BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT

375 – 11th Street, Oakland, CA 94607 Office of the Secretary: (510) 287-0404

AGENDA
Tuesday, May 13, 2014

REGULAR CLOSED SESSION
11:00 a.m., Board Room

ROLL CALL:

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

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

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

   a. *United States of America, et al. v. East Bay Municipal Utility District* USDC, N.D. Cal., Case No. CV 09-0186 RS

2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding the renegotiation of conditions and terms of payment for the existing lease of property identified as portions of Parcel No. 018-0305-003-16 in the City of Oakland, Alameda County, California, for Viridis Fuels' use as a biodiesel production and glycerin refining facility. East Bay Municipal Utility District negotiators: Ben Horenstein, Director of Wastewater, and Stephen Boeri, Manager of Real Estate Services. Negotiating parties: East Bay Municipal Utility District and Viridis Fuels.

(The Board will hold Closed Session in Conference Room 8A/B)

REGULAR BUSINESS MEETING
1:15 p.m., Board Room

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

ANNOUNCEMENTS FROM CLOSED SESSION:

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

CONSENT CALENDAR: (Single motion and vote approving 13 recommendations including 2 resolutions)

1. Approve the Regular Meeting Minutes of April 22, 2014.

2. File correspondence with the Board.

3. Award a two-year contract to each of the lowest responsive/responsible bidders, NBC Supply Corp, Magid Glove and Safety, LLC., S&S Supplies and Solutions, and Sunwest Group, in the respective annual amounts after the addition of taxes of $37,456.76, $18,578.79, $88,245.05 and $25,681.49 for supplying protective equipment and supplies to the District with three options to renew for an additional one-year period for a total cost not to exceed $849,810.43 under Request for Quotation No. 1416.

4. Authorize an agreement with California Generator Service in an estimated amount of $294,040 for generator maintenance at various District locations during the period May 19, 2014 to May 19, 2017 with two options to renew for additional one-year period under Request for Quotation No. 1417 for a total cost not to exceed $490,067.

5. Award a contract to the lowest responsive/responsible bidder, RFI Enterprises, Inc., in an amount, after the addition of taxes, not to exceed $191,098 for supplying sixteen video recorders for fourteen District facilities for the period beginning May 13, 2014 and ending May 12, 2015 under Request for Quotation No. 1419.

6. Award a one-year contract to the lowest responsive/responsible bidder, All Industrial Electric Supply, in an amount after the addition of taxes, not to exceed $114,840, for supplying main fused switch replacement materials for the Administration Building for the period beginning May 14, 2014 and ending May 13, 2015, under Request for Quotation No. 1422.

7. Award a contract to the lowest responsive/responsible bidder, American Construction and Supply, Inc. in the amount of $372,277 for construction of the Mokelumne Aqueducts Cathodic Protection Improvements under Specification 2076.

8. Authorize an agreement with GHD, Inc. in an amount not to exceed $170,000 for professional services for the predesign of upgrades to the communication systems at the District's Main Wastewater Treatment Plant during the period June 2014 to December 2014.

9. Authorize an agreement with West Yost Associates in an amount not to exceed $200,000 for groundwater monitoring data evaluation and preparation and certification of associated reports, at the District's four Pardee Area wastewater treatment plants and Bayside Aquifer Storage and Recovery Groundwater Project, for the period May 19, 2014 to June 30, 2019, for compliance with regulatory requirements in discharge permits at these facilities.

CONSENT CALENDAR: (Continued)

10. Approve the Water Supply Assessment requested by the City of San Leandro for the City of San Leandro Shoreline Development Project pursuant to the California Water Code, Section 10910-10915.

11. Approve an increase to the existing agreement with O. C. Tanner Recognition Company in an amount not to exceed $50,000 and extend the agreement by six months to provide employee service awards through December 31, 2014.

12. Approve a lease agreement with Cranbrook Realty Investment Fund, LP dba Lodi Wine and Business Center for 6,517 square feet of office space and 6,000 square feet of warehouse space, located at 1 Winemaster Way (aka Lodi Wine and Business Center) in Lodi for five years, commencing on June 1, 2014 thru May 31, 2019. The base rent is $66,089 for the first year with a total scheduled base rent including escalation over the five-year term of $345,470. (Resolution)

13. Appointment of Treasury Manager. (Resolution)

DETERMINATION AND DISCUSSION:

14. Legislative Update:
    - Receive Legislative Report No. 07-14 and consider positions on the following bills: AB 2684 (Stone) Hatchery Practices: Salmon and Steelhead; SB 1199 (Hancock) Wild and Scenic Rivers: Mokelumne River; and H.R. 4456 (Miller) To Determine the Feasibility of Additional Agreements for Long-Term Use of Existing or Expanded Non-Federal Storage and Conveyance Facilities
    - Update on Legislative Issues of Interest to EBMUD

15. File a report and set a Public Hearing for the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218 and Regulations for Fiscal Year 2015:

    15.1. File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015.

    15.2. Set a Public Hearing on Tuesday, June 10, 2014 during the Board's regular meeting to consider the report and recommendation.

16. Approve the following actions relating to 2014 Water Shortage Action Plan:

    16.1. Approve the 2014 Water Shortage Action Plan in accordance with District Policy 9.03.

    16.2. Report to the Department of Water Resources and the State Water Resources Control Board on the District's 2014 Water Shortage Plan and the effectiveness of the plan to reduce water use pursuant to California Water Code, Section 1058.5 per the Governor's Executive Order.

    16.3. Continue the necessary actions to prepare for drought conditions if dry conditions worsen.

DETERMINATION AND DISCUSSION: (Continued)

17. Conduct a second and final reading, and vote on an ordinance amending the EBMUD Employees' Retirement System Ordinance (Ordinance No. 40) to update Section 6(d) and Section 2(n). (Continue Second Reading and Vote -- Ordinance No. 361-14)

18. General Manager's Report:
    - Water Supply Update
    - Monthly Report – April 2014

REPORTS AND DIRECTOR COMMENTS:

19. Committee Reports:
    - Planning
    - Legislative/Human Resources
    - Sustainability/Energy
    - Finance/Administration

20. Director Comments.

ADJOURNMENT:

In honor of those employees and retirees who have passed away in the last year.

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 27, 2014 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

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.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, May 13	**Planning Committee** Foulkes (Chair), Linney, McIntosh	9:15 a.m. Training Resource Center	• Panoramic Hill Water System Improvements Update • Update on Food Waste Sourcing • Bay Area Regional Reliability Principles • Distribution Valve Maintenance
	Legislative/Human Resources Committee McIntosh (Chair), Coleman, Mellon	10:15 a.m. Training Resource Center	• Transparency in Labor Negotiations • Legislative Report
	Board of Directors	11:00 a.m. 1:15 p.m.	
Monday, May 26	**Memorial Day Holiday**		• District Offices Closed
Tuesday, May 27	**Strategic Plan Update & FY15 Mid-Cycle Budget/Rates Workshop**	TBD Training Resource Center	
	Finance/Administration Committee Coleman (Chair), Linney, Patterson	10:00 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Tuesday, June 10	**Planning Committee** Foulkes (Chair), Linney, McIntosh	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee McIntosh (Chair), Coleman, Mellon	10:15 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Tuesday, June 24	**Finance/Administration Committee** Coleman (Chair), Linney, Patterson	10:00 a.m. Training Resource Center	
	Sustainability/Energy Committee Linney (Chair), Foulkes, Katz	TBD Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Friday, July 4	**Fourth-of-July Holiday**		• District Offices Closed

Draft prepared by
Secretary's Office

MINUTES

Tuesday, April 22, 2014

East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Regular Closed Session Meeting

President Katz called to order the Regular Closed Session Meeting of the Board of Directors at 11:03 a.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Katy Foulkes, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Andy Katz were present at roll call.

Staff present included General Manager Alexander R. Coate, General Counsel Jylana Collins, Director of Water and Natural Resources Richard G. Sykes (Item 1), and Manager of Legislative Affairs Marlaigne K. Dumaine (Item 1).

PUBLIC COMMENT

Addressing the Board were the following persons: 1) John Briceno, President, AFSCME Local 444, commented that the pipeline relocation work on Lewelling Blvd. in San Leandro should be performed by District staff versus contractors, and the District should authorize a sufficient number of positions to address its aging infrastructure; 2) Tyrell Jackson, 2nd Vice-President, AFSCME Local 444, commented that the District should not be contracting out core pipeline replacement work and urged the District to expedite its hiring process for pipeline crews; 3) Dwight George, Water Distribution Plumber III, AFSCME Local 444, commented that pipeline relocation project work should be performed by District staff and urged the District to increase hiring of District forces for this work; and 4) Eric O. Larsen, Member Relations Secretary, AFSCME Local 444, commented that the District needed to hire staff to perform pipeline and other infrastructure work.

President Katz thanked the commenters and asked staff to provide an information memo in response to the speaker's comments. The Board asked staff to provide the following information: 1) how often does District forces have to fix pipeline work done by contractors; 2) what is the approach to address short and long-term staffing needs for pipeline replacements; and 3) a cost comparison of contracting out versus pipeline replacement work done by in-house staff. The Board also requested agendizing discussion on this issue for a future meeting.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Katz announced the Closed Session agenda. The Board convened to Conference Room 8A/B for discussion.

Regular Business Meeting

President Andy Katz called to order the Regular Business Meeting of the Board of Directors at 1:21 p.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Katy Foulkes, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Andy Katz were present at roll call.

BOARD OF DIRECTORS

President Katz led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

Addressing the Board was Jennifer M. Rodrigues, Castro Valley resident, who expressed concern about her neighbor's excessive showering activity and said the noise was impacting her ability to sleep. She asked the Board to mandate water rationing in her building. President Katz referred Ms. Rodrigues to staff for assistance.

CONSENT CALENDAR

- Motion by Director Coleman, seconded by Director McIntosh, to approve Items 1-13 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Foulkes, Linney, McIntosh, Mellon, Patterson, and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Motion No. 062-14 --** Approved the Regular Meeting Minutes of April 8, 2014.

2. The following correspondence was filed with the Board: 1) EBMUD Ward Map and Ward Descriptions for EBMUD Board; 2) Presentation entitled "Series 2014C Water Revenue Bonds," dated April 22, 2014; 3) Information on "Retirement Contributions" submitted by Timothy McGowan; 4) Presentation entitled "Ordinance to Amend EBMUD Retirement System Ordinance No. 40 – Section 6(D)," dated April 22, 2014; 5) Presentation entitled "Water Supply Availability & Deficiency Report for 2014," dated April 22, 2014; 6) Presentation entitled "Water Year 2014 Dry Year Planning, " dated April 22, 2014; and 7) Presentation entitled "Water Supply Briefing, " dated April 22, 2014.

3. **Motion No. 063-14 --** Awarded a contract to the lowest responsive/responsible bidder Cenveo in an annual amount, after the addition of taxes, not to exceed $97,771.82 for supplying billing envelopes for the District mailroom for the period beginning May 1, 2014, and ending April 30, 2015, with four options to renew for an additional one-year period for a total cost of $488,859.10 under Request for Quotation (RFQ) No. 1418.

4a. **Motion No. 064-14 --** Awarded a contract to the lowest responsive/responsible bidder, K.W. Emerson, Inc., in the amount of $718,411 for construction of Camanche Drainage Improvements and Camanche and Pardee Pier Installation under Specification 2065A.

4b. **Motion No. 065-14 --** Authorized an agreement with Foundry Group, LLP, in an amount not to exceed $727,300 for Camanche and Pardee Dams GPS Monitoring System Services during the period May 1, 2014 to April 30, 2015.

5. **Motion No. 066-14 --** Awarded a contract to the lowest responsive/responsible bidder, 3D Datacom, in the amount of $313,413.15 for construction of Oakport and Castenada electric security gates under Specification 2078.

6. **Motion No. 067-14 --** Awarded a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in the amount of $1,897,950 for construction of the I-80/San Pablo Dam Road Interchange Pipeline Relocation under Specification 2082.

7. **Motion No. 068-14 --** Awarded a contract to the lowest responsive/responsible bidder Blastco, Incorporated in the amount of $3,322,490 for construction of the Recoat Mokelumne Aqueduct No. 3 Phases 10 and 11 under Specification 2088.

8. **Motion No. 069-14 --** Authorized an agreement with the City of Berkeley (City) in an amount not to exceed $340,000 to relocate approximately 900 feet of water main pipelines as part of the City's Allston Way Permeable Paver Demonstration Project, in Berkeley, California.

9. **Motion No. 070-14 --** Authorized an agreement with HydroScience Engineering, Inc., in an amount not to exceed $285,163 for design and construction management support services for improvements to the District's Pardee Recreation Area Recreational Vehicle Park during the period April 2014 to May 2016.

10. **Motion No. 071-14 --** Authorized an agreement with URS Corporation, a Nevada Corporation, dba URS Corporation Americas, in an amount not to exceed $749,963 for design and construction support services related to the Upper San Leandro Reservoir Outlet Tower retrofit during the period May 1, 2014 to December 31, 2017.

11. **Motion No. 072-14 --** Approved the assignment of the contracts for liquid polyaluminum chloride (Proposal No. 1109) and liquid aluminum sulfate (Proposal No. 1201) originally awarded under Board Motions 163-10 and 100-11, respectively, from General Chemical Performance Products, LLC, to Chemtrade Chemicals US, LLC.

12. **Motion No. 073-14 --** Approved the Water Supply Assessment requested by the City of Alameda for the Northern Waterfront General Plan Amendment pursuant to the California Water Code, Section 10910-10915.

13. **Resolution No. 33976-14 --** Fixing The Boundaries Of The Wards For The Purpose Of Electing Directors Therefrom.

DETERMINATION AND DISCUSSION

14. **Legislative Update.**

Manager of Legislative Affairs Marlaigne K. Dumaine highlighted the bills and recommended positions in Legislative Report No. 06-14. Staff recommended "support" positions on AB 1699 (Bloom) Waste Management: Microplastics and AB 1826 (Chesbro) Solid Waste: Organic Waste along with an "oppose" position on AB 1983 (Gray) Water Meters: Multi-unit Structures.

- Motion by Director Mellon, seconded by Director Patterson, to approve the recommended positions in Legislative Report No. 06-14, carried (7-0) by the following voice vote: AYES (Coleman, Foulkes, Linney, McIntosh, Mellon, Patterson, and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 074-14 -- Received Legislative Report No. 06-14 and approved positions on the following bills: SUPPORT AB 1699 (Bloom) Waste Management: Microplastics; SUPPORT AB 1826 (Chesbro) Solid Waste: Organic Waste; and OPPOSE AB 1983 (Gray) Water Meters: Multi-unit Structures.

15. **Authorize and Approve The Issuance of not to Exceed $75,000,000 Aggregate Principal Amount of EBMUD Water System Revenue Bonds, Series 2014C, and Approve The Form and Authorize The Execution of Certain Documents, Including A Supplemental Indenture, In Connection With The Issuance, Securing and Sale of Such Bonds.**

Finance/Administration Committee Chair John A. Coleman reported that the Committee voted unanimously to support the staff recommendation for issuance of Water System Revenue Bonds, Series 2014C. Director of Finance Eric L. Sandler presented background information on the bond sale and the recommended actions. He said that the proposed Series 2014C Water System Revenue Bonds will fund Water System capital improvements and pay for costs of issuance of the bonds. This bond sale is included in the financing schedule approved by the Board in September 2013. The adopted budget planned for bond issuances generating $175.0 million in construction proceeds to fund a portion of budgeted capital expenditures for Fiscal Years 2014 and 2015. The proposed bond issue represents a portion of that total, with the remainder projected to be issued in Fiscal Year 2015. Cost of issuance is estimated at $314,400 plus an underwriters' discount expected to be less than $2.00 per $1,000 based on current market conditions.

- Motion by Director Patterson, seconded by Director Mellon, to approve the recommended action for Item 15, carried (7-0) by the following voice vote: AYES (Coleman, Foulkes, Linney, McIntosh, Mellon, Patterson, and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 33977-14 -- Authorize And Approve The Issuance Of Not To Exceed $75 Million Aggregate Principal Amount Of East Bay Municipal Utility District Water System Revenue Bonds, Series 2014C, 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 Thererto.

16. **Conduct a Second and Final Reading, and Vote On An Ordinance Amending The EBMUD Employees' Retirement System Ordinance (Ordinance No. 40) To Update Section 6(d).**

- Addressing the Board was Associate Civil Engineer Timothy R. McGowan who requested that the Board defer its vote on this item to allow additional review of the proposed amendments. He said that the proposed language is inconsistent with provisions in the Ordinance. After Board discussion, it was recommended that the item be tabled until the next meeting while the Office of General Counsel reviewed the documents.

- Motion by Director Mellon, seconded by Director Patterson, to table the second reading and vote on amending Subsection 6(d) of Ordinance No. 40 for the May 13, 2014 meeting, carried (7-0) by the following voice vote: AYES (Coleman, Foulkes, Linney, McIntosh, Mellon, Patterson, and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 075-14 -- Tabled the second reading and vote on An Ordinance Amending Subsection 6(d) of Ordinance No. 40 Which is the Employees' Retirement System Ordinance.

17. **Approve Actions Relating to The District's Water Supply.**

Operations and Maintenance Department Manager Eileen M. White presented the Water Supply Update. She reported that Shasta Reservoir, the state's largest reservoir, is at 53% of capacity, Lake Oroville is at 53% of capacity, and EBMUD's system is at 61% of capacity. The Department of Water Resources (DWR) April 2014 snow survey revealed that snow water content statewide on April 1 was 16% of average and as of April 21 it was at 18% of normal. Last week the DWR increased its allocations of State Water Project (SWP) water to 5%, the lowest overall allocation in SWP history.

Ms. White presented an update on current precipitation, reservoir storage, and the water supply runoff forecast. She noted that Water Year 2014 is on track to be one of the driest years on record. Precipitation in the East Bay watershed is at 51% of average and in the Mokelumne watershed it is 53% of average. Total reservoir system storage overall is 470,640 acre-feet (AF) with 61% of capacity. To date the watershed has received about 140,000 AF of runoff, and the projected end of September storage with median precipitation is 415,000 AF. Only 9% of the precipitation accumulation season remains.

Next, Engineering Manager Lena L. Tam presented the Water Supply Availability and Deficiency Report. The 2014 assessment concluded that projected runoff and water storage requires "Dry" year flows in the lower Mokelumne River under the District's Joint Settlement Agreement. In addition, the projected water supply forecast for this year indicates that there is not sufficient supply from the Mokelumne and East Bay to meet the District's expected customer demands, and a customer water use reduction program coupled with supplemental supplies from the Freeport Project will be needed.

- Motion by Director Coleman, seconded by Director Mellon, to accept the Water Supply Availability and Deficiency Report 2014 outlined in Item 17a, carried (7-0) by the following voice vote: AYES (Coleman, Foulkes, Linney, McIntosh, Mellon, Patterson, and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

17a. **Motion No. 075-14 --** Filed the Water Supply Availability and Deficiency Report in conformance with Policy 9.03, and declared that the District's water supply is deficient for meeting customer demands in 2014.

In concluding, Operations and Maintenance Department Manager Eileen M. White presented the Water Year 2014 Dry Year Response Plan along with information on the Freeport Regional Water Project. The recommended actions included the following:

1. Declare the need to use the Freeport Project and related facilities to deliver supplemental supplies from outside the District's normal watershed in FY14 during May and June.
2. Suspend the implementation of the supplemental supply surcharge for FY14.
3. Reaffirm the 2014 Preliminary Dry Year Response Plan approved February 11, 2014 and 10% voluntary conservation.

Ms. White pointed out that due to the short time frame when Freeport would be operated to deliver supplemental supplies for potable water service in FY14 and due to the availability of funds from the sale of the Redwood Filter Plant property, the costs of operating the Freeport Project in May and June 2014 to deliver supplemental supplies can be funded in FY14 without adversely affecting the District's finances. Therefore, the supplemental supply surcharge is not needed to recover the costs of operating Freeport in FY14. A final Dry Year Response Plan, including a customer demand reduction program will be considered by the Board on May 13, 2014.

The Board supported the staff recommendations and commended staff's efforts to expand EBMUD's supplemental water supplies. Board members encouraged staff to continue its ongoing customer outreach to promote water conservation and the 10% voluntary water reduction.

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions in Item 17b, carried (7-0) by the following voice vote: AYES (Coleman, Foulkes, Linney, McIntosh, Mellon, Patterson, and Katz); NOES (None), ABSTAIN (None); ABSENT (None).

17b. **Resolution No. 33978-14 --** Declare A Need To Use The Freeport Project To Deliver Supplemental Supplies, Suspend Implementation Of The Supplemental Supply Surcharge For Fiscal Year 2014, And Reaffirm The 2014 Preliminary Dry Year Response Plan.

18. **General Manager's Report.**

General Manager Alexander R. Coate noted that the District will be holding a press conference at the Orinda Water Treatment Plant on Wednesday, April 30th at 10 a.m. for a briefing on the first-time use of the Freeport Regional Water Facility.

REPORTS AND DIRECTOR COMMENTS

19. **Committee Reports.**

Filed with the Board were the Minutes of the April 8, 2014 Planning and Legislative/ Human Resources Committees.

20. **Director Comments.**

- Director Coleman reported attending/participating in the following events: Association of California Water Agencies (ACWA) Executive Committee teleconference meeting on April 8 in Oakland; Freeport Regional Water Authority Board (FRWA) teleconference meeting on April 10 in Oakland; San Ramon Kiwanis Club presentation regarding the drought on April 10 in Alamo; Hastings Law School presentation regarding land use on April 11 in San Francisco; ACWA North Bay Watershed Conference panel regarding water issues on April 11 in Novato; ACWA Executive Committee teleconference meeting on April 15 in Oakland; ACWA Berkeley Energy & Resource Collaborative Conference teleconference meeting on April 16 in Oakland; Central Contra Costa County Sanitation District presentation regarding water supply and drought issues on April 17 in Martinez; ACWA-Berkeley Energy and Resource Collaborative Conference panelist regarding water issues on April 18 in Berkeley; and the Men's Methodist Group presentation on drought issues on April 19 in Danville. He reported on plans to attend/participate in the following upcoming events: ACWA Executive Committee teleconference meeting on April 23 in Oakland; Upper Mokelumne River Water Authority Board Meeting on April 25 at Pardee Lodge; Lafayette City Council meeting presentation on water supply and drought issues on April 28 in Lafayette; League of Women Voters annual luncheon on April 29 in Oakland; ACWA Executive Committee teleconference meeting on April 29 in Oakland; Santa Clara Valley Water District presentation with ACWA regarding state water issues on May 1 in San Jose; ACWA and ACWA JPIA conferences from May 3-9 in Monterey; meeting with San Joaquin officials on May 7 in Monterey; and Mt. Diablo Silverado Council Executive Board meeting on May 12 in Pleasant Hill.

- Director Foulkes reported meeting with Pinole neighbors on April 8; El Sobrante MAC regarding a drought update on April 9; FRWA Board teleconference meeting on April 10 in Oakland; dedication of Piedmont street median on April 10 in Piedmont; and Pardee Home Museum Board meeting on April 21 in Oakland.

- Director Linney had no comment.

- Director McIntosh reported presenting a water supply update to the Hercules City Council on April 8.

- Director Mellon reported attending the Alameda County Mayors' Conference on April 9 in Livermore; EBMUD Engineers Brown Bag Briefing on April 10 in Oakland; and Contra Costa Special Districts meeting on April 21 in Martinez and City of San Leandro presentation on water supply on April 21 in San Leandro.

- Director Patterson had no comment.

- President Katz reported attending the California Water Policy Conference from April 2-4 in Claremont, CA.

ADJOURNMENT

President Katz adjourned the meeting at 2:13 p.m.

SUBMITTED BY:

_____
Lynelle M. Lewis, Secretary of the District

APPROVED: May 13, 2014

_____
Andy Katz, President of the Board

W:\Minutes\Minutes 2014\042214_regular_minutes.doc

EBMUD

AGENDA NO. 3.
MEETING DATE May 13, 2014

TITLE **PERSONAL PROTECTIVE EQUIPMENT**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Award a two (2) year contract to each of the lowest responsive/responsible bidders, NBC Supply Corp, Magid Glove and Safety, LLC., S&S Supplies and Solutions, and Sunwest Group, in the respective annual amounts after the addition of taxes of $37,456.76, $18,578.79, $88,245.05 and $25,681.49 for supplying protective equipment and supplies to the District with three (3) options to renew for an additional one-year period for a total cost not to exceed $849,810.43 under Request for Quotation (RFQ) No. 1416.

SUMMARY

The equipment and supplies under these contracts will be used to replenish the Central Warehouse for distribution throughout the District. These purchases, for items such as boots, hard hats, goggles, raingear and safety vests, are necessary for the District's field crews to perform their jobs in a safe and efficient manner. Purchases will be made to meet actual District needs and may exceed the estimated quantities. The quantities are based on historical data.

DISCUSSION

The following shows the individual Schedules and the lowest cost responsive and responsible bidder for each Schedule under RFQ No. 1416.

SCHEDULE	DESCRIPTION	VENDOR
I	Boots and Boot/Shoe Covers	NBC Supply Corporation
II	Hand Protection	NBC Supply Corporation
III	Head and Face Protection	Magid Glove & Safety , LLC
IV	Rainwear	S & S Supplies and Solutions
V	Traffic Safety Vests	Sunwest Group

Funds Available: FY14-15	Budget Code: WSG/363/8621/1775	
DEPARTMENT SUBMITTING Finance	DEPARTMENT MANAGER or DIRECTOR Eric L. Sandler	APPROVED General Manager

VENDOR SELECTION

Requests for quotation were sent to 3 resource organizations and to 254 potential proposers. Proposals were received from eight firms.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

Funds for these expenditures have been included or appropriated in the FY14 and FY15 budgets.

ALTERNATIVES

Purchase the equipment and supplies on the open market. This is not recommended because the consolidation of requirements and long-term contracts allows the District to take advantage of economies of scale while simultaneously reducing administrative costs.

Do not purchase the equipment and supplies. This is not recommended because worker health and safety considerations require that the equipment and supplies be purchased and used by various District crews.

Attachments

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

EBMUD

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

TITLE	DATE:
QUOTATION NO.: 1416 Personal Protective Equipment Two - Year Contract with 3 One - Year Renewal Options	April 22, 2014

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
See Below			Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	10.9%
	Ethnicity	Gender	White Women	2%	0.0%
$169,962 /yr	See Below		Ethnic Minorities	25%	89.1%

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:											
NBC Supply Corp.	$37,457	Asian	x		---	---	22.0%	---	22.0%	---	---
Magid Glove & Safety, LLC	$18,579	White	x		10.9%	---	---	---	---	---	---
S&S Supplies & Solutions	$88,245	Asian		x	---	---	51.9%	---	---	---	---
Sunwest Group	$25,681	Asian	x		---	---	15.1%	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$169,962				10.9%	0.0%	89.1%	0.0%	22.0%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	See P-061 Form			
Percent of Total Employees:				
MSA Labor Market %:				
MSA Labor Market Location:				

COMMENTS

Contract Equity Participation - 10.9% White Men participation and 89.1% Ethnic Minority participation.

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

EBMUD

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Personal Protective Equipment Two - Year Contract with 3 One - Year Renewal Options		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
Quotation #: 1416	DATE: 4/22/2014	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 - L/SBE	Company Wide	-	-	1	-	1	50.0%	53.9%
NBC Supply		Manager/Prof	-	-	1	-	1	50.0%	
Ivan Lee		Technical/Sales	-	-	-	-	-	NA	
1680 W. Winton Ave., Unit 2		Clerical/Skilled	-	-	-	-	-	NA	
Hayward, CA 94545-1333		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
510-230-2806		AA Plan on File:	NA		Date of last contract with District:			5/22/1991	
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		2	Bay Area:	2
RP	Information not provided	Company Wide							
Magid Glove & Safety, LLC		Manager/Prof							
Des Paden		Technical/Sales							
2060 North Kolmar		Clerical/Skilled	Information not provided						
Chicago, IL 60639		Semi/Unskilled							
		Bay Area							
773-289-1259		Co. Wide MSA:			# Employees-Co. Wide:		33	Bay Area:	33
RP	EMM- L/SBE	Company Wide	17	45	26	-	88	266.7%	38.5%
S & S Supplies & Solutions		Manager/Prof	-	3	3	-	6	13.3%	
Steve Tomkovicz		Technical/Sales	4	9	10	-	23	47.9%	
P.O. Box 1111		Clerical/Skilled	10	12	3	-	25	36.2%	
Martinez, CA 94553		Semi/Unskilled	3	21	10	-	34	55.7%	
		Bay Area	-	-	-	-	-	NA	39.9%
925-335-4040		Co. Wide MSA:	Contra Costa County		# Employees-Co. Wide:		33	Bay Area:	0
RP	EMM - L/SBE	Company Wide	-	-	4	-	4	100.0%	53.9%
Sunwest Group of Companies		Manager/Prof	-	-	2	-	2	100.0%	
Alex Co		Technical/Sales	-	-	2	-	2	100.0%	
1974 Williams St.		Clerical/Skilled	-	-	-	-	-	NA	
San Leandro, CA 94577		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
510-324-8775		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:			Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
P	WM	Company Wide	-	-	-	1	1	12.5%	43.6%
Comade, Inc		Manager/Prof	-	-	-	1	1	12.5%	
Chris A. Schaller		Technical/Sales	-	-	-	-	-	NA	
1920 E. Warner Ave., Suite N		Clerical/Skilled	-	-	-	-	-	NA	
Santa Ana, CA 92705		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	-	NA	39.9%
714-389-9600		Co. Wide MSA:	Orange County		# Employees-Co. Wide:		8	Bay Area:	0

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

EBMUD

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				
BD-1 Title & Length of Contract - One-Year Contract with 2 One-Year Renewal Options			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Materials & Supplies Award	DATE: 6/7/2002	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	Company Wide	5	1	-	-	6	4.6%	9.6%
Conney Safety		Manager/Prof	-	-	-	-	0	0.0%	
Ronald Fosu		Technical/Sales	2	-	-	-	2	8.7%	
3202 Latham Dr.		Clerical/Skilled	-	-	-	-	0	0.0%	
Madison, WI 53713		Semi/Unskilled	3	1	-	-	4	22.2%	
		Bay Area	-	-	-	-	-	NA	39.9%
800-356-9100		Co. Wide MSA:	Wisconsin		# Employees-Co. Wide:		130	Bay Area:	0
P	Information not provided	Company Wide							
Industrial Safety Supply Co.		Manager/Prof							
Janice King		Technical/Sales							
4055 Linden St.		Clerical/Skilled							
Oakland, CA 94608		Semi/Unskilled							
		Bay Area							
Area Code & Phone Number		Co. Wide MSA:	Information not provided						
P	WM - LBE	Company Wide	4	21	2	-	27	14.0%	53.9%
Mallory Safety & Supply, LLC		Manager/Prof	2	4	-	-	6	10.5%	
Tim Loy		Technical/Sales	1	2	1	-	4	7.7%	
44380 Osgood Rd.		Clerical/Skilled	1	5	1	-	7	13.0%	
Fremont, CA 94539		Semi/Unskilled	-	10	-	-	10	33.3%	
		Bay Area	2	16	2	-	20	51.3%	39.9%
510-770-8610		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		193	Bay Area:	39
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	

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

EBMUD

AGENDA NO. 4.
MEETING DATE May 13, 2014

TITLE **GENERATOR MAINTENANCE**

☒MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Authorize an agreement with California Generator Service in an estimated amount of $294,040 for generator maintenance at various District locations during the period May 19, 2014 to May 19, 2017 with two options to renew for additional one-year period under Request for Quotation (RFQ) No. 1417 for a total cost not to exceed $490,067.

SUMMARY

The District's emergency engine-driven generators provide backup power to sustain operations in the event of power failures at Orinda, Walnut Creek, Sobrante, Lafayette, and Upper San Leandro Water Treatment Plants, the Administration Building, and other critical facilities throughout the District. The contractor will perform load bank testing of the engines to assure the engine-generators will work under full load when activated during a power outage. The contractor will also provide annual service for the engines in conjunction with the testing.

SERVICE PROVIDER SELECTION

Requests for quotations were sent to five potential proposers. Three bids were received and California Generator Service was the lowest responsive and responsible bidder.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

Funds are available for this work in the FY 14-15 budget for generator maintenance.

Funds Available: FY14-15	Budget Code: 733/735/Various/5312	
DEPARTMENT SUBMITTING Operations and Maintenance	DEPARTMENT MANAGER or DIRECTOR Eileen M. White for MJW Michael J. Wallis	APPROVED Alexander R. Coate General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

UNION NOTIFICATION

Local 444 was notified of this agreement on March 27, 2014 and did not raise any specific issues relating to this agreement.

ALTERNATIVES

Rebid the Request for Quotation. This is not recommended since the District engaged in a fair and competitive bid process and obtained bids that contained fair and reasonable pricing.

Use District forces. This alternative is not recommended because generator maintenance requires specialized and costly testing equipment which the District does not own.

Attachments
P-035 CEP Summary
P-061 Affirmative Action Summary

I:\Sec\ 5_13_2014 Agenda Items\OMD_05_13_14_Generator Maintenance..doc

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

EBMUD

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

TITLE	DATE:
General Services Agreement - RFQ 1417 Generator Maintenance - Three-Year Contract with 2 One-Year Renewal Options	March 18, 2014

CONTRACTOR:		PERCENTAGE OF CONTRACT DOLLARS		
California Generator Service San Leandro, CA	Local/Small Business	**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**	**White Men**	**25%**	**100.0%**
	Ethnicity / **Gender**	**White Women**	**6%**	**0.0%**
$294,040	White / Male	**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:											
California Generator Service	$294,040	White	X		100.0%	---	---	---	---	---	---
SUBS:											
None					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$294,040				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	14	0	5	19
Percent of Total Employees:	73.7%	0.0%	26.3%	
MSA Labor Market %:	28.0%	24.2%	47.8%	
MSA Labor Market Location:	Oakland, CA			

COMMENTS

Contract Equity Participation -100% White Men participation.

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

EBMUD

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				
Generator Maintenance - Three-Year Contract with 2 One-Year Renewal Options			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
General Services Agreement	DATE: 4/15/2014	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	-	2	1	3	6	31.6%	47.8%
California Generator Service		Manager/Prof	-	-	-	-	-	0.0%	
Victor Poley		Technical/Sales	-	-	1	1	-	20.0%	
1271 Washington Ave #217		Clerical/Skilled	-	1	-	2	-	75.0%	
San Leandro, CA 94577		Semi/Unskilled	-	1	-	-	-	100.0%	
		Bay Area	-	2	1	3	-	31.6%	39.9%
866-643-6738		Co. Wide MSA:	Oakland, CA		# Employees-Co. Wide:		19	Bay Area:	19
P	WW - LBE	Company Wide	1	4	1	-	6	17.1%	36.5%
California Diesel & Power		Manager/Prof	-	-	1	-	1	9.1%	
Jill Collaro		Technical/Sales	1	4	-	-	5	26.3%	
150 Nardi Lane		Clerical/Skilled	-	-	-	-	0	0.0%	
Martinez, CA 94553		Semi/Unskilled	-	-	-	-	0	0.0%	
		Bay Area	1	4	1	-	6	17.1%	39.9%
925-229-2700		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		35	Bay Area:	35
		Co. Wide MSA:	Insert MSA		# Employees-Co. Wide:		11	Bay Area:	0

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

EBMUD

AGENDA NO. 5.
MEETING DATE May 13, 2014

TITLE **SECURITY VIDEO RECORDER REPLACEMENT**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, RFI Enterprises, Inc., in an amount, after the addition of taxes, not to exceed $191,098 for supplying sixteen video recorders for fourteen District facilities for the period beginning May 13, 2014 and ending May 12, 2015 under Request for Quotation (RFQ) No. 1419.

SUMMARY

The District currently uses Digital Video Recorders (DVRs) to record security video surveillance. Much of this equipment has reached its storage capacity, is failing, and/or is incompatible with the current version of the District's security system software. The new video recorders must be compatible with our existing security monitoring systems, and support high definition cameras to implement video analytics that will identify unauthorized movement, and provide for greater face recognition and license plate detection. This contract will replace the existing DVRs to ensure that the District will have a functional security system.

DISCUSSION

Security DVRs record large blocks of video footage often from multiple cameras. The DVRs also work with the security access monitoring and control system to trigger alarm events or camera actions, and to incorporate camera controls into the same interface. The District plans to migrate to a newer version of the existing software for the security system. The existing DVRs were manufactured over a significant period of time and are installed with various versions of operating software. The oldest DVRs were installed in 2004 and were manufactured using hardware that will not support the security system software upgrade. In addition, the existing DVRs are reaching their capacity and experiencing reliability issues.

VENDOR SELECTION

Requests for quotation were sent to three resource organizations and to eight potential proposers. A total of three bids were received. Two bids were deemed non-responsive.

Funds Available: FY14-15	Budget Code: WSC OMD B783 7999 5521 (2009123:41)	
DEPARTMENT SUBMITTING Operations & Maintenance	DEPARTMENT MANAGER or DIRECTOR Michael J. Wallis	APPROVED General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

These expenditures have been included in the FY14-15 budget.

ALTERNATIVES

Do not award this contract. This alternative is not recommended because failure to replace the existing DVRs will not allow the District to implement the latest version of the security software to maximize and utilize all functions of the District's security system. Many of the existing DVRs are at their storage capacity limit or have failing hard drives reducing their storage capacity even further. The security industry standard replacement timeline for DVRs is 3 years.

Attachments

P-035 CEP Summary
P-061 Affirmative Action Summary

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
QUOTATION NO.: 1419 DVR and Workstation Replacement Project One-Year Contract	April 24, 2014

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
RFI Enterprise, Inc. San Jose, CA			Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	0.0%
	Ethnicity	Gender	White Women	2%	100.0%
$191,098	White	Women	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:											
RFI Enterprise, Inc.	$191,098	White		x	---	100.0%	---	---	---	---	---
SUBS:											
None					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$191,098				0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	58	31	67	156
Percent of Total Employees:	37.2%	19.9%	42.9%	
MSA Labor Market %:	26.9%	21.0%	52.1%	
MSA Labor Market Location:	San Jose, CA			

COMMENTS

Contract Equity Participation - 100% White Women participation.

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

EBMUD

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: DVR and Workstation Replacement Project One-Year Contract		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
Quotation #: 1419	DATE: 4/24/2014	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	WW	Company Wide	5	43	17	-	65	41.7%	52.1%
RFI Enterprise, Inc. Dee Ann Ham 360 Turtle Creek Court San Jose, CA 95125 408-298-5400		Manager/Prof	1	4	1	-	6	25.0%	
		Technical/Sales	-	2	3	-	5	35.7%	
		Clerical/Skilled	4	37	13	-	54	47.0%	
		Semi/Unskilled	-	-	-	-	0	0.0%	
		Bay Area	5	43	17	-	65	41.7%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	San Jose, CA		# Employees-Co. Wide:	156	Bay Area:	156	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:		Bay Area:		
P	WM	Company Wide	-	1	4	-	5	35.7%	27.2%
Inter-Pacific, Inc. Richard Kuk 10811 Shoemaker Ave Santa Fe Springs, CA 90670		Manager/Prof	-	-	-	-	0	0.0%	
		Technical/Sales	-	1	4	-	5	45.5%	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	-	NA	39.9%
		Co. Wide MSA:	0		# Employees-Co. Wide:	0	Bay Area:	0	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:		Bay Area:		
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:		Bay Area:		
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:		Bay Area:		

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

EBMUD

AGENDA NO. 6.
MEETING DATE May 13, 2014

TITLE **ADMINISTRATION BUILDING ELECTRICAL SAFETY IMPROVEMENTS**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Award a one (1) year contract to the lowest responsive/responsible bidder, All Industrial Electric Supply, in an amount after the addition of taxes, not to exceed $114,840, for supplying main fused switch replacement materials for the Administration Building for the period beginning May 14, 2014 and ending May 13, 2015, under Request for Quotation (RFQ) No. 1422.

SUMMARY

The main electrical service from PG&E for the Administration Building enters the building and goes into two main distribution panels. These panels distribute electrical power throughout the building and have three main protective devices (fused switches) that provide a means to interrupt and isolate electrical system faults. These materials will replace three existing electrical system protective devices in these panels to mitigate a safety hazard. Installation will be completed under a separate labor contract under the General Manager's authority.

DISCUSSION

Staff completed an evaluation of the Administration Building electrical system and recommended replacing the existing fused switches with circuit breakers in the main distribution panels, in order to mitigate dangerous conditions associated with an electrical fault. The new devices operate faster, which helps reduce the hazard; and they can be operated remotely, which will eliminate employee exposure.

VENDOR SELECTION

Requests for quotation were sent to three resource organizations and to 90 potential proposers.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

Funds Available: FY14	Budget Code:WSC/783/7999/5301	
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR	APPROVED
Operations & Maintenance	Eileen M. White for MJW Michael J. Wallis	Jennifer R. Capitolo General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

FISCAL IMPACT

Funds are available for this purchase in the FY14 budget for the Administration Building Electrical Safety Improvements Project.

ALTERNATIVES

Rebid the Request for Quotation. This alternative is not recommended since the District engaged in a fair and competitive bid process and obtained a low bid that contained pricing which was fair, reasonable and below the engineer's estimate.

Do not purchase the equipment. This alternative is not recommended because the District will be at a higher risk of exposing personnel to dangerous conditions associated with the possible release of potentially high levels of electrical energy.

Attachments

P-035 CEP Summary
P-061 Affirmative Action Summary

I:\SEC\05_13_14 Agenda Items\OMD_AB Electrical Safety Improvements.doc

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
QUOTATION NO.: 1422 Main Fused Switch Replacement Materials One - Year Contract	April 24, 2014

CONTRACTOR:		BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP	
All Industrial Electric Supply Burlingame, CA	Small Business		Ethnicity	Gender
		$114,840	White	Men

PERCENTAGE OF CONTRACT DOLLARS		
Availability Group	**Contracting Objectives**	**Participation**
White Men	25%	100.0%
White Women	2%	0.0%
Ethnic Minorities	25%	0.0%

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
All Industrial Electric Supply	$114,840	White	X		100.0%	---	---	---	---	---	---
SUBS:											
None					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$114,840				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	6	4	9	19
Percent of Total Employees:	31.6%	21.1%	47.4%	
MSA Labor Market %:	30.8%	25.1%	44.0%	
MSA Labor Market Location:	San Francisco, CA			

COMMENTS

Contract Equity Participation - 100% White Men participation.

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: Main Fused Switch Replacement Materials One Year Contract		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
Quotation #: 1422 DATE: 4/24/2014	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 - SBE	Company Wide	5	-	3	-	8	42.1%	47.8%
All Industrial Electric Supply Sheri Coleman 895 Mitten Rd Burlingame, CA 94010 650-777-0060		Manager/Prof	2	-	-	-	2	28.6%	
		Technical/Sales	0	1	-	-	1	25.0%	
		Clerical/Skilled	3	-	3	-	6	75.0%	
		Semi/Unskilled	0	-	-	-	-	NA	
		Bay Area	5	1	3	-	9	47.4%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		2/14/2014		
		Co. Wide MSA:	San Francisco, CA		# Employees-Co. Wide:		19	Bay Area:	19
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
P	Publicly Held Corp.	Company Wide	445	550	150	39	1,184	19.5%	27.2%
General Supply & Services dba Gexpro Janie Lunday 1000 Bridgeport Avenue, 5th Floor Shelton, CT 06484 203-925-2444		Manager/Prof	86	95	54	7	242	15.2%	
		Technical/Sales	91	173	45	18	327	12.1%	
		Clerical/Skilled	76	41	14	4	135	29.3%	
		Semi/Unskilled	192	241	37	10	480	36.8%	
		Bay Area	-	-	-	-	-	NA	39.9%
		Co. Wide MSA:	United States		# Employees-Co. Wide:		6,066	Bay Area:	0
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	

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

EBMUD

AGENDA NO. 7.
MEETING DATE May 13, 2014

TITLE **MOKELUMNE AQUEDUCTS CATHODIC PROTECTION IMPROVEMENTS**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, American Construction and Supply, Inc. in the amount of $372,277 for construction of the Mokelumne Aqueducts Cathodic Protection Improvements under Specification 2076.

SUMMARY

Work under this contract includes cathodic protection system upgrades for the Mokelumne Aqueducts in Contra Costa and San Joaquin Counties. See attached location map for project locations.

DISCUSSION

The Mokelumne Aqueducts are protected from soil corrosion by a series of 44 cathodic protection systems. These systems rely on expendable anode groundbeds to provide protective current to the steel pipelines. As the groundbeds deteriorate and expire, they must be systematically replaced to ensure continued corrosion control. This project replaces seven of these nearly depleted groundbeds, legally destroys 12 expired anode wells, and replaces two power supply units.

BID RESULTS

Bid documents were issued to 30 resource organizations and 8 prospective bidders. Four bids were received, ranging from $372,277 to $625,000. The bid summary is attached. The engineer's estimate for this work is $442,867.

American Construction and Supply, Inc. is licensed to perform work in California and is not on the Department of Industrial Relations list. In the past five years, American Construction and Supply, Inc. has not filed a Government Code Claim against the District and has not initiated any litigation against the District.

Funds Available: FY14-15; CIP #001210; Page 5	Budget Code: WSC\570\7999\5561\2008364	
DEPARTMENT SUBMITTING Engineering and Construction	DEPARTMENT MANAGER or DIRECTOR S. Terentieff for XJI Xavier J. Irias	APPROVED Alexander R. Coate General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

This item is included in the FY14-15 Capital Improvement Program for the Aqueduct Cathodic Protection Project under the Corrosion Program.

PREVAILING WAGE

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 Industrial Relations of the State of California.

UNION NOTIFICATION

This type of work is not performed by District forces and consequently union notification was not required. At Local 444's request, the Union was notified of this contract on March 6, 2014. Local 444 did not raise any specific issues related to this contract.

CEQA/ENVIRONMENTAL COMPLIANCE

Notices of Exemption were posted with the Contra Costa and San Joaquin County Clerks on December 24, 2013 and December 27, 2013, respectively.

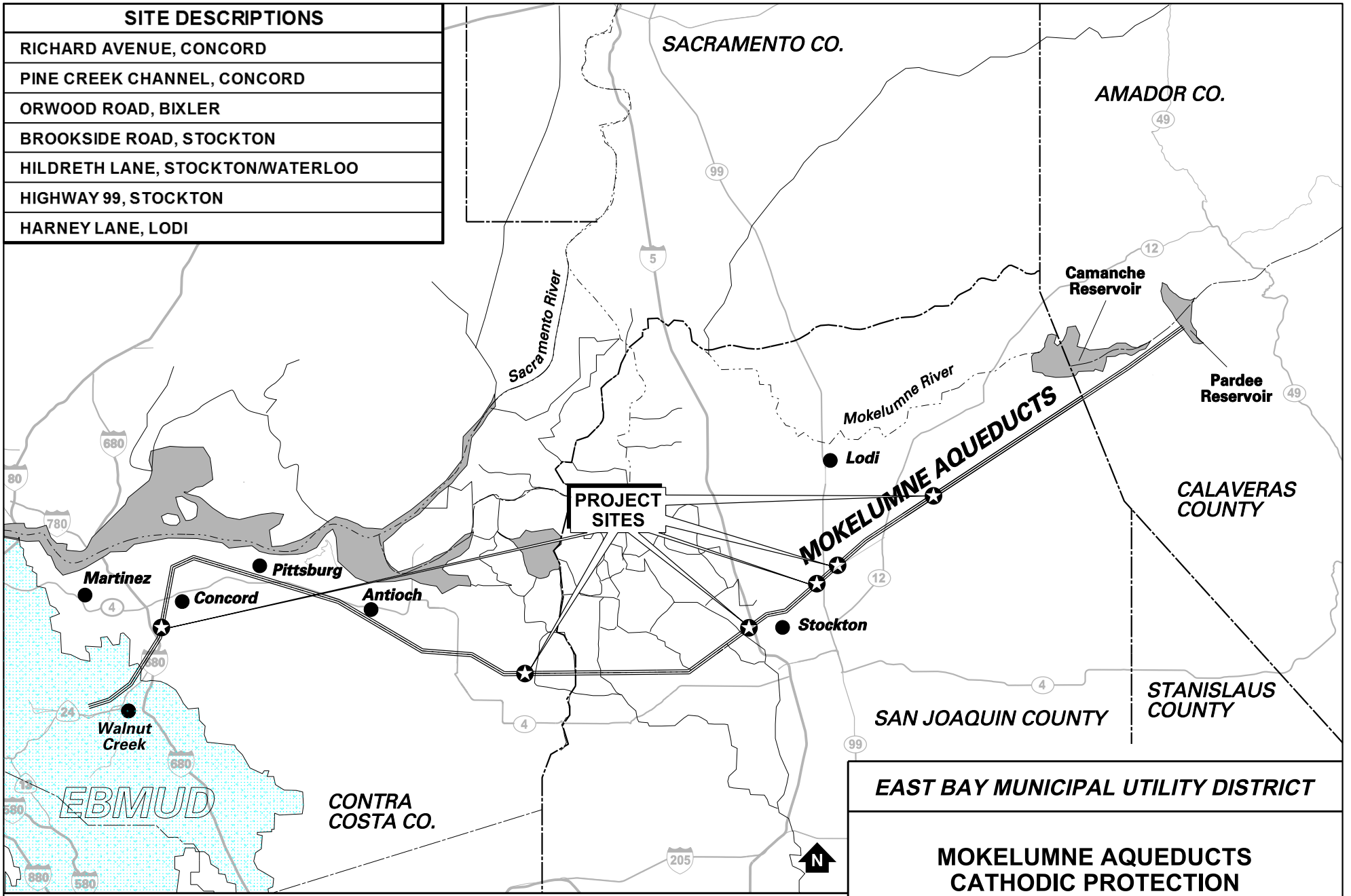
ALTERNATIVES

Do not perform the work. This alternative is not recommended because failure to replace the anode groundbeds will ultimately result in corrosion of the aqueducts and interruption in raw water transmission.

Perform the work with District forces. This alternative is not recommended because District staff is not trained or equipped to construct the specialized deep well anode installations or well destructions required for this project.

Attachments Location Map
Bid Summary
Contract Equity Program Summary (P-035)
Affirmative Action Summary (P-061)

SITE DESCRIPTIONS
RICHARD AVENUE, CONCORD
PINE CREEK CHANNEL, CONCORD
ORWOOD ROAD, BIXLER
BROOKSIDE ROAD, STOCKTON
HILDRETH LANE, STOCKTON/WATERLOO
HIGHWAY 99, STOCKTON
HARNEY LANE, LODI



PROJECT SITE LOCATION MAP

NOT TO SCALE

EAST BAY MUNICIPAL UTILITY DISTRICT

MOKELUMNE AQUEDUCTS CATHODIC PROTECTION IMPROVEMENTS

SPECIFICATION 2076

EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIFICATION 2076

MOKELUMNE AQUEDUCTS CATHODIC PROTECTION IMPROVEMENTS

Bids Opened April 16, 2014

	BIDDER	TOTAL AMOUNT BID
1.	American Construction and Supply, Inc. (SBE) 45 San Clemente Drive Suite A-100 Corte Madera, CA 94925 (415) 927-2024	$372,277 / $353,663.15*
2.	Corrpro Companies, Inc. 20991 Caboot Boulevard Hayward CA 94545 (510) 614-8800	$399,999
3.	Farwest Corrosion Control Company, Inc. 1480 W Artesia Boulevard Gardena, CA 90248 (310) 532-9524	$457,605
4.	Alisto Engineering Group, Inc. (SBE) 2737 N Main Street Suite 200 Walnut Creek CA 94597 (925) 279-5000	$625,000 / $606,386.15*

SBE – Small Business Enterprise

*Effective Bid Amount due to SBE discount (5%, not to exceed $250,000)

Engineer's Estimate: $442,867

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

EBMUD

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

TITLE	DATE:
SPECIFICATION NO.: 2076 Mokelumne Aqueducts Cathodic Protection Improvements	April 30, 2014

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
American Construction & Supply Inc. Corte Madera, CA	Small Business		**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**20.8%**
	Ethnicity	**Gender**	**White Women**	**9%**	**0.0%**
$372,277	Ethnic Minority	Men	**Ethnic Minorities**	**25%**	**79.2%**

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:											
American Construction & Supply Inc.	$294,777	Hispanic	X		---	---	79.2%	---	79.2%	---	---
SUBS:											
Warren E. Gomes Excavating, Inc.	$10,000	White	x		2.7%	---	---	---	---	---	---
Farwest Corrosion Control Company	$55,000	White	x		14.8%	---	---	---	---	---	---
Universal Rectifiers, Inc.	$9,500	White	x		2.6%	---	---	---	---	---	---
City Electric Supply	$1,000	White	x		0.3%	---	---	---	---	---	---
Cemex	$2,000	White	x		0.5%	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$372,277				20.8%	0.0%	79.2%	0.0%	79.2%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	5	3	9	17
Percent of Total Employees:	29.4%	17.6%	52.9%	
MSA Labor Market %:	28.0%	23.6%	48.4%	
MSA Labor Market Location:	California			

COMMENTS

Contract Equity Participation - 20.8% White Men participation and 79.2% Ethnic Minority participation.

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

EBMUD

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Mokelumne Aqueducts Cathodic Protection Improvements		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.: 2076	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
DATE: 4/30/2014	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	1	5	4	1	11	64.7%	48.4%
American Construction & Supply Inc. Rudy E. Arana 45 San Clement Drive, Suite A-100 Corte Madera, CA 94925 415-927-2024		Manager/Prof	1	1	3	-	5	100.0%	
		Technical/Sales	-	4	-	-	4	400.0%	
		Clerical/Skilled	-	-	1	1	2	18.2%	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	1	1	14.3%	39.9%
		AA Plan on File: NA			Date of last contract with District: 5/24/2012				
		Co. Wide MSA: California			# Employees-Co. Wide: 17			Bay Area: 7	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
P	WM - LBE	Company Wide	1	5	4	-	10	43.5%	48.4%
Corrpro Companies, Inc. Greta Senn 20991 Cabbot Blvd. Hayward, CA 94545 510-614-8800		Manager/Prof	1	1	3	-	5	35.7%	
		Technical/Sales	-	4	-	-	4	57.1%	
		Clerical/Skilled	-	-	1	-	1	50.0%	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	1	5	4	-	10	43.5%	39.9%
		Co. Wide MSA: California			# Employees-Co. Wide: 23			Bay Area: 23	
P	WW	Company Wide	5	72	8	-	85	58.6%	63.5%
Farwest Corrosion Co., Inc. Troy Rankin Jr. 1480 W. Artesia Blvd. Gardena, CA 90248 310-532-9524		Manager/Prof	-	2	-	-	2	11.1%	
		Technical/Sales	4	13	-	-	17	41.5%	
		Clerical/Skilled	-	12	8	-	20	50.0%	
		Semi/Unskilled	1	45	-	-	46	100.0%	
		Bay Area	-	-	-	-	-	NA	39.9%
		Co. Wide MSA: Los Angeles County			# Employees-Co. Wide: 145			Bay Area: 0	
P	EMM - SBE	Company Wide	4	7	17	-	28	39.4%	48.4%
Alisto Engineering Group, Inc. Alberto Sevilla 2737 N. Main St., Suite 200 Walnut Creek, CA 94597 925-279-5000		Manager/Prof	3	6	11	-	20	48.8%	
		Technical/Sales	-	1	3	-	4	16.7%	
		Clerical/Skilled	1	-	3	-	4	66.7%	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	4	7	17	-	28	84.8%	39.9%
		Co. Wide MSA: California			# Employees-Co. Wide: 71			Bay Area: 33	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	

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

EBMUD

AGENDA NO. 8.
MEETING DATE May 13, 2014

TITLE **COMMUNICATION SYSTEMS UPGRADE PROJECT ELECTRICAL PREDESIGN SERVICES**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Authorize an agreement with GHD, Inc. in an amount not to exceed $170,000 for professional services for the predesign of upgrades to the communication systems at the District's Main Wastewater Treatment Plant (MWWTP) during the period June 2014 to December 2014.

SUMMARY

The communication systems at the MWWTP need to be upgraded to improve emergency preparedness and response through replacement and integration of existing incompatible systems. The project design approach will be driven by the condition of the existing network and electrical infrastructure. This contract includes predesign services to assess the condition of existing systems to better define the recommended design approach and associated level of effort. Following completion of this initial project phase, staff will recommend approval of the design phase under this contract.

DISCUSSION

The existing communication systems at the MWWTP are not compatible with the District's internet protocol (IP) based phone system and the various paging systems need to be improved to better meet Occupational Safety and Health Administration (OSHA) requirements for broadcasting plant-wide warning alarms and instructions to staff during emergencies (e.g., fire, hazardous chemical spill, wastewater exposure, natural disaster, accident, medical, and security incidents). Depending on the condition and capacity of existing communication systems infrastructure, the existing security, video surveillance, and fire alarm systems may also be integrated with the upgraded system.

This predesign phase will include an evaluation and assessment of the existing communication systems, including the fiber optic communications network, to evaluate available capacity and configuration requirements to reliably support a new integrated communication system. This phase will include evaluating alternatives, developing cost estimates, and preparing a phasing plan for the recommended system upgrades.

Funds Available: FY14		Budget Code: WWC/928/2008874/5231
DEPARTMENT SUBMITTING Wastewater	DEPARTMENT MANAGER or DIRECTOR Bennett K. Horenstein	APPROVED General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

CONSULTANT SELECTION

Staff reviewed initial qualifications submittals for 40 prospective firms for wastewater projects from the District's FY14-15 Engineering Consultant Roster. Six of these firms indicating relevant electrical and communications system experience were contacted. Three proposals were received, including one from a women-owned business. GHD, Inc. was selected to perform the predesign, design, and engineering services during construction based on its ability to provide the necessary specialized expertise.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

Funds are available for this project in the FY14 capital budget under the MWWTP Intercom Paging System Upgrade Project.

UNION NOTIFICATION

Locals 2019 and 21 were notified of this contract on October 25, 2013. Locals 2019 and 21 did not raise any specific issues related to this contract.

ALTERNATIVES

Select a different consultant to perform the work. This alternative is not recommended because GHD, Inc. has the best-qualified team to complete this project. GHD, Inc. has recent relevant experience in the design of paging and telecommunications projects at large facilities similar to the District's MWWTP.

Perform the work with District forces. This alternative is not recommended because District staff does not have the expertise assessing the condition of existing communication systems infrastructure and designing the required system upgrades.

Attachments

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

EBMUD

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

TITLE	DATE:
Professional Services Agreement from Engineering Consultant Roster Communication Systems Upgrade Project Electrical Predesign Services	May 7, 2014

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
GHD, Inc. San Francisco, CA			Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**6.7%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$170,000	Foreign		**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:											
GHD, Inc.	$158,575	Foreign			---	---	---	---	---	---	93.3%
SUBS:											
Starcom Communications, Inc.	$4,825	White	x		2.8%	---	---	---	---	---	---
Signawest Systems	$6,600	White	x		3.9%	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$170,000				6.7%	0.0%	0.0%	0.0%	0.0%	0.0%	93.3%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	426	172	71	669
Percent of Total Employees:	63.7%	25.7%	10.6%	
MSA Labor Market %:	39.0%	33.7%	27.2%	
MSA Labor Market Location:	United States			

COMMENTS

Contract Equity Participation - 6.7% White Men and 93.3% Foreign owned participation.

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

EBMUD

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					
Communication Systems Upgrade Project Electrical Predesign Services			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement from Engineering Consultant Roster	DATE: 5/6/2014	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	Foreign	Company Wide	6	15	45	4	70	10.5%	27.2%
GHD, Inc.		Manager/Prof	4	9	35	2	50	10.7%	
Greg Chung		Technical/Sales	1	3	5	1	10	7.9%	
505 Montgomery Street, Suite 2300		Clerical/Skilled	1	3	5	1	10	13.5%	
San Francisco, CA 94104		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	2	-	-	2	1.6%	39.9%
415-283-4970		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	United States		# Employees-Co. Wide:	669	Bay Area:	124	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:		Bay Area:		
P	WM	Company Wide	220	229	386	16	851	15.8%	14.3%
Black & Veatch Corporation		Manager/Prof	131	169	350	12	662	15.8%	
Len C. Rodman		Technical/Sales	50	40	23	4	117	14.9%	
11401 Lamar Avenue		Clerical/Skilled	36	20	13	-	69	17.2%	
Overland Park, KS, 66211		Semi/Unskilled	3	-	-	-	3	21.4%	
		Bay Area	-	-	-	-	-	NA	39.9%
913-458-2000		Co. Wide MSA:	Kansas		# Employees-Co. Wide:	5,378	Bay Area:	0	
P	EHH - SBE	Company Wide	-	-	2	-	2	33.3%	31.6%
EETS, Inc.		Manager/Prof	-	-	1	-	1	25.0%	
Karen Shimizu Bregar		Technical/Sales	-	-	1	-	1	100.0%	
6060 Sunrise Vista Drive, Suite 3450		Clerical/Skilled	-	-	-	-	-	0.0%	
Citrus Heights, CA 95610		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	-	NA	39.9%
916-339-9691		Co. Wide MSA:	Sacramento, CA		# Employees-Co. Wide:	6	Bay Area:	6	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:		Bay Area:		
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%

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)

EBMUD

AGENDA NO. 9.
MEETING DATE May 13, 2014

TITLE **GROUNDWATER-WASTEWATER CONSULTING SERVICES**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Authorize an agreement with West Yost Associates in an amount not to exceed $200,000 for groundwater monitoring data evaluation and preparation and certification of associated reports, at the District's four Pardee Area wastewater treatment plants (WWTPs) and Bayside Aquifer Storage and Recovery Groundwater Project (Bayside), for the period May 19, 2014 to June 30, 2019, for compliance with regulatory requirements in discharge permits at these facilities.

SUMMARY

The District owns and operates four WWTPs in Amador and Calaveras Counties that include surface impoundments. The discharge permits for these facilities require the District to periodically monitor groundwater, evaluate impacts from our facilities, submit self-monitoring reports, and when required, conduct technical studies for submittal to the Central Valley Regional Water Quality Control Board (CVRWQCB). Also, the District operates Bayside in Alameda County that has a discharge permit from the San Francisco Regional Water Quality Control Board (SFRWQCB). The discharge permit for Bayside requires the District to sample, test, and monitor groundwater wells, and to submit self-monitoring reports. This contract includes annual groundwater monitoring data evaluation, report preparation, and certification required by the discharge permits.

DISCUSSION

Four WWTPs are located at Pardee Center, Pardee Recreation Area, Camanche South Shore Recreation Area, and Camanche North Shore Recreation Area. These facilities are permitted by the CVRWQCB that requires semi-annual groundwater monitoring and reporting to assess any potential impact(s) of the wastewater discharges on groundwater. The permits may also include requirements for evaluating the WWTPs' operations to identify the Best Practical Treatment and Control method(s) for each waste constituent. This contract provides for data management, interpretation, and preparation of related technical reports and certification. The contract includes semi-annual groundwater monitoring reports, calculation of groundwater compliance limits, and providing technical studies and reports, if requested by the CVRWQCB. The District's Bayside Project, located in San Lorenzo, is permitted by the SFRWQCB

Funds Available FY: 14 - 19	Budget Code: WSO/785/555140/5231	
DEPARTMENT SUBMITTING Operations and Maintenance	DEPARTMENT MANAGER or DIRECTOR Eileen M. White for MJW Michael J. Wallis	APPROVED Alexander R. Coate General Manager

Contact the Office of the District Secretary regarding questions about completing or submitting this form.

to inject treated drinking water into the aquifer. The permit requirements include routine monitoring of groundwater samples, groundwater elevations, and report submittal. The contract includes annual groundwater monitoring data evaluation, report preparation, and certification. For all work, District staff will be collecting the samples, performing lab analyses, compiling the data, and providing technical oversight and overall project management.

CONSULTANT SELECTION

Requests for proposals (RFPs) were sent to 76 firms on the District's FY14-15 Engineering Consulting Roster from the categories for environmental documents, geology and geological engineering, and wastewater. Nine firms responded to the RFP by the due date. Based on rankings of written proposals, West Yost Associates was selected as the most qualified firm.

CONTRACT EQUITY PROGRAM

The completed P-35 and P-61 forms are attached.

FISCAL IMPACT

Funds for this agreement are included in the FY 14-15 operating budgets for the Environmental Compliance Program.

UNION NOTIFICATION

Locals 2019 and 21 were notified on February 10, 2014. Local 21 raised some concerns about these contracts on February 18. After responding to these concerns on March 3, Local 21 stated they had no objection to this contract. Staff met with Local 2019 on March 4. Comments were received from Local 2019 on March 13. Staff met again with Local 2019 on April 3. After responding to Local 2019's concerns on April 7, no further comments were received.

ALTERNATIVES

Do not award this contract. This alternative is not recommended as the work is required by regulatory requirements and District staff does not have the availability to meet the compliance due dates.

Select a different consultant to perform the work. This alternative is not recommended because West Yost Associates is the best-qualified team to perform the work.

Attachments

P-035 – Contract Equity Program Summary
P-061 – Affirmative Action Summary

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

EBMUD

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

TITLE	DATE:
Professional Services Agreement from Engineering Consultant Roster Groundwater - Wastewater Consulting Services in Pardee Section & Bayside Project Areas Five - Year Contract	April 24, 2014

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
West Yost Associates Walnut Creek, CA	Local/Small Business		Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	100.0%
	Ethnicity	Gender	White Women	6%	0.0%
$200,000	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:											
West Yost Associates	$200,000	White	x		100.0%	---	---	---	---	---	---
SUBS:											
None					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$200,000				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	53	32	14	99
Percent of Total Employees:	53.5%	32.3%	14.1%	
MSA Labor Market %:	39.0%	33.7%	27.2%	
MSA Labor Market Location:	United States			

COMMENTS

Contract Equity Participation -100% White Men participation.

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

EBMUD

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title:	Groundwater - Wastewater Consulting Services in Pardee Section & Bayside Project Areas Five - Year Contract	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 from Engineering Consultant Roster	DATE: 4/24/2014	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	-	6	7	1	14	53.8%	27.2%
West Yost Associates		Manager/Prof	-	2	7	1	10	333.3%	
Jeffrey D. Pelz		Technical/Sales	-	-	-	-	0	0.0%	
2185 North California Blvd., Suite 315		Clerical/Skilled	-	4	-	-	4	23.5%	
Walnut Creek, CA 94596		Semi/Unskilled	-	-	-	-	0	0.0%	
		Bay Area	-	3	6	1	10	66.7%	39.9%
925-461-6790		AA Plan on File:	NA		Date of last contract with District:			12/8/2011	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
P	PHC	Company Wide	128	290	256	17	691	13.5%	27.2%
Stantec Consulting Services, Inc.		Manager/Prof	61	144	194	6	405	12.5%	
3875 Atherton Road		Technical/Sales	34	93	44	10	181	14.2%	
Rocklin, CA 95765		Clerical/Skilled	31	51	17	1	100	19.2%	
		Semi/Unskilled	2	2	1	0	5	5.7%	
916-773-8100		Bay Area	2	3	6	-	11	12.9%	39.9%
		Co. Wide MSA:	United States		# Employees-Co. Wide:		5,134	Bay Area:	85
P	WM - SBE	Company Wide	1	6	1	-	8	11.4%	47.4%
Neil O. Anderson & Associates, Inc.		Manager/Prof	-	2	1	-	3	12.5%	
Neil Anderson		Technical/Sales	-	2	-	-	2	6.3%	
902 Industrial Way		Clerical/Skilled	1	2	-	-	3	21.4%	
Lodi, CA 95237		Semi/Unskilled	-	0	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
209-367-3701		Co. Wide MSA:	Stockton-Lodi		# Employees-Co. Wide:		70	Bay Area:	33
P	WM - LBE	Company Wide	48	77	119	6	250	17.1%	27.2%
Brown & Caldwell		Manager/Prof	29	57	99	3	188	15.5%	
201 N. Civic Drive		Technical/Sales	7	8	8	3	26	23.9%	
Walnut Creek, CA 94596		Clerical/Skilled	12	12	11	-	35	24.8%	
		Semi/Unskilled	-	-	1	-	-	NA	
925-937-9010		Bay Area	-	-	-	-	-	NA	39.9%
		Co. Wide MSA:	United States		# Employees-Co. Wide:		1,462	Bay Area:	0
P	WM	Company Wide	3	19	15	1	38	33.9%	48.4%
Golder Associates		Manager/Prof	3	6	13	-	22	23.9%	
425 Lakeside Drive		Technical/Sales	-	2	1	1	4	26.7%	
Sunnyvale, CA 94085		Clerical/Skilled	-	2	1	-	3	60.0%	
		Semi/Unskilled	-	9	-	-	-	NA	
408-220-9223		Bay Area	3	5	-	1	9	12.5%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		112	Bay Area:	72

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)

ESMUD

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title:	Groundwater - Wastewater Consulting Services in Pardee Section & Bayside Project Areas Five - Year Contract							
		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 from Engineering Consultant Roster	DATE: 4/24/2014	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- LBE	Company Wide	1	2	5	-	8	15.7%	42.4%
GSI Environmental, Inc.		Manager/Prof	1	-	5	-	6	13.3%	
John A. Connor		Technical/Sales	-	1	-	-	1	100.0%	
12 Daisy Lane		Clerical/Skilled	-	1	-	-	1	20.0%	
Orinda, CA 94563		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
949-679-1070		Co. Wide MSA:	Texas		# Employees-Co. Wide:		51	Bay Area:	33
P	Foreign	Company Wide	-	5	8	1	14	7.3%	47.8%
SLR International Corporation		Manager/Prof	-	3	6	1	10	6.1%	
Dale Dickerson		Technical/Sales	-	-	-	-	0	0.0%	
110 11th St, 2nd Floor		Clerical/Skilled	-	2	2	-	4	19.0%	
Oakland, CA 94607		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	2	-	-	2	28.6%	39.9%
510-451-1761		Co. Wide MSA:	Oakland, CA		# Employees-Co. Wide:		191	Bay Area:	7
P	WM - L/SBE	Company Wide	-	-	-	-	0	0.0%	38.5%
Surf 2 Snow Enviornmental Resource Management Inc.		Manager/Prof	-	-	-	-	0	0.0%	
Robert Frantz		Technical/Sales	-	-	-	-	0	0.0%	
675 Hartz Ave., Suite 201		Clerical/Skilled	-	-	-	-	-	NA	
Danville, CA 94528		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
925-413-6275		Co. Wide MSA:	Contra Costa County		# Employees-Co. Wide:		10	Bay Area:	10
P	Foreign	Company Wide	6	15	45	5	71	10.6%	27.2%
GHD Inc.		Manager/Prof	4	9	35	2	50	10.7%	
505 Montgomery St., Suite 2300		Technical/Sales	1	3	5	2	11	8.7%	
San Francisco, CA 94111		Clerical/Skilled	1	3	5	1	10	13.5%	
		Semi/Unskilled	-	-	-	-	-	NA	
415-283-4970		Bay Area	2	2	15	3	22	17.7%	39.9%
		Co. Wide MSA:	United States		# Employees-Co. Wide:		669	Bay Area:	124
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	

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

EBMUD

AGENDA NO. 10.
MEETING DATE May 13, 2014

TITLE **WATER SUPPLY ASSESSMENT FOR THE CITY OF SAN LEANDRO SHORELINE DEVELOPMENT PROJECT**

☒ **MOTION** ☐ **RESOLUTION** ☐ **ORDINANCE**

RECOMMENDED ACTION

Approve the Water Supply Assessment (WSA) requested by the City of San Leandro (City) for the City of San Leandro Shoreline Development Project pursuant to the California Water Code, Section 10910-10915.

SUMMARY

The City of San Leandro Shoreline Development Project is bounded by Marina Boulevard to the north, Aurora Drive to the east, Fairway Drive to the south, and the San Francisco Bay to the west (Attachment A). The project area consists of approximately 75 acres: 52 acres of residential, hotel, office, conference center, restaurants, parking, and a library and 23 acres of water surface area. At total build out the project area will consist of 354 residential units (61 condominiums, 159 market rate apartments, 92 townhomes, and 42 single family homes), a 200-room hotel, 150,000 square feet of office space, a 15,000-square foot conference center, 21,000 square feet of restaurants, a parking structure, and a new library. The Marina Inn Hotel, Horatio's Restaurant, and the Marina Golf Course are existing structures and are to remain with the new development.

The existing land use consists of mixed-use office, business, hotel, restaurant, recreation (i.e., marina, parks, and golf course) and open space. Historical water use of the site, excluding structures that are to remain, is approximately 30,000 gallons per day (gpd). The project water demand is estimated to be approximately 130,000 gpd at build out. This demand is accounted for in the District's Urban Water Management Plan (UWMP). Approval of the assessment by the Board of Directors is required prior to its submittal to the City. The assessment is described in the attached letter (Attachment B) and, upon Board approval, will be sent to the City.

DISCUSSION

On April 16, 2014, the City submitted a formal request for the consultation between the District and the City regarding water service to the City of San Leandro Shoreline Development Project, pursuant to

Funds Available: FY	Budget Code:	
DEPARTMENT SUBMITTING Engineering and Construction	DEPARTMENT MANAGER or DIRECTOR Xavier J. Irias	APPROVED General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

California Water Code, Sections 10910-10915. The project, for which an Environmental Impact Report is being prepared, meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, a mixed-use project that would demand an amount of water equivalent to or greater than the amount of water required by a 500 dwelling unit project. The City is required to consult with the public water supplier to determine whether the water demand associated with the proposed project was included in its last UWMP, and to assess whether its 20-year water supply (available during normal, single-dry and multiple-dry water years) will meet the water demand associated with the proposed project.

The 2010 UWMP concludes that the District has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for drought years. The District's Water Supply Management Plan includes up to a 15 percent water conservation requirement in a severe drought. The project will be subject to the same drought restriction as all District customers.

The WSA letter requests that the City comply with the California Code of Regulations concerning water-efficient landscapes and District water service regulations in force at the time the application is made. The District also requests a meeting to discuss water conservation opportunities in the project area. A key objective of this discussion will be to explore timely opportunities to maximize conservation via early consideration of the District's conservation programs and State and Federal best management practices applicable to the project.

The City of San Leandro Shoreline Development Project site is located within EBMUD's San Leandro recycled water pipeline serving Alameda's marina and golf courses. As part of the long-term water supply planning, the District will consider the feasibility of providing recycled water to the project area for appropriate uses including landscape irrigation, commercial and industrial process uses, as well as toilet and urinal flushing in non-residential buildings. The District recommends that the City and their developers maintain continued coordination and consultation with the District as they plan and implement the various projects as identified within the City of San Leandro Shoreline Development Project regarding the feasibility of providing recycled water for appropriate non-potable uses.

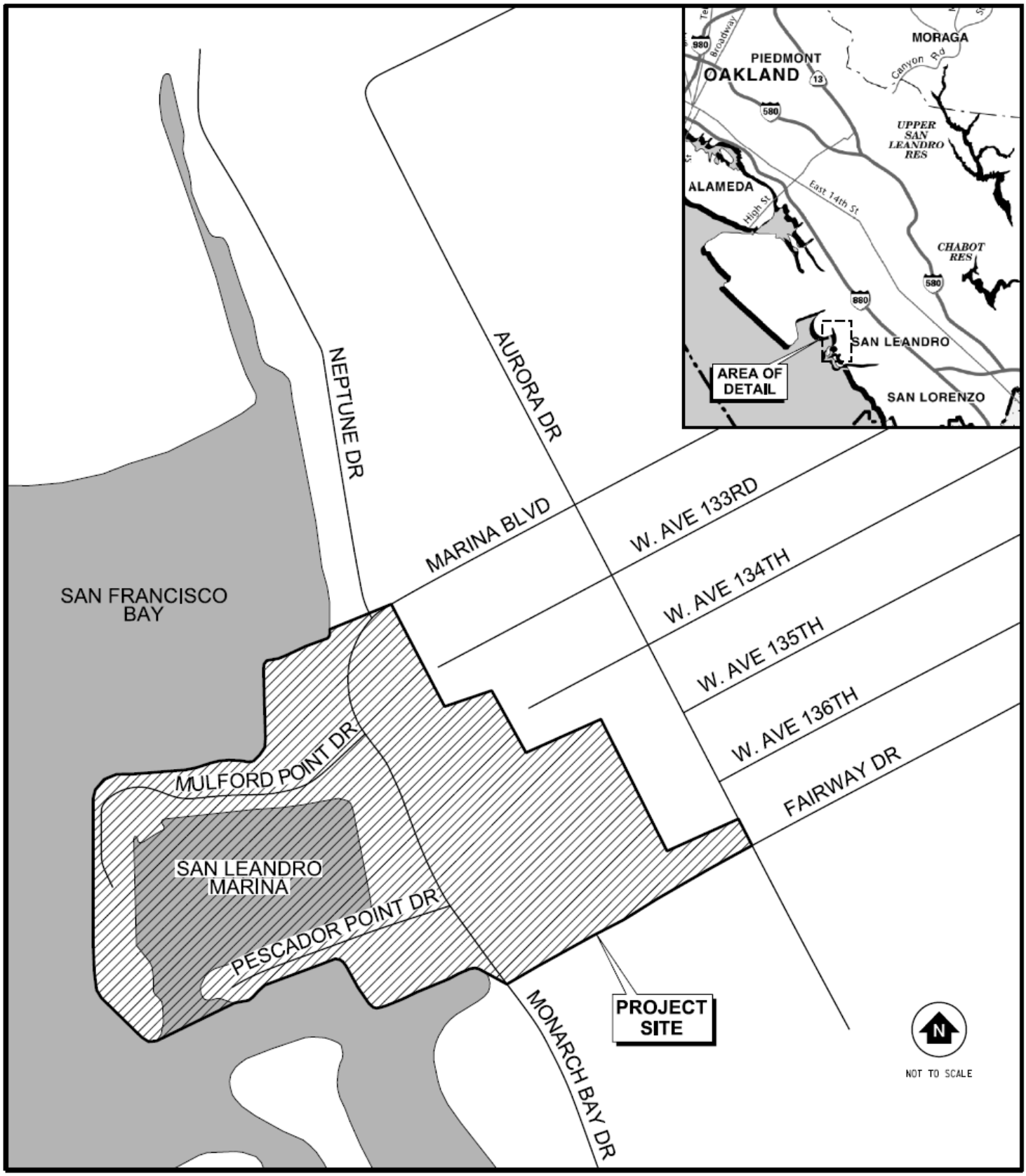
ALTERNATIVES

Do not submit a response. This alternative is not recommended. This assessment has been prepared pursuant to California Water Code, Sections 10910-10915. It is consistent with the law and the District's past WSAs.

Attachments: A. Map – City of San Leandro Shoreline Development Project
B. District's Response to April 16, 2014 Water Supply Assessment Request

CITY OF SAN LEANDRO SHORELINE DEVELOPMENT PROJECT

Attachment A



Attachment B

DRAFT

May 13, 2014

Sally Barros, Principal Planner
City of San Leandro
Civic Center, Community Development Department
835 East 14th Street
San Leandro, CA 94577

Re: Water Supply Assessment – City of San Leandro Shoreline Development Project

Dear Ms. Barros:

This letter responds to the City of San Leandro's request on April 16, 2014, for water agency consultation concerning the City of San Leandro Shoreline Development Project (Enclosure 1) located in San Leandro, which is within the East Bay Municipal Utility District's (EBMUD) Ultimate Service Boundary. EBMUD appreciates the opportunity to provide this response.

Pursuant to Sections 10910-10915 (SB-610) of the California Water Code, the project meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, a mixed-use project that would demand an amount of water equivalent to or greater than the amount of water required by a 500 dwelling unit project.

Please note that this assessment addresses the issue of water supply only and is not a guarantee of service, and future water service is subject to rates and regulations in effect at the time.

Project Demand

The water demand for the City of San Leandro Shoreline Development Project is accounted for in EBMUD's water demand projections as published in EBMUD's 2010 Urban Water Management Plan (UWMP/Enclosure 2). EBMUD's water demand projections account for anticipated future water demands within EBMUD's service boundaries and for variations in demand-attributed changes in development patterns. Historical water use of the site excluding structures that are to remain is approximately 30,000 gallons per day (gpd). The project water demand is estimated to be approximately 130,000 gpd at build out.

EBMUD's demand projections indicate both densification and land use changes in a few existing land use classifications, including commercial and residential land use areas, thus increasing EBMUD's overall demand. EBMUD's 2010 UWMP projects water demands over time, accounting for estimated variations in demand usage less conservation and recycled supply sources as noted in Table 4-1, Water Demand Projections for Each Water Use Sector, of the 2010 UWMP. EBMUD's water demand projections are based on the 2040 Demand Study

(Demand Study), which was completed in 2009. For planning purposes, the demands are estimated in five year increments, but it is recognized that actual incremental amounts may occur stepwise in shorter time increments. An increase in usage by one customer in a particular customer class does not require a strict gallon-for-gallon increase in conservation by other customers in that class as, in actuality, the amount of potable demand, conservation and recycled water use EBMUD-wide will vary somewhat. Future versions of the UWMP, which is updated every five years, will include an updated assessment of customer demand and water supply.

Project Area

The City of San Leandro Shoreline Development Project is bounded by Marina Boulevard to the north, Aurora Drive to the east, Fairway Drive to the south, and the San Francisco Bay to the west. The project area consists of approximately 75 acres: 52 acres of residential, hotel, office, conference center, restaurants, parking, and a library and 23 acres of water surface area. At total build out the project area will consist of 354 residential units (61 condominiums, 159 market rate apartments, 92 townhomes, and 42 single family homes), a 200-room hotel, 150,000 square feet of office space, a 15,000-square foot conference center, 21,000 square feet of restaurants, a parking structure, and a new library.

EBMUD Water Demand Projections

Since the 1970s, water demand within EBMUD's service area has ranged from 200 to 220 million gallons per day (mgd) in non-drought years. The 2040 water demand forecast of 312 mgd for EBMUD's service area can be reduced to 230 mgd with the successful implementation of water recycling and conservation programs, as outlined in the 2010 UWMP. Although current demand is lower than estimated in the Demand Study, as a result of the recent multi-year drought and the downturn in the economy, the Demand Study still reflects a reasonable expectation for growth over the long term for demand in year 2040. The City of San Leandro Shoreline Development Project will not change EBMUD's 2040 demand projection.

EBMUD Water Supply and Water Rights

EBMUD has water rights permits and licenses that allow for delivery of up to a maximum of 325 mgd from the Mokelumne River, subject to the availability of Mokelumne River runoff and the senior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders, and the terms of the appropriative water rights permits and licenses, which have been issued by the State, pre-1914 rights, and riparian rights.

Conditions that could, depending on hydrology, restrict EBMUD's ability to receive its full entitlement include:

- Upstream water use by prior right holders;

- Downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources; and
- Variability in rainfall and runoff.

During prolonged droughts, the Mokelumne River supply cannot meet EBMUD's projected customer demands. To address this, EBMUD has completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility, which are discussed below in the Supplemental Water Supply and Demand Management section of this assessment. EBMUD has obtained and continues to seek supplemental supplies.

EBMUD UWMP

The 2010 UWMP, adopted on June 28, 2011, by EBMUD's Board of Directors by Resolution No. 33832-11, is a long-range planning document used to assess current and projected water usage, water supply planning and conservation and recycling efforts. A summary of EBMUD's demand and supply projections, in 5-year increments for a 25-year planning horizon is provided in Table 4-3, EBMUD Demand and Supply Projections of the 2010 UWMP (Enclosure 3).

EBMUD's evaluation of water supply availability accounts for the diversions of both upstream and downstream water right holders and fishery releases on the Mokelumne River. Fishery releases are based on the requirements of a 1998 Joint Settlement Agreement (JSA) between EBMUD, United States (U.S.) Fish and Wildlife Service, and the California Department of Fish and Game. The JSA requires EBMUD to make minimum flow releases from its reservoirs to the lower Mokelumne River to protect and enhance the fishery resources and ecosystem of the river. As this water is released downriver, it is, therefore, not available for use by EBMUD's customers.

The available supply shown in the attached table (Enclosure 3) was derived from EBMUD's hydrologic model with the following assumptions:

- EBMUD Drought Planning Sequence is used for 1976, 1977 and 1978;
- Total system storage is depleted by the end of the third year of the drought;
- EBMUD will implement its Drought Management Program when necessary;
- The diversions by Amador and Calaveras Counties upstream of Pardee Reservoir will increase over time, eventually reaching the full extent of their senior rights;
- Releases are made to meet the requirements of senior downstream water right holders and fishery releases are made according to the JSA;
- Dry-year supply of Central Valley Project (CVP) water, through the Freeport Regional Water Facility, is available; and
- Bayside Groundwater Project, Phase 1, is available.

As discussed under the Drought Management Program section in Chapter 3 of the 2010 UWMP, EBMUD's system storage generally allows it to continue serving its customers during dry-year

events. EBMUD imposes rationing based on the projected storage available at the end of September. By imposing rationing in the first dry year of potential drought periods, EBMUD attempts to minimize rationing in subsequent years if a drought persists while continuing to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies. Table 3-2, Long-Term Drought Management Program Guidelines, in the 2010 UWMP summarizes the Drought Management Program guidelines for consumer water reduction goals based on projected system storage.

In Table 4-3, EBMUD Demand and Supply Projections (Enclosure 3), "Single Dry Water Year" (or Year 1 of "Multiple Dry Water Years") is determined to be a year that EBMUD would implement Drought Management Program elements at the "moderate" stage with the goal of achieving a reduction between 0 to 10 percent in customer demand. Year 2 of "Multiple Dry Years" is determined to be a year that EBMUD would implement Drought Management Program elements at the "severe" stage with the goal of achieving between 10 to 15 percent reduction in customer demand. Year 3 of "Multiple Dry Years" is a year in which EBMUD would implement Drought Management Program elements at the "critical" stage. Despite water savings from EBMUD's aggressive conservation and recycling programs and rationing of up to 15 percent, additional supplemental supplies beyond those provided through the Freeport Regional Water Facility and the Bayside Groundwater Facility will be needed during Years 2 and 3 of a three-year drought. Therefore, supplemental supplies are needed in multiple-year drought periods while continuing to meet the requirements of senior downstream water right holders and the provisions of the 1998 JSA.

Supplemental Water Supply and Demand Management

The goals of meeting projected water needs and increased water reliability rely on supplemental supplies, improving reliability of existing water supply facilities, water conservation and recycled water programs.

By 2011, EBMUD completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility to augment its water supply during drought periods. However, additional supplemental supplies beyond those provided through these facilities will still be needed, as noted above. Chapter 2 of the 2010 UWMP describes potential supplemental water supply projects that could be implemented to meet projected long-term water demands during multi-year drought periods.

The Freeport Regional Water Facility became operational in February 2011. EBMUD's ability to take delivery of water through the Freeport facility is based on its Long Term Renewal Contract (LTRC) with the U.S. Bureau of Reclamation. The LTRC provides for up to 133,000 acre feet in a single dry-year, not to exceed a total of 165,000 acre feet in three consecutive dry years. Under the LTRC, the CVP supply is available to EBMUD only in dry years when EBMUD's total stored water supply is forecast to be below 500,000 total acre feet on September 30 of each year.

Construction of the Bayside Groundwater Project, Phase 1, was completed in 2010. A permit from the Department of Public Health, which is pending, is required before the groundwater can be extracted and treated for municipal use. The project is designed to yield 2 mgd over a 6-month period, resulting in an average annual production capacity of 1 mgd per year.

Chapter 2 of the 2010 UWMP also lists other potential supplemental water projects, including northern California water transfers, Bayside Groundwater Project Expansion, Los Vaqueros Expansion and others that could be implemented as necessary to meet the projected long-term water supplemental need during multi-year drought periods. The 2010 UWMP identifies a broad mix of projects, with inherent scalability and the ability to adjust implementation schedules for a particular component, so that EBMUD will be able to continue to pursue the additional supplemental supplies that are projected to be necessary, while also minimizing the risks associated with future uncertainties such as project implementation challenges and global climate change. The Environmental Impact Report that EBMUD certified for the Water Supply Management Program 2040 examined the impacts of pursuing these supplemental supply projects at a program level. Separate project-level environmental documentation will be prepared, as appropriate, for specific components as they are developed in further detail and implemented in accordance with EBMUD's water supply needs.

In addition to pursuing supplemental water supply sources, EBMUD also maximizes resources through continuous improvements in the delivery and transmission of available water supplies, and investments in ensuring the safety of its existing water supply facilities. These programs, along with emergency interties and planned water recycling and conservation efforts, would ensure a reliable water supply to meet projected demands for current and future EBMUD customers within the current service area.

The project area may present opportunities to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsors comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). EBMUD staff would appreciate the opportunity to meet with the project sponsor to discuss water conservation programs and best management practices applicable to the integrated projects. A key objective of this discussion will be to explore timely opportunities to expand water conservation via early consideration of EBMUD's conservation programs and best management practices applicable to the project.

The City of San Leandro Shoreline Development Project is located within EBMUD's San Leandro recycled water pipeline serving Alameda's marina and golf courses. As part of the long-term water supply planning, EBMUD will consider the feasibility of providing recycled water to the project area for appropriate uses including landscape irrigation, commercial and industrial process uses, as well as toilet and urinal flushing in non-residential buildings. EBMUD recommends that the City and their developers maintain continued coordination and consultation with EBMUD as they plan and implement the various projects as identified within the City of

San Leandro Shoreline Development Project regarding the feasibility of providing recycled water for appropriate non-potable uses.

The project sponsor should contact David J. Rehnstrom, Senior Civil Engineer, at (510) 287-1365 for further information.

Sincerely,

William R. Kirkpatrick
Manager of Water Distribution Planning Division

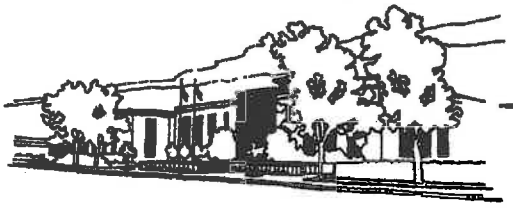
WRK:KAE:sb
sb14_091a.docx

Enclosures: 1. Letter of Request for Water Supply Assessment dated April 16, 2014
2. EBMUD 2010 Urban Water Management Plan
3. EBMUD Demand and Supply Projections Table

cc: Board of Directors w/o Enclosure 2

Enclosure 1

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577
www.sanleandro.org



April 16, 2014

David J. Rehnstrom
East Bay Municipal Utility District
Water Distribution Planning Division
375 Eleventh Street, MS#701
Oakland, CA 94607

RE: City of San Leandro Shoreline Development Project
Request for Water Consultation and Review of Water Supply Assessment

Dear Mr. Rehnstrom,

This letter serves as a request from the City of San Leandro to EBMUD for a review of water demand for the subject redevelopment plan, and an assessment of the supply of EBMUD water available to serve the proposed redevelopment. This letter replaces our March 6, 2014 letter and provides EBMUD with expected annual water usage and other revisions requested on April 1, 2014. The City is preparing an environmental impact report (EIR) in accordance with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code [PRC] Section 21000 et seq) and the CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq). This request to EBMUD is made pursuant to Section 15155 of CEQA Guidelines, which requires consultation with the relevant water agency for actions of a certain magnitude.

Project Location and Setting

As shown on Figures 1 and 2, the proposed Project is located in the City of San Leandro, in the San Leandro Shoreline Area. The San Leandro Shoreline Area encompasses approximately 1,800 acres of City-owned land situated on the eastern shore of the San Francisco Bay at the western end of Marina Boulevard, commonly referred to as the Shoreline Recreational Area. The proposed development site, totaling roughly 52 acres of land, plus a water surface area of approximately 23 acres, is the area generally west of Monarch Bay Drive between Marina Boulevard and Fairway Drive. This area consists of the two peninsulas encircling the boat harbor; the existing commercial and recreational facilities adjacent to the boat harbor; portions of the Marina nine-hole executive golf course; and the site of the existing Mulford Branch Library on the parcel at the corner of Aurora and Fairway Drives.

The Shoreline Recreational Area includes three existing commercial enterprises and one demolished restaurant/banquet facility. These include the 131-room Marina Inn opened in 1985; Horatio's Restaurant completed in 1978; and an El Torito Restaurant, which originally opened as part of the Tia Maria chain in 1970. The foundation and deck piers of the former Blue Dolphin

Stephen H. Cassidy, Mayor
City Council: Pauline Russo Cutter, Michael J. Gregory, Benny Lee, Jim Prola, Ursula Reed, Diana M. Souza

Restaurant remain on-site. Boating facilities currently include a 466-slip public harbor with a separate boat launch and support operations, and two private yacht clubs. Due to physical constraints caused by build-up of silt both in the harbor and the federal channel, occupancy of the harbor currently stands at approximately 30 percent.

Project Description

The San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership with the City on 52 acres of the City-owned marina.

As shown on Figure 3, the proposed components of the Project include:

- 150,000-square-foot office campus
- 200 room hotel
- 15,000-square-foot conference center
- 354 housing units:
  - 220 Flats (61 condominiums & 159 market rate apartments)
  - 92 Townhomes
  - 42 Single-family detached homes
- 3 new restaurants (totaling 21,000 square feet):
  - Restaurant at the end of Mulford Point: 8,000 square feet
  - Restaurant adjacent to hotel: 5,000 square feet
  - Café and Boat rental south of Horatio's: 8,000 square feet
- New Library/Community Building on the site of the current Mulford Branch Library
- Parking structure (approximately 800 parking spaces)

The Project would require removal of the following structures and features within the Project area:

- Wood and concrete docks and associated piers, including Blue Dolphin Restaurant platform
- Existing El Torito Restaurant building
- Existing Mulford Branch Library building
- Golf course concessions stands
- 466-slip harbor
- Harbor master's office and fuel pump/dock
- Public/private restrooms 'A', 'E/F', and 'N/O'
- San Leandro Yacht Club building

Horatio's Restaurant and the Marina Inn will remain. The Spinnaker Yacht Club building has been identified as the location for the Aquatic Center. The building may be repurposed or replaced.

Water Supply Assessment

It is our understanding that the current EBMUD water demand protocol is based on land use types and development intensities. Attachment A is an analysis of existing and future water

demand for the redevelopment site prepared by BKF Engineers. We request that EBMUD review the assessment and determine whether the existing infrastructure has sufficient capacity to provide the additional water demand imposed by this project. To summarize, it is estimated that the average water use of the proposed development as approximately 130,400 gallons per day (gpd). The existing water usage at the site is estimated to be 14,600 gpd. The net increase in water demand after completion of all phases of the proposed development is approximately 115,800 gpd (130,400 - 14,600). Sources for the different water uses by type of development are included for your reference.

Marina Inn, Horatio Restaurant and the existing golf course are not included in the estimates for both proposed development and existing conditions since we understand that EBMUD will supply the actual water usage from meter records. The existing Spinnaker Yacht Club, located within the proposed development, is also excluded from the estimates due to its change of use.

The City of San Leandro would appreciate EBMUD's attention to this request. Should you have questions, or require additional information, please do not hesitate to contact me or our EIR consultant, Jerome de Verrier (510-835-9886).

Thank you.

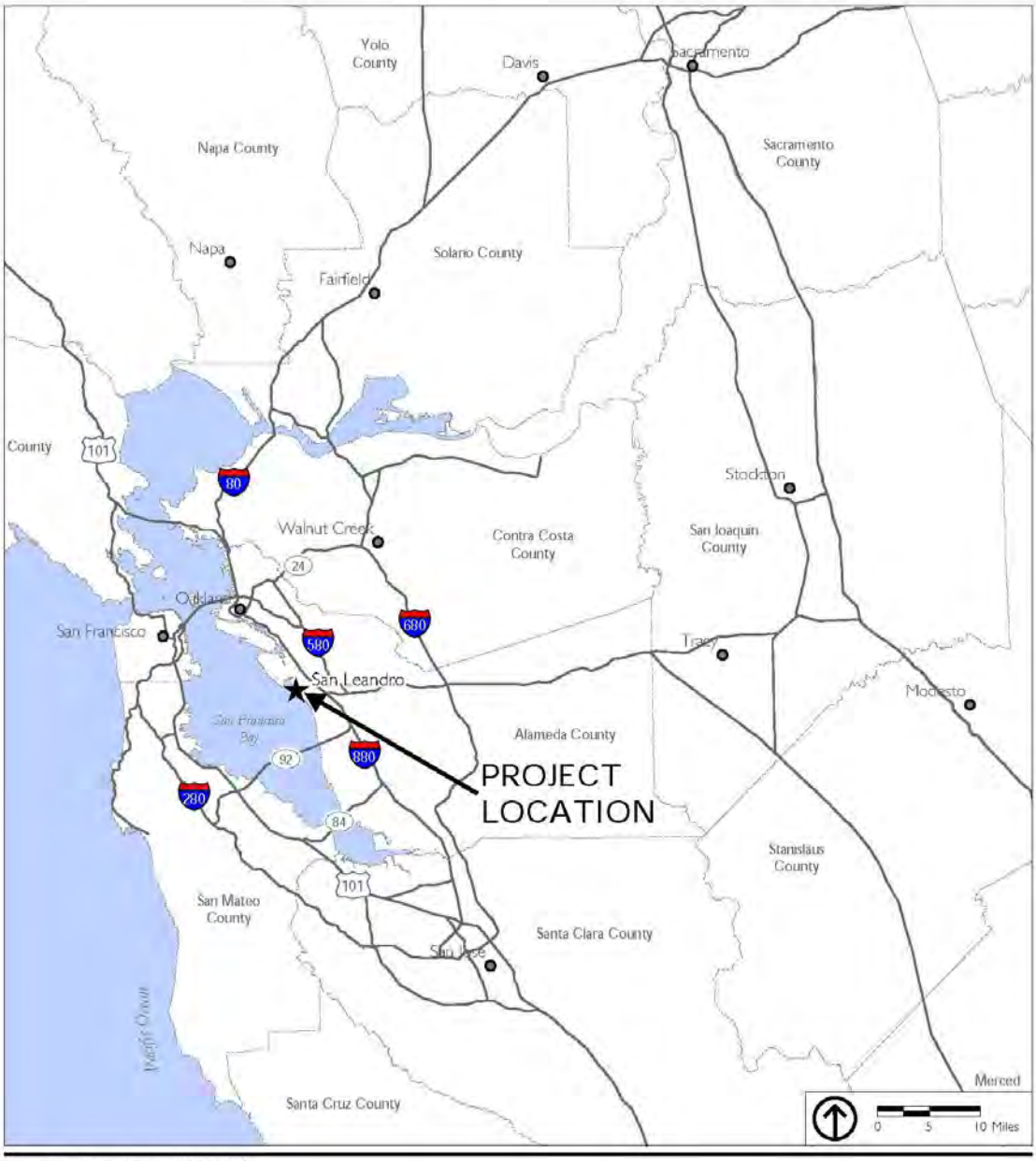
Sincerely,

Sally Barros, AICP, LEED® AP
Principal Planner, Community Development Department

Attachments: Figure 1 – Regional Location
Figure 2 – Local Context
Figure 3 – Conceptual Master Plan
Attachment A – Water Usage Calculations and Source Material

Cc: Debbie Pollart, City of San Leandro Public Works Director
Richard Pio Roda, City Attorney
Edward Miller, Cal Coast Companies, Developer
Kyle Simpson, Placeworks, Consulting EIR Manager
Jerome de Verrier, TranSystems, EIR consultant

FIGURES



Source: The Planning Center | DC&E, 2013

FIGURE 1
REGIONAL LOCATION

Source: The Planning Center | DC&E, 2013

FIGURE 2
LOCAL CONTEXT

Source: Cal Coast Companies, LLC, 2013.

FIGURE 3

CONCEPTUAL MASTER PLAN

ATTACHMENT A

WATER USAGE ANALYSIS

BKF ENGINEERS
1650 Technology Drive, Ste 650
San Jose, CA. 95110

WATER USAGE
SAN LEANDRO SHORELINE DEVELOPMENT
(MONARCH BAY)

Job No. 20136048-10
4/11/2014

PROPOSED DEVELOPMENT WATER USAGE

Type	Quantity	Unit	*Average Water Demand (gpd/unit)	Average Daily Water Demand (gpd)	Notes
PHASE 1					
Hotel	102,550	SF	0.26	26,663	200-room hotel; Excludes existing Marina Inn
Retail/Sales	8,000	SF	0.22	1,760	Retail/marine sales and services
Office	100,000	SF	0.09	9,000	150,000 SF total from all phases
Conference Center	2,857	Person	3	8,571	Conference Center (15,000 SF) + Hotel conf/lobby (5,000 SF)
Public Library	46	Person	3	138	Assume same flow characteristic as conference center; 2,500 SF
Restaurants	519	SEAT	24.2	12,548	Rest. #1 (8,000 SF) + Rest. #2 (5,000 SF) + Café (8,000 SF)= 21,000 SF total; excludes existing Horatio Restaurant
Residental:					
Flats	220	UNIT	165	36,300	159 multifamily + 61 condos; Assume 3.3 persons/du
			SUBTOTAL	94,981	
PHASE 2					
Residental:					
Townhomes	92	UNIT	231	21,252	Assume 3.3 persons/du
Single Family	42	UNIT	231	9,702	Assume 3.3 persons/du
			SUBTOTAL	30,954	
PHASE 3					
Office	50,000	SF	0.09	4,500	The balance of Phase 1 Office
			SUBTOTAL	4,500	
			TOTAL	**130,400**	

Note
* Flowrate factors are based on reference materials as provided by EBMUD (see attachment).

Conversions
Restaurants: 20.25 SF/seat (9ft x 9ft seating for 4 seats = 81 SF/4 seats); 50% is seating area
Conf. Center: 1 person/7 SF
Library: 1 person/54 SF
Clubhouses: 1 person/50 SF

BKF ENGINEERS
1650 Technology Drive, Ste 650
San Jose, CA. 95110

WATER USAGE
SAN LEANDRO SHORELINE DEVELOPMENT
(MONARCH BAY)

Job No. 20136048-10
4/11/2014

EXISTING DEVELOPMENT WATER USAGE

Type	Quantity	Unit	*Average Water Demand (gpd/unit)	Average Daily Water Demand (gpd)	Notes
Office	4150	SF	0.09	374	Harbor Master & Comcast
Restaurants	556	Seat	24.2	13,444	El Torito & Blue Dolphin (42,570 SF); Horatio to remain (excluded)
Public Library	37	Person	3	111	Assume same flow characteristic as conference center; 2,000 SF
Yacht Club	32	Person	10.5	336	San Leandro Yacht Club (1,600 SF); Spinnaker Yacht Club to remain (excluded)
Public Bathrooms	60	Person	5	300	Rough estimate
			TOTAL	**14,600**	

NET INCREASE = 130,400 - 14,600 = 115,800 gpd

Note
* Flowrate factors are based on reference materials as provided by EBMUD (see attachment).

Conversions
Restaurants: 20.25 SF/seat (9ft x 9ft seating for 4 seats = 81 SF/4 seats); 50% is seating area
Conf. Center: 1 person/7 SF
Library: 1 person/54 SF
Clubhouses: 1 person/50 SF

Enclosure 3

EAST BAY MUNICIPAL UTILITY DISTRICT DEMAND AND SUPPLY PROJECTION
(Reference: Table 4-3, UWMP 2010 – EBMUD)

	2010	2015	2020	2025	2030	2035[1]	2040
PROJECTED DEMAND (MGD)							
CUSTOMER DEMAND [2]	251	266	280	291	304	308	312
ADJUSTED FOR CUMULATIVE CONSERVATION [3]	(26)	(32)	(43)	(49)	(56)	(59)	(62)
ADJUSTED FOR RECYCLED WATER [4]	(9)	(11)	(16)	(18)	(19)	(20)	(20)
PLANNING LEVEL OF DEMAND	216	223	221	224	229	229	230
PROJECTED AVAILABLE SUPPLY AND NEED FOR SUPPLEMENTAL SUPPLY (MGD)[5]							
NORMAL YEAR	>216	>223	>221	>224	>229	>229	>230
SUPPLEMENTAL SUPPLY NEED	0	0	0	0	0	0	0
SINGLE DRY YEAR (MULTIPLE DRY YEARS – YEAR 1)							
AVAILABLE SUPPLY	211	217	215	218	223	222	222
CUSTOMER RATIONING [6]	2%	3%	3%	3%	3%	3%	4%
SUPPLEMENTAL SUPPLY NEED [7]	5	6	6	7	7	8	8
MULTIPLE DRY YEARS – YEAR 2							
AVAILABLE SUPPLY	183	189	188	190	194	194	195
CUSTOMER RATIONING [6]	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED [7]	21	21	21	21	22	22	22
MULTIPLE DRY YEARS – YEAR 3							
AVAILABLE SUPPLY	183	189	188	190	183	164	144
CUSTOMER RATIONING [6]	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED [7]	21	21	21	21	33	53	73
THREE-YEAR DROUGHT							
TOTAL SUPPLEMENTAL SUPPLY NEED (TAF)[7]	53	54	54	55	69	93	115

[1] Projected demand for 2035 is interpolated.

[2] Customer demand values are based on the demand projections from the "2040 Demand Study," Feb 2009. These projected water demands are based on land use in EBMUD's ultimate service area and is unadjusted for conservation and non-potable water. The values are also unadjusted for the current suppressed demand due to the 2007-2010 rationing period and the economic downturn.

[3] Existing conservation saving from the "1994 Water Conservation Master Plan" and planned conservation program savings based on the "2011 Water Conservation Master Plan".

[4] Existing recycled water achieved per the "1993 Water Supply Management Program" and planned recycled water program savings as outlined in Chapter 5 of the UWMP 2010.

[5] Projected available supply data includes dry year supply deliveries from the Freeport Regional Water Project (FRWP) and Bayside Groundwater Project, Phase 1. Delivery rules for the FRWP follow the rules as developed in the Freeport EIR, 2003.

[6] Rationing reduction goals are determined according to projected system storage levels in the Long-Term Drought Management Program guidelines per Table 3-2 in Chapter 3 of the UWMP 2010.

[7] The supplemental supply need is based on EBMUDSIM modeling studies. It is the amount of water needed based on EBMUD's updated demand projections, the provisions of the 1998 Joint Settlement Agreement and the rationing policy stated in Table 3-2, Chapter 3 of the UWMP 2010. The actual need will be dependent on antecedent conditions and the severity of actual drought conditions. Supplemental supply stored during the initial year of the drought could be later released, diminishing supplemental supply needs. During the drought that continued into 2010, the combined effects of water rationing and an economic downturn suppressed demand below the planning level of demand to maintain a sufficient water supply and deferred the need for supplemental water. However, if the drought had continued into its second year, most likely supplemental supplies would have been obtained from the Freeport Regional Water Facility as anticipated in the Interim Drought Management Program Guidelines discussed in Appendix G-2.

EBMUD

AGENDA NO. 11.
MEETING DATE May 13, 2014

TITLE **EMPLOYEE SERVICE AWARDS**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Approve an increase to the existing agreement with O. C. Tanner Recognition Company (O.C. Tanner) in an amount not to exceed $50,000 and extend the agreement by six months to provide employee service awards through December 31, 2014.

SUMMARY

In recognition of their District service, the current Employee Service Award Program rewards eligible employees on their service anniversaries at five year intervals (e.g., 5, 10, 15, 20, 25 etc.). The five-year service award for all employees is a pin depicting Pardee Dam, accompanied by a framed certificate of recognition. For 10 or more years, employees receive a personalized certificate of recognition, along with a gift of their choice based on years of service.

Staff recently completed a review of the overall award program and will soon initiate a Request for Proposal (RFP) process to solicit proposals from qualified vendors. The recommended action will allow the District to continue the current program while undertaking the new procurement process.

DISCUSSION

The District recognizes and values the continued and dedicated service of its employees. The District's Employee Service Award Program serves to fulfill the District's goal of ensuring ample talent to conduct the District's business and reward continued service by eligible employees. O.C. Tanner has provided the District with various awards since 2004. Since the District first contracted with O.C. Tanner, many other companies who assist employers in recognizing employee service have been created, giving rise to more choices for the District. The District will soon initiate a RFP process to explore services offered by other companies. Board consideration of a new agreement is anticipated later in 2014.

CONTRACT EQUITY

The completed P-035 and P-061 forms are attached.

Funds Available: FY15	Budget Code: HRD/361/8511/5241	
DEPARTMENT SUBMITTING Human Resources	DEPARTMENT MANAGER or DIRECTOR Delores Turner Delores Turner	APPROVED for R. Lee General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

FISCAL IMPACT

Funds are available in the FY14-15 operating budget for the Employee Service Award Program.

UNION NOTIFICATION

District unions have been notified of this proposed agreement change.

ALTERNATIVE

Do not approve this agreement. This alternative is not recommended because this program effectively recognizes employee service achievements and enhances employees' job satisfaction.

Attachments

P-035 – Contract Equity Program Summary
P-061 – Affirmative Action Summary

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

EBMUD

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

TITLE	DATE:
Amendment to Materials & Supplies Employee Service Awards - Six Month Contract	April 22, 2014

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
O.C. Tanner Recognition Company Salt Lake City, UT			Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	100.0%
	Ethnicity	Gender	White Women	2%	0.0%
$50,000 *	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:											
O.C. Tanner Recognition Company	$50,000	White	X		100.0%	---	---	---	---	---	---
SUBS:											
None					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	$50,000				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	384	455	149	988
Percent of Total Employees:	38.9%	46.1%	15.1%	
MSA Labor Market %:	46.2%	38.5%	15.3%	
MSA Labor Market Location:	Salt Lake City, UT			

COMMENTS

Contract Equity Participation - 100% White Men participation.

**Increase of existing contract from $70K to $120K*

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:	DATE:
Employee Service Awards - Six Month Contract	
Materials & Supplies Award	4/22/2014

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

R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	9	79	58	3	149	15.1%	15.3%
O.C. Tanner Recognition Company		Manager/Prof	-	11	18	-	29	10.0%	
Dave Petersen		Technical/Sales	2	8	5	1	16	8.9%	
1930 South State Street		Clerical/Skilled	6	47	29	2	84	18.8%	
Salt Lake City, UT 84115		Semi/Unskilled	1	13	6	-	20	28.2%	
		Bay Area			1	-	1	20.0%	39.9%
800-828-8902		AA Plan on File:	NA		Date of last contract with District:		1/1/2014		
		Co. Wide MSA:	Salt Lake City, UT		# Employees-Co. Wide:		988	Bay Area:	5
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:	# Employees-Co. Wide:					Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:	# Employees-Co. Wide:					Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:	# Employees-Co. Wide:					Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:	# Employees-Co. Wide:					Bay Area:	
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:	# Employees-Co. Wide:					Bay Area:	

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

EBMUD

AGENDA NO. 12.

MEETING DATE May 13, 2014

TITLE **RENEWAL OF LEASE FOR OFFICE AND WAREHOUSE SPACE, LODI**

☐ **MOTION** ☒ **RESOLUTION** ☐ **ORDINANCE**

RECOMMENDED ACTION

Approve a lease agreement with Cranbrook Realty Investment Fund, LP dba Lodi Wine and Business Center for 6,517 square feet of office space and 6,000 square feet of warehouse space, located at 1 Winemaster Way (aka Lodi Wine and Business Center) in Lodi for five years, commencing on June 1, 2014 thru May 31, 2019. The base rent is $66,089 for the first year with a total scheduled base rent including escalation over the five-year term of $345,470.

SUMMARY

Since 1999, the District has leased office and warehouse space at 1 Winemaster Way, Lodi for its Fisheries and Wildlife, and Hydrography staff. This location provides 14 District employees with office and storage space for District-owned boats, motors, fishing nets, and stream gauge measuring equipment. Due to the need to accommodate an office for the Fisheries and Wildlife Manager, who will have newly assigned business responsibilities in the Lodi area, and a larger conference room to hold meetings including those for the Mokelumne River Technical Advisory Committee and Lower Mokelumne River Partnership Coordinating Committee, the District negotiated an expansion of an additional 1,853 square feet of office area. This area also includes another restroom and small kitchen.

The office space is shown as a portion of Space K and the storage area as Space J on the attached map. This multi-tenant property is conveniently located off Highways 12 and 99 in a light industrial area. The District has no plans within its capital budget to construct or purchase a building in Lodi within the next 3-5 years.

Staff has negotiated a new five-year lease agreement at a competitive market rate, beginning at $5,507/month or $0.44/sf/month. The base rent will increase 2 percent per year during the term of the lease beginning in June 2015. As an incentive for this new lease term, the landlord has agreed to: 1) one month free rent, 2) pay for all the work associated with the expanded office space including the demolition of existing walls and new carpeting throughout, 3) install energy-saving lighting in the warehouse, 4) replace eight office space windows with new double-pane windows, and 5) apply window film over another five office space windows. These District-requested improvements will be done at the

Funds Available: FY14/15	Budget Code: 483 WSO 4522 5316 and 761 WSO 4011 5316	
DEPARTMENT SUBMITTING: Customer and Community Services	DEPARTMENT MANAGER or DIRECTOR: Sherri A. Hong	APPROVED: General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

owner's expense, of approximately $35,000. In addition, the landlord has agreed to cost share in the future replacement of office space air conditioning units. Besides the monthly rental and reimbursement of utility charges, the District is also responsible for a small percentage of the business center's Common Area Maintenance (CAM) expenses, based on the amount of leased space it occupies.

DISCUSSION

The District is currently paying a base rent of $4,452/month for the 4,664 square foot office and 6,000 square foot warehouse. This represents an overall rental rate of $0.42/sf/month. The District's 3.2 percent share of the center's CAM expenses currently adds another $726 or $0.068/sf/month to the monthly rental payment. Due to the increased office space, the District CAM percentage will increase to 3.76 percent.

The current location is unique in that it provides the District with efficient comfortable office and meeting space adjacent to an equally-sized warehouse facility both within a 24-hour secured industrial center which has ample off-street parking for District, employee and visitor vehicles. The overall lease rate of $0.44/sf/month lease rate is quite competitive with rates for similarly-sized industrial warehouses with office space in the Stockton-Lodi area. Asking net rates for small warehouses and office space vary from $0.35/sf/month to $0.60/sf/month. The offices occupied by the District are superior to the typical warehouse office space found in the Stockton-Lodi market. With the incentives of one month free rent, and tenant improvements such as new carpeting, energy-efficient lighting, new windows and window filming, and cost-sharing in the replacement of the air conditioning units, this lease rate is considered to be a fair deal for the District.

FISCAL IMPACT

Sufficient funds for lease payments including reimbursement of utility charges and common area maintenance expenses are available in both Natural Resources and Water Operations budgets.

ALTERNATIVES

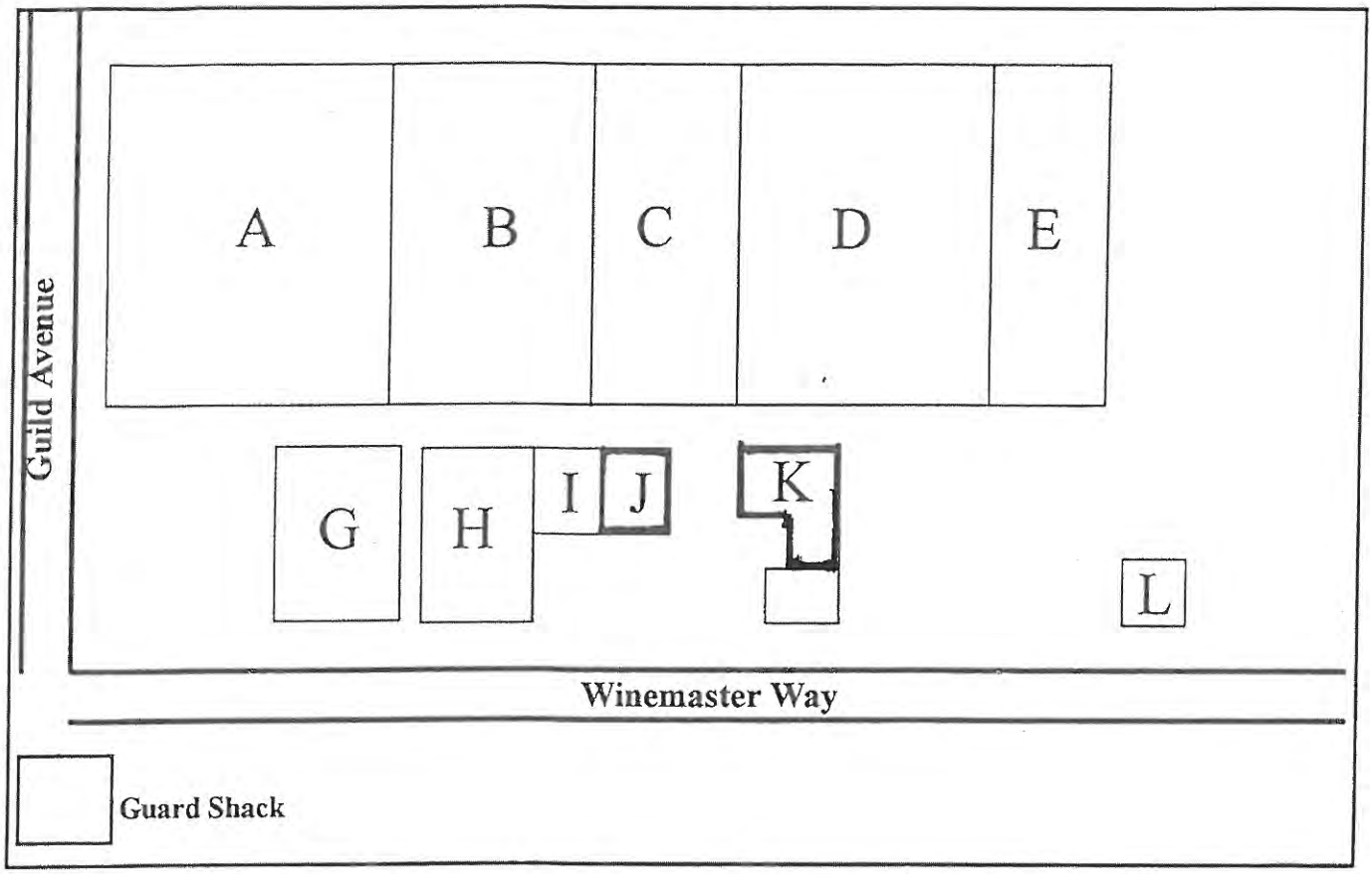
Relocate staff to another location in the Lodi area. This alternative is not recommended as it would not provide any benefit to the District in respect to convenience or cost. This particular location is ideal for District staff and the rent is competitive considering other locations. Relocation would require moving expenses and may also entail additional expenses in the form of tenant improvements, not covered by the landlord, in order to make the space usable by the District staff.

Purchase or construct a building in Lodi for the Fisheries and Wildlife, and Hydrography staff. This alternative is not recommended as a preliminary rough cost estimate to build a warehouse-office building approaches $7.5 million, not including land cost. If available, the District could purchase an existing warehouse facility and convert some of the space to offices. Aside from the cost of building acquisition, the cost to retrofit an existing building for District use could range from $800,000 to $1,600,000, depending on the building's condition and amenities. Currently, no capital funds are allocated for building a replacement facility or acquiring an existing building and retrofitting it for these District work units.

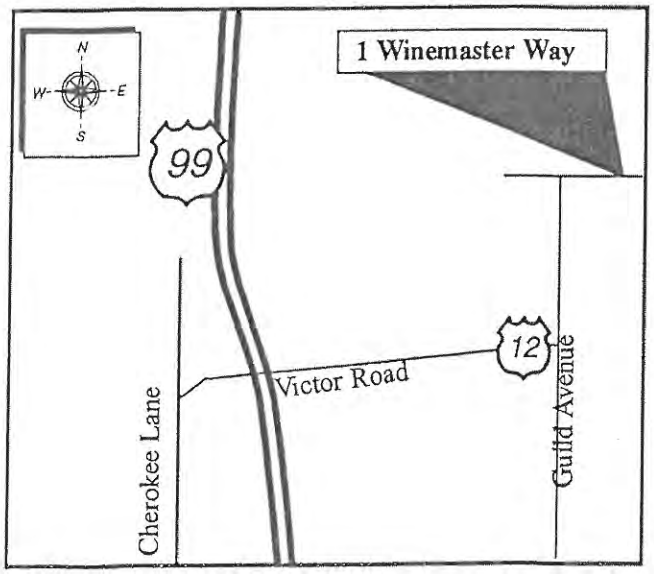
Attachment

Lodi Wine & Business Center

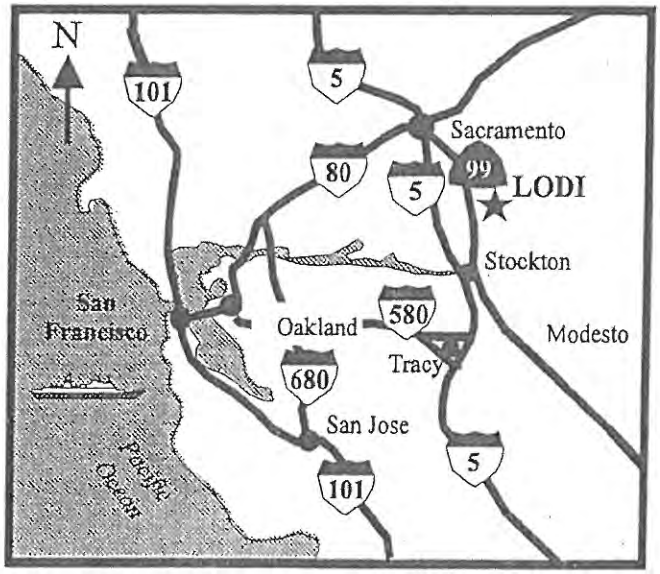
Site Plan



Vicinity Map



Area Map



Draft Prepared By

Office of General Counsel

RESOLUTION NO._____

RESOLUTION AUTHORIZING RENEWAL OF LEASE FOR OFFICE AND WAREHOUSE SPACE AT LODI, CALIFORNIA

Introduced by Director ; Seconded by Director

WHEREAS, the District has leased 10,644 square feet of office and warehouse space for Fisheries and Wildlife and Hydrography staff at 1 Winemaster Way, Lodi for the last 15 years; and

WHEREAS, the District has a need to continue to lease said real property for office and warehouse space for Fisheries and Wildlife and Hydrography staff; and

WHEREAS, the District has a need for an additional 1,853 square feet of office and conference room space in order to accommodate the Fisheries and Wildlife Manager and meetings of the Mokelumne River Technical Advisory Committee and Lower Mokelumne River Partnership Coordinating Committee, and such space is available at the 1 Winemaster Way site; and

WHEREAS, staff has negotiated a new five-year lease agreement with Cranbrook Realty Investment Fund, LP, dba Lodi Wine and Business Center at a competitive market rate, beginning at $5,507/month, with a 2% increase per year beginning in June 2015 for the term of the lease, plus 3.76% of the business center's Common Area Maintenance expenses based on the amount of occupied space, and utilities; and

WHEREAS the existing lease is exempt from the California Environmental Quality Act under section 15061(b)(3) of the State CEQA Guidelines;

NOW, THEREFORE, BE IT RESOLVED that the Manager of Real Estate Services is hereby authorized to enter into an agreement for a five-year lease at the rates specified herein in a form approved by the General Counsel, leasing said real property from Cranbrook Realty Investment Fund, LP, dba Lodi Wine and Business Center and to execute said lease and any other documents necessary.

BE IT FURTHER RESOLVED, that the Secretary of the District is hereby directed to file a notice of exemption in accordance with the law, with the County Clerk of San Joaquin County.

ADOPTED this 13th day of May, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

W:\400\410\410.01\Lodi Lease 05.13.14.docx

EBMUD

AGENDA NO. 13.
MEETING DATE May 13, 2014

TITLE **APPOINTMENT OF TREASURY MANAGER**

☐ MOTION ☒ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Appoint Sophia D. Skoda as the Treasury Manager effective May 19, 2014 and confirm the signatory authority of the Treasury Manager as Assistant Treasurer.

SUMMARY

Following a comprehensive recruitment process, Sophia D. Skoda is recommended for appointment as the Treasury Manager of the District. The Treasury Manager position is exempt from the civil service provisions of the MUD Act in accordance with Section 12055, which excludes officers, assistant officers and employees appointed by the Board of Directors.

DISCUSSION

The Treasury Manager is responsible for managing a professional team charged with administering the treasury and financial planning activities of the District. Areas of responsibility include liquidity and cash management, investment management, long-range financial planning, debt management and the development and administration of water and wastewater rates and charges. After a comprehensive and competitive recruitment, Ms. Skoda is recommended for appointment to this position.

Ms. Skoda's work experience includes eight years at EBMUD where she has been responsible for managing all aspects of the District's highly successful Resource Recovery program. Prior to joining the District she spent nine years with Bartle Wells Associates and Brown & Caldwell providing a range of financial consulting services to water and wastewater utility clients throughout California. These services included the development of long-term infrastructure financing plans, the issuance of municipal bonds and the development of water and wastewater rates and charges. Ms. Skoda's education includes a B.S. in Civil Engineering from Stanford University and an M.S. in Civil Engineering from the University of California at Berkeley. Ms. Skoda is a Certified Independent Public Financial Advisor and a licensed California Professional Engineer.

Funds Available FY:	Budget Code:	
DEPARTMENT SUBMITTING Finance	DEPARTMENT MANAGER or DIRECTOR Eric L. Sandler	APPROVED General Manager

Draft Prepared By:

Office of General Counsel

RESOLUTION NO. _____

APPOINTING SOPHIA D. SKODA
AS TREASURY MANAGER

Introduced by Director ; Seconded by Director

WHEREAS, the Board of Directors has established the position of Treasury Manager in the Finance Department and such position has been assigned the salary range under the Management Salary Plan heretofore established for District Officers, Assistant Officers, civil service exempt and certain civil service classes; and

WHEREAS, the Treasury Manager position 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 Sophia D. Skoda be appointed to serve as Treasury Manager for the District; and

WHEREAS, the Treasury Manager may serve as the Acting Treasurer in the absence of the Director of Finance;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that it hereby appoints Sophia D. Skoda to serve as Treasury Manager effective May 19, 2014.

BE IT FURTHER RESOLVED that Sophia D. Skoda as Treasury Manager has the signatory authority as the Acting Treasurer in the absence of the Director of Finance as set forth in and subject to the Municipal Utility District Act and the laws of the State of California or as otherwise established by law, including acts of the Board of Directors expressed by motion, resolution or ordinance, and is authorized to execute, when serving as Acting Treasurer, all

documents, instruments and other papers requiring such signature in the capacity of Acting Treasurer of the East Bay Municipal Utilities District.

Adopted this 13th day of May, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE

_____
General Counsel

W:\400 GOV-MGMT\410 EBMUD BOARD\410.01 Resolutions\Appointments\Treasury Management Appointment (Skoda).docx

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 8, 2014

MEMO TO: Board of Directors

FROM: Alexander R. Coate, General Manager ARC

SUBJECT: Legislative Report No. 07-14

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.

STATE LEGISLATION		**RECOMMENDED POSITION**
AB 2684 (Stone)	**HATCHERY PRACTICES: SALMON AND STEELHEAD**	**SUPPORT IF AMENDED**

Existing law requires the Fish and Game Commission to establish fish hatcheries for stocking the waters of California with fish and requires the Department of Fish and Wildlife (DFW) to maintain and operate such hatcheries. Existing law also requires DFW to prepare and maintain a comprehensive program for protection and increase of salmon, steelhead trout, and anadromous fisheries.

AB 2684 (Stone), as amended on March 27, 2014, would require all hatchery reared or released chinook salmon, coho salmon and steelhead to be tagged with a coded wire tag and would require an unspecified number (to be determined by DFW) of those fish to be externally marked on their top fin. AB 2684 would also require DFW to implement policies and practices to improve the survival and fitness of the hatchery raised fish and reduce the genetic and ecological risks that hatchery fish pose to wild and native fish.

In 2009, Congress directed the U.S. Fish and Wildlife Service (USFWS) to conduct a scientific review of anadromous hatchery programs in California to ensure the hatcheries are managed and operated in a manner that assists the recovery and conservation of naturally spawning salmon and steelhead populations and/or supports sustainable fisheries with little or no harmful impact to natural populations. Subsequently, the California Scientific Hatchery Review Group was formed and conducted a review of programs at eight California hatcheries, including the Mokelumne River Fish Hatchery, over a 16 month time-period from 2010 to 2012.The group's report, released in June 2012, contained numerous recommendations on a number of topics including, but not limited to, levels for marking and tagging of fish, creation of hatchery coordination teams, standards for broodstock management, and hatchery program size and release strategies.

These recommendations were intended to "provide guidance to policy makers who will be responsible for implementing changes in how California hatcheries are operated."
AB 2684 is intended to implement the report's recommendation related to marking and tagging of hatchery fish to increase the collection of scientific data that could assist with efforts to revitalize salmon populations and better protect wild and native fish. However, the bill's requirement to tag all chinook salmon, coho salmon and steelhead is substantially broader than the California Scientific Hatchery Review Group's recommendation, which called for 100 percent tagging of chinook salmon but does not call for all coho salmon and steelhead to be tagged.

The Mokelumne River Fish Hatchery, owned and paid for by EBMUD and operated by DFW, is one of 21 California hatcheries identified on the DFW website, and is part of EBMUD's efforts to preserve and enhance salmon and steelhead fisheries on the Mokelumne River. EBMUD works in partnership with DFW and USFWS through a Joint Settlement Agreement and has self-funded tens of millions of dollars to restore and enhance the Mokelumne River ecosystem and its fish hatchery.

The Mokelumne River Fish Hatchery produces both chinook salmon and steelhead, but does not produce coho salmon. Currently, 25 percent of the hatchery's chinook salmon are marked and tagged as part of the state's Central Valley Constant Fractional Marking (CFM) program and all steelhead are marked (none are tagged), at an annual cost to EBMUD of approximately $500,000. AB 2684's requirements to tag all chinook salmon and steelhead would result in one time start-up costs of approximately $4 million for the Mokelumne River Fish Hatchery and increase the hatchery's annual costs by over $2 million. It is unclear how these costs would be allocated but it is possible that EBMUD would be assigned some or all of the costs due to its status as a mitigator. Similar costs are anticipated for the other hatcheries in the state, and like the Mokelumne River Fish Hatchery, these costs could potentially be borne by the mitigators, which include the Department of Water Resources and the United States Bureau of Reclamation.

The CFM program was first initiated in 2007 to improve monitoring and evaluation of hatchery programs, develop better ocean harvest estimates of fish from specific hatcheries and evaluate restoration actions. The state has not yet conducted a full assessment of the current CFM program to evaluate its effectiveness in providing key information to fisheries managers. Accordingly, AB 2684's requirement that all hatchery chinook salmon, coho salmon, and steelhead be tagged is premature.

AB 2684's objective to improve the salmon fishery and conservation of wild and native fish through increased data collection is consistent with EBMUD's objective to restore salmon populations on the Mokelumne River. However, in the absence of a full assessment of the current CFM program and in light of the significant costs to implement AB 2684, the measure should be amended to allow DFW the flexibility to determine the level of tagging in a manner that is similar to the bill's marking provision, as shown below. This would enable DFW to develop a more cost-effective program that reflects the lessons learned from the CFM program and is consistent with the intent that the California Scientific Hatchery Review Group's

recommendations serve as guidance for those responsible for implementing changes in how California hatcheries are operated.

> Fish and Game Code Section 1120.5 (c)
>
> A requirement that hatchery chinook salmon, coho salmon, and steelhead released in California waters be externally marked on the top fin at a level to be determined by the department and that ~~all~~ hatchery chinook salmon, coho salmon, and steelhead be coded-wire tagged ***at a level to be determined by the department*** prior to their release.

EBMUD has historically taken positions on legislation intended to facilitate fishery enhancement. In 2010, the Board adopted a "support in concept" position on AB 2063 (Huffman), which urged more collaboration between state and federal agencies to restore chinook salmon populations. AB 2063 was vetoed. In 2009, the Board adopted a support position on AB 1189 (Skinner) that would have facilitated Caltrans' remediation of fish passage barriers. This measure failed to advance out of the legislature.

The current list of support and opposition to AB 2684 is shown below.
Support
California Association for Recreational Fishing
California-Nevada Conference of Operating Engineers
Northwest Marine Technology, Inc.
Oceana
Sierra Club California
Union of American Physicians and Dentists

Opposition

None listed

SB 1199 (Hancock)	**WILD AND SCENIC RIVERS: MOKELUMNE RIVER**	**OPPOSE UNLESS AMENDED**

Existing law, the California Wild and Scenic Rivers Act (Act), designates certain rivers and river segments as components of the state wild and scenic river system and generally prohibits the construction of new dams, reservoirs, diversions, other impoundments, or water diversion facilities along the specified river segments. Designated rivers are classified as wild, scenic, or recreational depending upon the level of development along the river; however, the rivers are commonly referred to as "wild and scenic."

SB 1199 (Hancock), as amended on April 3, 2014, would designate eight specified segments of the Mokelumne River as "wild and scenic" within three main areas:

- "North Fork Mokelumne River from 0.25 miles downstream of Salt Springs Dam to the southern boundary of Section 12, T6N, R12E";
- "North Fork Mokelumne River from 1,400 feet upstream of the South Fork Mokelumne River confluence"; and
- "The main stem of the Mokelumne River from the confluence of the North and South Forks to the upper extent of Pardee Reservoir downstream of Highway 49, as the reservoir exists on January 1, 2015." This could purport to designate a portion of the existing Pardee Reservoir as a protected river under the California Wild and Scenic Rivers Act, which appears to conflict with other provisions of the Act.

By designating these portions of the Mokelumne River as wild and scenic, SB 1199 would prohibit the construction of new dams, reservoirs, or other water impoundment facilities on the identified segments on the river. SB 1199 is co-sponsored by the Foothill Conservancy and Friends of the River.

California Wild and Scenic Rivers Act

The Act was established in 1972 and now designates segments of 14 rivers as "wild and scenic." These rivers are the Smith River and tributaries, Klamath River and tributaries, Scott River, Salmon River, Trinity River, Eel River, Van Duzen River, North Fork of the American River, East Carson and West Walker Rivers, South Yuba River, Albion and Gualala Rivers, and Cache Creek. In addition, segments of the McCloud River, Deer Creek, and Mill Creek have fishery-related protections under the Act though these rivers are not formally designated as "wild and scenic."

The primary result of a state "wild and scenic" designation is the protection from future on-stream development. Specific provisions of the state's "wild and scenic" act that serve to provide this protection are as follows:

- The Act prevents the construction of new dams, reservoirs, or other water impoundment facilities. Further, no new diversion facilities (stream intakes) may be constructed on any protected river segment unless the state determines that the facility is needed to supply domestic water to local residents and that the facility will not adversely affect the river's free-flowing condition and natural character;

- The Act prevents agencies of the State from offering assistance to local, state, and federal agencies in the planning and construction of any dam, reservoir, diversion, or other water impoundment facility that could adversely affect the free-flowing condition and natural character of river segments included in the system;

- While the designation does not affect existing water rights and facilities, proposed changes in existing rights and facilities or applications for new water rights and facilities on designated segments are subject to the domestic use restriction and the non- degradation standard; and

- With regard to forestry, special treatment areas identifying significant resource features are established along rivers in the system and are further defined in California's Forest Practice Rules as a 200-foot wide area on each side of the designated river (14 CCR 895.1). The Act includes provisions for the temporary suspension of timber operations in special treatment areas. Staff has not conducted a review of where these areas currently exist and where they might exist in the future, and who the affected stakeholders might be.

The most recent "wild and scenic" designation was the Cache Creek designation in 2005. The Cache Creek designation covers 31 miles and includes specific language intended to protect existing water rights; historic water use practices; the "replacement, maintenance, repair, or future expansion within existing water rights of existing diversion, storage, powerhouse, or conveyance facilities or other works"; activities to manage or remove invasive plants and animal species; and activities related to pollutant remediation. The Cache Creek designation also expressly precludes the governor and any employee of a state agency or department from applying for federal "wild and scenic" designation for Cache Creek.

Effects of SB 1199

As written, SB 1199 would affect EBMUD's current operations and future water supply options for EBMUD and other water agencies that rely on the Mokelumne River. It is also anticipated that SB 1199 could provide benefits to EBMUD in the form of restricted water resources development upstream of Pardee Reservoir.

Current EBMUD operations

The Mokelumne River watershed is located on the western slope of the Sierra Nevada Mountains in Alpine, Amador, Calaveras and San Joaquin counties. The Mokelumne River watershed, where EBMUD owns and operates Pardee Reservoir on the Mokelumne River, is the primary source of EBMUD's water supply.

SB 1199's designation would extend to the Pardee Reservoir "as it exists on January 1, 2015." With the Mokelumne watershed experiencing the fifth driest year to date, it is unlikely that Pardee Reservoir will be at full capacity on January 1, 2015. Therefore, SB 1199's designation would extend into the reservoir's operating range, hinder EBMUD's ability to manage water supply, flood control, and river operations, and interfere with EBMUD's water rights and hydropower water rights. SB 1199, as currently drafted, could reduce water storage by 20,000 acre-feet or more, thereby decreasing water supply for dry years, diminishing space for containing flood flows, and reducing the amount of cold water in the reservoir available to regulate temperatures in downstream releases. The author has indicated a willingness to modify the current language in the bill to not affect current operations of Pardee Reservoir but staff has declined to offer amendments until after the Board has taken a position on the bill.

Future water supply options

SB 1199 would prevent raising the elevation of Pardee Reservoir in the future and would preclude construction of dams in any of the designated sections of the river. EBMUD's Water

Supply Management Program (WSMP) 2040 does not include enlargement of Pardee Reservoir and previous attempts to include an expansion at the programmatic level were met with substantial resistance in the upcountry region and in EBMUD's service area. EBMUD has previously identified several other potential sources of future storage that are not included in the WSMP 2040 but might be considered at some point in the future including participation in a future expansion of Los Vaqueros Reservoir, development of Buckhorn Reservoir in the East Bay Watershed, and participation in the development of a large aquifer storage project in a future San Joaquin County groundwater bank. Nonetheless, it is possible that beyond 2040, EBMUD and/or one or more local water agencies may want to consider additional surface storage in the upper Mokelumne River region.

In its letter opposing SB 1199, Amador Water Agency (AWA) indicated that "wild and scenic" designation would have significant negative ramifications and would jeopardize its ability to develop water storage projects required to address both near term and short term needs. In the near term, AWA has a pending water rights application with the State Water Resources Control Board (SWRCB) to increase its Mokelumne River water supply to serve central Amador County. Per AWA, the demand in its service area has nearly exhausted the supply authorized under its existing water rights permit for that area.

In planning for the future water supply needs of Amador County, AWA has been studying various alternatives, all of which include creating additional supplies from the Mokelumne River. AWA's review, which considers projects such as raising the height of one or more existing Pacific Gas and Electric dams in place on the Mokelumne River or its tributaries, notes that 10,000 acre-feet of new storage must be created. AWA staff have expressed that water saving programs (water conservation, water recycling, etc.), while important, cannot address the supply deficiency envisioned.

Calaveras County Water District (CCWD), like AWA, has voiced its opposition to "wild and scenic" designation. Although at this time CCWD has no current water resource projects anticipated along the Mokelumne River, it has stated that the bill's passage would prevent CCWD from implementing projects that could be necessary to address CCWD's service area's future need for a reliable water supply.

Ongoing discussions with San Joaquin County (SJC) staff and representatives of the individual water agencies and conservation districts whose service areas straddle the Mokelumne River indicate there is a continued interest in developing a water supply from the river. In order to capture that supply, most alternatives call for development of SJC-specific upstream facilities, such as dedicated diversion structure(s), possibly located at Pardee Reservoir, and/or the participation in a scheme to expand existing Mokelumne River dams to meet the needs of regional interests (SJC, Foothill Counties, and EBMUD) in combination with the use of existing EBMUD conveyance facilities. While SJC's plans are currently conceptual in nature, it is clear that any upstream elements would be subject to "wild and scenic" regulations and restrictions.

Other water agencies along the Mokelumne River, such as Jackson Valley Irrigation District and North San Joaquin Water Conservation District, have voiced opposition to SB 1199, primarily along the lines as detailed above (i.e., that it would severely hamper the respective water agency's ability to meet future water needs).

Future EBMUD actions in designated areas
EBMUD has been working in conjunction with Amador and Calaveras Counties, Foothill Conservancy, and other interest groups on the implementation of several recreation projects in the upper Mokelumne River corridor, including the construction of scenic trails and rafting facilities, including take-outs, parking lots, etc. Additionally, EBMUD maintains important water quality facilities, including a river gauging station and water quality sampling equipment, on the river at Highway 49. It is unclear what impact if any a state "wild and scenic" designation would have on these projects and facilities. However, it is important that any "wild and scenic" designation of the Mokelumne River not restrict the ability to implement these types of recreational improvements nor inhibit streamflow gauging or water quality monitoring.

Potential benefits
SB 1199 would prevent future on-stream development in the designated area upstream of Pardee Reservoir. These protections would be permanent, and might result in reduced or delayed water supply development in Amador and Calaveras Counties, resulting in a possible increase in permanent or temporary water availability for EBMUD and would eliminate the need to formulate mitigation strategies to prevent upstream projects in new locations from harming EBMUD interests. EBMUD's experience shows that development of new or enlarged on-stream storage is very controversial. Though these projects would be difficult in the absence of a "wild and scenic" designation, a "wild and scenic" designation would increase the difficulty of, and could preclude, such projects.

Previous designation efforts
In 2010, two proposals were being circulated (neither was successful) to designate the Mokelumne River as "wild and scenic" under federal law. At that time, and as part of the adoption of the WSMP 2040, EBMUD's Board expressed support for designating a portion of the Mokelumne River as a national "wild and scenic" river and committed to working with stakeholders to achieve appropriate designation language. However, some of EBMUD's upcountry partners were concerned when EBMUD took a support position and EBMUD committed to, in the future, allow Upper Mokelumne River Watershed Authority (UMRWA) parties time to discuss issues that directly apply to their region before EBMUD takes a position.

Studies
The Senate Committee on Natural Resources and Water analysis for the April 29th SB 1199 hearing identified two prior studies that included evaluations of the Mokelumne River for suitability for federal "wild and scenic" designation – a 1990 United States Forest Service study and a 2007 Bureau of Land Management study. Staff has located the relevant section from a United States Forest Service study that appears to be the same study as that referenced in the committee analysis and has also located the 2007 Bureau of Land Management study. Staff has

also located a reference to a third United States Forest Service study. None of these studies evaluated the totality of the 37 miles of the Mokelumne River that are proposed for state "wild and scenic" designation under SB 1199.

- A total of 24.5 miles of the North Fork of the Mokelumne River were identified as eligible for federal "wild and scenic" designation via two United States Forest Service studies. According to the Environmental Impact Statement (EIS) for the United States Forest Service Stanislaus Forest Land and Resource Management Plan circa 1990/1991, 18 miles of the North Fork of the Mokelumne River above Salt Springs Reservoir were identified as eligible for federal "wild and scenic" designation. An additional 6.5 miles of the North Fork of the Mokelumne River downstream of Salt Springs Reservoir was recommended for federal "wild and scenic" designation in a 1994 EIS referenced in the 2012 Sierra Forest Legacy report "National Forests in the Sierra Nevada: A Conservation Strategy Appendix C Wild and Scenic Rivers: Status of Evaluations and Comprehensive River Management Plans."

- A total of 20.2 miles of the North Fork and Main Mokelumne River were recommended for federal "wild and scenic" protection by the Bureau of Land Management in its 2007 "Sierra Resource Management Plan Proposed EIS". The proposed area was described as 300 feet below the Tiger Creek after bay to 100 feet below the Highway 49 Bridge.

To date staff has not identified any state studies that assess the suitability of a state "wild and scenic" designation for the Mokelumne River. However, existing law provides for, but does not require, a study prior to designation of a river under the state "wild and scenic" system. Section 5093.547 of the Public Resources code directs the Secretary of Resources to "study and submit to the Governor and the Legislature reports on the suitability or non-suitability for addition to the system of rivers or segments thereof which are designated by the Legislature as potential additions to the system. The secretary shall report to the Legislature his or her recommendations and proposals with respect to the designation of a river or segment." State "wild and scenic" designations may also be made via legislative action without a prior study. Precedent exists for designations made both with, and in the absence of, a study. For example, segments of the East Carson and West Walker rivers were studied prior to being designated as "wild and scenic" whereas the segments of the South Yuba River and Cache Creek were designated by the legislature in the absence of a study.

Stakeholder discussions

EBMUD has expressed its belief that the local community - including water utilities, city and county government, environmental organizations, business organizations, and others - should reach consensus and/or agreement regarding the desire for and extent of "wild and scenic" designation. EBMUD has indicated its willingness to participate in those discussions though the process to gain designation should be locally championed.

SB 1199 was included as a discussion item at the April 25th meeting of the UMRWA. The meeting was attended by representatives from each of the nine member organizations as well as

several members of the public. Each representative had an opportunity to express their perspective on SB 1199. The agency representatives reiterated their concerns regarding the short time frame for analysis and comment, the potential impact to future water supply projects and the potential for new state restrictions for private property owners. Most of these representatives stated that they would be willing to work with the sponsors and author to try and craft compromise language if there was sufficient time to do so.

SB 1199 was considered by the Association of California Water Agencies (ACWA) State Legislative Committee at its May 2nd meeting. Committee members representing the Calaveras County Water District and Amador Water Agency spoke in opposition to the measure. The ACWA committee voted to oppose SB 1199 with EBMUD's representative abstaining from the vote.

While there continues to be a wide range of local opinions and positions on the proposed "wild and scenic" designation, there is broad agreement that since SB 1199's introduction in April, there has been insufficient time for adequate stakeholder deliberation and input. Accordingly SB 1199's process must include mechanism(s) that serve to engage stakeholders such that their feedback is given adequate weight and consideration prior to allowing any "wild and scenic" designation for the Mokelumne River to take effect.

Amendments needed

In its current form, SB 1199 does not recognize the importance of the long-standing stakeholder process that has been established through UMRWA. In addition, in order to protect EBMUD's existing water supply operations, the area proposed for designation must be defined in such a manner as to not affect the operation of Pardee Reservoir. Accordingly, SB 1199 should be amended as described below.

Any "wild and scenic" designation for the Mokelumne River should not take effect until such time as the water supply issues of stakeholders, including but not limited to, UMRWA member agencies and the Eastern San Joaquin County Groundwater Basin Authority member agencies, are resolved through a stakeholder process. This process may include a study conducted by the Secretary of Resources to update prior studies that have not considered the entirety of the river segments now being proposed for "wild and scenic' designation under SB 1199 and may not have considered the potential impact of climate change on current and projected water supply conditions related to the river or the full range of stakeholder interests on the Mokelumne River.

Any bill to advance a "wild and scenic" designation for the river should include those protections necessary to resolve the water supply issues of stakeholders. At a minimum, those protections must include language to protect the existing Pardee Reservoir and its operations such that the "wild and scenic" designation for the Mokelumne River would terminate at an elevation of no less than 580 feet above mean sea level. This is the furthest extent of the reservoir under severe flood conditions, under the current elevation of the Pardee spillway. As a point of reference, 568 feet above mean sea level represents the existing limits of the top-of-pool elevation of the

existing Pardee Reservoir but does not account for flood conditions and thus would not be adequately protective of reservoir operations.

Support and opposition

Due to the unique nature of this issue, the support and opposition list has been compiled from multiple sources including the legislature, SB 1199 sponsors, and other stakeholders. These lists do not reflect the results of the support and opposition letter-writing campaigns by Friends of the River and Families Protecting the Valley that were underway at the time of this writing.

Support (as provided by the legislature)
Friends of the River (sponsor)
Foothill Conservancy (sponsor)
County of Calaveras
Environmental Water Caucus
Restore the Delta
California Sportfishing Protection Alliance
Planning and Conservation League
Sierra Club California
Sierra Club Bay Chapter
Pacific Coast Federation of Fishermen's Associations
California Coastkeeper Alliance
Environmental Justice Coalition for Water
Center for Biological Diversity
Karuk Tribe
Winnemem Wintu Tribe
California Valley Miwok Tribe
Southern California Watershed Alliance
Lower Sherman Island Duckhunters Association
Butte Environmental Council
Earth Law Center
Sacramento River Preservation Trust
Clean Water Action of California
Institute for Fisheries Resources
Citizens Water Watch of Northern California
Food and Water Watch
Klamath Riverkeeper
Desal Response Group
Sierra Nevada Alliance
Fish Sniffer
California Striped Bass Association
Golden West Women Flyfishers
MyValleySprings.com
Natural Heritage Institute
Amador County Democratic Central Committee
American Rivers

Delta Fly Fishers
Sierra Business Council
South Yuba River Citizens League
Central Sierra Environmental Resource Center
17 individuals/businesses

Additional entities in support as provided by the Foothill Conservancy
More than 160 small businesses in Amador and Calaveras Counties (more than 100 from Amador) including wineries, retailers, professional services firms, recreation businesses, restaurants and bars, lodging establishments, realtors, media, personal services firms, farmers, minimarts, contractors, and grocery stores.

Business and economic development organizations: Destination Angels Camp, Calaveras Visitors' Bureau, Sierra Business Council

More than 12,000 individuals, including more than 5,000 from Amador and Calaveras counties.

Current local elected officials including countywide elected officials in Amador and Calaveras, Calaveras County Supervisors, city council members in Sutter Creek and Jackson, fire district directors, special district directors, and East Bay city councilmembers in San Leandro, Berkeley, and Richmond.

Former appointed or elected local officials in Amador, Calaveras and the East Bay who have served on Amador and Calaveras County boards of supervisors, city councils, school board, special district boards, local water agencies and EBMUD boards, city and county planning commissions (Amador and Calaveras), local fire district boards, parks and recreation commissions, resource conservation district, and the agricultural commission.

Community organizations including Blue Mountain Center for Youth and Families, Pine Grove Council, Amador Citizens for Smart Growth, Paloma community residents

Opposition (as provided by the legislature)
County of Amador
Jackson Valley Irrigation District
Amador Water Agency

Additional entities in opposition (self-identified)
Association of California Water Agencies
Calaveras-Amador Mokelumne River Authority
Calaveras County Water District
California Farm Bureau Federation
North San Joaquin Water Conservation District

H.R. 4456 (Miller) **TO DETERMINE THE FEASIBILITY OF ADDITIONAL AGREEMENTS FOR LONG-TERM USE OF EXISTING OR EXPANDED NON-FEDERAL STORAGE AND CONVEYANCE FACILITIES** **SUPPORT**

In 1994, a consortium of state and federal agencies, known as the CALFED Bay-Delta Program (CALFED), was formed to develop a long-term, comprehensive strategy to restore the Bay-Delta environment and improve water supply reliability and water quality. As part of its plan for managing and restoring the Bay-Delta, CALFED included a proposal to expand Los Vaqueros Reservoir to help improve drought supplies and water quality for the Bay Area. An initial expansion of Los Vaqueros was completed in 2012.

H.R. 4456 (Miller) would direct the Secretary of the Interior to determine whether it is feasible to implement long-term agreements for federal entities, such as the United States Bureau of Reclamation, to use non-federal storage and conveyance facilities in order to enhance federal water operations. To determine the feasibility of long-term agreements, H.R. 4456 directs the Secretary of the Interior to enter into agreements with non-federal entities to provide replacement water supplies for Central Valley Project contractors and wildlife refuges. Any agreements will include the purchase of storage capacity in non-federal facilities from willing sellers, as well as payment for the temporary use of available capacity in existing above-ground, off-stream storage and associated conveyance facilities owned by local water agencies.

Contra Costa Water District (CCWD) has indicated an interest in determining the feasibility of renting space in Los Vaqueros Reservoir, which it owns and operates, to the federal government. According to CCWD, the current additional capacity provided by the recent expansion of Los Vaqueros has provided opportunities to partner with local agencies to use space in the reservoir to meet regional needs, and CCWD is interested in pursuing a similar partnership with the federal government.

H.R. 4456 would require the Secretary of the Interior to determine whether it would be feasible for federal entities to enter into long term agreements with non-federal entities, such as CCWD, to use non-federal facilities, such as Los Vaqueros, to provide increased flexibility in operating the Central Valley Project. If an agreement was reached for federal entities to lease excess storage capacity in Los Vaqueros, surplus water supplies could be stored in Los Vaqueros when water quality in the Delta is high and impacts to fish are low, and used at a later time, thereby increasing the flexibility of diversions from the Delta to reduce impacts to fisheries and improving regional water supply reliability and water quality. This could ultimately facilitate future agreements needed for a further expansion of Los Vaqueros, which could be beneficial for regional water supply reliability.

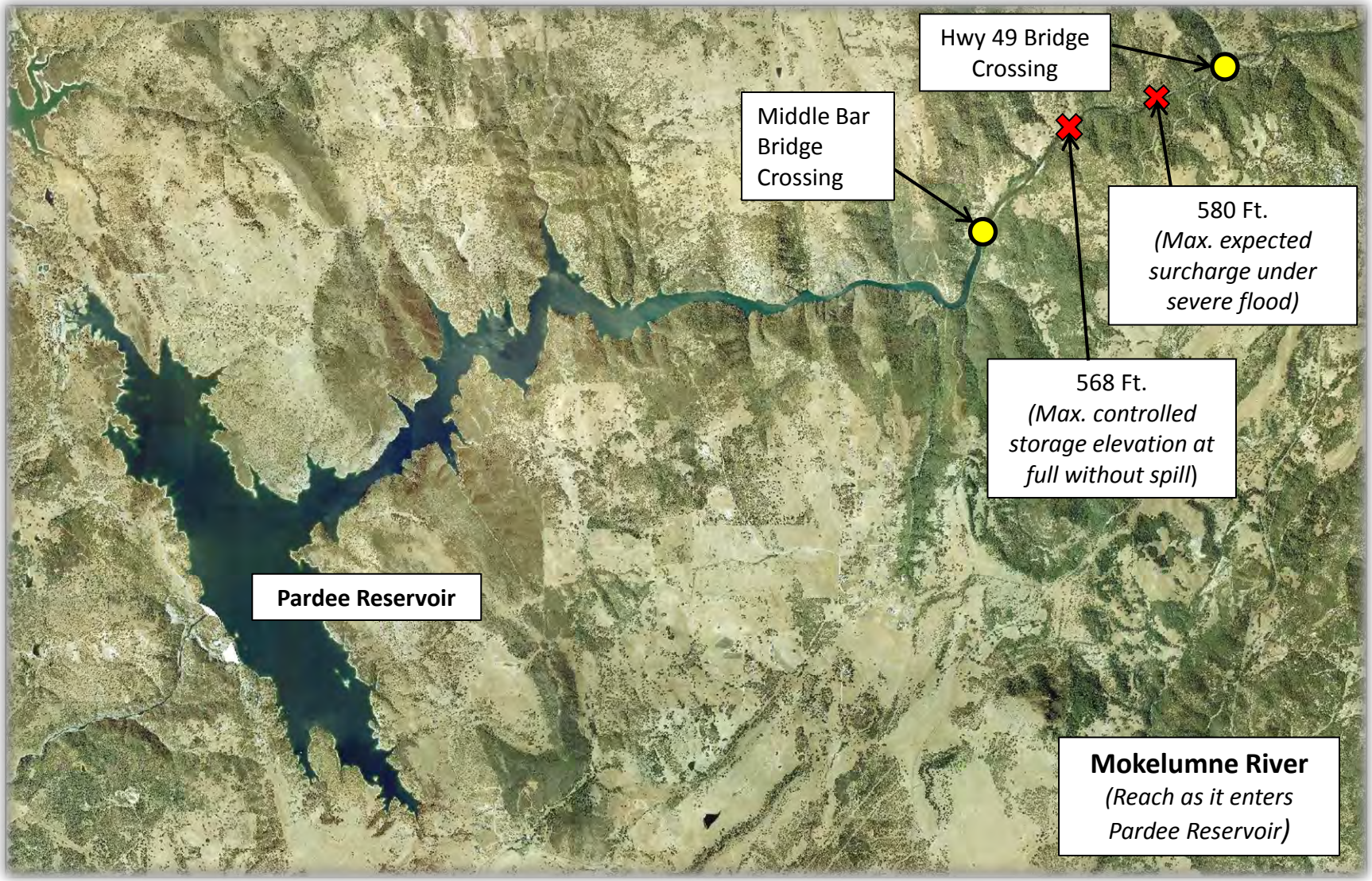
With regard to EBMUD, by directing federal entities to partner with non-federal entities in order to move and store water, H.R. 4456 may foster future opportunities for federal entities, such as

the United States Bureau of Reclamation, to use available capacity in the Freeport Regional Water Project (FRWP), which could provide regional water supply benefits and help offset FRWP costs. In addition, further expansion of Los Vaqueros could be beneficial to EBMUD if it improves water quality or reduces costs as EBMUD's Water Supply Management Program 2040 includes use of Los Vaqueros as a potential supplemental supply option, which would entail EBMUD storing water with CCWD during non-drought years and receiving water from CCWD during drought years. H.R. 4456 is complementary to EBMUD's efforts to increase regional water supply reliability and could provide future opportunities for federal entities to utilize EBMUD facilities.

CCWD has indicated to staff that it is supportive of H.R. 4456. A full list of entities in support and opposition to this measure is not available.

ARC:MD:JF

Figure 1



Reference: 1998 Aerial Photography

AMENDED IN ASSEMBLY MARCH 27, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL No. 2684

Introduced by Assembly Member Stone
(Coauthors: Assembly Members Cooley and Fong)
(Coauthor: Senator Evans)

February 21, 2014

An act to add Section 1120.5 to the Fish and Game Code, relating to fish.

LEGISLATIVE COUNSEL'S DIGEST

AB 2684, as amended, Stone. Hatchery practices: ~~salmonids.~~ *salmon and steelhead.*

Existing law requires the Fish and Game Commission to establish fish hatcheries for stocking the waters of California with fish and requires the Department of Fish and Wildlife to maintain and operate such hatcheries. Existing law also authorizes county boards of supervisors to establish and maintain fish hatcheries and authorizes the commission to issue permits to nonprofit organizations to construct and operate anadromous fish hatcheries.

This bill would require the department to implement specified policies and practices for hatchery ~~salmonids~~ *chinook salmon, coho salmon, and steelhead* reared or released in California waters, including a requirement that hatchery ~~salmon~~ *chinook salmon, coho salmon,* and steelhead released in California waters be externally marked on the top fin at a level to be determined by the department and that all hatchery ~~salmonids~~ *chinook salmon, coho salmon, and steelhead* be coded-wire tagged prior to their release.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

SECTION 1. Section 1120.5 is added to the Fish and Game Code, to read:

1120.5. The department shall implement policies and practices for hatchery ~~salmonids~~ *chinook salmon, coho salmon, and steelhead* reared or released in California waters by adopting all of the following:

(a) Hatchery practices that improve the survival and fitness of the hatchery population.

(b) Hatchery practices that reduce the genetic and ecological risks posed by hatchery juveniles and adults to wild and native populations.

(c) A requirement that hatchery ~~salmon~~ *chinook salmon, coho salmon,* and steelhead released in California waters be externally marked on the top fin at a level to be determined by the department and that all hatchery ~~salmonids~~ *chinook salmon, coho salmon, and steelhead* be coded-wire tagged prior to their release.

O

AMENDED IN SENATE APRIL 3, 2014

SENATE BILL **No. 1199**

Introduced by Senator Hancock

February 20, 2014

An act to amend Sections ~~5508 and 5511~~ *5093.54 and 5093.545* of the Public Resources Code, relating to ~~parks.~~ *wild and scenic rivers.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1199, as amended, Hancock. ~~Parks: regional park, park and open-space, and open-space districts: notice of hearing.~~ *Wild and scenic rivers: Mokelumne River.*

The California Wild and Scenic Rivers Act includes specified rivers and segments thereof within the California Wild and Scenic River system, which are subject to various protections under the act. Existing law requires the Natural Resources Agency to coordinate the activities of state agencies whose activities affect the rivers in the system, as specified, and to study and submit to the Governor and the Legislature reports on the suitability or nonsuitability of designated potential additions to the system.

This bill would include within the system specified segments of the Mokelumne River, and would designate those segments as wild, scenic, or recreational.

~~Existing law authorizes a procedure for the creation of a regional park district, regional park and open-space district, and regional open-space district where certain requirements, including, but not limited to, the holding of an election, must be met. Before an election is held, existing law requires a specified county to hold hearings to determine the boundaries of the proposed district and to publish notice, as specified, of those hearings.~~

~~This bill would also require notice of those hearings to be posted online and to be publicly accessible on the county's Internet Web site, if the county has an Internet Web site, thereby imposing a state mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

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

SECTION 1. The Legislature finds and declares both of the following:

(a) The Mokelumne River contains extraordinary scenic, recreational, historical, cultural, and water quality values of statewide significance that deserve to be preserved in their free-flowing state for the benefit and enjoyment of the people of the state.

(b) In designating the Mokelumne River as a component of the California Wild and Scenic River System, it is the intent of the Legislature that this act will accomplish the preservation of those values.

SEC. 2. Section 5093.54 of the Public Resources Code is amended to read:

5093.54. The following rivers and segments thereof are designated as components of the system:

(a) Klamath River. The main stem from 100 yards below Iron Gate Dam to the Pacific Ocean; the Scott River from the mouth of Shackleford Creek west of Fort Jones to the river mouth near Hamburg; the Salmon River from Cecilville Bridge to the river mouth near Somesbar; the North Fork of the Salmon River from the intersection of the river with the south boundary of the Marble Mountain Wilderness Area to the river mouth; Wooley Creek from the western boundary of the Marble Mountain Wilderness Area to its confluence with the Salmon River.

(b) Trinity River. The main stem from 100 yards below Lewiston Dam to the river mouth at Weitchpec; the North Fork of the Trinity from the intersection of the river with the southern boundary of the Salmon-Trinity Primitive Area downstream to the river mouth at Helena; New River from the intersection of the river with the southern boundary of the Salmon-Trinity Primitive Area downstream to the river mouth near Burnt Ranch; South Fork of the Trinity from the junction of the river with State Highway Route 36 to the river mouth near ~~Salver~~ *Salyer*.

(c) Smith River. The main stem from the confluence of the Middle and South Forks to its mouth at the Pacific Ocean; the Middle Fork from its source about three miles south of Sanger Lake as depicted on 1956 USGS 15′"Preston Peak" topographic map to the middle of Section 7 T17N R5E; the Middle Fork from the middle of Section 7 T17N R5E to the middle of Section 6 T17N R5E; the Middle Fork from the middle of Section 6 T17N R5E to one-half mile upstream from the confluence with Knopki Creek; the Middle Fork from one-half mile upstream from the confluence with Knopki Creek to the confluence with the South Fork; Myrtle Creek from its source in Section 9 T17N R1E as depicted on 1952 USGS 15′ "Crescent City" topographic map to the middle of Section 28 T17N R1E; Myrtle Creek, from the middle of Section 28 T17N R1E to the confluence with the Middle Fork; Shelly Creek from its source in Section 1 T18N R3E as depicted on 1951 USGS 15′"Gasquet" topographic map to the confluence with Patrick Creek; Kelly Creek from its source in Section 32 T17N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the Middle Fork; Packsaddle Creek from its source about 0.8 miles southwest of Broken Rib Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the eastern boundary of Section 3 T17N R1E; Packsaddle Creek from the eastern boundary of Section 3 T17N R4E to the northern boundary of Section 3 T17N R4E; Packsaddle Creek from the northern boundary of Section 3 T17N R4E to the confluence with the Middle Fork; East Fork Patrick Creek from its source in Section 10 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with West Fork Patrick Creek; West Fork Patrick Creek from its source in Section 18 T18N R3E as depicted on 1951 15′ "Gasquet" topographic map to the confluence with East Fork Patrick Creek; Griffin Creek from its

source about 0.2 miles southwest of Hazel View Summit as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the Middle Fork; Knopki Creek from its source about 0.4 miles west of Sanger Peak as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with Middle Fork; Monkey Creek from its source in the northeast quadrant of Section 12 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the northern boundary of Section 26 T18N R3E; Monkey Creek from the northern boundary of Section 26 T18N R3E to the confluence with the Middle Fork; Patrick Creek from the junction of the East and West Forks of Patrick Creek to the confluence with Middle Fork; the North Fork from the California-Oregon boundary to the confluence with an unnamed tributary in the northern quarter Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map; the North Fork from the confluence with an unnamed tributary in northern quarter of Section 5 T18N R2E to the southernmost intersection of eastern boundary Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map; the North Fork from the southern-most intersection of the eastern boundary Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Stony Creek; the North Fork from the confluence with Stony Creek to the confluence with the Middle Fork; Diamond Creek from the California-Oregon state boundary to the confluence with High Plateau Creek; Diamond Creek from the confluence with High Plateau Creek to the confluence with the North Fork; Bear Creek from its source in Section 24 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Diamond Creek; Still Creek from its source in Section 11 T18N R1E as depicted on 1952 USGS 15′ "Crescent City" topographic map to the confluence with the North Fork Smith River; North Fork Diamond Creek from the California-Oregon state boundary to the confluence with Diamond Creek; High Plateau Creek from its source in Section 26 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to northern boundary Section 23 T18N R2E; High Plateau Creek from the northern boundary Section 23 T18N R2E to the confluence with Diamond Creek; the Siskiyou Fork from its source about 0.7 miles southeast of Broken Rib Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the South

Siskiyou Fork; the Siskiyou Fork from its confluence with the South Siskiyou Fork to the confluence with the Middle Fork; the South Siskiyou Fork from its source about 0.6 miles southwest of Buck Lake as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the Siskiyou Fork; the South Fork from its source about 0.5 miles southwest of Bear Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to Blackhawk Bar; the South Fork from Blackhawk Bar to the confluence with the Middle Fork; Williams Creek from its source in Section 31 T14N R4E as depicted on 1952 USGS 15′"Ship Mountain" topographic map to the confluence with Eight Mile Creek; Eight Mile Creek from its source in Section 29 T14N R4E as depicted on 1955 USGS 15′ "Dillon Mountain" topographic map to the confluence with the South Fork; the Prescott Fork from its source about 0.5 miles southeast of Island Lake as depicted on 1955 USGS 15′ "Dillon Mountain" topographic map to the confluence with the South Fork; Quartz Creek from its source in Section 31 T16N R4E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with the South Fork; Jones Creek from its source in Section 36 T16N R3E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the middle of Section 5 T15N R3E; Jones Creek from the middle of Section 5 T15N R3E to the confluence with the South Fork; Hurdygurdy Creek from its source about 0.4 miles southwest of Bear Basin Butte as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the South Fork; Gordon Creek from its source in Section 18 T16N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the South Fork; Coon Creek from the junction of the two-source tributaries in the southwest quadrant of Section 31 T17N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the western boundary Section 14 T16N R2E; Coon Creek from the western boundary Section 14 T16N R2E to the confluence with the South Fork; Craigs Creek from its source in Section 36 T17N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the South Fork; Buck Creek from its source at Cedar Camp Spring as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with the South Fork; Muzzleloader Creek from its source in Section 2 T15N R3E as depicted on 1952 USGS 15′ "Ship Mountain"

topographic map to the confluence with Jones Creek; Canthook Creek from its source in Section 2 T15N R2E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with South Fork.

(d) Eel River. The main stem from 100 yards below Van Arsdale Dam to the Pacific Ocean; the South Fork of the Eel from the mouth of Section Four Creek near Branscomb to the river mouth below Weott; Middle Fork of the Eel from the intersection of the river with the southern boundary of the Middle Eel-Yolla Bolly Wilderness Area to the river mouth at Dos Rios; North Fork of the Eel from the Old Gilman Ranch downstream to the river mouth near Ramsey; Van Duzen River from Dinsmores Bridge downstream to the river mouth near Fortuna.

(e) American River. The North Fork from its source to the Iowa Hill Bridge; the Lower American from Nimbus Dam to its junction with the Sacramento River.

(f) (1) West Walker River. The main stem from its source to the confluence with Rock Creek near the town of Walker; Leavitt Creek from Leavitt Falls to the confluence with the main stem of the West Walker River.

(2) Carson River. The East Fork from the Hangman's Bridge crossing of State Highway Route 89 to the California-Nevada border.

(3) The Legislature finds and declares that, because the East Fork Carson River and West Walker River are interstate streams, and a source of agricultural water and domestic water for communities within the counties of Alpine and Mono where they originate, it is necessary that the following special provisions apply:

(A) Nothing in this subdivision shall be construed to prohibit the replacement of diversions or changes in the purpose of use, place of use, or point of diversion under existing water rights, except that (i) no replacement or change shall operate to increase the adverse effect, if any, of the preexisting diversion facility or place or purpose of use, upon the free-flowing condition and natural character of the stream, and (ii) after January 1, 1990, no new diversion shall be constructed unless and until the secretary determines that the facility is needed to supply domestic water to the residents of any county through which the river or segment flows and that the facility will not adversely affect the free-flowing condition and natural character of the stream.

(B) Nothing in this chapter shall be construed as quantifying or otherwise affecting any equitable apportionment, or as establishing any upper limit, between the State of California and the State of Nevada of the waters of these streams.

(g) (1) The South Yuba River: From Lang Crossing to its confluence with Kentucky Creek below Bridgeport.

(2) Nothing in this subdivision shall prejudice, alter, delay, interfere with, or affect in any way, the existing rights of the Placer County Water Agency, the implementation of those rights; any historic water use practices; the replacement, maintenance, repair, operation, or future expansion of existing diversions, storage, powerhouses, or conveyance facilities or other works by the Placer County Water Agency; or changes in the purpose of use, places of use, points of diversion, or ownership of those existing water rights; nor shall anything in this subdivision preclude the issuance of any governmental authorization needed for utilization of those rights, except that no changes shall operate to increase the adverse effect, if any, of the preexisting facilities or places, or the purposes of use upon the free-flowing and natural character of the river segment designated herein.

~~(3) This subdivision shall become operative on January 1, 2001.~~

(h) Albion River. The Albion River from one-fourth mile upstream of its confluence with Deadman Gulch downstream to its mouth at the Pacific Ocean.

(i) Gualala River. The main stem Gualala River from the confluence of the North and South Forks to the Pacific Ocean.

(j) (1) Cache Creek from one-fourth mile below Cache Creek Dam to Camp Haswell.

(2) North Fork Cache Creek from the Highway 20 bridge to the confluence with the mainstem.

(3) The designation of Cache Creek under paragraphs (1) and (2) shall not prejudice, alter, delay, interfere with, or affect in any way, the existing water rights of the Yolo County Flood Control and Water Conservation District, or public water agencies within the Cache Creek watershed lying in the County of Lake, including the range of operations permitted under these existing water rights; any historic water use practices within existing water rights; or the replacement, maintenance, repair, or future expansion within existing water rights of existing diversion, storage, powerhouse, or conveyance facilities or other works by the Yolo County Flood

Control and Water Conservation District or public water agencies within the Cache Creek watershed lying in the County of Lake.

(4) The designation of Cache Creek under paragraphs (1) and (2) shall not prejudice, alter, delay, interfere with, or affect any changes to the existing water rights of the Yolo County Flood Control and Water Conservation District, including changes to the purpose of use, place of use, points of diversion, quantity of water diverted, or ownership, or applications by the district for new water rights; provided, that the changes or applications do not involve the construction of a dam, reservoir, diversion, or other water impoundment facility within the segments of Cache Creek designated in paragraphs (1) and (2). Any such change or application shall be subject to all applicable constitutional, statutory, and judicial requirements, including the public trust doctrine.

(5) As the waters of the Cache Creek watershed are the sole source of supply within that watershed for the County of Lake, the designation of Cache Creek under paragraphs (1) and (2) shall not prejudice, alter, delay, interfere with, or affect any changes to the existing water rights of the public water agencies within the Cache Creek watershed lying in the County of Lake, including changes to the purpose of use, place of use, points of diversion, quantity of water diverted, or ownership, or applications by these agencies for new water rights; provided, that the changes or applications do not involve the construction of a dam, reservoir, diversion, or other water impoundment facility within the segments of Cache Creek designated in paragraphs (1) and (2). Any such change or application shall be subject to all applicable constitutional, statutory, and judicial requirements, including the public trust doctrine.

(6) (A) The designation of Cache Creek under paragraphs (1) and (2) shall not impair or affect in any way activities to manage or remove invasive or nonnative plants and animal species.

(B) The designation of Cache Creek under paragraphs (1) and (2) shall not impair or affect in any way activities to remediate mercury pollution; provided, that this activity does not involve the construction of a dam, reservoir, diversion, or other water impoundment facility within the segments of Cache Creek designated in paragraphs (1) and (2).

(7) (A) Neither the Governor nor an employee of a state agency or department shall apply to a secretary, department, agency, or other entity of the federal government for the designation of any portion of Cache Creek as a component of the national wild and scenic rivers system under the federal Wild and Scenic Rivers Act (16 U.S.C. Sec. 1271 et seq.).

(B) Neither the Governor nor an employee of a state agency or department shall expend funds preparing, filing, or otherwise submitting an application to a secretary, department, or other entity of the federal government for the designation of any portion of Cache Creek as a component of the national wild and scenic rivers system under the federal Wild and Scenic Rivers Act (16 U.S.C. Sec. 1271 et seq.).

(8) To the extent that this subdivision conflicts with other provisions of this chapter, this subdivision shall control.

(k) (1) North Fork Mokelumne River from 0.25 miles downstream of Salt Springs Dam to the southern boundary of Section 12, T6N, R12E.

(2) North Fork Mokelumne River from 1,400 feet upstream of the South Fork Mokelumne River confluence.

(3) The main stem of the Mokelumne River from the confluence of the North and South Forks to the upper extent of Pardee Reservoir downstream of Highway 49, as the reservoir exists on January 1, 2015.

~~(k) Other rivers which qualify~~

(l) Rivers that qualify for inclusion in the system may be recommended to the Legislature by the secretary.

SEC. 3. Section 5093.545 of the Public Resources Code is amended to read:

5093.545. The classifications heretofore established by the secretary for the rivers or segments of rivers included in the system are revised and adopted as follows:

	Rivers	Classification
(a)	Klamath River: The Klamath River from the FERC Project 2082 downstream boundary in Section 17 T47N R5W as shown on Exhibit K-7 sheet 1 dated May 25, 1962, to the river mouth at the Pacific Ocean	Recreational
(b)	Scott River:	

(1)	The Scott River from Shackleford Creek to McCarthy Creek	Recreational
(2)	The Scott River from McCarthy Creek to Scott Bar	Scenic
(3)	The Scott River from Scott Bar to the confluence with the Klamath River	Recreational
(c)	Salmon River:	
(1)	The Salmon River from the Forks of Salmon to the Lewis Creek confluence	Recreational
(2)	The Salmon River from the Lewis Creek confluence to the Wooley Creek confluence	Scenic
(3)	The Salmon River from the Wooley Creek confluence to the confluence with the Klamath River	Recreational
(4)	The South Fork of the Salmon River from Cecilville to St. Claire Creek confluence	Recreational
(5)	The South Fork from St. Claire Creek confluence to the Matthews Creek confluence	Scenic
(6)	The South Fork from Matthews Creek confluence to the Forks of Salmon	Recreational
(7)	The North Fork of the Salmon River from Marble Mountain Wilderness boundary to Mule Bridge Campground in Section 35 T12N R11W and Section 12 T11N R11W	Wild
(8)	The North Fork from Mule Bridge Campground to the Forks of Salmon	Recreational
(9)	Wooley Creek from the Marble Mountain Wilderness Area boundary to ½ mile upstream of the confluence with Salmon River	Wild
(10)	Wooley Creek downstream ½ mile above the confluence with the Salmon River	Recreational
(d)	Trinity River:	
(1)	The Trinity River from 100 yards below Lewiston Dam to Cedar Flat Creek confluence	Recreational
(2)	The Trinity River from Cedar Flat Creek confluence to Gray Falls	Scenic

(3)	The Trinity River from Gray Falls to the west boundary of Section 2 T8N R4E	Recreational
(4)	The Trinity River from the west boundary of Section 2 T8N R4E to the confluence with the Klamath River at Weitchpec	Scenic
(5)	The North Fork of the Trinity River from the Trinity Alps Primitive Area boundary to north boundary Section 20 T34N R11W	Wild
(6)	The North Fork from the north boundary Section 20 T34N R11W to mouth	Recreational
(7)	The South Fork Trinity River from Forest Glen to Hidden Valley Ranch	Wild
(8)	The South Fork from Hidden Valley Ranch to the Naufus Creek confluence in Section 8 T1N R7E	Scenic
(9)	The South Fork from the Naufus Creek confluence in Section 8 T1N R7E to Johnson Creek confluence near the boundary of Sections 13 and 14 T2N R6E	Wild
(10)	The South Fork from Johnson Creek confluence near the boundary of Sections 13 and 14 T2N R6E to the boundary of Sections 25 and 36 T2N R6E	Scenic
(11)	The South Fork from the boundary of Sections 25 and 36 T2N R6E to the footbridge near the mouth of Underwood Creek in Section 17 T4N R6E Humboldt Base and Meridian	Recreational
(12)	The South Fork from the footbridge near the mouth of Underwood Creek in Section 17 T4N R6E to Todd Ranch in Section 18 T5N R5E	Wild
(13)	The South Fork from Todd Ranch in Section 18 T5N R5E to the confluence with Main Trinity	Scenic
(14)	New River from the Salmon Trinity Primitive Area boundary to the junction with the East Fork New River in Section 23 T7N R7E	Wild

(15)	New River from the junction with the East Fork New River in Section 23 T7N R7E to 100 yards below Panther Creek Campground in Section 18 T6N R7E	Recreational
(16)	New River from 100 yards below Panther Creek Campground in Section 18 T6N R7E to Dyer Creek confluence in Section 25 T26N R6E	Scenic
(17)	New River from Dyer Creek confluence in Section 25 T26N R6E to the confluence with Trinity River	Wild
(e)	Smith River:	
(1)	Smith River from the confluence of the Middle and South Forks to its mouth at the Pacific Ocean	Recreational
(2)	Middle Fork Smith River from its source about 3 miles south of Sanger Lake as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the middle of Section 7 T17N R5E	Wild
(3)	Middle Fork Smith River from the middle of Section 7 T17N R5E to the middle of Section 6 T17N R5E	Scenic
(4)	Middle Fork Smith River from middle of Section 6 T17N R5E to one-half mile upstream from the confluence with Knopki Creek	Wild
(5)	Middle Fork Smith River from one-half mile upstream from the confluence with Knopki Creek to the confluence with South Fork Smith River	Recreational
(6)	Myrtle Creek from its source in Section 9 T17N R1E as depicted on 1952 USGS 15′ "Crescent City" topographic map to the middle of Section 28 T17N R1E	Recreational
(7)	Myrtle Creek from the middle of Section 28 T17N R1E to the confluence with the Middle Fork Smith River	Recreational

(8)	Shelly Creek from its source in Section 1 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Patrick Creek	Recreational
(9)	Kelly Creek from its source in Section 32 T17N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the Middle Fork Smith River	Recreational
(10)	Packsaddle Creek from its source about 0.8 miles southwest of Broken Rib Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the eastern boundary of Section 3 T17N R1E	Recreational
(11)	Packsaddle Creek from the eastern boundary of Section 3 T17N R4E to the northern boundary of Section 3 T17N R4E	Recreational
(12)	Packsaddle Creek from the northern boundary of Section 3 T17N R4E to the confluence with the Middle Fork of Smith River	Recreational
(13)	East Fork Patrick Creek from its source in Section 10 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the West Fork Patrick Creek	Recreational
(14)	West Fork Patrick Creek from its source in Section 18 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the East Fork Patrick Creek	Recreational
(15)	Griffin Creek from its source about 0.2 miles southwest of Hazel View Summit as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the Middle Fork Smith River	Recreational

(16)	Knopki Creek from its source about 0.4 miles west of Sanger Peak as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the Middle Fork Smith River	Recreational
(17)	Monkey Creek from its source in the northeast quadrant of Section 12 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the northern boundary of Section 26 T18N R3E	Recreational
(18)	Monkey Creek from the northern boundary of Section 26 T18N R3E to the confluence with the Middle Fork of Smith River	Recreational
(19)	Patrick Creek from the junction of East and West Forks of Patrick Creek to the confluence with the Middle Fork Smith River	Recreational
(20)	North Fork Smith River from the California-Oregon boundary to the confluence with an unnamed tributary in the northern quarter Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map	Wild
(21)	North Fork Smith River from the confluence with an unnamed tributary in the northern quarter of Section 5 T18N R2E to the southernmost intersection of the eastern boundary of Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map	Scenic
(22)	North Fork Smith River from the southernmost intersection of the eastern boundary Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Stony Creek	Wild
(23)	North Fork Smith River from the confluence with Stony Creek to the confluence with the Middle Fork of the Smith River	Recreational

(24)	Diamond Creek from the California-Oregon state boundary to the confluence with High Plateau Creek	Recreational
(25)	Diamond Creek from the confluence with High Plateau Creek to the confluence with the North Fork Smith River	Recreational
(26)	Bear Creek from its source in Section 24 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Diamond Creek	Recreational
(27)	Still Creek from its source in Section 11 T18N R1E as depicted on 1952 USGS 15′ "Crescent City" topographic map to the confluence with the North Fork Smith River	Recreational
(28)	North Fork Diamond Creek from the California-Oregon state boundary to the confluence with Diamond Creek	Recreational
(29)	High Plateau Creek from its source in Section 26 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the northern boundary Section 23 T18N R2E	Recreational
(30)	High Plateau Creek from the northern boundary Section 23 T18N R2E to the confluence with Diamond Creek	Recreational
(31)	Siskiyou Fork of Smith River from its source about 0.7 miles southeast of Broken Rib Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the South Siskiyou Fork of the Smith River	Wild
(32)	Siskiyou Fork of the Smith River from the confluence with the South Siskiyou Fork of the Smith River to the confluence with the Middle Fork of the Smith River	Recreational

(33)	South Siskiyou Fork of the Smith River from its source about 0.6 miles southwest of Buck Lake as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the Siskiyou Fork of the Smith River	Wild
(34)	South Fork Smith River from its source about 0.5 miles southwest of Bear Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to Blackhawk Bar	Wild
(35)	South Fork Smith River from Blackhawk Bar to the confluence with the Middle Fork Smith River	Recreational
(36)	Williams Creek from its source in Section 31 T14N R4E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with Eight Mile Creek	Recreational
(37)	Eight Mile Creek from its source in Section 29 T14N R4E as depicted on 1955 USGS 15′ "Dillon Mtn." topographic map to the confluence with the South Fork Smith River	Recreational
(38)	Prescott Fork of the Smith River from its source about 0.5 miles southeast of Island Lake as depicted on 1955 USGS 15′ "Dillon Mtn." topographic map to the confluence with the South Fork Smith River	Recreational
(39)	Quartz Creek from its source in Section 31 T16N R4E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with the South Fork Smith River	Recreational
(40)	Jones Creek from its source in Section 36 T16N R3E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the middle of Section 5 T15N R3E	Recreational
(41)	Jones Creek from the middle of Section 5 T15N R3E to the confluence with the South Fork of the Smith River	Recreational

(42)	Hurdygurdy Creek from its source about 0.4 miles southwest of Bear Basin Butte as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the South Fork Smith River	Recreational
(43)	Gordon Creek from its source in Section 18 T16N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the South Fork Smith River	Recreational
(44)	Coon Creek from the junction of the two source tributaries in the southwest quadrant of Section 31 T17N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the western boundary of Section 14 T16N R2E	Recreational
(45)	Coon Creek from the western boundary of Section 14 T16N R2E to the confluence with the South Fork Smith River	Recreational
(46)	Craigs Creek from its source in Section 36 T17N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the South Fork Smith River	Recreational
(47)	Buck Creek from its source at Cedar Camp Spring as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with the South Fork Smith River	Recreational
(48)	Muzzleloader Creek from its source in Section 2 T15N R3E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with Jones Creek	Recreational
(49)	Canthook Creek from its source in Section 2 T15N R2E as depicted on 1952 USGS 15′ "Ship Mountain" topographic map to the confluence with the South Fork Smith River	Recreational
(f) Eel River:		
(1)	The Eel River from 100 yards below Van Arsdale Dam to the confluence with Tomki Creek	Recreational

(2)	The Eel River from the confluence with Tomki Creek to the middle of Section 22 T19N R12W	Scenic
(3)	The Eel River from the middle of Section 22 T19N R12W to the boundary between Sections 7 and 8 T19N R12W	Recreational
(4)	The Eel River from the boundary between Sections 7 and 8 T19N R12W to the confluence with Outlet Creek	Wild
(5)	The Eel River from the confluence with Outlet Creek to the mouth at the Pacific Ocean	Recreational
(6)	The South Fork of the Eel River from the mouth of Section Four Creek near Branscomb	Recreational
(7)	The South Fork of the Eel River from Horseshoe Bend to the middle of Section 29 T23N R16W	Wild
(8)	The South Fork of the Eel River from the middle of Section 29 T23N R16W to the confluence with the main Eel near Weott	Recreational
(9)	Middle Fork of the Eel River from the intersection of the river with the southern boundary of the Middle Eel-Yolla Bolly Wilderness Area to the Eel River Ranger Station	Wild
(10)	The Middle Fork of the Eel River from Eel River Ranger Station to Williams Creek	Recreational
(11)	The Middle Fork of the Eel River from Williams Creek to the southern boundary of the northern quarter of Section 25 T22N R12W	Scenic
(12)	The Middle Fork of the Eel River from the southern boundary of the northern quarter of Section 25 T22N R12W to the boundary between Sections 4 and 5 T21N R13W	Wild
(13)	The Middle Fork of the Eel River from the boundary between Sections 4 and 5 T21N R13W to the confluence with main Eel at Dos Rios	Recreational

(14)	The North Fork of the Eel River from the Old Gilman Ranch to the middle of Section 8 T24N R13W	Wild
(15)	The North Fork of the Eel River from the middle of Section 8 T24N R13W to the boundary between Sections 12 and 13 T24N R14W	Recreational
(16)	The North Fork of the Eel River from the boundary between Sections 12 and 13 T24N R14W to the confluence with main Eel	Wild
(g)	Van Duzen River:	
(1)	The Van Duzen River from the Dinsmore Bridge to the powerline crossing above Little Larribee Creek	Scenic
(2)	The Van Duzen River from the powerline crossing above Little Larribee Creek to the confluence with Eel River	Recreational
(h)	Lower American River: The Lower American River from Nimbus Dam to its junction with the Sacramento River	Recreational
(i)	North Fork American River:	
(1)	The North Fork from the source of the North Fork American River to two and one-half miles above the Forest Hill-Soda Springs Road	Wild
(2)	The North Fork from two and one-half miles above the Forest Hill-Soda Springs Road to one-half mile below the Forest Hill-Soda Springs Road	Scenic
(3)	The North Fork from one-half mile below the Forest Hill-Soda Springs Road to one-quarter mile above the Iowa Hill Bridge	Wild
(4)	The North Fork from one-quarter mile above the Iowa Hill Bridge to the Iowa Hill Bridge	Scenic
(j)	West Walker River:	
(1)	West Walker River from Tower Lake to northern boundary of Section 10 (T5N, R22E)	Wild

(2)	West Walker River From northern boundary of Section 10 (T5N, R22E) to the eastern boundary of Section 23 (T6N, R22E)	Scenic
(3)	West Walker River from the eastern boundary of Section 23 (T6N, R22E) to the eastern boundary of Section 24 (T6N, R22E)	Recreational
(4)	West Walker River from the eastern boundary of Section 24 (T6N, R22E) to the confluence with Little Walker River	Scenic
(5)	West Walker River from the confluence with Little Walker River to the confluence with Rock Creek	Recreational
(6)	Leavitt Creek from Leavitt Falls to the confluence with West Walker River	Scenic
(k)	East Fork Carson River: East Fork Carson River from Hangman's Bridge crossing of state Highway 89 to the California-Nevada border	Scenic
(*l*)	(1) The South Yuba River:	
	(A) The South Yuba River from Lang Crossing to the confluence with Fall Creek	Scenic
	(B) The South Yuba River from the confluence with Fall Creek to the confluence with Jefferson Creek below the Town of Washington	Recreational
	(C) The South Yuba River from the confluence with Jefferson Creek to Edwards Crossing	Scenic
	(D) The South Yuba River from Edwards Crossing to its confluence with Kentucky Creek below Bridgeport	Scenic
(2)	This subdivision shall become operative January 1, 2001.	
(m)	Albion River: The Albion River from one-fourth mile upstream of its confluence with Deadman Gulch downstream to its mouth at the Pacific Ocean	Recreational

(n)	Gualala River: The main stem Gualala River from the confluence of the North and South Forks to the Pacific Ocean	Recreational
(o)	Cache Creek:	
(1)	North Fork Section: From Highway 20 two miles downstream to the confluence of Cache Creek and the North Fork Cache Creek	Scenic
(2)	Mainstem Section:	
	(A) ¼ mile downstream of Cache Creek Dam to the confluence with Davis Creek	Wild
	(B) Davis Creek confluence to 1 mile downstream of Davis Creek confluence	Scenic
	(C) 1 mile downstream of Davis Creek confluence to western boundary of Section 6 T12N R4W	Wild
	(D) Western boundary of Section 6 to the confluence with Bear Creek	Scenic
	(E) Bear Creek confluence to Camp Haswell	Recreational
(p)	*Mokelumne River:*	
(1)	*North Fork Segments:*	
	(A) From 0.25 miles downstream of Salt Springs Reservoir to 0.50 miles downstream of the Bear River confluence	*Recreational*
	(B) From 0.50 miles downstream of the Bear River confluence to the National Forest boundary	*Wild*
	(C) From 300 feet below Tiger Creek Afterbay to 300 feet upstream of the Electra Diversion Dam and West Point Powerhouse	*Recreational*
	(D) From 300 feet downstream of the small reregulating dam at the outlet of the West Point Powerhouse to the southern boundary of Section 12, T6N, R12E	*Wild*
	(E) From 1,400 feet upstream of the South Fork Mokelumne River confluence to the South Fork Mokelumne River confluence	*Wild*
(2)	*Main Stem Segment:*	

(A) From the South Fork Mokelumne River confluence to 300 feet upstream of Ponderosa Way Bridge	*Wild*
(B) From 300 feet upstream of the Ponderosa Way Bridge to 300 feet upstream of the Electra Powerhouse	*Scenic*
(C) From 300 feet downstream of the small reregulating dam downstream of the Electra Powerhouse to the upper extent of Pardee Reservoir downstream of Highway 49, as the reservoir exists of January 1, 2015	*Recreational*

~~SECTION 1. Section 5508 of the Public Resources Code is amended to read:~~

~~5508. Notice of the hearing, specifying the time and place, shall be published twice in a newspaper of general circulation in the county conducting the hearing. The first publication shall be at least ten days before the day of the hearing. The notice shall also be posted online and be publicly accessible on the county's Internet Web site, if the county has an Internet Web site.~~

~~SEC. 2. Section 5511 of the Public Resources Code is amended to read:~~

~~5511. Notice of the hearing, specifying the time and place, shall be published twice in a newspaper of general circulation in the county conducting the hearing. The first publication shall be at least ten days before the day of the hearing. The notice shall also be posted online and be publicly accessible on the county's Internet Web site, if the county has an Internet Web site.~~

~~SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

O

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

I

113TH CONGRESS
2D SESSION

H. R. 4456

To determine the feasibility of additional agreements for long-term use of existing or expanded non-Federal storage and conveyance facilities to augment Federal water supply, ecosystem, and operational flexibility benefits in certain areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2014

Mr. GEORGE MILLER of California (for himself, Mr. COSTA, Mr. MCNERNEY, Ms. MATSUI, Mr. GARAMENDI, Mr. THOMPSON of California, Ms. ESHOO, Mr. HUFFMAN, Mrs. NAPOLITANO, and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Natural Resources

---

A BILL

To determine the feasibility of additional agreements for long-term use of existing or expanded non-Federal storage and conveyance facilities to augment Federal water supply, ecosystem, and operational flexibility benefits in certain areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PILOT PROGRAM.

In order to determine the feasibility of agreements for long-term use of existing or expanded non-Federal storage and conveyance facilities to augment Federal

water supply, ecosystem, and operational flexibility benefits, not later than 6 months after the date of the enactment of this Act, the Secretary of the Interior shall enter into cooperative agreements with non-Federal entities to provide replacement water supplies for drought relief for Central Valley Project contractors, units of the National Wildlife Refuge System, State wildlife areas and private wetland area. Agreements under this section shall—

(1) include the purchase of storage capacity in non-Federal facilities from willing sellers; and

(2) provide reimbursement for the temporary use of available capacity in existing above-ground, off-stream storage, and associated conveyance facilities owned by local water agencies.

SEC. 2. REPORT.

Not later than 2 years after the date of the enactment of this Act, the Secretary of the Interior shall complete a report on the feasibility of the agreements described in section 1 for long-term use of existing or expanded non-Federal storage and conveyance facilities to augment Federal water supply, ecosystem, and operational flexibility benefits. The report shall be made available to the Chief of the National Wildlife Refuge System and Central Valley Project contractors.

○

EBMUD

AGENDA NO. 15.1 – 15.2
MEETING DATE May 13, 2014

TITLE **REPORT AND RECOMMENDATION OF THE GENERAL MANAGER FOR REVISIONS TO THE WATER AND WASTEWATER SYSTEM SCHEDULE OF RATES AND CHARGES, AND OTHER FEES NOT SUBJECT TO PROPOSITION 218, AND REGULATIONS FOR FISCAL YEAR 2015**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

1) File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015.

2) Set a Public Hearing on Tuesday, June 10, 2014, during the Board's regular meeting to consider the report and recommendation.

A public hearing has been scheduled for Tuesday, June 10, 2014 during the Board's regular meeting to consider the Report and Recommendation of the General Manager, and to comply with Municipal Utility District Act requirements. The proposed revisions to the FY15 rates, charges, fees and regulations are not subject to Proposition 218 requirements.

SUMMARY

In 2001, the District implemented a two-year budgeting and rate setting process. Every two years as part of the biennial budget process, the Board considers and adopts both the budget and rates and charges for two consecutive fiscal years. In April, the General Manager files a report and recommendation on the proposed rate adjustments and detailed budget documents with the Board. Workshops are held in April, and a public hearing is held in June prior to the start of the fiscal year on July 1st. Pursuant to the requirements of Proposition 218, all customers are sent a notice of the public hearing. The Board adopts rates and charges for both fiscal years. In addition to the rates that are adopted as part of the biennial process, there are some rates such as capacity fees that are updated and approved annually as part of a mid-cycle update.

On June 11, 2013, the District adopted a biennial budget for FY14-FY15 and accompanying rates and charges, including a FY15 rate increase of 9.5% for the Water System and 8.5% for the Wastewater

Funds Available FY:	Budget Code:	
DEPARTMENT SUBMITTING Finance	DEPARTMENT MANAGER or DIRECTOR Eric L Sandler	APPROVED General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

System, which will be effective July 1, 2014. For FY15, staff is proposing to update several fees, charges and regulations that were not included in the biennial rates adopted in 2013 and that are not subject to the requirements of Proposition 218. Only fees and charges for ongoing water and wastewater services are subject to Proposition 218's requirements as property-related services. Connection and installation charges are not subject to Proposition 218.

Attached, please find the Report and Recommendation of the General Manager for revisions to the rates and charges that includes the following revisions for FY15:

Water System

- System Capacity Charges, Standard Participation Charge and Water Mitigation Fees
- Water Service Regulation for Major Facility Capacity
- Public Records Act Fee Schedule
- Recreation Fee Schedule

Wastewater System

- Wastewater Capacity Fee
- Resource Recovery Charges

Adoption of the FY15 proposed rates/charges/fees and regulations is also scheduled for the Board's consideration at its meeting on June 10, 2014.

Attachments

I:\SEC\05-13-14 Agenda Items\FIN - BD1 File Rates Report 051314

Report and Recommendation of the General Manager

Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015

East Bay Municipal Utility District
Oakland, California

EBMUD

Report and Recommendation of the General Manager

Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015

Submitted to the Board of Directors
by Alexander R. Coate, General Manager
May 13, 2014

East Bay Municipal Utility District

East Bay Municipal Utility District

TABLE OF CONTENTS

Report and Recommendation of the General Manager Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015

Chapter-Page

GENERAL MANAGER'S MEMORANDUM

CHAPTER 1 - RECOMMENDED REVISIONS TO WATER SYSTEM CHARGES

Recommended Revisions to Water System Fees 1-1
Water Service Regulation Section 3B Major Facility Capacity 1-1
Recreation Fees 1-1
Public Records Act Fee Schedule 1-1

CHAPTER 2 – SYSTEM CAPACITY CHARGES/ WATER DEMAND MITIGATION FEES

Introduction 2-1
Recommended Changes to SCC 2-1
Discussion 2-2
Proposed SCC Rate Changes 2-2
SCC Unit Chargesl Buy-in Component 2-4
Future Water Supply Component 2-5
In-Law Units 2-6
Exhibit 1 – Map of SCC Regions 2-8
Exhibit 2 – SCC Calculations 2-9
Table 7 Water System Fixed Asset Balances 2-9
Table 8 System-Wide Fixed Asset Balances 2-10
Table 10 Adjustment of Fixed Asset Value 2-11
Table 11 Calculation of Buy-in to System-Wide Fixed Assets 2-11
Table 16 Combined Regions Regional Fixed Assets Buy-in Calculations 2-12

East Bay Municipal Utility District

TABLE OF CONTENTS

CHAPTER 3 - RECOMMENDED REVISIONS TO WASTEWATER SYSTEM CHARGES AND FEES

Recommended Revisions to Wastewater System Fees 3-1
Resource Recovery Fees 3-1

CHAPTER 4 – WASTEWATER CAPACITY FEES

Introduction 4-1
Recommended Changes to WCF 4-1
Discussion 4-1
Proposed WCF Rate Changes 4-1
WCF Unit Rates 4-2

CHAPTER 5 - SCHEDULES

WATER SYSTEM

Schedule H – Standard Participation Charge (SPC)
Schedule J – System Capacity Charge (SCC)
Schedule N – Water Demand Mitigation Fees
Water Service Regulation Section 3B Major Capital Facility for Standard Service
Recreation Use Fees for Calendar Years 2015
Public Records Act Fee Schedule

WASTEWATER SYSTEM

Schedule B - Rates for Resource Recovery Material Treatment
Schedule G – Wastewater Department Capacity Fees

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 13, 2014

MEMO TO: Board of Directors

FROM: Alexander R. Coate, General Manager ARC

SUBJECT: Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015

In 2001, the District implemented a two-year budgeting and rate setting process. Every two years as part of the biennial budget process, the Board considers and adopts both the budget and rates and charges for two consecutive fiscal years. In April, the General Manager files a report and recommendation on the proposed rate adjustments and detailed budget documents with the Board. Workshops are held in April, and a public hearing is held in June prior to the start of the fiscal year on July 1st. Pursuant to the requirements of Proposition 218, all customers are sent a notice of the public hearing. The Board adopts rates and charges for both fiscal years. In addition to the rates that are adopted as part of the biennial process, there are some rates such as capacity fees that are updated and approved annually as part of a mid-cycle update.

On June 11, 2013, the Board adopted a biennial budget for FY14-FY15 and approved the report and recommendation on rates and charges that covered both fiscal years. The adopted rate increase for FY15 is a 9.5% for the Water System and 8.5% for the Wastewater System. These FY15 water and wastewater rates and along with the other changes contained in the May 14, 2013 General Manager's Rate Report will go into effect on July 1, 2014.

This report contains the FY15 proposed changes to the rates for the System Capacity Charge (SCC), the Standard Participation Charge (SPC), and Water Demand Mitigation Fees, Wastewater Capacity Fee and other fees and regulations that were not contained in the biennial rate approval in 2013. These proposed rate, fee and schedule changes are not subject to the requirements of Proposition 218. Only fees and charges for ongoing water and wastewater services are subject to Proposition 218's requirements as property-related services. The following is a summary of the proposed changes:

Water System

- For the SCC, SPC, and Water Mitigation Fees, update the water system assets and cost components used in the calculations.
- For Water Service Regulation Section 3B Major Facility Capacity for Standard Service, update the residential equivalent meter size used in the calculations to the District standard ¾" meter.

- Update Public Records Act Fee Schedule for the FY15 labor costs for duplication and programming.
- Beginning calendar year 2015 increase the Recreation Fee Schedule for daily trail permits from $2.50 to $3.00.

Wastewater System

- For the Wastewater Capacity Fee, update the wastewater system assets and cost components used in the calculations and implement the second year of the five-year phase-in of impact of change in build-out capacity approved by the Board in 2013.
- For Wastewater Schedule B Rates for Resource Recovery Material Treatment, eliminate some waste categories, increase and decrease some waste category fees, and increase the annual permit fee from $200 to $300.

A Board workshop on the mid-cycle budget review and rates and charges is scheduled for May 27th. A public hearing on the recommendations contained in this report will also occur on June 10th and the Board will consider adoption of the recommendations at the June 10th Board meeting.

The changes to Water and Wastewater charges, fees and regulations are recommended to be effective as of July 1, 2014, with the exception of changes to SCC, SPC, Water Mitigation and Wastewater Capacity fees that are proposed to be effective on August 11, 2014, or sixty days following adoption by the Board.

ARC:ES:RL:rl

1. **Water System Rates Charges and Fees**

Chapter 1 – Recommended Revisions to Water Charges and Fees

This report recommends revisions that are in addition to the FY15 changes to Water and Wastewater System rates, fees, and charges previously adopted as part of the FY14-FY15 Biennial Report and Recommendation of the General Manager. These rates are not subject to the requirements of Proposition 218.

Copies of the Regulations and Fees for recommended revisions are shown under Tab 5 of this report.

Water Service Regulations

Water Service Regulation Section 3B Major Facilities Capacity for Standard Service

Section 3B of the Water Service Regulations outlines the process for assessing charges to applicants where the proposed water service requires the addition of major new facilities such as distribution reservoirs and pumps. The proposed change updates the description of the calculation process to be consistent with our updated residential equivalent service of a 3/4" meter. The prior equivalent meter size was 5/8".

RECREATION FEES

The trail permit program allows access to hiking trails within the District's protected watershed and requires permit holders to follow the watershed rules and regulations. The daily permit fee has not been increased since it was introduced in 2000. The District proposes to increase the daily permit fee from $2.50 to $3.00 to recover the cost of administering the program. There are no changes to the annual, three-year or five-year trail permits.

PUBLIC RECORDS ACT FEE SCHEDULE

We are recommending revisions to the fee schedule that covers the costs of duplication of District records in accordance with the Public Records Act. The recommended changes to the fee schedule update the cost of duplication and programming labor charges to reflect direct labor costs for the job classifications of administrative assistant and senior systems programmer.

2. Water System Capacity Charges

Chapter 2 – Water System Capacity Charges/ Water Demand Mitigation Fees

INTRODUCTION

There is a continuing need to construct both water supply and water distribution system improvements to assure that there will be reliable and secure water service for each new connection to the District's system. The System Capacity Charge (SCC) was first established in 1983 as a means of assessing new water customers an appropriate share of the costs of water distribution capital improvements within the SCC regions of the District. In 1986, an appropriate share of the costs of water supply improvements was added to the SCC.

All applicants for water service are required to pay the SCC when the installation of a new service or upsizing of an existing connection is needed. The SCC is applied on a regional basis (See Exhibit 1 for map), and the SCC charge is updated annually to reflect construction cost escalation for facilities that have already been built or increased cost estimates for facilities yet to be constructed and financed.

In FY08, the Board adopted the recommendations of the SCC Study performed by Bartle Wells Associates. The proposed FY15 SCC rates are based on updates to calculations from that study, the details of which are contained in Exhibit 2. The SCC charge consists of three components:

1. System-wide Buy-In Component, which is calculated to recover a portion of the cost of existing facilities that serve the system as a whole;

2. Regional Buy-in Component, which is calculated to recover a portion of the costs of existing facilities that serve one of the three SCC Regions (notably treatment plant and distribution facilities); and

3. Future Water Supply (FWS) Component, which is calculated to recover a portion of the costs of future water supply projects that are allocated to new connections.

The Standard Participation Charge (SPC), a District-wide charge that is applicable to only a few remaining contracts for service entered into prior to 1983, was first established in 1978. The SPC was designed to recover the District-wide average cost of distribution facilities constructed to serve new connections and was superseded by the SCC in 1983. A FWS Component was added to the SPC in 1986. The SPC charge is calculated to recover the latest Water Supply Management Plan costs and will continue to be less than the SCC charge in most regions. Customers eligible for service under the SPC regulations can pay for service under the more favorable of either of the SPC or SCC terms and conditions.

RECOMMENDATIONS

1. Adopt Schedule J for the System Capacity Charge (SCC). All regions reflect updates for the construction of additional facilities, construction cost escalation, financing costs, and revised estimated costs to complete the Future Water Supply projects.

2. Adopt Schedule H for the Standard Participation Charge (SPC) that reflects the allowable cost for facilities necessary to serve applicants who had separate facility agreements with the District prior to July 1, 1983. The proposed SPC for a less than one-inch meter is $7,960 for gravity zones and $9,850 for pumped zones.

3. Adopt Schedule N for 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 Future Water Supply 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.

The changes and updates recommended for the SCC, SPC and Water Demand Mitigation Fees will be effective on August 11, 2014 or sixty days following adoption by the Board. These rates are not subject to the requirements of Proposition 218.

DISCUSSION

A cost of service report was prepared by Bartle Wells Associates. Pursuant to the methodology outlined in the Bartle Wells report, the proposed System Capacity Charges were updated for the Engineering News Record Construction Cost index escalation to reflect increasing costs to reproduce existing plant assets needed to serve prospective customers. The updated asset values used in the proposed FY15 SCC rate calculations as laid out in the Bartle Wells Study are shown in Exhibit 2. The Future Water Supply Component was also updated for FY15.

SCC Rate Calculations

The proposed SCC rates are shown in Table 1 for a 3/4" meter for single-family residential and 5/8" non-residential customers. These meter connections account for the majority of all future water service connections. Larger meters pay proportionately more based on the estimated usage of the new connections. Non-residential connections pay more in some regions due to higher consumption.

Table 1: Proposed SCC Rate Changes

	Water Consumption		Unit Costs	Capacity Charge	
Region	Residential 3/4" (gpd)	Non Res 5/8" (gpd)	$/100 gpd	Residential 3/4" $ (% incr)	Non Res 5/8" $ (% incr)
Region 1	280	400	$5,751	$16,100 (3.3%)	$23,000 (3.3%)
Region 2	360	535	$7,730	$27,830 (3.3%)	$41,360 (3.3%)
Region 3	580	625	$6,139	$35,610 (3.3%)	$38,370 (3.3%)
Region 3C	775	775	$10,437	$80,890 (3.9%)	See Note 1
Region 3D	775	775	$11,763	$91,170 (3.9%)	$91,170 (3.9%)

Note 1: Calculated based on a 1993 Agreement with HCV & Associates Ltd., Wiedemann Ranch, Inc., and Sue Christensen.

The SCC charge for each region is derived from the sum of the unit charges of each of the SCC components and then multiplied by the estimated average daily water consumption in that SCC region as listed in Table 1. Because of the large numbers of SCCs processed each year, the District has determined average daily water consumption values for non-residential service meters up through 2 inches and single-family service connections up through 1.5 inches within each SCC region, and established SCC charges based on those averages. For larger meter sizes, the SCC charge is determined using the same methodology as for smaller meters but calculated on a case-by-case basis from the unit charges of the three SCC components and multiplied by the estimated required demand of the requested service installation.

Applicants for non-potable water service have their SCC charge calculated based solely on the FWS Component, as the required capacity is provided through a separate non-potable water system.

SCC Unit Charges

Table 2 shows the breakdown of the unit charges for individual components: system-wide buy-in; regional buy-in; post-2000 component (for special regions only); and future water supply costs by region.

The SCC for the two remaining special regions 3C and 3D recover the costs of the additional facilities that were built to serve new connections in the region; costs associated with these facilities are being referred to in Schedule J as the “post-2000 component” unit charge. The regional buy-in unit costs for special regions 3C and 3D are lower than the region 3 regional buy-in unit costs to account for distribution pumping and reservoir costs that are already included in the post-2000 component.

Table 2: Proposed SCC Unit Charges

Region	Unit Charges $/100 gpd				
	System-Wide Buy-In	Regional Buy-In	Post 2000	Future Water Supply	Total
Region 1	$1,926	$1,921		$1,904	$5,751
Region 2	$1,926	$3,900		$1,904	$7,730
Region 3	$1,926	$2,309		$1,904	$6,139
Region 3C	$1,926	$1,733	$6,200	$578*	$10,437
Region 3D	$1,926	$1,733	$6,200	$1,904	$11,763

*The FWS Component for Region 3C is $578 per 100 gpd based on the 1993 Agreement with HCV & Associates Ltd., Wiedemann Ranch, Inc. and Sue Christensen.

The SCC unit charges are calculated by dividing the current asset values by the 2030 demand numbers from tables 10, 11 and 16 in Exhibit 2, which are summarized in Tables 3-5 below:

Table 3: SCC Asset Values

Asset Category	Asset Value
System-Wide Buy-In	$4,083,837,982*
Regional Buy-In Region 1	$2,228,771,305
Regional Buy-In Region 2	$1,174,103,156
Regional Buy-In Region 3	$1,521,827,112
Regional Buy-In Total	$4,924,701,573**
Adjusted Asset Values Used in Buy-In Unit Costs	**$9,008,539,555*** **
Future Water Supply	$ 1,024,500,000

*Exhibit 2 Table 11 line 2
**Exhibit 2 Table 12 line 10
***Exhibit 2 Table 10 line 6

Table 4: SCC 2030 Demand

	Customer Demand MGD
Base Demand	158.2
Additional Demand	53.8
Total 2030 Demand	212.0

Table 5: SCC 2030 Demand by Region

REGION	Total Demand (MGD)	per SFR Connection (gpd)	per Non Res Connection (gpd)
Region 1	116.0	280	400
Region 2	30.1	360	535
Region 3	65.9	580	625
Total	212.0		

Future Water Supply Component Details

The unit cost of the FWS Component for FY15 will be increased from $1,845 per 100 gpd to $1,904 per 100 gpd, an increase of 3.2%, to reflect the costs of financing for those projects that have already been completed as well as cost changes to current and future projects. The revised costs for these projects are shown in Table 6 and are described below. The total FWS cost allocated to the SCC is divided by the total future demand of 53.8 MGD to calculate the unit cost of the FWS Component.

Table 6: Future Water Supply Project Costs and Unit Rate

FY15 Future Water Supply Projects ($Millions)				
		Costs Allocated to SCC		
MAJOR PROJECTS	Total Costs	Allocated Costs*	Capitalized Interest**	TOTAL
WSMP Study and EIR Costs	$77.4	$51.4	$59.1	$110.5
Existing Reclamation	49.1	34.4	39.8	74.2
Freeport Regional Water Project	488.0	341.6	94.3	435.9
Additional Water Supply Projects	108.0	75.6	20.5	96.1
Bayside Groundwater Project	62.2	43.5	6.3	49.8
SFHayward Intertie Project	12.4	8.7	2.6	11.3
Recycled Water Projects	267.9	187.5	39.0	226.5
Central Valley Project Capital Facilities	28.8	20.2	-	20.2
TOTAL	**$1,093.8**	**$762.9**	**261.6**	**$1,024.5*****
Future Water Supply Unit Rate	$\frac{\$1,024.5 \text{ Million}}{53.8 \text{ MGD}}$ = $1,904 per 100 gpd			

*70% of the Total Costs are allocated to the Future Water Supply Component of the SCC.
**Capitalized Interest represents the financing costs of expenditures for water supply projects that were undertaken since 1986.
***The comparable amount used in the FY14 SCC calculation was $992.9 million.

The program includes $77.4 million for study and EIR costs and $49.1 million for Existing Reclamation Projects such as the North Richmond Recycled Water Project.

The District's portion of the expenses to construct the Freeport Regional Water Project (FRWP) and the associated Folsom South Canal Connection (FSCC) reflects the current cost information. The FRWP is a joint project with Sacramento County Water Agency. FRWP at its peak capacity can divert and treat up to 185 million gallons of water per day from the Sacramento River near the town of Freeport. The total cost of the joint project is approximately $922 million. The District's portion of the costs is approximately $488 million, which includes the above-mentioned intake system, pipelines and pump stations, as well as project management costs incurred by the District. FRWP has the capacity to provide the District with up to 100 million gallons of water per day.

The $108 million cost shown for the Additional Water Supply Projects include Groundwater Banking in Sacramento County, Mokelumne Regional Projects, Regional Desalination, and Water Transfers plus associated overhead costs for the Future Water projects. The Groundwater Banking Project would include a local (Sacramento County) partner or partners, and would enable the District to store excess water supplies acquired through water transfers for later extraction and use during times of drought. The project is in the pre-planning stages. Mokelumne Regional Projects will explore conjunctive use opportunities (including groundwater banking and storage options) with multiple San Joaquin County, Calaveras County and Amador County water agencies. The District has been participating in the Regional Desalination Project with Contra Costa Water District, San Francisco Public Utility Commission, Alameda County Flood and Water Conservation District – Zone 7, and Santa Clara Valley Water District and proposes to invest approximately $11.6 million as its share of the cost to further the development project. The District expects to spend $14 million to identify, evaluate, and acquire 10 MGD of long term and/or permanent water transfers and, if needed, to acquire interim supplies via purchase of short-term water transfers. Overhead costs for the Future Water Supply Projects were also included in the total cost for the Additional Water Supply Projects category.

The estimated total cost of Phases 1 and 2 of the Bayside Groundwater Project is $62.2 million. Phase 1 was completed in December 2009. Data collected from the Phase 1 operation will determine how best to proceed on Phase 2 of the project.

The completed EBMUD-Hayward-San Francisco Intertie Project (Hayward Intertie) cost $12.4 million to design and construct. The Hayward Intertie serves to provide an emergency connection to San Francisco Public Utilities Commission's Hetch Hetchy water system. Construction was completed in FY09.

The Future Water Supply component also includes $267.9 million for Recycled Water Projects. Approximately $135 million has been spent on the initial phase of the East Bayshore Recycled Water Project and the District's portion of the Dublin-San Ramon Services District (DSRSD)-EBMUD Recycled Water Authority project. Another $140 million is expected to be spent on future expansion of both the East Bayshore and DERWA projects as well as other projects in the San Ramon Valley, San Leandro and North Richmond.

Capital facilities of the Central Valley Project (CVP) that are allocated to the District are included in the Future Water Supply Projects. Based on interaction with CVP entities (Bureau, CVP contractors, etc.) that total amount is estimated to be approximately $28.8 million.

Second Unit (In-law Unit) SCC

The District received a customer inquiry on second unit requirements in 2013 and the Board requested staff to review SCC for second units. In accordance with the District's regulations, second units are governed under the "multi-family premise" rule. Second units are developed as an addition/remodel to existing residences or a part of new constructions. With the addition of a second unit, an existing residence or a new construction becomes a multi-family premise. Second units being developed as an addition to existing residences would receive an SCC credit (varies by SCC region) from the existing meter to offset SCC dues for a two unit multi-

family premise, while new constructions are required to pay the SCC for a two unit multi-family premise.

District regulations set forth governing second units do not conflict with the California Government Code section 65852.150 (second unit) established in 2004 and aligns with the cost of service principles mandated by the state constitution and law. Furthermore, the requirement of a separate meter to measure water usage at each unit meets the District's conservation objectives. Since second units account for a very small number of new water service applications, these applications should be processed as multi-family premises. Staff will continue to monitor second unit activities and impacts within EBMUD and the industry.

Exhibit 1

East Bay Municipal Utility District
Distribution System SCC Regions

Exhibit 2

Table 7. EBMUD Water SCC Review

Water System Fixed Asset Balances (as of 1/1/2014)

Account	Description	Original Cost	Current Value ENR 2014*	Allocation
1001	Auto Control System	$69,616,886	$119,842,789	System-wide
1005	Hydroelect Power Generation	$50,165,544	$132,414,453	System-wide
1015	Source of Water Supply	$116,244,212	$738,245,711	System-wide
1025	Raw Wtr Transmission	$326,793,370	$2,035,251,739	System-wide
1060	Raw Wtr Trans Pump	$40,844,897	$111,933,285	System-wide
1080	Terminal Reservoirs	$193,360,238	$837,463,374	System-wide
1100	Water Treatment	379,876,736	$798,728,208	By Region
1130	Distribution Pumping	176,813,081	$316,022,720	By Region
1140	Distribution Reservoirs	338,690,760	$927,165,975	By Region
1166	Distribution Mains	1,133,134,095	$3,627,484,029	By Region
1170	Distribution Aqueducts	89,169,460	$289,282,339	By Region
1175	Pressure Regulators	30,625,255	$60,514,619	By Region
1180	Venturi Meters &Cath Prot Sta	6,032,937	$11,057,523	By Region
1185	Distribution Hydrants	55,112,392	$184,191,704	By Region
1200	General Plant Structures	$217,567,238	$371,039,000	System-wide
1205	Equipment-Trans & Constr	$50,498,327	$70,430,687	System-wide
1210	Equipment-Office	$19,922,148	$31,335,871	System-wide
1215	Equipment- Eng & Lab	$3,699,288	$6,166,465	System-wide
1220	Equipment-Tools & Work	$4,516,067	$7,549,827	System-wide
1225	Equipment- Stores	$7,894	$12,892	System-wide
1230	Equipment- Shop	$1,688,016	$2,858,072	System-wide
1300	Land Source of Supply	$7,832,091	$95,725,670	System-wide
1310	Land Raw Wtr Trans	$3,710,592	$45,367,831	System-wide
1315	ROW Raw Wtr Trans	$1,229,538	$3,080,268	System-wide
1320	Land Terminal Reservoirs	$18,931,841	$204,945,317	System-wide
1330	Land Water Treatment	$2,974,390	$18,422,590	System-wide
1340	Land Reclamation	$2,174,793	$3,838,471	System-wide
1350	Land Distribution	$7,928,007	$57,328,286	System-wide
1355	Land	$1,737,088	$3,976,345	System-wide
1360	Land General Plan	$7,714,529	$20,722,430	System-wide
1910	Unallocated As Built Costs	$10,304,085	$17,399,107	System-wide
1911	Deferred Software Costs	$66,439,595	$84,713,140	System-wide
1981	Dfd EB Wtrshed Master Pln Costs	$5,900,230	$8,163,780	System-wide
1985	Dfd Lab Expansion Costs	$8,874,204	$15,263,575	System-wide
1986	Dfd Solids Receiving Costs	$728,024	$1,487,434	System-wide
1988	Prelim Eng & Environ Studies	$74,404,275	$108,388,714	System-wide
	Subtotal	$1,315,807,407	$5,153,367,122	System-wide
	Subtotal	$2,209,454,716	$6,214,447,117	By Region
	TOTAL	$3,525,262,123	$11,367,814,239	

*Original cost escalated by ENR Construction Cost Index from date of acquisition.

Source: EBMUD's ledger balance as of December 31, 2013

Table 8. EBMUD Water SCC Review
System-Wide Fixed Asset Balances in Buy-In (as of 1/1/2014)

Account	Description	Original Cost	Current Value ENR 2014*
1001	Auto Control System	$69,616,886	$119,842,789
1005	Hydroelect Power Generation	50,165,544	$132,414,453
1015	Source of Water Supply	116,244,212	$738,245,711
1025	Raw Wtr Transmission	326,793,370	$2,035,251,739
1060	Raw Wtr Trans Pump	40,844,897	$111,933,285
1080	Terminal Reservoirs	193,360,238	$837,463,374
1200	General Plant Structures	217,567,238	$371,039,000
1205	Equipment-Trans & Constr	50,498,327	$70,430,687
1210	Equipment-Office	19,922,148	$31,335,871
1215	Equipment- Eng & Lab	3,699,288	$6,166,465
1220	Equipment-Tools & Work	4,516,067	$7,549,827
1225	Equipment- Stores	7,894	$12,892
1230	Equipment- Shop	1,688,016	$2,858,072
1300	Land Source of Supply	7,832,091	$95,725,670
1310	Land Raw Wtr Trans	3,710,592	$45,367,831
1315	ROW Raw Wtr Trans	1,229,538	$3,080,268
1320	Land Terminal Reservoirs	18,931,841	$204,945,317
1330	Land Water Treatment	2,974,390	$18,422,590
1340	Land Reclamation	2,174,793	$3,838,471
1350	Land Distribution	7,928,007	$57,328,286
1355	Land	1,737,088	$3,976,345
1360	Land General Plan	7,714,529	$20,722,430
1910	Unallocated As Built Costs	10,304,085	$17,399,107
1911	Deferred Software Costs	66,439,595	$84,713,140
1981	Dfd EB Wtrshed Master Pln Costs	5,900,230	$8,163,780
1985	Dfd Lab Expansion Costs	8,874,204	$15,263,575
1986	Dfd Solids Receiving Costs	728,024	$1,487,434
1988	Prelim Eng & Environ Studies	74,404,275	$108,388,714
	TOTAL	$1,315,807,407	$5,153,367,122

*Original cost escalated by ENR Construction Cost Index from date of acquisition.

Source: EBMUD's ledger balance as of December 31, 2013

Table 10. EBMUD Water SCC Review
Adjustment of Fixed Asset Value

		Value	of Total
1/1/14 Fixed Assets Value (Escalated by ENR)*		$11,367,814,239	
6/30/13 Fixed Assets Value (Escalated by ENR)		$11,219,661,095	100%
Adjustment to Fixed Assets:			
Less Outstanding Debt (6/30/13)		-$2,636,841,000	
Plus Existing Cash Reserves (6/30/13)		$308,314,000	
Net Fixed Assets Value (6/30/13)		$8,891,134,095	79.25%
Net Fixed Assets Value (1/1/14)		$9,008,539,555	
Adjustment Factor of Fixed Assets	**79.25%**		

Table 11. EBMUD Water SCC Review
Calculation of Buy-in to System-Wide Fixed Assets

System-Wide Fixed Assets (from Table 7)		$5,153,367,122
Net System-Wide Fixed Assets Value	79.25%	$4,083,837,982
District Projected Net 2030 Consumption (gpd)		212,000,000
Buy-in to Net System Wide Fixed Assets ($/100 gpd)		**$1,926**

Table 16. EBMUD Water SCC Review
Combined Regions Regional Fixed Assets Buy-in Calculations*
(as of 1/1/14)

Account	Descr		Region1	Region 2	Region 3	Total
1100	Water Treatment		$395,154,273	$130,416,502	$273,157,432	$798,728,208
1130	Distr Pumping		$61,826,220	$107,693,567	$146,502,933	316,022,720
1140	Distr Reserv		$253,625,765	$340,432,463	$333,107,746	927,165,975
1166	Distr Main		$1,761,490,648	$774,400,698	$1,091,592,684	3,627,484,030
1170	Distr Aqueducts		$229,642,650	$59,639,690	$0	289,282,339
1175	Pressure Regul		$15,870,410	$36,875,941	$7,768,268	60,514,619
1180	Venturi & Cathodic		$6,891,898	$600,534	$3,565,090	11,057,522
1185	Distr Hydrants		$87,969,348	$31,533,320	$64,689,036	184,191,704
	Total		2,812,471,214	1,481,592,715	1,920,383,189	6,214,447,117
	Adusted totals	79.25%	**2,228,771,305**	**1,174,103,156**	**1,521,827,112**	**4,924,701,573**
	Regional Consumption gpd		**116,000,000**	**30,100,000**	**65,900,000**	
	Regional Buy-in $/100 gpd		**$1,921**	**$3,900**	**$2,309**	

*Original cost escalated by ENR Construction Cost Index from date of acquisition.

3. Wastewater System Rates and Charges

Chapter 3 – Recommended Revisions to Wastewater System Charges and Fees

RECOMMENDATION

- Change the Resource Recovery rate schedule to reflect additional experience in treating the various waste streams as shown on Schedule B Wastewater Department Rates for Resource Recovery Waste Treatment under Tab 5. Increase the annual permit fee from $200 to $300 to better reflect actual staff costs to process permits and administer the program.

These rates are not subject to the requirements of Proposition 218.

DISCUSSION

Resource Recovery Program

The Resource Recovery program has been a significant source of revenue for the District through utilization of excess capacity at the Main Wastewater Treatment Plant (MWWTP) by the acceptance of trucked wastes. This program provides an environmentally sound disposal alternative to the community while maintaining fiscal responsibility to the ratepayers by utilizing the asset of the MWWTP's excess capacity. Based on the District's experience in operating the Resource Recovery facilities and the knowledge of customer's waste streams, the District proposes to consolidate some waste categories and sub-categories, increase some category fees and reduce the fee on other categories.

Fats, Oil, and Grease (FOG) - A decrease in the FOG rate is proposed, from $0.11/gallon to $0.08/gallon. The change at the start of FY15 will coincide with the opening of the new FOG station at the wastewater plant, which has been purpose designed and built to improve ease of receipt and operations at this receiving station, resulting in decreased cost.

Groundwater – Elimination of this waste category is proposed since it is not currently in use. Groundwater waste streams typically contain other contaminants and are categorized as process water.

Process Water, Gray Water, and Liquid Organic Material – These rates have not been adjusted in six years; therefore, increases in the rates are proposed to reflect increased costs. The treatment rate for process water is proposed to increase from $0.04/gallon to $0.05/gallon. The two rates for gray water are proposed to increase from $0.03 and $0.06/gallon (the rate depends on the level of total dissolved solids (TDS)) to $0.04 and $0.08/gallon. In addition, the TDS breakpoint between the two gray water treatment rates has been adjusted to better capture costs of treatment. The liquid organic material treatment rate is proposed to increase from $0.03/gallon to $0.04/gallon.

Sludge – The current sludge rate is $0.05/gallon up to 3% total solids plus $0.01/gallon per each increased 1% in total solids. The proposed sludge rate stays at $0.05/gallon for material up to 3% total solids but decreases the increment for each increased 1% in total solids to $0.005/gallon, which is more reflective of the incremental cost to treat this material.

Protein Material – Elimination of the distinction in price between protein materials under and over 10% total solids is recommended, as the distinction is not needed.

Permit Fee – The permit fee structure for the Resource Recovery program is proposed to increase from $200 to $300 for an annual permit to better reflect actual staff costs to process permits and administer the program. The permit fee was last increased in FY08.

4. Wastewater Capacity Fees

Chapter 4 – Wastewater Capacity Fees

INTRODUCTION

The Wastewater Capacity Fee (WCF) was established in 1984 to recover costs for providing wastewater treatment capacity for new or expanded system use. The WCF is based on a "buy-in" or an equity approach, whereby new users "buy-in" to a wastewater system that has adequate capacity to serve both existing demands and new growth. The wastewater system capacity is expressed in terms of wastewater flow volume (flow) and strength factors including chemical oxygen demand (CODf) and total suspended solids (TSS). The WCF applies to all dischargers who increase wastewater volume or strength. For example, an additional capacity fee may be required to be paid if a property is developed and connects to the wastewater system, changes use or is redeveloped and increases the volume or strength of the wastewater it discharges, or a flow review has been completed by the District and demonstrates that the volume and/or strength of the wastewater discharged from a non-residential property has significantly increased or is greater than anticipated at the time a WCF was first paid. The WCF is calculated based on the anticipated flow contributions multiplied by the average wastewater strength measured or assigned for each classification of customer and the unit capacity rates for flow and strength factors. For non-residential customers, a review of the actual flow and strength may be conducted within 24 months, once the business is fully established, to verify the estimated demand for wastewater capacity. The review may result in the assessment of additional capacity fees if the actual flow and strength exceeds the original estimate.

RECOMMENDATIONS

- Adopt the Schedule G for the Wastewater Department Capacity Fees. The proposed fees include the second year of the 5-year phase-in of the revised WCF calculations approved by the Board in 2013 and updates for the construction of additional facilities and construction cost escalations.

The changes and updates recommended for the WCF will be effective on August 11, 2014, or sixty days after adoption by the Board. The capacity fee is not subject to Proposition 218 notification.

DISCUSSION

In 2013 the Board approved a modification to the WCF calculation based on decreasing the design-capacity value from 120 MGD to 85 MGD to reflect the build-out capacity of the wastewater service area. The modifications to the WCF calculations were recommended by a financial rate consultant hired to conduct a comprehensive study of the District's WCF methodology. The Board approved the change in the WCF calculation and phased the change in over 5 years. If the change to the design capacity were implemented in one step, the unit capacity rates would have increased in FY14 by 49.2% for flow, 154.8% for CODf and 45.7% for TSS and the resulting WCF increase for FY14 to the single family connection would be have been 60.2%. With the 5-year phase-in, the FY14 WCF increase for the single family connection was 12.1%

For FY15, staff has updated the WCF calculations for the addition of new facilities and to reflect the construction cost escalations. These calculations are shown in Tables 1 through 5. In addition, the

second year of the 5-year phase-in of the modification of the WCF calculation was implemented. For FY15, the WCF rate is proposed to increase by 16.0% for the single-family connection, going from $1,385 to $1,607. Table 1 shows the proposed unit capacity rates for FY15 for the second year of the 5-year phase-in. The entire list of proposed capacity fees for FY15 is contained in Schedule G Wastewater Department Capacity Fee in Tab 4.

TABLE 1 UNIT CAPACITY RATES WITH PROPOSED DESIGN FLOW MODIFICATION

Unit Capacity Rate	Current	FY15 PHASED-IN YR 2	% Incr
Flow /Ccf/ Month	$106.98	$121.97	14.0%
CODf / lbs/ Month	$ 23.18	$ 30.34	30.9%
TSS / lbs/ Month	$ 43.00	$ 48.77	13.4%

Single Family Connection Charge	**$1,385**	**$1,607**	**16.0%**

Table 2
EBMUD Wastewater Capacity Fee Analysis
Asset Values by Class Code

Class Code	Class Description	Original Value Class Total	ENR Adjusted Value Class Total
WW0301 Total	North Interceptor	$41,667,643	$111,228,044
WW0302 Total	South Interceptor	34,258,339	174,680,748
WW0303 Total	Alameda Interceptor	9,630,895	39,146,700
WW0304 Total	Estuary Crossing	456,493	7,756,285
WW0305 Total	Central Avenue Interceptor	8,938,996	14,598,347
WW0306 Total	South Foothill Interceptor	21,468,263	37,789,805
WW0307 Total	Adeline Street Interceptor	18,612,785	31,180,979
WW0308 Total	Powell Street Interceptor	5,290,727	9,025,759
WW0309 Total	ANAS Interceptor	3,487,760	5,316,044
WW0310 Total	Wood St Interceptor	798,725	1,241,292
WW0311 Total	Mwwtp-Outfall Land	2,078,909	33,833,045
WW0312 Total	Mwwtp-Outfall Submarine	5,545,770	31,933,001
WW0313 Total	Mwwtp-Outfall Bridge	238,025	498,641
WW0321 Total	Pump Station A-Albany	3,671,840	6,216,086
WW0322 Total	Pump Station B-Fernside	6,626,560	12,099,444
WW0323 Total	Pump Station C-Krusi Park	13,118,647	24,508,332
WW0324 Total	Pump Station D-Oak Street	1,457,339	2,154,022
WW0325 Total	Pump Station E-Grand Street	1,437,475	1,990,902
WW0326 Total	Pump Station F-Atlantic Avenue	1,858,182	4,470,035
WW0327 Total	Pump Station G-Airport	2,676,794	5,435,885
WW0328 Total	Pump Station H-Fruitvale	11,425,516	19,328,078
WW0329 Total	Pump Station J-Frederick Street	1,353,719	3,811,263
WW0330 Total	Pump Station K-7Th Street	1,426,705	3,874,260
WW0331 Total	Pump Station L	4,860,237	8,461,537
WW0333 Total	Pump Station Q- Wet Weather Page St Berkeley	570,705	901,834
WW0334 Total	Pump Station N (new)	6,329	7,682
WW0335 Total	ANAS Pump Station	7,367,039	11,232,888
WW0341 Total	Mwwtp-Influent Pump Station	33,580,591	67,956,891
WW0342 Total	Mwwtp-Effluent Pump Station	18,614,506	44,768,355
WW0343 Total	Pt. Isabel Tp-Treatment & Pretreatment Structures	45,242,670	71,169,980
WW0344 Total	Pump Station M - Bridgeway	1,817,199	2,847,910
WW0346 Total	Mwwtp-Mid-Plant Pump Station	6,638,722	9,625,565
WW0347 Total	Mwwtp-Water Pump Station #3	896,125	1,583,574
WW0348 Total	Mwwtp-Wet Weather Pump Station	950,812	1,288,725
WW0349 Total	Mwwtp-Washdown Pump Station	215,504	380,825
WW0351 Total	Mwwtp-Aerated Grit Tanks	7,026,001	23,549,408
WW0352 Total	Mwwtp-Chlorine System	126,681	145,717
WW0354 Total	Point Richmond-Pretreatment Structure	8,000	13,276
WW0355 Total	Oakport Wet Weather-Pretreatment Structure	8,697,836	17,377,726
WW0356 Total	Oakport Wet Weather-Pretreatment Structure	737,462	1,474,619
WW0357 Total	Mwwtp-Grit Dewatering Station	12,447,091	15,864,714
WW0358 Total	Mwwtp-Channel Crossing For Bypass Channel	4,780,140	8,447,157
WW0359 Total	Mwwtp 90" Pipe-Primry Effluent Bypass	2,005,802	3,544,525
WW0360 Total	Mwwtp 72" Pipe-Primry Influent Bypass	2,540,549	4,349,532
WW0361 Total	Mwwtp-Diversion Structure	25,290,502	66,119,836
WW0362 Total	Mwwtp-Bypass Inlet Structure	15,415,976	59,503,975

Table 2 (cont.)

Class Code	Class Description	Original Value Class Total	ENR Adjusted Value Class Total
WW0363 Total	North Interceptor Junction Storage	341,675	985,595
WW0364 Total	Mwwtp-Bypass Outlet Structure	587,432	1,670,552
WW0365 Total	Mwwtp-Final Effluent Bypass Channel	1,910,831	2,273,585
WW0366 Total	Mwwtp-Storage Basin	20,495,220	36,785,772
WW0368 Total	Mwwtp-Interem Sludge Disposal Facility	528,794	1,064,848
WW0369 Total	Mwwtp-Reactor Deck Area-Oxygen Production	11,292,511	24,549,630
WW0370 Total	Mwwtp-Secondary Treatment Facility	63,097,122	162,637,822
WW0371 Total	Mwwtp-Grounds & Improvements	10,586,649	52,547,039
WW0372 Total	Mwwtp-Administration And Lab Building	14,623,984	22,365,853
WW0373 Total	Mwwtp-Service Building	85,103	1,370,466
WW0374 Total	Mwwtp-Chemical Storage Building (Relocated)	3,099,994	4,891,169
WW0375 Total	Mwwtp-Administration And Lab Center	28,694,859	55,155,688
WW0376 Total	Mwwtp-Maintenance Center	12,537,129	22,313,571
WW0381 Total	Mwwtp-Process Water Plant	3,234,026	10,912,613
WW0382 Total	Mwwtp-Dechlorination Station	11,538,235	19,587,582
WW0383 Total	Mwwtp-Sludge Digestion Facilities	70,847,958	104,794,973
WW0384 Total	Mwwtp-Sludge Dewatering Facilities	39,171,706	58,129,429
WW0385 Total	Mwwtp-Temp Sludge Dewatering Facility	1,862,957	2,561,262
WW0386 Total	Mwwtp-Power Generation Station	79,725,786	113,948,101
WW0387 Total	Mwwtp-Filter Plant Solids Handling Facility	20,576,772	25,807,100
WW0388 Total	Mwwtp-Odor Control At Sludge Thickener	15,478,993	28,378,367
WW0390 Total	Mwwtp-Compost Area	138,697	257,375
WW0391 Total	Oakport WW-Chlor System	591,003	1,176,678
WW0392 Total	Oakport WW-DeChlor System	925,477	1,724,111
WW0393 Total	Oakport WW-Control Bldg	1,439,408	2,877,464
WW0394 Total	Oakport WW-Emg Gen	708,623	1,416,953
WW0395 Total	Oakport WW-Drainage	1,160,534	2,320,588
WW0396 Total	Oakport WW-Washwtr Pump Sta.	121,075	242,101
WW0397 Total	Oakport WW-Storage Bldg.	436,931	873,682
WW0398 Total	Oakport WW-Lscape/Pav/Fence	1,996,609	3,977,857
WW0399 Total	Mwwtp-Scum Dewatering Station	8,971,497	12,287,105
WW0400 Total	Mwwtp-Chemical Trench	720,479	1,273,184
WW0401 Total	Mwwtp-Piping For Plant Utilities	26,513,219	45,945,913
WW0402 Total	Mwwtp-Chlorination Building	4,251,633	7,478,731
WW0450 Total	Mwwtp-Composting Facility	1,455,854	1,842,847
WW0500 Total	San Antonio Creek Wet Weather TP	13,470,868	22,350,252
WW0501 Total	San Antonio Creek Ww Dechlorination Facility	3,590,821	5,578,242
WW0502 Total	San Antonio Creek Ww Outfall Structure	2,682,144	4,442,886
WW0503 Total	San Antonio Creek Ww Gravity Sewer	540,029	896,154
WW0504 Total	San Antonio Creek Ww Lake Merritt Channel Crossing	1,759,796	2,920,307
WW0505 Total	San Antonio Creek Ww Outfall Subequacous Pipeline	2,278,822	3,781,609
WW0506 Total	Mwwtp-Bulk Storage Area	4,675,143	7,758,202
WW0507 Total	Mwwtp-Pre-Chlorination Facility	1,451,611	2,408,886
WW0508 Total	Mwwtp-Sodium Bisulfite Area	2,228,383	3,697,908
WW0917 Total	Mwwtp-Field Services Bldg	2,707,085	3,949,208
WWLAND Total	Wastewater Land - General	14,461,026	17,550,740
WWPEQP Total	All Wastewater Portable Equipment	14,399,671	20,006,767
Grand Total		$921,356,762	$1,934,500,016

Table 3
EBMUD Wastewater Capacity Fee Analysis
Summary of Grant Funded Fixed Assets

Description	Original Cost	Year	ENR Adjusted
Digester	$15,070,000	1976	$60,681,699
Dewatering	4,435,827	1978	15,448,694
Temp. Dewatering	340,000	1978	1,184,121
Oxygen Production	4,086,325	1977	15,336,409
Secondary Reactors	16,260,000	1977	61,025,497
Secondary Clarifiers	12,040,000	1977	45,187,391
Grit Facilities	570,000	1976	2,295,194
Operations Center	760,000	1976	3,060,258
Scum Sys Equip	120,000	1976	483,199
Post Chlorination Equip	70,000	1976	281,866
Secondary Sys Channels	3,480,000	1976	14,012,761
Allocation of other SD	290,000	1976	1,167,730
Dechlorination	1,230,000	1978	4,283,732
Outfall Structure	450,000	1974	2,153,762
Operations Center	1,520,000	1976	6,120,516
Adm & Lab Bldg	1,950,000	1976	7,851,978
Maint. Bldg	780,000	1976	3,140,791
Lab Equip	320,000	1976	1,288,530
Process Water Plant	3,070,000	1977	11,522,034
Grounds & Imprvmnt	540,000	1977	2,026,677
Main pump Equip	590,000	1976	2,375,727
Effl. Pump Equp	960,000	1976	3,865,589
Grit Tanks	3,130,000	1976	12,603,432
Sedim Tanks	5,560,000	1976	22,388,205
Interim Sludge	460,000	1971	2,812,954
Post Chlorination	210,000	1967	1,890,391
Total	$78,290,000		$304,489,139
80% of Total			$243,591,311

Table 4
FY15 EBMUD Wastewater Capacity Fee Analysis
WITHOUT PHASING

			Without Phasing Proposed FY15	Without Phasing Current FY14
Present Value Calculation				
Present Value (PV) of Existing Facilities (1)			$1,934,500,016	$1,794,358,337
Less 80% of PV of Grant Funded Facilities			(304,489,139)	(228,524,327)
Less Outstanding Bonds and Loans			(455,569,000)	(489,200,000)
Cash Reserve as Asset			48,482,200	42,200,000
Net Present Value			**1,222,924,076**	**1,118,834,010**
Unit Cost Calculation	**Allocation (2)**	**Cost Allocation**	**Unit Cost/month**	**Unit Cost/month**
Flow	44.89%	548,970,618	158.83	145.30
41477000 ccf/yr			$/ccf	$/ccf
COD	20.59%	251,800,067	49.31	45.10
61274000	lbs/yr		$/lb	$/lb
TSS	34.52%	422,153,391	62.83	57.40
80632000 lbs/yr			$/lb	$/lb
Derivation of Single Family WCF				
Flow			1,064.14	973.51
6.7 ccf/mo				
COD			389.57	356.29
7.9 lbs/mo				
TSS			709.31	648.05
11.29 lbs/mo				
Total			$2,163.02	$1,977.85

Notes:
(1) Present value calculated based on escalation by ENR
(Source of SD-1 fixed asset list - Finance Department, Accounting Systems)
(2) Based on 2000 Carollo study model allocations.

Table 5
FY15 EBMUD Wastewater Capacity Fee Analysis
5-Year Phase-in of Modification to WCF Calculation

	Without Phasing					
	FY13	FY14	FY15	FY16	FY17	FY18
Flow Unit Cost $/CCF	$97.40	$145.30	$158.83			
CODf Unit Cost $/lbs	17.70	45.1	49.31			
TSS Unit Cost $/lbs	39.40	57.4	62.83			
SFR Connection Charge	1,235	1,978	2,163			

	With 5-Yr Phase-In					
		Year 1	Year 2	Year 3	Year 4	Year 5
	FY13	FY14	FY15	FY16	FY17	FY18
Flow Unit Cost $/CCF	$97.40	$106.98	$121.97			
CODf Unit Cost $/lbs	17.70	23.18	30.34			
TSS Unit Cost $/lbs	39.40	43.00	48.77			
SFR Connection Charge	1,235	1,385	1,607			

RECOMMENDED SCHEDULES OF RATES, CHARGES AND FEES

FY15

Water System

Schedule H – Standard Participation Charge (SPC)

Schedule J – System Capacity Charge (SCC)

Schedule N – Water Demand Mitigation Fees

Regulations Section 3B – Major Capital Facility for Standard Service

Recreation Use Fees for Calendar Year 2015

Public Records Act Fee Schedule

Wastewater System

Schedule B – Rates for Resource Recovery Material Treatment

Schedule G – Capacity Fees

Schedule H

Standard Participation Charge

FY15

SCHEDULE H

STANDARD PARTICIPATION CHARGE
(SPC)

A. The standard participation charge for each standard service installed shall be:

Standard Participation Charge

Meter Size	Gravity Zone*		Pumped Zone**	
5/8" and 3/4"	~~$7,720~~	$7,960	~~$9,560~~	$9,850
1"	~~19,290~~	19,900	~~23,900~~	24,620
1-1/2"	~~38,600~~	39,800	~~47,800~~	49,200
2"	~~61,700~~	63,700	~~76,500~~	78,800
3"	~~123,400~~	127,400	~~153,000~~	157,600
4"	~~192,900~~	199,000	~~239,000~~	246,200

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 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 ~~$192,900~~$199,000 in gravity zones or ~~$239,000~~$246,200 in pumped zones.

* This charge covers general water main oversizing and future water supply.

** This charge covers major facilities capacity, water main oversizing and future water supply.

Schedule J

System Capacity Charge

FY15

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)

A. SCC FOR STANDARD SERVICE*

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	REGION 1		2		3	
5/8	~~$22,260~~	$23,000	~~$40,050~~	$41,360	~~$37,140~~	$38,370
3/4	~~33,390~~	34,500	~~60,080~~	62,040	~~55,710~~	57,560
1	~~55,760~~	57,620	~~100,330~~	103,610	~~93,040~~	96,130
1-1/2	~~111,520~~	115,240	~~200,660~~	207,220	~~186,080~~	192,260
2	~~178,430~~	184,380	~~321,060~~	331,550	~~297,730~~	307,620

For service connections with larger meters see Sec. 3.

2. Single Family Service Connections** (dollars per connection)

METER SIZE (INCHES)	REGION*** 1		2		3	
3/4	~~$15,580~~	$16,100	~~$26,950~~	$27,830	~~$34,460~~	$35,610
1	~~26,020~~	26,890	~~45,010~~	46,480	~~57,550~~	59,470
1-1/2	~~52,040~~	53,780	~~90,020~~	92,960	~~115,100~~	118,940

For service connections with larger meters see Sec. 3 below.

* This charge covers the cost of System-wide Facilities Buy-in, Regional Facilities Buy-in and Future Water Supply.

**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 premise as determined soley 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 charged in the 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 Service Connections).

***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)
(Continued)

3. SCC for Larger Meters

The SCC for non-residential service connections with meters larger than 2 inches and single-family residential 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	~~$1,857~~	$1,926
Future Water Supply*	~~1,845~~	1,904

The unit charges for the components that are specific to a SCC Region are:

	Unit Charge ($/100gpd)			
Region	Post-2000 Component		Regional Facilities Buy-In Component	
1	n/a		~~$1,864~~	$1,921
2	n/a		~~3,784~~	3,900
3	n/a		~~2,240~~	2,309
3C	~~$5,942~~	$6,200	~~1,681~~	1,733
3D	~~5,942~~	6,200	~~1,681~~	1,733

In no instance will the SCC for a non-residential meter larger than 2 inches or a single family residential meter larger than 1-1/2 inches be less than the respective equivalent 2 inch or 1-1/2 inch price 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, rounded to three significant places.

If the District has determined, based on water use information furnished, that a meter larger than 2 inches is appropriate, the SCC calculated pursuant to this subdivision shall apply irrespective of the arrangement of water metering or meter size at the premises.

*The Future Water Supply component for Region 3C is based on 1993 agreement (see Section B1).

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

4. SCC for Standard Service to Multi-Family Premises

The System Capacity Charge for new water service at multi-family premises shall be as listed below. For purposes of this Schedule J, "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.

Multi-Family Premises
Dollars per Dwelling Unit (DU)

	REGION*					
	1		2		3	
For each Dwelling Unit	~~$9,070~~	$9,370	~~$12,580~~	$12,990	~~$11,820~~	$12,220

*Same regions as described in A.2.

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 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.

An SCC 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, 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.

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS*

The System Capacity Charge for new non-residential and 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** 3C***	3-D	
5/8	n/a	~~$87,770~~	$91,170
3/4	n/a	~~131,660~~	136,760
1	n/a	~~219,870~~	228,390
1-1/2	n/a	~~439,740~~	456,780
2	n/a	~~703,580~~	730,850

For service connections with larger meters see Sec. 3 below.

2. Single-Family service connections shall be as follows (dollars per connections)

METER SIZE (INCHES)	ADDITIONAL REGION** 3C***		3-D	
3/4	~~$77,870~~	$80,890	~~$87,770~~	$91,170
1	~~130,040~~	135,090	~~146,580~~	152,250
1-1/2	~~260,080~~	270,180	~~293,160~~	304,500

For service connections with larger meters see Sec. 3 below.

* 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 ¾ -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)

*** 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)
(Continued)

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS* (Continued)

3. SCC for Larger Meters

The SCC for non-residential service connections with meters larger than 2 inches and single-family residential 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 System Capacity Charge for new water service at multi-family premises shall be as listed below. For purposes of this Schedule J, "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.

Multi-Family Premises
Dollars per Dwelling Unit

	ADDITIONAL REGIONS*			
	3-C		3-D	
For each Dwelling Unit	~~$30,040~~	$31,210	~~$30,800~~	$32,000

*Same regions as described in B.1.

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS* (Continued)

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 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 do not apply to the requirements listed below.

An SCC 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, 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.

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.

*Same regions as described in B.1.

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

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 the SCC for the new service size and the existing service size.

If additional dwelling units are constructed on premises subsequent to the installation of service and payment of an SCC under B.1, 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 to a premise where an SCC was paid to initiate the water service, a credit will be given toward the new SCC based on the meter size that was used to calculate the initial SCC payment, but in no instance will the credit be less than that of the minimum meter size for the customer classification. For instances where the existing or prior services were installed prior to 1983 and 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 credit be less than that of a minimum meter size for the customer classification. If there is no existing service, prior service to the premise must be verified by the applicant. 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 combination standard and fire 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 Service Connections, the SCC credit can not be applied to the separate irrigation meter without a SCC credit on the residential meter.

For 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.

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.

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

I. REQUIRED SEPARATE IRRIGATION METER FOR SINGLE FAMILY SERVICE CONNECTIONS

If an irrigation meter is required for a single-family connection because the landscape exceeds the threshold for a dedicated irrigation meter 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 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.

J. NONPOTABLE WATER SERVICE

1. Nonpotable Water Service Connections (dollars per connection)

METER SIZE (INCHES)	REGION 1		2		3	
5/8	~~$7,380~~	$7,620	~~$9,870~~	$10,190	~~$11,530~~	$11,900
3/4	~~11,070~~	11,420	~~14,810~~	15,280	~~17,300~~	17,850
1	~~18,490~~	19,080	~~24,730~~	25,520	~~28,890~~	29,810
1-1/2	~~36,970~~	38,160	~~49,450~~	51,030	~~57,770~~	59,620
2	~~59,160~~	61,050	~~79,120~~	81,650	~~92,430~~	95,390

All SCC for nonpotable water service connections with meters larger than 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 2-inch meter charge from Section J.1, above.

K. DUAL STANDARD SERVICES

An SCC shall be applicable for separate meters installed to provide dual (potable and nonpotable) standard service, based on the meter size(s) for each service.

SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

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 at the end of the initial period.

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 provides for (1) payment of the reduced SCC prior to installation of service; (2) 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, or the replacement meter is larger than initially determined, or water service is not discontinued. 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

FY15

SCHEDULE N

WATER DEMAND MITIGATION FEES

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" territory[1] 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	~~$12,570~~	$12,970
3/4	~~18,100~~	18,680
1	~~28,150~~	29,060
1-1/2	~~54,300~~	56,030
2	~~100,550~~	103,770

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE MEADOWS TERRITORY	
5/8	~~$12,310~~	$12,700
3/4	~~18,100~~	18,680
1	~~28,150~~	29,060
1-1/2	~~54,300~~	56,030

[1] As defined in Contra Costa Local Agency Formation Commission Resolution No. 96-33, adopted August 13, 1997.

SCHEDULE N

WATER DEMAND MITIGATION FEES
(Continued)

3. The Water Demand Mitigation Fee for non-residential service connections with meters larger than 2 inches and single family residential 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.

4. 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" territory[1] 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 WENDT RANCH TERRITORY	
5/8	~~$16,140~~	$16,660
3/4	~~23,250~~	23,990
1	~~36,160~~	37,320
1-1/2	~~69,740~~	71,970
2	~~129,150~~	133,280

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE WENDT RANCH TERRITORY	
5/8	~~$15,810~~	$16,310
3/4	~~23,250~~	23,990
1	~~36,160~~	37,320
1-1/2	~~69,740~~	71,970

[1] As defined in Contra Costa Local Agency Formation Commission Resolution 97-5, adopted March 12, 1997.

SCHEDULE N

WATER DEMAND MITIGATION FEES
(Continued)

3. The Water Demand Mitigation Fee for non-residential service connections with meters larger than 2 inches and single family residential 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.

4. 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.

C. WATER USE OFFSET FEES FOR THE WIEDEMANN RANCH DEVELOPMENT[1]

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).[2]

1. Common Area Offset Fee

The total Water Use Offset Fee for common areas in the Wiedemann Ranch Development is ~~$65,875~~$66,916, payable as a condition of issuance of the first meter for the common area.[3]

2. Single Family Service Connections

The Water Use Offset Fee for each residential lot in the Wiedemann Ranch Development is ~~$6,575~~$6,679, which amount shall be indexed using the same index as for the common area offset fee.

---

[1]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").

[2]The Wiedemann Agreement specifies the amount and other terms related to the Future Water Supply Component of the SCC for the Wiedemann Ranch Development.

[3]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 for 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.

SCHEDULE N

WATER DEMAND MITIGATION FEES
(Continued)

D. ADDITIONAL WATER USE OFFSET FEES FOR THE WIEDEMANN RANCH DEVELOPMENT[1]

For water service within Wiedemann Ranch Development, payment of Additional Water Use Offset Fees shall be required in the event the annual water budget[4] 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 ~~$14.19~~$14.42.[5]

---

[1]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 formula for calculating the annual water budget and the specific methodology for calculating and collecting the additional water use offset fee.

[5]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
(Continued)

E. WATER DEMAND MITIGATION FEES FOR CAMINO TASSAJARA INTEGRATED PROJECT[1]

For service connections within the Camino Tassajara Integrated Project[2], 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	~~$15,560~~	$16,060
3/4	~~22,420~~	23,140
1	~~34,860~~	35,980
1-1/2	~~67,230~~	69,380
2	~~124,490~~	128,470

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	~~$10,690~~	$11,030
3/4	~~15,710~~	16,210
1	~~24,470~~	25,250
1-1/2	~~47,160~~	48,670

[1]The Water Demand Mitigation Fee shall be indexed to the unit charge of the Future Water Supply component of the EBMUD System Capacity Charge.

[2]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
(Continued)

3. The WDMF for non-residential service connections with meters larger than 2 inches and single family residential 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.

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 residential structure of a multi-family premises shall be separately metered.

Multi-Family Premises – Dollars Per Dwelling Unit (DU)

Each of the first 10 DU in a single structure	~~$6,410~~	$6,620
Each additional DU in same structure	~~5,130~~	5,290

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.

SCHEDULE N

WATER DEMAND MITIGATION FEES
(Continued)

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 budget[3] 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 ~~$0.99~~$1.02 per gpd.

---

[3]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
(Continued)

F. WATER DEMAND MITIGATION FEES FOR GALE RANCH PHASE 2, SUBDIVISION 9134[1]

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	~~$14,910~~	$15,390
3/4	~~21,470~~	22,160
1	~~33,380~~	34,450
1-1/2	~~64,420~~	66,480
2	~~119,280~~	123,090

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[2]	~~$10,230~~	$10,560
3/4	~~15,060~~	15,540
1	~~23,400~~	24,150
1-1/2	~~45,140~~	46,590

[1]The Water Demand Mitigation Fee shall be indexed to the unit charge of the Future Water Supply component of the EBMUD System Capacity Charge.

[2]5/8" fee based on 32,594 gpd demand LUDS demand 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
(Continued)

3. The WDMF for non-residential service connections with meters larger than 2 inches and single family residential 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 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.

Regulations

Section 3B

Major Facilities Capacity for Standard Service

FY15

SECTION 3B

MAJOR FACILITIES CAPACITY FOR STANDARD SERVICE

SYSTEM CAPACITY

It is the policy of the District that applicants for water service shall bear the cost of major facilities capacity which must be planned, designed and constructed to provide that service. Therefore, except as otherwise provided in this Section, applicants for water service shall pay the applicable System Capacity Charge (SCC) under Schedule J of the Schedule of Rates and Charges. The SCC is a charge for each region of the District identified in Schedule J, based on the costs of providing water service to applicants within each region. The SCC also includes a component for the allocated cost of providing a future water supply, including nonpotable water supply, to meet the long term increase in water demand in the District.

The number of service connections and meter sizes required for service shall be consistent with the applicant's proposed development and acceptable to the District.

Nonpotable water service is subject only to the future water supply component of the SCC. All other conditions of this section apply to nonpotable water service.

SCHEDULE OF PAYMENT

The applicable SCC shall be due and payable at the time the District accepts the applicant's request for installation of the water meter to complete an individual service connection and when the water service account is opened. The District will accept such a request, and thus payment of the SCC, any time after the applicant has met all the requirements for water service as stated in these regulations and the following:

- Approval of the land use by the city or county with jurisdiction, which for a subdivision means approval of the tentative map;
- Issuance of either the grading permit to prepare the premises for construction of improvements or the building permit for the improvements; and
- Execution of an agreement for installation of the water service connections when installation of a water main extension is required in order to serve the applicant's premises. The applicable charge shall be the SCC in effect at the time payment is due.

SECTION 3B

MAJOR FACILITIES CAPACITY FOR STANDARD SERVICE
(continued)

ADVANCE PAYMENT AGREEMENTS

If the District determines that major facilities must be constructed before service can be extended to the applicant's premises, then prior to planning, design, and construction of any new water service facilities, the applicant shall enter into an agreement or agreements with the District as provided in this section. The location, design, and size of the major facilities to be constructed and the extent of the area to be served by such facilities shall be determined by the District in accordance with the District's Distribution System Master Plan (DSMP) and Engineering Standard Practice (ESP). Advance payment agreements shall be entered into on behalf of the District by the General Manager or his designee.

The agreement or agreements shall provide as follows:

1. Preliminary Work Deposit

   The applicant shall pay in advance that portion of the estimated cost of preliminary work allocated to providing major facilities capacity for the applicant's premises and for future customers within the immediate pressure zone area. Preliminary work shall include the planning, preliminary engineering, and environmental documentation necessary for the major facilities. Subject to District approval, payment may be made in a form of credit acceptable to the District.

2. Detailed Design Deposit

   Upon completion of the preliminary work and approval of the project by the District, the applicant shall pay that portion of the estimated cost of detailed design, including plans and specifications for the major facilities, allocated to providing major facilities capacity for the applicant's premises and for future customers within the immediate pressure zone area. Subject to District approval, payment may be made in a form of credit acceptable to the District.

3. SCC Guaranty

   The District will determine how much of the total service capacity of the proposed major facilities to be constructed will be allocated to existing customers and to other future customers in other bona fide developments that can be served by the major facilities. If the allocation to existing customers is 90 percent or more, then an SCC Guaranty is not required.

   For purposes of this Section 3B, “bona fide development” shall mean development by parties other than the applicant that the District has determined meets all city or county requirements.

SECTION 3B

MAJOR FACILITIES CAPACITY FOR STANDARD SERVICE
(continued)

prerequisite to the preparation and filing of the tentative subdivision map(s), including the city or county approval of applicable environmental and other documentation which directly impacts the size or nature of facilities required.

The amount of the SCC Guaranty shall be based on the estimated cost of the major facilities to be constructed less the proportional capacity allocated to bona fide development and existing customers.

The SCC Guaranty shall be due and payable prior to award of a contract or commencement of work by District forces for construction of the major facilities.

4. Refunds

If no SCC Guarantee is collected, deposits paid for the preliminary work and for detailed design shall be refunded to the applicant, without interest, following award of the contract(s), and commencement of work by District forces, for construction of the major facilities.

If a payment is collected by the District on the SCC Guaranty, then refunds will be made to the applicant, without interest, from SCC payments collected within the area served by the major facilities from development other than the bona fide development identified at the time the SCC Guaranty was provided. Refunds will be paid to the applicant once each year in March for refunds which accrued during the previous calendar year. No SCC refunds will be paid after twenty years from the date that the major facilities are placed in service.

EXCEPTIONS

1. Additional Major Facilities

If the District determines that service to an applicant's premises will require construction of major facilities in addition to or significantly different from those already included in the District's DSMP, the average cost of said major facilities will be calculated by dividing their estimated cost by the projected future service connections (measured in ~~5/8~~3/4" meter equivalents) within the area to be served by the major facilities. If that average cost plus the applicable cost components for future water supply and any system and region-wide buy-in costs is more than fifty percent higher than the SCC for the supplying region, then a separate SCC shall apply in the area served by the major facilities in lieu of Schedule J.

SECTION 3B

MAJOR FACILITIES CAPACITY FOR STANDARD SERVICE
(continued)

The separate SCC shall be equal to said average cost of major facilities, plus the applicable cost components for future water supply and any system and region-wide buy-in costs. If a separate SCC is not established, the charges under Schedule J shall apply.

2. SCC Under Section 3A

Applicants for service in the north Oakland hills area, as defined in Section 3A, shall pay the SCC in Schedule J of the Schedule of Rates and Charges.

3. Unusual Conditions

When, in the opinion of the District, applications for service for which major facilities must be constructed present unusual conditions, problems, or situations not adequately covered hereunder, the applicable charges for major facilities capacity shall be determined by the District on a case-by-case basis.

4. Standard Participation Charge

Applicants with major facilities agreements or applicants who made bona fide written requests for water service on or before June 28, 1983 shall pay the applicable Standard Participation Charge under Schedule H of the Schedule of Rates and Charges, in lieu of the SCC, for each service within a project covered by such major facilities agreement or water service request. The Standard Participation Charge shall be paid at the time an applicant requests that the meter be installed to complete an individual service connection and the applicant's account is opened.

In pressure zones in which major facilities constructed prior to June 28, 1983, under a major facilities agreement will not provide adequate capacity to meet estimated service needs, the charge for distribution system capacity applicable to the applicant with such agreement shall be determined by the District on a case-by-case basis. Nothing herein shall be construed to modify agreements which provide for a major facilities contribution in lieu of the Standard Participation Charge.

Recreation Use Fees

Calendar Years 2015

RECREATION USE FEES FOR 2014 AND 2015
January 2015*

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 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 in order to attract new customers and/or improve revenues. General discounts will be applied for specified time frames and apply fairly and uniformly. General discounts must be approved by the Director of Water and Natural Resource Department in advance.

District employees, retirees and immediate family receive free vehicle entry and boat launch, and a camping discount equal 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.

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 4, 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 CDFW Free Fishing Days.

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

CAMANCHE HILLS HUNTING PRESERVE	USE FEE
PRESERVE LICENSE (QUANTITY PRICE BREAK)	
PRESERVE LICENSE:	
Initiation Fee (Family)	2,995.00
Initiation Fee (Corporate)	2,995.00
Annual Maintenance (Family)	200.00
Annual Maintenance (Corporate)	400.00
LICENSED GUIDE GOOSE HUNT (PER PERSON/HUNT)	200.00
BIRD PROCESSING: (PRICE PER EACH)	
Pheasant	4.00
Chukar	4.00
20-bird card (pheasant and chukar) for 20	70.00
Duck	4.50
Goose	10.00
Smoking (all birds)	5.00
Dog Rental	
Half Day	75.00
Full Day	140.00
Special Hunt	140.00
SPORTING CLAYS	
Full Round Course (100 targets)	38.00
Half Round Course (50 targets)	20.00
Additional Round	10.00
Full-Day	50.00
25 targets (5-Stand/Grouse bunker)	7.00
25 targets (Skeet/trap)	6.00
ARCHERY RANGE AND COURSE	
7 Station 3-D target Course	
Per person	10.00
Per pair	18.00
Per family (max 4)	34.00
RV Parking Area	
Nightly	6.00
Clubhouse Rental (daily)	500.00
Kitchen Rental (daily)	500.00
Grounds (daily)	500.00

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 the sporting clays course.

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

A Sporting Clay discount of 15% is offered to Senior/Disabled/Former POW/Disabled Veteran visitors.

A Driven Pheasant Shoot discount of 15% is offered to Senior/Disabled/Former POW/Disabled Veteran visitors.

An RV Parking discount of 50% is offered to Senior/Disabled/Former POW/Disabled Veteran visitors.

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

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

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

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS	USE FEE
VEHICLE ENTRY/PARKING CAR/MOTORCYCLE/SMALL VAN	
Daily	12.50
Daily, after 3:00pm on non-holiday weekends	8.00
Daily (Off-season)	8:00
Nightly (non-camping)	12.00
Annual	150.00
Senior/Disabled/Former POW/Disabled Veteran Annual	75.00
Combined Car/Boat Daily	16.50
Combined Car and Boat 5 Use Card (Off-season)	60.00
Combined Car and Boat 5 Use Card, after 3:00pm weekdays	37.50
Annual Marina Overnight/Day Use	210.00
VEHICLE ENTRY/PARKING LARGE VANS AND BUSES	
Large Vans - 10-20 Passengers	18.00
Buses – 21+ Passengers	35.00
DOG - daily	5.00
BOAT LAUNCH	
Daily	10.00
Daily (Off-season)	7.00
Night	10.00
Annual	150.00
Senior/Disabled/Former POW/Disabled Veteran Annual	75.00

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)	USE FEE
BOAT MOORING (Buoy)	
Nightly	15.00
Weekly	80.00
Monthly: under 30 feet	250.00
30 feet & larger	325.00
Annual: under 30 feet	1,450.00
30 feet & larger	1,900.00
BOAT SLIP OPEN (Excl. park entry)	
Daily	25.00
Weekly	140.00
Monthly	350.00
Annual	1,650.00
8 Months	1,350.00
Key Security Deposit	10.00
BOAT SLIP COVERED – 24' Length Maximum	
Daily	30.00
Weekly	160.00
Monthly	450.00
Annual	1,850.00
Key Security Deposit	10.00
BOAT SLIP COVERED – (over 24' Length Excl. Park Entry)	
Daily	35.00
Weekly	200.00
Monthly	525.00
Annual	2,200.00
Key Security Deposit	10.00

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)	USE FEE
RV/TRAILER/BOAT STORAGE (Excl. park entry)	
Weekly	50.00
Monthly	120.00
12 Months, consecutive	675.00
Monthly – 30' Length Maximum (Concurrent with Mooring/Slip Rental)	55.00
Monthly – Over 30' (Concurrent with Mooring/Slip Rental)	85.00
Annual – 30' Length Maximum (Concurrent with Mooring/Slip Rental)	300.00
Annual – Over 30' (Concurrent with Mooring/Slip Rental)	425.00
Annual – concurrent with Mobile Home Space rent	425.00
FISHING ACCESS PERMIT	
Daily	5.00
Annual	110.00
6 month July 1 through Dec 31 (annual prorated)	55.00
CAMPSITE (w/vehicle parking)	
Nightly	28.00
Nightly (Off-season – Friday thru Sunday nights)	16.00
Midweek (Monday thru Thursday night)	8.00
Second Car Parking	12.00
Weekly	150.00
Second Car Weekly	70.00
14 nights	275.00
5 Use Card (Off-season)	75.00
Camping Reservation Fee	10.50

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)	USE FEE
LAKESIDE PREMIUM CAMPSITES	
Nightly	35.00
Nightly (Off Season Friday thru Sunday nights)	16.50
Midweek (Monday thru Thursday night)	8.25
Second Car Parking	12.00
Weekly	180.00
Second Car Weekly	75.00
14 Nights	330.00
5 Use Card (Off Season)	75.00
CAMPSITES WITH YURT STRUCTURES	
8 person nightly	75.00
16 person nightly	125.00
8 person weekly	395.00
16 person weekly	645.00
CAMPSITE (WALK-IN/BICYCLE PARKING – 8 PERSON/BIKE MAX)	
Nightly	25.00
Weekly	135.00
14 nights	255.00
GROUP CAMP (Nightly)	
Group Assembly Area	80.00
8-Person Limit (Horse Camp, 4 persons, 4 horses max)	50.00
12-Person Limit	85.00
16-Person Limit	105.00
24-Person Limit	125.00
32-Person Limit	165.00
64-Person Limit	295.00
72-Person Limit	350.00
GROUP CAMP (Nightly, off season)	
Group Assembly Area	40.00
8-Person Limit (Horse Camp)	25.00
12-Person Limit	45.00
16-Person Limit	50.00
24-Person Limit	55.00
32-Person Limit	60.00
64-Person Limit	135.00
72-Person Limit	160.00

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)	USE FEE
RV SITE	
Nightly	48.00
Weekly	270.00
Monthly	500.00
Season (6-Month Max.)	1,850.00
6 night off-season use card (Off Season)	180.00
Premium Sites (Peak Season)	53.00
Premium Sites Weekly (Peak Season)	325.00
TOWING	
Camanche Recreation Area per hour	110.00
MISCELLANEOUS	
Camanche Recreation Area Lake Tours	14.00
Holding Tank Pumping	75.00
COTTAGE/MOTEL GENERAL	
Camanche Recreation Area – Security Deposit	200.00
Additional Guest Charge (to maximum occupancy)	15.00
COTTAGE (4-Person Base)	
May - Sept: Night	170.00
Week	800.00
Oct-March: Night	115.00
Week	570.00
Month	1,500.00
COTTAGES (6-Person Base)	
May-Sept: Night	215.00
Week	935.00
Oct-April: Night	150.00
Week	700.00
Month	1,250.00

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)		USE FEE
COTTAGES (10-Person Base)		
May-Sept:	Night	270.00
	Week	1,325.00
Oct-April:	Night	155.00
	Week	785.00
	Month	1,325.00
MOTEL (TWIN)		
May-Sept:	Night	80.00
	Week	400.00
Oct-April:	Night	60.00
	Week	300.00
	Month	525.00
MOTEL (KING)		
May-Sept:	Night	99.00
	Week	480.00
Oct-April:	Night	79.00
	Week	390.00
	Month	650.00
MOBILE HOME (MONTHLY)		
2 bedroom		CY14 Rate + HUD FMR
3 bedroom		CY14 Rate + HUD FMR
4 bedroom		CY14 Rate + HUD FMR
MOBILE HOME SPACES (MONTHLY)		
North Shore 1A		CY14 Rate + HUD FMR
North Shore 1B		CY14 Rate + HUD FMR
North Shore 2		CY14 Rate + HUD FMR
South Shore		CY14 Rate + HUD FMR

CAMANCHE RESERVOIR - NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)	USE FEE
OTHER MOBILE HOME FEES (Per Space – Monthly)	
Guest Fee	75.00
Late Rent/Returned Check Fee	40.00
FACILITY RENTAL	
Lakeside Hall Daily (hall only)	600.00
Lakeside Hall Daily (kitchen & serviceware included)	850.00
Lakeside Hall Cleaning and Equipment Deposit	1,000.00
Camanche Clubhouse Rental Daily	150.00
Camanche Clubhouse Rental	100.00

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

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

Concessionaire Employees may receive free entrance and use of rental boats during off-hours, 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/Former POW/Disabled Veterans – 50% Discount on annual entry and boat launch fees, and on non-weekend, non-holiday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Mobilehome Park Tenants-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. 40% discount on off-season monthly open slip, covered slip and mooring buoy fees. 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.

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.

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

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 in 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 up to one-hour.

LAFAYETTE RECREATION AREA	USE FEE
ENTRY AND PARKING - CAR/MOTORCYCLE/SMALL VAN	
Daily	7.00
Annual (new; includes $25 access card)	145.00
Annual (renewal, using existing access card)	120.00
Replacement access card (gate card)	25.00
Parking Meters ½ hour (may be increased up to a maximum rate of 0.75 per ½ hour prior to CY13)	.75
Senior/Disabled/Former POW/Disabled Veteran Season (new)	105.00
Senior/Disabled/Former POW/Disabled Veteran Season (renewal upon existing access card)	80.00
ENTRY AND PARKING LARGE VANS AND BUSES	
Large Vans - 10-20 Passengers	18.00
Buses – 21+ Passengers	33.00
DOG (no charge)	
COMMERCIAL USES (in addition to the base fee noted below, the Director of Water and Natural Resources may set an additional fee to recover District's direct costs plus overhead.)	
Commercial Use	
Small (up to 10 people)	100.00
Medium (from 11 to 50 people)	500.00
Large (from 51 to 150 people)	1,000.00
BOAT LAUNCH	
Daily	4.00
Annual	50.00
Boat Inspection Fee	6.00
FISHING ACCESS	
Daily	5.00
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

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

PARDEE RECREATION AREA	USE FEE
VEHICLE ENTRY AND PARKING - CAR/MOTORCYCLE/SMALL VAN	
Daily/Nightly (Non-Camping)	9.00
Season	104.00
Combined Car/Boat Daily	15.00
VEHICLE ENTRY AND PARKING LARGE VANS AND BUSES	
Large Vans - 10-20 Passengers	20.00
Buses – 21+ Passengers	35.00
DOG	4.00
STANDARD BOAT LAUNCH	
Daily (Weekend included)	8.00
Season	90.00
CARTOP BOAT LAUNCH (Float Tube, Kayak, Canoe, Scull)	
Daily	4.00
Season	40.00
BOAT MOORING	
Monthly	120.00
Season	420.00
BOAT SLIP (excl. park entry)	
Daily	9.00
Weekly	43.50
Monthly	132.00
Season	660.00
Season (concurrent with season RV)	610.00
FISHING ACCESS	
Daily	5.00
Annual	140.00
MISCELLANEOUS	
RV/Campsite Reservation Fee	9.00

PARDEE RECREATION AREA (continued)	USE FEE
STANDARD CAMPSITE (w/vehicle parking)	
Nightly	24.00
Second Car Parking	12.00
Weekly	144.00
Second Car Parking	72.00
PREMIUM CAMPSITE (w/vehicle parking)	
Nightly	27.00
Weekly	162.00
CAMPSITE (walk-in/bicycle parking)	
(8 person/8 bike maximum)	
Nightly	18.00
Weekly	108.00
DOUBLE CAMPSITE (16 people/ 2 vehicles)	
Nightly	48.00
Third or Fourth Vehicle	12.00
RV SITE	
Nightly	33.00
Weekly	198.00
Monthly	430.00
Season	2,350.00
Season – Premium Site	2,650.00
RV/TRAILER/BOAT STORAGE (Excl. park entry)	
Weekly	26.00
Monthly	60.00
Season	480.00
Season – concurrent with season RV Site	430.00
TOWING	80.00
RESERVABLE SITE/FACILITY (charges in addition to above fees)	
Small (25 or less persons)	55.00
Medium (26-100 persons)	80.00
Large (101-150 persons)	110.00
Over 150 persons	220.00
Café/Pool Day Use Area (refundable deposit)	50.00

PARDEE RESERVOIR - DISCOUNTS, SPECIAL PROGRAMS, LIMITATIONS.

Concessionaire Employees may receive free entrance and use of rental boats during off-season hours, 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/Former POW/Disabled Veterans – 50% Discount on annual entry and boat launch fees, and on non-weekend, non-holiday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

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.

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.

SAN PABLO RECREATION AREA	Proposed CY15
ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily	7.00
Daily (Special Events)	5.00
Season	110.00
3-Month Season	36.00
ENTRY AND PARKING LARGE VANS AND BUSES	
Large Vans - 10-20 Passengers	22.00
Buses – 21+ Passengers	40.00
DOG	4.00
COMMERCIAL USE (in addition to the base fee noted below, the Director of Water and Natural Resources may set an additional fee to recover District's direct costs plus overhead.)	
Small (up to 10 people)	120.00
Medium (11 to 50 people)	600.00
Large (51 to 150 people)	1,200.00
STANDARD BOAT LAUNCH	
Daily	8.00
Season (Entry & Boat Launch)	163.00
3-Month Season (Entry & Boat)	62.00
Boat Inspection Fee	6.00
CARTOP BOAT LAUNCH (Float Tube, Kayak, Canoe, Scull)	
Daily	4.00
Season (Entry and Cartop Launch)	124.00
3-Month Season (Entry & Cartop Launch)	41.00
FISHING ACCESS	
Daily	5.00
GROUP PICNIC	
Large Sites (Oaks & Pine) daily	260.00
GAZEBO	60.00
TOWING	65.00

SAN PABLO RECREATION AREA (continued)	USE FEE
VISITOR CENTER & DECK RENTAL	
WEEKDAY EVENING VISITOR CENTER & DECK (Minimum charge for up to 3 hours)	250.00
Extra hours	70.00
WEEKEND EVENING VISITOR CENTER & DECK (Minimum charge for up to 5 hours)	400.00
Extra hours	70.00
Evening Event Cleaning and Damage Deposit	
Events ending before 7:00 pm	150.00
Events ending after 7:00 pm	350.00
WEEKDAY VISITOR CENTER & DECK (8:00am-4:00pm)	200.00
2 consecutive days	350.00
3 consecutive days	500.00
Daytime Event Cleaning and Damage Deposit	125.00

SAN PABLO RESERVOIR – Discounts, Special Programs, Limitations.

Concessionaire employees may receive free entrance and use of rental boats during off-hours, and 20% discount on food and merchandise. 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/Former POW/Disabled Veterans – 50% Discount on annual, 6-month and 3-month entry and boat launch fees, and on non-weekend, non-holiday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

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

WATERSHED TRAIL SYSTEM	USE FEE	
WATERSHED TRAILS		
Daily Permit	~~2.50~~	3.00
Annual Permit	10.00	
Three-Year Permit	20.00	
Five-Year Permit	30.00	

Public Records Act Fee Schedule

FY15

PUBLIC RECORDS ACT FEE SCHEDULE

INTRODUCTION

The following Fee Schedule has been established by the East Bay Municipal Utility District to cover the costs for duplicating District documents, drawings, maps, recordings, and other records, as required by the Public Records Act.

East Bay Municipal Utility District offers access to its records upon receipt of a request, which 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, or by calling (510) 287-0404.

CHARGES

Pursuant to the Public Records Act, the District can recover the "direct cost 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 in order to make the equipment operational.
- Labor costs ordinarily include the pro rata salary and benefits 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 housed in the District Library or in other areas are charged at the same rate as District documents.

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 the actual cost of duplication by the outside vendor.

PAYMENT

For requests estimated to cost over $100 in duplication 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).

PUBLIC RECORDS ACT FEE SCHEDULE
(Continued)

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. Audio Cassette Tapes
- D. Compact Disks (CDs)
- E. Digital Versatile Disks (DVDs)

Fees for document types/requests not covered herein will be provided upon request.

PUBLIC RECORDS ACT FEE SCHEDULE
(Continued)

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 District.

Fee = Labor Cost ($0.51~~48~~ per minute duplicating time)
+ Materials & Equipment Cost (e.g., cost per sheet or media)
+ Postage (if applicable)

- Labor Cost: Labor cost for duplication time is charged at the rate of $0.48 per minute. Labor cost is based on the labor rate of a clerical employee and is charged only for the actual time spent on duplication.

- Material & 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/pg
11 x 17 ..... 0.17/pg

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/pg

PUBLIC RECORDS ACT FEE SCHEDULE
(Continued)

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 EBMUD'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 and specifications for publicly bid construction projects are available through EBMUD's Specifications, Cost Estimating, and Engineering Standard Records (ESR) 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 EBMUD'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 Specification's Clerk. Federal Express service is available if the requestor supplies a Federal Express account number.

PUBLIC RECORDS ACT FEE SCHEDULE
(Continued)

Contract Documents are also available for viewing and downloading online at EBMUD's public website: www.ebmud.com, via the "Business Opportunities" and "Construction Bid Opportunities" Link.

Copies of CD-ROM versions of contract documents in Adobe Acrobat format are available free of charge from the Specifications Clerk at 510-287-1040.

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 the system and merely require printing; and (b) records that do not currently exist and requires 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 requester seeks a record that already exists on the system (i.e., record merely needs to be retrieved and printed, and does not require data compilation, extraction, programming to produce), the following fee applies:

Fee = **Labor Cost** ($0.51~~48~~ per minute duplicating time)
Materials & Equipment Cost
+ Postage (if applicable)

Materials & Equipment cost varies with the types/formats of records requested, as specified below:

1) Digital copies – PDF Files of B-maps

Cost of Media:

▪ CD	$ 3.05
▪ DVD	6.35
▪ Electronic transfer	N/C

PUBLIC RECORDS ACT FEE SCHEDULE
(Continued)

2) Maps on Demand

Cost per copy:

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

*****These 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/pg
- CD	3.05/ea
- DVD	6.35/ea

B. RECORDS THAT DO NOT ALREADY EXIST

When a requester seeks records that do not currently exist on the system and requires 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, please note that the District is under no obligation to provide records that do not already exist. Accordingly, the applicable fee is:

Fee = Labor Cost ($0.~~96~~91 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.

PUBLIC RECORDS ACT FEE SCHEDULE
(Continued)

This fee also applies when the request requires producing a record outside of the regularly scheduled interval.

C. AUDIO CASSETTE TAPES

Regular meetings of the Board of Directors are recorded on audiotape. Copies of tapes are available upon request.

Fee = **Labor Cost** ($0.5148 per minute duplicating time)
Cost per tape (90-minute cassette tape = $1.68/tape)
+ Postage (if applicable)

D. COMPACT DISCS (CDs)

Fee = **Labor Cost** ($0.5148 per minute duplicating time)
Cost per disc (CD-R Disc, Write-Once, 700MB, 80 Minute, 52X = $3.05/disc)
+ Postage (if applicable)

E. DIGITAL VERSATILE DISCS (DVDs)

Fee = **Labor Cost** ($0.5148 per minute duplicating time)
Cost per disc (DVD+R, 16X, Single Sided, 4.7 GB/120 Minutes = $6.35/disc)
+ Postage (if applicable)

DISTRICT PUBLICATIONS FEES

Fee = **Cost of publication** (see below)
+ **Sales tax**
+ **Postage** (if applicable)

- MUD ACT $5.15
- Rules and Regulations (Customer Service Book) 8.12
- Water Conserving Plants and Landscape for the Bay Area (Water Conservation Section)
  1 – 4 copies (EBMUD pickup) 12.00
  1 – 4 copies (mailed) 15.00
  5 or more copies 11.00
- Its Name Was MUD 18.00
- Educational Materials (Outside of District's Service Area)

  Teachers Guides
  1 – 50 copies $2.00 each
  51 – 1,500 copies 1.75 each

  Student Workbooks
  1 – 5,000 copies 0.50 each
  5,001 – 50,000 copies 0.43 each

  Captain Hydro Posters
  1 – 1,000 copies 0.70 each
  1,001 and up 0.50 each
- Plants and Landscapes for Summer Dry Climates of the San Francisco Bay Region

  Soft cover $34.95 each
  District customer and employee $24.95 each

  Hardcover 49.95 each
  District customer and employee 39.95 each
  Wholesalers up to 55% discount
  Vendors up to 40% discount

Wastewater Department

Schedule B

Rates for Resource Recovery Waste Treatment

FY15

SCHEDULE B [1]

WASTEWATER DEPARTMENT
RATES FOR RESOURCE RECOVERY MATERIAL TREATMENT

MATERIAL TYPE	RATE [2]
Septage	$0.07/gal
Fats, Oil and Grease	~~$0.11~~$0.08/gal ~~nonconcentrated~~ ~~$0.15/gal concentrated~~ [3]
~~Groundwater~~	~~$0.02/gal~~
Process Water	~~$0.04~~$0.05/gal
Gray Water	Variable with Total Dissolved Solid (TDS) ~~$0.03/gal 0-75k mg/l TDS~~ $0.04/gal 0-100,000 mg/l TDS ~~$0.06/gal 75k-200k mg/l TDS~~ $0.08/gal > 100,000 mg/l TDS
Sludge	Variable with % Total Solids (TS) $0.05/gal up to 3% TS plus ~~$0.01~~$0.005/gal per %TS for TS between 3% to 20%
Liquid Organic Material	~~$0.03~~$0.04/gal
Protein Material	~~$0.06/gal up to 10% Total Solids~~ $0.08/gal ~~over 10% Total Solids~~
Solid Organic Material	$30-65/ton [4]
Permit Fee	~~$200~~$300 (per year)

(1) 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.

(2) For 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.

(3) Concentrated Fats, Oils and Grease are defined as any Fats, Oil and Grease material that has undergone any process to remove water fraction from the material.

(4) Based on treatment costs (residual solids dewatering and disposal), gas production, volumes and other costs or benefits to the District.

Wastewater Department

Schedule G

Capacity Fees

FY15

SCHEDULE G

WASTEWATER DEPARTMENT
CAPACITY FEES

TABLE 1

Residential ($/dwelling unit)[1,5]		~~$1,385~~[2]	$1,607[2]
Non-Residential ($/ccf/mo)[3,5]			
2010	Meat Products	~~$567~~	$704
2011	Slaughterhouses	~~627~~	737
2020	Dairy Product Processing	~~458~~	563
2030	Fruit and Vegetable Canning	~~380~~	462
2040	Grain Mills	~~412~~	485
2050	Bakeries (including Pastries)	~~675~~	809
2060	Sugar Processing	~~346~~	434
2077	Rendering Tallow	~~1,263~~	1,471
2080	Beverage Manufacturing & Bottling	~~281~~	343
2090	Specialty Foods Manufacturing	~~1,150~~	1,426
2600	Pulp and Paper Products	~~357~~	419
2810	Inorganic Chemicals Manufacturing	~~497~~	567
2820	Synthetic Material Manufacturing	~~119~~	137
2830	Drug Manufacturing	~~215~~	261
2840	Cleaning and Sanitation Products	~~422~~	515
2850	Paint Manufacturing	~~830~~	1,002
2893	Ink and Pigment Manufacturing	~~288~~	355
3110	Leather Tanning and Finishing	~~1,113~~	1,359
3200	Earthenware Manufacturing	~~272~~	312
3300	Primary Metals Manufacturing	~~217~~	249
3400	Metal Products Fabricating	~~127~~	146
3410	Drum and Barrel Manufacturing	~~1,105~~	1,362
3470	Metal Coating	~~137~~	158
4500	Air Transportation	~~170~~	200
5812	Food Service Establishments	~~440~~	514
7000	Hotels, Motels with Food Service	~~327~~	378
7210	Commercial Laundries	~~273~~	324
7215	Coin Operated Laundromats	~~210~~	248
7218	Industrial Laundries	~~696~~	858

SCHEDULE G

WASTEWATER DEPARTMENT
CAPACITY FEES
(Continued)

7300	Laboratories	~~$156~~	$182
7542	Automobile Washing and Polishing	~~203~~	238
8060	Hospitals	~~203~~	234
8200	Schools	~~149~~	173
	All Other BCC (includes dischargers of only segregated domestic wastes from sanitary conveniences)	~~207~~	240

Permit Accounts[6]

Flow ($/ccf/mo)	~~$106.98~~	$121.97
CODF ($/lb/mo)	~~23.18~~	30.34
TSS ($/lb/mo)	~~43.00~~	48.77

[1] Includes BCC 6514 and 8800.

[2] Residential fee is calculated as follows:

Flow:	6.7	x	~~$106.98~~	$121.97	=	~~$717~~	$817
CODF:	7.9	x	~~23.18~~	30.34	=	~~183~~	240
TSS:	11.29	x	~~43.00~~	48.77	=	~~485~~	550
						~~$1,385~~	$1,607

[3] Capacity Fee is based on the anticipated maximum monthly flow contributions multiplied by 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 assessment of additional capacity fees if the actual flow and strength exceeds the original estimate.

[4] For non-residential customers with projected treatment revenues equal to or greater than 0.1% of the total District treatment revenue, the calculated capacity fee will be reduced by a Rate Stabilization Factor of 25%. Projected treatment revenue will be based on permit conditions at the time of application or on average wastewater strength measured for each classification of customer if a permit is not required for discharge. Total District treatment revenue will be based on the budgeted fiscal year amount at the time of application.

SCHEDULE G

WASTEWATER DEPARTMENT
CAPACITY FEES
(Continued)

[5]A credit may be provided for existing services. Where a new service will replace one or more existing or prior services to a premise where a capacity fee was paid, a credit will be given toward the new capacity fee demand and based on the previous capacity unit paid or if the existing service had not paid a capacity fee but in service since July 1, 1987 then the credit is based on historic use contributions.

[6] Total fee is a summation of the unit rates for flow, CODF, and TSS times permit conditions at the time of application.

EBMUD

AGENDA NO. 16.1–16.3
MEETING DATE May 13, 2014

TITLE **WATER SHORTAGE ACTION PLAN**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

1. Approve the 2014 Water Shortage Action Plan in accordance with District Policy 9.03.
2. Report to the Department of Water Resources and the State Water Resources Control Board (Water Board) on the District's 2014 Water Shortage Action Plan and the effectiveness of the plan to reduce water use pursuant to California Water Code, Section 1058.5 per the Governor's executive order.
3. Continue the necessary actions to prepare for drought conditions if dry conditions worsen.

SUMMARY

At the April 22, 2014 Board meeting, the Water Supply Availability and Deficiency Report was filed and declared that the District's water supply is deficient for meeting customer demands in 2014. Staff projects that runoff for this year will leave the District with a projected September 2014 carryover storage ranging from 370,000 to 490,000 total acre feet. The reduced carryover storage triggers the need to continue water-shortage activities to preserve supplies in case the drought situation persists into a second or third year.

Under the District's adopted Urban Water Management Plan, the response to this level of projected storage is to encourage voluntary conservation while continuing to make preparations in case conditions worsen. The 2014 Water Shortage Action Plan (Attachment A) proposes to:

- Conduct public outreach that acknowledges the conservation ethic of customers and their ongoing efforts to manage their water use and sustain at minimum, a 10 percent water use reduction.
- Educate customers on the District's use of dry-year supplemental supplies and what it means to them.
- Demonstrate District stewardship in water conservation and target a 20 percent reduction at District facilities and identify and repair leaks.
- Prepare for the possibility of continued or worsening drought by monitoring water demand and supplies, developing additional tools to support communication and customer water use management, and prepare to take additional supplemental supplies in late 2014 and early 2015, if needed.

Funds Available: FY14-15	Budget Code: WC: WSO\314\1013818 & PIO: WSO\116\1013818	
DEPARTMENT SUBMITTING Office of the GM-Communications	DEPARTMENT MANAGER or DIRECTOR Cheryl Farr	APPROVED General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

DISCUSSION

The Preliminary Dry Year Response Plan approved by the Board on February 11, 2014, authorized a voluntary 10 percent water use reduction for all District customers. Ongoing customer and stakeholder outreach continues and customers have responded positively with overall water production levels down 7 percent in February, 11.1 percent in March, and 14 percent in April as compared to 2013. While the District has achieved its goal of a 10 percent reduction in the first few months of customer response, the overall call for customers to sustain a 10 percent reduction is necessary until water supply conditions improve. (The expansion of the District's Home Water Report Program will serve as a useful communication and educational tool for customers in meeting their reduction request.) If the voluntary 10 percent conservation savings goal is maintained between now and September 30, EBMUD customers will have saved approximately 10,000 acre-feet, which will provide a larger margin of safety against drought for the next water year beginning October 1.

On April 25, Governor Brown issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water (Attachment B). Specifically, the order calls on Californians and California businesses to take specific actions to avoid wasting water that include limiting lawn watering and car washing, recommends that schools, parks and golf courses limit the use of potable water for irrigation, and asks that hotels and restaurants give customers options to conserve water by only serving water upon request and taking other actions. The order also prevents homeowner associations from fining residents who limit their lawn watering and take other conservation measures. Pursuant to the Governor's executive order the District will be required to report to the State Water Resources Control Board on its drought response plan and the effectiveness of these efforts to reduce water usage.

The District's Regulations Governing Service (Section 29 - Prohibiting Wasteful Use of Water and Section 31 – Water Efficiency Requirements) restrict certain wasteful water uses under normal conditions and during voluntary dry-year reductions. They contain many of the restrictions listed in the Governor's executive order. Section 29 has been in effect since 1997 to encourage wise water use and Section 31 was added in 2007 to include water efficiency for new service connections. Water Service Regulation Section 28 – Water Use During Water Shortage Emergency Condition establishes water use prohibitions and is reserved for critical dry-year periods requiring mandatory customer water rationing.

Water Shortage Public Outreach

When customer conservation actions are voluntary, the District helps customers reduce their water use through a number of conservation services, including education on reducing wasteful water use practices such as fixing leaks and eliminating irrigation over-spray and runoff.

In 2014, ongoing conservation outreach and communication efforts also will focus on hard to reach customer sectors, such as renters in multi-family units where residents may or may not pay a water bill and receive EBMUD's bill insert communication. The District's approach to helping customers achieve their water use reduction goals will continue to stress the seriousness of threat to the water supply, to clearly inform customers about water use guidelines, and to be organized and equipped to help our

customers meet the challenges of coping with drought. Additionally, the District will continue to emphasize reducing outdoor water use by working proactively with irrigators, residential and institutional customers to reduce outdoor irrigation through the summer months.

The Water Shortage Action Plan (Attachment A) provides an overview of outreach goals, objectives and proposed actions. Because the current drought is significantly affecting all parts of California, media coverage has been sustained and intensive. At the present time, staff does not propose a paid advertising campaign and will continue to seek media coverage through drought-related outreach activities focused on now the District is supplementing customers' voluntary conservation with water supplies via the Freeport facility. Feature topics for customer communication will include seasonal watering tips, ways to find and repair leaks and recommendations for drought-tolerant plantings and landscape conversions.

Outreach to civic, community, non-governmental and business groups, schools and other local entities also will continue. During droughts, water supply presentations are welcomed by these groups and educating them on conservation strategies and seeking their assistance in communicating with customers and other community leaders has a multiplier effect for each contact made. Additionally, staff will partner with other community agencies to leverage opportunities to promote cost-effective conservation messaging.

Increased Conservation Incentives

It is anticipated that the expanded customer education and outreach and distribution of Home Water Reports will increase the demand for District conservation incentives. Staff estimates an increase in rebate activity of 10-15 percent, which will require expending an additional $150,000-$200,000 for indoor and outdoor incentives. Staff will respond to customer and regulatory demands and advance additional conservation services as needed to achieve the desired customer savings objectives.

Conservation at District Facilities and Leak Detection

The District has set a goal of cutting water use 20 percent at its facilities. To this end, water audits have been completed and the first round of regular follow-up is underway. EBMUD also is expanding its own leak detection as well as reminding the public about the importance of repairing leaks. Additional monitoring equipment has been ordered and will be installed later this summer to find leaks proactively.

Preparing for Continued Drought

Staff is currently developing actions necessary to ensure the District is prepared in the event that dry conditions persist in 2015. During FY15, the Board will review rate setting requirements and consider alternative approaches to establishing drought rates should the severity of the drought increase. The intention is to merge the drought rate setting process with the FY16-17 biennial budget and rate setting process normally undertaken in the second half of FY15. As necessary, drought and normal rates can concurrently be communicated with the public through the District's public workshop and Proposition 218 process.

Staff will continue to monitor water demand and supply conditions and provide updates to the Board on the status of projected water carryover storage and the demand reduction achieved by customers throughout the year.

FISCAL IMPACT

Staff will conduct the 2014 Water Shortage Action Plan by reallocating budget and staffing within the existing FY14-15 budget.

ALTERNATIVES

Conduct a paid advertising campaign to promote water savings. This alternative is not recommended because in the past effective paid advertising campaigns have required budgets of $1 million or more. Media coverage of the drought has been extensive and sustained, and the District has successfully earned media coverage of its leak repair message, its supplemental supply actions, and its request for voluntary cutbacks. Based on the fact that the District's customers are currently achieving the requested 10 percent voluntary cutback, investments in paid advertising are not warranted at this time.

Do not approve the Water Shortage Action Plan. This alternative is not recommended as adequate planning and appropriate outreach and communication are needed to sustain customer water conservation efforts.

Attachments: A. Water Shortage Action Plan
B. Governor's April 25, 2014 Emergency Order

I:\SEC\2014\051314 Board Agenda Items\CCS PIO - BD1 2014 Water Shortage Action Plan

2014 Water Shortage Action Plan

COMMUNICATION

Goals

- **Stress the need for customers to sustain their achievement of the 10 percent voluntary reduction target established by the Board.**
- **Promote awareness of the District's supplemental supply: what it means for customers, how it was achieved, what it costs to operate.**
- **Educate customers on how to save water indoors and outdoors and the many services and programs available from the District.**

Key Messages

1. Our community is in a severe water shortage emergency. Please voluntarily cut your water use by 10 percent compared to 2013.
    a. Finding and fixing leaks is an easy way for most customers to meet their 10 percent goal.
    b. Managing outdoor irrigation with extra care and making drought-tolerant plant choices are great ways to reduce water use.
    c. We promise water use reductions this year will not impact allocations if mandatory rationing is necessary in the future.
    d. You can help reduce unnecessary water use by recommending ways to save water in your community. Visit http://www.ebmud.com/water-and-wastewater/watersmart-center to learn more.
    e. Heat wave reminder (if needed): Most lawns and gardens will survive this short-term heat wave without additional watering. Be sure to check your soil and apply mulch in your garden.
    f. Visit our WaterSmart Center at http://www.ebmud.com/water-and-wastewater/watersmart-center to obtain free water saving devices and information to help you use water most efficiently. Thank you for your help.

2. EBMUD is not requiring the 20 percent cut requested by the governor for these reasons:
    a. Our customers are achieving our region's state mandated 20% by 2020 per capita water use reduction target, years ahead of schedule.
    b. Customer investments in supplemental supplies over the past decade allow EBMUD to keep cutback targets to 10 percent at this time.
    c. Ongoing customer water conservation savings have contributed toward more water supply storage in the EBMUD reservoirs.

Summary of Actions by Audience (*italics are completed events*)

Audience	Objective	Actions/Status
Media	• Share the District's key messages with the local news outlets to seek positive earned media, and coordinate activities with statewide and local earned media, including ACWA's "Save Our Water" campaign.	• *2/11 - Press release on 10 percent voluntary* • *3/14 - Media alert on fix a leak open house* • *4/22 - Freeport decision press release on Board action* • *4/30 - Freeport first use press conference* • *5/3 - Freeport op-ed published in CC Times* • TBD- News release on home water report • Staff continues to proactively seek earned media coverage of conservation messages and supplemental supply actions. To date more than 200 media interactions have led to 128 news mentions about District actions.
Bill payers	• Request 10 percent voluntary reduction from customers and provide helpful information in ***Pipeline*** to assist customers in meeting their cutback goal.	• *Feb –Apr - Top of bill 10 percent voluntary cutback alert* • *Jan-Feb Pipeline: Cut unnecessary water use* • *Mar-Apr Pipeline: Fix toilet leaks* • *May-June Pipeline: Fix outdoor leaks; convert your lawn* • July-August- Top of bill-summer watering tips • July-Aug Pipeline: Hot weather garden tips • Sept-October Top of bill-drought update • Sept-Oct Pipeline: Drought-tolerant planting tips; reduce outdoor watering • Nov-Dec Top of bill-indoor use tips • Nov-Dec Pipeline: Find your baseline water use; winterize your irrigation system

Audience	Objective	Actions/Status
Contact Center Callers	• Shortage alert/tips on toll free phone number.	• *2/1 – Tips line established*
	• Provide consistent information to employees with extensive customer interaction to help them answer common questions.	• *2/20 - Developed Frequently Asked Questions for employee use* • *2/20- Began tracking shortage-related inquiries* • *4/23 –Distributed updated FAQs; will continue updating as needed*
	• Established customer water waste hotline.	• *2/21 - Water waste hotline launched; responded to over 275 calls to date*
Web visitors	• Provide helpful informational resources online to make it easy for customers to understand the drought and receive water savings tips to cut back their water use.	• *Ongoing- Water supply updates provided at Board meetings posted online* • *2/11 – Shortage alert posted* • *3/14 - Leak information posted* • *3/14 - Shower stickers, tabletop tents, etc. available* • *4/14- Mulch coupons for 20 nurseries available* • TBD- Update information about drought tolerant plants • TBD- Develop videos on finding outdoor leaks • TBD- Develop photo gallery of drought tolerant landscapes • TBD- Expand information on converting to drought tolerant landscapes
	• Expand supplemental supply information.	• *TBD - Update Freeport information as needed*
Irrigators	• Provide helpful information to assist irrigators in meeting their cutback goal.	• *3/19+ Two workshops held during March* • *3/19 - Updated tip sheets for different business groups available* • TBD - Additional irrigation workshops to be scheduled as needed

Audience	Objective	Actions/Status
Renters and homeowners	• Provide 1-1 assistance via surveys, rebates and irrigation scheduling assistance on request, make presentations to homeowner associations and business property managers, and provide educational conservation savings information at local nurseries, irrigation equipment suppliers and retail appliance stores.	• *2/20 - Updated District water supply fact sheet* • *3/6 - Meeting with 20 nurseries held to discuss water shortage* • *3/19 - Updated water conservation tip sheets made available* • *4/28 – Updated District water supply fact sheet* • 6/xx - Second nursery meeting will be scheduled • Ongoing- make presentations at HOAs throughout the service area • Ongoing - Submit water conservation articles to HOA newsletters and property manager trade publications
	• Expand Single-Family Residential Home Water Report to promote savings.	• *2/25 - Approved by Board* • TBD - Home Water Report distribution begins (late summer)
	• Outreach to customers who do not pay a water bill and receive the bill insert, ***Pipeline***.	• Identify opportunities to reach out to HOAs and customers who don't pay a water bill to provide water reduction goals and tips
	• Conduct survey research on drought awareness and penetration of conservation messages.	• *3/25 - survey results reported to Board* • TBD - Consider focus groups for message refinement if needed
Commercial Industrial	• Provide helpful information to assist businesses in meeting their cutback goal. • Continue outreach and marketing of business WaterSmart Certification Program. • Coordinate conservation services with county Green Business programs.	• *Ongoing- Promoting WaterSmart Business Certification* • *3/3 Providing restaurant tents, hotel clings etc. via online store* • *3/19 - Updated tip sheets for different business groups available 4/1 CEP Newsletter: Water Saving Tips; Recycled Water Truck Program* • September - Recognize new WaterSmart Business Certification Awardees
Cities and civic groups, other public agencies	• Encourage stakeholder groups to assist with public knowledge of drought by providing information and resources to key organizations and individuals.	• *2/13 - BOD President letters on shortage; offer of presentations* • *4/23 – BOD President letter reporting Board's water shortage actions* • Ongoing- Track outreach conducted by District's Speaker's Bureau

Audience	Objective	Actions/Status
		• Ongoing- Expanded community fair and event participation • Ongoing- Partner with other agencies to promote conservation messages • Ongoing- Outreach to large employers for employee education on water saving tips (ongoing)
Schools	• Send a flyer offering free classroom materials Collaborate with Kid Scoop News periodical for 2nd thru 6th grades. • Provide classroom water supply and conservation presentations. • Work with universities and city colleges on campus conservation outreach efforts.	• *April – semi-annual flyer mailed to schools* • *Jan-Feb - Sponsored and developed two Kid Scoop news articles* • May-June- Sponsoring and developing additional Kid Scoop news articles • Ongoing- look for opportunities to work with universities and colleges on conservation outreach activities.
Billboards	• Oakport billboard: "Leak is a Four Letter Word" • Wastewater billboard: Save Our Water	• *3/14 – put in place* • *4/1-4/30 – completed* • Use additional Clear Channel credits for summer or fall messages
Employees	• Make it easy for EBMUD employees to stay up to date on the latest news about the water shortage	• *1/8 - Alert to employees re: drought in the news; water supply plans* • *2/11 General Manager's email to staff re: 10 percent voluntary* • *3/3 - Update to staff on Customer Service leak hotline message* • *3/11- GM email to staff re: water shortage update and Board action* • *3/13 - Drought overview for employees on local boards and commissions* • *4/4 - Splashes in-depth feature on Freeport startup* • *4/22 - GM announcement to staff regarding supply status* • *4/22 - Updated Water Conservation home page on intranet launch pad* • *Ongoing - regular updates in Splashes* • *Ongoing - intranet "drought central" tool for employee use*
District leaks search	• Help customers understand pipe flushing. • Continue/enhance distribution system pipeline leak identification and repairs. • Install data loggers at selected locations to monitor water use.	• *2/11 - Signage developed in last drought for field use back in use* • *4/8 - Agenda item recommending purchase of more data loggers approved* • Summer 2014 - Grant-funded Fixed Network Leak Detection Pilot Study Notice to Proceed to be issued and data collection to be initiated

Audience	Objective	Actions/Status
District rec areas/bldgs.	• Promote fix-a-leak weak campaign.	• *3/17 - Distributed handouts at Lafayette, San Pablo and Admin Building*
Car washes	• Promote use of car washes • Include in tips	• Ongoing- Encourage use of commercial car washes for water recycling
District Vehicles	• Promote leak repair	• May 2014 - Develop "LEAK is a 4-letter word" bumper sticker for fleet use

Executive Department
State of California

A PROCLAMATION OF A CONTINUED STATE OF EMERGENCY

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist in the State of California due to severe drought conditions; and

WHEREAS state government has taken expedited actions as directed in that Proclamation to minimize harm from the drought; and

WHEREAS California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall since January, with very limited snowpack in the Sierra Nevada mountains, decreased water levels in California's reservoirs, and reduced flows in the state's rivers; and

WHEREAS drought conditions have persisted for the last three years and the duration of this drought is unknown; and

WHEREAS the severe drought conditions continue to present urgent challenges: water shortages in communities across the state, greatly increased wildfire activity, diminished water for agricultural production, degraded habitat for many fish and wildlife species, threat of saltwater contamination of large fresh water supplies conveyed through the Sacramento-San Joaquin Bay Delta, and additional water scarcity if drought conditions continue into 2015; and

WHEREAS additional expedited actions are needed to reduce the harmful impacts from the drought as the state heads into several months of typically dry conditions; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

WHEREAS under the provisions of section 8571 of the Government Code, I find that strict compliance with the various statutes and regulations specified in this proclamation would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, including the Emergency Services Act and in particular Government Code section 8567, do hereby issue this Executive Order, effective immediately, to mitigate the effects of the drought conditions upon the people and property within the State of California.

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in Proclamation No. 1-17-2014, dated January 17, 2014, remain in full force and effect except as modified herein.

2. The Department of Water Resources and the State Water Resources Control Board (Water Board) will immediately and expeditiously process requests to move water to areas of need, including requests involving voluntary water transfers, forbearance agreements, water exchanges, or other means. If necessary, the Department will request that the Water Board consider changes to water right permits to enable such voluntary movements of water.

3. Recognizing the tremendous importance of conserving water during this drought, all California residents should refrain from wasting water:

   a. Avoid using water to clean sidewalks, driveways, parking lots and other hardscapes.
   b. Turn off fountains and other decorative water features unless recycled or grey water is available.
   c. Limit vehicle washing at home by patronizing local carwashes that use recycled water.
   d. Limit outdoor watering of lawns and landscaping to no more than two times a week.

   Recreational facilities, such as city parks and golf courses, and large institutional complexes, such as schools, business parks and campuses, should immediately implement water reduction plans to reduce the use of potable water for outdoor irrigation.

   Commercial establishments such as hotel and restaurants should take steps to reduce water usage and increase public awareness of the drought through measures such as offering drinking water only upon request and providing customers with options to avoid daily washing of towels or sheets.

   Professional sports facilities, such as basketball arenas, football, soccer, and baseball stadiums, and hockey rinks should reduce water usage and increase public awareness of the drought by reducing the use of potable water for outdoor irrigation and encouraging conservation by spectators.

   The Water Board shall direct urban water suppliers that are not already implementing drought response plans to limit outdoor irrigation and other wasteful water practices such as those identified in this Executive Order. The Water Board will request by June 15 an update from urban water agencies on their actions to reduce water usage and the effectiveness of these efforts. The Water Board is directed to adopt emergency regulations as it deems necessary, pursuant to Water Code section 1058.5, to implement this directive.

   Californians can learn more about conserving water from the Save Our Water campaign (SaveOurH2O.org).

4. Homeowners Associations (commonly known as HOAs) have reportedly fined or threatened to fine homeowners who comply with water conservation measures adopted by a public agency or private water company. To prevent this practice, pursuant to Government Code section 8567, I order that any provision of the governing document, architectural or landscaping guidelines, or policies of a common interest development will be void and unenforceable to the extent it has the effect of prohibiting compliance with the water-saving measures contained in this directive, or any conservation measure adopted by a public agency or private water company, any provision of Division 4, Part 5 (commencing with section 4000) of the Civil Code notwithstanding.

5. All state agencies that distribute funding for projects that impact water resources, including groundwater resources, will require recipients of future financial assistance to have appropriate conservation and efficiency programs in place.

6. The Department of Fish and Wildlife will immediately implement monitoring of winter-run Chinook salmon in the Sacramento River and its tributaries, as well as several runs of salmon and species of smelt in the Delta as described in the April 8, 2014 Drought Operations Plan.

7. The Department of Fish and Wildlife will implement projects that respond to drought conditions through habitat restoration and through water infrastructure projects on property owned or managed by the Department of Fish and Wildlife or the

Department of Water Resources for the benefit of fish and wildlife impacted by the drought.

8. The Department of Fish and Wildlife will work with other state and federal agencies and with landowners in priority watersheds to protect threatened and endangered species and species of special concern and maximize the beneficial uses of scarce water supplies, including employment of voluntary agreements to secure instream flows, relocation of members of those species, or through other measures.

9. The Department of Water Resources will expedite the consideration and, where appropriate, the implementation, of pump-back delivery of water through the State Water Project on behalf of water districts.

10. The Water Board will adopt statewide general waste discharge requirements to facilitate the use of treated wastewater that meets standards set by the Department of Public Health, in order to reduce demand on potable water supplies.

11. The Department of Water Resources will conduct intensive outreach and provide technical assistance to local agencies in order to increase groundwater monitoring in areas where the drought has significant impacts, and develop updated contour maps where new data becomes available in order to more accurately capture changing groundwater levels. The Department will provide a public update by November 30 that identifies groundwater basins with water shortages, details remaining gaps in groundwater monitoring, and updates its monitoring of land subsidence and agricultural land fallowing.

12. The California Department of Public Health, the Office of Emergency Services, and the Office of Planning and Research will assist local agencies that the Department of Public Health has identified as vulnerable to acute drinking water shortages in implementing solutions to those water shortages.

13. The Department of Water Resources and the Water Board, in coordination with other state agencies, will provide appropriate assistance to public agencies or private water companies in establishing temporary water supply connections to mitigate effects of the drought.

14. For the protection of health, safety, and the environment, CAL FIRE, the Office of Emergency Services, the Department of Water Resources, and the Department of Public Health, where appropriate, may enter into contracts and arrangements for the procurement of materials, goods, and services necessary to quickly mitigate the effects of the drought.

15. Pursuant to the drought legislation I signed into law on March 1, 2014, by July 1, 2014, the California Department of Food and Agriculture, in consultation with the Department of Water Resources and Water Board, will establish and implement a program to provide financial incentives to agricultural operations to invest in water irrigation treatment and distribution systems that reduce water and energy use, augment supply, and increase water and energy efficiency in agricultural applications.

16. To assist landowners meet their responsibilities for removing dead, dying and diseased trees and to help landowners clear other trees and plants close to structures that increase fire danger, certain noticing requirements are suspended for these activities. Specifically, the requirement that any person who conducts timber operations pursuant to the exemptions in Title California Code of Regulations sections 1038 (b) and (c) submit notices to CAL FIRE under the provisions of Title 14, California Code of Regulations, section 1038.2 is hereby suspended. Timber operations pursuant to sections 1038(b) and (c) may immediately commence operations upon submission of the required notice to CAL FIRE and without a copy of the Director's notice of acceptance at the operating site. All other provisions of these regulations will remain in effect.

17. The Water Board will adopt and implement emergency regulations pursuant to Water Code section 1058.5, as it deems necessary to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation, and to require curtailment of diversions when water is not available under the diverter's priority of right.

18. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 7 and 14. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

19. For several actions called for in this proclamation, environmental review required by the California Environmental Quality Act is suspended to allow these actions to take place as quickly as possible. Specifically, for actions taken by state agencies pursuant to directives 2, 3, 6–10, 13, 15, and 17, for all actions taken pursuant to directive 12 when the Office of Planning and Research concurs that local action is required, and for all necessary permits needed to implement these respective actions, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. The entities implementing these directives will maintain on their websites a list of the activities or approvals for which these provisions are suspended. This suspension and that provided in paragraph 9 of the January 17, 2014 Proclamation will expire on December 31, 2014, except that actions started prior to that date shall not be subject to Division 13 for the time required to complete them.

20. For several actions called for in this proclamation, certain regulatory requirements of the Water Code are suspended to allow these actions to take place as quickly as possible. Specifically, for actions taken pursuant to directive 2, section 13247 of the Water Code is suspended. The 30-day comment period provided in section 1726(f) of the Water Code is also suspended for actions taken pursuant to directive 2, but the Water Board will provide for a 15-day comment period. For actions taken by state agencies pursuant to directives 6 and 7, Chapter 3 of Part 3 (commencing with section 85225) of the Water Code is suspended. The entities implementing these directives will maintain on their websites a list of the activities or approvals for which these provisions are suspended.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation shall be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 25th day of April, 2014

Edmund G. Brown Jr.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

Debra Bowen

DEBRA BOWEN
Secretary of State

EBMUD

AGENDA NO. 17.
MEETING DATE May 13, 2014

TITLE **ORDINANCE AMENDING RETIREMENT ORDINANCE NO. 40, SECTION 6(D) AND SECTION 2(N)**

☐ MOTION ☐RESOLUTION ☒ORDINANCE

RECOMMENDED ACTION

Conduct a second and final reading, and vote on an ordinance amending the EBMUD Employees' Retirement System Ordinance (Ordinance No. 40) to update Section 6(d) and Section 2(n).

SUMMARY

Section 6(d) of the Retirement Ordinance provides the rates of retirement contributions for members. The final paragraph of Section 6(d) references that subsequent to December 15, 2003 rates shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or Memorandum of Understanding (MOU) with employee bargaining units. Recent collective bargaining with the District's four bargaining units resulted in agreements to adjust the retirement system member contributions annually, through the terms of collective bargaining agreements.

Since the implementation of the California Public Employees' Pension Reform Act (PEPRA) rules under the Retirement System Ordinance, there are also members for whom contribution rates are not pursuant to the terms of a negotiated collective bargaining agreement, but rather follow guidelines put forth by PEPRA. Section 2(n) which is the definition of "Retirement Contributions" is adjusted to reflect those rates set by PEPRA rather than through collective bargaining. This second and final reading was considered during the April 22, 2014 Board meeting and was tabled to allow time for the clarification of this definition.

DISCUSSION

Section 6(d) of the Retirement Ordinance lists the rates of retirement contributions for members and includes a chart with rates and effective dates. The final paragraph of Section 6(d) references that subsequent to December 15, 2003 rates shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or MOU with employee bargaining units. The District completed successor bargaining with the four bargaining units and completed the implementation of the

Funds Available: FY	Budget Code:	
DEPARTMENT SUBMITTING Human Resources	DEPARTMENT MANAGER or DIRECTOR Delores Turner Delores Turner	APPROVED General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

bargained changes in January 2014. The bargained changes in retirement system member contributions were also adopted, by resolution, to apply to managers, confidentials, and non-represented employees of the District.

Employee Contribution Rate Changes Negotiated: April 22, 2013 - 7.33%
April 21, 2014 - 7.83%
April 20, 2015 - 8.33%
April 18, 2016 - 8.75%

Since rates for members in the 1980 plan are subject to the terms of a collective bargaining agreement or MOU with employee bargaining units in effect at a given time, the following amendments to the Retirement Ordinance Section 6(d) are proposed to align with the negotiated increase in member contributions:

(d) The rates of Retirement Contributions for ~~new~~ Members ~~on and after January 1, 1980~~, **hired on or before January 1, 2013 and for those who are not otherwise subject to Section 42 of this Ordinance,** and those Members making the election provided in Sections 15(g) and 15(h), shall be applied to Members' Compensation at the rates set forth below commencing on the designated effective dates:

Effective Date	Rate of Member Retirement Contributions
~~January 1, 1980~~	~~4.09%~~
~~August 8, 1998~~	~~4.125%~~
~~July 1, 1999~~	~~4.15%~~
~~July 1, 2002~~	~~4.22%~~
~~July 1, 2003~~	~~4.24%~~
~~September 12, 2003~~	~~4.61%~~
~~December 15, 2003~~	~~5.27%~~
~~April 19, 2004~~	~~5.93%~~
~~April 18, 2005~~	~~6.59%~~
~~April 17, 2006~~	~~6.83%~~
April 22, 2013	**7.33%**
April 21, 2014	**7.83%**
April 20, 2015	**8.33%**
April 18, 2016	**8.75%**

The Board of Directors reserves the right to increase or otherwise adjust the rates of contribution prescribed in this Subsection in such amounts and in such manner as it may from time to time find appropriate; provided, however, that the rates in effect on and after December 15, 2003 shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or memorandum of understanding with employee bargaining units.

In addition, Section 2(n) is updated to revise the definition of 'Retirement Contribution' in the Retirement Ordinance to include both the language in Section 6 as well as the details in Section 42 related to PEPRA.

SCHEDULE

This is the second reading of the proposed Ordinance amendment. The introduction and first reading took place at the meeting of the Board of Directors on April 8, 2014. Subsequent to the first reading, a small secondary edit was added that is not substantive and serves to provide further clarity to the terms. If approved, the adoption of the amendment as read in this second reading, takes effect 30 days after its passage by the Board of Directors, or June 13, 2014. In addition, the Municipal Utility District Act requires that the amendments be published once a week for two successive weeks in a newspaper of general circulation published in the District.

FISCAL IMPACT

There are no fiscal impacts associated with the proposed language changes.

UNION NOTIFICATION

The updated contribution rates referenced above are in the recently negotiated and Board approved MOUs, so no further union notification is needed.

ALTERNATIVE

Do not approve amendments to the Plan. This action is not recommended because the Retirement Ordinance should be updated to accurately reflect that the MOUs contain the current Member contribution rates.

Attachment

Draft Prepared By:
Office of General Counsel

ORDINANCE NO._____

AN ORDINANCE AMENDING SUBSECTION 6(d) AND 2(n) OF ORDINANCE NO. 40, WHICH IS THE EMPLOYEES' RETIREMENT SYSTEM ORDINANCE

Introduced by Director ; Seconded by Director

BE IT ENACTED by the Board of Directors of the East Bay Municipal Utility District that Ordinance No. 40, which is entitled "AN ORDINANCE ESTABLISHING A RETIREMENT SYSTEM FOR EMPLOYEES OF EAST BAY MUNICIPAL UTILITY DISTRICT, PROVIDING FOR THE PAYMENT OF RETIREMENT ALLOWANCES TO MEMBERS OF THE RETIREMENT SYSTEM, FOR THE PAYMENT OF DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND FOR THE COST OF LIVING ADJUSTMENTS, PRESCRIBING THE CONDITIONS UNDER WHICH SAID ALLOWANCES AND BENEFITS SHALL BE PAID, DETERMINING RATES OF CONTRIBUTION AND THE AMOUNTS OF RETIREMENT ALLOWANCES, DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND THE PERCENTAGE OF COST OF LIVING ADJUSTMENT, AND PROVIDING THE ADMINISTRATION OF SAID RETIREMENT SYSTEM," as amended from time to time, is further amended as follows:

1. Subsection 6(d) of this Ordinance, entitled "CONTRIBUTIONS," is amended as follows:

(d) The rates of Retirement Contributions for Members hired on or before January 1, 2013 and for those who are not otherwise subject to Section 42 of this Ordinance, and those Members making the election provided in Sections 15(g) and 15(h), shall be applied to Members' Compensation at the rates set forth below commencing on the designated effective dates:

Effective Date	Rate of Member Retirement Contributions
April 22, 2013	7.33%
April 21, 2014	7.83%
April 20, 2015	8.33%
April 18, 2016	8.75%

The Board of Directors reserves the right to increase or otherwise adjust the rates of contribution prescribed in this Subsection in such amounts and in such manner as it may from time to time find appropriate; provided, however, that the rates in effect on

and after December 15, 2003 shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or memorandum of understanding with employee bargaining units.

2. Subsection 2(n) of this Ordinance, entitled "DEFINITIONS," is amended as follows:

(n) "Retirement Contributions" shall mean the amounts deducted from the Compensation of a Member at the rate or rates as required by Section 6 and Section 42 and in the manner provided for by the Board of Directors of the District from time to time. Except as provided below, the rate or rates of contribution of each Member who entered the Retirement System on and before December 31, 1979, shall be those percentages of Compensation fixed by the tables adopted by the Board of Directors, according to age at the nearest birthday at the time of entry into the Retirement System. Effective January 1, 1990, the rate of contributions for Members who entered the Retirement System on and before December 31, 1979 shall be a level percentage of Compensation as provided in Section 6(b). The rate of contributions for Members entering the Retirement System on and after January 1, 1980, and those Members making the election provided in Section 15(g) or in Section 15(h), shall be a level percentage of Compensation as provided in Section 6(d). The rate of contributions for Directors entering the Retirement System on or after January 1, 1987, shall be a level percentage of Compensation as provided in Section 6(d).

3. This Ordinance shall become effective and in full force at 12:01 a.m. on the thirty-first day after its passage.

_____
President

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly introduced at a regular meeting of EAST BAY MUNICIPAL UTILITY DISTRICT held on April 8, 2014, at the offices of said District, 375 - 11th Street, Oakland, California, and thereupon, after being read, further action was scheduled for the regular meeting of said Board of Directors held at the same place on May 13, 2014, at which time the same was finally adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

W:\400 GOV-MGMT\410 EBMUD BOARD\Ordinances\Retirement\2013-2017 Contribution Rates.4-8-14\Amending Subsection 6(d)-Contribution Rates - Clean 05-13-14.docx

ORDINANCE NO._____

AN ORDINANCE AMENDING SUBSECTION 6(d) AND 2(n) OF ORDINANCE NO. 40, WHICH IS THE EMPLOYEES' RETIREMENT SYSTEM ORDINANCE

Introduced by Director ; Seconded by Director

BE IT ENACTED by the Board of Directors of the East Bay Municipal Utility District that Ordinance No. 40, which is entitled "AN ORDINANCE ESTABLISHING A RETIREMENT SYSTEM FOR EMPLOYEES OF EAST BAY MUNICIPAL UTILITY DISTRICT, PROVIDING FOR THE PAYMENT OF RETIREMENT ALLOWANCES TO MEMBERS OF THE RETIREMENT SYSTEM, FOR THE PAYMENT OF DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND FOR THE COST OF LIVING ADJUSTMENTS, PRESCRIBING THE CONDITIONS UNDER WHICH SAID ALLOWANCES AND BENEFITS SHALL BE PAID, DETERMINING RATES OF CONTRIBUTION AND THE AMOUNTS OF RETIREMENT ALLOWANCES, DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND THE PERCENTAGE OF COST OF LIVING ADJUSTMENT, AND PROVIDING THE ADMINISTRATION OF SAID RETIREMENT SYSTEM," as amended from time to time, is further amended as follows:

1. Subsection 6(d) of this Ordinance, entitled "CONTRIBUTIONS," is amended as follows:

(d) The rates of Retirement Contributions for ~~new~~ Members ~~on and after January 1, 1980~~, **hired on or before January 1, 2013 and for those who are not otherwise subject to Section 42 of this Ordinance,** and those Members making the election provided in Sections 15(g) and 15(h), shall be applied to Members' Compensation at the rates set forth below commencing on the designated effective dates:

Effective Date	Rate of Member Retirement Contributions
~~January 1, 1980~~	~~4.09%~~
~~August 8, 1998~~	~~4.125%~~
~~July 1, 1999~~	~~4.15%~~
~~July 1, 2002~~	~~4.22%~~
~~July 1, 2003~~	~~4.24%~~
~~September 12, 2003~~	~~4.61%~~
~~December 15, 2003~~	~~5.27%~~
~~April 19, 2004~~	~~5.93%~~
~~April 18, 2005~~	~~6.59%~~
~~April 17, 2006~~	~~6.83%~~

April 22, 2013	**7.33%**
April 21, 2014	**7.83%**
April 20, 2015	**8.33%**
April 18, 2016	**8.75%**

The Board of Directors reserves the right to increase or otherwise adjust the rates of contribution prescribed in this Subsection in such amounts and in such manner as it may from time to time find appropriate; provided, however, that the rates in effect on and after December 15, 2003 shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or memorandum of understanding with employee bargaining units.

2. Subsection 2(n) of this Ordinance, entitled "DEFINITIONS," is amended as follows:

(n) "Retirement Contributions" shall mean the amounts deducted from the Compensation of a Member at the rate or rates as required by Section 6 **and Section 42** and in the manner provided for by the Board of Directors of the District from time to time. Except as provided below, the rate or rates of contribution of each Member who entered the Retirement System on and before December 31, 1979, shall be those percentages of Compensation fixed by the tables adopted by the Board of Directors, according to age at the nearest birthday at the time of entry into the Retirement System. Effective January 1, 1990, the rate of contributions for Members who entered the Retirement System on and before December 31, 1979 shall be a level percentage of Compensation as provided in Section 6(b). The rate of contributions for Members entering the Retirement System on and after January 1, 1980, and those Members making the election provided in Section 15(g) or in Section 15(h), shall be a level percentage of Compensation as provided in Section 6(d). The rate of contributions for Directors entering the Retirement System on or after January 1, 1987, shall be a level percentage of Compensation as provided in Section 6(d).

3. This Ordinance shall become effective and in full force at 12:01 a.m. on the thirty-first day after its passage.

_____
President

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly introduced at a regular meeting of EAST BAY MUNICIPAL UTILITY DISTRICT held on April 8, 2014, at the offices of said District, 375 - 11th Street, Oakland, California, and thereupon, after being read, further action was scheduled for the regular meeting of said Board of Directors held at the same place on May 13, 2014, at which time the same was finally adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 8, 2014

MEMO TO: Board of Directors

FROM: Alexander R. Coate, General Manager

SUBJECT: Monthly Report – April 2014

HIGHLIGHTS

Freeport Regional Water Project began making deliveries to EBMUD on April 2, the first since testing of the project was completed in February 2011. EBMUD operated the intake for fish monitoring and for a hydraulic evaluation of the intake screens. This testing is a requirement of the biological opinions issued for the FRWA Intake. The testing was successfully completed and the facilities are now being used to convey supplemental supplies to the service area.

Responses to protests on the Camanche Permit 10478 change petitions submitted to the State Water Resources Control Board (State Board) on April 21. On December 30, 2013, the State Board publicly noticed the District's change petitions on the place of use, purpose of use, and the addition of a clarifying term to Permit 10478. Five protests were submitted to the State Board and on April 21, staff submitted responses to the protests. Upon reviewing the District's response, one of the protestants withdrew his protest. The State Board will review the remaining responses and if they are deemed to have merit, they will be considered at a subsequent State Board hearing should settlement discussions fail.

WATER SUPPLY AND WATER RIGHTS PROGRAMS AND ACTIVITIES

Precipitation. The East Bay precipitation for April was 1.64 inches (83% of average, 30th wettest April on record) and the season total was 13.40 inches (52% of average, 3rd driest season to-date). The Mokelumne precipitation for April was 1.85 inches (45% of average, 22nd driest April on record) and the season total was 25.02 inches (55% of average, 4th driest season to-date).

Releases from Camanche Reservoir. The average rate of Camanche release for April was 296 cfs (238 cfs generation, 22 cfs sluice, and 36 cfs through the hatchery), and the average flow below Woodbridge Dam was 166 cfs, both in accordance with the Joint Settlement Agreement "Dry" criteria.

Mokelumne reservoirs storage is 69% of average. As of April 30, 2014, Pardee was at 551.1 feet or 89% of average, and Camanche was at 196.0 feet or 57% of average. Combined Pardee and Camanche reservoir storage was 337,000 acre-feet compared to 515,000 acre-feet last year.

Releases from East Bay Reservoirs. There were no East Bay reservoir releases in April.

East Bay reservoirs storage is 91% of average. As of April 30, 2014, USL was at 446.1 feet or 83% of average, San Pablo was at 306.6 feet or 95% of average, and Briones was at 570.3 feet or 95% of average. Total terminal reservoir storage was 129,000 acre-feet compared to 125,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft from Pardee Reservoir for April 2014 was 148 MGD. Walnut Creek Raw Water Pumping Plant (RWPP) No. 3 was in service to increase Pardee Reservoir supply to Lafayette Aqueduct No. 2 and the in-line water treatment plants. Briones RWPP was in service to fill Briones Reservoir from Lafayette Aqueduct No. 2. Moraga and Walnut Creek Nos. 1 and 2 RWPPs remained out of service for the month.

EBMUD and Placer County Water Agency (PCWA) received final approval to implement a one-year water transfer in 2014. On April 15, EBMUD and PCWA received final approval from the U.S. Department of Reclamation for a 5,000 acre-feet transfer to be used to complete the planned testing of the Freeport facility in April and supplemental water supply. Beginning in February 2014, staff worked with PCWA to secure seven approvals that were needed before the one-year transfer could be implemented.

Freeport Regional Water Project Activity. On April 2, water deliveries via Lafayette Aqueduct No. 1 to San Pablo Reservoir were started to conduct fish monitoring testing at the FRWA Intake and to perform systems testing at District facilities. Approximately 2,400 acre-feet of Central Valley Project water and approximately 4,100 acre-feet of Placer County Water Agency transfer water was delivered in April.

Water Production. Average rate of gross water production for April:

	April 2014	**April 2013**	**April 2012**	**Average of FY 2005-2007**
East of Hills	40 MGD	53 MGD	35 MGD	45 MGD
West of Hills	115 MGD	128 MGD	110 MGD	144 MGD
Total	155 MGD	181 MGD	145 MGD	189 MGD
Max Day Production	186 MGD (4/30/2014)	220 MGD (4/29/2013)	171 MGD (4/30/2012)	

Note: Data are all from preliminary daily operational reports and are subject to revision

EBMUD and Placer County Water Agency (PCWA) continue work on the long-term water transfer. The two agencies met with Reclamation's Regional Director on March 28 to discuss how to best advance the long-term transfer. The parties agreed that EBMUD and PCWA would prepare draft principles to add Reclamation as a potential back-up buyer for the long-term water transfer project. The three parties are scheduled to meet in early May to discuss the back-up buyer principles and the process for including the long-term water transfer in Reclamation's Remand process.

Trucking and construction companies show interest in the District's recycled water truck program due to drought conditions. Staff met and responded to several inquiries from

companies regarding the need for using recycled water for dust control, landscape irrigation, and street washing. Efforts continue to certify additional users and verify compliance with District and state regulations regarding truck filling stations and procedures.

CUSTOMER EVENTS AND PUBLIC OUTREACH

Staff attended the Annual Women Building the Nation Conference held in Sacramento, CA, April 25-27. Almost 900 tradeswomen from California, other states, and other countries attended this conference which focused on strategies to increase the representation of women in the trades, support union jobs, and equal pay. Staff distributed information about District jobs and referred potential job candidates to certificate training programs at community colleges and Regional Occupational Programs. In addition, staff joined representatives from PG&E and Sacramento Municipal Utility District for a workshop on utility careers. EBMUD's sponsorship of this conference supported the attendance of women interested in beginning a career in the trades.

On April 23, staff participated in the Los Medanos' Electrical & Instrumentation (ETEC) and Process Technology (PTEC) job fair. Staff provided information about District career opportunities and application process. Graduates of the ETEC and PTEC program will be eligible for upcoming District exams for Electrical and Instrument Worker II, and Wastewater and Water Treatment Distribution Plant Operator Trainee exams.

Staff conducted a tour of the East Bayshore Water Recycling Plant on April 23. The tour was requested by a staff member at the Regional Water Quality Control Board (RWQCB), San Francisco Bay on behalf of a horticulture class at Merritt College. Twenty-six people, including the RWQCB staff member attended the tour. In addition to touring the plant, the group checked out the landscaping at two locations at the Main Wastewater Treatment Plant, some of which has been irrigated with recycled water since 1971.

Reported drowning at Camanche Reservoir. On Saturday April 19, it was reported that a 44 year old male from the Sacramento area did not surface after diving into Camanche Reservoir from a vessel he was on with two other anglers near Camanche Dam. District staff responded to the distress call and helped coordinate emergency first responders to the scene. An extensive surface and underwater search is continuing but District staff and personnel from Amador and Calaveras Sheriff's Departments have not yet located the body in the deep murky water.

The Fourth Annual "Mokelumne 50 Race" was held. On April 19, 140 individuals participated in this popular 50K run on the Mokelumne Coast to Crest Trail from Camanche South Shore east and back again. Participants come from all over the western region and give this event high marks and reviews which draws attention and a new visitor base for Camanche and the Mokelumne trails program.

Annual Wildflower Hike held on April 12. Thirty-nine visitors took part in the annual hike along the Mokelumne Coast to Crest Trail between James Bar and Patti's Point on the Pardee Reservoir watershed. District staff, along with five volunteers conducted the hike through an amazing 2-mile array of bountiful spring flora.

Students from east bay schools put in work to protect the watershed. In April, over 230 students from schools in Albany, Berkeley, Moraga, Oakland and Richmond worked on east bay watershed lands planting willows, removing invasive plant species, and learning about EBMUD and watershed protection.

Community outreach on Panoramic Hill Water System Improvements project. A community meeting was held on April 23 at the Berkeley City Club to present planned water system improvements in the Panoramic Hill area of Berkeley and Oakland. Director Katz participated in the meeting. Approximately 13 people from the community attended and expressed interest in the following issues: community and emergency vehicle access during pipeline construction, the location and appearance of the Arden Path staircase, communication of road closures and detour notification, parking, and fire flow availability. City of Berkeley staff also briefed the group about ongoing sewer replacement work scheduled for 2014-2015 and street paving in 2018 after the water system improvements are complete.

On April 3, EBMUD hosted the California Resiliency Alliance's workshop for Public Private partnership. Workshop participants included representatives from EBMUD, Amtrak, FedEx, Kaiser Permanente, UniversalPro, Port of Oakland, Jack London Square Management Company, Walgreens, Wells Fargo, PG&E, the City of Oakland, and several non-profits. Attendees continued work to create an advisory committee for the City of Oakland (Office of Emergency Services and the Office of Economic and Workforce Development) to build a partnership between the local businesses and non-profits in Oakland. The advisory committee will focus on priority gaps in economic recovery, community resiliency (improve critical resource logistics), and critical infrastructure protection.

On April 8, staff gave a presentation at the BioCycle West Coast "Renewable Energy from Organics Recycling" conference. Staff discussed how the District has achieved energy independence, including the role of energy conservation efforts, the resource recovery program and the renewable energy expansion project at the Main Wastewater Treatment Plant.

On April 9, staff participated in the City of Oakland Earth EXPO. EBMUD's booth featured pollution prevention and water conservation materials and a spin wheel and attracted over 500 visitors. The booth was positioned next to the City's booth and sewer cleaning truck to better link the City's and EBMUD's Fats, Oils, and Grease (FOG) control messages.

On April 11, staff participated in a Career Awareness Day sponsored by the Institute for STEM (Science, Technology, Engineering, and Mathematics) education in the City of Emeryville. Event organizers included the California State University, East Bay. Staff joined a number of other professionals from local STEM oriented companies and organizations to discuss STEM and "green" careers at each agency. In addition to helping students learn about STEM careers, a portion of the day was designed to help students learn how to "network" during a reception. Approximately 180 local high school students attended.

Contract Equity outreach events.

- **On April 8, the East Bay Economic Development Alliance hosted its "*East Bay Business Seminar: Build a Better Construction Business"* promoting the development and growth of small construction contractors in Contra Costa County (Richmond).** Staff attended as a resource partner for procurement during the expo portion of the program and provided information on the Contract Equity Program, upcoming contract opportunities and the small business incentives. Approximately 50 small business representatives attended the event.

- **On April 23, the Bay Area Business Roundtable's monthly meeting included a panel discussion on "How to do Business with Public Agencies" (Oakland).** Staff gave a presentation on contracting processes and upcoming contract opportunities. Approximately 50 individuals attended.

- **On April 24, the American Indian Chamber of Commerce, Northern California Chapter monthly meeting included a panel discussion on Bay Area contracting opportunities (Oakland).** Staff gave a presentation on upcoming contract opportunities and enhancements to the Contract Equity Program. Approximately 20 people attended.

Staff participated in the following business community events:

- April 8 and 23, National Association of Minority Contractors, Northern CA Chapter – *Membership Meetings* (Oakland, CA)
- April 11, Astra Women Business Alliance Women in Construction Corporate Advisory Group (Teleconference)
- April 23, BART Business Advisory Council meeting (Oakland, CA)
- April 25, Western Regional Minority Supplier Development Council, 36th Annual Excellence in Supplier Diversity Awards Gala (San Francisco, CA)

Water Conservation outreach events.

On April 1, staff gave a presentation to the Aesthetic Pruners Association in Oakland. The presentation included an update on the water supply and a facilitated discussion on the impact of drought on the health of trees and the landscape. Over 20 people attended.

On April 3, staff provided a water supply update to the East Bay Chapter of the California Landscape Contractors Association in Pleasant Hill. Rebate programs, water budget reports, and audit services for residential and commercial irrigation customers were also discussed. Approximately 35 landscape industry professionals attended.

On April 4, staff provided a water supply update to landscape professionals at Devil Mountain Wholesale Nursery in San Ramon. Staff discussed rebate programs, water budget reports, and audit services for both residential and commercial irrigation customers and distributed information on water conservation incentives and services. Approximately 150 landscape industry professionals attended.

On April 6, staff provided a water supply update to members of St. Luke's Presbyterian Church at Rossmoor in Walnut Creek. The presentation included an update on the drought situation and tips on how to save water indoors. Director Coleman participated in the event. Approximately 40 members of the church attended.

On April 8, staff provided a water supply update to members of AC Transit senior staff in Oakland. Discussions included AC Transit's proposed water reduction plan. Electronic copies of literature on EBMUD's water conservation incentives and services and tips for saving water were provided for email distribution to AC Transit employees.

On April 9, staff participated in the Earth EXPO at the Frank Ogawa Plaza in Oakland. The focus of this year's EXPO was water conservation and recycling. Staff distributed information on rebate programs, finding and fixing leaks, and water saving tips for the home. Over 1,000 people attended the event and approximately 200 people visited the EBMUD booth, including Oakland Mayor Jean Quan and NBC News.

On April 10, staff gave a series of four presentations for the After School Program in Emeryville. The presentations were for kindergarten through 6th grade and focused on the water cycle and tips for how to save water indoors. Each age group was encouraged to share the importance of saving water with their parents and families. Approximately 210 students participated.

On April 10, staff gave a presentation to the Bay Area Retired Telephone Employees Club in Castro Valley. The presentation discussed both indoor and outdoor residential water conservation, EBMUD services and incentives, an update on the water supply, and the voluntary 10 percent reduction approved by the Board. Approximately 30 people attended.

On April 11, staff gave a presentation at Evergreen Nursery in San Leandro. The presentation included an update on the water supply followed by a facilitated discussion on the impact of drought conditions on the landscape and what homeowners can do to make their landscapes more drought-resilient. Approximately 150 nursery customers attended the event.

On April 12, staff hosted a booth at the Earth Day/Watershed Festivals for the Friends of San Leandro Creek in San Leandro. Staff provided water conservation brochures and rebate information and responded to inquiries about the drought. Over 400 people attended.

On April 16, staff hosted a booth at the 1st Annual Earth Day Celebration at Amelia Earhart School in Alameda. Staff distributed literature on ways to save water, water conservation rebates, and the installation of water saving gardens. Approximately 300 school age children and their parents attended.

On April 17, staff participated in a call with the Governor's office and other state agency staff to discuss the current drought situation and the effect of water agency efforts to date. State staff solicited additional suggestions to promote statewide conservation messaging and programs as California heads into the warmer summer months. Approximately 10 water agencies from across the state participated in the discussion.

On April 18, staff participated in a roundtable at the Berkeley Energy & Resources Collaborative Resources at the David Brower Center in Berkeley. The roundtable, entitled "California's Drought: Challenges and Opportunities," focused on the worst drought in California in recorded history, the development of water infrastructure based on an anomaly of wet years, and drought as part of the "new normal" for California. Director Coleman participated on one of the panels. Over 100 thought leaders, climate scientists, water managers, rights activists, and businesses engaged in the discussion.

On April 19, staff hosted a booth at Oakland Zoo's Earth Day celebration in Oakland. Staff distributed information on rebate programs, finding and fixing leaks, and water saving tips for the home. Over 5,000 people attended.

On April 22, staff gave a presentation to the Siemens Healthcare Diagnostics group in Berkeley. The presentation focused on ways to save water in the workplace and at home as part of the company's Earth Day celebration. Other topics discussed included EBMUD's development of Advanced Metering Infrastructure and leak detection technologies. Approximately 100 research laboratory employees attended.

On April 22, staff gave a presentation and hosted a booth at the Earth Day fair at the Grand Lake Gardens Retirement Home in Oakland. The presentation focused on the District's 10 percent voluntary cut back and an update on the current water supply. Staff distributed information on rebate programs, finding and fixing leaks, water saving tips for the home, and EBMUD residential services and incentives. Approximately 75 people attended.

On April 22, staff hosted a booth at the Oakland Airport Earth Day celebration in Oakland. Staff distributed information on rebate programs, the drought situation, finding and fixing leaks, and water saving tips for the home. Approximately 300 participants attended.

On April 24, staff provided a water supply update to the North Oakland Village Group in Oakland. The talk focused on residential conservation tips, and ways to cut back 10 percent for indoor and outdoor water use, and services and incentives. Approximately 35 people attended.

On April 27, staff participated in the Earth Day fair for the Lafayette Chamber of Commerce / Sustainable Lafayette in Lafayette. Staff distributed information on rebate programs, finding and fixing leaks, and water saving tips for the home. Approximately 400 people attended.

On April 29, hosted a booth at an Earth Day celebration for Kaiser Hospital in Walnut Creek. Staff distributed information on rebate programs, the drought situation, finding and fixing leaks, and water saving tips for the home. Over 600 people attended.

Water Conservation Activity. The chart below indicates water conservation activity for the month of April.

FY14 Demand Reduction Program **Monthly Water Conservation Activity** *As of April 30, 2014*		
Programs and Activities	**Current Month**	**Activity Level to Date**
Customer Outreach (on-site audits, self-survey kits, landscape consultations, high-bill inquiries, new account review) - Residential	**367**	**1,312**
Single Family	*332*	*1,148*
*Multi Family (number of dwelling units audited)**	*35*	*164*
Customer Outreach (on-site audits, landscape consultations, high bill inquiries) - Non Residential	**1,497**	**4,173**
Commercial	*4*	*11*
Industrial	-	-
Institutional	-	-
Irrigation and IRIS Water Budget Program	*1,493*	*4,162*
Devices, Materials and Information Distributed	**1,042**	**3,220**
Water Saving Devices (showerheads, aerators, dye tabs, toilet bags, hose nozzles)	440	1,305
Table tents, hotel cards, shower stickers	523	988
Plant Books	79	927
FY14 Demand Reduction Program **Monthly Water Conservation Activity** *As of April 30, 2014*		
Water Waste Response	**14**	**53**
Residential	*6*	*24*
Commercial	*4*	*22*
Institutional	*4*	*7*
Rebates and Leak Adjustments	**3,082**	**7,860**
Rebates Paid (toilets, clotheswashers, irrigation controllers, landscape, etc.) :	1,400	3,362
Residential	1,100	2,705
Non-Residential	250	607
No. of Leak Adjustments	332	1,186
Community Outreach Presentations/Events	**21**	**43**

CAPITAL IMPROVEMENT AND FACILITIES MAINTENANCE

The construction of the Main Wastewater Treatment Plant (MWWTP) Oxygen Production Plant Cooling System Improvements was successfully completed on April 9. This construction contract installed a new closed-loop cooling water system for the Oxygen Production Plant at the MWWTP, which consisted of two 450-ton cooling towers. The plant's previous cooling water system utilized plant effluent water to cool the Oxygen Plant's air compressors; however, the effluent water caused fouling in the air compressor heat exchangers and increased maintenance on the water strainers. By installing this new closed-loop cooling system, costs have been reduced due to decreased pumping and fouling and equipment reliability has increased to ensure continued compliance with permit requirements.

Additional construction management services required for the Digester Upgrade Phase 2 project. On February 10, 2009, the Board authorized an agreement with EPC Consultants, Inc., in an amount of $872,524 and subsequently authorized an amendment to the agreement on March 27, 2012, for an additional $555,275, increasing the total agreement ceiling to $1,427,799. The contract requires an additional increase of $120,000 (8.4%), changing the total agreement ceiling to $1,547,799. The increase is to provide additional construction management services to review and respond to contractors' claims and change orders, resolve field issues, and administer project closeout. Staff is anticipating the contract work to be complete in June 2014; however, the District and contractor will continue to resolve all outstanding issues including claims, change orders, and liquidated damages beyond the completion of the work as the contractor is over one year behind schedule.

The newly constructed carbon dioxide storage and feed control systems at Bixler and Walnut Creek Raw Water Pumping Plant were successfully operated during the month of April. These systems were used to lower the pH of raw water stored in Mokelumne Aqueducts Numbers 1 and 2 prior to recent Folsom South Canal Connection (FSCC) operations. High pH water cannot be discharged into San Pablo or Moraga Creeks per the National Pollution Discharge Elimination System (NPDES) permit set by the San Francisco Bay Regional Water Quality Control Board. The pH of FSCC raw water increases significantly whenever the system is not in use due to the leaching of lime from the mortar cement-coated FSCC pipeline.

On April 2, District staff and consultant met with a representative from the U.S. Army Corps of Engineers (ACOE) at Chabot Park to discuss permit guidelines for the Chabot Dam Seismic Upgrade project. The visit also allowed the ACOE to field verify the initial wetland delineation map submitted to the agency. Based on the field discussions, the District may not need a Corps permit for the upgrade project. The proposed temporary bridge over the San Leandro Creek is deemed to be above the ordinary high water mark and the work at the tower will involve in-kind replacement of a pipeline.

The Argyle Reservoirs (El Sobrante) Access Road Improvements was suspended due to a Contra Costa County stop work notice issued on March 13 and requires an increase to the change order contingency. Staff is complying under protest with Contra Costa County's demand that the District obtain a grading permit. Change orders associated with suspending the contract total $55,000. Additional change orders may be necessary depending on the final county

permit requirements expected at the end of May. The work is being performed by the contractor McGuire and Hester. At this time, the total change order amount is projected to be $91,000 or 25 percent of the original contract amount of $363,400.

The Berkeley View (Berkeley), Las Aromas (Orinda), Madrone (Oakland), Schapiro (San Pablo) and Skyline (Oakland) Pumping Plant Improvements requires an increase to the change order contingency. Unforeseen conditions were encountered at Las Aromas Pumping Plant including the discovery of severe corrosion in old cast iron suction and discharge piping; the discovery of an old 4" steel gas line that crossed the proposed new pumping plant footprint; and issues with PG&E which required relocating the new transformer and electrical switchgear. This project is approximately 37 percent complete with four more sites to complete. The work is being performed by the contractor JMB Construction, Inc. At this time, the total change order amount is projected to be $355,765, or 21.7 percent of the original contract amount of $1,642,000.

The Proctor No. 2 (Castro Valley), Rilea (Oakland), and Shawn (El Sobrante) Reservoirs Rehabilitation requires an increase to the change order contingency. Unforeseen conditions were encountered at Shawn Reservoir including the discovery of coal tar on the tank interior floor that had to be removed and issues with PG&E which required installing a temporary power system so that the reservoir could be placed in service. This work was performed by the contractor, Aztec Consultants, and will increase the currently authorized change order contingency of $469,632 by $31,718. The total change order amount is projected to be $501,350, or 12.9 percent of the original contract amount of $3,913,600.

The Sobrante Water Treatment Plant and Upper San Leandro (USL) Water Treatment Plant (WTP) Flocculator Replacement are on schedule and the work at USL WTP began on April 1. At USL WTP, the contractor replaced the flocculator units and electrical drives for the south sedimentation basin. The contractor is on schedule to complete the work in the north basin by the required deadline of May 31 to ensure reliability for drought operations.

Estates Reservoir Replacement (Oakland) is approaching completion and requires an increase to the change order contingency. All soil disturbing activities are complete and the final cost for dealing with naturally occurring asbestos is now known. This work was performed by Manito Construction and will increase the currently authorized change order contingency of $2,527,544 by $204,936. The total change order amount is projected to be $2,732,480 or 20 percent of the original contract amount of $13,662,400.

The Powell Street and Hollis Street Pipeline (Emeryville) Replacement Project continues. Seventy-five percent (400 feet) of Segment 1 on Powell Street near Interstate 80 is installed. The remaining portion at Shellmound and Powell is being re-aligned due to the discovery of hazardous soils. Segment 2 (1,200 feet) on Horton, Haruff, Peladeau and Powell Streets is complete including service transfers. Segment 3 (2,290 feet) on Hollis Street between 64th and Powell Streets is installed and ready for service. Service transfers will be completed throughout the month of May**.**

The Dingee Pipeline and Claremont Center Aqueducts (Oakland) Replacement pipeline installation continues. All 6,500 feet of pipeline have been installed for the Reach 1 section from Broadway Terrace and Proctor down to the Claremont Center, with the exception of a 100 feet section requiring a sewer main relocation. Flushing and testing will occur in May and the Reach 1 section is expected to be in service by early June. Reach 2 section has started and 500 feet have been installed on Proctor Avenue starting at Broadway Terrace.

Paving. Staff completed four mainline extensions this month including the Webster Street "Bicycle Boulevard" near 42nd Street in Oakland. Repairs were completed by April 25 after a major main break affected the newly placed sidewalk and road restoration work in front of the Summit Hospital Patient Pavilion Project on Hawthorne Street in Oakland. The scope of work involved approximately 335 lineal feet of curb, gutter, and sidewalk, plus extensive roadway restoration.

Pipeline. Staff completed a 2,365-feet 8-inch steel infrastructure renewal water main installation on Kelly Street in Hayward on April 18 and began a 365 foot 8-inch applicant job on Kent Avenue in San Lorenzo (Alameda County) on April 21. Staff also completed the 1,800-feet 12-inch water main installation on Hartz Avenue in Danville on April 30.

WATER AND WASTEWATER SYSTEM OPERATION

On April 15, District staff met with the Richmond City Manager to discuss alternatives for the City's wastewater treatment. One alternative under consideration is for the District to annex the City into its wastewater service area, with the District taking on ownership and operation of the City's Water Pollution Control Plant. District staff shared the key considerations for annexation that had been presented to the EBMUD Planning Committee on February 11, 2014.

There was one odor complaint received on March 26. A West Oakland neighbor complained of a rotten egg odor for the previous couple days. A subsequent odor patrol did not detect odors on the plant site or in the neighborhood at the time of the complaint. However, odor scrubber outlet H_2S levels were unusually high and may have been the source of the odors. The scrubber carbon canisters are scheduled to be replaced the first week in May. There were no odor complaints for April.

The 2014 wet weather season concluded on April 15. During this season, the Oakport and Pt. Isabel wet weather facilities had a combined total of over 36.2 hours of discharge time and a discharge total of 35.8 million gallons this wet weather season. The San Antonio Creek wet weather facility did not discharge for the second consecutive season. All discharge events were reported to the State Office of Emergency Services, Regional Water Quality Control Board, and Alameda and Contra Costa County Health agencies in accordance with the District's wet weather discharge permit.

All discharges from the MWWTP were in compliance with the permit limits for the month of April. This is the 176th consecutive month that the Main Wastewater Treatment Plant experienced no exceedances.

Revisions to potable water permit for Orinda Water Treatment Plant (WTP) complete. In March 2012 the Board authorized an agreement with ABAG for an estimated amount of $325,013 for a two-year period, to fund a person to develop a regional general permit for potable water discharges and a permit revision for Orinda WTP. The ABAG position is jointly funded by EBMUD and seven other participating Bay Area water agencies under a separate cost sharing agreement to develop the regional general permit. The District paid all costs associated with the permit revision for the Orinda WTP. Work on the regional general permit for potable water discharges is nearing completion. The proposed regional NPDES permit will be available for public comment by May 9, 2014, and will be considered for adoption on August 13, 2014. If adopted, it will be effective in October 2014.

April main breaks. The attached table lists the main breaks that were repaired by staff in April, sorted by city and street. The associated map shows the locations of the breaks geographically.

ORGANIZATION EFFECTIVENESS AND EFFICIENCY

On April 17, six employees graduated from the LEAD Academy. The LEAD Academy is a year-long District sponsored leadership development course. At the graduation ceremony, the graduates talked about how much they learned and the personal growth they attained from attending. As one participant aptly put it, "I went into the program thinking about me and left the program thinking about we."

The Engineering Rotation program is being expanded to include the Wastewater and Water and Natural Resources Departments. The first round of the program is nearing completion. Program coordinators received positive feedback from a total of 22 participants completing 6-month rotations to other work units over the two-year rotation period. Rotations offer engineers opportunities to learn new skills and expand their knowledge of other functional areas at the District furthering their career development goals. The second round of rotations will begin later this year.

The initial Hatchery Coordinating Team (HCT) meeting for the Mokelumne River Fish Hatchery (MRFH) was held April 14. The HCT is made up of representatives from state and federal resource agencies and EBMUD. The team will review the recommendations from the Hatchery Scientific Review Group (HSRG) to determine the feasibility of implementation. The initial MRFH HCT meeting was extremely productive which is indicative of the "groundwork" EBMUD has done in preparation for this process. Future operations at MRFH will be based on the ultimate outcomes achieved by the HCT. District staff was elected the chairperson and will represent the MRFH HCT at the statewide HSRG Policy Group meetings.

Employment Information

	April 2014	FY14 Total
Retirements*	5	66
Other Separations	12	64
Hires	5	165

*Includes vested employees who left District employment and retired at a later date.

Tuition Reimbursement

	April 2014	FY14 Total
# of Employees	26	165
# of Classes	78	248
Total Reimbursed	$12,311	$102,828

FINANCIAL NEWS

The Net Mokelumne power revenue for April was $36,879 vs the $529,865 planned. Inflows into Pardee for April were 30% of plan and generation was 7% of plan. No Pardee generation occurred. The average electricity price was higher than expected at $44/MWh. Renewable power and related Renewable Energy Credits (RECs) were sold to the Sacramento Municipal Utility District under the Power Purchase Agreement. REC revenue for April was $4,873. Total net Mokelumne power revenue through April is $1,163,493 which is 34.6% of the FY14 plan, and 20.4% of the FY14 budgeted $5.7 Million.

FY14 PLAN	**Net Revenue**		**Inflow (Acre Feet)**	
	Plan	Actual	Plan	Actual
Feb-14	$180,670	$49,402	28,800	18,228
Mar-14	$478,435	$4,645	58,800	19,422
Apr-14	$529,865	$36,879	57,500	**17,512**
FY14 YTD Total	$2,535,812	**$1,163,493**	332,600	**209,720**

Bold items are estimated

There were no contracts over $70,000 and less than $100,000 approved by the General Manager in March 2014.

Monthly yield on all investments including reserve funds was 0.37%, no change from March 2014. New investments made in April 2014 were at an average rate of 0.99%. The yield on 90-day Treasury bills on April 30, 2014 was 0.01%.

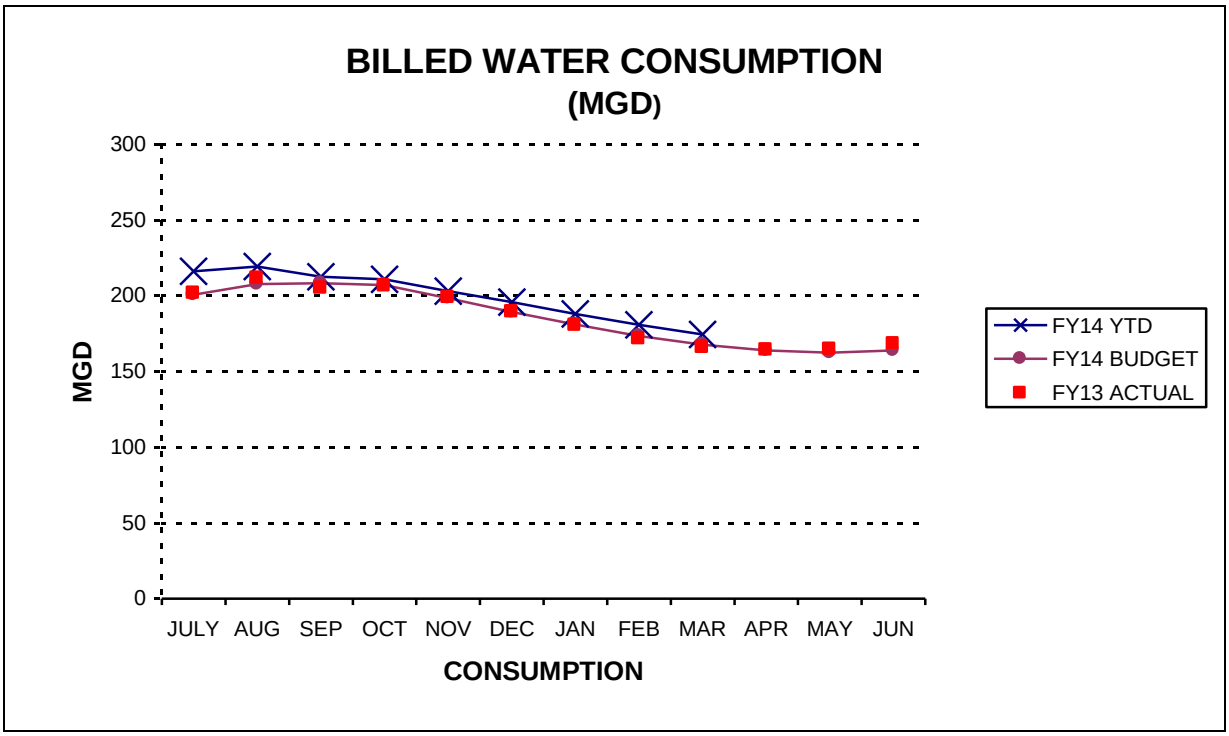
Average interest cost during the month of April for outstanding commercial paper issued for the Water System was 0.10%, no change from March 2014. The average interest cost for outstanding Wastewater System commercial paper in April was 0.10%, an increase of 1 basis point from March 2014.

Plant book activity for April 2014. Eighty-two plant books were sold in April 2014, which increased the total plant books sold to 34,461. April plant book revenues total $1,886.65, increasing total revenues to $736,342.61. Total revenues as a percentage of out-of-pocket book design and production cost equals 94%.

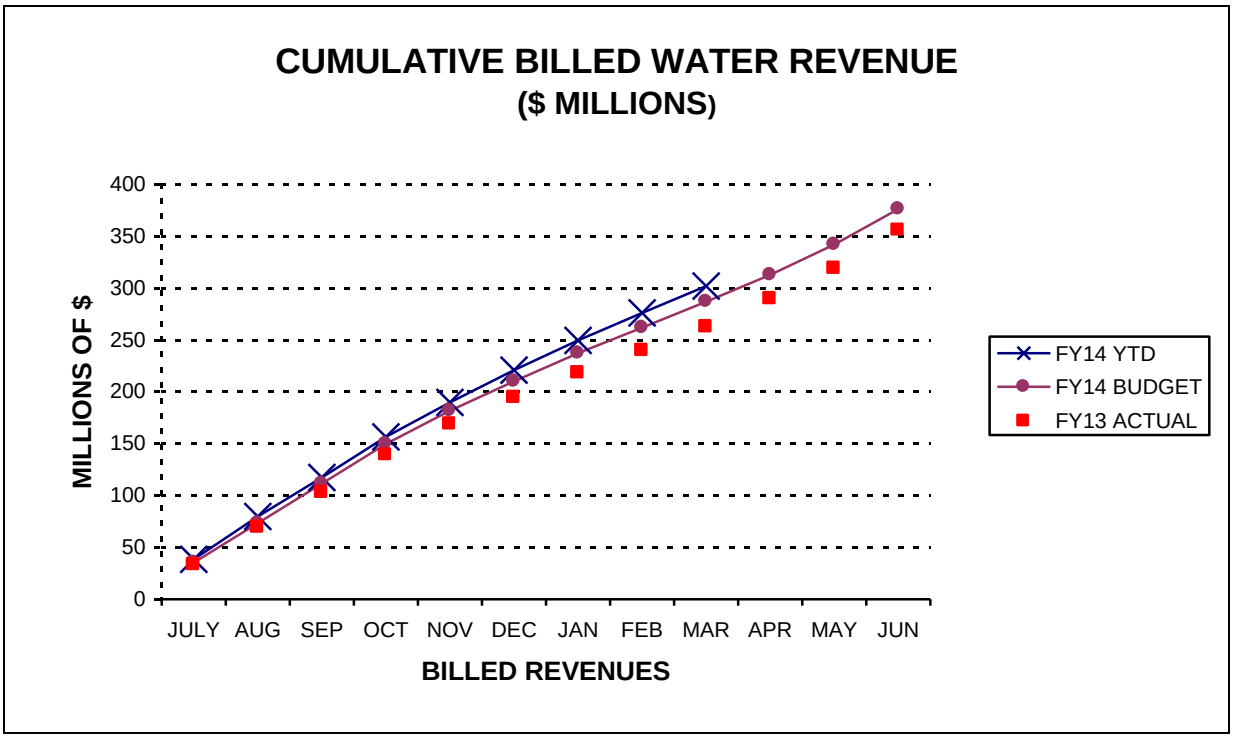
As a result of this year's dry weather, billed water consumption for FY14 through March 2014 was 174.6 MGD, which is 5.2% more than billed consumption of 165.9 MGD for the same period in FY13, a period of normal weather.

Billed Water Consumption		
Usage Type	**FY14 (MGD)**	**FY13 (MGD)**
Residential	94.1	90.1
Commercial	55.8	53.8
Industrial	16.8	14.3
Public Authority	7.9	7.7
Total Billed Water Consumption	**174.6**	**165.9**

Water revenues billed fiscal year to date were $301.9 million, which is 15.0% more than the FY13 actual revenue of $262.5 million due to increased consumption and the 9.75% rate increase for services provided and billed starting July 1st.



Source: Customer Information System



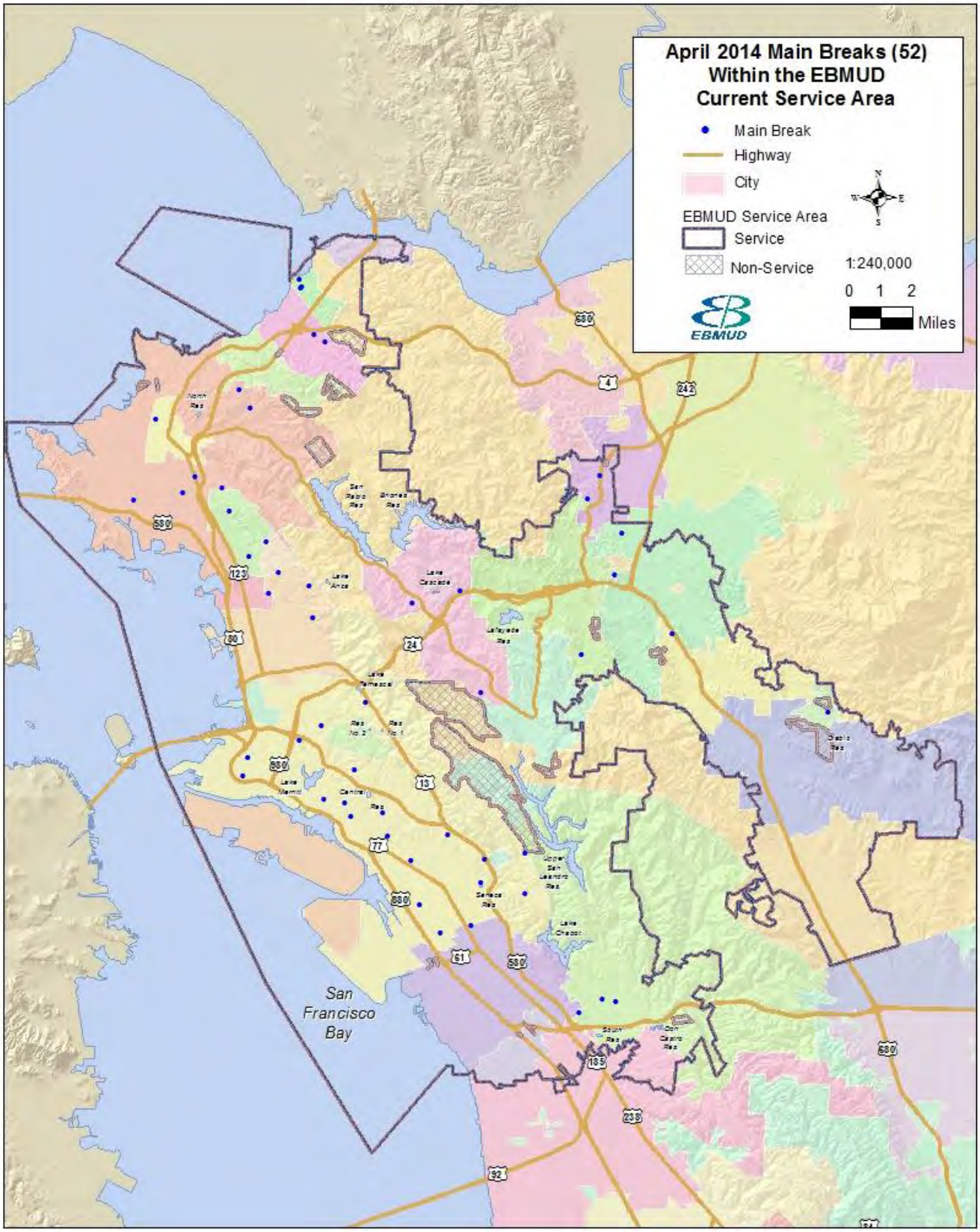
Source: Customer Information System

April 2014 Main Breaks

	City	Bldg	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On
1	ALAMO	2212		DANVILLE	BL	ASBESTOS CEMENT	6	1962	720	04/18/14	04/22/14
2	ALBANY	1551		MARIN	AVE	CAST IRON	6	1969	900	04/21/14	04/22/14
3	BERKELEY	2600		HILGARD	AVE	CAST IRON	8	1925	5,760	04/18/14	04/23/14
4	BERKELEY	45		POPPY	LN	CAST IRON	6	1927	1,800	04/09/14	04/09/14
5	BERKELEY	511		THE ALAMEDA		CAST IRON	4	1931	2,700	04/02/14	04/03/14
6	CASTRO VALLEY	3439		BADDING	RD	CAST IRON	4	1946	5,760	04/10/14	04/17/14
7	CASTRO VALLEY	16996		ROLANDO	AVE	CAST IRON	8	1957	5,760	04/16/14	04/21/14
8	CASTRO VALLEY	19540		SUMMER	PL	NON METALLIC	2	1998	2,250	04/01/14	04/01/14
9	DIABLO	2348		CABALLO RANCHERO	DR	STEEL	8	1960	21,600	04/16/14	04/18/14
10	EL CERRITO	604		ALBEMARLE	ST	CAST IRON	6	1925	2,250	04/03/14	04/03/14
11	EL CERRITO	1826		GANGES	AVE	CAST IRON	16	1951	5,760	04/08/14	04/16/14
12	EL SOBRANTE	4955		APPIAN	WAY	CAST IRON	8	1939	34,560	04/09/14	04/14/14
13	HERCULES	112		LILY	CT	ASBESTOS CEMENT	6	1975	900	04/10/14	04/10/14
14	KENSINGTON	6		HIGHGATE	RD	STEEL	6	1971	2,700	03/25/14	04/07/14
15	LAFAYETTE	490		ST MARYS	RD	CAST IRON	6	1942	34,560	04/16/14	04/23/14
16	LAFAYETTE	3264		WITHERS	AVE	CAST IRON	4	1941	5,760	04/17/14	04/22/14
17	OAKLAND	1571		5TH	ST	CAST IRON	18	1916	2,700	04/08/14	04/08/14
18	OAKLAND	727	E	15TH	ST	CAST IRON	4	1895	20,160	04/08/14	04/14/14
19	OAKLAND	1695		15TH	ST	ASBESTOS CEMENT	6	1977	18,000	04/09/14	04/09/14
20	OAKLAND	5816	E	16TH	ST	CAST IRON	6	1938	5,760	04/11/14	04/17/14
21	OAKLAND	2258	E	17TH	ST	CAST IRON	6	1939	900	04/03/14	04/04/14
22	OAKLAND	1967		41ST	AVE	CAST IRON	6	1927	13,500	04/27/14	04/27/14
23	OAKLAND			17TH	AVE	CAST IRON	6	1925	6,750	04/05/14	04/05/14
24	OAKLAND	8378		BALDWIN	ST	CAST IRON	8	1947	5,760	03/17/14	04/08/14
25	OAKLAND	3402		DAVIS	ST	CAST IRON	6	1925	28,800	04/07/14	04/08/14
26	OAKLAND	3327		ELM	ST	CAST IRON	6	1932	9,000	04/05/14	04/06/14
27	OAKLAND	430		HALE	AVE	CAST IRON	6	1924	90,000	04/22/14	04/22/14
28	OAKLAND	8400		KELLER	AVE	STEEL	8	1976	5,760	04/08/14	04/08/14

April 2014 Main Breaks

	City	Bldg	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On
29	OAKLAND	924		LARKSPUR	RD	CAST IRON	4	1953	3,600	04/29/14	04/29/14
30	OAKLAND	4303		MALCOLM	AVE	CAST IRON	8	1948	5,760	04/10/14	04/16/14
31	OAKLAND	4184		MONTGOMERY	ST	CAST IRON	6	1940	11,520	03/31/14	04/01/14
32	OAKLAND	6147		OAKDALE	AVE	CAST IRON	6	1940	5,760	03/25/14	04/03/14
33	OAKLAND	4936		PROCTOR	AVE	CAST IRON	4	1931	14,400	04/20/14	04/21/14
34	OAKLAND	9033		SENECA	ST	CAST IRON	6	1946	5,760	04/12/14	04/17/14
35	OAKLAND	8116		WINTHROPE	ST	CAST IRON	6	1955	5,760	04/10/14	04/15/14
36	ORINDA	7	E	ALTARINDA	DR	ASBESTOS CEMENT	8	1955	1,350	04/26/14	04/26/14
37	ORINDA	2		DONNA MARIA	WAY	CAST IRON	6	1951	6,750	04/16/14	04/16/14
38	ORINDA	15		VALLECITO	LN	STEEL	6	1973	5,760	03/28/14	04/07/14
39	PLEASANT HILL	837		GRAYSON	RD	CAST IRON	6	1941	5,760	04/13/14	04/15/14
40	RICHMOND	432		33RD	ST	CAST IRON	6	1937	34,560	04/21/14	04/28/14
41	RICHMOND			4TH	ST	CAST IRON	8	1939	14,400	04/08/14	04/09/14
42	RICHMOND	4001		GARVIN	AVE	CAST IRON	4	1933	4,500	04/30/14	04/30/14
43	RICHMOND	1042		JASMINE	CT	CAST IRON	4	1949	5,760	03/25/14	04/01/14
44	RICHMOND	2658		MIRA VISTA	DR	CAST IRON	6	1933	9,000	04/05/14	04/06/14
45	RODEO	305		4TH	ST	CAST IRON	6	1939	9,000	04/21/14	04/21/14
46	RODEO	37		GARRETSON	AVE	CAST IRON	6	1949	5,760	04/22/14	04/22/14
47	RODEO	338		LAKE	AVE	CAST IRON	4	1949	2,250	04/24/14	04/24/14
48	RODEO	5041		WILLOW	AVE	ASBESTOS CEMENT	8	1970	1,800	04/28/14	04/28/14
49	SAN LEANDRO	177		DURANT	AVE	CAST IRON	6	1933	5,760	03/27/14	04/03/14
50	SAN PABLO	958		TRENTON	BL	CAST IRON	6	1944	2,700	04/10/14	04/10/14
51	WALNUT CREEK	2660		LARKEY	LN	STEEL	36	1995	450	04/16/14	04/16/14
52	WALNUT CREEK	20		RODRIGUES	LN	ASBESTOS CEMENT	6	1985	1,350	04/04/14	04/04/14
								TOTAL	**510,300**		


April 2014 Main Breaks (52)
Within the EBMUD
Current Service Area
Main Break
Highway
City
EBMUD Service Area
Service
Non-Service
1:240,000
0 1 2
Miles
EBMUD
San
Francisco
Bay

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 8, 2014

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager

FROM: Lynelle M. Lewis, Secretary of the District

SUBJECT: Sustainability/Energy Committee Minutes – April 22, 2014

Chair Doug Linney called to order the Sustainability/Energy Committee meeting in the Training Resource Center at 10:31 a.m. Director Katy Foulkes was present at roll call and Directort Andy Katz arrived at 10:32 a.m. Staff present included General Manager Alexander R. Coate, General Counsel Jylana Collins, Director of Operations and Maintenance Michael J. Wallis, Senior Civil Engineer David V. Byer, Assistant to the General Manager Rischa S. Cole, and Secretary of the District Lynelle M. Lewis.

Public Comment. None.

Renewable Energy Projects. Senior Civil Engineer David V. Byer presented an update on the District's renewable energy efforts including the Briones In-Conduit Hydro project, an upcountry photovoltaic (PV) project and potential PV projects. He reported that the initial feasibility study evaluated the economics of the Briones In-Conduit Hydro project and a 5 megawatt (MW) PV system upcountry. This evaluation revealed that it is not cost effective. Furthermore, an evaluation of the cost effectiveness of the project to reduce greenhouse gas (GHG) emissions found that the project is approximately 10 to 40 times more expensive than purchasing renewable energy credits (RECs). Staff will continue to evaluate in-conduit hydro generation for new facilities and facilities undergoing rehabilitation.

Staff also investigated the economics of developing a 5 MW PV system adjacent to the Camanche Pumping Plant. However, the existing net-energy metering (NEM) tariff will be replaced with a new NEM tariff that is expected to lower the value on PV-generated electricity, and, therefore, lower the cost-effectiveness of future PV system projects. Additionally, staff reviewed the feasibility of developing PV systems at 80 District facilities that can best support smaller PV projects. After the initial evaluation, the number of potential sites was reduced to 25 sites. Development of PV projects at all 25 sites would add an additional 1.5 MW of PV capacity for the District. Staff is evaluating financing options to determine the economic feasibility of these projects under the current NEM tariff and will report back to the Committee in June 2014. The Committee supported continuing study of these projects.

Adjournment. Chair Linney adjourned the Sustainability/Energy Committee meeting at 10:55 a.m.

ARC/LML/slb
W:\Minutes\Minutes 2014\042214_sustainability_minutes.doc

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 8, 2014

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager

FROM: Lynelle M. Lewis, Secretary of the District

SUBJECT: Finance/Administration Committee Minutes – April 22, 2014

Chair John A. Coleman called to order the Finance/Administration Committee in the Training Resource Center at 9:50 a.m. Directors Doug Linney and William B. Patterson were present at roll call. Staff present included General Manager Alexander R. Coate, General Counsel Jylana Collins, Director of Finance Eric L. Sandler, Director of Operations and Maintenance Michael J. Wallis, Manager of Pipeline Construction and Equipment Laura J. Johnson, Assistant to the General Manager Rischa S. Cole, and Secretary of the District Lynelle M. Lewis.

Public Comment. None.

EBMUD Series 2014C Water Revenue Bonds. Director of Finance Eric L. Sandler presented a status update on the financing schedule approved by the Board in September 2013. Next, he summarized the recommended actions for authorization and approval of the issuance of EBMUD Water System Revenue Bonds, Series 2014C. He said Series 2014C will provide new money to fund Water System capital improvements and pay costs of issuance of the bonds. The bond resolution delegates authority to the General Manager or the Director of Finance or the designee of either of such officer to execute the purchase contracts, other agreements, documents and certificates in order to provide for the sale and delivery of the bonds. The bonds are scheduled to be sold in June 2014. It was moved by Director Linney and seconded by Director Patterson to support the recommended actions and forward them to the full Board for approval. The motion carried 3-0 by voice vote.

Financial Quarterly Reports. Director of Finance Eric L. Sandler reported that the quarterly reports were filed in compliance with government statutes. The reports covered investment transactions along with quarterly payroll, disbursements, and real estate summary reports covering the period January 1, 2014 through March 31, 2014. The Committee raised no questions. It was moved by Director Linney and seconded by Director Patterson to accept the reports. The motion carried 3-0 by voice vote.

Fleet Maintenance Facility (FMF). Manager of Pipeline Construction and Equipment Laura J. Johnson reported that the District, in conjunction with various local agencies, is investigating opportunities to establish an equipment service bay on the east side of the service area. Staff evaluated the existing fleet maintenance model of having one centralized maintenance facility in Oakland. It found that it costs the District approximately $245,000 annually ($200,000 in labor, $10,000 in fuel, and $35,000 in equipment rentals) to transport the approximately 154 vehicles parked east of the hills to the FMF in Oakland. In addition to reducing the cost and labor impacts associated

with transporting vehicles for service, a FMF location east of the hills would significantly benefit the District's ability to respond to a major emergency that impacted operations west of the hills.

The District has met with the City of Walnut Creek and Central Contra Costa Sanitary District (CCCSD) to discuss opportunities for partnering to perform fleet maintenance activities, joint purchasing of parts and vendor contracts, and to discuss the idea of pursuing the permitting and construction of a joint fleet maintenance facility. The District will evaluate possible external property options for an acceptable building for fleet maintenance as well as evaluating options on District-owned property. In addition, the District will develop a pilot program for performing equipment maintenance and repairs east of the hills to evaluate the viability of a permanent location in that area. The District will continue to dialogue with the City of Walnut Creek and CCCSD regarding opportunities to work together on a joint facility and on future equipment repair, maintenance, and parts availability issues.

The Committee asked about the division of labor and bargaining units among the three agencies. Ms. Johnson said this had not been studied at this point in the evaluation.

Adjournment. Chair Coleman adjourned the meeting at 10:08 a.m.

ARC/LML/slb
W:\Minutes\Minutes 2014\042214_ finance_minutes.doc