

DEPARTMENT OF WATER RESOURCES

P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



November 8, 2024

Ms. Niroop K. Srivatsa, City Manager
City of Lafayette
3675 Mount Diablo Boulevard, Suite 210
Lafayette, California 94549

Lafayette Dam, No. 31-2
Contra Costa County

Dear Ms. Srivatsa:

This is in reply to your August 26, 2024, letter to the Division of Safety of Dams (DSOD) regarding the East Bay Municipal Utility District's (EBMUD) Lafayette Dam outlet and spillway project (Project). Your letter was sent following our August 7, 2024, meeting with representatives of the City of Lafayette (City), including its volunteer committee, EBMUD, and AECOM regarding questions the City had about the Project and DSOD's regulatory review process. The letter requested confirmation of five points that were discussed during the meeting.

DSOD has reviewed the five points contained in the City's letter and provides the following clarifications:

1. Reservoir operations: DSOD provides dam owners with a Certificate of Approval that authorizes the operation of reservoirs up to a maximum water surface elevation. If the dam has an identified deficiency, owners may be required to operate the reservoir at a lower elevation set by DSOD as an interim risk reduction measure until the deficiency is resolved.
2. Analysis requirements: DSOD generally does not prescribe analysis methods to be used by dam owners and their consultants. DSOD conducts independent analyses, including nonlinear analyses, to inform decisions regarding the safety of a dam and its appurtenances. Dam owners often choose to proceed with a remediation project without spending their resources on an advanced analysis when it is highly unlikely that further analysis would result in a different outcome based on known information and engineering judgement.
3. Additional remediation options: DSOD would consider limited alternate remediation options if proposed by EBMUD; however, since the tower serves as both an outlet and spillway, it is a critical structure for dam safety and any innovative remediation proposed must have a dam specific record of proven performance. EBMUD has fully evaluated numerous remediation alternatives, including some innovative designs to preserve the top of the tower, but those designs were found to be inadequate. Also, uncertainty as to the as-built condition of the 91-year-old tower may preclude innovative remediation alternatives.

Ms. Srivatsa
November 8, 2024
Page 2

4. Remediation timeline: DSOD identified the tower's seismic deficiency in 1995, nearly 30 years ago. Given the tower's longstanding deficiency, in 2017 DSOD required EBMUD to begin Project construction by November 1, 2019. While that date has passed, EBMUD has made considerable progress on the Project, and construction is planned to begin in 2025. Considering the City's concern with the Project, should EBMUD propose a different remediation alternative that is acceptable to DSOD, we will allow EBMUD to delay the start of construction to 2027. To meet that date, a remediation concept needs to be submitted to DSOD for acceptance by April 1, 2025, and the final remediation design needs to be submitted to DSOD for approval by September 1, 2026.
5. Peer review: DSOD has no objections if a dam owner chooses to hire consultants to conduct peer reviews of design alternatives, proposed designs, or the incorporation of new design concepts. While peer reviews may provide benefits to a project, DSOD may not concur with and is not bound by the consultants' opinions, findings, recommendations, or conclusions. Ultimately, all DSOD comments and concerns on a project must be satisfactorily addressed by the dam owner before a project is approved by DSOD for construction.

As noted in DSOD's September 15, 2023, letter to the City, we acknowledge the City's concerns regarding the Project. The Project, as currently proposed by EBMUD, satisfactorily addresses DSOD's concerns.

If you have any questions or need additional information, you may contact Project Engineer Nekane Hollister at (916) 820-7831 or Design Engineering Branch Manager Erik Malvick at (916) 820-7820.

Sincerely,



Sharon K. Tapia, P.E.
Division Manager
Division of Safety of Dams

cc: Mr. Serge V. Terentieff, Director
Engineering and Construction
East Bay Municipal Utility District
Mail Stop 803
Post Office Box 24055
Oakland, California 94623-1055