights movement; and the many ways his efforts have positively impacted and benefitted the District. Chicken was a mentor and guide to many, led whitewater rafting and kayaking trips, especially for underserved youth, and leaves a legacy of humility, generosity, and love for the community.

President Young adjourned the Regular Meeting in honor of David “Chicken” Nesmith at 4:39 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: May 13, 2025

Marguerite Young, President of the Board

MINUTES

**Thursday, April 16, 2025
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Special Closed Session Meeting

President Marguerite Young called to order the special Closed Session Meeting of Board of Directors at 12:11 p.m. in the Administration Building Boardroom. The Board met in closed session in conference with labor negotiators from the Industrial Employers Distributors Association and EBMUD management representatives pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Locals 444 and 2019; International Union of Operating Engineers, Local 39; and International Federation of Professional and Technical Engineers, Local 21.

ROLL CALL

Directors Andy Katz, Valerie D. Lewis, Joey D. Smith and President Marguerite Young were present at roll call. April Chan arrived at 12:15 p.m. Due to technical difficulties with the teleconferencing application, Director Luz Gómez and Director Jim Oddie joined the meeting at 12:35 p.m. via teleconference in Conference Room 8.

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

PUBLIC COMMENT

- Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444 commented on the District's wage and health insurance benefit proposals, retirees' health insurance benefit costs, longevity pay and 401k contribution incentives for PEPRAs employees, the District's classification and compensation study for equity adjustments, and classification and compensation data Local 444 will provide to the Board; 2) Michael Morgan, Chief Steward, AFSCME Local 444 commented on Local 444's fatigue time proposal; 3) John Halseth, Member Relations Secretary, AFSCME Local 444 commented on Local 444's job site reporting proposal; and 4) Anna Pritt, Executive Board member and Contract Negotiator, IFPTE Local 21 commented on longevity pay and 401k contribution incentives for PEPRAs members and asked the Board to give District negotiators authority to take action on the proposals on the table.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Young announced the closed session agenda and stated the Board does not anticipate announcements from closed session and will adjourn in Administration Building Conference Room 8. The Board convened to Conference Room 8 to discuss closed session Item 1.

ADJOURNMENT

President Young adjourned the Special Closed Session meeting at 2:05 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: May 13, 2025

Marguerite Young, President of the Board

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MINUTES

**Tuesday, April 22, 2025
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:00 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Luz Gómez, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call.

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

PUBLIC COMMENT

- Addressing the Board were the following: 1) Jeremy Williams, General Pipe Supervisor commented on equity adjustments for General Pipe Supervisors and the District's equity analysis; 2) Perry Foreman, General Pipe Supervisor commented on equity adjustments and the District's base salary survey for General Pipe Supervisors; 3) Bryan Wolverton, General Pipe Supervisor commented on classifications they would like excluded from the District's General Pipe Supervisor base salary survey; 4) Bret Bergmark, General Pipe Supervisor commented on the classifications in the District's General Pipe Supervisor base salary survey and asked the Board to approve staff updating the classifications in the survey; 5) Carlton Steudman, General Pipe Supervisor commented on equity adjustments for General Pipe Supervisors; 6) Ryan Fierner, General Pipe Supervisor commented on equity adjustments and the District's base salary survey for General Pipe Supervisors; 7) Bryan Miller, Water Treatment Supervisor commented on equity adjustments for Water Treatment Supervisors; 8) Jason Littlefield, Water Treatment Supervisor commented on equity adjustments for Water Treatment Supervisors; 9) Dustin Battaion, Water Treatment Supervisor commented on equity adjustments for Water Treatment Supervisors; 10) Allison Brede, Water Treatment Supervisor commented on recruitment and equity adjustments for Water Treatment Supervisors; 11) Alan Chan, Senior Electrical Engineer asked the Board to reevaluate the request for equity adjustments for Senior Electrical Engineers; 12) Chris Farajian, Senior Electrical Engineer commented on the District's equity response to equity adjustments for Senior Electrical Engineers; 13) Eric Larsen, President, AFSCME Local 444 commented on the District's denial of equity adjustments, the importance of updated job descriptions, union involvement in compensation studies, and asked the Board to address priority equity adjustments; 14) Andrew Kendall, Instrument Technician commented on the role and duties of Instrument Technicians at the District; 15) Kyle Terry, Instrument Technician commented on the roles and duties and equity adjustments for Instrument Technicians; 16) Steve Mayer, Instrument Technician commented on recruitment and retention challenges and equity adjustments for Instrument

Technicians; 17) Jason Burton, Electrical Technician commented on equity adjustments for Electrical Technicians; 18) Timothy Schluter, Heavy Equipment Mechanic commented on equity adjustments for Heavy Equipment Mechanics; 19) Roy Abbett, Electrical Technician commented on equity adjustments for Electrical Technicians; 20) Nathaniel Hovland, Paving Raker C commented on increasing responsibilities and equity adjustments for Paving Rakers; 21) Efrain Valencia, Paving Raker B commented on equity adjustments for Paving Rakers; 22) Matthew Raymonde, Painter commented on equity adjustments for Painters; 23) Teresa Soto Martinez, Janitor commented on equity adjustments for Janitors; 24) Tony Martin, 1st Vice President, AFSCME Local 444 commented on labor negotiations, and asked the Board to consider all equity adjustments and to give negotiators the authority to approve equity adjustments; 25) Martin Semien, Heavy Transport Operator commented on the cost of living and the District's general salary increase offer; 26) Gilbert Loreda, Water Distribution Crew Foreman commented on recruitment and retention issues at the District, requests for equity adjustments, and staff morale; 27) Mikey Morgan, Chief Steward, AFSCME Local 444 commented on the union's fatigue time proposal; 28) John Halseth, Member Relations Secretary, AFSCME Local 444 commented on disparities in the process for Local 444 members to purchase boots and receive overtime meal reimbursements compared to other employees; 29) Justin Hurst, Maintenance Machinist commented on longevity pay and 401k contribution incentives for PEPRAs members and making EBMUD a more viable option for machinists; and 30) Kevin Amdahl, Maintenance Machinist commented on the proposals for PEPRAs members and recruitments at the District.

President Young thanked the speakers and requested copies of the documentation regarding General Pipe Supervisors referenced by Steve Mayer.

- Director Chan left the meeting at 11:35 a.m. and returned at 11:37 a.m.
- Director Oddie left the meeting at 11:54 a.m. and returned at 11:56 a.m.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:23 p.m. in the Administration Building Boardroom.

Directors April Chan, Luz Gómez, Andy Katz, Jim Oddie, Joey D. Smith, and President Marguerite Young were present at roll call. Director Valerie D. Lewis arrived at 1:25 p.m.

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 Young led the Pledge of Allegiance.

Recognizing Asian American & Pacific Islander Heritage Month and EBMUD's Asian Pacific Employees Association (APEA)

Director April Chan announced the APEA Affinity Group was founded in 1998 to promote, educate, and provide information to enhance the visibility, value, and advancement of District employees at EBMUD and within the surrounding communities. The APEA also supports the District's missions and goals of serving the public. In honor of Asian American & Pacific Islander Heritage Month, APEA will hold weekly events in May to highlight and celebrate the rich and diverse cultures within the Asian Pacific diaspora kicking off on May 1. On behalf of the Board, Director Chan encouraged support of the APEA and participation in Asian American & Pacific Islander Heritage Month events.

Service Award Recipients - January through March 2025

Senior Human Resources Analyst Laura Salangsang delivered the presentation highlighting 94 employees who have reached service award milestones ranging from five to 40 years of service. These employees were also recognized by their organizational leadership through the Employee Recognition and Service Award Program and received a service award on behalf of the District. Employees present in the Boardroom included Executive Assistant II Dawn Benson, Senior Civil Engineer Lilian Leung, Assistant Engineer Jose Lopez, Senior Civil Engineer Matthew Hoeft, Painter Foreman Jeffrey Williams, Associate Civil Engineer Rebecca Overacre, and Environmental Health and Safety Specialist II Brian Anzelc. The Board congratulated staff and thanked them for their service.

ANNOUNCEMENTS FROM CLOSED SESSION

President Young announced this morning's Regular Closed Session meeting was adjourned to continue immediately following the conclusion of today's Regular Business meeting. The Board will continue consideration of Item 1 on the Regular Closed Session agenda and will not consider any new items. The Board does not anticipate announcements from the continued closed session and will adjourn in Administration Building Conference Room 8. There were no other announcements required from closed session.

PUBLIC COMMENT

None.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the April 8, 2025 Planning and Legislative/Human Resources Committee Meetings.
- Chair Valerie D. Lewis reported the Finance/Administration Committee met earlier and received updates on the Monthly Investment Transactions Report; Quarterly Payroll, Disbursement and Real Estate Summary Reports and Quarterly Investment Report for the Water and Wastewater Systems for Quarter Ended March 31, 2025; EBMUD Series 2025 Water System Revenue Bonds; and EBMUD Series 2025 Wastewater System Revenue Bonds. The Committee also received an update on the District's current credit ratings.

CONSENT CALENDAR

- Item 1 was removed from the Consent Calendar for separate discussion.
- Motion by Director Oddie, seconded by Director Gómez, to approve the recommended actions for Items 2-12 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Approve the Regular Meeting Minutes of April 8, 2025.**

Director Chan requested a review of the minutes for suggested revisions, including the addition of the apology she offered during the April 8 Board meeting. Director Chan will review the minutes with the Secretary and revised draft minutes will be submitted for Board consideration at its May 13, 2025 Regular meeting.

2. The following correspondence was filed with the Board: **1)** Presentation entitled, “Service Award Recipients: January – March 2025,” dated April 22, 2025; **2)** Presentation entitled, “Water System Revenue Bonds, Series 2025 and Wastewater System Revenue Bonds, Series 2025,” dated April 22, 2025; **3)** Presentation entitled, “2025 Water Supply Availability & Deficiency Report,” dated April 22, 2025; **4)** Presentation entitled, “Additional Proposed Revisions to Policy 4.14 – Reimbursement of Director Expenses,” dated April 22, 2025; **5)** Speakers Bureau and Outreach Record CY 25, dated April 22, 2025; **6)** Email dated April 21, 2025 with attachment from Niroop K. Srivatsa, to Office of the Secretary regarding Letter to EBMUD Board of Directors; **7)** Email dated April 21, 2025 with attachments from Christopher Farajian to Office of the Secretary regarding Closed Session Public Comments Written Material (4/22) – Senior EE Equity; **8)** Email dated April 21, 2025 with attachments from Steven Mayer to Office of the Secretary regarding Board Meeting - Tuesday 4/22/2025 @ 11am, Topic - Equity Adjustment for Instrument Technician job class; **9)** Handout titled EBMUD Electrical Technicians; **10)** Handout titled General Pipe Supervisor Equity Adjustment Presentation, dated December 12, 2024; **11)** Handout titled Equity Adjustment regarding Janitor Foreman; **12)** Handout titled General Pipe Supervisor 2025 Equity Analysis; and **13)** Handout titled Senior Electrical Engineer 2025 Equity Analysis.
3. **Motion No. 059-25** – Awarded a contract beginning on or after April 22, 2025 to the lowest responsive/responsible bidder, Corpro Companies, Inc., for supplying magnesium anodes for three years, with two options to renew for additional one-year periods for a total cost, after the addition of taxes, not to exceed \$2,339,895 under Request for Quotation No. 2514.
4. **Motion No. 060-25** – Authorized an agreement beginning on or after April 22, 2025, with Engine Systems Integration, LLC. for three years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$700,000 for major engine-generator and auxiliary equipment controls upgrades and technical support during startup and testing for the Main Wastewater Treatment Plant Power Generation Station.
5. **Motion No. 061-25** – Authorized an agreement beginning on or after April 22, 2025 with Comprehensive Construction Services, Inc. in an amount not to exceed \$746,661 for replacement of the deck and renovation of the restrooms at McLean Hall on Sandretto Road in unincorporated Calaveras County.

- 6.1. **Motion No. 062-25** – Authorized an agreement beginning on or after April 22, 2025 with Jacobs Engineering Group Inc. in an amount not to exceed \$7,648,100 for design and engineering services during construction for the Influent Pump Station Resiliency Design Project.
- 6.2. **Motion No. 063-25** – Authorized an agreement beginning on or after April 22, 2025 with Estructure in an amount not to exceed \$91,545 for the independent peer review for seismic retrofit of the Influent Pump Station Resiliency Design Project.
7. **Motion No. 064-25** – Authorized an agreement beginning on or after April 22, 2025 with Pacific Gas and Electric Company in an amount not to exceed \$133,066 for upgrading the electrical service at Danville Reservoir.
8. **Motion No. 065-25** – Authorized the purchase of temporary information technology staffing services for the deployment of laptops, workstations, and supporting devices beginning on or after April 22, 2025 from Protiviti Government Services, Inc. for a total amount not to exceed \$200,000. This purchase will be made under State of California contracts available for use by local governments.
9. **Motion No. 066-25** – Authorized a pilot funding agreement with Upper Mokelumne I FRB LLC, a subsidiary of Blue Forest Inc., for an amount not to exceed \$100,000 to support forest health and fuel reduction activities in the upper Mokelumne River watershed.
10. **Motion No. 067-25** – Authorized an amendment to the Camanche Reservoir Recreation Contract with RRM-CLM Services.
- 11.1. - **Motion No. 068-25** – Ratified the extension of the agreement and the payment of \$73,351 to Shaw
- 11.2. Law Group, PC for the continuous work of providing Equal Employment Opportunity investigation services rendered through April 7, 2025; and authorized an amendment to the agreement originally authorized under Purchase Order No. EBM240995 with Shaw Law Group, PC to increase the agreement amount by \$150,000, which incorporates the ratified amount from the action above, for a total amount not to exceed \$230,000 to support the continued provision of Equal Employment Opportunity investigations and related services.
12. **Motion No. 069-25** – Approved the March 2025 Monthly Investment Transactions Report.

DETERMINATION AND DISCUSSION

13. Appoint Manager of Security and Emergency Preparedness.

General Manager Clifford C. Chan announced Stephen J. Bonini as the candidate for appointment to the position of Manager of Security and Emergency Preparedness and highlighted Mr. Bonini's education and experience.

- Motion by Director Chan, seconded by Director Katz, to approve the recommended actions for Item 13 carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Mr. Bonini thanked the Board for the opportunity.

Resolution No. 35444-25 – Appointing Stephen J. Bonini As Manager Of Security And Emergency Preparedness (*effective May 19, 2025*).

- Director Oddie left the meeting at 1:43 p.m. and returned at 1:44 p.m.

14.1. Authorize and approve the issuance of East Bay Municipal Utility District Water System Revenue Bonds, Series 2025 in an aggregate principal amount not to exceed \$1,265 million and approve the form and authorize the execution of certain documents in connection with the issuance, securing and sale of such bonds; and approve certain actions relating thereto.

Treasury Manager Robert L. Hannay provided the presentation for Agenda Items 14.1 and 14.2. This item was presented at the Finance/Administration Committee meeting earlier and the Committee unanimously supported the staff recommendations. Staff plans to issue Water System Revenue Bonds in three series – the series 2025A Bonds, 2025B Bonds, and 2025C Bonds (2025 Bonds) – in a total principal amount not to exceed \$1,265 million. The proposed 2025A Bonds are being issued to provide \$275 million in “new money” funding for the District’s Capital Improvement Program (CIP). The proposed 2025B Bonds are being issued to refund all or a portion of the District’s outstanding series 2015A, 2015B and 2015C Bonds. The proposed 2025C Bonds are being issued to refund all or a portion of the District’s outstanding series 2010B Build America Bonds (BABs). Bond proceeds will also be used to pay the costs of issuance of the Water System 2025 Bonds. Staff proposes issuing Wastewater System Revenue Bonds in two series – series 2025A Bonds and 2025B Bonds – in a total principal amount not to exceed \$255 million. The proposed 2025A Bonds are being issued to provide \$30 million in “new money” funding for the District’s CIP. The proposed 2025B Bonds are being issued to refund all or a portion of the District’s outstanding series 2015A-1 Bonds and to refund all or a portion of the District’s outstanding series 2010B BABs. Bond proceeds will also be used to pay the costs of issuance of the Wastewater System 2025 Bonds. Bonds for both systems are scheduled to be issued beginning May 1, 2025 and will be issued as “Green Bonds” based on the District’s Guidance for Issuing Green Bonds, approved in March 2022. Board authorization for this action will be effective for approximately 90 days. Next, he provided an update on the District’s current credit ratings. Mr. Hannay and General Manager Clifford C. Chan responded to Board questions regarding bond market volatility and whether this bond issuance will affect the District’s goal of achieving zero debt for the Water System.

- Motion by Director Oddie, seconded by Director Chan, to approve the recommended actions for Item 14.1 carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35445-25 – Authorize And Approve The Issuance Of Not To Exceed \$1,265 Million Aggregate Principal Amount Of East Bay Municipal Utility District Water System Revenue Bonds, Series 2025 In One Or More Series; Approve The Form, And Authorize The Execution, Of Certain Documents In Connection With The Issuance, Securing And Sale Of Such Bonds; And Approve Certain Actions Relating Thereto.

14.2. Authorize and approve the issuance of East Bay Municipal Utility District Wastewater System Revenue Bonds, Series 2025 in an aggregate principal amount not to exceed \$255 million and approve the form and authorize the execution of certain documents in connection with the issuance, securing and sale of such bonds; and approve certain actions relating thereto.

- Motion by Director Lewis, seconded by Director Gómez, to approve the recommended actions for Item 14.2 carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35446-25 – Authorize And Approve The Issuance Of Not To Exceed \$255 Million Aggregate Principal Amount Of East Bay Municipal Utility District Wastewater System Revenue Bonds, Series 2025 In One Or More Series; Approve The Form, And Authorize The Execution, Of Certain Documents In Connection With The Issuance, Securing And Sale Of Such Bonds; And Approve Certain Actions Relating Thereto.

- Director Oddie left the meeting at 1:43 p.m. and returned at 1:44 p.m.

15. File the 2025 Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 – Water Supply Availability and Deficiency and declare the District’s water supply is sufficient for meeting customer demands in 2025.

Associate Civil Engineer Ginger J. Chen provided the presentation. She reviewed gross water production for Fiscal Years (FY) 2024 and 2025 and the following as of April 14, 2025: precipitation in the East Bay (16.8 inches) and in the Mokelumne (35 inches); snowpack and snow water equivalent in the Sierras and Caples Lake snow depth; and total system storage (655,000 acre-feet (AF)). Total system storage is forecasted to be 630,000 AF by September 30, 2025 (the end of the water year), under a median 50 percent exceedance condition. The California Department of Water Resources’ April 1 Bulletin 120 forecast of runoff on the Mokelumne River is 570,000 AF. The forecasted runoff corresponds to a Below Normal water year type on the lower Mokelumne River under the District’s Joint Settlement Agreement (JSA). Ms. Chen reported the District’s water supply is sufficient to meet customer demands after all required downstream obligations are met. Based on runoff projections for the remainder of this year, Woodbridge Irrigation District will receive its full regulated base supply of 60,000 AF as provided by the parties’ agreement; Jackson Valley Irrigation District will receive up to its maximum entitlement of 3,850 AF, but direct diversion may not be available in all months; and North San Joaquin Water Conservation District, which is a junior water right holder and receives water if it is available, will not receive up to their scheduled amount of the 20,000 AF requested on March 14, 2025. Based on current projections, the District has no surplus water available. Engineering Manager Bradley M. Ledesma responded to Board questions and explained the District will not provide water for the Demonstration Recharge, Extraction and Aquifer Management (DREAM) Project because the pilot groundwater banking project has ended.

- Motion by Director Lewis, seconded by Director Gómez, to approve the recommended actions for Item 15 carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 070-25 – Filed the 2025 Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 – Water Supply Availability and Deficiency and declared the District’s water supply is sufficient for meeting customer demands in 2025.

16. **Provide direction to staff on revisions to Policy 4.14 – Reimbursement of Director Expenses based on feedback received from the Finance/Administration Committee and Board of Directors on March 25, 2025.**

General Counsel Derek T. McDonald provided the presentation, an overview of revisions to Policy 4.14 beginning in June 2024 and the most recent feedback and edits received during the March 25, 2025 Finance/Administration Committee and Board meetings. Key revisions received after November 2024 and discussed during the March 25 meetings included deleting mileage reimbursement for Directors attending regular, adjourned regular, special and committee meetings of the Board; limiting reimbursement to one conference per year unless a Director’s attendance at a conference is necessary due to service on a joint powers authority, regional committee or other body required to meet at the conference; requiring Directors to submit a draft calendar of conferences and activities for the fiscal year that may require reimbursable lodging, registration or airfare; and clarifying language regarding travel cancellations. An additional revision not included in the March 25 staff report was to increase the Board President’s pre-approval expense cap from \$100 to \$150 or \$200 to account for inflation. On March 25, the Finance/Administration Committee recommended deleting mileage reimbursement for Directors attending regular, adjourned regular, special and committee meetings of the Board and allowing reimbursement for travel to meetings (including Board meetings) that are not located at the Administration Building; applying “good cause” language from Board Resolution No. 35000-16 to travel cancellations for local events; removing the one-conference-per-year reimbursement limit and have conference reimbursement approved based on budget; and increasing the Board President’s pre-approval expense cap from \$100 to \$250. Following discussion at its March 25 Regular meeting, the Board directed staff to provide conference policies and individual budgets from other water agencies and data on event ticket pricing to support increasing the Board President’s pre-approval expense cap to \$250. There was extensive discussion about the proposed revisions, the data from other agencies and event ticket pricing, and how the Board’s travel budget is administered. The Board directed staff to keep mileage reimbursement language as is in the policy; update the policy to make conference reimbursements based on budget; include “good cause” language from Board Resolution No. 35000-16 to apply to travel cancellations for local events; and to increase the Board President’s pre-approval expense cap from \$100 to \$200. In response to discussions regarding budgeted travel funds for each Director, Secretary of the District Rischa S. Cole confirmed that funding for mileage reimbursement, including travel to and from Board meetings at the Administration Building and local events, is included in the Board’s overall travel budget. President Young requested a monthly update on Board travel as well as compensation data for other water agencies. Staff will update Policy 4.14 based on the feedback received and present the policy to the Finance/Administration Committee for review and the Board for consideration on May 27, 2025.

17. **General Manager’s Report.**

General Manager Clifford C. Chan announced the Speakers’ Bureau and Outreach Record CY25 had been provided at Board places.

DIRECTOR COMMENTS

18. Other Items for Future Consideration.

President Young asked that items for future consideration be submitted to her in addition to being submitted to the General Manager.

19. Director Comments.

- Director Chan congratulated former Congresswoman Barbara Lee on winning the mayoral race in Oakland and highlighted her experience working with Mayor-elect Lee.
- Director Gómez reported attending the EBMUD Community Water Academy at the Walnut Creek Water Treatment Plant on April 9; Exchange Club event for Councilmember Karen Stepper in Danville on April 9; Alameda County Mayors Conference in Livermore on April 9; East Bay Leadership Council Leadership Series featuring Dan Walters (remote) on April 10; East Bay Leadership Council Water Energy and Environment Task Force in Walnut Creek on April 15; Walnut Creek City Council presentation on April 15; EBMUD Special Closed Session meeting (remote) on April 16; meeting with EBMUD external auditors (remote) on April 16; Town Hall meeting by Congressman Mark Desaulnier in Danville on April 16; and meeting with Lafayette City Councilmember Jim Cervantes in Walnut Creek on April 17.
- Director Katz thanked staff for the Earth Day Fair at the Administration Building today and reported on plans to attend the EBMUD Community Water Academy at Berryman Reservoir in Berkeley on April 23.
- Director Lewis reported attending the EBMUD Community Water Academy at the Main Wastewater Treatment Plant in Oakland on April 16 and acknowledged Wastewater Control Representative Zoe Lake's great work leading the tour.
- Director Oddie reported attending the EBMUD Community Water Academy at the Main Wastewater Treatment Plant in Oakland on April 16 and plans to attend the Friends of the River Annual Dinner in San Francisco on April 25.
- Director Smith reported attending the East Bay Wildfire Coalition meeting in El Cerrito on April 16; EBMUD Community Water Academy tour of Pardee and upcountry facilities on April 18; and plans to attend the Spring Mega Chamber Mixer and Business Expo in El Cerrito on April 22.
- President Young reported providing a presentation on the water cycle to her granddaughter's Transitional Kindergarten class in Oakland on April 16 and attending the Oakland Roots Sports Club soccer game in Oakland on April 19.

ADJOURNMENT

President Young adjourned the Regular Meeting at 2:56 p.m.

Regular Closed Session Meeting (Continued)

At 3:07 p.m., the Board convened to Administration Building Conference Room 8 to continue consideration of Item 1 on the Regular Closed Session agenda. The Board did not anticipate announcements from closed session and adjourned closed session in Administration Building Conference Room 8.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: May 13, 2025

Marguerite Young, President of the Board

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RC

Secretary of the District

MINUTES

**Tuesday, May 6, 2025
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Special Closed Session Meeting

President Marguerite Young called to order the special Closed Session Meeting of Board of Directors at 12:01 p.m. in the Administration Building Boardroom. The Board met in closed session in conference with labor negotiators from the Industrial Employers Distributors Association and EBMUD management representatives pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Locals 444 and 2019; International Union of Operating Engineers, Local 39; and International Federation of Professional and Technical Engineers, Local 21.

ROLL CALL

Directors Luz Gómez (remote), Jim Oddie (remote), Joey D. Smith and President Marguerite Young were present at roll call. Director April Chan joined in Conference Room 8 (remote) at 12:07 p.m. Director Andy Katz arrived in Conference Room 8 at 12:10 p.m. Director Valerie D. Lewis arrived in Conference Room 8 at 12:45 p.m. (late arrival).

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

PUBLIC COMMENT

None.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Young announced the closed session agenda and stated the Board does not anticipate announcements from closed session and will adjourn in Administration Building Conference Room 8. The Board convened to Conference Room 8 to discuss closed session Item 1.

ADJOURNMENT

President Young adjourned the Special Closed Session meeting at 1:58 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: May 13, 2025

Marguerite Young, President of the Board

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BOARD ACTION

Agenda Number:	3.	Meeting Date:	May 13, 2025

TITLE	3367 KIM ROAD HOUSELINE INSTALLATION

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Award a contract to the lowest responsive/responsible bidder, Guerra Bros. Plumbing, Inc. (Guerra), in an amount not to exceed \$115,920 for the relocation of an existing water meter from a difficult-to-maintain location to the public right-of-way, and the associated installation of a private houseline for 3367 Kim Road in Lafayette.

SUMMARY	The contract is for the installation of a new private houseline that is required because the District is relocating an existing water meter from a difficult-to-maintain location to the public right-of-way. The contract is for labor and materials on private property that includes plumbing, excavating, trenching, surface repair, and water pressure testing.

DISCUSSION	Relocating the water meter for 3367 Kim Road, from the Withers Reservoir inlet/outlet pipeline to the public right-of-way is needed to allow the District to seasonally remove Withers Reservoir from service during low demand periods to maintain water quality operations in the Colorados Pressure Zone. The water meter is located within a narrow right-of-way adjacent to the Withers Reservoir and will be relocated to a new 6-inch water main to be installed as part of the Reliez Valley Road Pipeline Replacement Cluster, which is currently under construction, to maintain adequate water pressure to the customer when Withers Reservoir is seasonally removed from service to help maintain water quality during lower winter demands. The plumbing work entails installing a new 350-foot private houseline on private property after the District relocates the meter. The customer was notified and agreed to the installation of the new private houseline and understands they will be responsible for maintenance of the houseline following a one-year warranty period to be provided by the District's plumbing contractor. This project supports the District's Long-Term Infrastructure Investment and Customer and Community Services Strategic Plan goals.

BID RESULTS	Staff solicited bids from three plumbing contractors after conducting a mandatory pre-bid walk through. Three bids were received. Guerra submitted the lowest bid. The lowest responsive/responsible bidder, Guerra, is licensed to perform work in California, and is not on the State Director of the Department of Industrial Relations (DIR) debarment list. Guerra is properly registered with the State DIR. In the past five years, Guerra has not filed a Government Code Claim nor initiated any litigation against the District.

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Construction
Funds Available: FY 2025; Award #7000215; Page 40	Budget Coding: 11-521-2015144-55610	Approved: 	
Attachment(s): P-035; P-061			

Title:	3367 Kim Road Houseline Installation	Meeting Date:	May 13, 2025

SUSTAINABILITY**Economic**

Funding for this work is available in the Fiscal Year 2025 adopted capital budget for Distribution System Upgrades.

Social

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the DIR of the State of California.

This type of work is not performed by District forces because it involves work on the customers' private houseline and consequently, union notification was not required.

ALTERNATIVES

Do not perform the work. This alternative is not recommended because Withers Reservoir needs to be seasonally removed from service to maintain water quality operations in the Colorados Pressure Zone.

Select another contractor to perform the work. This alternative is not recommended because Guerra has the qualifications and expertise to complete the 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 General Services Agreement 3367 Kim Road Houseline Installation					DATE: February 20, 2025						
CONTRACTOR: Guerra Bros. Plumbing, Inc. Concord, CA			Local / Small Business		PERCENTAGE OF CONTRACT DOLLARS						
					Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		0.0%			
		Ethnicity	Gender	White Women		6%		0.0%			
\$115,920 *		Hispanic		Men		Ethnic Minorities		25%		100.0%	
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
PRIME: Guerra Bros. Plumbing, Inc.		\$115,920	Hispanic	X				100.0%			
SUBS: None											
TOTAL		\$115,920				0.0%	0.0%	100.0%	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		1		6		8			
Percent of Total Employees:		12.5%		12.5%		75.0%					
MSA Labor Market %:		33.3%		28.2%		38.5%					
MSA Labor Market Location:		Contra Costa County									
COMMENTS											
Contract Equity Participation: 100% Ethnic Minority participation. Contract Duration: None *Total not to exceed: \$115,920											
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: 3367 Kim Road Houeline Installation			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	
Construction Contract		DATE: 2/20/2025	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	EMM-H: L/SBE	Company Wide	0	4	0	0	4	66.7%	38.5%
Guerra Bros. Plumbing, Inc. Michelle Gillaspay 1054 Shary Cir., Suite E Concord, CA 94518 (925) 288-0409		Manager/Prof	0	2	0	0	2	100.0%	
		Technical/Sales	0	2	0	0	2	66.7%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	4	0	0	4	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District: 10/21/2021				
		Co. Wide MSA:	Contra Costa County		# Employees-Co. Wide: 6 Bay Area: 6				
P	WM: L/SBE	INFORMATION NOT PROVIDED							
Guaranteed Plumbing									
Marcus Madrid									
85 Front St.									
Danville, CA 94526									
(925) 820-2090									
P	WM: L/SBE	INFORMATION NOT PROVIDED							
Jackson & Son									
Robert Jackson									
211 Montago Dr.									
Hercules, CA 94547									
510-964-0982									

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)



BOARD ACTION

Agenda Number:	4.	Meeting Date:	May 13, 2025

TITLE	LIQUID AMMONIUM SULFATE FOR WATER TREATMENT PLANTS

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Award a contract beginning on or after May 14, 2025 to the lowest responsive/responsible bidder, Hill Brothers Chemical Co., for supplying liquid ammonium sulfate (LAS) for the District's Orinda, Lafayette, Sobrante, Upper San Leandro, Walnut Creek, and San Pablo water treatment plants for two years, with three options to renew for additional one-year periods for a total cost, including option years, not to exceed \$2,627,295 under Request for Quotation (RFQ) No. 2513.

SUMMARY	This contract will purchase 40 percent solution LAS to be used in the water treatment process for chloramination.

DISCUSSION	LAS is used in the water treatment process to react with free chlorine in the water to form chloramines which help to maintain water quality in the distribution system. The water treatment plants (WTPs) currently use aqueous ammonia which requires the plants to meet the strict requirements of the California Accidental Release Program. As part of the Chemical Site Safety Improvement Projects (CSSIP), the District is transitioning to LAS to meet Alameda and Contra Costa counties' hazardous material storage requirements for temporary outdoor facilities while the indoor storage and feed facilities are under construction. Upon completion of the CSSIP, the WTPs will continue to use LAS for the improved safety of employees and the neighboring community. This contract supports the District's Water Quality and Environmental Protection Strategic Plan goal.

VENDOR SELECTION	An RFQ was posted on the District's website, sent to 22 potential proposers, and advertised in the Oakland Tribune. Three bids were received. Hill Brothers Chemical Co. was the lowest responsive/responsible bidder.

Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY 2025	Budget Coding: 11.778.1470.8482800.53610.000000	Approved: 	
Attachment(s): P-035; P-061			

Title:	Liquid Ammonium Sulfate for Water Treatment Plants	Meeting Date:	May 13, 2025

SUSTAINABILITY

Economic

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

Social

This purchase will increase operational reliability, safety, and improve drinking water quality.

ALTERNATIVES

Do not purchase LAS. This alternative is not recommended because without LAS, the WTPs will not be able to chloramine the finished water. The plants cannot continue to use aqueous ammonia in the temporary outdoor storage and feed facilities while the permanent installations are being rehabilitated under the CSSIP. Use of aqueous ammonia is regulated under the California Accidental Release Program.

Purchase LAS on the open market. This alternative is not recommended because there is scarce availability of LAS for non-contracted purchase. Volume purchasing through a contract ensures a consistent and continuous supply and stable pricing.

I:\Sec\2025 Board Related Items\051325 Board Agenda Items\FIN - Liquid Ammonium Sulfate for Water Treatment Plants.docx



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Materials and Supplies Agreement - RFQ No. 2513 Liquid Ammonium Sulfate for Water Treatment Plants						DATE: April 16, 2025					
CONTRACTOR: Hill Brothers Chemical Co. Brea, CA					PERCENTAGE OF CONTRACT DOLLARS						
BID/PROPOSER'S PRICE: \$2,627,295 *		FIRM'S OWNERSHIP			White Men		25%		100.0%		
		Ethnicity	Gender		White Women		2%		0.0%		
		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: Hill Brothers Chemical Co.	\$2,627,295	White	X		100.0%						
SUBS: None											
TOTAL		\$2,627,295			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:	51	11	86	148							
Percent of Total Employees:	34.5%	7.4%	58.1%								
MSA Labor Market %:	39.0%	33.7%	27.3%								
MSA Labor Market Location:	USA										
COMMENTS											
Contract Equity Participation: 100% White Men participation. Contract Duration: Two years, with three options to renew for additional one-year periods. *Total not to exceed: \$2,627,295											
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: Liquid Ammonium Sulfate for Water Treatment Plants		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	
Materials and Supplies Agreement - RFQ No. 2513		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
DATE: 4/16/2025		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmnd 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	3	74	2	0	79	53.4%
Hill Brothers Chemical Co.		Manager/Prof	0	8	1	0	9	36.0%
R. Andrew Hill		Technical/Sales	0	4	0	0	4	28.6%
300 E. Birch St., Suite 108		Clerical/Skilled	0	14	1	0	15	51.7%
Brea, CA 92821		Semi/Unskilled	3	48	0	1	52	65.0%
714-998-8800		Bay Area	0	5	0	0	5	41.7%
		AA Plan on File: NA	Date of last contract with District: 3/6/2017					
		Co. Wide MSA: USA	# Employees-Co. Wide: 148				Bay Area: 12	
P	WM	Company Wide	1	3	0	0	4	50.0%
Industrial Solution Services, Inc.		Manager/Prof	0	0	0	0	0	0.0%
Allen E. Armstrong		Technical/Sales	0	3	0	0	3	60.0%
215 N Second Ave., Suite A		Clerical/Skilled	0	0	0	0	0	0.0%
Upland, CA 91786		Semi/Unskilled	1	0	0	0	1	100.0%
909-931-1860		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: California	# Employees-Co. Wide: 8				Bay Area: 0	
P	WM	Company Wide	28	50	2	0	80	48.8%
Pencco, Inc.		Manager/Prof	3	3	1	0	7	19.4%
Candace Hardy		Technical/Sales	5	9	0	0	14	70.0%
831 Bartlett Rd.		Clerical/Skilled	10	18	0	0	28	60.9%
Sealy, TX 77474		Semi/Unskilled	10	20	1	0	31	50.0%
979-885-0005		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: Te0	# Employees-Co. Wide: 164				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)



BOARD ACTION

Agenda Number:	5.	Meeting Date:	May 13, 2025

TITLE	FLEXIBLE TEMPORARY WATER DISTRIBUTION HOSES

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Award a contract beginning on or after May 13, 2025 to the lowest responsive/responsible bidder, Portable Pipeline Systems, for supplying flexible temporary water distribution hoses for a total cost, after the addition of taxes, not to exceed \$1,074,000, under Request for Quotation (RFQ) No. 2511.

SUMMARY	This contract is for the purchase of new 6-inch and 12-inch flexible temporary water distribution hoses for the District's Emergency Bypass System (EBS). The end fittings required to connect to the distribution system, or to connect multiple hoses into a longer section, are also included in the contract. The new hoses and fittings will augment the existing EBS hoses in storage and replace those that have reached the end of their service life.

DISCUSSION	The District's water distribution network crosses active earthquake faults and landslide at numerous locations throughout the service area. To bridge across damaged distribution and transmission pipelines following a major seismic event or landslide, the District maintains manifold assemblies at each of the crossings as well as flexible hoses as part of the EBS. In an emergency, the flexible hoses, stored at various locations throughout the District, will be deployed by staff to continue water flow across failed sections of pipeline. Some of the flexible hoses were procured in the early 2000s and have reached the end of their useful life. Procuring replacement EBS hoses is necessary for the District to be able to maintain continuous operations, provide water service and respond adequately to disaster relief. This purchase supports the District's Long-Term Infrastructure Investment and Customer and Community Services Strategic Plan goals.

VENDOR SELECTION	An RFQ was posted on the District's website, sent to three firms, and advertised in the Oakland Tribune. Two responses were received. Portable Pipeline Systems submitted the lowest bid and met the requirements of the RFQ.

SUSTAINABILITY	Economic Funding for this purchase is available in the Fiscal Year 2025 adopted capital budget for Small Capital Improvements.

Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY2025; Award #7000305; page 19	Budget Coding: 11.790.0000.3100103.53310.00000	Approved: 	
Attachment(s): P-035; P-061			

Title:	Flexible Temporary Water Distribution Hoses	Meeting Date:	May 13, 2025

Social

This purchase will reduce community impacts by allowing the District to maintain water service and provide relief in the aftermath of a disaster.

ALTERNATIVES

Do not award this contract. This alternative is not recommended because the EBS hoses are integral to the District's emergency response and disaster relief plans.

Reuse the existing EBS hoses in lieu of purchasing new equipment. This alternative is not recommended because some of the existing EBS hoses have reached the end of their useful life.

Reject received bid and re-bid. This alternative is not recommended because the District engaged in a fair and competitive bid process and the bid received met the specifications.

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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 Materials and Supplies Agreement - RFQ No. 2511 Flexible Temporary Water Distribution Hoses						DATE: April 18, 2025						
CONTRACTOR: Portable Pipeline Systems Orange, CA				Small Business		PERCENTAGE OF CONTRACT DOLLARS						
						Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP				White Men		25%		0.0%		
		Ethnicity	Gender	White Women		2%		0.0%				
\$1,074,000 *		Hispanic		Men		Ethnic Minorities		25%		100.0%		
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: Portable Pipeline Systems		\$1,074,000	Hispanic	X				100.0%				
SUBS: None												
TOTAL		\$1,074,000				0.0%	0.0%	100.0%	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:		0		0		1		1				
Percent of Total Employees:		0.0%		0.0%		100.0%						
MSA Labor Market %:		30.9%		25.5%		43.6%						
MSA Labor Market Location:		Orange										
COMMENTS												
Contract Equity Participation: 100% Ethnic Minority participation. Contract Duration: NA *Total not to exceed: \$1,074,000												
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: Flexible Temporary Water Distribution Hoses			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	
Materials and Supplies Agreement - RFQ No. 2511		DATE: 4/18/2025	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	EMM-H: SBE	Company Wide	0	1	0	0	1	100.0%	43.6%
Portable Pipeline Systems Isaac Alatorre 333 City Blvd West, 17th Floor Orange, CA 92868 714-369-4694		Manager/Prof	0	1	0	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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: NA						
Co. Wide MSA: Orange	# Employees-Co. Wide: 1		Bay Area: 0						
P	WM	Company Wide	2	9	4	0	15	8.7%	13.4%
Snap-Tite Hose Company Dominique Miller 217 Titusville Rd. Union City, PA 16438 814-602-9181		Manager/Prof	0	1	2	0	3	13.6%	
		Technical/Sales	0	1	0	0	1	5.6%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	2	7	2	0	11	8.7%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
Co. Wide MSA: Pennsylvania	# Employees-Co. Wide: 172		Bay Area: 0						

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



BOARD ACTION

Agenda Number:	6.1.-6.2.	Meeting Date:	May 13, 2025

TITLE	COPPER TUBING FOR STOCK

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	- Award a contract beginning on or after May 13, 2025, to the lowest responsive/responsible bidder, WHCI Plumbing Supply, for supplying copper tubing to the District for one year, with four options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$3,121,172 under Request for Quotation No. 2506. - Approve the fair market bidding and purchase of polyethylene covered copper tubing on the open market for a five-year period beginning May 14, 2025 and ending May 13, 2030 for a total aggregate amount not to exceed \$3,070,578.

SUMMARY	The copper tubing provided under this contract will be purchased for standard stock at District warehouses. Copper tubing is used for routine District installations and for emergency repairs to the water distribution system.

DISCUSSION	The District has purchased copper tubing and polyethylene covered copper tubing for stock at its warehouses for decades. Due to market volatility and the increase of materials costs for large individual orders exceeding the threshold for individually bid purchases, the District conducted a formal bid process to maximize quantity discounts, lock in annual pricing, and expedite procurements through the lowest-cost supplier. While competitive bids were received for the standard copper tubing, only one bid was received for the polyethylene covered copper tubing. The bid amount for polyethylene covered tubing exceeded the open market bid prices which the District has been paying for this type of tubing. As such, the recommendation is being made to continue to solicit fair market bids on an as-needed basis for the polyethylene covered copper tubing, and award the purchases based on current market priced bids. The District is not committed to purchasing a minimum or maximum quantity of the material described under this contract and will only order on an as-needed basis. The estimated contract amounts are based on historical usage and projected needs. This purchase supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION	A request for quotations was posted on the District's website, advertised in the Oakland Tribune, and sent to six potential proposers. Two bids were received. WHCI Plumbing Supply

Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY 2025	Budget Coding: 11.000.0000.0000000.17750.000000		Approved: 
Attachment(s): P-035; P-061			

Title:	Copper Tubing for Stock	Meeting Date:	May 13, 2025

was the lowest responsive/responsible bidder for the standard copper tubing and their bid price was determined by staff to be reasonable. The single bid received for the polyethylene covered tubing was rejected as the bid amount for polyethylene covered tubing exceeded the open market bid prices which the District has been paying for this type of tubing.

SUSTAINABILITY

Economic

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

ALTERNATIVE

Purchase non-polyethylene coated copper tubing on the open market. This alternative is not recommended because volume pricing leverage as well as product availability will be compromised. The contract also provides favorable terms and conditions for the District, which would likely not be obtainable in an open market purchase.



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 - RFQ No. 2506 Copper Tubing for Stock						April 15, 2025					
CONTRACTOR: Various Firms (See Below)				PERCENTAGE OF CONTRACT DOLLARS							
				Availability Group		Contracting Objectives		Participation			
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		0.0%			
		Ethnicity	Gender	White Women		2%		0.0%			
\$6,191,750 *		See Below		-		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: WHCI Plumbing Supply		\$3,121,172	Unclassified					50.4%			
PRIME: Open Market		\$3,070,578	Unclassified					49.6%			
SUBS: None											
TOTAL		\$6,191,750				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:		See Attached Form P-061									
Percent of Total Employees:											
MSA Labor Market %:											
MSA Labor Market Location:											
COMMENTS											
Contract Equity Participation: 0% Contact Equity participation. Firms are unclassified. Contract Duration: One year, with four options to renew for additional one-year periods.											
*Total not to exceed: \$6,191,750											
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: Copper Tubing for Stock			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	
Materials and Supplies Agreement - RFQ No. 2506		DATE: 4/15/2025	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	Unclassified: LBE	Company Wide	INFORMATION NOT PROVIDED						
WHCI Plumbing Supply Po Hei Chan 2900 Volpey Way Union City, CA 94587 510-991-2909		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		AA Plan on File:							
		Co. Wide MSA:							
RP	Unclassified	Company Wide	INFORMATION NOT PROVIDED						
Open Market		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
P	WM	Company Wide	0	6	0	0	6	42.9%	39.9%
Underground Republic Water Works Inc. Kurt Vincelette 11775 Cambell Ave. San Jose, CA 95126 408-714-0047		Manager/Prof	0	2	0	0	2	25.0%	
		Technical/Sales	0	1	0	0	1	33.3%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	3	0	0	3	100.0%	
		Bay Area	0	6	0	0	6	42.9%	
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide: 0		Bay Area: 14		

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)



BOARD ACTION

Agenda Number:	7.1.	Meeting Date:	May 13, 2025

TITLE **LAFAYETTE AND WALNUT CREEK WATER TREATMENT PLANTS CHEMICAL SYSTEMS SAFETY IMPROVEMENTS PROJECT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Award a contract to the lowest responsive/responsible bidder, Anvil Builders Inc., in an amount not to exceed \$54,647,046 for construction of the Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project under Specification 2194.

SUMMARY This contract includes replacement of the chemical storage and feed systems at the Lafayette Water Treatment Plant (WTP) and Walnut Creek WTP and installation of other improvements related to worker and environmental safety. It also includes installation of temporary chemical storage and feed systems for plant operation during construction of these improvements. This project was discussed at the Board's Long-Term Infrastructure Investment Workshops on November 13, 2018, November 10, 2020, October 11, 2022, and November 26, 2024.

DISCUSSION This project is part of the District's broader effort to upgrade the chemical systems at the WTPs to increase worker safety, environmental protection, and reliability. The first chemical systems safety improvements project (CSSIP) contract was awarded in January 2022 for the Orinda WTP. The second CSSIP contract was awarded in February 2023 for the Upper San Leandro and Sobrante WTPs. This contract is for the Lafayette and Walnut Creek WTPs and is the third and final CSSIP contract.

This project will improve safety and reliability at the Lafayette and Walnut Creek WTPs by replacing chemical piping, metering pumps, and storage tanks and implementing various improvements related to safety and reliability, including fire protection system improvements, ventilation improvements, additional emergency eyewash/showers, separation of incompatible chemicals, electrical system improvements, new emergency generators, and seismic restraints. Temporary facilities will allow the WTPs to continue operations throughout construction of the new permanent facilities.

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

BID RESULTS Bid documents were posted on the District's website and issued to 22 resource organizations and 13 prospective bidders. Five bids were received, ranging from \$54,647,046 to \$68,349,000. The bid summary is attached. The engineer's estimate for this work is \$52,620,099.

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Construction
Funds Available: FY2025; Award #7000090; Page #105	Budget Coding: 11-570-3100053-55610		Approved: 
Attachment(s): Bid Summary; Location Map; P-035; P-061; Mountain Cascade letter; Anvil response letter; District response letter			

Title:	Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project	Meeting Date:	May 13, 2025

Mountain Cascade Inc. submitted a Letter of Protest to the District, dated April 3, 2025, suggesting the District should reject the bid submitted by Anvil Builders Inc. The District reviewed and investigated the information provided in the letter and determined that there is no basis to determine Anvil Builders' bid is non-responsive. Copies of Mountain Cascade's letter, Anvil Builders' response, and the District's response letter are attached.

The lowest responsive/responsible bidder, Anvil Builders Inc., is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. Anvil Builders Inc. and its listed subcontractors are properly registered with the State DIR.

In the past five years, Anvil Builders Inc. has not filed a Government Code Claim nor initiated any litigation against the District.

SUSTAINABILITY**Economic**

Funding for this work is included in the Fiscal Year 2025 adopted capital budget for Treatment Plant Upgrades.

Social

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations of the State of California.

Local 444 was notified of this contract on October 17, 2023 and did not raise any specific issues related to this contract.

The project's fire system improvements, ventilation improvements, additional emergency eyewash/showers, separation of incompatible chemicals, and seismic restraints will increase worker safety.

Environmental

A California Environmental Quality Act Notice of Exemption was filed with the Contra Costa County Clerk on October 4, 2023.

The project's safety improvements will minimize potential risks of accidental release of treatment plant chemicals into the environment.

ALTERNATIVES

Do not complete the project. This alternative is not recommended because this work is required to improve worker safety, environmental protection, and reliability of the Lafayette and Walnut Creek WTPs.

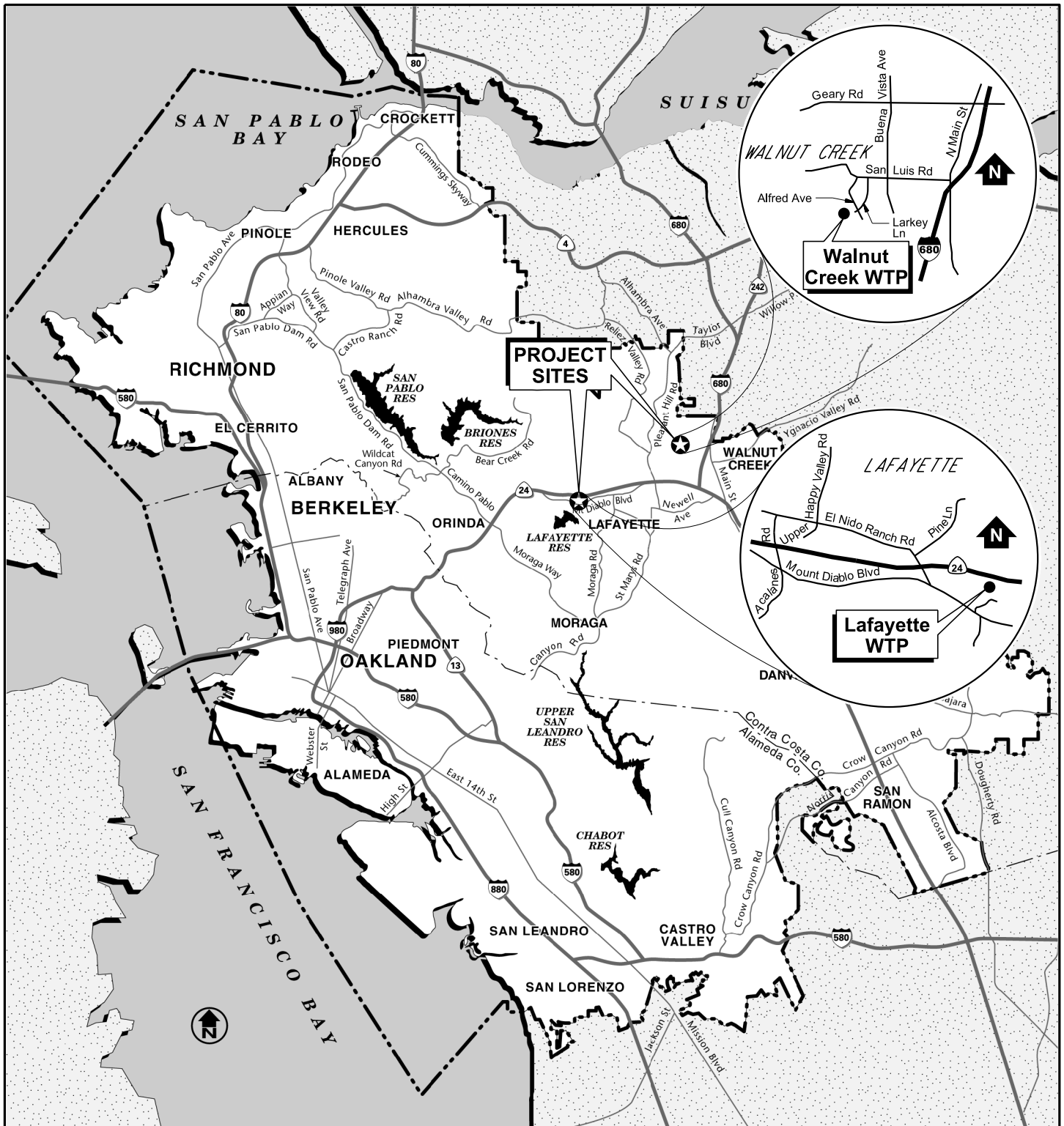
Perform the work with District forces. This alternative is not recommended because District forces are fully committed to other capital and maintenance work and cannot support the project in the required timeframe.

EAST BAY MUNICIPAL UTILITY DISTRICT**SPECIFICATION 2194****Lafayette and Walnut Creek Water Treatment Plants****Chemical Systems Safety Improvements****Bids Opened March 26, 2025**

	BIDDER	TOTAL AMOUNT BID
1.	Anvil Builders Inc. 1550 Park Ave. Emeryville, CA 94608 (415) 285-5000	\$54,647,046
2.	Mountain Cascade, Inc. 555 Exchange Ct. Livermore, CA 94560 (925) 373-8370	\$57,121,848
3.	Shimmick Construction Company, Inc. 1 Harbor Center, Ste. 200 Suisun City, CA 94585 (707) 410-5070	\$62,413,046
4.	Garney Pacific, Inc. 17510 W. Bethany Rd. Tracy, CA 95391 (925) 800-1848	\$64,850,748 ¹
5.	C. Overaa & Co. 200 Parr Blvd. Richmond, CA 94801 (510) 234-0926	\$68,349,000

Engineer's Estimate: \$52,620,099

¹The submitted bid amount was \$64,850,731. There is an error in the calculation of the cost for Line Item 8 (per unit amount \$199.82/foot for 5000 square feet). The listed price is \$999,083; however, the calculated price for Line Item 8 should be \$999,100.



PROJECT SITE LOCATION MAP

NOT TO SCALE

EAST BAY MUNICIPAL UTILITY DISTRICT

LAFAYETTE AND WALNUT CREEK WATER TREATMENT PLANTS CHEMICAL SYSTEMS SAFETY IMPROVEMENTS

SPECIFICATION 2194



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE SPECIFICATION NO.: 2194 Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project					DATE: April 29, 2025						
CONTRACTOR: Anvil Builders Inc. Local Business Emeryville, CA					PERCENTAGE OF CONTRACT DOLLARS						
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men	25%	99.6%					
		Ethnicity	Gender	White Women	9%	0.4%					
\$54,647,046 *		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: Anvil Builders Inc. \$27,523,679 White X 50.4%											
SUBS: Courtney Inc. \$896,712 White X 1.6%											
Prominent Fluid Controls \$3,400,000 White X 6.2%											
Tesco Controls, LLC \$3,277,500 White X 6.0%											
ACCO Engineered Systems Inc. \$883,388 White X 1.6%											
R.F. MacDonald Co. \$107,853 White X 0.2%											
DXP Enterprises Inc. \$1,855,000 White X 3.4%											
Anvil Power Inc. \$14,100,000 White X 25.8%											
National Storage Tank Inc. \$191,903 White X 0.4%											
Peterson Power Systems, Inc. \$1,011,011 White X 1.9%											
Brand Energy Services of California, Inc. \$1,400,000 White X 2.6%											
TOTAL		\$54,647,046		99.6%	0.4%	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:		24	7	195	226						
Percent of Total Employees:		10.6%	3.1%	86.3%							
MSA Labor Market %:		24.5%	21.6%	53.9%							
MSA Labor Market Location:		Alameda									
COMMENTS											
Contract Equity Participation: 99.6% White Men, and 0.4% White Women participation. Contract Duration: NA *Total not to exceed: \$54,647,046											
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: Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project		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		
Spec. No.: 2194		DATE: 4/29/2025	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: LBE	Company Wide	16	113	65	0	194	85.8%	53.9%
Anvil Builders Inc. Maria Zaval 1550 Park Ave. Emeryville, CA 94608 415-285-5000 ext. 224		Manager/Prof	0	16	0	0	16	50.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	5	4	0	9	90.0%	
		Semi/Unskilled	16	92	61	0	169	91.8%	
		Bay Area	16	113	65	0	194	85.8%	39.9%
		AA Plan on File:	NA		Date of last contract with District: 8/13/2024				
		Co. Wide MSA:	Alameda		# Employees-Co. Wide: 226		Bay Area: 0		
S	WM	Company Wide	5	480	4	0	489	91.9%	48.4%
Courtney Inc. Robert Gilbert 16781 Millikan Ave. Irvine, CA 92606 949-222-2050 ext. 114		Manager/Prof	0	4	0	0	4	40.0%	
		Technical/Sales	0	5	1	0	6	35.3%	
		Clerical/Skilled	5	466	3	0	474	95.6%	
		Semi/Unskilled	0	5	0	0	5	55.6%	
		Bay Area	3	182	0	0	185	93.0%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide: 532		Bay Area: 199		
S	WM	Company Wide	2	4	3	0	9	4.9%	13.4%
Prominent Fluid Controls Tarrah Myers 136 Industry Dr. Pittsburgh, PA 15275 412-788-7928		Manager/Prof	0	2	2	0	4	4.7%	
		Technical/Sales	0	1	0	0	1	2.8%	
		Clerical/Skilled	1	1	0	0	2	20.0%	
		Semi/Unskilled	1	0	1	0	2	3.8%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Pennsylvania		# Employees-Co. Wide: 183		Bay Area: 3		
S	WM: LBE	Company Wide	16	42	148	1	207	57.2%	31.6%
Tesco Controls, LLC Esmeralda Pena 8440 Florin Rd. Sacramento, CA 95828 916-395-8800		Manager/Prof	3	17	49	1	70	41.9%	
		Technical/Sales	2	6	3	0	11	36.7%	
		Clerical/Skilled	5	5	12	0	22	61.1%	
		Semi/Unskilled	6	14	84	0	104	80.6%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Sacramento		# Employees-Co. Wide: 362		Bay Area: 0		
S	WM: LBE	Company Wide	160	1,828	343	68	2,399	43.5%	48.4%
ACCO Engineered Systems Inc. Erik Dibble 133 Aladdin Ave. San Leandro, CA 94577 510-343-2001		Manager/Prof	29	137	112	1	279	36.2%	
		Technical/Sales	7	66	42	1	116	25.6%	
		Clerical/Skilled	124	1,625	189	66	2,004	46.6%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	3	21	14	0	38	237.5%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide: 5,521		Bay Area: 16		
S	WM: LBE	Company Wide	12	95	19	0	126	44.1%	27.3%
R.F. MacDonald Co. Melanie Acker 25920 Eden Landing Rd. Hayward, CA 94545 510-784-7448		Manager/Prof	1	13	4	0	18	37.5%	
		Technical/Sales	2	10	1	0	13	26.0%	
		Clerical/Skilled	9	70	12	0	91	50.0%	
		Semi/Unskilled	0	2	2	0	4	66.7%	
		Bay Area	6	19	10	0	35	43.8%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide: 286		Bay Area: 80		

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)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

[illegible]

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AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

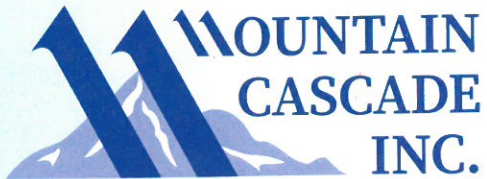
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DIR Number# 1000005190

FROM



P.O. BOX 5050 • LIVERMORE, CA 94551-5050

TO

Specifications and Engineering
Support Section (MS# 503)
East Bay Municipal Utility District
375 11th Street, Oakland CA 94607
Lafayette and Walnut Creek Water
Treatment Plants Chemical Systems
Safety Improvements- Spec 2194

**BID PROTEST OF MOUNTAIN CASCADE, INC.
Re: ANVIL BUILDDER'S INC.**

REC'D EBMUD PURCHASING
APR 4 '25 AM 9:59



555 Exchange Ct. P.O. Box 5050, Livermore, CA 94551-5050

April 3, 2025

Sent Via U.S. Mail:

Director of Engineering and Construction
East Bay Municipal Utility District
P.O. Box 24055
Oakland, Ca. 94623-1055

Hand Delivery:

Specifications and Engineering Support Section (MS #503)
East Bay Municipal Utility District
375 11th Street
Oakland, Ca. 94607

Re; East Bay Municipal Utility District
Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety
Improvements, Specification 2194
Bid Protest of Mountain Cascade, Inc. re: Anvil Builder's Inc.

Dear Director of Engineering and Construction:

Mountain Cascade, Inc. ("Mountain") protests any award of the contract set forth above to Anvil Builder's, Inc. ("Anvil") pursuant to Bidding Documents, Document 00 21 13, Article 27 because Anvil has submitted a nonresponsive bid, and, as the lowest responsive and responsible bidder, Mountain should be the recipient of the contract award for this project and hereby requests such pursuant to the Bidding Documents.

Anvil's Proposal Does Not Meet the Bidding Documents Requirements

Mountain submits that Anvil's bid is nonresponsive and must be rejected on the following grounds pursuant to violations of the Bidding Documents and statutory citations as follows:

1. The Bidding Documents under Section 09 91 00, Painting, Part 1.6 B., states: Applicator Qualifications: Company specializing in commercial painting and finishing with documented experience and approved by product manufacturer.
 - a) Anvil has neither the license, registration, or certification from the approved manufacturers nor the experience required under the Bid Document to self-perform Painting and failed to list a Section 09 91 00 Painting systems subcontractor for Bid Item 6.

- b) After receiving the bid results, Anvil realized it is not qualified to self-perform Painting. Anvil, without any ability to furnish painting materials required to be listed on its Contract Equity Participation form, now inappropriately circumvents the statutory subcontractor listing protections by covertly revising the scope and price of its listed High-Build Epoxy Coatings (Section 09 96 56.5) subcontractor, Brand Energy Services of California ("BES"), by submitting the post-bid Contract Equity Participation form listing BES at an increased price from the initial listed amount of \$442,038 to \$1,400,000 (a 316% increase) and increased scope to include the entirety of painting and coating rather than only High-Build Epoxy as originally listed in its bid.
2. The Bidding Documents under Section 09 96 35, Chemical-Resistant Coating, Part 1.4 C., states: Applicator qualifications: A firm with a minimum of 5 years of experience in the application of corrosion resistant systems of the type specified and certified by the corrosion resistant system manufacturer.
 - a. Anvil has neither the license, registration, or certification from the approved manufacturers nor the experience required under the Bid Document to self-perform Painting and failed to list a Section 09 96 35 Painting systems subcontractor for Bid Item 6.
 - b. After receiving the bid results, Anvil realized it is not qualified to self-perform Chemical-Resistant Coating. Anvil, without any ability to furnish Chemical-Resistant Coating materials as are required to be listed on its Contract Equity Participation form, now inappropriately circumvents the statutory subcontractor listing protections by covertly revising the scope and price of its listed High-Build Epoxy Coatings (Section 09 96 56.5) subcontractor, Brand Energy Services of California ("BES"), by submitting the post-bid Contract Equity Participation form listing BES at an increased price from the initial listed amount of \$442,038 to \$1,400,000 (a 316% increase) and increased scope to include the entirety of painting and coating rather than only High-Build Epoxy as originally listed in its bid.
3. The Bidding Documents, Designation of Subcontractors form, requires in part that each bidder shall list subcontractors that complete a portion of the work, in an amount in excess of one-half of one percent of the Contractor's total bid, and provide a description of that work to be performed.
 - a. California Public Contract Code, Section 4106, requires in part that a failure to specify a subcontractor under the contract for a portion of work in excess of one-half of 1 percent of the prime contractor's total bid, the prime contractor agrees that he or she is fully qualified to perform that portion and that the prime contractor shall perform that portion.
 - b. There is no dispute Anvil clearly did not intend to list a subcontractor for Painting and Chemical-Resistant coatings and crossed out a qualified subcontractor on its Designation of Subcontractors form; however, Anvil is precluded from self-performing

the work because it has no license, manufacture's certification or experience required by the Bidding Documents and/or under law.

Under these circumstances, Anvil now attempts to circumvent statutory subcontractor listing requirements and Bidding Documents by substituting its performance of work by subcontracting that work to another that required listing at bid time. The California Public Contract Code Section 4101 states in part that bid shopping and bid peddling deprive the public of the full benefits of fair competition among prime contractors. Here, Anvil is gaining an advantage by changing its original bid to be relieved of the obligations it promised but cannot deliver.

Mountain's proposal meets statutory requirements and includes detailed information demonstrating that Mountain meets or exceeds each of the requirements. Anvil's bid is nonresponsive to the Bidding Documents, and Anvil cannot perform the contract work as promised or as statutorily required, nor has it demonstrated that it satisfies these qualifications. As such, Anvil's proposal is nonresponsive to the requirements outlined in the Bid Documents.

California law requires the project be awarded to the lowest responsive, responsible bidder. A bidder is responsible if it can perform the contract as promised, and a bidder is responsive if it promises to do what the bidding instructions require. Here, Anvil's bid provides neither. For these reasons, we request the District award this Project to Mountain as the lowest responsible and responsive bidder consistent with public policy.

Please direct all future correspondence regarding this matter to my attention.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Hicks', with a large, stylized flourish at the end.

David T. Hicks
Corporate Secretary
Vice President-Estimating

April 15, 2025

VIA ELECTRONIC MAIL AND FIRST CLASS MAIL

Mun Lee, P.E.
Senior Civil Engineer
EBMUD – Engineering Services Division
375 11th Street, MS 503 Oakland, CA 94607
mun.lee@ebmud.com

Re: East Bay Municipal Utility District
Lafayette and Walnut Creek Water Treatment Plants Chemical Safety
Improvements, Specification 2194
Anvil Builders, Inc.'s Response to Mountain Cascade, Inc.'s Bid Protest

Dear Mr. Lee:

Our firm has been retained by Anvil Builders, Inc. (“Anvil”) in response to the April 3, 2025 bid protest letter (“Bid Protest”) submitted by Mountain Cascade, Inc. (“Mountain Cascade”) as to the bid (“Bid”) submitted by Anvil to East Bay Municipal Utility District (“EBMUD”) regarding the above-referenced construction project (the “Project”). This letter responds to the Bid Protest, and requests that EBMUD award the Project to Anvil, as the lowest responsive and responsible bidder on the Project.

1. Introduction.

Anvil’s March 28, 2025 bid (“Bid”) was responsive to all material terms of EBMUD’s invitation to bid on the Project. “A bid is responsive if it promises to do what the bidding instructions require. Usually, whether a bid is responsive can be determined from the face of the bid without outside investigation or information.” (*Valley Crest Landscape, Inc. v. City Council* (1996) 41 Cal.App.4th 1432, 1438.)

The Project is a complex job involving the coordination of multiple milestones across two Project locations. Thus, in order to retain as much control in ordering, sequencing, and executing the work, Anvil determined that it would self-perform a significant portion of the work set forth in Bid Item No. 6 on the Project, including purchase of materials, prep work and other work. The balance of the painting and coating (“Painting & Coating”) work under Bid Item No. 6 will be performed by two additional subcontractors, who will be assigned in accordance with the timing and location of the work. These smaller subcontracts were not listed in Anvil’s bid because it was

Mun Lee, P.E.
April 15, 2025
Page 2

not required under PCC 4100 *et seq.*—the amounts were less than one-half of one percent of Anvil’s overall bid.

As explained below, Anvil listed in its bid-day submission all of the subcontractors it was required by law to list—including the only Painting & Coating subcontractor with whom it intends to enter into a subcontract with a value in excess of one-half of 1% of Anvil’s bid: Brand Energy Services of California (“Brand Energy”) with a subcontract value of \$442,038. As listed, Brand Energy’s work will be under Bid Item No. 8. Thus, from the face of the Bid, Anvil provided all material information, including the information concerning its price, subcontractor listing, etc.—all of the information which courts have required from bidders in order to uphold their bid awards.

Despite providing all material information in its Bid, on April 3, 2025, Mountain Cascade submitted a Bid Protest challenging Anvil’s Bid on the grounds that Anvil “attempts to circumvent statutory subcontract listing requirements and Bidding Documents by substituting its performance of work by subcontracting that work to another subcontractor that required listing at bid time.” (Bid Protest at p. 3.) In another unfounded attempt to challenge Anvil’s Bid, Mountain Cascade argues that Anvil either cannot self-perform work and/or did not list a subcontractor for certain painting work set forth in Bid Item Nos. 6 and 8. Mountain Cascade cites no facts or law in support of these meritless assertions, which are based on its unsupported assumptions and guesswork. To be clear: Anvil is not changing its Bid or substituting contractors, and Anvil’s Bid and planned approach will execute the work by either (1) self-performing the work (for which it is properly licensed and qualified to perform) or (2) utilizing properly licensed and qualified contractors, whose subcontracts are not in excess of one-half of 1% of the total contract value—in full compliance with applicable California law and the Bid Specification requirements. Indeed, the Public Contract Code and California law interpreting the Act expressly permit Anvil, as a general contractor with a Class A and B license, to either self-perform the work or oversee its subcontractors performing the work. (See Pub. Contract Code § 4106; see *MCM Construction, Inc. v. City & County of San Francisco* (1998) 66 Cal.App.4th 359, 374 fn. 2 [finding that the general contractor’s failure to list a subcontractor “ultimately was not a basis for determining the bid nonresponsive, as [the general contractor] agreed it would do that work itself, as permitted by the Public Contract Code.”].) Try as it might, Mountain Cascade cannot re-write or impose different obligations than those set forth under the bidding documents or California law. Suffice to say, Mountain Cascade cannot support a Bid Protest premised on false assumptions of facts and law.

Further, it is important to note that Mountain Cascade’s own bid is *nonresponsive*, as its bid is unbalanced and is in excess of \$13 million higher than Anvil for the work set forth in Bid Item No. 7. Awarding Mountain Cascade the Project would frustrate the policy considerations of the Act. Thus, it is apparent that Mountain Cascade’s Bid Protest is an attempt to get a second bite at the apple after Mountain Cascade was not the apparent low bidder of the Project, and awarding the Project to Mountain Cascade would result in an extra cost to EBMUD of approximately \$2.5 million (in addition to front-end loading its work under Bid Item No. 7).

Mun Lee, P.E.
April 15, 2025
Page 3

Anvil's Bid contained the lowest price, was responsive, and Mountain Cascade's Bid Protest should be denied in its entirety. As the lowest responsive and responsible bidder, Anvil is legally entitled to be awarded the Project. (Public Contract Code § 20162.) Anvil remains ready, willing, and able to perform the work as set forth in its Bid.

2. Statement of Relevant Facts.

a. The Project.

The Project is comprised of eight separate bid items for work to be performed at two locations: (1) the Walnut Creek WTP and (2) the Lafayette WTP. Significantly, the Project schedule contains 23 different milestones to be completed over the course of forty-two months. Per the schedule, the Walnut Creek Plant starts and finishes before the Lafayette Building. In its estimating work, Anvil anticipated that (1) the Walnut Creek building interior work (per Specifications Section 09 96 35) would commence starting in Q4 of 2026 and finish in Q1 of 2028 and (2) the Lafayette building interior work (per Specifications Section 09 96 35) would commence starting in Q2 of 2027 and finish in Q2 of 2028.

b. Anvil's Means and Methods to Estimate and Schedule the Work.

Items Nos. 6 and 8 contain specifications for Painting & Coating work. As explained below, in light of the complex timing and milestone requirements of the Project, Anvil's Bid contemplates sequencing and executing the work through a mix of subcontractors and self-performing the work.

i) Bid Item No. 6: Painting and Coating Work.

In evaluating the Painting & Coating work on the Project, Anvil estimated that Bid Item No. 6 would require 120 working days to complete the work. Given the protracted Project timeline and the need to flexibly manage multiple Project milestones, it was apparent that estimating the Painting & Coating work in Bid Item No. 6 would require complex sequencing considerations, expertise, and management. As a Class B licensed general contractor, Anvil has extensive experience with "Building Construction" / vertical construction. Based on its knowledge and experience, and in order to maximize Anvil's flexibility in sequencing and executing the work, Anvil determined that it would furnish all materials for the Painting & Coating work, and would perform all access and preparation work. The balance of the work to be performed in Bid Item No. 6 will be consolidated into two subcontracts—each representing no more than one-half of 1% of the total contract value:

➤ Subcontract 1:

- Specification Section / Scope of Work: 09 96 35 – Labor for "Chem Resistant Coatings"

Mun Lee, P.E.
April 15, 2025
Page 4

- Estimated Subcontract Value: \$216,000
- Subcontract 2:
 - Specification Sections: 09 91 00, 09 96 56.05, 09 96 56.10, 09 96 57
 - Estimated Subcontract Value: \$175,000

Anvil's means-and-methods decision to self-perform a portion of the work in Bid Item No. 6, and to subcontract out smaller scopes of work for Painting & Coating, affords Anvil necessary flexibility in sequencing and coordinating the Project. Indeed, the logistics of bidding out a 1200+ page set of plans, over two different jobsites, with a contract duration over three years presents distinct challenges, and Anvil's plan mitigates scheduling risks inherent in this complex job. In addition, Anvil's decision to self-perform a significant portion of the work results in cost savings to EBMUD by avoiding unnecessary mark-ups by vendors or subcontractors purchasing material and equipment.

ii) *Bid Item No. 8: Reinforcement and Epoxy Work.*

In connection with Bid Item No. 8, Anvil decided to utilize Brand Energy in its Bid to perform the mat-reinforced epoxy work set forth in Bid Item No. 8.¹ In accordance with Public Contract Code section 4104, Anvil's Bid subcontractor listing document identifies the following information for Brand Energy:

Brand Energy Services of CA
Matt Hoose
535 Watt Drive, Suite A
Fairfield, CA 94534
661-428-2562
License # 867721
Dir # 1000012517
"Mat-Reinf. Epoxy – Bid Item 8"
\$442,038

¹ Anvil submitted a Contract Equity Participation Form two days following its Bid that did not accurately reflect the value of Brand's subcontract, which was correctly shown in Brand's Bid documents as \$442,038. This was simply an immaterial clerical error that was not submitted on Bid day and has no legal impact on the sufficiency of Anvil's Bid. (See *MCM Construction, Inc. v. City & County of San Francisco* (1998) 66 Cal.App.4th 359, 374 [underscoring the public entity's power and broad discretion to waive immaterial deviations from bidding requirements].)

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April 15, 2025
Page 5

3. Anvil's Bid Was Responsive Under Established California Law.

It is well-established under California Law that a responsive bidder is one whose bid fully conforms in all **material** aspects to all bid requirements. (*See Hensel Phelps Construction Co. v. Department of Corrections & Rehabilitation* (2020) 45 Cal.App.5th 679, 690.) Anvil's Bid complies with the bidding documents and California law, and as the lowest responsive and responsible bidder, so Anvil must be awarded the Project. (*See Public Contract Code* § 20162.)

Mountain Cascade challenges Anvil's Bid on three grounds: (1) that "Anvil has neither the license, registration, or certification from the approved manufacturers nor the experience required under the Bid Document to self-perform Painting" for the Section 09 91 00 Painting systems under Bid Item #6; (2) that "Anvil has neither the license, registration, or certification from the approved manufacturers nor the experience required under the Bid Document to self-perform Painting" for the Section 09 96 35 Painting systems under Bid Item #6; and (3) that the Anvil "did not intend to list a subcontractor for Painting and Chemical-Resistant coatings" and that "Anvil is precluded from self-performing the work." For these reasons, Mountain Cascade argues that "Anvil is gaining an advantage by changing its original bid." These contentions are based entirely on conjecture, rather than fact, and none of them has any merit. Further, Anvil did not hold back scope to allow post-bid flexibility.

As an initial matter, Anvil is not changing its Bid.

Second, as explained above, Anvil has estimated, and the Bid contemplates, that the Bid Item No. 6 work will be executed by Anvil either self-performing the work or overseeing qualified subcontractors performing the work. Neither California law nor the bidding documents require Anvil to identify subcontractors that do not perform an "amount in excess of one-half of 1 percent of the prime contractor's total bid." (*Public Contract Code* § 4104(a)(1).) The listing requirements of the Act thus require disclosure based on the value of a subcontractor's work on a *subcontractor-by-subcontractor* basis, not based on the aggregate scope of work. Accordingly, Anvil may assign discrete scopes of work to subcontractors with the same license classification so long as each subcontractor's work does not exceed the disclosure threshold requirements of section 4104.

Nonetheless, Mountain Cascade's Bid Protest purports to add an additional requirement by complaining that Anvil "attempts to circumvent statutory subcontractor listing requirements and Bidding Documents by substituting its performance of work by subcontracting that work to another that required listing at bid time." (Bid Protest at p. 3.) For the reasons stated above, this is pure conjecture and not based on fact. In addition, Mountain Cascade appears to argue that the Painting & Coating work is one trade, and thus should be treated as a unified scope under the subcontractor listing laws. Again, the listing laws set forth disclosure requirements for discrete subcontractors, not trades. Mountain Cascade points to no controlling authority or Bid Specification prohibiting Anvil from assigning discrete scopes of work to multiple subcontractors with the same license

Mun Lee, P.E.
April 15, 2025
Page 6

classification. In sum, Anvil's Bid unquestionably complies with the disclosure requirements set forth as section 4104.

Third, Anvil is a licensed, Class A and B general contractor, qualified to self-perform work and/or oversee its subcontractors. "[A] contract must be awarded to the lowest bidder unless it is found that he is not responsible, i.e., not qualified to do the particular work under consideration." (*City of Inglewood-L.A. Center Auth. v. Superior Court* (1972) 7 Cal.3d 861, 867, emphasis added.) Anvil acknowledges that the specifications set forth in Bid Item No. 6 contain certain qualification requirements, and to the extent Anvil cannot self-perform Painting & Coating work, Anvil intends to engage qualified subcontractors to perform these scopes of work. Notably, California courts have rejected similar attempts to challenge bids on the grounds that a general contractor is not "qualified." For example, in *MCM Construction, Inc. v. City & County of San Francisco* (1998) 66 Cal.App.4th 359, the Court of Appeal noted that general contractor MCM failed to list work to be performed by one of the subcontractors, but that "ultimately was not a basis for determining the bid nonresponsive, as MCM agreed it would do that work itself, as permitted by the Public Contract Code. (Pub. Contract Code, § 4106.)" (*Id.* at 374 fn. 2.) Mountain Cascade's challenges on "qualification" grounds fail.

It is clear from the face of Anvil's Bid that the Bid comports with the bidding documents and California law.² Anvil's means-and-methods decision to self-perform work and/or employ subcontractors where and as necessary falls squarely within the statutory requirements, and thus does not afford Anvil any unfair competitive advantage. The disclosure requirements of the Act are specifically designed to foster transparency and to avoid bid shopping or bid peddling. (See *Valley Crest Landscape, Inc. v. City Council* (1996) 41 Cal.App.4th 1432, 1439 ["The central purpose of the Act is to protect both the public and subcontractors from the practices of bid shopping and bid peddling in connection with public works projects. [Citations.]"].) Indeed, the purpose of the Act "is to prevent a prime contractor from using a subcontractor's bid to prepare its bid, and then shopping that bid to get a lower price." (*Id.*) None of these considerations are present

² Even if there were a mistake or omission in Anvil's Bid (there was not), Mountain Cascade has not and cannot establish that there was a *material* mistake or omission such that rescinding the award would be appropriate under the instant facts and circumstances. California law provides that only a mistake or omission as to a "material" bid item must be rejected as nonresponsive, and other mistakes or omissions may be disregarded or waived by a public entity in awarding a construction project. "Materiality" may vary depending on the differing factual circumstances of each project, Courts have given broad discretion to project owners to decide what is material. (See *Bay Cities Paving & Grading, Inc. v. City of San Leandro* (2014) 223 Cal.App.4th 1181 [emphasizing the "factual component" of the materiality inquiry and the public entity's broad discretion in considering this issue].) The Court of Appeal also has determined that a "material" mistake or omission in a bid is one that, if allowed, would give the low **bidder an unfair competitive advantage** over the other bidders. (*Ghilotti Construction Co. v. City of Richmond* (1996) 45 Cal.App.4th 897, 900.)

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here, as Anvil contemplates self-performing a significant portion of the work that Mountain Cascade claims Anvil is “substituting out.” Anvil’s means-and-methods decision to self-perform work and substitute limited scopes to subcontractors, as necessary to efficiently complete the work, *promotes* the purpose of the Act, which also seeks to maximize cost savings for the contracting public entity. Indeed, that Anvil is furnishing materials, equipment, and access will result in significant cost savings to EBMUD.

Mountain Cascade makes irresponsible assertions that Anvil’s Bid intends to circumvent the subcontractor listing laws and baldly asserts that Anvil will gain some sort of competitive advantage through its Bid. Not only are these assertions groundless, but, critically, Mountain Cascade has failed to identify any competitive advantage afforded to Anvil. None exists. A competitive advantage is created where the variance in question is of a type that would allow the low bidder to withdraw its bid pursuant to Public Contract Code § 5100 without forfeiting the bid bond. (*Menefee v. County of Fresno* (1985) 163 Cal.App.3d 1175, 1180-81.) The concept is that if the low bidder has the right to withdraw without penalty, he has a “free look” at the bids without being bound, *i.e.* an unfair competitive advantage. (*Id.*) However, Anvil’s bid did not afford it any sort of “free look” at the other bids without being bound—Anvil’s bid was lower by approximately \$2.5 million and it fully stands by its bid. Mountain Cascade could have, and should have, approached this Project with a similar means and methods plan as Anvil’s; the fact that Mountain Cascade did not provides no legal basis for rejecting Anvil’s bid. Mountain Cascade does not even address California law on this subject. Since the alleged complaints do not give Anvil any competitive advantage *as a matter of law*, they cannot render the bid non-responsive.

4. Mountain Cascade’s Bid Is Unbalanced and Inconsistent.

Mountain Cascade’s Bid Protest asks EBMUD to award the Project to Mountain Cascade. However, even if the Bid Protest had merit (it does not), Mountain Cascade is not the lowest responsible bidder. Indeed, Mountain Cascade’s bid is unbalanced and inconsistent, especially with respect to Bid Item Nos. 7 and 8.

First, Mountain Cascade’s bid for Bid Item No. 7 is inordinately overpriced. Indeed, Mountain Cascade listed \$17,392,942 for the Temporary Chemical Systems (as specified in Section 46 33 01). This price is over four times more than what Anvil bid this same scope of work for. Mountain Cascade’s overpriced bid for Item No. 7 contravenes the public policy considerations of the Act, as it would result in improper front-loading.

Second, Mountain Cascade’s bid for Item No. 8 is inconsistent and unbalanced, as Mountain Cascade listed Jeffco for the coating for their complete amount of \$4,278,900, and \$750,000 of that was for Bid Item 8. Jeffco quoted its work for Bid Item 8 at a cost of \$150 per square foot (\$150 per SF x 5,000 SF = \$750,000), but their Bid Item 8 only identifies \$53 per square foot (\$53 per SF x 5,000 SF = \$265,000). The delta between Jeffco’s quote and the listed value reveals that Mountain Cascade’s Bid is unbalanced—and further underscores that Mountain

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Cascade's bid is improperly front-loaded. In sum, Mountain Cascade cannot establish that it was the lowest responsible bidder, even if Anvil is not awarded the Project.

5. Conclusion.

For the reasons set forth above, the Bid Protest should be denied, and the Project should be properly awarded to Anvil as the lowest responsible bidder.

Anvil is prepared to enforce its rights under the Public Contract Code, including bringing mandamus proceedings in Superior Court. We are hopeful that EBMUD will proceed with awarding the Project to Anvil so that such action may be avoided.

If you have any questions concerning the foregoing, you can reach me at the number listed above. Please provide us with any written report that is prepared regarding the protest and the date and time that the public session will be held to discuss the protest, if any, so that we may consider the report and present any arguments at the public session we may deem appropriate.

Very truly yours,

RUTAN & TUCKER, LLP



William T. Eliopoulos

WTE:mcb

cc:

Mountain Cascade, Inc.,
555 Exchange Ct. P.O. Box 5050
Livermore, CA94551-5050

Alan Guy, Anvil Builders
CEO
[via email only – alan@anvilholdings.com]

Beau Blume, Anvil Builders
Project Executive
[via email only -- bblume@anvilbuilders.com]

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Brett Bennett, Anvil Builders
Estimator
[via email only -- bbennett@anvilbuilders.com]

Cu Mai, Anvil Builders
Senior Estimator
[via email only – cmai@anvilbuilders.com]

VIA EMAIL

April 25, 2025

Mr. David T. Hicks, Vice President-Estimating
Mountain Cascade, Inc.
555 Exchange Court
Livermore, CA 94550

Subject: Specification 2194 – Lafayette and Walnut Creek WTPs Chemical Systems Safety
Improvements. Bid protest by Mountain Cascade, Inc. (MCI)

Dear Mr. Hicks:

We have reviewed the points raised in your April 3, 2025 bid protest letter and the bid protest response letter from Anvil Builders Inc. (ABI) dated April 15, 2025 and have determined that there is no basis for deeming ABI's bid non-responsive. In the protest, MCI raised three points with respect to ABI's bid complying with the bidding documents requirements. You believe: 1) ABI does not have the license, registration, or certification or experience to self-perform the work under Section 09 91 00 – Painting, and that ABI is revising and changing the listed scope and bid price for subcontractor Brand Energy Services of CA (Brand), 2) ABI does not have the license, registration, or certification or experience to self-perform the work under Section 09 96 35 – Chemical-Resistant Coatings, and 3) ABI failed to list a subcontractor for a portion of work in excess of one-half of one percent of the Contractor's total bid, and did not intend to list a subcontractor for Painting and Chemical-Resistant Coatings portions of work.

Our findings and conclusions in response to these points are as follows:

- 1) ABI does not have the license, registration, or certification or experience to self-perform the work under Section 09 91 00 – Painting, and that ABI is revising and changing the listed scope and bid price for subcontractor Brand.
 - a. ABI has indicated that Brand will perform the work under Bid Item 8. For the remainder of the painting and coating work, ABI indicates it will furnish all materials and perform all access and preparation work, with the utilization of 2 subcontracts. The work under Section 09 91 00 is indicated to be performed under a subcontract that does not exceed the threshold amount that would require listing. The District considers the estimated amount to be plausible to perform the identified scope and has no factual basis to challenge this. The Subletting and Subcontracting Fair Practices Act requires bidders for public contracts to list the names of all subcontractors who will perform work in an amount in excess of one-half of one percent of the prime contractor's bid (California Public Contract Code [PCC] 4104(a)).

Further, PCC 4104(b) states that “The portion of the work which will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid.” ABI, in its response letter, defined an associated portion of the work for the subcontract. Since the estimated value of this subcontract is less than one-half of one percent, ABI was not required to list a subcontractor for the indicated scope of work. As its normal course of contract administration, the District actively enforces all provisions of its plans and specifications during construction in accordance with the law, including verification of the experience of the subcontractor and/or workers performing the identified painting work, and finds no merit to this claim.

- b. ABI has confirmed the subcontractor information listed for Brand as provided on the P-046 form as part of their original bid. ABI provides clarification on the discrepancy between the information listed on the P-046 form and the P-040 form submitted two days following the initial bid. They indicate that the initial bid does in fact accurately reflect the value of Brand’s actual subcontract and that information provided on the P-040 form was a clerical error. ABI affirms that they are not changing their original bid. The District considers the original bid submission itself to be dispositive, and documents submitted after-the-fact do not alter the actual bid itself. Since there is no actual change to ABI’s originally submitted bid documents, there is no basis to support a claim of modifying the bid. Nor can the indicated clerical error be considered a material defect in the bid.
- 2) ABI does not have the license, registration, or certification or experience to self-perform the work under Section 09 96 35 – Chemical-Resistant Coatings
 - a. As mentioned earlier, ABI indicated it will furnish all materials for the painting and coating work and perform all access and preparation work. It also indicated that Brand will be performing work under Section 09 96 35 – Chemical Resistant Coatings for Bid Item 8. ABI identified a subcontract for labor associated with Section 09 96 35 with an estimated value that also does not exceed the threshold amount that would requires listing. The District considers this to be a plausible estimated amount to perform the identified scope and has no factual basis to challenge this. The estimated amount of this subcontract is also less than one-half of one percent of ABI’s bid, and therefore a subcontractor was not required to be listed in the original bid. As its normal course of contract administration, the District actively enforces all provisions of its plans and specifications during construction in accordance with the law, including verification of the experience of the subcontractor and/or workers performing the identified coating work, and finds no merit to this claim.
- 3) ABI failed to list a subcontractor for a portion of work in excess of one-half of one percent of the Contractor’s total bid, and did not intend to list a subcontractor for Painting and Chemical-Resistant Coatings portions of work.

- a. ABI has provided a summary of the Division 09 specification work, and has identified corresponding portions of the work anticipated to be subcontracted out under this Division. Neither of the two separate subcontracts for different aspects of the work, exceed one-half of one percent of ABI's bid and therefore a violation of PCC 4106 has not occurred.
- b. As above, ABI has provided explanations to the District to explain the breakdown of the Division 09 specification work, which includes their approach for performing the Painting and Chemical-Resistant Coatings portion of work. The District finds this approach acceptable, and observes no violation of the contract documents or PCC.

Based on these findings, the District has determined that ABI's bid meets the requirements of the contract documents and is therefore considered responsive. MCI's bid protest is hereby denied. Should you wish to file an appeal of our determination, you have five work days from the receipt of this letter to set forth your grounds for appeal in accordance with Article 27 of the Instructions to Bidders.

Sincerely,

A handwritten signature in black ink, reading "David J. Rehnstrom". The signature is written in a cursive, flowing style.

David J. Rehnstrom, on behalf of Serge V. Terentieff

DJR:EZB:mhl



BOARD ACTION

Agenda Number:	7.2.	Meeting Date:	May 13, 2025

TITLE	ENGINEERING SERVICES DURING CONSTRUCTION FOR LAFAYETTE AND WALNUT CREEK WATER TREATMENT PLANTS CHEMICAL SYSTEMS SAFETY IMPROVEMENTS PROJECT

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Authorize an agreement beginning on or after May 13, 2025 with Stantec Consulting Services, Inc. in an amount not to exceed \$7,106,647 for engineering services during construction (ESDC) for the Lafayette and Walnut Creek Water Treatment Plants (WTP) Chemical Systems Safety Improvements Project (CSSIP).

SUMMARY	This agreement will provide ESDC for the replacement of the chemical storage and feed systems at Lafayette and Walnut Creek WTPs and installation of other improvements related to worker and environmental safety during construction of these improvements.

DISCUSSION	This agreement includes project management services; engineering site support, construction submittal and shop drawing review; response to requests for information and design clarifications for \$5,588,435. Optional services for \$1,518,212, will cover updating record drawings, system testing and startup services, and operation and maintenance documentation for the Lafayette and Walnut Creek WTP CSSIP. The scope and budget for this agreement reflect the high level of complexity associated with this construction contract. This complexity is driven by a combination of factors, including aging infrastructure, the need to replace outdated chemical systems on a constrained site, and the installation of a complex temporary chemical system that will demand significant design support throughout construction. This agreement will support critical safety and reliability improvements at the Lafayette and Walnut Creek WTPs, under Specification 2194, including replacement of chemical piping, metering pumps, and storage tanks and implementation of various improvements related to safety and reliability, including fire protection system improvements, ventilation improvements, additional emergency eyewash/showers, separation of incompatible chemicals, electrical system improvements, new emergency generators, and seismic restraints. This project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION	Stantec performed the design for the Lafayette and Walnut Creek WTPs CSSIP under Board Motion Nos. 198-17 and 033-023. As the Engineer of Record for the design, Stantec is the

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2025; Award #7000090; Page 105	Budget Coding: 11-551-3100053-52310	Approved: 	
Attachment(s): P-035; P-061			

Title:	Engineering Service During Construction for Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project	Meeting Date:	May 13, 2025

most cost-effective option to provide ESDC services and will provide continuity with personnel that are already familiar with the work and have the required expertise in chemical systems safety.

SUSTAINABILITY**Economic**

Funding for this work is available in the Fiscal Year 2025 adopted capital budget for Treatment Plant Upgrades.

Social

Locals 2019 and 21 were first notified of this agreement on September 28, 2021. A second update was sent to Locals 2019 and 21 on December 21, 2022. A third update was sent to Local 2019 on September 11, 2024 and to Local 21 on March 3, 2025. Local 2019's issues were addressed and resolved at meetings on October 1, 2024 and February 4, 2025. Local 21's issues were resolved on March 4, 2025.

Environmental

The safety improvements will minimize potential risks of accidental release of treatment plant chemicals into the environment.

A California Environmental Quality Act Notice of Exemption was filed with the Contra Costa County Clerk on October 4, 2023.

ALTERNATIVES

Select a different consultant to perform the work. This alternative is not recommended because it would delay the project schedule and potentially transfer liability of the design from the Engineer of Record.

Perform the work entirely with District forces. This alternative is not recommended because District forces do not have the resources to perform the work. Staff are currently engaged in other high-priority water infrastructure capital work.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement Engineering Service During Construction for Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project						DATE: April 10, 2025					
CONTRACTOR: Stantec Consulting Services, Inc. Walnut Creek, CA					PERCENTAGE OF CONTRACT DOLLARS						
Local Business					Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men		25%		2.9%		
		Ethnicity	Gender		White Women		6%		0.0%		
\$7,106,647 *					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
PRIME: Stantec Consulting Services, Inc.		\$6,898,472	Publicly Held Corp							97.1%	
SUBS: Fiberglass Structural Engineering, Inc.		\$161,200	White	X		2.3%					
Jensen Hughes, Inc.		\$46,975	White	X		0.7%					
TOTAL		\$7,106,647				2.9%	0.0%	0.0%	0.0%	97.1%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)											
		White Men		White Women		Ethnic Minorities		Total Employees			
No. of Employees:		105		112		132		349			
Percent of Total Employees:		30.1%		32.1%		37.8%					
MSA Labor Market %:		32.3%		27.8%		39.9%					
MSA Labor Market Location:		9 Bay Area Counties									
COMMENTS											
Contract Equity Participation - 2.9% White Men participation. Contract Duration: NA *Total not to exceed: \$7,106,647											
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: Engineering Service During Construction for Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project			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
Professional Services Agreement		DATE: 4/10/2025	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=Recmmnd 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: LBE	Company Wide	8	29	82	0	119	34.1%	39.9%
Stantec Consulting Services, Inc. Leah Armstrong 2999 Oak Rd., Suite 800 Walnut Creek, CA 94597 763-196-1002		Manager/Prof	5	27	72	0	104	32.9%	
		Technical/Sales	0	1	8	0	9	50.0%	
		Clerical/Skilled	3	1	2	0	6	40.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	8	29	82	0	119	34.1%	39.9%
		AA Plan on File: NA	Date of last contract with District: 12/12/2023						
Co. Wide MSA: 9 Bay Area Counties		# Employees-Co. Wide: 349		Bay Area: 349					
S	WM	Company Wide	0	0	0	0	0	0.0%	18.8%
Fiberglass Structural Engineering, Inc. Colleen Lahr 1511 Cornwall Ave. Bellingham, WA 98225 360-303-8397		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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%
		Co. Wide MSA: Washington	# Employees-Co. Wide: 12		Bay Area: 0				
S	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
Jensen Hughes, Inc. Patrick Ward 1220 Concord Ave., Suite 400 Concord, CA 94520 925-208-0738		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
Co. Wide MSA:									
P	WM: LBE	Company Wide	130	193	272	13	608	18.0%	27.3%
CDM Smith Inc. Patrice Robbins 100 Pringle Ave., Suite 300 Walnut Creek, CA 94596 512-323-4272		Manager/Prof	89	130	258	7	484	16.9%	
		Technical/Sales	15	10	5	0	30	14.7%	
		Clerical/Skilled	26	31	9	0	66	25.1%	
		Semi/Unskilled	0	22	0	6	28	50.0%	
		Bay Area	0	5	16	0	21	34.4%	39.9%
		Co. Wide MSA: Total USA	# Employees-Co. Wide: 3,383		Bay Area: 61				
P	WM	Company Wide	4	3	15	0	22	39.3%	27.3%
Kennedy/Jenks Consultants, Inc. Heather Stephens 303 Second St., Suite 300 South San Francisco, CA 94107 503-423-4050		Manager/Prof	4	3	6	0	13	30.2%	
		Technical/Sales	0	0	4	0	4	100.0%	
		Clerical/Skilled	0	0	5	0	5	55.6%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	4	3	0	0	7	12.5%	39.9%
		Co. Wide MSA: Total USA	# Employees-Co. Wide: 56		Bay Area: 56				

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



BOARD ACTION

Agenda Number:	8.	Meeting Date:	May 13, 2025

TITLE	GENERAL ENVIRONMENTAL SERVICES AGREEMENT

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Authorize agreements beginning on or after July 1, 2025 with GSI Environmental Inc. (GSI) and Terraphase Engineering Inc. (Terraphase), for an aggregate amount of \$4,500,000 for three years, with two options to renew for additional one-year periods for a total aggregate amount, including option years, not to exceed \$7,500,000, for general environmental services (GES).

SUMMARY	Approval of these agreements would allow the District to maintain compliance with federal, state, and local environmental regulations, and allow rapid response to incidents with potential for regulatory violation or environmental harm.

DISCUSSION	Since 1995, the District has utilized consultant services to address illegal dumping, remediate hazardous spills including decontamination, dispose non-routine waste, treat discharges to sanitary sewers and surface waters, perform site assessment and remediation, sample and analyze trench soils, and perform other specialized environmental services. The GES agreements also support the District's efforts to reduce cost and liability by centralizing these services with two consulting firms who will provide competitive cost estimates for individual projects and flexibility in scheduling work. These agreements support the District's Water Quality and Environmental Protection Strategic Plan goal. The services contracted for in these agreements cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

CONSULTANT SELECTION	A request for proposals was posted on the District's website and sent to 55 firms. Four firms submitted proposals and a short list of four firms was established. GSI and Terraphase were selected based on their demonstrated technical knowledge, experience, robust resource pool, and effective project management and cost controls approach. Work under these agreements is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. GSI and Terraphase are licensed to perform work in California and are not on the State Department of Industrial Relations debarment list. GSI and Terraphase and their listed subcontractors are properly registered with the State DIR.

Originating Department: Operations and Maintenance	Department Director or Manager: David A. Briggs	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: N/A	Budget Coding: 11.Variou.Variou.Variou.52310	Approved: 	
Attachment(s): P-035; P-061			

Title:	General Environmental Services Agreement	Meeting Date:	May 13, 2025

SUSTAINABILITY**Economic**

Funding for Fiscal Years 2026 and 2027 and the additional years will be considered as part of the associated budget development process.

Costs are spread across multiple budgets, projects, and departments depending on the need for the services.

The GES agreements support fiscal responsibility and benefit the District and its ratepayers by minimizing penalties for violations of environmental compliance.

Social

Locals 444, 2019, and 21 were notified of these agreements on February 4, 2025. Local 444's issues were addressed at a meeting on March 10, 2025 and resolved.

Environmental

These agreements assist the District in complying with federal, state, and local environmental regulations, thus minimizing impacts to the environment, staff, and the public.

ALTERNATIVES

Do not authorize these agreements. This alternative is not recommended because the District would be unable to maintain compliance with regulations, employee safety and environmental protection.

Conduct the work with District staff. This alternative is not recommended because District staff does not possess the specialized training, equipment, and licenses needed to handle, characterize, contain, transport and dispose of hazardous or potentially hazardous waste.

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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 Professional Services Agreement General Environmental Services Agreement						DATE: April 30, 2025					
CONTRACTOR: Various Firms (See below)					PERCENTAGE OF CONTRACT DOLLARS						
					Availability Group		Contracting Objectives		Participation		
BID/PROPOSERS' PRICE:		FIRMS' OWNERSHIP		White Men		25%		97.7%			
		Ethnicity	Gender	White Women		6%		0.3%			
\$7,500,000 *		See below		-		Ethnic Minorities		25%		2.0%	
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
PRIME: GSI Environmental Inc.		\$3,435,000	White	X		45.8%					
SUBS: Beyond Compliance, LLC		\$15,000	White	X		0.2%					
Buoyant Environmental, LLC		\$25,000	White		X		0.3%				
Innovative Construction Solutions		\$65,000	White	X		0.9%					
Patriot Environmental Services		\$65,000	White	X		0.9%					
Peak Environmental Health & Safety Engineering		\$50,000	White	X		0.7%					
Resource Compliance Inc.		\$30,000	White	X		0.4%					
WRA Environmental Consultants		\$65,000	White	X		0.9%					
PRIME: Terraphase Engineering Inc.		\$2,415,000	White	X		32.2%					
SUBS: American Integrated Services, Inc.		\$150,000	Hispanic	X				2.0%			
Ancon Marine LLC		\$85,000	White	X		1.1%					
Clearwater Landscape Services		\$450,000	White	X		6.0%					
LSA Associates, Inc.		\$500,000	White	X		6.7%					
Pacific States Environmental Contractors, Inc.		\$150,000	White	X		2.0%					
TOTAL		\$7,500,000				97.7%	0.3%	2.0%	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:			See Attached P-061 Form								
Percent of Total Employees:											
MSA Labor Market %:											
MSA Labor Market Location:											
COMMENTS											
Contract Equity Participation: 96.1% White Men, 0.6% White Women and 3.3% Ethnic Minority Participation.											
Contract Duration: Three years, with two options to renew for additional one-year periods.											
*Total not to exceed: \$7,500,000											
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: General Environmental Services Agreement			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	
Professional Services Agreement		DATE: 4/30/2025	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	3	6	17	0	26	24.1%	27.3%
GSI Environmental Inc. Rebecca Grant 2211 Norfolk Street, Suite 1000 Houston, TX 77098 713-522-6300		Manager/Prof	2	3	17	0	22	23.2%	
		Technical/Sales	0	1	0	0	1	100.0%	
		Clerical/Skilled	1	2	0	0	3	25.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	2	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District: 8/8/2023				
		Co. Wide MSA:	Total USA		# Employees-Co. Wide: 108		Bay Area: 15		
S	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
Beyond Compliance, LLC Gary Lucks 5512 Thomas, Avenue Oakland, CA 94618 510-290-5423		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WW	Company Wide	INFORMATION NOT PROVIDED						
Buoyant Environmental, LLC Jennifer Johnson 630 Vernon St. Oakland, CA 94610 510-463-4435		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WM	Company Wide	4	110	1	1	116	62.0%	48.4%
Innovative Construction Solutions Mayra Codiz 575 Anton Blvd., Suite 850 Costa Mesa, CA 92626 714-352-3232		Manager/Prof	1	14	0	0	15	34.9%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	3	43	1	0	47	65.3%	
		Semi/Unskilled	0	53	0	1	54	75.0%	
		Bay Area	2	13	1	1	17	51.5%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide: 0		Bay Area: 0		
S	WM	Company Wide	INFORMATION NOT PROVIDED						
Patriot Environmental Services Charles Watters 3200 Depot Rd. Hayward, CA 94545 888-641-3940		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WM: SBE	Company Wide	INFORMATION NOT PROVIDED						
Peak Environmental Health & Safety Engineering Brent Weisbrod 1141 Sibley St. Folsom, CA 95360 916-353-2360		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WM	Company Wide	INFORMATION NOT PROVIDED						
Resource Compliance Inc. Paul Thomas 126 W. Ventura Ct. Kingsburg, CA 93631 559-591-8898		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: General Environmental Services Agreement		Ethnic Minority Percentages From U.S. Census Data							
		National	B	H	A/PI	AI/AN	TOTAL		
		9 Bay Area Counties	10.5	10.7	3.7	0.7	27.3		
		Alameda/CC Counties	5.5	16.2	14.2	0.4	39.9		
			10.7	15.6	15.4	0.5	46.2		
Professional Services Agreement		DATE: 4/30/2025							
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 %
S	WM	Company Wide	INFORMATION NOT PROVIDED						
WRA Environmental Consultants		Manager/Prof							
Matt Osowski		Technical/Sales							
2169-G East Francisco Blvd.		Clerical/Skilled							
San Rafael, CA 94901		Semi/Unskilled							
415-454-8868		Bay Area							
		Co. Wide MSA:							
RP	WM: L/SBE	Company Wide	3	4	5	0	12	13.2%	48.4%
Terraphase Engineering Inc.		Manager/Prof	2	3	3	0	8	10.4%	
Sarah Gustafson		Technical/Sales	0	0	0	0	0	0.0%	
1404m Franklin Street, Suite 600		Clerical/Skilled	0	1	2	0	3	33.3%	
Oakland, CA 94612		Semi/Unskilled	1	0	0	0	1	100.0%	
510-645-1850 ext. 64		Bay Area	3	2	5	0	10	22.7%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		91	Bay Area:	44
S	EMM: H	Company Wide	25	305	19	2	351	76.6%	48.4%
American Integrated Services, Inc.		Manager/Prof	2	31	7	0	40	64.5%	
Francesca Brooks		Technical/Sales	3	65	3	2	73	70.2%	
1300 Oliver Rd. #185		Clerical/Skilled	3	64	5	0	72	72.0%	
Fairfield, CA 94534		Semi/Unskilled	17	145	4	0	166	86.5%	
310-522-1168		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		458	Bay Area:	0
S	WM	Company Wide	32	351	30	3	416	75.2%	27.3%
Ancon Marine LLC		Manager/Prof	0	21	4	0	25	47.2%	
Kate Salmon		Technical/Sales	0	6	2	0	8	36.4%	
10571 Los Alamitos Blvd.		Clerical/Skilled	1	24	6	0	31	63.3%	
Alamitos, CA 90720		Semi/Unskilled	31	300	18	3	352	82.1%	
310-912-4492		Bay Area	15	51	6	2	74	67.9%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide:		553	Bay Area:	109
S	WM	Company Wide	0	22	0	0	22	81.5%	31.6%
Clearwater Landscape Services		Manager/Prof	0	0	0	0	0	0.0%	
Scott Houck		Technical/Sales	0	0	0	0	0	0.0%	
3908 Placitas Dr.		Clerical/Skilled	0	0	0	0	0	0.0%	
Cameron Park, CA 95682		Semi/Unskilled	0	22	0	0	22	95.7%	
916-825-1574		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Sacramento		# Employees-Co. Wide:		27	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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title:		Ethnic Minority Percentages From U.S. Census Data							
General Environmental Services Agreement			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=Recmmnd 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 %
S	WM: LBE	Company Wide	3	16	18	1	38	22.1%	48.4%
LSA Associates, Inc. Anthony Petros 320 El Camino Real, Suite 100 Irvine, CA 92602 949-553-0666		Manager/Prof	0	0	4	1	5	17.2%	
		Technical/Sales	1	12	14	0	27	24.1%	
		Clerical/Skilled	2	4	0	0	6	19.4%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		172	Bay Area:	0
S	WM: LBE	Company Wide	38	212	16	2	268	60.4%	39.9%
Pacific States Environmental Contractors, Inc. Elise Agness 11555 Dublin Blvd Dublin, CA 94568 925-803-4333		Manager/Prof	0	0	1	0	1	7.7%	
		Technical/Sales	0	0	2	0	2	25.0%	
		Clerical/Skilled	0	3	1	0	4	66.7%	
		Semi/Unskilled	38	209	12	2	261	62.6%	
		Bay Area	38	212	16	2	268	60.4%	39.9%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		444	Bay Area:	444
P	EMM-A/PI: L/SBE	Company Wide	12	28	16	1	57	57.0%	53.9%
Alisto Engineering Group, Inc. Chris Corderi 2737 N. Main St. #200 Walnut Creek, CA 94597 925-279-5000		Manager/Prof	2	6	12	1	21	60.0%	
		Technical/Sales	10	21	1	0	32	60.4%	
		Clerical/Skilled	0	1	3	0	4	33.3%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	10	20	12	1	43	57.3%	39.9%
		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		93	Bay Area:	93
P	EMW-H: LBE	Company Wide	0	5	3	0	8	53.3%	39.9%
Aurora Environmental Services, Inc. Thomas Jamison 220 4th St., Suite 201 Oakland, CA 94607 510-444-1300		Manager/Prof	0	1	2	0	3	37.5%	
		Technical/Sales	0	2	1	0	3	60.0%	
		Clerical/Skilled	0	2	0	0	2	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	5	3	0	8	53.3%	39.9%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		33	Bay Area:	33

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)



BOARD ACTION

Agenda Number:	9.	Meeting Date:	May 13, 2025

TITLE	MORAGA AQUEDUCT NO. 2 PRESTRESSED CONCRETE CYLINDER PIPELINE INSPECTION

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Authorize an agreement beginning on or after May 13, 2025 with Insight Water Technologies, Inc. in an amount not to exceed \$429,000 for inspection services for Moraga Aqueduct No. 2 (MOR2) Prestressed Concrete Cylinder Pipeline Inspection (Project).

SUMMARY	MOR2 has not been inspected since construction in 1974. MOR2's 4.4 miles out of 5.7 miles of pipe is prestressed concrete cylinder pipe (PCCP), which has a history of sudden and catastrophic breaks at other North American water agencies. This agreement provides engineering services to inspect and provide a condition assessment of the PCCP portions of MOR2.

DISCUSSION	MOR2 is used to fill Upper San Leandro (USL) Reservoir, which supplies raw water to USL Water Treatment Plant (WTP). Raw water from MOR2 is conveyed from Lafayette Aqueducts No. 1 and No. 2 through the Moraga Raw Water Pumping Plant to Moraga Creek, ultimately flowing into USL Reservoir. USL WTP serves approximately 900,000 customers. Moraga Aqueduct No. 1 originally supplied USL Reservoir from the Bryant Pumping Plant but was decommissioned in 1973 and replaced with MOR2. PCCP can fail due to corrosion of the prestressing wires, which may not be preceded by a detectable leak or obvious defects. There are numerous examples of PCCP failures throughout North America. In 2024, there were two notable failures; the first was a sudden failure of a 78-inch diameter pipeline for the City of Calgary that supplies 60 percent of the city's water, and the second was a sudden failure of an 84-inch diameter pipeline for the City of Montreal which flooded nearby homes and businesses. Therefore, specialized inspection and evaluation methods are required to assess the condition of MOR2's PCCP. Condition assessment will also provide the pipe's maximum allowable pressure which will aid in evaluating operating scenarios under the future Moraga Raw Water Pumping Plant rehabilitation work. This work supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION	A request for proposals was posted on the District's website and sent to four firms. Given the specialized nature of the work, a request for a waiver to solicit firms outside of the Professional Services Roster was approved. Four firms submitted proposals. Insight Water

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2025; Award #7000061; Pg. 60	Budget Coding: 11.534.3100045.52310	Approved: 	
Attachment(s): P-035; P-061; Location Map			

Title:	Moraga Aqueduct No. 2 Prestressed Concrete Cylinder Pipeline Inspection	Meeting Date:	May 13, 2025

Technologies, Inc. was selected based on their expertise in providing inspection and condition assessments of PCCP.

Work under this agreement is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. Insight Water Technologies, Inc is licensed to perform work in California and is not on the State Department of Industrial Relations debarment list. Insight Water Technologies, Inc and its listed subconsultants are properly registered with the State DIR.

SUSTAINABILITY**Economic**

Funding for this purpose is available in the Fiscal Year 2025 adopted capital budget for Raw Water Infrastructure.

Social

Locals 21 and 2019 were notified of this agreement on February 25, 2025 and did not raise any specific issues related to this agreement.

This project will increase the untreated water system operational reliability.

Environmental

The project is exempt from the requirements of the California Environmental Quality Act under California Code of Regulations – Title 14 – Division 6 – Chapter 3 – Article 19 – Section 15301 (existing facility) and 15304 (minor alterations to land) because the work is inspection of an existing facility.

ALTERNATIVES

Do not perform the work. This alternative is not recommended because the aqueduct has not been inspected since it was constructed and it is prudent to inspect PCCP to detect anomalies in the pipe that can lead to sudden and catastrophic failures.

Perform the work with District forces. This alternative is not recommended because the District does not have the specialized equipment and technical expertise with PCCP inspection to perform the work.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement Moraga Aqueduct No. 2 Prestressed Concrete Cylinder Pipeline Inspection					DATE: May 6, 2025								
CONTRACTOR: Insight Water Technologies, Inc. Del Mar, CA					PERCENTAGE OF CONTRACT DOLLARS								
					Availability Group		Contracting Objectives		Participation				
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men		25%		93.2%				
		Ethnicity	Gender		White Women		6%		0.0%				
\$429,000 *		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: Insight Water Technologies, Inc.		\$315,000	White	X		73.4%			6.8%				
SUBS: HIS Group		\$29,000	Unclassified										
Simpson Gumpertz & Heger Inc.		\$85,000	White	X		19.8%							
TOTAL		\$429,000					93.2%	0.0%	0.0%	6.8%	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:		2		0		1		3					
Percent of Total Employees:		66.7%		0.0%		33.3%							
MSA Labor Market %:		32.4%		27.5%		40.2%							
MSA Labor Market Location:		San Diego											
COMMENTS													
Contract Equity Participation - 93.2% White Men participation. Contract Duration: NA *Total not to exceed: \$429,000													
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.

[illegible]

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

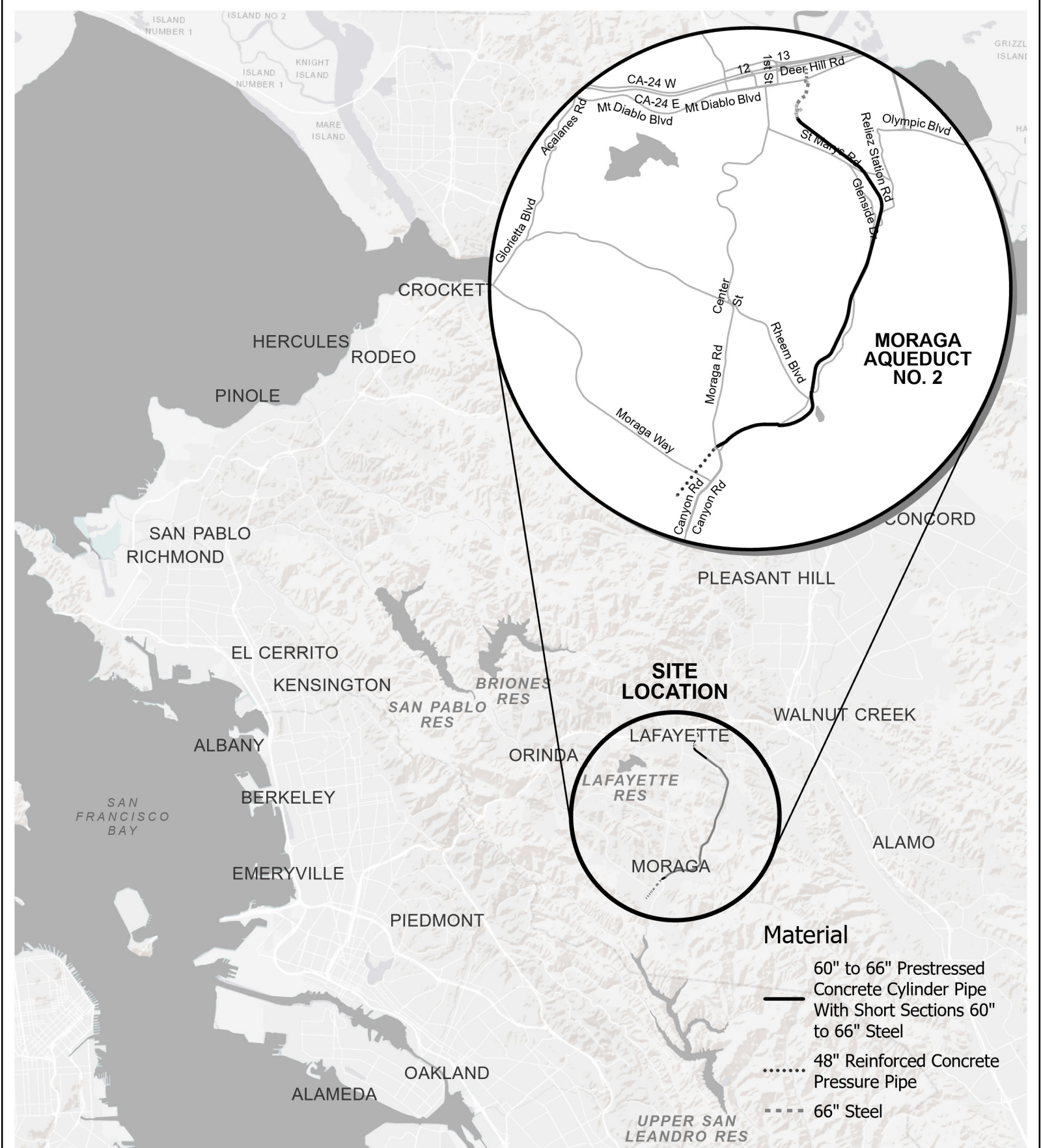
AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

[illegible]

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



Moraga Aqueduct No. 2
PreStressed Concrete Cylinder
Pipeline Inspection

MAY 2025

EAST BAY MUNICIPAL UTILITY DISTRICT

PROJECT SITE
LOCATION MAP





BOARD ACTION

Agenda Number:	10.	Meeting Date:	May 13, 2025

TITLE	MOKELUMNE RIVER FISH HATCHERY LIFT STATION REHABILITATION FINAL DESIGN SERVICES

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Authorize an agreement beginning on or after May 13, 2025 with Sherwood Design Engineers (Sherwood) in an amount not to exceed \$256,000 for final engineering design services for the rehabilitation of the existing wastewater lift station at the Mokelumne River Fish Hatchery (Hatchery).

SUMMARY	The final engineering design services will include engineering drawings and engineering services during construction (ESDC) for the mechanical design, the electrical and controls design, and the structural design.

DISCUSSION	Outdoor concrete raceways at the Hatchery provide the capacity to rear nine million Chinook salmon smolts and 250,000 yearling steelhead. If juvenile salmonids need to be treated for disease or when raceways are being cleaned, the effluent from these raceways must be diverted into settling ponds prior to being discharged to the river. The Hatchery has a lift station that pumps water from the outdoor raceways into the settling ponds for filtration prior to discharge to the river. The filtration process is required per the National Pollutant Discharge Elimination System (NPDES) permit for the Hatchery. The pumps in the lift station have been in operation since 2002 and have reached the end of their useful life and replacement parts are no longer available. The instrumentation and controls are also failing, and the lift station has experienced numerous unplanned shutdowns/outages since 2018. This project supports the District's Water Quality and Environmental Protection Strategic Plan goal by helping to ensure effective and efficient Hatchery operations. The services contracted in the agreement cannot be satisfactorily performed under the District's civil service and therefore contracting out is proper.

CONSULTANT SELECTION	This agreement is being recommended as a direct award. Due to a need to proceed with this project immediately, Sherwood was initially retained to develop a scope of work for this contract with the intent of recommending direct award of this agreement to Sherwood. Sherwood was the chosen provider because it is uniquely qualified for this project based on their expertise in engineering design of small wastewater systems including wastewater lift stations, recent experience providing engineering design services at upcountry facilities,

Originating Department: Water and Natural Resources	Department Director or Manager: Michael T. Tognolini	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2025; Award #70000240; Page 22	Budget Coding: 11-481-2015137-53120	Approved: 	
Attachment(s): P-035; P-061			

Title:	Mokelumne River Fish Hatchery Lift Station Rehabilitation Final Design Services	Meeting Date:	May 13, 2025

familiarity with District policies/procedures and working relationships with upcountry staff, and its availability to begin working on the project immediately.

SUSTAINABILITY**Economic**

Funding for these services are available in the Fiscal Year 2025 adopted capital budget for Mokelumne River Fish Hatchery.

Social

Locals 21 and 2019 were notified of this agreement on March 27, 2025, and did not raise any issues related to this agreement.

Environmental

The Hatchery produces fall-run Chinook salmon and federally threatened steelhead for the mitigation of lost spawning and rearing habitat due to the construction of Camanche Dam. Maintaining Hatchery infrastructure, specifically the lift station for the outdoor raceway, ensures that the District meets regulatory requirements. Since this is a design phase and there will be no direct physical change in the environment or reasonably foreseeable indirect change in the environment, this project is not subject to the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15301 also includes an exemption for projects involving the repair or minor alteration of existing facilities.

ALTERNATIVES

Conduct the work with District forces. This alternative is not recommended because the District does not have the resources to support the project and meet the project schedule.

Do not perform the work. This alternative is not recommended because this project is being implemented to finalize the engineering design for the Hatchery lift station that is at the end of its useful life. Due to the importance of the Hatchery to meet the District's mitigation requirements, and to meet NPDES requirements, this alternative is not recommended.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement Mokelumne River Fish Hatchery Lift Station Rehabilitation Final Design Services						DATE: April 16, 2025					
CONTRACTOR: Sherwood Design Engineers San Francisco, CA					Direct Award		PERCENTAGE OF CONTRACT DOLLARS				
					Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%			
		Ethnicity	Gender	White Women		6%		0.0%			
\$256,000 *		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
PRIME: Sherwood Design Engineers		\$177,000	White	X		69.1%					
SUBS: Frisch Engineering, Inc.		\$61,000	White	X		23.8%					
Biggs Cardosa Associates, Inc.		\$18,000	White	X		7.0%					
TOTAL		\$256,000				100.0%	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:		33		20		40		93			
Percent of Total Employees:		35.5%		21.5%		43.0%					
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 contract not to exceed: \$256,000											
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.

[illegible]

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



BOARD ACTION

Agenda Number:	11.1.-11.2.	Meeting Date:	May 13, 2025

TITLE	AMEND AGREEMENTS FOR BARE EQUIPMENT RENTALS

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	• Authorize amendments to the agreements originally authorized under Board Motion No. 013-21, with ASK Equipment Rentals; Coast Counties Peterbilt PacLease; Darrah Trucking & Excavating, Inc.; Doc Bailey Construction Equipment Inc.; Gloria Washington Trucking, Inc.; Herc Rentals Inc.; Ibarra Team Construction Services, Inc.; Inder Trucking; JS Cole Company; KJ's Transport LLC; Monticello Trucking LLC; Nor Cal Rental Group dba Cresco Equipment Rentals; Owen Equipment Sales; Pape Machinery Inc.; S&L Transport, LLC; Saba Holding Company LLC dba Volvo Construction Equipment and Services; Sky Rock Inc.; Sunbelt Rentals, Inc.; Tri Valley Water Trucks, Inc.; United Rentals (North America), Inc.; and Western Pacific Crane & Equipment LLC to increase the aggregate amount of those agreements by \$6,000,000 to a total aggregate amount not to exceed \$31,000,000 for equipment rentals without change to the January 11, 2026 expiration date. • Authorize additional agreements for equipment rentals, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 2025, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.

SUMMARY	These agreements allow the District to rent equipment when District-owned equipment is not available during peak periods of construction, when supply chain issues delay delivery of new equipment, when specialized equipment is needed, or when renting is cheaper than owning.

DISCUSSION	The District uses a variety of construction equipment such as backhoes, excavators, cranes, dump trucks, hydro-excavators, water trucks, and water storage tanks for the maintenance and construction of District infrastructure. Equipment rentals supplement District equipment during peak demand periods, cover for downtime of District equipment during servicing, or when specialized equipment is required for a short duration. Rented equipment is operated by District personnel. In January 2021, the original agreements were authorized under Board Motion No. 013-21 for a total aggregate amount not to exceed \$12,000,000 for three years with two options to

Originating Department: Maintenance and Construction	Department Director or Manager: Crystal J. Yezman	CEP Forms? Yes	Board Action Type: General Services
Funds Available: FY2025; Award 7000005, page 29; Award 7000003, page 32; Award 7000006, page 33; Award 7000024, page 34	Budget Coding: 11.Variou.Variou.52980.		
Attachment(s): P-035; P-061			

Title:	Amend Agreements for Bare Equipment Rentals	Meeting Date:	May 13, 2025

renew for additional one-year periods. In April 2023, an amendment was authorized under Board Motion No. 073-23 to increase the aggregate amount by \$13,000,000 to a total amount not to exceed \$25,000,000 through January 11, 2026.

These agreements support the District's Long-Term Infrastructure Investment Strategic Plan goal.

**SERVICE PROVIDER
SELECTION**

In November 2020, a request for proposals was posted on the District's website and sent to 106 potential proposers. Seventeen service providers submitted proposals. Ahern Rentals Inc., Coast Counties Peterbilt PacLease, Doc Bailey Construction Equipment Inc., Gloria Washington Trucking, Inc., Herc Rentals Inc., Ibarra Team Construction Services, Inder Trucking, JS Cole Company, Monticello Trucking LLC, Nor Cal Rental Group dba Cresco Equipment Rentals, Pape Machinery Inc., S&L Transport, LLC, Sky Rock, Inc., Sunbelt Rentals, Inc., Sunstate Equipment Co., LLC, Tri-West Tractor Inc., and United Rentals (North America), Inc. were selected based on the type of equipment they provide, availability of the equipment, and cost.

SUSTAINABILITY**Economic**

The FY 2025 adopted operating and capital budgets include funding for the first year of these multi-year agreements. Funding for the additional year will be considered as part of the associated budget development process.

Social

No union notification is required as rented equipment will be operated by District staff.

Environmental

Equipment rental increases efficiency of maintenance and construction activities (e.g., main break repair and pipeline replacement) which reduces community impacts associated with the District's maintenance and construction and supports resource conservation.

ALTERNATIVES

Do not amend agreements for equipment rental services. This alternative is not recommended because the equipment is needed to complete repairs and construction projects in a timely fashion.

Purchase additional equipment to support operations. This alternative is not recommended because ownership is not fiscally or operationally justified since rentals are often short term due to the need to support peak workloads, provide specialized equipment, or utilize when existing equipment is out of service for repairs.



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 - Amendment Amend Agreements for Bare Equipment Rentals					April 17, 2025							
CONTRACTOR: Various Firms (See below)					PERCENTAGE OF CONTRACT DOLLARS							
					Availability Group		Contracting Objectives		Participation			
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men		25%		42.9%			
		Ethnicity		Gender	White Women		6%		9.5%			
\$6,000,000 *		See below		-	Ethnic Minorities		25%		28.6%			
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:												
ASK Equipment Rentals		\$285,714	Black		X			4.8%				
Coast Counties Peterbilt PacLease		\$285,714	White	X		4.8%						
Darrah Trucking & Excavating, Inc.		\$285,714	White	X		4.8%						
Doc Bailey Construction Equipment Inc.		\$285,714	White	X		4.8%						
Gloria Washington Trucking, Inc.		\$285,714	Black		X			4.8%				
Herc Rentals Inc.		\$285,714	Publicly Held Corp	X					4.8%			
Ibarra Team Construction Services, Inc.		\$285,714	Hispanic	X				4.8%				
Inder Trucking		\$285,714	Asian	X				4.8%				
JS Cole Company		\$285,714	White	X		4.8%						
KJ's Transport LLC		\$285,714	White	X		4.8%						
Monticello Trucking LLC		\$285,714	White		X		4.8%					
Nor Cal Rental Group dba Cresco Equipment Rentals		\$285,714	White	X		4.8%						
Owen Equipment Sales		\$285,714	White	X		4.8%						
Pape Machinery Inc.		\$285,714	White	X		4.8%						
Total		\$6,000,000				42.9%	9.5%	28.6%	0.0%	14.3%	0.0%	4.8%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)												
		White Men		White Women		Ethnic Minorities		Total Employees				
No. of Employees		See Attached P-061 Forms										
Percent of Total Employees												
MSA Labor Market %												
MSA Labor Market Location												
COMMENTS												
Contract Equity Participation: 42.9% White Men, 9.5% White Women, and 28.6% Ethnic Minority participation. Contract Duration: Through January 11, 2026.												
*Total contract amount: \$31,000,000 = \$12,000,000 (Original) + \$13,000,000 (Amendment 1) + \$6,000,000 (Amendment 2)												
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: Amend Agreements for Bare Equipment Rentals		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		
General Services Agreement - Amendment		DATE: 4/17/2025	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	EMW-B: L/SBE	Company Wide	3	0	1	0	4	100.0%	53.9%
ASK Equipment Rentals De'Lana Picou 1300 Clay St., Ste 600 Oakland, CA 94612 510-221-0020		Manager/Prof	1	0	1	0	2	100.0%	
		Technical/Sales	1	0	0	0	1	100.0%	
		Clerical/Skilled	1	0	0	0	1	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	3	0	1	0	4	100.0%	39.9%
		AA Plan on File: NA	Date of last contract with District: 11/1/2020						
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 4				Bay Area: 4		
RP	WM: LBE	Company Wide	3	66	8	0	77	42.3%	48.4%
Coast Counties Peterbilt PacLease Mike Sorenson 260 Doolittle Dr. San Leandro, CA 94577 408-453-5510		Manager/Prof	1	14	1	0	16	28.1%	
		Technical/Sales	0	8	1	0	9	42.9%	
		Clerical/Skilled	0	5	2	0	7	50.0%	
		Semi/Unskilled	2	39	4	0	45	50.0%	
		Bay Area	3	66	8	0	77	42.3%	39.9%
		Co. Wide MSA: California	# Employees-Co. Wide: 182				Bay Area: 182		
RP	WM: L/SBE	Company Wide	5	2	2	0	9	81.8%	38.5%
Darrah Trucking & Excavating, Inc. Donald Darrah 4495 Pacheco Blvd, Ste A Martinez, CA 94553 925-229-3725		Manager/Prof	0	0	1	0	1	33.3%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	1	0	0	1	100.0%	
		Semi/Unskilled	5	1	1	0	7	100.0%	
		Bay Area	5	2	2	0	9	81.8%	39.9%
		Co. Wide MSA: Contra Costa	# Employees-Co. Wide: 11				Bay Area: 11		
RP	WM: L/SBE	Company Wide	0	5	2	0	7	50.0%	39.9%
Doc Bailey Construction Equipment, Inc. Lisa Chu 2584 Grant Ave. San Leandro, CA 94580 510-638-6243 ext 6		Manager/Prof	0	1	1	0	2	28.6%	
		Technical/Sales	0	3	0	0	3	75.0%	
		Clerical/Skilled	0	1	1	0	2	66.7%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	5	2	0	7	50.0%	39.9%
		Co. Wide MSA: 9 Bay Area Counties	# Employees-Co. Wide: 14				Bay Area: 14		
RP	EMW-B: L/SBE	Company Wide	6	1	0	0	7	77.8%	46.2%
Gloria Washington Trucking, Inc. Gloria Washington 525 DeCarlo Ave. Richmond, CA 94801 415-298-9431		Manager/Prof	1	0	0	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	5	1	0	0	6	75.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	6	1	0	0	7	77.8%	39.9%
		Co. Wide MSA: Alameda/Contra Costa	# Employees-Co. Wide: 9				Bay Area: 9		
RP	PHC	Company Wide	46	639	37	14	736	61.7%	48.4%
Herc Rentals Inc. Melinda Meyers 27500 Riverview Center Blvd. Bonita Springs, FL 34134 239-301-1354		Manager/Prof	9	55	3	4	71	41.3%	
		Technical/Sales	7	84	6	10	107	47.1%	
		Clerical/Skilled	26	406	23	0	455	67.2%	
		Semi/Unskilled	4	94	5	0	103	88.0%	
		Bay Area	14	85	17	2	118	57.6%	39.9%
		Co. Wide MSA: California	# Employees-Co. Wide: 1,193				Bay Area: 205		

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Bare Equipment Rentals		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		
General Services Agreement - Amendment		DATE: 4/17/2025	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=Recmmnd 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	EMM-H: SBE	Company Wide	0	1	0	0	1	100.0%	42.9%
Ibarra Team Construction Services, Inc. Robert Ibarra 280 Beston Way Vallejo, CA 94591 415-286-0615		Manager/Prof	0	1	0	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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%
		Co. Wide MSA:	Vallejo-Fairfield-Napa		# Employees-Co. Wide: 1		Bay Area: 1		
RP	EMM-A/PI: SBE	Company Wide	0	0	1	0	1	100.0%	28.8%
Inder Trucking Harinderpal Singh Sidhu 3 Karly Court American Canyon, CA 94503 925-250-5001		Manager/Prof	0	0	1	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	1	100.0%	
		Bay Area	0	0	1	0	1	100.0%	39.9%
		Co. Wide MSA:	Napa		# Employees-Co. Wide: 1		Bay Area: 1		
RP	WM	Company Wide	INFORMATION NOT PROVIDED						
JS Cole Company May Whitaker 320 Deer Island Lane Novato, CA 94948 888-794-5232		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	WM	Company Wide	0	0	0	0	0	0.0%	39.9%
KJ's Transport LLC Clinton Massa 3853 Chappard Dr. Fairfield, CA 94534 510-385-7333		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide: 2		Bay Area: 2		
RP	WW: SBE	Company Wide	0	0	0	0	0	0.0%	28.8%
Monticello Trucking LLC Cindy Schuttish 2751 Monticello Rd. Napa, CA 94558 707-227-0206		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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%
		Co. Wide MSA:	Napa		# Employees-Co. Wide: 1		Bay Area: 1		
RP	WM: LBE	Company Wide	6	87	15	0	108	41.1%	53.9%
Nor Cal Rental Group dba Cresco Equipment Rentals Sarah Bento 318 Stealth Court Livermore, CA 94551 925-961-0130 ext 210		Manager/Prof	1	5	2	0	8	17.8%	
		Technical/Sales	0	2	1	0	3	14.3%	
		Clerical/Skilled	2	51	8	0	61	52.1%	
		Semi/Unskilled	3	29	4	0	36	45.0%	
		Bay Area	6	87	15	0	108	41.1%	39.9%
		Co. Wide MSA:	Alameda		# Employees-Co. Wide: 263		Bay Area: 263		

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Bare Equipment Rentals		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		
General Services Agreement - Amendment DATE: 4/17/2025		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	0	2	0	0	2	14.3%	42.9%
Owen Equipment Sales Elizabeth Rios 1085 Horizon Dr. Fairfield, CA 94533 360-831-8824		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	1	0	0	1	20.0%	
		Clerical/Skilled	0	1	0	0	1	16.7%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	2	0	0	2	14.3%	39.9%
		Co. Wide MSA:	Vallejo-Fairfield-Napa		# Employees-Co. Wide: 14		Bay Area: 14		
RP	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
Pape Machinery Inc. Melissa Zemp 43510 Osgood Rd. Fremont, CA 94534 541-334-3490		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	WW: L/SBE	Company Wide	0	3	0	0	3	60.0%	46.2%
S&L Transport, LLC Donna Leach 2226 Jacqueline Dr. Pittsburg, CA 94565 925-683-4424		Manager/Prof	0	1	0	0	1	50.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	1	0	0	0	0.0%	
		Semi/Unskilled	0	1	0	0	1	100.0%	
		Bay Area	0	3	0	0	3	60.0%	39.9%
		Co. Wide MSA:	Alameda/CC Counties		# Employees-Co. Wide: 5		Bay Area: 5		
RP	PHC	Company Wide	INFORMATION NOT PROVIDED						
Saba Holding Company LLC dba Volvo Construction Equipment and Services Scott Nadell 22099 Knabe Rd. Corona, CA 92883 619-778-6039		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	EMM-A/PI: L/SBE	Company Wide	0	0	1	0	1	100.0%	38.5%
Sky Rock, Inc. Amritpal Singh 1852 W 11th St., Ste 167 Tracy, CA 95376 925-200-7881		Manager/Prof	0	0	1	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	0	0	1	100.0%	39.9%
		Co. Wide MSA:	San Joaquin		# Employees-Co. Wide: 1		Bay Area: 1		
RP	Foreign	Company Wide	1,958	4,344	322	149	6,773	33.0%	53.9%
Sunbelt Rentals, Inc. W. Scott Causey 1799 Innovation Point Fort Mill, SC 29715 803-578-5242		Manager/Prof	193	337	111	19	660	18.4%	
		Technical/Sales	204	697	67	23	991	22.5%	
		Clerical/Skilled	745	2,018	104	64	2,931	39.0%	
		Semi/Unskilled	816	1,292	40	43	2,191	43.8%	
		Bay Area	4	10	0	0	14	82.4%	39.9%
		Co. Wide MSA:	Alameda		# Employees-Co. Wide: 20,522		Bay Area: 17		

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)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Bare Equipment Rentals			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
General Services Agreement - Amendment		DATE:	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
		4/17/2025	Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recmmnd 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	EMW-H: L/SBE	Company Wide	0	5	0	0	5	41.7%	39.9%
Tri Valley Water Trucks, Inc. William Schuette 1452 N. Vasco Rd., Ste 358 Livermore, CA 94551 925-373-0603		Manager/Prof	0	3	0	0	3	75.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	2	0	0	2	25.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	5	0	0	5	41.7%	
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		NA	Bay Area:	12
RP	PHC: LBE	Company Wide	3	14	1	0	18	72.0%	53.9%
United Rentals (North America), Inc. Matthew Willes 700 98th Ave. Oakland, CA 94603 (Local Office) 877-874-4468		Manager/Prof	0	2	0	0	2	66.7%	
		Technical/Sales	1	2	0	0	3	75.0%	
		Clerical/Skilled	1	5	1	0	7	63.6%	
		Semi/Unskilled	1	5	0	0	6	85.7%	
		Bay Area	3	14	1	0	18	72.0%	
		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		25	Bay Area:	25
RP	WM	Company Wide	INFORMATION NOT PROVIDED						
Western Pacific Crane & Equipment LLC Robert G. Johnson 8600 Calabash Ave. Fontana, CA 92335 562-286-6618		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							

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)



BOARD ACTION

Agenda Number:	12.1.-12.2.	Meeting Date:	May 13, 2025

TITLE AMEND AGREEMENTS FOR VEHICLE/EQUIPMENT REPAIR AND OTHER RELATED SERVICES

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Authorize amendments to the agreements previously authorized under Board Motion No. 087-24 with Auto Glass Techs; Autohaus Automotive Inc.; Crash Champions; Walnut Creek Ford; Got Power Inc. dba CD & Power; Doc Bailey Construction Equipment, Inc.; Falcon Collision Repair, Inc.; FH Dailey Chevrolet; Fleetworks, Inc.; Gold Country Auto Body; Golden Gate Truck Center; Grand Collision Center, Inc.; Kelly's Truck Repair; Safeshields dba Maz Glass; Nixon Egli Equipment Co., Inc.; Oakland Chevrolet; Owen Equipment Sales; Pape Machinery, Inc.; Patti's Auto Care, LLC; Peterson Power Systems, Inc.; Stewart's Body Shop, Inc.; United Transmission; Unlimited Tool Repair & Fabrication, Inc.; and Uptown Ford of Oakland to increase the aggregate amount of those agreements by \$1,200,000 to a total aggregate amount not to exceed \$2,030,000 and extend the term of the agreements to May 13, 2026 for vehicle/equipment repair and other related services.
- Authorize additional agreements for vehicle/equipment repair and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 2025, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Managers monthly report.

SUMMARY

These agreements will provide the necessary repair services to adequately maintain the District's large fleet of vehicles and equipment in various locations throughout the EBMUD service area.

DISCUSSION

The District has utilized local service providers throughout the service area to provide specialized repairs on fleet vehicles and equipment for many years. These service providers perform body work, glass repair, transmission repair, certain crane repairs and other specialized work that District staff do not have the expertise, certifications, or tools to address. These service providers also assist with peak workload to ensure crew productivity.

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

Originating Department: Maintenance and Construction	Department Director or Manager: Crystal J. Yezman	CEP Forms? Yes	Board Action Type: General Services
Funds Available: FY2025	Budget Coding: 11.756.8834500.52910		
Attachment(s): P-035; P-061			

Title:	Amend Agreements for Vehicle/Equipment Repair and Other Related Services	Meeting Date:	May 13, 2025

**SERVICE PROVIDER
SELECTION**

The selection criteria for the service providers are based on proximity and the ability to perform manufacturer approved repairs using trained technicians at competitive rates.

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

Local 444 was notified of this agreement on January 2, 2025. Local 444 raised issues related to contracting out District work. The District and Local 444 met on February 10, March 10, and April 28, 2025. Local 444 expressed concerns about contracting out District work and requested more information but did not oppose the agreements.

Environmental

Maintaining District vehicles and equipment in accordance with the manufacturer's recommendations reduces fuel consumption which helps the District's emission reduction goals.

ALTERNATIVES

Do not authorize amendments to the agreements. This alternative is not recommended because these services are necessary to properly maintain vehicles and equipment.

Perform all work with District staff. This alternative is not recommended because District staff are not equipped or trained to perform specialized vehicle repair, or meet peak workloads resulting from simultaneous equipment failures.

I:\Sec\2025 Board Related Items\051325 Board Agenda Items\OMD – Amend Agreements for Vehicle/Equipment Repair and Other Related Services.docx



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE General Services Agreement - Amendment Amend Agreements for Vehicle/Equipment Repair and Other Related Services						DATE March 20, 2025					
CONTRACTOR: Various Firms (See below)						PERCENTAGE OF CONTRACT DOLLARS					
BID/PROPOSER'S PRICE: \$1,200,000 *		FIRM'S OWNERSHIP		White Men		25%		54.2%			
		Ethnicity	Gender	White Women		6%		12.5%			
		See below		-		Ethnic Minorities		25%		33.3%	
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:											
Auto Glass Techs	\$50,000	Hispanic		X			4.2%				
Autohaus Automotive Inc.	\$50,000	Hispanic	X				4.2%				
Crash Champions	\$50,000	White	X		4.2%						
Walnut Creek Ford	\$50,000	White	X		4.2%						
Got Power Inc. dba CD & Power	\$50,000	White		X		4.2%					
Doc Bailey Construction Equipment, Inc.	\$50,000	White	X		4.2%						
Falcon Collision Repair, Inc.	\$50,000	Hispanic		X			4.2%				
FH Dailey Chevrolet	\$50,000	Asian	X				4.2%				
Fleetworks, Inc.	\$50,000	White	X		4.2%						
Gold Country Auto Body	\$50,000	White		X		4.2%					
Golden Gate Truck Center	\$50,000	White	X		4.2%						
Grand Collision Center, Inc.	\$50,000	Asian	X				4.2%				
Kelly's Truck Repair	\$50,000	White	X		4.2%						
Total	\$1,200,000				54.2%	12.5%	33.3%	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	See P-061										
Percent of Total Employees											
MSA Labor Market %											
MSA Labor Market Location											
COMMENTS											
Contract Equity Participation: 54.2% White Men, 12.5% White Women, and 33.3% Ethnic Minority participation. Contract Duration: April 22, 2026. *Total not to exceed: \$2,030,000 = \$830,000 (Original) + \$1,200,000 (Amendment)											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				NA							



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 - Amendment												
Amend Agreements for Vehicle/Equipment Repair and Other Related Services								March 20, 2025				
CONTRACT EQUITY PARTICIPATION (Continued from page 1)												
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:												
Safeshields dba Maz Glass	\$50,000	White	X		4.2%							
Nixon Egli Equipment Co., Inc.	\$50,000	White	X		4.2%							
Oakland Chevrolet	\$50,000	Asian	X					4.2%				
Owen Equipment Sales	\$50,000	White	X		4.2%							
Pape Machinery, Inc.	\$50,000	White	X		4.2%							
Patti's Auto Care, LLC	\$50,000	White		X		4.2%						
Peterson Power Systems, Inc.	\$50,000	White	X		4.2%							
Stewart's Body Shop, Inc.	\$50,000	White	X		4.2%							
United Transmission	\$50,000	White	X		4.2%							
Unlimited Tool Repair & Fabrication, Inc.	\$50,000	Black	X					4.2%				
Uptown Ford of Oakland	\$50,000	Asian	X					4.2%				



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Vehicle/Equipment Repair and Other Related Services		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National							
General Services Agreement - Amendment DATE: 3/20/2025		9 Bay Area Counties		10.5	10.7	3.7	0.7	27.3	
		Alameda/CC Counties		5.5	16.2	14.2	0.4	39.9	
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	EMM-H: L/SBE	Company Wide	0	1	0	0	1	100.0%	53.9%
Auto Glass Techs Julio O. Lara Jr. 2926 San Pablo Ave. Oakland, CA 94608 510-934-8964		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	1	0	0	1	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	0	0	1	100.0%	
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 1				Bay Area: 1		
RP	EMM-H: L/SBE	Company Wide	0	12	1	0	13	86.7%	53.9%
Autohaus Automotive Inc. Michelle Moncada 21650 Mission Blvd Hayward, CA 94541 510-733-9472		Manager/Prof	0	3	0	0	0	60.0%	
		Technical/Sales	0	7	0	0	7	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	2	1	0	0	100.0%	
		Bay Area	0	12	1	0	13	86.7%	
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 15				Bay Area: 15		
RP	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
Crash Champions 110 10th Street Oakland, CA 94607 510-836-2535		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
Walnut Creek Ford 1800 N. Main Street Walnut Creek, CA 94596 925-932-2900		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	WW: L/SBE	Company Wide	1	15	4	0	20	31.7%	39.9%
Got Power Inc. dba CD & Power Anni Sartorio 150 Nardi Lane Martinez, CA 94553 925-229-2700		Manager/Prof	0	0	2	0	2	18.2%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	1	13	2	0	16	33.3%	
		Semi/Unskilled	0	2	0	0	2	100.0%	
		Bay Area	1	15	4	0	20	31.7%	
		Co. Wide MSA: 9 Bay Area Counties	# Employees-Co. Wide: 63				Bay Area: 63		
RP	WM: L/SBE	Company Wide	0	4	2	0	6	40.0%	39.9%
Doc Bailey Construction Equipment, Inc. Lisa Chu 2584 Grant Ave. San Lorenzo, CA 94580 510-638-6243		Manager/Prof	0	1	1	0	2	28.6%	
		Technical/Sales	0	3	0	0	3	60.0%	
		Clerical/Skilled	0	0	1	0	1	33.3%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	4	2	0	6	40.0%	
		Co. Wide MSA: 9 Bay Area Counties	# Employees-Co. Wide: 15				Bay Area: 15		

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Vehicle/Equipment Repair and Other Related Services		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		
General Services Agreement - Amendment		DATE: 3/20/2025	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	EMM-H: L/SBE	Company Wide	0	12	0	0	12	92.3%	38.5%
Falcon Collision Repair, Inc. Taylor Bluske Dominguez 1812 Arnold Industrial Pl. Concord, CA 94520 925-609-5960		Manager/Prof	0	2	0	0	2	66.7%	
		Technical/Sales	0	8	0	0	8	100.0%	
		Clerical/Skilled	0	2	0	0	2	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	12	0	0	12	92.3%	39.9%
		Co. Wide MSA: Contra Costa	# Employees-Co. Wide: 13				Bay Area: 13		
RP	EMM-A/PI: LBE	Company Wide	14	94	27	0	135	72.2%	53.9%
FH Dailey Chevrolet Elizabeth Wong 800 Davis Street San Leandro, CA 94577 510-351-5800		Manager/Prof	0	26	6	0	32	61.5%	
		Technical/Sales	4	27	6	0	37	69.8%	
		Clerical/Skilled	2	14	3	0	19	67.9%	
		Semi/Unskilled	8	27	12	0	47	87.0%	
		Bay Area	14	94	27	0	135	72.2%	39.9%
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 187				Bay Area: 187		
RP	WM	Company Wide	2	24	2	0	28	60.9%	48.4%
Fleetworks, Inc. Ritu Orozco 14011 Marquardt Ave. Sante Fe Springs, CA 90670 562-921-7979		Manager/Prof	0	2	0	0	2	66.7%	
		Technical/Sales	0	14	1	0	15	65.2%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	2	8	1	0	11	73.3%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA: California	# Employees-Co. Wide: 46				Bay Area: 0		
RP	WW: LBE	Company Wide	0	0	0	0	0	0.0%	48.4%
Gold Country Auto Body Bobby McDowell 65 Main St. Valley Springs, CA 95252 209-920-3178		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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%
		Co. Wide MSA: California	# Employees-Co. Wide: 4				Bay Area: 0		
RP	WM: L/SBE	Company Wide	7	36	4	0	47	61.0%	53.9%
Golden Gate Truck Center Cynthia Campa 8200 Baldwin St. Oakland, CA 94621 510-632-3235		Manager/Prof	0	1	1	0	2	40.0%	
		Technical/Sales	4	21	2	0	27	61.4%	
		Clerical/Skilled	2	9	1	0	12	66.7%	
		Semi/Unskilled	1	5	0	0	6	60.0%	
		Bay Area	7	36	4	0	47	61.0%	39.9%
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 77				Bay Area: 77		
RP	EMM-A/PI: L/SBE	Company Wide	0	8	2	0	10	100.0%	53.9%
Grand Collision Center, Inc. Ruel Tiamzon 22765 Grand St. Hayward, CA 94521 510-581-9700		Manager/Prof	0	0	2	0	2	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	8	0	0	8	100.0%	
		Bay Area	0	8	2	0	10	100.0%	39.9%
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 10				Bay Area: 10		

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Vehicle/Equipment Repair and Other Related Services		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National							
General Services Agreement - Amendment R=Recmmd P=Prime S=Sub		DATE: 1/0/1900	9 Bay Area Counties		10.5	10.7	3.7	0.7	27.3
			Alameda/CC Counties		5.5	16.2	14.2	0.4	39.9
		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: L/SBE	Company Wide	0	19	1	0	20	62.5%	46.2%
Kelly's Truck Repair Amine Filal 495 Hester St. San Leandro, CA 94577 510-633-9600		Manager/Prof	0	2	0	0	2	25.0%	
		Technical/Sales	0	13	1	0	14	73.7%	
		Clerical/Skilled	0	1	0	0	1	50.0%	
		Semi/Unskilled	0	3	0	0	3	100.0%	
		Bay Area	0	19	1	0	20	62.5%	39.9%
		Co. Wide MSA: Alameda/CC Counties	# Employees-Co. Wide: 32				Bay Area: 32		
RP	WM: LBE	Company Wide	0	9	0	0	9	90.0%	53.9%
Safeshields dba Maz Glass Ed Hemmat 750 107th Ave. Oakland, CA 94603 510-773-7100		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	5	0	0	5	83.3%	
		Clerical/Skilled	0	4	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	9	0	0	0	0.0%	39.9%
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 10				Bay Area: 10		
RP	WM: SBE	Company Wide	0	30	1	0	31	41.3%	48.4%
Nixon Egli Equipment Co., Inc. Gabriela Scantee 2044 S. Vineyard Ave. Ontario, CA 91761 909-930-1822		Manager/Prof	0	2	1	0	3	20.0%	
		Technical/Sales	0	16	0	0	16	41.0%	
		Clerical/Skilled	0	8	0	0	8	47.1%	
		Semi/Unskilled	0	4	0	0	4	100.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA: California	# Employees-Co. Wide: 75				Bay Area: 0		
RP	EMM-A/PI: LBE	Company Wide	7	12	6	0	25	80.6%	47.8%
Oakland Chevrolet Katherine Sngoeun 2735 Broadway Oakland, CA 94612 510-398-1200		Manager/Prof	2	1	6	0	9	75.0%	
		Technical/Sales	5	8	0	0	13	81.3%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	3	0	0	3	100.0%	
		Bay Area	7	12	6	0	25	80.6%	39.9%
		Co. Wide MSA: Oakland	# Employees-Co. Wide: 31				Bay Area: 31		
RP	WM: SBE	Company Wide	0	1	0	1	2	22.2%	47.6%
Owen Equipment Sales Eileen Wrobai 1085 Horizon Dr. Fairfield, CA 94533 360-787-7684		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	1	0	0	1	25.0%	
		Clerical/Skilled	0	0	0	1	1	25.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	0	1	2	22.2%	39.9%
		Co. Wide MSA: Solano	# Employees-Co. Wide: 9				Bay Area: 9		
RP	WM	Company Wide	1	8	3	0	12	42.9%	15.0%
Pape Machinery, Inc. Lee Ballard 43510 Osgood Rd. Fremont, CA 94539 541-683-5073		Manager/Prof	1	0	0	0	1	25.0%	
		Technical/Sales	0	2	1	0	3	42.9%	
		Clerical/Skilled	0	3	2	0	5	38.5%	
		Semi/Unskilled	0	3	0	0	3	75.0%	
		Bay Area	1	8	3	0	12	42.9%	39.9%
		Co. Wide MSA: Oregon	# Employees-Co. Wide: 28				Bay Area: 28		

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend Agreements for Vehicle/Equipment Repair and Other Related Services			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
General Services Agreement - Amendment		DATE:	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
		3/20/2025	Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recmmd	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	WW: LBE	Company Wide	0	4	0	0	4	50.0%	53.9%
Patti's Auto Care, LLC Patricia Boggs 2285 San Pablo Ave. Berkeley, CA 94702 510-981-9007		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	4	0	0	4	80.0%	
		Clerical/Skilled	0	0	0	0	-	0.0%	
		Semi/Unskilled	0	0	0	0	-	0.0%	
		Bay Area	-	4	-	-	4	50.0%	39.9%
510-981-9007		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		8	Bay Area:	8
RP	WM: LBE	Company Wide	5	44	16	2	67	23.4%	48.4%
Peterson Power Systems, Inc. Bruce Hillyer 2828 Teagarden Street San Leandro, CA 94577 800-963-6446		Manager/Prof	0	6	2	1	9	12.5%	
		Technical/Sales	2	4	1	1	8	20.0%	
		Clerical/Skilled	3	32	13	0	48	28.1%	
		Semi/Unskilled	0	2	0	0	2	66.7%	
		Bay Area	4	29	5	2	40	27.8%	39.9%
800-963-6446		Co. Wide MSA:	California		# Employees-Co. Wide:		286	Bay Area:	144
RP	WM: L/SBE	Company Wide	-	10	2	-	12	85.7%	38.5%
Stewart's Body Shop, Inc. Chad Stewart 12540 San Pablo Ave. Richmond, CA 94805 510-235-3515		Manager/Prof	0	2	0	0	2	66.7%	
		Technical/Sales	0	8	0	0	8	100.0%	
		Clerical/Skilled	0	0	2	0	2	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	-	10	1	-	11	78.6%	39.9%
510-235-3515		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		14	Bay Area:	14
RP	WM: LBE	Company Wide	0	1	1	0	2	33.3%	39.9%
United Transmission Raymond Word 810 San Pablo Ave. Albany, CA 94706 510-527-6878		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	1	1	0	2	50.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	1	0	2	33.3%	39.9%
510-527-6878		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		6	Bay Area:	6
RP	EMM-B: SBE	Company Wide	1	1	-	-	2	100.0%	48.3%
Unlimited Tool Repair & Fabrication, Inc. Carlos Garcia 130 S. Linden Ave., Unit H San Francisco, CA 94080 650-589-2941		Manager/Prof	1	0	0	0	1	100.0%	
		Technical/Sales	0	1	0	0	1	100.0%	
		Clerical/Skilled	0	0	0	0	-	0.0%	
		Semi/Unskilled	0	0	0	0	-	0.0%	
		Bay Area	1	1	-	-	2	100.0%	39.9%
650-589-2941		Co. Wide MSA:	San Francisco		# Employees-Co. Wide:		2	Bay Area:	2
RP	EMM-A/PI: LBE	Company Wide	7	12	6	-	25	80.6%	47.8%
Uptown Ford of Oakland Katherine Sngoeun 2560 Webster Street Oakland, CA 94612 510-588-1088		Manager/Prof	2	1	6	0	9	75.0%	
		Technical/Sales	5	8	0	0	13	81.3%	
		Clerical/Skilled	0	0	0	0	-	0.0%	
		Semi/Unskilled	0	3	0	0	3	100.0%	
		Bay Area	7	12	6	-	25	80.6%	39.9%
510-588-1088		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		31	Bay Area:	31

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)



BOARD ACTION

Agenda Number:	13.1.-13.2.	Meeting Date:	May 13, 2025

TITLE	AMEND AGREEMENT FOR INACTIVE RECORDS STORAGE AND MAINTENANCE SERVICES

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	• Ratify the extension of Purchase Order No. BPA 122-77938-AX and the payment of \$8,297.96 to GRM Information Management Services of San Francisco, LLC (GRM) for the continuous work of supplying monthly storage and maintenance services for the District's inactive records. • Authorize an amendment to Purchase Order No. BPA-122-77398-AX with GRM, to increase the agreement amount by \$80,000, which incorporates the ratified amount from the action above, for a total amount not to exceed \$160,000 to support the continued storage and maintenance of the District's inactive records through June 30, 2030.

SUMMARY	GRM has stored, maintained, and serviced the District's inactive records under a Purchase Order since 2003. The end date for Purchase Order No. BPA-122-77398-AX was March 26, 2025; its allocated funds were exhausted on February 14, 2025. Providing additional funds for GRM's services will allow the District to continue storing and maintaining its inactive records at GRM's facilities in Fremont. The Purchase Orders for this service were previously approved by the Secretary of the District and under the General Manager's authority.

DISCUSSION	In July 2003, GRM's services were retained via a Purchase Order. In March 2023, the Purchase Order amount was increased under the General Manager's authority for an additional \$30,000 to a total amount not to exceed \$80,000. This increase allowed the District to continue storing its essential business records in a secure, environmentally controlled facility. The Board is being asked to consider ratifying payment of \$8,297.96 for services rendered through April 30, 2025, after the funds authorized under the Purchase Order were exhausted. To support the timely and consistent resolution of these matters, staff is also requesting an increase to the Purchase Order amount by \$80,000, which includes the ratified amount in the Recommended Action, to a total amount not to exceed \$160,000. This action supports each of the District's Strategic Plan goals.

SERVICE PROVIDER SELECTION	GRM's services are retained as a direct award because GRM has stored and maintained the District's inactive records since July 2003. In addition to storage and maintenance, GRM's services include retrieval, delivery, and refiling of inactive records. Currently, GRM stores approximately 6,000 boxes of records. These records are regularly requested by staff for historical research, in response to Public Records Requests and in response to subpoena

Originating Department: Office of the Secretary	Department Director or Manager: Rischa S. Cole	CEP Forms? Yes	Board Action Type: General Services
Funds Available: FY 2025	Budget Coding: 11.122.8851100.52310	Approved: 	
Attachment(s): P-035; P-061			

Title:	Amend Agreement for Inactive Records Storage and Maintenance Services	Meeting Date:	May 13, 2025

requests. This service is needed because the District does not have the space, controlled environment, or staffing to properly maintain its inactive records.

SUSTAINABILITY**Economic**

The Fiscal Year (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.

In FY 2030, a new agreement with GRM will be submitted to the Board for consideration.

Environmental

Storing inactive records offsite reduces the need to purchase filing cabinets or build environmentally controlled storage and frees up space to be used for other purposes.

ALTERNATIVE**Contract with another service provider to store and manage the District's inactive records.**

This alternative is not recommended because the District would have to pay for the permanent relocation of approximately 6,000 boxes of inactive records from GRM to a new provider. Additional costs would also be incurred for the new provider to index and store the District's records.

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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 General Services Agreement - Amendment Amend Agreement for Inactive Records Storage and Maintenance Services						DATE: May 7, 2025					
CONTRACTOR: GRM Information Management Services of San Francisco, LLC Fremont, CA					PERCENTAGE OF CONTRACT DOLLARS						
					Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%			
		Ethnicity	Gender	White Women		6%		0.0%			
\$160,000 *		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
PRIME: GRM Information Management Services of San Francisco, LLC		\$160,000	White	X		100.0%					
SUBS:											
TOTAL		\$160,000				100.0%	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:		7		1		26		34			
Percent of Total Employees:		20.6%		2.9%		76.5%					
MSA Labor Market %:		24.5%		21.6%		53.9%					
MSA Labor Market Location:		Alameda									
COMMENTS											
Contract Equity Participation - 100% White Men participation. Contract Duration: Through June 30, 2030. *Total not to exceed: \$160,000 = \$80,000 (PO) + \$80,000 (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.

[illegible]

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



BOARD ACTION

Agenda Number:	14.1.-14.2.	Meeting Date:	May 13, 2025

TITLE	MAILING SERVICES FOR PROPOSITION 218 RATE NOTIFICATION

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	• Ratify the payments of \$42,800.56 to Admail Express, Inc. (Admail) and \$47,461.27 to Dakota Press, Inc. (Dakota) for the printing and mailing services of the District's Proposition 218 rate notification rendered between March 25, 2025, and April 17, 2025. • Authorize agreements with an effective date on or after March 25, 2025, with Admail and with Dakota in an aggregate amount not to exceed \$90,261.83 for printing and mailing services of the District's Proposition 218 rate notifications.

SUMMARY	The District notifies all ratepayers and property owners in the service area of proposed changes to water and wastewater rates that are subject to Proposition 218 (rate notification). The District mails the notification to approximately 452,000 addresses. Given the size of the mailing list, the District engaged two contractors, Admail and Dakota, to expedite the timely production and delivery of the rate notifications.

DISCUSSION	The District plans to hold a public hearing on June 10, 2025, for the Board to consider adoption of proposed water and wastewater rates and charges that are subject to Proposition 218. In compliance with Proposition 218, at least 45 days prior to the scheduled public hearing, notices must be mailed to the owners of record of parcels upon which the proposed charges will be imposed. In addition, notices must be mailed at least 45 days prior to any deadline under Government Code Section 53759.1 for which a property owner may submit a written objection to proposed rates or charges. To meet these timelines, the District engaged two service providers to expedite production and to timely mail the notices. The service providers began mailing the notices on April 1, 2025. In previous years, this time-and-material service was within the General Manager's approval authority. However, the use of two service providers for the mailing exceeded the General Manager's authority and required agreements and Board approval. The procedural board approval process did not occur in parallel with the start of the mailing. As a result, the agreements were made after work began; thus, the Board needs to ratify the payments already made and authorize the agreements. This item supports the District's Long-Term Financial Stability Strategic Plan goal.

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: 11.335.1610.8604100.52410	Approved: 	
Attachment(s): P-035; P-061			

Title:	Mailing Services for Proposition 218 Rate Notification	Meeting Date:	May 13, 2025

SERVICE PROVIDER SELECTION	In February 2025, a request for quotations was sent to 13 local small businesses. Six (6) bids were received. Admail and Dakota were the two lowest responsive bidders. Admail and Dakota are local small business enterprises.

SUSTAINABILITY	Economic Funding for this purpose is available in the FY 2025 adopted operating budget. Social The Proposition 218 mailing ensures notification and equitable access to information, enabling all ratepayers to participate in the rate-setting process.

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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 Mailing Services for Proposition 218 Rate Notification						April 30, 2025					
CONTRACTOR: Various Firms (See below)				Local/ Small Business		PERCENTAGE OF CONTRACT DOLLARS					
						Availability Group	Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		47.4%			
		Ethnicity	Gender	White Women		6%		0.0%			
\$90,261.83 *		See below		-		Ethnic Minorities		25%		52.6%	
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: Admail Express, Inc.	\$42,800.56	White	X		47.4%						
PRIME: Dakota Press, Inc.	\$47,461.27	Asian		X			52.6%				
TOTAL		\$90,261.83				47.4%	0.0%	52.6%	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:		See P-061									
Percent of Total Employees:											
MSA Labor Market %:											
MSA Labor Market Location:											
COMMENTS											
Contract Equity Participation: 47.4% White Men and 52.6% Ethnic Minority participation. Contract Duration: NA *Total not to exceed: \$90,261.83											
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: Mailing Services for Proposition 218 Rate Notification			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	
General Services Agreement		DATE: 4/30/2025	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: L/SBE	Company Wide	0	10	1	0	11	84.6%	47.8%
Admail Express, Inc. Brian Schott 31640 Hayman St. Hayward, CA 94544 510-477-6240		Manager/Prof	0	2	0	0	2	50.0%	
		Technical/Sales	0	2	1	0	3	100.0%	
		Clerical/Skilled	0	6	0	0	6	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	10	1	0	11	84.6%	39.9%
		AA Plan on File: NA	Date of last contract with District: 4/27/2021						
		Co. Wide MSA: Oakland	# Employees-Co. Wide: 13 Bay Area: 13						
RP	EMW-A/PI: L/SBE	Company Wide	0	6	1	0	7	77.8%	53.9%
Dakota Press, Inc. Mary Reid 14400 Doolittle Dr. San Leandro, CA 94577 510-895-1300		Manager/Prof	0	1	1	0	2	100.0%	
		Technical/Sales	0	4	0	0	4	66.7%	
		Clerical/Skilled	0	1	0	0	1	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	6	1	0	7	77.8%	39.9%
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 9 Bay Area: 9						
P	EMW-A/PI: L/SBE	Company Wide	0	4	5	0	9	81.8%	48.4%
Bay Central Printing, Inc. Michael Mahmoudi 33401 Western Ave. Union City, CA 94587 510-429-9111		Manager/Prof	0	0	5	0	5	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	1	0	0	1	100.0%	
		Semi/Unskilled	0	3	0	0	3	75.0%	
		Bay Area	0	3	4	0	7	77.8%	39.9%
		Co. Wide MSA: California	# Employees-Co. Wide: 11 Bay Area: 9						

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Mailing Services for Proposition 218 Rate Notification			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	
General Services Agreement		DATE: 4/30/2025	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 %
P	WM: L/SBE	Company Wide	1	19	1	0	21	50.0%	39.9%
Folger Graphics Kirk Folger 21093 Forbes Ave. Hayward, CA 94545 510-887-5656 x103		Manager/Prof	0	2	1	0	3	21.4%	
		Technical/Sales	0	8	0	0	8	66.7%	
		Clerical/Skilled	1	3	0	0	4	80.0%	
		Semi/Unskilled	0	6	0	0	6	54.5%	
		Bay Area	1	19	1	0	21	50.0%	39.9%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		42	Bay Area: 42	
P	EMM-A/PI: L/SBE	Company Wide	0	2	6	0	8	72.7%	46.2%
Madison Street Press Inc. Paul Murai 614 Madison St. Oakland, CA 94607 510-451-4775		Manager/Prof	0	0	1	0	1	50.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	2	5	0	7	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	2	6	0	8	72.7%	39.9%
		Co. Wide MSA:	Alameda/Contra Costa		# Employees-Co. Wide:		11	Bay Area: 11	
P	EMM-A/PI: SBE	Company Wide	0	0	10	0	10	100.0%	52.1%
E & J Valueplus dba SendnLink John Kim 2526 Qume Dr., Suite 29 San Jose, CA 95161 408-480-0506		Manager/Prof	0	0	4	0	4	100.0%	
		Technical/Sales	0	0	6	0	6	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	10	0	10	100.0%	39.9%
		Co. Wide MSA:	San Jose		# Employees-Co. Wide:		10	Bay Area: 10	

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:	15.	Meeting Date:	May 13, 2025

TITLE	AUTHORIZE CONTINUED EMPLOYMENT OF BARBOZA & ASSOCIATES FOR EQUAL EMPLOYMENT OPPORTUNITY INVESTIGATION SERVICES

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Authorize the Office of General Counsel (OGC) to continue the employment of the firm of Barboza & Associates for specialized investigative services and mediation and facilitation services relating to Equal Employment Opportunity (EEO) workplace investigations in an additional amount not to exceed \$75,000.

SUMMARY	In accordance with its obligations as an EEO employer and in compliance with state and federal laws, the District conducts investigations into complaints of discrimination, harassment, and retaliation to prevent and address potential unlawful employment practices and to promote a fair and inclusive workplace. These investigations are conducted in alignment with District Procedure 614 – Equal Employment Opportunity Discrimination, Harassment and Retaliation Complaints, Investigations and Appeals. The firm Barboza & Associates specializes in complex employment disputes, particularly those involving EEO claims, and is uniquely qualified to conduct independent workplace investigations and to provide mediation and facilitation services with a comprehensive process and commitment to closure. OGC has retained Barboza & Associates to perform services when internal conflicts arise. Additional services are required from beyond the originally authorized agreement amount.

DISCUSSION	In January 2025, OGC retained Barboza & Associates under Contract Purchase Agreement No. AGR401370 to provide unbiased EEO workplace investigation services and mediation and facilitation services in an amount not to exceed \$25,000. OGC is now requesting an increase to the agreement amount by \$75,000, for a total agreement amount not to exceed \$100,000, to continue necessary EEO investigations and related services. Further details on the nature of services to be provided by Barboza & Associates are set forth in a separate confidential attorney-client privileged memorandum to the Board.

SUSTAINABILITY	Economic Funding for this item is included in the FY 2025 adopted operating budget.

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Originating Department: Office of General Counsel	Department Director or Manager: Derek McDonald	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY 2025	Budget Coding: 11-130-1730-8851100-52310	Approved: 	
Attachment(s): P-035; P-061			

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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 Professional Services Agreement Authorize Continued Employment of Barboza & Associates for Equal Employment Opportunity Investigation Services					DATE: May 7, 2025						
CONTRACTOR: Barboza & Associates Los Angeles, CA					PERCENTAGE OF CONTRACT DOLLARS						
					Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		0.0%			
		Ethnicity	Gender	White Women		6%		0.0%			
\$75,000 *		Hispanic Woman		Ethnic Minorities		25%		100.0%			
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
PRIME: Barboza & Associates		\$75,000	Hispanic		X			100.0%			
SUBS: None											
TOTAL		\$75,000				0.0%	0.0%	100.0%	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:		0		0		1		1			
Percent of Total Employees:		0.0%		0.0%		100.0%					
MSA Labor Market %:		20.2%		16.4%		63.5%					
MSA Labor Market Location:		Los Angeles									
COMMENTS											
Contract Equity Participation: 100% Ethnic Minority participation. Contract Duration: NA *Total not to exceed: \$100,000 = \$25,000 + \$75,000											
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 Continued Employment of Barboza & Associates for Equal Employment Opportunity Investigation Services			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
Professional Services Agreement		DATE:	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
		5/7/2025	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	EMW-H	Company Wide	0	1	0	0	1	100.0%	63.5%
Barboza & Associates Carla Barboza 660 S. Figueroa St. #1620 Los Angeles, CA 90017 213-629-4745		Manager/Prof	0	1	0	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		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:		1/1/2025		
		Co. Wide MSA:	Los Angeles		# Employees-Co. Wide:		1		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)



BOARD ACTION

Agenda Number:	16.	Meeting Date:	May 13, 2025

TITLE	APPOINT STANDBY OFFICER FOR THE BOARD OF DIRECTORS IN WARD 6 AS OUTLINED IN THE DIRECTORS' EMERGENCY SUCCESSION PLAN

ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Adopt a resolution to appoint Dorine Holsey Streeter as a Standby Officer for the East Bay Municipal Utility District Board of Directors as outlined in the Directors' Emergency Succession Plan (Plan).

SUMMARY	The Plan, adopted on May 23, 2017, ensures the ongoing governance of the District if one or more Board members become unavailable following a state of war emergency, in the event of a state of emergency, or in a local emergency in accordance with the California Emergency Services Act (CESA). The Plan fulfills the standards and process to implement District Policy 7.03 - Emergency Preparedness/Business Continuity, for Board members regarding designation of Standby Officers in compliance with CESA. The Board may fill vacancies under the provisions of the Municipal Utility District Act or CESA, depending on necessity and expediency as the situation warrants. In December 2024, a position for Standby Officer in Ward 6 became vacant. In March 2025, the Secretary of the District and the Manager of Security and Emergency Preparedness reviewed and confirmed the qualifications of Dorine Holsey Streeter to serve as a Standby Officer.

DISCUSSION	The Board of Directors has the critical task of setting policies and authorizing staff actions that support District operations. The Plan was established for Board members to safeguard District functions against unplanned and unexpected absence(s) during an emergency. The Plan outlines the process for the Board to select, appoint, and establish service expectations, duties, and compensation for Standby Officers that meet the following criteria: 1) 18 years of age and a lawful resident of California; 2) not a current District employee; and 3) no conflicts of interest with the District based on a position held with a private or public entity, or financial interest in any company or agency that has a contract with the District or possibility of having a contract with the District during the term of the Standby Officer's service. In March 2025, the Secretary of the District and the Manager of Security and Emergency Preparedness reviewed and confirmed the qualifications of Dorine Holsey Streeter to serve as a Standby Officer. Standby Officers serve in their posts at the pleasure of the Board and may be removed and replaced at any time with or without cause, before, during, or after an emergency. State law requires Standby Officers to complete and submit a Fair Political Practices Commission (FPPC)

Originating Department: Office of the Secretary	Department Director or Manager: Rischa S. Cole	CEP Forms? N/A	Board Action Type: Administrative
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Emergency Succession Plan for the Board of Directors; Resolution			

Title:	Appoint Standby Officer For The Board of Directors In Ward 6 As Outlined In The Directors' Emergency Succession Plan	Meeting Date:	May 13, 2025

Statement of Economic Interests Form 700 to the FPPC and the Office of the Secretary within 30 days of appointment, and annually, thereafter. Having Standby Officers available in the event of an emergency (as defined by CESA), supports the District's Customer and Community Services Strategic Plan goal.

SUSTAINABILITY**Economic**

There is no fiscal impact associated with this action. However, Standby Officers seated on the Board following an emergency will be entitled to financial compensation as outlined in the Plan.

Social

In the event of an emergency, as outlined in the Plan, Standby Officers allow the District to increase the reliability of its governance and reduce potential impacts to customers and to the environment.

ALTERNATIVE

Do not appoint a Standby Officer for Ward 6. This alternative is not recommended. The Standby Officer listed meets the criteria outlined in the Plan and their qualifications to serve have been reviewed and verified.

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APPENDIX TO THE OFFICE OF THE GENERAL MANAGER'S BUSINESS CONTINUITY PLAN**Emergency Succession Plan for Board of Directors****Purpose**

The purpose of this Emergency Succession Plan is to ensure continuous coverage of the Board of Directors' duties, critical to the ongoing operations and sustainability of the District, in the event one or more Board Members is unavailable following a state of war emergency or in the event of a state of emergency or a local emergency.

Definitions

The following definitions shall apply to this Emergency Succession Plan.

"Emergency" means:

- A State of War Emergency, being the condition which exists immediately whenever the state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent. No proclamation by the Governor is necessary for the existence of a State of War Emergency.
- A State of Emergency, being the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or conditions other than those causing a "State of War Emergency." A State of Emergency must be declared by the Governor.
- A Local Emergency, being the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake. A Local Emergency must be declared by the governing body of a county, city and county, or city or by an official designated by ordinance adopted by that governing body.

For the purposes of this Emergency Succession Plan in order to comply with statutory requirements for Board emergency succession, "Emergency" shall not include a District-declared emergency as defined in District Policy 7.03 – Emergency Preparedness/Business Continuity.

“Regular Officer” is the term applicable during an Emergency to a Board Member elected or appointed under the California Municipal Utility District (MUD) Act.

“Standby Officer” means a person appointed by the District Board of Directors to serve on the Board in the event of the unavailability of a Board Member.

“Unavailable” means that as a result of an Emergency a Board Member is either killed, missing, or so seriously injured as to be unable to attend meetings and otherwise perform his or her duties. A Board Member may declare himself or herself to be unavailable for the purposes of this Emergency Succession Plan, but should inform the General Manager of the estimated time during which he or she will be unavailable.

Selection and Appointment of Standby Officers

Each Board Member shall designate a minimum of two and no more than three Standby Officers to serve in their place in the event of the Board Member’s unavailability under this procedure. Standby Officers shall be designated Standby Officer No. 1, Standby Officer No. 2, and Standby Officer No. 3.

In selecting prospective Standby Officers, the Board shall give consideration to their places of residence and work in order to maximize the probability of survivorship for each Board position for which Standby Officers are appointed. Criteria to be considered include:

- The location of the Standby Officer’s residence and place of work in relation to such natural hazards as fault lines;
- The proximity of the Standby Officer’s residence to the Regular Officer’s residence; and
- The proximity of the Standby Officer’s place of work to the Regular Officer’s place of work.

One of the Standby Officers must reside within the member’s ward, and the other must reside outside the member’s ward and may reside outside the District’s service area. A Board member may choose, and the Board has the option to appoint, a third Standby Officer. That Standby Officer may reside inside or outside the same ward as the Board member, or outside the District’s service area.

Each selected Standby Officer shall meet the following criteria:

- Standby Officers shall be at least 18 years old and a lawful resident of the State of California;
- Standby Officers shall not be an employee of the District;
- Standby Officers shall not be a member of the Regular Officer’s immediate family;
- Standby Officers shall have no financial interest in any company or agency that has a contract with the District or is reasonably possible to have a contract with the District during the term of the Standby Officer’s service; and
- Standby Officers shall not serve as an officer or employee of any public entity that has a competing interest with the District.

Each recommended Standby Officer shall provide a resume to the Office of the Secretary. The Office of the Secretary shall carefully investigate and verify the qualifications of the recommended Standby Officers. Upon approval of the lists of Standby Officers by the Director of Operations and Maintenance, they will be appointed by the Board through a Board Resolution to serve until removal or replacement by the Board.

Each appointed Standby Officer shall take the oath of office required of a Board Member.

The District's list of Standby Officers as stated in the appointing Board Resolution shall be reviewed on an annual basis by each Member of the Board in order to verify the continuing availability of each Standby Officer to serve. Confirmation of the designated Standby Officers shall be made by Board Resolution annually. Persons appointed as Standby Officers shall serve in their posts as Standby Officers at the pleasure of the Board and may be removed and replaced at any time with or without cause, before, during, or after an Emergency.

Duties of Standby Officers

Each Standby Officer shall:

- Remain informed of the duties of the Board Member he or she will replace. Officers and employees of the District shall assist the Standby Officer, who shall be provided with a copy of Article 15 of the California Emergency Services Act (CESA).
- Remain informed of the business and affairs of the District to the extent necessary to enable the Standby Officer to fill his or her post competently. Officers and employees of the District shall assist the Standby Officer in remaining informed by providing Standby Officers with links to Board documents on the District's website and informing Standby Officers of any developments the Board deems necessary.
- Be prepared to immediately report for duty at the direction of the General Manager in the event of an Emergency at the place and in the method previously designated by the District, in the order of his or her succession.
- Fill the post of the Board Member position for which he or she has been appointed when the regular Board Member is unavailable during an Emergency.

Determination of Unavailability of a Board Member

The Board may fill vacancies under the provisions of the MUD Act or CESA, depending on necessity and expediency as the situation warrants.

MUD Act Appointments with CESA Contingency

Upon declaration of an Emergency that upon determination of the General Manager has the potential to render Regular Officers unavailable, all available Regular Officers shall meet as soon as possible. The General Manager shall contact Standby Officer No. 1 for each Board position regardless of the availability of the Board Member and inform the Standby Officer of his or her duty to appear at the first Board meeting. If Standby Officer No. 1 is unavailable or unwilling to serve, Standby Officers Nos. 2 and 3 shall substitute in succession for Standby Officer No. 1 in the same way that Standby Officer No. 1 is substituted in place of the Regular Officer.

The General Manager shall determine and report to the Board the availability of those Regular Officers not present at the first meeting. If five Regular Officers are available, the Regular Officers shall proceed to conduct the business of the Board, and within 60 days of the effective date of a vacancy shall appoint Board Members to fill those positions for which a Regular Officer is determined to be unavailable, in accordance with the provisions of the MUD Act. The Board shall reserve the right to select Standby Officers to fill the vacant positions in accordance with the procedures of CESA.

If five Regular Officers are not available, the Standby Officers shall serve in place of the unavailable Regular Officers.

CESA-Only Appointments

Upon declaration of an Emergency that upon determination of the General Manager has the potential to render Regular Officers unavailable, all available Regular Officers shall meet as soon as possible. The General Manager shall contact Standby Officer No. 1 for each Board position regardless of the availability of the Board Member and inform the Standby Officer of his or her duty to appear at the first Board meeting. If Standby Officer No. 1 is unavailable or unwilling to serve, Standby Officers Nos. 2 and 3 shall substitute in succession for Standby Officer No. 1 in the same way that Standby Officer No. 1 is substituted in place of the Regular Officer.

The General Manager shall determine and report to the Board the availability of each Regular Officer not present. For each Regular Officer who is confirmed by the Board to be unavailable, the Standby Officers shall serve in place of the unavailable Regular Officers.

Service of Standby Officers During and After an Emergency

Standby Officers serving during an Emergency shall have all of the powers and duties of a Board Member as delineated under Chapter 3, Article 4 of the MUD Act.

Succession for the executive positions of the Board shall be as follows: If the President is unavailable, the Regular Officer Vice President shall serve as President in his or her place. If the

Vice President is unavailable or serving as President, the Vice President position shall be filled by the available Regular Officer with the most seniority on the Board. If no Regular Officers are available to fill any executive positions, the position shall be filled by the Standby Officer for the unavailable Regular Officer for that position. Because the President of the Board cannot serve on a Standby Committee, the Standby Officer for the President shall serve on any committee on which the replacement officer for the President sits.

The Standby Officer shall serve until the Regular Officer becomes available, the election or appointment of a new Regular Officer in accordance with the election and appointment laws of the MUD Act, or the dismissal of the Standby Officer.

Compensation of Standby Officers

After reporting for duty at the direction of the General Manager in the event of an Emergency, each Standby Officer shall be entitled to financial compensation. Standby Officers serving less than one month shall be compensated for each meeting attended based on a pro-rated percentage of the salary of a Regular Officer. Standby Officers serving one month or longer shall be entitled to the salary of a Regular Officer. Standby Officers shall not be entitled to compensation for leave. Standby Officers shall not be entitled to health or retirement benefits unless and until they are elected or appointed to a Regular Officer position under the procedures of the MUD Act. This date of election or appointment shall serve as the effective date of employment for all Regular Officers for the purposes of receiving the health and retirement benefits of a Regular Officer.

Legal Authority

California Emergency Services Act, Government Code § 8635 *et seq.*
Municipal Utility District Act, Chapter 3, Article 4 (Public Utilities Code § 11881 *et seq.*)

Other References

EBMUD Policy 7.03 – Emergency Preparedness/Business Continuity
EBMUD Emergency Operations Plan
Office of the General Manager Business Continuity Plan

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RESOLUTION NO. _____

CONFIRMING APPOINTMENT OF STANDBY OFFICER FOR THE EAST BAY
MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS FOR WARD NO. 6 UNDER
THE EMERGENCY SUCCESSION PLAN FOR THE BOARD OF DIRECTORS

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, Article 15 of the State of California Emergency Services Act (CESA) provides for the preservation of local government in the event of a state of war emergency, state of emergency, or local emergency; and

WHEREAS, CESA permits the governing body of a political subdivision to appoint up to three Standby Officers for each member of the governing body; and

WHEREAS, the Board of Directors (Board) of the East Bay Municipal Utility District (District) adopted the Emergency Succession Plan (Plan) for the Board on May 23, 2017; and

WHEREAS, the Plan provides a process under which Standby Officers for the Board are selected, vetted, and affirmed; and

WHEREAS, pursuant to the Plan, the Board has appointed Standby Officers to serve in the place of each Board member in the event of an emergency under CESA; and

WHEREAS, the Plan requires the Secretary of the District to verify each year the continuing availability of each appointed Standby Officer to serve as a Standby Officer; and

WHEREAS, following this verification, the Plan requires the Board to confirm the appointment of continuing Standby Officers and newly appointed Standby Officers; and

WHEREAS, on January 28, 2025, the Board confirmed the appointment of Standby Officers for wards of the District in Resolution No. 35436-25; and

WHEREAS, at the time of the Board's confirmation of the appointment of Standby Officers for wards of the District on January 28, 2025, the position for Standby Officer Number 3 in Ward No. 6 was vacant; and

WHEREAS, the Secretary of the District and the Manager of Security and Emergency Preparedness reviewed and confirmed the qualifications, availability, and willingness of Dorine Holsey Streeter to serve as the Standby Officer Number 3 in Ward No. 6; and

WHEREAS, Dorine Holsey Streeter meets the criteria to serve as stated in the Plan;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District hereby appoints the following Standby Officer, who shall serve in their post as

Standby Officer at the pleasure of the East Bay Municipal Utility District until removal or replacement:

Ward No. 6 3) Dorine Holsey Streeter

ADOPTED this 13th day of May, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel



BOARD ACTION

Agenda Number:	17.	Meeting Date:	May 13, 2025

TITLE	APPOINTMENT OF DIRECTOR, WATER AND NATURAL RESOURCES

ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Appoint Alice E. Towey as the Director, Water and Natural Resources effective May 19, 2025.

SUMMARY	Following a comprehensive recruitment process, Alice E. Towey is recommended for appointment as the Director, Water and Natural Resources. This position is exempt from civil service provisions of the Municipal Utility District Act in accordance with Section 12055(b) which excludes officers, assistant officers and other persons and employees appointed by the Board of Directors.

DISCUSSION	The Director of Water and Natural Resources is responsible for providing long term water supply reliability and natural resources stewardship by protecting water rights, developing supplemental water supplies, and overseeing land management, habitat protection, and recreation on EBMUD watershed lands. Ms. Towey has 24 years of engineering and leadership experience in private consulting, at the Peace Corps, and at EBMUD. For the last 18 years, she has worked in the District's Wastewater, Water and Natural Resources, and Customer and Community Services departments and is currently the District's Environmental Affairs Officer, where she is responsible for working with state, federal, and local agencies to resolve complex statewide issues such as the Bay Delta Water Quality Control Plan Update. Prior to her current role, Ms. Towey managed EBMUD's Water Conservation Division. Ms. Towey has a Bachelor of Arts in Physics from Bryn Mawr College and a Master of Science in Civil and Environmental Engineering from the University of California at Berkeley. She is a licensed Professional Civil Engineer in California.

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Originating Department: Human Resources	Department Director or Manager: Cindy R. Charan	CEP Forms? N/A	Board Action Type: Personnel
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Class Description; Resolution			



EXEMPT CLASS DESCRIPTION

TITLE	CLASS CODE	ESTABLISHED
DIRECTOR, WATER AND NATURAL RESOURCES	1566	4-1-96 REVISED

RESPONSIBILITIES AND DUTIES

Under executive direction of the General Manager, provides strategic direction and guidance for a group of departments in the implementation of Board policy and District priorities in the following areas:

- o Water Resources & Water Supply Improvements
- o Natural Resources Department

Provides leadership in the development and implementation of strategies, programs, ordinances, policies, decisions, and other actions adopted by the Board or identified by the General Manager.

Plans, organizes, staffs, oversees, controls, reviews, authorizes and coordinates interdepartmental projects, assignments and activities of the District to ensure efficient and effective results.

Represents the District before organizations outside the District including other governmental entities, community organizations, and the general public.

Evaluates the performance of assigned department managers and corporate program managers against performance plans, budgets and District goals; performs other administrative functions as may be delegated under the General Manager's authority and District policies

Initiates and oversees the development, administration and improvement of programs and strategies for protecting existing District water resources, ensuring a reliable supply of high quality water to meet future needs and ensuring the availability of adequate physical facilities to meet future needs.

Reviews and coordinates engineering plans to construct, enlarge and modify source water supply facilities and determines short and long-term impact on District water resources.

Reviews and coordinates policies, plans and programs to manage the District's watershed bounds and associated natural resources.

Directs the preparation of recommendations, reports, and other materials for Board of Director's and committee's meetings.

Performs administrative duties including budget formulation and execution, employee selection, training and evaluation and report preparation.

Makes presentations to community, legislative and public/private policy groups, Board of Directors and District staff.

TYPICAL QUALIFICATIONS

Education and Experience:

Any combination of education and experience which has provided the desired competency which typically requires a Bachelor's degree in water resource planning, engineering, engineering planning, public administration or related fields and significant senior management experience in water resource planning or engineering which included responsibility for the supervision of a group of engineers and/or planners and support personnel.

Competency:

Demonstrated managerial and technical competency in several of the engineering or planning areas described above; organizing, planning, directing and coordinating major engineering projects and/or functions, and effectively utilizing subordinate managers, supervisors, staff and consultants; providing effective leadership and building consensus among interdepartmental and multi agency teams on public policy issues; establishing effective and cooperative working relationships with other department managers and their staffs, community groups, the Board, other governmental agencies, legislators, and elected officials; excellent written and oral communication skills.

RESOLUTION NO. _____

APPOINTING ALICE E. TOWEY AS
DIRECTOR OF WATER AND NATURAL RESOURCES

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the Board of Directors of the East Bay Municipal Utility District (District) has previously established the position of Director of Water and Natural Resources, and such position has been assigned a salary range under the Management Salary Plan established for District officers, assistant officers, civil service exempt and certain civil service classes; and

WHEREAS, the Director of Water and Natural Resources is exempt from the District civil service pursuant to State of California Public Utilities Code section 12055; and

WHEREAS, the General Manager has recommended that Alice E. Towey be appointed to serve as Director of Water and Natural Resources;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that it hereby appoints Alice E. Towey to serve as Director of Water and Natural Resources, effective June 2, 2025.

ADOPTED this 13th day of May, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

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BOARD ACTION

Agenda Number:	18.	Meeting Date:	May 13, 2025

TITLE	APPOINTMENT OF MANAGER OF NATURAL RESOURCES

ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	Appoint Michelle L. Workman as the Manager of Natural Resources effective May 19, 2025.

SUMMARY	Following a comprehensive recruitment process, Michelle L. Workman is recommended for appointment as the Manager of Natural Resources. This position is exempt from civil service provisions of the Municipal Utility District Act in accordance with Section 12055(b) which excludes officers, assistant officers and other persons and employees appointed by the Board of Directors.

DISCUSSION	The Manager of Natural Resources is responsible for managing the District's 57,000 acres of watershed land, including vegetation management, habitat protection, and recreation services as well as management of the Lower Mokelumne River fisheries program. Ms. Workman has over 30 years of experience as a fisheries and wildlife biologist and as a manager at both EBMUD and the United States Fish and Wildlife Service (USFWS). She worked for the District from 1993 through 2009 as a fisheries and wildlife biologist before leaving to manage the San Joaquin River restoration program for USFWS. Ms. Workman returned to EBMUD in 2014, serving most recently as the Manager of Fisheries and Wildlife. Not coincidentally, Ms. Workman's career at EBMUD aligns with the increasing success of the District's Lower Mokelumne River fisheries program. Ms. Workman has a Bachelor of Science and Master of Science in Conservation Biology from Sacramento State University.

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Originating Department: Human Resources	Department Director or Manager: Cindy R. Charan	CEP Forms? N/A	Board Action Type: Personnel
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Class Description; Resolution			



East Bay Municipal Utility District (EBMUD)

Exempt Class Description

Class Code:	1568	Established:	04/01/96
Salary Range:	93	Revised:	04/21/25
Unit:	NA	Reviewed:	04/21/25

MANAGER OF NATURAL RESOURCES

DEFINITION

Under administrative direction and as the department manager, plans, organizes, staffs, directs, and controls through subordinate managers and supervisors all activities in these areas:

- Fishery and Wildlife Management
- Local and Mokelumne Watershed and Recreation Management
- Environmental Education and Leadership for District Departments

RESPONSIBILITIES AND DUTIES

- Sets departmental programs and priorities to meet East Bay Municipal Utility District (EBMUD) goals and objectives.
- Formulates, recommends, interprets and implements regulations, rules, policies, and procedures.
- Provides leadership, promotes high employee morale, and employee productivity.
- Initiates and oversees the development, administration, and improvement of natural resource stewardship programs and strategies for enhancing water supply quality and protecting EBMUD water rights.
- Directs and personally leads EBMUD participation in negotiations with other governmental agencies and public/private interest groups over environmental management issues affecting EBMUD water supply.
- Directs and coordinates department activities with other departments.
- Directs the preparation of recommendations, reports, and other materials for Board of Directors' and committee meetings.
- Performs administrative duties including budget formulation and execution, employee selection, training and evaluation, and report preparation.
- Represents EBMUD at meetings, seminars, and conferences.
- Makes presentations to community, legislative and public/private policy groups, Board of Directors and EBMUD staff.

TYPICAL QUALIFICATIONS

Education and Experience

1. Bachelor's degree in watershed, range, or natural resource management, forestry, fisheries biology, zoology, wildlife management, or a closely related field; and,
2. Several years of managerial experience in watershed, wildlife, or fishery management.

Competency

Demonstrated managerial and technical competency in at least one of responsibility areas described above; organizing, planning, directing, and coordinating programs and effectively utilizing subordinate managers, staff, and consultants; providing effective leadership and building consensus on natural resource management issues with public policy groups; leadership competency in demonstrating inclusive leadership and active support of diversity, equity, and inclusion principles; establishing effective and cooperative working relationships with other department managers and their staff, community groups, the Board, other governmental agencies, and elected officials; and excellent written and oral communication skills.

License, Certificate, or Credential

Must possess a valid California driver's license and have a satisfactory driving record.

Previous Revision: 04/01/1996

RESOLUTION NO. _____

APPOINTING MICHELLE L. WORKMAN AS
MANAGER OF NATURAL RESOURCES

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the Board of Directors of the East Bay Municipal Utility District (District) has previously established the position of Manager of Natural Resources, and such position has been assigned a salary range under the Management Salary Plan established for District officers, assistant officers, civil service exempt and certain civil service classes; and

WHEREAS, the Manager of Natural Resources is exempt from the District civil service pursuant to State of California Public Utilities Code section 12055; and

WHEREAS, the General Manager has recommended that Michelle L. Workman be appointed to serve as Manager of Natural Resources;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that it hereby appoints Michelle L. Workman to serve as Manager of Natural Resources, effective June 2, 2025.

ADOPTED this 13th day of May, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 8, 2025

MEMO TO: Board of Directors

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

FROM: Kathy Viatella, Manager of Legislative Affairs *KV*

SUBJECT: Legislative Report No. 04-25

The following issues are being referred to the Legislative/Human Resources Committee for review and recommendation to the Board of Directors for action, as appropriate, on May 13, 2025.

RECOMMENDED ACTION

Approve positions on the following bills: 1) Support AB 1153 (Bonta) Solid waste disposal and codisposal site cleanup: illegal disposal site abatement; 2) Support H.R. 1871 (Huffman) Water Conservation Rebate Tax Parity Act; 3) Support H.R. 2269 (McClain) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act; and 4) Support S. 1092 (Merkley) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act.

STATE LEGISLATION

RECOMMENDED POSITION

AB 1153 (Bonta)	SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP: ILLEGAL DISPOSAL SITE ABATEMENT	SUPPORT

The California Integrated Waste Management Act of 1989 (Act), which is administered by the Department of Resources Recycling and Recovery (CalRecycle), establishes an integrated waste management program. The Act requires CalRecycle to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at codisposal sites (meaning those sites that contain both solid waste and hazardous waste), when there is no responsible party available to pay for timely remediation, and when cleanup is needed to protect public health and safety or the environment. Existing law provides that all expenses incurred by CalRecycle in carrying out the Solid Waste Disposal and Codisposal Site Cleanup Program (Program) are to be paid from the Solid Waste Disposal Site Cleanup Trust Fund, which is continuously appropriated to CalRecycle for purposes of the Program. Existing law authorizes CalRecycle in administering the Program, to expend funds for specified purposes, including providing grants to public entities for the abatement of illegal disposal sites.

AB 1153 (Bonta), as amended April 22, 2025, would revise CalRecycle's Solid Waste Disposal and Codisposal Site Cleanup Program to additionally include:

- the removal and disposal of recreational vehicles (RVs);
- the development of enforcement strategies; and
- the development of local enforcement teams and illegal dumping enforcement officers.

According to the author, "Across California, the number of abandoned [RVs] is creating significant public health, safety, and environmental hazards in our communities. Currently, local governments lack adequate resources and authority to properly address the removal and disposal of these vehicles." AB 1153 "ensures that local governments have the tools they need to tackle this growing issue by expanding CalRecycle's [Program]."

Illegal dumping has the potential to impact EBMUD's watersheds and water quality. Generally, EBMUD benefits from efforts that develop and expand resources to address illegal dumping. Increased attention on illegal dumping enforcement because of the bill could also provide indirect benefits to EBMUD. Special districts, including EBMUD, are eligible entities for purposes of Program grant funds. However, priority for funding is directed toward those property owners or entities that do not have means to pay for the clean-up. There are no costs to EBMUD contained in the bill.

EBMUD previously supported AB 2374 (Bauer-Kahan, Chapter 784, Statutes of 2022), which increased the maximum fines for illegal dumping for persons employing more than 10 full-time employees, and required any person convicted of illegal dumping to remove or pay the cost of removing the waste matter they were convicted of illegally dumping.

The official support and opposition list to AB 1153 is shown below.

Support

A Voice for Choice Advocacy
California State Association of Counties
Californians Against Waste
County of Alameda

Opposition

None on file

FEDERAL LEGISLATION

**H.R. 1871
(Huffman)**

**WATER CONSERVATION REBATE
TAX PARITY ACT**

SUPPORT

The Comprehensive National Energy Policy Act of 1992 provides that public utility subsidies, or rebates, paid to residential customers for energy conservation measures are exempt from federal income tax. The Act defines energy conservation measure as “any installation or modification primarily designed to reduce consumption of electricity or natural gas or to improve the management of energy demand with respect to a dwelling unit.”

H.R. 1871 (Huffman) would ensure that rebates for water conservation improvements are exempt from federal taxes, similar to energy conservation rebates. Specifically, H.R. 1871 would amend the Internal Revenue Code to exempt from federal taxes rebates provided to public utility customers for the purchase or installation of any water conservation, stormwater management, or wastewater management measure.

Rebate programs for water conservation can help promote water conservation. However, some water conservation improvements can be too expensive for property owners to install without a financial incentive. Many water utilities have established rebate programs to incentivize the installation of water conservation improvements. Conservation rebates are intended to defray the upfront consumer costs and should not be considered income.

EBMUD provides rebates to its residential customers for the installation of water conservation improvements, such as lawn conversion and irrigation equipment upgrades, as well as equipment for graywater laundry-to-landscape systems. H.R. 1871 would promote water conservation by clarifying that water conservation rebates provided by a public utility, such as the rebates provided by EBMUD, are not subject to federal taxes.

EBMUD has previously supported legislation to encourage water conservation efforts. In 2024, EBMUD supported H.R. 8682 (Huffman), which is identical to H.R. 1871. In 2017, EBMUD supported S. 1464 (Feinstein) and H.R. 448 (Huffman), companion measures that, like H.R. 1871, would have clarified that water conservation rebates are not subject to federal taxes.

Consistent with other federal measures, there is no official support and opposition list for H.R. 1871.

**H.R. 2269
(McClain)
S. 1092
(Merkley)**

**WASTEWATER INFRASTRUCTURE
POLLUTION PREVENTION AND
ENVIRONMENTAL SAFETY ACT**

SUPPORT

H.R. 2269 (McClain) and S. 1092 (Merkley) are identical companion measures known as the Wastewater Infrastructure Pollution Prevention and Environmental Safety Act (WIPPEs Act) and are substantially similar to H.R. 2964 (McClain) and S. 1350 (Merkley), that EBMUD supported in 2023. The WIPPEs Act is intended to address the problem of non-flushable wet wipes being flushed into and creating obstructions in sewer and wastewater systems.

The WIPPEs Act would create a national standard for the labeling of non-flushable disposable wet wipes, essentially adopting national wet wipe labeling requirements similar to California's requirements established by AB 818 (Bloom) in 2021, which EBMUD supported. The WIPPEs Act would primarily require manufacturers of non-flushable wet wipes to label the products clearly and conspicuously with "DO NOT FLUSH" notices and symbols. The WIPPEs Act would also preempt state "DO NOT FLUSH" labeling requirements. However, as the WIPPEs Act essentially adopts California's labeling requirements, the WIPPEs Act would apply California's requirements nationwide, so the WIPPEs Act preemption language is not of concern.

According to the California Association of Sanitation Agencies, non-flushable wet wipes are often flushed down the toilet due to the lack of consistent and clear disposal instructions. The WIPPEs Act "addresses the flushing of non-flushable [wet] wipes that has plagued the clean water sector for decades" and establishes "commonsense 'Do Not Flush' labeling practices designed to address this problem at the source and ensure these [wet] wipes do not make their way" into wastewater systems.

Flushing items like non-flushable wet wipes that are not designed for sewer systems can lead to serious consequences, including sewer blockages and backups in homes, businesses, and sewer collection systems. These blockages can also damage sewer lines, resulting in expensive sanitary sewer overflows. Additionally, non-flushable materials can clog machinery at wastewater treatment plants, leading to increased treatment costs.

For EBMUD, significant amounts of fibrous material have been found when cleaning the digesters at the Main Wastewater Treatment Plant. This material is likely the result of non-flushable materials, such as wet wipes, being flushed into the system. The fibrous material catches grit and retains it in the digesters, causing problems for digester operations.

The WIPPEs Act would help reduce the disposal of non-flushable wet wipes in sewer systems, including EBMUD's wastewater treatment system, by ensuring that these wet wipes are properly labeled.

In terms of anticipated costs and benefits for EBMUD and its ratepayers, the expected benefits include a reduction in maintenance needs for cleaning pumps and other equipment currently required to handle non-flushable materials. This could lead to cost savings through decreased maintenance and lower disposal costs. Additional costs are not expected to arise from this measure.

Support for H.R. 2269 and S. 1092 is consistent with EBMUD's support of H.R. 2964 (McClain) and S. 1350 (Merkley) in 2023. EBMUD also supported similar measures in 2022, H.R. 4602 (Lowenthal) and S. 3956 (Merkley). In addition, support for the federal measures is consistent with EBMUD's support for state measures to reduce the amount of non-flushable wet wipes that are flushed into sewer systems, most recently AB 818 (Bloom) in 2021, which was signed into law.

Consistent with other federal measures, there is no official support and opposition list for H.R. 2269 and S. 1092.

CCC:KCV:DM/JW

Attachments

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AMENDED IN ASSEMBLY APRIL 22, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1153

Introduced by Assembly Member Bonta

February 20, 2025

An act to amend Section 48021 of the Public Resources Code, relating to solid waste, and making an appropriation therefor.

LEGISLATIVE COUNSEL’S DIGEST

AB 1153, as amended, Bonta. Solid waste disposal and codisposal site cleanup: illegal disposal site abatement.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires the department to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at codisposal sites where no responsible party is available to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment. Existing law provides that all expenses incurred by the department in carrying out the program are to be paid from the Solid Waste Disposal Site Cleanup Trust Fund, which is continuously appropriated to the department for purposes of the program. Existing law authorizes the department, in administering the program, to expend funds for specified purposes, including providing grants to public entities for the abatement of illegal disposal sites.

This bill would additionally authorize the department, as part of grants provided to public entities to abate illegal disposal sites, to provide funding department to expend funds appropriated for the program for removing and disposing of recreational vehicles, as defined, for

developing enforcement strategies, and for developing local enforcement teams and illegal dumping enforcement officers, as ~~defined~~: *specified*. By ~~expanding the scope of the grants, which are funded by~~ *authorizing new uses of moneys in* a continuously appropriated fund, this bill would make an appropriation.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 48021 of the Public Resources Code is
2 amended to read:
3 48021. (a) In prioritizing the sites for cleanup pursuant to
4 Section 48020, the ~~board~~ *department* shall consider the degree of
5 risk to public health and safety and the environment posed by
6 conditions at a site, the ability of the site owner to clean up the site
7 without monetary assistance, the ability of the ~~board~~ *department*
8 to clean up the site adequately with available funds, maximizing
9 the use of available funds, and other factors as determined by the
10 ~~board~~: *department*.
11 (b) (1) In administering the program authorized by Section
12 48020, the ~~board~~ *department* may expend funds directly for
13 cleanup, provide loans to parties who demonstrate the ability to
14 repay state funds, and provide partial grants to public entities, to
15 assist in site cleanup.
16 (2) The ~~board~~ *department* may expend funds directly for the
17 cleanup of a publicly owned site only if the ~~board~~ *department*
18 determines that the public entity lacks resources or expertise to
19 timely manage the cleanup itself.
20 (3) In addition to the criteria specified in subdivision (a), in
21 considering partial grants that provide greater than 50 percent of
22 the funds directly for cleanup, the ~~board~~ *department* shall consider
23 all of the following:
24 (A) The amount of contributions of moneys or in-kind services
25 from the applicant.
26 (B) The availability of other appropriate funding sources to
27 remediate the site.
28 (C) The degree of public benefit.
29 (D) The presence of innovative and cost-effective programs to
30 abate or prevent solid waste problems to be addressed by the grants.

(E) Other factors as determined by the ~~board~~ department.

(c) (1) In addition to the expenditures specified in subdivision (b), the ~~board~~ department may expend a portion of the funds appropriated for the program to abate illegal disposal ~~sites~~, including, but not limited to, all of the following: ~~sites~~.

~~(A) Funding for the removal and disposal of a recreational vehicle, as defined in Section 18010 of the Health and Safety Code.~~

~~(B) Funding for enforcement strategies.~~

~~(C) Funding for developing local enforcement teams and illegal dumping enforcement officers, as defined in Section 830.7 of the Penal Code.~~

(2) For the purposes of this subdivision, the ~~board~~ department may provide grants to public entities.

(3) Where funds are provided by the ~~board~~ department to address illegal disposal sites within a jurisdiction, the local enforcement agency shall provide ongoing enforcement to prevent recurring illegal disposal at the site.

(4) For the purposes of this subdivision, an activity to remove or abate solid waste disposed into a municipal storm sewer is eligible to receive a partial grant, if the grant is used for solid waste cleanup, solid waste abatement, or any other activity that mitigates the impact of solid waste, and an ongoing program is established to prevent recurring solid waste disposal into the municipal storm sewer.

(d) (1) In addition to the expenditures specified in subdivisions (b) and (c), the department may expend funds appropriated for the program for any of the following:

(A) The removal and disposal of an abandoned recreational vehicle, as defined in Section 18010 of the Health and Safety Code.

(B) The development of enforcement strategies.

(C) The development of local enforcement teams and illegal dumping enforcement officers, as defined in Section 830.7 of the Penal Code.

(2) When implementing this subdivision, the department shall prioritize projects in disadvantaged communities, as described in Section 39711 of the Health and Safety Code.

~~(d)~~

- 1 (e) In developing and implementing the program, the ~~board~~
- 2 ~~department~~ shall consult with certified local enforcement agencies
- 3 and the regional water boards.

119TH CONGRESS
1ST SESSION

H. R. 1871

To amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures, storm water management measures, and wastewater management measures.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2025

Mr. HUFFMAN (for himself, Mr. MOORE of Utah, and Ms. CHU) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures, storm water management measures, and wastewater management measures.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Conservation
5 Rebate Tax Parity Act”.

1 **SEC. 2. MODIFICATIONS TO INCOME EXCLUSION FOR CON-**
2 **SERVATION SUBSIDIES.**

3 (a) IN GENERAL.—Subsection (a) of section 136 of
4 the Internal Revenue Code of 1986 is amended—

5 (1) by striking “any subsidy provided” and in-
6 serting “any subsidy—

7 “(1) provided”,

8 (2) by striking the period at the end and insert-
9 ing a comma, and

10 (3) by adding at the end the following new
11 paragraphs:

12 “(2) provided (directly or indirectly) by a public
13 utility to a customer, or by a State or local govern-
14 ment to a resident of such State or locality, for the
15 purchase or installation of any water conservation or
16 efficiency measure,

17 “(3) provided (directly or indirectly) by a storm
18 water management provider to a customer, or by a
19 State or local government to a resident of such State
20 or locality, for the purchase or installation of any
21 storm water management measure, or

22 “(4) provided (directly or indirectly) by a State
23 or local government to a resident of such State or
24 locality for the purchase or installation of any waste-
25 water management measure, but only if such meas-

1 ure is with respect to the taxpayer’s principal resi-
 2 dence.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) DEFINITION OF WATER CONSERVATION OR
 5 EFFICIENCY MEASURE AND STORM WATER MANAGE-
 6 MENT MEASURE.—Section 136(c) of the Internal
 7 Revenue Code of 1986 is amended—

8 (A) by striking “ENERGY CONSERVATION
 9 MEASURE” in the heading thereof and inserting
 10 “DEFINITIONS”,

11 (B) by striking “IN GENERAL” in the
 12 heading of paragraph (1) and inserting “EN-
 13 ERGY CONSERVATION MEASURE”, and

14 (C) by redesignating paragraph (2) as
 15 paragraph (5) and by inserting after paragraph
 16 (1) the following:

17 “(2) WATER CONSERVATION OR EFFICIENCY
 18 MEASURE.—For purposes of this section, the term
 19 ‘water conservation or efficiency measure’ means any
 20 evaluation of water use, or any installation or modi-
 21 fication of property, the primary purpose of which is
 22 to reduce consumption of water or to improve the
 23 management of water demand with respect to one or
 24 more dwelling units.

1 “(3) STORM WATER MANAGEMENT MEASURE.—

2 For purposes of this section, the term ‘storm water
3 management measure’ means any installation or
4 modification of property primarily designed to re-
5 duce or manage amounts of storm water with re-
6 spect to one or more dwelling units, including an in-
7 stallation or modification to prevent or reduce the
8 impacts of storm water-caused flooding to such
9 property.

10 “(4) WASTEWATER MANAGEMENT MEASURE.—

11 For purposes of this section, the term ‘wastewater
12 management measure’ means any installation or
13 modification of property primarily designed to man-
14 age wastewater (including septic tanks and cess-
15 pools) with respect to one or more dwelling units.”.

16 (2) DEFINITION OF PUBLIC UTILITY.—Section
17 136(c)(5) of such Code (as redesignated by para-
18 graph (1)(C)) is amended by striking subparagraph
19 (B) and inserting the following:

20 “(B) PUBLIC UTILITY.—The term ‘public
21 utility’ means a person engaged in the sale of
22 electricity, natural gas, or water to residential,
23 commercial, or industrial customers for use by
24 such customers.

“(C) STORM WATER MANAGEMENT PROVIDER.—The term ‘storm water management provider’ means a person engaged in the provision of storm water management measures to the public.

“(D) PERSON.—For purposes of subparagraphs (B) and (C), the term ‘person’ includes the Federal Government, a State or local government or any political subdivision thereof, or any instrumentality of any of the foregoing.”.

(3) CLERICAL AMENDMENTS.—

(A) The heading of section 136 of such Code is amended—

(i) by inserting “**AND WATER**” after “**ENERGY**”, and

(ii) by striking “**PROVIDED BY PUBLIC UTILITIES**”.

(B) The item relating to section 136 in the table of sections of part III of subchapter B of chapter 1 of such Code is amended—

(i) by inserting “and water” after “energy”, and

(ii) by striking “provided by public utilities”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to amounts received after Decem-
3 ber 31, 2021.

4 (d) NO INFERENCE.—Nothing in this Act or the
5 amendments made by this Act shall be construed to create
6 any inference with respect to the proper tax treatment of
7 any subsidy received directly or indirectly from a public
8 utility, a storm water management provider, or a State
9 or local government for any water conservation or effi-
10 ciency measure, storm water management measure, or
11 wastewater management measure before January 1,
12 2022.

○

119TH CONGRESS
1ST SESSION

H. R. 2269

To require certain products to be labeled with “Do Not Flush” labeling,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2025

Mrs. McCLAIN (for herself, Mr. MULLIN, Mr. KEAN, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require certain products to be labeled with “Do Not
Flush” labeling, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wastewater Infrastruc-
5 ture Pollution Prevention and Environmental Safety Act”
6 or the “WIPPEs Act”.

7 **SEC. 2. “DO NOT FLUSH” LABELING.**

8 (a) IN GENERAL.—A covered entity shall label a cov-
9 ered product clearly and conspicuously with the label no-

1 tice and symbol, in accordance with subsections (b) and
2 (c).

3 (b) REQUIREMENTS.—

4 (1) CYLINDRICAL PACKAGING.—In the case of a
5 covered product sold in cylindrical or near-cylindrical
6 packaging, and intended to dispense individual
7 wipes—

8 (A) the symbol and label notice shall be
9 displayed on the principal display panel in a
10 clear and conspicuous location reasonably visi-
11 ble to the user each time a wipe is dispensed;
12 or

13 (B) the symbol shall be displayed on the
14 principal display panel and the label notice, or
15 a combination of the label notice and symbol,
16 shall be displayed on a flip lid in a manner that
17 covers at least 8 percent of the surface area of
18 the flip lid.

19 (2) FLEXIBLE FILM PACKAGING.—In the case
20 of a covered product sold in flexible film packaging,
21 and intended to dispense individual wipes—

22 (A) the symbol shall be displayed on the
23 principal display panel and, if the principal dis-
24 play panel is not on the dispensing side of the
25 packaging, on the dispensing side panel; and

1 (B) the label notice shall be displayed on
2 either the principal display panel or the dis-
3 pensing side panel, in a clear and conspicuous
4 location reasonably visible to the user each time
5 a wipe is dispensed.

6 (3) RIGID PACKAGING.—In the case of a cov-
7 ered product sold in a refillable tub or other rigid
8 packaging that may be reused by a customer, and
9 that is intended to dispense individual wipes, the
10 symbol and label notice shall be displayed on the
11 principal display panel in a clear and conspicuous lo-
12 cation reasonably visible to the user each time a
13 wipe is dispensed.

14 (4) PACKAGING NOT INTENDED TO DISPENSE
15 INDIVIDUAL WIPES.—In the case of a covered prod-
16 uct sold in packaging that is not intended to dis-
17 pense individual wipes, the symbol and label notice
18 shall be displayed on the principal display panel in
19 a clear and conspicuous location reasonably visible to
20 the user of the covered product.

21 (5) BULK PACKAGING.—

22 (A) IN GENERAL.—In the case of a covered
23 product sold in bulk at retail, the symbol and
24 label notice shall be displayed on both the outer
25 packaging visible at retail and the individual

packaging contained within the outer packaging.

(B) EXEMPTION.—The following shall be exempt from the requirements of subparagraph (A):

(i) Individually packaged covered products that are contained within outer packaging, are not intended to dispense individual wipes, and have no retail labeling.

(ii) Outer packaging that does not obscure the symbol and label notice on individually packaged covered products contained within.

(6) PACKAGING OF COMBINED PRODUCTS.—

(A) OUTER PACKAGING.—The outer packaging of combined products shall be exempt from the symbol and label notice requirements of subsection (a).

(B) PACKAGES LESS THAN 3 BY 3 INCHES.—In the case of a covered product in packaging smaller than 3 inches by 3 inches (such as an individually packaged wipe in tear-top packaging) and sold as part of a combined product, if a symbol and label notice are placed in a prominent location reasonably visible to the

1 user of the covered product, such covered prod-
2 uct shall be considered to be labeled clearly and
3 conspicuously.

4 (c) REASONABLE VISIBILITY OF SYMBOL AND LABEL
5 NOTICE.—

6 (1) IN GENERAL.—A covered entity shall ensure
7 that—

8 (A) packaging seams or folds or other
9 packaging design elements do not obscure the
10 symbol or label notice;

11 (B) the symbol and label notice are each
12 equal in size to at least 2 percent of the surface
13 area of the principal display panel; and

14 (C) the symbol and label notice have high
15 contrast with the immediate background of the
16 packaging so that such symbol and label notice
17 may be seen and read by an ordinary individual
18 under customary conditions of purchase and
19 use.

20 (2) PROXIMITY OF SYMBOL AND LABEL NO-
21 TICE.—A covered entity may display a symbol and
22 label notice either adjacent to or on separate areas
23 of the principal display panel.

24 (3) EXCEPTION.—Paragraph (1)(C) does not
25 apply to an embossed symbol or label notice on the

1 flip lid of a covered product sold in cylindrical or
2 near-cylindrical packaging.

3 (d) REPRESENTATIONS OF FLUSHABILITY.—With re-
4 spect to a covered product, a covered entity may not make
5 any express or implied representation that such covered
6 product can or should be flushed.

7 (e) ENFORCEMENT BY FEDERAL TRADE COMMIS-
8 SION.—

9 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
10 TICES.—A violation of this section or any regulation
11 promulgated under this section shall be treated as a
12 violation of a regulation under section 18(a)(1)(B)
13 of the Federal Trade Commission Act (15 U.S.C.
14 57a(a)(1)(B)) regarding unfair or deceptive acts or
15 practices.

16 (2) POWERS OF COMMISSION.—The Commis-
17 sion shall enforce this section and any regulations
18 promulgated under this section by the same means,
19 and with the same jurisdiction, powers, and duties,
20 as though all applicable terms and provisions of the
21 Federal Trade Commission Act (15 U.S.C. 41 et
22 seq.) were incorporated into and made a part of this
23 section, and any person who violates this section or
24 any regulation promulgated under this section shall
25 be subject to the penalties and entitled to the privi-

1 leges and immunities provided in the Federal Trade
2 Commission Act.

3 (3) REGULATIONS.—The Commission may pro-
4 mulgate regulations under section 553 of title 5,
5 United States Code, to implement this section. In
6 developing the regulations, the Commission may con-
7 sult with the Administrator of the Environmental
8 Protection Agency, the Commissioner of Food and
9 Drugs, the Consumer Product Safety Commission,
10 or any other agency as appropriate.

11 (4) AUTHORITY PRESERVED.—Nothing in this
12 section may be construed to limit the authority of
13 the Commission under any other provision of law.

14 (f) PREEMPTION OF STATE LAWS.—No State or po-
15 litical subdivision of a State may directly or indirectly es-
16 tablish or continue in effect, under any authority, require-
17 ments with respect to the “Do Not Flush” labeling of cov-
18 ered products that are not identical to the requirements
19 of this section and the regulations promulgated under this
20 section.

21 (g) DEFINITIONS.—In this section:

22 (1) COMBINED PRODUCT.—The term “com-
23 bined product” means two or more products sold in
24 shared retail packaging, of which—

1 (A) at least one of the products is a cov-
2 ered product; and

3 (B) at least one of the products is another
4 consumer product intended to be used in com-
5 bination with such covered product.

6 (2) COMMISSION.—The term “Commission”
7 means the Federal Trade Commission.

8 (3) COVERED ENTITY.—The term “covered en-
9 tity” means a manufacturer, wholesaler, supplier, in-
10 dividual or group of individuals, or retailer that is
11 responsible for the labeling or retail packaging of a
12 covered product that is sold or offered for retail sale
13 in the United States.

14 (4) COVERED PRODUCT.—

15 (A) IN GENERAL.—The term “covered
16 product” means a premoistened, nonwoven dis-
17 posable wipe sold or offered for retail sale—

18 (i) that is marketed as a baby wipe or
19 diapering wipe; or

20 (ii) that is a household or personal
21 care wipe (including a wipe described in
22 subparagraph (B)) that—

23 (I) is composed entirely, or in
24 part, of petrochemical-derived fibers;
25 and

1 (II) has significant potential to
2 be flushed.

3 (B) INCLUSIONS.—The wipes described in
4 this subparagraph are—

5 (i) antibacterial wipes and disinfecting
6 wipes;

7 (ii) wipes intended for general purpose
8 cleaning or bathroom cleaning, including
9 toilet cleaning and hard surface cleaning;
10 and

11 (iii) wipes intended for personal care
12 use on the body, including hand sanitizing,
13 makeup removal, feminine hygiene, adult
14 hygiene (including incontinence hygiene),
15 and body cleansing.

16 (5) HIGH CONTRAST.—The term “high con-
17 trast” means, with respect to the symbol or label no-
18 tice, that such symbol or label notice—

19 (A) is either light on a solid dark back-
20 ground or dark on a solid light background; and

21 (B) has a contrast percentage of at least
22 70 percent between such symbol or label notice
23 and the background, using the formula $(B1 -$
24 $B2) / B1 * 100 = \text{contrast percentage}$, where
25 B1 is the light reflectance value of the lighter

1 area and B2 is the light reflectance value of the
2 darker area.

3 (6) LABEL NOTICE.—The term “label notice”
4 means the written phrase “Do Not Flush”.

5 (7) PRINCIPAL DISPLAY PANEL.—The term
6 “principal display panel” means the side of a prod-
7 uct package that is most likely to be displayed, pre-
8 sented, or shown under customary conditions of dis-
9 play for retail sale, and—

10 (A) in the case of a cylindrical or near-cy-
11 lindrical package, the surface area of which
12 constitutes at least 40 percent of the product
13 package, as measured by multiplying the height
14 by the circumference of the package; or

15 (B) in the case of a flexible film package
16 in which a rectangular prism or near-rectan-
17 gular prism stack of wipes is housed within the
18 film, the surface area of which is measured by
19 multiplying the length by the width of the side
20 of the package when the flexible packaging film
21 is pressed flat against the stack of wipes on all
22 sides of the stack.

23 (8) STATE.—The term “State” means each
24 State of the United States, the District of Columbia,

1 and each commonwealth, territory, or possession of
2 the United States.

3 (9) SYMBOL.—The term “symbol” means the
4 “Do Not Flush” symbol, as depicted in the most re-
5 cent edition of the Guidelines for Assessing the
6 Flushability of Disposable Nonwoven Products pub-
7 lished by the Association of the Nonwoven Fabrics
8 Industry (INDA) and the European Disposables
9 And Nonwovens Association (EDANA), or an other-
10 wise equivalent symbol adopted by the Commission
11 through rulemaking under this section.

12 (h) EFFECTIVE DATE.—This section shall apply to
13 a covered entity beginning on the date that is 1 year after
14 the date of the enactment of this Act.

○

119TH CONGRESS
1ST SESSION

S. 1092

To require certain products to be labeled with ‘Do Not Flush’ labeling,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 24, 2025

Mr. MERKLEY (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. KING, Mr. MARKEY, Mrs. MURRAY, Mr. PADILLA, Mr. WYDEN, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require certain products to be labeled with ‘Do Not Flush’
labeling, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wastewater Infrastruc-
5 ture Pollution Prevention and Environmental Safety Act”
6 or the “WIPPES Act”.

7 **SEC. 2. “DO NOT FLUSH” LABELING.**

8 (a) IN GENERAL.—A covered entity shall label a cov-
9 ered product clearly and conspicuously with the label no-

1 tice and symbol, in accordance with subsections (b) and
2 (c).

3 (b) REQUIREMENTS.—

4 (1) CYLINDRICAL PACKAGING.—In the case of a
5 covered product sold in cylindrical or near-cylindrical
6 packaging, and intended to dispense individual
7 wipes—

8 (A) the symbol and label notice shall be
9 displayed on the principal display panel in a
10 clear and conspicuous location reasonably visi-
11 ble to the user each time a wipe is dispensed;
12 or

13 (B) the symbol shall be displayed on the
14 principal display panel and the label notice, or
15 a combination of the label notice and symbol,
16 shall be displayed on a flip lid in a manner that
17 covers at least 8 percent of the surface area of
18 the flip lid.

19 (2) FLEXIBLE FILM PACKAGING.—In the case
20 of a covered product sold in flexible film packaging,
21 and intended to dispense individual wipes—

22 (A) the symbol shall be displayed on the
23 principal display panel and, if the principal dis-
24 play panel is not on the dispensing side of the
25 packaging, on the dispensing side panel; and

1 (B) the label notice shall be displayed on
2 either the principal display panel or the dis-
3 pensing side panel, in a clear and conspicuous
4 location reasonably visible to the user each time
5 a wipe is dispensed.

6 (3) RIGID PACKAGING.—In the case of a cov-
7 ered product sold in a refillable tub or other rigid
8 packaging that may be reused by a customer, and
9 that is intended to dispense individual wipes, the
10 symbol and label notice shall be displayed on the
11 principal display panel in a clear and conspicuous lo-
12 cation reasonably visible to the user each time a
13 wipe is dispensed.

14 (4) PACKAGING NOT INTENDED TO DISPENSE
15 INDIVIDUAL WIPES.—In the case of a covered prod-
16 uct sold in packaging that is not intended to dis-
17 pense individual wipes, the symbol and label notice
18 shall be displayed on the principal display panel in
19 a clear and conspicuous location reasonably visible to
20 the user of the covered product.

21 (5) BULK PACKAGING.—

22 (A) IN GENERAL.—In the case of a covered
23 product sold in bulk at retail, the symbol and
24 label notice shall be displayed on both the outer
25 packaging visible at retail and the individual

packaging contained within the outer packaging.

(B) EXEMPTION.—The following shall be exempt from the requirements of subparagraph (A):

(i) Individually packaged covered products that are contained within outer packaging, are not intended to dispense individual wipes, and have no retail labeling.

(ii) Outer packaging that does not obscure the symbol and label notice on individually packaged covered products contained within.

(6) PACKAGING OF COMBINED PRODUCTS.—

(A) OUTER PACKAGING.—The outer packaging of combined products shall be exempt from the symbol and label notice requirements of subsection (a).

(B) PACKAGES LESS THAN 3 BY 3 INCHES.—In the case of a covered product in packaging smaller than 3 inches by 3 inches (such as an individually packaged wipe in tear-top packaging) and sold as part of a combined product, if a symbol and label notice are placed in a prominent location reasonably visible to the

1 user of the covered product, such covered prod-
2 uct shall be considered to be labeled clearly and
3 conspicuously.

4 (c) REASONABLE VISIBILITY OF SYMBOL AND LABEL
5 NOTICE.—

6 (1) IN GENERAL.—A covered entity shall ensure
7 that—

8 (A) packaging seams or folds or other
9 packaging design elements do not obscure the
10 symbol or label notice;

11 (B) the symbol and label notice are each
12 equal in size to at least 2 percent of the surface
13 area of the principal display panel; and

14 (C) the symbol and label notice have high
15 contrast with the immediate background of the
16 packaging so that such symbol and label notice
17 may be seen and read by an ordinary individual
18 under customary conditions of purchase and
19 use.

20 (2) PROXIMITY OF SYMBOL AND LABEL NO-
21 TICE.—A covered entity may display a symbol and
22 label notice either adjacent to or on separate areas
23 of the principal display panel.

24 (3) EXCEPTION.—Paragraph (1)(C) does not
25 apply to an embossed symbol or label notice on the

1 flip lid of a covered product sold in cylindrical or
2 near-cylindrical packaging.

3 (d) REPRESENTATIONS OF FLUSHABILITY.—With re-
4 spect to a covered product, a covered entity may not make
5 any express or implied representation that such covered
6 product can or should be flushed.

7 (e) ENFORCEMENT BY FEDERAL TRADE COMMIS-
8 SION.—

9 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
10 TICES.—A violation of this section or any regulation
11 promulgated under this section shall be treated as a
12 violation of a regulation under section 18(a)(1)(B)
13 of the Federal Trade Commission Act (15 U.S.C.
14 57a(a)(1)(B)) regarding unfair or deceptive acts or
15 practices.

16 (2) POWERS OF COMMISSION.—The Commis-
17 sion shall enforce this section and any regulations
18 promulgated under this section by the same means,
19 and with the same jurisdiction, powers, and duties,
20 as though all applicable terms and provisions of the
21 Federal Trade Commission Act (15 U.S.C. 41 et
22 seq.) were incorporated into and made a part of this
23 section, and any person who violates this section or
24 any regulation promulgated under this section shall
25 be subject to the penalties and entitled to the privi-

1 leges and immunities provided in the Federal Trade
2 Commission Act.

3 (3) REGULATIONS.—The Commission may pro-
4 mulgate regulations under section 553 of title 5,
5 United States Code, to implement this section. In
6 developing the regulations, the Commission may con-
7 sult with the Administrator of the Environmental
8 Protection Agency, the Commissioner of Food and
9 Drugs, the Consumer Product Safety Commission,
10 or any other agency as appropriate.

11 (4) AUTHORITY PRESERVED.—Nothing in this
12 section may be construed to limit the authority of
13 the Commission under any other provision of law.

14 (f) PREEMPTION OF STATE LAWS.—No State or po-
15 litical subdivision of a State may directly or indirectly es-
16 tablish or continue in effect, under any authority, require-
17 ments with respect to the “Do Not Flush” labeling of cov-
18 ered products that are not identical to the requirements
19 of this section and the regulations promulgated under this
20 section.

21 (g) DEFINITIONS.—In this section:

22 (1) COMBINED PRODUCT.—The term “com-
23 bined product” means two or more products sold in
24 shared retail packaging, of which—

1 (A) at least one of the products is a cov-
 2 ered product; and

3 (B) at least one of the products is another
 4 consumer product intended to be used in com-
 5 bination with such covered product.

6 (2) COMMISSION.—The term “Commission”
 7 means the Federal Trade Commission.

8 (3) COVERED ENTITY.—The term “covered en-
 9 tity” means a manufacturer, wholesaler, supplier, in-
 10 dividual or group of individuals, or retailer that is
 11 responsible for the labeling or retail packaging of a
 12 covered product that is sold or offered for retail sale
 13 in the United States.

14 (4) COVERED PRODUCT.—

15 (A) IN GENERAL.—The term “covered
 16 product” means a premoistened, nonwoven dis-
 17 posable wipe sold or offered for retail sale—

18 (i) that is marketed as a baby wipe or
 19 diapering wipe; or

20 (ii) that is a household or personal
 21 care wipe (including a wipe described in
 22 subparagraph (B)) that—

23 (I) is composed entirely, or in
 24 part, of petrochemical-derived fibers;
 25 and

1 (II) has significant potential to
2 be flushed.

3 (B) INCLUSIONS.—The wipes described in
4 this subparagraph are—

5 (i) antibacterial wipes and disinfecting
6 wipes;

7 (ii) wipes intended for general purpose
8 cleaning or bathroom cleaning, including
9 toilet cleaning and hard surface cleaning;
10 and

11 (iii) wipes intended for personal care
12 use on the body, including hand sanitizing,
13 makeup removal, feminine hygiene, adult
14 hygiene (including incontinence hygiene),
15 and body cleansing.

16 (5) HIGH CONTRAST.—The term “high con-
17 trast” means, with respect to the symbol or label no-
18 tice, that such symbol or label notice—

19 (A) is either light on a solid dark back-
20 ground or dark on a solid light background; and

21 (B) has a contrast percentage of at least
22 70 percent between such symbol or label notice
23 and the background, using the formula $(B1 - B2)/B1 * 100 = \text{contrast percentage}$, where B1
24 is the light reflectance value of the lighter area
25

1 and B2 is the light reflectance value of the
2 darker area.

3 (6) LABEL NOTICE.—The term “label notice”
4 means the written phrase “Do Not Flush”.

5 (7) PRINCIPAL DISPLAY PANEL.—The term
6 “principal display panel” means the side of a prod-
7 uct package that is most likely to be displayed, pre-
8 sented, or shown under customary conditions of dis-
9 play for retail sale, and—

10 (A) in the case of a cylindrical or near-cy-
11 lindrical package, the surface area of which
12 constitutes at least 40 percent of the product
13 package, as measured by multiplying the height
14 by the circumference of the package; or

15 (B) in the case of a flexible film package
16 in which a rectangular prism or near-rectan-
17 gular prism stack of wipes is housed within the
18 film, the surface area of which is measured by
19 multiplying the length by the width of the side
20 of the package when the flexible packaging film
21 is pressed flat against the stack of wipes on all
22 sides of the stack.

23 (8) STATE.—The term “State” means each
24 State of the United States, the District of Columbia,

1 and each commonwealth, territory, or possession of
2 the United States.

3 (9) SYMBOL.—The term “symbol” means the
4 “Do Not Flush” symbol, as depicted in the most re-
5 cent edition of the Guidelines for Assessing the
6 Flushability of Disposable Nonwoven Products pub-
7 lished by the Association of the Nonwoven Fabrics
8 Industry (INDA) and the European Disposables
9 And Nonwovens Association (EDANA), or an other-
10 wise equivalent symbol adopted by the Commission
11 through rulemaking under this section.

12 (h) EFFECTIVE DATE.—This section shall apply to
13 a covered entity beginning on the date that is 1 year after
14 the date of the enactment of this Act.

○



BOARD ACTION

Agenda Number:	20.1.-20.2.	Meeting Date:	May 13, 2025

TITLE	REPORT AND RECOMMENDATION OF THE GENERAL MANAGER FOR REVISIONS TO THE WATER AND WASTEWATER SCHEDULES OF RATES AND CHARGES SUBJECT TO PROPOSITION 218 FOR FISCAL YEARS 2026 AND 2027

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTIONS	- File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for Fiscal Years (FY) 2026 and 2027. - Set a Public Hearing for Tuesday, June 10, 2025, during the Board's regular meeting, to consider the report and recommendation and to comply with Proposition 218 requirements.

SUMMARY	After two public workshops held on January 28, 2025 and March 25, 2025, the FY 2026 and FY 2027 proposed rates and charges subject to Proposition 218 are scheduled for Board consideration at a public hearing during its June 10, 2025 meeting. The Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 includes the following revisions for FY 2026 and FY 2027:

Water System

- Schedule A – Rate Schedule for Water Service
- Schedule L – Drought Surcharge Rate Schedule For Water Service

Wastewater System

- Schedule A – Rates for Treatment Service
- Schedule B – Wet Weather Facilities Charge

I:\Sec\2025 Board Related Items\051325 Board Agenda Items\FIN - File GM Rate Report (Prop 218) 051325.docx

Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? N/A	Board Action Type: Financial
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Report and Recommendation of the General Manager Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for Fiscal Years 2026 and 2027			

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Report and Recommendation of the General Manager

Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 Fiscal Years 2026 and 2027



East Bay Municipal Utility District

Report and Recommendation of the General Manager

Revisions to the Water and Wastewater
Schedules of Rates and Charges Subject to Proposition 218
Fiscal Years 2026 and 2027

Presented to the Board of Directors

by Clifford C. Chan, General Manager

May 8, 2025

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Summary

The District updates the Water and Wastewater rates and charges biennially in conjunction with the development of its budget. The proposed Fiscal Year (FY) 2026 and FY 2027 rates and charges are designed to cover the expenditures identified in the proposed FY 2026 and FY 2027 Biennial Budget.

To determine the appropriate rates and charges needed to recover its costs, the District engages independent rate consultants to perform cost of service (COS) rate studies for the Water and Wastewater systems. The Water System COS Rate Study was completed in March 2025; the Wastewater System COS Rate Study was completed in May 2019. These studies develop water and wastewater rates and charges to conform to COS principles to allocate operating and capital costs to ratepayers based on the proportional cost of service consistent with California Constitution article XIII D, section 6 (commonly referred to as Proposition 218). The Water System COS Rate Study is available on ebmud.com/rates.

The proposed FY 2026 and FY 2027 budgets address the operating and capital needs of the District for the next two fiscal years. The recommended rates and charges are necessary to:

- Meet the costs of operating and maintaining the Water and Wastewater systems;
- Address impacts of inflationary cost increases;
- Invest in capital infrastructure improvements;
- Maintain financial stability;
- Comply with state-mandated regulatory requirements; and
- Meet annual debt service requirements and comply with debt covenants.

Staff recommends the proposed water and wastewater rates and charges be adopted by the District's Board of Directors. The proposed FY 2026 rates and charges would take effect for services provided on or after July 1, 2025, and the proposed FY 2027 rates and charges would take effect for services provided on or after July 1, 2026.

The recommended average rate increases for the Water System are 6.5 percent for FY 2026 and 6.5 percent for FY 2027. The recommended average rate increases of the Wastewater System are 8.5 percent for FY 2026 and 8.5 percent for FY 2027. The recommended rates will continue to reflect proportional recovery of cost of service for each parcel served by the Water and Wastewater systems. After implementation of these recommended rate increases, a typical (median) single-family residential (SFR) customer using five units of water per month will see an increase of \$3.77 per month in FY 2026 and an increase of \$4.30 per month in FY 2027 in water charges. A SFR wastewater customer using five units of water per month will see an increase of \$2.31 per month in FY 2026 and an increase of \$2.50 per month in FY 2027 in wastewater treatment charges. Wastewater customers also pay a Wet Weather Facilities Charge (WWFC) collected on the property tax bill. Depending on lot size, in FY 2026 the WWFC will increase between \$12.52 and \$44.70 per year and in FY 2027 will increase between \$13.58 and \$48.50 per year.

The recommendations in this Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for Fiscal Years 2026 and 2027 (Report) cover FY 2026 and 2027 water and wastewater rates and charges subject to Proposition 218. In compliance with Proposition 218, the District plans to hold a public hearing on June

10, 2025 for the Board to consider adoption of the proposed rates and charges. The Proposition 218 notice was mailed to the owners of record of parcels upon which the proposed rates and charges will be imposed at least 45 days before the June 10, 2025 public hearing. The owner of record of any parcel upon which the water and wastewater rates are proposed for imposition, or a customer of record who is not the property owner (e.g., a tenant), may submit a written protest to one or more proposed rate changes.

Recommended fees and charges not subject to Proposition 218 (including capacity charges, recreation fees, installation charges, and other one-time fees and charges) will be presented in a separate report and recommendation from the General Manager. The recommended rates and charges discussed herein and the recommended fees and charges not subject to Proposition 218 will be presented at the May 13, 2025 Board meeting.

Recommendations

Recommended updates to Water and Wastewater systems' rates and charges are as follows:

Water System Rates and Charges

- Implement the rate structure consistent with the 2025 Water System COS Rate Study.
- Change water rates and charges (service charge, potable volumetric rate, elevation surcharge, non-potable/recycled water rate, and private fire service charge) to meet needs for 6.5 percent increase in rate revenue for FY 2026 and an additional 6.5 percent increase in rate revenue for FY 2027. These proposed rate changes support the District's FY 2026 and FY 2027 operating and capital expenses described in the Proposed Biennial Budget and reflect the results of the 2025 Water System COS Rate Study.
- The impact of these changes to the typical (median) SFR customer (5 units/month)¹ is an increase of \$3.77 per month in FY 2026 and an additional increase of \$4.30 per month in FY 2027.

Wastewater System Rates and Charges

- Increase wastewater treatment rates and charges and the WWFC by approximately 8.5 percent for FY 2026 and 8.5 percent for FY 2027. These proposed rate changes support the District's proposed FY 2026 and FY 2027 operating and capital expenses described in the Proposed Biennial Budget and reflect the results of the 2019 Wastewater COS rate study.
- For the wastewater treatment charges collected on the bill, the impact to the typical (median) SFR customer (4 units/month)² is an increase of \$2.17 per month in FY 2026 and an additional increase of \$2.35 per month in FY 2027.
- For the WWFC collected on the property tax bill, the impact depends on lot size. In FY 2026, the WWFC, if adopted, will increase between \$12.52 to \$44.70 per year, and in FY 2027 the WWFC will increase between \$13.58 to \$48.50 per year.

¹ Median (50th percentile) billed water consumption in the District's water service area is 5 units per month.

² Median (50th percentile) billed water consumption in the District's wastewater service area is 4 units per month.

- No increase is proposed to the San Francisco Bay Pollution Prevention Fee, which is a monthly charge to fund programs to reduce pollutants in wastewater before it is treated at District facilities and discharged into the San Francisco Bay.

Discussion

Water Rates and Charges

The District's projected increase in water rate revenue is predominantly based on two factors: changes in rates and projected changes in water consumption. The recommended average annual rate increases are 6.5 percent for FY 2026 and 6.5 percent for FY 2027. The District is projecting water consumption of 143.9 million gallons per day (MGD) in FY 2026 and 144.6 MGD in FY 2027, representing a 0.5 percent annual growth each year. The average rate increases combined with the assumed consumption levels are projected to generate rate revenue sufficient to cover the expenditures identified in the proposed FY 2026 and FY 2027 Biennial Budget.

Water System COS Rate Study

Working with an independent rate consultant, the District developed a new Water System COS Rate Study. The purpose of a COS rate study is to develop a rate structure under which the charges billed to each customer account reflect the cost to serve each parcel and thereby collect the revenue needed by the utility to provide the service. The Water System COS Rate Study reflects the analysis of conditions during a "Test Year." FY 2024 was selected as the representative Test Year because it was free from events such as drought, excessive rainfall, pandemic, and other anomalous external factors, and is the most recent complete fiscal year with audited financial information. The Test Year provides a representative set of key factors including operating expenses, capital spending, non-rate revenues, and consumption patterns. The Water System COS Rate Study establishes new rates and charges for the Test Year that, when applied to actual water sales in the Test Year, generate the revenue requirements for that year.

The District increased water rates 8.5 percent beginning on July 1, 2024. The rates established in the 2025 Water System COS Rate Study for the Test Year were increased by the same 8.5 percent to establish a base set of water rates under the Water System COS Rate Study to determine required average rate increases for the following two years, FY 2026 and FY 2027.

Water Rate Revenue Requirements for FY 2026 and FY 2027

The FY 2026 and FY 2027 budget objectives, operating budget, capital expenses, and debt expenses are detailed in the Proposed FY 2026 and FY 2027 Biennial Budget and Capital Project Summaries that were presented to the Board at the March 25, 2025 Budget Workshop No. 2. The proposed operating and capital budgets contribute to the proposed changes to the FY 2026 and FY 2027 water rates and charges in approximately the following proportions:

- Operating – significant increases in expenses such as chemicals, energy, and computer software and licenses, as well as increases in labor and benefits, and additional funded positions drive approximately \$79.4 million in additional required revenue over the two-year period.

- Capital – increases in capital improvement plan and debt service drive approximately \$88.1 million in additional required revenue over the two-year period.

Table 1 shows the calculation of the average annual rate adjustment required over the two-year period between the end of FY 2025 and FY 2027. The overall spending from FY 2025 to FY 2027 is projected to increase by over 28 percent. The District plans to issue bonds to fund a portion of its capital spending in FY 2026 and FY 2027, which spreads the impact of funding the CIP over future years. Absent any rate increases and with projected water sales, the District projects a revenue shortfall of \$46.8 million in FY 2026. An average rate increase of 6.5 percent is required to eliminate the FY 2026 shortfall. Taking into account a 6.5 percent average rate increase in FY 2026 and projected water sales, the District projects an additional revenue shortfall of \$51.9 million in FY 2027. An average rate increase of 6.5 percent in FY 2027 is required to eliminate the projected FY 2027 shortfall.

Table 1 - Revenue Shortfalls (Million \$) Addressed Through Proposed Rate Increase

Revenue Requirement	FY 2025	FY 2026	FY 2027
+ O&M Expenses	399.1	456.4	478.5
+ Debt Service Expense	253.8	266.3	286.6
+ Capital Expense	543.5	579.5	598.8
- Other Sources	(174.1)	(148.4)	(164.9)
- Proceeds from Bond Issues	(275.0)	(355.0)	(345.0)
Revenue requirement	747.3	798.9	854.0
Revenue Adjustment			
+ Revenue Requirement		798.9	854.0
- Revenue from Prior Year Rates		(747.3)	(798.9)
- Revenue from Change in Water Sales		(3.0)	(3.2)
Revenue Shortfall		48.6	51.9
Average Rate Increase Required		6.5%	6.5%

Recommended FY 2026 and FY 2027 Water Rates and Charges

The District's water rates and charges have five customer classes: single-family residential; multi-family residential; "all other" (non-residential accounts including commercial and industrial accounts); private fire service; and non-potable/recycled water. Together, the rates and charges are structured to proportionately recover the costs of providing water to each parcel. The District's water rates and charges have five components: Water Volumetric Rate; Water Service Charge; Elevation Surcharge; Private Fire Service Charge; and Recycled Water Volumetric Rate. If the Board of Directors declares a drought, the District may assess a temporary Drought Surcharge applied to the Water Volumetric Rate.

A summary of the proposed rates and charges and the resulting customer impacts are as follows:

Table 2 - Proposed Water Volumetric Rates and Elevation Surcharges - (\$/Unit)

Water Volumetric Rates and Elevation Surcharges (\$/unit)	FY 2025	FY 2026	FY 2027
Single-Family Residential			
Tier 1: up to 7 units	\$5.41	\$7.89	\$8.40
Tier 2: over 7, up to 16 units	\$7.44	\$9.15	\$9.74
Tier 3: over 16 units	\$9.83	\$10.79	\$11.49
Multi-Family Residential	\$7.65	\$8.31	\$8.85
All Other Accounts (Commercial/Industrial)	\$7.62	\$8.52	\$9.07
Nonpotable/Recycled Water	\$5.93	\$6.37	\$6.78
Elevation Surcharge (\$/unit)			
Elevation Zone 1	\$0.00	\$0.00	\$0.00
Elevation Zone 2	\$1.10	\$1.25	\$1.33
Elevation Zone 3	\$2.27	\$2.67	\$2.84

Table 3 - Proposed Monthly Water Service Charges (Meter) - (\$/Meter Size)

Monthly Meter Service Charges on Water Bill			
Meter Size (in inches)	FY 2025	FY 2026	FY 2027
5/8 or 3/4	\$35.48	\$26.85	\$28.60
1	\$53.60	\$40.94	\$43.60
1-1/2	\$98.91	\$76.14	\$81.09
2	\$153.23	\$118.37	\$126.06
3	\$298.19	\$252.14	\$268.53
4	\$461.24	\$428.13	\$455.96
6	\$914.09	\$956.12	\$1,018.27
8	\$1,457.58	\$1,132.11	\$1,205.70
10	\$2,091.61	\$1,624.90	\$1,730.52
12	\$2,906.86	\$2,258.49	\$2,405.29
14	\$3,722.02	\$2,892.07	\$3,080.05
16	\$4,718.40	\$3,666.46	\$3,904.78
18	\$5,714.75	\$4,440.84	\$4,729.49

Table 4 - Proposed Monthly Private Fire Service Charges - (\$/Meter Size)

Monthly Private Fire Service Charges on Water Bill			
Meter Size (in inches)	FY 2025	FY 2026	FY 2027
5/8 or 3/4	\$18.88	\$8.52	\$9.07
1	\$25.95	\$14.20	\$15.12
1-1/2	\$43.51	\$28.40	\$30.25
2	\$64.59	\$45.44	\$48.39
3	\$120.91	\$99.41	\$105.87
4	\$184.21	\$170.42	\$181.50
6	\$360.08	\$383.43	\$408.35
8	\$571.13	\$454.44	\$483.98
10	\$817.32	\$653.26	\$695.72
12	\$1,133.86	\$908.88	\$967.96
14	\$1,450.45	\$1,164.50	\$1,240.19
16	\$1,837.38	\$1,476.93	\$1,572.93
18	\$2,224.29	\$1,789.36	\$1,905.67

Table 5 – Example Single-Family Residential Customer Monthly Water Bill Impacts with Proposed Rates and Charges

Single Family Residential Water Charges on EBMUD Bill (5/8" and 3/4" meters)						
	Use (Unit)	FY 2025 Bill	FY 2026 Bill	Change from FY 2025	FY 2027 Bill	Change from FY 2026
25 th Percentile	3 (74 GPD)	\$51.71	\$50.52	(\$1.19)	\$53.80	\$3.28
50 th Percentile (typical/median use)	5 (123 GPD)	\$62.53	\$66.30	\$3.77	\$70.60	\$4.30
75 th Percentile	9 (221 GPD)	\$88.23	\$100.38	\$12.15	\$106.88	\$6.50
95 th Percentile	19 (467 GPD)	\$169.80	\$196.80	\$27.00	\$209.53	\$12.73
Mean Single Family Residential Use	7 (172 GPD)	\$73.35	\$82.08	\$8.73	\$87.40	\$5.32

Drought Surcharge

If the Board declares a drought, EBMUD may assess a temporary Drought Surcharge that is applicable to all potable water customer accounts. The Drought Surcharge corresponds to increasingly severe stages of drought from Stage 1 to 4 and is charged on each unit of water used during the billing period. The surcharge is calculated to recover costs of providing supplemental water, losses of revenue, and other drought-related costs. The Drought Surcharge applies to the potable Water Volumetric Rate as follows:

Stage 1 - up to 5 percent; Stage 2 - up to 10 percent; Stage 3 - up to 20 percent; and Stage 4 - up to 30 percent. Prior to assessing a Drought Surcharge, EBMUD will adopt a drought budget that reflects the most current and updated drought-related costs.

The surcharge will be consistent with EBMUD's updated drought budget and Water System COS Rate Study and will not exceed the Drought Surcharge percentages. For example, under a Stage 4 drought in FY 2027, the typical (median) single-family residential customer using 5 units of water per month would pay a Drought Surcharge of no more than \$12.60 per month (about \$0.41 a day). The actual surcharge in any drought stage may be less than the maximum rates indicated above, depending on the costs of the drought. The District's Proposition 218 notice for FY 2026 and FY 2027 includes information regarding these Drought Surcharges.

Wastewater Rates and Charges

The District's projected increase in wastewater rate revenue is predominantly based on planned rate increases. The recommended average annual rate increases of 8.5 percent in FY 2026 and 8.5 percent in FY 2027 are projected to generate rate revenue sufficient to cover the expenditures identified in the proposed FY 2026 and FY 2027 Biennial Budget.

Wastewater System COS Rate Study

Working with an independent rate consultant, the District developed a Wastewater System COS Rate Study in 2019. The structure of the proposed wastewater rates and charges are based on the Wastewater System COS Rate Study.

Wastewater Rate Revenue Requirements for FY 2026 and FY 2027

The details of the FY 2026 and FY 2027 budget objectives, operating budget, capital expenses, and debt expenses are contained in the Proposed FY 2026 and FY 2027 Biennial Budget and Capital Project Summaries and were presented to the Board at the March 25, 2025 Budget Workshop No. 2. The proposed operating and capital budgets contribute to the proposed changes to the FY 2026 and FY 2027 wastewater rates and charges as follows:

- Operating – significant increases in expenses such as chemicals and energy as well as increases in labor and benefits, and additional funded positions, drive approximately \$12.7 million in additional required revenue over the two-year period.
- Capital – increases in capital improvement plan and debt service drive approximately \$31.5 million in additional required revenue over the two-year period.

Table 7 shows the calculation of the average annual rate adjustment required over the two-year period between FY 2025 and FY 2027. The overall spending from FY 2025 to FY 2027 is projected to increase by almost 18 percent. The District plans to issue bonds to fund a portion of its planned capital spending in FY 2026 and FY 2027, which spreads the impact of funding the CIP over future years. Absent any rate increases, the District projects a revenue shortfall of \$11.6 million in FY 2026. An average rate increase of 8.5 percent is required to eliminate this shortfall. Taking into account an 8.5 percent average rate increase in FY 2026, the District projects an additional revenue shortfall of \$11.6 million in FY 2027. An average rate increase of 8.5 percent in FY 2027 is required to eliminate the projected FY 2027 shortfall.

Table 7 – Revenue Shortfalls (Million \$) Addressed Through Proposed Rate Increases

Revenue Requirement	FY 2025	FY 2026	FY 2027
+ O&M Expenses	111.0	118.9	123.7
+ Debt Service Expense	32.8	35.7	35.5
+ Capital Expense	59.1	82.9	87.9
- Other Sources	(36.9)	(50.0)	(52.0)
- Proceeds from Bond Issues	(30.0)	(40.0)	(35.0)
Revenue Requirement	136.0	147.5	160.1
Revenue Adjustment			
+ Revenue Requirement		147.5	160.1
- Revenue from Prior Year Rates		(136.0)	(147.5)
Revenue Shortfall		11.6	12.5
Average Rate Increase Required		8.5%	8.5%

Recommended FY 2026 and FY 2027 Wastewater Rates and Charges

Wastewater rates and charges have three customer classes in the Wastewater System COS Rate Study: single-family residential; multi-family residential; and non-residential. Non-residential customers are further classified based on the type of business operated. Together, the recommended rates and charges are structured to proportionately recover the costs of providing wastewater to each parcel served by the wastewater system. The rates for the wastewater fees have five components: Treatment Service Charge; Treatment Flow Charge; Treatment Strength Charge; Pollution Prevention Fee; and Wet Weather Facilities Charge.

Wastewater Treatment Rates and Charges

Table 8 shows the proposed wastewater treatment unit rates that are used to calculate the total wastewater flow and strength charges based on the wastewater discharge characteristics.

Table 8 - Proposed Wastewater Treatment Rates

Rate	FY 2025	FY 2026	FY 2027
Service Charge (\$ per account, per month)	\$9.29	\$10.08	\$10.94
Flow (\$ per unit - Up to 9 units max., 1 unit = 748 gallons)	\$1.68	\$1.82	\$1.97
Strength – COD (\$/pound)	\$0.17	\$0.19	\$0.21
Strength – Total Suspended Solids (\$/pound)	\$0.71	\$0.78	\$0.85

Table 9 shows the proposed wastewater treatment charges for residential customers based on the rates in Table 8 and the number of dwellings and monthly flow. Table 10 and Table 11 show the proposed

wastewater combined flow and strength charge per unit of water used for non-residential customers listed by business classification code (BCC) that is calculated from the rates in Table 8. Wastewater customers who have been issued strength permits for unique wastewater strength and flow are charged based on the rates in Table 8. Table 13 shows example resulting customer impacts for the proposed increases for the wastewater treatment bill.

Table 9 - Proposed Wastewater Service, Flow and Strength Charges for Single-Family Residential and Multi-Family Residential with 2–4 Dwellings

Rate	FY 2025	FY 2026	FY 2027
Service Charge (\$ per account, per month)	\$9.29	\$10.08	\$10.94
Flow (\$ per unit – up to 9 units maximum, 1 unit = 748 gallons)	\$1.68	\$1.82	\$1.97
Strength – (\$ per dwelling, per month)	\$9.67	\$10.49	\$11.38

Table 10 -Proposed Combined Flow and Strength Rates for Non-Residential and Apartment Buildings with 5+ Dwellings

Business Classification Code		FY 2025 Current Rate per Unit	FY 2026 Proposed Rate per Unit	FY 2027 Proposed Rate per Unit
2010	Meat Products	\$11.74	\$12.74	\$13.82
2011	Slaughterhouses	11.24	12.20	13.24
2020	Dairy Product Processing	9.21	9.99	10.84
2030	Fruit and Vegetable Canning	7.41	8.04	8.72
2040	Grain Mills	7.38	8.01	8.69
2050	Bakeries (including Pastries)	12.76	13.84	15.02
2060	Sugar Processing	7.29	7.91	8.58
2077	Rendering Tallow	22.15	24.03	26.07
2080	Beverage Manufacturing & Bottling	5.54	6.01	6.52
2090	Specialty Foods Manufacturing	23.82	25.84	28.04
2600	Pulp and Paper Products	6.33	6.87	7.45
2810	Inorganic Chemicals Mfgr.	8.15	8.84	9.59
2820	Synthetic Material Manufacturing	1.91	2.07	2.25
2830	Drug Manufacturing	4.11	4.46	4.84
2840	Cleaning and Sanitation Products	8.31	9.02	9.79
2850	Paint Manufacturing	16.03	17.39	18.87
2893	Ink and Pigment Manufacturing	5.80	6.29	6.82
3110	Leather Tanning and Finishing	22.14	24.02	26.06
3200	Earthenware Manufacturing	4.50	4.88	5.29
3300	Primary Metals Manufacturing	3.56	3.86	4.19
3400	Metal Products Fabricating	2.08	2.26	2.45
3410	Drum and Barrel Manufacturing	22.54	24.46	26.54
3470	Metal Coating	2.26	2.45	2.66
4500	Air Transportation	2.97	3.22	3.49
4951	Groundwater Remediation	1.74	1.89	2.05
5812	Food Service Establishments	7.71	8.37	9.08
6513	Apartment Buildings (5 or more units)	3.75	4.07	4.42
7000	Hotels, Motels with Food Service	5.55	6.02	6.53
7210	Commercial Laundries	4.99	5.41	5.87
7215	Coin Operated Laundromats	3.74	4.06	4.41
7218	Industrial Laundries	14.17	15.37	16.68
7300	Laboratories	2.68	2.91	3.16
7542	Automobile Washing and Polishing	3.55	3.85	4.18
8060	Hospitals	3.41	3.70	4.01
8200	Schools	2.51	2.72	2.95
	All Other BCC (includes dischargers of only segregated domestic wastes from sanitary conveniences)	3.75	4.07	4.42

Table 11 - Proposed Maximum Blended Flow and Strength Rates for Multi-Use Accounts

Business Classification Code		FY 2025 Current Rate per Unit	FY 2026 Proposed Rate per Unit	FY 2027 Proposed Rate per Unit
A	0-9% Food/91-100% Domestic	\$3.75	\$4.07	\$4.42
B	10-19% Food/81-90% Domestic	4.15	4.50	4.89
C	20-29% Food/71-80% Domestic	4.55	4.93	5.35
D	30-39% Food/61-70% Domestic	4.94	5.36	5.82
E	40-49% Food/51-60% Domestic	5.34	5.79	6.29
F	50-59% Food/41-50% Domestic	5.73	6.22	6.75
G	60-69% Food/31-40% Domestic	6.13	6.65	7.22
H	70-79% Food/21-30% Domestic	6.53	7.08	7.68
I	80-89% Food/11-20% Domestic	6.92	7.51	8.15
J	90-99% Food/1-10% Domestic	7.32	7.94	8.62
K	0-9% Bakery/91-100% Domestic	3.75	4.07	4.42
L	10-19% Bakery/81-90% Domestic	4.66	5.05	5.48
M	20-29% Bakery/71-80% Domestic	5.56	6.02	6.54
N	30-39% Bakery/61-70% Domestic	6.46	7.00	7.60
O	40-49% Bakery/51-60% Domestic	7.36	7.98	8.66
P	50-59% Bakery/41-50% Domestic	8.26	8.96	9.73
Q	60-69% Bakery/31-40% Domestic	9.16	9.93	10.78
R	70-79% Bakery/21-30% Domestic	10.06	10.91	11.84
S	80-89% Bakery/11-20% Domestic	10.96	11.89	12.90
T	90-99% Bakery/1-10% Domestic	11.86	12.86	13.96

San Francisco Bay Pollution Prevention Fee

The San Francisco Bay Pollution Prevention Fee is a monthly charge that recovers the District's cost to administer pollution prevent programs required by the District's wastewater discharge permit. For FY 2026 and FY 2027, the Pollution Prevention Fee is proposed to remain at \$5.48 per month for non-residential accounts, and remain at \$0.20 per month per dwelling for residential accounts with four or fewer dwellings as shown in Table 12. For apartment buildings with five or more dwellings, the Pollution Prevention Fee is proposed to remain at \$1.00 for FY 2026 and FY 2027 as shown in Table 12. Staff is proposing to relocate these fees from the Wastewater System Schedule D – Wastewater Department Other Fees to the Wastewater System Schedule A – Wastewater Department Rates For Treatment Service (see Appendix A).

Table 12 – Monthly San Francisco Bay Pollution Prevention Fee

Monthly San Francisco Bay Pollution Prevention Fee			
	FY 2025	FY 2026	FY 2027
Residential (\$ per dwelling)*	\$0.20	\$0.20	\$0.20
Non-residential (\$ per account)	\$5.48	\$5.48	\$5.48

*SF Bay Pollution Prevention Fee for apartments (5 or more dwellings) will remain \$1.00 per month for both FY 2026 and FY 2027.

Table 13 - Example Customer Monthly Wastewater Treatment Bill Impacts with Proposed Rates, Charges and Fees

Wastewater Charges on EBMUD Bill							
	Meter (Inches)	Use (Unit)	FY 2025 Bill	FY 2026 Bill	Change from FY 2025	FY 2027 Bill	Change from FY 2026
Typical (median Single-Family Residential	5/8	4	\$25.88	\$28.05	\$2.17	\$30.40	\$2.35
Single-Family Residential (maximum)	5/8	9	\$34.28	\$37.15	\$2.87	\$40.25	\$3.10
Multi-Family Residential 4 dwellings	1	25	\$90.77	\$98.34	\$7.57	\$106.51	\$8.17
Multi-Family Residential 5+dwellings	1	50	\$197.79	\$214.58	\$16.79	\$232.94	\$18.36
Commercial*	1	50	\$202.27	\$219.06	\$16.79	\$237.42	\$18.36
Industrial**	2	500	\$2,784.77	\$3,020.56	\$235.76	\$3,276.42	\$255.86

*Calculation conducted using the combined strength and flow charge for "All Other Business Classifications"

**Calculation conducted using the combined strength and flow charge for BCC 2080 "Beverage Manufacturing & Bottling"

Wet Weather Facilities Charge (WWFC)

The WWFC pays for District costs associated with inflow and infiltration of stormwater into the sanitary sewer system. This annual charge is calculated based on parcel/lot size, which accounts for each parcel's capacity to contribute inflow and infiltration during a wet weather event. The amount of wet weather flows that enter the wastewater system in the form of inflow and infiltration is proportional to the size of the collection system needed to serve each property. Properties with larger lots require more linear feet of collection system which presents more opportunity for storm water and ground water to enter through defects in the collection system. The volume of wet weather flows in the collection system has no direct relationship to a customer's monthly water use or if the wastewater discharge is from a residential or non-residential customer. For these reasons, lot size rather than water service use is used as basis of the WWFC. The structure of the WWFC is based on the rationale that larger lots contribute proportionally more to the wet weather flows than smaller lots. Accordingly, the WWFC is structured into three generalized lot sizes (or bins): 0 to 5,000 square feet (sq ft), 5,001 to 10,000 sq ft, and over 10,000 sq ft. The WWFC is based on median lot size for each of these bins. Inflow and infiltration of wet weather flows into the wastewater system, which increases the District's wastewater related costs because any water that enters the system must be conveyed and treated.

Since the WWFC is based on the property's contribution to peak wet weather flows and is unrelated to the amount of water used at the property, the District generally collects the WWFC on the property tax

bill for all parcels that have connections to the local wastewater collection systems within the District's wastewater service area. The WWFC for public agencies that are exempt from property taxes is collected through the District's billing process. As shown in Table 14, the proposed WWFC will increase 8.5 percent in FY 2026 and 8.5 percent in FY 2027.

Table 14 - Proposed Annual Wet Weather Facilities Charge - (\$/Lot Size)

Proposed Wet Weather Facilities Charge on Property Tax Bill (\$/Lot Size)					
	FY 2025 Bill	FY 2026 Bill	Change from FY 2025	FY 2027 Bill	Change from FY 2026
Small Lot 0 - 5,000 sq. ft.	\$147.38	\$159.90	\$12.52	\$173.48	\$13.58
Medium Lot 5,001 – 10,000 sq. ft.	\$230.16	\$249.72	\$19.56	\$270.94	\$21.22
Large Lot >10,000 sq. ft.	\$526.00	\$570.70	\$44.70	\$619.20	\$48.50

Appendix A: Recommended Schedules of Rates, Charges and Fees for FY 2026 and FY 2027

Water System

Schedule A – Rate Schedule For Water Service

Schedule L – Drought Surcharge Rate Schedule For Water Service

Wastewater System

Schedule A – Wastewater Department Rates For Treatment Service

Schedule B – Wastewater Department Wet Weather Facilities Charge

Schedule A

Rate Schedule for Water Service

FY 2026



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2025~~24~~

A. METER READING AND BILLING SCHEDULES

Customer accounts shall generally be subject to bimonthly meter readings and bimonthly billing schedules (bimonthly meaning once every two months) but may be subject to monthly meter readings and monthly billing schedules. The billing period for a customer account is the time between meter readings.

A.B. WATER SERVICE CHARGE~~ONE MONTH BILLING~~

Bills for all metered services shall include a WATER SERVICE CHARGE based on the size of the meter~~consist of:~~

~~FIRST—A WATER SERVICE CHARGE based on the size of a standard meter:~~

METER SIZE	SERVICE CHARGE AMOUNT	<u>SERVICE CHARGE AMOUNT (MONTHLY BILLING)</u>	<u>SERVICE CHARGE AMOUNT (BI-MONTHLY BILLING)</u>
5/8 and 3/4 inch	~~\$35.48~~	<u>\$26.85</u>	<u>\$53.70</u>
1 inch	~~53.60~~	<u>40.94</u>	<u>81.88</u>
1-1/2 inch	~~98.94~~	<u>76.14</u>	<u>152.28</u>
2 inch	~~153.23~~	<u>118.37</u>	<u>236.74</u>
3 inch	~~298.19~~	<u>252.14</u>	<u>504.28</u>
4 inch	~~461.24~~	<u>428.13</u>	<u>856.26</u>
6 inch	~~914.09~~	<u>956.12</u>	<u>1,912.24</u>
8 inch	~~1,457.58~~	<u>1,132.11</u>	<u>2,264.22</u>
10 inch	~~2,091.64~~	<u>1,624.90</u>	<u>3,249.80</u>
12 inch	~~2,906.86~~	<u>2,258.49</u>	<u>4,516.98</u>
14 inch	~~3,722.02~~	<u>2,892.07</u>	<u>5,784.14</u>
16 inch	~~4,718.40~~	<u>3,666.46</u>	<u>7,332.92</u>
18 inch	~~5,714.75~~	<u>4,440.84</u>	<u>8,881.68</u>

The service charge for a special type of meter or for a battery of meters installed on one service in lieu of one meter will be based on the size of a single standard meter of equivalent capacity as determined by the District.

Effective July 1, 1997, when a meter larger than 4 inches is required for a single-family residential customer to maintain adequate water pressure, the maximum service charge amount shall be set at the 4-inch meter level.



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2025~~24~~

B.C. WATER FLOW CHARGE

Bills for all metered services shall include a WATER FLOW CHARGE based on meter readings measuring the units of water delivered during the billing period (1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)):

~~SECOND—A WATER FLOW CHARGE FOR WATER DELIVERED based on one month meter readings for all water delivered per unit of water (1 unit = 100 cu. ft. = 748 gallons):~~

<u>Potable Water Service</u>	~~WATER FLOW~~ ~~CHARGE~~ <u>VOLUMETRIC</u> <u>RATE PER UNIT</u>
Single-Family Residential Accounts:	
For the first <u>7 units/month</u> ~~172 gpd~~	~~\$7.89~~ <u>\$5.41</u>
For all water used in excess of <u>7 units/month</u> ~~172 gpd~~ , up to <u>16 units/month</u> ~~**393 gpd~~	~~9.15~~ <u>7.44</u>
For all water used in excess of <u>16 units/month</u> ~~**393 gpd~~	~~10.79~~ <u>9.83</u>
Multi-Family Residential Accounts:	
For all water used	~~8.31~~ <u>7.65</u>
All Other Water Use:	
For all water used	~~8.52~~ <u>7.62</u>

** Billed as 7 units/month for services billed monthly and 14 units/bimonthly for services billed bi-monthly. Equates to approximately 172 gallons per day.

** Billed as 16 units/month for services billed monthly and 32 units/bimonthly for services billed bi-monthly. Equates to approximately 393 gallons per day.

All individually metered multi-family dwelling units or individually metered mobile home residential units that receive District service shall be billed at the single-family residential rate.

Bills for all metered services nonpotable/recycled water shall include a WATER FLOW CHARGE based meter readings measuring the units of water delivered during the billing period (1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)):

<u>Nonpotable/Recycled Water Service</u>	~~WATER FLOW~~ ~~CHARGE~~ <u>VOLUMETRIC</u> <u>PER UNIT</u>
For all water used	~~\$6.37~~ <u>\$5.93</u>



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/~~2025~~²⁴

~~C. TWO-MONTH BILLING~~

~~Bills for all metered services shall consist of:~~

~~FIRST – A WATER SERVICE CHARGE based on the size of a standard meter:~~

METER SIZE	SERVICE CHARGE AMOUNT
5/8 and 3/4 inch	\$70.96
1 inch	107.20
1-1/2 inch	197.82
2 inch	306.46
3 inch	596.38
4 inch	922.48
6 inch	1,828.18
8 inch	2,915.16
10 inch	4,183.22
12 inch	5,813.72
14 inch	7,444.04
16 inch	9,436.80
18 inch	11,429.50

~~The water service charge for a special type of meter or for a battery of meters installed on one service in lieu of one meter will be based on the size of a single standard meter of equivalent capacity as determined by the District.~~

~~Effective July 1, 1997, when a meter larger than 4 inches is required for a single-family residential customer to maintain adequate water pressure, the maximum service charge amount shall be set at the 4-inch meter level.~~



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2025~~24~~

~~SECOND—A WATER FLOW CHARGE FOR WATER DELIVERED based on two month meter readings for all water delivered per 1 unit of water (1 unit = 100 cu. ft. = 748 gallons):~~

<u>Potable Water Service</u>	WATER FLOW CHARGE PER UNIT
<u>Single Family Residential Accounts:</u>	
For the first 172 gpd	\$5.41
For all water used in excess of 172 gpd, up to 393 gpd	7.44
For all water used in excess of 393 gpd	9.83
<u>Multi-Family Residential Accounts:</u>	
For all water used	7.65
<u>All Other Water Use:</u>	
For all water used	7.62

~~All individually metered multi-family dwelling units or individually metered mobile home residential units that receive District service shall be billed at the single family residential rate.~~

<u>Nonpotable/Recycled Water Service</u>	WATER FLOW CHARGE PER UNIT
For all water used	\$5.93

~~D. EXCEPTIONS TO TWO MONTH BILLING~~

~~Except as provided below, customer accounts shall be subject to bi-monthly meter reading and customer billing schedules~~

- ~~• Accounts for which the average monthly bill is estimated to exceed \$1,500; such accounts will be billed monthly.~~
- ~~• Accounts for which there are reasonable and justifiable customer requests for monthly billing.~~
- ~~• Accounts for which the average monthly bill is estimated to be between \$100 and \$1,500, and the customer service manager recommends monthly billing based on an evaluation of credit and/or collection problems.~~



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2025~~24~~

~~E.D.~~ PRIVATE FIRE SERVICES CHARGE

Bills for Private Fire Services shall include a PRIVATE FIRE SERVICE CHARGE based on the size of the private fire service:

~~The rates for Private Fire Services shall consist of:~~

~~FIRST—A MONTHLY SERVICE CHARGE based on the size of a standard meter:~~

METER SIZE	SERVICE CHARGE AMOUNT	<u>SERVICE CHARGE AMOUNT (MONTHLY BILLING)</u>	<u>SERVICE CHARGE AMOUNT (BI-MONTHLY BILLING)</u>
5/8 and 3/4 inch	~~\$18.88~~	<u>\$8.52</u>	<u>\$17.04</u>
1 inch	~~25.95~~	<u>14.20</u>	<u>28.40</u>
1-1/2 inch	~~43.51~~	<u>28.40</u>	<u>56.80</u>
2 inch	~~64.59~~	<u>45.44</u>	<u>90.88</u>
3 inch	~~120.91~~	<u>99.41</u>	<u>198.82</u>
4 inch	~~184.21~~	<u>170.42</u>	<u>340.84</u>
6 inch	~~360.08~~	<u>383.43</u>	<u>766.86</u>
8 inch	~~571.13~~	<u>454.44</u>	<u>908.88</u>
10 inch	~~817.32~~	<u>653.26</u>	<u>1,306.52</u>
12 inch	~~1,133.86~~	<u>908.88</u>	<u>1,817.76</u>
14 inch	~~1,450.45~~	<u>1,164.50</u>	<u>2,329.00</u>
16 inch	~~1,837.38~~	<u>1,476.93</u>	<u>2,953.86</u>
18 inch	~~2,224.29~~	<u>1,789.36</u>	<u>3,578.72</u>

~~Effective July 1, 1997, when a meter larger than 4 inches is required for a single-family residential customer to maintain adequate water pressure, the maximum service charge amount shall be set at the 4-inch meter level.~~

~~SECOND—A WATER FLOW CHARGE FOR WATER DELIVERED based on two-month meter readings for all water delivered per unit:~~

There shall be no charge for water through such services extinguishing accidental fires, but any water lost through leakage or used in violation of the District's Regulations shall be paid at the rate for general use and may be subject to a penalty as may be established by the District.



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2025~~24~~

~~F.E.~~ E. ELEVATION SURCHARGE

Bills for all metered services in Elevation Band 2 and Elevation Band 3 shall include an ELEVATION SURCHARGE. The elevation surcharge is determined by the elevation band in which the service connection is located.

Elevation Designator	AMOUNT PER UNIT
~~Elevation Band~~ <u>Elevation Band</u> ~~Pressure Zone~~ 1: Elevation Designator 0 and 1	\$0.00
~~Elevation Band~~ <u>Elevation Band</u> ~~Pressure Zone~~ 2: Elevation Designator 2 through 5	~~\$1.25~~ <u>\$1.25</u> ~~1.10~~
~~Elevation Band~~ <u>Elevation Band</u> ~~Pressure Zone~~ 3: Elevation Designator 6 and greater	~~\$2.67~~ <u>\$2.67</u> ~~2.27~~

~~The elevation surcharge is determined by the pressure zone in which the service connection is located. Pressure zones are identified by designations that include an elevation designator.~~

Schedule A

Rate Schedule for Water Service

FY 2027



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/202~~6~~⁵

A. METER READING AND BILLING SCHEDULES

Customer accounts shall generally be subject to bimonthly meter readings and bimonthly billing schedules (bimonthly meaning once every two months) but may be subject to monthly meter readings and monthly billing schedules. The billing period for a customer account is the time between meter readings.

B. WATER SERVICE CHARGE

Bills for all metered services shall include a WATER SERVICE CHARGE based on the size of the meter:

METER SIZE	SERVICE CHARGE AMOUNT (MONTHLY BILLING)	SERVICE CHARGE AMOUNT (BI-MONTHLY BILLING)
5/8 and 3/4 inch	~~\$28.60~~ ^{\$26.85}	~~\$57.20~~ ^{\$53.70}
1 inch	~~43.60~~ ^{40.94}	~~87.20~~ ^{81.88}
1-1/2 inch	~~81.09~~ ^{76.14}	~~162.18~~ ^{152.28}
2 inch	~~126.06~~ ^{118.37}	~~252.12~~ ^{236.74}
3 inch	~~268.53~~ ^{252.14}	~~537.06~~ ^{504.28}
4 inch	~~455.96~~ ^{428.13}	~~911.92~~ ^{856.26}
6 inch	~~1,018.27~~ ^{956.12}	~~2,036.54~~ ^{1,912.24}
8 inch	~~1,205.70~~ ^{1,132.11}	~~2,411.40~~ ^{2,264.22}
10 inch	~~1,730.52~~ ^{1,624.90}	~~3,461.04~~ ^{3,249.80}
12 inch	~~2,405.29~~ ^{2,258.49}	~~4,810.58~~ ^{4,516.98}
14 inch	~~3,080.05~~ ^{2,892.07}	~~6,160.10~~ ^{5,784.14}
16 inch	~~3,904.78~~ ^{3,666.46}	~~7,809.56~~ ^{7,332.92}
18 inch	~~4,729.49~~ ^{4,440.84}	~~9,458.98~~ ^{8,881.68}

The service charge for a special type of meter or for a battery of meters installed on one service in lieu of one meter will be based on the size of a single standard meter of equivalent capacity as determined by the District.

Effective July 1, 1997, when a meter larger than 4 inches is required for a single-family residential customer to maintain adequate water pressure, the maximum service charge amount shall be set at the 4-inch meter level.



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2026~~5~~

C. WATER FLOW CHARGE

Bills for all metered services shall include a WATER FLOW CHARGE based on meter readings measuring the units of water delivered during the billing period (1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)):

<u>Potable Water Service</u>	VOLUMETRIC RATE PER UNIT
Single-Family Residential Accounts:	
For the first 7 units/month	~~\$7.89~~ \$8.40
For all water used in excess of 7 units/month*, up to 16 units/month**	~~9.15~~ 9.74
For all water used in excess of 16 units/month**	~~10.79~~ 11.49
Multi-Family Residential Accounts:	
For all water used	~~8.34~~ 8.85
All Other Water Use:	
For all water used	~~8.52~~ 9.07

** Billed as 7 units/month for services billed monthly and 14 units/bimonthly for services billed bi-monthly. Equates to approximately 172 gallons per day.

** Billed as 16 units/month for services billed monthly and 32 units/bimonthly for services billed bi-monthly. Equates to approximately 393 gallons per day.

All individually metered multi-family dwelling units or individually metered mobile home residential units that receive District service shall be billed at the single-family residential rate.

Bills for all metered services nonpotable/recycled water shall include a WATER FLOW CHARGE based meter readings measuring the units of water delivered during the billing period (1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)):

<u>Nonpotable/Recycled Water Service</u>	VOLUMETRIC PER UNIT
For all water used	~~\$6.37~~ \$6.78



SCHEDULE A – RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2026⁵

D. PRIVATE FIRE SERVICE CHARGE

Bills for Private Fire Services shall include a PRIVATE FIRE SERVICE CHARGE based on the size of the private fire service:

METER SIZE	SERVICE CHARGE AMOUNT (MONTHLY BILLING)	SERVICE CHARGE AMOUNT (BI-MONTHLY BILLING)
5/8 and 3/4 inch	~~\$8.52~~ \$9.07	~~\$17.04~~ \$18.14
1 inch	~~14.20~~ 15.12	~~28.40~~ 30.24
1-1/2 inch	~~28.40~~ 30.25	~~56.80~~ 60.50
2 inch	~~45.44~~ 48.39	~~90.88~~ 96.78
3 inch	~~99.41~~ 105.87	~~198.82~~ 211.74
4 inch	~~170.42~~ 181.50	~~340.84~~ 363.00
6 inch	~~383.43~~ 408.35	~~766.86~~ 816.70
8 inch	~~454.44~~ 483.98	~~908.88~~ 967.96
10 inch	~~653.26~~ 695.72	~~1,306.52~~ 1,391.44
12 inch	~~908.88~~ 967.96	~~1,817.76~~ 1,935.92
14 inch	~~1,164.50~~ 1,240.19	~~2,329.00~~ 2,480.38
16 inch	~~1,476.93~~ 1,572.93	~~2,953.86~~ 3,145.86
18 inch	~~1,789.36~~ 1,905.67	~~3,578.72~~ 3,811.34

There shall be no charge for water through such services extinguishing accidental fires, but any water lost through leakage or used in violation of the District's Regulations shall be paid at the rate for general use and may be subject to a penalty as may be established by the District.

E. ELEVATION SURCHARGE

Bills for all metered services in Elevation Band 2 and Elevation Band 3 shall include an ELEVATION SURCHARGE. The elevation surcharge is determined by the elevation band in which the service connection is located.

Elevation Designator	AMOUNT PER UNIT
Elevation Band 1: Elevation Designator 0 and 1	\$0.00
Elevation Band 2: Elevation Designator 2 through 5	~~\$1.25~~ \$1.33
Elevation Band 3: Elevation Designator 6 and greater	~~\$2.67~~ \$2.84

Schedule L

Drought Surcharge Rate Schedule For Water Service

FY 2026



SCHEDULE L – DROUGHT SURCHARGE RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01~~12~~/20~~25~~¹⁷

The rates for the Water Flow Charge shown in Schedule A may be increased up to the following maximum percentages during the specified declared drought stage.

A TEMPORARY SURCHARGE FOR POTABLE WATER DELIVERED based on one month or two months of meter readings for all water delivered as a percentage of the total Water Flow Charge on customer bills:

DROUGHT SURCHARGES ON TOTAL WATER FLOW CHARGE FOR WATER DELIVERED				
	Maximum Applicable Drought Surcharge Percentage ¹ in 4 Stages			
	Stage 1	Stage 2	Stage 3	Stage 4
All potable water flow charges	~~05~~ %	~~810~~ %	20%	~~2530~~ %

A TEMPORARY SURCHARGE FOR POTABLE WATER DELIVERED as a dollar per unit of water use of the total Water Flow Charge (1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)):

DROUGHT SURCHARGES ON TOTAL WATER FLOW CHARGE FOR WATER DELIVERED				
	Maximum Applicable Drought Surcharge Dollar Per Unit in 4 Stages			
	Stage 1	Stage 2	Stage 3	Stage 4
<u>Single-Family Residential Accounts:</u>				
<u>Tier 1: up to 7 units</u>	<u>\$0.39</u>	<u>\$0.79</u>	<u>\$1.58</u>	<u>\$2.37</u>
<u>Tier 2: over 7, up to 16 units</u>	<u>0.46</u>	<u>0.92</u>	<u>1.83</u>	<u>2.75</u>
<u>Tier 3: over 16 units</u>	<u>0.54</u>	<u>1.08</u>	<u>2.16</u>	<u>3.24</u>
<u>Multi-Family Residential Accounts:</u>	<u>0.42</u>	<u>0.83</u>	<u>1.66</u>	<u>2.49</u>
<u>All Other Water Use:</u>	<u>0.43</u>	<u>0.85</u>	<u>1.70</u>	<u>2.56</u>

¹ Drought surcharge ~~percentage increase~~ will be applied to the applicable rate of the customer's potable Water Flow Charge from Schedule A – Rate Schedule for Water Service. Prior to implementing the drought surcharges, the District will update drought-related costs and develop surcharges based on the updated cost of service. Any surcharges that are imposed will be consistent with the District's staged system of drought surcharges and will not exceed the drought surcharge ~~percentages~~ maximums listed in this Schedule.

Schedule L

Drought Surcharge Rate Schedule For Water Service

FY 2027



SCHEDULE L – DROUGHT SURCHARGE RATE SCHEDULE FOR WATER SERVICE

EFFECTIVE 07/01/2026⁵

The rates for the Water Flow Charge shown in Schedule A may be increased up to the following maximum percentages during the specified declared drought stage.

A TEMPORARY SURCHARGE FOR POTABLE WATER DELIVERED based on one month or two months of meter readings for all water delivered as a percentage of the total Water Flow Charge on customer bills:

DROUGHT SURCHARGES ON TOTAL WATER FLOW CHARGE FOR WATER DELIVERED				
	Maximum Applicable Drought Surcharge Percentage ¹ in 4 Stages			
	Stage 1	Stage 2	Stage 3	Stage 4
All potable water flow charges	5%	10%	20%	30%

A TEMPORARY SURCHARGE FOR POTABLE WATER DELIVERED as a dollar per unit of water use of the total Water Flow Charge (1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)):

DROUGHT SURCHARGES ON TOTAL WATER FLOW CHARGE FOR WATER DELIVERED				
	Maximum Applicable Drought Surcharge Dollar Per Unit in 4 Stages			
	Stage 1	Stage 2	Stage 3	Stage 4
Single-Family Residential Accounts:				
Tier 1: up to 7 units	~~\$0.42~~ ^{\$0.39}	~~\$0.84~~ ^{\$0.79}	~~\$1.68~~ ^{\$1.58}	~~\$2.52~~ ^{\$2.37}
Tier 2: over 7, up to 16 units	~~0.49~~ ^{0.46}	~~0.97~~ ^{0.92}	~~1.95~~ ^{1.83}	~~2.92~~ ^{2.75}
Tier 3: over 16 units	~~0.57~~ ^{0.54}	~~1.15~~ ^{1.08}	~~2.30~~ ^{2.16}	~~3.45~~ ^{3.24}
Multi-Family Residential Accounts:	~~0.44~~ ^{0.42}	~~0.89~~ ^{0.83}	~~1.77~~ ^{1.66}	~~2.66~~ ^{2.49}
All Other Water Use:	~~0.45~~ ^{0.43}	~~0.91~~ ^{0.85}	~~1.81~~ ^{1.70}	~~2.72~~ ^{2.56}

¹ Drought surcharge will be applied to the applicable rate of the customer's potable Water Flow Charge from Schedule A – Rate Schedule for Water Service. Prior to implementing the drought surcharges, the District will update drought-related costs and develop surcharges based on the updated cost of service. Any surcharges that are imposed will be consistent with the District's staged system of drought surcharges and will not exceed the drought surcharge maximums listed in this Schedule.

Wastewater Department

Schedule A

Rates for Treatment Service

FY 2026



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/2025⁴

Current

I. Unit Treatment Rates (for permit accounts)

Flow (\$ per unit, 1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF)~~1 unit = 100 cubic feet = 748 gallons~~)

Chemical Oxygen Demand (\$ per pound of discharge)

Total Suspended Solids (\$ per pound of discharge)

Unit treatment rates for Flow, Chemical Oxygen Demand (COD), Total Suspended Solids (TSS) and a Service Charge are applied to all users unless otherwise indicated.

II. Residential Monthly Charges

(6514 Multi-Family under 5 dwelling units & 8800 Single-Family)

A. Service Charge (per account)

B. Strength Charge (per dwelling unit)

Minimum monthly charge per household

C. Plus: A flow charge of \$1.82~~1.68~~ per unit applied to a maximum of 9 units (per dwelling unit)

Minimum monthly charge at 0 units

Maximum monthly charge at 9 units

D. Total Residential Charge (A+B+C above)¹

Minimum monthly charge (for 8800)

Maximum monthly charge (for 8800)

Average monthly charge (for 8800)

¹Does not include SF Bay Residential Pollution Prevention Fee

III. Non-Residential Charges

A. Monthly service charge (per account)

B. Treatment charge including flow processing (per unit of sewage discharge)

2010 Meat Products

2011 Slaughterhouses

2020 Dairy Product Processing

2030 Fruit and Vegetable Canning



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/2025⁴

	Current	
2040 Grain Mills	~~\$7.38~~	<u>\$8.01</u>
2050 Bakeries (including Pastries)	~~12.76~~	<u>13.84</u>
2060 Sugar Processing	~~7.29~~	<u>7.91</u>
2077 Rendering Tallow	~~22.15~~	<u>24.03</u>
2080 Beverage Manufacturing & Bottling	~~5.54~~	<u>6.01</u>
2090 Specialty Foods Manufacturing	~~23.82~~	<u>25.84</u>
2600 Pulp and Paper Products	~~6.33~~	<u>6.87</u>
2810 Inorganic Chemicals Mfr.	~~8.15~~	<u>8.84</u>
2820 Synthetic Material Manufacturing	~~1.91~~	<u>2.07</u>
2830 Drug Manufacturing	~~4.11~~	<u>4.46</u>
2840 Cleaning and Sanitation Products	~~8.31~~	<u>9.02</u>
2850 Paint Manufacturing	~~16.03~~	<u>17.39</u>
2893 Ink and Pigment Manufacturing	~~5.80~~	<u>6.29</u>
3110 Leather Tanning and Finishing	~~22.14~~	<u>24.02</u>
3200 Earthenware Manufacturing	~~4.50~~	<u>4.88</u>
3300 Primary Metals Manufacturing	~~3.56~~	<u>3.86</u>
3400 Metal Products Fabricating	~~2.08~~	<u>2.26</u>
3410 Drum and Barrel Manufacturing	~~22.54~~	<u>24.46</u>
3470 Metal Coating	~~2.26~~	<u>2.45</u>
4500 Air Transportation	~~2.97~~	<u>3.22</u>
4951 Groundwater Remediation	~~1.74~~	<u>1.89</u>
5812 Food Service Establishments	~~7.71~~	<u>8.37</u>
6513 Apartment Buildings (5 or more dwelling units)	~~3.75~~	<u>4.07</u>
7000 Hotels, Motels with Food Service	~~5.55~~	<u>6.02</u>
7210 Commercial Laundries	~~4.99~~	<u>5.41</u>
7215 Coin Operated Laundromats	~~3.74~~	<u>4.06</u>
7218 Industrial Laundries	~~14.17~~	<u>15.37</u>
7300 Laboratories	~~2.68~~	<u>2.91</u>
7542 Automobile Washing and Polishing	~~3.55~~	<u>3.85</u>
8060 Hospitals	~~3.41~~	<u>3.70</u>
8200 Schools	~~2.51~~	<u>2.72</u>
All Other Business Classification Code (includes dischargers of only segregated domestic wastes from sanitary conveniences)	~~3.75~~	<u>4.07</u>



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/2025⁴

Multi-Use Food Service Establishments and Domestic Waste Accounts

Accounts identified by EBMUD where there are one or more food service establishments or bakeries sharing the water meter with establishments or operations with only domestic waste discharges. These accounts are assigned an MU code based on the percentage split of the discharge from the food service establishment operations or bakeries and domestic waste. The unit treatment charge for each MU Code is calculated from the food service establishment or bakeries treatment rate and the domestic waste treatment rate.

MU Code		Current	
A	0-9% Food, 91-100% Domestic	~~\$3.750~~	<u>\$4.07</u>
B	10-19% Food, 81-90% Domestic	~~4.146~~	<u>4.50</u>
C	20-29% Food, 71-80% Domestic	~~4.542~~	<u>4.93</u>
D	30-39% Food, 61-70% Domestic	~~4.938~~	<u>5.36</u>
E	40-49% Food, 51-60% Domestic	~~5.334~~	<u>5.79</u>
F	50-59% Food, 41-50% Domestic	~~5.730~~	<u>6.22</u>
G	60-69% Food, 31-40% Domestic	~~6.126~~	<u>6.65</u>
H	70-79% Food, 21-30% Domestic	~~6.522~~	<u>7.08</u>
I	80-89% Food, 11-20% Domestic	~~6.918~~	<u>7.51</u>
J	90-99% Food, 1-10% Domestic	~~7.314~~	<u>7.94</u>
K	0-9% Bakery, 91-100% Domestic	~~3.750~~	<u>4.07</u>
L	10-19% Bakery, 81-90% Domestic	~~4.651~~	<u>5.05</u>
M	20-29% Bakery, 71-80% Domestic	~~5.552~~	<u>6.02</u>
N	30-39% Bakery, 61-70% Domestic	~~6.453~~	<u>7.00</u>
O	40-49% Bakery, 51-60% Domestic	~~7.354~~	<u>7.98</u>
P	50-59% Bakery, 41-50% Domestic	~~8.255~~	<u>8.96</u>
Q	60-69% Bakery, 31-40% Domestic	~~9.156~~	<u>9.93</u>
R	70-79% Bakery, 21-30% Domestic	~~10.057~~	<u>10.91</u>
S	80-89% Bakery, 11-20% Domestic	~~10.958~~	<u>11.89</u>
T	90-99% Bakery, 1-10% Domestic	~~11.859~~	<u>12.86</u>
Minimum Monthly Treatment Charge:			
6513	Apartment Buildings (5 or more units)	~~57.64~~	<u>62.53</u>
	All Others	~~9.29~~	<u>10.08</u>



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/202~~5~~⁴

IV. Monthly San Francisco Bay Pollution Prevention Fee

<u>A. Commercial (applicable to non-residential accounts)</u>	<u>\$5.48</u>
<u>B. Residential (applicable to residential accounts with four or fewer dwellings)</u>	<u>\$0.20 per dwelling</u>
<u>C. Residential (applicable to residential accounts with five or more dwellings)</u>	<u>\$1.00</u>

Wastewater Department

Schedule A

Rates for Treatment Service

FY 2027



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/202~~6~~⁵

Current

I. Unit Treatment Rates (for permit accounts)

Flow (\$ per unit, 1 unit = 748 gallons = 100 cubic feet = 1 centum cubic foot (CCF))

Chemical Oxygen Demand (\$ per pound of discharge)

Total Suspended Solids (\$ per pound of discharge)

Unit treatment rates for Flow, Chemical Oxygen Demand (COD), Total Suspended Solids (TSS) and a Service Charge are applied to all users unless otherwise indicated.

II. Residential Monthly Charges

(6514 Multi-Family under 5 dwelling~~s~~^s-units & 8800 Single-Family)

A. Service Charge (per account)

B. Strength Charge (per dwelling~~unit~~)

Minimum monthly charge per household

C. Plus: A flow charge of \$1.~~9782~~⁹⁷ per unit applied to a maximum of 9 units (per dwelling~~unit~~)

Minimum monthly charge at 0 units

Maximum monthly charge at 9 units

D. Total Residential Charge (A+B+C above)¹

Minimum monthly charge (for 8800)

Maximum monthly charge (for 8800)

Average monthly charge (for 8800)

¹Does not include SF Bay Residential Pollution Prevention Fee

III. Non-Residential Charges

A. Monthly service charge (per account)

B. Treatment charge including flow processing (per unit~~of sewage discharge~~)

2010 Meat Products

2011 Slaughterhouses

2020 Dairy Product Processing

2030 Fruit and Vegetable Canning

2040 Grain Mills



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/202~~6~~⁵

	Current	
2050 Bakeries (including Pastries)	~~\$13.84~~	<u>\$15.02</u>
2060 Sugar Processing	~~7.91~~	<u>8.58</u>
2077 Rendering Tallow	~~24.03~~	<u>26.07</u>
2080 Beverage Manufacturing & Bottling	~~6.01~~	<u>6.52</u>
2090 Specialty Foods Manufacturing	~~25.84~~	<u>28.04</u>
2600 Pulp and Paper Products	~~6.87~~	<u>7.45</u>
2810 Inorganic Chemicals Mfgr.	~~8.84~~	<u>9.59</u>
2820 Synthetic Material Manufacturing	~~2.07~~	<u>2.25</u>
2830 Drug Manufacturing	~~4.46~~	<u>4.84</u>
2840 Cleaning and Sanitation Products	~~9.02~~	<u>9.79</u>
2850 Paint Manufacturing	~~17.39~~	<u>18.87</u>
2893 Ink and Pigment Manufacturing	~~6.29~~	<u>6.82</u>
3110 Leather Tanning and Finishing	~~24.02~~	<u>26.06</u>
3200 Earthenware Manufacturing	~~4.88~~	<u>5.29</u>
3300 Primary Metals Manufacturing	~~3.86~~	<u>4.19</u>
3400 Metal Products Fabricating	~~2.26~~	<u>2.45</u>
3410 Drum and Barrel Manufacturing	~~24.46~~	<u>26.54</u>
3470 Metal Coating	~~2.45~~	<u>2.66</u>
4500 Air Transportation	~~3.22~~	<u>3.49</u>
4951 Groundwater Remediation	~~1.89~~	<u>2.05</u>
5812 Food Service Establishments	~~8.37~~	<u>9.08</u>
6513 Apartment Buildings (5 or more dwelling ~~units~~)	~~4.07~~	<u>4.42</u>
7000 Hotels, Motels with Food Service	~~6.02~~	<u>6.53</u>
7210 Commercial Laundries	~~5.41~~	<u>5.87</u>
7215 Coin Operated Laundromats	~~4.06~~	<u>4.41</u>
7218 Industrial Laundries	~~15.37~~	<u>16.68</u>
7300 Laboratories	~~2.91~~	<u>3.16</u>
7542 Automobile Washing and Polishing	~~3.85~~	<u>4.18</u>
8060 Hospitals	~~3.70~~	<u>4.01</u>
8200 Schools	~~2.72~~	<u>2.95</u>
All Other Business Classification Code (includes dischargers of only segregated domestic wastes from sanitary conveniences)	~~4.07~~	<u>4.42</u>



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/202~~6~~⁵

Multi-Use Food Service Establishments and Domestic Waste Accounts

Accounts identified by EBMUD where there are one or more food service establishments or bakeries sharing the water meter with establishments or operations with only domestic waste discharges. These accounts are assigned an MU code based on the percentage split of the discharge from the food service establishment operations or bakeries and domestic waste. The unit treatment charge for each MU Code is calculated from the food service establishment or bakeries treatment rate and the domestic waste treatment rate.

MU Code		Current	
A	0-9% Food, 91-100% Domestic	~~\$4.07~~	<u>\$4.42</u>
B	10-19% Food, 81-90% Domestic	~~4.50~~	<u>4.89</u>
C	20-29% Food, 71-80% Domestic	~~4.93~~	<u>5.35</u>
D	30-39% Food, 61-70% Domestic	~~5.36~~	<u>5.82</u>
E	40-49% Food, 51-60% Domestic	~~5.79~~	<u>6.29</u>
F	50-59% Food, 41-50% Domestic	~~6.22~~	<u>6.75</u>
G	60-69% Food, 31-40% Domestic	~~6.65~~	<u>7.22</u>
H	70-79% Food, 21-30% Domestic	~~7.08~~	<u>7.68</u>
I	80-89% Food, 11-20% Domestic	~~7.51~~	<u>8.15</u>
J	90-99% Food, 1-10% Domestic	~~7.94~~	<u>8.62</u>
K	0-9% Bakery, 91-100% Domestic	~~4.07~~	<u>4.42</u>
L	10-19% Bakery, 81-90% Domestic	~~5.05~~	<u>5.48</u>
M	20-29% Bakery, 71-80% Domestic	~~6.02~~	<u>6.54</u>
N	30-39% Bakery, 61-70% Domestic	~~7.00~~	<u>7.60</u>
O	40-49% Bakery, 51-60% Domestic	~~7.98~~	<u>8.66</u>
P	50-59% Bakery, 41-50% Domestic	~~8.96~~	<u>9.73</u>
Q	60-69% Bakery, 31-40% Domestic	~~9.93~~	<u>10.78</u>
R	70-79% Bakery, 21-30% Domestic	~~10.91~~	<u>11.84</u>
S	80-89% Bakery, 11-20% Domestic	~~11.89~~	<u>12.90</u>
T	90-99% Bakery, 1-10% Domestic	~~12.86~~	<u>13.96</u>
Minimum Monthly Treatment Charge:			
6513	Apartment Buildings (5 or more units)	~~62.53~~	<u>67.84</u>
	All Others	~~10.08~~	<u>10.94</u>



SCHEDULE A – WASTEWATER DEPARTMENT RATES FOR TREATMENT SERVICE

EFFECTIVE 07/01/202~~6~~⁵

IV. Monthly San Francisco Bay Pollution Prevention Fee

A. Commercial (applicable to non-residential accounts)	\$5.48
B. Residential (applicable to residential accounts with four or fewer dwellings)	\$0.20 per dwelling
C. Residential (applicable to residential accounts with five or more dwellings)	\$1.00

Wastewater Department

Schedule B

Wet Weather Facilities Charge

FY 2026



SCHEDULE B – WASTEWATER DEPARTMENT WET WEATHER FACILITIES CHARGE

EFFECTIVE 07/01/202~~5~~⁴

Annual Charge Collected on Property Tax Bill¹

TYPE	RATE
Small Lot (0 - 5,000 sq. ft.)	\$ ~~147.38~~ <u>159.90</u>
Medium Lot (5,001 – 10,000 sq. ft.)	\$ ~~230.16~~ <u>249.72</u>
Large Lot (> 10,000 sq. ft.)	\$ ~~526.00~~ <u>570.70</u>

¹ The WWFC for entities that are exempt from property taxes (e.g., public agencies) is collected through the District's billing process.

Wastewater Department

Schedule B

Wet Weather Facilities Charge

FY 2027



SCHEDULE B – WASTEWATER DEPARTMENT WET WEATHER FACILITIES CHARGE

EFFECTIVE 07/01/202~~6~~⁵

Annual Charge Collected on Property Tax Bill¹

TYPE	RATE
Small Lot (0 - 5,000 sq. ft.)	\$ ~~159.90~~ <u>173.48</u>
Medium Lot (5,001 – 10,000 sq. ft.)	\$ ~~249.72~~ <u>270.94</u>
Large Lot (> 10,000 sq. ft.)	\$ ~~570.70~~ <u>619.20</u>

¹ The WWFC for entities that are exempt from property taxes (e.g., public agencies) is collected through the District's billing process.



BOARD ACTION

Agenda Number:	21.1.-21.2.	Meeting Date:	May 13, 2025

TITLE	REPORT AND RECOMMENDATION OF THE GENERAL MANAGER FOR REVISIONS TO THE WATER AND WASTEWATER SCHEDULES OF RATES AND CHARGES, CAPACITY CHARGES, AND OTHER FEES NOT SUBJECT TO PROPOSITION 218 FOR FISCAL YEAR 2026 AND TO SELECT REGULATIONS

ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:

RECOMMENDED ACTIONS	- File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year (FY) 2026 and to Select Regulations. - Set a Public Hearing for Tuesday, June 10, 2025, during the Board's regular meeting, to consider the report and recommendation.

SUMMARY	The FY 2026 proposed rates and charges, capacity charges, and other fees not subject to Proposition 218 are scheduled for Board consideration at a public hearing during its June 10, 2025 meeting. Changes to the Regulations Governing Water Service (Regulations) will also be considered at the June 10, 2025 meeting. The Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for FY 2026, and to Select Regulations includes the following revisions:

Water System

- Schedule B – Account Establishment Charge
- Schedule C – Charges for Special Services
- Schedule D – Water Service Installation Charges
- Schedule E – Private Fire Service Installation Charges
- Schedule F – Public Fire Hydrant Installation Charges
- Schedule G – Water Main Extension Charges
- Schedule H – Standard Participation Charge (SPC)
- Schedule J – System Capacity Charge (SCC)
- Schedule N – Water Demand Mitigation Fees

Wastewater System

- Schedule C – Industrial Permit Fees
- Schedule D – Other Fees (Monitoring, Violation Follow-up, and Private Sewer Lateral Compliance)

Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? N/A	Board Action Type: Financial
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year 2026 and to Select Regulations			

Title:	Report and Recommendation of the General Manager for revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year 2026 and to Select Regulations	Meeting Date:	May 13, 2025

- Schedule E – Testing Fees
- Schedule F – Resource Recovery Fees and Prices
- Schedule G – Wastewater Capacity Fees
- Schedule H – Wastewater Interceptor Connection Review, Coordination, and Inspection Fee

Other District Fees

- Public Records Act Fee Schedule
- Real Property Use Application Fees
- Recreation Use Fees

Water Service Regulations

- Section 1 – Explanation of Terms Used in these Regulations
- Section 4 – Main Extensions
- Section 17 – Change in Use and/or Size of Service
- Section 26 – Protection of Public Water Supply
- Section 30 – Nonpotable Water Service
- Section 31 – Water Efficiency Requirements

I:\Sec\2025 Board Related Items\051325 Board Agenda Items\FIN - File GM Rate Report (Non-Prop 218) 051325.docx

Report and Recommendation of the General Manager

Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year 2026 and to Select Regulations



East Bay Municipal Utility District

Report and Recommendation of the General Manager

Revisions to the Water and Wastewater
Schedules of Rates and Charges, Capacity Charges, and Other Fees
Not Subject to Proposition 218 for Fiscal Year 2026
and to Select Regulations

Presented to the Board of Directors

by Clifford C. Chan, General Manager

May 13, 2025

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Appendix A – Recommended Schedules of Rates, Charges and Fees Not Subject to Proposition 218 for Fiscal Year 2026

Appendix B – Update of 2021 SCC Study Calculations for Proposed FY 2026 SCC

Appendix C – Update of 2019 WCF Study Calculations for Proposed FY 2026 WCF

Appendix D – Recommended Changes to Water Service Regulations for Fiscal Year 2026

Introduction

This Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year 2026 and to Select Regulations (Report) contains recommendations for the Fiscal Year (FY) 2026 changes to the System Capacity Charge (SCC), the Wastewater Capacity Fee (WCF) and to other charges that are not subject to Proposition 218. To the extent these charges are governed by other legal requirements, such as by Proposition 26¹ or by Government Code section 66013, they are in full compliance. The Board will consider these proposed charges, as well as proposed revised regulations, at the June 10, 2025 regular Board Meeting. All proposed schedules for the proposed non-Proposition 218 charges can be found in Appendix A of this Report.²

With the exception of the Recreation Use Fees for 2026, which are recommended to go into effect on January 1, 2026, the proposed changes to the Water Service Regulations and to the water and wastewater system charges are recommended to be effective as of July 1, 2025. A public hearing on the recommendations contained in this Report is scheduled for June 10, 2025, and the Board will consider adoption of the recommendations at the same Board meeting.

Summary

The following is a summary of the proposed changes. The proposed FY 2026 charges within each of these schedules are shown in Appendix A and the recommended changes to those schedules are detailed in the next section.

Water System

- Implement proposed changes to Schedule B – Account Establishment Charge and Schedule C – Charges for Special Services. The charges are proposed to reflect current costs, clarify flow-restrictor usage, rename the backflow program charge, include additional hydrant meter security deposits based on meter type, and state that the District will determine and finalize the required hydrant meter type based on the applicant’s submitted information.
- Implement proposed changes to Schedule D – Water Service Installation Charges, Schedule E – Private Fire Service Installation Charges, Schedule F – Public Fire Hydrant Installation Charges, and Schedule G – Water Main Extension Charges. The charges are proposed to increase to reflect current costs.

¹ Proposition 26 provides that any levy, charge, or exaction of any kind that is imposed by a local government is a “tax” requiring voter approval unless it fits within its seven stated exceptions. To the extent the charges are subject to Proposition 26, they fit within the stated exceptions.

² At the June 10, 2025 Board Meeting, the Board will also consider proposed changes to charges subject to Proposition 218 as discussed in the *Recommended Revisions to the Water and Wastewater System Schedule of Rates, Charges and Fees Subject to Proposition 218 for Fiscal Years 2026 and 2027* (dated May 13, 2025), which includes the following proposed schedules for FY 2026 and FY 2027: Water System Schedule A (Rate Schedule for Water Service), Water System Schedule L (Drought Surcharge Schedule for Water Service), Wastewater System Schedule A (Rates for Treatment Service), and Wastewater System Schedule B (Wet Weather Facilities Charge).

- Implement proposed changes to Schedule H – Standard Participation Charge (SPC), Schedule J – System Capacity Charge (SCC), and Schedule N – Water Demand Mitigation Fees to update the cost calculations using the methodology from the 2021 SCC Study.

Wastewater System

- Implement proposed changes to Schedule C – Wastewater Department Industrial Permit Fees. The charges are proposed to increase to reflect current costs.
- Implement proposed changes to Schedule D – Wastewater Department Other Fees. The charges are proposed to increase to reflect current costs.
- Implement proposed changes to Schedule E – Wastewater Department Testing Fees. The charges are proposed to increase to reflect current costs.
- Implement proposed changes to Schedule F – Wastewater Department Resource Recovery Rates and Prices. The charges are proposed to increase to reflect current costs and to add two new administrative fees.
- Implement proposed changes to Schedule G – Wastewater Department Capacity Fees (WCF) to update cost calculations using the methodology from the 2019 WCF Study.
- Implement proposed changes to the fee for review, coordination and construction inspection for connections made to the interceptors in Schedule H – Wastewater Department Wastewater Interceptor Connection Review, Coordination, and Inspection Fee to reflect current costs.

Other Fees

- Implement proposed changes to the Real Property Use Application Fees, Recreation Use Fees, and Public Records Act Fee Schedules to reflect current costs.

Water Service Regulations

- Modify Water Service Regulations Section 1 – Explanation of Terms Used in these Regulations to update regulatory reference for Accessory Dwelling Unit and Junior Accessory Dwelling Unit.
- Modify Water Service Regulations Section 4 – Main Extensions to add a consideration for traffic conditions and heavily traveled roads for separate parallel water mains.
- Modify Water Service Regulations Section 17 – Change in Use and/or Size of Service to update the California Government Code reference.
- Modify Water Service Regulations Section 26 – Protection of Public Water Supply to update regulatory references, expand on backflow prevention requirements, clarify customer’s maintenance responsibilities, incorporate an annual reporting requirement, clarify responsibility for device upgrades, and clarify conditions for service disconnection.
- Modify Water Service Regulations Section 30 – Recycled Water Service to rename the regulation to Recycled Water Services and to include stricter compliance requirements, detail cost responsibilities, outline a permit process, add interim potable water provisions, and enhance enforcement measures.
- Modify Water Service Regulations Section 31 – Water Efficiency Requirements to update the measurement for indoor water use for toilets.

Recommended Changes to Water System Charges Not Subject to Proposition 218

The District annually reviews the Schedules of Water System charges that are not subject to Proposition 218 to ensure that the charges are consistent with legal requirements and to reflect current costs. As summarized above, the following Water System schedules are recommended to be updated for FY 2026 to reflect the District's increased costs, unless otherwise specified, including those related to labor costs:

- Schedule B – Account Establishment Charge
- Schedule C – Charges for Special Services
- Schedule D – Water Service Installation Charges
- Schedule E – Private Fire Service Installation Charges
- Schedule F – Public Fire Hydrant Installation Charges
- Schedule G – Water Main Extension Charges
- Schedule H – Standard Participation Charge (SPC)
- Schedule J – System Capacity Charge (SCC)
- Schedule N – Water Demand Mitigation Fees

Proposed changes for the above listed schedules discussed below and are shown in Appendix A.

Schedule B – Account Establishment Charge

The Account Establishment Charge recovers the District's costs for establishing a new customer account or transferring a customer's existing account from one address to another when a customer moves within the District's service area. For FY 2026, the Account Establishment Charge is proposed to increase from \$71 to \$76 based on the analysis of the District's current labor cost. Customers who set up a new account online generate lower labor costs than those who call the District for the same service. Accordingly, the Account Establishment Charge is lower for customers who set up an account online, reflecting the District's labor cost savings. For FY 2026, the Account Establishment Charge for online customers is proposed to increase from \$55 to \$60 to reflect the District's updated labor costs. See also Schedule B – Account Establishment Charge in Appendix A.

Schedule C – Charges for Special Services

Schedule C contains charges for special customer services. The proposed FY 2026 Schedule C charges are shown in Appendix A and updates to Schedule C are discussed below.

Meter Testing Charges

Meter testing charges are proposed to increase as shown in Appendix A to reflect current labor costs.

Service Interruption Charges

Service interruption charges are proposed to increase as shown in Appendix A to reflect current labor costs.

Processing Fees for Delinquent Charge Collection Through Liens and Property Tax Bills on Multi-Family and Single-Family Residential Accounts

Processing fees for delinquent charge collection through liens and property tax bills are proposed to change to expand the fees to include single-family residential accounts meeting the criteria defined in Section 15A of the District's Regulations Governing Water Service.

Flow-Restrictor Installation Charges

If the District suspects that a customer is using water in an excessive or prohibited manner, District staff contacts the customer and investigates the customer's water use. If it is determined that the customer is violating the District's Water Service Regulations on water waste (Section 29), a Prohibited Water Use Charge will be charged to recover the cost of monitoring the customer's ongoing water use. The Prohibited Water Use Charge for FY 2026 will remain at \$50. If the customer continues to violate the Water Service Regulation Section 29, a flow restrictor may be installed at the customer's expense. For FY 2026, staff recommends clarifying that the District, as deemed necessary, may install a flow-restricting device for continued excessive water. The Flow-Restrictor Installation Charge will change to \$161 for small meters under 1-1/2 inches and \$346 for 1-1/2 and 2-inch.

Flow restrictors used as part of the District's payment management program for single-family residential customers do not trigger the Prohibited Water Use Flow-Restrictor Installation Charges.

Backflow Device Annual Certification and Violation Charges

To ensure that the water system is not compromised by contaminants, pollutants, or plumbing hazards, the District requires a backflow prevention device on some water service connections. A Backflow Device Annual Certification Charge covers the administrative costs related to inspection and verification, and for FY 2026 will change to \$73. In addition, the charge for labor to complete any necessary surveys and inspections was renamed from "Change of Responsible Party or Change of Use Survey" to "hazard assessment" and will change to \$173 per hour. The District maintains a list of certified private companies that can perform the required backflow test. For a company to be included on the list of certified backflow testers, the District charges a Certified Tester Listing Charge. For FY 2026, the Certified Tester Listing Charge is proposed to change to \$211. In FY 2026, if it is determined that a customer has violated the District's backflow prevention requirements, the District charges a Backflow Device Violation Charge, which will change to \$737 to recover the District's costs to shut off the water service and to restore the service once the District verifies that the backflow requirements have been met.

Processing Fee for Intervening Water Service Agreement

Processing fees for intervening water service agreements are proposed to increase as shown in Appendix A to reflect current labor costs.

Public Hydrant Meter Account Establishment and Site Visit Charges

The hydrant meter program provides customers with a hydrant meter that can be hooked up to a public fire hydrant to meter water use when temporary water service has been approved by the District. For FY 2026, the Public Hydrant Meter Account Establishment and Renewal Charge to establish and annually renew the hydrant meter account will change to \$155 to reflect current labor costs. The hydrant meter program requires customers to enter into an agreement through which customers agree to regularly self-report meter readings and periodically exchange their meters. When a customer does not follow terms of the agreement, a Public Hydrant Meter Account Site Visit Charge is charged to recover the cost of

investigation and site visits by District staff. For FY 2026, the Public Hydrant Meter Account Site Visit Charge will change to \$310.

For FY 2026, staff is proposing security deposits for hydrant meters as follows: \$859 for a 1-inch meter with a backflow device, \$1,490 for a 3-inch meter without a backflow device, and \$2,614 for a 3-inch meter with a backflow device to reflect current materials costs. In FY 2025, the District's charge for a 3-inch meter without a backflow device was \$1,490 and the District did not have any other types of hydrant meters. The hydrant meter security deposit is collected upfront when the customer is issued the hydrant meter. Security deposits are held for the duration of the account. When a hydrant meter is returned, it is inspected by the meter shop to determine if there are any damages. If the hydrant meter is damaged or not returned, the account is charged for damages or replacement costs. When the account is closed, the deposit will be applied to the final bill, which may include charges from damage or replacement. Any remaining balance will be refunded to the customer.

Schedule D – Water Service Installation Charges

Schedule D contains the installation charges for lateral and meter installations for standard services. Updated materials, equipment and labor costs were used to calculate the FY 2026 Schedule D charges (see Appendix A). Service installation charges for FY 2026 are proposed to increase depending on the specific installation as shown in the proposed Schedule D – Water Service Installation Charges (see Appendix A). Staff is also proposing to add installation charges for 6-inch and 8-inch water services in paved (\$58,664) and unpaved (\$40,251) conditions.

Schedule E – Private Fire Service Installation Charges

Schedule E contains the installation charges for private fire services that supply capacity for private fire sprinkler systems or private fire hydrants. The proposed FY 2026 Schedule E charges reflect updated materials, equipment and labor costs. Private Fire Service Installation Charges for FY 2026 are proposed as shown in the proposed Schedule E – Private Fire Service Installation Charges (see Appendix A). Staff also recommends clarifying language about costs for installing private fire service meters 10 inches or larger as shown in Appendix A.

Schedule F – Public Fire Hydrant Installation Charges

Schedule F contains the installation charges for public fire hydrants. The Public Fire Hydrant Installation Charge is almost exclusively paid by developers as a requirement for new development areas or for projects in redevelopment areas.

Public Fire Hydrant Installation Charges for FY 2026 are proposed to increase as shown in the proposed Schedule F – Public Fire Hydrant Installation Charges (see Appendix A) to reflect updated materials, equipment and labor costs.

Schedule G – Water Main Extension Charges

Schedule G contains the installation charges for water main extensions for both District-installed, and applicant-installed main extensions. The District generally performs all the work for all water main extensions that are up to 1,000 feet. For main extensions greater than 1,000 feet, the District generally performs the engineering and design, survey and inspection work, and the applicant is responsible for installation of the pipeline. Water Main Extension Charges for FY 2026 are proposed to increase as

shown in Schedule G (see Appendix A). The proposed FY 2026 charges reflect current labor, materials, and equipment costs.

Schedule H – Standard Participation Charge (SPC)

The District maintains a Standard Participation Charge (SPC), a District-wide connection charge that is applicable to only a few remaining contracts for service entered into prior to 1983 that was first established in 1978. Schedule H (Appendix A) contains SPCs that reflect the allowable cost for facilities necessary to serve applicants who had separate facility agreements with the District prior to July 1, 1983. Customers eligible for service under the SPC regulations can pay for service under the more favorable of either of the SPC or System Capacity Charge terms and conditions. The proposed FY 2026 charges reflect the updated cost calculations using the methodology from the 2021 Water System Capacity Charge Study. The SPC is proposed to increase as shown Schedule H (see Appendix A).

Schedule J – System Capacity Charge (SCC)

Schedule J (Appendix A) contains the System Capacity Charges (SCCs) for new water services in the major SCC regions (Regions 1, 2 and 3) and the SCC subregions (Subregions 3C and 3D). All applicants for water service are required to pay an SCC when installation of a new service or upsizing of an existing connection is needed. The three components of the SCC for standard potable service are: 1) System-Wide Buy-In: existing District system facilities excluding supplemental supplies; 2) Regional Buy-In: existing District regional facilities; and 3) Future Water Supply (FWS): an allocation of the capital costs for future water supply projects.

Following the methodology outlined in the 2021 Water System Capacity Charge Study³, the proposed SCCs for FY 2026 have been calculated with the following updated inputs: Engineering News Record Construction Cost Index (ENR CCI) escalation to reflect increasing replacement costs for existing assets, depreciation on existing assets, outstanding debt, capital funding cash balances, and FWS costs/supply projections. The updated calculations to the 2021 SCC Study for the proposed FY 2026 SCC are shown in Appendix B and Schedule J (Appendix A) contains the complete list of the proposed FY 2026 SCCs.

The proposed FY 2026 SCCs are shown in Table 1 for a 3/4-inch meter for single-family residential (SFR) applicants. These meter connections account for the majority of water service connections. Larger meters pay proportionately more based on the estimated usage of the new connections.

³ Available at www.ebmud.com/rates.

Table 1 SFR SCC for 3/4" Meter

Region	Current	FY 2026
Region 1	\$13,277	\$13,881
Region 2	\$20,836	\$21,494
Region 3	\$39,058	\$40,614
Region 3C	\$117,214	\$120,665
Region 3D	\$119,192	\$124,083

The proposed FY 2026 SCC rates are shown in Table 2 for multi-family residential (MFR) applicants on a per dwelling unit basis. The SCC has two categories for MFR dwelling units: (i) an over 500 square foot category and (ii) a 500 square foot and under category. These categories reflect differences in water use per dwelling unit.

Table 2 MFR per Dwelling Unit SCC

MFR Category Dwelling Size	Region	Current	FY 2026
500 Square Feet and Under	Region 1	\$6,639	\$6,940
	Region 2	\$9,426	\$9,724
	Region 3	\$7,572	\$7,874
Over 500 Square Feet	Region 1	\$8,386	\$8,767
	Region 2	\$11,906	\$12,282
	Region 3	\$9,565	\$9,946

The proposed FY 2026 SCC rates are shown in Table 3 for a 5/8-inch meter for non-residential applicants. Larger meters pay proportionately more based on the estimated usage of the new connections. See Schedule J in Appendix A for the complete list of the proposed FY 2026 SCCs.

Table 3 Non-Residential SCC for 5/8" Meter

Region	Current	FY 2026
Region 1	\$17,190	\$17,972
Region 2	\$33,139	\$34,186
Region 3	\$36,667	\$38,127

Applicants for nonpotable/recycled water service have their SCC calculated based solely on the FWS component. These customers are not served by the potable water system; they are served by dedicated nonpotable/recycled water facilities. The proposed FY 2026 SCC rates are shown in Table 4 for a 5/8-inch meter for nonpotable/recycled water. Larger meters pay proportionately more based on the estimated usage of the new connections. See Schedule J in Appendix A for the complete list of the proposed FY 2026 SCC.

Table 4 Nonpotable/Recycled Water SCC for 5/8" Meter

Region	Current	FY 2026
Region 1	\$2,502	\$2,959
Region 2	\$3,397	\$4,018
Region 3	\$4,678	\$5,533

Schedule N – Water Demand Mitigation Fees

Schedule N (see Appendix A) contains the Water Demand Mitigation Fees for “The Wendt Ranch,” “The Meadows,” “The Wiedemann Ranch Development,” the “Camino Tassajara Integrated Project” and the “Gale Ranch Phase II” projects, which reflect the latest proposed costs for the FWS Component of the SCC. In addition, the Water Use Offset Fees and Additional Water Use Offset Fees for “The Wiedemann Ranch Development” have been updated to reflect the latest U.S. City Average of the Consumer Price Index.

Recommended Changes to Wastewater System Charges Not Subject to Proposition 218

The District annually reviews the Schedules of Wastewater System charges that are not subject to Proposition 218 to ensure that the charges are consistent with legal requirements and reflect current costs. For FY 2026, the following Wastewater System schedules are recommended to be updated to reflect the District’s increased costs, unless otherwise specified, including those related to labor costs:

- Schedule C – Wastewater Department Industrial Permit Fees
- Schedule D – Wastewater Department Other Fees
- Schedule E – Wastewater Department Testing Fees
- Schedule F – Wastewater Department Resource Recovery Fees and Prices
- Schedule G – Wastewater Department Capacity Fees
- Schedule H – Wastewater Department Wastewater Interceptor Connection Review, Coordination and Inspection Fee

Proposed changes for the above listed schedules are shown in Appendix A.

Wastewater System Schedule C – Wastewater Department Industrial Permit Fees

There are three types of Wastewater Permits: 1) Wastewater Discharge Permit, 2) Estimation Permit, and 3) Limited Term Discharge Permit. Each has a fee to recover reasonable costs. For FY 2026, the permit fees are recommended to increase to reflect current labor costs. Additionally, the schedule was updated to add definitions for the permit types, consistent with the Wastewater Control Ordinance.

Wastewater System Schedule D – Wastewater Department Other Fees

San Francisco Bay Pollution Prevention Fee

The San Francisco Bay Pollution Prevention Fee is a monthly charge that recovers the District's cost to administer pollution prevention programs required by the District's wastewater discharge permit. Staff is proposing to relocate these fees to the Wastewater System Schedule A – Wastewater Department Rates For Treatment Service. See the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for Fiscal Years 2026 and 2027. The amounts of the Pollution Prevention Fees are not proposed to change for FY 2026.

Inspection and Monitoring Fees

For some Wastewater Discharge Permits issued to industrial users, the District requires inspection, monitoring, and testing of the discharge. The Inspection and Monitoring Fees recover the District staff cost and equipment to perform field inspections, collect and coordinate samples for lab testing, install and maintain field monitoring equipment, and prepare inspection reports. For FY 2026, staff recommends increasing the fee from \$1,920 to \$1,980. These increases reflect the reasonable staff costs to perform the monitoring activities.

Violation Follow-Up Fees

Wastewater permit holders are required to follow the conditions listed in their permits. If the District determines that the permit holder has violated the conditions of their permit, a series of violation actions are taken with accompanying fees. For FY 2026, staff recommends increasing the fees as shown in Appendix A to reflect current labor costs.

Private Sewer Lateral Compliance Fees

The District has been operating under a Consent Decree with the Environmental Protection Agency, State Water Resources Control Board, the Regional Water Quality Control Board, and the District's satellite collection system agencies since September 2014. As part of the Consent Decree, the District is required to implement a regional Private Sewer Lateral (PSL) Ordinance. The ordinance requires property owners to obtain a compliance certificate from the District when they hit one of three triggers: transferring title of property (e.g., buying/selling a home), performing remodeling or construction work valued at greater than \$100,000, or increasing or decreasing water meter size. Staff recommends increasing PSL program fees as shown in Appendix A to reflect current labor costs. Staff recommends minor revisions to footnote number five to clarify fees for off-hours verification and an additional footnote number six to clarify that two Inspection Reschedule fees will be charged for Specific Appointment time cancellations. Staff recommends that the PSL compliance fees be effective on July 1, 2025 or as soon as practicable after that date.

Wastewater System Schedule E – Wastewater Department Testing Fees

The District may require laboratory testing and analysis of samples as part of a discharge permit or other action. The FY 2026 laboratory testing fees listed below recover District staff costs and material to perform the laboratory testing and analysis.

For FY 2026, staff proposes to increase the following laboratory test fees to reflect reasonable costs for material and District staff time:

- Acrolein & Acrylonitrile from \$169 to \$176
- Chemical Oxygen Demand from \$67 to \$70
- Cyanide from \$141 to \$147
- Metals (Arsenic, Cadmium, Chromium, Copper, Iron, Lead, Nickel, Silver, and Zinc) from \$251 to \$261
- Metals (Mercury) from \$158 to \$164
- Oil & Grease: SGT-HEM from \$221 to \$230
- Organochlorine PCB & Pesticides from \$60 to \$62
- pH Field Analysis from \$31 to \$32
- Phenols: Total from \$155 to \$161
- PCB Congeners from \$861 to \$895
- Total Suspended Solids from \$45 to \$47
- Volatile Organics from \$245 to \$255

Wastewater System Schedule F – Wastewater Department Resource Recovery Fees and Prices

The Resource Recovery (R2) program accepts delivery of trucked wastes to use excess treatment capacity at the MWWTP and generate tip fee revenue for the District. For FY 2026, based on the District's experience in operating the Resource Recovery program and the recent increase in some cost centers including chemicals and biosolids management, the District proposes to organize the fees into two table categories: administrative fees and material type. Staff is also recommending changing the "up to" treatment rates (\$/per gallon) for the following categories: Fats, Oil and Grease from \$0.13 to \$0.16, Sludge "Plus" variable from \$0.005 to \$0.01, Liquid Organic Material from \$0.09 to \$0.11, and Protein Material from \$0.15 to \$0.17.

Staff also proposes two new administrative fees, the Categorical Waste Permit Fee and the Unusual Waste Evaluation Fee. The Categorical Waste Permit Fee is charged annually for categorical wastes that require additional monitoring, record-keeping, sampling, regulatory reporting, inspections, and/or technical analyses for compliance with Part 403 of the Code of Federal Regulations. When a categorical waste is submitted for review, the District will determine the annual fee based on the District's reasonable estimated cost for the work including all analyses, engineering, materials, equipment, consumables, labor, and related expenses incidental to the permit administration. The District will notify the customer of the fee prior to permit issuance or renewal. The Unusual Waste Evaluation Fee is for unusual waste reviews that require additional level of analysis and evaluation, the District will determine the reasonable estimated fee for the work including all analyses, engineering, materials, equipment,

consumables, labor, and related expenses incidental to the waste evaluation. The District will notify the customer of the fee prior to initiating the waste evaluation.

Wastewater System Schedule G – Wastewater Capacity Fees

The Wastewater Capacity Fee (WCF) was implemented to recover costs of providing wastewater treatment capacity for new or expanded system use. The WCF is based on a “buy-in”, whereby new or expanded use buys-in to a wastewater system that has adequate capacity to serve both existing demands and new growth. Wastewater system capacity is expressed in terms of wastewater flow volume (flow) and strength factors including Chemical Oxygen Demand (COD) and Total Suspended Solids (TSS).

In May 2019, the District finalized two comprehensive wastewater studies conducted by an independent financial rate consultant: Wastewater Cost of Service and Capacity Fee Study (Wastewater COS Study). These studies resulted in recommendations to update the District’s wastewater treatment service charges and the WCF to reflect current costs.

For FY 2026, staff has updated the WCF calculations from the 2019 WCF Study to reflect construction cost escalations, the cost of additional facilities, depreciation and balances of outstanding debt and reserves for capital. Due to a relatively low escalation factor⁴ offset by depreciation of system assets, the updated the total system value for this FY 2026 update is lower than the total system value was for the FY 2025 update. As such, the WCF values for FY 2026 are slightly lower than they were in FY 2025.

These updated calculations are shown in Appendix C and are summarized below in Table 6 through Table 9. Table 6 shows the proposed unit capacity rates for FY 2026. The unit capacity rates are used to calculate the WCFs discussed below and are also used to calculate WCFs for permitted customers. The entire list of proposed wastewater capacity fees for FY 2026 is contained in Schedule G – Wastewater Department Capacity Fees in Appendix A of this Report.

Table 5 Proposed FY 2026 Wastewater Capacity Fee Unit Rates

Rate Component	Current Unit Rate (\$/unit)	Proposed FY 2026 Unit Rate (\$/unit)
Annual Flow – per unit	\$15.78	\$15.73
Annual COD – per pound	\$1.65	\$1.65
Annual TSS – per pound	\$7.58	\$7.56

Single-Family Residential Wastewater Capacity Fee

The proposed FY 2026 single-family residential WCF is calculated using the District’s baseline residential indoor water use of 84 units per year (7 units per month) and COD loadings of 374 pounds per year and TSS loadings of 157 pounds per year and reflects the findings and recommendations of the 2019 Wastewater COS Study.

⁴ Engineering News Record 20-City Construction Cost Index History.

Table 6 Proposed FY 2026 WCF for Single-Family Residential

	Current	FY 2026
Single-Family Residential WCF	\$3,130	\$3,125

Multi-Family Residential Wastewater Capacity Fee

The WCF is charged per dwelling for all multi-family residential (MFR) connections. The proposed FY 2026 WCF is calculated using the MFR indoor water use from the 2021 SCC Study of water consumption by dwelling. Water consumption for MFR dwellings over 500 sq. ft. is 59 units per year with corresponding COD loadings of 262 pounds per year, and TSS loadings of 110 pounds per year. Water consumption for MFR dwellings 500 sq. ft. and under is 46 units per year with corresponding COD loadings of 205 pounds per year sq. ft. and TSS loadings of 86 pounds per year.

Table 7 Proposed FY 2026 WCF for MFR

	Current	FY 2026
For dwellings 500 sq. ft. and under	\$1,720	\$1,712
For dwellings over 500 sq. ft.	\$2,200	\$2,192

Non-Residential Wastewater Capacity Fee

For non-residential customers, the WCF is based on meter size and on a strength category of low, medium, or high as assigned by the District for meter sizes up to 1-1/2 inches (see Table 8). For non-residential customers using meters sized greater than 1-1/2 inches, staff completes an analysis of the estimated annual wastewater flow for the proposed facilities and operations (see Table 9).

Table 8 Proposed FY 2026 WCF for Non-Residential up to 1-1/2 Inch Meter Size

Meter Size	Low Strength		Medium Strength		High Strength	
	Current	FY 2026	Current	FY 2026	Current	FY 2026
5/8 inch	\$4,660	\$4,647	\$9,420	\$9,404	\$18,430	\$18,413
3/4 & 1 inch	\$12,240	\$12,215	\$24,770	\$24,722	\$48,460	\$48,405
1-1/2 inch	\$23,850	\$23,796	\$48,260	\$48,161	\$94,400	\$94,298

Table 9 Proposed FY 2026 WCF Rates for Non-Residential greater than 1-1/2 Inch Meter Size

WCF Rate (\$/unit/year)					
Low Strength		Medium Strength		High Strength	
Current	FY 2026	Current	FY 2026	Current	FY 2026
\$35.28	\$35.20	\$71.39	\$71.24	\$139.65	\$139.49

Wastewater System Schedule H – Wastewater Interceptor Connection Review, Coordination and Inspection Fee

This fee was established in 2005 to recover the District’s staff time required for plan review, project coordination and construction inspection of requests made by cities to modify their interceptor connections. Only cities and the Stege Sanitary District can apply for either new connections or larger connections to the District’s interceptors. These projects are designed, constructed, and funded by the applicants. When an applicant makes a request for a new or modified interceptor connection, District staff must review the engineering design and evaluate any potential operational or maintenance impacts of the work. Once approved, the District must coordinate and inspect the construction work of the applicant.

For FY 2026, based on an analysis of the District’s reasonable costs to perform this work, the fee is proposed to increase from \$13,100 to \$13,600 for review, coordination, and inspection, and the fee for each additional connection submitted under the same project with the same design and pipe sizes is proposed to increase from \$10,700 to \$11,100.

Recommended Changes to Other Fees Not Subject to Proposition 218

The District annually reviews the Schedules of Other Fees that are not subject to Proposition 218 to ensure that the charges are consistent with legal requirements and reflect current costs. For FY 2026, the following Other Fee schedules are recommended to be updated to reflect the District’s increased costs, unless otherwise specified, including those related to labor costs:

- Public Records Act Fee Schedule
- Real Property Use Application Fees
- Recreation Use Fees

Public Records Act Fee Schedule

The recommended revisions to the Public Records Act Fee Schedule (see Appendix A) cover the costs of duplication of District records in accordance with the Public Records Act. The recommended changes to the fee schedule include updating the cost of duplication and programming labor charges to reflect updated labor costs for the job classifications involved in providing the records. The labor costs for providing existing paper and electronic records are proposed to increase from \$0.72 per minute to \$0.86

per minute, and for records on tape, CDs, or DVDs from \$0.72 per minute to \$0.86 per minute. Additionally, the labor costs associated with work necessary to provide records that are not readily available is proposed to increase from \$1.37 per minute to \$1.41 per minute. Also, the schedule was modified to include a method for submitting records requests through an online portal and to remove the facsimile charge because it is no longer a standard method for providing records.

Real Property Use Application Fees

The District may allow for use of its property by other public agencies or private entities after evaluating if the proposed use adversely impacts District operations, is compatible with District land management policies and practices, and if there are measurable benefits to the District. The Real Property Use Application Fees schedule (see Appendix A) recovers the District's costs of evaluating the applications based on the type of use being requested. For FY 2026, Real Property Use Application Fees are proposed to increase to reflect increased labor costs.

Recreation Use Fees

The District operates three upcountry recreation areas (Camanche Hills Hunting Preserve, Camanche North and South Shore, and Pardee) and two local watershed recreation areas (Lafayette and San Pablo). These recreation areas provide public access to the District's watershed while maintaining the integrity of the water supply. The District also permits public access to extensive trail networks in the East Bay and Mokelumne watersheds. The District uses several concessionaires to assist with the upcountry and the San Pablo recreation areas; Lafayette recreation area is operated by District staff. For recreation area visitors, the District has established a schedule of fees that generate revenue to support the operation of the recreation areas. The Recreation Use Fees for 2026 are recommended to go into effect on January 1, 2026.

The Camanche Regional Park Advisory Board (CRPAB) was established by EBMUD's Board of Directors with Resolution 31778 in December 1986 to review and advise the District and the local counties on matters including operations, rules, and fees at Camanche Recreation Area. The CRPAB replaced the former Joint Powers Authority (JPA) Park Board and is comprised of two county board appointed representatives each from Amador, Calaveras, and San Joaquin Counties. The CRPAB meets in January, March, July, and November of each year, and typically reviews and advises on the proposed recreation charges at the January and March meetings preceding EBMUD's charges process. On March 20, 2025, the CRPAB approved the proposed changes to the Recreation Use Fees proposed for calendar year 2026.

The Recreation Use Fees (see Appendix A) include fees for boat launch at the Camanche, Lafayette, and Pardee Reservoirs. In response to the recent discovery of golden mussels within the Delta, the District has closed boat launch activities as the species poses a significant immediate threat to the natural ecosystems, water infrastructure and water quality. The District is closely tracking the spread of golden mussels and may reopen boat launch facilities if the threats posed by golden mussels diminish.

Camanche Reservoir – North Shore and South Shore Recreation Area

There are proposed increases for calendar year 2026 to fees related to vehicle entry, dog, boat launch, boat mooring, boat slip, RV/trailer/boat storage, fishing access permit, regular and premium campsite, group camp, equestrian, RV site, towing, boat/vessel decontamination, cottage, resort rental, mobilehome space, and facility rentals. A new fee was proposed for the annual boat mooring (buoy)

concurrent with the Mobilehome Space fee to be \$1,550. For all but the mobilehome space fees, the proposed changes reflect current operating expenses. Mobilehome space fees would be adjusted in accordance with the Recreation Use Fee Schedule (Appendix A). The Board recently adopted the Recreation Use Fee Schedule for calendar year 2025 on December 10, 2024 (Resolution No. 35432-24). At that time, a “cap and carryforward” system was added to the preexisting methodology for adjusting rates for Mobilehome Space Fees. Staff recommends that the language in the Recreation Use Fee Schedule be adapted as shown in Appendix A to clarify the implementation of the “cap and carryforward” system. The Mobilehome Space fees for 2026 are recommended to go into effect on January 1, 2026 or as soon as practicable after the legally-required noticing period has concluded.

Lafayette Recreation Area

Staff is proposing to eliminate the two-year annual and season (new or renewal) fees for entry and parking for car, motorcycle, and small vans.

Pardee Recreation Area

There are proposed increases for calendar year 2026 to fees related to vehicle entry and parking for cars and motorcycles, dogs, standard boat launch, cartop boat launch, boat slip, fishing access, pool use, RV/Campsite Reservation Fee, standard campsite nightly and second vehicle parking, nightly premium campsite, nightly double campsite, RV site, RV/trailer/boat storage, towing, and reservable site/facility fees. The proposed increases for these fees reflect increased operating expenses and are comparable to the fees for similar services in the area.

Recommended Changes to Water Service Regulations

In support of the District’s efforts to provide and maintain water service to its customers, the District is proposing updates to Sections 1, 4, 17, 26, 30, and 31 of its Regulations Governing Water Service. All proposed regulations can be found in Appendix D of this Report.

Staff recommends that the water service regulations be amended as follows:

Water Service Regulations Section 1 – Explanation of Terms Used in these Regulations

This regulation has been revised to update regulatory reference for Accessory Dwelling Unit and Junior Accessory Dwelling Unit.

Water Service Regulations Section 4 – Main Extensions

This regulation has been revised to add a consideration for traffic conditions and heavily traveled roads for separate parallel water mains.

Water Service Regulations Section 17 – Change in Use and/or Size of Service

This regulation has been revised to update the California Government Code reference.

Water Service Regulations Section 26 – Protection of Public Water Supply

This regulation has been revised to update regulatory references, expand backflow prevention requirements, clarify customer's maintenance responsibilities, incorporate an annual reporting requirement, codify the customer's cost responsibility for residential backflow preventers effective July 1, 2025, and clarify conditions for service disconnection.

Water Service Regulations Section 30 – Recycled Water Service

This regulation has been revised to include stricter compliance requirements, detail cost responsibilities, outline a permit process, add interim potable water provisions, and enhance enforcement measures.

Water Service Regulations Section 31 – Water Efficiency Requirements

This regulation has been revised to update the measurement for indoor water use for toilets.

Appendix A – Recommended Schedules of Rates, Charges and Fees Not Subject to Proposition 218 for Fiscal Year 2026

Water System

- Schedule B – Account Establishment Charge
- Schedule C – Charges for Special Services
- Schedule D – Water Service Installation Charges
- Schedule E – Private Fire Service Installation Charges
- Schedule F – Public Fire Hydrant Installation Charges
- Schedule G – Water Main Extension Charges
- Schedule H – Standard Participation Charge (SPC)
- Schedule J – System Capacity Charge (SCC)
- Schedule N – Water Demand Mitigation Fees

Wastewater System

- Schedule C – Wastewater Department Industrial Permit Fees
- Schedule D – Wastewater Department Other Fees
- Schedule E – Wastewater Department Testing Fees
- Schedule F – Wastewater Department Resource Recovery Fees and Prices
- Schedule G – Wastewater Department Capacity Fees
- Schedule H – Wastewater Department Wastewater Interceptor Connection Review, Coordination and Inspection Fee

Other Fees

- Public Records Act Fee Schedule and District Publications Fees
- Real Property Use Application Fees
- Recreation Use Fees for Calendar Year 2026

Schedule B

Account Establishment Charge

FY 2026



SCHEDULE B – ACCOUNT ESTABLISHMENT CHARGE

EFFECTIVE 07/01/2025~~4~~

The charge for establishing a new account or ~~the-for~~ transferring~~ing-of~~ an account for a customer moving from one address to another within the District's service area is \$~~7671~~ with the following exceptions:

- Customers in the Customer Assistance Program shall be charged \$~~3836~~.
- Landlords requiring temporary water service for a period not to exceed 60 days shall be charged \$~~3836~~, with the balance of the Account Establishment Charge billed for water service that exceeds 60 days.
- There will be no transfer fee to change the name of an account when the responsible party is a landlord who has signed an intervening water service agreement.
- There will be no transfer fee to change the name of an account when the same person or entity is to remain responsible.
- Customers may use the EBMUD website and use the online process to electronically set up a new account or transfer an existing account from one address to another when they move. The charge for electronically establishing a new account or electronically transferring an existing account for a single-family residence customer is \$~~6055~~.

Schedule C

Charges for Special Services

FY 2026



SCHEDULE C – CHARGES FOR SPECIAL SERVICES

EFFECTIVE 07/01/202~~5~~⁴

A. METER TESTING

Charges for meter testing will be in accordance with the following schedule:

<u>SIZE OF METER</u>	<u>TESTING CHARGES</u>
5/8", 3/4", and 1"	\$ ~~76~~ ⁷³
1-1/2" and 2"	\$ ~~76~~ ⁷³ On Site \$ ~~171~~ ¹⁶⁵ Pull/Test
3" and larger	\$ ~~342~~ ³²⁹ On Site Actual Cost Pull and Test

B. SERVICE INTERRUPTION

The charge for shutting off water service due to non-payment of a water bill ~~is~~ \$50

The charge for restoring service after payment has been received during regular office hours ~~is~~ \$50

The charge for restoring service between 5 p.m. and 8 a.m. or on Saturday, Sunday, or on a holiday ~~is~~ \$~~89~~⁸³

An additional charge to lock or plug the meter due to non-payment or unauthorized water use ~~is~~

S-Lock \$~~81~~⁷⁵
Plug \$~~538~~⁵⁰²

A service interruption charge of \$50 may be charged in the event of any additional field stops to shut off service beyond the initial service interruption, including EBMUD locking the meter if the customer self-restores water service prior to making payment. (See Section M.)

C. RETURNED PAYMENT CHARGE

A charge of \$27 shall be paid for each check or electronic transaction received as payment to the District that is returned unpaid from a financial institution.

D. PROCESSING FEES FOR DELINQUENT CHARGE COLLECTION THROUGH LIENS AND PROPERTY TAX BILLS ON MULTI-FAMILY AND SINGLE-FAMILY RESIDENTIAL ACCOUNTS

For multi-family residential accounts, the District may place liens on parcels with unpaid charges and collect unpaid amounts on parcels' property tax bills. Multi-family residential accounts are ~~any~~-residential accounts where a water meter serves two or more dwellings ~~units~~. The District may place liens on parcels with unpaid charges and collect unpaid amounts on parcels' property tax bills for single-family residential accounts meeting the criteria defined in Section 15A of the District's Regulations Governing Water Service.



SCHEDULE C – CHARGES FOR SPECIAL SERVICES

EFFECTIVE 07/01/202~~5~~4

-
1. Lien Filing Fee	\$169 per lien (in Alameda County) \$145 per lien (in Contra Costa County)
2. Lien Removal Fee	\$123 (in Alameda County) and \$119 (in Contra Costa County) for first lien removed \$56 (in Alameda County) and \$52 (in Contra Costa County) for each additional lien removed at the same time
3. Property Tax Transfer Fee Unpaid Charges with Liens Recorded	\$24 + 1.7% <u>of the lien amount</u> (in Alameda County) \$24 + \$3 per parcel (in Contra Costa County)

E. PROHIBITED WATER USE CHARGE

A charge of \$50 shall be paid to cover the monitoring costs incurred by the District if, after written notification, excessive or prohibited water use is not curtailed.

F. FLOW-RESTRICTOR INSTALLATION

The charge for District installation of a flow-restricting device on any service ~~that~~, for reasons the District deems necessary, including continued~~s~~ excessive water use, after written notification, will be in accordance with the following schedule:

1. On services two-inches and smaller –

5/8" and 3/4"	\$ ~~161~~ 449
1"	\$ ~~161~~ 449
1-1/2"	\$ ~~346~~ 320
2"	\$ ~~346~~ 320

2. All others –

The charges for installing flow-restricting devices on water services, other than those in the above schedule, shall be the reasonable estimated cost for the work including installing the device, as determined by the District, including engineering, equipment, material, consumables, labor, and related expenses.



SCHEDULE C – CHARGES FOR SPECIAL SERVICES

EFFECTIVE 07/01/2025~~4~~

G. NOTICE OF PROHIBITED WATER USE AND FLOW-RESTRICTOR CHARGES

For the purposes of Sections E and F above, written notification shall:

1. Specify the date by which excessive or prohibited water use must be curtailed to avoid further enforcement action; and
2. Be sent by certified mail (return receipt requested) or by other written means which would be sufficient for obtaining personal service in a legal proceeding.

H. RESCINDED 12/10/96

I. BACKFLOW DEVICE ANNUAL CERTIFICATION CHARGE

Where ~~it is probable that a pollutant, contaminant, system, or plumbing hazard may be created by a water user, or where the water system is unstable and cross connections may be installed or reinstalled,~~ an approved backflow prevention device of the proper type is required ~~for all premises except for conforming single family premises~~ at the customer's expense. See Section 26 of the District's Regulations Governing Water Service.

1. The charge for administering the Backflow Program Certification for all specified accounts (annually) \$~~73~~68
2. The charge for District staff to conduct a hazard assessment~~Change of Responsible Party or Change of Use Survey or to respond to a commercial customer's request~~ for a backflow/cross connection ~~survey, an initial or follow-up backflow~~ inspection \$~~173~~160/hr.
3. The charge for backflow testers to be placed on the District's list of certified testers \$~~211~~195

J. BACKFLOW DEVICE VIOLATION

For those customers where the service has been terminated for failure to meet the District's Backflow Program requirements, a charge will be made pursuant to the termination and restoration of service

\$~~737~~683

K. LATE PAYMENT PENALTY AND INTEREST

For those customers with outstanding overdue balances exceeding \$10 at billing, a charge equivalent to 1.5 percent of the overdue balance (minimum charge \$1) will be made to recover foregone interest on District money and the District's costs to process overdue accounts. Customers in the Customer Assistance Program shall be exempt from the late payment penalty and interest.



SCHEDULE C – CHARGES FOR SPECIAL SERVICES

EFFECTIVE 07/01/202~~5~~⁴

L. PROCESSING FEE FOR INTERVENING WATER SERVICE AGREEMENT

The charge for the District to process an intervening water service agreement for a participating landlord in the District's automated landlord sign-on service ~~is~~ \$87~~84~~

Requests to modify intervening water service agreement property account information must be submitted in writing and can be dropped off, mailed, or faxed to a District business office.

The charge for each written request to modify the original intervening water service agreement by adding to or deleting property account information from the original agreement ~~is~~ \$87~~84~~

M. SERVICE TRIP CHARGE

The charge for District staff to perform special services for customers ~~is~~ \$50

The charge may be applied for, but is not limited to, the following:

1. Additional field stops beyond the initial service interruption to shut off service due to non-payment, including a field stop to lock the meter if the customer self-restores water service prior to making payment;
2. Follow-up site visits to customers who have not complied after the District's notification to correct an obstructed meter condition or to remove unauthorized devices or equipment attached to District property in the meter box; and
3. Field inspections conducted at the customer's request.

N. PUBLIC HYDRANT METER ACCOUNT ESTABLISHMENT CHARGES

Customers ~~can~~may request a ~~3-inch~~ hydrant meter that can be hooked up to a public fire hydrant to measure water use at a property site. Customers are required to: 1) provide hydrant meter readings every two months, within two weeks of the meter read due date; 2) return hydrant meter equipment within one month following a meter use period; and 3) renew the hydrant meter permit and exchange the hydrant meter equipment within 11 months from the date of issuance, if continued use is desired.

The charge to establish water service for a hydrant meter ~~is~~ \$155~~145~~

The charge to renew a hydrant meter account at the end of a 12-month period ~~is~~ \$155~~145~~

Hydrant meter security deposit (1" meter with backflow device) \$859~~1,490~~

Hydrant meter security deposit (3" meter without backflow device) \$1,490

Hydrant meter security deposit (3" meter with backflow device) \$2,614

The District will determine the type of hydrant meter needed based on information submitted by the applicant. The District's decision shall be final.



SCHEDULE C – CHARGES FOR SPECIAL SERVICES

EFFECTIVE 07/01/202~~5~~⁴

If a field stop is required to establish a new account, a \$~~310~~²⁸⁹ site visit charge shall be paid in addition to the \$145 account establishment charge. (See Section O.)

O. PUBLIC HYDRANT METER ACCOUNT SITE VISIT CHARGE

The charge for a Field Services Representative to conduct a hydrant meter site visit to perform special services for customers ~~is~~ \$~~310~~²⁸⁹

The charge shall be applied for, but is not limited to, the following:

1. Reading hydrant meters for which the two-month reading was not submitted by the customer;
2. Retrieving hydrant meter equipment from a customer site;
3. Delivering hydrant meter equipment to a customer; and
4. Establishing or renewing a hydrant meter account in the field.

Schedule D

Water Service Installation Charges

FY 2026



SCHEDULE D – WATER SERVICE INSTALLATION CHARGES

EFFECTIVE 07/01/2025~~4~~

Requests for the installation of a water service or changes to a water service must comply with all applicable District Regulations Governing Water Service.

A. INSTALLING A SERVICE

The charge for installing water service (meter, lateral, and appurtenances), including a private fire service requiring a meter that is smaller than 4 inches, will be in accordance with the following schedule. The charge for installing a private fire service meter that is 4 inches or larger is set forth in Schedule E – Private Fire Service Installation Charges.

1. METERS SMALLER THAN FOUR INCHES

a. Regular Services (1 meter per lateral)

LATERAL AND METER SIZE	INSTALLED IN PAVED CONDITIONS ¹	INSTALLED IN UNPAVED CONDITIONS ²
1" and smaller Lateral with 1" and under meter	~~\$11,878~~ ~~\$11,010~~	~~\$6,633~~ ~~\$6,068~~
1-1/2" Lateral with 1- 1/2" and under meter	~~19,162~~ ~~18,076~~	~~11,786~~ ~~11,153~~
2" Lateral with 2" and under meter	~~19,162~~ ~~18,076~~	~~11,786~~ ~~11,153~~
3" ³ Lateral with 3" and under meter	~~41,255~~ ~~38,706~~	~~28,427~~ ~~26,713~~
4" ³ Lateral with 4" and under meter	~~41,255~~ ~~38,706~~	~~28,427~~ ~~26,713~~
<u>6" Lateral with 6" and under meter</u>	<u>58,664</u>	<u>40,251</u>
<u>8" Lateral with 8" and under meter</u>	<u>58,664</u>	<u>40,251</u>

~~Cost to install services with 6" laterals and larger will be calculated on a reasonable cost basis.~~

¹ Paved conditions are areas already paved and with existing utilities, curb, gutter, and asphalt in place. Paved conditions also include areas where more utilities than sanitary sewer or storm drain exist.

² Unpaved conditions are limited to conditions where paving has not previously existed and the only existing utilities are sanitary sewer and storm drain. The conditions of the site must not include asphalt, curb, gutter, paving, or first or final lift.

³ Requires steel pipes.



SCHEDULE D – WATER SERVICE INSTALLATION CHARGES

EFFECTIVE 07/01/2025~~4~~

b. Branch Services (2 or more meters per lateral)

METER SIZE	# OF METERS	INSTALLED IN PAVED CONDITIONS ⁴	INSTALLED IN UNPAVED CONDITIONS ⁵
5/8" Meters	2	~~\$12,691~~ ~~\$11,684~~	~~\$7,446~~ ~~\$6,742~~
	3	~~20,226~~ ~~18,488~~	~~12,841~~ ~~11,565~~
	4	~~21,039~~ ~~19,161~~	~~13,654~~ ~~12,238~~
	5	~~21,852~~ ~~19,835~~	~~14,467~~ ~~12,912~~
	6	~~22,665~~ ~~20,509~~	~~15,279~~ ~~13,586~~
	7	~~23,478~~ ~~21,182~~	~~16,092~~ ~~14,260~~
	8	~~24,290~~ ~~21,856~~	~~16,905~~ ~~14,933~~
1" Meters	2	~~19,413~~ ~~17,814~~	~~12,028~~ ~~10,890~~
	3	~~20,226~~ ~~18,488~~	~~12,841~~ ~~11,564~~
	4	~~21,039~~ ~~19,161~~	~~13,654~~ ~~12,237~~

c. Adjustment for Applicant Assisted Service Installations

Applicants requesting installation of at least 15 service laterals may choose to provide their own trenching and backfilling and be eligible to receive a refund of up to ~~\$666~~~~614~~ per service lateral installed provided that the applicant:

- (i) pays the appropriate charges for each service as specified in sections (a) or (b) above.
- (ii) clears the construction site of obstructing materials and equipment.
- (iii) excavates a minimum of 15 service laterals ahead of District crews.
- (iv) hauls sand and select backfill to the construction site for use by District crews in supporting the service lateral and for applicant backfilling of trenches.
- (v) backfills and compacts the trenches after District crews have installed and properly secured the service lateral.
- (vi) reimburses the District for (1) unproductive crew standby due to applicant's failure to prepare the site or excavate trenches in advance; (2) District costs to repair damage done by applicant's trenching operation; (3) other reasonable District costs.

⁴ Paved conditions are areas already paved and with existing utilities, curb, gutter, and asphalt in place. Paved conditions also include areas where more utilities than sanitary sewer or storm drain exist.

⁵ Unpaved conditions are limited to conditions where paving has not previously existed, and the only existing utilities are sanitary sewer and storm drain. The conditions of the site must not include asphalt, curb, gutter, paving, or first or final lift.



SCHEDULE D – WATER SERVICE INSTALLATION CHARGES

EFFECTIVE 07/01/2025⁴

2. ALL OTHERS

The charge or credits for installing all water services other than those specified in Section (A)(1) of this schedule shall be the reasonable estimated cost for the work including installing the service, as determined by the District, including engineering, equipment, material, consumables, labor, and related expenses. ~~The charge for installing private fire service requiring a meter that is 4 inches or larger is stated in Schedule E.~~

B. COST OF INCREASING METER SIZE (Up to available capacity on existing lateral)

<u>1" and smaller Tap and Lateral</u>	~~(Additional charge of \$600 if concrete replacement required)~~
	~~\$1,358~~ <u>1,512</u> ⁶
<u>1-1/2" Tap and Lateral</u>	~~(Additional charge of \$600 if concrete replacement required)~~
Up to 1-1/2"	~~\$1,449~~ <u>1,603</u> ⁶
<u>2" Tap and Lateral</u>	~~(Additional charge of \$600 if concrete replacement required)~~
Up to 2"	~~\$1,449~~ <u>1,603</u> ⁶
<u>4" Tap and Lateral</u>	~~(Additional charge of \$600 if concrete replacement required)~~
Up to 2"	~~\$1,449~~ <u>1,603</u> ⁶
<u>4" Tap and Lateral</u>	~~(Additional charge of \$600 if concrete replacement required)~~
Up to 4"	~~\$7,598~~ <u>9,565</u> ⁶

C. COST OF REDUCING METER SIZE ~~(Additional charge of \$600 if concrete replacement required)~~

1", 1-1/2" and 2" Laterals	to	~~smaller meter~~	~~\$1,339~~ <u>1,486</u> ⁶
3" and 4" Laterals	to	~~smaller meter~~	~~\$3,602~~ <u>4,059</u> ⁶

D. RELOCATING AN EXISTING SERVICE

1. To relocate an existing service perpendicular to the curb line or a distance not exceeding five feet parallel to the curb line, a charge will be ~~\$2,860~~ 3,102.
2. To transfer service or to relocate an existing service a distance exceeding five feet parallel to the curb line, a charge will be made in accordance with Section A – Installing a Service plus the cost of eliminating old service connection.

⁶ Additional charge of \$600 if concrete replacement required.



SCHEDULE D – WATER SERVICE INSTALLATION CHARGES

EFFECTIVE 07/01/2025⁴

E. RESETTling OR REPLACING A METER

There will be a charge equivalent to 5 percent of the water service installation charge for resetting a meter on an existing service connection.

There will be a charge equivalent to 5 percent of the water service installation charge for replacing a meter when applicants lose or damage meters when constructing new developments.

F. CONVERSION OF INDIVIDUAL SERVICE TO BRANCH SERVICE AND CONVERSION OF BRANCH SERVICE TO INDIVIDUAL SERVICE (Multi-metering, when feasible)

Branch Conversion \$~~2,617~~2,812⁶ for two meter conversion, \$~~674~~813⁶ for each additional meter
(Additional charge of \$600 if concrete replacement is required)

G. SERVICE ELIMINATIONS

3/4" to 2" \$~~2,695~~2,888⁶ (Additional charge of \$600 if concrete replacement required)
3" to 12" \$~~4,568~~4,885⁶ (Additional charge of \$600 if concrete replacement required)

H. INSTALLATION OR OTHER WORK UNDER UNUSUAL CONDITIONS

The above charges apply to installation charges for water services four inches and smaller except where there are unusual or special conditions, for example but not limited to traffic control, permit conditions, underground street utility congestions, known potential for archeological or paleontological resources, contaminated soils, and streets with multi-layered surface types, which, in the opinion of the District, would result in the need for additional services and materials, including but not limited to added testing and inspection, changes due to project revisions, property rights evaluation, ~~and/or~~ clean soil utility corridor establishment, and any construction by District forces to complete the installation. In such cases, the charge ~~or credit~~ will be based on the District's reasonable estimated cost for the work including all engineering, material, equipment, labor, consumables, and related expenses incidental to the installation.

Schedule E

Private Fire Service Installation Charges

FY 2026



SCHEDULE E – PRIVATE FIRE SERVICE INSTALLATION CHARGES

EFFECTIVE 07/01/2024

Requests for the installation of a private fire service must comply with all applicable District Regulations Governing Water Service.

A. INSTALLING A PRIVATE FIRE SERVICE

The charge for installing a private fire service (fire service meter, lateral, and other appurtenances necessary to support a property's fire sprinkler system) will be in accordance with the following schedule:

METER SIZE	INSTALLED IN PAVED CONDITIONS ¹	INSTALLED IN UNPAVED CONDITIONS ²
4"	~~\$34,531~~ ~~\$31,838~~	~~\$21,695~~ ~~\$19,844~~
6"	~~37,201~~ ~~34,443~~	~~24,364~~ ~~22,450~~
8"	~~51,732~~ ~~34,443~~	~~33,320~~ ~~22,450~~

The typical private fire service installation will require a meter that is 4" or larger. Cost to install a meter smaller than 4" is shown in Schedule D – Water Service Installation Charges, Section A.1 – Installing a Service, Meters Smaller Than Four Inches.

The cCost to install a meter 10" or and larger will be determined by the District shall be the reasonable estimated cost, as determined by the District, for the work including- to installing the service, as determined by the District, including engineering, equipment, material, consumables, labor, and related expenses-based on a reasonable cost basis.

B. INSTALLATION UNDER UNUSUAL CONDITIONS

The above charges apply to all installation charges for private fire services except when there are unusual or special conditions, for example but not limited to traffic control, permit conditions, underground street utility congestion, known potential for archaeological or paleontological resources, contaminated soils, and streets with multi-layered surface types, which, in the opinion of the District, would result in the need for additional services and materials, including but not limited to added testing and inspection, changes due to project revisions, property rights evaluation, site conditions or contaminated soil, and/or clean soil utility corridor establishment, and any construction by District forces to complete the installation. In such cases, the charge or credit will be based on the District's reasonable estimated cost for the work including all engineering, material, equipment, consumables, labor, and related expenses incidental to the installation.

¹ Paved conditions are areas already paved and with existing utilities, curb, gutter, and asphalt in place. Paved conditions also include areas where more utilities than sanitary sewer or storm drain exist.

² Unpaved conditions are limited to conditions where paving has not previously existed and the only existing utilities are sanitary sewer and storm drain. The conditions of the site must not include asphalt, curb, gutter, paving, or first or final lift.

Schedule F

Public Fire Hydrant Installation Charges

FY 2026



SCHEDULE F – PUBLIC FIRE HYDRANT INSTALLATION CHARGES

EFFECTIVE 07/01/2025~~4~~

Requests for the installation, removal, or relocation of a fire hydrant must comply with all applicable District Regulations Governing Water Service.

The following charges will be made for the installation, removal, or relocation of a fire hydrant.

A. HYDRANT INSTALLATION BY THE DISTRICT

The charge for installation of a fire hydrant by the District on an existing main or on/with new mains is \$~~36,399~~~~33,790~~ in paved¹ and \$~~23,563~~~~21,796~~ unpaved² conditions.

For hydrants installed by applicant on/with new mains installed by the Applicant see Section B below.

B. HYDRANT INSTALLATIONS BY APPLICANT ON APPLICANT-INSTALLED MAIN EXTENSIONS

1. Basic charge for materials and handling for 6-inch fire hydrant \$~~5,421~~~~4,884~~
2. Material charge for services laterals \$21 per foot

NOTE: Applicants will not be permitted to install a fire hydrant on an existing main.

C. HYDRANT REMOVAL

1. The charge to remove a hydrant located in paved¹ sidewalk \$~~4,885~~~~4,568~~
2. The charge to remove a hydrant located in unpaved² surface \$~~3,020~~~~2,823~~

D. RELOCATION OF A FIRE HYDRANT

The charge for the relocation of a hydrant will be the charge for the hydrant removal (Section C) plus the charge for the installation of a new hydrant (Section A).

E. SETBACK/OFFSET OF A FIRE HYDRANT

Where the relocation of a fire hydrant does not require a new connection to the main, the charge is \$~~12,021~~~~11,192~~. There is an additional charge of \$600 for concrete replacement.

F. REPLACEMENT OF A HYDRANT BODY

To replace an existing hydrant with a MODEL-64 hydrant body or equivalent on a wet barrel, above ground shutoff type hydrant, the replacement charge is \$~~1,951~~~~1,894~~.

¹ Paved conditions are areas already paved and with existing utilities, curb, gutter, and asphalt in place. Paved conditions also include areas where more utilities than sanitary sewer or storm drain exist.

² Unpaved conditions are limited to conditions where paving has not previously existed and the only existing utilities are sanitary sewer and storm drain. The conditions of the site must not include asphalt, curb, gutter, paving, or first or final list.



SCHEDULE F – PUBLIC FIRE HYDRANT INSTALLATION CHARGES

EFFECTIVE 07/01/2025⁴

G. INSTALLATION UNDER UNUSUAL CONDITIONS

The above charges apply to all installation charges for fire hydrant installations except when there are unusual or special conditions, for example but not limited to traffic control, permit conditions, underground street utility congestion, known potential for archaeological or paleontological resources, contaminated soils, and streets with multi-layered surface types, which, in the opinion of the District, would result in the need for additional services and materials, including but not limited to added testing and inspection, changes due to project revisions, property rights evaluation, ~~and/or~~ clean soil utility corridor establishment, site conditions or contaminated soil, and any construction by District forces to complete the installation. In such cases, the charge ~~or credit~~ will be based on the District's reasonable estimated cost for the work including all engineering, material, equipment, consumables, labor, and related expenses incidental to the installation.

Schedule G

Water Main Extension Charges

FY 2026



SCHEDULE G – WATER MAIN EXTENSION CHARGES

EFFECTIVE 07/01/2025⁴

Requests for the installation of a water main extension must comply with all applicable District Regulations Governing Water Service.

A. DISTRICT-INSTALLED MAINS

The charge for District-installed main extensions up to 1,000 feet shall be based on the standard charges as specified below.

1. Charge for engineering, inspection, pipeline materials and appurtenances, and installation of the required mains by the District in unpaved streets and in paved streets, excluding fire hydrants and water service connections (which are covered by Schedules D, E, and F) consists of:

- a. Basic installation charge of \$~~4,912~~5,327
plus,

Linear foot charge, for combined length of main extension of 0 to 1,000 feet:

In unpaved streets¹

2-inch PVC pipe	~~\$258~~ <u>276</u> per foot
2-inch Copper pipe	~~301~~ <u>321</u> per foot
6-inch/8-inch PVC or HDPE pipe	~~408~~ <u>436</u> per foot
6-inch/8-inch Ductile Iron pipe	~~444~~ <u>474</u> per foot
6-inch/8-inch Steel pipe	~~466~~ <u>498</u> per foot
12-inch HDPE pipe	~~573~~ <u>612</u> per foot
12-inch Steel pipe	~~631~~ <u>674</u> per foot

In paved streets²

2-inch PVC pipe	~~\$423~~ <u>452</u> per foot
2-inch Copper pipe	~~465~~ <u>497</u> per foot
6-inch/8-inch PVC or HDPE pipe	~~560~~ <u>598</u> per foot
6-inch/8-inch Ductile Iron pipe	~~596~~ <u>636</u> per foot
6-inch/8-inch Steel pipe	~~618~~ <u>660</u> per foot
12-inch HDPE pipe	~~728~~ <u>777</u> per foot
12-inch Steel pipe	~~786~~ <u>839</u> per foot

- b. The above charges apply to all District-installed mains except when there are unusual or special conditions, for example but not limited to traffic control, permit conditions, underground street utility congestion, known potential for archaeological or paleontological resources, contaminated soils, and streets with multi-layered surface types, which, in the opinion of the District, would result in the need for additional services and materials, including but not limited to hydraulic analysis, property rights

¹ Unpaved streets are limited to conditions where paving has not previously existed and the only existing utilities are sanitary sewer and storm drain. The conditions of the site must not include asphalt, curb, gutter, paving, or first or final lift.

² Paved streets are areas already paved and with existing utilities, curb, gutter, and asphalt in place. Paved conditions also include areas where more utilities than sanitary sewer or storm drain exist.



SCHEDULE G – WATER MAIN EXTENSION CHARGES

EFFECTIVE 07/01/2025~~4~~

evaluation, and/or clean soil utility corridor establishment. In such cases, the charge will be based on the District's reasonable estimated cost for the work including all engineering, material, equipment, consumables, labor, and related expenses incidental to the installation.

2. Charges for Pipe Greater than 12-Inches

Charges for District-installed mains greater than 12-inches will be based on a District engineering cost estimate.

B. APPLICANT-INSTALLED MAINS

The charge for Applicant-installed main extensions over 1,000 feet shall be based on the following standard charges:

1. Charge for engineering, inspection, and certain pipeline materials, designated below for the installation of the required water mains by the applicant, excluding fire hydrants and water service connections (which are covered by Schedules D, E, and F) consists of:
 - a. Basic installation charge of ~~\$4,912~~\$5,327 plus

Linear foot charge of:
 - 6-inch/8-inch diameter pipe ~~\$69~~\$75 per foot
 - 12-inch diameter pipe ~~\$81~~\$88 per foot
 - 16-inch and larger diameter pipe See B3 below
 - b. The charge to the applicant for District-supplied pipe and fittings (which include valves, valve pot covers, blowoffs, and minor appurtenances as identified by District-furnished drawings and specifications) will be the District's cost for these materials including tax and shipping.
 - c. The above charges apply to all Applicant-installed mains except when there are unusual or special conditions, for example but not limited to traffic control, permit conditions, underground street congestion, and streets with multi-layered surface types, which, in the opinion of the District, would result in the need for additional services and materials, including added testing and inspection, changes due to project revisions, property rights evaluation, site conditions or contaminated soil, and any construction by District forces to complete the installation. In such cases, the charge will be based on the District's reasonable estimated cost for the work including all engineering, material, equipment, consumables, labor, and related expenses incidental to the installation.

In all cases the District will supply valves, valve pot covers, blowoffs, and minor appurtenances as identified by District-furnished drawings and specifications.



SCHEDULE G – WATER MAIN EXTENSION CHARGES

EFFECTIVE 07/01/202~~5~~⁴

2. Credits (where applicable) when pipe to be installed by the applicant is required by the District to be larger than the pipe size needed to serve the applicant or when applicant installs District improvements in conjunction with applicant-installed main extensions will be based on a District engineering cost estimate.

3. Charges for Pipe Greater than 12-Inches

Charges for Applicant-installed mains greater than 12-inches will be based on a District engineering cost estimate.

Schedule H

Standard Participation Charge (SPC)

FY 2026



SCHEDULE H – STANDARD PARTICIPATION CHARGE (SPC)

EFFECTIVE 07/01/2025~~4~~

A. The Standard Participation Charge for each standard service installed shall be:

Meter Size	Gravity Zone ¹	Pumped Zone ²
5/8" and 3/4"	~~\$5,300~~ <u>\$4,549</u>	~~\$7,986~~ <u>\$7,192</u>
1"	~~13,250~~ <u>11,372</u>	~~19,964~~ <u>17,980</u>
1-1/2"	~~26,500~~ <u>22,743</u>	~~39,929~~ <u>35,960</u>
2"	~~42,399~~ <u>36,389</u>	~~63,886~~ <u>57,536</u>
3"	~~84,799~~ <u>72,778</u>	~~127,772~~ <u>115,072</u>
4"	~~132,498~~ <u>113,715</u>	~~199,644~~ <u>179,801</u>

The Standard Participation Charge for each meter larger than four inches shall be determined on a case-by-case basis by the District, considering such factors as the projected demand which the service would impose on the District's system, the maximum intermittent flow rate of the meter compared to a 5/8" meter, and whether the service is solely domestic or is combined with a fire service. In no event shall the standard participation charge for a meter larger than four inches be less than \$~~132,498~~113,715 in gravity zones or \$~~199,644~~179,801 in pumped zones.

¹ This charge covers general water main oversizing and future water supply.

² This charge covers major facilities capacity, water main oversizing and future water supply.

Schedule J

System Capacity Charge (SCC)

FY 2026



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

A. SCC FOR STANDARD SERVICE¹

The SCC is calculated based on the applicant's projected average annual demand.

1. Non-Residential Service Connections SCC² for meters up to 1-1/2 inches (dollars per connection)

METER SIZE (INCHES)	REGION ³		
	1	2	3
5/8	~~\$17,972~~ \$17,190	~~\$34,186~~ \$33,139	~~\$38,127~~ \$36,667
3/4	~~29,368~~ 28,092	~~48,925~~ 47,427	~~58,351~~ 56,116
1	~~55,887~~ 53,458	~~87,615~~ 84,932	~~103,938~~ 99,956
1-1/2	~~145,746~~ 139,411	~~248,720~~ 241,105	~~256,032~~ 246,224

The District reserves the right to request additional information, including specific water use information from the applicant. The District reserves the right to determine the appropriate meter size to serve the applicant's projected demand needs and assess the SCC using this Section (A)(1). If the District determines that the applicant's projected average annual demand exceeds 3,200 gallons per day (gpd) for non-residential service connections or that a meter larger than 1-1/2 inches is required to meet the applicant's projected demand needs, this Section (A)(1) no longer applies. For projected average annual demand exceeding 3,200 gpd for non-residential service connections and/or meters larger than 1-1/2 inches, Section(A)(3) shall be used to determine the SCC based on the applicant's projected average annual demand and the unit charges set forth therein. The District's decision regarding the applicable SCC shall be final.

For service connections with meters larger than 1-1/2 inch see Section 3.

¹ This charge covers the cost of System-wide Facilities Buy-in, Regional Facilities Buy-in and Future Water Supply.

² The SCC charged to the applicant will be based on the water meter size required to meet the indoor needs (excluding private fire service needs) and outdoor watering needs of the premises as determined solely by the District based on the plumbing code, the District's review, and water industry standards. The meter(s) that is installed may be larger than the meter size that is used to determine the applicable SCC fee if the service is combined with a private fire service or if a separate irrigation meter is required (See Sections D – Combined Standard and Fire Service and I – Required Separate Irrigation Meter for Single-family Premises.)

³ REGION	GENERAL DESCRIPTION
1	Central Area (gravity zones West-of-Hills) El Sobrante and North (pumped zones)
2	South of El Sobrante to vicinity of Highway 24 (pumped zone) South from vicinity of Highway 24 (pumped zones) Castro Valley Area (pumped zones) North Oakland Hill Area (pumped zones, formerly 4A)
3	Orinda-Moraga-Lafayette Area (pumped zones) San Ramon Valley and Walnut Creek (pumped and gravity zones)



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025~~4~~

2. Single-family Service Connections SCC² with typical use demand patterns that can be served by meters up to 1-1/2 inches (dollars per connection)

METER SIZE (INCHES)	REGION ³		
	1	2	3
3/4	~~\$13,881~~ <u>\$13,277</u>	~~\$21,494~~ <u>\$20,836</u>	~~\$40,614~~ <u>\$39,058</u>
1	~~19,725~~ <u>18,868</u>	~~46,059~~ <u>44,649</u>	~~62,164~~ <u>59,783</u>
1-1/2	~~25,204~~ <u>24,109</u>	~~59,365~~ <u>57,548</u>	~~79,984~~ <u>76,920</u>

The District reserves the right to request additional information, including specific water use information, from the applicant. The District reserves the right to determine the appropriate meter size to serve the applicants projected demand needs and assess the SCC using this Section (A)(2).

Where two or more single-family dwelling ~~units~~ are located on one premises the District shall determine the appropriate meter size for each single-family dwelling individually and determine the SCC in for each dwelling in accordance with Section (A)(2).

For service connections with larger meters or greater than 1,940 gpd projected average annual demand for single-family residential service, Section(A)(3) shall be used to determine the SCC based on the applicant's projected average annual demand and the unit charges set forth therein. The District's decision regarding the applicable SCC shall be final.

For an increase or change in water use caused by the creation of an accessory dwelling unit or junior accessory dwelling unit on a premises, installation fees and capacity charges will be imposed only as authorized by Chapter 13 of Division 1 of Title 7 of the Government Code.



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

3. SCC for Larger Meters

The SCC for service connections with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the same unit charge and criteria as apply to the SCC for smaller meters. The SCC will be calculated based on the unit charges for each of the four components listed below:

Component	Unit Charge (\$/100 gpd)
Post-2000 (Add'l Regions 3C & 3D only)	SCC Region Specific
Regional Facilities Buy-in	SCC Region Specific
System-wide Facilities Buy-in	\$ ~~4,160~~ 4,039
Future Water Supply ⁴	~~1,203~~ 1,017

The unit charges for the components that are specific to a SCC Region are:

Region	Post-2000 Component	Regional Facilities Buy-In Component
1	n/a	~~\$1,942~~ \$1,932
2	n/a	~~4,872~~ 4,866
3	n/a	~~2,925~~ 2,915
3C	~~\$8,204~~ \$7,876	~~2,443~~ 2,448
3D	~~8,204~~ 7,876	~~2,443~~ 2,448

In no instance will the SCC for a meter larger than 1-1/2 inches be less than the 1-1/2 inch charge from the appropriate Section 1 or 2, above.

The SCC will be determined by multiplying the sum of the unit charge of the four components by the water use information furnished by the applicant.

If the District has determined, based on water use information furnished by the applicant, that a meter size larger than 1-1/2 inches is required to meet the applicant's projected demand needs or if the projected average annual demand exceeds 3,200 gpd (non-residential) or 1,940 gpd (single-family residential), the SCC shall be calculated pursuant to this subdivision irrespective of the arrangement of water metering or meter size at the premises.

⁴ The Future Water Supply component for Region 3C is based on 1993 agreement (see Section B1).



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025~~4~~

4. SCC for Standard Service to Multi-Family Premises

The System Capacity Charge for water service at multi-family premises shall be as listed below.

Multi-Family Premises			
Dollars per Dwelling-Unit (DU)			
REGION ⁵			
	1	2	3
For Dwelling-Units 500 square feet and under ⁶	<u>\$6,940</u> ~~6,639~~	<u>\$9,724</u> ~~9,426~~	<u>\$7,874</u> ~~7,572~~
For Dwelling-Units Over 500 square feet	<u>8,767</u> ~~\$8,386~~	<u>12,282</u> ~~\$11,906~~	<u>9,946</u> ~~\$9,565~~

The above SCC shall apply regardless of the arrangement of water metering or meter size at the premises; however, the District may limit the size and number of service connections to a combined capacity appropriate to the anticipated water use at the premises. No additional SCC shall be applicable to provide irrigation for landscaping on the premises for landscape areas up to 5,000 square feet. All other rates and charges shall be based on actual number and size of meters and does not apply to the requirements listed below.

An SCC shall be applicable for separate meters installed to serve landscape areas greater than 5,000 square feet and for other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, golf courses, community clubhouse and recreational facilities, and areas designated for public use. The SCC shall be based on meter size as provided under A.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable SCC, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.

For an increase or change in water use caused by the creation of an accessory dwelling unit or junior accessory dwelling unit on a premises, installation fees and capacity charges will be imposed only as authorized by Chapter 13 of Division 1 of Title 7 of the Government Code.

⁵ Same regions as described in A.2.

⁶ The applicant must submit sufficient documentation, as determined by the District, from the local building department that shows the dwelling-unit living space square footage is 500 square feet or less for any dwelling-unit to qualify for the 500 and under square foot MFR SCC. Documentation can be approved architectural drawings or other approved records of the dwelling-unit living space.



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS⁷

The System Capacity Charge ~~for non-residential and for single-family residential water service at premises other than multi-family premises~~ shall be as follows (dollars per connection):

1. Non-residential water service at premises other than multi-family premises shall be as follows (dollars per connections)

METER SIZE (INCHES)	ADDITIONAL REGION ⁸	
	3C ⁹	3-D
5/8	n/a	~~\$119,192~~ <u>\$124,083</u>
3/4	n/a	~~178,788~~ <u>186,125</u>
1	n/a	~~298,575~~ <u>310,828</u>
1-1/2	n/a	~~597,151~~ <u>621,657</u>

For service connections with larger meters see Section 3 below.

2. Single-family service connections shall be as follows (dollars per connections)

METER SIZE (INCHES)	ADDITIONAL REGION ⁸	
	3C ⁹	3-D
3/4	~~\$117,214~~ <u>\$120,665</u>	~~\$119,192~~ <u>\$124,083</u>
1	~~195,748~~ <u>201,510</u>	~~199,050~~ <u>207,219</u>
1-1/2	~~391,495~~ <u>403,020</u>	~~398,101~~ <u>414,438</u>

For an increase or change in water use caused by the creation of an accessory dwelling unit or junior accessory dwelling unit on a premises, installation fees and capacity charges will be imposed only as authorized by Chapter 13 of Division 1 of

⁷ This charge covers the cost of System-wide Facilities Buy-In, Regional Facilities Buy-In and Future Water Supply. The Additional Regions are low-density, residential in nature. It is not anticipated that meters larger than 3/4-inch (excluding fire flow requirements) will be installed in these Regions.

ADDITIONAL REGION	GENERAL DESCRIPTION
3-C	South of Norris Canyon Road (pumped zones)
3-D	South of Norris Canyon Road outside Wiedemann Ranch (pumped zone)
⁸ ADDITIONAL REGION	GENERAL DESCRIPTION
3-C	South of Norris Canyon Road (pumped zones)
3-D	South of Norris Canyon Road outside Wiedemann Ranch (pumped zone)

⁹ The Future Water Supply component of the SCC for Region 3C is set by the July 20, 1993 Wiedemann Agreement, indexed to the U.S. City Average of the Consumer Price Index and used by EBMUD to fund conservation programs. The total Future Water Supply component of the SCC for the common areas in Region 3C shall be paid as a condition for the issuance of the first water meter for the common area. The SCC for non-residential services (e.g., common area irrigation) shall be uniquely calculated in accordance with the Wiedemann Agreement.



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

Title 7 of the Government Code. For service connections with larger meters see Section 3.

3. SCC for Larger Meters

The SCC for service connections with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the same cost components and criteria as apply to the SCC for smaller meters. (See Section A.3)

4. Separate SCC for Standard Service to Multi-Family Premises

The SCC for water service at multi-family premises shall be as listed below.

Multi-Family Premises			
Dollars per Dwelling-Unit			
ADDITIONAL REGIONS ¹⁰			
		3-C	3-D
For each Dwelling-Unit	~~\$46,553~~	~~\$45,222~~	~~\$43,549~~

The above SCC shall apply regardless of the arrangement of water metering or meter size at the premises; however, the District may limit the size and number of service connections to a combined capacity appropriate to the anticipated water use at the premises. No additional SCC shall be applicable for separate meters installed to provide irrigation for landscaping on the premises for landscape areas up to 5,000 square feet. All other charges shall be based on actual number and size of meters and do not apply to the requirements listed below.

An SCC shall be applicable for separate meters installed to serve landscape areas greater than 5,000 square feet and for other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, golf courses, community clubhouse and recreational facilities, and areas designated for public use. The SCC shall be based on meter size as provided under B.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable SCC, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.

For an increase or change in water use caused by the creation of an accessory dwelling unit or junior accessory dwelling unit on a premises, installation fees and capacity charges will be imposed only as authorized by Chapter 13 of Division 1 of Title 7 of the Government Code.

¹⁰ Same regions as described in B.1.



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

C. LOW-PRESSURE SERVICE

Where a larger meter is installed because of low-pressure conditions, the applicable System Capacity Charge shall be determined on the basis of the size of the meter which would be required for a standard service as determined by the District based on plumbing code and water industry standards. All other rates and charges shall be based on actual meter size.

D. COMBINATION STANDARD AND FIRE SERVICE

Where a meter is installed to provide both standard service and a supply to a private fire protection system, at other than multi-family premises, the applicable System Capacity Charge shall be based on the meter size required for standard service exclusive of the capacity for supplying the fire protection system as determined by the District based on plumbing code, fire protection code and water industry standards. The installation charges shown in Schedule D and all other rates and charges pertaining to the service shall be based on the actual size of the meter that is installed.

E. FIRE SERVICES AND STANDBY SERVICES

For fire services and standby services (additional service connections for security of supply), there shall be no System Capacity Charges.

F. ADDITIONAL WATER USE ON PREMISES RECEIVING SERVICE

The System Capacity Charge applicable to enlargement of an existing service at other than multi-family premises shall be based on the difference in SCC for the new service size and the existing service size.

The District may assess additional System Capacity Charges to an existing service at other than multi-family premises with services larger than 1-1/2" in accordance with section A.3.

If additional dwelling-units are constructed on premises subsequent to the installation of service and payment of an SCC under A or B, then the SCC applicable to each additional dwelling-unit shall be immediately due and payable.

G. CREDIT FOR EXISTING SERVICES

Where one or more new services will replace one or more existing or prior services or will expand an existing service to a premises where an SCC was paid to initiate the water service, a credit will be given toward the new SCC based on the customer classification, meter size or water use information that was used to calculate the initial SCC payment (see Section A – SCC for Standard Service). For instances where the existing or prior services were installed prior to 1983 and no SCC was paid, the SCC credit for meter sizes under 2" will be based on Sections A – SCC for Standard Service. For existing or prior services with meter sizes 2" and greater where no SCC was paid, the annual average of the past ten years of water consumption will be used to determine the SCC credit, but in no instance will the



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

credit be less than that of a 1.5" meter size for the customer classification listed in Sections A.1 and A.2 – SCC for Standard Service. No SCC credit will be given unless prior service to the premises is verified. If the SCC is paid with the service connection to be completed by meter installation at a later date, and existing service(s) are to remain in service until that time, the applicable credit for the existing service(s) will be in the form of a refund when the existing services are removed. The SCC credit cannot be applied to a standby meter, fire service meter, or in the case of a dual service meter, the portion of the meter oversized for the private fire protection system. Where the initial SCC payment was made under Schedule J Section I – Required Separate Irrigation Meter for Single-family Premises, the SCC credit cannot be applied to the separate irrigation meter without a SCC credit on the residential meter. The SCC credit for an existing service can only be applied to the premises where the existing service is located. "Premises" is defined in Section 1 of the District's Regulations Governing Water Service.

For a common area meters installed under the July 20, 1993 Wiedemann Agreement, credit toward a new SCC for these meters will be based on the actual SCC payment for each meter installed, not based on the size of the existing meter.

No credit will be provided for Accessory Dwelling Units that did not pay an initial SCC regardless of metering arrangements.

H. TEMPORARY CONSTRUCTION SERVICE

A System Capacity Charge paid on a temporary construction service will be refunded if said service is removed within a 1-year period after installation.

I. REQUIRED SEPARATE IRRIGATION METER FOR SINGLE-FAMILY PREMISES

If an irrigation meter is required for a single-family premises because the irrigable landscape area meets or exceeds the applicable threshold in Section 31 of the Regulations, two meters will be installed – one for the indoor and private fire service (if applicable) needs of the building and a separate meter dedicated for irrigation. One single-family premises SCC shall be applicable based on the hydraulic capacity needed to serve the irrigation and indoor needs. The hydraulic capacity of the installed meter or meters will be equal to or exceed the hydraulic capacity of the meter size that was charged in the SCC fee. The installation charges shown in Schedule D and all other rates and charges pertaining to the service(s) based on the actual size of the meter(s) that are installed shall apply.



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

J. NONPOTABLE WATER SERVICE

1. Nonpotable Water Service Connections (dollars per connection)

METER SIZE (INCHES)	REGION		
	1	2	3
5/8	~~\$2,959~~ ^{\$2,502}	~~\$4,018~~ ^{\$3,397}	~~\$5,533~~ ^{\$4,678}
3/4	~~4,836~~ ^{4,088}	~~5,750~~ ^{4,861}	~~8,468~~ ^{7,160}
1	~~9,202~~ ^{7,780}	~~10,297~~ ^{8,706}	~~15,084~~ ^{12,753}
1-1/2	~~23,998~~ ^{20,289}	~~29,230~~ ^{24,713}	~~37,158~~ ^{31,415}

All SCCs for nonpotable water service connections with meters larger than 1-1/2 inches shall be determined by applying the Future Water Supply Component unit charge to the defined projected water demand approved by the District. The SCC will not be less than the 1-1/2 inch meter charge by region noted above.

K. POTABLE AND NONPOTABLE SERVICES

An SCC shall be applicable for separate meters installed to provide potable and nonpotable standard service, based on the meter size(s) for each service.

L. ADJUSTMENT OF SCC FOR WATER-CONSERVING LANDSCAPING ON PUBLICLY OWNED PROPERTY

To further encourage water conservation, the SCC for a water service connection exclusively for irrigation of landscaping on property owned by a public agency may be reduced or not required based on long-term water service needs after an initial planting establishment period of not more than three years (the “initial period”); provided that (1) the landscape plan incorporates drought-tolerant and other low-water-use planting materials on a major part of the landscaped area, and (2) the long-term water need would result in replacement of the initial water meter with a smaller meter or water service would be discontinued and removed at the end of the initial period, as solely determined by the District.

A public agency applying for water service under such conditions shall submit a written request to the District prior to the time of payment of the SCC. The request shall set forth in detail the facts supporting an adjustment of the SCC, shall include information and plans clearly describing the planting materials and irrigation system, and shall include data and calculations clearly demonstrating the estimated initial and long-term water needs.

If the District determines that the SCC can be based on a smaller meter or discontinuation of service after the initial period, the public agency shall enter into a water service agreement which provided for (1) payment of the reduced SCC prior to installation of service; (2)



SCHEDULE J – SYSTEM CAPACITY CHARGE (SCC)

EFFECTIVE 07/01/2025⁴

verification of the long-term need at the end of the period; and (3) payment of the additional SCC required if the initial meter is not to be replaced, if the replacement meter is larger than initially determined, or if water service is not discontinued and removed. If additional SCC payment is required, it shall be based on the charges in effect at the time of initial SCC payment, and shall be due and payable within 30 days of written notice from the District. The agreement shall be binding upon all subsequent owners of the property and shall be recorded.

Installation charges for the service connection shall be based on the meter size initially installed.

The above-mentioned SCC adjustments do not apply to nonpotable water service accounts.

Schedule N

Water Demand Mitigation Fees

FY 2026



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025⁴

The Water Demand Mitigation Fee funds District conservation programs that are intended to achieve water savings that offset water demand from development within the territory or development where the fees are collected. The Water Demand Mitigation Fee is payable at the time application for service is made or prior to release of the distribution system pipelines and related appurtenances when the installation of water main extensions are required.

A. WATER DEMAND MITIGATION FEES FOR “THE MEADOWS” TERRITORY

For service connections within “The Meadows” territory¹ payment of a Water Demand Mitigation Fee shall be required in addition to all other applicable fees and charges, including the applicable System Capacity Charge (SCC).

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE MEADOWS TERRITORY
5/8	~~\$8,195~~ \$6,928
3/4	~~11,800~~ 9,977
1	~~18,356~~ 15,519
1-1/2	~~35,401~~ 29,930

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE MEADOWS TERRITORY
5/8	~~\$8,024~~ \$6,784
3/4	~~11,800~~ 9,977
1	~~18,356~~ 15,519
1-1/2	~~35,401~~ 29,930

3. The Water Demand Mitigation Fee for service connections with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component and multiplier (1.09) established by the Board of Directors for smaller meters.

¹ As defined in Contra Costa Local Agency Formation Commission Resolution No. 96-33, adopted August 13, 1997.



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025⁴

- For phased developments within The Meadows territory, the Water Demand Mitigation Fee is payable for all connections within the phase prior to release of the distribution system pipelines and related appurtenances.

B. WATER DEMAND MITIGATION FEES FOR “THE WENDT RANCH” TERRITORY

For service connections within “The Wendt Ranch” territory² payment of a Water Demand Mitigation Fee shall be required in addition to all other applicable fees and charges, including the applicable System Capacity Charge (SCC).

- Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE WENDT RANCH TERRITORY
5/8	~~\$10,525~~ ~~\$8,899~~
3/4	~~15,157~~ ~~12,814~~
1	~~23,577~~ ~~19,933~~
1-1/2	~~45,470~~ ~~38,443~~

- Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE WENDT RANCH TERRITORY
5/8	~~\$10,306~~ ~~\$8,714~~
3/4	~~15,157~~ ~~12,814~~
1	~~23,577~~ ~~19,933~~
1-1/2	~~45,470~~ ~~38,443~~

- The Water Demand Mitigation Fee for service connections with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component and multiplier (1.40) established by the Board of Directors for smaller meters.
- For phased developments within The Wendt Ranch territory, the Water Demand Mitigation Fee is payable for all connections within the phase prior to release of the distribution system pipelines and related appurtenances.

² As defined in Contra Costa Local Agency Formation Commission Resolution 97-5, adopted March 12, 1997.



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025⁴

C. WATER USE OFFSET FEES FOR THE WIEDEMANN RANCH DEVELOPMENT³

For service connections within “The Wiedemann Ranch Development”, payment of a Water Use Offset Fee shall be required in addition to all other applicable fees and charges, including the System Capacity Charge (SCC).⁴

1. Common Area Offset Fee

The total Water Use Offset Fee for common areas in The Wiedemann Ranch Development is \$~~88,228~~^{90,875}, and payable as a condition of issuance of the first meter for the common area.⁵

2. Single Family Service Connections

The Water Use Offset Fee for each residential lot in The Wiedemann Ranch Development is \$~~9,070~~^{8,806}, which amount shall be indexed using the same index as for the common area offset fee.

D. ADDITIONAL WATER USE OFFSET FEES FOR THE WIEDEMANN RANCH DEVELOPMENT³

For water service within the Wiedemann Ranch Development, payment of Additional Water Use Offset Fees shall be required in the event the annual water budget⁶ is exceeded.

1. The Additional Water Use Offset Fee shall be determined by the number of gallons of water used during the average of the two consecutive years in excess of the annual water budget times the per gallon fee of \$19.⁵⁸⁰¹.⁷

³ The Wiedemann Ranch Development, SCC Region 3A, a 439 acre development in Contra Costa County, is described with particularity in Exhibit A to the July 20, 1993 Agreement Between EBMUD and HCV & Associates, Ltd., Wiedemann Ranch, Inc. and Sue Christensen (“Wiedemann Agreement”).

⁴ The Wiedemann Agreement specifies the amount and other terms related to the Future Water Supply Component of the SCC for the Wiedemann Ranch Development.

⁵ The Water Use Offset Fee shall be indexed to the U.S. City Average of the Consumer Price Index issued by the U.S. Department of Labor each calendar year or portion thereof from the July 20, 1993 date of the Wiedemann Agreement to the date of payment of the offset fee.

⁶ The Wiedemann Agreement specifies the formula for calculating the annual water budget and the specific methodology for calculating and collecting the additional water use offset fee.

⁷ The Wiedemann Agreement specifies the terms related to the Additional Water Use Offset Fee. The Additional Water Use Offset Fee shall be indexed to the U.S. City Average of the consumer Price Index issued by the U.S. Department of Labor for each calendar year or portion thereof from the July 20, 1993 date of the Wiedemann Agreement to the date of payment of the additional water use offset fee.



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025⁴

E. WATER DEMAND MITIGATION FEES FOR CAMINO TASSAJARA INTEGRATED PROJECT⁸

For service connections within the Camino Tassajara Integrated Project⁹, payment of a Water Demand Mitigation Fee (WDMF) shall be required in addition to all other applicable fees and charges including the applicable System Capacity Charge (SCC). The Board of Directors adopted Section 3D to the Water Service Regulations in January 2003 to codify the WDMF and other conservation requirements imposed on the project territory by the County and Local Agency Formation Commission.

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE CAMINO TASSAJARA INTEGRATED PROJECT
5/8	~~\$10,146~~ \$8,578
3/4	~~14,618~~ 12,359
1	~~22,731~~ 19,218
1-1/2	~~43,836~~ 37,064

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE CAMINO TASSAJARA INTEGRATED PROJECT
5/8	~~\$6,970~~ \$5,893
3/4	~~10,243~~ 8,660
1	~~15,954~~ 13,489
1-1/2	~~30,747~~ 25,995

3. The WDMF for service connections with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component and multiplier (1.61) established by the Board of Directors for smaller meters.

⁸ The Water Demand Mitigation Fee shall be indexed to the unit charge of the Future Water Supply component of the EBMUD System Capacity Charge.

⁹ As generally described in the October 9, 2002 Miscellaneous Work Agreement between the District, Shapell Industries, Ponderosa Homes II, and Braddock and Logan Group II.



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025~~4~~

The WDMF for new water service at multi-family premises shall be as listed below. For purposes of this Schedule N, “multi-family premises” shall mean premises with two or more attached or separate residential dwelling units, rental or owner-occupied, which is determined by the District to be a single premises for receiving water service, provided that each separate dwelling unit of a multi-family premises shall be separately metered as specified in Sections 2 and 3 of the District’s Regulations Governing Water Service.

Multi-Family Premises – Dollars Per Dwelling Unit (DU)

Each of the first 10 DU in a single structure	~~\$4,182~~ ~~\$3,536~~
Each additional DU in same structure	~~3,346~~ ~~2,829~~

The above WDMF shall apply regardless of the arrangement of water metering or meter size at the premises; however, the District may limit the size and number of service connections to a combined capacity appropriate to the anticipated water use at the premises.

No additional WDMF shall be applicable for separate meters installed to provide irrigation for landscaping on the premises in the immediate area contiguous to the dwelling unit structures, provided such landscaped area is to be used exclusively by the residents. All other rates and charges shall be based on actual number and size of meters and does not apply to the requirements listed below.

A WDMF shall be applicable for separate meters installed to serve other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, recreational facilities, and areas designated for public use. The WDMF shall be based on meter size as provided under E.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable WDMF, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.

4. The WDMF is payable for all connections within phased developments prior to release for construction, the distribution system pipelines and related appurtenances.
5. Water use in excess of 120 percent of the annual water budget¹⁰ shall be subject to an Additional WDMF (on a per-occurrence basis). The Additional WDMF shall be determined by multiplying the amount of water used in excess of 100 percent of the annual water budget times the per gallon fee of \$0.~~65~~~~55~~ per gpd.

¹⁰ The water budget shall be established pursuant to the October 9, 2002 Miscellaneous Work Agreement referenced in Footnote 2.



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025⁴

F. WATER DEMAND MITIGATION FEES FOR GALE RANCH PHASE 2, SUBDIVISION 9134¹¹

For service connections within Gale Ranch Phase 2, Subdivision 9134, payment of a Water Demand Mitigation Fee (WDMF) shall be required in addition to all other applicable fees and charges including the applicable System Capacity Charge (SCC).

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE GALE RANCH PHASE 2 SUBDIVISION 9134
5/8	~~\$9,721~~ \$8,218
3/4	~~14,000~~ 11,837
1	~~21,765~~ 18,401
1-1/2	~~42,000~~ 35,510

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE GALE RANCH PHASE 2 SUBDIVISION 9134
5/8 ¹²	~~\$6,673~~ \$5,642
3/4	~~9,818~~ 8,300
1	~~15,259~~ 12,901
1-1/2	~~29,433~~ 24,885

3. The WDMF for service connections with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component.

No additional WDMF shall be applicable for separate meters installed to provide irrigation for landscaping on the premises in the immediate area contiguous to the dwelling unit structures, provided such landscaped area is to be used exclusively by the residents. All

¹¹ The Water Demand Mitigation Fee shall be indexed to the unit charge of the Future Water Supply component of the EBMUD System Capacity Charge.

¹² 5/8" fee based on 32,594 gpd land use unit demands (LUDS) minus 10,884 gpd middle school demand credit divided by 63 residential units resulting in 345 gpd/residential unit.



SCHEDULE N – WATER DEMAND MITIGATION FEES

EFFECTIVE 07/01/2025⁴

other rates and charges shall be based on actual number and size of meters and does not apply to the requirements listed below.

A WDMF shall be applicable for separate meters installed to serve other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, recreational facilities, and areas designated for public use. The WDMF shall be based on meter size as provided under F.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable WDMF, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.

Wastewater Department

Schedule C

Industrial Permit Fees

FY 2026



SCHEDULE C – WASTEWATER DEPARTMENT INDUSTRIAL PERMIT FEES

EFFECTIVE 07/01/2025~~4~~

The District shall charge the following annual fees for each permit type when a permit is issued or renewed.

PERMIT TYPE	ANNUAL FEE
Wastewater Discharge Permit	\$ ~~3,540~~ ^{3,410}
Estimation Permit	\$ ~~1,380~~ ^{1,320}
Limited Term Discharge Permit	\$ ~~3,250~~ ^{3,130}

Wastewater Discharge Permit – A written document that contains general and specific requirements governing onsite management, pretreatment, and discharge of wastewater to the community sewer. A Wastewater Discharge Permit is issued to a significant industrial user; which means an industrial user that warrants a control mechanism as determined by the District, or to a discharger that the District determines requires a permit to establish disposal charges based on flow and strength. The Wastewater Discharge Permit fee applies to Groundwater Permits.

Estimation Permit – A permit issued to a discharger that demonstrates at least 20 percent of its metered water consumption is not discharged to the community sewer. The volume diverted will not be subject to the wastewater disposal charges.

Limited Term Discharge Permit – Permits for temporary discharges of unmetered water during a specified term.

Groundwater Permit – A permit issued for discharge of groundwater on an ongoing basis.

Wastewater Department

Schedule D

Other Fees

FY 2026



SCHEDULE D – WASTEWATER DEPARTMENT OTHER FEES

EFFECTIVE 07/01/2025⁴

TYPE	RATE
~~SF Bay Commercial Pollution Prevention Fee~~	~~\$5.48/month~~ ¹
~~SF Bay Residential Pollution Prevention Fee~~	~~\$0.20/month per dwelling unit~~ ²
Inspection and Monitoring Fees	\$ ~~1,980~~ ¹ ~~1,920~~
Violation Follow-Up Fees	
Stage 1	\$ ~~870~~ ¹ ~~840~~
Stage 2	\$ ~~1,990~~ ¹ ~~1,920~~ + Testing Fees ³ ¹
Stage 3	\$ ~~3,920~~ ³ ~~3,770~~ + Testing Fees ³ ¹
Private Sewer Lateral Compliance Fees	
Compliance Certificate ⁴ ²	\$ ~~390~~ ³ ~~370~~
Time Extension Certificate	\$130
Inspection Reschedule	\$120
Extra Lateral or Additional Verification Test	\$130 per lateral
Off-Hours Verification ⁵ ³	\$280 for 1.5 hours onsite
Specific Appointment Time ⁶ ⁴	\$ ~~350~~ ³ ~~340~~ for 1.5 hours onsite
HOA/Greater than 1,000 Oversight Fee	\$ ~~540~~ ⁵ ~~520~~
PSL Violation Follow-Up – Initial Fee	\$ ~~560~~ ⁵ ~~530~~
PSL Violation Follow-Up – Continuing Noncompliance Fee	\$ ~~140~~ ¹ ~~130~~
Compliance Agreement	\$ ~~340~~ ³ ~~330~~

¹ Violation follow-up fees do not include required testing. Testing fees will be charged in accordance with Schedule E Wastewater Department Testing Fees.

² Compliance Certificate Fee may be charged for performance of a Verification Test that results in issuance of a new Compliance Certificate, annotation of an existing Compliance Certificate, or issuance of one or more new Compliance Certificates due to a parcel split or merger

³ The fee for off-hours verification is charged once scheduled and will not be refunded if cancelled or rescheduled.

⁴ Two Inspection Reschedule fees will be charged for Specific Appointment time cancellations.



SCHEDULE D – WASTEWATER DEPARTMENT OTHER FEES

EFFECTIVE 07/01/2025⁴

- ¹~~SF Bay Commercial Pollution Prevention Fee applicable to all non-residential accounts.~~
- ²~~SF Bay Residential Pollution Prevention Fee applicable to all residential accounts. Fee will be charge per dwelling unit up to five dwelling units.~~
- ³~~Violation follow-up fees do not include required testing. Testing fees will be charged in accordance with Schedule E Wastewater Department Testing Fees.~~
- ⁴~~Compliance Certificate Fee may be assessed for performance of a Verification Test that results in issuance of a new Compliance Certificate, annotation of an existing Compliance Certificate, or issuance of one or more new Compliance Certificates due to a parcel split or merger.~~
- ⁵~~The fee for off-hours verification is assessed once scheduled and will not be refunded if cancelled or rescheduled.~~
- ⁶~~Two Inspection Reschedule fees will be assessed for Specific Appointment time cancellations.~~

Wastewater Department

Schedule E

Testing Fees

FY 2026



SCHEDULE E – WASTEWATER DEPARTMENT TESTING FEES

EFFECTIVE 07/01/2025~~4~~

LABORATORY TEST	FEE	METHOD*
Acrolein & Acrylonitrile	~~\$176~~ ~~\$169~~	EPA 624.1
Chemical Oxygen Demand	~~\$70~~ ~~\$67~~	SM 5220 D
Cyanide	~~\$147~~ ~~\$141~~	SM 4500 CN
Metals (Arsenic, Cadmium, Chromium, Copper, Iron, Lead, Nickel, Silver, and Zinc)	~~\$261~~ ~~\$251~~	EPA 200.7
Metals (Mercury)	~~\$164~~ ~~\$158~~	EPA 245.1
Oil & Grease: SGT-HEM	~~\$230~~ ~~\$221~~	EPA 1664B
Organochlorine PCB & Pesticides	~~\$62~~ ~~\$60~~	EPA 608
pH Field Analysis	~~\$32~~ ~~\$31~~	
Phenols: Total	~~\$161~~ ~~\$155~~	EPA 420.4
PCB Congeners	~~\$895~~ ~~\$861~~	EPA 1668C
Semi-volatile Organics	\$584	EPA 625.1
Total Suspended Solids	~~\$47~~ ~~\$45~~	SM 2540 D
Volatile Organics	~~\$255~~ ~~\$245~~	EPA 624.1

* Or equivalent certified method

Wastewater Department

Schedule F

Resource Recovery
Fees and Prices

FY 2026



SCHEDULE F⁴ – WASTEWATER DEPARTMENT
~~RATES FOR~~ RESOURCE RECOVERY ~~MATERIAL TREATMENT~~ FEES
AND PRICES

EFFECTIVE 07/01/2025⁴

Payment collection for all Resource Recovery accounts shall follow the payment collection provisions contained in Section 13, Payment of Bills in the Regulations Governing Water Service to the Customers of EBMUD and Items C and K, Returned Payment Charge and Late Payment Penalty and Interest, of Schedule C of the Water System Rates and Charges.

<u>ADMINISTRATIVE FEES</u>	<u>PRICE</u>
<u>Account Fee</u>	<u>\$400 (per year)</u>
<u>Expedited Permit Fee</u>	<u>\$2,500 (per request)</u>
<u>Categorical Waste Permit Fee</u>	<u>Variable (max \$5,000 per year)¹</u>
<u>Unusual Waste Evaluation Fee</u>	<u>Variable²</u>

¹ This fee is charged annually for categorical wastes that require additional monitoring, record-keeping, sampling, regulatory reporting, inspections, and/or technical analyses for compliance with Part 403 of the Code of Federal Regulations. When a categorical waste is submitted for review, the District will determine the annual fee based on the District's reasonable estimated cost for the work including all analyses, engineering, materials, equipment, consumables, labor, and related expenses incidental to the permit administration. The District will notify the customer of the fee prior to permit issuance or renewal.

² For unusual waste reviews that require additional level of analysis and evaluation, the District will determine the reasonable estimated fee for the work including all analyses, engineering, materials, equipment, consumables, labor, and related expenses incidental to the waste evaluation. The District will notify the customer of the fee prior to initiating the waste evaluation.



SCHEDULE F⁴ – WASTEWATER DEPARTMENT
RATES FOR RESOURCE RECOVERY MATERIAL TREATMENT FEES
AND PRICES

EFFECTIVE 07/01/2025⁴

MATERIAL TYPE	RATE PRICE ³²
Account Fee	Up to \$450 (per year)
Septage	Up to \$0.12/gal
Fats, Oil and Grease ⁴	Up to \$0.4316/gal
Process Water	Up to \$0.10/gal
Brine	Variable with Total Dissolved Solid (TDS) Up to \$0.10/gal ≤ 50,000 mg/l TDS Up to \$0.11/gal 50,001 – 100,000 mg/l TDS Up to \$0.13/gal > 100,000 mg/l TDS
Sludge	Variable with % Total Solids (TS) Up to \$0.11/gal up to 3% TS Plus Up to \$0.0105/gal per %TS for TS between 3% to 20%
Clean Liquid Food Waste Slurry ⁵³	Variable with % Total Solids (TS) Up to \$0.07/gal up to 3% TS Plus Up to \$0.005/gal per % TS for TS between 3% to 20%
Liquid Organic Material ⁴	Up to \$0.1109/gal
Protein Material ⁴	Up to \$0.1745/gal
Solid Organic Material	\$30/ton – \$120/ton ⁶⁴
Expedited Permit Fee	\$2,500 per request

⁴Payment collection for all Resource Recovery accounts shall follow the payment collection provisions contained in Section 13, Payment of Bills in the Regulations Governing Water Service to the Customers of EBMUD and Items C and K, Returned Payment Charge and Late Payment Penalty and Interest, of Schedule C of the Water System Rates and Charges.

³ Current prices shall be available at <https://www.ebmud.com/wastewater/commercial-waste/trucked-waste>. Prices may vary consistent with the cost to treat up the listed amount. Additional charges may apply for special accommodations, such as off-hours deliveries that require additional staff support, special equipment requirements to receive or process material, special treatment requirements, or additional regulatory compliance costs. These charges shall be calculated based on estimated costs of District, labor, material, equipment, consumables, and outside agency fees. The District will notify the customer and provide an estimate prior to providing special accommodations.



SCHEDULE F⁴ – WASTEWATER DEPARTMENT
~~RATES FOR RESOURCE RECOVERY~~ ~~MATERIAL TREATMENT FEES~~
AND PRICES

EFFECTIVE 07/01/2025⁴

~~²For special accommodations, additional charges for actual personnel costs, equipment costs, and lab costs associated with the special accommodation will apply. Special accommodations include services provided by the District above and beyond what is typical, such as evaluation and testing of a unique material stream, special equipment to receive and process material, accommodations for large volumes, special off-hour deliveries that require additional staff support, or special treatment requirements.~~

~~³Clean liquid food waste slurry must behave as a liquid and contain minimal amounts of contamination. Food waste slurries that require additional contamination removal do not qualify for this rate.~~

~~⁴Based on treatment costs (residual solids dewatering and disposal), gas production, volumes and other costs or benefits to the District.~~

⁴ A peak period charge of an additional \$0.01/gal above the current price will apply over the weekday peak period when plant processes are heavily loaded with trucked waste. The District will post the peak period prices on its website and notify all customers of any changes prior to taking effect.

⁵ Clean liquid food waste slurry must behave as a liquid and contain minimal amounts of contamination. Food waste slurries that require additional contamination removal do not qualify for this price.

⁶ Unit cost prices are based on treatment costs (residual solids dewatering and disposal), gas production, volumes and other costs or benefits to the District. As part of the permit application process, the District will notify the customer of the unit prices to accept Solid Organic Material.

Wastewater Department

Schedule G

Capacity Fees

FY 2026



SCHEDULE G – WASTEWATER DEPARTMENT CAPACITY FEES

EFFECTIVE 07/01/2025⁴

A. Wastewater Capacity Fee for Non-Permit Applicants

For applicants who are not required to obtain a Wastewater Discharge Permit the Wastewater Capacity Fee (WCF) is based on the applicant's estimated annual wastewater discharge flow and strength.

For an increase or change in water use caused by the creation of an accessory dwelling-unit or junior accessory dwelling-unit on a premises, WCF will be imposed only as authorized by Chapter 13 of Division 1 of Title 7 of the Government Code.

1. Single-Family Residential WCF^{1,2}

~~\$3,130~~ \$3,125

2. Multi-Family Residential WCF^{2, 3}

Residential	WCF (\$ Per Dwelling-Unit)
~~Multi-Family Standard (>For dwellings over 500 sq. ft.)~~	~~\$2,192~~ <u>\$2,200</u>
~~Multi-Family Small (≤For dwellings 500 sq. ft. and under)~~	~~\$1,712~~ <u>\$1,720</u>

3. Non-Residential WCF for meters 1-1/2 inches and smaller (dollars per connection)²

For service connections with meters 1-1/2 inches and smaller, the District reserves the right to request specific water use information from the applicant to determine applicant's estimated annual wastewater discharge flow and strength. The District reserves the right to determine the appropriate meter size and wastewater strength category to meet the applicant's estimated annual wastewater discharge flow and strength and assess the WCF using this Section (A)(3). If the District determines that the applicant's estimated annual wastewater discharge flow exceeds 1,390 gallons per day (gpd) or that a meter larger than 1-1/2 inches is required to meet the applicant's needs, this Section (A)(3) no longer applies. For estimated annual wastewater discharge flows that exceed 1,390 gpd and meters larger than 1-1/2 inches, Section (A)(4) shall be used to determine the WCF based on the applicant's estimated annual wastewater discharge flow and strength category. The District's decision shall be final.

Strength Category	Meter Size		
	5/8 inch	3/4 & 1 inch	1-1/2 inch
Low	~~\$4,647~~ <u>\$4,660</u>	~~\$12,215~~ <u>\$12,240</u>	~~\$23,796~~ <u>\$23,850</u>
Medium	~~9,404~~ <u>9,420</u>	~~24,722~~ <u>24,770</u>	~~48,161~~ <u>48,260</u>
High	~~18,413~~ <u>18,430</u>	~~48,405~~ <u>48,460</u>	~~94,298~~ <u>94,400</u>



SCHEDULE G – WASTEWATER DEPARTMENT CAPACITY FEES

EFFECTIVE 07/01/2025~~4~~

4. Non-Residential (meter size over 1-1/2 inch)^{2, 4, 5}

The WCF for service connections with meters larger than 1-1/2 inch shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the per ~~unit~~^{CCF} (1 unit = 748 gallons) WCF charge to the annual wastewater discharge flow calculated by the District for the appropriate strength category for the service connection.

Strength Category	\$/ ~~unit~~ ^{CCF} /year
Low	\$ ~~35.20~~ ^{35.28}
Medium	~~71.24~~ ^{71.39}
High	~~139.49~~ ^{139.65}

In no instance will the WCF for a meter larger than 1-1/2 inches be less than the 1-1/2 inch price for a given strength category.



SCHEDULE G – WASTEWATER DEPARTMENT CAPACITY FEES

EFFECTIVE 07/01/2025⁴

If the District has determined based on the water use information furnished that a meter larger than 1-1/2 inches is appropriate or if the estimated annual wastewater discharge exceeds 1,390 gpd, the WCF calculated from the District's estimate of annual wastewater discharge flow shall apply irrespective of the arrangement of the water metering or meter size at the premises.

Business Classification Code (BCC) Category: Low Strength

Code	Description
4500	Air Transportation
7542	Automobile Washing and Polishing
7215	Coin Operated Laundromats
3200	Earthenware Manufacturing
8060	Hospitals
7000	Hotels, Motels with Food Service
7300	Laboratories
3470	Metal Coating
3400	Metal Products Fabricating
3300	Primary Metals Manufacturing
8200	Schools
2820	Synthetic Material Manufacturing
	All Other Business Classification Codes (includes dischargers of only segregated domestic wastes from sanitary conveniences)

BCC Category: Medium Strength

Code	Description
2080	Beverage Manufacturing & Bottling
2840	Cleaning and Sanitation Products
7210	Commercial Laundries
2830	Drug Manufacturing
5812	Food Service Establishments
2030	Fruit and Vegetable Canning
2040	Grain Mills
2893	Ink and Pigment Manufacturing
2810	Inorganic Chemicals Manufacturing
2600	Pulp and Paper Products
2011	Slaughterhouses



SCHEDULE G – WASTEWATER DEPARTMENT CAPACITY FEES

EFFECTIVE 07/01/2025⁴

BCC Category: High Strength

Code	Description
2050	Bakeries (including Pastries)
2020	Dairy Product Processing
3410	Drum and Barrel Manufacturing
7218	Industrial Laundries
3110	Leather Tanning and Finishing
2010	Meat Products
2850	Paint Manufacturing
2077	Rendering Tallow
2090	Specialty Foods Manufacturing
2060	Sugar Processing

B. WCF for Permit Applicants

For applicants who are required to obtain a Wastewater Discharge Permit, the WCF is based on the applicant's estimated annual wastewater discharge flow and strength concentrations listed on the applicant's discharge permit at the time of application.

Permit Accounts^{2, 4, 5}

Flow (\$/unit ¹ ef/year)	\$ ~~15.73~~ ^{15.78}
Chemical Oxygen Demand (COD) (\$/lb/year)	~~1.65~~ ^{1.65}
Total Suspended Solids (TSS) (\$/lb/year)	~~7.56~~ ^{7.58}

¹Single-Family is BCC 8800 Single-Family.

²A credit may be provided for existing services. Where a new service will replace one or more existing or prior services to a premises that previously paid a WFC, a credit will be applied to the new WCF. For existing meters 1-1/2 inches and smaller, the value of the WCF credit will be determined using the flow and strength assumed in the original WCF and based on the current WCF schedule (for flow and strength), or based on the existing strength and meter size if the information from the original WCF is not available. For existing meters over 1-1/2 inches, the value of the WCF credit will be determined using the flow and strength assumed in the original WCF and based on the current WCF schedule (for flow and strength). If the flow and strength information is not available from the original WCF, the strength and flow from the most recent 10 years of usage and strength will be used to determine the WCF credit, provided that this value is not less than the value indicated in the schedule for the 1-1/2 inch meter.

For premises on which no WCF was paid, customers will be granted a credit for the existing use. For existing meters 1-1/2 inches and smaller, the WCF credit will be calculated based on the current WCF schedule for the existing meter size and strength. For existing meters over 1-1/2 inches, the WCF credit will be calculated based on the most recent 10 years of usage and strength for the existing meter, provided that this value is not less than the value indicated in the schedule for the 1-1/2 inch meter.

If the account is subject to an Estimation Permit, the usage credit will consider diversion. The WCF credit cannot be applied to a dedicated irrigation meter, standby meter, fire service meter, or in the case of a combination standard and fire service meter, the portion of the meter oversized for the private fire protection system.

³Multi-family includes BCC 6513 Apartment Buildings and 6514 Multi-Family.



SCHEDULE G – WASTEWATER DEPARTMENT CAPACITY FEES

EFFECTIVE 07/01/2025⁴

⁴WCF is based on the anticipated annual flow contributions and the average wastewater strength measured or assigned for each classification of customer. The District may review the actual flow and strength within 24 months, once the business is fully established to verify the estimated demand for wastewater capacity. The review may result in ~~the a assessment~~ determination of additional capacity fees if the actual flow and strength exceeds the original estimate.

⁵Total fee is a summation of the unit rates for flow, COD, and TSS applied to the permit conditions at the time of application.

Wastewater Department

Schedule H

Wastewater Interceptor Connection
Review, Coordination and Inspection Fees

FY 2026



**SCHEDULE H – WASTEWATER DEPARTMENT
WASTEWATER INTERCEPTOR CONNECTION REVIEW,
COORDINATION, AND INSPECTION FEE**

EFFECTIVE 07/01/2025⁴

TYPE	RATE
Plan Review, Project Coordination and Construction Inspection	~~\$13,100~~ <u>13,600</u>
Each Additional Connection ¹	~~\$10,700~~ <u>11,100</u>

¹ For additional connections submitted and constructed under the same project with the same design and pipe sizes.

Public Records Act Fee Schedule and District Publications Fees

FY 2026



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025⁴

INTRODUCTION

The following fee schedule has been established by the District to cover the costs for duplicating District documents, drawings, maps, recordings, and other records, as required by the Public Records Act.

The District offers access to its records upon receipt of a request that reasonably describes an identifiable record. Any questions or requests concerning District documents should be addressed to the Secretary of the District, East Bay Municipal Utility District, P.O. Box 24055, Oakland, California 94623-1055, emailed to SecOffice@ebmud.com, or by calling (510) 287-0404. [Requests can also be sent via the portal at https://www.ebmud.com/about-us/public-records](https://www.ebmud.com/about-us/public-records).

CHARGES

Pursuant to the Public Records Act, the District may recover the “direct costs of duplication” for disclosable public records, unless a different charge is provided by statute. The direct cost of duplication generally covers two types of expenses – materials & equipment costs and labor costs.

- Materials & Equipment costs generally include the capital cost of the equipment, the maintenance contract, paper supplies, and other necessary expenses that must be incurred to make the equipment operational.
- Labor costs ordinarily include the pro rata salary of the clerical or technical employee operating the equipment.

The total cost for providing copies is a combination of materials, labor for actual duplication time, equipment usage, and postage, if applicable. The direct cost of duplication may vary depending on the size and type of media requested and the kind of reproduction equipment required.

Photocopies of non-District materials are charged at the same rate as District materials.

Prices quoted in this fee schedule are subject to change. An estimate of cost will be provided upon request.

Any records sent outside for duplication will be billed as the actual cost of duplication by the outside vendor.

PAYMENT

For requests estimated to cost over \$100 in duplication or query and compilation fees, a deposit in the amount of the estimated fee will be required before duplication.

For all requests, payment in advance is required before release of records. Acceptable methods of payment include cash or check (payable to East Bay Municipal Utility District). The District does not currently accept electronic payments.



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025⁴

INSPECTION/DELIVERY/PICK UP

The requestor is entitled to inspect records and/or obtain copies of records during normal business hours (8:00 a.m. to 4:30 p.m., Monday through Friday).

If the requestor wishes records to be delivered, copies will be sent first class mail unless the requestor makes other arrangements for pick up or delivery with the Secretary's Office. Postage will be charged for copies mailed to the requestor.

Federal Express service is available if the requestor supplies a Federal Express account number.

LEGAL COMPLIANCE OBLIGATIONS

Responsibility for adherence to copyright law rests with the individual requesting copies.

CATEGORIES

This fee schedule covers the following categories of document types or formats:

- I. Paper Based Records
 - A. General Business Documents & Engineering Drawings
 - B. Printed Maps
 - C. Bid Documents for Publicly Bid Projects
- II. Electronically Stored or Generated Records
 - A. Records that already exist
 - B. Records that do not already exist
 - C. Compact Disks (CDs)
 - D. Digital Versatile Disks (DVDs)

Fees for document types/requests not covered herein will be provided upon request.



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025⁴

I. PAPER BASED RECORDS

A. GENERAL BUSINESS DOCUMENTS & ENGINEERING DRAWINGS

The fees charged for reproducing general business documents and engineering drawings, and printed maps photocopied onto regular paper in the sizes indicated below are based on the actual cost of duplication by the District.

Fee = Labor Cost (\$~~0.72~~0.86 per minute duplicating time)
+ Materials & Equipment Cost (e.g., cost per sheet or media)
+ Postage (if applicable)

- **Labor Costs:** Labor costs for duplication time is charged at the rate of \$~~0.72~~0.86 per minute. Labor costs are based on the labor rate of a clerical employee and is charged only for the actual time spent on duplication.
- **Materials & Equipment:** The duplicating cost per sheet or media type is based on the actual cost of materials and equipment needed to reproduce documents. As detailed below, fees will vary depending on the type and size of documents and the method used for duplication.

1) Regular copies

8-1/2 x 11	\$0.09/page
11 x 17	0.17/page

2) Color copies

Requests for color copies may be sent to an outside vendor and charged back to the requestor.

~~3) Facsimile copies within the continental U.S.~~

~~8-1/2 x 11~~	~~\$0.50/page~~



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025⁴

4) Engineering drawings

Size	Bond	Vellum
8-1/2 x 11	\$0.09	N/A
11 x 17	0.17	N/A
17 width	0.33	N/A
22 width	0.66	\$1.77
28 x 38	0.96	N/A

For sizes larger than those indicated in this chart, Engineering Records will determine the cost.

Drawings having a width greater than 36 inches cannot be reproduced on District equipment and must be sent out for commercial copying. These charges will be billed to the requestor.

B. PRINTED MAPS

The fees in this section apply to the duplication of existing hard copy B-maps. The fee listed is the cost per map for duplication by the District's print shop. All other pre-printed map sizes require special formatting and the cost for duplication by an outside vendor will be determined upon request.

B-maps 250' scale (11 x 17) includes Map View prints	\$0.99/map
Map Book Covers	\$38.64/cover

C. BID DOCUMENTS FOR PUBLICLY BID PROJECTS

Copies of plans for publicly bid construction projects are available through the District's Specifications and Engineering Support Section at a per set cost established as each project is issued for bid. The fee will be based on the cost for duplication at the District's print shop or an outside copy service and postage, if applicable.

Pre-paid documents will be sent first class mail unless the requestor makes other arrangements for document pickup or delivery with the Specifications Clerk. Federal Express service is available if the requestor supplies a Federal Express account number. The Specifications and Engineering Support Section can be reached at specs@ebmud.com or (510) 287-1040.

Contract documents (specifications, plans, and addenda) are also available for viewing and downloading from EBMUD's public website: www.ebmud.com via the "Business Center" link.



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025⁴

Copies of historic contract documents can be provided in accordance with the provisions of item 1: General Business Documents.

II. ELECTRONICALLY STORED OR GENERATED DATA

The fees in this section apply to records stored electronically.

In general, there are two types of electronic records: (a) records that already exist on a system and merely require printing; and (b) records that do not currently exist and require data compilation, extraction, or programming to produce. A different fee rate applies to each of these types of records.

A. RECORDS THAT ALREADY EXIST

When a requestor seeks a record that already exists on a system (i.e., a record merely needs to be retrieved and printed, and does not require data compilation, extraction, or programming to produce), the following fee applies:

Fee = Labor Cost (\$~~0.72~~^{0.86} per minute duplicating time)
+ Materials & Equipment Cost
+ Postage (if applicable)

Materials & Equipment costs vary with the types/formats of records requested as specified below:

1) Digital copies – PDF Files (including B-maps)

Cost of Media	
CD	\$3.05
DVD	6.35
Electronic Transfer	N/C



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025~~4~~

2) Maps on Demand

Size	Bond	Vellum*	Bond Color
8-1/2 x 11	\$0.10	\$0.19	\$0.38
11 x 17	0.19	0.36	0.73
17 x 22	0.33	0.60	2.05
22 x 34	0.49	0.84	3.38
28 x 38	0.66	1.10	5.02

*Costs reflect color plots produced only from existing files.

3) Other Electronic Records

Description	Charge per Unit
8-1/2 x 11 (PC Printer)	\$0.09/page
CD	3.05 each
DVD	6.35 each
Electronic Transfer	N/C

B. RECORDS THAT DO NOT ALREADY EXIST

When a requestor seeks records that do not currently exist on a system and require data compilation, extraction, or programming to produce, the requestor shall pay the cost to construct a new record, and the cost of programming and computer services necessary to produce a copy of the record. However, the District is under no obligation to provide records that do not already exist. Accordingly, the applicable fee is:

Fee = Labor Cost (~~\$1.37~~\$1.41 per minute production time)
+ Materials & Equipment Cost (rates specified in Section II.A)
+ Postage (if applicable)

Labor cost is based on the "average technical labor" rate and is charged only for the actual time spent producing the record.

This fee also applies when the request requires producing a record outside of the regularly scheduled interval.

C. COMPACT DISCS (CDs)

Fee = Labor Cost (~~\$0.72~~\$0.86 per minute duplicating time)
Cost per disc (CD-R Disc, Write-Once, 700 MB, 80 Minute, 52X = \$3.05/disc)
+ Postage (if applicable)



PUBLIC RECORDS ACT FEE SCHEDULE

EFFECTIVE 07/01/2025~~4~~

D. DIGITAL VERSATILE DISCS (DVDs)

Fee = Labor Cost (\$~~0.72~~0.86 per minute duplicating time)
Cost per disc (DVD+R, 16X, Single Sided, 4.7 GB/120 Minutes = \$6.35/disc)
+ Postage (if applicable)

E. DIGITAL VERSATILE DISCS (DVDs)

Recordings of regular meetings of the Board of Directors are available on www.ebmud.com. Copies of archived recordings of regular meetings of the Board of Directors ~~prior to May 2019~~ are available upon request and can be provided on compact disc or digital versatile disc. Recordings after May 2019 are available for review on EBMUD's YouTube channel.

NOTE – The District no longer uses cassette tapes.

DISTRICT PUBLICATION FEES

Fee = Cost of publication (see below)
+ Sales tax
+ Postage (if applicable)

Municipal Utility District Act (printed and comb-bound)	\$5.15
Electronic Transfer	N/C

Its Name Was MUD	\$18.00

Plants and Landscapes for Summer Dry Climates of the San Francisco Bay Region

Hardcover	\$49.95 each
For EBMUD customers	\$29.95 each

Vendors and Retailers	up to 50% discount

Real Property Use Application Fees

FY 2026



REAL PROPERTY USE APPLICATION FEES

EFFECTIVE 07/01/2025⁴

TYPE OF USE	APPLICATION FEE
Fee Title (<i>Outright purchase of District property</i>)	
Properties for Sale	~~\$2,700~~ <u>2,917</u>
Unsolicited	~~46,000~~ <u>17,181</u>
Easement (<i>Rights for permanent use of District property, such as access, utilities, etc.</i>)	
Utility Type	~~2,700~~ <u>2,917</u>
Other	~~7,500~~ <u>8,002</u>
Quitclaim (<i>Removal of District's right, title and interest to property</i>)	
Pipe Abandonment	~~1,400~~ <u>1,463</u>
Other	~~3,000~~ <u>3,268</u>
Revocable License (<i>Permission to use District property for periods exceeding one year, subject to revocation. For such uses as utility road crossings of aqueduct properties</i>)	~~2,200~~ <u>2,340</u>
Lease (<i>The right to occupy and use District land for a specified time period</i>)	~~2,700~~ <u>2,918</u>
Telecommunication Lease (<i>Long-term lease for PCS, cellular and/or radio uses</i>)	~~4,600~~ <u>4,938</u>
Information-Only (<i>Request for information requiring research of District records. Information-only applicants will be charged a fee only if the estimated research time exceeds one hour</i>)	~~170~~ <u>186</u> /hour
Processing and Review of Watershed Land Use Proposals (<i>Request for District to perform a formal evaluation of watershed land use proposal</i>)	~~170~~ <u>186</u> /hour (plus all other District costs)
Property Entry Permits, Rights of Entry Permits (<i>Permission for temporary access onto District</i>)	~~440~~ <u>438</u>
Limited Land Use Permit (<i>Allows landscaping, gardening or other minor surface use of District property, subject to annual renewal</i>)	~~150~~ <u>160</u>
Temporary Construction Easement/Encroachment Permit (<i>Permission for temporary access onto District</i>)	
Open Land, No District Facilities	~~820~~ <u>877</u>
With District Facilities	~~2,900~~ <u>3,104</u>
Survey Costs if needed (<i>Application use fees listed above do not include survey costs if needed</i>)	~~190~~ <u>203</u> /hour
Long Term Encroachment Permit	~~27,300~~ <u>29,488</u>

Recreation Use Fees

Calendar Year 2026



RECREATION USE FEES FOR 2026¹
January – December 2026¹
EFFECTIVE 01/01/2026¹

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 by 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 to 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.

¹Fee 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.



RECREATION USE FEES FOR 2026⁵
January – December 2026⁵
EFFECTIVE 01/01/2026⁵

CAMANCHE HILLS HUNTING PRESERVE¹

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

¹Fee 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.



RECREATION USE FEES FOR 2026⁵
January – December 2026⁵
EFFECTIVE 01/01/2026⁵

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.



RECREATION USE FEES FOR 202~~6~~⁵

January – December 202~~6~~⁵

EFFECTIVE 01/01/202~~6~~⁵

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)	~~\$21.50~~ ^{20.50}
Daily (Off-season, Peak Season weekdays)	~~13.00~~ ^{12.50}
Nightly (non-camping)	~~13.00~~ ^{12.50}
Annual (12 consecutive months)	~~245.00~~ ^{235.00}
Annual Senior/Disabled/Former POW/Disabled Veteran (12 Consecutive Months)	~~122.50~~ ^{117.50}
Combined Car/Boat Daily (Peak Season: May 1-September 30, weekends and holidays)	~~25.00~~ ^{24.00}
Combined Car/Boat Daily (Off-season, weekdays)	~~18.75~~ ^{18.00}
Annual Marina Overnight/Day Use (12 consecutive months)	~~265.00~~ ^{255.00}

VEHICLE ENTRY/PARKING LARGE VANS AND BUSES

Large Vans – 10-20 Passengers	~~24.00~~ ^{23.00}
Buses – 21+ Passengers	~~46.00~~ ^{44.00}

DOG

Daily (Fee charged each day in park)	~~7.00~~ ^{6.75}
Annual (12 consecutive months concurrent with Annual Parking Pass)	~~63.00~~ ^{60.00}

BOAT LAUNCH

Daily Peak Season (May 1- Sept 30), weekends and holidays. (Fee charged each day in park.)	~~18.50~~ ^{17.75}
Daily Off-season; Peak Season weekdays. (Fee charged each day in park.)	~~13.00~~ ^{12.50}
Night (Fee charged each day in park)	~~15.00~~ ^{14.50}
Annual (12 consecutive months)	~~210.00~~ ^{200.00}
Senior/Disabled/Former POW/Disabled Veteran Annual (12 consecutive months)	~~105.00~~ ^{100.00}

BOAT MOORING (Buoy)

Monthly: under 30 feet	~~340.00~~ ^{330.00}
30 feet & larger	~~415.00~~ ^{400.00}
Annual (12 consecutive months, any length)	~~3,100.00~~ ^{3,000.00}
<u>Annual – concurrent with Mobilehome Space rent (12 consecutive months)</u>	<u>1,550.00</u>



RECREATION USE FEES FOR 202~~6~~⁵

January – December 202~~6~~⁵

EFFECTIVE 01/01/202~~6~~⁵

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

BOAT SLIP OPEN (Excluding park entry)

Daily	~~\$44.00~~ ^{\$42.00}
Weekly	~~205.00~~ ^{195.00}
Monthly	~~460.00~~ ^{440.00}
8 Months	~~1,700.00~~ ^{1,625.00}
Key Security Deposit	15.00

BOAT SLIP COVERED – 24' Length Maximum (Excluding park entry)

Daily	~~60.00~~ ^{57.00}
Weekly	~~240.00~~ ^{235.00}
Monthly	~~640.00~~ ^{625.00}
Annual (12 consecutive months)	~~2,700.00~~ ^{2,600.00}
Key Security Deposit	55.00

BOAT SLIP COVERED – Over 24' Length (Excluding park entry)

Daily	~~65.00~~ ^{62.00}
Weekly	~~325.00~~ ^{310.00}
Monthly	~~775.00~~ ^{750.00}
Annual (12 consecutive months)	~~3,350.00~~ ^{3,250.00}
Key Security Deposit	55.00

RV/TRAILER/BOAT STORAGE (Excluding park entry)

Monthly	~~180.00~~ ^{175.00}
12 Months, consecutive	~~950.00~~ ^{925.00}
Monthly – 30' Length Maximum (Concurrent with Mooring/Slip Rental)	~~85.00~~ ^{80.00}
Monthly – Over 30' (Concurrent with Mooring/Slip Rental)	~~120.00~~ ^{115.00}
Annual – 30' Length Maximum (Concurrent with Mooring/Slip Rental) (12 consecutive months)	~~415.00~~ ^{400.00}
Annual – Over 30' (Concurrent with Mooring/Slip Rental) (12 consecutive months)	~~550.00~~ ^{535.00}
Annual – concurrent with Mobilehome Space rent (12 consecutive months)	~~490.00~~ ^{462.00}
Annual – concurrent with Mobilehome Space rent (<28', 1 boat only, dry #3) (12 consecutive months)	~~205.00~~ ^{200.00}



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

**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



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

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

GROUP CAMP (Nightly)

12-Person Limit	~~\$145.00~~ ^{\$140.00}
16-Person Limit	~~175.00~~ ^{169.00}
24-Person Limit	~~205.50~~ ^{198.00}
32-Person Limit	~~273.00~~ ^{263.00}
64-Person Limit	~~515.00~~ ^{498.00}
72-Person Limit	~~570.00~~ ^{551.00}

GROUP CAMP (Nightly, off-season)

12-Person Limit	~~72.00~~ ^{69.00}
16-Person Limit	~~78.00~~ ^{75.00}
24-Person Limit	~~82.50~~ ^{80.00}
32-Person Limit	~~90.00~~ ^{86.00}
64-Person Limit	~~174.00~~ ^{167.00}
72-Person Limit	~~225.00~~ ^{215.00}

**EQUESTRIAN – TURKEY HILL – 2 HORSES
PER SINGLE SITE – “NO OFF-SEASON
DISCOUNTS”**

General Assembly Area	~~110.00~~ ^{105.00}
Turkey Hill Single	~~72.00~~ ^{69.00}
Turkey Hill Double	~~138.00~~ ^{132.00}
Turkey Hill Triple	~~165.00~~ ^{160.00}
Turkey Hill Quad	~~220.00~~ ^{212.00}
Entire Turkey Hill (includes assembly area)	~~800.00~~ ^{766.00}

RV SITE

Nightly	~~68.00~~ ^{65.00}
Weekly	~~365.00~~ ^{350.00}
Monthly	~~750.00~~ ^{725.00}
Season (6-Month Max)	~~2,250.00~~ ^{2,175.00}
Premium Sites Nightly (Peak Season)	~~76.00~~ ^{73.00}
Premium Sites Weekly (Peak Season)	~~390.00~~ ^{375.00}

TOWING

Camanche Recreation Area per hour	~~175.00~~ ^{170.00}

MISCELLANEOUS

Camanche Recreation Area Lake Tours	15.00



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

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

BOAT/VESSEL DECONTAMINATION

Vessel decontamination (up to 30')	~~\$42.00~~ 40.00
Vessels over 30' in length	~~42.00~~ 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	~~220.00~~ 240.00
Week	~~1,125.00~~ 1,075.00
Oct – April: Night	~~146.00~~ 140.00
Week	~~750.00~~ 725.00
Month	~~2,050.00~~ 1,975.00

COTTAGE (6-Person Base)

May – Sept: Night	~~280.00~~ 270.00
Week	~~1,450.00~~ 1,400.00
Oct – April: Night	~~180.00~~ 175.00
Week	~~945.00~~ 910.00
Month	~~2,250.00~~ 2,150.00

PARK MODEL (4-Person)

May – Sept: Night	~~220.00~~ 300.00
Week	~~1,125.00~~ 1,575.00
Oct – April: Night	~~146.00~~ 225.00
Week	~~750.00~~ 1,181.00
Month	~~2,050.00~~ 3,000.00

**RESORT RENTAL (4 BEDROOM, 14 PERSON
MAX)**

May – Sept: Night	~~480.00~~ 460.00
Week	~~2,475.00~~ 2,400.00
Oct – April: Night	~~255.00~~ 245.00
Week	~~1,325.00~~ 1,275.00



RECREATION USE FEES FOR 2026⁵

January – December 2026⁵

EFFECTIVE 01/01/2026⁵

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

MOBILEHOME (MONTHLY)

3 bedroom

~~CY24~~CY25 Rate +
HUD FMR²

MOBILEHOME SPACES (MONTHLY)

North Shore 1A

~~CY24~~CY25 Rate +
HUD FMR²

North Shore 1B

~~CY24~~CY25 Rate +
HUD FMR²

North Shore 2

~~CY24~~CY25 Rate +
HUD FMR²

South Shore

~~CY24~~CY25 Rate +
HUD FMR²

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

OTHER MOBILEHOME FEES (PER SPACE – MONTHLY)

Guest Fee

\$75.00

Late Rent/Returned Check Fee

50.00

FACILITY RENTAL

Lakeside Hall Daily (hall only)

~~875.00~~850.00

Lakeside Hall Daily (kitchen & serviceware included)

~~1,300.00~~1,250.00

Lakeside Hall Cleaning and Equipment Deposit

1,000.00

Camanche Clubhouse Rental (North Shore)

~~215.00~~205.00

Camanche Clubhouse Rental (South Shore)

~~150.00~~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 before the start of each October, federal fiscal year. The mobilehome rental space ~~rate will~~ fee shall be adjusted annually (fee adjustment) based on the following process. Starting with the 2025 Recreation Use Fee schedule, any percent increase shall be capped at 5 percent, provided however, that the cap may increase up to a maximum 10 percent in future years. The percent change in the HUD FMR index for 2-bedroom homes shall be 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 shall serve as the next year's fee adjustment, up to the fee applicable cap for that year. 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 be carried and applied to the following year's fee adjustment, up to the applicable cap would increase to 8 percent. If for that year. The applicable cap for a year shall be calculated based on the carryforward balance exceeds 12 percent table below. As with all rates, fees, and charges, the fee cap would increase to 10 percent. District's Board of Directors may revise this process by Board action.

<u>Carryforward Balance from Previous Year</u>	<u>Annual Fee Cap</u>
<u>0-8%</u>	<u>5%</u>
<u>8-12%</u>	<u>8%</u>
<u>Over 12%</u>	<u>10%</u>



RECREATION USE FEES FOR 2026⁵
January – December 2026⁵
EFFECTIVE 01/01/2026⁵

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.



RECREATION USE FEES FOR 2026⁵
January – December 2026⁵
EFFECTIVE 01/01/2026⁵

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.



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

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



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

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.



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

PARDEE RECREATION AREA

**VEHICLE ENTRY AND PARKING –
CAR/MOTORCYCLE/SMALL VAN**

Daily/Nightly (Non-Camping)	~~\$13.00~~ ^{\$12.00}
Season	~~145.00~~ ^{136.00}
Combined Car/Boat Daily	~~20.00~~ ^{18.00}

**VEHICLE ENTRY AND PARKING –
LARGE VANS AND BUSES**

Large Vans – 10-20 Passengers	~~24.00~~ ^{22.00}
Buses – 21+ Passengers	~~46.00~~ ^{38.00}

DOG

Daily (Fee charged each day in park)	~~6.50~~ ^{6.00}
Season (Concurrent with Season Parking Pass)	~~60.00~~ ^{55.00}

STANDARD BOAT LAUNCH

Daily (Fee charged each day in park)	~~13.00~~ ^{12.00}
Season	~~135.00~~ ^{127.00}

**CARTOP BOAT LAUNCH (Float Tube, Kayak,
Canoe, Scull)**

Daily	~~6.00~~ ^{5.00}
Season	~~60.00~~ ^{50.00}

BOAT SLIP (excluding park entry)

Daily	~~13.00~~ ^{12.00}
Weekly	~~65.00~~ ^{58.00}
Monthly	~~140.00~~ ^{132.00}
Season	~~800.00~~ ^{759.00}
Season (concurrent with season RV)	~~750.00~~ ^{704.00}

FISHING ACCESS

Daily	~~8.25~~ ^{7.25}
Annual	200.00

POOL USE

Pool Access Wristband	~~3.50~~ ^{3.00}
Pool Access Wristband - Senior	~~2.50~~ ^{2.00}

MISCELLANEOUS

RV/Campsite Reservation Fee	~~11.00~~ ^{10.00}



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

PARDEE RECREATION AREA (continued)

STANDARD CAMPSITE (w/vehicle parking)

Nightly	~~\$35.00~~ ^{\$30.00}
Second Car Parking	~~13.00~~ ^{12.00}
Weekly	~~160.00~~ ^{150.00}
Second Car Parking	~~65.00~~ ^{60.00}

PREMIUM CAMPSITE (w/vehicle parking)

Nightly	~~40.00~~ ^{35.00}
Weekly	~~200.00~~ ^{180.00}

CAMPSITE (walk-in/bicycle parking)

(8 person/8 bike maximum)	
Nightly	~~25.00~~ ^{23.00}
Weekly	~~138.50~~ ^{138.00}

DOUBLE CAMPSITE (16 people/2 vehicles)

Nightly	~~60.00~~ ^{56.00}
Third or Fourth Vehicle	~~13.00~~ ^{10.00}

RV SITE

Nightly	~~50.00~~ ^{46.00}
Weekly	~~300.00~~ ^{264.00}
Monthly	~~600.00~~ ^{572.00}
Season	4,505.00
Season – Premium Site	4,648.00

**RV/TRAILER/BOAT STORAGE (excluding
park entry)**

Weekly	~~40.00~~ ^{35.00}
Monthly	~~90.00~~ ^{84.00}
Season	~~600.00~~ ^{561.00}
Season – concurrent with season RV site	~~475.00~~ ^{445.00}
12-Month Consecutive	~~800.00~~ ^{737.00}

TOWING

~~100.00~~ ^{92.00}

**RESERVABLE SITE/FACILITY (charges in
addition to above fees)**

Small (25 or less people)	~~75.00~~ ^{70.00}
Medium (26-100 people)	~~125.00~~ ^{100.00}
Large (101-150 people)	~~175.00~~ ^{150.00}
Over 150 people	~~300.00~~ ^{265.00}
Café/Pool Day Use Area (refundable deposit)	60.00



RECREATION USE FEES FOR 2026⁵
January – December 2026⁵
EFFECTIVE 01/01/2026⁵

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.



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

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.



RECREATION USE FEES FOR 20265
January – December 20265
EFFECTIVE 01/01/20265

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

Security Deposit	100.00

TOWING

40.00



RECREATION USE FEES FOR 2026⁵
January – December 2026⁵
EFFECTIVE 01/01/2026⁵

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).



RECREATION USE FEES FOR 202~~6~~⁵
January – December 202~~6~~⁵
EFFECTIVE 01/01/202~~6~~⁵

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

Appendix B— Update of 2021 SCC Study Calculations for Proposed FY 2026 SCC

This appendix and the tables herein present updates for FY 2026 to the District’s Water System Capacity Charge Study dated June 1, 2021 (SCC Study).⁵

⁵ Available at ebmud.com/rates

Table 2-1: Summary of Asset Valuation by Asset Type

Account	Description	Original Cost	Valuation Approach	Systemwide or Regional	Asset Value in Analysis
1001	Auto Control System	\$81,648,191	RCN	Systemwide	\$183,184,523
1005	Hydroelectric Power Gen.	\$56,772,898	RCN	Systemwide	\$194,325,530
1007	General Facilities & Equip.	\$3,002,422	RCN	Systemwide	\$4,690,787
1015	Source of Water Supply	\$123,081,736	RCN	Systemwide	\$1,044,259,153
1025	Raw Water Transmission	\$561,984,497	RCN	Systemwide	\$3,193,827,231
1060	Raw Water Trans Pump	\$211,775,800	RCN	Systemwide	\$408,946,038
1080	Terminal Reservoirs	\$238,718,428	RCN	Systemwide	\$1,229,542,837
1090	Reclamation Facilities	\$111,457,846	RCN	Systemwide	\$218,564,958
1100	Water Treatment	\$539,894,743	RCN	Regional	\$1,355,055,439
1130	Distribution Pumping	\$266,899,454	RCNLD	Regional	\$208,673,149
1140	Distribution Reservoirs	\$445,046,095	RCNLD	Regional	\$507,369,174
1166	Distribution Mains	\$1,670,335,062	RCNLD	Regional	\$3,074,396,529
1170	Distribution Aqueducts	\$90,921,572	RCNLD	Regional	\$167,912,587
1175	Pressure Regulators	\$49,386,792	RCN	Regional	\$106,025,540
1180	Venturi Meters	\$10,350,836	RCN	Regional	\$22,151,368
1185	Distribution Hydrants	\$70,208,451	RCN	Regional	\$275,889,310
1200	General Plant Structures	\$246,981,204	RCN	Systemwide	\$555,913,197
1205	Equipment-Trans & Constr.	\$84,153,036	RCNLD	Systemwide	\$25,584,601
1210	Equipment-Office	\$25,530,952	RCNLD	Systemwide	\$140,039
1215	Equipment- Eng. & Labor	\$4,130,190	RCNLD	Systemwide	\$156,331
1220	Equipment-Tools & Work	\$5,579,112	RCNLD	Systemwide	\$352,423
1225	Equipment- Stores	\$17,208	RCNLD	Systemwide	\$5,519
1230	Equipment- Shop	\$2,881,072	RCNLD	Systemwide	\$198,322
1240	Non-Operative Property	\$1,397,142	RCN	Systemwide	\$6,910,424
1245	Recreational Facilities	\$86,607,722	RCN	Systemwide	\$132,321,190
1300	Land Source of Supply	\$7,832,091	RCN	Systemwide	\$134,147,674
1310	Land Raw Water Trans	\$3,952,008	RCN	Systemwide	\$63,860,301
1315	ROW Raw Water Trans	\$1,269,406	RCN	Systemwide	\$4,373,025
1320	Land Terminal Reservoirs	\$24,383,749	RCN	Systemwide	\$269,410,085
1330	Land Water Treatment	\$3,439,560	RCN	Systemwide	\$26,407,436
1340	Land Reclamation	\$2,174,793	RCN	Systemwide	\$5,416,399
1350	Land Distribution	\$7,799,925	RCN	Systemwide	\$78,329,670
1355	Land	\$1,775,115	RCN	Systemwide	\$5,636,457
1360	Land General Plan	\$17,164,349	RCN	Systemwide	\$39,231,155
1370	Land	\$990,966	RCN	Systemwide	\$26,485,426
1910	Unallocated As-Built Costs	\$10,304,085	RCN	Systemwide	\$24,496,384
1911	Deferred Software Costs	\$80,892,824	RCN	Systemwide	\$137,462,115
1981	Watershed Master Plan	\$7,620,641	RCN	Systemwide	\$13,637,842
1985	Lab Expansion Costs	\$8,874,204	RCN	Systemwide	\$21,246,255
1988	Engineering & Env. Studies	\$116,452,637	RCN	Systemwide	\$233,657,200
	DERWA	\$84,784,101	RCN	Systemwide	\$71,597,266
	Freeport	\$410,009,849	RCN	Systemwide	\$326,978,943
	CWIP	\$522,919,362	RCN	Systemwide	\$628,655,204
TOTAL		\$6,301,402,127			\$15,027,425,037

Table 2-2: Regional Asset Value Allocation Factors (unchanged since 2021 SCC Study, provided for reference)

Account	Description	Region 1	Region 2	Region 3
1100	Water Treatment	49.5%	16.3%	34.2%
1130	Distribution Pumping	19.6%	34.1%	46.4%
1140	Distribution Reservoirs	27.4%	36.7%	35.9%
1166	Distribution Main	48.6%	21.3%	30.1%
1170	Distribution Aqueducts	79.4%	20.6%	0.0%
1175	Pressure Regulator	26.2%	60.9%	12.8%
1180	Venturi & Cathodic	62.3%	5.4%	32.2%
1185	Distribution Hydrants	47.8%	17.1%	35.1%

Table 2-3: Net System Value Calculation

Buy-In Component	Value
System Assets	\$15,027,425,037
Capital Reserve Cash Balance	\$131,642,000
Outstanding Principal on Debt	-\$2,601,236,000
Net System Value	\$12,557,831,037
Net System Value as a Percentage of System Assets	83.6%

Table 2-4: Net System Value Calculation by Service Area

Service Area	Replacement Value	Net Value %	Net Value
System Wide Replacement Value	\$9,309,951,942	83.6%	\$7,779,962,512
Region 1 Replacement Value	\$2,649,585,741	83.6%	\$2,214,155,118
Region 2 Replacement Value	\$1,282,646,583	83.6%	\$1,071,857,556
Region 3 Replacement Value	\$1,785,240,772	83.6%	\$1,491,855,851
Total Value	\$15,027,425,037		\$12,557,831,037

Table 2-5: Unit Cost Calculation by Service Area

Service Area	Net Value	Potable Consumption Estimate (MGD)	Unit Cost (\$/100 gpd)
System Wide Replacement Value	\$7,779,962,512	187	\$4,160
Region 1 Replacement Value	\$2,214,155,118	114	\$1,942
Region 2 Replacement Value	\$1,071,857,556	22	\$4,872
Region 3 Replacement Value	\$1,491,855,851	51	\$2,925

Table 2-6: Future Water Supply Capital Projects

Future Water Supply Unit Cost Components	Total CIP
<i>Recycled Water Projects</i>	
San Ramon Valley Recycled Water Project	\$59,000,000
East Bayshore Recycled Water Project	\$34,000,000
Phillips 66 Refinery	\$41,000,000
<i>Groundwater Projects</i>	
Groundwater Bayside Phase 2	\$60,000,000
San Joaquin Banking Project	\$138,000,000
Total	\$332,000,000

Table 2-7: Updated SCC Unit Costs for FY 2026

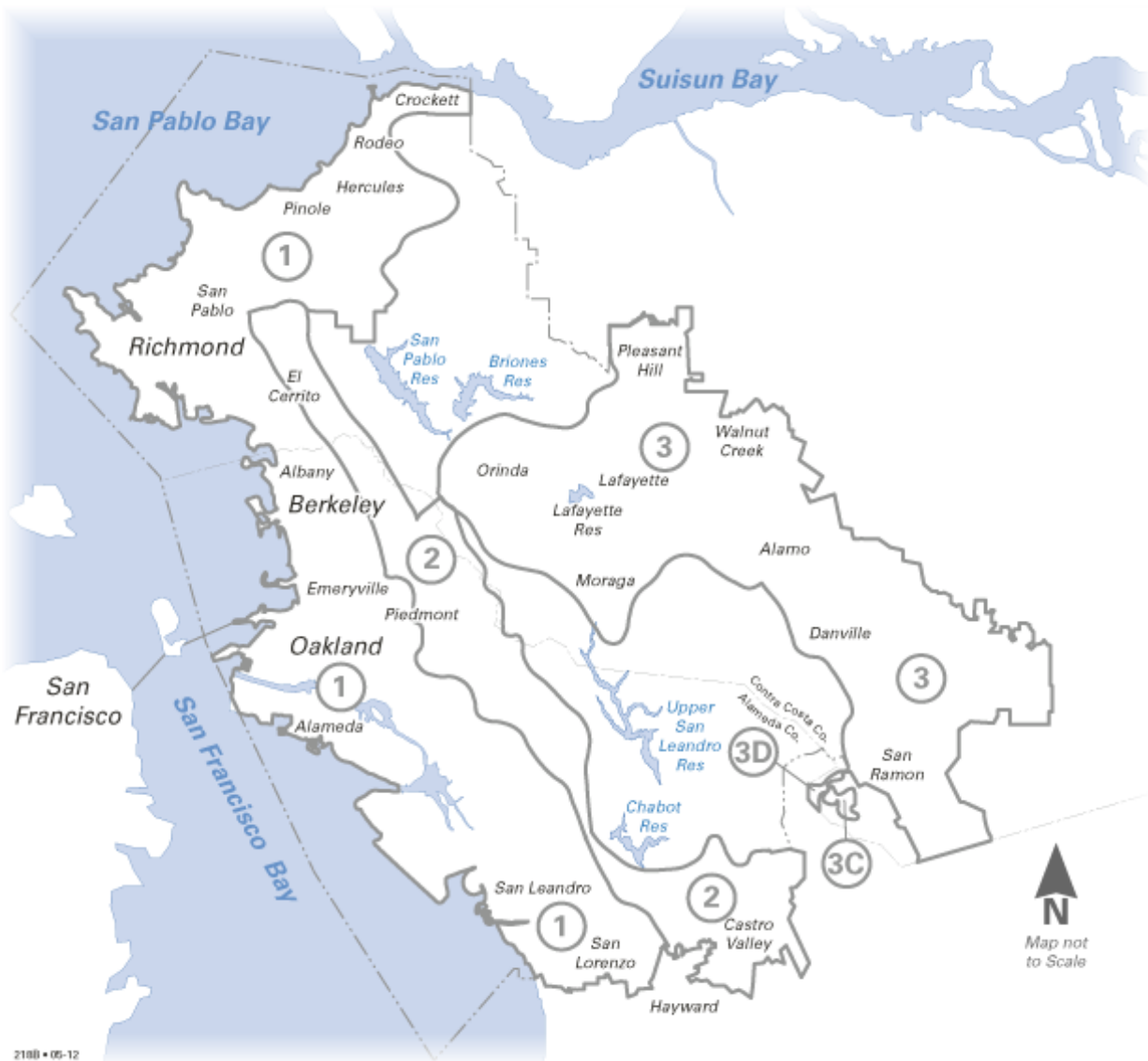
Region	System-Wide Buy-In	Regional Buy-In	Future Water Supply	Total
Region 1	\$4,160	\$1,942	\$1,203	\$7,306
Region 2	\$4,160	\$4,872	\$1,203	\$10,235
Region 3	\$4,160	\$2,895	\$1,203	\$8,258

Figure 2-3: Future Water Supply Unit Cost Determination



Distribution System SCC Regions

The SCC regions are shown on the map below. No changes have been made to the SCC region boundaries.



Appendix C – Update of 2019 WCF Study Calculations for Proposed FY 2026 WCF

Table 6-1: Wastewater Assets

Asset Class	Original Cost + New Assets	Replacement Cost (A)	RC Depreciation (B)	Total Assets (RCLD) (A - B)
Chlorination	\$13,651,900	\$20,399,318	\$7,957,549	\$12,441,769
Effluent	\$65,663,726	\$231,192,157	\$182,928,655	\$48,263,502
General	\$154,574,199	\$374,755,887	\$229,810,385	\$144,945,503
Grit	\$30,324,612	\$66,288,328	\$40,643,700	\$25,644,628
Influent	\$45,486,639	\$111,532,485	\$78,859,349	\$32,673,136
Interceptor	\$282,556,694	\$849,290,686	\$518,593,070	\$330,697,616
Secondary	\$92,889,788	\$283,532,964	\$202,824,175	\$80,708,789
PGS	\$94,548,798	\$179,603,342	\$116,027,798	\$63,575,544
Primary	\$25,813,586	\$38,824,664	\$11,384,372	\$27,440,292
Sludge	\$206,774,002	\$382,028,775	\$208,204,175	\$173,824,600
Wet Weather	\$182,998,207	\$497,615,117	\$321,080,544	\$176,534,573
Total Assets	\$1,195,282,151	\$3,035,063,725	\$1,918,313,773	\$1,116,749,952

Table 6-2: Total System Value

Total System Value	
Wastewater System Value (RCLD)	\$1,116,749,952
Reserve Balance	\$53,481,000
Less Total Outstanding Principal	\$348,940,000
Total System Value	\$821,290,952

Table 6-3: Wastewater System Value Allocation

	I&I	Flow	COD	TSS	Total
% Allocation	44.46%	22.32%	11.85%	21.36%	100.00%
Wastewater System Value (RCLD)	\$496,524,867	\$249,273,768	\$132,389,733	\$238,561,585	\$1,116,749,952
Reallocate I&I	(\$496,524,867)	\$199,557,592	\$105,985,385	\$190,981,890	\$0
Wastewater System Value	\$0	\$448,831,359	\$238,375,118	\$429,543,475	\$1,116,749,952
% Allocated	0%	40%	21%	38%	100%

Table 6-4: Total System Value Allocation

% Allocation		Cost Allocation
Flow	40%	\$330,083,859
COD	21%	\$175,308,114
TSS	38%	\$315,898,979
Total	100%	\$821,290,952

Table 6-6: WCF Updated FY 2026 Unit Costs

	System Value (A)	Net Plant Influent (B)	Updated FY 2026 Unit Cost (C) = (A ÷ B)	Current FY 2025 Unit Cost
Flow	\$330,083,859	20,983,276	\$15.7308	\$15.73
COD	\$175,308,114	106,264,585	\$1.6497	\$1.65
TSS	\$315,898,979	41,790,303	\$7.5591	\$7.56

Table 6-7: Updated FY 2026 SFR WCF

Updated FY 2026 Wastewater Capacity Fee Calculation			Current FY 2025 Wastewater Capacity Fee
Flow (unit/year)	84	\$1,321	
COD (lbs/year)	374	\$617	
TSS (lbs/year)	157	\$1,187	
Total SFR WCF		\$3,125	\$3,133

Table 6-7a: Updated FY 2026 MFR over 500 sq. ft. WCF

Updated FY 2026 Wastewater Capacity Fee Calculation			Current FY 2025 Wastewater Capacity Fee
Flow (unit/year)	59	\$928	
COD (lbs/year)	262	\$432	
TSS (lbs/year)	110	\$832	
Total SFR WCF		\$2,192	\$2,197

Table 6-7b: Updated FY 2027 MFR 500 sq. ft. and under WCF

Updated FY 2026 Wastewater Capacity Fee Calculation			Current FY 2025 Wastewater Capacity Fee
Flow (unit/year)	46	\$724	
COD (lbs/year)	205	\$338	
TSS (lbs/year)	86	\$650	
Total SFR WCF		\$1,712	\$1,716

Table 6-11: Non-Residential Updated FY 2026 Flow Charge

Meter Size	Yearly Average Use (unit) [A]	Flow Unit Cost from Table 6-6 [B]	Flow Charge [C] = [A x B]
5/8 inch	132	\$15.73 per unit	\$2,076
3/4 & 1 inch	347	\$15.73 per unit	\$5,458
1 ½ inch	676	\$15.73 per unit	\$10,633

Table 6-12: Non-Residential Updated FY 2026 COD Charge

Meter Size	Strength Category		
	Low	Medium	High
5/8 inch	\$938	\$2,662	\$11,229
3/4 & 1 inch	\$2,466	\$6,998	\$29,518
1 ½ inch	\$4,804	\$13,633	\$57,505

Table 6-13: Non-Residential Updated FY 2026 TSS Charge

Meter Size	Strength Category		
	Low	Medium	High
5/8 inch	\$1,632	\$4,666	\$5,108
3/4 & 1 inch	\$4,290	\$12,265	\$13,428
1 ½ inch	\$8,358	\$23,895	\$26,160

Table 6-14: Non-Residential Updated FY 2026 WCF

Meter Size	Strength Category		
	Low	Medium	High
5/8 inch	\$4,647	\$9,404	\$18,413
3/4 & 1 inch	\$12,215	\$24,722	\$48,405
1 ½ inch	\$23,796	\$48,161	\$94,298

Appendix D – Recommended Changes to Water Service Regulations for Fiscal Year 2026

Water Service Regulations

Section 1 – Explanation of Terms Used in These Regulations

Section 4 – Main Extensions

Section 17 – Change in Use and/or Size of Service

Section 26 – Protection of Public Water Supply

Section 30 – Recycled Water Service

Section 31 – Water Efficiency Requirements

Section 1

Explanation of Terms Used in these Regulations

FY 2026



REGULATIONS GOVERNING WATER SERVICE TO CUSTOMERS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

PAGE NUMBER: 01-A

SECTION 1 EXPLANATION OF TERMS USED IN THESE REGULATIONS

COMMON AREA shall mean a room, unit, or area of a building that is outside of the residential or commercial units, and is for the sole use of the tenants or occupants.

DISTRICT shall refer to the East Bay Municipal Utility District unless otherwise specified.

ELEVATION SURCHARGE shall mean that charge applied to customers' accounts where meters are served by pressure zones with an elevation designator of two (2) or more in the District's pressure zone designations. The charge shall be computed in accordance with Schedule A, Rate Schedule for Water Service, Section D. The Elevation Surcharge ~~is a means of allocating~~ recovers the additional costs incurred for pumping ~~and storing water~~ to higher elevations.

EXPANDED SERVICE shall refer to any upgrade, change, modification to existing standard service that increases the size of the meter, or increases to the annual average water use resulting from improvements to the existing structure(s) and new construction.

FRONT FOOT CHARGE shall mean the charge applicable to a premises when a main is or has been brought to the principal frontage of the premises to make service available to the premises. This charge shall be computed in accordance with the provisions of Section 4, and shall generally be the proration of the cost of extending the main based on the width of the premises fronting on and entitled to service from the main extension. The front foot charge shall not apply to premises already entitled to service, according to District requirements, on or before the date the main extension is installed. Where a front foot charge is applicable, it must be paid before a service will be installed.

HYDRANT or PUBLIC FIRE HYDRANT shall mean a fire hydrant that is connected to a main by a lateral, owned by the District, and located within the public right-of-way or District-owned right-of-way.

PRIVATE FIRE HYDRANT shall mean a fire hydrant that is located downstream of a private fire service.

IRRIGABLE LANDSCAPE AREA shall mean the area of a premises less the aggregate area of structure footprints, impervious and pervious hardscape and undisturbed open space within that premises.

IRRIGATED LANDSCAPING shall mean the total aggregated area or footprint of irrigated landscape for a premises, which does not include open space or the non-irrigated area.

The terms "Irrigable Landscape Area" and "Irrigated Landscaping" may apply to more than one premises, as determined solely by the District, where the multiple premises are contiguous and the managing entity for the irrigation water service to those multiple premises is a single person or entity, such as a city or a homeowners' association.

LATERAL shall refer to the District-owned pipeline connecting a meter or hydrant to the main.

MAIN shall refer to District-owned pipelines that are not part of a service connection or hydrant.



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MAJOR FACILITIES shall mean storage reservoirs, pumping plants, transmission mains, water treatment plants, and appurtenances, including necessary properties and rights of way.

METER shall mean the entire meter assembly, which may include appurtenances or devices owned and installed by the District in connection with a service connection.

DEDICATED IRRIGATION METER shall mean the entire meter assembly dedicated for outdoor landscape water use, which may include appurtenances or devices owned and installed by the District or applicant, as solely determined by the District, as provided in Sections 3 and 31 of these Regulations.

SUBMETER shall mean a non-District-meter that is installed downstream of the District's meter. The submeter or submeter data must be readily accessible for review by those utilizing the water, and is wholly maintained and serviced by the owner/agent of the premises.

PREMISES shall mean a parcel of real estate, including any improvements thereon, which is determined by the District to be a single premises for purposes of receiving, using and paying for service. In making this determination, the District shall take into consideration such factors as assessor parcel lines, whether the parcel could reasonably be subdivided, whether the parcel is being used for a single enterprise, and whether the parcel is divided by a public or a private street, but in any case, the District's determination shall be final.

MULTI-FAMILY PREMISES shall mean premises designated for multi-family use by the local land use authority which may include but are not limited to apartments, duplexes, condominiums, or other dwelling units not classified as single-family or premises intended for or with structure(s) constructed with independent living facilities for one or more persons

MULTI-OCCUPANCY COMMERCIAL/INDUSTRIAL PREMISES shall mean premises designated for commercial/industrial use by the local land use authority, with two or more attached or separate commercial or industrial occupancy units, rental or owner-occupied, which is determined by the District to be a single premises for receiving water service.

SINGLE FAMILY PREMISES shall mean a premises designated for single-family use by the local land use authority or premises intended for or with structure(s) constructed for occupancy by a single-family as determined by the District with one or more attached or separate structures, rental or owner-occupied, providing permanent provisions for living, cooking, sanitation, and separate ingress/egress.

PRESSURE ZONE shall mean a portion of the water distribution system in which all premises are served through meters within a specific range of elevations and supplied by the same major facilities through an interconnected pipeline network. The upper limit of the pressure zone is 100 feet below the overflow elevation of the reservoir providing service, and the lower limit is determined by the upper limit of the next lower pressure zone or an elevation approximately 300 feet below the overflow elevation of the reservoir. Gravity Zones are those pressure zones which receive their water supply by gravity flow from the treatment plants and are identified by the prefixes "G" and "H" in the District's pressure zone



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designations. Pumped Zones are those pressure zones which receive their water supply from the treatment plants by pumping and are identified by the prefixes "A" through "F" in the District's pressure zone designations.

PRINCIPAL FRONTAGE shall mean that part of the perimeter of the major portion of the premises where the principal use of the property is located, which fronts on a public street or private road or driveway from which the premises generally receives access, public services and utilities, as determined by the District. Principal use does not include easements, rights of way, or a relatively narrow portion of a premises used for access or other purpose.

REASONABLY AVAILABLE SERVICE shall mean that a service connection installed at the principal frontage of the premises will provide adequate pressure and flow for normal operation of plumbing fixtures, water using appliances, requirements set by the responsible fire protection agency, and irrigation. In determining reasonably available service, the District will consider, relative to the service location and the applicable pressure zone, the elevation of the existing or proposed building on the premises, the distance of the building site from the meter location and any pressure and flow requirement for fire protection.

RENOVATION shall mean any improvements to existing structure(s) that would change the Business Classification of the existing structure(s) and/or increase the average annual water use.

RETROFITS shall mean the conversion or modification of existing water using fixtures, appliances, equipment and landscaping such that they are suitable for water service.

SEPARATE STRUCTURE shall mean a distinct building with water using fixtures.

SERVICE shall mean the furnishing of water (potable or nonpotable) to a customer through a service connection.

BRANCH SERVICE shall refer to a service connection with two or more meters per service connection.

CONDITIONAL SERVICE shall mean a service connection to a premises at other than the principal frontage as provided in Section 3 of these Regulations.

DUAL SERVICE shall mean a combination standard and fire service.

LIMITED/LOW/HIGH PRESSURE SERVICE shall mean a water service connection provided under a written agreement for a service with special conditions when standard service is not reasonably available. See Section 8, 8A, and 8B of these Regulations.

PRIVATE FIRE SERVICE shall mean a water service connection provided under written agreement for the sole use of fire protection to a premises, further defined in Section 3 of these Regulations.



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STANDARD SERVICE shall mean a service other than a private fire service, installed within the District's service area, adjacent to the principal frontage of the premises to be served, which service is needed for immediate use to supply an identified function directly related to such premises.

SERVICE CONNECTION shall mean the necessary piping and equipment from the main to and including the meter or battery of meters. Reference to a service connection by size shall mean the size of the meter.

STANDARD PARTICIPATION CHARGE (SPC) shall mean the charge paid as a contribution towards the cost of future general oversizing of water mains and to provide major facilities capacity for service to new customers. This charge is paid in lieu of the System Capacity Charge by certain applicants who applied for service on or before June 28, 1983. The SPC also includes a component for the allocated cost of providing a future water supply to meet the long-term increase in water demand in the District.

SYSTEM CAPACITY CHARGE (SCC) shall mean the charge required of all applicants for water service to premises where installation of a service connection is required, including expanded service, as solely determined by the District. The charge to be paid depends on the regional location and the applicable meter size, the estimated annual average water use as determined by the District for large meters not covered in Schedule J based on water use information furnished by the applicant, or number of units. The charge is payment for the costs allocated to providing capacity for water service to applicants within each region, including components for major facilities in the District's distribution system master plan, major facilities constructed prior to the master plan, and water main oversizing. The SCC also includes a component for the allocated cost of providing a future water supply to meet the long-term increase in water demand in the District. The charge shall be computed in accordance with Schedule J of the Rates and Charges.

UNIT shall mean and apply to a Dwelling Unit, Accessory Dwelling Unit, Commercial/Industrial Unit, Live/Work Unit, or Work/Live Unit within a premises as defined below, unless specified otherwise.

ACCESSORY DWELLING UNIT shall be as defined by [Chapter 13 of Division 1 of Title 7 of the California Government Code](#)~~California Government Code Section 65852.2.~~

JUNIOR ACCESSORY DWELLING UNIT shall be as defined by [Chapter 13 of Division 1 of Title 7 of the California Government Code](#)~~California Government Code Section 65852.22.~~

DWELLING UNIT shall mean an attached or detached rental or owner-occupied residential unit on a premises, which provides complete independent living facilities for one or more persons, including one or more permanent provisions for living, sleeping, cooking, sanitation, and separate ingress/egress as solely determined by the District.

COMMERCIAL/INDUSTRIAL UNIT shall mean an attached or detached rental or owner-occupied unit used directly or indirectly in connection with any non-residential, or business undertaking, which provides complete independent facilities for one or more persons, including



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one or more permanent provisions for sanitation, and separate ingress/egress as solely determined by the District.

LIVE/WORK UNIT shall be considered an attached or detached unit of a mixed-use premises that accommodates both residential and non-residential activities, but emphasizes the accommodation of residential activities per Local Land Use designation, as solely determined by the District. For the purpose of System Capacity Charges, a Live/Work Unit shall be considered as residential.

WORK/LIVE UNIT shall be considered an attached or detached unit of a mixed-use premises that accommodates both residential and non-residential activities, but emphasizes the accommodation of commercial activities per local land use designation, as solely determined by the District. For the purpose of System Capacity Charges, a Work/Live Unit shall be considered as non-residential.

WATER EFFICIENCY REQUIREMENTS shall include all water-using fixtures, technologies, practices, and ordinances in accordance with Section 31 of these Regulations.

Section 4

Main Extensions

FY 2026



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SECTION 4 MAIN EXTENSIONS

A. EXTENDING MAINS

In general, whenever extension of a water main within the District boundaries is required because a principal part of the premises to be served does not lie along an available water main with adequate flow and pressure, the extension will be installed after an agreement has been executed by the applicant and the District for payment by applicant of all applicable charges. The manner of determining the charges is set forth in this section and is based on the policy of the District that applicants for water service shall pay the full cost of facilities required to provide the service. The charges shall be as described in the Schedule of Rates and Charges.

1. MAIN EXTENSIONS LESS THAN 1,000 FEET IN LENGTH

A water main extension of less than 1,000 feet will be installed only by the District and in accordance with the terms and conditions of an agreement between the applicant and the District.

2. MAIN EXTENSIONS OF 1,000 FEET AND OVER IN LENGTH

A water main extension of 1,000 feet and over in length shall be installed by the applicant in accordance with the terms and conditions of an agreement between the applicant and the District. However, a water main extension of 1,000 feet and over in length involving multiple applicants acting as individuals, or where a public agency is the applicant, may be installed by the District in accordance with the terms and conditions of an agreement between the applicants and the District.

When the District requires polyvinyl chloride (PVC) or high density polyethylene (HDPE) pipe materials for main extensions, the applicant shall supply, at its own expense, the pipe materials and fittings. The District will supply valves, valve pot covers, blowoffs and minor appurtenances at the applicant's expense. Materials to be supplied by the District will be detailed on the District prepared drawings and specifications. When the District requires main extensions of pipe materials other than PVC or HDPE, the District will supply the pipe materials and fittings, also at the applicant's expense. However, in those few instances when an applicant installation requires 20-inch or larger pipe, the District may permit the applicant to furnish the pipe.

The pipe material supplied by the applicant and the work performed must comply with the drawings and specifications furnished by the District and shall be subject to District inspection at all times. The applicant will be required to pay in advance the charges for any District supplied materials, engineering and inspection services, and related overhead. The applicant must also furnish, in form and with sureties acceptable to the District, a faithful performance bond, or other security acceptable to the District, a payment bond, and certificates of insurance. Upon completion of the installation in accordance with the agreement, and acceptance by the District, title to the extension shall be transferred to the District by the applicant.



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Water service shall not be provided by the extension of a water main where the meter(s) for the premises concerned will be located at an elevation of less than 100 feet below the overflow level of the reservoir supplying such main, except as provided in Sections 4.C.4 and 8-A.

Main extensions incorporating capacity for future customers in a region will be financed in part by System Capacity Charges. Such improvements will not be installed upon the request of one or more applicants to serve particular premises.

B. GENERAL PROVISIONS CONCERNING MAIN EXTENSIONS

1. General

- a. The pipe specifications, point of commencement, and all other requirements for main extensions shall be determined by the District.
- b. All water main extensions shall be sized and located to meet estimated water service requirements of District customers, including projected water demands and fire flows.
- c. In cases where water quality is a concern, such as low water use that could potentially lead to high water age or incremental residence time, new water mains shall be sized to minimize water quality operations while meeting the estimated water service requirements, including projected water demands and, to the extent feasible, fire flows. The appropriate pipe material of new water mains shall also be evaluated in such cases.
- d. The appropriate pipe material to be used for new water mains shall also be evaluated for special circumstances, such as in steep terrain, narrow rights-of-way, potential landslide, liquefiable soil, corrosive soil areas, dead-end mains or creek, bridge, freeway, and railroad crossings where the use of conventional open-trench installation methods may not be feasible and/or where conventional installation methods may be cost prohibitive. Specific pipe material requirements for design of new water mains shall be in accordance with District Engineering Standards .
- e. A water main extension will not be permitted solely to supply a hydrant or private fire service unless it is determined by the District that such extension will not adversely affect the distribution system.

2. Size of Water Mains

- a. The minimum size of water mains shall be as follows:
 - In low- and medium-density residential areas, except as provided below, the minimum size shall be 6 inches. If water quality is a concern, as solely determined by the District, a 4-inch main extension shall be considered if estimated water service requirements and fire flow can be met. An applicant shall

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MAIN EXTENSIONS

be charged for the size of the main extension needed to meet the water service requirements, including fire flow, for the project.

- In high-density residential, commercial, and industrial areas, and on long streets without side connections, such as on terraced hillsides, the minimum size shall be 8 inches. If water quality is a concern, as solely determined by the District, a 6-inch main extension shall be considered if estimated water service requirements and fire flow can be met. An applicant shall be charged for the size of the main extension needed to meet the water service requirements, including fire flow, for the project.
 - Four-inch main extension may be used in short cul-de-sacs, shallow side courts, or similar areas where all of the following conditions exist: (1) there is no possibility of further extensions or looping; (2) there are no required hydrants or potential for future hydrants; and (3) the service conditions provided in Section 2.b below can be met. An applicant shall be charged for the size of the main extension to be installed.
 - Two-inch pipe may be used in private driveways or roads where all the following conditions exist: (1) there are no more than three possible service connections; (2) there is no possibility of further extension or service connections; (3) there is no requirement for a fire hydrant; and (4) standard service is reasonably available from the extension to all premises to be served.
- b. New water mains shall be sized to meet the following water service requirements:
- Projected maximum day demand (MDD) with a residual pressure of at least 40 pounds per square inch (psi) in the main, where feasible;
 - Projected MDD plus the project's design fire flow with a residual pressure of at least 20 psi in the main and at existing service connections throughout the pressure zone;
 - Projected maximum pumping rate with the pressure not exceeding 140 psi at the nominal lower elevation of the pressure zone (equivalent to 300 feet below reservoir overflow elevation); and
 - Pressure fluctuation in the main limited to a maximum of 30 psi under normal operating extremes, not including fire flow.

Exception: Low-pressure service shall be governed by Section 8 and Section 8A of the Regulations Governing Water Service to Customers of EBMUD.



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- c. Main extensions, and replacements for service, shall be sized to provide capacity for the applicant and the potential future demand beyond that of the applicant. The applicant shall be charged only for the size of main required for the applicant's project as determined above.

3. Length and Location of Water Mains

- a. To the extent practicable, water mains shall be located within the paved area of streets or roads..
- b. With the exception of the nonpotable water distribution system and to the extent practicable, the distribution system network shall consist of closed loops so each section of main can be fed from either end, dead ends shall be avoided, existing dead ends shall be eliminated, and areas with a large number of service connections shall have more than one feed. An applicant shall not be charged for the additional water main necessary to close a loop in the existing distribution system unless it is required to meet estimated water service requirements and/or minimize water quality operations. When a closed loop system is required for a new development project, the charge for these water mains shall be included in the applicant's water service estimate.
- c. For operational reasons, a water main 20 inches or larger, which has the primary purpose of transmission of water between major facilities and/or significant areas of the distribution system shall not be available for installation of service connections. Service shall be granted from a smaller parallel main extended from the nearest available main in the distribution system or from a turnout on the larger main at a location consistent with the orderly development of the distribution system grid in the vicinity of the applicant's premises. An applicant shall be charged for the parallel main extension required for service. If the existing larger main carries a front foot charge, the District shall reimburse the original applicant based on the front footage of the properties that shall be served by the smaller parallel main, provided that the front foot charge is payable.

Exceptions: Installation of a service connection on a 20-inch or larger water main which has the primary purpose of transmission of water between major facilities and/or significant areas of the distribution system may be considered (1) for an isolated service that can be interrupted for long periods, such as an irrigation service under a conditional service agreement, or (2) for an isolated service where the District determines that the installation of a smaller parallel water main would be impractical because an available main does not exist and the development of a distribution system to serve other properties in the vicinity is not anticipated in the foreseeable future.



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d. A Separate parallel water mains may be required on each side of the traveled way in a streets or roads if the following conditions are met for a situation where one or more service laterals or hydrant laterals would be required on the opposite side of the existing water main:

1. The laterals cross with three or more traffic lanes in a heavily travelled way.
2. The laterals cross five or more traffic lanes under all other traffic conditions and curb parking, or with four or more traffic lanes,
3. The road is or which are divided or which contain a subsurface structure or facility interfering with the normal installation of a service lateral.

Note: The number of traffic lanes includes bicycle and curb parking.

~~In such cases, existing mains are available for service connections only to premises with frontage on the same side of the street or road.~~ An applicant shall be charged for a parallel main extension if it is required for service. The existing mains are available for service connections only to premises with frontage on the same side of the street or road.

C. EXCEPTIONS

The preceding provisions shall not apply to main extensions under the following conditions:

1. Where the District finds that there is inadequate capacity in the existing system, in which case the applicant will be advised of the terms and conditions under which an extension may be installed.
2. If the construction of major facilities is required before service can be granted, in which case the conditions of Section 3-B shall govern.
3. If in the determination of the District the majority of adjacent premises fronting on the same street or road are already served by the District at locations other than the principal frontage without service agreements allowing for such non-standard service, a water main extension may not be required. The owner(s) of the premises shall agree in writing to the conditions of service, including relocation of the service and payment of any applicable costs, should standard service become available at the principal frontage. This agreement, which may include provisions of limited or low pressure service if applicable (see Section 8), shall be a covenant against the premises to be served and shall run with the land, and be recorded by the District.
4. Where unusual conditions exist, in which case the applicant will be advised of the terms and conditions under which an extension may be installed.



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5. If in the determination of the District it is not in the best interests of the District to extend a water main with standard pressure and flow or to construct major facilities for a new pressure zone, the District may, in its sole discretion, authorize water service from a water main that is not adjacent to the principal frontage of the premises to be served. The following conditions must prevail in order for service to be authorized pursuant to this subsection:

- The project is for a small number of premises.
- The premises can be served from a water main in the immediately adjacent lower pressure zone, or higher pressure zone. Service from a higher pressure zone will be considered only if pressures to the premises are not too high.
- The District has determined that a standard distribution system to provide the premises with water service is not presently feasible.
- The proposed method of service has been reviewed and is recommended by the Manager of Water Distribution Planning and approved by the Director of Engineering and Construction.
- The applicant has agreed to all terms and conditions set forth in these Regulations with respect to Limited, Low-Pressure or High Pressure Services, if applicable.
- The applicant has agreed to all terms and conditions necessary to provide water service including, but not limited to, applicant installation and District inspection of pumping and/or storage facilities; restrictions on pumping capacity and operation; agreement to pay a proportionate share of the cost of installing flow control valves or other equipment necessary to provide service without adversely affecting the pressure and flow to existing customers; and acknowledgement that District may install flow restricting devices and/or terminate water service if the restrictions on pumping capacity and operation are exceeded.
- The applicant has agreed to pay a proportionate share of the cost of a main extension and the cost to relocate services in the event that a water main is installed immediately adjacent to the premises at some future date.
- Applicant has also agreed to notify subsequent owners of the premises of the conditional nature of the water service.
- The applicant has further agreed that the location of the water service connection shall be subject to District approval and shall not be located in the traveled way of private roads or driveways and shall be readily accessible for purposes of meter reading and routine maintenance.



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- The applicant has provided written evidence of the following:
 - a. Satisfaction of all requirements applied to the development by the fire protection agency;
 - b. Evidence that local agencies responsible for issuance of building and occupancy permits have been fully informed of the nature and conditions of water service to the development;
 - c. Acquisition of all necessary property rights as determined by the District.

For purposes of this subsection, “feasible” shall mean that the District has determined that standard water service configurations under these Regulations are not economical due to the costs of operating and maintaining the water service facilities in relation to the small number of premises to be served. In making this determination, factors to be considered by the District include, but are not limited to: (a) the projected revenue from new services in the development as compared to the costs of operating and maintaining water service facilities that would otherwise be required to serve the development and (b) the anticipated additional costs that would be incurred by the District to maintain water quality in such water service facilities.

6. In certain unusual circumstances as solely determined by the District, a water main extension may not be required and the premises may be served at a location other than the principal frontage, provided that:
 - The premises fronts on an existing main of adequate flow and pressure, but is separated from the main by a strip of land used solely for landscaping purposes that is owned by a third party, that has been determined by the District to be unsuitable for development, and across which the applicant has an easement for service and no other utility easement is reasonably available;
 - The applicant meets the requirements for a conditional service and agrees in writing to the conditions of such service as set forth in Section 3; and
 - The District has determined that a main extension is not desirable because of geotechnical factors or not necessary to facilitate system operation.

D. FRONT FOOT CHARGES AND REFUNDS

1. FRONT FOOT CHARGES

The District will collect a front foot charge, where applicable, before granting a standard service or a private fire service to premises which lie along and may be served directly from any main extension installed under the provisions of this regulation or financed by the District. The front foot charge for a main extension shall be in effect for a period of twenty years from (1) the date of execution of the contract if the extension is financed by an



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applicant, or (2) the date of the official completion of the extension if financed by the District.

The front foot charge shall not be applied more than once to any premises. Except for unusual conditions, premises already served at the date of installation of the extension will be excluded in determining the front foot charge. Unusual conditions include, but are not limited to, premises served under a special service agreement, premises for which relocation of the service connection to the extension is requested, and premises already served but later subdivided requiring additional service connections.

Whether a main extension is installed by an applicant or by the District, the front foot charge will be determined by dividing the charge for the extension by the front footage of all premises which lie along and may be served directly from the extension. When installed by the applicant, the charge for the extension for purposes of determining the front foot charge shall be computed as if installed by the District.

To equitably distribute extension costs to the premises served from the extension, when a premises has an average lot width with more than a nominal difference when compared to the principal frontage, such as on road curves and cul-de-sacs, the average lot width, as determined by the District, shall be the front footage for that premises. The District may also include, in determining the charge, premises which do not have principal frontage on the extension but will have service connections on the extension under special service agreement.

2. FRONT FOOT CHARGE REFUNDS

The applicant who has financed a main extension (or the applicant's assignees) is entitled to the front foot charges collected by the District for permitting the connection of a standard service or a private fire service to such extension. The amounts collected will be refunded without interest within 90 days following the date of collection.

No front foot charge refunds will be made after twenty years from the date of execution of the contract for an applicant-financed extension except those refunds which have accrued during such twenty-year period. The terms of this refund provision shall apply to all water mains installed under contracts executed on or after April 1, 1955.

The total amount of all refunds made by the District to the applicant (or the applicant's assignees) may not exceed the installation charge for the main used to compute the front foot charge.

Section 17

Change in Use and/or Size of Service

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SECTION 17 CHANGE IN USE AND/OR SIZE OF SERVICE

An installation charge and resulting increase of the System Capacity Charge, as provided in the Schedule of Rates and Charges will be required when a customer applies for a change in use, increase in size, or change in location of an existing service connection.

Changes in the use of a service or increased usage on an existing service for a premises and corresponding System Capacity Charge are subject to the following provisions:

A. INCREASE OR CHANGE IN USE:

Before new water using features or equipment (e.g. cooling towers, additions to existing structures, industrial processes, buildings, etc.) are added to a premises or the use of water using features or equipment on a premises increases or changes, the customer must submit a water service application along with supporting water use data for the District to conduct a water service assessment. The District shall review the application to make the following determinations:

1. Whether a new meter is required to accommodate increased water use;
2. The amount of any associated System Capacity Charge resulting from the increase and/or change in use, regardless of the size of the meter.

When the water service assessment indicates a change in use will occur, the District may determine an increase in meter size, lateral(s), or water main(s) is necessary to provide adequate water service to the premises. If the District determines that changes in meter size, lateral(s), or water main(s) are necessary to provide adequate water service to the premises, the customer shall pay any resulting charges as set forth in the Schedule of Rates and Charges. Where an existing meter larger than 1-1/2 inches sufficiently meets the demand of a proposed increase and/or change in use, the District will determine the increase in the estimated annual average water usage for the premises, and will require payment of an additional System Capacity Charge for the increased usage as provided in the Schedule of Rates and Charges. For an increase or change in water use caused by the creation of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit on a premises, connection fees and capacity charges will be imposed only as authorized by [Chapter 13 of Division 1 of Title 7 of the California Government Code](#) ~~Government Code Sections 65852.2 and 65852.22.~~

Failure to report an increase and/or change in water use may result in District investigation to determine compliance with these Regulations. If the District determines that changes in the meter size, lateral(s), or water main(s) are necessary to provide adequate water service to the premises and/or that payment of additional System Capacity Charges is required, but the customer refuses to initiate a water service application and/or pay resulting charges set forth in the Schedule of Rates and Charges, the District will take further actions to address noncompliance with these Regulations which may include installation of a flow restriction device and/or discontinuation of service.



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SECTION 17 CHANGE IN USE AND/OR SIZE OF SERVICE

B. REQUESTED REDUCTION IN SIZE OF SERVICE

A requested change to a smaller size service must be approved by the District and will be made after the applicant has paid the installation charges as set forth in the Schedule of Rates and Charges. No System Capacity Charges will be assessed for reduction in size of service. The owner shall not be entitled to a refund of any portion of a System Capacity Charge paid for the original larger meter.

C. REQUESTED INCREASE IN SIZE OF SERVICE

A requested increase in the size of a service must be approved by the District and will be made by the District after the applicant has paid the installation charges and the resulting increase in the System Capacity Charge set forth in the Schedule of Rates and Charges. The increase in the System Capacity Charge resulting from an increase in the size of a service equal to the difference between the System Capacity Charges applicable to the new service size as set forth in the Schedule of Rates and Charges.

D. REQUESTED REPLACEMENT OR RELOCATION OF SERVICE LARGER THAN 1-1/2 INCHES

A requested relocation of any meter larger than 1½ inches or replacement of any meter larger than 1-1/2 inches with a meter of equivalent size must be approved by the District and will be made by the District after the applicant has paid the installation charges. If the meter relocation or replacement is in support of improvements to existing structures and/or new construction, the District will determine if the changes will result in an increase in the estimated annual average water usage for the premises, and will require payment of an additional System Capacity Charge for the increased usage as provided in the Schedule of Rates and Charges. The owner shall not be entitled to a refund of any portion of a System Capacity Charge paid for the original meter based on a resultant reduction in the water usage resulting from the changes.

A change in size of service which involves a change in location will only be approved by the District subject to the provisions of Section 18 and payment of the applicable relocation cost.

An installation charge, as provided in the Schedule of Rates and Charges, will be required when a customer applies for a change in type, increase in size, or change in location of an existing service connection.

Section 26

Protection of Public Water Supply

FY 2026



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SECTION 26 PROTECTION OF PUBLIC WATER SUPPLY

In making plumbing connections, the customer is required to comply with Public Law 99-339 - The Safe Drinking Water Act Amendments of 1986, and the California ~~Code of Regulations Title 17--Public Health~~ State Water Resource Control Board's Cross-Connection Control Policy Handbook (CCCPH). The water purveyor has the primary responsibility for protecting the public water supply from contamination by implementation of a cross-connection control program.

Such regulations prohibit:

- unprotected cross-connections between multiple domestic supplies, a domestic water supply and any auxiliary water supply, or between a potable water supply and a nonpotable water supply;
- water service to a premises where there is a probability that a pollutant, contaminant, ~~system~~ or plumbing hazard may be created;
- water service where materials dangerous to health or toxic substances in toxic concentrations are handled; or
- water service where the water system is unstable and cross-connections may be installed or reinstalled.

Accordingly, the District requires the installation of a backflow preventer or other prevention devices ~~methods~~ under any of the following conditions:

- where another source of water, including recycled water, whether cross-connected or not, is in use or is available for use; ~~or~~
- where contaminated liquid or soluble substances of any kind are used, produced or processed; ~~or-~~
- where cross-connection hazards are identified.

Where a backflow ~~device~~ preventer or other ~~protective devices are~~ prevention method is used as a protection to the customer's plumbing system, a suitable pressure relief valve must be installed and maintained by the customer at the customer's expense. The relief valve shall be installed between the backflow ~~device~~ preventer and the water heater.

When necessary ~~In special cases~~, the District may require the customer to eliminate certain plumbing or piping connections as an additional precaution to prevent backflow.

The California ~~Code of Regulations Title 17~~ State Water Resource Control Board's CCCPH requires the water purveyor to any premises on or for which a backflow ~~prevention devices or other protective devices are~~ preventer is installed to ~~assure~~ ensure that adequate maintenance and periodic testing are provided by the water ~~user~~ customer to ~~ensure~~ guarantee proper operation ~~of these devices~~. According to the CCCPH, backflow preventers and also requires that these devices ~~airgaps must~~ be inspected and tested ~~for water tightness and reliability~~ at least once per year or more frequently if determined to be



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necessary by the water purveyor. Backflow ~~prevention devices~~preventers must be tested by persons who have demonstrated competency ~~in testing of these devices~~ to the water purveyor or health agency. Accordingly, the District will establish a list of contractors who have demonstrated competency in the testing of backflow ~~prevention devices~~preventers, and a list of approved ~~devices~~preventers that have passed laboratory and field evaluation tests performed by a ~~DOHS recognized~~ testing organization that is recognized by the State Water Resource Control Board.

~~Double-check valve~~ Backflow preventers and ~~other protective devices~~airgaps may be inspected and tested ~~for water tightness~~ by the District. If the inspection cannot be made without undue difficulty because of an obstruction or other interference, the customer will be notified and required to either correct the condition or have the inspection made at the customer's own expense and witnessed by the District.

Installation costs and the annual testing and maintenance of ~~commercial backflow devices and residential backflow devices when a Reduced Pressure Principle Backflow Device (RP) is required~~ preventers shall be performed by a certified tester contracted by the ~~consumer~~customer at the customer's expense. ~~A copy of the tester's certification~~ Passing test reports must be received by EBMUD's Backflow Prevention Group annually for continued water service. ~~A copy of the tester's certification~~

After July 1, 2025, District-owned backflow preventers on residential services shall ~~be forwarded to no longer be installed, tested, or repaired at the District's~~ Backflow Unit. ~~expense. Any backflow preventers required to be installed, tested, or maintained must be performed by the customer at the customer's expense.~~

Service ~~to~~for any ~~commercial~~ premises may be discontinued if it is found that dangerous or unprotected cross-connections exist, or if ~~any defect is found in the backflow or other protective devices~~ the regulatory requirements are not met. Service will not be restored until such defects are corrected at the customer's expense and applicable District restoration charges have been paid.

~~Installation, testing and maintenance of double-check valve backflow devices for single-family premises where a residential well exists (conforming single-family premises) shall be performed by the District, at its expense, during normal working hours. Service for any residential premise may be discontinued if it is found that dangerous or unprotected cross-connections exist.~~

Section 30

Recycled Water Service

FY 2026



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SECTION 30

RECYCLED ~~NONPOTABLE~~ WATER SERVICE

A. SCOPE OF REGULATION

The State Legislature has determined that use of potable water for certain nonpotable uses is a waste or unreasonable use of water if recycled water is available which meets the conditions specified in California Water Code section 13550, et seq. District Policy 9.05 requires that customers of the District use recycled water for nonpotable uses when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health, and not injurious to plant life, fish, and wildlife. This Regulation governs the following: the purposes for which the District may require the use of recycled water; the manner in which the District determines whether to require recycled water use in a given case; and the rights and obligations of an applicant for water service or an existing District customer affected by the District's determination.

This Regulation does not govern the provision or use of untreated nonpotable water (also known as raw water). The District may agree to provide raw water, where available, for nonpotable use on a case-by-case basis pursuant to contractual terms and conditions. ~~In furtherance of District Policy No. 9.05, these regulations identify the types of water uses for which nonpotable water is appropriate; the factors considered in determining the feasibility of nonpotable water service; and the procedure for notifying to applicants and customers that nonpotable water use is required.~~

B. DEFINITIONS

The following terms, when used in this Regulation, shall have the meanings given below.

~~Feasible. For purposes of this section, nonpotable water service shall be feasible if the District at its sole discretion determines that:~~

- ~~• Nonpotable water may be furnished for the intended use at a reasonable cost to the customer and District.~~
- ~~• Nonpotable water is of adequate quality for the intended use.~~
- ~~• The use of nonpotable water is consistent with all applicable federal, state and local laws and regulations.~~
- ~~• The use of nonpotable water will not be detrimental to the public health and will not adversely affect plant life, fish and wildlife.~~

Applicant. A person or entity who has applied to the District for new potable water service or recycled water service, or for a change in use of existing potable water service or recycled water service, at a given premises.

Customer. A person or entity who has established and receives potable water service or recycled water service from the District at a given premises.

Dual Plumbing. The ~~For purposes of this section, "dual plumbing" shall mean the~~ installation of separate facilities for the distribution of potable and recycled ~~nonpotable~~ water service. These facilities



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may include distribution piping from the water service main or water supply source to the water service meter, and ~~as well as~~ facilities on the customer's side of the water service meter.

Nonpotable Use~~Nondomestic Uses~~. Any use of water for which recycled water may be lawfully used, including irrigation of landscape areas (including parks, greenbelts, playgrounds, school yards, athletic fields, golf courses, cemeteries, residential landscaping, common areas, commercial or industrial landscaping, and freeway, highway, and street landscaping, but excluding designated outdoor eating areas subject to spray, mist or runoff); irrigation of crops and pasture land; industrial uses (including floor trap priming, cooling towers, and air-conditioning devices), toilet and urinal flushing in any structure described in California Water Code section 13553, subdivisions (c) and (d); construction; fire suppression; hydrostatic testing; dust control; street sweeping; and supply for recreational impoundment.~~For purposes of this section, "nondomestic uses" shall mean all uses of water, except for drinking, culinary purposes, and the processing of products intended for direct human consumption. Nondomestic uses include irrigation of food crops intended for human consumption, which is an allowable recycled water use with appropriate treatment to meet water quality standards.~~

Recycled ~~Nonpotable~~ Water. Water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource. (Wat. Code, § 13050, subd. (n).)~~For purposes of this section, "nonpotable water" shall mean all reclaimed, recycled, reused, or untreated water supplies that meet the conditions set forth in California Water Code Section 13550 and are determined by the District to be suitable for nondomestic uses and feasible for the particular intended use.~~

Retrofit. ~~The~~ For purposes of this section, "retrofit" shall mean the conversion or modification of existing water service facilities such that the facilities ~~they~~ are suitable for recycled ~~nonpotable~~ water service.

Water Reuse ~~Zone-Zones~~. A portion of ~~For purposes of this section, "water reuse zone" shall mean District-designated zones within the District's service area in which the District has determined that recycled where nonpotable water service is has been determined to be~~ reasonably available. In general, a premises is within a Water Reuse Zone if it is no more than one-half mile from an existing or planned recycled water pipeline. The District's designated Water Reuse Zones are described on the District's public website. The District may designate new Water Reuse Zones or modify existing Water Reuse Zones from time to time, which shall become effective when made available on the District's website.

Water User. An applicant or a customer.

C. RECYCLED WATER USE REQUIREMENT

Each existing customer of the District, and each applicant for new or expanded service from the District, shall use recycled water for nonpotable uses within any designated Water Reuse Zone, if the District determines pursuant to this Regulation that recycled water is or will be available for the intended nonpotable uses and requires its use.

~~TYPES OF NONPOTABLE WATER USE~~



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~~Use of nonpotable water may be required for nondomestic uses, which include but are not limited to: irrigation of cemeteries, golf courses, playing fields, parks and residential and nonresidential landscaped areas; commercial and industrial process uses; toilet and urinal flushing in nonresidential buildings.~~

D. DETERMINATION OF ~~FEASIBILITY~~ AVAILABILITY OF RECYCLED ~~NONPOTABLE~~ WATER SERVICE

The District may from time to time ~~will~~ identify existing customers within a Water Reuse Zone ~~Zones~~ and determine whether recycled water is available to serve the nonpotable uses of those ~~the feasibility of providing nonpotable water service to these~~ customers. The District will also review applications for new or expanded service within a Water Reuse Zone ~~services~~ to determine whether recycled water is available to serve an applicant's intended nonpotable uses ~~the feasibility of providing nonpotable water service to these applicants~~. The District, in at its sole discretion, will determine whether a source of recycled water is available to a particular water user for a particular nonpotable use ~~the economic, environmental, and institutional feasibility of providing nonpotable water service to existing customers and new service applications~~.

When making that determination, the District will consider the following facts and circumstances:

1. Whether the identified source of recycled water is of adequate quantity for the water user's intended nonpotable use;
2. Whether the identified source of recycled water is of adequate quality for the water user's intended nonpotable use. In determining adequate quality, the District shall consider all relevant factors on a user-by-user basis, including applicable legal and regulatory requirements, food and employee safety, and level and types of specific constituents in the recycled water affecting the intended nonpotable use;
3. Whether it is technically feasible for the District to treat and deliver recycled water for the intended nonpotable use;
4. Whether recycled water may be furnished for nonpotable use at a reasonable cost to the water user and to the District. Before requiring recycled water use, the District shall determine that the cost to the water user of supplying treated recycled water for a particular nonpotable use of water is comparable to, or less than, the cost of supplying potable domestic water to the same water user for the same use. In making this determination, the District shall compare the present and projected costs to supply each source of water (potable vs. recycled) to the water user for specific nonpotable use(s), accounting for the following: (i) the expected cost to the water user for system capacity and for the acquisition, conveyance, treatment, and distribution of each source of water, (ii) the expected cost to the water user to construct any new improvements and infrastructure necessary to supply each source of water to the water user, which costs may be evaluated over a reasonable payback period, (iii) any cost savings to the water user expected to result from a difference in the unit rate charged for each water source, and (iv) any cost savings to a customer expected to result from an offer of payment by the District towards the cost of necessary retrofit work;



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5. Whether the intended use of recycled water will be detrimental to public health;
6. Whether the intended use of recycled water will degrade water quality or be injurious to plant life, fish, and wildlife;
7. Whether there is an alternative higher or better use for the identified source of recycled water; and
8. Whether the use of recycled water for the water user's intended use would be consistent with all applicable federal, state, and local laws and regulations.

The District shall consider the facts and circumstances listed above. The District may consider any relevant information and any other relevant facts and circumstances. The District may require a water user to furnish information which the District determines to be relevant to the determination. However, nothing in this Regulation shall be construed to require the District to hold a hearing or take any evidence.

When determining whether recycled water is available for purposes of this Regulation, the District may consider both existing facilities and identifiable planned facilities. If the District determines that recycled water will be available in the future from planned recycled facilities not yet constructed or in operation and requires recycled water use on that basis, then the District will offer interim potable water service as provided in this Regulation until the District is able to deliver recycled water to the premises.

~~If nonpotable water service is determined by~~ the District determines in its sole discretion that recycled water is available to a water user for a particular nonpotable use, the District may require the water user to use recycled water in lieu of potable water for that use, and if the District so requires, then the District will not supply the water user with potable water for that nonpotable use, except (1) as a backup supply if authorized on conditions set by the District, and/or (2) on an interim basis as provided in this Regulation. The District will notify the water user in writing ~~to be feasible, written notification~~ of the requirement to ~~required use recycled of nonpotable water shall be provided to the customer or applicant. The~~ Such ~~notification will may~~ include information regarding District water service requirements procedures, state a description of the District's nonpotable water project, a date by which the water user's premises ~~customer site~~ must be ready to accept recycled nonpotable water service, and describe a description of any nonpotable water facilities that must be constructed on the water user's premises ~~customer's site~~ , including dual plumbing and backflow prevention devices, and the deadline for completing construction. The District may require a water user ~~Customers may be required to retrofit existing water service facilities to accommodate recycled nonpotable water service. Applicants and applicants for new water services may be required to pay for recycled water main extensions providing principal, install frontage and onsite piping, recycled water nonpotable infrastructure, and install dual plumbing, on pursuant to~~ terms and conditions specified by the District.

E. RECYCLED ~~NONPOTABLE~~ WATER USE PERMITS

Water users who are ~~Customers and applicants~~ required or desire to use recycled nonpotable water shall submit a recycled water service application in a form specified by the District ~~Nonpotable Water Service Application. Following Upon receipt, review, and approval of the application, and the~~



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~~construction~~ completion of construction, but before the ~~and prior to~~ start of recycled water service, the District will issue a recycled nonpotable water use permit which states, among other things, will specify the approved use(s) for recycled water ~~uses~~ at the water user's premises ~~customer sites~~ and the other requirements ~~for the customer's water~~ user must meet as a condition of recycled water service ~~distribution facilities and portions of the premises where nonpotable water will be applied.~~

Recycled Nonpotable water service will not commence until all fees and charges have been ~~are~~ paid and the District has verified ~~verifies~~ compliance with the permit requirements. Failure to comply with permit requirements is a violation of this Regulation and may result in suspension or termination of recycled water service.

F. INTERIM POTABLE WATER SERVICE

As ~~In special circumstances, as~~ solely determined by the District, ~~once the permit has been issued,~~ a potable water supply for nonpotable use may be provided on an interim basis until all necessary construction and other requirements for receiving recycled nonpotable water delivery is ~~are~~ complete and a recycled water supply is ready to be served. The District may offer interim potable water service if the District is not yet ready to deliver recycled water to or near a customer's premises but has planned for a future capability to make such delivery. The District generally will not provide interim potable water service for nonpotable use if recycled water service is currently available for delivery to the customer's premises. All potable water delivered during the period of interim potable water service will be billed at the prevailing potable water rates.

The District may condition the provision ~~Provision of~~ interim a potable water service on ~~until nonpotable water is available may be contingent upon the~~ water user's agreement ~~customer/applicant agreeing to comply with~~ any or all of the following requirements:

- 1. Installation by the water user within a time specified by the District ~~customer/applicant installation of water service facilities, separate and distinct from the potable water service facilities, necessary to convert for the purpose of facilitating conversion to~~ or begin receiving a recycled nonpotable water supply when available;
- ~~additional retrofitting of water service facilities (potable and nonpotable) and construction of additional nonpotable water facilities (e.g., service laterals, metering conversion and appurtenances) as solely determined by District to be necessary to commence delivery of nonpotable water when available;~~
- 2. Agreement by the water user ~~agreement~~ to pay the District's cost to install water facilities which the water user is required or has agreed to install within a specified time, perform ~~additional retrofitting and construction if the customer/applicant does not perform the work~~ is not completed within that ~~the~~ time specified; and/or
- ~~installation of flow-restricting devices, at customer/applicant expense, to reduce the maximum flow rate in the event the District is unable to deliver a nonpotable water supply;~~



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- ~~customer/applicant construction of storage facilities to insure an adequate water flow for the site notwithstanding the installation of flow-restricting devices;~~
- ~~agreement to indemnify the District with respect to any damage arising from the installation of flow-restricting devices or construction of storage facilities;~~
- ~~removal of flow-restricting devices, without charge, and connection to the nonpotable water supply in the event that the District makes a nonpotable water supply available;~~
- 3. Any ~~any~~ other conditions deemed necessary by the District.

~~The District will advise the customer/applicant of those conditions that shall apply to the delivery of a potable water supply until nonpotable water is available.~~ Applicants for new or expanded service who that are approved to receive an interim potable water supply pending the commencement of delivery of recycled water to the premises and permitted shall pay the applicable ~~Nonpotable~~ System Capacity Charge for Nonpotable Water Service before interim service will be provided, notwithstanding the interim delivery of a potable water supply ~~until nonpotable water is available~~.

Interim potable water service to a customer shall be discontinued if and when the District makes any of the following determinations:

1. That the District is ready to deliver an adequate supply of recycled water to the customer's premises, in which case the customer henceforth must use recycled water, not potable water, for nonpotable use;
2. That the customer has not timely completed any required construction work or failed to comply with any other condition on the customer's receipt of interim potable service, in which case the customer must cease using potable water for nonpotable use; or
3. That the District no longer plans to develop the capability to deliver recycled water to or near the customer's premises, in which case the customer may continue using potable water for nonpotable use if the applicable System Capacity Charge for Potable Water Service is paid, provided that any prior payment received for the System Capacity Charge for Nonpotable Water Service will be credited towards the balance due.

G. EXISTING CUSTOMER RETROFIT WORK:

1. APPLICABILITY

The District may require an existing customer who has previously established one or more nonpotable use(s) at a given premises within a Water Reuse Zone to cease using potable water for such nonpotable use(s) and to use recycled water henceforth instead, if the District determines in accordance with this Regulation that recycled water is or will be available to serve the nonpotable use(s) at the customer's premises, and the provisions of this Subsection G (entitled "Existing Customer Retrofit Work") apply to each such customer.



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2. ~~4.~~ INSTALLATION, OPERATION, AND MAINTENANCE COSTS

- a. Financial Responsibility for Design and Construction Work. Except as otherwise provided herein, when an existing customer is required by the District to convert to recycled ~~nonpotable~~ water service, the District will offer to (1) pay or reimburse the reasonable design and capital costs of any retrofitting of the water service facilities on the customer's side of the water service meter that is necessary for the customer to use recycled water in compliance with the customer's recycled water use permit and this Regulation, and (2) ~~will also~~ provide for installation of the recycled ~~nonpotable~~ water service facilities necessary to deliver recycled ~~nonpotable~~ water to the customer's water service meter which is payable or reimbursable by the District as specified in this Regulation. The District may require the customer to remove or downsize the existing potable water connection. Notwithstanding the foregoing, if the customer requests installation of recycled water service facilities to serve new development or to increase the capacity of a previously established nonpotable use, such facilities are subject to the provisions of Subsection H (entitled "New Customer Service Applications and Voluntary Conversions") and not this Subsection G.
- b. Financial Responsibility for Operation and Maintenance Costs. A customer may begin to receive service when the retrofit is completed, the customer's premises is ready to accept recycled water, and the customer has applied for and received a recycled water use permit. ~~The Once nonpotable water service delivery commences, the customer is shall be~~ responsible for all costs of operating and maintaining the water service facilities on the customer's side of the water service meter(s) and for complying with all reporting and inspection requirements in accordance with District and State regulations, except where the District has determined that it would be in the best interests of the District to own, operate and maintain on-site treatment facilities on the customer's premises in which case the District may agree to accept responsibility for such costs. The customer shall pay the District's current nonpotable water rate for recycled water delivered to the customer. If recycled water is unavailable when the retrofit is complete, the customer shall be liable to pay the District's current potable water rates until recycled water is available for delivery to the customer's premises. ~~In the event a customer's water volume demand is increased significantly as a direct result of water quality considerations due solely to the conversion to nonpotable water service, the District may apply a volume conversion factor to the customer's account such that the conversion will not result in an increase to the customer's overall cost of water service. The volume conversion factor shall be applied prior to establishing nonpotable water service, upon request by, and after receipt of adequate documentation of the projected demand increase from, the customer.~~
- c. Capacity Charges and Installation Charges. An existing customer who converts a previously established use of water at a given premises from potable water use to recycled water use, without increasing the meter size of the connection serving that previously established use, shall not be liable to pay the System Capacity Charge for Nonpotable Water Service. Fees and charges, including a capacity charge, previously paid to receive potable water service, shall not be refunded.



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3. ~~2.~~ DESIGN AND CONSTRUCTION PROCESS

- a. Option to Construct. An existing customer ~~Existing customers~~ required to convert to recycled ~~nonpotable~~ water service may choose to authorize the District to design and construct ~~complete~~ the required retrofit work, or otherwise the customer must design and construct ~~or, as an alternative, allow the District to complete~~ the required retrofit work by the date indicated in the District notification. If the District determines before ~~prior to the start of~~ construction begins that the retrofit of the customer's facilities is not feasible, the District shall be released from any obligation to perform or reimburse the cost of any retrofit work and the customer shall be released from the requirement to convert to recycled water service until such time as the District determines the retrofit is feasible.
- b. Retrofit Work By District. ~~If a customer requests~~ Where the District ~~to performs the~~ design and construct ~~construction of~~ the retrofit work, the customer shall ~~review the design and~~ sign a Retrofit Agreement which sets forth the rights and obligations of the District and the customer with respect to the retrofit work. The customer must comply with the Retrofit Agreement as a condition of the District's performance of the work. The customer may review the retrofit design. The customer must ~~and~~ provide access to the premises ~~site~~ as necessary for the District or its contractors to perform the design and construction work. Site access may be required for ~~, including but not limited to~~ inspections, testing, or other purposes ~~retrofit items and performing required cross-connection and backflow prevention valve testing, where installation of backflow prevention devices is required by law or recommended by the District. The Retrofit Agreement may require the customer to indemnify the District, to allow entry and inspection by the District, and to consent to other provisions deemed appropriate by the District for the accomplishment of the work and the protection of the District and its customers. The District shall install backflow prevention devices when required by law and/or deemed appropriate by the District.~~

~~A.c.~~ Retrofit Work By Customer.

- i. Design. If a customer does not enter into a Retrofit Agreement acceptable to the District, the customer must perform the design and construction of the retrofit work in accordance with the following requirements. The customer shall first ~~Prior to customer construction of the retrofit work, customers shall~~ submit to the ~~, for~~ District for review; a ~~proposed schedule,~~ cost estimate for a complete ~~, and~~ design for the retrofit construction work. If the District approves the cost estimate, the customer shall prepare, or have prepared, a conceptual ("30%") design and submit it for District review. If the District approves the conceptual design, the customer shall complete the final design and submit it for District review. The customer's retrofit design must include all ~~The scope of work, cost estimates, and the proposed schedule are subject to District approval prior to commencement of work. Any~~ retrofit elements required by state law ~~shall be included in the retrofit design.~~ The District shall review the completed design for adherence to legal and District requirements and may approve, conditionally approve, or deny approval of the submitted design. The District may direct changes to the design, in which case the customer must submit a revised



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design incorporating the changes to the District for approval before construction begins. If the final design is approved, the District will thereafter pay the customer's reasonable and documented actual design costs, provided that payment shall not exceed the approved design cost estimate absent prior written approval by District. Any changes to the proposed retrofit work must be submitted for District approval prior to construction.

- ii. Construction. After final design approval, the ~~The~~ customer shall provide a construction cost estimate and schedule for District review. Construction work may not begin until the District has approved the construction cost estimate and schedule. The customer shall thereafter complete the retrofit work. The customer shall be exclusively responsible for compliance with ~~prepare, or have prepared, the design work for the retrofit and complete the retrofit work and, in doing so, comply with~~ all applicable federal, state, and local codes, laws, ordinances and regulations and for obtaining and complying with ~~obtain~~ all necessary permits. The customer shall maintain compliance documents and furnish copies of said documents upon District request. Customers shall install backflow prevention devices as required by law or ~~recommended~~ by the District. The District shall be entitled to review the scope of work and schedule set forth in a construction contract to verify the suitability and timeliness of the proposed retrofit work. However, the ~~The~~ District shall not be a party to any contract between the customer and a third-party consultant or contractor, and the District shall have no responsibility thereunder, ~~although the District shall be entitled to review the contracts. The customer shall agree to indemnify the District with respect to any claims arising from the design or construction of the retrofit work.~~
- ~~i.~~iii. Inspection. After construction is complete, the customer shall notify the District, and the District may thereafter enter the premises and ~~The District shall be entitled to~~ inspect the retrofit work to verify that the retrofit items are installed and properly functioning, and to perform required cross-connection and backflow prevention testing. The District may require the ~~The~~ customer (or the customer's representative) and any construction contractor used to perform the retrofit work to ~~shall~~ be present during the final inspection. The District may pass, conditionally pass, or fail the work. If the construction work passes the inspection, the District will thereafter pay ~~Upon completion of the retrofit design work and subject to District approval of design costs, prior to start of design work, the District will reimburse the design costs incurred by the customer. Upon completion of construction, District inspection and approval of the work and the costs, the District will reimburse the~~ customer's documented actual construction costs, provided that payment shall not exceed the approved construction cost estimate absent prior written approval by District ~~incurred by the customer.~~
- iv. Customer's Failure to Complete Retrofit Work. A customer required to perform retrofit work must complete the required work and be ready to receive delivery of recycled water no later than the date specified by the District. The District may extend the time to complete retrofit work in the reasonable exercise of its discretion if the customer shows good cause. Failure to timely complete retrofit work is a violation of this



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Regulation.

- v. Indemnification and Liability. A customer, by accepting payment or reimbursement from the District for recycled water retrofit work which is completed by the customer or by a contractor or agent retained by the customer, is required to indemnify, defend, and hold harmless the District and its Directors, officers, and employees, from and against any and all loss, liability, expense, claims, lawsuits, and damages, including reasonable attorney's fees, arising out of or pertaining or relating to the design, construction, and/or operation of the recycled water retrofit work. Furthermore, by providing any review, inspection, or approval of customer work or customer submittals, the District does not intend to warrant or represent that the work or submittals are adequate or sufficient to meet legal or permit requirements or to function for the customer's intended purpose, and the District shall not be liable to the customer or any other party for any claims or losses arising in connection therewith. ~~Once the retrofit is completed and the customer site is ready to accept nonpotable water as certified by the District, the customer will pay the nonpotable water rate per the current applicable rate schedule. If nonpotable water is unavailable when the retrofit is complete, the potable water rate shall be charged until nonpotable water is available for delivery to the site.~~

~~B. Failure to Complete Retrofit Work by Customer~~

~~Customers who do not complete the retrofit work to enable the delivery of nonpotable water by the District-specified date will not be in compliance with this regulation. In such cases, the District may pursue one or more potential remedies, including, but not limited to the following:~~

- ~~1) The General Manager or the Manager of Customer and Community Services Department may, after a written warning to the customer, authorize installation of a flow restrictor to prevent the use of potable water for uses for which nonpotable water service has been determined to be feasible by the District.~~
- ~~2) Referral to the State Water Resources Control Board for a determination regarding the availability of recycled water pursuant to Water Code section 13550 et seq;~~
- ~~3) Legal action to enforce this Section 30 and require completion of the retrofit work.~~

H. NEW CUSTOMER SERVICE APPLICATIONS AND VOLUNTARY CONVERSIONS

1. APPLICABILITY

The provisions of this Subsection H (entitled "New Customer Service Applications and Voluntary Conversions") apply to the following applicants and customers:

- a. Each applicant ~~New applicants~~ for water service for a new or expanded nonpotable use who is required by the District to use recycled nonpotable water pursuant to this Regulation.



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- b. Each existing customer of the District who requests ~~for nondomestic uses, and~~ customers requesting installation of additional recycled ~~nonpotable~~ water service facilities in order to serve new development ~~developments~~ or to expand capacity.
- c. Each existing customer of the District who requests, ~~or those customers requesting~~ conversion from potable to recycled water ~~nonpotable~~ service, where the conversion is not required by the District.

2. COSTS FOR WHICH APPLICANTS AND CUSTOMERS ARE RESPONSIBLE

Water users subject to this Subsection H, shall be solely responsible for the full cost of all facilities and infrastructure necessary to deliver recycled ~~nonpotable~~ water from the closest available recycled ~~nonpotable~~ water facility to and within the premises ~~and within~~. Water users are solely responsible to timely pay ~~Costs shall include, but not be limited to, planning, design and installation of main extensions, service laterals, meters, irrigation infrastructure, dual plumbing, onsite treatment, backflow prevention, reservoirs or other forms of storage, pumping stations, backup potable water infrastructure, account fees, and all other applicable~~ rates, charges, and fees in accordance with the District's Water System Schedules ~~Service Schedule~~ of Rates, ~~and Charges, and Fees~~ and the Regulations Governing Water Service to Customers of the East Bay Municipal District ~~to customers~~. Failure to timely complete all work or to pay any sum due is a violation of this Regulation and will result in denial of water service.

3. MAIN EXTENSIONS; CONDITIONAL SERVICE CONNECTIONS

The District may require the installation of major recycled ~~nonpotable~~ water main extensions with excess capacity to meet future customer demands in certain service areas. The District will evaluate the need and feasibility for main extension excess capacity on a case by case basis. The water user ~~applicant or customer (as appropriate)~~ will only be charged for the size of the main required by District standards to serve the water user's recycled ~~nonpotable~~ water demand ~~of the applicant/customer~~.

Extension of ~~nonpotable~~ recycled water mains shall be subject to the requirements of ~~comply with~~ Section 4 of the District's EBMUD Regulations Governing Water Service to Customers of the East Bay Municipal District.

Section 3 of the Regulations Governing Water Service to Customers of the East Bay Municipal District specifies the conditions in which the District may locate a conditional service connection(s) at other than the principal frontage. The District may locate a conditional recycled water service connection(s) at other than the principal frontage if the conditions specified in Section 3 exist.

4. SYSTEM CAPACITY CHARGE

An applicant for new or expanded service who is required by the District to use recycled water for nonpotable use(s) shall pay the applicable System Capacity Charge for Nonpotable Water Service before service is provided in accordance with applicable provisions of the Regulations



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Governing Water Service to Customers of the East Bay Municipal District and the Water System Schedules of Rates, Charges, and Fees.

5. OPERATION AND MAINTENANCE COSTS; RATES

~~Once nonpotable water service delivery commences, the~~ The customer ~~is shall be~~ responsible for all costs of operating and maintaining the water service facilities for potable and recycled water on the customer's side of the water service meter(s) and for complying with all reporting and inspection requirements in accordance with District per EBMUD and State state regulations, except where the District has determined that it would be in the best interests of the District to own, operate and maintain on-site treatment facilities on the customer's premises in which case the District may agree to accept responsibility for such costs. The customer shall pay the District's current nonpotable water rate for recycled water delivered to the customer. If recycled water is unavailable when construction is complete, the customer shall be liable to pay the District's current potable water rates until recycled water is available for delivery to the customer's premises.

I. ENFORCEMENT AND APPEALS

1. ENFORCEMENT & REMEDIES

The District may deny or hold in abeyance an application for new or expanded service if the applicant does not comply with this Regulation. The District may take enforcement action against an applicant or a District customer who does not comply with this Regulation, including any or all of the following actions:

- a. Denial or discontinuation of potable water service for nonpotable use.
- b. Installation of a flow restricting device on a customer's potable water connection, after a written warning to the customer and authorization by the General Manager or the Manager of the Customer and Community Services Department, to prevent the use of potable water for nonpotable uses for which the District has determined that recycled water is available.
- c. Pursuit of an order from the State Water Resources Control Board requiring the water user to use recycled water.
- d. Initiation of legal action to enforce this Regulation and require completion of required work.
- e. Pursuit of any other legal or equitable remedy available to the District.

2. COSTS AND ATTORNEYS' FEES

The District may recover from any person or entity in violation of this Regulation the costs it incurs in connection with enforcing this Regulation, including staff time, and may seek



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attorneys' fees in any court action or proceeding.

3. APPEALS

A water user aggrieved by a final decision made by the District in connection with this Regulation may seek relief by submitting a written appeal to the Manager of Water Supply Improvements within 30 days of the date of the decision. The appeal must describe (1) the decision at issue, (2) the specific relief requested, (3) a statement of facts which the appellant believes entitles the appellant to the requested relief, and (4) copies of all relevant supporting documentation or written evidence the appellant wishes the District to consider. The Manager of Water Supply Improvements or designee will consider the submitted material and any other relevant evidence and decide whether to (1) grant relief in whole or part or (2) affirm the original decision. The water user shall not be entitled to a hearing, except where a hearing is required by law. The decision of the Manager of Water Supply Improvements is final. This written appeal process is the exclusive means to seek further administrative review of a decision made in connection with this Regulation and failure to timely pursue this process shall be deemed a failure to exhaust administrative remedies.

Section 31

Water Efficiency Requirements

FY 2026



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SECTION 31 WATER EFFICIENCY REQUIREMENTS

These regulations identify the types of water efficiency requirements for water service and the procedure for notification to Applicants that water efficiency measures are required. Applicants shall be subject to the most current and most water-efficient requirements in effect on the date the District receives payment for new or upgraded service, whether specified by EBMUD or other local, state, or federal regulations.

A. DETERMINATION OF FEASIBILITY OF WATER EFFICIENCY MEASURES

The District will review applications for new standard services and determine the applicability of, and compliance with, water-efficiency requirements. Applicants for increased or expanded service shall be required to meet the water-efficiency requirements for all new water service facilities and may be required to retrofit existing water service facilities or uses to comply with all requirements. Applicant shall maintain design documents and construction and installation records and furnish a copy of said documents and records to the District upon request. The District may inspect the installation of indoor and outdoor water efficiency measures to verify that the items are installed and performing to the required water efficiency levels. The Applicant or their representative may be present during any District inspection.

B. WATER EFFICIENCY REQUIREMENTS FOR NEW DEVELOPMENT OR EXPANDED SERVICE

Water service shall not be furnished to any Applicant for new or increased or expanded service, or for any change in customer classification (such as a change from industrial to commercial, residential to commercial, or the like) that includes new or retrofitted water using equipment, unless all the applicable water-efficiency measures hereinafter described in this Section 31 and required by applicable local, state and/or federal law have been reviewed and approved by the District. All the applicable and required water-efficiency measures shall be installed at Applicant's expense.

All applicants applying for new water service for multi-family residential structures or mixed-use residential and commercial structures shall comply with all applicable local and/or state submetering regulations. Submeters shall be equipped with registers with an encoded output to allow for electronic reading of submeters and shall be accessible for maintenance and visual needs. Applicants shall submit site and plumbing plans including location, accessibility, and specifications for submeters. See Sections 2 and 3 of EBMUD Regulations for additional requirements.

C. INDOOR WATER USE

- a. All Applicants shall comply with these regulations and those required by applicable local, state and/or federal law including the California Green Building Standards Code (CAL Green).
- b. Toilets shall be high-efficiency or dual flush models rated and third party tested at a maximum ~~average~~ flush volume of 1.28 gallons per flush (gpf), and be certified as passing a 350 gram or higher flush test as established by the U.S. Environmental



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SECTION 31 WATER EFFICIENCY REQUIREMENTS

Protection Agency WaterSense Specification or other District-accepted third-party testing entity. Pressure-assisted type toilets shall be high-efficiency rated at a maximum 1.0 gpf. No flush or conversion devices of any other kind shall be accepted.

- c. Wall mounted urinals shall have a maximum rated flow of 0.125 gpf or less, or be zero water consumption urinals.
- d. Floor mounted urinals shall have a maximum rated flow of 0.5 gpf or less.
- e. Single showerheads shall have a maximum flow rate of 1.8 gallons per minute (gpm) at 80 pounds of pressure per square inch (psi).
- f. Multiple showerheads serving a single shower enclosure shall have a combined flow rate of not more than 1.8 gpm at 80 psi or shall be designed to allow only a single showerhead to be operated at one time.
- g. Residential lavatory faucets shall have aerators or laminar flow control devices (i.e., orifices) with a maximum rated flow of 1.2 gallons per minute or less.
- h. Public lavatory faucets shall have aerators or laminar flow control devices with a maximum rated flow of 0.5 gallons per minute or less.
- i. Wash fountains shall have a maximum flow rate of not more than 1.8 gpm per wash station.
- j. Metering faucets shall not deliver more than 0.20 gallons per cycle.
- k. Kitchen faucets shall have aerators or laminar flow control devices (i.e., orifices) with a maximum rated flow of 1.8 gallons per minute or less with optional temporary flow of 2.2 gpm.
- l. Clothes washing machines shall be front loading horizontal axis or top loading models with a water factor rating of 4.5 or less. A water factor rating of 4.5 means a maximum average water use of 4.5 gallons per cubic foot of laundry.
- m. Residential dishwashers rated as standard size (i.e. 307 kWh/year) shall use less than or equal to 5.0 gallons/cycle. Dishwashers rated as compact size (i.e., 222 kWh/year) shall use less than or equal to 3.5 gallons/cycle.
- n. Cooling towers not utilizing recycled water shall be equipped with recirculating systems and operate at a minimum of five (5) cycles of concentration. Newly constructed cooling towers shall be operated with conductivity controllers, as well as make up and blowdown meters.
- o. Food steamers in all food service facilities shall be boiler-less or self-contained models using $\leq$ 3.0 gallons per hour where applicable.



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SECTION 31 WATER EFFICIENCY REQUIREMENTS

- p. Ice machines shall be air-cooled and use no more than 20 gallons of water per 100 pounds of ice and shall be equipped with a recirculating cooling unit or water-cooled on a closed loop system.
- q. Commercial refrigeration shall be air-cooled or if water-cooled, must have a closed looped system. No once through, single pass systems are permitted.
- r. Pre-Rinse dishwashing spray valves shall have a maximum rated flow of 1.28 gpm or less.
- s. Food disposers shall modulate the use of water to no more than 1 gpm when the disposer is not in use and shall automatically shut off after no more than 10 minutes of inactivity. Disposers shall use no more than 8 gpm of water.
- t. Commercial dishwashers or ware washing equipment shall be currently labeled an EnergyStar rated water efficient model meeting the maximum water consumption limits as specified in the table below:

Machine Type	High Temp Requirements	Low Temp Requirements
Under Counter	≤ 0.86 GPR	≤ 1.19 GPR
Stationary Single Tank Door	≤ 0.89 GPR	≤ 1.18 GPR
Pot, Pan, and Utensil	≤ 0.58 GPSF	≤ 0.58 GPSF
Single Tank Conveyor	≤ 0.70 GPR	≤ 0.79 GPR
Multiple Tank Conveyor	≤ 0.54 GPR	≤ 0.54 GPR
Single Tank Flight Type	$\leq \text{GPH} \leq 2.975x + 55.00$	$\leq \text{GPH} \leq 2.975x + 55.00$
Multiple Tank Flight Type	$\leq \text{GPH} \leq 4.96x + 17.00$	$\leq \text{GPH} \leq 4.96x + 17.00$

*GPR (gallons per rack); GPSF (gallons per square foot); GPH (gallons per hour)

- u. Conveyor and in-bay vehicle wash facilities shall reuse a minimum of 60% of water from previous vehicle rinses in subsequent washes.
- v. Self-service vehicle wash facilities shall use spray nozzles with a flow rate of 3.0 gpm or less.
- w. Swimming pools and spas shall be covered when not in use, unless public health and safety concerns exist.

D. OUTDOOR WATER USE

- a. All Applicants shall comply with all District water service regulations and those required by applicable local, state and/or federal law including the Model Water Efficient Landscape Ordinance (MWELI).



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TO CUSTOMERS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

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SECTION 31

WATER EFFICIENCY REQUIREMENTS

- b. Applicants shall submit, at a minimum, a scaled site plan that identifies the property address, parcel boundaries, building footprints, hardscape, softscape, meter location, and location of each hose bib. If an application for service is submitted without a detailed landscape plan for the entire premises, the District will estimate the new irrigable landscape area to determine the potential irrigation demand (default demand) for inclusion in the total domestic water demand calculation. Projects subject to MWELD shall also provide a compliant landscape documentation package as required by the ordinance.
- c. All premises with 500 square feet or more of new irrigable landscape area shall install a modular weather-based smart controller with rain or soil moisture sensor, an irrigation connection with a manual shutoff valve, a backflow prevention device, a pressure regulator where pressure exceeds the operating range of system components, and sleeves allowing irrigation to extend to all landscape areas.
- d. All non-residential premises with 500 square feet or more of new irrigable landscape shall also install a flow sensor with master shutoff valve.
- e. All residential premises with more than 5,000 square feet of new irrigable landscape area shall also install a flow sensor with master shutoff valve.
- f. As provided in Sections 1 and 3 of the Regulations, unless determined by the District that a District-dedicated irrigation meter is required, a private dedicated irrigation meter shall be required for residential premises with an irrigable landscape area of 5,000 square feet or more.
- g. As provided in Sections 1 and 3 of the Regulations, unless determined by the District that a District-dedicated irrigation meter is required, a private dedicated irrigation meter shall be required for non-residential premises with an irrigable landscape area of more than 1,000 square feet but less than 5,000 square feet.
- h. As provided in Sections 1 and 3 of the Regulations, a District dedicated irrigation meter shall be required for non-residential premises with an irrigable landscape area of 5,000 square feet or more.

E. NONCOMPLIANCE

The District will review applications for new and expanded services for water efficiency features as described in this Section. If an application does not meet the water efficiency requirements, the District may require the Applicant to resubmit a revised water service application and water efficiency plan at the Applicant's expense. The District may withhold water meter(s) and account activation until the District determines the application complies with the requirements of this Section.



BOARD ACTION

Agenda Number:	22.1.-22.5.	Meeting Date:	May 13, 2025

TITLE	SOBRANTE WATER TREATMENT PLANT RELIABILITY IMPROVEMENTS PROJECT – CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT AND PROJECT APPROVAL

ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:

RECOMMENDED ACTION	• Certify the Final Environmental Impact Report (EIR) for the Sobrante Water Treatment Plant (WTP) Reliability Improvements Project (Project). • Make findings in accordance with the California Environmental Quality Act (CEQA), including a Statement of Overriding Considerations. • Adopt the Mitigation Monitoring and Reporting Program in accordance with CEQA. • Adopt the Practices and Procedures Monitoring and Reporting Plan. • Approve the Project.

SUMMARY	The Project includes improvements at the Sobrante WTP at 500 Amend Road in El Sobrante and a new transmission pipeline within public roads in the cities of Richmond and San Pablo, and unincorporated areas of El Sobrante and Rollingwood as shown on the attached Project Location Map. The Project includes construction of staging areas; removal of vegetation (including trees); grading; construction of new facilities (treatment, chlorine contact basin, electrical, chemical storage, consolidated maintenance building, buried pipelines, outdoor lighting, stormwater retention basin, security fencing, perimeter fencing, and main entrance gate); paving; demolition of existing facilities; and site restoration including new trees at the Sobrante WTP. The Project also includes construction of approximately 4.2 miles of 54-inch and 72-inch large-diameter transmission pipeline to allow the additional treated water associated with Phase 2 of the Project to be conveyed to the distribution system. The Project facilities at Sobrante WTP are shown on the attached Site Plan. The Project will be designed and constructed in two separate phases. Phase 1 and Phase 2 improvements include new facilities to increase the capacity from 45 million gallons per day (MGD) to 60 MGD and 80 MGD, respectively. Phase 1 improvements will occur at the Sobrante WTP and Phase 2 improvements will occur at the Sobrante WTP and in public roads to install a new transmission pipeline from Sobrante WTP to Road 20. This Project was discussed at the September 5, 2024 and May 13, 2025 Planning Committee meetings.

DISCUSSION	Sobrante WTP treats water from San Pablo Reservoir, which stores water from local runoff and supplemental supply from the Sacramento River via the Freeport Regional Water Project. Sobrante WTP serves customers in Richmond, San Pablo, Hercules, and unincorporated communities of El Sobrante, Rollingwood, Crockett, and Rodeo. Sobrante WTP is typically

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? N/A	Board Action Type: CEQA
Funds Available: FY2025; Award #7000224; Page 43	Budget Coding: 523/2008990/2014776:01/7000224	Approved: 	
Attachment(s): Project Location Map; Site Plan; Resolution			

Title:	Sobrante Water Treatment Plant Reliability Improvements Project – Certify the Final Environmental Impact Report and Project Approval	Meeting Date:	May 13, 2025

operated in summer months, during drought operations, and planned and unplanned facility outages. During droughts the Sobrante WTP may also serve customers in Kensington, Albany, Berkeley, and portions of northern Oakland.

The Project will improve treatment plant reliability, reduce disinfection byproducts, improve maintenance operations, maintain flexibility to treat water from supplemental supplies, and increase the treatment capacity to meet future demands. This Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

Environmental Review Process/Public Outreach

Outreach meetings were held throughout 2021 to 2023 with staff from Contra Costa County, City of Richmond, City of San Pablo, and Richmond Fire Department. A community outreach and scoping meeting was held in March 2022 to present the conceptual site and landscape plans, discuss the potential environmental factors to be addressed in the Draft EIR, and receive community feedback. A Project briefing was provided to Contra Costa County District 1 Supervisor John Gioia in October 2022 and the El Sobrante Municipal Advisory Council in August 2023. Additional public meetings and meetings with neighbors on Amend Road were held in October 2022 and April 2023 as a follow up to the March 2022 community meeting.

Issues and concerns raised by agencies, cities, and the community included construction-related traffic, noise, and dust; aesthetics; landscaping; security fencing; chemical hazards; and wildlife/biological impacts; all of which are addressed in the Draft EIR. In response to community feedback, the Project design was significantly modified to increase setback of nearest structure to Amend Road from approximately 50 to 100 feet; change the perimeter fence on Amend Road from 8-foot high metal wire type to 4-foot high wrought iron type that matches the fence at the neighboring fire station; change the architectural style of buildings closest to Amend Road to the mission revival style of the neighboring fire station; and add additional landscaping between Amend Road and nearest structures.

The Draft EIR was completed and circulated for a 45-day public review period from September 12 to October 28, 2024. A Notice of Availability was mailed to approximately 1,700 residents and 56 agencies; posted on NextDoor and the District's website; published in the East Bay Times newspaper; and hard copies provided to three local public libraries. Staff presented the findings of the Draft EIR and received public comments at the El Sobrante Municipal Advisory Council meeting on October 9, 2024 and a virtual public meeting on October 10, 2024. In addition to comments at the two public meetings, the District received comments from five agencies, one tribe, and four individuals. All comments are addressed in the Final EIR.

Draft EIR Analysis and Mitigation Measures

The Draft EIR analysis concluded that there are potential impacts from construction noise that may exceed the City of Richmond's noise standards. In Phase 1, for approximately 36 days from truck traffic during extend work hours for concrete pours and for approximately 20 days from pile driving during installation of I-Beams. In Phase 2, for approximately 33 days from concrete pours at Sobrante WTP, approximately 42 days from trenchless construction of the

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pipeline, approximately 5 days at each location from open cut construction of the pipeline, and approximately 5 to 10 days at each location from nighttime open cut construction of the pipeline at busy intersections and tie-in locations. The noise impacts are considered significant and unavoidable and require the Board to approve a Statement of Overriding Considerations when approving the Project. The remaining potential environmental impacts are either less than significant or would be less than significant with mitigation. Key mitigation measures include:

- Installing temporary sound barriers between Amend Road and the nearest new structure to reduce on-site construction noise.
- Installing temporary sound barriers between the residences on La Honda Court and the existing solids detention basins to reduce demolition noise.
- Restricting off-hauling of soil and demolition material to between 9:00 a.m. and 4:00 p.m. to and from the Sobrante WTP.
- Restricting off-hauling of soil and demolition material and large equipment delivery trucks to between 9:00 a.m. and 3:00 p.m. in front of schools on Valley View Road.
- Installing temporary sound barriers between the D’Avila Woods Apartment building and the trenchless jacking pit for the new transmission pipeline.
- Restricting open cut construction of the new transmission pipeline to between 7:30 a.m. and 5:30 p.m. in Contra Costa County, where feasible.
- Restricting off-hauling of soil and demolition material and large equipment delivery trucks to between 9:00 a.m. and 3:00 p.m. in front of schools on Road 20.
- Offering off-site lodging to residences within 660 feet of nighttime pipeline construction at busy intersections and tie-in locations.

The District will also incorporate its standard construction specifications, District Procedures, Design Guides, and Engineering Standard Practices into the Project. These standard practices and procedures are designed to address typical characteristics of District construction projects and reflect generally applicable District standard operating procedures.

Public Notice

Pursuant to Section 21092.5 of the Public Resources Code, the District mailed a Notice of Availability of the Final EIR (Draft EIR and Response to Comments) to all commenting individuals, organizations, and agencies; and posted the Final EIR on the District’s website. Notice of the Board of Directors meeting was also included in the Notice of Availability.

Project Schedule

Design of Phase 1 of the Project will occur from 2036 through 2039 followed by construction from 2039 through 2043. Construction of Phase 2 improvements would depend on the timing of future demands and is currently scheduled for 2054 to 2056 but may be delayed or may not occur if water demands are not realized.

Staff will reach out to the affected communities on major projects in the Capital Improvement Program (like this project) that have been deferred five years or more between completion of CEQA reviews and start of construction. The outreach plan will involve updating stakeholders

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on the new timelines and status of the deferred projects, as well as explaining the reasons for the adjustments. The District aims to maintain trust and transparency, ensuring that residents are aware of the ongoing efforts to prioritize projects that best serve the overall needs of the service area.

SUSTAINABILITY

Economic

The estimated planning phase cost is \$4,000,000 and funding is available in the Fiscal Year 2025 adopted capital budget for the West of Hills Master Plan.

The estimated construction cost for Phase 1 and Phase 2 improvements is \$210,000,000. Funding for the design and construction phases, currently scheduled to start in 2036, will be considered as part of the associated budget development process .

Social

The District conducted outreach meetings to local agencies and the community while preparing the EIR to discuss the Project and solicit input. As part of the Project, the District will implement mitigation measures to reduce disruptions to residents. These mitigation measures include a noise mitigation measure to install temporary sound barriers and four transportation mitigation measures including reduced hours of operation for haul trucks. The District's website features a Project page with information including the proposed schedule and Project-related documents and will be updated throughout construction.

Environmental

The EIR identified and evaluated the potential environmental effects of the Project and included mitigation measures to lessen or eliminate adverse impacts to the environment. With the exception of noise, environmental impacts are either less than significant or would be less than significant with mitigation. Noise impacts will still be significant, but feasible measures will be implemented to reduce impacts.

ALTERNATIVES

Do not certify the Final EIR or approve the Project. This alternative is not recommended because the Final EIR meets CEQA requirements and the Project was evaluated against several alternatives that either had equal or greater environmental impacts or failed to achieve Project objectives in a cost-effective manner.

Do not proceed with the Project. This alternative is not recommended because this alternative does not satisfy the Project objectives.

Figure 1: Sobrante WTP and Central North Aqueduct Pipeline Project Location

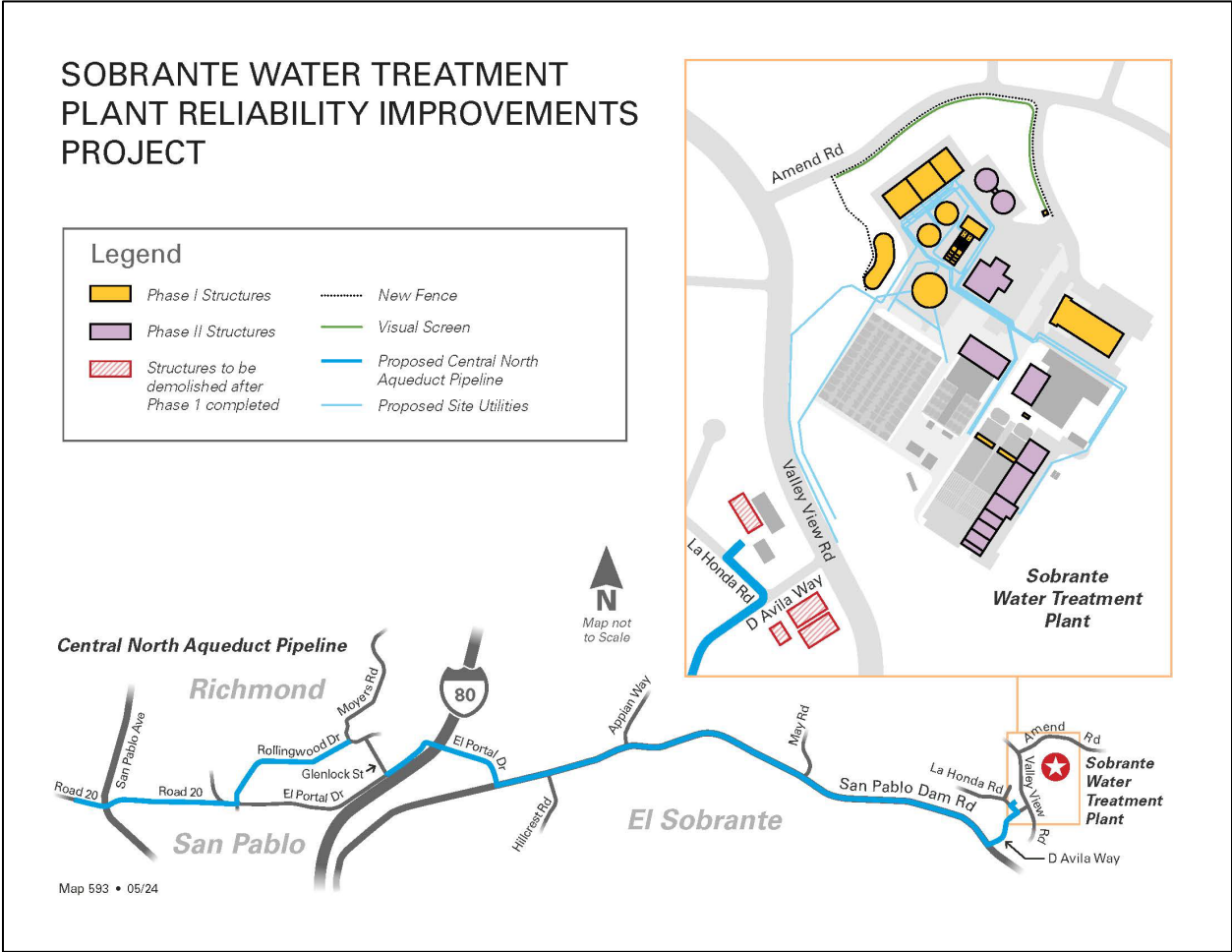
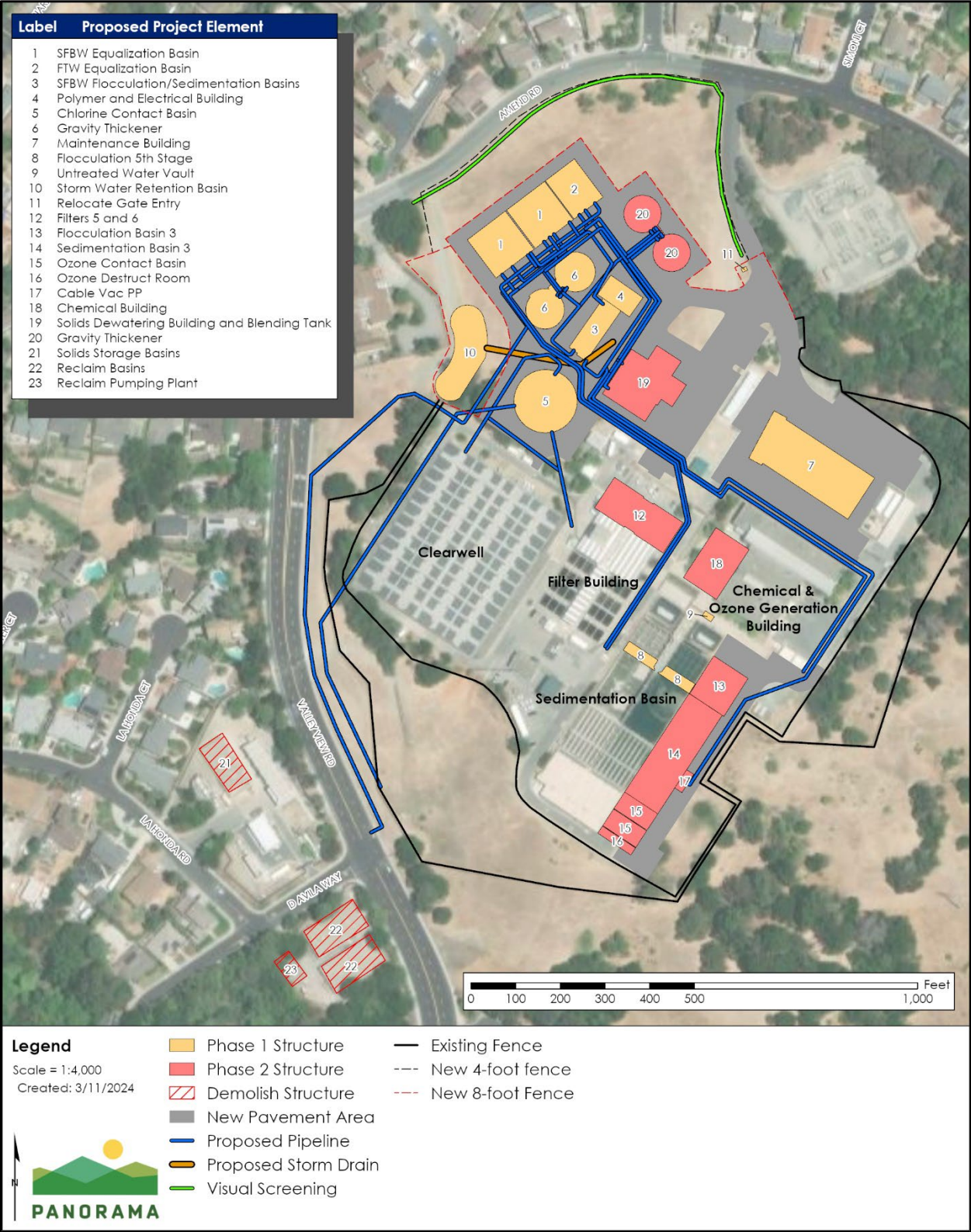


Figure 2: Sobrante WTP Site Plan



RESOLUTION NO. _____

**CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SOBRANTE
WATER TREATMENT PLANT RELIABILITY IMPROVEMENTS PROJECT, MAKING
FINDINGS, ADOPTING THE MITIGATION MONITORING AND REPORTING PLAN AND
PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN, AND
APPROVING THE PROJECT**

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the East Bay Municipal Utility District (EBMUD) Sobrante Water Treatment Plant (SOWTP), constructed in 1965 to treat water from the San Pablo Reservoir and currently serves customers in the West-of-Hills service area in the cities of Richmond, Pinole, San Pablo, Hercules, and the unincorporated Contra Costa County communities of El Sobrante, Rollingwood, Crockett, and Rodeo; and

WHEREAS, the SOWTP has a permitted capacity of 60 million gallons per day (MGD) but limitations of storage and reclaim facilities limits treatment capacity to approximately 45 MGD while meeting regulations for water quality; and

WHEREAS, the SOWTP does not have the treatment capacity to meet planned future projected water demands; and

WHEREAS, to improve water service by increasing reliable water treatment capacity to meet planned future demands, maintain flexibility to treat a broad range of water quality from supplemental water supplies entering EBMUD's water system such as the Sacramento River via the Freeport Regional Water Project, continue to meet drinking water and environmental regulations and achieve EBMUD's long-term water quality goals, and improve efficiency of maintenance operations at the SOWTP site, EBMUD is proposing the Sobrante Water Treatment Plant Reliability Improvements Project (Project) to restore reliable treatment capacity of SOWTP to the full permitted capacity of 60 MGD (Phase 1) and increase treatment capacity to 80 MGD (Phase 2) as needed to meet future water demands; and

WHEREAS, Phase 1 of the Project includes construction of staging areas, removal of vegetation including tree removal, grading, construction of new untreated water control valve and flow meter, fifth-stage flocculation basins, chlorine contact basin, hydraulic weir in the existing clearwell, polymer and power building, spent filter backwash water (SFBW) equalization basins, SFBW flocculation and sedimentation basins, filter-to-waste equalization basins, gravity thickeners, consolidated maintenance building, connecting pipelines, site entrance, access road, paving, screening and landscaping, outdoor lighting, stormwater retention basin, security fencing, site restoration, and demolition of existing facilities; and

WHEREAS, Phase 2 of the Project includes rapid mixer and extend influent channel, flocculation basin, sedimentation basin with tube settlers, replacement cable-vac pumping plant, ozone facilities, dual-media filters and associated pipe and operation gallery, chemical storage

building, gravity thickeners, blending thickeners, solids dewatering building, connecting pipelines, transmission pipeline, and demolition of existing facility; and

WHEREAS, EBMUD has incorporated into the Project requirements from its Standard Construction Specifications, Procedures, and Engineering Standard Practices (EBMUD Practices and Procedures), which are described throughout the Environmental Impact Report (EIR) when applicable; and

WHEREAS, these EBMUD Practices and Procedures are standardized practices and procedures applicable to all EBMUD projects, are not tailored to address specific impacts of the Project, reflect generally applicable EBMUD standard operating procedures, and as such have been properly incorporated into the Project rather than being imposed as mitigation measures under the California Environmental Quality Act (CEQA); and

WHEREAS, to ensure their implementation and to streamline monitoring thereof, the EBMUD Practices and Procedures have been incorporated into a Practices and Procedures Monitoring and Reporting Plan (PPMRP) for the Project; and

WHEREAS, on March 11, 2022, a Notice of Preparation (NOP) of an EIR for the Project was prepared and circulated by EBMUD as the lead agency in accordance with CEQA and applicable laws and regulation; and

WHEREAS, EBMUD mailed public notices regarding the NOP to approximately 3,800 residents and property owners and 46 agencies and special interest stakeholders; and

WHEREAS, EBMUD conducted a public outreach and scoping meeting on March 24, 2022, to discuss the Project and to solicit public input; and

WHEREAS, by close of the NOP comment period on April 11, 2022, a total of ten written responses were submitted, including nine from residents, and one each from Caltrans, Department of Toxic Substances Control, and Native American Heritage Commission; and

WHEREAS, EBMUD conducted additional public outreach and scoping meetings on October 6, 2022 and April 27, 2023; and

WHEREAS, EBMUD considered the input provided during the scoping period in preparing a Draft EIR and modified the Project to increase setback along Amend Road, increase the number of trees and shrubs along Amend Road, decrease the height of the fence along Amend Road, and change the architectural style of the solids handling and dewatering buildings to match the neighboring fire station; and

WHEREAS, the Draft EIR on the Project was completed by EBMUD and circulated for review and comment on September 12, 2024, providing a 45-day comment period ending on October 28, 2024, in accordance with the requirements of CEQA; and

WHEREAS, over 1,700 postcards were mailed to notify nearby residents and homeowners and 56 letters were sent to interested parties, state, local and regional agencies of the availability of the Draft EIR; and

WHEREAS, public notice of the availability of the Draft EIR was also provided by publication in the Contra Costa Times newspaper, posting at the Contra Costa County Clerk office and posting on NextDoor; and

WHEREAS, EBMUD also provided internet access to the Draft EIR on the EBMUD website, and access to the Draft EIR at EBMUD administrative offices in downtown Oakland and at the El Sobrante, San Pablo, and Richmond Public Libraries; and

WHEREAS, on October 10, 2024, as part of EBMUD's public information efforts on the Project and Draft EIR, EBMUD held a public meeting during the Draft EIR comment period to present the Draft EIR and receive verbal and written comments from the public; and EBMUD also presented the Project to the El Sobrante Municipal Advisory Council at one of its regular meetings on October 9, 2024; and

WHEREAS, the Draft EIR comment period concluded on October 28, 2024; and

WHEREAS, EBMUD considered and responded to 10 comment letters and e-mails received prior to the close of the Draft EIR comment period, as well as public comments received at the public meeting on the Draft EIR and Project, and subsequently modified portions of the Draft EIR to further clarify and to address public concerns; and

WHEREAS, EBMUD prepared a Final EIR, which includes responses to all comments received during the public comment period, and clarifications to the EIR made in response to public concerns; and

WHEREAS, EBMUD sent a Notice of Availability (NOA) of the Final EIR to all commenting public agencies, commenting residents, and affected local agencies on May 1, 2025; and

WHEREAS, the NOA of the Final EIR was sent to all commenting public agencies, residents and affected agencies at least ten days before EBMUD's Board of Directors (Board) action to adopt the EIR, in accordance with the requirements of CEQA; and

WHEREAS, EBMUD has prepared a detailed Mitigation Monitoring and Reporting Plan (MMRP) and PPMRP, attached hereto as Exhibits B and C, respectively, and incorporated herein by this reference into the Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District does hereby find, determine, and certify that:

1. The above recitals are incorporated as if set forth herein.

2. The Final EIR, which includes the Draft EIR, has been presented to the Board. The Board has reviewed and considered the information contained therein prior to approving the Project, and the Final EIR reflects the Board's independent judgment and analysis.
3. All proceedings of the environmental review process, including the Draft EIR and Final EIR and all required notices, have been conducted and completed in accordance with CEQA, the CEQA Guidelines, and all other applicable laws, regulations, and procedures.
4. The potential environmental impacts of the Project are fully disclosed in the Draft EIR and Final EIR, and the Draft EIR and Final EIR are adequate for use by EBMUD for approval, design and construction of the Project.
5. The documents and materials constituting the record of the proceeding are located at EBMUD's administrative offices, 375-11th Street, Oakland, CA 94607. The custodian of these records is the Secretary of the District.
6. No substantial change in circumstances has occurred since preparation of the Draft EIR and Final EIR which would require substantial revisions to the Draft EIR and Final EIR due to the discovery or disclosure of new, significant impacts not covered in the Draft EIR and Final EIR, and there is no requirement to recirculate the Draft EIR and Final EIR.
7. Public consultation conducted prior to completing the Draft EIR has been a valuable component of the planning process. Efforts to encourage early public participation in the process included extensive community outreach. These efforts allowed for consideration of public input throughout the planning process.
8. The Board makes the findings and determinations regarding the Project set forth in the Findings, attached hereto as Exhibit A, including a statement of overriding considerations. Exhibit A is hereby incorporated into this Resolution by this reference.
9. The Board hereby approves, adopts, and imposes the MMRP, attached hereto as Exhibit B and incorporated herein by this reference. The mitigation measures set forth in the MMRP and adopted by the Board are hereby imposed as conditions of Project approval.
10. The Board hereby approves, adopts, and imposes the PPMRP, attached hereto as Exhibit C and incorporated herein by this reference. The EBMUD Practices and Procedures set forth in Exhibit C and adopted by the Board are hereby imposed as conditions of Project approval.

BE IT FURTHER RESOLVED that the Final EIR is hereby certified as having been completed in compliance with CEQA.

BE IT FURTHER RESOLVED that the Project as described in Exhibit A hereto, is hereby approved.

BE IT FURTHER RESOLVED that the General Manager is hereby directed to take such actions as shall be necessary to implement the Project as described in the EIR, subject to compliance with all mitigation measures and EBMUD Practices and Procedures set forth in the MMRP included in Exhibit B and PPMRP included in Exhibit C attached hereto.

BE IT FURTHER RESOLVED that the Secretary of the District is hereby directed to file a Notice of Determination, in accordance with the law, with the County Clerk of Contra Costa County and with the State Clearinghouse.

ADOPTED this 13th day of May, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

{00105663}

Exhibit A

EBMUD Board of Directors Findings Regarding the Sobrante Water Treatment Plan Reliability Improvements Project

1 Introduction

This is the findings document adopted by the East Bay Municipal Utility District (EBMUD) Board of Directors (Board) for the Sobrante Water Treatment Plant (SOWTP) Reliability Improvements Project (Project). As approved by the Board and described more fully in Section 1.3 of this Exhibit, the Project includes the following:

- Improvements to the SOWTP including the construction and operation of new facilities, replacement of aging infrastructure, incorporation of existing uses at the site into a new consolidated maintenance facility, and demolition of existing facilities
- Construction of a new transmission pipeline in public rights-of-way (ROWs) and a private easement adjacent to San Pablo Creek

Sections 1.1 through 1.3 of this document describes the Project, its objectives, and the need to complete the Project.

Section 2, CEQA Requirements Regarding Project Impacts, describes the requirements under the California Environmental Quality Act (CEQA) regarding Project impacts.

Section 3, Findings Regarding Independent Review and Judgment, contains the findings regarding the independent analysis and judgment of the Board.

Section 4, Findings Regarding the Project, contains the findings regarding potential Project impacts. This section is divided into three parts.

- Section 4.1 contains findings regarding standard specifications and practices that have been incorporated into the Project to minimize environmental impacts.
- Section 4.2 contains findings regarding potentially significant and unavoidable environmental impacts. As explained in detail in the Statement of Overriding Considerations found in Section 5, the Board finds that the Project benefits outweigh or override these impacts, such that they are acceptable.
- Section 4.3 contains the findings regarding significant or potentially significant Project impacts that will be mitigated to a less-than-significant level.

- Section 4.4 contains the findings regarding Project impacts that will be less than significant or where there will be no impact.

Section 5, Statement of Overriding Considerations, sets forth the statement of overriding considerations including the economic, legal, social, technological, or other benefits that justify the Project despite the identified significant and unavoidable impacts.

Section 6, Findings Related to Potential Growth Inducing Impacts, contains the findings concerning the potential growth-inducing impact of the Project. The Board finds that the Project would not indirectly or directly support growth.

Section 7, Findings Regarding Alternatives and Selecting the Project, contains the findings concerning the alternative Project configurations considered in the Draft Environmental Impact Report (EIR). The Board finds that the selected Project is feasible and that the other alternatives do not provide any clear environmental or other benefit beyond those of the Project.

The findings presented here also summarize the mitigation measures set forth in the Final EIR and agreed to by EBMUD or incorporated into the Project. The mitigation measures are summarized for convenience, but the summary is not intended to replace or change any aspects of the complete text of the mitigation measures described in the Final EIR and adopted by the Board.

1.1 Project Need

The SOWTP does not currently have the capacity to meet planned future projected water demands. The existing SOWTP has a permitted capacity of 60 million gallons per day (MGD) but is limited to a 45 MGD capacity to reliably treat water while meeting regulations for water quality. The Project would restore the reliable treatment capacity of SOWTP to the full permitted capacity of 60 MGD (Phase 1), continue to meet drinking water regulations, reduce disinfection byproducts, improve maintenance operations, and maintain flexibility to treat water from supplemental supplies. The Project would also increase treatment capacity to 80 MGD (Phase 2) as needed to meet future water demands.

1.2 Project Objectives

The Project includes the following objectives:

- Project-specific objectives
 - Improve water service reliability by increasing the reliable water treatment capacity to meet planned future demands.
 - Maintain flexibility to treat a broad range of water quality from supplemental water supplies entering EBMUD's water system such as the Sacramento River via the Freeport Regional Water Project.

- Continue to meet drinking water and environmental regulations and achieve EBMUD’s internal long-term water quality goals.
- Improve efficiency of maintenance operations at the SOWTP site.
- Minimize life-cycle costs (capital, operating, and maintenance) to EBMUD’s customers.
- Secondary operational objectives
 - Maintain a similar and acceptable aesthetic site-environment after construction.
 - Maximize the useful life of existing facilities in a manner that reduces costs for customers.
 - Minimize operational emissions of greenhouse gases.
 - Maximize energy efficiency during operations.
- Construction objectives
 - Minimize environmental impacts on the community during construction.
 - Reuse or recycle building materials on site to the extent feasible, including concrete demolition materials and excavated earth.
 - Maintain water service and emergency flows during construction.
 - Protect the local community from construction hazards.
 - Provide safe travel routes for motorists and pedestrians.
 - Provide safe construction site conditions.

1.3 Project Description

The Project is described in detail in Chapter 2, Project Description, of the Draft EIR, and summarized below.

The Project is divided into three components: Phase 1 improvements to SOWTP, Phase 2 improvements to SOWTP, and Phase 2 new Central North Aqueduct pipeline.

Phase 1 of the Project would include the following improvements at the SOWTP in the city of Richmond and unincorporated Contra Costa County:

- One untreated water control valve and flow meter
- One fifth-stage flocculation for the existing two flocculation basins
- One chlorine contact basin (CCB)
- One new hydraulic weir in the existing clearwell
- One polymer and power building
- *Two spent filter backwash water (SFBW) equalization basins*
- Two SFBW flocculation and sedimentation basins
- One *filter-to-waste* (FTW) equalization basin
- Two gravity thickeners
- One consolidated maintenance building that incorporates existing maintenance buildings/shops
- Connecting pipelines
- Site entrance, access road, and paving

- One stormwater retention basin
- Fencing and lighting
- Screening and landscaping
- Demolition of existing facilities

Phase 2 of the Project would include the following improvements at the SOWTP in the city of Richmond and unincorporated Contra Costa County:

- One rapid mixer and extend influent channel
- One flocculation basin
- One sedimentation basin with tube settlers
- One replacement cable-vac pumping plant
- Two ozone contact basins
- Extend ozone destruct room
- Two dual-media filters and associated pipe and operation gallery
- One chemical storage building
- Two gravity thickeners
- Two blending tanks
- One solids dewatering building
- Connecting pipelines
- Demolition of existing facility

Phase 2 of the Project would also include approximately 22,000 feet of transmission pipeline called the Central North Aqueduct pipeline in public rights-of-way and a private easement adjacent to San Pablo Creek.

Phase 1 construction is anticipated to begin in 2039 and be completed in 2043. Phase 2 construction is anticipated to begin as early as 2054 but may be delayed or may not occur if water demands are not realized. Construction typically would occur between 7 a.m. and 7 p.m., Monday through Friday. Extended work hours and weekend work may occasionally be required. No nighttime construction is expected at the SOWTP site. Nighttime work may be required for construction of the Central North Aqueduct pipeline at busy intersections and due to encroachment permit conditions.

After Phase 1 improvements are completed, settled solids from the sedimentation basin, equalization basins, and SFBW treatment process would be thickened and discharged to the sewer. After Phase 2 improvements, thickened and dewatered solids would be hauled off site as needed. On peak treatment capacity days, removal of the thickened and dewatered solids would generate approximately 16 truck trips per day.

Once constructed, operations and maintenance of SOWTP would be conducted by existing and new staff. Approximately three additional personnel would be needed for long-term operations, and approximately nine additional personnel would be needed for maintenance. The SOWTP would continue to be routinely inspected and maintained to ensure proper function.

As described in the Draft EIR, EBMUD has incorporated a number of EBMUD Standard Construction Specifications and Engineering Standard Practices into the Project. These standard specifications and practices are designed to address typical characteristics of EBMUD construction projects and are not project specific or tailored to the unique characteristics of the Project. These standard specifications and practices are applicable to all EBMUD construction projects and reflect generally applicable EBMUD standard operating procedures, as described in Section 2.9 of the Draft EIR. The particular provisions of those standard specifications and practices to minimize Project impacts are included in Appendix C, EBMUD Practices and Procedures Monitoring and Reporting Plan (PPMRP) for the Project. to ensure their implementation.

2 CEQA Requirements Regarding Project Impacts

The California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., requires written findings of Project impacts. The CEQA Guidelines in Title 14 sections 15091 of the California Code of Regulations address possible findings and state the following:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternative identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines section 15093 states the following:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweighs the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The changes or alterations referred to in California law, as quoted above, may be mitigation measures, alternatives to a project, or changes to a project by the project proponent. The Final EIR identifies mitigation measures that are proposed to minimize significant environmental effects of the Project or to mitigate other potential effects that may not be, strictly speaking, environmental effects under CEQA. These mitigation measures will be incorporated into the Project. A Mitigation Monitoring and Reporting Program (MMRP), as set forth in Exhibit B, is also adopted by the Board to ensure implementation of all relevant mitigation measures identified in the Final EIR and these Findings.

3 Findings Regarding Independent Review and Judgement

Each member of the Board was provided access to a complete electronic copy of the Draft EIR in September 2024 and of the Final EIR in May 2025. The Board hereby finds that the Final EIR reflects the Board's own judgment, and that the Board has independently reviewed and analyzed the Final EIR prior to taking any final action with respect to the Project.

4 Findings Regarding the Project

Having reviewed and considered the information contained in the Final EIR, Practices and Procedures Monitoring and Reporting Plan and Mitigation Monitoring and Reporting Plan, the Board hereby adopts the following findings regarding Project impacts and mitigation measures.

4.1 Findings Regarding Construction Standard Specifications and Practices

EBMUD hereby finds that the Standard Construction Specifications and Engineering Standard Practices described in the Draft EIR and included in Appendix C have been incorporated into the Project and are required to be implemented. As explained below in these Findings and in Appendix C, as with other Project components, inclusion of these standard specifications, best management practices, and engineering standard practices in the Project helps minimize some of the Project's environmental impacts.

4.2 Findings Regarding Significant and Unavoidable Effects

One potentially significant and unavoidable impact associated with temporary construction noise could result from implementing the Project. While the impact is temporary and would only occur periodically during construction, EBMUD has conservatively identified the impacts as significant and unavoidable. Mitigation measures included in the Final EIR would lessen this impact but may not completely mitigate the adverse environmental impact to a less-than-significant level. These findings reflect EBMUD's decision to approve the Project despite this impact.

4.2.1 Noise

Impact NOI-1: Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies.

Findings

Mitigation Measures NOI-1, NOI-2, NOI-3, and NOI-4 are hereby adopted by EDMUD and will be implemented in accordance with the MMRP. EBMUD hereby finds that even with implementation of Mitigation Measures NOI-1, NOI-2, NOI-3, and NOI-4, the temporary noise impact would be significant and unavoidable (see Draft EIR Section 3.1, pages 3.11-26 through 3.11-47). EBMUD hereby makes finding (a)(3), as described in Section 2 above, as required by

CEQA Guidelines section 21081 and as stated in the CEQA Guidelines section 15091, with respect to these effects.

Facts in Support of Findings

Project construction would result in temporary noise increases during Phase 1 and Phase 2 in the vicinity of the SOWTP and along the alignment of the Central North Aqueduct pipeline.

Construction

Phase 1 and Phase 2 construction at the SOWTP and Central North Aqueduct pipeline would generate noise levels that would exceed the construction noise ordinance limits, resulting in a significant impact. Noise impacts would be significant and unavoidable for the following construction periods:

- 20 days during Phase 1 pile driving at the SOWTP in the city of Richmond
- 36 days during Phase 1 concrete pours at SOWTP in the city of Richmond
- 33 days during Phase 2 concrete pours at SOWTP in the city of Richmond
- 8.4 weeks during jack and bore construction of the Central North Aqueduct pipeline adjacent to the D'Avila Woods apartment complex in Contra Costa County
- 5 days during open trench construction of the Central North Aqueduct pipeline at each adjacent receptor in the city of Richmond
- 5 days during open trench construction of the Central North Aqueduct pipeline at each adjacent receptor in Contra Costa County and the city of San Pablo
- 5 to 10 days during nighttime construction of the Central North Aqueduct pipeline at busy intersections and tie-in locations in Contra Costa County.

As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications and Engineering Standard Practices have been incorporated into the Project, including Standard Construction Specification 01 35 44 Environmental Requirements, Section 1.4(G), Noise Control and Monitoring Plan, and Section 3.8, Noise Control, which include a range of noise control measures such as limiting construction hours for noise greater than 90 dBA to 7:30 a.m. to 5:30 p.m., developing a Noise Control and Monitoring Plan and requiring the contractor to implement noise control measures (e.g., mufflers or noise-attenuating shields) on all equipment. In addition, EBMUD Procedure 600 designates a Public Affairs liaison to coordinate with the construction project manager/engineer and any contractors to notify the public in advance of potentially disruptive construction activities and respond to any construction related issues.

Implementation of Mitigation Measures NOI-1 through NOI-4 would reduce noise impacts from construction activities by installing sound barriers, limiting construction hours within Contra Costa County to the county approved construction hours, and as needed providing alternate lodging for residential receptors within 660 feet of nighttime construction work. While these mitigation measures would reduce noise below the threshold for most Project construction activities. However, no feasible mitigation measures have been identified that would reduce temporary noise impacts related to pile driving at the SOWTP or jack and bore construction of the Central North Aqueduct pipeline to less than significant levels. Also, due to

the location and nature of open trench construction and lack of space between the work area and residential receptors, it is infeasible to install a temporary sound barrier to attenuate noise levels from open trench construction of the Central North Aqueduct pipeline. Furthermore, it is not feasible to eliminate the need for trucks to deliver concrete between 6:00 a.m. and 7:00 a.m. during extended concrete pours at SOWTP or to eliminate extended work hours at busy intersections and tie-in locations for the Central North Aqueduct pipeline. Consequently, the impact would remain significant and unavoidable.

Operation and Maintenance

After construction, new sources of operation noise at the SOWTP would be generated by mechanical equipment, including submersible pumps at the equalization and SFBW basins and from routine maintenance. Although the proposed facilities and maintenance activities would be closer to receptors, maintenance would be conducted as needed and would not be a regular source of noise at receptors. Noise from operation of the Project was estimated at the nearest sensitive receptor and compared to noise thresholds, as summarized in the Draft EIR Section 3.11, page 3.11-44 to 3.11-45. Operation and maintenance associated with the Project would not generate noise in excess of local noise standards at the nearest receptor, and the noise impact during operation and maintenance would be less than significant.

Section 5, Statement of Overriding Considerations, provides a summary of the Project benefits that outweigh the significant and unavoidable temporary noise impacts, including increasing reliable treatment capacity to meet planned future demands, maintaining flexibility to treat a broader range of water quality from supplemental supplies, continuing to meet drinking water regulations, reducing disinfection byproducts, improving maintenance operations, and maintaining flexibility to treat water from supplemental supplies. No feasible alternatives were found that would avoid or mitigate the significant and unavoidable noise impact to less than significant levels (see Section 7, Findings Regarding Alternatives and Selecting the Project).

4.3 Findings Regarding Significant Effects Mitigated to Less Than Significant Levels

It has been determined that mitigation measures proposed in the Final EIR and as set forth in the MMRP, will avoid or mitigate the effects shown below to less than significant levels.

4.3.1 Aesthetics

Impact AES-3: In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.

Findings

Mitigation Measure AES-1 is hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure AES-1 would ensure that impacts would be less than significant (see Draft EIR pages 3.1-42 to 3.1-46).

Facts in Support of Findings

SOWTP is adjacent to residential, suburban neighborhoods with single-family homes and other institutional land uses. The area includes views of open space areas in the background, including Sobrante Ridge Regional Preserve and Wildcat Regional Park. The SOWTP site is screened or partially screened from some neighboring areas by topography and/or native trees. The existing SOWTP facilities are set back from nearby homes along Heavenly Ridge Lane, Amend Road, and Christopher Court by an undeveloped portion of the SOWTP site.

Construction

Construction of the new fence, landscaping, berm, noise barrier, and facilities would be visible from surrounding residential areas. The noise barrier along Amend Road would be temporary and expected to screen most of the Phase 1 construction area during construction. However, soil stockpiles and disturbance as well as construction equipment and trucks would be visible to the public from public vantage points adjacent to the facility and from Heavenly Ridge Lane looking toward the facility. As summarized in Exhibit C, a number of EBMUD standard practices and procedures, applicable to all EBMUD projects, have been incorporated into the Project, including Standard Construction 01 32 36, sections 1.1, 1.2, and 3.1(C), Video Monitoring and Documentation, which requires video survey of site conditions prior to construction, repair of all temporary disturbance areas, and video documentation following construction to verify the Project site is kept clean and orderly during construction; Standard Construction Specification 01 35 44, Environmental Requirements, section 1.1(B), which requires EBMUD to restore areas of temporary disturbance such as parking areas and stockpiling areas; Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resource Requirements, section 3.2(B), which defines procedures to preserve trees that are not subject to removal for the Project including trees along Amend Road; and Standard Construction Specification 01 74 05, Cleaning, sections 3.2(B) and 3.3(K), which require removal of all debris and proper cleaning of the construction site. With implementation of EBMUD Standard Construction Specifications, the impact from construction on visual character would be less than significant.

Operation

After Phase 1 construction is completed, facilities including the equalization basins, gravity thickeners, power and polymer building, chlorine contact basin, new areas of paving/concrete,

security-fence, berm, and a wrought-iron fence, would be visible from public vantage points north of the SOWTP. To provide visual screening, the retaining wall, berm, and landscaping would be installed between the new water treatment facilities and Amend Road. Trees and shrubs would be planted along the earthen berm facing Amend Road, along the entrance to the SOWTP, and around the stormwater retention basin. Small shrubs would be planted along Amend Road and the SOWTP entrance road. Ten years or more after Phase 1 construction is complete, Phase 2 infrastructure, including the dewatering building and gravity thickeners, would be installed in the area near Amend Road.

The landscaping included in Phase 1 of the Project would provide screening of the facilities within 5 years after construction and provide screening to the subsequent Phase 2 facilities. Ten years after the installation of landscaping, both Phase 1 and Phase 2 Project facilities would be almost completely screened by landscaping from the entrance road and Heavenly Ridge Lane and mostly screened from views along Amend Road. Landscape screening would reduce Project impacts on visual quality; however, if landscaping does not survive and trees fail to mature and provide effective screening, or if the existing trees along Amend Road are damaged during construction, a significant impact to visual quality could occur.

As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications and Engineering Standard Practices applicable to all EBMUD projects have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resource Requirements, sections 3.2(B), which defines procedures to preserve trees that are not subject to removal for the Project, including trees along Amend Road. Even with incorporation of EBMUD's Standard Construction Specifications, enough trees may fail to survive that the visual screening could be ineffective, resulting in a significant visual impact. Mitigation Measure AES-1 requires EBMUD to monitor tree health after landscape implementation and replace failing trees to ensure that the landscaping effectively screens the Project facilities. With implementation of EBMUD Standard Construction Specifications and Mitigation Measure AES-1, the impact on visual character or quality would be less than significant.

4.3.2 Biological Resources

Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by California Department of Wildlife (CDFW) or US Fish and Wildlife Service (USFWS).

Findings

Mitigation Measure BIO-1 is hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure BIO-1 would ensure that impacts would be less than significant (see Draft EIR pages 3.3-27 to 3.3-33).

Facts in Support of Findings

Construction

Special Status Plants. Sixteen special-status plant species have been documented within 3 miles of the SOWTP site. The Project is not expected to affect special status plant populations because no special-status plants were identified during focused botanical surveys conducted in 2021; however, special-status plants could establish in the area prior to the Phase 1 or Phase 2 construction periods, which are not scheduled to start until 2039 and 2054, respectively. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural and Paleontological Requirements, section 3.1, Training and Certification and section 3.2(C), Special-Status Plant Populations, which requires specific worker training on special-status plant populations and species as well as pre-construction surveys for sensitive plants by a Designated Biologist and avoidance of any sensitive plants by flagging and restricting access to areas containing sensitive plants. With implementation of EBMUD Standard Construction Specifications, the impact on special-status plants would be less than significant.

California Red-Legged Frog and Western Pond Turtle. There is no suitable habitat for California red-legged frog or western pond turtle at the SOWTP site or along the alignment of the Central North Aqueduct pipeline. Project construction would require grading, excavation, staging, and stockpiling of soils and other soil-disturbing activities in the Project area or near San Pablo Creek. These activities could discharge sediment downstream, which potentially could affect aquatic habitat for California red-legged frog and western pond turtle. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44 Environmental Requirements, Section 1.1(B), Site Activities, Section 1.4(A), Stormwater Management, Section 1.4(B), Water Control and Disposal Plan, Section 1.4(E), Spill Prevention and Response Plan, and Section 3.2, Storm Water specify procedures and requirements to manage stormwater on the site, prevent and control spills of hazardous materials, and implement sediment and erosion control best management practices (BMPs), which would effectively avoid discharge of sediment or pollutants into San Pablo Creek. With implementation of EBMUD Standard Construction Specifications, construction and demolition activities at the SOWTP site would have a less-than-significant impact on California red-legged frog and western pond turtle.

The jack and bore launching pit north of San Pablo Creek would be in a disturbed area, directly adjacent to the riparian corridor, and would not have any physical separation from the San Pablo Creek riparian corridor. California red-legged frog potentially could be burrowing within the launching pit area during construction. Furthermore, California red-legged frog or western pond turtle potentially could enter the work area during the jack and bore activities, and the activities or presence of the pit could cause injury or mortality of a California red-legged frog or western pond turtle, which would be a significant impact. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and

Paleontological Requirements, section 3.2(E), Project Specific Wildlife Species, which requires a pre-construction survey for California red-legged frog within 7 days prior to construction and cessation of work activities if a California red-legged frog is observed at the construction site. While Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.2(E) would reduce the potential for a California red-legged frog to be harmed by construction activities, the jack and bore pits would be open pits that a California red-legged frog could fall into if one were to enter the jack and bore area. There are no EBMUD standard practices and procedures for western pond turtle that address the jack and bore pits. The potential impact on California red-legged frog and western pond turtle would remain significant after implementation of the Standard Construction Specification.

To mitigate the impact on California red-legged frog and western pond turtle, EBMUD would implement Mitigation Measure BIO-1, requiring installation of temporary exclusion fencing to prevent both species from entering the Central North Aqueduct pipeline jack and bore pits during construction. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measure BIO-1, impacts from construction on California red-legged frog and western pond turtle would be less than significant.

American Peregrine Falcon. Project construction activity, including the use of heavy equipment, could disrupt breeding behavior of American peregrine falcons nesting in proximity to the construction area. Destruction or disturbance of an American peregrine falcon nest during the nesting season (February through August) could lead to nest abandonment or poor reproductive success. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.1, Training and Certification, which requires environmental training for all contractor personnel, and Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.2(D), Protection of Birds Protected Under the Migratory Treaty Act and Roosting Bats, which requires preconstruction surveys for nesting birds during any construction activities from February 1 to August 31, delineation of avoidance zones from active bird nests in coordination with CDFW, and monitoring of any bird nests within the buffer zone by a Designated Biologist so that no take (nest failure) would occur. With the implementation of EBMUD Standard Construction Specifications and compliance with the Migratory Bird Treaty Act, the impact on American peregrine falcon would be less than significant.

Pallid Bat. Project construction activities may result in the removal or disturbance of hibernation or maternal bat roost sites due to tree removal, ground disturbance, noise, or human intrusion during the roosting season (approximately March through July) on the SOWTP site. Removal or disturbance of a maternal bat roost could result in direct mortality and reduction in reproductive success. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.1, Training and Certification, and section 3.2(D), Protection of Birds Protected under

the Migratory Treaty Act and Roosting Bats, which requires worker training and preconstruction roosting bat surveys during the maternity season, avoidance of maternal roosts during the maternal season, delineation of avoidance buffer zones, and eviction of non-maternal roosts before structure modification or removal. With the implementation of EBMUD Standard Construction Specifications, the impact on special-status bats would be less than significant.

San Francisco Dusky-Footed Woodrat. Project removal of trees could result in destruction of nests and mortality of the San Francisco dusky-footed woodrat. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.2(E), Project-specific Protected Wildlife Species, which requires preconstruction surveys for San Francisco dusky-footed wood rat, flagging and avoidance of nests, and appropriate dismantling of nests after CDFW has been notified. With the implementation of EBMUD Standard Construction Specifications, the impact on San Francisco dusky-footed woodrat would be less than significant.

Operation

Operation and maintenance at the SOWTP site would be limited to developed areas. Operation and maintenance would not cause habitat loss and would not encroach on habitat for any special-status species. Operation and maintenance activities would not impact special-status plants, California red-legged frog, western pond turtle, or San Francisco dusky-footed woodrat because the developed SOWTP Project area does not contain any habitat for special-status species. Although American peregrine falcon or pallid bat could nest or roost in or around the Project site, operation and maintenance activities would not impact American peregrine falcon or pallid bat because any special-status species that choose to nest or roost in the developed Project area would be acclimated to the ongoing operation of the Project and would not be disturbed by the ongoing activities. The operational impact on special-status species would be less than significant.

Impact BIO-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS.

Findings

Mitigation Measure BIO-2 and BIO-3 are hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure BIO-2 and BIO-3 would ensure that impacts would be less than significant (see Draft EIR pages 3.3-33 to 3.3-39).

Facts in Support of Findings

Construction

Riparian Habitat. The activities adjacent to San Pablo Creek riparian habitat would include demolition of facilities within the existing disturbed areas at the reclaim pumping plant and temporary jack and bore activities for the Central North Aqueduct pipeline, which would occur within disturbed areas that do not contain riparian habitat. Because the Project would not

disturb or remove any riparian habitat along San Pablo Creek, the Project impact on riparian habitat would be less than significant.

Sensitive Natural Communities. Project construction would temporarily and permanently impact sensitive natural communities of willow riparian habitat, oak woodlands, and seasonal wetlands. Temporary disturbance of sensitive natural communities would be a significant impact if the sensitive natural community were not properly protected during construction and restored to pre-project conditions. Any permanent disturbance from the development of facilities in sensitive natural communities would also have a significant impact. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.2(B), Tree Protection, which requires exclusion fencing around protected trees to minimize direct impacts for the duration of construction activities. Within these tree protection zones, ground disturbing activities would be excluded, and dumping or storage of materials and equipment would be prohibited to avoid indirect impacts on trees. The Standard Construction Specification would reduce impacts on oak woodlands but impacts on willow habitat and seasonal wetland habitats would remain significant.

Mitigation Measure BIO-2 includes procedures to protect willow riparian and seasonal wetland habitats from temporary impacts to the extent feasible and to restore temporarily impacted willow riparian and seasonal wetland areas to pre-Project conditions. Mitigation Measure BIO-3 requires compensatory mitigation for any permanent impacts on willow riparian and seasonal wetland areas. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measures BIO-2 and BIO-3, the impact on sensitive natural communities would be reduced to less than significant.

Operation

Operation and maintenance activities for the Project would not include any ground disturbance or vegetation management within riparian habitat or other sensitive natural communities; therefore, no operation or maintenance impact on riparian habitat or sensitive natural communities would occur.

Impact BIO-3: Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Findings

Mitigation Measures BIO-2 and BIO-3 are hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measures BIO-2 and BIO-3 would ensure that impacts would be less than significant (see Draft EIR pages 3.3-39 to 3.3-40).

Facts in Support of Findings

Construction

Project construction would result in temporary and permanent impacts on seasonal wetlands (as discussed under Impact BIO-2). Temporary impacts on seasonal wetlands (temporary soil disturbance) and permanent impacts including discharge of fill to seasonal wetlands would be significant.

Mitigation Measure BIO-2 includes procedures to protect willow riparian and seasonal wetland habitats from temporary impacts to the extent feasible and to restore temporarily impacted willow riparian and seasonal wetland areas to pre-Project conditions. Mitigation Measure BIO-3 requires compensatory mitigation for any permanent impacts on willow riparian and seasonal wetland areas. EBMUD would also comply with the requirements of any required state or federal permits for impacts on state- or federally-protected wetlands. With the implementation of Mitigation Measures BIO-2 and BIO-3 and compliance with state and federal regulatory requirements, the impact on wetlands would be reduced to less than significant.

Operation

Project operation and maintenance would not include ground disturbance or impacts on wetlands within the SOWTP site; therefore, no impact would occur on state or federally protected wetlands associated with discharge of fill. The Project would not block the source of hydrology for the existing wetlands adjacent to Amend Road, which would continue to receive runoff discharge via a culvert under Amend Road and would not block runoff from the culvert on the south edge of the property. The operation and maintenance activities would not include any ground disturbance or vegetation management within state or federally protected wetlands; therefore, operational impacts on state or federally protected wetlands would be less than significant.

Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings

Mitigation Measures BIO-2 and BIO-3 are hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measures BIO-2 and BIO-3 would ensure that impacts would be less than significant (see Draft EIR pages 3.3-41 to 3.2-43).

Facts in Support of Findings

Under section 53091 of the California Government Code, EBMUD, as a local agency and utility district, is not subject to local building and zoning ordinances for projects involving construction of facilities for production, generation, storage, treatment, or transmission of water.

Construction

Wetland Policies. The City of Richmond's adopted policy CN1.1 includes protection of wetlands from direct and indirect impacts and minimization of direct and indirect impacts on wetland habitats. To the extent feasible, EBMUD has optimized the Project to minimize impacts

on wetlands. As discussed in Impact BIO-3, the Project would result in temporary and permanent impacts on wetlands adjacent to Amend Road and within the City of Richmond, which could have a significant impact under the City of Richmond policy.

Mitigation Measure BIO-2 includes procedures to protect willow riparian and seasonal wetland habitats from temporary impacts to the extent feasible and to restore temporarily impacted willow riparian and seasonal wetland areas to pre-Project conditions. Mitigation Measure BIO-3 requires compensatory mitigation for any permanent impacts on willow riparian and seasonal wetland areas. Contra Costa County, through the Conservation Element of the *Contra Costa County General Plan*, has adopted Vegetation and Wildlife Policy 8-17, requiring that existing wetlands in the County be identified and regulated. As discussed under Impact BIO-3, the wetlands in the Project area that have been surveyed and identified are under state jurisdiction and would be regulated. Therefore, the Project would comply with Contra Costa County Policy 8-17. With the implementation of Mitigation Measures BIO-2 and BIO-3, the conflict with the City of Richmond's policy would be less than significant.

Tree Protection Policies. The City of Richmond has adopted Policy CN 6.2 to protect native trees, heritage trees, and oak woodlands. Contra Costa County has adopted the Contra Costa County Tree Protection and Preservation Ordinance. Project construction would result in removal of 3 trees in the City of Richmond, all of which are in poor health; therefore, the Project would not conflict with City of Richmond Policy CN 6.2. The Project would remove 33 trees in Contra Costa County that exceed 6.5 inches dbh (20 inches circumference) and meet the definition of *protected tree* under the Contra Costa County Tree Protection and Preservation Ordinance. The Project would plant 56 native trees as part of the landscape plan. The proposed native tree planting would replace the removed and potentially impacted protected trees. In addition, the Project would protect most of the existing trees on the SOWTP site. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, section 3.2(B), Tree Protection, which requires adding exclusion fencing around protected trees and use of protective mats to minimize direct impacts on protected trees. With the implementation of EBMUD Standard Construction Specifications, and because the Project would include native tree plantings that would replace trees removed during construction, the tree removal would not conflict with local policies or ordinances and the impact would be less than significant.

Operation

No vegetation removal, disturbance of wetlands, or other activity that potentially could conflict with a policy or ordinance protecting biological resources would occur during Project operation. No impact would occur.

4.3.3 Cultural Resources

Impact CUL-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Findings

Mitigation Measure CR-1 is hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure CR-1 would ensure that impacts would be less than significant (see Draft EIR pages 3.4-20 to 3.4-22).

Facts in Support of Findings

Construction

The Project area does not contain any previously recorded pre-contact or historic-period archaeological sites. However, records indicate that one potentially eligible pre-contact site is adjacent to the alignment of the Central North Aqueduct pipeline. In addition, archaeological deposits may extend under the existing San Pablo Dam Road, and archaeological resources may be encountered during construction of the Central North Aqueduct pipeline. The Project impacts on the previously recorded potentially eligible resource and excavation for the western portion of the Central North Aqueduct pipeline could result in a substantial adverse change in the significance of an archaeological resource. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resources, section 3.1, Training and Certification, and section 3.3, Protection of Cultural and Paleontological Resources, which require conducting preconstruction cultural resources training for all construction personnel, and in the event that a cultural resource is identified during construction, all work within 100 feet of the resource shall be halted until a qualified archaeologist can review, identify, and evaluate the resource for its significance. Even with implementation of the EBMUD Standard Construction Specification, it may be difficult for construction contractors to recognize buried archaeological resources. Therefore, the potential impact on buried archaeological resources in areas with moderate sensitivity and in proximity to known resources would remain potentially significant. Mitigation Measure CR-1 requires archaeological monitoring in proximity to site P-07-00068 and in areas with moderate archaeological resource sensitivity to mitigate potential adverse impacts on the archaeological resource. With the implementation of the Standard Construction Specifications and Mitigation Measure CR-1, the Project construction impact on archaeological resources would be reduced to less than significant.

Operation

No known archaeological resources are in proximity to the Project. Project operation and maintenance would not require ground disturbance that could result in impacts on archaeological resources. Therefore, operation and maintenance would not result in adverse change in the significance of any archaeological resource.

4.3.4 Geology, Soils, and Seismicity

Impact GEO-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Findings

Mitigation Measure GEO-1 is hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure GEO-1 would ensure that impacts would be less than significant (see Draft EIR pages 3.6-38 to 3.6-40).

Facts in Support of Findings

Construction

The construction of new structures at the SOWTP site includes grading and excavations that could extend up to 35 feet deep. The Project pipelines would require trenching and pits for jack-and-bore construction. The excavations and trenches for the SOWTP facilities would extend into the paleontologically sensitive Orinda Formation, which underlies the SOWTP. Because the Orinda Formation has produced significant paleontological resources within 10 miles of the Project area, excavation in the Orinda Formation could destroy a unique paleontological resource and have a potentially significant impact. The Central North Aqueduct pipeline would be in an area that is underlain by alluvium, which is not sensitive for paleontological resources. However, the Orinda Formation exists at variable depths along the alignment of the Central North Aqueduct pipeline, and there is the potential that the excavation activities could damage or destroy a unique paleontological resource. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements, Section 3.1, Training and Certification, and Section 3.3, Protection of Cultural and Paleontological Resources, which require cultural and paleontological resource training and that construction to be stopped if paleontological resources are encountered so that paleontological resources could be evaluated and protected. Even with implementation of the EBMUD Standard Construction Specification, because of the high sensitivity of the Orinda formation, large extent of excavation within the Orinda formation, and difficulty of recognizing paleontological resources, excavation activities at SOWTP could destroy a unique paleontological resource, and the impact would be potentially significant. Mitigation Measure GEO-1 requires preparation of a Paleontological Resource Monitoring Program (PRMP) during detailed Project design and implementation of the PRMP during construction. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measure GEO-1, the impact on paleontological resources from the Project would be reduced to less than significant.

Operation

Project operation and maintenance would not require excavation or disturbance of geologic units that could contain paleontological resources. Operation and maintenance activities would have no potential to encounter paleontological resources and would have no impact on paleontological resources.

4.3.5 Transportation

Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Findings

Mitigation Measures TRA-1, TRA-2, TRA-3, TRA-4, and TRA-5 are hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure TRA-1, TRA-2, TRA-3, TRA-4, TRA-5 would ensure that impacts would be less than significant (see Draft EIR pages 3.12-30 to 3.12-43).

Facts in Support of Findings

Construction

Intersection Operational Policies and Programs. The governing policies and plans for operation of the roadway circulation system in the Project area include the *West County Action Plan*, *City of Richmond General Plan 2030*, and *City of San Pablo General Plan*. Phase 1 construction would generate a maximum of approximately 46 vehicle trips, and Phase 2 at SOWTP would generate a maximum of approximately 42 vehicle trips during morning and evening peak hours. Peak construction (when most workers and truck traffic would be at the Project site) for both phases would last approximately 1 month. The Phase 2 construction of the Central North Aqueduct pipeline would generate a maximum of approximately 84 trips during morning and evening peak hours, assuming two crews are constructing the pipeline simultaneously. Construction of the Central North Aqueduct pipeline would not generate more than 50 vehicle trips at any intersection during peak traffic hours. Roadways would continue to meet the standard of LOS D, and off-ramps would meet the standard of LOS E established in the *West County Action Plan* and referenced in the *City of Richmond General Plan 2030* and *City of San Pablo General Plan 2030* policies throughout all construction phases. The San Pablo Dam Road/Amador Street I-80 ramp would continue to operate at LOS F, which is accepted in *City of San Pablo General Plan Policy C-I-8*. Because the operating conditions at study intersections Project construction phases would not exceed Contra Costa County, City of Richmond, or City of San Pablo operational standards, the impact from conflict with any intersectional operational policies would be less than significant.

Transit Network. Project construction is not expected to generate transit riders because construction workers would drive to and from construction areas. Due to the low volume of vehicle traffic generated by the Project on roads where transit services operate, the impact of construction traffic on transit operations near the SOWTP would be less than significant.

AC Transit Routes L, 70, 72, 74, 76, 669, and 676 provide access around or near the Central North Aqueduct pipeline. Construction of the Central North Aqueduct pipeline in public roadways would necessitate the closure of at least one travel lane. Complete road closures to through traffic are anticipated during open trench construction of the Central North Aqueduct pipeline within La Honda Road, D Avila Way, Rollingwood Drive, El Portal Drive from I-80 to Glenlock Street, and Road 20 from San Pablo Avenue to 21st Street. AC Transit Routes 676, 669, 70, 72, 74, 76, and Transbay Line L operate along areas where temporary lane or road closures

occur. Construction of the Central North Aqueduct pipeline could cause temporary delays due to lane closures, temporary closures of bus stops in areas of active construction, and temporary detours where road closures occur on bus routes. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 55 26, section 1.1, Summary; section 1.2(A), Submittals; section 1.3, Quality Assurance; section 2.1(A), Traffic Control Devices; section 3.1, General; section 3.2, Alternative One-Way Traffic; section 3.3(A), Flagging; and section 3.4, Temporary Traffic Control Traffic Regulation, which require the contractor to prepare a Traffic Control Plan and obtain approval from the local regulatory agency with jurisdiction, use traffic control devices, install temporary traffic markings and signs, procedures for one-way travel lanes, use of flaggers for traffic control, and use of temporary traffic control devices. Even with implementation of EBMUD Standard Construction Specifications, construction of the Central North Aqueduct pipeline would result in temporary closures of bus stops or temporarily affect bus routes, which would have a significant impact on the transit network. Mitigation Measure TRA-1 requires coordinating with AC Transit at least 60 days prior to any bus stop closure or road closures that could affect bus traffic and temporary relocation of bus stops, where needed. With implementation of EBMUD Standard Construction Specifications and Mitigation Measure TRA-1, the impact on the transit network would be less than significant.

Bicycle Circulation. Existing and planned Class II bike routes on Valley View Road, San Pablo Dam Road, Camino Pablo, and Appian Way are located on roads that would be used for construction access to the SOWTP and Central North Aqueduct pipeline. While the increase in traffic would be minimal relative to the existing traffic volume on area roads, the increased heavy-duty truck traffic could be noticeable to bicyclists along the area roadways. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 32 36, Video Monitoring and Documentation, section 1.1, Summary, and section 1.2, Site Survey Audio-Video Recording Requirements, which require pre- and post-construction surveys and require the contractor to repair any damage or defect not documented as existing prior to construction, and Standard Construction Specification 01 55 26, section 1.1, Summary; section 1.2(A), Submittals; section 1.3, Quality Assurance; section 2.1(A) Traffic Control Devices; and section 3.3(A) Flagging, which define the requirements for preparation of a Traffic Control Plan by a licensed Traffic Engineer and implementation of traffic control devices, including use of flaggers to control traffic and other traffic safety measures to maintain bicycle safety on roadways near the SOWTP site. While the Standard Construction Specification would reduce conflicts between trucks traveling to the Project site and bicycle travel, there remains a potential for conflict with bicycle travel, particularly during peak travel times such as school start and dismissal periods at the local schools. Mitigation Measure TRA-2 requires the contractor to restrict the use of soil and demolition off-haul trucks to between 9:00 a.m. to 4:00 p.m. at the SOWTP and further limits off-haul and large equipment delivery truck travel along Valley View Road and Camino Pablo where trucks would travel adjacent to schools to the hours of 9:00 a.m. to 3:00 p.m. Mitigation Measure TRA-3 requires the contractor to limit soil and demolition off-haul and large equipment delivery trucks to 9:00 a.m. to 3:00 p.m. on Road 20 where trucks

would travel adjacent to Helms Middle School. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measures TRA-2 and TRA-3, the impact on bicycle circulation from SOWTP construction would be less than significant.

Open trench construction of the Central North Aqueduct pipeline could require construction within bike lanes, which would displace bicycle travel into traffic lanes. This displacement could increase potential conflicts between vehicles and bicyclists and conflict with Policy 5-14 and Policy 5-bg of the *Contra Costa County General Plan 2030*. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 55 26, Traffic Regulation, section 1.1, Summary; section 1.2(A), Submittals; section 1.3, Quality Assurance; section 2.1(A), Traffic Control Devices; section 3.1, General; section 3.2, Alternative One-Way Traffic; section 3.3(A), Flagging; and section 3.4, Temporary Traffic Control, which require the contractor to prepare a Traffic Control Plan and obtain approval from the local regulatory agency with jurisdiction, use traffic control devices, define procedures for one-way travel lanes, use flaggers for traffic control, and use temporary traffic control devices during construction. Standard Construction Specification 01 32 36, Video Monitoring and Documentation, requires documentation of both pre- and post-construction pavement conditions and repair of pavement to pre-existing conditions. Standard Construction Specification 01 55 26 does not specify procedures for training of flaggers to address bicycle safety or timeframes for repair of bicycle markers/separation to avoid conflicts with vehicle travel; therefore, a significant impact on bicycle circulation could remain. Mitigation Measure TRA-4 requires posting of signs regarding closure and detour of bicycle lanes at least 14 days prior to bicycle lane closure; training of flaggers to properly conduct bicycle traffic during lane closures; and restriping or replacement of any demarcation of bicycle lanes within 14 days following trench backfill and installation of temporary or permanent asphalt. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measure TRA-4, the impact on bicycle circulation from the construction of the Central North Aqueduct pipeline would be less than significant.

Pedestrian Circulation. Peak construction traffic for the SOWTP and Central North Aqueduct pipeline would result in a 2 to 3 percent increase in peak traffic on roadways in proximity to the Project, including roads near schools. While the increase in traffic would be minimal relative to the existing traffic volume on area roads, the increased heavy-duty truck traffic could be noticeable to pedestrians along the area roadways. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 55 26, Traffic Regulation, section 1.1 Summary; section 1.2(A) Submittals; and section 1.3, Quality Assurance, which require preparation of a Traffic Control Plan to minimize impacts on pedestrian circulation, and EBMUD Procedure 600, which requires public notification regarding the Project, including appointing a Public Affairs liaison who would respond to construction-related issues, such as traffic, as well as providing advance notification of the potentially disruptive construction activities, including traffic, to nearby residents. While the Standard Construction Specification and EBMUD Procedure 600 would reduce conflicts between trucks traveling to the Project site and pedestrians, there remains a potential for conflict with pedestrians, particularly during

pedestrian traffic, such as school start and dismissal periods at the local middle and high schools.

Mitigation Measure TRA-2 requires the contractor to limit soil and demolition off-haul trucks to between 9:00 a.m. to 4:00 p.m. at the SOWTP and limits off-haul and large equipment delivery truck trips to the hours of 9:00 a.m. to 3:00 p.m. on Valley View Road and Camino Pablo adjacent to schools. Mitigation Measure TRA-3 also limits haul trips on Road 20 where the construction route is adjacent to Helms Middle School. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measures TRA-2 and TRA-3, the impact on pedestrians from construction traffic would be less than significant.

Construction of the Central North Aqueduct pipeline could require activities including staging of vehicles or equipment within sidewalks that would temporarily affect pedestrian circulation and could conflict with Policy 5-bg of the *Contra Costa County General Plan 2030*. The Project could also require closure of crosswalks during open trench construction, which could conflict with policies for “complete streets.” As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 55 26, Traffic Regulation, section 1.1, Summary; section 1.2(A) Submittals; section 1.3, Quality Assurance; section 2.1(A) Traffic Control Devices; section 3.1, General; section 3.2, Alternative One-Way Traffic; section 3.3(A) Flagging; and section 3.4, Temporary Traffic Control, which require the contractor to prepare a Traffic Control Plan and use traffic control devices, defines procedures for one-way travel lanes, requires use flaggers for traffic control, and requires use temporary traffic control devices and requires that sidewalks for pedestrians remain open if safe for pedestrians and, if pedestrian access is closed, use of alternative routes with signage provided. In addition, EBMUD Procedure 600 requires advance notification of the potentially disruptive construction activities, including traffic, to nearby residents.

While Standard Construction Specification 01 55 26, Traffic Regulations, would address impact from temporary sidewalk closure, and EBMUD Procedure 600 would provide notification to nearby residents, the impact on pedestrian circulation would remain significant if there were no alternative safe detour or crossing point. Mitigation Measure TRA-5 requires phasing of construction to maintain accessibility at crosswalks and requires that a pedestrian access plan be included in the Traffic Control Plan to specifically address pedestrian access. With the implementation of EBMUD Standard Construction Specifications, EBMUD Procedure 600, and Mitigation Measures TRA-5, the Project would not conflict with any policies for pedestrian circulation, including policies for pedestrian access or safety, and the impact would be less than significant.

Operation

SOWTP improvements are anticipated to generate up to 24 additional worker vehicle trips, 18 additional light-duty truck vehicle trips, and 2 additional truck trips per day. The additional worker, light-duty truck, and heavy truck trips per day would be less than 100 trips per peak hour, or 50 trips per peak hour at any intersection. The use of regional roadways by workers

and heavy trucks during operation would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; therefore, the impact would be less than significant.

Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings

Mitigation Measures TRA-2, TRA-3, TRA-4, and TRA-5 are hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure TRA-2, TRA-3, TRA-4, TRA-5 would ensure that impacts would be less than significant (see Draft EIR pages 3.12-44 to 3.12-47).

Facts in Support of Findings

Construction

Truck Traffic and Site Access. As discussed in Impact TRA-1, construction of the Project would generate increased heavy-duty truck travel on area roads. The increased truck traffic or damage to the roadways adjacent to the Project site have the potential to create a traffic hazard. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 32 36, Video Monitoring and Documentation, which requires documentation of both pre- and post-construction pavement conditions in the Project vicinity, and Standard Construction Specification 01 55 26, Traffic Regulation, section 1.1, Summary; section 1.2(A) Submittals; section 1.3, Quality Assurance; section 3.1, General; and section 3.3(A) Flagging, which require a Traffic Control Plan with specific measures to be implemented during construction activities, which may include installing signs, flashing lights, barricades, and other traffic safety and slowing devices to maintain safety on roadways.

While the Standard Construction Specification would reduce conflicts between trucks traveling to the Project site and other vehicles, bicyclists, or pedestrians, the impact from increased hazards due to the increased truck traffic is potentially significant. Mitigation Measure TRA-2 requires the contractor to limit soil and demolition off-haul trucks to the hours of 9:00 a.m. to 4:00 p.m. at the SOWTP and further limits soil off-haul and large equipment delivery trucks on Valley View Road and Camino Pablo to the hours of 9:00 a.m. to 3:00 p.m. Mitigation Measure TRA-3 also limits off-haul to the hours of 9:00 a.m. and 3:00 p.m. on Road 20 in front of Helms Middle School. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measures TRA-2 and TRA-3, the impact from hazards due to increased truck traffic would be less than significant.

Open Trench Construction within Roadways. Construction of the Central North Aqueduct pipeline would require closure of one or more travel lanes, which could create a hazard to vehicles. Nighttime construction within the roadway could increase hazards to workers and drivers due to reduced visibility. After construction is complete, the roadway may be damaged from changes in pavement or lane striping, which could cause safety hazards if drivers attempt to swerve around damaged pavement or cannot see the lane designations. The construction of

the Central North Aqueduct pipeline could also affect bicycle lanes, sidewalk access, and crosswalks, which would create temporary safety hazards to bicyclists and pedestrians needing to detour around work areas or temporarily lose access to other facilities. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification section 01 55 26, Traffic Control; section 1.1, Summary; section 1.2(A), Submittals; section 1.3, Quality Assurance; section 2.1(A), Traffic Control Devices; section 3.1, General; section 3.2, Alternative One-Way Traffic; section 3.3(A), Flagging; and section 3.4, Temporary Traffic Control, which require the contractor to prepare a Traffic Control Plan and use traffic control devices, defines procedures for one-way travel lanes and nighttime construction safety, requires use of flaggers for traffic control, and requires use of temporary traffic control devices, which would provide for the safety of drivers and vehicles during the open trench construction. In addition, Standard Construction Specification 01 32 36, Video Monitoring and Documentation, section 1.1, Summary, and section 1.2, Site Survey Audio-Video Recording Requirements, require pre-construction and post-construction documentation of roadway conditions and repair of the roadway to pre-construction conditions.

While the Standard Construction Specifications would address the impacts from safety hazards to drivers and vehicles, the Standard Construction Specifications do not include specifics to address impacts on bicyclists and pedestrians due to impacts on bike lanes and crosswalks, and the potential safety hazards to bicyclists and pedestrians would be significant. Mitigation Measure TRA-4 requires advance notice of bike lane detours, repair to bicycle lanes/facilities following construction, and training of flaggers to properly conduct bicycle traffic during lane closures, and Mitigation Measure TRA-5 requires phasing of construction to maintain access at crosswalks and requires a pedestrian access plan to ensure pedestrian safety. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measures TRA-4 and TRA-5, the impact from increased traffic hazards would be less than significant.

Operation

Operation and maintenance would occur at the SOWTP site and along roadways containing the Central North Aqueduct pipeline route. The Project would not include any design features that present traffic hazards and would not modify the entrance to the SOWTP site. Maintenance of the Central North Aqueduct pipeline would be infrequent and would occur from defined access locations along the route. The long-term presence of the Central North Aqueduct pipeline would not alter the design configuration of roadways or introduce safety hazards. Because the Project operation and maintenance would not modify any roadways or involve activities that would create traffic hazards, the impact from traffic hazards would be less than significant.

4.3.6 Tribal Cultural Resources

Impact TCR-1: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically define in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

Findings

Mitigation Measure CR-1 is hereby adopted by EBMUD and will be implemented as set forth in the MMRP. EBMUD hereby finds that implementation of Mitigation Measure CR-1 would ensure that impacts would be less than significant (see Draft EIR pages 3.13-7 to 3.13-9).

Facts in Support of Findings

Construction

The Native American Sacred Lands File (SLF) search for the Project was positive; however, no specific tribal cultural resources were identified within or near the Project area by any Native Americans during outreach, and no tribes requested AB 52 consultation for the Project. Although no specific tribal cultural resources have been identified by Native Americans, the positive SLF search indicates that the area is sensitive for tribal cultural resources. The Central North Aqueduct pipeline is also moderately sensitive for pre-contact resources and could contain tribal cultural resources. Construction of the Central North Aqueduct pipeline could affect tribal cultural resources. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resources, which includes protections for tribal cultural resources. While Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resources includes protections for tribal cultural resources, because the SLF searches for the Project area were positive for presence of Native American resources, and because the western portion of the Central North Aqueduct pipeline alignment has a moderate sensitivity for tribal cultural resources, the Project has the potential to result in damage to a tribal cultural resource as construction contractors are not specialists in tribal cultural resource identification. Mitigation Measure CR-1 requires a tribal monitor to be present in areas with moderate sensitivity for tribal cultural resources and in proximity to the known pre-contact buried cultural resource to address impacts on tribal cultural resources. With the implementation of EBMUD Standard Construction Specifications and Mitigation Measure CR-1, the Project construction impact related to tribal cultural resources would be reduced to less-than-significant.

Operation

Project operations would not require activities that could affect tribal cultural resources. Therefore, operations would not result in an adverse change in the significance of any tribal cultural resource.

4.4 Findings Regarding Less than Significant Effects

It has been determined that the following effects would be less than significant or would have no impact, and therefore no mitigation is needed.

4.4.1 Aesthetics

Impact AES-1: Have a substantial adverse effect on a scenic vista.

Findings

EBMUD hereby finds that impacts would be less than significant (see Draft EIR page 3.1-41).

Facts in Support of Findings

Construction and Operation

The nearest scenic vista to the Project site where the Project would be partially visible is the Old Nimitz Trail, approximately 1.1 miles to the southwest of the SOWTP. The Project would not be noticeable from a distance of 1.1 miles away as the Project would be generally blocked from view and dwarfed by the existing and taller SOWTP facilities. Because of the distance, topography, and existing development between the Project and scenic vistas, the impact on a scenic vista would be less than significant.

The Central North Aqueduct pipeline would be buried beneath existing roadways. The existing roadway would be resurfaced on completion of construction, and the pipeline would not be visible. Therefore, no impact on a scenic vista would occur.

Impact AES-2: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.1-41 to 3.1-42).

Facts in Support of Findings

No state scenic highways are in or near the Project area (Caltrans 2018). San Pablo Dam Road is designated as a locally scenic route (Contra Costa County 2020). Phase 2 Project facilities would be partially visible from San Pablo Dam Road but would appear shorter in height than the existing SOWTP facilities and would not be noticeable. The Central North Aqueduct pipeline would be within San Pablo Dam Road from D Avilla Way to El Portal Drive. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 32 36, Video Monitoring and Documentation, section 1.2, which requires pre-construction and post-construction documentation of roadway conditions and repair of the roadway to pre-construction conditions, which would include resurfacing disturbed areas of San Pablo Dam Road to pre-construction conditions. With the implementation of EBMUD Standard Construction Specifications, the Project would not substantially degrade scenic resources along San Pablo Dam Road, and the impact on the scenic roadway would be less than significant.

Impact AES-4: The potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings

EBMUD hereby finds that impacts would be less than significant (see Draft EIR pages 3.1-46 to 3.1-47).

Facts in Support of Findings

Construction

Construction would generally occur between 7:00 a.m. and 7:00 p.m., Monday through Friday. No routine nighttime construction is expected for Phase 1 and Phase 2; however, some temporary extended workdays may be required for large concrete pours or temporary shutdowns/outages. Lighting also may be necessary for construction during winter months, when construction could start before sunrise or extend after sunset. In addition, nighttime work may be required for the Central North Aqueduct pipeline at busy intersections and tie-in locations. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, section 3.9(A), Lighting Used During Nighttime Work, which requires that any lighting required during extended workdays would be designed and operated to minimize disturbance to traffic or residences and avoid unnecessary glare. With the implementation of EBMUD Standard Construction Specifications, Project construction would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, and the impact would be less than significant.

Operation

The new Project facilities would not create glare. Project lighting would be installed to provide safe access for the operation and maintenance staff traveling between buildings and structures. The new security lighting would have shielded light fixtures that would direct light downwards to minimize light trespass and minimize light spillage to the surrounding neighborhood while still providing sufficient light for operation and maintenance staff. New building and pole-mounted lights would be on at low levels at nighttime but would brighten temporarily with motion. Because the new lighting would be shielded and on at low levels to minimize light pollution on adjacent areas and would be on motion sensors to brighten only temporarily with motion, the Project would not create a new substantial source of light, and the impact would be less than significant.

4.4.2 Air Quality

Impact AQ-1: Conflict with or obstruct implementation of the applicable air quality plan.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.2-28 to 3.2-32).

Facts in Support of Findings

Construction

The recommended guidance for determining whether a project supports the goals in the current clean air plan is to compare Project-estimated emissions with the Bay Area Air Quality Management District (BAAQMD) thresholds of significance. The average daily construction period emissions (i.e., total construction period emissions divided by the number of construction days) associated with the Project were compared to the BAAQMD's significance thresholds for construction exhaust emissions. All construction emissions would be below the BAAQMD significance thresholds. BAAQMD recommends that all projects implement the basic construction mitigation measures for fugitive dust to ensure project impacts on air quality are less than significant. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, Environmental Requirements, section 1.4(F) and section 3.5. Standard Construction Specification 01 35 44, section 1.4(F), Dust Control and Monitoring Plan, requires a dust control plan and implementation of dust control practices that address the BAAQMD's basic construction mitigation measures for dust and emissions controls. With the implementation of EBMUD Standard Construction Specifications, the Project would be consistent with the applicable air quality plan, and the impact would be less than significant.

Operation

Estimated daily and annual emissions for the Project do not exceed BAAQMD's significance thresholds. The Project would be consistent with the applicable air quality plan, and the impact would be less than significant.

Impact AQ-2: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.2-32 to 3.2-33).

Facts in Support of Findings

Construction

As discussed in Impact AQ-1, the Project's construction-related emissions for both Phase 1 and Phase 2 would not exceed the BAAQMD construction-related criteria air pollutant significance thresholds for ozone, PM₁₀, or PM_{2.5}, for which the region is in nonattainment. Because the Project's emissions would not exceed the BAAQMD project-level thresholds for criteria air pollutants, the Project would not result in a cumulatively considerable net increase in any criteria pollutant for which the region is in nonattainment, and the impact would be less than significant.

Operation

As discussed under Impact AQ-1, the Project's operational emissions would not exceed the BAAQMD daily operation emission thresholds or the annual operational emission thresholds

for ozone, PM₁₀, or PM_{2.5}, for which the region is in nonattainment. Because the Project would not exceed the BAAQMD project-level threshold for criteria air pollutants, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment, and the impact would be less than significant.

Impact AQ-3: Expose sensitive receptors to substantial pollutant concentrations.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.2-33 to 3.2-35).

Facts in Support of Findings

Construction

Toxic Air Contaminants and Localized PM_{2.5} Concentrations. BAAQMD's risk and hazard significance thresholds include 10 excess cancer cases in a million, a hazard index of 1 for chronic and acute non-cancer risks, and an annual PM_{2.5} concentration of 0.3 µg/m³. The maximum off-site DPM and PM_{2.5} annual concentrations were modeled using AERMOD at the nearest receptor. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, section 3.5, Air Quality Control, which requires all construction equipment, diesel trucks, and generators to be equipped with BACT for emission reductions of NO_x and PM and, based on this standard, engines used during construction would meet the Tier 4 Final Standards, EPA's most stringent standards for off-highway diesel engines, as the Best Available Control Technology for all construction equipment. The cancer risk for the maximum exposed receptor would be 9.18 for a child receptor and 0.99 for an adult, and the hazard impact would be 0.1, all of which are below the exposure thresholds established by BAAQMD. With the implementation of EBMUD Standard Construction Specifications, the Project would not expose receptors to substantial pollutant concentrations, and the impact would be less than significant.

Ozone Concentrations/Criteria Air Pollutants. The Project would generate criteria pollutant emissions of *reactive organic gases* (ROG), *oxides of nitrogen* (NO_x), and PM. Because the Project would not exceed the numeric indicator for ROG and NO_x emissions during either construction or operation as analyzed in Impact AIR-1, the Project would not create substantial pollutant concentrations in proximity to the Project or elsewhere in the air basin; therefore, the impact would be less than significant.

Operation

Project operations primarily would generate trips for employees and hauling of dewatered solids during Phase 2 from the SOWTP site. These emission sources would not generate substantial toxic air contaminant (TAC) emissions during operation. Therefore, the Project would not result in significant health impacts on nearby sensitive receptors during operation. Operational emissions of criteria air pollutants from the Project would be minimal, and the impact would be less than significant.

Impact AQ-4: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.2-35 to 3.2-36).

Facts in Support of Findings

Construction

During Project construction, the exhaust from diesel-fueled construction equipment would dissipate quickly and would be unlikely to affect a substantial number of people. Construction-related odors would be temporary, local, and limited. Therefore, a substantial number of receptors would not be affected by odors during construction.

Operation

The Project would include handling solids that would be removed during the treatment process. As discussed in the Project Description, solids would be contained in covered bins and would be removed from the site. Because all solids would be contained in bins and would not be stored in the open air, the impact from odors would be less than significant.

4.4.3 Biological Resources

Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.3-40 to 3.3-41).

Facts in Support of Findings

Construction and Operation

The Project facilities would be adjacent the existing SOWTP facilities. The Project facilities would be bordered by the existing SOWTP facilities, a fire station along Valley View Road, a PG&E substation, roadways, and existing residential development along Amend Road. The extension of the SOWTP facilities would not create a significant barrier to any native wildlife movement because the undeveloped portion of the SOWTP site is currently surrounded by development, which effectively blocks native migratory species' use of the area. The Central North Aqueduct pipeline would be buried and would have no impact on wildlife movement.

The Project would use jack and bore construction methods to install the Central North Aqueduct pipeline beneath San Pablo Creek, the nearest native wildlife nursery site and migration corridor to the Project area. The Project would not install any structures within San Pablo Creek and would not create a barrier to native wildlife or fish movement along San Pablo Creek. The construction of the Central North Aqueduct pipeline would have no impact on wildlife migration or nursery sites.

The Project would involve ground-disturbing activities that would have the potential to cause sedimentation or erosion that potentially could cause a discharge of sediment or pollution to San Pablo Creek, which contains native wildlife nursery sites. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, Environmental Requirements. section 1.1(B), Site Activities; section 1.4(A), Stormwater Management; section 1.4(B), Water Control and Disposal Plan; section 1.4(E), Spill Prevention and Response Plan; and section 3.2, Storm Water, which specify procedures and requirements to manage stormwater on the site, prevent and control spills of hazardous materials, and implement sediment and erosion control best management practices (BMPs), which would effectively avoid discharge of sediment or pollutants to San Pablo Creek. With the incorporation of EBMUD Standard Construction Specifications, the impact on native wildlife nursery sites would be less than significant.

4.4.4 Cultural Resources

Impact CUL-1: Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR page 3.4-19).

Facts in Support of Findings

Construction and Operation

No resources within the Project area meet the definition of historical resources pursuant to CEQA Guidelines section 15064.5. All historic-era resources in proximity to the Project area, including the SOWTP, are ineligible for listing on the California Register of Historic Places. Due to the absence of historic resources, the Project would not have an impact on the significance of a historical resource.

Impact CUL-3: Disturb any human remains, including those interred outside of formal cemeteries.

EBMUD hereby finds that impacts would be less than significant (See Draft EIR page 3.4-22 to 3.4-23)

Facts in Support of Findings

Construction and Operation

No human remains are known to exist in the Project area. Although the Project area is unlikely to contain human remains, the lack of surface and record indications does not preclude the possibility that human remains could be present and inadvertently encountered during Project construction. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resource Requirements. Section 3.1, Training and Certification, and section 3.3, Protection of Cultural and Paleontological Resources, which outlines procedures for discovery of human remains, including that all construction activities shall immediately cease at the location of discovery and

within 100 feet of the discovery, and that EBMUD shall contact the County Coroner to determine whether or not the remains are Native American. If the remains are determined to be Native American, the Coroner shall contact the NAHC. The NAHC then shall identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to EBMUD for the appropriate means of treating the human remains and any associated funerary objects. With the incorporation of EBMUD Standard Construction Specifications, the Project's impact related to human remains would be less than significant.

4.4.5 Energy

Impact ENG-1: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.5-7 to 3.5-8).

Facts in Support of Findings

Construction

Project construction would require the use of fuels (primarily gasoline, diesel, and motor oil) for excavation, grading, and vehicle travel. Fuel would be used for construction worker commute trips, for material hauling trips to and from the Project area, and by construction equipment. Energy would also be used indirectly to produce construction materials. Fuel consumption for construction vehicles and equipment would comply with federal and state standards for vehicle fuel efficiency because all vehicles and machinery that are sold in the U. S. and used in California must meet federal and state standards. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, section 3.5, Air Quality and Emissions Control, which requires implementation of measures to reduce the inefficient use of fuels, including limiting idling, keeping engines properly tuned, maintaining appropriate tire pressure, requiring the use of alternative-fueled construction equipment, and recycling or re-using construction waste or demolition materials to the extent feasible. With the implementation of EBMUD Standard Construction Specifications, Project construction impacts related to energy use and impacts on energy resources would not be wasteful, inefficient, or unnecessary, and the impact would be less than significant.

Operation

The total annual increase in energy use for the SOWTP with Phase 1 and Phase 2 facilities in operation would be approximately 3,360 MWh annually. The Central North Aqueduct pipeline would use a gravity-based system to convey water from the SOWTP, and no additional energy would be required for operation. Although the Project would require additional energy for operation, the Project is required to meet the future projected water demand for the area. The

increase in energy use by the Project would not be wasteful, inefficient, or unnecessary, and the impact would be less than significant.

Impact ENG-2: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.5-8 to 3.5-9).

Facts in Support of Findings

Construction and Operation

The Project would comply with federal and state standards for vehicle fuel efficiency because all vehicles and machinery that are sold in the U.S. are required to meet federal and state fuel efficiency standards. Energy would be provided by PG&E. PG&E is subject to the Renewable Portfolio Standard, requiring incorporation of renewable energy into its power sources. The Project would not interfere with existing state or local programs intended to reduce energy use, such as the local programs that are in place for Contra Costa County, the City of Richmond, and the City of San Pablo. The local programs focus on encouraging energy efficiency in buildings and increases in renewable energy. EBMUD will incorporate energy efficient design into the proposed SOWTP buildings consistent with California Title 24 building standards. EBMUD has also implemented multiple renewable energy projects to increase renewable energy generation at its facilities. Because the Project would comply with federal and state standards and applicable energy efficiency policies, practices, and procedures, the impact on renewable energy and efficiency would be less than significant.

4.4.6 Geology, Soils, and Seismicity

Impact GEO-1: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault; strong seismic ground-shaking; seismic-related ground failure (liquefaction, lateral spreading); or landslides.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.6-30 to 3.6-34).

Facts in Support of Findings

Fault Rupture

The SOWTP site is not in the immediate vicinity of a fault trace or within an Alquist-Priolo Earthquake Fault Zone. A 2,400-foot segment of the Central North Aqueduct's 72-inch-diameter pipeline in San Pablo Dam Road and El Portal Drive would be within an Alquist-Priolo Earthquake Fault Zone and would cross the Hayward Fault. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 550.1, Seismic Design Requirements, which requires the Central North Aqueduct pipeline crossing the fault be designed to current seismic

standards. Where the Central North Aqueduct pipeline would cross the Hayward Fault, earthquake resistant ductile iron pipelines or a flex-joint pipeline, pumping tee, and two isolation valves would be used to minimize the risk of substantial adverse effects from fault rupture. With the implementation of EBMUD Engineering Standard Practices, the effects from a fault rupture would be less than significant.

Seismic Ground-Shaking

The Project would be located in a seismically active area with a high probability of an earthquake occurring during the Project's operational life. If an earthquake occurs during Project construction or operation and maintenance, workers could be exposed to hazards within the facilities from strong seismic ground-shaking, causing potential substantial adverse effects, including the risk of loss, injury, or death. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 550.1, Seismic Design Requirements, which requires a design-level geotechnical investigation be conducted prior to Project construction to identify the potential for seismic hazards and defines requirements for the design of structures and pipelines to address seismic ground shaking. In addition, Engineering Standard Practice 512.1, Water Main Design Criteria, defines requirements for pipelines to reduce the risk of seismic damage. With the implementation of EBMUD Engineering Standard Practices, the impact from strong ground-shaking would be less than significant.

Lateral Spreading and Liquefaction

The SOWTP site is not susceptible to liquefaction or lateral spreading. A seismic event would be unlikely to cause liquefaction or lateral spreading at the SOWTP site. Therefore, the impact at SOWTP would be less than significant. The Central North Aqueduct pipeline is within an area of medium to very high risk of liquefaction. Liquefaction could result in damage and loss if the pipeline is not properly designed to withstand the risk of liquefaction. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 550.1, Seismic Design Requirements, which requires a design-level geotechnical investigation be conducted prior to Project construction to identify the potential for seismic hazards including liquefaction and lateral spreading, and Engineering Standard Practice 512.1, Water Main Design Criteria, which defines requirements for pipelines to reduce the risk of seismic damage. With the implementation of EBMUD Engineering Standard Practices the effect of liquefaction would be less than significant.

Landslides

The Project structures would not be located on a hill slope and would not be subject to potential slope movement hazards, including sloping-ground creep, debris flows, and seismic-induced slope deformation. Two pipelines would be installed within a hill slope above Valley View Road and would be on a steep slope within an area containing mapped landslides, which is prone to future landslides, including seismically induced landslides. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the project including Engineering Standard Practice 512.1, Water Main Design Criteria, which establishes criteria for pipeline design and materials and Engineering Standard Practice 550.1,

Seismic Design Requirements, which specifies pipeline design requirements for landslide areas. With the implementation of EBMUD Engineering Standard Practices the effects from seismically induced landslides would be less than significant.

Impact GEO-2: Result in substantial soil erosion or the loss of topsoil.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.6-34 to 3.6-35).

Facts in Support of Findings

Construction

Project construction activities would include excavation and grading, which would increase topsoil exposure. Soil erosion or loss of topsoil could occur, particularly during storm conditions (e.g., wind and rain). As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project including Standard Construction Specification 01 35 44, Environmental Requirements, section 1.1(B), Site Activities includes provisions for preventing soil erosion and loss of soil during construction, and Standard Construction Specification Section 01 35 44, Environmental Requirements, section 1.4(A), Storm Water Management, which requires contractors to submit a Stormwater Pollution Prevention Plan (SWPPP) describing measures to be implemented to prevent run-off of polluted stormwater from the construction site. With the incorporation of EBMUD Standard Construction Specifications, the Project construction would not result in substantial soil erosion or loss of topsoil and the impact of soil erosion and topsoil loss during construction would be less than significant.

Operation

After Project construction is complete, the areas of disturbance would be stabilized through hydroseeding or landscaping, therefore decreasing the potential for substantial soil erosion or loss of topsoil during Project operation and maintenance. The impact from soil erosion or topsoil loss during operation and maintenance would be less than significant.

Impact GEO-3: Be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.6-35 to 3.6-37).

Facts in Support of Findings

Landslide

As discussed under Impact GEO-1, most of the Phase 1 and Phase 2 facilities, except for two pipelines at the SOWTP site, would be located outside of any areas subject to potential slope movement hazards, including sloping-ground creep, debris flows, and seismic-induced slope deformation. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices

have been incorporated into the Project, including Engineering Standard Practice 512.1, Water Main Design Criteria, and Engineering Standard Practice 550.1, Seismic Design Requirements, which establish criteria for pipeline design and materials that would address the risk of landslide hazards in the area. With the implementation of EBMUD Engineering Standard Practices, and geotechnical recommendations the impacts associated with landslides would be less than significant.

Liquefaction and Lateral Spreading

The Central North Aqueduct pipeline would be installed in an area with medium to very high risk of liquefaction. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the project including Engineering Standard Practice 512.1, Water Main Design Criteria, which establishes basic criteria for design of the water pipelines and would establish minimum requirements for pipeline construction materials and Engineering Standard Practice 550.1, Seismic Design Requirements, which addresses seismic design of the pipelines to withstand liquefaction. With the implementation of EBMUD Engineering Standard Practices, the impact from liquefaction or lateral spreading would be less than significant.

Subsidence and Soil Collapse

SOWTP Site. Project construction would require groundwater dewatering during excavation of basins and foundations for Phase 1 and Phase 2 facilities. The groundwater dewatering would cause temporary, localized drawdown of the groundwater table within the excavations and immediate vicinity. The groundwater dewatering would be limited to the period of relatively deep excavations for underground structures. Groundwater dewatering would have the potential to cause localized ground settlement in the immediate vicinity of the dewatering operation. The mass excavation and dewatering would be ordered strategically to avoid settlement of new facilities based on geotechnical recommendations. No groundwater dewatering would occur at the site during the Project operation and maintenance.

Project structures include large water-bearing tanks and basins that would exert considerable force on the underlying soil units. These structures could be subject to damaging ground settlement under the weight of the new structures if not properly engineered. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications and Engineering Standard Practices have been incorporated into the Project, including Standard Construction Specification 01 35 24, Project Safety Requirements, section 1.3(M), Excavation Safety Plan, which defines procedures for excavation to prevent collapse, and Engineering Standard Practice 550.1, which require completion of a detailed geotechnical investigation for the Project prior to construction and incorporation of the geotechnical recommendations in the Project design. With the implementation of EBMUD Standard Construction Specifications and Engineering Design Practices, the impacts from risk of soil collapse or subsidence would be less than significant.

Central North Aqueduct Pipeline. The Central North Aqueduct pipeline would be located within roadways. Localized dewatering of the pipeline trench could be required, and dewatering is anticipated at the jack and bore pits at the crossing of San Pablo Creek.

Temporary dewatering would occur along the open trench as segments of the pipeline are constructed. Since the temporary dewatering along the pipeline is very short term (a week or two) and localized, dewatering would not cause subsidence. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 512.1, Water Main Design Criteria, which requires EBMUD to comply with the basic criteria for water pipeline design and establish minimum requirements for pipeline construction materials. With the implementation of EBMUD Engineering Standard Practices, the impact from subsidence and collapse would be less than significant.

Impact GEO-4: Be located on expansive soil creating substantial direct or indirect risks to life or property.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.6-37 to 3.6-38).

Facts in Support of Findings

Construction and Operation

SOWTP Site. The Project facilities at the SOWTP include partially buried and aboveground structures. Partially buried structures would not be affected by moisture variations near the ground surface and, therefore, any influence of potentially expansive soils. The aboveground basins founded on fill containing sandy lean clays with low shrink-swell potential could be affected by expansive soils. EBMUD would conduct a detailed geotechnical investigation of the Project facilities prior to construction and would incorporate the geotechnical recommendations (e.g., use of auger-cast piles or footings founded on bedrock) into the design. Implementing geotechnical recommendations in the Project design would minimize the impact of expansive soils on Phase 1 and Phase 2 structures. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 512.1, Water Main Design Criteria, which establishes basic criteria for pipeline design and sets minimum requirements for pipeline construction materials that would apply to the pipelines at the SOWTP site. With the implementation of EBMUD Engineering Standard Practices and incorporation of geotechnical recommendations, the impact from expansive soils would be less than significant.

Central North Aqueduct Pipeline. The soil units within the Central North Aqueduct pipeline area are well drained, but the clay content in the soil could have shrink-swell characteristics and, therefore, potentially could be expansive soil. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 512.1, which includes engineering practices for design of pipelines on expansive soil units. With the implementation of EBMUD Engineering Standard Practices, the impact on the Central North Aqueduct pipeline would be less than significant.

4.4.7 Greenhouse Gas Emissions

Impact GHG-1: Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.7-17 to 3.7-20).

Facts in Support of Findings

Construction

Project construction would generate greenhouse gas (GHG) emissions, such as CO₂, CH₄, and NO₂, primarily through using fossil fuels in construction equipment. Both on-road and off-road construction equipment and trucks for material deliveries and hauling would emit GHGs. The estimated total construction GHG emissions are 8,630 (or 8,551 with controls) MT CO_{2e}. The total GHG emissions, amortized over the 30-year life of the Project, would result in annual construction-related GHG emissions of approximately 288 MT CO_{2e}. BAAQMD's CEQA guidelines encourage implementation of BMPs to reduce GHG emissions during construction, where feasible and applicable. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, Environmental Requirements, section 3.5, Air Quality and Emissions Control, which requires minimizing idling time to no more than 2 minutes, proper tuning and maintenance of construction equipment, and use of grid power where available as well as for equipment to meet California Air Resources Board's (CARB's) most recent certification standards and construction crews to use alternative-fueled construction equipment and to recycle or re-use construction waste or demolition materials to the extent feasible. With the implementation of EBMUD Standard Construction Specifications, the Project would contribute its "fair share" to reducing GHG emissions, and the construction impact from GHG emissions would be less than significant.

Operation

Operational GHG emissions sources from the Project include on-road vehicles, landscaping equipment, landfill waste (e.g., trash from buildings), electricity for building energy, and water usage. In Phase 1, the operational GHG emissions would be approximately 123 MT CO_{2e} per year, which would be below the 2030 bright-line GHG significance threshold of 660 MT CO_{2e} per year. In Phase 2, the operational GHG emissions would be approximately 136 MT CO_{2e} per year, which would be below the 2040 bright-line GHG significance threshold of 440 MT CO_{2e} per year. The emissions from operation would not exceed any GHG thresholds, and the impact from generation of GHGs would be less than significant.

Impact GHG-2: Conflict with an applicable plan, policy, or regulation adopted for reducing GHG emissions.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.7-20 to 3.7-21).

Facts in Support of Findings

Construction and Operation

Project GHG emissions were analyzed within the context of the goals of the Assembly Bill (AB) 32 and the California Climate Change Scoping Plan, the 2017 Scoping Plan update, Senate Bill (SB) 32, and EBMUD's Climate Action Plan to determine if the Project would conflict with an applicable plan, policy, or regulation adopted for reducing GHG emissions. EBMUD would be a net generator of renewable energy and would produce more energy than would be used system-wide, including by the Project. The Project would not conflict with the climate change policies and measures in the 2017 Scoping Plan Update or with EBMUD's Climate Action Plan, and Project GHG emissions would fall below relevant significance thresholds per the state's GHG emission-reduction goals, as discussed in Impact GHG-1. The Project would thus not conflict with an applicable plan, policy, or regulation adopted for reducing GHG emissions, and the impact would be less than significant.

4.4.8 Hazards and Hazardous Materials

Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.8-22 to 3.8-25).

Facts in Support of Findings

Construction

Hazardous Material Use and Transport. Hazardous substances that would be used during construction include fuels, oils and lubricants, solvents and cleaners, cements and adhesives, paints and thinners, degreasers, cement and concrete, and asphalt mixtures. Relatively small amounts of these substances, which are not considered acutely hazardous, would be transported, used, and disposed during construction. The routine use or an accidental spill of hazardous materials could result in inadvertent releases, which could adversely affect construction workers, the public, and the environment. Workers handling hazardous materials would be required to adhere to Occupational Safety and Health Administration (OSHA) and Cal/OSHA health and safety requirements. Hazardous materials would be transported in accordance with Resource Conservation and Recovery Act (RCRA) and U.S. Department of Transportation regulations, be managed in accordance with the Contra Costa Health Services regulations, and be disposed of in accordance with RCRA and the California Code of Regulations at a facility permitted to accept the waste. Because compliance with existing regulations and programs for transport, use, and disposal would be mandatory in accordance with law, Project construction activities are not expected to create a potentially significant hazard to the public. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard

Construction Specification Standard Construction Specification 01 35 24, Project Safety Requirements, section 1.3(B), Project Health and Safety Plan and Standard Construction Specification 01 35 44, section 1.1(B), Site Activities; section 1.4(A), Storm Water Management; section 1.4(B), Water Control and Disposal Plan; section 1.4(C), Waste Management; section 1.4(E), Spill and Prevention Response Plan; section 1.4(I), Waste Disposal Records; and section 3.4, Waste Management and Disposal. Due to compliance with state and federal law and implementation of EBMUD Standard Construction Specifications, the impacts associated with the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset, accident conditions involving the release of hazardous materials would be less than significant.

Excavation. Project construction at the SOWTP site would involve excavation in areas that could contain pesticides and, potentially, fuel from a prior underground storage tank. The construction of the Central North Aqueduct pipeline would involve excavation in roads where unknown contaminants associated with other infrastructure within the roadways could be present. Subsurface high-priority utilities could be damaged inadvertently during excavation activities for the Central North Aqueduct pipeline, depending on the location of the other utilities. The rupture of a high-pressure gas pipeline could result in the release of flammable liquids or gases and contact with buried electrical utilities could cause electrocution or shock. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications and Engineering Standard Practices have been incorporated into the Project, including Standard Construction Specification 01 35 24, Project Safety Requirements, section 1.3(F), Emergency Action Plan and section 1.3(N), Submit USA Marking Record, which require emergency response to inadvertent rupture of a utility line and marking of utilities prior to construction to avoid contact with buried utilities; Standard Construction Specification 01 35 44, section 1.4(C), Waste Management and Section 1.4(J), Sampling and Analysis Plan, which requires characterization and proper disposal of all waste, including excavated materials; and Engineering Standard Practice 514, which requires investigation to identify existing underground utilities and to establish an approach for site reconnaissance of buried utility conflicts including marking of any gas pipelines. With the implementation of EBMUD Standard Construction Specifications and Engineering Standard Practices, the impact from disposal of hazardous materials and release of hazardous materials from reasonably foreseeable upset and accident conditions would be less than significant.

Asbestos Containing Materials and Lead-Based Paint. The Project would include demolition of existing structures, including the pumping plant facilities west of Valley View Road. The existing facilities have asbestos-containing materials on the pipeline gaskets and lead-based paint on the pump equipment. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 02 82 13, section 1.1, Compliance and Intent; section 1.5, Submittals; section 1.6, Submittals (Job in Progress); section 3.1, Initial Area Isolation; section 3.2, Work Activities; Standard Construction Specification 02 83 13, Lead Hazard Control Activities, section 1.4, Submittals, and Section 3.2, Air Monitoring, which require that the contractor submit a detailed plan of procedures to address asbestos-containing materials; and Standard

Construction Specification 02 83 13, Lead Hazard Control Activities, which requires the contractor to prepare a Lead Demolition Plan, detailing handling, engineering control, removal, and disposal procedures for lead-containing materials and requires air quality monitoring during demolition activities. With the implementation of EBMUD Standard Construction Specifications, the impact from release of asbestos-containing materials or lead-based paint would be less than significant.

Operation

Solvents, cleaners, or other chemicals may be used during Project maintenance for cleaning equipment or to prevent corrosion but would be used in very small quantities. Project operations would require use of the same chemicals currently used at the SOWTP for operations, although in revised quantities because of the increased amount of water treated. Potentially hazardous materials would be used, stored, and transported to the SOWTP site during Project operation in compliance with federal, state, and local regulations for transport, storage, use, and disposal of hazardous materials. In addition, as summarized in Exhibit C, a number of EBMUD Procedures have been incorporated into the Project, including Procedure 711, Hazardous Waste Removal, which would require classification of waste and proper disposal of any hazardous waste generated at the site. With the implementation of Procedure 711, the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

Impact HAZ-3: The project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.8-26 to 3.8-27).

Facts in Support of Findings

Construction

No schools are within 0.25 mile of the SOWTP site. Seven schools are within 0.25 mile of the Central North Aqueduct pipeline. Additional schools are located along the construction transportation routes. As described under Impact HAZ-1 and HAZ-2, Project construction activities would involve handling and transporting hazardous materials, substances, and waste and excavation in roadways where there is a risk of rupture of a gas pipeline. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, Environmental Requirements, section 1.4(C), Waste Management, and section 1.4(E), Spill Prevention and Response Plan and Standard Construction Specification 01 35 24, Project Safety Requirements, section 1.3(B), Project Health and Safety Plan; section 1.3(F), Submit an Emergency Action Plan; and section 1.3(N), Submit USA Marking Record, which stipulate that the construction contractor prepare and adhere to waste disposal, spill prevention, health and safety, and emergency action plans that outline procedures to ensure the safe and lawful handling of

hazardous materials as well as emergency response to inadvertent rupture of a utility line and marking of utilities prior to construction to avoid contact with buried utilities. With the implementation of EBMUD Standard Construction Specifications, and because transport of hazardous materials would comply with state and federal law, the impact from hazardous material transport within 0.25 mile of a school would be less than significant.

Operation

Project operation would involve transport of hazardous materials along roads adjacent to schools. Project operation would require small volumes of hazardous materials like the existing SOWTP operations, and hazardous material transport would be conducted in compliance with state and federal law. Because transport of hazardous materials would comply with state and federal law, the impact from hazardous material transport within 0.25 mile of a school would be less than significant.

Impact HAZ-4: The project has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.8-27 to 3.8-28).

Facts in Support of Findings

Construction

Project construction at the SOWTP site would not require full roadway closures but would increase traffic using local roadways throughout the duration of construction. Worker vehicles and haul trucks required for Project construction would not affect emergency evacuation because the vehicles would not block vehicle travel.

The Central North Aqueduct pipeline would be located within roads in Contra Costa County, the city of Richmond, and the city of San Pablo, which have developed emergency operations and response plans; however, these plans do not define evacuation routes. Evacuation routes in the Project area would be coordinated by local law enforcement and emergency services. Roadway closure during the construction of the Central North Aqueduct pipeline could impact emergency evacuation if an emergency occurred in the Project area at the time of the roadway closure. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 55 26, Traffic Regulation, section 1.1, Summary; section 1.2, Submittals; and section 3.1, General, which require a Traffic Control Plan, including marked detour routes where detours are needed and immediate emergency access for emergency response vehicles. With the implementation of EBMUD Standard Construction Specifications, the impact on emergency response and evacuation would be less than significant.

Operation

The Project would not create permanent physical changes to the roadways surrounding the SOWTP site and would not impede emergency evacuation. During Project operation, emergency response and evacuation would be able to occur along the roadways surrounding

the SOWTP site in the same way as under existing conditions. The Central North Aqueduct pipeline would be accessed for maintenance via manholes within the roadway. The temporary access of the pipeline via manholes would not affect emergency response or emergency evacuation. The impact on emergency response and evacuation would be less than significant.

Impact HAZ-5: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.8-28 to 3.8-30).

Facts in Support of Findings

Construction

The Project is not within a Very High Fire Hazard Severity Zone. There is a Very High Fire Hazard Severity Zone approximately 1,000 feet north of the SOWTP site. The Project is in a *wildland-urban interface* (WUI). WUIs are regions where fires have the potential to rapidly expand, become difficult to control, and threaten adjacent human lives and structures. On-site fire risk would temporarily increase during construction due to the presence of construction workers and equipment working in proximity to dry vegetation. Overland vehicle and equipment access, parking on dry vegetation, or sparks created by construction equipment could ignite a wildfire that, if uncontrolled, could threaten people and structures. Construction contractors are required to comply with fire prevention measures identified in California Public Resource Code sections 4428 through 4442 and California Fire Code article 80. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities, section 1.3(F) and section 3.2(F), which require the contractor to submit an Emergency Action Plan and outlines fire prevention measures including maintenance of 100-foot defensible space around work sites, restrictions around use of equipment that produce spark or flame, and requirements for fire extinguishers in the construction area. With the implementation of EBMUD Standard Construction Specifications and compliance with applicable state fire prevention measures, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires during construction, and the impact would be less than significant.

Operation

Operation and maintenance activities at the SOWTP must adhere to the existing Emergency Action Plan and Fire Prevention Plan, as required by Cal/OSHA. These plans require specific maintenance and inspection activities for fire prevention. The site-specific Emergency Action Plan and Fire Prevention Plan would be updated after the completion of the Project to address potential conflicts or data gaps based on the new site conditions. The trees and landscaping that would be installed at the site would be native and adapted to fire. Fire risk at the SOWTP site would be comparable to the existing operations. The Central North Aqueduct pipeline would be buried beneath paved roadways and would not create or increase any fire risk. With adherence to the site-specific Emergency Action Plan and Fire Prevention Plan, the Project

would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires during operation and maintenance, and impacts would be less than significant.

4.4.9 Hydrology and Water Quality

Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-19 to 3.9-22).

Facts in Support of Findings

Construction

Project construction would include grading, excavation, stockpiling, and other soil-disturbing activities within the SOWTP site. Groundwater dewatering during construction also could result in the release of sediment if the pumped groundwater is turbid. The Project would include the use and transport of typical construction-related hazardous materials, such as fuels, lubricants, adhesives, and solvents, that could adversely affect water quality if spilled or stored improperly. These general construction activities could result in pollutants being mobilized and transported off-site by stormwater run-off (nonpoint-source pollution), potentially degrading the water quality of San Pablo Creek downgradient from the SOWTP site. The Phase 2 construction of the Central North Aqueduct pipeline would require excavation of material from the pipeline trench. Trench soils would be removed daily throughout the construction of the Central North Aqueduct pipeline, and the trench soils would not create a risk of increased erosion or sedimentation. Because the Project construction would disturb more than one acre, coverage under the Construction General Permit and development of a SWPPP would be required. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, section 1.4(A), Storm Water Management; section 1.4 (B) Water Control and Disposal Plan; section 1.4 (E), Spill Prevention and Response Plan; and section 3.2, Stormwater, which require preparation of a SWPP, detailed water control and disposal plan, plan for preventing and responding to spills of hazardous substances, and implementation of stormwater BMPs, and Standard Construction Specification 01 74 05, Cleaning, section 3.1(B) which requires the contractor properly disposes of waste in accordance with local ordinances and anti-pollution laws. With the implementation of EBMUD Standard Construction Specifications, Project construction activities would not violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality, and the impact would be less than significant.

Operation

The Project would include construction of a stormwater retention basin to capture and treat the increased stormwater runoff from the new areas of impervious surface at the SOWTP site, which would reduce the risk of pollutants entering storm drains. In addition, as summarized in

Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 32 92 19.16, Hydraulic Seeding, which requires exposed soils within temporary areas be hydroseeded on completion of construction to prevent erosion of topsoil. With the implementation of EBMUD Standard Construction Specifications, and because the Project would include construction of a stormwater retention basin, the impact on surface or groundwater quality would be less than significant.

Impact HYD-2: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-22 to 3.9-23).

Facts in Support of Findings

Construction

Construction dewatering would be required throughout excavation at the SOWTP site to create a dry work area where groundwater is encountered. Construction dewatering could be required during the construction of the Central North Aqueduct pipeline to maintain a dry work area along the open trench and at the jack and bore pits adjacent to San Pablo Creek. Dewatering of open excavations, when necessary, would involve pumping water from the excavated area and discharging it to a storm drain. The SOWTP site does not overlie any groundwater basin, and the dewatering of shallow groundwater would not affect sustainable groundwater management because the shallow groundwater at the site would not be used as a source of municipal drinking water or other beneficial use. Furthermore, any impact on groundwater during construction would be confined to the vicinity of the excavation. Groundwater levels would return to pre-Project conditions after construction is completed. The impact would be less than significant.

Operation

The new proposed facilities would increase the impervious surface area at the SOWTP site by approximately 5 acres; however, a retention basin would be constructed at the site to receive the stormwater runoff from the additional impervious surfaces. The SOWTP site is not over any mapped groundwater basins, and Project operation would not require the use of groundwater supplies. The Central North Aqueduct pipeline would be beneath existing paved roadways and would not affect groundwater recharge or groundwater supplies. Thus, Project operation would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge so that the project could impede sustainable groundwater management of the basin, and the impact would be less than significant.

Impact HYD-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: a) Result in substantial erosion or siltation on or off-site, b) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site, c) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, d) Impede or redirect flood flows.

a) Result in substantial erosion or siltation on or off-site.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-23 to 3.9-24).

Facts in Support of Findings

Construction

The Project area drains toward San Pablo Creek; however, Project construction would not occur within San Pablo Creek and would not affect its flow. As discussed under Impact HYD-1, Phase 1 and Phase 2 construction at the SOWTP site would involve ground disturbance and excavation that could cause erosion and sedimentation on and off-site. Phase 2 construction of the Central North Aqueduct pipeline would occur within roadways and would cross beneath San Pablo Creek and would not affect drainage patterns or affect erosion or siltation. Because the Project construction would disturb more than 1 acre, coverage under the Construction General Permit and development of a SWPPP would be required. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, section 1.1(B), Site Activities; section 1.4 (A) Stormwater Management; and section 3.2, Stormwater, which require that activities on work sites be controlled to prevent discharge of contaminated stormwater, preparation of a SWPPP and implementation of BMPs to control sediment and other potential contaminants in stormwater discharges from the Project area, and inspection and maintenance of BMPs in compliance with the SWPPP and stormwater management plan to prevent impacts on stormwater from soil and dust. With the implementation of EBMUD Standard Construction Specifications, Project construction activities would not result in substantial erosion or siltation on or off site, and the resulting impact would be less than significant.

Operation

The Project would create 5 acres of new impervious surfaces. The Project stormwater retention basin would capture runoff from the new impervious areas and would limit delivery of sediment to San Pablo Creek. Trees and shrubs would be planted on the perimeter of the SOWTP site, and the retention basin and unpaved areas would be hydroseeded to capture silt that otherwise could convey sediment. Project operation would include similar routine maintenance measures as those ongoing for the existing facilities, including site and facility inspection and vegetation management. Due to soil stabilization achieved through replanting and use of a stormwater retention basin to capture and treat stormwater runoff, operation and

maintenance activities would not result in substantial erosion or siltation on or off site, and the impact would be less than significant.

b) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR page 3.9-25).

Facts in Support of Findings

The SOWTP site is not within a floodplain. As discussed above, the Project would create approximately 5 acres of new impervious surface at the SOWTP site. Project improvements would include installation of a stormwater retention basin that would be designed to avoid increased surface runoff. The Central North Aqueduct pipeline would be buried and would not increase the rate or amount of surface runoff or cause flooding on or off site. Due to the stormwater retention basin at the SOWTP site, the Project would not increase the rate or amount of surface runoff, and the impact would be less than significant.

c) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-25 to 3.9-27).

Facts in Support of Findings

Construction

During construction, dewatering would be required throughout excavation, to create a dry work area where groundwater is encountered. The dewatered groundwater would be treated as required and discharged to the storm drain. The dewatering would be limited to as-needed pumping and would be temporary. As discussed under Impact HYD-1, Phase 1 and Phase 2 construction at the SOWTP site would involve ground disturbance and excavation and would require use of construction materials that could become a source of pollution in stormwater runoff. Because the Project construction would disturb more than 1 acre, coverage under the Construction General Permit and development of a SWPPP would be required. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, section 1.1(B), Site Activities; section 1.4 (A) Stormwater Management; and section 3.2, Stormwater, which require that activities on work sites be controlled to prevent discharge of contaminated stormwater, preparation of a SWPPP and implementation of BMPs to control sediment and other potential contaminants in stormwater discharges from the Project area, and inspection and maintenance BMPs in compliance with the SWPPP and stormwater management plan to prevent impacts on stormwater from pollutants. With the implementation of EBMUD Standard Construction Specifications and SWPPP, the Project would not provide substantial additional sources of polluted runoff, and the resulting impact would be less than significant.

Operation

As discussed above, the Project would create approximately 5 acres of new impervious surface at the SOWTP site. Project improvements would include installation of a stormwater retention basin that would be designed to avoid increased surface runoff. The Central North Aqueduct pipeline would be buried and would not increase the rate or amount of surface runoff or cause flooding on or off site. Due to the stormwater retention basin at the SOWTP site, the Project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and the impact would be less than significant.

d) Impede or redirect flood flows.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-27 to 3.9-28).

Facts in Support of Findings

The SOWTP site is not within a 100-year floodplain. Short sections of the Central North Aqueduct pipeline would be within a 100-year floodplain, where the pipeline crosses San Pablo Creek, and the areas immediately adjacent to the creek. The Central North Aqueduct pipeline would be below ground surface and would not impede or redirect flood flows. Construction of the Central North Aqueduct pipeline within the San Pablo Creek floodplain would be avoided during periods of flooding, for worker safety. Therefore, no structures or equipment would be present within the 100-year floodplain during periods of flooding. The Project would thus not impede or redirect flood flows, and the impact would be less than significant.

Impact HYD-4: In a flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-28 to 3.9-29).

Facts in Support of Findings

Construction

The SOWTP site is not in a flood hazard, tsunami, or seiche zone. The water treatment facilities proposed for demolition and the Central North Aqueduct pipeline are in a dam inundation zone if the dam at San Pablo Reservoir fails. Demolition of the facilities at the reclaim pumping plant and construction of the Central North Aqueduct pipeline potentially could release pollutants from inundation in the event of dam failure. The likelihood of a dam failure and inundation of the construction area during the construction period would be exceptionally low given the short duration of construction and low likelihood of failure of San Pablo Dam, which received seismic upgrades in 2010, and is subject to routine inspections and maintenance to prevent dam failure. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, Environmental Requirements, section 1.1(B), Site Activities, and section 1.4 (A) Storm Water Management, which require that activities on work sites be

controlled to prevent discharge of contaminants and a SWPPP be developed and BMPs implemented in accordance with the Construction General Permit. With the implementation of EBMUD Standard Construction Specifications, and because the likelihood of a dam failure and inundation of the construction area during construction would be exceptionally low, the impact from release of pollutants due to dam failure would be less than significant.

Operation

During Project operation, the demolished reclaim-pumping plant facilities would not be in the dam inundation area. The Central North Aqueduct pipeline would be buried beneath existing roadways and would not be a source of potential pollution in the event of flooding or inundation from dam failure. No impact would occur.

Impact HYD-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.9-29 to 3.9-31).

Facts in Support of Findings

Construction

Water Quality Control Plan. San Pablo Creek is listed as impaired for diazinon and trash. Project construction would not contribute to the existing water quality impairment because diazinon would not be used on the SOWTP site and trash would be contained in proper storage receptacles. Construction-related activities involving soil disturbance, such as grading, excavation, cut and fill, stockpiling of soils, and dewatering, potentially could result in erosion, siltation, delivery of sediments to surface waters, and/or removal of groundwater. Because Project construction would disturb more than 1 acre, coverage under the Construction General Permit and development of a SWPPP would be required. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 44, Environmental Requirements, section 1.1(B), Site Activities, and section 1.4(A), Storm Water Management, which require that activities on construction sites be controlled to prevent discharge of contaminants. With the implementation of EBMUD Standard Construction Specifications, the impact from conflict with a water quality control plan would be less than significant.

Sustainable Groundwater Management Plan. The SOWTP site does not overlie any groundwater basin, and activities at the SOWTP site would not conflict with a groundwater sustainability plan due to the absence of a groundwater basin in the area. Most of the Central North Aqueduct pipeline would be within the Santa Clara Valley-East Bay Plain Groundwater Basin, which is governed by an EBMUD-adopted Groundwater Sustainability Plan. Construction of the Central North Aqueduct pipeline would require groundwater dewatering if groundwater is encountered within the pipeline trench or within the jack and bore sending and receiving pits. Temporary groundwater dewatering at the Central North Aqueduct pipeline would not affect EBMUD implementation of the Groundwater Sustainability Plan because the

temporary dewatering would be highly localized to the pipeline and jack and bore sending and receiving pits, and the volume of water would be limited to the amount required to create a dry work area during construction. After construction, the groundwater dewatering would cease, and the Project would not have a long-term impact on groundwater supply or groundwater sustainability. The impact on a groundwater sustainability plan would be less than significant.

Operation

Stormwater runoff from the new impervious surface areas at the SOWTP site would be captured and treated on site in the new stormwater retention system before being released. The Central North Aqueduct pipeline roadways would be resurfaced and paved and would not be a potential source of pollution during operation. Because the stormwater would be treated in the retention basin, operation of the Project would be consistent with the water quality control plan and the impact would be less than significant.

Project operation would not require groundwater supplies. Therefore, Project operation would not conflict with implementation of a sustainable groundwater management plan, and the impact on a sustainable groundwater management plan would be less than significant.

4.4.10 Land Use and Planning

Impact Land Use-1: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.10-14 to 3.10-18).

Facts in Support of Findings

The Project area is located within three jurisdictions: Contra Costa County, the City of Richmond, and the City of San Pablo. Impact Land Use-1 discusses the Project's consistency with land use plans, policies, and regulations, which discussions are organized by Project component and jurisdiction.

SOWTP. The Contra Costa County policies adopted for the purpose of reducing an environmental effect include *Contra Costa County General Plan* Policy 3-18. The Project would be consistent with Policy 3-18 because the new facilities that would be visible from surrounding roads would have architectural treatments compatible with the existing adjacent facilities. The Project would support Contra Costa County Goal 3-A by providing water treatment infrastructure improvements to reliably serve existing and planned future EBMUD customers in the county. Furthermore, the Project would provide water treatment reliability for existing and planned future residents of Contra Costa County and would protect water quality, consistent with Goals 7-F and 7-J. The Project would be consistent with *Contra Costa County General Plan* goals and policies.

The *City of Richmond General Plan 2030* policies adopted for avoiding or mitigating an environmental effect include Goal LU6, Policies LU5.3, LU6.4, LU6.5, and CN2.3. The Project would include appropriate grading, landscaping, and screening vegetation (including native trees and shrubs) and architectural treatments to provide compatibility with the surrounding area. The Project also would be set back from Amend Road, incorporating a visual buffer/berm to improve screening of the facilities. The infrastructure proposed in the city of Richmond would be primarily below grade and would extend approximately 5 feet above grade, which would reduce the visibility of the structures. Taller structures, such as the dewatering building or power and polymer building would be set back from the road and designed to match the existing adjacent fire station on the corner of Valley View Road and Amend Road, to reduce the visual contrast with the community. Thus, Project design features would support Goal LU6, Policies LU5.3, LU6.4, LU6.5, and CN2.3. In addition, the Project would support Policy LU6.5's directive to promote best practices for crime prevention because the proposed planting plan and fencing would balance the need for visual screening, with visibility along the fence line for site security. The *City of Richmond General Plan 2030* also contains Goal CN2, related to preservation of open space (OS). Goal CN2 encourages conservation of OS areas to support biological communities, provide sanctuary natural areas for residents, and protect character-defining features and scenic backdrops. Although the Project would alter the land use at the site from areas designated OS to a water treatment facility, the site is not currently considered a unique OS, visually important area, unique recreational area, or home of unique biological communities. The site mainly is composed of non-native grassland adjacent to a PG&E substation, existing water treatment facilities, and fire station. Because of the isolated nature of the undeveloped area within the SOWTP site, the site does not retain the integrity of other open spaces that are specifically identified in the *City of Richmond General Plan 2030* (e.g., Sobrante Ridge Regional Park, Point Pinole Regional Shoreline). The Project also has been designed to minimize impacts on wetlands within the parcel, and any wetland impacts that would occur on site would be compensated, as discussed in Section 3.3, Biological Resources. Therefore, the Project would not conflict with *City of Richmond General Plan 2030* goals or policies that were adopted to avoid or mitigate an environmental effect. Because the Project would be consistent with applicable plans, policies, and regulations adopted to avoid or mitigate an environmental effect, the impact would be less than significant.

Central North Aqueduct Pipeline. The Central North Aqueduct pipeline would be constructed almost entirely in the roadway right-of-way (ROW) in unincorporated Contra Costa County, city of Richmond and city of San Pablo. A small portion of the pipeline would be constructed using jack and bore methods to cross under San Pablo Creek. The launching and receiving pits would be outside the D'Avila Way ROW in adjacent parcels. The jack and bore work would be temporary, and the ground surface would be restored following Project construction. Because the Central North Aqueduct pipeline would be buried and would not have the capacity to alter or induce changes to existing land uses, construction of the Central North Aqueduct pipeline would not conflict with any Contra Costa County, City of Richmond, or City of San Pablo land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect, and the impact would be less than significant.

4.4.11 Noise and Vibration

Impact NOI-2: Result in the generation of excessive groundborne vibration or groundborne noise levels.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.11-48 to 3.11-51).

Facts in Support of Findings

Construction

SOWTP Site. Heavy equipment would operate as close as 75 feet from residences along Amend Road, but most construction would occur farther than 150 feet from residences. The predicted vibration levels during construction activities would be less than the 0.5 in/sec PPV threshold at the nearest structure. Because vibration levels from heavy construction equipment during Project construction activities at the SOWTP site would not exceed the vibration threshold, the impact would be less than significant.

Demolition would occur at the existing reclaim facilities adjacent to residences on La Honda Court. Vibration-inducing demolition activities would occur 60 feet from the nearest residential structures. The predicted vibration levels from demolition activities would be less than the 0.5 in/sec PPV threshold for potential architectural damage to residential structures. Because vibration levels from Project demolition activities would not exceed the vibration threshold, the impact would be less than significant.

Central North Aqueduct Pipeline. Jack and bore construction of the Central North Aqueduct pipeline would be as near as 15 feet from the adjacent apartment complex, D'Avila Woods Apartments. The predicted vibration levels from construction activities would be less than the 0.5 in/sec PPV threshold at the nearest receptor/structure. Open trench construction of the Central North Aqueduct pipeline could occur within 25 feet from residences and within 10 feet from the El Sobrante Chamber of Commerce building (non-residential building). The predicted PPV levels from open trench construction of the Central North Aqueduct pipeline would be less than the 0.5 in/sec PPV threshold for potential architectural damage at the nearest residential structures. However, vibration levels at the nearest non-residential building, El Sobrante Chamber of Commerce, would exceed the 0.5 in/sec PPV threshold. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications and EBMUD Procedures have been incorporated into the Project including Standard Construction Specification 01 35 44, section 3.7, Vibration Control, and section 1.4(H), Vibration Control and Monitoring Plan, which require the contractor to submit a plan detailing the means and methods for controlling and monitoring surface vibration generated by demolition to not exceed the 0.5 in/sec PPV threshold and submit a plan detailing the means and methods for controlling and monitoring surface vibration. Procedure 600 requires providing advance notification to the public of the potentially disruptive construction activities. With the implementation of EBMUD Standard Construction Specifications and EBMUD Procedures, the impact from generation of vibration would be less than significant.

Operation

Operation of pumps and power infrastructure at SOWTP would generate minimal vibration. The pumps and power equipment would be separated from the nearest residential structure by over 200 feet and the low level of vibration generated by operation equipment would be imperceptible at 200 feet or more. Vibration generated from maintenance activities at the SOWTP site would be less than or equal to the vibration generated during construction, which would be less than significant, as described above. The vibration generated during operations and maintenance of the Project would be minimal, and the impact would be less than significant.

4.4.12 Transportation

Impact TRA-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision(b).

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.12-43 to 3.12-44).

Facts in Support of Findings

Construction

The Project would require a maximum of approximately 26 workers daily during Phase 1 and Phase 2 construction, including the construction of the Central North Aqueduct pipeline. The 26 workers would be expected to generate 52 trips per day (i.e., one inbound and one outbound trip) during construction. The administrative and supervisory staff would generate an additional 12 passenger vehicle trips. Project construction would generate a maximum of 78 passenger vehicle trips, which is fewer than the screening Office of Planning and Research VMT screening threshold of 110 trips per day. Because the Project construction would generate fewer than 110 passenger vehicle trips per day and the trips would be temporary, the Project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), and the impact would be less than significant.

Operation

Operation and maintenance activities would be conducted by new and existing EBMUD staff. Project improvements would require up to 24 additional worker vehicle trips and 18 additional light-duty truck vehicle trips. Long-term operations would generate approximately 42 vehicle trips per day, which is less than the OPR VMT screening threshold of 110 trips per day. Because the Project operation would generate fewer than 110 passenger vehicle trips per day and the trips would be temporary, the Project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), and the impact would be less than significant.

Impact TRA-4: Result in inadequate emergency access.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR page 3.12-48).

Facts in Support of Findings

Construction

Construction at the SOWTP site, including staging and parking activities, would be contained within the SOWTP site and would not block any emergency access to the site or surrounding community. Construction of the Central North Aqueduct pipeline would require temporary lane and road closures along the pipeline alignment, which could affect emergency access to residential and commercial properties along the alignment of the Central North Aqueduct pipeline. As summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 55 26, Traffic Regulation section 1.2(A) Submittals; section 1.3, Quality Assurance; section 3.1, General; and section 3.4, Temporary Traffic Control, which require preparation of a Traffic Control Plan, including a description of emergency response vehicle access, maintenance of minimum travel lanes where feasible, maintenance of access to driveways, and providing immediate emergency access if needed to emergency response vehicles. Open trenches would also be covered (plated) at the end of each day to provide access. With the implementation of EBMUD Standard Construction Specifications, the Project would not cause inadequate emergency access, and the impact would be less than significant.

Operation

Project operation and maintenance activities would occur within the SOWTP site. The SOWTP would remain accessible via the driveway from Amend Road, and the Project operation and maintenance would have no impact on emergency access. The Central North Aqueduct pipeline would be accessed for maintenance via manholes within the roadway. The temporary access of the pipeline via manholes would not affect emergency access. The impact on emergency access during operation would be less than significant.

4.4.13 Wildfire

Impact Wildfire-1: Substantially impair an adopted emergency response plan or emergency evacuation plan.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.14-13 to 3.14-14).

Facts in Support of Findings

Construction and Operation

Impact HAZ-4 (Draft EIR Section 3.8, Hazards and Hazardous Materials) addresses impacts on an adopted emergency response plan or emergency evacuation plan. Refer to Impact HAZ-4, above.

Impact Wildfire-2: Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.4-14 to 3.4-16).

Facts in Support of Findings

Construction

Construction equipment could generate fires from hot exhaust gases or from contact with the hot surfaces of the exhaust system. Construction workers and area residents could be exposed to a risk of wildfire or associated pollutants from wildfire. The SOWTP site and the alignment of the Central North Aqueduct pipeline are not within a Very High Fire Hazard Severity Zone; however, areas north and east of the SOWTP site and south of the alignment of the Central North Aqueduct pipeline are designated as a Very High Fire Hazard Severity Zone. Most of the SOWTP site occurs on a terrace that slopes moderately to steeply to the south and west. The alignment of the Central North Aqueduct pipeline slightly slopes toward San Pablo Creek. The site may be subject to conditions such as prevailing winds that could increase wildfire risk to Project workers and nearby residents during construction. The Project would comply with applicable regulations, vegetation management, and fire preparedness in accordance with Article 80 of the California Fire Code. In addition, as summarized in Exhibit C, a number of EBMUD Standard Construction Specifications have been incorporated into the Project, including Standard Construction Specification 01 35 24 section 1.3(F) and section 3.2 (F), which require the contractor to submit an Emergency Action Plan that prepares responses to accidents and injuries as well as to other serious unplanned events, such as fire, that requires notifying any response agencies (including fire departments) and requires firefighting equipment on site, construction equipment to be properly maintained (including spark arrestors for internal combustion engines), and maintenance of 100 feet of defensible space around work sites, including mowing brush and grass to a height of 4 inches or less, and clearing combustible matter, such as tree trimmings. During periods of high fire danger, further restrictions would be in place. With the implementation of EBMUD Standard Construction Specifications, impacts from pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire because of the Project would be less than significant.

Operation

The additional chemical building at the SOWTP (Phase 2) would allow the storage of a greater volume of chemicals, such as sodium hypochlorite storage tanks and chemical feed systems. The existing chemical building would be modified to store additional ammonia and caustic. The additional chemical storage could increase fire risk. Article 80 of the California Fire Code includes specific requirements for the safe storage and handling of flammable and combustible liquids or hazardous materials, to which the Project would adhere during operations. In addition, the site-specific Emergency Action Plan and Fire Prevention Plan would be updated after Project completion to address the potential fire safety impacts associated with fuel and chemical storage and ensure that safety measures would be included in ongoing operations.

Because the Project would be required to comply with numerous laws and regulations, including article 80 of the California Fire Code, and because long-term site maintenance would continue, including measures to maintain defensible space, operations and maintenance activities would not exacerbate wildfire risk and expose people to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. The impact on wildfire risk during operation would be less than significant.

Impact Wildlife-3: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Findings

EBMUD hereby finds that impacts would be less than significant (See Draft EIR pages 3.4-16 to 3.14-17).

Facts in Support of Findings

The Project would increase the impervious surface area at the SOWTP site by approximately 5 acres. A stormwater retention basin would be constructed to capture the increased stormwater runoff. The existing SOWTP facilities are adjacent to landslide deposits, and two buried pipelines would be on landslide deposits. Except for the buried pipelines, the Project structures would not be at risk of landslide destabilization in the event of a wildfire because the structures would be on relatively flat ground, set back from the hill slope, and not on landslide deposits. As summarized in Exhibit C, a number of EBMUD Engineering Standard Practices have been incorporated into the Project, including Engineering Standard Practice 512.1, Water Main Design Criteria, which establishes criteria for pipeline design and materials, and Engineering Standard Practice 550.1, Seismic Design Requirements, which specifies pipeline design requirements for landslide areas. Because the Project would include a stormwater retention basin to avoid changes in post-project runoff, the new facilities would be designed and constructed in accordance with applicable Engineering Standard Practices, the Project would not expose people or structures to significant risks from downstream flooding or landslides as a result of post-fire runoff or instability and the impact would be less than significant.

5 Statement of Overriding Considerations

CEQA requires the lead agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable environmental impacts when determining whether to approve the project. The lead agency may decide to accept unavoidable adverse environmental effects if the specific economic, legal, social, technological, or other benefits of the Project outweigh the unavoidable, adverse effects (CEQA Guidelines section 15093).

As described in Section 4.2 of these Findings and analyzed in Section 3.11 of the Draft EIR, there is one temporary, potentially significant and unavoidable adverse environmental effect of the Project related to temporary construction-period noise impacts (Impact NOI-1). The significant unavoidable noise impact would occur during Phase 1 and Phase 2 construction at the SOWTP and Central North Aqueduct pipeline, which would generate noise levels that would exceed the construction noise ordinance limits for the following periods and locations:

- 20 days during Phase 1 pile driving at the SOWTP in the city of Richmond
- 36 days during Phase 1 concrete pours at SOWTP in the city of Richmond and 33 days during Phase 2 concrete pours at SOWTP in the city of Richmond
- 8.4 weeks during jack and bore construction of the Central North Aqueduct pipeline adjacent to the D'Avila Woods apartment complex in Contra Costa County
- 5 days during open trench construction of the Central North Aqueduct pipeline at each adjacent receptor in the city of Richmond
- 5 days during open trench construction of the Central North Aqueduct pipeline at each adjacent receptor in Contra Costa County and the city of San Pablo
- 5 to 10 days during nighttime construction of the Central North Aqueduct pipeline at busy intersections and tie-in locations in Contra Costa County.

In accordance with section 15093 of the CEQA Guidelines, the Board hereby finds that the following economic, legal, social, technological, or other benefits of the Project override and outweigh the above-mentioned potentially significant and unavoidable adverse temporary environmental effect of the Project and makes this statement of overriding considerations to support its action to approve the Project.

EBMUD has identified the need to expand the capacity of SOWTP to meet planned future projected water demands. The existing SOWTP has a permitted capacity of 60 million gallons per day (MGD), but the capacity is currently limited to 45 MGD to reliably treat water while meeting regulations for water quality. The Project is needed to restore treatment capacity, continue to meet drinking water regulations, reduce disinfection byproducts, improve maintenance operations, maintain flexibility to treat water from supplemental supplies, and

increase treatment capacity as needed to meet future demands. Each Project benefit set forth below constitutes an overriding consideration justifying Project approval. The benefits/objectives of the Project include the following:

- Improve water service reliability by increasing the reliable water treatment capacity to meet planned future demands.
- Maintain flexibility to treat a broad range of water quality from supplemental water supplies entering EBMUD's water system such as the Sacramento River via the Freeport Regional Water Project.
- Continue to meet drinking water and environmental regulations and achieve EBMUD's internal long-term water quality goals.
- Improve efficiency of maintenance operations at the SOWTP site.
- Minimize life-cycle costs (capital, operating, and maintenance) to EBMUD's customers.

The Board hereby finds and determines that it has considered identified means of lessening or avoiding the Project's significant impacts, and if any impact remains significant and unavoidable, those impacts are acceptable given the Project benefits, as listed above. Each of these economic, legal, social, technological, and overall service-related benefits outweigh the identified potentially significant and unavoidable adverse environmental effect of the Project. Each of these benefits is a separate and independent basis for justifying Project approval, such that if a court were to set aside the determination that any particular benefit would occur, the Board determines that the remaining benefits, either in isolation or together, would justify Project approval.

The Board finds and determines that, except for the potentially significant and unavoidable adverse environmental effect described in Section 4.2, all other potentially significant effects of the Project would be mitigated to less-than-significant levels by the implementation of the mitigation measures. The Board also finds that to the extent that any such impacts set forth in Section 4.2 of this Findings document have any residual unavoidable impact, such impacts are acceptable given the benefits provided by the Project.

6 Findings Related to Potential Growth Inducing Impacts

CEQA Guidelines section 15126.2 requires the lead agency to discuss the growth inducing impacts of the Project.

As analyzed in the Draft EIR Section 5.3 (pages 5-7 through 5-8), the Project would increase the water treatment capacity of the SOWTP, which would allow the SOWTP to serve planned land use changes and redevelopment projects disclosed and incorporated into relevant land use agency general plans. The Project would not directly foster population growth or result in the construction of additional housing in the service area beyond the growth included in the relevant land use plans.

Demand associated with land use and planned growth, as set forth in the approved planning documents, was accounted in EBMUD's *2050 Demand Study*, which was used to determine Project sizing and design. Because the Project would serve planned land use changes and redevelopment projects disclosed and incorporated into the land use general plans and subsequent amendments thereto, implementation of the Project would not support growth beyond planned levels or in areas not planned for development by land use agencies. Therefore, any potential growth-inducing Project impacts would be less than significant.

7 Findings Regarding Alternatives and Selecting the Project

The CEQA Guidelines require the lead agency to identify alternatives that would avoid or substantially lessen any of the significant adverse effects of the proposed Project and to evaluate the comparative merits of the alternatives. Section 15126.6 of the CEQA Guidelines requires Environmental Impact Reports (EIRs) to evaluate a range of reasonable alternatives to a project, or to the location of a project, that would feasibly attain most of the basic project objectives and avoid or substantially lessen significant effects of the project. This process may include evaluating those alternatives that could be costlier, or otherwise impede, to some degree, certain Project objectives. The lead agency is also required to analyze the “no project” alternative to allow decision-makers to compare the impacts of approving the proposed Project with the impacts of not approving the Project.

The alternatives analysis and screening phase consisted of a systematic process that examined the overall Project objectives and identified a range of alternatives for review before selection of the alternatives presented in detail in Section 4 of the Draft EIR. Alternatives considered in the analysis included those identified by EBMUD in the *Sobrante Water Treatment Plant (SOWTP) Basis of Design Report* (EBMUD 2021), Central North Aqueduct Alignment Study (EBMUD 2022), and alternatives suggested by members of the public during public outreach, including relocation of Project facilities on the SOWTP site.

As part of the Draft EIR, alternatives were evaluated to determine if there were any alternatives that could reduce the significant and unavoidable construction noise impacts associated with the Project. The No Project Alternative was also addressed.

Several alternatives were rejected from further analysis because the alternatives did not meet the basic Project objectives, were not feasible, and/or would not substantially lessen the significant environmental effects of the Project (see Section 4.6, Alternatives Rejected from Further Consideration, pages 4-7 to 4-8 of the Draft EIR).

Based on the ability to meet the basic Project objectives, feasibility, and the potential to significantly lessen at least one potentially significant impact of the Project, one alternative (in addition to the No Project Alternative) was carried forward for analysis in the Draft EIR. The Draft EIR evaluated the environmental impacts of the following alternatives: the proposed Project, the No Project Alternative, and the No Solids Dewatering Facilities Alternative.

7.1 Project Alternatives

7.1.1 No Project Alternative

Under the No Project Alternative, the proposed improvements at the SOWTP and construction of the Central North Aqueduct pipeline would not occur, and the capacity of the SOWTP would remain at approximately 45 MGD. Demand would continue to increase and the need to increase treatment capacity of the SOWTP, maintain flexibility to treat supplemental supplies from the Sacramento River via the Freeport Regional Water Project during periods of drought, and continue to meet drinking water and environmental regulations would not be met. Without increased capacity, the SOWTP would not be able to meet future occurrences of high demand, to meet future demands during outages of other facilities (e.g., Claremont Tunnel), and to respond to drought conditions. EBMUD customers may be required to ration more frequently.

Under the No Project Alternative, the SOWTP would continue to lack a dedicated chlorine contact basin requiring free chlorine to be added before filtration, resulting in higher concentrations of disinfection byproducts. The scattered maintenance facilities at the SOWTP site would remain inadequate for the existing levels of maintenance.

The Board hereby rejects the No Project Alternative because it would fail to meet any of the Project's primary operational objectives and some of the Project's secondary operational objectives as summarized in the Draft EIR Table 4-1 (pages 4-10 and 4-11). The No Project Alternative would not address the fundamental purpose of the Project, which is to improve water service reliability, continue to meet drinking water regulations, reduce disinfection byproducts, improve maintenance operations, maintain flexibility to treat water from supplemental supplies, and increase the treatment capacity of the SOWTP as needed to meet future demands. For these reasons, EBMUD finds that the alternative infeasible of meeting the Project objectives.

7.1.2 No Solids Dewatering Facilities Alternative

Under the No Solids Dewatering Facilities Alternative, the solids dewatering building and blending tanks from Phase 2 of the Project would be eliminated. This alternative would reduce the temporary construction impacts associated with the Project by avoiding all impacts associated with construction of the solids dewatering facilities, including a reduced Project footprint and reduced earthwork and soil removal. Additionally, this alternative would reduce long-term visual impacts by not constructing the solids dewatering facilities and would reduce long-term energy use associated with operation of the solids dewatering facilities.

Without the solids dewatering facilities, the Project would generate a larger volume of wetter solids because the solids dewatering facilities would reduce the overall volume of solids by removing the water and condensing the solids. The maximum treatment capacity of 80 MGD could be achieved but would generate additional truck trips per day. On average, the No Solids Dewatering Facilities Alternative would generate an average of 32 trucks trips per day and a maximum of 53 truck trips per day for solids removal and disposal in a landfill.

The No Solids Dewatering Facilities Alternative would reduce the severity of the Phase 2 construction potentially significant but mitigable noise impacts and potentially significant but mitigable construction traffic impacts. In addition, the severity of less-than-significant impacts related to aesthetics, cultural resources, geology and soils, hydrology, and tribal cultural resources would be less because the number of new facilities is reduced. However, the larger volume of wetter solids would generate more operational truck traffic and the associated air quality, GHG emissions, and energy use would be incrementally greater under the No Solids Dewatering Facilities Alternative as compared to the Project. Because ongoing operational traffic impacts would be permanent, these permanent impacts are considered to outweigh reductions in construction impacts and the minor improvements in less-than-significant visual impacts. Because operational traffic impacts of the No Solids Dewatering Facilities Alternative would be greater, the Project as proposed is environmentally superior to the No Solids Dewatering Facilities Alternative.

7.2 Project Selection

Based upon the Draft EIR, the Final EIR, and the Findings contained herein, the Board hereby finds and declares that the Project, as described in Section 1.3 of these Findings, is approved.

Exhibit B

Mitigation Monitoring and Reporting Plan

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact AES-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.	Mitigation Measure AES-1: Landscape Maintenance • The contractor shall inspect all tree materials that are used for Project landscaping to ensure the health of trees and shrubs prior to planting. Any root bound, diseased, or otherwise unhealthy trees or shrubs shall be replaced prior to planting. • EBMUD will provide supplemental irrigation of all landscaped areas for a period of five (5) years following landscaping. Damage to the irrigation lines shall be repaired to ensure the irrigation is properly functioning during the dry season (April to October). EBMUD will conduct monitoring of all Project landscaping one year after planting and will replace in-kind any trees that are damaged, diseased, or failing to grow. All replaced, shrubs and trees shall be inspected for health prior to planting.	• Contractor is responsible for inspecting trees and providing supplemental irrigation.	• EBMUD is responsible for verifying implementation	• Prior to landscaping • 1 year after landscaping • 5 years after landscaping
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	Mitigation Measure BIO-1: California Red-Legged Frog and Western Pond Turtle • No more than 24 hours before the date of initial ground disturbance and exclusion fence installation for the Central North Aqueduct pipeline jack and bore pits, a preconstruction survey for California red-legged frog and western pond turtle shall be conducted by a Designated biologist within the jack and bore pit disturbance areas. • If any California red-legged frog or potential burrows, or western pond turtle are found, the contractor shall allow the California red-legged frog or western pond turtle to leave the work area on its own or adjust the work area limits to avoid the California red-legged frog or western pond turtle. If avoidance is infeasible, EBMUD shall obtain any required USFWS permit/approval required to relocate the individual(s). • Temporary exclusion fencing shall be installed around the limits of the Central North Aqueduct pipeline northern jack and bore work area, so	• EBMUD is responsible for hiring a qualified biologist to conduct surveys • Contractor is responsible for installing exclusion fence per the measure.	• EBMUD is responsible for verifying implementation	• Prior to construction.

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	that special-status amphibians, reptiles, and mammals cannot enter the work area. Installation of exclusion fencing shall occur under the supervision of the Designated biologist and immediately following a clearance survey of the area. The exclusion fencing shall have a minimum aboveground height of 30 inches, and the bottom of the fence shall be keyed in at least 4 inches deep and backfilled with soil, sandbags, gravel, or other means to prevent wildlife from passing under the fencing. Exclusion fencing shall be installed to prevent species entry into active work areas, and to mark the limits of construction disturbance at equipment staging areas, site access routes, construction equipment and personnel parking areas, debris storage areas, and any other areas that may be disturbed. The exclusion fencing shall be installed in a manner that reduces the potential for trapping migrating wildlife and for wildlife climbing over the fence, such as having the top of the fencing curved over on the outside of the fence. The exclusion fencing shall remain in place and be maintained for the duration of construction activities at the Central North Aqueduct pipeline northern jack and bore pit. Any damage to the exclusion fence shall be repaired within 48 hours of the observed damage.			
Impact BIO-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS.	Mitigation Measure BIO-2: Willow Riparian and Seasonal Wetland Habitat Protection and Restoration - To the extent feasible, all areas of willow riparian habitat and seasonal wetlands shall be avoided during final Project design and construction. Construction limit fencing shall be used to limit the extent of construction to approved work areas. Construction mats shall be applied to the ground surface in areas of temporary disturbance within willow riparian and seasonal wetland habitats. Mats shall be applied before any vehicle activity in the area, to avoid rutting in wetland and willow riparian habitat. - A preconstruction survey, including photos at five photo points that are representative of the temporarily impacted sensitive natural communities and transect monitoring, shall be conducted in the areas of temporary	EBMUD is responsible for designing to minimize impacts, completing pre-construction surveys, and completing compensatory mitigation and	EBMUD is responsible for monitoring.	- Detailed design - Prior to construction. - Construction. - Post-construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	willow riparian and seasonal wetland impacts to document the following immediately before construction: – Species composition and percentage cover of each dominant and subdominant species; and – Relative cover of non-native species within each sensitive natural community. • All areas of temporary impact within willow riparian and seasonal wetland habitats shall be restored to pre-project conditions. The seasonal wetland and willow riparian area shall be planted with a native vegetation mix that is characteristic of the vegetation community. The planting palette for the seasonal wetland and willow riparian area shall be provided by a restoration specialist to EBMUD for submittal to CDFW for review and approval before construction. Temporarily disturbed areas shall be monitored annually for up to five years and maintained until the following success criteria have been met: – The area has a minimum of 80 percent vegetative cover with native willows and associated species in willow riparian areas and native hydrophytic vegetation typical of seasonal wetlands in the seasonal wetland areas. – Non-native species cover shall not exceed pre-project conditions/cover. • EBMUD will cause an annual monitoring report to be completed and submitted to EBMUD and CDFW for up to five years and until success criteria are met. The annual monitoring report shall include the results of photo documentation at the defined preconstruction photo points as well as document performance of the restoration relative to the success criteria. Any corrective actions needed to meet the success criteria shall be documented in the annual report and shall be implemented within the following year. Any areas that fail to meet the success criteria after five years of monitoring shall be treated as permanent impacts and require compensatory mitigation, in compliance with Mitigation Measure BIO-3.	monitoring post-construction. • Contractor is responsible for minimizing impacts during construction and restoring areas of temporary impact.		

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact BIO-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS.	Mitigation Measure BIO-3: Sensitive Natural Community Compensatory Mitigation - Permanent impacts on willow riparian habitat and seasonal wetlands shall be compensated through on-site or off-site enhancement or creation of willow riparian habitat and seasonal wetland habitat. Permanent impacts on willow riparian and seasonal wetland habitat shall be compensated through enhancement of willow riparian habitat/seasonal wetlands at a minimum 2:1 ratio (enhancement: impact) or creation of willow riparian habitat/seasonal wetlands at a minimum 1:1 ratio. Mitigation credits may be purchased from a CDFW and Regional Water Quality Control Board-approved mitigation bank if on-site mitigation is not feasible. - If EBMUD conducts mitigation through habitat enhancement or creation, a riparian and wetland mitigation plan shall be prepared that address the following parameters: - Baseline conditions within the mitigation site - Proposed mitigation site conditions - Mitigation methods (e.g., habitat creation or enhancement) - Planting plan - Methods for invasive weed control - Methods to establish the desired mitigation site conditions - Maintenance, including trash removal, invasive weed removal, and repair of any damage to the mitigation site - Adaptive management procedures - Monitoring methods - The enhanced or created riparian and wetland habitat shall meet the following success criteria:	EBMUD is responsible for defining and completing compensatory mitigation.	EBMUD is responsible for verifying implementation.	- Prior to construction - Post-construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– Minimum of 70 percent vegetated cover with native willow riparian vegetation for willow riparian mitigation and native wetland vegetation for seasonal wetland mitigation – Less than 3 percent invasive weed cover – Wetland hydrology and soil conditions in the compensatory wetland mitigation areas • Annual monitoring shall be conducted for the mitigation habitats and shall include surveys for native vegetation cover, photo documentation at defined photo-monitoring locations, and monitoring for invasive species and any other habitat stressors. Monitoring will be conducted for the first five years or until success criteria are met. • An annual report shall be submitted to CDFW by January 31st following the reporting year. The annual report shall provide the results of annual habitat monitoring, recommendations for any corrective actions needed to meet success criteria, and a description of any corrective actions taken in the previous reporting year.			
Impact BIO-3: Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	Mitigation Measure BIO-2: Willow Riparian and Seasonal Wetland Habitat Protection and Restoration • (Details listed in Impact BIO-2)	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2
Impact BIO-3: Have a substantial adverse effect on state or federally protected wetlands	Mitigation Measure BIO-3: Sensitive Natural Community Compensatory Mitigation • (Details listed in Impact BIO-2)	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
(including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.				
Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Mitigation Measure BIO-2: Willow Riparian and Seasonal Wetland Habitat Protection and Restoration • (Details listed in Impact BIO-2)	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2
Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Mitigation Measure BIO-3: Sensitive Natural Community Compensatory Mitigation • (Details listed in Impact BIO-2)	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2	• Details listed in Impact BIO-2
Impact CUL-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	Mitigation Measure CR-1: Archaeological and Tribal Monitoring • During ground-disturbing construction activities of the Central North Aqueduct pipeline at the previously recorded site P-07-000068 and a 250-foot buffer from the site, a qualified archaeological and tribal monitor shall be present to inspect unexcavated sediments and soils for any sign of site P-07-000068 or other potential archaeological deposit. The archaeologist and tribal monitor shall notify EBMUD and its contractor of a discovery and EBMUD will direct its contractor to stop work in the vicinity of a discovery. The archaeologist will follow all regulations for the	• EBMUD is responsible for hiring a qualified archaeologist and tribal monitor to conduct monitoring	• EBMUD is responsible for verifying implementation .	• Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	identification, evaluation, and recovery of any archaeological resources that cannot be avoided. - During ground-disturbing construction activities of the Central North Aqueduct pipeline in areas with moderate sensitivity for deeply buried pre-contact archaeological resources (e.g., Bay Terrace alluvium), a qualified archaeological and tribal monitor shall be present to inspect unexcavated sediments and soils for any sign of potential archaeological deposits bi-weekly (two times per week). The archaeologist and tribal monitor shall notify EBMUD and its contractor of a discovery and EBMUD will direct its contractor to stop work in the vicinity of a discovery. If the archaeologist has observed excavation to final depth in sufficient areas to adequately characterize that the Project area and the underlying sediments appear disturbed or other evidence to suggest that archaeological and tribal cultural deposits are highly unlikely, the qualified archaeologist may recommend, in consultation with EBMUD, a switch to periodic (spot-check) monitoring or cease inspections entirely. - If during bi-weekly inspections, the archaeologist identifies sensitive intact sediments that are likely to contain archaeological deposits, ground-disturbing activities shall be halted, and the qualified archaeologist shall develop an appropriate Archaeological Monitoring Plan in consultation with EBMUD. The Archaeological Monitoring Plan may include increased frequency of periodic archaeological inspections, full-time archaeological construction monitoring, or presence/absence testing in areas of heightened archaeological sensitivity. The archaeologist will follow all regulations for the identification, evaluation, and recovery of any archaeological resources that cannot be avoided.	per the measure.		
Impact GEO-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Mitigation Measure GEO-1: Paleontological Resource Monitoring Plan During detailed design of the facilities, a professional paleontologist will be retained to prepare and implement a paleontological resource monitoring plan (PRMP), which will define paleontological resource monitoring locations, timing, and methodology. The location and extent of	EBMUD is responsible for hiring a qualified paleontologist	EBMUD is responsible for reviewing and approving the plan.	- Prior to construction - Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	paleontological resource monitoring will reflect the locations where Project excavations are anticipated to impact the Orinda Formation based on design drawings, depth to bedrock, and locations of historic fills, as interpreted from geotechnical data. The PRMP will include procedures to adjust paleontological monitoring frequency and locations based on field monitoring results. The PRMP will also define protocols for any discoveries of paleontological resources including: 1. Notification procedures. 2. Procedures for temporarily diverting or halting construction to salvage fossils. 3. Methods to salvage fossils. 4. Methods to prepare the fossils for curation. 5. Locations of approved repositories where fossil discoveries will be offered for curation. • Before the start of ground-disturbing activities, a professional paleontologist will be retained to implement the PRMP.	to prepare a PRMP and conducting monitoring.		
Impact NOI-1: Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Mitigation Measure NOI-1. Phase 1 Temporary Noise Barriers. • EBMUD shall erect a 16-foot-tall temporary noise barrier on EBMUD property between the active Phase 1 construction area and residential receptors on Amend Road throughout the duration of Phase 1 construction. The noise barrier will be STC rated 25 or higher and specific to sound attenuation applications. During some periods of construction, the noise barrier may be moved or dismantled temporarily to accommodate the Project construction area, and EBMUD shall schedule only mobile equipment activities to occur during periods when the noise barrier is being moved. EBMUD shall also erect a 12-foot tall noise barrier with an STC rating of 25 or higher between the Phase 1 demolition area and adjacent residents north of the demolition area.	• Contractor is responsible for installing noise barriers.	• EBMUD is responsible for verifying implementation.	• Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact NOI-1: Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Mitigation Measure NOI-2. Phase 2 Temporary Noise Barriers. EBMUD shall erect a 12-foot-tall temporary noise barrier between the Phase 2 gravity thickeners and sensitive receptors on Amend Road and a separate 12-foot-tall temporary noise barrier between the Central North Aqueduct pipeline jack and bore location and the D'Avila Woods Apartment buildings. The temporary noise barrier will be STC rated 25 or higher and specific to sound attenuation applications. To be effective, the noise barriers will be installed to block the line of sight between the construction activity and residential receptors.	Contractor is responsible for installing noise barriers.	EBMUD is responsible for verifying implementation.	Construction
Impact NOI-1: Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Mitigation Measure NOI-3. Limit Construction Hours in Contra Costa County. Where feasible, EBMUD shall limit excavation and grading activities within 500 feet of residential and commercial occupancies within Contra Costa County to weekdays within the County approved construction hours of 7:30 a.m. to 5:30 p.m.	Contractor is responsible for implementing the measure.	EBMUD is responsible for verifying implementation.	Construction
Impact NOI-1: Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project	Mitigation Measure NOI-4. Off-site Accommodation for Affected Nighttime Receptors. EBMUD shall notify residents, who could be affected by nighttime (10 p.m. to 7 a.m.) construction of the Central North Aqueduct pipeline at busy intersections or at tie-in locations, at least 10 days in advance. Residences within 660 feet of these nighttime construction work areas	EBMUD is responsible for notifying property owners and providing	EBMUD is responsible for verifying implementation.	Prior to nighttime construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	may request alternative lodging for the night(s) of the potential nighttime construction from EBMUD; alternative lodging to be provided will consist of a standard room at a hotel within 5 miles of the affected residence or as close as feasible. Alternative lodging will be provided and approved by EBMUD the day before the known nighttime pipeline construction is planned, or earlier, based on the types of construction activities that may occur during the nighttime hours (10 p.m. to 7 a.m.). This measure will be implemented only if nighttime construction at busy intersections or at tie-ins is to occur for the Central North Aqueduct pipeline.	alternative lodging if needed.		
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Mitigation Measure TRA-1. Minimize Impacts on Transit Service At least 60 days prior to construction activities involving temporary roadway centerline adjustment, rerouting of any bus line(s), or temporary closure and relocation of any bus stop, EBMUD shall coordinate with AC Transit. Roadway centerline adjustment and transit rerouting plans shall be reviewed and approved by the relevant city or county and reviewed by AC Transit prior to construction and included in the Project's Traffic Control Plan. EBMUD shall coordinate with AC Transit, to temporarily relocate any bus stops that are affected by construction of the Central North Aqueduct pipeline. Any parking obstruction, sidewalk obstruction, travel lane obstruction, or other accommodation required for the temporary bus stop shall be reviewed and approved by AC Transit prior to construction and included in the Project's Traffic Control Plan.	EBMUD is responsible for coordinating with AC Transit and implementing the measure.	EBMUD is responsible for verifying implementation.	Prior to transit stop relocation or rerouting of bus lines
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Mitigation Measure TRA-2: Minimize Impacts of Heavy Truck Traffic at SOWTP - Use of soil and demolition off-haul trucks to and from the SOWTP will be restricted to between the hours of 9:00 a.m. to 4:00 p.m. - Soil and demolition off-haul and large equipment delivery trucks on Valley View Road and Camino Pablo in front of schools will be limited to the hours of 9:00 a.m. to 3:00 p.m. - Concrete deliveries may begin as early as 6:00 a.m.	Contractor is responsible for incorporating the measure into the Traffic Control Plan and	EBMUD is responsible for verifying implementation.	- Prior to Construction - Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	• The required Traffic Control Plan shall include the following measures: – EBMUD's Contractor shall distribute written traffic safety requirements to all Contractor heavy construction vehicle drivers. All drivers shall provide signed acknowledgement of having read and understood all traffic safety requirements and consequences of non-compliance. – Written traffic safety requirements shall include: ▪ Construction work hours specifying when construction traffic would be allowed to access the SOWTP and staging areas. ▪ Construction haul routes and associated speed limits. ▪ Designated parking locations. – Contractor shall provide Project sticker or equivalent to drivers who have provided written acknowledgement of traffic safety requirements. – Project sticker shall be made available upon request by EBMUD during the construction contract period. – Contractor heavy construction vehicle drivers shall conform to designated construction hours, including no driving, queuing, idling or parking on local roadways outside of designated construction hours as outlined in written traffic safety requirements. – Contractor heavy construction vehicle drivers shall use only designated construction traffic haul routes. – Contractor shall provide Radar Speed Feedback Signs along Valley View Road and Amend Road for the entire Project duration (two, one in each direction of traffic on Valley View Road and Amend Road) to deter speeding by heavy construction vehicles on construction traffic routes. – Contractor heavy construction vehicle drivers shall comply with roadway traffic safety rules as outlined in written traffic safety requirements, including, but not limited to: ▪ Stoplight signals and stop signs.	implementing the measure.		

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	Roadway speed limits (reduced speeds in construction zones and near schools).			
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Mitigation Measure TRA-3. Minimize Impacts of Heavy Traffic at Road 20 - Use of soil and demolition off-haul and large equipment delivery trucks on Road 20 in front of Helms Middle School will be limited to the hours of 9:00 a.m. to 3:00 p.m. - The required Traffic Control Plan shall include the following measures: - EBMUD's Contractor shall distribute written traffic safety requirements to all Contractor heavy construction vehicle drivers. All drivers shall provide signed acknowledgement of having read and understood all traffic safety requirements and consequences of non-compliance. - Written traffic safety requirements shall include: - Construction work hours specifying when construction traffic would be allowed to access the work area at Road 20 - Construction haul routes and associated speed limits. - Designated parking locations. - Contractor shall provide a Project sticker or equivalent to drivers who have provided written acknowledgement of traffic safety requirements. - Project sticker shall be made available upon request by EBMUD during the construction contract period. - Contractor heavy construction vehicle drivers shall conform to designated construction hours, including no driving, queuing, idling or parking on local roadways outside of designated construction hours as outlined in written traffic safety requirements. - Contractor heavy construction vehicle drivers shall use only designated construction traffic haul routes. - Contractor shall provide Radar Speed Feedback Signs along Road 20 during construction on Road 20 (two, one in each direction of traffic on	Contractor is responsible for incorporating the measure into the Traffic Control Plan and implementing the measure.	EBMUD is responsible for verifying implementation.	- Prior to Construction - Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	Road 20) to deter speeding by heavy construction vehicles on construction traffic routes. – Contractor heavy construction vehicle drivers shall comply with roadway traffic safety rules as outlined in written traffic safety requirements, including, but not limited to: ▪ Stoplight signals and stop signs. ▪ Roadway speed limits (reduced speeds in construction zones and near schools).			
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Mitigation Measure TRA-4. Bicycle Safety The following protocols shall be implemented to protect bicyclist safety during open trench construction in roadways: • Striped/designated bikeways (Class II) shall be avoided by construction staging and activities to the extent feasible. • Notices shall be posted 14 days prior to construction along roadways where open trench construction will occur. Notices shall include the following information: – Location of construction within the roadway. – Timing of construction in the area. – Detour routes for bicyclists where designated bike lanes will be impacted by construction. • Flaggers shall be trained to safely direct bicyclists around the work area without creating conflicts with pedestrians or vehicle traffic. • Any impacted bikeway shall be restriped and any physical demarcation of bikeways shall be replaced within 14 days following installation of permanent or temporary asphalt within the impacted roadways.	• EBMUD is responsible for designing the pipeline to avoid impacts on bikeways where feasible. • Contractor is responsible for posting notices, using flaggers, and repairs.	• EBMUD is responsible for verifying implementation.	• Detailed design • Construction • Post-construction
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation	Mitigation Measure TRA-5: Pedestrian Access • Construction of the Central North Aqueduct pipeline shall be phased such that at least one crosswalk at each of the affected signalized	• Contractor is responsible for including pedestrian	• EBMUD is responsible for verifying	• Prior to construction • Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
system, including transit, roadway, bicycle and pedestrian facilities.	intersections on San Pablo Dam Road, Valley View Road, El Portal, and Road 20 is accessible at any given time to the extent feasible. Pedestrian access plans shall be included in the Traffic Control Plan and reviewed and approved by the local agency with jurisdiction over the roadway.	access in the Traffic Control Plan and implementing the measure.	implementation	.
Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Mitigation Measure TRA-2: Minimize Impacts of Heavy Truck Traffic at the SOWTP Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.
Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Mitigation Measure TRA-3: Minimize Impacts of Heavy Truck Traffic at Road 20 Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.
Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Mitigation Measure TRA-4: Bicycle Safety Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Mitigation Measure TRA-5: Pedestrian Access Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.	Details listed in Impact TRA-1.
Impact TCR-1: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically define in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.	Mitigation Measure CR-1: Archaeological and Tribal Monitoring - During ground-disturbing construction activities of the Central North Aqueduct pipeline at the previously recorded site P-07-000068 and a 250-foot buffer from the site, a qualified archaeological and tribal monitor shall be present to inspect unexcavated sediments and soils for any sign of site P-07-000068 or other potential archaeological deposit. The archaeologist and tribal monitor shall notify EBMUD and its contractor of a discovery and EBMUD will direct its contractor to stop work in the vicinity of a discovery. The archaeologist will follow all regulations for the identification, evaluation, and recovery of any archaeological resources that cannot be avoided. - During ground-disturbing construction activities of the Central North Aqueduct pipeline in areas with moderate sensitivity for deeply buried pre-contact archaeological resources (e.g., Bay Terrace alluvium), a qualified archaeological and tribal monitor shall be present to inspect unexcavated sediments and soils for any sign of potential archaeological deposits bi-weekly (two times per week). The archaeologist and tribal monitor shall notify EBMUD and its contractor of a discovery and EBMUD will direct its contractor to stop work in the vicinity of a discovery. If the archaeologist has observed excavation to final depth in sufficient areas to adequately characterize that the Project area and the underlying sediments appear disturbed or other evidence to suggest that	EBMUD is responsible for hiring a qualified archaeologist and tribal monitor to conduct monitoring.	EBMUD is responsible for verifying implementation .	Construction

EXHIBIT B - MITIGATION MONITORING AND REPORTING PLAN

Impact Area	Mitigation Measure	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	archaeological and tribal cultural deposits are highly unlikely, the qualified archaeologist may recommend, in consultation with EBMUD, a switch to periodic (spot-check) monitoring or cease inspections entirely. • If during bi-weekly inspections, the archaeologist identifies sensitive intact sediments that are likely to contain archaeological deposits, ground-disturbing activities shall be halted, and the qualified archaeologist shall develop an appropriate Archaeological Monitoring Plan in consultation with EBMUD. The Archaeological Monitoring Plan may include increased frequency of periodic archaeological inspections, full-time archaeological construction monitoring, or presence/absence testing in areas of heightened archaeological sensitivity. The archaeologist will follow all regulations for the identification, evaluation, and recovery of any archaeological resources that cannot be avoided.			

Exhibit C

Practices and Procedures Monitoring and Reporting Plan

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact AES-2 Substantially degrade damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	EBMUD Standard Construction Specification 01 32 36, Video Monitoring and Documentation Section 1.2, Site Survey Audio-Video Recording Requirements • The Contractor shall employ a qualified videographer, experienced in taking properly documented and annotated video to perform the Pre-Construction Site Survey, which shall be completed within 20 days after the issuance of the Notice to Proceed. The Pre-Construction Site Survey shall be completed and accepted prior to EBMUD issuance of the Notice to Commence Field Work. • Prior to commencement of the Pre-Construction Site Survey recording, the Contractor shall notify EBMUD in writing within 48 hours of the recording. EBMUD will provide a designated representative to accompany and observe audio-video recording operations. Audio-video recording completed without an EBMUD Representative present will be unacceptable unless specifically authorized in writing and in advance by EBMUD. • Provide a copy of the Pre-Construction Site Survey to EBMUD for review and comment. The Survey shall include all audio-video recordings, photography, annotations and all documentation. If EBMUD determines that critical areas are missing from the survey, the Contractor shall provide additional recording and documentation of the requested area and locations. • Post-Construction Site Survey: The Contractor shall perform a Post-Construction Site Survey of the same areas recorded in the Pre-Construction Site Survey following the same path/route of the Pre-Construction Site survey. EBMUD will review post-construction survey findings with	• Contractor is responsible for pre- and post-construction surveys and repairing damage.	• EBMUD Designated Videographer is responsible for video recording. • EBMUD is responsible for verifying repairs.	• Prior to construction • Post-construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	the Contractor and develop a complete listing of project site restoration requirements to be accomplished by the Contractor. Prior to commencement of Post-Construction Site Survey recording, the Contractor shall notify EBMUD in writing within 48-hours of the recording. EBMUD will provide a designated representative to accompany and observe audio-video recording operations. Audio-video recording completed without an EBMUD Representative present will be unacceptable unless specifically authorized in writing and in advance by EBMUD. • The Contractor shall be responsible for repairing any damage or defects not documented as existing prior to construction.			
Impact AES-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.	EBMUD Standard Construction Specification 01 32 36, Video Monitoring and Documentation <i>Section 1.1, Summary</i> • Audio-video documentation utilizing digital recording of surface features, supplemented by photography, which may be taken along the entire length of the project and may include work and storage areas, adjacent properties, and/or intersecting roadways. – Prior to audio-video recording of the project, all areas to be inventoried shall be investigated visually with notations made of items not readily visible by audio-video recording or supplemental photographic methods. <i>Section 1.2, Site Survey Audio-Video Recording Requirements (Details listed under AES-1).</i> <i>Section 3.1(C), Views and Narratives Required</i> • Such coverage may include, but not be limited to, existing driveways, sidewalks, pavement, curbs, gutters, ditches, berms, roadways, landscaping, trees, culverts, headwalls,	• Contractor is responsible for documentation and restoring conditions to meet specification. • Contractor is responsible for repairs.	• EBMUD Designated Videographer (to video). • EBMUD is responsible for verifying implementation and repairs.	• Prior to construction • Post-construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	and retaining walls, fencing, gates, handrails, signage, manholes, vaults, utility boxes, lighting, traffic signals and controls, loop detectors, landscaping, irrigation controllers, street furniture, buildings, equipment, appurtenances, structures, and other existing features etc. located within the work zone.			
Impact AES-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.1(B), Site Activities</i> - Following completion of Work, remove ditches, dikes, or other ground alterations made by the Contractor. The ground surfaces shall be returned to their former condition, or as near as practicable, in EBMUD's opinion. - Prevent visible dust emissions from leaving the work areas.	Contractor is responsible for restoring temporary work areas and preventing emissions.	- Contractor is responsible for monitoring dust emissions. - EBMUD responsible for verifying implementation.	- Construction - Post-Construction
Impact AES-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resource Requirements <i>Section 3.2(B), Tree Protection</i> Locations of trees to be removed and protected are shown in the construction drawings. Pruning and trimming shall be completed by the Contractor and approved by EBMUD. Pruning shall adhere to the Tree Pruning Guidelines of the International Society of Arboriculture.	Contractor is responsible for erecting protection fencing around trees to be protected and protecting trees as	EBMUD is responsible for verifying implementation.	Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
vantage point) or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.	- Erect exclusion fencing five feet outside of the drip lines of trees to be protected. Erect and maintain a temporary minimum 3-foot high orange plastic mesh exclusion fence at the locations as shown in the drawings. The fence posts shall be six-foot minimum length steel shapes, installed at 10-feet minimum on center, and be driven into the ground. The Contractor shall be prohibited from entering or disturbing the protected area within the fence except as directed by EBMUD. Exclusion fencing shall remain in place until construction is completed and EBMUD approves its removal. - No grading, construction, demolition, trenching for irrigation, planting or other work, except as specified herein, shall occur within the tree protection zone established by the exclusion fencing installed shown in the drawings. In addition, no excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the tree protection zone. - In areas that are within the tree drip line and outside the tree protection zone that are to be traveled over by vehicles and equipment, the areas shall be covered with a protective mat composed of a 12-inch thickness of wood chips or gravel and covered by a minimum ¾-inch-thick steel traffic plate. The protective mat shall remain in place until construction is completed and EBMUD approves its removal. - Tree roots exposed during trench excavation shall be pruned cleanly at the edge of the excavation and treated to the satisfaction of the Certified Arborist. - Any tree injured during construction shall be evaluated as soon as possible by the Certified Arborist, and replaced as deemed necessary by the Certified Arborist.	- required in the specification. - EBMUD is responsible for hiring a certified arborist to review tree roots exposed during construction and any injured tree. - Contractor is responsible for replacing injured trees if necessary.		

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact AES-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.	EBMUD Standard Construction Specification 01 74 05, Cleaning <i>Section 3.2(B), Cleaning During Construction</i> - Dispose of all refuse off EBMUD property as often as necessary so that at no time shall there be any unsightly or unsafe accumulation of rubbish. <i>Section 3.3(K), Final Cleaning</i> - Remove from EBMUD property all temporary structures and all material, equipment, and appurtenances not required as a part of, or appurtenant to, the completed work.	Contractor is responsible for cleaning site of trash and removing temporary structures at completion of work.	EBMUD is responsible for verifying implementation.	- Construction - Post-Construction - Demolition
Impact AES-4: The potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 3.9(A), Lighting Used During Nighttime Work</i> Ensure that temporary stationary lighting used during nighttime construction is only used when needed. All lighting used for nighttime construction shall be designed, installed, and operated to minimize glare that affects traffic near the work zone or that causes annoyance or discomfort for residences near the work zone. Lighting fixtures shall be shielded, located, and aimed to provide the required level of illumination and uniformity in the work zone without the creation of unnecessary glare.	Contractor is responsible for using light during nighttime construction only when needed and that lighting meets the standard.	EBMUD is responsible for verifying implementation.	During Nighttime Construction (after dusk or before dawn)
Impact AQ-1: Conflict with or obstruct implementation of the	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(F), Dust Control and Monitoring Plan</i>	Contractor is responsible for implementing all	EBMUD is responsible for verifying implementation.	- Construction - Demolition

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
applicable air quality plan. Impact AQ-3: Expose sensitive receptors to substantial pollutant concentrations.	• Submit a plan detailing the means and methods for controlling and monitoring dust generated by demolition and other work on the site for EBMUD's acceptance prior to any work at the jobsite. – Identify methods to comply with all applicable regulations including but not limited to the Bay Area Air Quality Management District (BAAQMD) visible emissions regulation and Public Nuisance Rule. – Outline practices for preventing dust emissions and procedures to be used during operations and maintenance activities. – Include measures for the control of paint overspray and abrasive blasting emissions, including, but not limited to containment, ventilation systems and monitoring for damage and leaks. – Describe equipment and methods used to monitor compliance with the plan. <i>Section 3.5, Air Quality Control</i> • Implement all necessary air pollutant construction measures per the BAAQMD "Basic Construction Mitigation Measures" (BAAQMD CEQA Guidelines May 2017), including, but not limited to the following: – All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. – All haul trucks transporting soil, sand, or other loose material off-site shall be covered. – All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.	requirements in the specification. • EBMUD is responsible for addressing any dust complaints.		

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– All vehicle speeds on unpaved roads shall be limited to 15 mph. – All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. – Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. – All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. – The contractor shall post an EBMUD-furnished, publicly visible sign with EBMUD and BAAQMD contact information regarding dust complaints. • Implement all necessary air pollutant construction measures per the BAAQMD "Additional Construction Mitigation Measures" (BAAQMD CEQA Guidelines May 2017) including but not limited to the following: – All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. – Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. – Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. – The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. – All trucks and equipment, including their tires, shall be washed off prior to leaving the site. – Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. – Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent. – Minimizing the idling time of diesel-powered construction equipment to two minutes. – The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. – Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). – Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM. – Requiring all contractors use equipment that meets CARB’s most recent certification standard for off-road heavy duty diesel engines. • Implement all necessary EBMUD air pollutant construction measures, including but not limited to the following: – Gravel or apply non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. Submit specifications for any dust palliatives applied to unpaved roads to EBMUD. – Water and/or cover soil stockpiles daily. – All transitions from soil to a paved road shall have best management practices applied to prevent drag out of soil. – Water used for dust control shall not run off the job site and cause erosion or other issues. – Use of recycled water for dust control is encouraged. – Use line power instead of diesel generators at all construction sites where line power is available.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– Temporary sources of air emissions (such as portable pumps, compressors, generators, etc.) shall be electrically powered unless the use of such equipment is not practical, feasible, or available. – All portable engines and equipment units used as part of construction shall be properly registered with the California Air Resources Board or otherwise permitted by the appropriate local air district, as required. – Minimize the use of diesel generators where possible. – Follow applicable regulations for fuel, fuel additives, and emission standards for stationary, diesel-fueled engines. – Locate generators at least 100 feet away from adjacent homes, schools, and parks. – Perform regular low-emission tune-ups on all construction equipment, particularly haul trucks and earthwork equipment. – On road and off-road vehicle tire pressures shall be maintained to manufacturer specifications. Tires shall be checked and re-inflated at regular intervals. – Demolition debris shall be recycled for reuse to the extent feasible. See the Construction and Demolition Waste Disposal Plan paragraphs above for requirements for wood treated with preservatives. <i>Section 3.6, Dust Monitoring During Demolition and Construction</i> • Provide air monitoring along the perimeter of the job site. A minimum of 4 stations, one on each side of the EBMUD property, shall be established, capable of continuous measurement of total particulate concentration when any dust generating activity is occurring.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	• Conduct real-time air monitoring at appropriate locations onsite based on wind direction, type of construction activity, and sensitive receptors to ensure dust control measures are effective. • All environmental and personal air sampling equipment shall be in conformance with the Association of Industrial Hygiene and National Institute of Safety and Health (NIOSH) standards. – All analysis shall be completed by an ELAP certified laboratory for the specific parameters of interest. – The Contractor shall provide to EBMUD, within 72 hours of sampling, all test results. • The dust control system shall comply with the requirements of this section and any applicable laws and regulations. Specific limitations that shall be met include the following: – Ringelmann No. 1 Limitation: Contractor shall not emit from any source for a period or periods aggregating more than three minutes in any hour, a visible emission which is as dark or darker than No. 1 on the Ringelmann Chart, or of such opacity as to obscure an observer's view to an equivalent or greater degree. – Opacity Limitation: Contractor shall not emit from any source for a period or periods aggregating more than three minutes in an hour an emission equal to or greater than 20% opacity as perceived by an opacity sensing device, where such device is required by BAAQMD regulations.			
Impact AQ-1: Conflict with or obstruct implementation of the	EBMUD Standard Construction Specification 02 82 13, Asbestos Control Activities <i>Section 1.1, Compliance and Intent</i>	• Contractor is responsible for providing	• EBMUD is responsible for	• Demolition

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
applicable air quality plan.	- Furnish all labor, materials, facilities, equipment, services, employee training and testing, permits, and agreements necessary to perform the asbestos removal in accordance with these specifications and with the latest regulations from the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Bay Area Air Quality Management District (BAAQMD), the Cal/EPA Department of Toxic Substance Control, the California Department of Occupational Safety and Health (DOSH), and other federal, state, county, and local agencies. Whenever there is a conflict or overlap of the above references, the most stringent provision is applicable. - During demolition procedures, the Contractor shall protect against contamination of soils, water, adjacent residences and properties, and the airborne release of hazardous materials and dusts. The Contractor will incur the costs associated with the implementation of controls and, if necessary, remediation. The Contractor shall be responsible for all necessary cleanup of contaminated areas/properties to pre-work condition and for all associated costs. It is the Contractor's responsibility to confirm and document the quantities of asbestos material to be removed. - Asbestos materials uncovered during the demolition activities shall be disposed of in an approved manner complying with all applicable federal, state, and local regulations. Appropriate waste manifests shall be furnished to EBMUD as per Sections 01 35 24 – Project Safety Requirements, and 01 35 44 – Environmental Requirements. Materials are conveyed to the Contractor "as is," without any warranty, expressed or implied,	proper remediation of asbestos during demolition, submitting a detailed plan documenting the quantities of asbestos removed, monitoring air quality during asbestos removal, and proper disposal of asbestos containing materials.	verifying implementation.	

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	including but not limited to, any warranty to marketability or fitness for a particular purpose, or any purpose. <i>Section 1.5, Submittals</i> • Project Safety and Health Plan: The Contractor shall provide a Project Safety and Health Plan prior to project initiation as specified in Section 01 35 24. • Submit a detailed plan of the procedures proposed for use in complying with the regulations included in this specification. The plan shall include the location and layout of decontamination areas, the sequencing of asbestos work, the interface of trades involved in the performance of work, disposal plan including location of approved disposal site, and a detailed description of the methods to be employed to control pollution. Expand upon the use of portable HEPA ventilation system, method of removal to prohibit visible emissions in work area, and packaging of removed asbestos debris. Include asbestos abatement in the Construction and Demolition Waste Disposal Plan, in accordance with Section 01 35 44. • Certificates of Compliance: Submit certification that equipment required to contain airborne asbestos fibers conform to ANSI Z9.2. <i>Section 1.6, Submittals (Job in Progress)</i> • Provide to EBMUD, within 72 hours of sampling, test results of the personal air sampling described in Article 3.2. • Provide to EBMUD, results of required air sampling established at property and project boundaries within 72 hours of sampling, and measures the contractor has taken to improve non-conforming outcomes based on the results. <i>Section 3.1, Initial Area Isolation</i>			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	• Demarcate the demolition area and specific hazard zones where asbestos removal occurs. Post warning signs and labels as required by Cal-EPA, BAAQMD, Cal OSHA Section 1529, and additional signs and warnings as directed by EBMUD. • Ensure asbestos hazards remain on site for proper abatement and disposal procedures. Ensure worker activity (access and egress) does not cause asbestos hazards to leave the project boundaries. <i>Section 3.2, Work Activities</i> • General Procedures: Perform all asbestos related work and comply with the general safety and health provisions in conformance with Cal/OSHA Title 8 CCR Section 1529. For asbestos abatement work, use general work practices, work practices for encapsulation as specified in 34 CFR Part 231 Appendix C, applicable CAL OSHA requirements, and other appropriate work procedures approved by the Environmental Protection Agency (EPA). • Suppress air-borne particulates using a minimum of two misting units operated simultaneously from the following product series given below: – Monsoon Atomizing Misting System, Buffalo Turbine, www.buffaloturbine.com – Or equal as approved by EBMUD • Ensure air borne asbestos limits are not exceeded and are compliance with U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Bay Area Air Quality Management District (BAAQMD), the Cal/EPA Department of Toxic Substance Control, the California Department of Occupational Safety			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	and Health (DOSH), and other federal, state, county, and local agencies requirements for airborne emissions. - Monitoring: Monitoring of airborne concentrations of asbestos shall be in accordance with Title 8CCR section 1529, and BAAQMD requirements. - Baseline air monitoring shall be conducted prior to demolition work and prior to asbestos related work. Base air measurements shall be established at the property boundary in the east, west, north and south coordinates. - If monitoring shows airborne concentrations greater than regulatory asbestos control limits, stop all work, correct the conditions causing the excessive levels, and notify EBMUD immediately. - Conduct at a minimum one set of post-asbestos removal/demolition air monitoring established at the property boundary and in the same location of baseline monitoring in the east, west, north and south coordinates.			
Impact AQ-1: Conflict with or obstruct implementation of the applicable air quality plan.	Procedure 600 - Designates a Public Affairs liaison to respond to construction-related issues, including noise. Contact information for the Public Affairs liaison (i.e., phone number, email address) and capital project site address will be provided via conspicuous signage at construction sites, on all advance notifications, and on the District project website. The Public Affairs liaison will coordinate with the construction project manager/engineer and any contractors to resolve any issues. - Notifies residents at least seven days (and preferably fourteen days) in advance of potentially disruptive construction activities (e.g., noise, traffic, parking);	- EBMUD will designate a Public Affairs liaison who is responsible for responding to any public complaints during construction. - EBMUD will send notices to	EBMUD is responsible for verifying all notices are properly provided.	Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	notifications will include the activities' geographical extent and estimated duration. The Public Affairs liaison will coordinate with the project manager/engineer and any contractors to provide advance notification via email, mailed notices, door-hangers, social media, or other means, as appropriate	residents per the procedure.		
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS). Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.1(B), Site Activities</i> • Protect storm drains and surface waters from impacts of project activity. • Store materials and wastes such as demolition material, soil, sand, asphalt, rubbish, paint, cement, concrete, or washings thereof, oil or petroleum products, or earthen materials in a manner to prevent it from being washed by rainfall or runoff outside the construction limits. • Reuse or dispose of excess material consistent with all applicable legal requirements and disposal facility permits. • Clean up all spills and immediately notify EBMUD in the event of a spill. • Equip stationary equipment such as motors, pumps, and generators with drip pans. • Divert or otherwise control surface water and waters flowing from existing projects, structures, or surrounding areas from coming onto the work and staging areas. The method of diversions or control be adequate to ensure the safety of stored materials and of personnel using these areas. • Following completion of Work, remove ditches, dikes, or other ground alterations made by the Contractor. The	• Contractor is responsible for implementing the specification.	• EBMUD is responsible for verifying implementation.	• Construction • Post-construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	ground surfaces shall be returned to their former condition, or as near as practicable, in EBMUD's opinion. • Prevent visible dust emissions from leaving the work area. • Handle, store, apply, and dispose of any chemical or hazardous material used in the performance of the Work in a manner consistent with all applicable federal, state, and local laws and regulations.			
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(A), Stormwater Management</i> • Construction General Permit – Submit the Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and all other documents prepared for compliance with the General Construction Storm Water Permit (NPDES No. CAS000002) to EBMUD and upload them in the SWRCB's Storm Water Multi-Application & Report Tracking System (SMARTS). ▪ EBMUD will electronically acknowledge appropriate submittals in SMARTS after review. ▪ Contractor shall pay for all registration and annual fees under this permit/program. – Submit a Storm Water Management Plan that describes measures that shall be implemented to prevent the discharge of contaminated storm water runoff from the jobsite. Contaminants to be addressed include, but are not limited to soil, sediment, concrete residue, pH less than 6.5 or greater than 8.5, and any other contaminants known to exist at the jobsite location as described in Document 00 31 24 – Materials Assessment Information	• Contractor is responsible for preparing a SWPPP and uploading documents to SMARTS as well as preparing a Storm Water Management Plan that meets the requirements in the specification.	• EBMUD is responsible for reviewing and approving the plans.	• Prior to construction.

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Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(B), Water Control and Disposal Plan</i> Plan shall describe measures for containment, handling, treatment (as necessary), and disposal of discharges such as groundwater (if encountered), runoff of water used for dust control, stockpile leachate, tank heel water, wash water, sawcut slurry, test water and construction water.	Contractor is responsible for preparing a Water Control and Disposal Plan that meets the requirements prior to any activity that necessitates the plan.	EBMUD is responsible for reviewing and approving the plan.	- Prior to construction. - Construction
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans,	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(E), Spill Prevention and Response Plan</i> - Submit plan detailing the means and methods for preventing and controlling the spilling of known hazardous substances used on the jobsite or staging areas. - Include a list of the hazardous substances proposed for use or generated by the Contractor on site, including petroleum products.	Contractor is responsible for preparing the Spill Prevention and Response Plan in compliance with the requirements in the specification	EBMUD is responsible for reviewing and approving the plan.	- Prior to construction - Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
policies, or regulations, or by CDFW or USFWS. Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	– Define measures that will be taken to prevent spills, monitor hazardous substances, and provide immediate response to spills. – Include provisions for notification of EBMUD or alternate contact and appropriate agencies including phone numbers; spill-related worker, public health, and safety issues; spill control, and spill cleanup. – Map showing hazardous materials project-related storage locations, names of the hazardous materials, and volumes/quantities. – Submit a Safety Data Sheet (SDS) for each hazardous substance proposed to be used prior to delivery of the material to the jobsite.	prior to construction.		
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements, Section 3.2, Storm Water • Conduct all inspections, sampling, reporting, and other required provisions in the SWPPP. • Upload all necessary documents to SMARTS to comply with the Construction General Permit. • Follow all provisions in local storm water permits and/or rules during construction. • Maintain sufficient best management practices or other controls as outlined in the storm water management plan to prevent impacts to storm water from pollution including soil, dust, stored hazardous materials, and construction activities.	• Contractor is responsible for conducting inspections, following all stormwater permit requirements, and maintaining BMPs throughout construction.	• EBMUD is responsible for verifying compliance with the permits.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
wildlife corridors, or impede the use of native wildlife nursery sites.				
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.1, Training and Certification</i> • Before beginning construction, all Contractor personnel involved in ground-disturbing activities are required to attend an environmental training program provided by EBMUD, of up to one day for site supervisors, foremen and project managers and up to 30 minutes for non-supervisory Contractor personnel. Contractor general personnel will receive a worker environmental awareness training. • The Contractor is responsible for ensuring that all workers requiring environmental training are identified to EBMUD. • Prior to accessing or performing construction work, the identified Contractor personnel shall: – Sign a wallet card provided by EBMUD verifying that the Contractor personnel has attended the appropriate level of training relative to their position; have understood the contents of the environmental training, and shall comply with all project environmental requirements. – Display an environmental training hard hat decal (provided by EBMUD after completion of the training) at all times.	• Contractor is responsible for attending training and maintaining all required documentation of training.	• EBMUD is responsible for verifying workers have received training.	• Prior to construction • Construction
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.2(C), Special-Status Plant Populations</i> • In addition to the training identified in Article 3.1 above, special-status plant population training will include a	• EBMUD is responsible for hiring a qualified botanist to	• EBMUD is responsible for notifying CDFW and enforcing restrictions on	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	description of the sensitive plant species in the Project vicinity, including natural history and habitat, the general protection measures to be implemented to protect the species, and a delineation of the limits of the work areas. Identified Contractor personnel will be required to sign documents stating that they understand that take of special-status plant species and destruction or damage of their habitat would be a violation of state and federal law. • In the spring prior to construction, the Designated Biologist will conduct preconstruction sensitive plant surveys in all areas where ground disturbance will occur. Any observed sensitive plant species will be mapped and flagged for avoidance where feasible. EBMUD will notify CDFW upon discovery of any sensitive plant species during preconstruction surveys. • Sensitive plant species shall be avoided, or impacts shall be minimized by limiting ground disturbance where sensitive plants are present. • To minimize impacts on sensitive vegetation immediately adjacent to designated construction areas, EBMUD will designate areas containing sensitive vegetation as restricted areas.	conduct surveys in compliance with the requirements.	work areas the specification, if needed.	
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans,	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.2(E), Project-Specific Protected Wildlife Species</i> • California Red-legged Frog – Seven days prior to construction activities, the Project area will be surveyed for California red-legged frog by the Designated Biologist. Surveys of the Project area will be repeated if a lapse in construction activity of two weeks or greater occurs.	• EBMUD is responsible for hiring a biologist and performing surveys per the specification.	• EBMUD is responsible for verifying implementation.	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
policies, or regulations, or by CDFW or USFWS.	If the California red-legged frog is observed at the construction site at any time during construction, work shall cease immediately until the frog leaves the work area on its own or is relocated outside of the work area by the Designated Biologist. Any sightings and any incidental take will be reported to the USFWS and CDFW immediately by EBMUD.			
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.2(E), Project-Specific Protected Wildlife Species</i> - San Francisco dusky-footed woodrat - A preconstruction survey will be performed by the Designated Biologist within seven days prior to the start of ground-disturbing activities to identify the locations of active San Francisco dusky-footed woodrat nests within the project boundary. Any woodrat nests detected will be mapped and flagged for avoidance by the Designated Biologist. - If active nests are determined to be present, avoidance measures will be implemented first. Because San Francisco dusky-footed woodrats are year-round residents, avoidance mitigation is limited to restricting project activities to avoid direct impacts to San Francisco dusky-footed woodrats and their active nests to the extent feasible. A minimum ten-foot buffer should be maintained between project construction activities and each nest to avoid disturbance. In some situations, a smaller buffer may be allowed if, in the opinion of the Designated Biologist, removing the nest would be a greater impact than that anticipated as a result of project activities.	EBMUD is responsible for hiring a biologist to perform surveys and measures per the specification.	EBMUD is responsible for verifying implementation.	Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– If an unoccupied woodrat nest is found within the site and it cannot be avoided, the nest should be disassembled by hand by the Designated Biologist. The nest materials should be relocated off site outside of the wildlife exclusion fencing to prevent rebuilding. – If occupied nests are found within the site, and a litter of young is found or suspected, the nest shall be left alone for two to three weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling. Dismantling shall be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. – EBMUD will notify CDFW of any nests, unoccupied or occupied, before they are dismantled.			
Impact BIO-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.2(D), Protection of Birds Protected Under the Migratory Bird Treaty Act and Roosting Bats</i> • Provide 30 days' written notice to EBMUD prior to ground disturbing activities, pruning, and trimming. – EBMUD will conduct biological reconnaissance in advance of construction and will conduct biologic monitoring during construction as necessary. • Protected Bird or Bat Species: – If protected species or suitable habitat for protected species is found during biological survey, identified Contractor personnel shall complete the training below in addition to the training identified in Article 3.1: ▪ Watch a video at an EBMUD-designated location, conducted by the Designated Biologist. The program	• Contractor is responsible for providing 30 days notice of ground disturbing activities, attending contractor training, and ceasing construction activities if needed per the specification. • EBMUD is responsible for	• EBMUD is responsible for verifying implementation.	• Prior to construction • Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	will discuss all sensitive habitats and sensitive species that may occur within the project work limits, including the responsibilities of the Contractor's personnel, applicable mitigation measures, and notification requirements. • Birds Protected under the Migratory Bird Treaty Act (MBTA): – It is unlawful to pursue, hunt, take, capture, or kill any migratory bird without a permit issued by the U.S. Department of the Interior. – If ground disturbing activities occur between February 1 and August 31, during the nesting season, EBMUD will conduct a preconstruction survey for nesting birds within 7 days prior to construction to ensure that no nest will be disturbed during construction. – If active nests of migratory bird species (listed in the MBTA) are found within the project site, or in areas subject to disturbance from construction activities, an avoidance buffer to avoid nest disturbance shall be constructed. The buffer size shall be determined by EBMUD in consultation with CDFW and is based on the nest location, topography, cover, and species' tolerance to disturbance. – If an avoidance buffer is not achievable, the Designated Biologist will monitor the nest(s) to document that no take of the nest (nest failure) has occurred. Active nests shall not be taken or destroyed under the MBTA and, for raptors, under the CDFW Code. If it is determined that construction activity is resulting in nest disturbance, work should cease immediately, and the Contractor shall notify EBMUD who will consult with the Designated Biologist and appropriate regulatory agencies.	providing contractor training, conducting pre-construction biological surveys, biological monitoring, and coordination with CDFW as required by the specification.		

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further action is required. Trees and shrubs within the construction footprint that have been determined to be unoccupied by special-status birds or that are located outside the avoidance buffer for active nests may be removed. Nests initiated during construction (while significant disturbance from construction activities persist) may be presumed to be unaffected, and only a minimal buffer, determined by the Designated Biologist, would be necessary. • Roosting Bats: – If ground disturbing activities occur between March 1 and July 31, during the bat maternity period, EBMUD will conduct a preconstruction survey for roosting bats within two weeks prior to construction to ensure that no roosting bats will be disturbed during construction. – If roosting surveys indicate potential occupation by a special-status bat species, and/or identify a large day roosting population or maternity roost by any bat species within 200 feet of a construction work area, the Designated Biologist will conduct focused day- and/or night-emergence surveys, as appropriate. – If active maternity roosts or day roosts are found within the project site, or in areas subject to disturbance from construction activities, an avoidance buffers shall be constructed. The buffer size will be determined by EBMUD in consultation with CDFW. – If a non-breeding bat roost is found in a structure scheduled for modification or removal, the bats shall be safely evicted, under the direction of the Designated			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	Biologist in consultation with CDFW to ensure that the bats are not injured. – If preconstruction surveys indicate that no roosting is present, or potential roosting habitat is unoccupied during the construction period, no further action is required. Trees and shrubs within the construction footprint that have been determined to be unoccupied by roosting bats, or that are located outside the avoidance buffer for active roosting sites may be removed. Roosting initiated during construction is presumed to be unaffected, and no buffer would be necessary.			
Impact BIO-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.2(B), Tree Protection</i> • Locations of trees to be removed and protected are shown in the construction drawings. Pruning and trimming shall be completed by the Contractor and approved by EBMUD. Pruning shall adhere to the Tree Pruning Guidelines of the International Society of Arboriculture. • Erect exclusion fencing five feet outside of the drip lines of trees to be protected prior to ground disturbing activities. Erect and maintain a temporary minimum 3-foot high orange plastic mesh exclusion fence at the locations as shown in the drawings prior to ground disturbing activities. The fence posts shall be six-foot minimum length steel shapes, installed at 10-feet minimum on center, and be driven into the ground. The Contractor shall be prohibited from entering or disturbing the protected area within the fence except as directed by EBMUD. Exclusion fencing shall remain in place until construction is completed and EBMUD approves its removal.	• Contractor is responsible for erecting protection fencing around trees to be protected and protecting trees as required per the specification. • EBMUD is responsible for hiring a certified arborist to review tree roots exposed during construction	• EBMUD is responsible for verifying implementation.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	- No grading, construction, demolition, trenching for irrigation, planting or other work, except as specified herein, shall occur within the tree protection zone established by the exclusion fencing installed shown in the drawings. In addition, no excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the tree protection zone. - In areas that are within the tree dripline and outside the tree protection zone that are to be traveled over by vehicles and equipment, the areas shall be covered with a protective mat composed of a 12-inch thickness of wood chips or gravel and covered by a minimum ¾-inch thick steel traffic plate. The protective mat shall remain in place until construction is completed and EBMUD approves its removal. - Tree roots exposed during trench excavation shall be pruned cleanly at the edge of the excavation and treated to the satisfaction of the Certified Arborist. - Any tree injured during construction shall be evaluated as soon as possible by a certified arborist provided by EBMUD, and replaced as deemed necessary by the Certified Arborist.	- and any injured tree. - Contractor is responsible for replacing injured trees if necessary.		
Impact CUL-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. Impact CUL-3: Disturb any human remains,	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.1, Training and Certification</i> Before beginning construction, all Contractor personnel involved in ground-disturbing activities are required to attend an environmental training program provided by EBMUD, of up to one day for site supervisors, foremen and project managers and up to 30 minutes for non-supervisory	Contractor is responsible for attending training and maintaining all required documentation of training.	EBMUD is responsible for verifying workers have received training.	- Prior to construction - Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
including those interred outside of formal cemeteries.	Contractor personnel. Contractor general personnel will receive a worker environmental awareness training. • The Contractor is responsible for ensuring that all workers requiring environmental training are identified to EBMUD. • Prior to accessing or performing construction work, the identified Contractor personnel shall: – Sign a wallet card provided by EBMUD verifying that the Contractor personnel has attended the appropriate level of training relative to their position; have understood the contents of the environmental training, and shall comply with all project environmental requirements. – Display an environmental training hard hat decal (provided by EBMUD after completion of the training) at all times.			
Impact CUL-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. Impact CUL-3: Disturb any human remains, including those interred outside of formal cemeteries.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resource Requirements <i>Section 3.3, Protection of Cultural and Paleontological Resources</i> • Confidentiality of Information on Cultural and Paleontological Resources – In conjunction with Contractor’s performance under this contract, the Contractor may obtain information as to the location and/or nature of certain cultural or paleontological resources, including Native American artifacts and remains. This information may be provided to the Contractor by EBMUD or a third party, or may be discovered directly by the Contractor through its performance under the contract. All such information shall be considered “Confidential Information” for the purposes of this Article.	• EBMUD designated archaeologist is responsible for providing training to contractor. • Contractor is responsible for attending training. • Contractor is responsible for notifying EBMUD of any potential discovery of	• EBMUD is responsible for verifying implementation.	• Prior to construction • Construction

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	– Pursuant to California Government Code Section 6254.10, cultural resource information is protected from public disclosure. The Contractor agrees that the Contractor, its subcontractors, and their respective agents and employees shall not publish or disclose any Confidential Information to any person, unless specifically authorized in advance, in writing by EBMUD. • Conform to the requirements of statutes as they relate to the protection and preservation of cultural and paleontological resources. Unauthorized collection of prehistoric or historic artifacts or fossils along the Work Area, or at Work facilities, is strictly prohibited. • In addition to the training identified in Article 3.1.A above, identified Contractor personnel shall attend a cultural and paleontological resources training course provided by EBMUD of up to two hours. The training program will be completed in person or by watching a video, at an EBMUD designated location, conducted or prepared by a Qualified Archaeologist and/or Paleontologist. The program will discuss cultural and paleontological resources awareness within the project work limits, including the responsibilities of Contractor personnel, applicable mitigation measures, confidentiality, and notification requirements. Prior to accessing the construction site, or performing site work, identified Contractor personnel shall: – Sign an attendance sheet provided by EBMUD verifying that all Contractor construction personnel involved in ground disturbing activities have attended the appropriate level of training; have read and understood the contents of the training; have read and understood the contents of the “Confidentiality of Information on Cultural and Paleontological Resources” document, and	cultural resources and halt work per the specification. • EBMUD is responsible for retaining a qualified archaeologist to inspect any finds as needed. • EBMUD is responsible for contacting the County coroner if any human remains are found.		

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	shall comply with all project environmental requirements. • In the event that potential cultural or paleontological resources are discovered at the site of construction, the following procedures shall be instituted: – Discovery of prehistoric or historic-era archaeological resources requires that all construction activities shall immediately cease at the location of discovery and within 100 feet of the discovery. ▪ The Contractor shall immediately allow EBMUD to evaluate the find. The Contractor is responsible for stopping work and notifying EBMUD and shall not recommence work until authorized to do so by EBMUD. ▪ EBMUD will retain a qualified archaeologist to inspect the findings within 24 hours of discovery. If it is determined that the Project could damage a historical resource as defined by CEQA (or a historic property as defined by the National Historic Preservation Act of 1966, as amended), construction shall cease in an area determined by the archaeologist until a management plan has been prepared, approved by EBMUD, and implemented to the satisfaction of the archaeologist (and Native American representative if the resource is prehistoric, who shall be identified by the Native American Heritage Commission [NAHC]). In consultation with EBMUD, the archaeologist (and Native American representative) will determine when construction can resume.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– Discovery of human remains requires that all construction activities immediately cease at, and within 100 feet of the location of discovery. ▪ The Contractor shall immediately notify EBMUD who will engage a qualified archaeologist provided by EBMUD to evaluate the find. The Contractor is responsible for stopping work and notifying EBMUD and shall not recommence work until authorized to do so by EBMUD. ▪ EBMUD will contact the County Coroner, who will determine whether or not the remains are Native American. If the remains are determined to be Native American, the Coroner will contact the Native American Heritage Commission (NAHC). The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to EBMUD for the appropriate means of treating the human remains and any associated funerary objects. Otherwise, the County Coroner shall be allowed to complete their investigation and the Contractor shall not recommence work until authorized to do so by both the Coroner and EBMUD. • If EBMUD determines that the cultural or paleontological resource discovery requires further evaluation, at the direction of EBMUD, the Contractor shall suspend all construction activities at the location of the find and within a larger radius, as required.			
Impact ENG-1: Result in potentially significant environmental impact	EBMUD Standard Construction Specification 01 35 44 (Environmental Requirements)	• Contractor is responsible for implementing	• EBMUD is responsible for	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation	<i>Section 3.5, Air Quality Control</i> - Implement all necessary air pollutant construction measures per the Bay Area Air Quality Management District “Basic Construction Mitigation Measures” (BAAQMD CEQA Guidelines May 2017), including, but not limited to the following: - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. - Implement all necessary air pollutant construction measures per the Bay Area Air Quality Management District “Additional Construction Mitigation Measures” (BAAQMD CEQA Guidelines May 2017) including but not limited to the following: - Minimizing the idling time of diesel-powered construction equipment to two minutes. - Requiring all contractors use equipment that meets CARB’s most recent certification standard for off-road heavy duty diesel engines. - Implement all necessary EBMUD air pollutant construction measures, including but not limited to the following: - Use line power instead of diesel generators at all construction sites where line power is available. - Temporary sources of air emissions (such as portable pumps, compressors, generators, etc.) shall be	all requirements in the specification.	verifying implementation.	

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	electrically powered unless the use of such equipment is not practical, feasible, or available. – Minimize the use of diesel generators where possible. – Perform regular low-emission tune-ups on all construction equipment, particularly haul trucks and earthwork equipment. – On road and off-road vehicle tire pressures shall be maintained to manufacturer specifications. Tires shall be checked and re-inflated at regular intervals. – Demolition debris shall be recycled for reuse to the extent feasible. See the Construction and Demolition Waste Disposal Plan paragraphs above for requirements for wood treated with preservatives.			
Impact GEO-1: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault; strong seismic ground-shaking; seismic-related ground failure (liquefaction, lateral spreading); or landslides.	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements <i>Section 1.1(F), Site Activities</i> • Complete a Safe Work Permit prior to starting work at a Water Treatment Plant.	• Contractor is responsible for completing a Safe Work Permit.	• EBMUD is responsible for verifying implementation.	• Prior to construction
Impact GEO-1: Directly or indirectly cause potential substantial adverse effects, including the risk of loss,	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements <i>Section 1.3(M), Excavation Safety Plan</i>	• Contractor is responsible for preparing a plan for worker protection	• EBMUD is responsible for reviewing and approving the plan.	• Prior to construction • Construction.

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injury, or death involving: rupture of a known earthquake fault; strong seismic ground-shaking; seismic-related ground failure (liquefaction, lateral spreading); or landslides. Impact GEO-3: Be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	• Submit an Excavation Safety Plan in accordance with Title 8 CCR §1541. • Contractor shall obtain an excavation permit per Title 8, CCR §341(a)(1) when required. • California Government Code §4216 describes the requirements and procedures for excavation notifications and utility excavation	around trenches 5 feet or greater.		
Impact GEO-1: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault; strong seismic ground-shaking; seismic-related ground failure (liquefaction, lateral spreading); or landslides.	Engineering Standard Practice 512.1, Water Main Design Criteria <i>Purpose:</i> Establishes criteria for design of water pipelines and establishes minimum requirements for pipeline construction materials.	• EBMUD is responsible for implementing the design criteria specified in Engineering Standard Practice 512.1.	• EBMUD is responsible for verifying implementation.	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact GEO-3: Be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Impact GEO-4: Be located on expansive soil creating substantial direct or indirect risks to life or property.				
Impact GEO-1: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault; strong seismic ground-shaking; seismic-related ground failure (liquefaction, lateral spreading); or landslides. Impact GEO-3: Be located on a geologic unit or soil that is	Engineering Standard Practice 550.1, Seismic Design Requirements <i>Purpose:</i> Establishes minimum criteria for seismic design of all EBMUD facilities, including offices, operating centers, water and wastewater treatment plants, water and other liquids storage structures, pumping plants, retaining walls, underground vaults, pipelines, and other structures.	EBMUD is responsible for implementing the design criteria specified in Engineering Standard Practice 550.1.	EBMUD is responsible for verifying implementation.	Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
unstable, or that would become unstable because of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.				
Impact GEO-2: Result in substantial soil erosion or the loss of topsoil.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.1(B), Site Activities</i> • Divert or otherwise control surface water and waters flowing from existing projects, structures, or surrounding areas from coming onto the work and staging areas. The method of diversions or control shall be adequate to ensure the safety of stored materials and of personnel using these areas. • Following completion of Work, ditches, dikes, or other ground alterations made by the Contractor shall be removed and the ground surfaces shall be returned to their former condition, or as near as practicable, in EBMUD's opinion.	• Contractor is responsible for implementing the specification.	• EBMUD is responsible for verifying implementation.	• During construction
Impact GEO-2: Result in substantial soil erosion or the loss of topsoil.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(A), Storm Water Management</i> • Construction General Permit – Submit the Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and all other documents prepared for compliance with the General Construction	• Contractor is responsible for preparing a SWPPP and uploading documents to SMARTS as well as	• EBMUD is responsible for reviewing and approving the plans.	• Prior to construction.

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	Storm Water Permit (NPDES No. CAS000002) to EBMUD and upload them in the SWRCB's Storm Water Multi-Application & Report Tracking System (SMARTS). ▪ EBMUD will electronically acknowledge appropriate submittals in SMARTS after review. ▪ Contractor shall pay for all registration and annual fees under this permit/program. • Storm Water Management Plan – Submit a Storm Water Management Plan that describes measures that shall be implemented to prevent the discharge of contaminated storm water runoff from the jobsite. Contaminants to be addressed include, but are not limited to soil, sediment, concrete residue, pH less than 6.5 or greater than 8.5, and any other contaminants known to exist at the jobsite location as described in Document 00 31 24 – Materials Assessment Information. • Local Storm Water Permits – Obtain any local storm water permits (e.g., city, county, etc.), submit copies, and comply with their requirements. – For jobs in unincorporated Alameda County that are greater than one acre, Contractor shall obtain and comply with Alameda County Public Works Agency's Stormwater Permit to enable the inspection of C.6 construction stormwater BMPs.	preparing a Storm Water Management Plan that meets the requirements in the specification. • Contractor is responsible for submitting a Stormwater Management Plan per the specification. • Contractor responsible for obtaining local permits and submitting copies to EBMUD.		
Impact GEO-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.1, Training and Certification</i> • Before beginning construction, all Contractor personnel involved in ground-disturbing activities are required to attend an environmental training program provided by EBMUD, of up to one day for site supervisors, foremen and	• Contractor is responsible for attending training and maintaining all required	• EBMUD is responsible for verifying workers have received training.	• Prior to construction • Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	project managers and up to 30 minutes for non-supervisory Contractor personnel. Contractor general personnel will receive a worker environmental awareness training. • The Contractor is responsible for ensuring that all workers requiring environmental training are identified to EBMUD. • Prior to accessing or performing construction work, the identified Contractor personnel shall: – Sign a wallet card provided by EBMUD verifying that the Contractor personnel has attended the appropriate level of training relative to their position; have understood the contents of the environmental training, and shall comply with all project environmental requirements. – Display an environmental training hard hat decal (provided by EBMUD after completion of the training) at all times.	documentation of training.		
Impact GEO-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.3, Protection of Cultural and Paleontological Resources</i> • In addition to the training identified in Article 3.1.A above, identified Contractor personnel shall attend a cultural and paleontological resources training course provided by EBMUD of up to two hours. The training program will be completed in person or by watching a video, at an EBMUD designated location, conducted or prepared by a Qualified Archaeologist and/or Paleontologist. The program will discuss cultural and paleontological resources awareness within the project work limits, including the responsibilities of Contractor personnel, applicable mitigation measures, confidentiality, and notification requirements. Prior to	• EBMUD designated archaeologist or paleontologist is responsible for providing contractor training. • Contractor is responsible for attending training. • Contractor is responsible for notifying	• EBMUD is responsible for verifying contractors have received training and for retaining a qualified paleontologist.	• Prior to construction • Construction

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	accessing the construction site, or performing site work, identified Contractor personnel shall: – Sign an attendance sheet provided by EBMUD verifying that all Contractor construction personnel involved in ground disturbing activities have attended the appropriate level of training; have read and understood the contents of the training; have read and understood the contents of the “Confidentiality of Information on Cultural and Paleontological Resources” document, and shall comply with all project environmental requirements. • In the event that potential cultural or paleontological resources are discovered at the site of construction, the following procedures shall be instituted: – Discovery of paleontological resources requires that all construction activities immediately cease at, and within 100 feet of the location of discovery. ▪ The Contractor shall immediately notify EBMUD who will engage a qualified paleontologist provided by EBMUD to evaluate the find. The Contractor is responsible for stopping work and notifying EBMUD and shall not recommence work until authorized to do so by EBMUD. ▪ EBMUD will retain a Qualified Paleontologist to inspect the findings within 24 hours of discovery. The Qualified Paleontologist, in accordance with Society of Vertebrate Paleontology guidelines (Society of Vertebrate Paleontology 2010), will assess the nature and importance of the find and recommend appropriate salvage, treatment, and future monitoring and management. If it is determined that construction activities could damage a paleontological resource	EBMUD of any potential discovery of paleontological resources and halt work per the measure. • EBMUD is responsible for retaining a qualified paleontologist to inspect any finds as needed.		

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	as defined by the Society of Vertebrate Paleontology guidelines (Society of Vertebrate Paleontology 2010), construction shall cease in an area determined by the paleontologist until a salvage, treatment, and future monitoring and management plan has been prepared, approved by EBMUD, and implemented to the satisfaction of the paleontologist. EBMUD, in consultation with the Qualified Paleontologist, will determine when construction can resume. • If EBMUD determines that the cultural and paleontological resource discovery requires further evaluation, at the direction of EBMUD, the Contractor shall suspend all construction activities at the location of the find and within a larger radius, as required.			
Impact GHG-1: Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 3.5, Air Quality Control</i> • Implement all necessary air pollutant construction measures per the Bay Area Air Quality Management District “Basic Construction Mitigation Measures” (BAAQMD CEQA Guidelines May 2017), including, but not limited to the following: – Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.	• Contractor is responsible for implementing the specification.	• EBMUD is responsible for verifying implementation.	• Construction • Demolition

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Implement all necessary air pollutant construction measures per the Bay Area Air Quality Management District “Additional Construction Mitigation Measures” (BAAQMD CEQA Guidelines May 2017) including but not limited to the following: – Minimizing the idling time of diesel-powered construction equipment to two minutes. – The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. – Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM. – Requiring all contractors use equipment that meets CARB’s most recent certification standard for off-road heavy duty diesel engines. • Implement all necessary EBMUD air pollutant construction measures, including but not limited to the following:			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– Use line power instead of diesel generators at all construction sites where line power is available. – All portable engines and equipment units used as part of construction shall be properly registered with the California Air Resources Board or otherwise permitted by the appropriate local air district, as required. – Minimize the use of diesel generators where possible. – Perform regular low-emission tune-ups on all construction equipment, particularly haul trucks and earthwork equipment. – On road and off-road vehicle tire pressures shall be maintained to manufacturer specifications. Tires shall be checked and re-inflated at regular intervals. – Demolition debris shall be recycled for reuse to the extent feasible. See the Construction and Demolition Waste Disposal Plan paragraphs above for requirements for wood treated with preservatives.			
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities <i>Section 1.3(B), Project Health and Safety Plan</i> • Submit a Project Health and Safety Plan for the work to be performed prior to start of the Notice to Commence Field Work and/or prior to any Limited Notice to Commence Field Work. • The Project Health and Safety Plan shall implement applicable Title 8, California Code of Regulations for the work performed. <i>Section 1.4, Training and Qualifications Requirements</i> • Ensure that all personnel who, as the result of work on this contract, will likely be exposed to hazardous conditions or	• Contractor is responsible for preparing the Project Health and Safety Plan and verifying personnel are properly trained and submitting certification of training and qualifications	• EBMUD is responsible for reviewing and approving the plan. • EBMUD is responsible for reviewing certifications.	• Prior to construction • Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
hazardous materials into the environment. Impact HAZ-3: The project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	hazardous substances at the site have received the appropriate training for the hazards they may encounter. Establish minimum training requirements and do not allow untrained workers to enter or perform work at the site. Submit certification of current training and qualification for each worker engaged in work with hazardous conditions or hazardous substances.	per the specification.		
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.1(A) Work includes:</i> - Comply with applicable Federal, State and Local environmental regulations in the execution of the Work. <i>Section 1.1(B) Site activities</i> - Store materials and wastes such as demolition material, soil, sand, asphalt, rubbish, paint, cement, concrete or washings thereof, oil or petroleum products, or earthen materials in a manner to prevent it from being washed by rainfall or runoff outside the construction limits. - Reuse or dispose of excess material consistent with all applicable legal requirements and disposal facility permits. - Clean up all spills and immediately notify EBMUD in the event of a spill. - Equip stationary equipment such as motors, pumps, and generators with drip pans.	Contractor is responsible for implementing the specification and preparing the required plans.	EBMUD is responsible for reviewing and approving the plans.	- Prior to construction - Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	• Divert or otherwise control surface water and waters flowing from existing projects, structures, or surrounding areas from coming onto the work and staging areas. The method of diversions or control shall be adequate to ensure the safety of stored materials and of personnel using these areas. • Handle, store, apply, and dispose of any chemical or hazardous material used in the performance of the Work in a manner consistent with all applicable federal, state, and local laws and regulations. <i>Section 1.4(A), Storm Water Management</i> • Construction General Permit – Submit the Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and all other documents prepared for compliance with the General Construction Storm Water Permit (NPDES No. CAS000002) to EBMUD and upload them in the SWRCB's Storm Water Multi-Application & Report Tracking System (SMARTS). ▪ EBMUD will electronically acknowledge appropriate submittals in SMARTS after review. ▪ Contractor shall pay for all registration and annual fees under this permit/program. • Storm Water Management Plan – Submit a Storm Water Management Plan that describes measures that shall be implemented to prevent the discharge of contaminated storm water runoff from the jobsite. Contaminants to be addressed include, but are not limited to soil, sediment, concrete residue, pH less than 6.5 or greater than 8.5, and any other contaminants known to exist at the jobsite location as described in Document 00 31 24 – Materials Assessment Information.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	- Local Storm Water Permits - Obtain any local storm water permits (e.g., city, county, etc.), submit copies, and comply with their requirements. - For jobs in unincorporated Alameda County that are greater than one acre, Contractor shall obtain and comply with Alameda County Public Works Agency's Stormwater Permit to enable the inspection of C.6 construction stormwater BMPs.			
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(B), Water Control and Disposal Plan</i> - Submit a detailed Water Control and Disposal Plan that complies with all requirements of the Specification and includes provisions for the types of discharges and permits in a through c below, if applicable to the project. - Drinking Water System Discharge - Plan shall comply with Drinking Water Systems Discharges Statewide Permit, General Order CAG140001. - Submit all records of actual discharges, monitoring, water quality data, and beneficial reuse described above to EBMUD. - Non-Stormwater Discharges - Plan shall describe measures for containment, handling, treatment (as necessary), and disposal of discharges such as groundwater (if encountered), runoff of water used for dust control, stockpile leachate, tank heel water, wash water, sawcut slurry, test water and construction water.	Contractor is responsible for preparing a Water Control and Disposal Plan that meets the requirements prior to any activity that necessitates the plan and complying with all specification requirements including submittal or records.	EBMUD is responsible for reviewing and approving the plan.	- Prior to construction. - Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Impact HAZ-3: The project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(C), Waste Management</i> • Prepare a Waste Management Plan and submit a copy of the plan for EBMUD's acceptance prior to start of work (except for water wastes which shall be addressed in the Water Control and Disposal Plan). The Waste Management Plan shall address all Construction and Demolition Waste, universal wastes, Hazardous Wastes, Excavation Soils, and any other solid debris intended to be removed from the project site(s). – Identify how the Contractor will handle, transport, dispose of, or otherwise divert each type of material required to be removed under this contract in a safe, appropriate, and lawful manner in compliance with all applicable regulations of local, state, and federal agencies having jurisdiction over the removed materials. – Identify materials that are not recyclable or not recovered which will be disposed of in a landfill (or other means acceptable by the State of California and local ordinance and regulations). List the permitted landfill, or other permitted disposal facilities, which will be accepting the disposed waste materials. All landfills, hazardous waste, and universal waste disposal sites shall be approved for use by EBMUD. – Describe planned sampling and analysis for characterizing wastes or the Sampling and Analysis Plan below in Paragraph 1.4.J.	• Contractor is responsible for preparing a Waste Management Plan per the specification.	• EBMUD is responsible for reviewing and approving the plan.	• Prior to construction.
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements	• Contractor is responsible for preparing a	• EBMUD is responsible for	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Impact HAZ-3: The project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	<i>Section 1.4(E), Spill Prevention and Response Plan</i> • Submit a plan detailing the means and methods for preventing and controlling the spilling of known hazardous substances used on the jobsite or staging areas. – Include a list of the hazardous substances proposed for use or generated by the Contractor on site, including petroleum products. – Define measures that will be taken to prevent spills, monitor hazardous substances, and provide immediate response to spills. – Include provisions for notification of EBMUD or alternate contact and appropriate agencies including phone numbers; spill-related worker, public health, and safety issues; spill control, and spill cleanup. – Map showing hazardous materials project-related storage locations, names of the hazardous materials, and volumes/quantities. – Submit a Safety Data Sheet for each hazardous substance proposed to be used before delivery of the material to the worksite.	Spill Prevention and Response Plan.	reviewing and approving the plan.	
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(I), Waste Disposal Records</i> • Copies of waste management and disposal records including bills of lading, manifests, weight tickets, and receipts from waste management facilities shall be submitted to EBMUD. This provision applies to Hazardous	• Contractor is responsible for submitting Waste Disposal Records per the specification.	• EBMUD is responsible for verifying implementation.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	Wastes, universal wastes, treated wood wastes, solid wastes disposed at landfills, and radioactive wastes. - Hazardous Waste Manifests - Use the "Uniform Hazardous Waste Manifest", EPA form 8700-22. Contractor shall prepare and EBMUD will review all hazardous waste manifests for acceptability prior to use. - Submit the "Generator's Initial Copy" and a legible photocopy of the first page of hazardous waste manifests, land disposal restriction forms, or other documentation required by applicable regulations governing transport and disposal of Hazardous Wastes for disposal of hazardous substances within 5 days of off haul.			
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(J), Sampling and Analysis Plan</i> Submit a project-specific Sampling and Analysis Plan (SAP) for projects including but not limited to sanitary sewer discharge samples, waste characterization samples, air samples, and site characterization involving soil, groundwater, and soil gas samples requiring laboratory analysis.	Contractor is responsible for submitting a Sampling and Analysis Plan where sampling and analysis is required.	EBMUD is responsible for reviewing and approving the plan.	- Prior to construction - Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 3.4, Waste Management and Disposal</i> • Segregate, stage, label/mark, and properly manage waste at the jobsite in a manner that complies with applicable regulations and to facilitate proper disposal. • Characterize all liquid wastes, solid wastes, and other wastes prior to removing from the project site. Sampling and analysis shall adhere to the Sampling and Analysis Plan. • EBMUD will review laboratory analysis results for EBMUD acceptance of Contractor Characterization of waste classification. • EBMUD will obtain a Hazardous Waste Generator's EPA ID Number if required for disposal of Hazardous Wastes and treated wood waste. • EBMUD will give Contractor written notice to dispose of all or a portion of the waste material at a Class I disposal site if EBMUD determines that such disposal is required based on review of Contractors waste characterization and the analytical results of samples collected. • Waste materials from different sites shall not be transported or mixed until the material is determined to be non-hazardous. Unless pre-approved by EBMUD for direct hauling, excavation materials shall be stored or stockpiled at each site until classified and accepted for movement by EBMUD. • Transport materials and/or wastes in accordance with all local, state, and federal laws, rules, and regulations. • Contractor shall not assume any soil is approved for offsite reuse. Offsite reuse is only permitted with explicit approval	• Contractor is responsible for proper waste management per the specification.	• EBMUD is responsible for verifying implementation.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	from EBMUD after a careful review of the Contractor's proposed reuse.			
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Impact HAZ-3: The project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. Impact HAZ-5: Expose people or structures, either directly or indirectly, to a significant	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities <i>Section 1.3(F), Submit an Emergency Action Plan</i> • Submit an Emergency Action Plan that prepares responses to employee accident/injury events, or any serious unplanned event (e.g.: utility break, fire, structure collapse, etc.) that requires any first aid provider or response agencies (e.g.: fire departments, utility agencies, rescue teams, etc.)	• Contractor is responsible for submitting an Emergency Action Plan.	• EBMUD is responsible for reviewing and approving the plan.	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
risk of loss, injury or death involving wildland fires.				
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Impact HAZ-3: The project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities <i>Section 1.3(N), Submit USA Marking Record</i> • Submit utility locate and marking number and documents, and verification of markings. • Make available to EBMUD the record of all subsequent utility marking events and meetings on the project.	• Contractor is responsible for marking utilities.	• EBMUD is responsible for verifying implementation.	• Prior to construction
Impacts HAZ-1 and HAZ-2: Create a significant	EBMUD Engineering Standard Practice 514 Identifying Buried Conflicts	• EBMUD is responsible for	• EBMUD is responsible for	• During final design

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hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Engineering Standard Practice 514 provides guidelines and minimum steps required for the investigation needed to identify existing underground utilities, and to establish a uniform approach for site reconnaissance of existing buried conflicts, including active and abandoned utilities (EBMUD, 2008).	incorporating underground utilities into the Project design.	verifying implementation.	
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Standard Construction Specification 02 82 13, Asbestos Control Activities <i>Section 1.1, Compliance and Intent</i> Furnish all labor, materials, facilities, equipment, services, employee training and testing, permits, and agreements necessary to perform the asbestos removal in accordance with these specifications and with the latest regulations from the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Bay Area Air Quality Management District (BAAQMD), the Cal/EPA Department of Toxic Substance Control, the California Department of Occupational Safety and Health (DOSH), and other federal, state, county, and local agencies. Whenever there is a conflict or overlap of the above references, the most stringent provision is applicable.	Contractor is responsible for providing proper remediation of asbestos during demolition, preparing a plan for demolition, documenting the quantities of asbestos removed, monitoring during asbestos	EBMUD is responsible for verifying implementation.	Demolition

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	- During demolition procedures, the Contractor shall protect against contamination of soils, water, adjacent residences and properties, and the airborne release of hazardous materials and dusts. The Contractor will incur the costs associated with the implementation of controls and, if necessary, remediation. The Contractor shall be responsible for all necessary cleanup of contaminated areas/properties to pre-work condition and for all associated costs. It is the Contractor's responsibility to confirm and document the quantities of asbestos material to be removed. - Asbestos materials uncovered during the demolition activities shall be disposed of in an approved manner complying with all applicable federal, state, and local regulations. Appropriate waste manifests shall be furnished to EBMUD as per Sections 01 35 24 – Project Safety Requirements, and 01 35 44 – Environmental Requirements. Materials are conveyed to the Contractor "as is," without any warranty, expressed or implied, including but not limited to, any warranty to marketability or fitness for a particular purpose, or any purpose. <i>Section 1.5, Submittals</i> - Project Safety and Health Plan: The Contractor shall provide a Project Safety and Health Plan prior to project initiation as specified in Section 01 35 24. - Submit a detailed plan of the procedures proposed for use in complying with the regulations included in this specification. The plan shall include the location and layout of decontamination areas, the sequencing of asbestos work, the interface of trades involved in the performance of work, disposal plan including location of approved disposal site, and a detailed description of the methods to be	removal, and proper disposal of asbestos containing materials.		

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	employed to control pollution. Expand upon the use of portable HEPA ventilation system, method of removal to prohibit visible emissions in work area, and packaging of removed asbestos debris. Include asbestos abatement in the Construction and Demolition Waste Disposal Plan, in accordance with Section 01 35 44. • Certificates of Compliance: Submit certification that equipment required to contain airborne asbestos fibers conform to ANSI Z9.2. <i>1.6, Submittals (Job in Progress)</i> • Provide to EBMUD, within 72 hours of sampling, test results of the personal air sampling described in Article 3.2. • Provide to EBMUD, results of required air sampling established at property and project boundaries within 72 hours of sampling, and measures the contractor has taken to improve non-conforming outcomes based on the results. <i>Section 3.1, Initial Area Isolation</i> • Demarcate the demolition area and specific hazard zones where asbestos removal occurs. Post warning signs and labels as required by Cal-EPA, BAAQMD, Cal OSHA Section 1529, and additional signs and warnings as directed by EBMUD. • Ensure asbestos hazards remain on site for proper abatement and disposal procedures. Ensure worker activity (access and egress) does not cause asbestos hazards to leave the project boundaries. <i>3.2, Work Activities</i> • General Procedures: Perform all asbestos related work and comply with the general safety and health provisions in conformance with Cal/OSHA Title 8 CCR Section 1529. For asbestos abatement work, use general work practices,			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	work practices for encapsulation as specified in 34 CFR Part 231 Appendix C, applicable CAL OSHA requirements, and other appropriate work procedures approved by the Environmental Protection Agency (EPA). • Suppress air-borne particulates using a minimum of two misting units operated simultaneously from the following product series given below: – Monsoon Atomizing Misting System, Buffalo Turbine, www.buffaloturbine.com – Or equal as approved by EBMUD • Ensure air borne asbestos limits are not exceeded and are compliance with U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Bay Area Air Quality Management District (BAAQMD), the Cal/EPA Department of Toxic Substance Control, the California Department of Occupational Safety and Health (DOSH), and other federal, state, county, and local agencies requirements for airborne emissions. • Monitoring: Monitoring of airborne concentrations of asbestos shall be in accordance with Title 8CCR section 1529, and BAAQMD requirements. – Baseline air monitoring shall be conducted prior to demolition work and prior to asbestos related work. Base air measurements shall be established at the property boundary in the east, west, north and south coordinates. – If monitoring shows airborne concentrations greater than regulatory asbestos control limits, stop all work, correct the conditions causing the excessive levels, and notify EBMUD immediately. – Conduct at a minimum one set of post-asbestos removal/demolition air monitoring established at the			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	property boundary and in the same location of baseline monitoring in the east, west, north and south coordinates.			
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Standard Construction Specification 02 83 13, Lead Hazard Control Activities <i>Section 1.4, Submittals</i> - Lead Demolition Plan: Lead-containing coating handling, engineering control, removal, and disposal procedures - Lead-Containing Coating Demolition Work: All Contractor's supervisors and workers performing lead-containing coating work shall meet the requirements of the California Department of Health Services (DHS) lead-related construction interim certification (17 CCR 350001).	Contractor is responsible for preparing a lead demolition plan and using workers that have proper certification for lead demolition activities.	EBMUD is responsible for reviewing and approving the plan and for verifying certification.	Demolition
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident	EBMUD Standard Construction Specification 02 83 13, Lead Hazard Control Activities <i>Section 3.2, Air Monitoring</i> The purpose of any air monitoring conducted by EBMUD will be to detect possible release of dusts (lead) emanating from the work area. This testing will be conducted independently of the air monitoring described in Section 01 35 24.	- EBMUD is responsible for determining whether air monitoring is required. - Contractor is responsible for conducting air monitoring if directed by EBMUD based	EBMUD is responsible for verifying implementation.	Demolition

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
conditions involving the likely release of hazardous materials into the environment.		on the specification.		
Impacts HAZ-1 and HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	EBMUD Procedure 711, Hazardous Waste Removal The procedure defines hazardous waste and establishes responsibilities for removal of hazardous wastes from EBMUD facilities. Procedure 711 outlines specific steps and responsibilities for: characterizing the waste and determining what analyses are needed to classify the waste; coordinating waste disposal, re-use or recycling issues; labeling, storing, inspecting, and maintaining inventory records for the waste; and reviewing, signing, and tracking any hazardous waste handling and disposal requirements and hazardous waste manifests.	Contractor is responsible for following procedures for proper removal of hazardous waste.	EBMUD is responsible for verifying implementation.	Construction
Impact HAZ-4: The project has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 1.1, Summary</i> All proposed street closures shall be clearly identified in the Traffic Control Plan (TCP) and shall conform to the section "Traffic Control Devices" below. Construction area signs for street closure and detours shall be posted a minimum of forty-eight (48) hours prior to the commencement of street closure. Contractor shall maintain safe access around the project limit at all times. Street	Contractor is responsible for preparing a Traffic Control Plan conforming to the specification and obtain approval from	EBMUD is responsible for reviewing and approving the plan.	Prior to construction.

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	closures shall be limited to those locations indicated on the construction documents. <i>Section 1.2, Submittals</i> • Submit at least 15 calendar days prior to work a detailed Traffic Control Plan, that is approved by all agencies having jurisdiction and that conforms to all requirements of these specifications and the most recently adopted edition of the Manual on Uniform Traffic Control Devices. Traffic Control Plan shall include: – A description of emergency response vehicle access. If the road or area is completely blocked, preventing access by an emergency responder, a contingency plan must be included.	the local jurisdiction.		
Impact HAZ-4: The project has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 3.1, General</i> • For complete road closures, immediate emergency access to be provided if needed to emergency response vehicles.	• Contractor is responsible for providing access to emergency response vehicles.	• EBMUD is responsible for verifying implementation.	• Construction
Impact HAZ-5: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities <i>Section 1.3(F), Submit an Emergency Action Plan</i> • Submit an Emergency Action Plan that prepares responses to employee accident/injury events, or any serious unplanned event (e.g.: utility break, fire, structure collapse, etc.) that requires any first aid provider or response agencies (e.g.: fire departments, utility agencies, rescue teams, etc.)	• Contractor is responsible for implementing fire safe prevention practices during construction.	• EBMUD is responsible for verifying implementation.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	<i>Section 3.2(F), Fire Prevention and Protection</i> • Perform all Work in a fire safe manner and supply and maintain on the site adequate fire-fighting equipment capable of extinguishing incipient fires. Comply with applicable federal, local, and state fire prevention regulations. Where these regulations do not apply, applicable parts of the National Fire Prevention Standards for Safeguarding Building Construction Operations (NFPA No. 241) shall be followed. • A long-handled, round-point shovel, or a fire extinguisher shall be kept at an accessible (unlocked) location on the construction site at all times. • Earthmoving and portable equipment with internal combustion engines shall be equipped with a spark arrestor to reduce the potential for igniting a wildfire. Such equipment shall be maintained to ensure proper functioning of spark arrestor. • For all work occurring between April 1 and December 1, or any other periods during which a high fire danger has been identified: – Equipment that could produce a spark, fire, or flame shall not be used within 10 feet of any flammable materials. – Portable tools powered by gasoline-fueled internal combustion engines shall not be used within 25 feet of any flammable materials. • Vegetation management for fire prevention and protection – Prior to and during construction: ▪ Create and maintain a defensible space (100 feet or to EBMUD property boundary, whichever is shorter) around construction site, construction ingress and egress sites through landscaping, mowing, disking,			

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	and/or spraying dry brush or native grasses to a height of 4-inches or less. ▪ Remove dead trees within 100 feet of construction site. ▪ Limb up trees within 100 feet of construction site so that no leafy foliage, twigs or branches are within 5-feet of the ground. To maintain tree health, tree limbing shall not remove more than 25 percent of a tree canopy within one growing season. ▪ Ensure and maintain 5-feet of vertical clearance between roof surfaces and portions of trees overhanging all structures within construction site, and keep roofs free of leaves, needles, twigs, and other combustible matter. To maintain tree health, tree limbing shall not remove more than 25 percent of a tree canopy within one growing season. ▪ Keep all overhanging trees, shrubs, and other vegetation, or portions thereof, free of dead limbs, branches, and other combustible matter. – Neatly stack all combustible materials away from structures within construction site and have all combustible growth cleared 15-feet around the stack. • During construction, maintain an unobstructed horizontal clearance at access drives of not less than the required width of the access drives, and an unobstructed vertical clearance of not less than 13 feet 6 inches above all roadways.			
Impact HYD-1: Violate any water quality standards or waste discharge requirements	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.1(B), Site Activities</i>	• Contractor is responsible for implementing	• EBMUD is responsible for verifying implementation.	• Construction • Post-construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
or otherwise substantially degrade surface or groundwater quality. Impact HYD-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: a. Result in substantial erosion or siltation on or off-site. b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site. c. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial	• Protect storm drains and surface waters from impacts of project activity. • Store materials and wastes such as demolition material, soil, sand, asphalt, rubbish, paint, cement, concrete or washings thereof, oil or petroleum products, or earthen materials in a manner to prevent it from being washed by rainfall or runoff outside the construction limits. • Reuse or dispose of excess material consistent with all applicable legal requirements and disposal facility permits. • Clean up all spills and immediately notify EBMUD in the event of a spill. • Equip stationary equipment such as motors, pumps, and generators with drip pans. • Divert or otherwise control surface water and waters flowing from existing projects, structures, or surrounding areas from coming onto the work and staging areas. The method of diversions or control shall be adequate to ensure the safety of stored materials and of personnel using these areas. • Following completion of Work, remove ditches, dikes, or other ground alterations made by the Contractor. The ground surfaces shall be returned to their former condition, or as near as practicable, in EBMUD's opinion. • Prevent visible dust emissions from leaving the work area. • Maintain construction equipment in good operating condition to reduce emissions. • Handle, store, apply, and dispose of any chemical or hazardous material used in the performance of the Work in a manner consistent with all applicable federal, state, and local laws and regulations.	specification requirements.		

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
additional sources of polluted runoff. Impact HYD-4: In a flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation. Impact HYD-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.				
Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impact HYD-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(A), Stormwater Management</i> • Submit the Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and all other documents prepared for compliance with the General Construction Storm Water Permit (NPDES No. CAS000002) to EBMUD and upload them in the SWRCB's Storm Water Multi-Application & Report Tracking System (SMARTS). – EBMUD will electronically acknowledge appropriate submittals in SMARTS after review. – Contractor shall pay for all registration and annual fees under this permit/program • Submit a Storm Water Management Plan that describes measures that shall be implemented to prevent the discharge of contaminated storm water runoff from the jobsite. Contaminants to be addressed include, but are not	• Contractor is responsible for preparing the required plans.	• EBMUD is responsible for reviewing and approving the plans.	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
impervious surfaces, in a manner which would: a. Result in substantial erosion or siltation on or off-site. b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site. c. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impact HYD-4: In a flood hazard, tsunami, or seiche zone, risk release	limited to soil, sediment, concrete residue, pH less than 6.5 or greater than 8.5, and any other contaminants known to exist at the jobsite location as described in Document 00 31 24 – Materials Assessment Information.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
of pollutants due to project inundation. Impact HYD-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.				
Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impact HYD-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: a. Create or contribute runoff water which	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(B), Water Control and Disposal Plan</i> • Submit a detailed Water Control and Disposal Plan that complies with all requirements of the Specification and includes provisions for the types of discharges and permits in a through c below, if applicable to the project. – Drinking Water System Discharges ▪ Plan shall comply with Drinking Water Systems Discharges Statewide Permit, General Order CAG140001. ▪ Submit all records of actual discharges, monitoring, water quality data, and beneficial reuse described above to EBMUD. – Non-Stormwater Discharges ▪ Plan shall describe measures for containment, handling, treatment (as necessary), and disposal of discharges such as groundwater (if encountered), runoff of water used for dust control, stockpile leachate, tank heel water, wash water, sawcut slurry, test water and construction water.	• Contractor is responsible for preparing the Water Control and Disposal Plan.	• EBMUD is responsible for reviewing and approving the plan.	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impact HYD-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.				
Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(E), Spill Prevention and Response Plan</i> • Submit plan detailing the means and methods for preventing and controlling the spilling of known hazardous substances used on the jobsite or staging areas. – Include a list of the hazardous substances proposed for use or generated by the Contractor on site, including petroleum products.	• Contractor is responsible for preparing the Spill Prevention and Response Plan.	• EBMUD is responsible for reviewing and approving the plan.	• Prior to construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– Define measures that will be taken to prevent spills, monitor hazardous substances, and provide immediate response to spills. – Include provisions for notification of EBMUD or alternate contact and appropriate agencies including phone numbers; spill-related worker, public health, and safety issues; spill control, and spill cleanup. – Map showing hazardous materials project-related storage locations, names of the hazardous materials, and volumes/quantities. – Submit a Safety Data Sheet (SDS) for each hazardous substance proposed to be used prior to delivery of the material to the jobsite.			
Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impact HYD-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>3.2, Stormwater</i> • Conduct all inspections, sampling, reporting, and other required provisions in the SWPPP. • Upload all necessary documents to SMARTS to comply with the Construction General Permit. • Follow all provisions in local storm water permits and/or rules during construction. • Maintain sufficient best management practices or other controls as outlined in the storm water management plan to prevent impacts to storm water from pollution including soil, dust, stored hazardous materials, and construction activities.	• Contractor is responsible for permitting, inspections, and uploading documents to SMARTS per the specification.	• EBMUD is responsible for verifying implementation.	• Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
a. Result in substantial erosion or siltation on or off-site.				
Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	EBMUD's Standard Construction Specification 01 74 05, Cleaning <i>Section 3.1(B), Cleaning</i> Conduct cleaning and disposal operations to comply with local ordinances and anti-pollution laws. Do not burn or bury rubbish and waste materials on project site. Do not dispose of volatile wastes such as mineral spirits, oil, or paint thinner in storm or sanitary drains. Do not dispose of wastes into streams or waterways.	Contractor is responsible for compliance with applicable laws and complying with the specification.	EBMUD is responsible for verifying implementation.	Construction
Impact HYD-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impact HYD-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	EBMUD Standard Construction Specification 32 92 19.16, Hydraulic Seeding Defines requirements for hydroseeding of areas disturbed during construction. The Standard Construction Specification includes a seed mix composition for pure live seed, requirements for inoculant sources, fertilizer, mulch, and application rates for hydroseeding (EBMUD 2016).	Contractor is responsible for obtaining the hydroseed mix.	EBMUD is responsible for verifying implementation.	Construction
Impact NOI-1: Result in the generation of a substantial temporary or	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(G), Noise Control and Monitoring Plan</i>	Contract is responsible for preparing a	EBMUD is responsible for	Prior to construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Submit a plan detailing the means and methods for controlling and monitoring noise generated by construction activities, including demolition, alteration, repair, or remodeling of or to existing structures and construction of new structures, as well as by items of machinery, equipment or devices used during construction activities on the site for EBMUD's acceptance prior to any work at the jobsite. The plan shall detail the equipment and methods used to monitor compliance with the plan.	Noise Control and Monitoring Plan.	reviewing and approving the plan.	
Impact NOI-1: Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 3.8, Noise Control</i> - Comply with sound control and noise level rules, regulations, and local ordinances and in the CEQA documents which apply to any work performed pursuant to the contract. Noise-generating activities shall be limited to the hours specified in Section 01 14 00. - Take appropriate measures, including muffling of equipment, selecting quieter equipment, erecting noise barriers, modifying work operations, and other measures as needed to bring construction noise into compliance. - Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. - Use the best available noise control techniques (including mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) for all equipment and trucks, as necessary. - Truck operations (haul trucks and concrete delivery trucks) shall be limited to the daytime hours specified in Section 01 14 00.	Contractor is responsible for implementing the noise control measures during construction activities. Contractor will notify neighbors, where required.	EBMUD is responsible for verifying implementation.	During construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	• Stationary noise sources (e.g., chippers, grinders, compressors) shall be located as far from sensitive receptors as possible. Enclosure opening or venting shall face away from sensitive receptors. Enclosures shall be designed by a registered engineer regularly involved in noise control analysis and design. • If impact equipment (e.g., jack hammers, pavement breakers, rock drills etc.) is used during project construction, Contractor is responsible for taking appropriate measures, including but not limited to the following: – Hydraulically or electric-powered equipment shall be used wherever feasible to avoid the noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. External jackets on the tools themselves shall be used, where feasible. Quieter procedures, such as drilling rather than impact equipment, shall be used whenever feasible. It is the Contractor's responsibility to implement any measures necessary to meet applicable noise requirements. – Impact construction including jackhammers, hydraulic backhoe, concrete crushing/recycling activities, vibratory pile drivers etc. shall be limited to the daytime hours specified in Section 01 14 00. – Erect temporary noise barriers or noise control blankets around the construction site, particularly along areas adjacent to residential buildings. – Limit the noisiest phases of construction to 10 workdays at a time, where feasible.			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– Notify neighbors/occupants within 300 feet of project construction at least thirty days in advance of extreme noise generating activities about the estimated duration of the activity. – Noise Monitoring shall be conducted periodically during noise generating activities. Monitoring shall be conducted using a precision sound-level meter that is in conformance with the American National Standards Institute (ANSI) Standard S1.4, Specification for Sound Level Meters. Monitoring results shall be submitted weekly to EBMUD.			
Impact NOI-1: Conflict with or obstruct implementation of the applicable air quality plan. Impact NOI-2: Result in the generation of excessive groundborne vibration or groundborne noise levels.	Procedure 600 • Designates a Public Affairs liaison to respond to construction-related issues, including noise. Contact information for the Public Affairs liaison (i.e., phone number, email address) and capital project site address will be provided via conspicuous signage at construction sites, on all advance notifications, and on the District project website. The Public Affairs liaison will coordinate with the construction project manager/engineer and any contractors to resolve any issues. • Notifies residents at least seven days (and preferably fourteen days) in advance of potentially disruptive construction activities (e.g., noise, traffic, parking); notifications will include the activities' geographical extent and estimated duration. The Public Affairs liaison will coordinate with the project manager/engineer and any contractors to provide advance notification via email, mailed notices, door-hangers, social media, or other means, as appropriate	• EBMUD will designate a Public Affairs liaison who is responsible for responding to any public complaints during construction. • EBMUD will send notices to residents per the specification.	• EBMUD is responsible for verifying all notices are properly provided.	• Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact NOI-2: Result in the generation of excessive groundborne vibration or groundborne noise levels.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 1.4(H), Vibration Control and Monitoring Plan</i> Submit a plan detailing the means and methods for controlling and monitoring surface vibration generated by demolition and other work on the site for EBMUD's acceptance prior to any work at the jobsite. The plan shall detail the equipment and methods used to monitor compliance with the plan.	Contractor is responsible for preparing a Vibration Control and Monitoring Plan.	EBMUD is responsible for reviewing and approving the plan.	Prior to demolition and Central North Aqueduct pipeline construction
Impact NOI-2: Result in the generation of excessive groundborne vibration or groundborne noise levels.	EBMUD Standard Construction Specification 01 35 44, Environmental Requirements <i>Section 3.7, Vibration Control</i> Limit continuous surface vibration to no more than 0.5 in/sec Peak Particle Velocity (PPV), measured at the nearest residence or other sensitive structure.	Contractor is responsible for monitoring and limiting vibration per the specification.	EBMUD is responsible for verifying implementation.	Construction
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections)	EBMUD Standard Construction Specification 01 32 36, Video Monitoring and Documentation <i>Section 1.1, Summary</i> - Audio-video documentation utilizing digital recording of surface features, supplemented by photography, that may be taken along the entire length of the project and may include work and storage areas, adjacent properties, and/or intersecting roadways. - Prior to audio-video recording of the project, all areas to be inventoried shall be investigated visually with notations made of items not readily visible by audio-video recording or supplemental photographic methods. <i>Section 1.2, Site Survey Audio-Video Recording Requirements</i>	Contractor is responsible for pre- and post-construction surveys and repairing damage.	- EBMUD Designated Videographer is responsible for video recording. - EBMUD is responsible for verifying repairs.	- Prior to Construction - Post construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
or incompatible uses (e.g., farm equipment).	- The Contractor shall employ a qualified videographer, experienced in taking properly documented and annotated video to perform the Pre-Construction Site Survey, which shall be completed within 20 days after the issuance of the Notice to Proceed. The Pre-Construction Site Survey shall be completed and accepted prior to EBMUD issuance of the Notice to Commence Field Work (NTCFW). - Prior to commencement of the Pre-Construction Site Survey recording, the Contractor shall notify EBMUD in writing within 48 hours of the recording. EBMUD will provide a designated representative to accompany and observe audio-video recording operations. Audio-video recording completed without an EBMUD Representative present will be unacceptable unless specifically authorized in writing and in advance by EBMUD. - Provide a copy of the Pre-Construction Site Survey to EBMUD for review and comment. The Survey shall include all audio-video recordings, photography, annotations and all documentation. If EBMUD determines that critical areas are missing from the survey, the Contractor shall provide additional recording and documentation of the requested area and locations. - Post-Construction Site Survey: The Contractor shall perform a Post-Construction Site Survey of the same areas recorded in the Pre-Construction Site Survey following in the same path/route of the Pre-Construction Site Survey. EBMUD will review post-construction survey findings with the Contractor and develop a complete listing of project site restoration requirements to be accomplished by the Contractor. Prior to commencement of Post-Construction Site Survey recording, the Contractor shall notify EBMUD in writing within 48-hours of the recording. EBMUD will			

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	provide a designated representative to accompany and observe audio-video recording operations. Audio-video recording completed without an EBMUD Representative present will be unacceptable unless specifically authorized in writing and in advance by EBMUD. The Contractor shall be responsible for repairing any damage or defects not documented as existing prior to construction.			
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Impact TRA-4: Result in inadequate emergency access.	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 1.1, Summary</i> - All proposed street closures shall be clearly identified in the Traffic Control Plan (TCP) and shall conform to the section "Traffic Control Devices" below. Construction area signs for street closure and detours shall be posted a minimum of forty-eight (48) hours prior to the commencement of street closure. Contractor shall maintain safe access around the project limit at all times. Street closures shall be limited to those locations indicated on the construction documents. <i>Section 1.2(A), Submittals</i> - Submit at least 15 calendar days prior to work a detailed traffic control plan, that is approved by all agencies having jurisdiction and that conforms to all requirements of these specifications and the most recently adopted edition of the Manual on Uniform Traffic Control Devices (MUTCD). Traffic Control Plan shall include: - Circulation and detour plans to minimize impacts to local street circulation. Use haul routes minimizing truck traffic on local roadways to the extent possible.	Contractor is responsible for preparing and submitting a Traffic Control Plan.	EBMUD is responsible for reviewing and approving the Traffic Control Plan.	- Prior to Construction - Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	– A description of emergency response vehicle access. If the road or area is completely blocked, preventing access by an emergency responder, a contingency plan must be included. – Procedures, to the extent feasible, to schedule construction of project elements to minimize overlapping construction phases that require truck hauling. – Designated Contractor staging areas for storage of all equipment and materials, in such a manner to minimize obstruction to traffic. – Locations for parking by construction workers. <i>Section 1.3, Quality Assurance</i> • Detailed traffic control plan shall be prepared by a California licensed Traffic Engineer. • The Traffic Engineer who prepares the detailed traffic control plan shall be available at any time during the life of the contract to modify the traffic control plan if and as required by the agency having jurisdiction. • No changes or deviations from the approved detailed traffic control plan shall be made, except temporary changes in emergency situations, without prior approval of the Traffic Engineer, the EBMUD's Engineer, and all agencies having jurisdiction. • Immediately notify the Traffic Engineer, the EBMUD's Engineer, and the agencies having jurisdiction of occurrences that necessitate modification of the approved Traffic Control Plan.			
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 2.1(A) Traffic Control Devices</i>	• Contractor is responsible for implementing	• EBMUD is responsible for verifying implementation.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Impact TRA-4: Result in inadequate emergency access.	- Traffic signs, flashing lights, barricades and other traffic safety devices used to control traffic shall conform to the requirements of the most recently adopted edition of the MUTCD and the agency having jurisdiction. - Portable signals shall not be used unless permission is given in writing by the agency having jurisdiction. - Warning signs used for nighttime conditions shall be reflectorized or illuminated. "Reflectorized signs" shall have a reflectorized background and shall conform to the current State of California Department of Transportation specification for reflective sheeting on highway signs.	traffic control devices.		
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>3.1, General</i> - Except where public roads have been approved for closure, traffic shall be permitted to pass through designated traffic lanes with as little inconvenience and delay as possible. - Install temporary traffic markings where required to direct the flow of traffic. Maintain the traffic markings for the duration of need and remove by abrasive blasting when no longer required. - Convenient access to driveways and buildings in the vicinity of work shall be maintained as much as possible. Temporary approaches to, and crossing of, intersecting traffic lanes shall be provided and kept in good condition.	Contractor is responsible for implementing traffic controls.	EBMUD is responsible for verifying implementation.	Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact TRA-4: Result in inadequate emergency access.	• When leaving a work area and entering a roadway carrying public traffic, the Contractor's equipment, whether empty or loaded, shall in all cases yield to public traffic. • Provide temporary signs as required by the traffic control plan and remove signs when no longer required. • Haul routes for each construction phase shall be provided to all trucks serving the site during the construction period. • For complete road closures, immediate emergency access to be provided if needed to emergency response vehicles. • A minimum of twelve (12) foot travel lanes must be maintained unless otherwise approved.			
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 3.2, Alternative One-Way Traffic</i> • Where alternating one-way traffic has been authorized, the following shall be posted at each end of the one-way traffic section at least one week prior to start of work: – The approximate beginning and ending dates that traffic delays will be encountered. – The maximum time that traffic will be delayed. • The maximum delay time shall be approved by the agency having jurisdiction.	• Contractor is responsible for implementing specification where alternative one-way traffic has been authorized.	• EBMUD is responsible for verifying implementation and agency approval.	• Construction

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Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 3.3(A), Flagging</i> • Provide flaggers to control traffic where required by the approved traffic control plan. – Flaggers shall perform their duties and shall be provided with the necessary equipment in accordance with the current “Instructions to Flaggers” of the California Department of Transportation. – Flaggers shall be employed full time on traffic control and shall have no other duties.	• Contractor is responsible for implementing flaggers.	• EBMUD is responsible for verifying implementation.	• Construction
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impact TRA-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections)	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 3.4, Temporary Traffic Control</i> • All traffic control devices shall conform to the latest edition of the MUTCD, and as amended by the latest edition of the MUTCD California supplement. Electronic signage board with changeable message shall be placed on a street in both directions 2 weeks in advance. • The Contractor shall replace within 72 hours, all traffic signal loop detectors damaged during construction. Any work that disturbs normal traffic signal operations and ensure proper temporary traffic control (lane shifts, lane closures, detours etc.) shall be coordinated with the	• Contractor is responsible for implementing temporary traffic controls.	• EBMUD is responsible for verifying implementation.	• Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
or incompatible uses (e.g., farm equipment). Impact TRA-4: Result in inadequate emergency access.	agency having jurisdiction, at least 72 hours prior to commencing construction. • A minimum of 12-foot travel lanes must be maintained unless otherwise approved. • Access to driveways will be maintained at all times unless other arrangements are made. • All traffic control devices shall be removed from view when not in use. • Before leaving a work area, ensure the area is left orderly. Trenches must be backfilled or plated during non-working hours. • Sidewalks for pedestrians will remain open if safe for pedestrians. Alternate routes and signing will be provided if pedestrian routes are to be closed.			
Impact TRA-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Procedure 600 • Designates a Public Affairs liaison to respond to construction-related issues, including noise. Contact information for the Public Affairs liaison (i.e., phone number, email address) and capital project site address will be provided via conspicuous signage at construction sites, on all advance notifications, and on the District project website. The Public Affairs liaison will coordinate with the construction project manager/engineer and any contractors to resolve any issues. • Notifies residents at least seven days (and preferably fourteen days) in advance of potentially disruptive construction activities (e.g., noise, traffic, parking); notifications will include the activities' geographical extent and estimated duration. The Public Affairs liaison will coordinate with the project manager/engineer and any contractors to provide advance notification via email,	• EBMUD will designate a Public Affairs liaison who is responsible for responding to any public complaints during construction. • EBMUD will send notices to residents per the procedure.	• EBMUD is responsible for verifying all notices are properly provided.	• Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	mailed notices, door-hangers, social media, or other means, as appropriate			
Impact TCR-1: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically define in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Requirements <i>Section 3.1, Training and Certification</i> - Before beginning construction, all Contractor personnel involved in ground-disturbing activities are required to attend an environmental training program provided by EBMUD, of up to one day for site supervisors, foremen and project managers and up to 30 minutes for non-supervisory Contractor personnel. Contractor general personnel will receive a worker environmental awareness training. - The Contractor is responsible for ensuring that all workers requiring environmental training are identified to EBMUD. - Prior to accessing or performing construction work, the identified Contractor personnel shall: - Sign a wallet card provided by EBMUD verifying that the Contractor personnel has attended the appropriate level of training relative to their position; have understood the contents of the environmental training, and shall comply with all project environmental requirements. - Display an environmental training hard hat decal (provided by EBMUD after completion of the training) at all times.	Contractor is responsible for attending training and maintaining all required documentation of training.	EBMUD is responsible for verifying workers have received training.	- Prior to construction - Construction
Impact TCR-1: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public	EBMUD Standard Construction Specification 01 35 45, Biological, Cultural, and Paleontological Resource Requirements <i>Section 3.3, Protection of Cultural and Paleontological Resources</i>	EBMUD designated archaeologist is responsible for providing	EBMUD is responsible for verifying implementation.	- Prior to construction - Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically define in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.	- Confidentiality of Information on Cultural and Paleontological Resources - In conjunction with Contractor's performance under this contract, the Contractor may obtain information as to the location and/or nature of certain cultural or paleontological resources, including Native American artifacts and remains. This information may be provided to the Contractor by EBMUD or a third party, or may be discovered directly by the Contractor through its performance under the contract. All such information shall be considered "Confidential Information" for the purposes of this Article. - Pursuant to California Government Code Section 6254.10, cultural resource information is protected from public disclosure. The Contractor agrees that the Contractor, its subcontractors, and their respective agents and employees shall not publish or disclose any Confidential Information to any person, unless specifically authorized in advance, in writing by EBMUD. - Conform to the requirements of statutes as they relate to the protection and preservation of cultural and paleontological resources. Unauthorized collection of prehistoric or historic artifacts or fossils along the Work Area, or at Work facilities, is strictly prohibited. - In addition to the training identified in Article 3.1.A above, identified Contractor personnel shall attend a cultural and paleontological resources training course provided by EBMUD of up to two hours. The training program will be completed in person or by watching a video, at an EBMUD designated location, conducted or prepared by a Qualified Archaeologist and/or Paleontologist. The program will discuss cultural and paleontological resources awareness	- contractor training. - Contractor is responsible for attending training. - Contract is responsible for notifying EBMUD of any potential discovery of cultural resources and halt work per the specification. - EBMUD is responsible for retaining a qualified archaeologist to inspect any finds as needed. - EBMUD is responsible for contacting the County coroner if any human remains are found.		

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	within the project work limits, including the responsibilities of Contractor personnel, applicable mitigation measures, confidentiality, and notification requirements. Prior to accessing the construction site, or performing site work, identified Contractor personnel shall: – Sign an attendance sheet provided by EBMUD verifying that all Contractor construction personnel involved in ground disturbing activities have attended the appropriate level of training; have read and understood the contents of the training; have read and understood the contents of the “Confidentiality of Information on Cultural and Paleontological Resources” document, and shall comply with all project environmental requirements. • In the event that potential cultural or paleontological resources are discovered at the site of construction, the following procedures shall be instituted: – Discovery of prehistoric or historic-era archaeological resources requires that all construction activities shall immediately cease at the location of discovery and within 100 feet of the discovery. ▪ The Contractor shall immediately allow EBMUD to evaluate the find. The Contractor is responsible for stopping work and notifying EBMUD and shall not recommence work until authorized to do so by EBMUD. ▪ EBMUD will retain a qualified archaeologist to inspect the findings within 24 hours of discovery. If it is determined that the Project could damage a historical resource as defined by CEQA (or a historic property as defined by the NHPA), construction shall cease in an area determined by the archaeologist			

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	until a management plan has been prepared, approved by EBMUD, and implemented to the satisfaction of the archaeologist (and Native American representative if the resource is prehistoric, who shall be identified by the NAHC). In consultation with EBMUD, the archaeologist (and Native American representative) will determine when construction can resume. - Discovery of human remains requires that all construction activities immediately cease at, and within 100 feet of the location of discovery. ▪ The Contractor shall immediately notify EBMUD who will engage a qualified archaeologist provided by EBMUD to evaluate the find. The Contractor is responsible for stopping work and notifying EBMUD and shall not recommence work until authorized to do so by EBMUD. ▪ EBMUD will contact the County Coroner, who will determine whether or not the remains are Native American. If the remains are determined to be Native American, the Coroner will contact the NAHC. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to EBMUD for the appropriate means of treating the human remains and any associated funerary objects. ▪ Otherwise, the County Coroner shall be allowed to complete their investigation and the Contractor shall not recommence work until authorized to do so by both the Coroner and EBMUD.			

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	If EBMUD determines that the cultural or paleontological resource discovery requires further evaluation, at the direction of EBMUD, the Contractor shall suspend all construction activities at the location of the find and within a larger radius, as required.			
Impact Wildfire-1: Substantially impair an adopted emergency response plan or emergency evacuation plan.	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 1.1, Summary</i> - All proposed street closures shall be clearly identified in the Traffic Control Plan (TCP) and shall conform to the section "Traffic Control Devices" below. Construction area signs for street closure and detours shall be posted a minimum of forty-eight (48) hours prior to the commencement of street closure. Contractor shall maintain safe access around the project limit at all times. Street closures shall be limited to those locations indicated on the construction documents. <i>Section 1.2(A), Submittals</i> - Submit at least 15 calendar days prior to work a detailed traffic control plan, that is approved by all agencies having jurisdiction and that conforms to all requirements of these specifications and the most recently adopted edition of the Manual on Uniform Traffic Control Devices (MUTCD). Traffic Control Plan shall include: - Circulation and detour plans to minimize impacts to local street circulation. Use haul routes minimizing truck traffic on local roadways to the extent possible. - A description of emergency response vehicle access. If the road or area is completely blocked, preventing access by an emergency responder, a contingency plan must be included.	Contractor is responsible for preparing and submitting a Traffic Control Plan.	EBMUD is responsible for reviewing and approving the plan.	- Prior to Construction - Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	Procedures, to the extent feasible, to schedule construction of project elements to minimize overlapping construction phases that require truck hauling.			
Impact Wildfire-1: Substantially impair an adopted emergency response plan or emergency evacuation plan.	EBMUD Standard Construction Specification 01 55 26, Traffic Regulation <i>Section 3.1, General</i> For complete road closures, immediate emergency access to be provided if needed to emergency response vehicles.	Contractor is responsible for implementing the measure	EBMUD is responsible for verifying implementation.	Construction
Impact Wildfire-2: Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities <i>Section 1.3(F), Submit an Emergency Action Plan</i> Prepare responses to employee accident/injury events, or any serious unplanned event (e.g.: utility break, fire, structure collapse, etc.) that requires any first aid provider or response agencies (e.g.: fire departments, utility agencies, rescue teams, etc.)	Contractor is responsible for submitting an Emergency Action Plan.	EBMUD is responsible for reviewing and approving the plan.	Prior to construction
Impact Wildfire-2: Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	EBMUD Standard Construction Specification 01 35 24, Project Safety Requirements and Site Activities <i>Section 3.2(F), Fire Prevention and Protection</i> Perform all work in a fire safe manner and supply and maintain on the site adequate fire fighting equipment capable of extinguishing incipient fires. Comply with applicable federal, local, and state fire prevention regulations. Where these regulations do not apply, applicable parts of the National Fire Prevention Standards	Contractor is responsible for implementing the specification.	EBMUD is responsible for verifying implementation.	- Prior to construction - Construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	for Safeguarding Building Construction Operations (NFPA No. 241) shall be followed. • A long-handled, round-point shovel, or a fire extinguisher shall be kept at an accessible (unlocked) location on the construction site at all times. • Earthmoving and portable equipment with internal combustion engines shall be equipped with a spark arrestor to reduce the potential for igniting a wildfire. Such equipment shall be maintained to ensure proper functioning of spark arrestor. • For all work occurring between April 1 and December 1, or any other periods during which a high fire danger has been identified: – Equipment that could produce a spark, fire, or flame shall not be used within 10 feet of any flammable materials. – Portable tools powered by gasoline-fueled internal combustion engines shall not be used within 25 feet of any flammable materials. • Vegetation management for fire prevention and protection • Prior to and during construction: – Create and maintain a defensible space (100 feet or to EBMUD property boundary, whichever is shorter) around construction site, construction ingress and egress sites through landscaping, mowing, disking, and/or spraying dry brush or native grasses to a height of 4 inches or less. – Remove dead trees within 100 feet of construction site. – Limb up trees within 100 feet of construction site so that no leafy foliage, twigs or branches are within 5-feet of the ground. To maintain tree health, tree limbing shall not			

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
	remove more than 25 percent of a tree canopy within one growing season. – Ensure and maintain 5-feet of vertical clearance between roof surfaces and portions of trees overhanging all structures within construction site, and keep roofs free of leaves, needles, twigs, and other combustible matter. To maintain tree health, tree limbing shall not remove more than 25 percent of a tree canopy within one growing season. – Keep all overhanging trees, shrubs, and other vegetation, or portions thereof, free of dead limbs, branches, and other combustible matter. – Neatly stack all combustible materials away from structures within construction site and have all combustible growth cleared 15-feet around the stack. • During construction, maintain an unobstructed horizontal clearance at access drives of not less than the required width of the access drives, and an unobstructed vertical clearance of not less than 13 feet 6 inches above all roadways.			
Impact Wildfire-3: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Engineering Standard Practice 512.1, Water Main Design Criteria • <i>Purpose:</i> Establishes criteria for design of water mains including pipeline replacements, improvements, relocations or new extensions in the distribution and transmission systems.	• EBMUD is responsible for implementing the design criteria.	• EBMUD is responsible for verifying implementation.	• Prior to construction

EXHIBIT C - PRACTICES AND PROCEDURES MONITORING AND REPORTING PLAN

Impact Area	EBMUD Practices and Procedures	Responsibility for Implementation	Responsibility for Monitoring and/or Enforcement	Timing of Implementation
Impact Wildfire-3: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Engineering Standard Practice 550.1, Seismic Design Requirements <i>Purpose:</i> Establishes minimum criteria for seismic design of new and existing EBMUD facilities which include (but are not limited to) offices, operating centers, water and wastewater treatment plants, water and other liquids storage structures, pumping plants, retaining walls, underground vaults, pipelines, and other structures.	EBMUD is responsible for implementing the design criteria.	EBMUD is responsible for verifying implementation.	Prior to construction

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 13, 2025

MEMO TO: Board of Directors

FROM: Clifford C. Chan, General Manager 

SUBJECT: Monthly Report – April 2025

HIGHLIGHT

On April 16, the District submitted a comment letter to the Federal Energy Regulatory Commission regarding GreenGen's February 2025 Updated Study Report. The letter reiterated previous comments related to the need to identify water rights, while highlighting that GreenGen's modeling analysis was incomplete since it didn't account for temperature impacts in key PG&E infrastructure located above Pardee Reservoir. The District is awaiting a response from GreenGen.

WATER SUPPLY

On April 1, staff met with the City of Hayward, San Francisco Regional Water Quality Control Board (SFRWQCB), and the Department of Toxic Substances Control (DTSC) to coordinate on groundwater quality in the East Bay Plain Subbasin. Staff provided updates on the Groundwater Sustainability Plan implementation activities related to groundwater quality monitoring. SFRWQCB and DTSC provided updates on the largest plumes, site closures, and groundwater quality management. No groundwater quality concerns were identified from a Sustainable Groundwater Management Act perspective and the agencies agreed to meet annually.

On April 3, staff met with the North San Joaquin Water Conservation District and the Stockton East Water District to develop concepts for the larger groundwater banking project. Topics discussed included updates on developing a project description for the District's change petition to incorporate a larger groundwater banking project, interest in collaboration on groundwater modeling, and naming for the larger groundwater banking project. The next meeting is scheduled for May 5.

Between April 14-17, staff attended the Association of State Dam Safety Officials' webinar on Hydrologic Engineering Center's Hydrologic Modeling System (HEC-HMS). The objectives of this course are for attendees to learn methods to simulate runoff from storm rainfall; estimating hydrologic abstractions and transforming excess rainfall using unit hydrograph theory; evaluating dam and reservoir performance during flood events; running the HMS model on several real-world problems and estimating uncertainty in modeling runoff. The

HMS model is used by staff to evaluate District reservoir operations, plan for floods, and support the dam safety program.

On April 17, the District submitted a comment letter to San Joaquin County (SJC) on the Administrative Draft Environmental Impact Report (ADEIR) for the Mokelumne Integrated Water Storage and Conjunctive Use Project (MICUP). MICUP is the project being led by SJC to obtain a new water right permit on the Mokelumne River to support sustainable management of the critically over drafted Eastern San Joaquin County Subbasin. Staff summarized comments related to water availability for MICUP and requested further clarification and analysis of groundwater modeling and environmental impacts. SJC will provide EBMUD with an opportunity to review the revised ADEIR to ensure EBMUD's comments are addressed properly before SJC releases the Draft EIR for public comment later this summer.

Precipitation. The East Bay precipitation for April was 0.28 inches (14 percent of average) and the season total was 16.92 inches (66 percent of average). The Mokelumne watershed precipitation for April was 1.85 inches (45 percent of average) and the season total was 35.53 inches (79 percent of average).

Water Releases

Camanche Reservoir. The average rate of Camanche release for April was 499 cfs (413 cfs generation, 42 cfs sluice, and 44 cfs through the hatchery), and the average flow below Woodbridge Dam was 347 cfs, both in accordance with the Joint Settlement Agreement "Below Normal" water year criteria.

East Bay Reservoirs. There were no East Bay reservoir releases in April.

Water Storage

Mokelumne reservoirs storage is 106 percent of average. As of April 30, 2025, Pardee was at 560.3 feet or 99 percent of average, and Camanche was at 224.5 feet or 111 percent of average. Combined Pardee and Camanche storage was 526,000 acre-feet compared to 556,000 acre-feet last year.

East Bay reservoirs storage is 98 percent of average. As of April 30, 2025, Upper San Leandro was at 459.9 feet or 110 percent of average, San Pablo was at 301.4 feet or 84 percent of average, and Briones was at 574.6 feet or 101 percent of average. Total terminal reservoir storage was 137,000 acre-feet compared to 139,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft for April 2025 was 145 MGD. Walnut Creek, Moraga and Briones Raw Water Pumping Plants remained out of service for the month.

Water Production. Average rate of gross water production for April:

	April 2025	April 2024	April 2020	Average of FY 2005-2007
East of Hills	38 MGD	31 MGD	39 MGD	42 MGD
West of Hills	107 MGD	100 MGD	109 MGD	136 MGD
Total	145 MGD	131 MGD	148 MGD	178 MGD
Max Day Production	163 MGD (4/30/2025)	159 MGD (4/30/2024)	179 MGD (4/27/2020)	

Note: Data are all from preliminary daily operational reports and are subject to revision

WATER QUALITY AND ENVIRONMENTAL PROTECTION

In April, a total of 9,000 pounds of catfish were planted into San Pablo Reservoir. This was the first fish plant of the year due to golden mussel restrictions. There are two additional plants of catfish planned for San Pablo: 2,000 pounds in May 2025 and 1,000 pounds in June 2025.

In April, seasonal salmonid field monitoring was conducted in the Mokelumne River. Staff continued to conduct weekly redd surveys, with a cumulative total of 7,195 Chinook salmon redds and 177 steelhead redds observed as of April 10. Juvenile Chinook salmon outmigration monitoring is ongoing with both rotary screw traps and the bypass trap in operation. Through April 18, a total of 57,105 naturally produced juvenile Chinook salmon were counted in the upstream trap (including weekend estimates) while 1,929 naturally produced juvenile Chinook salmon have been captured in the downstream trap (including weekend estimates). Rotary screw trap calibrations were conducted to estimate the proportion of natural-origin juvenile Chinook salmon captured. As a result, the current production estimate of juvenile Chinook salmon at the upstream trap is 794,692, while the outmigration estimate of juvenile Chinook salmon at the downstream trap is 40,901.

In April, the District launched the 2025 Juvenile Chinook Salmon Acoustic Telemetry Study by surgically implanting acoustic transmitters in hatchery reared smolts. Staff telemetered 425 juvenile salmon, that were released and will be tracked as they migrate the lower Mokelumne River to the Pacific Ocean. Overall, 58 receivers have been deployed throughout the lower Mokelumne River as part of the 2025 acoustic telemetry study with the goal of assessing the outmigration survival of Chinook salmon smolts.

In April, staff conducted surveys for active nesting raptors on Pardee and Camanche watersheds. Six bald eagles and 10 osprey nests were observed on Camanche Reservoir. Three bald eagles, one golden eagle, and four osprey nests were observed on Pardee Reservoir. Five Swainson’s hawks were observed in the vicinity of Camanche Hills Hunting Preserve (District property) while three Swainson’s hawks were observed in the vicinity of the Mokelumne Aqueducts on Woodward Island in the Sacramento-San Joaquin Delta.

On April 9, staff attended the San Joaquin Council of Governments Habitat Tactical Advisory Committee (HTAC) meeting in Stockton. San Joaquin County Council of Governments (SJCOG) is responsible for the multi-species habitat conservation plan. The HTAC makes recommendations regarding the San Joaquin County Multi-Species Habitat

Conservation and Open Space Plan (SJMSCP). The HTAC is responsible for verifying that the SJMSCP is being implemented correctly and for solving any issues that arise during implementation. The District is a member of the SJCOG Habitat Tactical Committee which oversees The Habitat Conservation Plan for SJCOG. The area under the SJMSCP includes land along the Mokelumne. Other members include the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

On April 15, staff surveyed the bald eagle nesting location on the east side of San Pablo Reservoir. Staff confirmed two bald eagle chicks in the nest and will return later in the summer to determine if the two birds fledge from the nest. Bald eagles have successfully nested at this location for the past 22 years.

On April 15, the District reported an unauthorized discharge from the Oakport Wet Weather Facility (WWF) to the San Francisco Regional Water Quality Control Board (SFRWQCB), Alameda County Health Department, and California Office of Emergency Services. The unauthorized discharge occurred from 11:47 a.m. to 12:01 p.m. and released up to 21,350 gallons of treated wastewater into the East Creek Slough, the normal discharge point for Oakport WWF. The discharge occurred when two of the four outfall gates did not fully shut during a wet test, which is a training session where the facility is put online, but flows are returned to the interceptor. Completed corrective actions included a quick response by operations staff to stop the discharge within minutes after it was discovered and then mechanical maintenance staff greased the gate rails, tested the gates, and verified they were fully closing again the day after the incident. The discharge had no impact on surface water since it was treated wastewater. The discharge is considered an unauthorized discharge since Oakport WWF is only allowed to discharge during wet weather events and the weather on April 15, 2025, was dry. No water quality monitoring or public warnings were issued due to the determination that water quality impacts were not expected and a fine is possible, but not expected. A letter summarizing the unauthorized release and corrective actions was sent to the SFRWQCB on April 22.

On April 19, staff completed pile burning operations below Briones Dam off Bear Creek Road. Pile burning operations were conducted to reduce the tree trimmings produced from the selective removal of pine trees to reduce wildfire fuel loading.

On April 21, staff began grading the fire roads on the south watershed starting at Miller Road in Castro Valley. Fire road grading on the East Bay watersheds takes about 12 weeks. There are 160 miles of fire roads throughout the watershed that require annual maintenance to ensure safe access for first responders and serve as containment lines in the event of a wildfire.

On April 28, staff met with the California Department of Water Resources (DWR) to discuss modeling updates for the Delta Conveyance Project. Staff and DWR reviewed and discussed the updated assumptions and potential impacts to the District's fisheries.

All authorized discharges from the Main Wastewater Treatment Plant (MWWTP) were in compliance with the permit limits for the month of April. This is the 308th consecutive month that the MWWTP experienced no exceedances.

The District received one odor report from the public in April. Staff investigated and was not able to detect any unusual odors at the site; however, the complaint was considered verified based on the prevailing wind direction from the Main Wastewater Treatment Plant.

INFRASTRUCTURE INVESTMENT

Administration Building (AB) Security Upgrades Project update. In April, the project kicked-off with installation of new Internet Protocol high-resolution security cameras at the AB on the first, second, and third floors, as well as the three parking levels and the building's exterior. The cameras will be tied into the District's security surveillance system. Work also included installing new Wi-Fi routers on the three parking levels. The project is expected to be completed by August 2025.

In April, staff completed Phase 1 of a pipeline replacement project in the La Espiral Road area in Orinda. This project replaced cast iron pipe with approximately 4,650 feet of 8- and 12-inch mortar-lined zinc coated ductile iron pipe.

In April, staff completed a pipeline replacement project in the Harbour Way South area in Richmond. This project replaced cast iron pipe and mortar-lined plastic-coated steel pipe with 1,485 feet of 12-inch mortar-lined zinc coated ductile iron pipe.

In April, staff completed a pipeline replacement project in the Withers Avenue and Reliez Valley Road area in Lafayette. This project replaced asbestos coated pipe, cast iron pipe, and mortar-lined coated steel pipe with approximately 3,235 feet of 6-inch mortar-lined zinc coated ductile iron pipe and 16-inch mortar-lined plastic-coated steel pipe.

In April, staff began Phase 2 of a pipeline replacement project in the Camino Sobrante area in Orinda. This project will replace cast iron pipe with approximately 4,015 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in September 2025.

In April, staff began a pipeline replacement project in the Oak Park Boulevard area in Pleasant Hill. This project will replace cast iron pipe with approximately 8,720 feet of 6-, 8-, and 12-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in October 2025.

In April, staff began a pipeline replacement project in the 1st Street and West MacDonald Avenue area in Richmond. This project will replace cast iron pipe with 1,765 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in May 2025.

In April, staff began Phase 1 of a pipeline replacement project in the Reliez Valley Road area in Lafayette. This project will replace cast iron pipe and mortar-lined coated steel pipe with 7,360 feet of 6-, 8-, and 12-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in November 2025.

On April 1, the District received three general Cal/OSHA citations and notification of penalties following an inspection of repair work by staff inside the Lafayette Aqueduct. The citations are for potential exposure to lead and asbestos and non-adherence to confined space

entry program requirements, each carrying a penalty of \$850. The District will appeal the citations.

On April 2, staff met with the Federal Energy Regulatory Commission (FERC) in an initial coordination call on updated dam safety inspection requirements. During the meeting, FERC outlined the new phased inspections and dam safety review as required by FERC's Part 12D regulations. FERC discussed the changes, the new timeline, and emphasized the importance of selecting an Independent Consultant and getting the review process started early. Staff are now taking the information provided by FERC to develop a schedule for starting early.

On April 8, staff met with the State Water Resources Control Board's (SWRCB) Division of Water Rights to present an accounting methodology for the District's hydropower water rights licensing and change petitions. Following the meeting, District staff submitted the proposed accounting files for SWRCB team review and scheduled a follow-up meeting for May 2025.

On April 9, staff participated in two virtual U.C. San Diego Center for Western Weather and Water Extremes (CW3E) meetings. The first meeting provided a status update on the tasks of the contracted project (Preliminary Phase 1 Evaluation of Forecast Informed Reservoir Operations at Pardee and Camanche) and discussed the strategy for outreach to interested parties. The second meeting included a presentation provided by CW3E staff on the current layout of instrumentation in the watershed and the analytics used to consider expanding the network.

On April 14, staff met with the U.S. Army Corps of Engineers to coordinate the East Bayshore Recycled Water Project first increment of work for the planning and design of the Oakland-Alameda Estuary Crossing Pipeline. This project received approximately \$6.7 million in federal funding through the Water Resources Development Act. Once the necessary permits are obtained and inspection plans are finalized, inspection of the abandoned water line will commence.

On April 16, staff attended the State Water Resources Control Board's online Administrative Procedure Act Hearing on Water Measuring and Reporting Revisions. The proposed revisions from the State Board are intended to clarify the existing regulations requiring online submission of water right data (Title 23 of the California Code of Regulations), but instead of the existing annual reporting, the revisions would require weekly reporting that would increase District costs and are not likely feasible. Staff coordinated with the Association of California Water Agencies to provide comments on the proposed changes by the April 23, 2025 deadline to ensure that compliance with the revised regulations is feasible.

On April 16, the District submitted a revised Emergency Action Plan (EAP) Status Report to the Federal Energy Regulatory Commission (FERC) in response to FERC's request for information received in March. The status report provided a summary of the activities that were held in calendar year 2024 related to emergency preparedness for the Lower Mokelumne River Project No. 2916.

On April 24, staff attended the Construction Management Association of America Owners' Night. Staff learned about how other agencies deliver projects, networking, contractor outreach on upcoming projects, and information sharing. The information received is expected to help improve the District's construction delivery. Approximately 300 people attended.

On April 28, staff attended the ribbon cutting ceremony for the I-80/Gilman Interchange Improvement Project. The District partnered with the Alameda County Transportation Commission and Caltrans to install approximately 2,500 feet of 12-inch recycled water pipeline. This effort supports the expansion of the East Bayshore Recycled Water Program and highlights the benefits of interagency coordination. By aligning the pipeline construction with the Gilman Interchange Project, the District reduced public disruption, minimized restoration costs, and strengthened partnerships with local transportation agencies. The ribbon cutting ceremony was organized by the Alameda County Transportation Commission. Approximately 80 people attended.

Construction of the Wildcat Pipeline Improvements, El Cerrito was completed in April 2025 under Specification 2157. The \$24,372,780 project installed nearly 14,000 feet of 36-inch diameter steel pipe, including a jack and bore tunnel 420 feet long under a highly trafficked road adjacent to an elementary school. The project was completed 11 weeks ahead of schedule. This project greatly improves the district's seismic reliability, drought resilience, and ability to perform maintenance on existing infrastructure like Orinda Water Treatment Plant and the Claremont Tunnel.

Construction of the Acorn No. 1, Derby, Scenic, and Scenic East Reservoirs Rehabilitation was completed in April 2025 under Specification 2153. The \$17,430,488.00 project, located in Blackhawk, included construction of a new 0.6 million gallon (MG) prestressed concrete Acorn Reservoir No. 1, construction of a new 0.3 MG welded steel Derby Reservoir, and installation of an additional course of steel and wind girder on the tank wall and installation of an aluminum dome roof at both 2.9 MG Scenic and 3.9 MG Scenic East reservoirs.

Design of the Lafayette Reservoir Recreation Area Wastewater Collection System Improvements was completed under Specification 2166A. This \$2.7 million construction project will replace the sanitary sewer lift station and collection system at the Lafayette Reservoir Recreation Area, along with other site improvements including a radio tower for Supervisory Control and Data Acquisition connectivity, a backup generator, and a retaining wall. This project will provide timely remediation to avoid regulatory, health, and maintenance issues. The construction is expected to be completed in October 2026.

Mains repaired in April totaled 45. The attached table lists the main repairs by staff in April, 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 April, staff conducted four tours of the Main Wastewater Treatment Plant for approximately 170 attendees. Tour participants included students from Oakland's Crocker Highland Elementary School, Albany High School, Berkeley High School, and El Cerrito's Summit High School; a public tour for District customers; and a tour for Oakland Arena/Coliseum staff.

In April, staff conducted four environmental education field trips to the Lafayette Reservoir and Walnut Creek Water Treatment Plant for approximately 140 attendees as follows:

- April 1, a total of 30 students from Richmond's Sheldon Elementary School
- April 15, a total of 30 students from Oakland's Highland Community Elementary School
- April 21, a total of 50 students from San Lorenzo's Grant Elementary School
- April 29, a total of 30 students from Oakland's Bridges Academy at Melrose Elementary School

In April, staff participated in eight assemblies for approximately 2,410 students as follows:

Environmental Detectives (presented by the Lawrence Hall of Science) conduct assemblies and provide information on watersheds, conservation, climate change, and pollution prevention.

- April 4, a total of 405 students at El Cerrito's Madera Elementary School
- April 8, a total of 250 students at Orinda's Del Rey Elementary School
- April 23, a total of 20 students from Alameda's Maya Lin Elementary School

Assemblies led by Zun Zun, an organization that leads musical assemblies on watersheds, conservation, climate change, and pollution prevention on behalf of sponsoring water agencies.

- April 14, a total of 530 at El Cerrito's Fairmont Elementary School
- April 15, a total of 410 students at Oakland's Crocker Highlands Elementary School
- April 15, a total of 175 students at Oakland's Grass Valley Elementary School
- April 24, a total of 250 students at Berkeley's Oxford Elementary School
- April 24, a total of 370 students at Berkeley's Rosa Parks Elementary School

In April, staff provided K-12 classroom information at five schools for approximately 425 students as follows:

- April 9, a total of 25 students at Castro Valley's Redwood Christian Elementary School
- April 16, a total of 25 students at Pleasant Hill's Center of Gravity School
- April 23, a total of 25 students at Piedmont's Wildwood Elementary School
- April 24, a total of 250 students at Berkeley's Oxford Elementary School
- April 24, a total of 100 students at Oakland's Lincoln Elementary School

In April, staff led tours for various sessions of the Community Water Academy as follows:

- April 2, a total of 35 people at the Adeline Maintenance Center
- April 9, a total of 35 people at the Walnut Creek Water Treatment Plant
- April 16, a total of 35 people at the Main Wastewater Treatment Plant
- April 18, a total of 35 people at the Upcountry Facilities and the Mokelumne Fish Hatchery
- April 23, a total of 40 people at the Berryman Reservoir and Vine Street Pump House

In April, the District continued its debt collection outreach to single-family residential customers who are more than 100 days past due on their water bills. The District completed its outreach effort for the initial 2,693 customers identified as renters with balances exceeding \$2,000. On April 2, the District began its outreach effort to 3,036 customers with past-due balances over \$1,000 through the modified collection process. Service interruption notifications will be sent out in batches of 500, and door hangers will be placed before installation of flow restrictors. The total unpaid debt for this group of customers is approximately \$5.5 million.

In April, the District sponsored the BayKeeper Clean Bay Challenge in support of a healthy San Francisco Bay. The Clean Bay Challenge inspires volunteers to remove trash from local neighborhoods, parks, and shorelines to protect the Bay during the month of April. The District's logo is displayed on the event website and recognized in social media posts.

In April, staff received the California Water Environment Association statewide award in the category “Outstanding Young Professional of the Year.”

In April, staff presented at the Fairview Municipal Advisory Council meeting and the Alameda County Mayor’s Conference in Livermore. The presentation highlighted the budget and rates. Staff received general support for the District’s work and responded to questions about capital projects, climate change preparedness, and billing and payment options. Approximately 40 people attended.

On April 1, staff met with the City of Hayward to coordinate construction activities. The two agencies shared information on current and upcoming work.

On April 1, staff attended the Lodi Unified School District meeting. EBMUD was recognized for its sponsorship of the Salmon in the Classroom Program. Approximately 100 people attended.

On April 2, staff met with the City of Oakland to coordinate construction activities. The two agencies shared information on current and upcoming work.

On April 3, staff met with Contra Costa County to coordinate construction activities. The two agencies shared information on current and upcoming work.

On April 3, the District hosted a virtual public meeting for the Miller Road Trench Soils Management Program. The purpose of the meeting was to present the draft Mitigated Negative

Declaration for the Miller Road trench soil site in Castro Valley and respond to questions. Approximately five people attended.

On April 5, staff conducted a Water Walk tour of Skyline Gardens in Orinda in partnership with the Lindsay Wildlife Museum. Staff provided information about watershed stewardship and wildlife. Approximately 25 people attended.

On April 6, staff attended the Annual Bay Nature Local Heroes Awards in Berkeley.

On April 7, the District hosted a girl scout event at the Mokelumne River Fish Hatchery. Staff provided information on the role that a fish hatchery plays in river management. Approximately 15 people attended.

On April 8, staff presented at the American Water Works Association California-Nevada Water Conference of the West in Anaheim. The presentations highlighted collaborative innovation in reservoir design and on the lessons learned in hypolimnetic oxygenation system commissioning and construction of carbonic acid feed systems. Approximately 30 people attended.

On April 9, staff met with Alameda County and the Castro Valley Sanitary District to coordinate construction activities. The three agencies shared information on current and upcoming work.

On April 9, staff presented at U.C. Berkeley's CE 110 course, *Water Systems of the Future*, at U.C. Berkeley. The presentation highlighted communications and finance in the water sector. Approximately 70 people attended.

On April 10, staff presented at the Woodbridge Irrigation District Board meeting. The presentation highlighted hydrography and electric fishing. Approximately 20 people attended.

On April 12, staff participated in the City of Orinda's Touch-a-Truck Event. Staff provided information on EBMUD careers. An EBMUD service truck was present. Approximately 200 people attended.

On April 14, staff attended the Castro Valley Municipal Advisory Council meeting to learn more about community issues.

On April 16, staff presented to the Alameda County Fire Chiefs for coordination on wildfire preparedness and other topics. Approximately 20 people attended.

On April 17, staff participated in a science fair at Berkeley's John Muir Elementary School. Staff provided information on the water cycle, the water system, and watersheds. Approximately 150 people attended.

On April 19, staff participated in the Oakland Roots Sports Club Game that included a performance of *H2FLOW* by Alphabet Rockers. Staff provided information on water conservation and the Customer Assistance Program. The Water on Wheels trailer was present. Approximately 6,000 people attended.

On April 19, the District hosted a Kids Fishing Day event at Camanche South Shore in Valley Springs. Staff provided information on fish print art and the Golden Mussel. Approximately 200 people attended.

On April 21, staff attended the Castro Valley Municipal Advisory Council General Purpose meeting to learn more about community issues.

On April 21, staff participated in the Town of Moraga's Emergency Preparedness and Fire Safety meeting. Staff provided information on wildfire preparedness. Approximately 250 people attended.

On April 23, staff conducted a tour of the Mokelumne River Day Use Area for administrators from the Center for Land Based Learning and 36 STEM educators from multiple school districts. Staff provided information on habitat improvement projects and what is being done to improve the ecological health of the Mokelumne River. Approximately 40 people attended.

On April 23, staff participated in the California Natural Resource Agency's Salmon Strategy Roundtable in Sacramento. The roundtable was an invite-only discussion on progress toward meeting the State of California's Salmon Strategy for a Hotter Drier Climate. Staff provided information on the Mokelumne River's successes. Approximately 75 people attended.

On April 23, the District hosted a Water Wednesday Webinar. The presentation was on the Annual Water Supply Update. Approximately 80 people attended.

On April 24, staff met with the City of Richmond to coordinate construction activities. The two agencies shared information on current and upcoming work.

On April 24, staff presented at the California Water Environment Association's Annual Conference. One presentation highlighted safety practices and lessons learned for construction projects for wastewater facilities. The other presentation focused on validating a segmented flow instrument for nutrient analysis. Approximately 180 people attended.

On April 25, staff attended the Lower Mokelumne River Stewardship Steering Committee meeting. The committee is a volunteer-based workgroup which assists residents of the Lower Mokelumne River watershed in habitat restoration and reducing non-point source pollution.

On April 26, staff participated in the Berkeley Bay Festival at the Berkeley Marina. Staff provided information on pollution prevention and distributed tools including grease scrapers, compost cups, and brochures to encourage proper disposal of fats, oils, and grease. Approximately 1,000 people attended the event.

On April 28, staff attended the Castro Valley Municipal Advisory Council Land Use meeting to learn more about community issues.

On April 28, staff attended the Path to Clean Air Community Emissions Reduction Plan Committee Meeting to learn about implementation of the Path to Clean Air Plan.

On April 28, staff presented at the North San Joaquin Water Conservation District Board meeting. The presentation highlighted the District's current water availability, snowpack status and this year's water supply projections. Approximately 20 people attended.

On April 29, staff met with the City of Pinole to coordinate construction activities. The two agencies shared information on current and upcoming work.

On April 30, staff met with the City of San Pablo to coordinate construction activities. The two agencies shared information on current and upcoming work.

On April 30, staff attended the San Joaquin County Operational Area Joint Information System quarterly meeting to learn more about enhancing coordination and streamlining public messaging across the operational area and to network with stakeholders.

Media. A press release was sent out on April 9 announcing the closure of EBMUD boat launches for 2025. We received significant coverage: TV (ABC7, KRON4, KQVR13, KPIX11, CBS5, KTVU2, KMAX, KCBA); Radio (KCBS, KQED, KVGC); Online/Print (Maven's Notebook, Local News Matters, Calaveras Enterprise, Bass Angler Magazine, Gold Country News, Ledger Dispatch, Lodi News Sentinel, Hoodline, Claycord, Danville San Ramon, Pleasanton Weekly, MSN News, USA News, Yahoo News, Sound of Hope, News for Chinese). The seismic upgrade of the Lafayette Tower was the subject of a story (East Bay Times). Other coverage included Board member conduct (East Bay Times, East Bay Insider, Berkeleyside); water supply updates (Berkeleyside, KNTV11, Maven's Notebook); and a mention of EBMUD in Berkeley's regulations for home hardening and fire safety (Berkeley Scanner).

Social Media:

Social Platform	Popular Topic	Impression Generation	# Followers	Change Over Last Month
X	South Yard H2Flow Dance	110	3,848	-2
Facebook	Boat Launch Closure 2025	28,077	2,592	58
Instagram	Boat Launch Closure 2025	4,714	3,046	91
LinkedIn	Jobs	2,562	11,360	195
Nextdoor	WaterWise Garden Tour	407		

Staff conducted public outreach to neighbors and interested parties on the following projects:

- Camino Sobrante Phase 2 Pipeline Replacement (Orinda)
- Carter and Arroyo Reservoir Improvements (Moraga)
- East of Hills Facilities Demolition and Improvements (San Ramon, Danville, Alamo)
- Happy Valley Pumping Plant and Pipeline Replacement (Orinda)
- Lafayette Reservoir Tower Seismic Upgrade (Lafayette)
- Lincoln Avenue Pipeline Replacement (Oakland)
- Magellan Drive Pipeline Replacement (Oakland)
- Market Street Cluster Pipeline Replacement (Oakland)
- Mokelumne Aqueduct Recoating (Contra Costa County)
- Orinda Water Treatment Plant Disinfection Improvements (Orinda)
- Reliez Valley Road Pipeline Replacement (Lafayette)
- Tappan Terrace Pipeline Replacement (Orinda)
- Walnut Creek Water Treatment Plant Pretreatment (Walnut Creek)
- Westside Pumping Plant Replacement (Orinda)
- Withers and Reliez Valley Road Pipeline Replacement (Lafayette)

Contract Equity

Contract Equity staff participated in the following customer events and outreach activities:

- April 9 – Women’s Business Economic Council’s 2025 Construction Industry Series - 30 attendees
- April 16 – San Mateo Economic Development Association and San Francisco Airport Business Resource Fair - 400 attendees
- April 29 – BuiltIT San Francisco/Nor Cal Carpenter’s Union Construction Industry Series San Francisco - 80 Attendees

Water Conservation

On April 6, the District sponsored the Bay Nature Local Hero Awards in Berkeley. The event celebrates and honors local conservation and nature leaders and activists who made significant contributions to protecting local environment.

On April 8, staff participated in Skyline High School's Sustainability Class Science Fair Presentations in Oakland. Staff reviewed and discussed the 10th grader water-focused science fair projects. Approximately 30 people attended.

On April 10, the District hosted a webinar on waterwise gardening. Staff partnered with Contra Costa Water District and the Ruth Bancroft Garden to host a webinar entitled *Getting Started with Waterwise Gardening*. The webinar included information on sheet mulching, basic irrigation considerations, and plant selection for common California garden styles. Approximately 110 people attended.

On April 12, staff participated in the WaterWise Garden Design and Maintenance Workshop in Richmond. The event featured a presentation by landscape architect and garden educator, Dave Phelps, who shared garden design concepts and maintenance tips. Attendees also toured the adjacent demonstration garden where Master Gardeners were available to answer questions about plants and maintenance. Staff provided information on District rebates and services. Approximately 50 people attended.

On April 14, staff presented at a San Marco Homeowners Association meeting in Walnut Creek. The presentation highlighted an overview of Non-Functional Turf Watering Ban for Commercial Properties (Assembly Bill 1572) that restricts the use of potable water for irrigating non-functional turf on commercial and industrial properties and its related resources, firescape requirements, reducing heat, and converting turf from a design and financial perspective. Approximately 20 people attended.

On April 14, staff participated in the California Water Efficiency Partnership's Landscape Task Force on non-functional turf and other related landscape topics. Staff provided information on tree health, homeowners association concerns, firescaping, and multi-lingual contractor education. Approximately 25 people attended.

On April 24, staff participated in the Imagine H2O's Water Innovation Summit in San Francisco. Staff provided information on the need for increased opportunities for innovative water startups along with a water utility's perspective on these types of projects. Approximately 100 people attended.

On April 26, staff participated in the Berkeley Unified School District's Climate Fair. Staff provided information on water conservation. Approximately 300 people attended.

On April 26, staff partnered with Contra Costa Water District and Ruth Bancroft Garden to host the Fourth Annual Waterwise Garden Tour featuring 18 gardens in Walnut Creek and Concord. The gardens showcased plants and landscaping practices that save water while promoting biodiversity. Approximately 300 people attended.

WORKFORCE PLANNING AND DEVELOPMENT

Between April 10-11, staff participated in the 16th Annual CSU-Water Conference at Sonoma State University: Courses to Careers - Bridging the Gaps. Staff provided information on careers in the water industry and information on the District, and its application and recruitment process.

Between April 23-25, staff attended the Water Education Foundation's Central Valley Tour. The tour visited the southern part of the San Joaquin Valley and gave participants an understanding of the region's water use and issues as well as the agricultural practices, including new technologies and water-saving measures.

On April 23, 24, and 28, staff attended technical workshops on Forecast-Informed Reservoir Operations (FIRO), hosted by the U.S. Army Corps of Engineers, and met with U.C. San Diego's Center for Western Weather and Water Extremes (CW3E). The technical workshops provided opportunities to learn about forecasting tools used by the U.S. Army Corps of Engineers as well as approaches to forecast-informed reservoir operations. The meeting with CW3E focused on the outreach and engagement strategy for the preliminary evaluation of FIRO at Pardee/Camanche.

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 April 8, staff participated in RichmondWork's Career Fair.** Staff provided information on District careers, internships, current and upcoming recruitments, and the application process. Approximately 75 people attended.
- **On April 15, staff presented at Sierra College's Unity in Diversity Conference in Sacramento.** Staff provided information on the District's Affinity Groups and their role in recruitment efforts. Approximately 150 people attended.
- **On April 17, staff participated in Delta College's San Joaquin Delta College Spring 2025 Job & Internship Fair in Stockton.** Staff provided information on District careers, recruitments, the application process, and internship opportunities. Approximately 300 people attended.
- **On April 29, staff participated in Cypress Mandela's Cohort Graduation in Oakland.** Staff provided information on District careers, upcoming recruitment opportunities, and application processes. Approximately 100 people attended.

Tuition Reimbursement

	April 2025	FY 2025 Total
# of Employees	14	114
# of Classes	17	147
Total Reimbursed	\$14,297.82	\$136,695.35

Employment Information

	April 2025	FY 2025 Total
Retirements – Regular	2	57
Retirements – Vested	1	12
Hires/Rehires	13	153
Other Separations	6	70

FINANCIAL STABILITY

The construction contract with Mountain Cascade, Inc. for the Acorn No. 1, Derby, Scenic, and Scenic East Reservoirs Rehabilitation project under Specification 2153 requires an increase in the change order contingency. Costs increased due to delay and extended overhead costs associated with revisions to Scenic Reservoir dome height, wind girders, and electrical service; and delays associated with the San Ramon Valley Fire Protection District's request to delay hot work until fall 2021. It is estimated that the change order contingency will need to be raised to \$1,830,200 or 10.5 percent of the original contract amount \$17,430,488.

Capital Budget Transfers. In April 2025, there were no capital transfers. Through April 30, 2025, there have been six capital transfers in FY 2025, for a total of \$4.3 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 April is \$53,184. The District sold renewable power and related Renewable Energy Certificates (RECs) to the Port of Oakland. The sale of RECs generated \$15,584 from the Port of Oakland. Earned revenue for FY 2025 to date is estimated at \$579,139 or 145 percent of the total FY 2025 budget of \$400,000.

The estimated earned revenue from Mokelumne power sales for April is \$646,380. The District sold renewable power and related Renewable Energy Certificates (RECs) to Marin Clean Energy (MCE). Sales of RECs generated \$139,690 from MCE. Resource Adequacy capacity sales to NRG Business Marketing LLC earned \$178,650. Estimated earned revenue to date through April is estimated at \$9,479,410 or 93 percent of the FY 2025 budgeted \$10.2 million. The forecasted revenue for FY 2025 is \$10,700,610.

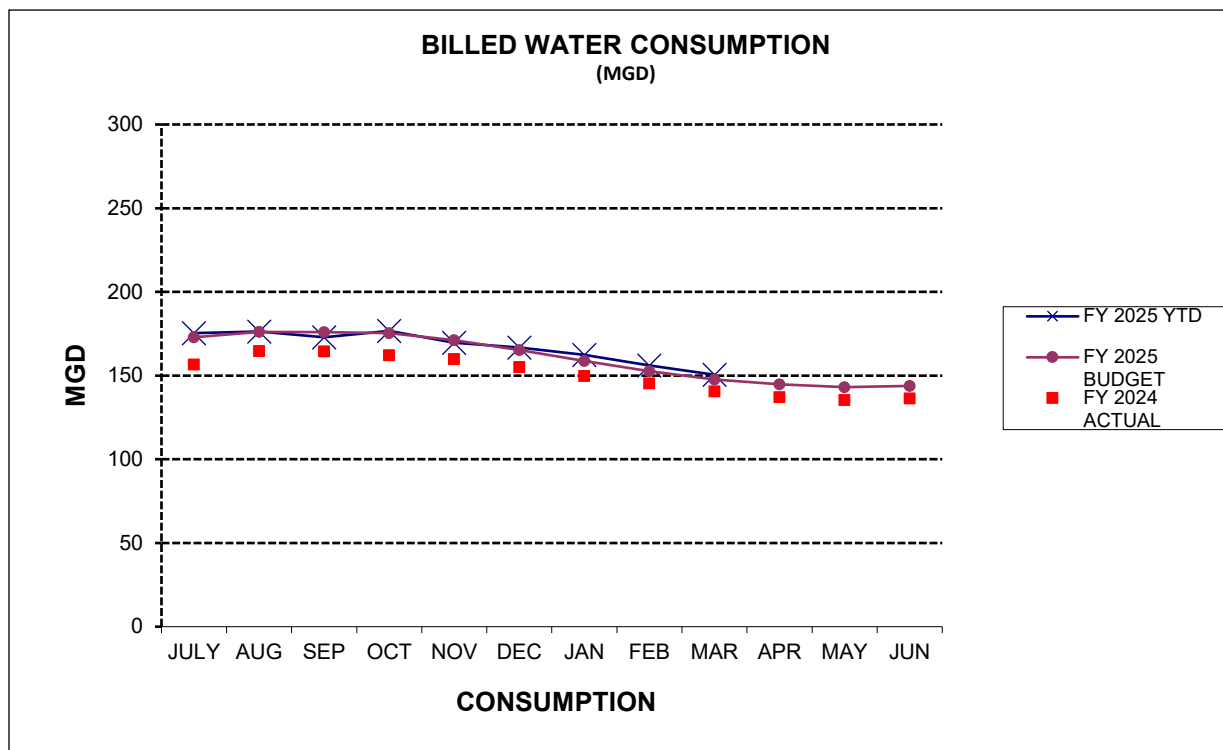
There were no material, supply, or construction contracts from \$80,001 to \$100,000 and two general and professional service contracts from \$30,001 up to \$80,000 approved by the General Manager in April 2025.

VENDOR NAME	DATE AWARDED	CEP STATUS	ITEM (S) PURCHASED	PROJECT	CONTRACT TERM	VALUE
Black & Veatch Corporation	4/15/25	White Men	Provide design services to develop construction documents for Electric Vehicle charging infrastructure at the Main Wastewater Treatment Plant.	N/A	N/A	\$80,000
W.R. Forde Associates, Inc.	4/22/25	White Men	Amendment to ratify the payment of \$67,699 for emergency sewer force main repairs at Lafayette Reservoir.	N/A	N/A	\$67,699

Water Sales (Consumption)

The following consumption information is the average water consumption in millions of gallons per day (MGD) for the first nine 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	73.3	69.2	5.9%
Commercial	50.8	46.2	10.0%
Industrial	19.8	18.9	4.8%
Public Authority	6.6	6.3	4.8%
Total Billed Water Consumption	150.5	140.6	7.0%

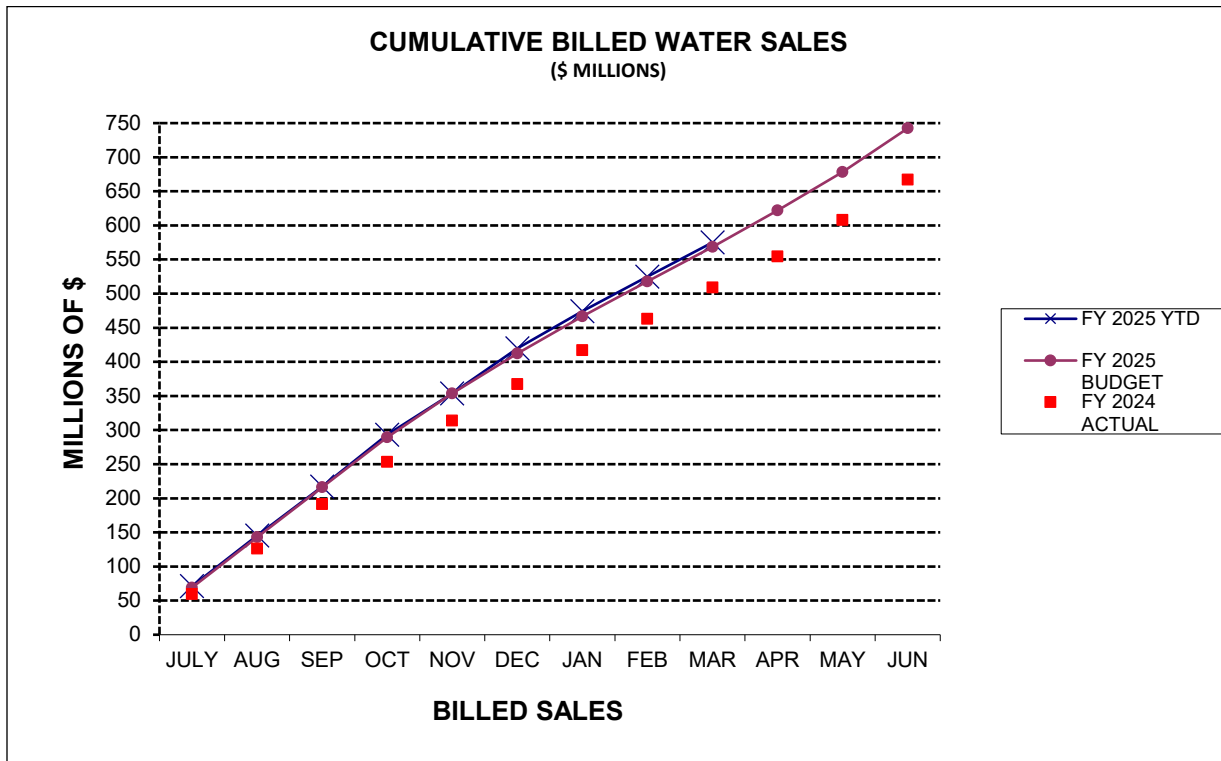


Source: Customer Information System

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 March were \$575.1 million² or 13.0% more than the FY 2024 revenue for the same period of \$508.8 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 March are \$6.8 million (1.2%) more than the budgeted water revenue of \$568.3 million.



Source: Customer Information System

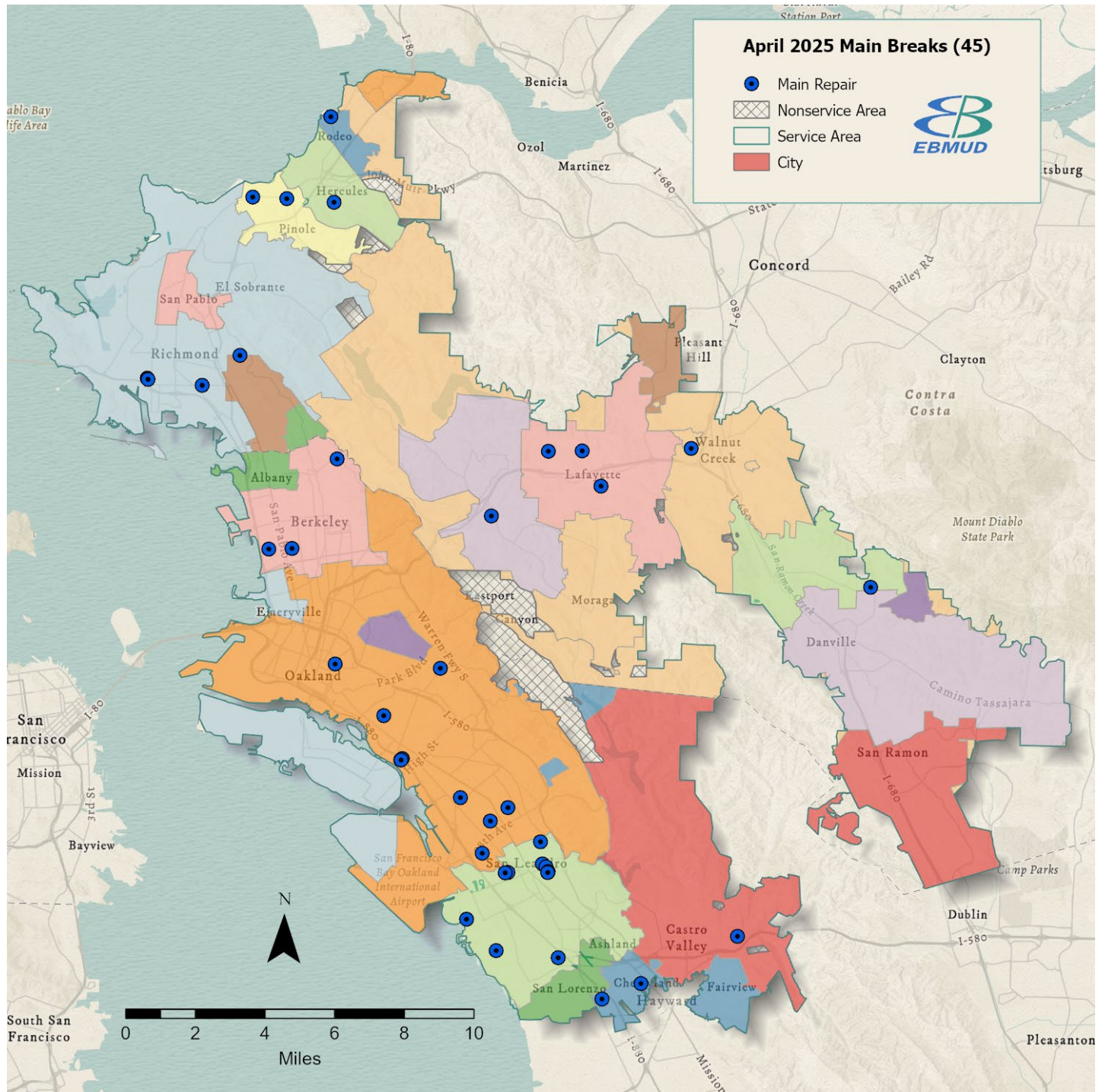
² Water sales include potable and non-potable water sales.

		APRIL 2025 MAIN BREAK REPAIRS									
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ALAMO		MOUNTAIN CANYON	PL	2	ASBESTOS CEMENT	6	1977	0	4/19/2025	4/19/2025	Y
BERKELEY		KEELER	AVE	4	CAST IRON	6	1936	27,000	4/11/2025	4/11/2025	Y
BERKELEY		MABEL	ST	4	ASBESTOS CEMENT	4	1956	0	4/21/2025	4/22/2025	Y
BERKELEY		PARKER	ST	4	CAST IRON	8	1936	900	4/10/2025	4/10/2025	Y
CASTRO VALLEY		CROW CREEK	RD	7	NON-METALLIC / PLASTIC	2	1990	1,350	4/9/2025	4/9/2025	Y
EL CERRITO		MIRA VISTA	DR	4	CAST IRON	6	1936	5,760	4/18/2025	4/21/2025	Y
HAYWARD		BLOSSOM	WAY	7	NON-METALLIC / PLASTIC	6	1987	900	4/7/2025	4/7/2025	Y
HAYWARD		PERKINS	DR	5	CAST IRON	8	1951	18,000	4/4/2025	4/4/2025	Y
HERCULES		BOBOLINK	WAY	1	ASBESTOS CEMENT	6	1979	2,700	4/17/2025	4/17/2025	Y
LAFAYETTE		DEWING	AVE	2	CAST IRON	6	1932	0	4/24/2025	4/25/2025	Y
LAFAYETTE		HAPPY VALLEY	RD	2	ASBESTOS CEMENT	8	1959	0	4/14/2025	4/18/2025	Y
LAFAYETTE		UPPER HAPPY VALLEY	RD	2	ASBESTOS CEMENT	12	1956	10,080	4/8/2025	4/14/2025	Y
OAKLAND		21ST	AVE	6	ASBESTOS CEMENT	6	1966	0	4/3/2025	4/3/2025	Y
OAKLAND		36TH	AVE	5	CAST IRON	6	1939	34,560	4/14/2025	4/17/2025	Y
OAKLAND		36TH	AVE	5	CAST IRON	6	1939	1,800	4/17/2025	4/18/2025	Y
OAKLAND		36TH	AVE	5	CAST IRON	6	1939	45,000	4/18/2025	4/18/2025	Y
OAKLAND		36TH	AVE	5	CAST IRON	12	1949	8,640	4/18/2025	4/23/2025	Y
OAKLAND		36TH	AVE	5	CAST IRON	6	1939	4,320	4/21/2025	4/23/2025	Y
OAKLAND		36TH	AVE	5	CAST IRON	6	1939	17,280	4/24/2025	4/29/2025	Y
OAKLAND		72ND	AVE	5	CAST IRON	4	1932	0	3/27/2025	4/3/2025	Y
OAKLAND		90TH	AVE	6	CAST IRON	2	1911	11,520	4/21/2025	4/28/2025	Y
OAKLAND		92ND	AVE	6	STEEL	12	1918	11,520	4/23/2025	4/24/2025	Y
OAKLAND		DOUGLAS	AVE	5	CAST IRON	4	1947	0	4/12/2025	4/17/2025	Y
OAKLAND		GRAND	AVE	3	CAST IRON	6	1949	0	4/10/2025	4/15/2025	Y
OAKLAND		WHITTLE	AVE	3	STEEL	6	1954	11,520	4/3/2025	4/10/2025	Y
ORINDA		CAMINO ENCINAS		3	CAST IRON	4	1934	0	4/7/2025	4/11/2025	Y
PINOLE		MEADOW	AVE	1	CAST IRON	8	1953	0	4/8/2025	4/15/2025	Y
PINOLE		PLUM	ST	1	ASBESTOS CEMENT	6	1959	8,640	4/23/2025	4/28/2025	Y

**KPI = turn around time to repair the leak*

		APRIL 2025 MAIN BREAK REPAIRS									
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
RICHMOND	S	8TH	ST	1	CAST IRON	12	1929	90,000	4/30/2025	4/30/2025	Y
RICHMOND		CUTTING	BL	1	CAST IRON	6	1946	90	4/5/2025	4/5/2025	Y
RICHMOND		MAINE	AVE	1	CAST IRON	8	1924	0	4/22/2025	4/22/2025	Y
RODEO		SAN PABLO	AVE	1	STEEL	8	1955	27,000	4/8/2025	4/9/2025	Y
SAN LEANDRO		BANCROFT	AVE	7	CAST IRON	6	1928	27,000	4/13/2025	4/14/2025	Y
SAN LEANDRO		BANCROFT	AVE	7	CAST IRON	6	1929	18,000	4/14/2025	4/14/2025	Y
SAN LEANDRO		BANCROFT	AVE	7	CAST IRON	6	1929	1,350	4/14/2025	4/15/2025	Y
SAN LEANDRO		BANCROFT	AVE	7	CAST IRON	4	1929	90	4/16/2025	4/16/2025	Y
SAN LEANDRO		BEATRICE	ST	5	CAST IRON	6	1947	18,000	4/13/2025	4/13/2025	Y
SAN LEANDRO		DOOLITTLE	DR	5	STEEL	12	1964	34,560	4/3/2025	4/10/2025	Y
SAN LEANDRO		DOOLITTLE	DR	5	STEEL	12	1964	11,520	4/12/2025	4/15/2025	Y
SAN LEANDRO		KENILWORTH	AVE	7	CAST IRON	8	1951	1,440	4/9/2025	4/9/2025	Y
SAN LEANDRO		LEE	AVE	7	CAST IRON	6	1926	8,640	4/10/2025	4/15/2025	Y
SAN LEANDRO		MINERVA	ST	7	CAST IRON	4	1945	23,040	3/29/2025	4/1/2025	Y
SAN LEANDRO		MINERVA	ST	7	CAST IRON	4	1945	14,400	4/26/2025	4/30/2025	Y
SAN LEANDRO		WILLIAMS	ST	5	CAST IRON	6	1948	0	4/20/2025	4/23/2025	Y
WALNUT CREEK		OAKVALE	RD	2	CAST IRON	12	1953	0	4/8/2025	4/29/2025	Y
							Total	496,620			
		Non-surfacing leaks discovered by leak detection technologies					2				
		Breaks caused by contractors or other agencies					0				
		Other main breaks					43				
		Total water main repairs					45				

**KPI = turn around time to repair the leak*



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Customer Account Delinquency Information April 2025													
(Data collection began September 1, 2017 - CAP applications processed through April 28, 2025)													
CUSTOMER ASSIST. PROGRAM (CAP) ENROLLMENT	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25 ⁵⁸	Totals (since 9/1/2017)						
New CAP Participants	265	292	300	299	229	292	16,976						
CAP Renewals	166	188	191	210	258	284	17,237						
CAP Departures	372	367	363	280	461	473	24,515						
Total Active CAP Participants w/Active Accounts	10,499	10,605	10,765	10,866	10,954	11,054	-						
PAYMENT PLANS	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 9/1/2017)						
Approved Payment Plans	3,203	3,556	3,544	3,123	2,996	3,149	260,789						
SERVICE INTERRUPTIONS - RESIDENTIAL	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 9/1/2017)						
15-day Final Collection Notices ⁵¹	15,162	18,981	15,111	15,125	16,376	17,466	1,476,574						
48-hr Service Interruptions Notices ^{3,52}	10,779	12,268	9,805	10,423	9,279	12,191	889,437						
TENANT OCCUPIED - FLOW RESTRICTORS	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 9/1/2024)						
Service Interruption Orders/Door Hangers Generated	224			657	25	17	699						
Service Interruptions Completed (Flow Restrictor Installed)	111	93	158	490	264	245	1,505						
Number of Flow Restrictors Removed/Service Restored	70	63	116	261	263	210	1,055						
Flow Restrictors Remain Installed as of End of Month	113	143	185	414	415	450							
OWNER OCCUPIED - SINGLE-FAMILY LIENS	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 11/1/2024)						
Liens Filed	276	-	190	412	239	-	651						
Released	-	-	22	20	61	-	81						
Transferred to Alameda Cty.	-	-	-	-	-	-							
Transferred to Contra Costa Cty.	-	-	-	-	-	-							
Total Transactions/Month	276	-	212	432	300	-	732						
FLOW RESTRICTOR TAMPERING	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals						
Flow Restrictor Tampered	3	-	6	3	8	13	35						
WATER THEFT	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 9/1/2017)						
No. of Incidents	3	7	2	-	3	18	593						
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	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 9/1/2017)						
Liens Filed	189	26	175	77	95	-	7,483						
Released	340	-	49	12	24	-	6,520						
Transferred to Alameda Cty.	-	-	-	-	-	-	2,418						
Transferred to Contra Costa Cty.	-	-	-	-	-	-	444						
Total Transactions/Month	529	26	224	89	119	-	16,865						
BAD DEBT - WRITE OFFS ²	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr25	Totals (since 9/1/2017)						
Total Referred to Collection Agency	\$457,574	\$611,715	\$625,300	\$330,010	\$640,738	TBD	22,718,561						
Write-Off % to Billed Revenue	0.67%	0.81%	1.00%	0.56%	1.09%	TBD							
¹ Liens filed monthly represent delinquent accounts 4-6 months in arrears.													
² Feb 25 collection agency totals will be updated in Mar 25. Write-off revenue for Feb 25 will be finalized when the final revenue reports are posted by Accounting.													
³ 48-hour notices were generated, but not mailed to customers since 03-23-20. 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).													
⁵⁸ Report as of 05-05-25. Pending: Final CAP data pending (data processed through 04-28-25), Apr 25 Collection agency totals will be updated in May 25. Updates: CAP data updated for Mar 25, Write Off % for Mar 25.													
*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 shutoff 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	21	5	3	2	2	3	2	10	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	24	5	3	2	2	3	2	10	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	373	1	2	6	99	7	2	13	7	2	2	580	
Illegal Connection	5	1	0	0	0	1	0	0	0	0	1	12	
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	
Total	378	2	2	6	99	8	2	13	7	2	3	592	