



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

DATE: Wednesday, April 20, 2011
TIME: 7:00 p.m.
LOCATION: Zone 7 Administration Building
100 North Canyons Parkway, Livermore, California

Any member of the audience desiring to address the Board on an item under discussion may do so upon receiving recognition from the President. After receiving recognition, please step to the podium and state your name and address.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available at the Zone 7 Administrative Building lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the Acting Zone 7 Board Secretary, Judy Rector, at (925) 454-5053 or fax (925) 454-5727. Notification 48 hours prior to the meeting will enable Zone 7 to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}

A G E N D A

1. Call Meeting to Order
2. Pledge of Allegiance
3. Citizens Forum

This is an opportunity for members of the audience to speak on an item not listed on the agenda. The Board cannot deliberate or take action on a non-agenda item unless it is an emergency as defined under Government Code Section 54954.2.

4. Minutes of the Regular Meeting of March 16, 2011
5. Consent Calendar
 - a) Declaration of May as Water Awareness Month
 - b) Accept Quitclaim Deed from County for a Segment of the Arroyo Las Positas (Line H) in Livermore (70126)
 - c) Approve Agreement with State of California for Possession and Use of Portions of the Arroyo Mocho Channel for the State Route 84 Widening Project
6. Staffing Updates:
 - a. Congratulations to Retiree
 - b. New Employee Introduction
 - c. Employee of the Month Recognition

7. Historical Narrative of the Chain of Lakes by Former General Manager, Mun J. Mar

Recommended action: Presentation.

8. Pilot Use of Mitigation Funds for Restoration/Enhancement Projects: Caltrans and Alameda County Surplus Property Authority (ACSPA) Mitigation at Stanley Reach on Arroyo Mocho

Recommended action: Adopt resolution.

9. Zone 7 Annex to the Association of Bay Area Governments' Multi- Jurisdictional Local Hazard Mitigation Plan, *Taming Natural Disasters*, for the San Francisco Bay Area

Recommended action: Conduct Public Hearing and Adopt Resolution.

10. Award of Contract for Operated Equipment Supply Contract for Maintenance and Emergency Work For Flood Control Facilities, Project No. 211-11

Recommended action: Adopt resolution.

11. Proposed Budget for Fiscal Year 2011/12

Recommended action: Adopt resolution.

12. Committees

- a. Finance Committee of March 29, 2011 – minutes
- b. Administrative Committee of March 31, 2011 – minutes
- c. Delta Committee of March 31, 2011 - minutes

13. Items for Future Agenda – Directors

14. Reports – Directors

- a. Written report by Director Quigley
- b. Verbal reports

15. Staff Reports (Information items. No action will be taken.)

- a. General Manager's Report
- b. Recent & Upcoming Public Outreach Activities
- c. Legislative Update
- d. Status Report on Separation Efforts
- e. Quarterly Update of Expansion Fund
- f. Report for Hydrostratigraphic Investigation of Lakes C and D
- g. Verbal Reports

16. CLOSED SESSION

- a) Conference with Labor Negotiators:
Agency Negotiator: G.F. Duerig
Employee Organizations: Alameda County Management Employees Association; Alameda County Building and Construction Trades Council, Local 342, AFL-CIO; International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; Local 1021 of the Service Employees International Union, CTW; Unrepresented Management.
- b) Conference with Legal Counsel-Existing Litigation pursuant to Subdivision (a), Government Code Section 54956.9:

Watershed Enforcers v. Department of Water Resources, et al., Alameda County
Superior Court No. RG06292124

17. Open Session and Report Out of Closed Session

18. Adjournment

19. Upcoming Board Schedule:

(All meeting locations are in the Board Room at 100 North Canyons Parkway, Livermore, California, unless otherwise noted)

- a) Regular Board Meeting: May 18, 2011, 7:00 p.m.

Materials related to an item on this agenda that have been provided to the Board less than 72 hours prior to the meeting are available for public inspection at the Zone 7 office at the time of, and prior to, the meeting and at www.zone7water.com. All other material otherwise provided to the Board will be available at the public meeting.

MINUTES OF THE BOARD OF DIRECTORS
ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

REGULAR MEETING

March 16, 2011

President Greci called the regular meeting to order at 7:05 p.m. The following were present:

DIRECTORS: SANDS FIGUERS
JOHN GRECI
AJ MACHAEVICH
CHRISTOPHER MOORE
SARAH PALMER
RICHARD QUIGLEY
BILL STEVENS

DIRECTORS ABSENT: NONE

ZONE 7 STAFF: JILL DUERIG, GENERAL MANAGER

KURT ARENDS, ASSISTANT GENERAL MANAGER, ENGINEERING
VINCE WONG, ASSISTANT GENERAL MANAGER, OPERATIONS
JOHN YUE, ASSISTANT GENERAL MANAGER, FINANCE
MARY LIM, ASSOCIATE WATER RESOURCES PLANNER
JUDY RECTOR, ACTING BOARD SECRETARY

COUNSEL: REN NOSKY, DOWNEY BRAND

Item 3 - Citizens Forum

None.

Item 4 – Minutes of the Regular Meeting of February 16, 2011

On a motion by Director Palmer with a second by Director Quigley, the minutes of the Regular Meeting of February 16, 2011, were approved as presented by a voice vote of 7-0.

Item 5 - Consent Calendar – none.

Item 6 - Staffing Updates

Item 6a – Employee of the Month Recognition

Tamara Baptista, Financial and Systems Services Manager, was chosen as the January 2011 Employee of the Month. Tamara was present at the meeting and recognized for her work in the Finance Section, located in our North Canyons Office. Tamara's efforts each year on the budget and water rates should be recognized and appreciated. Not only does she work to save the Agency money, she also helps us, each and every one of the employees, manage to get through the budget process every year and she does it with a smile. Tamara was complimented for being

helpful to other employees, explaining the budget preparation process, and working to assemble the finished budget from all departments. Only through diligent work can explanation of requested budgets and proposals of necessary water rates then be developed. Tamara's work makes it possible for the board to make reasonable and defensible decisions that determine the financial health of the Agency, with results that affect all of us. She is one of the key movers and shakers in the cultural evolution that we are trying to achieve, moving towards blue.

Several directors complimented Tamara and the overall feeling is that she has done a great job. They always look forward to her presentations because they are so informative.

Item 7 – East Alameda County Conservation Strategy

Mary Lim, Associate Water Resources Planner in Water Engineering, gave a presentation regarding the East Alameda County Conservation Strategy to the Administrative Committee on February 23 and again for the full board at this board meeting. Her presentation included an explanation of the regulatory framework that the conservation strategy is based on, why we are doing the strategy, who was a part of that process, and how we developed the strategy along with key project outcomes from that strategy and how it would be used in the future as the project is implemented. Environmental compliance is a component of implementing projects and environmental laws are enforced by federal and state agencies.

The Conservation Strategy contains standardized avoidance and minimization measures, mitigation ratios, habitat quality scoring sheets, and conservation goals and objectives to measure the effectiveness of the Strategy. These guidelines for mitigation practices in East Alameda County will streamline environmental permitting for future Zone 7 projects. The information contained in the Conservation Strategy can also be incorporated in the biological resources section of a project's environmental document.

The Conservation Strategy provides a regional approach to conservation in East Alameda County in order to best protect endangered or threatened species in this area. The Federal and State wildlife agencies fully support and intend to utilize the document when permitting projects that follow the Conservation Strategy.

The Board of Directors were asked to approve a resolution that would: (1) accept the East Alameda County Conservation Strategy as guidance for Zone 7's future projects, particularly in the CEQA and endangered species permitting stages of project implementation; and (2) support Zone 7's ongoing participation in the EACCS Implementation Committee.

Public Comment

Karen Sweet, a rancher in Eastern Alameda County, spoke before the Board. She was a part of the process in the very beginning, a former member of the Steering Committee, and was concerned that the Conservation Strategy was only posted on the website the week before the Zone 7 board meeting. She felt she could not endorse the strategy because she has tried from the beginning to make the document adequately reflect the goal of the ranching community. She feels the document needs a great deal of work to recognize private land and you can't practice rangeland strategy without rangeland science.

Darrel Sweet also expressed his concerns before the Board. He gave the Zone 7 Board members background information on the California Rangeland Trust founded by the California Rangeland Association. He feels rangeland and species in these habitats largely exist today because of the positive experience of breeding and the ranchers. He feels the Conservation Strategy ignored information brought to them by the Rangeland Coalition, and the Strategy is outdated before it is implemented because it needs work. If grazing and ranching are not important to the plan, then the whole point was missed. Habitats do rely on grazing. If more ranchers were "at the table," he feels it would be easier for mitigation. He invited everyone to go on the Rangeland Coalition website and read about conserving rangelands.

The Directors discussed at length that the 600-page document would make the permitting process faster. General Manager Jill Duerig clarified a few items by explaining that the purpose of this document is to provide a common framework for biological species, the environmental impacts, and the endangered species evaluations that we all have to do to help our projects move forward. It provides a species framework as a means for streamlining those projects. It is a biologically-based document that was not just requested but encouraged by letter by the Fish and Wildlife Service. It is a document that outlines biological and habitat resources in Eastern Alameda County, that Fish and Wildlife can use as a starting point, and then find the specifics related to each project. Co-equal goals are achieved because we could pursue the implementation of our needed projects in a speedier manner, the resource agencies could be more responsive to us, and we could all be playing from the same game book. It is the underlying reason that there was a mixed Steering Committee of project proponents like Zone 7, the Cities, and others on the Steering Committee, and the resource agencies such as Fish and Game and the Regional Board. Fish and Wildlife and Fish and Game are going to endorse this and have been approving it. The Regional Board has provided a set of guidelines that they are allowing to be attached as an appendix. Regional Board will not adopt this though they attended every meeting and provided input. That is how co-equal goals were achieved, by Zone 7 getting involved and staying involved. We anticipate that it will be incredibly valuable going forward, for us to move our needed water reliability projects through the permitting process in a more reasonable manner instead of hit-and-miss where there was no set rule book, the rules were re-written on each project.

President Greci stated that the grazing issues that have been brought up by the Sweets are pertinent issues. Zone 7 is known for promoting agriculture, we supply the water for most agriculture in this valley, and livestock is also an important part of agriculture in this valley. He favored postponing the issue so a section about grazing and the importance of it in relationship to the mitigation that is going to take place could be added.

Directors Figuers and Quigley asked to have time to look at the 600-page document.

Director Stevens said he was trying to figure out where ranchers come in because he doesn't see this as a document that precludes them, he sees it as a document that starts here and then you go to the ranchers.

Ms. Duerig agreed and said that was the concept and that is why Mrs. Sweet was part of the original Steering Committee in her role of the Alameda County Resource Conservation District (RCD) because they had the relationship with the ranchers and the rangelands and they were representing, not just resource conservation, but also the voice and the opinions of many of the ranchers and rangeland people. If we have not had the time to review and confirm what

comments have and have not been incorporated and how they were addressed, a delay may not hurt.

Director Palmer pointed out that it may be a relatively minor adjustment in order to bring in the ranchers' concerns and address them.

Responding to Director Moore's question regarding how long it might take to address those concerns, Ms. Duerig responded that this is not a Zone 7 document; we are part of a consortium of agencies. She emphasized that this is a living document which will be revisited and updated but will never be more than a final draft; it will never be a document that is accepted because the intent is to continually update it.

Director Moore said that he is supportive of deferring the item because of the timing of the document's availability and in fairness to everybody. He also wants time to read the document.

Director Figuers began a motion to table the item so he can cast an informed vote. President Greci asked him to hold that motion until all discussion was heard.

Director Machaevich wants to get a baseline in as soon as we can which can be adjusted and modified. He would also like to have language confirmed that it is a baseline and available to be adjusted and no one is excluded from discussions.

President Greci repeated that it is not Zone 7's document. If we have concerns and move for a delay, it will give the General Manager time to deal with the other agencies involved that took time to put it together because it could be contentious if they are not in favor of it and don't want to deal with the issue, have it ratified now, and go on as a living document to be dealt with later on. Based on what the Board members heard at this meeting, he feels other agencies are going to understand and they will agree to the delay.

Director Figuers asked for a second for his motion to table the motion, but said it needed a second. Director Machaevich seconded the motion. General Counsel Ren Nosky clarified that the motion includes both requested actions by the Board: 1) accepting the Conservation Strategy and, 2) approving Zone 7 participation on the Implementation Committee. Ms. Duerig said that if the Implementation Committee should meet within that window of time, Zone 7 would want to participate even if it hasn't been adopted yet.

Director Figuers restated the motion to table Part 1 of the resolution accepting the East Alameda County Conservation Strategy but still vote on Part 2, participation. General Counsel Ren Nosky again clarified that the motion is to table the requested action of the Board accepting the East Alameda County Conservation Strategy and part 2 is to approve participation in the Implementation Committee. There was a voice vote and all were in favor of tabling the board accepting the EACCS and to support Zone 7's ongoing participation in the EACCS Implementation Committee.

Item 8 – Board Reimbursement Policy Update

General Manager Jill Duerig explained that Director Quigley requested that the Board Reimbursement Policy be modified or formalized. After discussion with Board Administrative Committee members, staff was directed to come up with suggested changes to the existing

compensation and expense reimbursement policy. Included in the Board's packet was a red-lined document with changes.

The Directors commented on the document including President Greci reminding the other Board members that it had been reviewed by the Administrative Committee and he found it quite complete. Director Palmer felt that it was not overly complicated. Director Quigley noted that when he travels for Zone 7, his trip is funded out-of-pocket but it takes a long time to be reimbursed. He wants Zone 7 to get us in tune with other agencies with travel budgets like Contra Costa Sanitation, Alameda County Water District, Dublin San Ramon Services District, and East Bay Municipal Utility District because he thinks it will help with the way reimbursements are handled for Zone 7.

Ms. Duerig reminded the Board that part of the ongoing Management Partners' goal is to develop policies and procedures for the way reimbursements are made such as developing a new credit card policy, and the way we do purchasing. The consultant will have the first set of draft procedures within the next few months. In the meantime, Zone 7 is still under the county umbrella of policies; for instance, all numbers under meal reimbursements are County numbers, and the way we do credit cards and purchasing are under County policies.

President Greci took a moment to commend Director Quigley for taking his personal time to go to meetings saying that he is a good representative for Zone 7.

Director Palmer moved and Director Machaevich seconded a motion to approve Amendment No. 2 to the existing "Zone 7 Board of Director Compensation and Expense Reimbursement Policy." Resolution No. 11-4069 was approved by a roll call vote of 7-0.

Item 9 - Committees – Administrative Committee Minutes for February 23, 2011

Item 10 - Items for Future Agendas – Directors

Item 11 - Reports - Directors

- a. Written report by Director Quigley
- b. Verbal reports

Director Quigley referred to his written report and commented that he saw a change in attitude from last year by California delegates at the ACWA Washington DC Annual Conference to work together to help solve California's water problems. A binder from the conference is available for interested staff and Board colleagues (see Board Secretary or Director Quigley).

Not in his written report was a brief report about attending an Energy Committee meeting on Global Warming with Principal Engineer Dennis Gambs. There is currently a bill on small hydro power that is exciting. President Greci said he had received good feedback on Director Quigley's photovoltaic project presentation and how he made other agencies aware of the problems that Zone 7 had.

Item 12 – Staff Reports (Information items. No action will be taken.)

- a. General Manager’s Report
- b. Recent & Upcoming Public Outreach Activities
- c. Legislative Update
- d. Status Report on Separation Efforts
- e. Status of Zone 7’s Asset Management Program Update
- f. Verbal Reports

General Manager added a verbal report regarding the Department of Water Resources increasing Zone 7’s water allotment from 60 to 70 percent. We lost carryover but gained in reallocation.

The Board went into closed session at 8:40 p.m.

Item 13 - Closed Session

- a) Conference with Legal Counsel--Existing Litigation, Government Code Section 54956.9(a): Petition for Extension of Time, Water Right Permit No. 11319 (Application No. 17002), State Water Resources Control Board.
- b) Conference with Legal Counsel--Existing Litigation, Government Code Section 54956.9(a): Margaret Chun v. Alameda County Flood Control and Water Conservation District, Zone 7, et al. (Alameda County Superior Court Case No. HG11559731)
- c) Conference with Labor Negotiators:
Agency Negotiator: G.F. Duerig
Employee Organizations: Alameda County Management Employees Association;
Alameda County Building and Construction Trades Council, Local 342, AFL-CIO; International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; Local 1021 of the Service Employees International Union, CTW

Item 14 – Open Session And Report Out of Closed Session

There was nothing to report out of closed session.

The meeting was adjourned at 10:15 p.m.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: OFFICE OF THE GENERAL MANAGER
CONTACT: ROBYN NAVARRA

AGENDA DATE: April 20, 2011

ITEM NO. 5a

SUBJECT: Declaration of May as Water Awareness Month

SUMMARY:

- The California Water Awareness Campaign is a year-long effort by organizations throughout California to heighten public awareness about the conservation, supply, quality and distribution of water.
- The Campaign kick-off occurs in May every year with a proclamation from the Governor and the observance of Water Awareness Month. Zone 7 recognizes the significance of Water Awareness Month with a board resolution, a financial contribution to the Campaign and various activities that recognize the vital role water plays in our lives.
- At the May board meeting, various presentations occur related to Water Awareness.
- In November 2010, Zone 7 continued the sponsorship payment of \$2,056 to the 2011 California Water Awareness Campaign.
- Staff recommends that the Board adopt the attached resolution, declaring the month of May as Water Awareness Month.

FUNDING:

Not applicable.

RECOMMENDED ACTION:

Adopt attached resolution declaring May as Water Awareness Month and declaring continued support for California Water Awareness Campaign and ACWA's Policy Principles on Water Conservation and Water Use Efficiency.

ATTACHMENTS:

- Memo providing additional background and discussion on agenda item
- Resolution

Interoffice Memo

Date: April 20, 2011
To: Jill Duerig, General Manager
From: Robyn Navarra, Water Conservation Coordinator
Subject: Declaring May as Water Awareness Month

The following provides additional background and discussion of the above-referenced agenda item.

BACKGROUND:

The California Water Awareness Campaign's (CWAC) mission is to increase public awareness about the need for all Californians to use water wisely. Formed in 1987 during a drought, the Campaign began with water conservation as its main theme. Since then, the theme has expanded to include the role that water plays in agriculture, industry, the environment, and daily life. More information can be found on the Campaign's web site, <http://www.wateraware.org>. With the help of numerous donors, the CWAC annually reaches millions of school children, residents and businesses who want to keep California's water healthy and flowing.

The Campaign is jointly sponsored by the Association of California Water Agencies (ACWA), California Farm Water Coalition, U.S. Bureau of Reclamation, California Groundwater Association, California Water Association, California Department of Water Resources, and various other urban and agricultural water agencies, as well as cities, counties, and other organizations throughout the state. Its members include approximately 300 water agencies, farm bureaus, cities, counties and businesses.

DISCUSSION:

In November 2010, Zone 7 continued to support CWAC with a sponsorship payment of \$2,056 to support the 2011 California Water Awareness Campaign effort. In addition to this contribution, which helps fund such things as the "Nice Save" campaign, educational books and videos, and conservation outreach, staff recommends that Zone 7 continue to work with the water retailers on general programs to promote water awareness.

While California has made great strides in water conservation and efficiency in recent years, the collective impacts of drought, climate change, increased population demands, court ordered supply reductions and potential natural disasters make it clear that all water users will have to do much more in the coming years.

Since the Association of California Water Agencies (ACWA) was founded in 1910, representing and providing key services to members has been ACWA's most important charge. ACWA adopted its "Policy Principles" on Water Conservation and Water Use Efficiency to help frame the key issues that must be addressed and institutionalized to realize the significant forward progress that Californians must make to address the challenges before us. (The Policy Principles can be found at,

<http://www.acwa.com/sites/default/files/post/conservation/2010/02/acwawaterconservationwuep>

[olicyprinciples03-2009.pdf](#).) In May 2009, Zone 7 declared its support for the Policy Principles. ACWA's involvement at the state and federal level has helped shape laws and policies that affect ACWA member agencies and their customers. In many ways, the Policy Principles informed the development of SBX 7-7, the portion of the November 2009 landmark water legislation that dealt with conservation.

For this year, staff is finalizing plans for various Water Awareness Month Activities, including fun, grade-appropriate contests in the classrooms we visit dealing with water conservation; water-conservation and stormwater-pollution awareness booths at farmers markets in each of our three cities (including one as part of Dublin Pride Week), a conservation workshop for professional landscapers and landscaping contract manager's; and providing water conservation handouts during two East Bay garden tours—the Bringing Back the Natives Garden Tour on May 1st and the Bay-Friendly Garden Tour on May 15th; and the Bay-Friendly Gardening “Rethink Your Lawn” talks on May 21st, an interactive educational workshop converting lawns to water-conserving environmentally friendly landscapes. At the May 2011 regular board meeting, Zone 7 will also recognize businesses in the valley for their efforts in water conservation.

As a kickoff to Water Awareness Month, staff recommends that the Board declare support for the California Water Awareness Campaign and the ACWA Policy Principles on Water Conservation and Water Use Efficiency.

To celebrate Water Awareness Month, the Board will be asked next month to recognize winners of the Zone 7 water awards won during the recent Tri-Valley Science & Engineering Fair, and to recognize businesses in the Tri-Valley area for their water conservation efforts to enhance water efficiency in their place of business. Staff will also spend May continuing efforts to promote the large landscape program to businesses and schools for enhanced regional conservation.

RECOMMENDATION:

Adopt attached resolution declaring May as Water Awareness Month.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY:

SECONDED BY:

“Declaring May as Water Awareness Month”

WHEREAS, May 2010 has been declared as Water Awareness Month by the California Water Awareness Campaign, composed of urban and agricultural water agencies, cities, farm bureaus, and other organizations; and

WHEREAS, Water Awareness Month has been established to heighten public awareness for water and its many uses, and for the role our organization plays in conservation, water management, water supply, distribution and water quality;

WHEREAS, it is important to develop an ethic of wise water use among the general public, business and industry;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District supports and declares May as Water Awareness Month.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By _____
President, Board of Directors



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: FINANCE AND BUSINESS SERVICES
CONTACT: DENNIS GAMBS/JOHN YUE

AGENDA DATE: April 20, 2011

ITEM NO. **5b**

SUBJECT: ACCEPT QUITCLAIM DEED FROM COUNTY FOR A SEGMENT OF THE
ARROYO LAS POSITAS (LINE H) IN LIVERMORE (70126)

SUMMARY:

- Some time ago, the County of Alameda acquired a parcel of real property between Vasco Road and Central Avenue in Livermore in connection with a road project on Vasco Road.
- The County has now offered to convey a 1.26 acre parcel (roughly 50 feet wide and 980 feet long) to Zone 7 for the appraised value of \$5,000.
- The parcel contains a segment of the Arroyo Las Positas Channel that was identified in the Stream Management Master Plan (SMMP, Reach 1-7) requiring improvements for flood protection and storm water drainage. The parcel is the only unimproved section of Arroyo Las Positas in the area; both upstream and downstream reaches have been improved to convey the 100 year flood flow.
- A project to make such improvements is identified in the FY 11/12 capital budget.

FUNDING:

The right-of-way cost of \$5,000 will be funded by the Flood Control/General Fund (50) at 83% and the Flood Protection and Stormwater Drainage Fund (76) at 17%. Maintenance of the parcel will be borne by the Flood Control/General Fund (50) which is estimated at \$2,500 per year.

RECOMMENDED ACTION:

Adopt attached resolution accepting the Quitclaim Deed, authorizing the General Manager to record the Quitclaim Deed and authorize payment of \$5,000.

ATTACHMENTS:

Resolution
Vicinity Maps
Quitclaim Deed

INTEROFFICE MEMO

Date: April 20, 2011
To: Jill Duerig, General Manager
From: Dennis Gambs, Principal Engineer
Via: John Yue, AGM
Subject: ACCEPT QUITCLAIM DEED FROM COUNTY FOR A SEGMENT OF THE ARROYO LAS POSITAS (LINE H) IN LIVERMORE (70126)

BACKGROUND/ DISCUSSION:

The property encompassing the Arroyo Las Positas (Line H) between Vasco Road and Central Avenue was acquired by Alameda County in connection with a project to widen Vasco Road. The channel was improved by the County to pass drainage downstream of Vasco Road to prevent flooding of the road which at that time was under the jurisdiction of the County. Alameda County recently inquired as to whether Zone 7 was interested in owning and assuming responsibility of the reach of channel.

This reach of channel is partially improved and will need further improvements to convey the 100-year flood flows. In addition, improvements will be needed to construct full maintenance access roads along the top of bank area. The reaches upstream of Vasco Road and downstream of Central Avenue have been fully improved and are owned and maintained by Zone 7.

The Stream Management Master Plan (SMMP) adopted by the Zone 7 Board in March of 2006 and the StreamWISE process identified this reach of channel for capacity improvements to match the upstream and downstream reaches which are already owned by Zone 7. The channel may also serve to link the existing trails at each end of the reach along the access road on the north side of the channel.

The SMMP and StreamWISE also identified a need to develop the area adjacent to this channel for storm water detention. This project would detain storm water up to the 25-year event in a low-lying park area. By acquiring the channel property from Alameda County, Zone 7 can work with the adjacent property owner for implementation of this detention project.

Both of these projects are identified in the FY 11/12 capital budget. The total cost of the projects is approximately \$1.59 million with 83% allocated to Flood Control/General Fund (50) and 17% to Flood Protection and Stormwater Drainage Fees (Fund 76). The in-service date is October 2013.

The property is roughly 50 feet wide and 980 feet long with an area of 1.26 acres. Zone 7 concurs with the County's estimated fair market value for the property at \$5,000. Adoption of the attached resolution by the Board would authorize acceptance and recordation of the Quitclaim Deed, as well as a payment of \$5,000 to the County.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

ACCEPT AND RECORD GRANT DEED

WHEREAS, a Quitclaim Deed dated December 21, 2010, has been received from the County of Alameda offering to convey fee simple title to the lands described therein to the Alameda County Flood Control and Water Conservation District, Zone 7, for flood control purposes, and to which Quitclaim Deed reference is hereby made for the description of said lands, and by said reference is made a part hereof as though fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED, that said Quitclaim Deed, be and the same is hereby accepted, and the General Manager is hereby authorized to cause the same to be recorded at the office of the Recorder of Alameda County.

BE IT FURTHER RESOLVED, that the General Manager is authorized to pay the County \$5,000 for this property.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By _____
President, Board of Directors

Arroyo Las Positas (Line H)

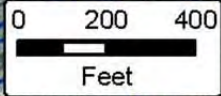
No. 70126

Map: RE-10001



Legend

- FC Access
- Major Streams
- FC Roads
- Alameda County Streets
- FC Roads
- ▭ Zone7_Parcels
- ▭ Parcels Within Zone7



ZONE 7 WATER AGENCY
100 North Canyons Parkway
Livermore, CA

DRAWN: BW
REVIEWED: BW
File:

SCALE: AS SHOWN
DATE: 3/2/2011
FIGURE #

Vicinity Map
Arroyo Las Positas
SMMP Project No. R 1-7

Recording Requested By:

Zone 7 Water Agency
Real Estate Division

And When Recorded Mail To:

Zone 7, ACFC&WCD
100 North Canyons Parkway
Livermore, CA 94551 - QIC 90201

Documentary Transfer Tax \$ Exempt R & T Code 11922
County of Alameda

By: _____ Livermore ☒

Recording Fee \$0.00

Govt. Code 27383

Space Above This Line For Recorder's Use

QUITCLAIM DEED

The COUNTY OF ALAMEDA, a political subdivision of the State of California, GRANTOR,

does hereby QUITCLAIM and RELEASE unto

ZONE 7 WATER AGENCY, aka Alameda County Flood Control and Water Conservation District, a body corporate and politic, GRANTEE,

all right, title and interest in and to that certain real property designated as "No. 36232 " and described in Alameda County Board of Supervisors' **Resolution No. R-2010-493**, adopted **December 21, 2010**, a certified copy of which is attached hereto and is a part hereof, and under the terms and conditions therein set forth.

IN WITNESS WHEREOF, this document is duly executed, pursuant to said resolution.

Dated: _____

COUNTY OF ALAMEDA

By: _____

Alice Lai-Bitker, President
The Board of Supervisors

State of California

County of Alameda

On this 21st day of December, 2010, before me, Clerk of the Board of Supervisors of the County of Alameda, State of California, personally appeared Alice Lai-Bitker who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Clerk, Board of Supervisors of the
County of Alameda, State of California

EXHIBIT "A"

COUNTY OF ALAMEDA DESCRIPTION

QUITCLAIM OF REAL PROPERTY

MAP: E-357-4

APN: 99B-5075-006-10

DESC. NO. : 36232

DATE: 11-02-2010

All that certain real property situate in the City of Livermore, County of Alameda, State of California, described as follows:

Parcel One:

Being all that real property described in that certain Grant Deed from Antonio Marquez and Helen Marquez, his wife, to the County of Alameda, a political subdivision of the State of California, recorded August 20, 1971 at Reel 2929 Image 751, Series Number 71-108701, Official Records of Alameda County.

Parcel Two:

Being all that real property described in that certain Grant Deed from William H. Trublood and Modene Trublood, his wife, to the County of Alameda, a political subdivision of the State of California, recorded April 14, 1971, at Reel 2828 Image 127, Series Number 71-42879, Official Records of Alameda County.

Parcel Three:

Being all that real property in that certain Grant Deed from Frank H. Porter, a single man and Sarah W. Porter, to the County of Alameda, a political subdivision of the State of California, recorded January 15, 1971 at Reel 2769 Image 720, Series Number 71-5286, Official Records of Alameda County.

Excepting there from that portion of the real property described in that certain Grant Deed from the County of Alameda, a political subdivision of the State of California, to the City of Livermore, a municipal corporation, recorded February 14, 1997 as Series Number 97043894, Official Records of Alameda County

END OF DESCRIPTION

NO. 36232
Page 2 of 2

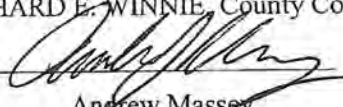
This real property description has been prepared by me or under my direction in conformance with the Professional Land Surveyors' Act.



Russell Reid Penland, Jr.
County Surveyor
Reg. Expires 12/31/2011

By: *Albert Jordan*
Albert Jordan
Professional Land Surveyor
LS 6623
Reg. Expires 12/31/2011

November 2, 2010
Date

Approved as to Form
RICHARD E. WINNIE, County Counsel
By  Deputy
Andrew Massey

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

RESOLUTION NUMBER: R- 2010-493

AUTHORIZE AND APPROVE THE CONVEYANCE OF REAL PROPERTY
BETWEEN VASCO ROAD/CENTRAL AVENUE
TO THE ZONE 7 WATER AGENCY FOR \$5,000.00,
THAT WAS ACQUIRED BY THE COUNTY OF ALAMEDA FOR THE
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
ZONE 7; EXECUTE QUITCLAIM DEED

WHEREAS, the County of Alameda, acquired, a parcel of real property between Vasco Road/Central Avenue and the hereinafter described parcel of real property is located in Livermore; said parcel being more particularly described as:

FOR DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
(R/W No. 36232)

AND WHEREAS, said parcel of real property was acquired by the County of Alameda for flood control purposes; and

WHEREAS, Zone 7 Water Agency has offered to purchase said parcel for the sum of \$5,000, the fair market value of said property.

NOW, THEREFORE, BE IT RESOLVED, that this Board of Supervisors does and it hereby finds and determines that the public interest will be best served if the hereinafter described parcel of real property, which was acquired by the County of Alameda for flood control purposes, is conveyed to the Zone 7 Water Agency; and

BE IT FURTHER RESOLVED, that the President of this Board of Supervisors be hereby authorized and directed to execute on behalf of the County of Alameda, a political subdivision of the State of California, GRANTOR, a Quitclaim Deed, conveying to the Zone 7 Water Agency, a body corporate and politic, GRANTEE, the parcel of real property described in Exhibit "A", for \$5,000.00; and

BE IT FURTHER RESOLVED, that upon execution of said Quitclaim Deed, the same shall be delivered to the Director of Public Works of Alameda County to be by him forwarded to the Zone 7 Water Agency for acceptance and recordation thereafter at the Office of the Recorder of Alameda County.

EXHIBIT "A"

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QUITCLAIM OF REAL PROPERTY

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APN: 99B-5075-006-10

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END OF DESCRIPTION

NO. 36232
Page 2 of 2

This real property description has been prepared by me or under my direction in conformance with the Professional Land Surveyors' Act.



Russell Reid Penland, Jr.
County Surveyor
Reg. Expires 12/31/2011

By: *Albert Jordan*
Albert Jordan
Professional Land Surveyor
LS 6623
Reg. Expires 12/31/2011

November 2, 2010
Date

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 21st day of, December 2010, to wit:

AYES: Supervisors Carson, Haggerty, Miley, Steele & President Lai-Bitker – 5

NOES: None

EXCUSED: None



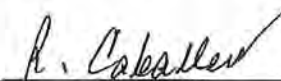
PRESIDENT, BOARD OF SUPERVISORS

File: 26879
Agenda No: 50
Document No: R-2010-493



I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:
CRYSTAL HISHIDA GRAFF
Clerk, Board of Supervisors

By: 
Deputy



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: FINANCE AND BUSINESS SERVICES

CONTACT: DENNIS GAMBS/JOHN YUE

AGENDA DATE: April 20, 2011

ITEM NO. 5c

**SUBJECT: APPROVE AGREEMENT WITH STATE OF CALIFORNIA FOR
POSSESSION AND USE OF PORTIONS OF THE ARROYO MOCHO
CHANNEL FOR THE STATE ROUTE 84 WIDENING PROJECT**

SUMMARY:

- The State of California, Department of Transportation (Caltrans), through a project sponsored and managed by the Alameda County Transportation Commission (ACTC), is widening and upgrading State Route 84 (SR 84) to expressway standards in Livermore.
- All individual access to SR 84, including the access Zone 7 now uses to maintain a segment of the Arroyo Mocho channel, will be permanently closed to meet expressway standards.
- To mitigate the loss of access to the Arroyo Mocho, the project will provide Zone 7 alternate access via Voyager Road along with an easement for access, and construction of a bridge across the Arroyo Mocho Channel to access Zone 7's southerly maintenance road plus access by the City of Livermore and PG&E to their facilities south of the Arroyo Mocho. Upon completion and acceptance of the project, the ownership of the bridge will be transferred to Zone 7.
- Certain portions of the project require Caltrans to acquire property rights from Zone 7. For ACTC to maintain its project schedule, it desires immediate possession, as documented by the Possession and Use Agreement, of the parcels identified in the R/W Exhibit attached.
- The use and possession of the parcels will not conflict or interfere with Zone 7's use of the channel for flood control purposes. The project will maintain Zone 7's current access during construction. When the alternate access is completed and an access easement is granted to Zone 7, Zone 7 will relinquish its current access to SR 84.

FUNDING:

The State has offered \$3,500 based on a fair-market appraisal as just compensation for the acquisition of the interests in the flood control channel property. Although Zone 7 will have to maintain the new bridge, this maintenance cost would not be a significant expenditure.

RECOMMENDED ACTION:

Adopt the attached resolution.

ATTACHMENTS:

Detailed Memo and Resolution

Location Map, R/W Exhibit

Draft Possession and Use Agreement, Letter from Alameda County Transportation Commission w/attachments

INTEROFFICE MEMO

Date: April 20, 2011
To: Jill Duerig, General Manager
From: Dennis Gambs, Principal Engineer
Subject: APPROVE AGREEMENT WITH STATE OF CALIFORNIA FOR
POSSESSION AND USE OF PORTIONS OF THE ARROYO MOCHO
CHANNEL FOR THE STATE ROUTE 84 WIDENING PROJECT

The Alameda County Transportation Commission ("Alameda CTC") and its predecessor, the Alameda County Transportation Improvement Authority ("ACTIA"), have been working for a number of years in cooperation with the California Department of Transportation ("Caltrans") on a project that will widen and upgrade SR 84 in Alameda County to expressway standards from south of Ruby Hill Drive to Jack London Boulevard (the "Project"). The purpose of the Project is to improve State Route 84 ("SR 84") into a regional route consistent with other committed projects on the route, improve local traffic circulation, upgrade SR 84 to an expressway facility with access control, and improve bicycle and pedestrian access. SR 84 will be widened from two lanes to four lanes between Ruby Hill Drive and Stanley Boulevard and from two lanes to six lanes between Stanley Boulevard and Jack London Boulevard. Generally, the widening will follow the existing roadway alignment and conform with the Pigeon Pass Safety Project to the south and the Interstate 580/Isabel Avenue Interchange Project to the north.

The Project impacts a segment of the Arroyo Mocho flood control channel (Channel) which is owned and maintained by Zone 7. The State is seeking property rights from Zone 7 on the following parcels for the project. (Please see the attached map for relative locations.)

<u>Parcel</u>	<u>Area (ft²)</u>	<u>Property Interest</u>
61518-1	856	Fee
61518-2	3,014	Permanent Easement
61518-3	44,226	Temporary Construction Easement
61523-1	323	Fee
61523-2	586	Permanent Soil Nail Easement

To mitigate Zone 7's loss of access from SR 84 to the Channel that the Project will cause, the Project calls for the construction of a new bridge crossing the Channel. This will provide Zone 7 access to its property, the City of Livermore's property to the south, and to Pacific Gas and Electric Company's facilities. Upon completion and acceptance of the construction work for the Channel access bridge, State will transfer all rights, title and interests in the Channel access bridge to Zone 7. At that time, Zone 7 will grant easements for ingress and egress purposes, over and across the access bridge to the City of Livermore and Pacific Gas & Electric. Zone 7 will be solely responsible for maintenance and repair of the bridge while the other parties will be liable for any damages caused by their wrongful or negligent act.

The Project will maintain Zone 7's current access to the Channel for the duration of the construction of the Project. Once construction is completed, and prior to, or concurrent with, relinquishing access control to and from SR 84 to the State, the Project will provide Zone 7 with easements and alternative access to the Channel through the Voyager Street extension and over the adjacent Livermore Airway Associates parcel and Pleasanton Gravel Co. parcel. The costs

for the construction of the access road and acquisition of the easements will be borne by the Project and not Zone 7.

The use and possession of the parcels will not conflict or interfere with the use of the Zone 7 channel for flood control purposes. The project will maintain Zone 7's current access during construction. When the alternate access is completed and an access easement is granted to Zone 7, Zone 7 will relinquish its current access to SR 84.

The proposed possession and use agreement is intended to provide immediate permission to the State to enter onto the Parcels and begin construction of the project. Grant documents describing the rights of way will subsequently be completed according to the terms of the agreement. The State has made a firm written offer of \$3,500 to Zone 7 for the interests described.

The State requests immediate possession of Zone 7's real property to construct the Project and meet its project schedule. The approval of the Agreement for Possession and Use will allow the State to proceed with the construction of its State highway project without delay, in effect serving as a temporary construction easement.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

WHEREAS, the Alameda County Transportation Commission (ACTC), acting through the State of California Department of Transportation (Caltrans), is undertaking a project to widen and upgrade State Route 84 to expressway standards from Ruby Hill Drive to Jack London Boulevard in Livermore; and

WHEREAS, an agreement has been prepared by ACTC for possession and use of portions of the Arroyo Mocho channel needed for the State Route 84 Widening Project in Livermore; and

WHEREAS, the use and possession of the parcels by ACTC and resulting mitigation as provided under the proposed agreement will not conflict or interfere with the use of Zone 7's channel for flood control purposes.

NOW, THEREFORE, BE IT RESOLVED, that the General Manager is hereby authorized to negotiate and execute said agreement with terms and conditions substantially in compliance with the attached draft agreement.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

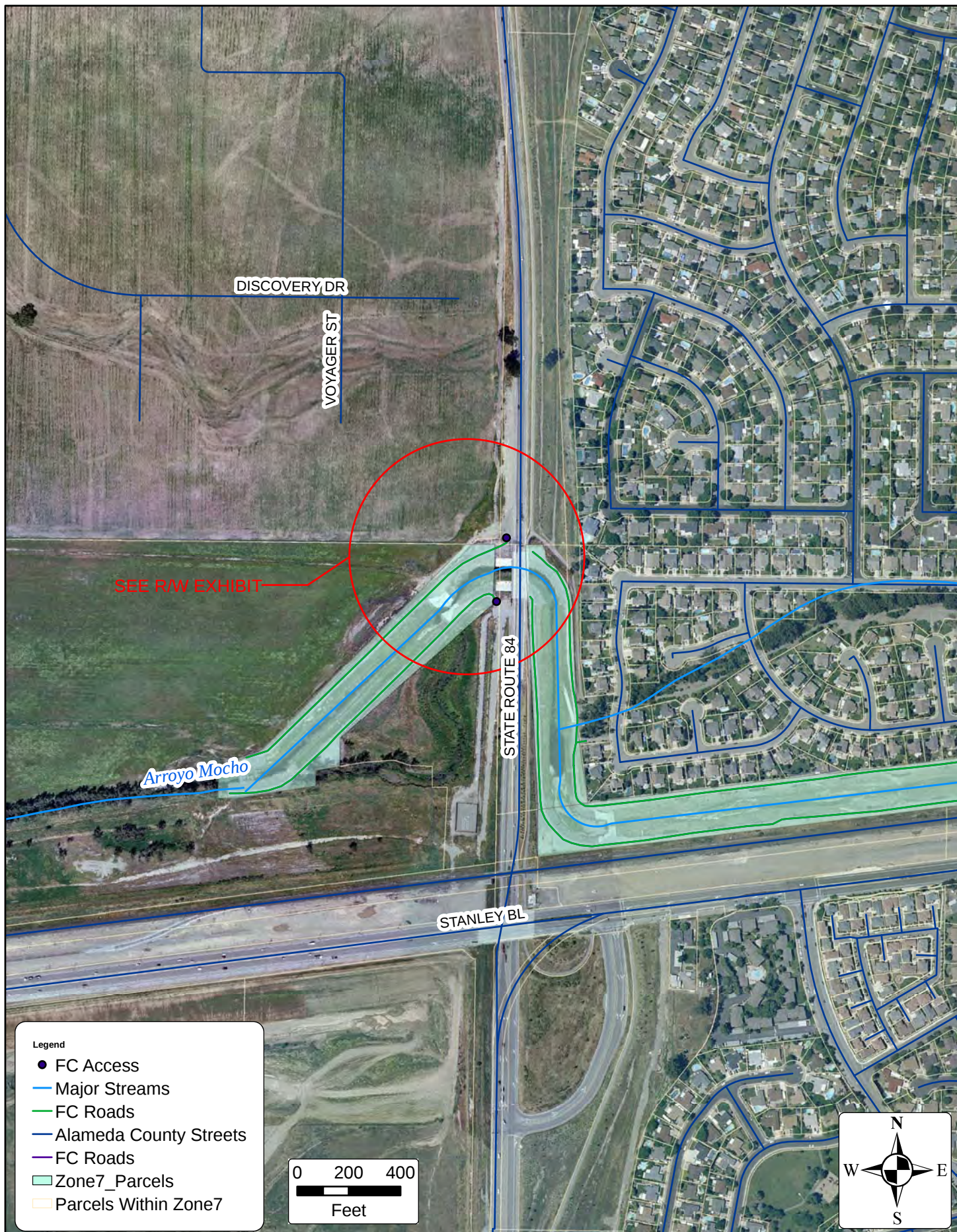
ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By: _____
President, Board of Directors



Legend

- FC Access
- Major Streams
- FC Roads
- Alameda County Streets
- FC Roads
- Zone7_Parcels
- Parcels Within Zone7

0 200 400
Feet



ZONE 7 WATER AGENCY
100 North Canyons Parkway
Livermore, CA

DRAWN: BW

REVIEWED: BW

File:

SCALE: AS SHOWN

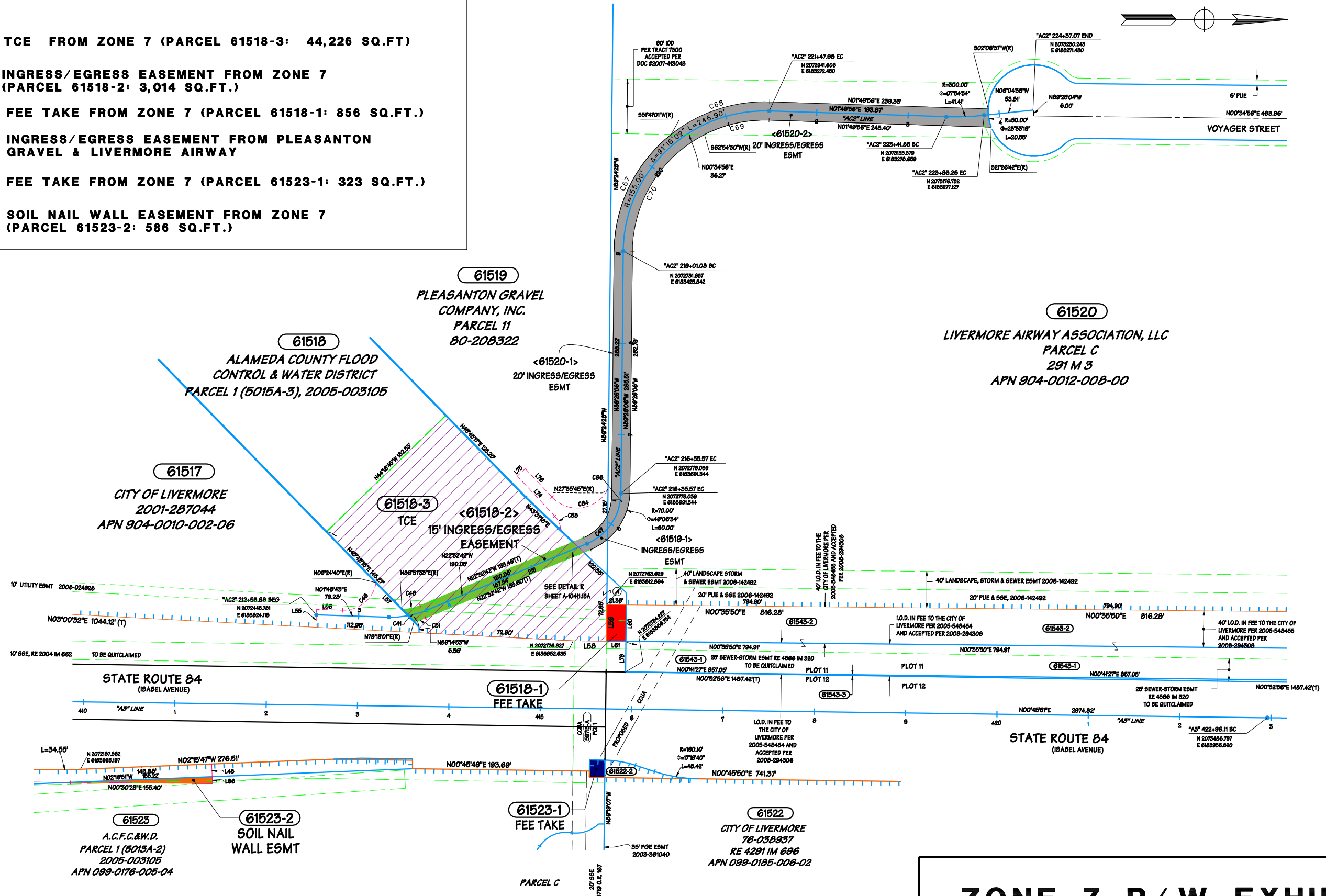
DATE: 4/11/2011

FIGURE #

Location Map
Arroyo Mocho
SR 84 Project

LEGEND:

- TCE FROM ZONE 7 (PARCEL 61518-3: 44,226 SQ.FT.)
- INGRESS/EGRESS EASEMENT FROM ZONE 7 (PARCEL 61518-2: 3,014 SQ.FT.)
- FEE TAKE FROM ZONE 7 (PARCEL 61518-1: 856 SQ.FT.)
- INGRESS/EGRESS EASEMENT FROM PLEASANTON GRAVEL & LIVERMORE AIRWAY
- FEE TAKE FROM ZONE 7 (PARCEL 61523-1: 323 SQ.FT.)
- SOIL NAIL WALL EASEMENT FROM ZONE 7 (PARCEL 61523-2: 586 SQ.FT.)



ZONE 7 R/W EXHIBIT
APRIL 14, 2011

FOR DISCUSSION PURPOSES ONLY

NOT TO SCALE

Date		
<u>ALA</u>	<u>84</u>	<u>26.4</u>
Co	Rte	Post
<u>61518 & 61523</u>		<u>297611</u>
Parcel No.		Exp Auth
<u>904-0010-002-05 & 904-0012-004</u>		
APN		

This Agreement is made this _____ day of _____, 2011, by and between the State of California, Department of Transportation (“State”), for an Alameda County Transportation Commission (“ACTC”) sponsored State Route 84 Expressway Widening Project (“Project”), and Alameda County Flood Control and Water Conservation District, Zone 7, a body corporate and politic, and its successors and assigns (“Owner”).

The Project proposes to widen and upgrade State Route 84 (“SR 84”) to expressway standards (55 mph) from Ruby Hill Drive to Jack London Boulevard for the purpose of reducing congestion along SR 84 and improving local traffic circulation; reducing impacts of regional traffic diverting to local streets; and improving safety and operations on SR 84. The proposed Project when completed as an expressway, would close all private access to SR 84 within the Project limits, and access on to SR 84 would be limited to controlled intersections to improve traffic flow and safety. The proposed Project includes four bridges, including structures for widening existing highway crossings and providing new crossings across Arroyo Del Valle and Arroyo Mocho.

Owner’s property is an operating flood channel located in the City of Livermore and is more commonly known as the “Arroyo Mocho Flood Control Channel” (“Channel”).

The State proposes to acquire from Owner for the purposes of widening SR 84, including constructing a new bridge crossing the Channel:

- (1) a 856 square foot fee area identified as Parcel 61518-1, which is more particularly described in **Exhibit A** attached hereto and incorporated herein by reference;
- (2) a 3,014 square foot permanent easement for Ingress and Egress purposes identified as Parcel 61518-2, which is more particularly described in **Exhibit B** attached hereto and incorporated herein by reference;
- (3) Temporary Construction Easements, totaling 44,226 square feet, identified as Parcel 61518-3, which is more particularly described in **Exhibit C** attached hereto and incorporated herein by reference; and
- (4) a 323 square foot fee area identified as Parcel 61523-1, and a 586 square foot permanent soil nail easement identified as Parcel 61523-2, which are more particularly described in **Exhibit D** attached hereto and incorporated herein by reference (collectively the “Parcels”).

ACTC and Owner continue to negotiate in good faith the details pertaining to the acquisition of the Parcels; however, the parties have not been able to finalize an agreement regarding the acquisition of the Parcels, and construction within the Channel. It is hereby agreed by and between the parties that State requires immediate possession of the Parcels to construct the Project. The purpose of this Agreement is to allow State to proceed with the construction of its State highway project without delay.

The Owner acquired the Arroyo Mocho Channel property for flood control purposes and the State agrees that the construction of the Project will not substantially conflict or interfere with the use of said channel property by the District for flood control purposes. Accordingly, the Project will also provide an access road and easements to Owner from the Voyager Road Extension to the Channel to mitigate the loss of access caused by the Project.

It is agreed by the parties that any delay in the start of construction of this Project is contrary to the public interest. It is the intent of this Agreement to offer fair-market compensation to Owner for permission to enter the Parcels and construct the Project. State has made a firm written offer to pay the total sum of \$3,500.00 to Owner and any other persons having an interest in the Parcels which is located in the County of Alameda, State of California.

In consideration of the sum to be paid to Owner and any other consideration hereinafter set forth, State and Owner agree as follows:

1. Owner hereby irrevocably grants to State, its contractors, agents, and all others deemed necessary by State, the irrevocable right to possession and use of the Parcels including the right to remove and dispose of improvements found within the right of way. In consideration for this irrevocable grant of possession and use, State will tender into escrow the sum of \$3,500.00. State shall have the right to take possession of the Parcels on the date this sum is paid into escrow. Owner acknowledges that this sum represents the full amount of the State-approved appraisal of what is believed by State to be just compensation owed for the acquisition of the Parcels. Owner waives any right to challenge State's right to possess and use the Parcels in any subsequent eminent domain proceeding filed by State.
2. The Project will maintain Owner's current access to the Channel from SR 84 for the duration of the construction of the Project. Prior to eliminating Owner's current access to the Channel, the Project will provide an access road and easements to Owner from the Voyager Road Extension to the Channel to mitigate the loss of access caused by the Project.
3. This transaction will be handled through an escrow with North American Title Company their Escrow No. 56901-57990425. State shall pay all escrow and recording fees incurred in this transaction. Owner shall be entitled to an interim disbursement of the sum referred to in paragraph 1 less any amounts payable to any other person having an interest in the Parcels. Any unearned rents will be prorated in escrow and State will be credited with any outstanding security deposits. Owner shall not be entitled to receive any proceeds until:
 - a. all holders of liens and encumbrances on the Parcels have received full payment for all principal and interest due to them and have executed reconveyance of their interests in the Parcel.
 - b. all other parties having interests in the Parcels have received payment therefore or have consented to a payment to Owner, and;
 - c. State has acknowledged in writing that it concurs that all other parties having interests in the Parcels have received full payment or have consented to Owner's withdrawal. State will provide such written acknowledgment within 30 days after it confirms either of these two actions. State will attempt to confirm the above actions within 30 days of Owner's request to withdraw the funds held in escrow.

This escrow shall remain open until a settlement is reached, this Agreement is terminated, or a final order of condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court. Any sum disbursed to Owner from this escrow shall be deducted from the ultimate amount received by Owner as a result of any settlement, award or verdict of just compensation for the Parcels.
4. On and after the date of execution of this Agreement, Owner shall not voluntarily assign, sell, encumber or otherwise transfer all or any portion of its interest in the Parcels, or the larger parcel of which the Parcels are a part, unless to a successor public agency, during the term of this Agreement, without first obtaining the written consent of State. If Owner assigns, sells, conveys or otherwise transfers any portion of its interest in the Parcels, or the larger parcel of which the Parcels are a part to any successor public agency during the term of this Agreement, Owner shall give written notice of such transfer to ACTC within 15 days of such transfer.
5. This Agreement is made with the understanding that State will continue to negotiate in good faith with Owner to acquire its interest in the Parcels by direct purchase. It is further understood that in the event a settlement is not reached within 120 days of the execution of this Agreement, such failure will be an acknowledgement that the negotiations to acquire the Parcels have proved futile. On this date, State shall begin timely preparations for the filing of a complaint in eminent domain to acquire title to the Parcels. If State begins proceedings in eminent domain, it is understood and agreed that this Agreement shall continue in effect until either a settlement is reached or a final order of condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court.
6. Section 1245.235 of the Code of Civil Procedure requires the State of California, Department of Transportation, to give each person whose property is to be acquired by eminent domain notice and a reasonable opportunity to appear before the California Transportation Commission and be heard on the matters referred to in Section 1240.030 of the Code of Civil Procedure, which provides:

The power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

- (1) The public interest and necessity require the project.
 - (2) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
 - (3) The property sought to be acquired is necessary for the project.
 - (4) The offer required by Section 7267.2 of the Government Code has been made to the Owner or others of record. (If an offer has not been made, an appraisal will be prepared as soon as practicable and an offer made of the full amount of such appraisal.)
7. By granting this irrevocable right to possession and use of the Parcels to State, Owner agrees to the following: (1) Owner specifically waives the notice required by Code of Civil Procedure Section 1245.235 of the hearing of the matter referred to in Code of Civil Procedure Section 1240.030 and the adoption of the resolution of necessity by the California Transportation Commission authorizing the taking of the property described in **Exhibits A, B, C, and D**; (2) Owner shall not object to the filing of an eminent domain proceeding to acquire the property described in **Exhibits A, B, C, and D**; and (3) in any eminent domain action filed by State to acquire the property described in **Exhibits A, B, C, and D**. Owner shall not challenge State's right to take such property, and the only issue shall be the amount of just compensation for the property.
8. Owner agrees that in the event the ultimate amount of any settlement, award, or verdict is less than the total of the sums paid to and withdrawn by Owner, Owner shall refund the difference including interest to State.
9. Owner expressly waives all claims and defenses in its favor in any subsequent eminent domain proceeding except for a claim for greater compensation.
10. In the event proceedings in eminent domain are begun, the date of valuation for determining the amount of just compensation for the Parcels shall be the date on which State files the complaint in said proceeding.
11. Compensation awarded in an eminent domain proceeding shall draw interest as prescribed at the apportionment rate calculated by the controller as the rate of earnings by the Surplus Money Investment Fund for each six-month period. Owner shall be entitled to receive interest on any sum received as compensation for its interest in the Parcels, whether pursuant to this Agreement, a subsequent settlement or court judgment, beginning on the date State is authorized to take possession of the Parcels pursuant to this Agreement and ending on the earliest of the following dates:
 - a. the date the amount placed into escrow by State is paid to Owner;
 - b. the date the amount is paid directly to Owner, or;
 - c. the date the amount is deposited with the court as the award in a judgment in condemnation.
12. At any time after the commencement of the proceeding in eminent domain, State reserves the right to abandon the proceeding in whole or in part.
13. This Agreement shall also extend to and bind heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties, and will run with the land.
14. State shall record a memorandum of this Agreement.
15. Prior to commencement of construction of the Project in the Channel, State's contractor will obtain a construction permit from Owner. Approval and issuance of the construction permit, based on Project plans and specifications, will not be unreasonably withheld by Owner.

16. All notices given under this Agreement shall be in writing and shall be sent postage prepaid by either (a) United States certified mail, return receipt requested, or (b) for delivery on the next business day with a nationally-recognized express courier (e.g., FedEx). All such notices shall be sent to the following addresses. Any party may designate a different address for notices by giving written notice of such change of address to the other party.

To Owner:

Zone 7 Water Agency
100 North Canyons Parkway, Livermore,
CA 94551
Attn: G. F. Duerig

To State or ACTC:

Alameda County Transportation Commission
1333 Broadway, Suite 300
Oakland, CA 94612
Attn: Stefan Garcia

17. This Agreement shall terminate when a settlement agreement is reached between the parties expressly providing for the termination of this Agreement, or a final order of condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

ALAMEDA COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT, ZONE 7

By: _____
G. F. DUERIG
General Manager

ALAMEDA COUNTY TRANSPORTATION
COMMISSION

By: _____
ARTHUR L. DAO
Executive Director

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

By: _____
STEVEN L. CASTELLANO
Right of Way Consultant

By: _____
R.A. MACPHERSON
Deputy District Director
Right of Way

By: _____
MARK WEAVER
District Office Chief
Right of Way Acquisition & Utility Services



1333 Broadway, Suites 220 & 300

Oakland, CA 94612

PH: (510) 208-7400

www.AlamedaCTC.org

Commission Chair
Mark Green, Mayor - Union City

Commission Vice Chair
Scott Haggerty, Supervisor - District 1

AC Transit
Greg Harper, Director

Alameda County
Supervisors
Nadia Lockyer - District 2
Wilma Chan - District 3
Nate Mikey - District 4
Keith Carson - District 5

BART
Thomas Dinklock, Director

City of Alameda
Devery Johnson, Councilmember

City of Albany
Farid Javandel, Mayor

City of Berkeley
Laurie Capitelli, Councilmember

City of Dublin
Tim Sbrantl, Mayor

City of Emeryville
Ruth Atkin, Councilmember

City of Fremont
Suzanne Chan, Vice Mayor

City of Hayward
Cilden Henson, Councilmember

City of Livermore
Marshall Kamena, Mayor

City of Newark
Luis Freitas, Vice Mayor

City of Oakland
Councilmembers
Larry Reid
Rebecca Kaplan

City of Piedmont
John Chiang, Vice Mayor

City of Pleasanton
Jennifer Hosterman, Mayor

City of San Leandro
Joyce R. Starosciak, Councilmember

Executive Director
Arthur L. Dao

April ___, 2011

G. F. Duerig
General Manager
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Re: Acquisition of real property interests from Zone 7 for State Route 84 Expressway Project

Dear Ms. Duerig,

As you know, the Alameda County Transportation Commission ("Alameda CTC") and its predecessor, the Alameda County Transportation Improvement Authority ("ACTIA"), have been working for a number of years in cooperation with the California Department of Transportation ("Caltrans") on a project that will widen and upgrade SR 84 in Alameda County to expressway standards from south of Ruby Hill Drive to Jack London Boulevard (the "Project"). The purpose of the Project is to improve State Route 84 ("SR 84") into a regional route consistent with other committed projects on the route, improve local traffic circulation, upgrade SR 84 to an expressway facility with access control, and improve bicycle and pedestrian access. SR 84 will be widened from two lanes to four lanes between Ruby Hill Drive and Stanley Boulevard and from two lanes to six lanes between Stanley Boulevard and Jack London Boulevard. Generally, the widening will follow the existing roadway alignment and conform with the Pigeon Pass Safety Project to the south and the Interstate 580/Isabel Avenue Interchange Project to the north. A vicinity map and location map have been included with this letter for your reference.

A portion of the proposed Project is immediately adjacent to the Arroyo Mocho Flood Control Channel ("Channel") which is owned and operated by the Alameda County Flood Control and Water Conservation District, Zone 7 ("Zone 7"). Accordingly, for the purposes of widening SR 84, including constructing a new bridge crossing the Channel, it is necessary to acquire certain real property interests from Zone 7. These are:

(1) a 856 square foot fee area identified as Parcel 61518-1, which is more particularly described in **Exhibit A**;

- (2) a 3,014 square foot permanent ingress and egress easement identified as Parcel 61518-2, which is more particularly described in **Exhibit B**;
- (3) a total of 44,226 square feet for temporary construction easements, identified as Parcel 61518-3, which is more particularly described in **Exhibit C**; and
- (4) a 323 square foot fee area identified as Parcel 61523-1, and a 586 square foot permanent soil nail easement identified as Parcel 61523-2, which are more particularly described in **Exhibit D** (collectively the "Parcels").

It has been agreed between Caltrans/Alameda CTC and Zone 7 that any delay in the start of construction of this Project is contrary to the public interest. Thus, Caltrans and Alameda CTC have asked that Zone 7 enter into an Agreement for Possession and Use to allow the Project to start construction in the area of the Parcels while the parties continue in good faith to negotiate the terms of a permanent agreement. A copy of the Agreement for Possession and Use ("APU") is included with this letter. We would appreciate it if you could execute the APU and return it to us at your earliest convenience so that we may proceed with the Project.

The purpose of this letter is to memorialize the basic terms of the permanent agreement, which will address the acquisition of the needed Parcels, the construction of a new bridge over the Channel, and the conveyance of access easements for access to the Channel to Zone 7.

These terms are as follows:

Acquisition of the Parcels

As noted above, the Project requires the acquisition of certain real property interests, which are described in Exhibits A, B, C and D.

The conveyance of the interests described in Exhibits A and D will be through grant deeds from Zone 7 to Caltrans.

The conveyance of the interests described in Exhibit C will be through a grant deed from Zone 7 to Caltrans. This is for a twenty-four month temporary construction easement.

The conveyance of the interests described in Exhibit B will be through a grant deed from Zone 7 to the ultimate users of the easement, Pacific Gas & Electric Company and City of Livermore. This easement is necessary so that Pacific Gas & Electric Company and the City of Livermore can cross the new bridge to access their properties to the south of the Channel.

In addition to the new Channel bridge and access easements described below, Caltrans and Alameda CTC agree to compensate Zone 7 in the amount of Three Thousand Five-Hundred Dollars (\$3,500.00) for the acquisition of the above interests, and provide access easements, at no cost to Zone 7, for access to the Channel once the Project is completed and accepted by Caltrans.

Construction of the Bridge over the Channel

As noted, as part of the Project, a new bridge will be built over the Channel (the "Channel Bridge").

It is noted that Zone 7 acquired the Arroyo Mocho Channel property for flood control purposes and Caltrans and Alameda CTC agree that the construction of the Project will not substantially conflict or interfere with the use of the Channel by Zone 7 for flood control purposes. It is recognized that the parties have spent a substantial amount of time to create Project plans that mitigate the Project impact on the use and operation of the Channel. These plans show the improvements needed to prevent the Project from substantially conflicting with, or interfering with the use of, the Channel for flood control purposes.

Prior to commencement of construction of the Project and the Channel Bridge, Caltrans' contractor will obtain a construction permit from Zone 7 for the construction of the Channel Bridge, based on the above-referenced plans. The approval and issuance of the construction permit will not be unreasonably withheld by Zone 7.

Upon acceptance of the completed Channel Bridge by Zone 7, Caltrans/Alameda CTC will transfer all rights, title and interest in the Channel Bridge to Zone 7. From that point forward, Zone 7 will be solely responsible for the ownership, maintenance and repair of the Channel Bridge, except for damages caused by others beyond normal wear and tear.

As noted above in reference to the property interests described in Exhibit B, Zone 7 will agree to allow Pacific Gas & Electric Company and City of Livermore to use the Channel Bridge for access to and from their properties located on the south side of Channel. Alameda CTC understands that Zone 7, as part of this easement, will require that Pacific Gas & Electric Company and City of Livermore get permission in writing from Zone 7 prior to assigning or transferring their interests.

Conveyance of Access Easement to Zone 7

As part of the Project, Caltrans/Alameda CTC will provide an access road and easements from the Voyager Road Extension to the Channel to mitigate the loss of access caused from the Project. Zone 7 currently has access to the Channel from SR 84 at the property described in Exhibit A. The Project will maintain and allow Zone 7's current access from SR 84 to the Channel for the duration of the construction of the Project, until the alternative access is provided.

Once Caltrans accepts the completed Project, all uncontrolled access points from and to SR 84, such as Zone 7's current access point referenced above, will be permanently closed. Prior to this event, the Project will provide recorded access easements to Zone 7, at no cost, through the Voyager Street extension and over the adjacent Livermore Airway Associates parcel (Assessor's parcel no. 904-0012-008), and Pleasanton Gravel Co. parcel (Assessor's parcel no. 904-0010-002-02) to the Channel and the Channel Bridge, over the areas more particularly described in Exhibits E and F. Alameda CTC will use its best efforts to require that Livermore Airway Associates and Pleasanton

Gravel Co. provide in these easements that they will get permission in writing from Zone 7 prior to conveying any additional rights over the areas described in Exhibits E and F.

Zone 7 will be solely responsible for the maintenance and repair of these easement areas, as determined by Zone 7. Zone 7 would not be responsible for damage caused by other users beyond normal wear and tear.

Miscellaneous

The permanent agreement will be binding on any successor public agencies to Zone 7.
The permanent agreement will define the termination of the Agreement for Possession and Use.

As requested above, please execute the enclosed APU and return it to us so that we may proceed with the Project. Once the APU is finalized, our staff will continue to work toward a permanent final agreement, which will incorporate the above terms.

If you have any questions or need additional information on this matter, please feel free to contact me at (510) 208-7402. Thank you.

Sincerely,

ARTHUR L. DAO
Executive Director
Alameda County Transportation Commission

Enclosures

Exhibit A - 856 square foot fee area identified as Parcel 61518-1
Exhibit B - 3,014 square foot permanent ingress and egress easement, identified as Parcel 61518-2
Exhibit C - 44,226 square foot temporary construction easements, identified as Parcel 61518-3
Exhibit D - 323 square foot fee area identified as Parcel 61523-1, and 586 square foot permanent soil nail easement identified as Parcel 61523-2
Exhibit E - 15,815 square feet permanent ingress and egress easement, identified as 61520-1
Exhibit F - 603 square feet permanent ingress and egress easement, identified as 61519-1

A vicinity map and a location map

Agreement for Possession and Use

EXHIBIT "A"

LAND DESCRIPTIONS OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 1 (5016-3), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED JANUARY 4, 2005 UNDER DOCUMENT NUMBER 2005-003105, OFFICIAL RECORDS OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61518-1

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 1 (5016-3), SAID POINT BEING COINCIDENT WITH THE WESTERLY LINE OF PARCEL 6 (60248-6) AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE NORTH 89°24'28" WEST 40.04 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 1 (5016-3);
2. THENCE LEAVING LAST SAID LINE, NORTH 00°35'50" EAST 21.38 FEET TO THE NORTHERLY LINE OF SAID PARCEL 1 (5016-3);
3. THENCE SOUTH 89°23'22" EAST 40.00 FEET ALONG SAID NORTHERLY LINE TO SAID WESTERLY LINE OF PARCEL 6 (60248-6);
4. THENCE SOUTH 00°28'27" WEST 21.37 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CONTAINING 856 SQUARE FEET (0.020 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

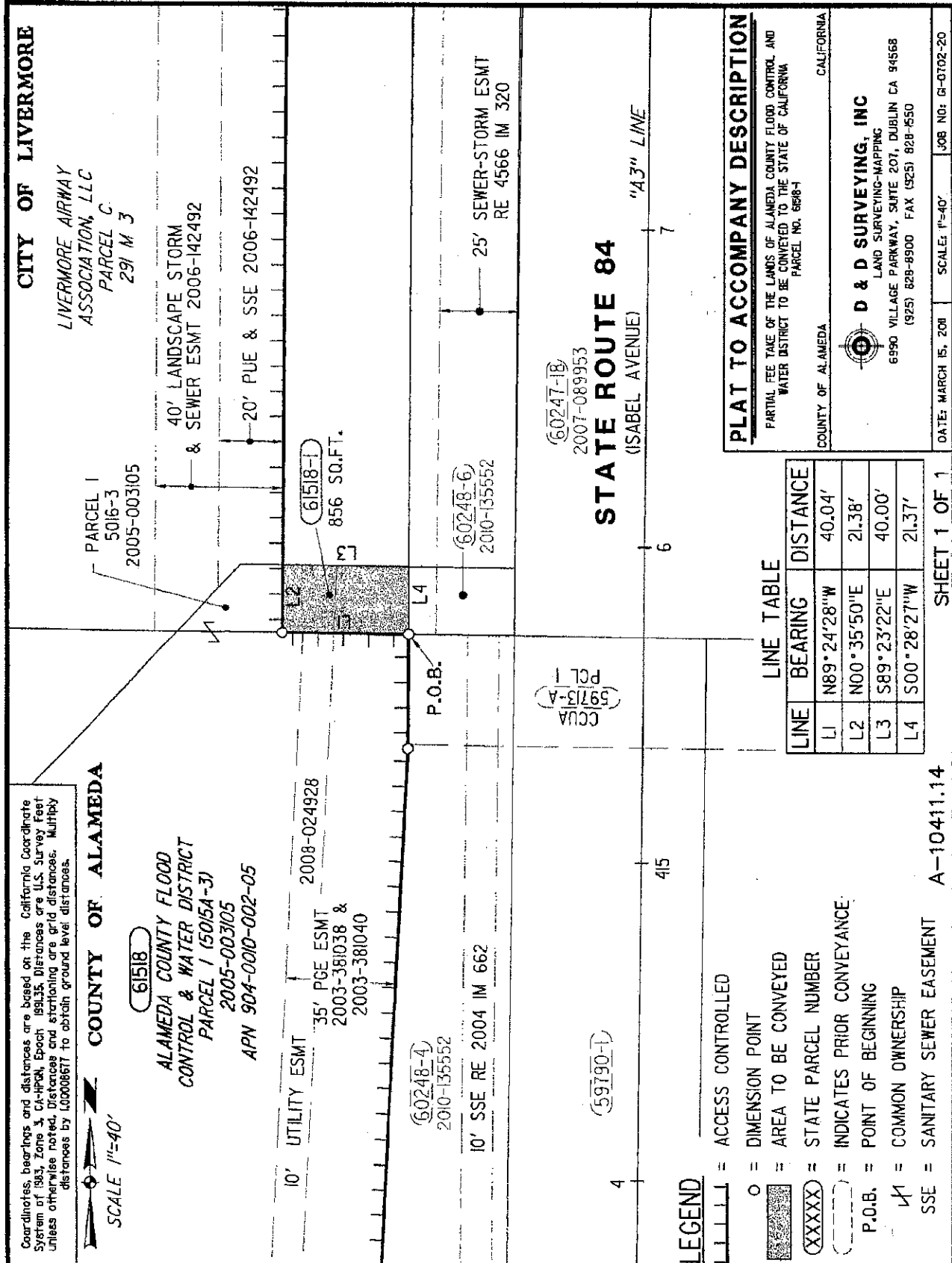
THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/12

March 19, 2011
DATE





Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 1, CA-HPCA, Epoch 1993.5. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.0008677 to obtain ground level distances.

CITY OF LIVERMORE
ALAMEDA COUNTY FLOOD CONTROL & WATER DISTRICT
PARCEL 1 (5015A-3)
2005-003105
APN 904-0010-002-05

SCALE 1"=40'

61518

ALAMEDA COUNTY FLOOD CONTROL & WATER DISTRICT
PARCEL 1 (5015A-3)
2005-003105
APN 904-0010-002-05

10' UTILITY ESMT
35' PGE ESMT
2003-381038 &
2003-381040
10' SSE RE 2004 IM 662
2010-135552
25' SEWER-STORM ESMT
RE 4566 IM 320

2008-024928
2003-381038 &
2003-381040

856 SQ.FT.

L2

L4

P.O.B.

60248-4
2010-135552

10' SSE RE 2004 IM 662
2010-135552

25' SEWER-STORM ESMT
RE 4566 IM 320

CCUA
5913-A
PCL 1

60247-18
2007-089953

STATE ROUTE 84
(ISABEL AVENUE)

"4.3" LINE

6

415

LEGEND

===== ACCESS CONTROLLED

O = DIMENSION POINT

===== AREA TO BE CONVEYED

XXXXXX = STATE PARCEL NUMBER

----- INDICATES PRIOR CONVEYANCE

P.O.B. = POINT OF BEGINNING

1/1 = COMMON OWNERSHIP

SSE = SANITARY SEWER EASEMENT

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°24'28"W	40.04'
L2	N00°35'50"E	21.38'
L3	S89°23'22"E	40.00'
L4	S00°28'27"W	21.37'

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER DISTRICT TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 5668-1

COUNTY OF ALAMEDA
CALIFORNIA



D & D SURVEYING, INC.
LAND SURVEYING-MAPPING

6590 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
(925) 828-8900 FAX (925) 828-8550

DATE: MARCH 15, 2011
SCALE: 1"=40'
JOB NO: G-0702-20

SHEET 1 OF 1

A-10411.14

EXHIBIT "B"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTIONS OF THAT PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED JANUARY 4, 2005 UNDER DOCUMENT NUMBER 2005-003105, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61518-2)

AN EASEMENT FOR INGRESS AND EGRESS PURPOSES AND INCIDENTS THERETO, UPON, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF PARCEL 1 (5015A-3) AS DESCRIBED IN SAID GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, SAID POINT BEING SOUTH 45°43'15" WEST 7.89 FEET FROM THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 45°45'46" EAST 775.36 FEET, (THE BEARING OF NORTH 45°43'15" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN SAID GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT;

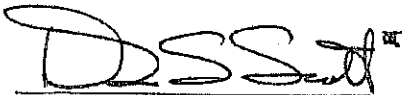
1. THENCE SOUTH 45°43'15" WEST 18.91 FEET ALONG SAID SOUTHEASTERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 55.00 FEET, (A RADIAL LINE OF SAID CURVE TO SAID POINT BEARING NORTH 88°51'33" EAST);
2. THENCE NORTHERLY 20.55 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°24'14";
3. THENCE NORTH 22°32'42" WEST 180.88 FEET TO NORTHWESTERLY LINE OF SAID LANDS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT;
4. THENCE NORTH 43°31'18" EAST 16.41 FEET ALONG SAID NORTHWESTERLY LINE;
5. THENCE LEAVING SAID NORTHERLY LINE, SOUTH 22°32'42" EAST 187.54 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 70.00 FEET;
6. THENCE SOUTHERLY 13.15 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°45'42" TO THE SOUTHEASTERLY LINE OF SAID LANDS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE **POINT OF BEGINNING**.

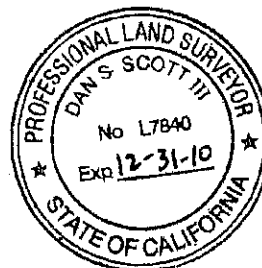
CONTAINING 3,014 SQUARE FEET (0.069 ACRES), MORE OR LESS.

A PLAT MAP IS ATTACHED HERETO AND MADE A PART HEREOF

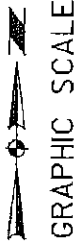
THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

 **Sept 29, 2009**
 DAN S. SCOTT III, PLS 7840 DATE
 LICENSE EXPIRES: 12/31/10

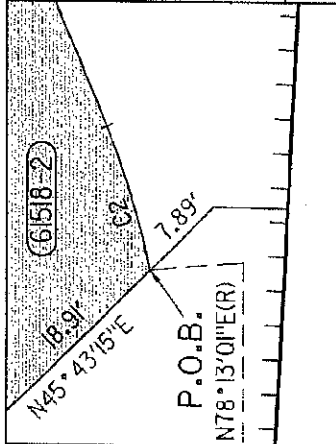


Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPKM, Epoch 1983.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.0008577 to obtain ground level distances.



GRAPHIC SCALE
0 40 80
1" = 40'

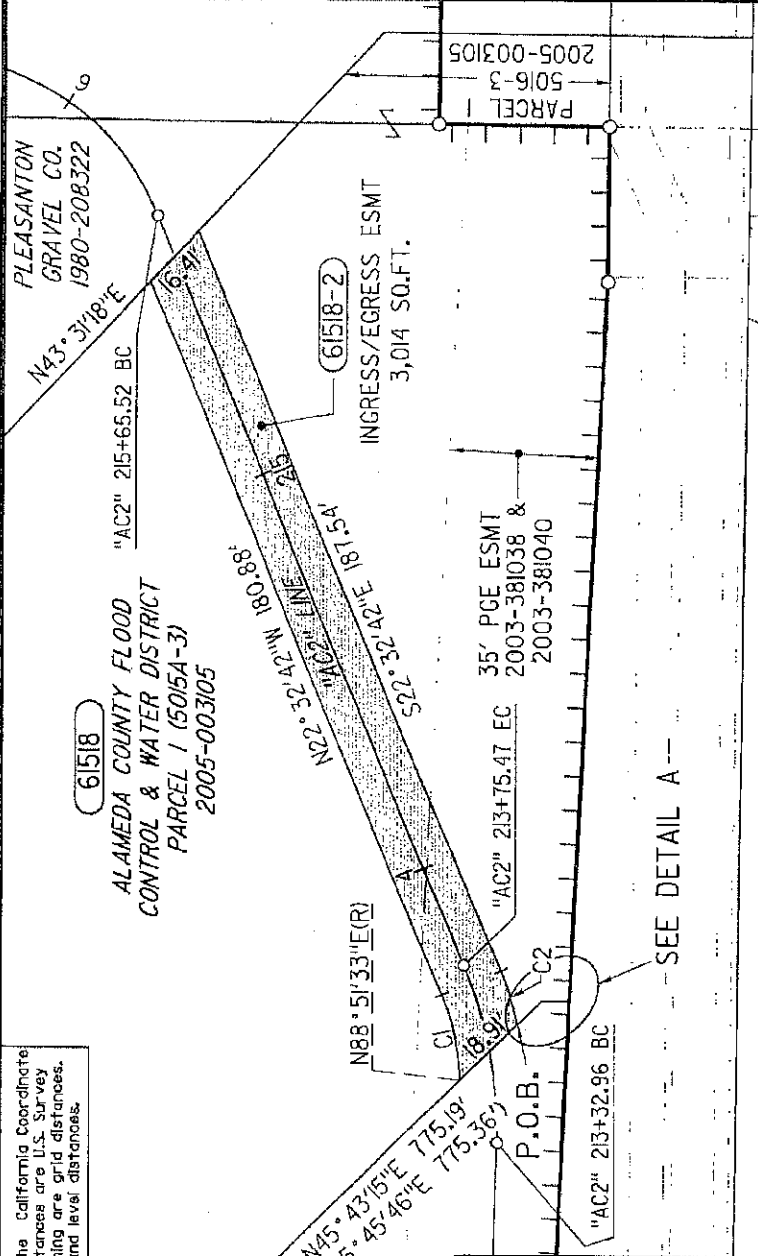
CITY OF LIVERMORE
2001-287044
APN 904-0010-002-06



DETAIL A
NO SCALE

LEGEND

- ||||| = ACCESS CONTROLLED
- O = DIMENSION POINT
- [Hatched Box] = AREA TO BE CONVEYED
- (XXXXX) = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- () = PER 2005-003105 O.R.
- 1/4" = COMMON OWNERSHIP



STATE ROUTE 84 (ISABEL AVENUE)

"A3" LINE 415 4

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
CI	55.00'	21°24'14"	20.55'
C2	70.00'	10°45'42"	13.15'

PLAT TO ACCOMPANY DESCRIPTION

INGRESS EGRESS EASEMENT OVER OF THE LANDS OF ALAMEDA COUNTY
FLOOD CONTROL AND WATER DISTRICT
PARCEL NO. 61518-2
CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



GEOMATICS TRANSPORTATION SERVICES, INC
RIGHT-OF-WAY- LAND SURVEYING-MAPPING
6690 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
(925) 556-1776 FAX (925) 833-9443

A-10411.14 SHEET 1 OF 1

DATE: SEPT 28, 2009 SCALE: 1"=40' JOB NO: G1-0702-20

EXHIBIT "C"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 1 (5015A-3), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED JANUARY 4, 2005 UNDER DOCUMENT NUMBER 2005-003105, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61518-3

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 30, 2014 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1 (5015A-3), SAID POINT BEING COINCIDENT WITH THE WESTERLY LINE OF THAT CERTAIN PARCEL DESIGNATED AS PARCEL 4 (60248-4), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES;

1. SOUTH 00°28'27" WEST 36.29 FEET;
2. SOUTH 03°00'32" WEST 169.02 FEET TO THE GENERAL SOUTHERLY LINE SAID PARCEL 1 (5015A-3);

THENCE ALONG SAID GENERAL SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES;

3. NORTH 89°14'53" WEST 6.56 FEET;
4. SOUTH 45°43'15" WEST 145.27 FEET;
5. THENCE LEAVING LAST SAID LINE, NORTH 44°16'45" WEST 182.53 FEET TO THE GENERAL NORTHWESTERLY LINE OF SAID PARCEL 1 (5015A-3);

THENCE ALONG SAID GENERAL NORTHWESTERLY LINE THE FOLLOWING TWO (2) COURSES;

6. NORTH 45°43'17" EAST 125.20 FEET;
7. NORTH 43°31'18" EAST 122.85 FEET TO THE NORTHERLY LINE OF SAID PARCEL 1 (5015A-3);
8. THENCE SOUTH 89°24'28" EAST 72.95 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CONTAINING 44,226 SQUARE FEET (1.015 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.


DAN S. SCOTT III, PLS 7840 DATE MARCH 15, 2011
LICENSE EXPIRES: 12/31/12



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-100N, Epoch 1983. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.0000677 to obtain ground level distances.

61518
ALAMEDA COUNTY FLOOD CONTROL & WATER DISTRICT
PARCEL 1 (50154-3)
2005-003105
APN 904-0010-002-05

COUNTY OF ALAMEDA

PLEASANTON GRAVEL CO.
80-208322

LIVERMORE AIRWAY ASSOCIATION, LLC
PARCEL C
291 M 3

CITY OF LIVERMORE
2001-287044

PARCEL 1
(5106-3)
2005-003105

LEGEND

- ACCESS CONTROLLED
- DIMENSION POINT
- AREA TO BE CONVEYED
- STATE PARCEL NUMBER
- INDICATES PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- COMMON OWNERSHIP
- TERMINATION DATE

STATE ROUTE 84
(ISABEL AVENUE)

415
"43" LINE

60248-4
2010-135553

PLAT TO ACCOMPANY DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT OVER THE LANDS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER DISTRICT TO BE CONVEYED TO THE STATE OF CALIFORNIA, PARCEL NO. 658B-3

COUNTY OF ALAMEDA CALIFORNIA



D & D SURVEYING, INC.
LAND SURVEYING-MAPPING
6590 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
(925) 828-8900 FAX (925) 828-8550

DATE: MARCH 15, 2011 SCALE: 1"=50' JOB NO: G-0702-20

A-10411.14

EXHIBIT "D"

LAND DESCRIPTION OF TWO (2) PARCELS OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 1 (5013A-2) OF THE GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED JANUARY 4, 2005 UNDER DOCUMENT NUMBER 2005-003105, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61523-1)

BEGINNING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN PARCEL 17 (60247-17) OF THE GRANT DEED TO THE STATE OF CALIFORNIA, RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953, OFFICIAL RECORDS OF SAID COUNTY, AS SOUTH 00°46'06" WEST 4.999 METERS, (THE BEARING OF SOUTH 00°46'05" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) ;

1. THENCE NORTH 00°46'05" EAST 16.40 FEET ALONG THE GENERAL EASTERLY LINE OF SAID PARCEL 17 TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 113.52 FEET;
2. THENCE NORTHERLY 0.56 FEET ALONG SAID CURVE AND SAID GENERAL EASTERLY LINE THROUGH A CENTRAL ANGLE OF 00°16'56" TO THE NORTHWESTERLY CORNER OF SAID PARCEL 1 (5013A-2);
3. THENCE SOUTH 89°19'07" EAST 19.03 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL 1 (5013A-2);
4. THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°45'50" EAST 16.99 FEET;
5. THENCE NORTH 89°13'55" WEST 6.78 FEET TO THE GENERAL WESTERLY LINE OF SAID PARCEL 1 (5013A-2);
6. THENCE NORTH 89°13'55" 12.25 FEET ALONG SAID GENERAL WESTERLY LINE TO THE **POINT OF BEGINNING.**

CONTAINING 323 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY.

PARCEL 2 (61523-2)

A PERMANENT SOIL NAIL EASEMENT FOR THE PURPOSE OF LATERAL SUPPORT FOR A RETAINING WALL AND THE RIGHT AND PRIVILEGE TO MAINTAIN SAID RETAINING WALL, AS THE GRANTEE MAY SEE FIT, INCLUSIVE OF ALL NECESSARY NAIL SUPPORTS, FENCES, PROTECTIVE BARRIERS AND FIXTURES FOR USE IN CONNECTION THEREWITH OR APPURTENANT THERETO, IN, UNDER, OVER, ALONG, UPON AND ACROSS SAID EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EASTERLY LINE OF PARCEL 17 (60247-17) OF THE GRANT DEED TO THE STATE OF CALIFORNIA, RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953, OFFICIAL RECORDS OF SAID COUNTY, FROM WHICH THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS SOUTH 02°15'46" EAST 93.581 METERS, (THE BEARING OF SOUTH 02°15'47" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) BEARS SOUTH 02°15'47" EAST 143.68 FEET;

1. THENCE NORTH 87°44'13" EAST 13.90 FEET TO THE WESTERLY LINE OF SAID PARCEL 1 (5013A-2), SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING;**
2. THENCE LEAVING SAID WESTERLY LINE, NORTH 87°44'13" EAST 7.56 FEET;
3. THENCE SOUTH 00°30'23" WEST 155.40 FEET TO SAID WESTERLY LINE;
4. THENCE NORTH 02°16'51" WEST 155.22 FEET ALONG LAST SAID LINE TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 586 SQUARE FEET (0.013 ACRES), MORE OR LESS.

ALSO, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT AREA OVER AND ACROSS SAID LANDS BY MEANS OF ROADS AND LANES THEREON, IF SUCH THERE BE, OTHERWISE BY SUCH ROUTE OR ROUTES AS SHALL OCCASION THE LEAST PRACTICABLE DAMAGE AND INCONVENIENCE TO GRANTOR, PROVIDED, THAT SUCH RIGHT OF INGRESS AND EGRESS SHALL NOT EXTEND TO ANY PORTION OF SAID LANDS WHICH IS ISOLATED FROM SAID EASEMENT AREA BY ANY PUBLIC ROAD OR HIGHWAY, NOW CROSSING OR HEREAFTER CROSSING SAID LANDS.

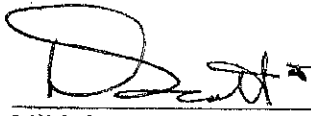
GRANTOR, HEREBY RESERVES THE RIGHT TO USE SAID EASEMENT AREA FOR PURPOSES WHICH WILL NOT INTERFERE WITH GRANTEE'S FULL ENJOYMENT OF THE RIGHTS HEREBY GRANTED; PROVIDED THAT GRANTOR, ITS SUCCESSORS OR ASSIGNS SHALL NOT EXCAVATE, ERECT, PLACE OR CONSTRUCT ANY PERMANENT BUILDING OR OTHER STRUCTURES, SEPTIC SYSTEM, LEACH FIELD, CONSTRUCT ANY FENCE, TREES, PLACE UNDERGROUND UTILITIES, DRILL OR OPERATE ANY WELL, OR CONSTRUCT ANY RESERVOIR OR OTHER OBSTRUCTION WITHIN SAID EASEMENT AREA, OR DIMINISH OR INSTALL ANYTHING THAT WILL INTERFERE WITH THE RIGHTS HEREIN GRANTED TO GRANTEE WITHIN SAID EASEMENT AREA.

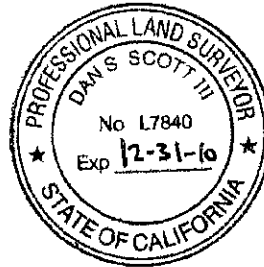
THIS INSTRUMENT SHALL BIND AND INURE TO THE BENEFIT OF THE SUCCESSORS AND ASSIGNS OF THE PARTIES HERETO.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

 June 24, 2010
DAN S. SCOTT III, PLS 7840 DATE
LICENSE EXPIRES: 12/31/10



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1993.5. Distances are U.S. Survey Feet unless otherwise noted. Distances and extension are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



SCALE 1"=30'

"A3" LINE

(59790-1)

R=13.52'
Δ=00°16'56"
L=0.56'

N88°56'58"W(R)

(61523-D)
323 SQ.FT.

DETAIL A
NO SCALE

CONSENT TO COMMON USE
AGREEMENT 2007-89954

(59713-A)

(60247-17)
2007-089953

Q PGE ESMT
UNSPECIFIED WIDTH
2005-271817

N00°45'49"E 193.69'

(61523)

A.C.F.C. & W.D.
PARCEL 1 (5013A-2)
2005-003105
APN 099-0176-005-04

(61523-D)

323 SQ.FT.

N00°46'05"E
16.40'

P.O.B.

SEE DETAIL A

(60247-18)

2007-089953

STATE ROUTE 84
(ISABEL AVENUE)

CITY OF LIVERMORE
1996-038937
RE 4291 IM 696

CITY OF LIVERMORE

LEGEND

===== ACCESS CONTROLLED

O = DIMENSION POINT

===== AREA TO BE CONVEYED

(XXXXXX) = STATE PARCEL NUMBER

(---) = INDICATES PRIOR CONVEYANCE

P.O.B. = POINT OF BEGINNING A-10411.14

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°45'50"W	16.99'
L2	N89°13'55"W	6.78'
L3	N89°13'55"W	12.25'

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OVER THE LANDS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER DISTRICT TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 5623-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



GEOMATICS TRANSPORTATION SERVICES, INC

RIGHT-OF-WAY- LAND SURVEYING-MAPPING

6690 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568

(925) 556-1776 FAX (925) 833-9443

DATE: JUNE 24, 2010 SCALE: 1"=30' JOB NO: G-0702-20

SHEET 1 OF 2

EXHIBIT "E"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL C AS SAID PARCEL IS SHOWN ON TRACT 7300 FILED JANUARY 26, 2006 IN BOOK 291 OF MAPS PAGES 3 THROUGH 13, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 2 (61520-1)

A 20 FOOT EASEMENT FOR INGRESS/EGRESS PURPOSES AND INCIDENTS THERE TO, UPON OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE GENERAL WESTERLY LINE OF PARCEL 1 (5015A-3), AS SAID PARCEL IS DESCRIBED IN THE DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED JANUARY 1, 2005 UNDER DOCUMENT NUMBER 2005003105 OFFICIAL RECORDS OF SAID COUNTY, WITH THE SOUTHERLY LINE OF SAID PARCEL C;

1. THENCE NORTH 89°24'28" WEST 38.59 FEET ALONG SAID SOUTHERLY LINE TO **THE TRUE POINT OF BEGINNING**;
2. THENCE NORTH 89°24'28" WEST 27.50 FEET ALONG LAST SAID LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 50.00 FEET, (A RADIAL LINE OF SAID CURVE TO SAID POINT BEARING NORTH 24°06'48" EAST);
3. THENCE LEAVING SAID SOUTHERLY LINE, WESTERLY 20.55 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°32'54";
4. THENCE NORTH 89°26'06" WEST 268.22 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 165.00 FEET;
5. THENCE WESTERLY, NORTHWESTERLY AND NORTHERLY 262.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°16'02";
6. THENCE NORTH 01°49'56" EAST 239.33 FEET TO A POINT ON THE SOUTHERLY LINE OF VOYAGER STREET AS SAID STREET IS SHOWN ON SAID TRACT 7300, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 50.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 02°06'37" WEST);
7. THENCE NORTHEASTERLY 20.55 FEET ALONG SAID CURVE AND SAID SOUTHERLY LINE, THROUGH A CENTRAL ANGLE OF 23°33'19";
8. THENCE LEAVING SAID SOUTHERLY LINE SOUTH 01°49'56" WEST 243.40 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 145.00 FEET;
9. THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY 230.97 FEET THROUGH A CENTRAL ANGLE OF 91°16'02";
10. THENCE SOUTH 89°26'06" EAST 262.79 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 70.00 FEET;
11. THENCE EASTERLY AND SOUTHEASTERLY 60.00 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°06'34" TO SOUTHERLY LINE OF SAID PARCEL C AND **THE TRUE POINT OF BEGINNING**.

CONTAINING 15,815 SQUARE FEET (0.363 ACRES), MORE OR LESS.

A PLAT MAP IS ATTACHED HERETO AND MADE A PART HEREOF

PARCEL 61520-1

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

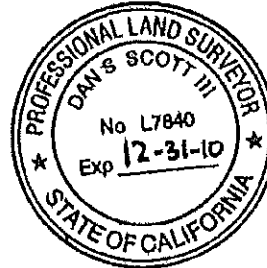
THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



1-07-10

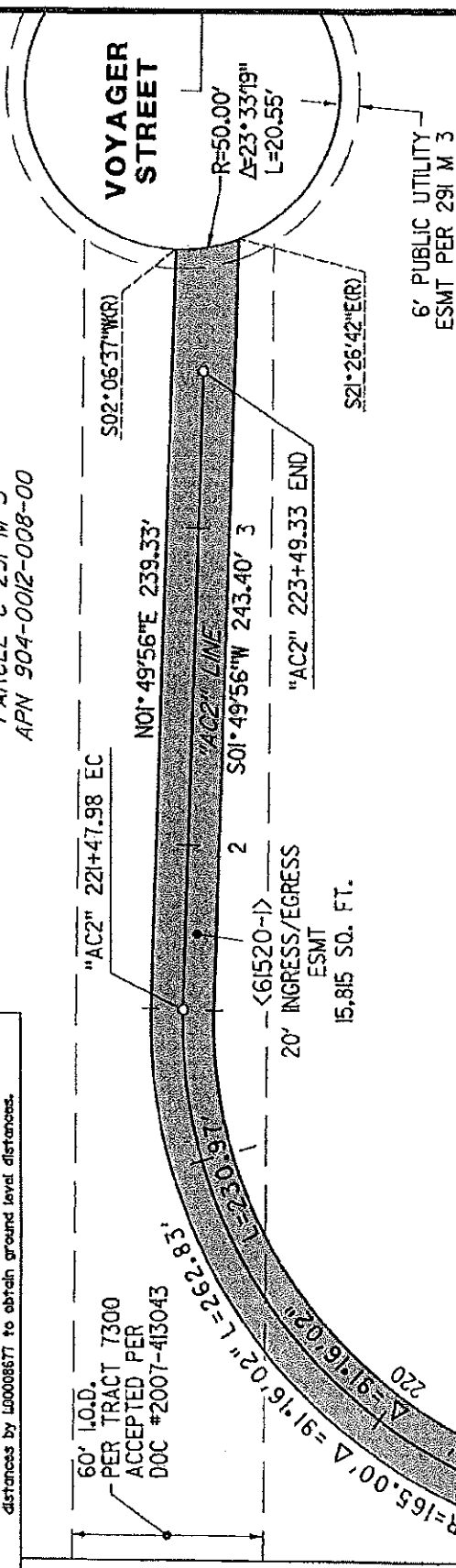
DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/10

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, NAD83. Epoch 1983. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.0008677 to obtain ground level distances.

LIVERMORE AIRWAY ASSOCIATION, LLC
 PARCEL C 291 M 3
 APN 904-0012-008-00



LIVERMORE AIRWAY
 ASSOCIATION, LLC
 PARCEL C
 291 M 3
 APN 904-0012-008-00



GRAPHIC SCALE



LEGEND

- = AREA TO BE CONVEYED
- = NON-STATE PARCEL NUMBER
- I.O.D. = IRREVOCABLE OFFER OF DEDICATION

SEE SHEET 1

CITY OF LIVERMORE

PLAT TO ACCOMPANY DESCRIPTION

AN EASEMENT FOR INGRESS/EGRESS PURPOSES AND INCIDENTS
 THERETO OVER THE LANDS OF LIVERMORE AIRWAY ASSOCIATION, LLC,
 PARCEL NO. 61520-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA
GEOMATICS TRANSPORTATION SERVICES, INC
 RIGHT-OF-WAY- LAND SURVEYING-MAPPING
 6890 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
 (925) 556-1776 FAX (925) 556-0575

DATE: JAN 07, 2010 SCALE: 1"=50' JOB NO: G1-0702-20

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, NAD 83. Distances are in U.S. Survey Feet. Unless otherwise noted, distances and stationing are grid distances. Multiply distances by 1.0000671 to obtain ground level distances.



GRAPHIC SCALE

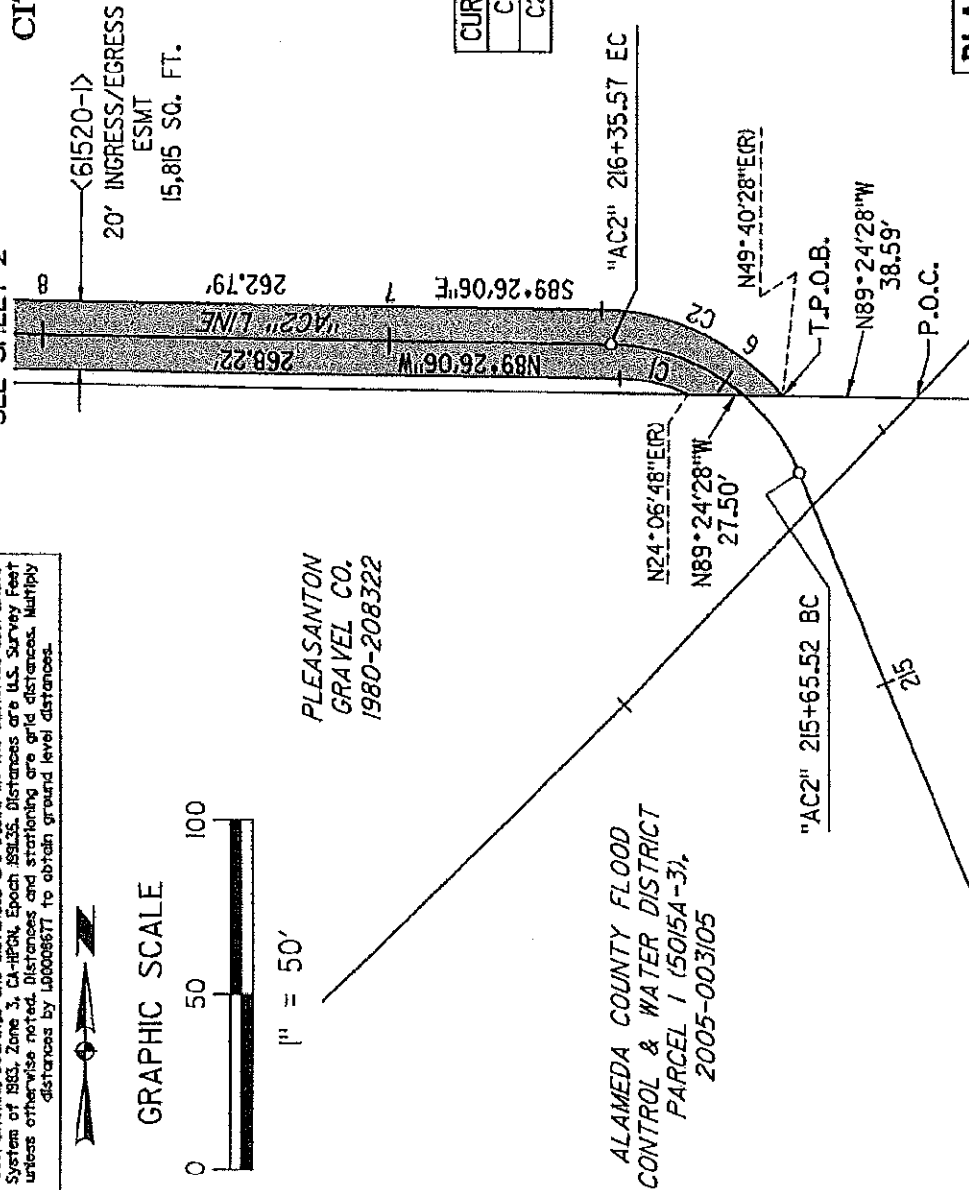


1" = 50'

PLEASANTON
GRAVEL CO.
1980-208322

ALAMEDA COUNTY FLOOD
CONTROL & WATER DISTRICT
PARCEL 1 (50154-3),
2005-003105

SEE SHEET 2



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	50.00'	23°32'54"	20.55'
C2	70.00'	49°06'34"	60.00'

LIVERMORE AIRWAY
ASSOCIATION, LLC
PARCEL C
291 M 3
APN 904-0012-008-00

PLAT TO ACCOMPANY DESCRIPTION

AN EASEMENT FOR INGRESS/EGRESS PURPOSES AND INCIDENTS
THEREON OVER THE LANDS OF LIVERMORE AIRWAY ASSOCIATION, LLC.
PARCEL NO. 61520-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



GEOMATICS TRANSPORTATION SERVICES, INC
RIGHT-OF-WAY- LAND SURVEYING-MAPPING
6550 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
(925) 556-1776 FAX (925) 556-0575

SHEET 1 OF 2

A-10411.14 & 15a

DATE: JAN 07, 2010 SCALE: 1"=50' JOB NO: GI-0702-20

LEGEND

- [Shaded Area] = AREA TO BE CONVEYED
- T.P.O.B. = TRUE POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- <XXXX-X> = NON-STATE PARCEL NUMBER

EXHIBIT "F"

LAND DESCRIPTIONS OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTIONS OF PARCEL 11, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208322, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61519-1)

A PERMANENT EASEMENT FOR INGRESS/EGRESS PURPOSES AND INCIDENTS THERETO, UPON OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID PARCEL 11;

1. THENCE SOUTH 43°31'18" WEST 35.17 FEET ALONG THE GENERAL EASTERLY LINE OF SAID PARCEL 11 TO THE **TRUE POINT OF BEGINNING**;
2. THENCE CONTINUING ALONG SAID GENERAL EASTERLY LINE, SOUTH 43°31'18" WEST 16.41 FEET;
3. THENCE LEAVING LAST SAID LINE, NORTH 22°32'42" WEST 12.58 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 50.00 FEET;
4. THENCE NORTHWESTERLY 37.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'30" TO THE NORTHERLY LINE OF SAID PARCEL 11;
5. THENCE SOUTH 89°24'28" EAST 27.50 FEET ALONG SAID NORTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 70.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 49°40'28" EAST);
6. THENCE LEAVING LAST SAID LINE, SOUTHEASTERLY 21.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°46'50";
7. THENCE SOUTH 22°32'42" EAST 8.05 FEET TO SAID GENERAL EASTERLY LINE AND THE **TRUE POINT OF BEGINNING**.

CONTAINING 603 SQUARE FEET (0.014 ACRES), MORE OR LESS.

A PLAT MAP IS ATTACHED HERETO AND MADE A PART HEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/10

APRIL 21, 2010
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-TIPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00006577 to obtain ground level distances.



SCALE 1"=40'

COUNTY OF ALAMEDA

61519

PLEASANTON GRAVEL
COMPANY, INC.
PARCEL II

80-208322

APN 904-0010-002-02

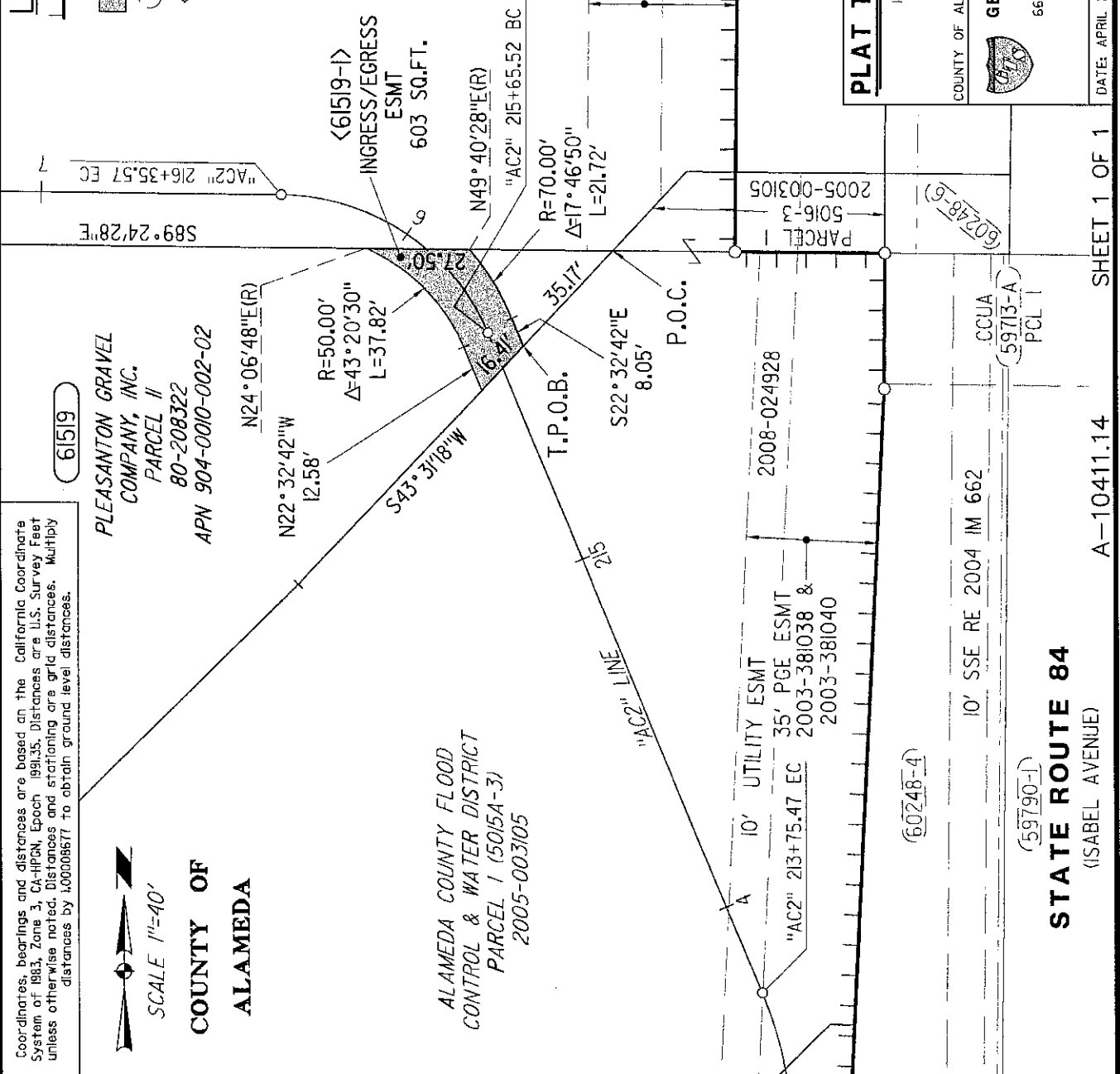
ALAMEDA COUNTY FLOOD
CONTROL & WATER DISTRICT
PARCEL I (5015A-3)
2005-003105

Apr 21, 2010 - 2:05pm N:\Public\Land Projects\3\01-0702-20 RTE 84 (URS)\dwg\EX\61519-1.dwg

LEGEND

- ACCESS CONTROLLED
- DIMENSION POINT
- AREA TO BE CONVEYED
- INDICATES PRIOR CONVEYANCE
- NON-STATE PARCEL NUMBER
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- SSE = SANITARY SEWER ESMT
- PUE = PUBLIC UTILITY ESMT
- COMMON OWNERSHIP

LIVERMORE AIRWAY
ASSOCIATION, LLC
PARCEL C
291 M 3



PLAT TO ACCOMPANY DESCRIPTION

INGRESS EGRESS EASEMENT OVER OF THE LANDS OF
PLEASANTON GRAVEL COMPANY
PARCEL NO. 61519-1

COUNTY OF ALAMEDA

CALIFORNIA



GEOMATICS TRANSPORTATION SERVICES, INC.

RIGHT-OF-WAY- LAND SURVEYING-MAPPING
6690 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
(925) 556-1776 FAX (925) 833-9443

DATE: APRIL 21, 2010 SCALE: 1"=40' JOB NO: GI-0702-20

SHEET 1 OF 1

STATE ROUTE 84
(ISABEL AVENUE)

A-10411.14

(60248-4)

10' SSE RE 2004 IM 662

(59790-1)

CCUA

(59713-A)

PCL 1

2008-024928

UTILITY ESMT

35' PGE ESMT

2003-381038 &

2003-381040

"AC2" 213+75.47 EC

2003-381038 &

2003-381040

10' UTILITY ESMT

35' PGE ESMT

2003-381038 &

2003-381040

"AC2" LINE

215

215

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ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: HUMAN RESOURCES
CONTACT PERSON: TOM HUGHES / GINGER STATON

AGENDA DATE: April 20, 2011

ITEM NO. 6a

SUBJECT: Staffing Update: Congratulations to Retiree

SUMMARY:

We ask the Board to join us in congratulating Vince Wong, Assistant General Manager – Operations who has retired from Agency service.

Retirement of Vince Wong, Assistant General Manager - Operations

We would like to recognize Vince Wong, Assistant General Manager of Operations and Maintenance who retired from the Agency on April 1, 2011, after over 40 years of service with Zone 7. As you have worked with Vince over the years you are aware he has been a valuable asset to the Agency, often viewed as our Agency historian, sharing how Zone 7 came to be doing many of the things that we do and always willing to explain technical issues or share past history with others.

Although it is difficult to adequately capture over 40 years of dedicated service which Vince has provided, we want to provide some background on Vince's service over the years. After graduating from UC Berkeley in June 1969, Vince began employment as a summer intern with the Alameda County Flood Control and Water Conservation District in Hayward. After returning to UC Berkeley to get his master's degree, Vince was hired to work as a Civil Engineer I at Zone 7 in July 1970 by Mun Mar. He later was promoted to Civil Engineer II and III in July 1971 and February 1973, respectively. In December 1982 Vince accepted the Supervising Water Resources Engineer position at Zone 7's office in Livermore. Following this, he was promoted to Principal Water Resources Engineer in March 1986 and Assistant General Manager in June 1994. Vince has been an integral part of the Agency over the years, overseeing both the Engineering and Operations divisions during his long tenure with Zone 7.

We hope you will join us in wishing the best to Vince in his retirement.

RECOMMENDED ACTION:

Adopt the attached resolution acknowledging service to the Agency of Vince Wong.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO

INTRODUCED BY
SECONDED BY

WHEREAS, Vincent D. Wong has served the citizens of the Livermore-Amador Valley with distinction since his employment with the Zone 7 Water Agency began in June 1969; and

WHEREAS, Mr. Wong has served as an important contributor to the success of the Agency throughout his service with Zone 7, serving as an example and mentor to internal and external staff; and

WHEREAS, Mr. Wong has served many roles within Zone 7 rising to the position of Assistant General Manager, Engineering and later Operations and Maintenance; and

WHEREAS, Mr. Wong has had many important accomplishments during his tenure with Zone 7, including:

- Development and implementation of Project No. 2, which included the funding, design, and construction of the Del Valle Water Treatment Plant and the Zone's Cross-Valley Pipeline.
- Development of the Flood Control section at Zone 7 as its first Supervisor.
- Development and implementation of Project No. 3, which included the enlargement of the Patterson Pass Water Treatment Plant and the Vineyard pipeline.
- Managing programs responsible for increasing Zone 7's SWP water entitlements and water storage as well as updating Zone 7's water facilities plan and the associated Water Connections Charge program needed to finance it.
- Serving as the Zone 7's and the South Bay Contractor's representative on the State Water Contractors, Inc. in all matters affecting the Agency, including serving as its President for one year.
- Serving as a mentor and providing invaluable technical and administrative resources to Zone 7 staff.

WHEREAS, Mr. Wong retired from Zone 7 service effective April 1, 2011;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby acknowledge, commend, and thank Mr. Wong for over 40 years of fine public service to Zone 7 and the people of the Livermore-Amador Valley.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By _____
President, Board of Directors



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: HUMAN RESOURCES

CONTACT PERSON: TOM HUGHES

AGENDA DATE: April 20, 2011

ITEM NO. 6b

SUBJECT: New Employee Introduction

SUMMARY:

We are introducing one new employee to the Board of Directors who joined the Zone 7 team since our last Board meeting.

Donna Fabian, Administrative Assistant

Donna Fabian joined Zone 7 on April 4, 2011, as an Administrative Assistant at the North Canyons Building, reporting to Judy Rector, Executive Assistant. Donna has more than 20 years of administrative experience in the public sector including positions at Alameda County Superior Court, Alameda County Administrator's Office and Alameda County Public Works Agency. She attended Chabot College and has been working at Zone 7 on temporary assignment since April 2010.

Please join us in welcoming Donna to the Zone 7 team!

RECOMMENDED ACTION:

Information only.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: HUMAN RESOURCES

CONTACT PERSON: TOM HUGHES

AGENDA DATE: April 20, 2011

ITEM NO: 6c

SUBJECT: Employee of the Month Recognition

SUMMARY:

The Employee Recognition Program Nomination Committee met in March and selected the Employee of the Month for February 2011 according to the established Program Guidelines. The individual chosen out of the submitted nominations is then recommended to Management for approval and there is a subsequent announcement of the selection to all Agency employees.

Robyn Navarra, Water Conservation Coordinator, has been chosen from among those nominated as the February 2011 Employee of the Month. Robyn's work is performed under the Office of the General Manager, located at our North Canyons Office. According to the recommendations the committee received, Robyn has put a great deal of effort into preparations for a Proposition 84 Water Conservation grant proposal. Her efforts to promote, organize, and pull together 11 Bay Area agencies and agency groups were the key to furthering water conservation programs through the Integrated Regional Water Management Program (IRWMP). She spent many hours on IRWMP aiding the various agencies to complete their portions of the grant write-up. All this work was rewarded with the proposal being selected by the screening committee for submission. As a result, the Zone stands to gain a half million of the six million dollar grant, to be used to advance our own water conservation programs. Robyn is also complimented as being dedicated, enthusiastic and organized. She carries out her duties with a cheerful attitude and in a professional manner, presenting a positive image of Zone 7 to our customers and to other agencies.

RECOMMENDED ACTION:

It is recommended that the Zone 7 Board of Directors recognize and congratulate Robyn Navarra as February 2011 Employee of the Month.

Informational Memorandum

ITEM NO. 7

Presented to the Administrative Committee

Date: March 31, 2011
To: Jill Duerig, General Manager
From: Mun J. Mar, Consultant
Subject: Historical Narrative of Livermore-Amador Valley Mining and the Chain of Lakes

INTRODUCTION:

The Chain of Lakes Project has been officially under construction since 1981 when the Board of Supervisors of Alameda County adopted the "Specific Plan for Livermore-Amador Valley Quarry Area Reclamation" on November 5, 1981. This Project is being built by the mining of sand and gravel in the Livermore-Amador Valley. The original 3 companies involved in this endeavor were Kaiser Sand and Gravel, Lonestar and Pleasanton Gravel Company. There was actually a 4th company, Cal Rock, which Pleasanton Gravel acquired.

At the time of its inception, it was estimated that the Chain of Lakes would be completed around the year 2030. The final completion date would, of course, depend on the Bay Area demand for sand and gravel. The 2030 completion date was based on the pre-1980 total annual production of 4-6 million tons of sand and gravel. The larger producer was Kaiser Sand and Gravel, followed by Pleasanton Gravel Company and Lonestar. Total production capacity of the 3 active sand and gravel producers was 8 million tons per year.

The mining area is located in the center of the Valley, bound by the City of Livermore to the east, the City of Pleasanton to the west, Interstate 580 to the north and Vineyard Avenue to the south. The sand and gravel removed or extracted from this mining area are processed and used for construction purposes throughout the San Francisco Bay Area. The removed sand and gravel were also the media that stored/held water in the ground from which water can be pumped and put to beneficial uses. Such uses include municipal, industrial and agricultural.

To mine the sand and gravel, pits would be opened by the removal of overburden material. The overburden material would be used to fill exhausted pits and the reclaimed lands would become available for many land uses. However, these reclaimed areas became underground blockades to any subsurface flow of groundwater.

Prior to the importation of supplemental water supply into the Valley in the 1960's via the South Bay Aqueduct of the California State Water Project, pumped groundwater met all water supply needs of the Valley. As more and more groundwater was pumped for beneficial uses, it became more and more apparent that the groundwater basin was going into overdraft, which was the reason Zone 7 contracted with the State of California for water entitlements from the State Water Project in 1962. It also became more apparent that surface mining of sand and gravel was altering the groundwater resource in a very adverse way, not only with the removal of the water storage media but also the groundwater that entered into the mining area. The entering water had to be removed from the mining pits to facilitate the harvesting operation. The dewatering operation resulted in discharging the water to waste when it

exceeded the amounts needed for processing the mined materials. Additionally, evaporative losses were identified as the ultimate negative result with the exposure of the groundwater basin to the atmosphere. Actually overdraft was helpful for the Quarry Operators as they had less water problems. In its goal to replenish a depleting groundwater resource Zone 7's water operations induced a greater water management problem for the mining operations.

The issue that emerged was whether sand and gravel production should cease to avoid the massive alteration to the groundwater basin or whether there was accommodation for both the mining of sand and gravel, a needed resource, and the managing of the groundwater basin. Consultations with quarry operators' representatives and various staff members of the Alameda County Planning Department, which had land use authority over the unincorporated mining area, eventually brought forth the aforesaid "Specific Plan for Livermore-Amador Valley Quarry Area Reclamation." The Specific Plan required that contractual agreements be made between each Quarry Operator and Zone 7 for the future operation of the Chain of Lakes for water management purposes as a mitigation measure to offset the mining impacts on the groundwater basin. The extensive negotiating sessions between Zone 7 and each of the three quarry operators produced executed agreements in the late 1980's for the transfer of the ownership of the completed components of the Chain of Lakes to Zone 7 for its use.

THE DEVELOPMENT OF THE PLAN FOR THE CHAIN OF LAKES AS A WATER MANAGEMENT FACILITY:

In the early 1970's, Kaiser Sand and Gravel had proposed landfill in the exhausted sand and gravel pits after the material was mined to handle the garbage that would be generated in the Bay Area for years to come. Simply speaking, it was sand and gravel out, garbage in. They started to go through the permit process in 1970-71. The Zone was opposed to such a proposal. The propriety of placing all the potential Bay Area garbage in the center of Valley's valuable ground water resource was unacceptable to the Zone, especially when less impacting alternative sites were available. Disapproval of it was the Zone's position. The Zone's objection was not sustained at any level of the approval process including the San Francisco Bay Regional Water Quality Control Board. They expected the concerns could and would be mitigated with proper containment and monitoring. The Zone appealed the Regional Board's approval before the State Water Resources Control Board claiming that the Regional Board's decision was improper and inappropriate in light of the potential irreparable harm that such a project could have on the valuable and irreplaceable groundwater resource in Livermore Valley. Simply put, the Zone asked, "Why take a chance when there were other alternatives with much less potential risk?" The State Board sided with the Zone. Kaiser filed suit.

By the time the court rendered a favorable decision for Kaiser, the three quarry operators had already embarked on a more coordinated reclamation plan for the entire mining area. A proposed Chain of Lakes through the mining area after all the sand and gravel were removed was presented in January 1977. Environ, the consulting firm comprising the engineering firm of Bissell and Karn and others, developed and submitted the proposed plan on behalf of the 3 mining companies, namely Kaiser, Lonestar and Rhodes and Jamieson (also known as Pleasanton Gravel Co.). They fully understood that subsurface groundwater movement was impeded during and after the sand and gravel material was removed thus exposing the groundwater to evaporative losses. In other words, it was recognized that the quantity and quality ground water as well as the storage basin during and after the 50-year mining period would be substantially altered and suitable remedies were needed. And therefore, a plan was essential to coordinate the 3 separate mining programs so that the finish product would be a Chain of Lakes, fully capable of storing and transporting water by gravity. There would then be a surface system to replace the subsurface one. Water can thereby reach the western portion of the ground water basin from which the Zone and the City of Pleasanton pump. It was advanced as an offset to the adverse effects of mining and a future facility for Zone 7 to store and transport water.

After the County Planning Department issued the draft environmental impact report and received public comments, an alternative reclamation plan, a supplement to the original 1977 plan, was presented in April 1980. It effectively reduced the amount of water surface from 2,160 acres to around 1,200 acres thus reducing the potential annual evaporation significantly. There was a corresponding increase in the amount of usable land area although certain of the reclaimed land would be lower in elevation, thus placing some limitations on its ultimate land use.

Meet and confer sessions jointly and at times singly with representatives of the 3 sand and gravel producers took many years to come to a mutual consensus of the major issues and then to develop acceptable contract terms and conditions. This effort can be classified as being the utmost of importance but there was no real urgency since building out the Chain of Lakes would take so many years compared to the less important but urgent matter of everyday activities for both the Quarry Operators and the Zone. This lag in negotiations wasn't an issue since forward progress, however slow, was being made.

In a nutshell, these were the agreed long-term impacts of mining on the groundwater resource:

1. Groundwater storage media was removed,
2. Exposed groundwater was lost through evaporation and,
3. Adjacent groundwater storage capacity was reduced due to inflow into the mined pits and evaporative losses.

And this was the agreed mitigation of those impacts:

Mining would include the construction of a Chain of Lakes, which would be given to Zone 7. The Zone would then have a storage and conveyance facility to divert and store excess runoff during wet periods to replace the annual evaporative losses and maintain levels in the Chain of Lakes so that the storage capability in the groundwater basin outside the mined area could be more fully utilized. It is a huge tradeoff but a beneficial one for both Zone 7 and the Quarry Operators. For the Zone, it would come into possession of a storage and conveyance system that is comparable in size (in fact larger) and function as Lake Del Valle. For the Operators, mitigation of the adverse effects of mining would be transferred to Zone 7 and the Quarry Operators would be done.

However, there was the immediate matter of inflow into the mining pits from adjacent groundwater. The Zone had embarked on a groundwater recharge program when SBA water became available in 1962 to overcome the existing overdraft. Groundwater levels were on the rise. This induced more groundwater inflow into the mining pits thus elevating the amount of dewatering necessary to mine the sand and gravel. To solve this problem the Operators and the Zone agreed to the following 3 objectives to be accomplished during the mining period:

1. Preserve Zone 7's ability to maintain water quality and quantity within the groundwater basin of the Valley from which water is and will be withdrawn for municipal and other beneficial uses.
2. Provide manageable groundwater levels within the mining area in the Valley that will permit reasonable economic mining of sand and gravel from owned or leased reserves without major alteration to the current mining methods.

3. Provide a water management tool through the creation of a Chain of Lakes, as set forth in the aforesaid Specific Plan for Livermore-Amador Valley Quarry Area.

NEGOTIATED AGREEMENTS:

Kaiser Sand and Gravel was the first to have an executed agreement with Zone 7 followed by RMC Lonestar (the successor company of Lonestar) and then lastly, by Pleasanton Gravel Co.

The terms and conditions of each contract were generally the same; however, the methods to handle dewatering and payments for "water loss to the Valley" during the mining period were different. A summary of a few examples of parts of the agreements follows:

Quarry Operator	Date of Agreement	Zone 7 Board Resolution	Period of Expected Completion
Kaiser Sand and Gravel	1/21/87	1233	2000-2010
RMC Lonestar	3/29/88	1292	2010-2020
Pleasanton Gravel Company	4/20/88	1293	2020-2030

The payment and property transfer features of the Kaiser Agreement are:

1. Zone 7 to be paid 1.5 cents/ton of sand and gravel sold on an annual basis. (Zone 7 to use such funds for future purchase of water.)
2. Kaiser was not limited to the amount of discharged water leaving the Valley. (Measures were to be taken to eliminate or reduce the outflow volume.)
3. Kaiser to grant Zone 7 Lake I of the Chain of Lakes and certain adjacent areas, particularly the "buffer zone", which is the area between the western edge of Lake I and Martin Avenue.
4. Kaiser to grant Zone 7 their de-silting pond (Cope Lake), which is approximately 250 acres, for flood control and water management purposes.

As for Lonestar, the payment and property transfer features are:

1. Lonestar to pay for any discharged water leaving the Valley. The basis of payment is 110% of the unit prevailing Variable OMP&R cost component of the State DWR charges times the volume of discharged water.
2. Lonestar to grant Zone 7 all of Lakes A and B and certain adjacent areas.

Similarly, Pleasanton Gravel Company (PGC) features include:

1. Zone 7 to be paid 1.5 cents/ton of sand and gravel sold. Such payments would be terminated when the cumulative total payments equaled Kaiser's total payments (at the completion of Kaiser's operations, which has occurred as of this writing.) It was payment for water leaving the Valley as a result of PGC's operations.

2. PGC's discharged water leaving the Valley may not exceed Kaiser's cumulative total without payment to Zone 7. Discharged water leaving the Valley in excess of that limit and any excess occurring subsequent to Kaiser's mining period will be paid for at 110% of the Zone's Prevailing Unit Variable OPM&R cost component times the volume. (Same as Lonestar's with Zone 7 determining the amount and billing on a monthly basis.)
3. PGC to grant Zone 7 Lakes C, D, E, F, G and H. Lake H to be granted upon Kaiser's completion of mining and grant of Lake I to Zone 7 by Kaiser.
4. PGC to grant Zone 7 a de-silting pond near Lakes E, F, and G in the event it meets certain conditions.

The different payment methods as summarized above show how each Operator opted to compensate Zone 7 for water that Zone 7 had recharged into the groundwater basin. This is groundwater removed by the Operator and discharged to waste into the arroyos. The agreed net cost to Zone 7 for the water was the Variable OMP&R cost component of the annual water bill from the State. Lonestar elected to reimburse the Zone for any water discharged and wasted from the Valley on the basis of the Variable OMP&R with a 10% add-on for administrative cost. Kaiser wanted to pay for their discharged water on the basis of a tonnage fee on sand and gravel mined and sold. This issue took some time to resolve and eventually was done when the grant of Cope Lake to Zone 7 was included. PGC opted for a combination.

By no means should the above be construed as all of the main points of each agreement. What is expressed above is merely to show that each operator had its own way of dealing with certain issues and that their individual solutions are in fact different. The agreements in themselves are the proper and legal working document and should be understood in its entirety and total context.

The table of contents in the PGC Agreement includes:

Definitions and Recitals	Successor; Recording
Objectives	Indemnity
Improvement Obligations of PGC	Insurance
Plans and Specifications	No Bonding
PGC to Maintain Lakes and Levees	Specific Performance
Grants and Reservations	Changes in Specific Plan
Monitoring	Force Majeure
Control of Groundwater Levels	Miscellaneous
Payments by PGC	

The other two agreements contain the same and/or similar content headings and it is well for each and every succeeding Zone 7 contract administrator to become completely familiar with the differences and sameness in each agreement. For example, only as to the Kaiser Agreement is there a side letter dated January 15, 1987 from the Zone to Kaiser regarding certain clarifications. Conversely, one same condition in each Agreement is the required execution and recordation of a Memorandum of Agreement. That was to insure that any successors and assigns, prior to change of title would be on notice that there are encumbrances on each of the properties identified by Alameda County Assessor's Parcel numbers.

The Kaiser memorandum was recorded on Nov 1, 1988, Series No. 88-278584.

The Lonestar memorandum was recorded on June 15, 1989, Series No. 89-161287.

IMPLEMENTATION OF AGREEMENT:

While finalizing the agreements came to an end, it was also a start of a new beginning for the Zone and the three Quarry Operators. Instead of being adversaries, the agreements made the Zone and each quarry operator partners in a long-term endeavor to see to it that the Chain of Lakes is completed and operational. At that point in time, the Zone will have in its possession a huge physical facility to help it to manage and develop additional water resources for the benefit of the Livermore-Amador Valley.

At various stages of the construction of the Chain of Lakes, The Zone would need to prepare operational plans for the various segments of the Chain of Lakes as these segments become available. Other than the initial need to deal with quantities of discharged water and payments as required by the agreements, little effort was required in long range planning as to the progressive utilization of the Chain of Lakes. That began to change in the late 1990's when consensus and cooperative effort was needed for a sand and gravel conveyance tunnel under Stanley Blvd. and the railroad tracks. The tunnel would potentially become the conduit or be the liner for a smaller conduit to convey water from Lake D to Lake F. Additionally, Kaiser's operations were nearing completion with Zone 7 soon to become owner of Lake I and possibly Lake H in addition to the Cope Lake de-silting pond of nearly 250 acres in size.

Attached, as Exhibit A, is a schematic of the proposed Chain of Lakes in its final completed form. On August 24, 2000, a meeting was held among Zone 7 Staff to discuss the Chain of lakes and how it might be operated. The minutes of that meeting are attached as Exhibit B to illustrate the kind of brain storming that will be necessary to develop more detailed operational plans and contingency plans for the Chain of Lakes and/or segments thereof in the future.

CONCLUSION:

Once mining is completed the Zone would come into possession of a completely secured series of lakes, interconnected with controllable conduits, for the conveyance and storage of water. Additionally, there should be a sizable fund from fees collected to purchase extra water to replace some of what was lost in years past. Additional to the water supply management capability is the potential for flood control and the maintenance of the Zone's Flood Control channels. Cope Lake might be developed for flood detention. There will be an area set aside for Zone 7 outside PGC's lakes that could be useful for disposal of silt materials removed from the Zone's flood control channels. Such materials can also be placed in Cope Lake.

Hopefully, this narrative will be helpful to those on the Zone 7 Board and Staff, who will be administering the contracts to ensure all terms and conditions, will be met. That in itself can span at least another career or two, since the last lake(s) will not be available to the Zone for another 20 years or when the last truck loaded with the last grains of sand and gravel leaves the Valley.

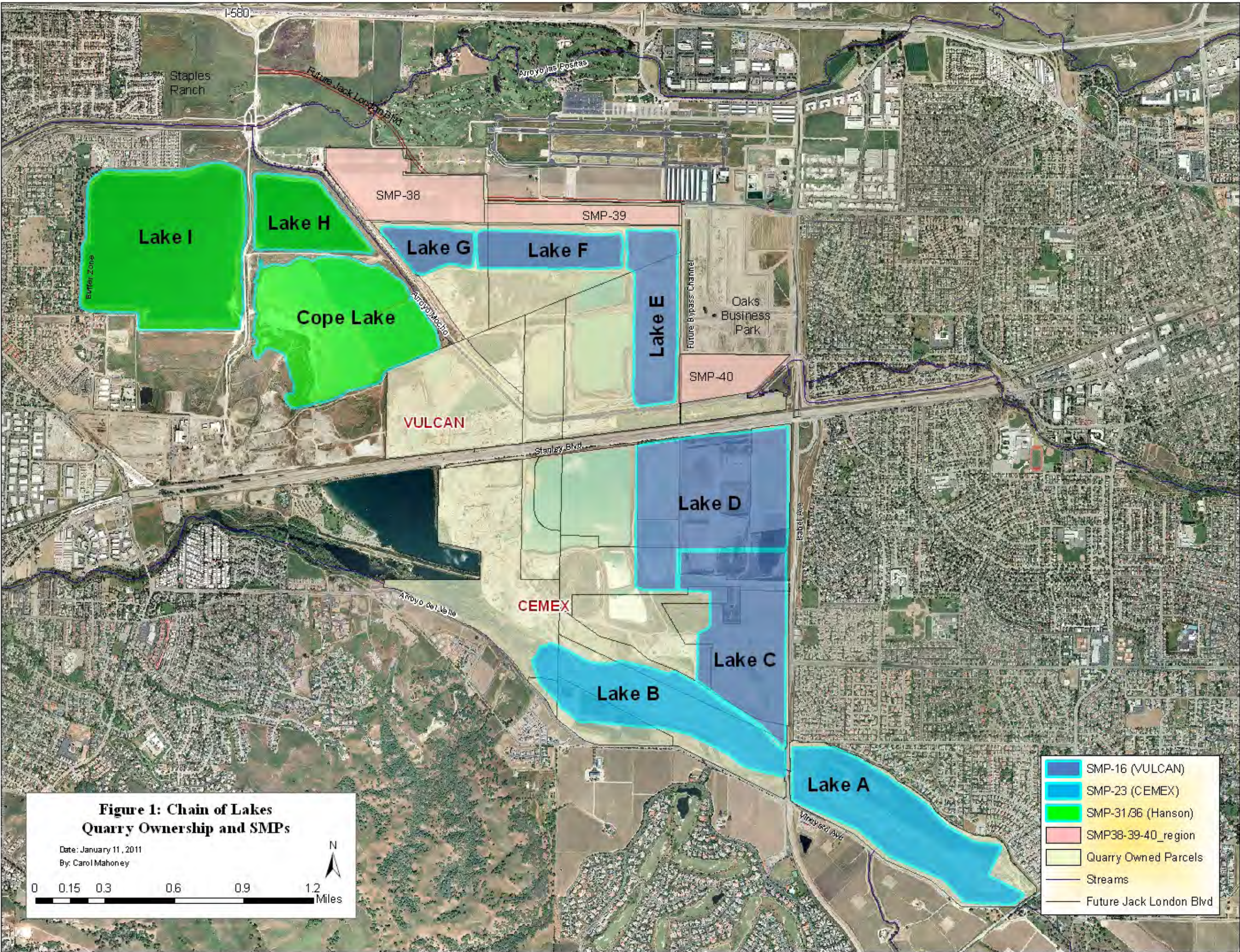


Exhibit B

Meeting with Mun Mar, Former General Manager, Zone 7
Chain of Lakes Discussion
24 August 2000

Attendees:

Mun Mar
Ed Cummings
Ken Henneman
YK Chan
Terry Anderson
Steven Ellis

Chain of Lakes

Ed wanted to clarify bullet point #3 in Terry's Draft Tech. Memo. No. 1 (attached) - per Ed, Hanson (Kaiser) say that they have submitted a geotech report concerning slope stabilization and that they are set on 2:1. However, some at Zone 7 think that this issue can be revisited and possibly changed (flatter slopes).

Mun stated that the agreement with the mining companies are general. The 2:1 slopes are based on Ala. Co. Planning studies. The County accepted 2:1 for flood control channels. Geotech reports show that 2:1 is adequate (1:1 was adequate in some cases, except for safety concerns). The County ordinance states 2:1.

The Specific Plan was approved by the County and is revisited every five years.

Mun stated that the west face of Lake I is already mined, they cannot make it any flatter. Martin Ave. set-backs are 200-300 feet, part of the dedication to Zone 7. This allows room for Zone 7 to work the face, clean silt, etc. Set-back is measured from top of cut.

Mun stated that it is written in Zone 7's agreement with the mining companies - they are required to grant certain lands to Zone 7, but Zone 7 is not required to accept the Chain-of-Lakes. At the time the agreements were made, it looked as though it would be a good idea. Lake Del Valle cost nearly \$30 million. There are certain costs involved (maintenance & operation) but what might the benefits be (groundwater recharge, peak flood flows, etc.).

Mun then gave a conceptual look at what was planned for 2030. All the mining pits are completely mined, the 500 cfs diversion structure on the Arroyo Valle is in place, and all conduits are in place. Typical operation might be: on October 1st, Lakes D&C are down to dead storage. Lake A is diverting 500 cfs (approx. 20,000 af/yr) into Lake C. Active storage in Lakes C&D is 22,000 af. Lakes C&D are used for decanting, they regulate flows into Lake E (very little storage, basically a wide channel). Flow then proceeds into Lake F, then to Lake G, and then to Lakes H&I. If at some point the west face of Lake I clogs up (not repairable), then a

possible scenario is to put in a water treatment plant adjacent to the NW corner of Lake I (space reserved for WTP/office/etc. in agreement). This treatment plant could take water from Lake I, treat it, and put into the distribution system.

Mun stated that we have shared water rights with ACWD. We would most likely have to change our permit to modify the amount - 250 to 500 cfs - and location - Lake A. We can also capture released imported water - recharge releases.

Mun then changed focus to the present or near-term staging of what will be happening in the mining area as areas become available. Hanson/Kaiser will be first to finish mining, then Lonestar, and finally Vulcan (Pacific Aggregates/Jamieson/CalMat). Lake H is owned by Jamieson, but was leased to Kaiser. Jamieson has sold off El Charro Rd., the Arroyo Mocho, and the plant site. There is a provision under the agreement for the inclusion of Cope Lake for water management purposes. Any other use by Zone 7 - homes, new office site, etc. - and it would revert back to Hanson/Kaiser. Possible uses for Cope Lake would be silt disposal or diversion pond off the Mocho. Kaiser has agreed to a 100cfs diversion off the Mocho into Lake H. *Zone 7 needs to find determine what will happen to Cope Lake once it is filled up to a reclaimable level with silt - will it revert back to Hanson/Kaiser?* The areas that Zone 7 will receive are those areas that are below ground level, ie. have not been reclaimed.

Ed stated that Zone 7 is in the driver's seat for Cope Lake. Hanson/Kaiser will be out in three years. If they want to make any changes to their plans, they will have to work with Zone 7.

There is a possibility that Hanson/Kaiser's plant could be used to process materials from either/both Lonestar and Vulcan. They would need Zone 7's buy-in or agreement to make such a change in their operations.

Lake I and Cope will come to us in the next three years, from Hanson/Kaiser. Lake H should come to us in that same time frame from Jamieson (Pac. Agg./CalMat/Vulcan), but the timing is up to Jamieson. Jamieson could deed Lakes E, F, & G to us before 2030, if we need them.

Ed stated that Zone 7 should find out when Jamieson (Pac. Agg./CalMat/Vulcan) will be finished mining north of Stanley Blvd.

A conduit is needed between Lakes H and I. Mun had provisions for a 30" conduit. The issue of set-backs was brought up. Mun said that the set-backs are a requirement of the City or County Planning Departments, they could require deeper set-backs. Around 1980-1985, the agreement was modified to allow for a clay lining for the n'ly sides of Lakes G, F, & E and the e'ly side of Lake E (and D & C?). There is a 200 foot set-back for the west side of Lake I only. The other lakes have provisions for a 25-foot wide access road provision.

The stretch of the Arroyo Mocho through the mining area is under-sized. The Q_{100} is 5000 cfs, the channel would have to be wider or lined to carry this flow. Currently the channel can and has

overflowed (recent damage to Stanley Blvd.). Jamieson has not been allowed to widen/deepen the channel to carry more water (*Fish and Game?*). Instead of widening the Mocho, one thought is to divert Mocho flows into Lake E near Isabel Ave., to detain peak flood flows. There is also the possibility of diverting Arroyo las Positas flows into Lake F or G. If we implemented any of these ideas, the diversion structures into the Lakes and back into the streams would be at Zone 7 expense. The only diversion structure required by contract is the one from the Mocho into Lake H (or possibly Cope Lake if we prefer). *Is the size of the diversion adequate?* We could start recharge operations soon. Zone 7 would have to reactivate our permit for Water Rights Diversion on the Mocho. If we divert into Cope Lake first, then we need to place a conduit from Cope into Lake H.

Mun mentioned that there is also a partially reclaimed site in the Jamieson property (Pac. Agg./CalMat/Vulcan) that will be deeded to Zone 7 for a possible silt disposal site.

Tunnel from Lake D to E

The project concerning this tunnel has been going on for about five years. The original elevation of the conduit was to be around 330, but the new proposal has the tunnel at about 350 to 360. Vulcan is proposing to house the 42-inch conduit for Zone 7 in their 12-foot diameter tunnel. Mun cautioned that the Vulcan is designing their tunnel to convey materials from south of Stanley to their plant, not as a conduit for the future Chain of Lakes. Mun thought that it might be possible for Vulcan to place a siphon inside of their tunnel. This arrangement might be easier to maintain, than a conduit placed 30+ feet lower. A possible scenario would be to place the invert of the tunnel at the maximum operating water level of Lake E. *Is this tunnel in the best interest of the Zone? If not, what can be done to make it so?*

Ed stated that Zone staff needs to meet and discuss why we are reviewing the tunnel, and what we are going to do.

Mun confirmed that in the agreement(s) with the mining companies, Zone 7 will obtain R/Ws, easements, etc. because we will need the easement in the long term.

Tunnel/siphon project was not proposed by Vulcan, it was forwarded by Mun. Could it possibly benefit both the Zone and Vulcan. Would a siphon be a better alternative than a deeper conduit (maintenance, repairs, etc.)? Do we want to place the tunnel at the maximum water level (to be used as a spillway)? Is the conduit in tunnel going to be a reasonable alternative - cost, repairs, maintenance, operation, etc.?

Projects Completed / To Be Completed

Completed:

Lake H to G Conduit - ½ complete, Hanson/Kaiser's portion from Lake H, half-way to Lake G.

To Be Completed:

Lake G to H Conduit - ½ form G to H; to be done by Vulcan (Pac. Agg./Jamieson/CalMat)

Lake H to I Conduit - to be done by Hanson/Kaiser

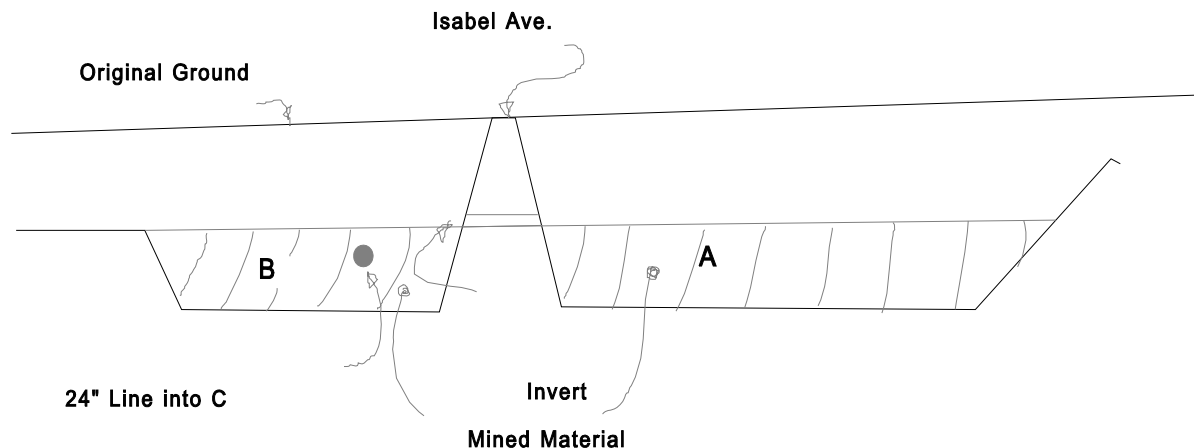
Lake D to E Conduit - to be done by Vulcan (Pac. Agg./Jamieson/CalMat)

Mocha Diversion Into Lake H (or Cope) - to be done by Hanson/Kaiser

Arroyo Valle Diversion Into Lake A (500 cfs) - to be done by Lonestar

Other Items

There is a proposal to place a pipe from Lake B to C in case we need to drain Lake C. The design for the diversion from Lake A to C is on file (see Dennis or Pete).



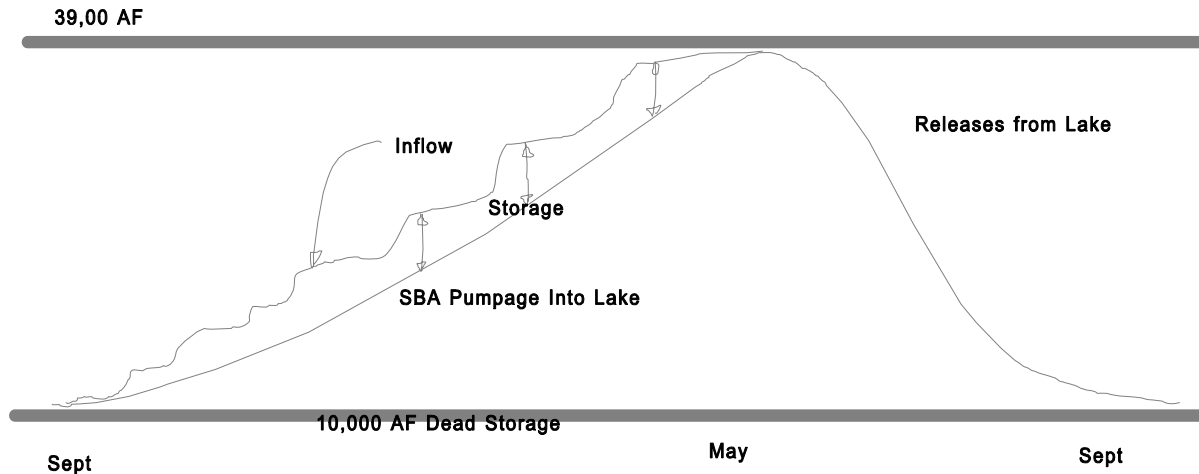
Mun thinks that recreational uses most likely not compatible with the Chain of Lakes, except for possibly Lake B. Trails ight be compatible. They have already been provided for along Martin Ave. (Mun thinks this was a bad idea). Alameda County Public Works Road Dept. Needs to be involved - they own Isabel Ave. Mun does not believe that the Zone needs to involve the Division of Safety of Dams (Ken Henneman and YK think we will). The Zone should also look at recycled water possibilities. The zone needs to look at the proposed conduit sizes to determine if they meet our needs.

Operation

Lake D to E - 42" pipe at 5 cfs = 10,000 AF operating 6-months out of year. The Zone will peel the water off first. Ed asked if there had been past talks with ACWD about our future plans? Mun said no. Mun said the original plan for Del Valle Reservoir was to have about 30,000 AF of active storage. The following dates may not be exact (within a week or two). The lake should be at maximum level on May 1. The lake is then drawn down to supply the needs of the contractors. The initial concept of the Chain of Lakes was to transfer storage from Lake Del Valle into the Chain. The water Zone 7 diverts into Lake C will not be additional water, it will be our stored water, which we would “lose” if we did not use it by September (Labor Day).

Per e-mail message from Mun:

Steve, the May 1 date is what I said that the Zone's water had to be out, otherwise it reverts to the State and becomes SWP water since the State needs to have a full tank to begin supplementing the max. flow of SBA during the peak summer months. More accurately it is to occur sometime in the month of May but no later than June 1 and the water level in DV has to be down to min. pool after labor day but no later than Oct. 1. at which point demand will theoretically be less than max flow and the excess flow goes into Lake Del Valle.



Water diverted (500 cfs) will not be additional water, it will be our stored water which we would lose if we did not use it. The storage water in the above sketch is Zone 7's stored water. It must be used by May 1, or we lose it.

The recharge rate of the west face of Lake I is 23 cfs per David Lunn. A rough calculation of the amount of water that can pass from Lake H to I is as follows:

30" dia. pipe ~ 6ft²
velocity = 5-6 fps
6 sq.ft. X 5 fps = 30 cfs
30 cfs X 2 AF/cfs = 60 AF/d
60 AF/d X 30 dy/mon. = 1800 AF/mon.
1800 AF/mon. X 6 mon./yr = 10,800 AF/year

ACTION ITEMS:

Meeting Minutes - Terry/Steven

Document Search - Ken/Terry

Mtg With Quarry Operators - Ed, YK, Ken, Terry, Larry Appelton, Mun, etc.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: ENGINEERING

CONTACT: CAROL MAHONEY

AGENDA DATE: April 20, 2011

ITEM NO. 8

SUBJECT: Pilot Use of Mitigation Funds for Restoration/Enhancement Projects: Caltrans and Alameda County Surplus Property Authority (ACSPA) Mitigation at Stanley Reach on Arroyo Mocho

SUMMARY:

- The Stream Management Master Plan (SMMP) identified Project R.3-5 (Stanley Reach) for stream channel enhancements, increased riparian vegetation, and fish passage improvements. A location map is provided in attached memo.
- This reach is a trapezoidal channel that has adequate freeboard for 100-year flood flows and has excess capacity allowing for increased vegetation and added roughness. The channel has four grouted rock rip-rap grade control structures and one velocity dissipation structure, "Dragon's Teeth." The Dragon's Teeth structure has been identified as a fish passage barrier in the SMMP. This project site was the subject of a recent EPA grant proposal made jointly between Urban Creeks Council and Zone 7 to explore options for reducing stream temperature based on the recent 303(d) listing of the Arroyo Mocho for temperature impairment.
- Caltrans and ACSPA approached Zone 7 Staff in 2010 to seek mitigation sites for riparian impacts being caused by other projects. Zone 7 Staff have been exploring options for whether this type of mitigation partnership would be beneficial to funding restoration/enhancement projects identified in the SMMP. This pilot project would allow Zone 7 to evaluate if these partnerships provide an alternative funding source for habitat improvement projects that are not in conflict with our flood protection needs.
- The City of Livermore has expressed interest in the past to opening the project area for public recreation through trail connectivity; however, funding sources for this have not been identified by the City and the site remains closed to public access. Revegetation of the site at this time will allow sufficient time for the plantings to become established prior to any future public access.
- This item provides background on the proposed pilot project and a request for a resolution from the Board on concurrence that mitigation by Caltrans on Zone 7 property will be permitted. This resolution process is similar to that sought by the City of Livermore for their El Charro Specific Plan mitigation needs in 2010.

RECOMMENDED ACTION:

Adopt attached resolution.

ATTACHMENTS:

- Memo Providing Additional Background and Discussion with Location Map
- Resolution

Interoffice Memo

Date: April 20, 2011
To: Jill Duerig, General Manager
From: Carol Mahoney, Associate Professional Geologist
Subject: Pilot Use of Mitigation Funds for Restoration/Enhancement Projects: Caltrans and Alameda County Surplus Property Authority (ACSPA) Mitigation at Stanley Reach on Arroyo Mocho

BACKGROUND:

Zone 7 adopted the Stream Management Master Plan (SMMP) in August 2006. Project R.3-5 (now known as 'Stanley Reach') was identified as an area where stream channel enhancements, increased riparian vegetation, and fish passage improvements could be made. The SMMP project also identified this area as a location that is of interest for inclusion in the City of Livermore's trail system. This reach of the Arroyo Mocho runs roughly east-west along Stanley Boulevard between Murrieta Boulevard and Isabel Avenue in the City of Livermore (Location map attached). This channelized section was originally constructed as a part of the Murrieta Meadows housing development in the late 1980's. A low-flow, unimproved channel exists that runs through the neighborhood and represents the trace of the natural Mocho. This natural channel accepts flow from a grated pipe just upstream of the pedestrian bridge and connects with the mainstem channel downstream at the sedimentation basin. The mainstem channel is roughly 4,500 linear feet of open trapezoidal form, which has four grouted rock rip-rap grade control structures and one velocity dissipation structure known as the "Dragon's Teeth." The Dragon's Teeth and a downstream sedimentation basin were added in 2000-2001 to address velocity issues in the channel and to facilitate the extension of Isabel Avenue under Stanley Blvd. The Dragon's Teeth structure has been identified as a fish passage barrier in the SMMP.

In 2010, Zone 7 was approached by various outside entities, City of Livermore, Caltrans, Alameda County Surplus Property Authority (ACSPA), Alameda County Transportation Authority (ACTA), and private developments inquiring about mitigation in Zone 7 owned channels. Staff began exploring if allowing such mitigation would be an option for accomplishing the habitat enhancement projects of the SMMP without increasing the financial burden to Zone 7. This option also meets the goals of partnering to accomplish non-flood protection aspects of the SMMP. Project R.3-5 was identified as a potential pilot site because hydraulic modeling indicates that the mainstem channel has adequate freeboard for 100-year flood flows and has excess capacity to allow increased vegetation and added roughness.

This memo provides background on the proposed pilot project and a request for a resolution from the Board on concurrence that mitigation by Caltrans, and in the future ACSPA, on Zone 7 property will be permitted. This resolution process is similar to that sought by the City of Livermore for their El Charro Specific Plan mitigation needs on the Arroyo las Positas in 2010. A resolution similar to that adopted by the Board for the El Charro Specific Plan mitigation deed restriction is attached for use in this application.

DISCUSSION:

Changing Assumptions:

During the SMMP planning process, Project R.3-5 was identified as an area where the channel could be modified to increase floodplain connectivity, enhance sediment transport, and improve overall water quality by improved biofiltration from the increased vegetation. The planning effort had to make various assumptions regarding the regulatory requirements and financial

partnering associated with the project. For example, it was assumed that the connection with the local trails system would be facilitated by the City of Livermore or some other parks district. Likewise, regulatory entities had been loosely discussing the Livermore-Amador Valley's streams as a place where steelhead trout populations could live and breed. Several studies and reports regarding this species have been produced since the planning effort of the SMMP. Although recent studies suggest that steelhead may have never used the Arroyo Mocho as a breeding or rearing stream historically, there is interest in the regulatory community to preserve potential habitats for steelhead, where possible, to increase the chances for this species' survival.

Providing public access, education, and species preservation are goals that are aligned with the mission of Zone 7 and the SMMP; however, our financial focus, at least in the channels, is on providing flood protection. It became apparent in the years after the adoption of the SMMP that outside entities were unclear what Zone 7's financial obligations were with respect to the habitat and recreational aspects of SMMP projects. Staff has been seeking opportunities to demonstrate how Zone 7 could move these program elements forward with limited financial impact to Zone 7 by pursuing partnering opportunities of other organizations.

Models of 'Financial Sharing':

There are many models for how partnering on such projects can provide mutual benefits to the parties, allowing Zone 7 to facilitate the flood protection aspects and allowing others to contribute to the habitat and recreation portions. An existing example is the 'recreational license agreement' that we have with the various cities to allow our existing channel maintenance roads to be opened up to the public for trail access. In this example, the financial burden of providing and maintaining pedestrian access gates and accepting liability for the public's access is borne by the city or parks district with whom we have entered into a license agreement. Likewise, Zone 7 recently has been working with the City of Livermore on a joint agreement with respect to their El Charro Specific Plan improvements. Through these negotiations, agreement on sharing the responsibility of various maintenance elements and financial responsibility was reached. As a part of the City's project, they had a need to mitigate on a small part of Zone 7's property within the Arroyo las Positas. In addition to this mitigation, the City will also provide channel enhancements and additional riparian plantings. As a part of the right to mitigate on Zone 7 property, the long-term maintenance for this area will be paid by the City. In this manner, habitat enhancements can be made without Zone 7 incurring additional financial burden for elements outside our primary mission of providing flood protection. Another way that Zone 7 can facilitate habitat and recreational aspects of projects is through seeking grants. A recent grant proposal for this area will be discussed in the next section in the context of addressing new regulatory requirements.

Ever-changing Environmental and Regulatory Requirements:

It is difficult to stay ahead of the curve on new and emerging environmental concerns and requirements. Zone 7 and other similar agencies are being asked to address more and more environmental impacts each year from climate change to polluted stormwater run-off. In late 2010, a 303(d) listing for impairment for temperature was issued for the entire 34 miles of the Arroyo Mocho. To address this listing and to be in front of any Total Maximum Daily Load (TMDL) requirements that will likely be written in the future for this listing by the U.S. Environmental Protection Agency (EPA), Zone 7 began exploring options for lowering temperatures in the arroyo. A major factor in temperature fluctuation in streams is solar radiation; therefore, one approach to lowering water temperature is to increase riparian cover over the stream. Another contributing factor to overall stream temperature is the connectivity of the surrounding substrate with subsurface stream flows, so increasing stream channel complexity

(sinuosity and pool-riffle combinations) has a positive effect on reducing in-stream temperatures. In January 2011, Zone 7 partnered with Urban Creeks Council (UCC) on a grant proposal to the EPA to explore if modifications to the Stanley Reach including channel shape, depth, and vegetative cover could bring temperatures down low enough to address the needs of the primary species for which the temperature listing was created: steelhead trout. In late March, Zone 7 and UCC were informed that the EPA grant application was not selected for funding; however, the feedback from this process will be useful in informing other future grant efforts. Recognizing that any grant funding is subject to availability and dependent on very narrow requirements, Staff has been exploring if using outside mitigation funds or private mitigation banking companies might be other options for accomplishing project components.

Pilot Use of Outside Mitigation for Project Implementation:

During the negotiations with the City of Livermore, Caltrans and ACSPA approached Zone 7 Staff to seek mitigation sites for riparian impacts being caused by their respective projects. Because the mitigation needs of the El Charro Specific Plan were more directly related to the flood protection improvements being facilitated by the City of Livermore, the Board's direction on the use of Zone 7 property by outside entities for mitigation was only clear in that instance. Staff recommends that this question should be considered on a case by case basis; therefore, Staff has been exploring options for whether this type of mitigation partnership would be beneficial to funding restoration/enhancement projects of the SMMP not required for our own flood protection mitigation. The proposed pilot project will allow Zone 7 to evaluate if these partnerships provide an alternative funding source for habitat improvements that are not in conflict with our flood protection needs. Recent channel surveys and HEC-RAS modeling have been performed to confirm existing conditions. Because this site has adequate freeboard above the 100-year flood flow elevations within the existing channel, it is considered a "low-risk" site for increasing roughness by adding vegetation and was therefore selected as a candidate site for a pilot project.

Caltrans Needs:

Caltrans approached Zone 7 with the need to mitigate for riparian impacts on one of its widening projects in Niles Canyon. Other options for mitigation sites outside of Zone 7 ownership were explored, but it was determined that the Stanley Reach best met the needs of the impacts of the Caltrans project. Zone 7 Staff met with the San Francisco Bay Regional Water Quality Control Board (RWQCB) and Caltrans on March 4, 2011 to discuss the goals of Zone 7's project and to find aspects that could be met by mitigation from Caltrans. The proposed solution is that Caltrans will facilitate the design and construction of specific elements of the Stanley Reach project. These elements include: financial participation in project management and CEQA and permitting compliance, natural channel design to increase channel complexity and insure proper sediment transport, removal of four grouted rip-rap grade control structures with replacement by fish-friendly grade controls, and installation of riparian trees. Caltrans has agreed to utilize volunteers, where appropriate, and to assist Zone 7 in furthering environmental education through this process. These aspects of the Stanley Project meet the goals of the project set forth in the SMMP. Likewise, revegetation of the site at this time will allow sufficient time for the plantings to become established prior to any future public access, as may be facilitated by the City of Livermore.

To allow Caltrans to finalize their permits with the regulatory agencies, a resolution from the Board stating Zone 7's willingness to allow the mitigation on our property is necessary. This action is similar to what the Board undertook with the City of Livermore request in 2010. A

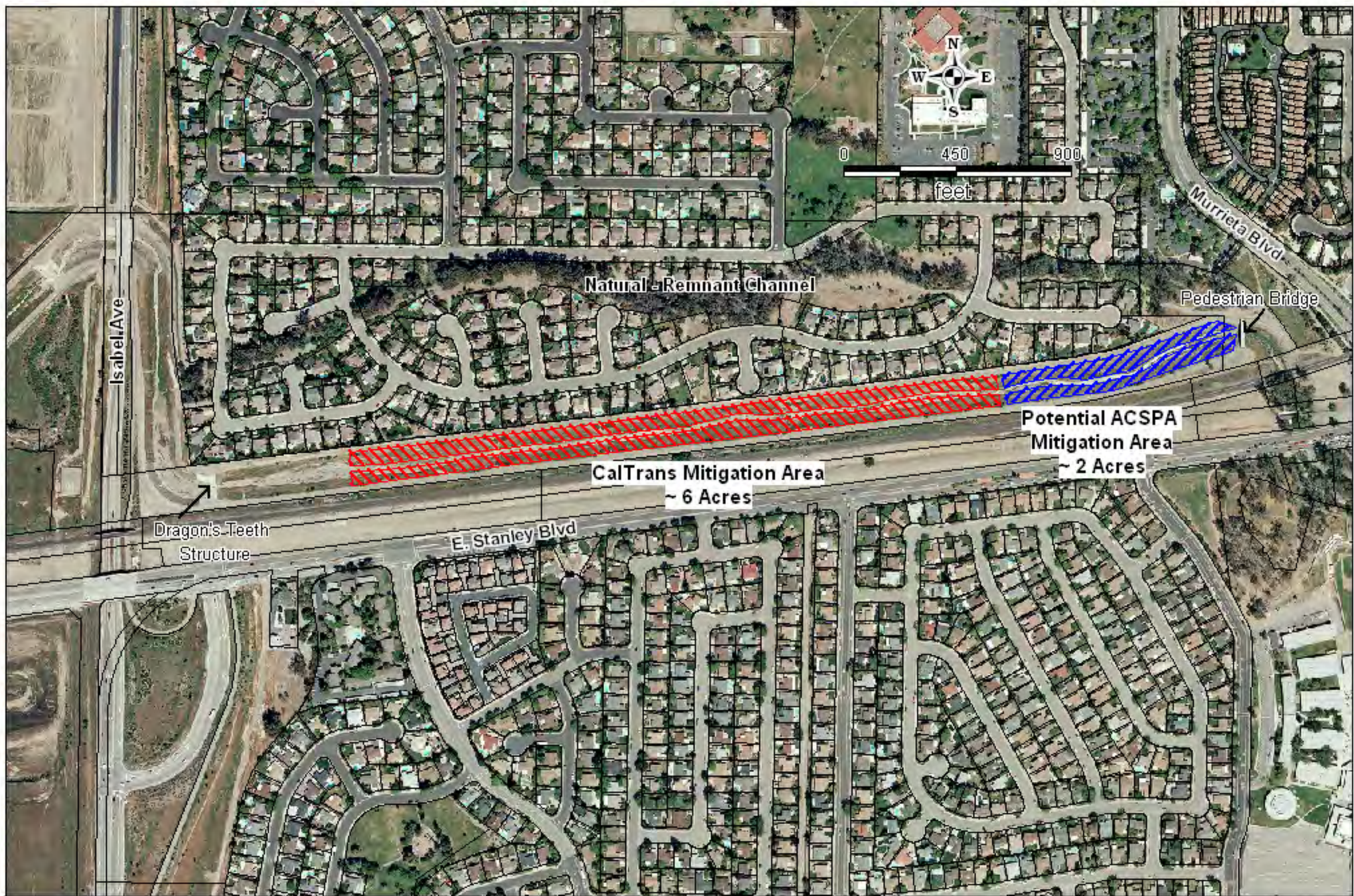
similar resolution has been provided for the Board's review and adoption for the Caltrans mitigation needs.

Alameda County Surplus Property Authority (ACSPA) Needs:

Similar to the needs of Caltrans, ACSPA has sought mitigation land for impacts from the extension of Stoneridge Drive on the Staple's Ranch property. The proposed Stoneridge bridge impacts sections of the Arroyo Mocho in the vicinity of Staple's Ranch and requires mitigation, preferably in the Arroyo Mocho watershed. Zone 7 Staff have been working with ACSPA to provide information on the Stanley Reach site necessary for them to finalize their regulatory permits. Like Caltrans, ACSPA will likely require a Board resolution stating Zone 7's intent to allow mitigation to occur on our property to complete their permit process. Details of the ACSPA mitigation needs are still being determined between ACSPA and the regulatory agencies, but Zone 7 anticipates their need to be roughly two acres of riparian plantings. A draft resolution will be brought to the Board at a later date as the ACSPA project needs become more defined.

RECOMMENDED ACTION:

Accept the information and adopt the attached resolution.



Zone 7 Water Agency
100 N. Canyons Pkwy
Livermore, CA 94551

Location Map of Potential Mitigation Sites for
Caltrans and Alameda County Surplus
Property Authority

Exhibit A

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

WHEREAS, Zone 7 and the Caltrans staff have been in negotiations regarding mitigation on Zone 7 property to fulfill needs by Caltrans for riparian impacts; and

WHEREAS, Zone 7 and Caltrans staff have reached tentative agreement on the basic elements of a Co-operative Partnership Agreement for the design, construction, and planting of said mitigation that meets the goals and objectives of Zone 7's Project R.3-5 (Stanley Reach); and

WHEREAS, this resolution is necessary to assure the San Francisco Bay Regional Water Quality Control Board that Caltrans has secured necessary mitigation for their impacts and to facilitate the issuance of the 401 Permit to Caltrans;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors hereby declares that it is the Board's intent to grant access to Caltrans on Zone 7 property for the purposes of constructing, monitoring, and maintaining those elements associated with the identified mitigation measures to be more specifically defined in and subject to the Co-operative Partnership Agreement being currently negotiated with Caltrans, and furthermore to enter into any other necessary legal agreements (to be finalized and brought for Board action at a later date) for the purposes of mitigation and channel restoration over certain real property, more specifically defined in Exhibit A, owned in fee by Alameda County Flood Control and Water Conservation District.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By _____
President, Board of Directors



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: WATER SUPPLY ENGINEERING
CONTACT: DIANA GAINES/SARA WHATLEY/JARNAIL CHAHAL

AGENDA DATE: April 20, 2011

ITEM NO. 9

SUBJECT: Zone 7 Annex to the Association of Bay Area Governments' Multi-Jurisdictional Local Hazard Mitigation Plan, *Taming Natural Disasters*

SUMMARY:

- A Local Hazard Mitigation Plan (LHMP) is developed to meet the requirements of the Federal Disaster Mitigation Act (DMA) of 2000. The DMA ties future mitigation funding for cities, counties and special districts to a completed LHMP.
- On November 16, 2005, the Zone 7 Board adopted an Annex to the Multi-Jurisdictional LHMP for the Bay Area, and committed to updating the Annex at least once every 5 years. This Annex focused on issues specific to Zone 7 and allowed the Multi-Jurisdictional LHMP to also serve as Zone 7's LHMP.
- March 2009, Zone 7 again joined with the Association of Bay Area Governments (ABAG) to participate in the Multi-Jurisdictional "*Taming Natural Disasters*" LHMP update. On December 16, 2009, an updated set of Draft Mitigation Strategies was presented to the Board with a request for public comments. No comments were received. The same was true for the website posting of the document during the same period.
- The Federal Emergency Management Agency (FEMA) extended the approval deadline for those agencies participating in the ABAG update to June 2011 due to complications with reviewing and commenting on submitted mitigations and annexes.
- The 2010 Zone 7 Annex has been prepared by staff and pre-approved by FEMA.
- ABAG has approved and adopted "*Taming Natural Disasters*", as the Multi-Jurisdictional Local Hazard Mitigation Plan for the San Francisco Bay Area.
- To finalize Zone 7's LHMP, the Board must open the item up for public comment before adopting the LHMP.

FUNDING:

This effort is funded from Fund 52-Water Enterprise Fund.

RECOMMENDED ACTION:

Adopt attached resolution approving the Zone 7 Annex and adopting ABAG's Multi-Jurisdictional Plan "*Taming Natural Disasters*" as Zone 7 Water Agency's Local Hazard Mitigation Plan as modified by the Zone 7 Annex.

ATTACHMENTS:

- Memo providing additional background on the agenda item
- Zone 7 Board Resolution
- Draft 2010 Zone 7 Annex and Mitigation Strategies

Interoffice Memo

Date: April 20, 2011
To: Jill Duerig, General Manager
From: Diana Gaines, Senior Engineer
Sara Whatley, Safety Technician I
Subject: Zone 7 Annex to the Association of Bay Area Governments' Multi-Jurisdictional Local Hazard Mitigation Plan, *Taming Natural Disasters*

BACKGROUND:

The federal Disaster Mitigation Act of 2000 (DMA 2000) requires all local agencies in the country to adopt a federally approved Local Hazard Mitigation Plan (LHMP) in order to receive disaster mitigation funds. The Federal Emergency Management Agency (FEMA) defines mitigation as the “sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects.” Hazard mitigation focuses attention and resources on actions that produce successive benefits over time.

Earthquakes, floods, hurricanes, tornadoes and wildfires have cost the nation billions of dollars. In the 1990's alone, FEMA spent more than \$25 billion for declared disasters and emergencies. These costs are growing as more people live in areas susceptible to man-made and natural hazards. In addition to common natural hazards, technological and other man-made emergencies and disasters have taken a high toll in human suffering and financial loss.

The LHMP requires an inventory of potential natural and man-made hazards that could significantly impact public agencies. The risks have to be reviewed to evaluate how they would impact not only the people served but also buildings and critical facilities. The next step was to develop mitigations or action plans to reduce the community's risk and allow a swift and organized recovery should a disaster occur. Funding of these plans and projects reduces the overall risk to the population and structures, while reducing reliance on funding from disaster declarations.

In 2005, Zone 7 collaborated with Alameda County and the Association of Bay Area Governments (ABAG) to participate in a Multi-Jurisdictional or Regional LHMP with other public agencies in the Bay Area (web link <http://quake.abag.ca.gov/mitigation/>). Zone 7 staff prepared an Annex to the Multi-Jurisdictional LHMP, including Mitigation Strategies, to address issues specific to Zone 7. The Board of Directors of Zone 7 Water Agency (Board) ultimately approved the Annex and its Mitigation Strategies on November 16, 2005. The approved LHMP committed to updating the plan at least every 5 years.

DISCUSSION:

Beginning in 2009, ABAG has once again brought together agencies from the Bay Area to prepare for an update of the Multi-Jurisdictional LHMP. As before, Zone 7's specific portion of the Multi-Jurisdictional LHMP consists of two key pieces: 1) an Annex containing an introduction, planning process, and hazard and risk assessments; and 2) a Mitigation Strategies document, which lists activities, priorities, or strategies available to all jurisdictions and discusses how they relate to Zone 7.

ABAG and the participating agencies in the Multi-Jurisdictional LHMP developed an extensive list of potential actions that could be taken by local governments to lessen impacts from disasters. These actions, called strategies, were broken down into 8 categories: Infrastructure, Health, Housing, Economy, Government, Education, Environment, and Land Use.

Zone 7 staff developed the Annex and Mitigation Strategies. The planning process began in 2009 with an update of the Critical Facilities data list. The 2005 Critical Facilities data list was reviewed and changes were incorporated into the 2010 Critical Facilities data list. This list was given to ABAG for inclusion in the Multi-Jurisdictional LHMP. Exact locations are not presented due to public access to the information. The sites are represented as points in the general area of location for security reasons.

All property, buildings, and equipment were identified, including the construction method for buildings, for use in the Multi-Jurisdictional LHMP. Past studies and reports were reviewed and discussed in the Annex. The eight main strategies listed above were broken down into 361 specific mitigations or actions. Each strategy was prioritized as:

- Existing Program
- Existing Program Underfunded
- Very High Priority Unofficial Program – Becomes Official on Plan Adoption, no funding needed
- High Priority – actively looking for funding
- Moderate priority – we want to implement if money is available
- Under Study
- Not Applicable, Not Appropriate, or Not Cost effective
- Not Yet Considered

ABAG reviewed the Zone 7 Annex for key elements required by FEMA and then forwarded it to FEMA for pre-approval. The Annex was pre-approved by FEMA in mid-March 2011 pending adoption by the Zone 7 Board. Staff is recommending adoption of the Resolution to approve the Zone 7 Annex and adopt the ABAG Multi-Jurisdictional *Taming Natural Disasters* LHMP as the Zone 7 LHMP as modified by the Zone 7 Annex.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

RESOLUTION APPROVING THE ZONE 7 ANNEX AND ADOPTING ABAG'S "*TAMING NATURAL DISASTERS*" AS ZONE 7 WATER AGENCY'S LOCAL HAZARD MITIGATION PLAN AS MODIFIED BY THE ZONE 7 ANNEX

WHEREAS, the Bay Area is subject to various earthquake-related hazards such as ground shaking, liquefaction, landsliding, fault surface rupture and tsunamis; and

WHEREAS, the Bay Area is subject to various weather-related hazards including wildfires, floods, and landslides; and

WHEREAS, Zone 7 recognizes that disasters do not recognize city, county, or special district boundaries; and

WHEREAS, Zone 7 seeks to maintain and enhance both a disaster-resistant District and region by reducing the potential for loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters; and

WHEREAS, Zone 7 is committed to increasing the disaster resistance of the infrastructure, health, housing, economy, government services, education, environment, and land use systems in the Zone 7 service area, as well as in the Bay Area as a whole; and

WHEREAS, the federal Disaster Mitigation Act of 2000 requires all cities, counties, and special districts to have adopted a Local Hazard Mitigation Plan to receive disaster mitigation funding from FEMA; and

WHEREAS, the Association of Bay Area Governments (ABAG) has approved and adopted "*Taming Natural Disasters*," as the Multi-Jurisdictional Local Hazard Mitigation Plan for the San Francisco Bay Area;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby approve the Zone 7 Annex and adopt ABAG's multi-jurisdictional plan as its Local Hazard Mitigation Plan as modified by the Zone 7 Annex, and

BE IT FURTHER RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District commits to continuing to take those actions and initiating further actions, as appropriate, as identified in Zone 7's Annex to the Multi-Jurisdictional Local Hazard Mitigation Plan.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By: _____

President, Board of Directors



Annex to 2010 Association of Bay
Area Governments
Local Hazard Mitigation Plan
Taming Natural Disasters

Zone 7 Water Agency, Zone 7 of
Alameda County Flood Control and
Water Conservation District

February 23, 2011

Table of Contents

Introduction	3
The Regional Planning Process	3
The Local Planning Process	4
<i>Process for Updating Plan Sections</i>	5
<i>Review of Existing Plans and Studies</i>	5
<i>Public Meetings</i>	6
Hazards Assessment	6
Past Occurrences Of Disasters (natural and human-induced)	6
Risk Assessment	7
<i>Urban Land Exposure</i>	7
<i>Infrastructure Exposure</i>	7
<i>Exposure of Zone 7 Water Agency County -Owned Buildings</i>	8
<i>Repetitive Loss Properties</i>	8
<i>Other risks</i>	9
National Flood Insurance Program	9
Mitigation Goals and Objectives	9
Mitigation Activities and Priorities	9
<i>Evaluation of Progress from 2005 Plan</i>	9
<i>Future Mitigation Actions and Priorities</i>	10
<i>On-Going Mitigation Strategy Programs</i>	11
Incorporation into Existing Planning Mechanisms	12
Plan Update Process	13
Mitigation Plan Point of Contact	13
Exhibit A - Jurisdiction Boundary Map	14
Exhibit B - Public Meeting Announcements	15
Exhibit C - Mitigation Strategies	16

Introduction

Zone 7 Water Agency (Zone 7) is one of the 10 active zones of the Alameda County Flood Control and Water Conservation District (ACFC&WCD). Its jurisdiction boundary map is shown in Exhibit A. Zone 7 is governed by a seven-member board of directors (Zone 7 Board). Each director is elected at-large by residents within Zone 7's service area to a four-year term. The Zone 7 Board sets policy and provides direction to agency management and staff. In 2010, Zone 7's operating budget was about \$50 Million; it employs approximately 106 employees.

Zone 7 is responsible for wholesaling treated and untreated water supply, managing the ground water basin, and providing flood control to the Livermore-Amador Valley. Zone 7 supplies treated water to local retailers who in turn distribute it to the community, as well as provide untreated water for local agriculture. The retail water agencies contracting with Zone 7 for treated water include the City of Pleasanton, the City of Livermore, Dublin San Ramon Services District, and the California Water Service Company.

Water for the Livermore-Amador Valley currently comes from three primary sources: imported surface water from the State Water Project (SWP), local runoff from the Arroyo del Valle, and local groundwater. Zone 7 is one of 29 State Water Project contractors. SWP water is either served directly to customers as untreated or treated water, or stored for later use (in Lake Del Valle, the local groundwater basin, or groundwater banks in Kern County). Zone 7 shares water rights for available flows in the Arroyo del Valle with Alameda County Water District. The local runoff from the Arroyo del Valle is captured in Lake Del Valle under agreements with the State Department of Water Resources. After storage in Lake Del Valle, this runoff is either treated and used directly, or recharged into the local groundwater basin for later recovery. Zone 7 only pumps groundwater that it has artificially recharged.

Zone 7 serves a population of approximately 220,000 in a service area comprised of approximately 430 square miles in the eastern section of Alameda County that includes Pleasanton, Livermore, Dublin and parts of San Ramon (Dougherty Valley area) as well as the surrounding unincorporated Alameda County lands. Zone 7 is responsible for approximately 42 linear miles of pipeline and 36 linear miles of flood control channels and drainage facilities. These channels consist primarily of enlarged natural channels or excavated new channels. Some channels have enhanced landscaping and trails which are open to the public.

The Regional Planning Process

Zone 7 again joined with the Association of Bay Area Governments (ABAG) to update the existing regional or Multi-Jurisdictional Local Hazard Mitigation Plan ((M-J LHMP.) The participation started in June 2009 and has continued through to 2011. Many of the activities conducted by Zone 7 were fed into the planning process for the multi-jurisdictional plan.

Specifically, we have participated in the following workshops, conferences, and meetings:

- Attended ABAG Water Workshop meeting of March 25, 2009
- Provided letter of Commitment with the Multi-Jurisdictional Local Hazard Mitigation Plan on June 17, 2009
- Attended ABAG Flooding Workshop on July 7, 2009

At these workshops Zone 7 staff provided input on the regional strategies from the perspective of a water service agency. For more information on these meetings and for rosters of attendees, please see Appendix A and H in the ABAG M-J LHMP 2010.

As part of the collaborative effort, Zone 7 also provided:

- Critical Facilities Data update on June 19, 2009
- Mitigation Strategies publically reviewed at Zone 7 Water Agency Board meeting on December 16, 2009

The Local Planning Process

The local planning process was started by a Safety Technician, an Emergency and Safety Supervisor, and an Associate Engineer updating the Critical Facilities Data in June 2009. The existing list of critical facilities from 2005 and new facilities built since and/or were turned over to Zone 7 since 2005, were reviewed and needed changes were incorporated into the 2010 Critical Facilities data list. This list was given to ABAG for inclusion in the M-J LHMP. Exact locations are not presented due to public access to the information. The sites are represented as points in the general area of location for security reasons.

The 2005 Mitigation Strategies were reviewed by staff from Groundwater Section, Water Supply Engineering, Flood Control Section, the Office of the General Manager, Environmental Permitting & Planning, Financial and Systems Services, and the Accounting Section. The group was made up of engineers, geologists, hydro geologists, a communications specialist, a senior staff analyst, the Accounting Manager, and safety technicians. Over the course of 2 ½ months people met to discuss the strategies and agree on what was appropriate for Zone 7 for the 2010 list.

Hydro Geologists from the Groundwater Section gave input on existing and planned wells plus the Well Master Plan. Engineers from the Water Supply Engineering Section gave comments on the Urban Water Management Plan, Capital Improvement Program and proposed construction.

The Flood Control Section discussed the JEPA or Joint Exercise of Powers Agreement for aquatic pesticides and flood control related issues such as infrastructure damages from major storms. From the Office of the General Manager, a Communications Specialist discussed outreach programs and Environmental Permitting and Planning section discussed the Clean Water Program. Additionally, one Associate Engineer provided comments on the Streams Management Master Plan.

The 2005 Mitigation Strategies were compared to known policies or programs and recommendations were made about strategies and priorities. Next, the subject matter experts were brought in for one on one discussion about their recommendations. Their comments were incorporated in the strategies document. Lastly the entire package of updated strategies was routed to representatives from the various sections and executive management for comment.

Water Process for Updating Plan Sections

Two staff members led a complete review of the Annex to evaluate whether the information contained within the sections was current and correct. This team met with subject matter experts for each section and requested specific input on sections pertaining to their expertise. The plan will again be monitored over the next 5 years for any necessary changes.

The public has been included in the update process through Zone 7's Board meetings and website. Zone 7 provides opportunity for public comment through a public hearing. The Board specifically requests public comments during an agenda item, but prior to taking any action. Zone 7's website links to Zone 7's LHMP and the ABAG M-J LHMP, and has contact information for anyone who wishes to discuss either plan.

Review of Existing Plans & Studies

As outlined above, subject matter experts were called to provide comment on existing plans and studies. Their comments were captured in Mitigation Activities and On-Going Mitigation Activities portion of this Annex. The following plans were reviewed in the development of this annex.

Existing Plans, Studies, Reports, and Technical Information	Method of Incorporation into the Jurisdiction Annex
Capital Improvement Program	This was used to determine whether projects were currently viable or would need to be deferred due to lack of funding
Water Supply Evaluation	This study provides information on how much water we will need to secure, to provide water to the community. It is used in our reliability studies.
Urban Water Management Plan	This plan is used for long-term source planning for existing and future needs. It is a 20 year planning document that includes scenarios with normal rainfall, dry (drought) and multiple dry years.
Asset Management Plan	This is used to evaluate the life of our equipment and used to schedule asset replacement projects to maintain a reliable water system.
Stream Management Master Plan	This Plan provides a regional response to flood control and as well as trails and environmental enhancements
Strategic Plan	This document is adopted by our Board of Directors and it sets agency priorities.

Public Meetings

Zone 7 provided two opportunities for public input. DRAFT mitigation strategies (included as Exhibit C) were provided at Zone 7's December 16, 2009, Board meeting and on Zone 7's website. Zone 7 Board meetings are held at 7:00 pm on the third Wednesday of every month, are open to the public, and are posted 5 days before the meeting. The Strategies are permanently posted to our website with contact information and a link to ABAG's M-J LHMP. The Draft Annex will also be posted and available for public comment. Zone 7 hopes that by providing information concerning the LHMP it will inform the public about what hazards are present for water and flood control systems, and what is being done to mitigate those hazards. Public comment was received from the internet posting but not at the public hearing. A copy of the internet posting is included as Exhibit B to the Zone 7 2010 Annex.

The Zone 7 Board of Directors will consider adopting the full plan in a public meeting via an official Resolution after approval by FEMA.

Hazards Assessment

Zone 7 has reviewed the hazards identified and ranked those hazards based on past disasters and expected future impacts. The conclusion is that earthquakes (particularly shaking), flooding (including dam failure), landslides (including unstable earth), and wildfires pose a significant risk for potential loss. Severe drought, though a potential problem for Zone 7 operations, is not fully assessed as part of the M-J LHMP. Zone 7 has prepared a Water Shortage Contingency Plan, as part of the required 2010 Urban Water Management Plan (UWMP). The 2010 UWMP was adopted by the Zone 7 Board in December 2010. Zone 7 is continuing to assess its ability to provide reliable services during a severe drought as part of its Water Supply Evaluation update, which is scheduled to be completed in March/April 2011.

Zone 7 does not believe it faces any natural disasters not listed in the ABAG multi-jurisdictional plan; however, the multi-jurisdictional plan did not include specifics on water treatment and distribution facilities. Specific water distribution, water supply, and water source issues were not addressed. A discussion of these issues and hazards can be found in the Mitigation Activities and Priorities section below.

While Zone 7 has access to maps concerning earthquakes and dam failure, they are less encompassing and not as current as those shown on the ABAG website at <http://quake.abag.ca.gov/mitigation>. The ABAG maps were therefore used for the assessment.

Past Occurrences of Disasters (natural and human-induced)

More information on State and Federally declared disasters in the Zone 7 area can be found at <http://quake.abag.ca.gov/mitigation/ThePlan-D-Version-December09.pdf>.

The disaster history of our area is included in the ABAG website for Alameda County at <http://quake.abag.ca.gov/mitigation/disaster-history.html>. Specifically, Zone 7 has experienced earthquake and flooding damages. One water treatment plant sustained earthquake damage to a clarifier which resulted in the plant being unable to process water for 30 days. Flood control channels experienced slopes failures and silting caused by extreme rainfall.

Specific flooding events that impacted Zone 7 are:

Year	Disaster		Total Project Costs
1995	1044/1046	Channel slope failures	\$2,000,000
1997	1155	Channel slope failures	\$325,000
1998	1203	Channel slope failures	\$2,500,000
2006	1646	Channel slope failures	\$1,700,000

We have experienced other local storm drainage related issues but have been able to respond to them under our annual routine maintenance program.

Risk Assessment

Urban Land Exposure

Zone 7 has no jurisdiction over Urban Land exposure. We only have control over the facilities we own or that are owned by Alameda County on our behalf, which are discussed in another area. We are a Water Wholesaler and Flood Control District and have no general plan nor do we control development within our area of influence.

Infrastructure Exposure

This section is not applicable for a water agency; however, in 2005 Zone 7 had 35 miles of transmission pipe lines and now has 42 miles in 2011. These lines have been included with municipal and county roads in other annexes.

Exposure of Zone 7 -Owned Buildings

Zone 7 reviewed the various regional hazard maps found at the ABAG website at <http://quake.abag.ca.gov/mitigation> / and <http://www.abag.ca.gov/cgi-bin/pickmapx.pl> to examine the hazard exposure of the Agency's facilities. The following number of facilities is exposed to the various hazards analyzed.

Note that there is a 5-year lag in the data so the 2010 plan is using 2005 data and the 2005 plan used 2000 data.

Exposure (number of facility types)		
Hazard	Locally owned critical facilities	
	Plan Year 2005	Plan Year 2010
Total Number of Facilities	31	34
Earthquake Shaking (within highest two shaking categories)	11	10
Liquefaction Susceptibility (within moderate, high, or very high liquefaction susceptibility)	11	23
Liquefaction Hazard (within CGS study zone)	N/A	9
Earthquake-Induced Landslides (within CGS study zone) ¹	0	0
Earthquake Faulting (within CGS zone)	2	0
Flooding (within 100 year floodplain)	3	0
Flooding (within 500 year floodplain)	0	9
Landslides (within areas of existing landslides)	4	0
Wildfires (subject to high, very high, or extreme wildfire threat)	25	18
Wildland-Urban Interface Fire Threat	10	0
Dam Inundation	8	16
Sea Level Rise (exposed to 16-in sea level rise) ²	-	0
Sea Level Rise (exposed to 55-in sea level rise) ³	-	0
Tsunamis ⁴ (within inundation area)	-	0
Drought ⁵	-	-

Repetitive Loss Properties

Not applicable for a water agency.

¹ The California Geological Survey continues to map Alameda County and added the Livermore-Altamont area in late 2009. Though some areas of the County have not yet been completely mapped, the densely populated areas in Alameda County are mostly done.

² Sea level rise data was not available in 2005

³ Sea level rise data was not available in 2005

⁴ Tsunami evacuation planning maps were not available inside the San Francisco Bay in 2005. This map became available in December 2009. It should be noted that this map is not a hazard map and should be used for evacuation planning purposes only. The inundation line represents the highest inundation at any particular location from a suite of tsunami sources. It is not representative of any single tsunami.

⁵ Drought will not damage locally owned facilities directly.

Other risks

Severe drought, as discussed in Hazards earlier in this document, is a potential problem for Zone 7 operations and it is not fully assessed as part of the M-J LHMP Annex. After adoption, Zone 7 submitted the 2010 update to its Urban Water Management Plan (UWMP) to the Department of Water Resources on December 23, 2010. The UWMP includes a Water Shortage Contingency Plan that discusses how Zone 7 will manage partial or catastrophic losses of water supply during drought or other emergency conditions. The UWMP was developed with the retail water agencies and was reviewed by other public agencies in the service area.

National Flood Insurance Program

Zone 7 is not a flood plain manager; however, Zone 7 supports the efforts of the four flood plain managers in our area.

Mitigation Goals and Objectives

The goal of the ABAG M-J LHMP is to maintain and enhance a disaster-resistant region by reducing the potential for loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters. This goal is unchanged from the 2005 plan and continues to be the goal of Zone 7 in designing its mitigation program.

Additionally, Zone 7 has the specific objective of improving water production facilities and appurtenances that are vulnerable to the effects of earthquakes and flooding damages in order to provide a reliable water supply even under a natural disaster.

Mitigation Activities and Priorities

Evaluation of Progress from 2005 Plan

In 2005, mitigation actions and priorities were identified. The following gives an update on several of those strategies including actions taken and the current status. The reference numbers at the end of each item correlates to the Mitigation Strategy number involved.

Water System Reliability Assessment (July 1994) – This report provided an assessment of how the Zone 7 Water System may respond under various earthquake conditions, including earthquake induced power outages and fires. The report examined 10 different scenarios of earthquakes. Each scenario was associated with a particular fault and magnitude. The assessment provided information useful for determining system upgrades strategies and priorities. The report generated facility upgrades and replacement work, much of which has been completed. Two notable upgrades are still needed. One is the replacement of the clarifier fiberglass panels at the Patterson Pass Water Treatment Plant (PPWTP). Zone 7 is undertaking a project to replace the entire clarifier mechanism in 2011. The other upgrade is at the superpulser sedimentation basins at the Del Valle Water Treatment Plant. Zone 7 has a capital improvement project to reassess and improve reliability of the superpulser basins. It should be

noted that the initial concerns with the reliability of the superpulser basins have been partially offset by construction of parallel dissolved air flotation (DAF) basins in 2007. (INFR c-1)

Seismic Upgrade Project (May 1996), Update for October 2010

- 1) Installed an interconnection with the City of Livermore water system at our PPWTP. (The City's reservoirs meet current seismic code). During a significant seismic event we would most likely lose our washwater tank on the hill. To seismically retrofit it would cost as much as a new tank. The interconnection allows us a safety net until we have the financial resources to replace the existing washwater tank.
- 2) Installed an emergency bypass line for the Ultrafiltration Water Treatment Plant (UFWTP) around the clearwell. If the clearwell were to fail during a seismic event we would now be able to keep the UFWTP running by bypassing the clearwell. (INFRA a-4)

Altamont Pipeline Livermore Reach (APLLIV) Project - The APLLIV alignment is the first phase of an 11-mile pipeline connecting a future treatment plant to the Zone 7 water transmission system. This first phase alignment is approximately 5.6 miles of 42-inch diameter welded steel pipe (mostly double lap welded). APLLIV was completed in August 2009 and is operational. It was constructed to increase Zone 7's reliability to meet demands in the eastern service area when the South Bay Aqueduct (SBA) is shut down due to planned/unplanned outages or has limited flows due to regulations to protect fish habitat in the Delta. APLLIV allows the transfer of water from the west side sources (Zone 7 municipal wells and Del Valle Water Treatment Plant (DVWTP)) to the east side of the Zone 7 transmission system, providing additional reliability to the east side in case of PPWTP outages. APLLIV also increases Zone 7's transmission system reliability by providing another loop in the transmission system by connecting to Zone 7's existing 36-inch Cross Valley Pipeline near Kittyhawk Road in Livermore, and 18-inch Vasco Pipeline located in Vasco Road, in Livermore. (INFRA c-1)

Emergency Generator (June 2004), Update October 2010

- 1) Installed a standard method of electrical connection for emergency generators at all major well facilities (Mocho Wells 3 and 4, Hopyard Well 6, Stoneridge Well, and Chain-of-Lakes Wells). These connections allow us to bring portable generators onsite in the event of an emergency/electrical outage.
- 2) Installed an additional 500 KW generator at DVWTP. This now enables the plant to be fully operational during an emergency/electrical outage. (INFRA a-4;a-11;b-6)

Vulnerability Assessment Study (2003) - Progress has been accomplished in the last 5 years to reduce agency vulnerabilities; new controls have been installed and existing systems have been repaired. (GOV - a1, a9)

Future Mitigation Actions and Priorities

As a participant in the 2010 ABAG multi-jurisdictional planning process, the staff of Zone 7 helped in the development and review of the comprehensive list of mitigation strategies in the overall multi-jurisdictional plan. The decision on priority was made based on a variety of

criteria, not simply on an economic cost-benefit analysis. These criteria include being technically and administratively feasible, politically acceptable, socially appropriate, legal, economically sound, and not harmful to the environment or our heritage. Representatives from multiple sections described in the Planning Process section then met to review progress on Zone 7's 2005 strategies, and to identify and prioritize additional mitigation strategies to update the list.

These draft priorities were submitted to Zone 7 Executive Management and Zone 7 Board of Directors. The draft priorities will be provided to the Board of Directors for adoption pending approval of this LHMP by FEMA.

The Zone 7 planning team also prioritized specific mitigation tasks for the next 5 years. They looked at projects specific to Zone 7 that had potential funding and were included in the Capital Improvement Program and other strategies that did not have foreseeable funding but were listed as a potential mitigation for Zone 7. The strategies include programs, policies, resolutions and/or mandates for implementation of funded projects. Comments were provided on those mitigations not yet funded or not appropriate for water agencies.

On-Going Mitigation Strategy Programs

Zone 7 has many on-going mitigation programs that help create a more disaster-resistant region. The following list highlights those programs identified as *Existing Programs* in the mitigation strategy spreadsheet.

2011 Water Supply Evaluation – Zone 7 is currently conducting an assessment of its ability to meet projected water demands at build out. The assessment is to determine future water supply, conveyance, and facility needs to meet customer reliability/level of service goals. The Water Supply Evaluation will become a working document that prioritizes and schedules defined projects with ongoing progress updates towards meeting water supply and facility needs at build out. (INFRA c-1)

Streams Management Master Plan SMMP (2006) – The SMMP is a multi-disciplinary approach to stream management in the Zone 7 area. Flood Protection and Drainage, Erosion and Sedimentation, Water Supply, Water Quality Habitat & Environment and Recreation, Trails & Education were addressed. Channels were evaluated based on hydraulic properties and existing knowledge of flooding history. Specific methods of improvement that would span the range of disciplines being addressed were evaluated for each project site. The alternatives ranged from storage options to creating stormwater by-pass channels. This project involved a variety of public workshops to draw together all interested public and private stakeholders to participate in the process. An EIR was prepared that examined the various alternatives for all 45 projects identified in the SMMP. Funding options are being explored to complete the recommended projects. Further evaluation of individual projects as well as prioritization based on need is on-going. (INFR –d-1; d9; ENVI-a4, a5)

Emergency Operation Plan - The plan is updated every year with new contact information for regulatory agencies, contractors, service providers, and chemical vendors. A full review of the document is anticipated in 2011. (GOV – b1)

Asset Management Plan Update (March 2011) – The Asset Management Plan (AMP) update is in progress, and this report which will contain long-term asset renewal funding requirements and near-term asset renewal projects for inclusion in the ten-year Capital Improvement Program. The work includes: an evaluation of Zone 7's inventory of capital assets; development of methodologies and decision processes for asset renewal; condition assessment of key water treatment and distribution assets; risk analysis of below-ground assets (i.e., pipelines); development of the annual allowance necessary to adequately fund Renewal/Replacement projects over the long term; and comparison of the necessary funding level with the existing funding allowance. This effort is being performed in collaboration with Zone 7 Engineering, Maintenance & Operations, Finance staff, and Zone 7 Retailers. (INFRA a-4; GOV- a2)

Joint Exercise of Powers Agreement (JEPA) - Zone 7, along with Contra Costa County, Contra Costa County Flood Control and Water Conservation District, ACFC&WCD, City of Antioch, and the City of Concord, worked together under JEPA to request an NPDES (National Pollution Discharge Elimination System) Permit to apply aquatic pesticides to control undesirable vegetation in channels. Undesirable vegetation must be controlled to maintain design flow capacities, reduce silt deposition, and reduce erosion damages to the embankments of channels. This program was initiated in 2003, extended 5 years in 2004, and has now been extended for 2 more years through 2011.

Additionally Zone 7 pursues mechanical vegetation removal for isolated areas where chemical control is too broad a treatment. (ENVI a-13)

Alameda Countywide Clean Water Program – Alameda Countywide Clean Water Program (ACCWP) is a consortium of 14 cities and two flood control agencies, including Zone 7, within Alameda County that discharge storm water to the San Francisco Bay. On October 14, 2009, the Municipal Regional Stormwater NPDES Permit (MRP) was issued by the Regional Water Quality Control Board, an executive agency of the State of California. The MRP regulates the discharge of storm water runoff from the municipal separate storm sewer systems maintained by a total of 76 cities, counties, and flood control districts within the jurisdiction of six Bay Area regional stormwater programs, including ACCWP. The MRP specifies the actions necessary to reduce discharge of pollutants in stormwater to the maximum extent practicable, in a manner designed to achieve compliance with water quality standards and objectives, and effectively prohibit non-stormwater discharges into municipal storm drain systems and watercourses within the Permittees' jurisdiction. The MRP includes requirements for the following components applicable to Zone 7: Municipal Operations, New Development and Redevelopment, Illicit Discharge and Elimination, Construction Site Controls, Public Information and Outreach, Water Quality Monitoring, Trash Reduction, and Exempt and Conditionally Exempt Discharges. Complying with the MRP requirements provides the benefit of reducing damage related to flooding. (INFR - d8)

Incorporation into Existing Planning Mechanisms

Zone 7 has several planning mechanisms that provide support for the LHMP. These were identified in the section Review of Existing Plans & Studies.

Zone 7 uses these pre-existing programs to assist in the classification and prioritization of system facilities. These facilities are evaluated for potential hazards, renewal/replacement, and system-wide improvements and expansion strategies. Therefore, the mitigation actions identified in this plan will be carried out primarily through those existing plans and programs. In addition, Zone 7

enforces the requirements of the California Environmental Quality Act (CEQA), which, since 1988, requires mitigation for identified natural hazards.

Plan Update Process

As required by the Disaster Mitigation Act of 2000, Zone 7 will update this plan annex at least once every five years, by participating in a multi-agency effort with ABAG and other agencies to develop a multi-jurisdictional plan.

Zone 7 will continue to monitor this Annex. The plan will be monitored on an on-going basis by Agency staff as described in the Local Planning Process section. However, the major disasters affecting our community, legal changes, notices from ABAG as the lead agency on this process, and other triggers will be used. Zone 7 Executive Management will be responsible for determining if the plan should be updated.

Zone 7 is committed to reviewing and updating this plan annex at least once every five years, as required by the Disaster Mitigation Act of 2000. Zone 7 will contact ABAG four years after this plan is approved to ensure that ABAG plans to undertake the plan update process. If so, Zone 7 again plans to participate in the multi-jurisdictional plan. If ABAG is unwilling or unable to act as the lead agency in the multi-jurisdictional effort, other agencies will be contacted, including the County's Office of Emergency Services. Counties should then work together to identify another regional forum for developing a multi-jurisdictional plan.

The public will continue to be involved whenever the plan is updated and as appropriate during the monitoring and evaluation process. Prior to adoption of updates, Zone 7 will provide the opportunity for the public to comment on the updates. A public notice will be posted prior to the meeting to announce the comment period and meeting logistics. All documents and links relating to the LHMP will be permanently available on Zone 7's website. The hope is to gain public confidence and awareness for disaster related issues, while providing information on the work effort Zone 7 has undertaken to mitigate impacts.

Mitigation Plan Point of Contact

Name: Diana Gaines

Title: Senior Engineer

Mailing Address: 100 North Canyons Parkway, Livermore, CA 94551

Telephone: (925) 454-5021

Email: dgaines@zone7water.com

Alternate Point of Contact

Name: Sara Whatley

Title: Safety Technician

Mailing Address: 100 North Canyons Parkway, Livermore, CA 94551

Telephone: (925) 454-5025

Email: swhatley@zone7water.com

Exhibit A - Jurisdiction Boundary (Service Area) Map

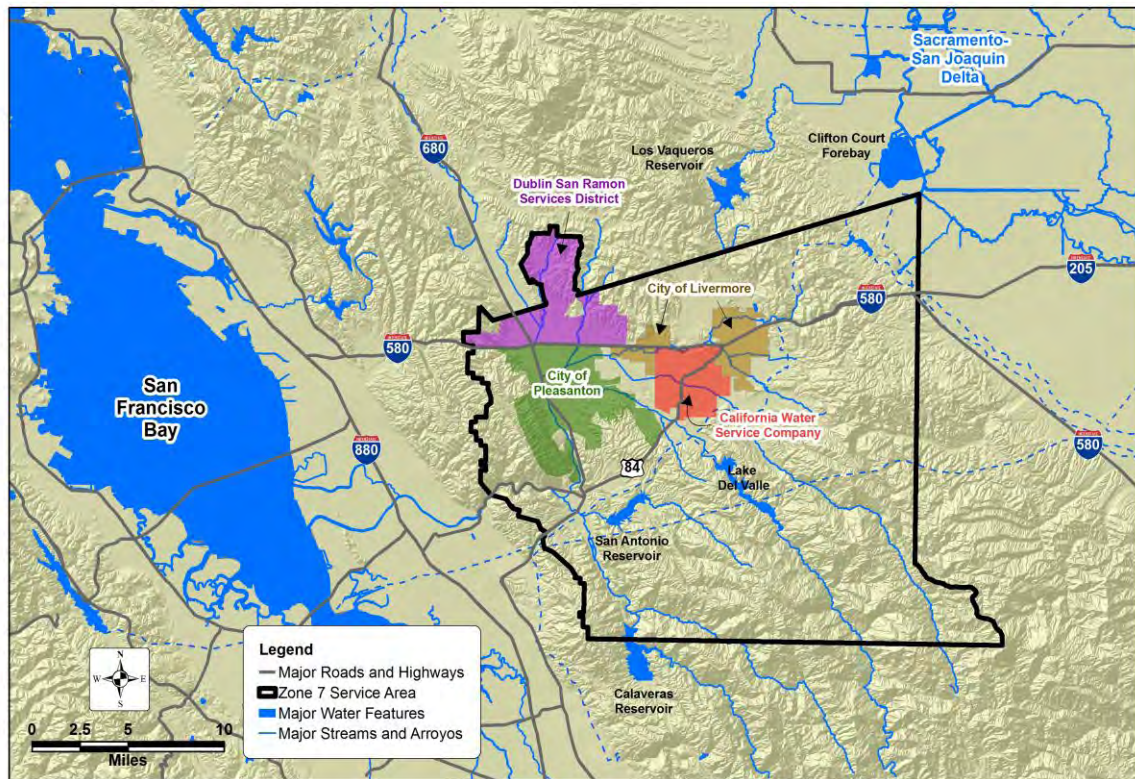


Exhibit B - Public Meeting Announcements

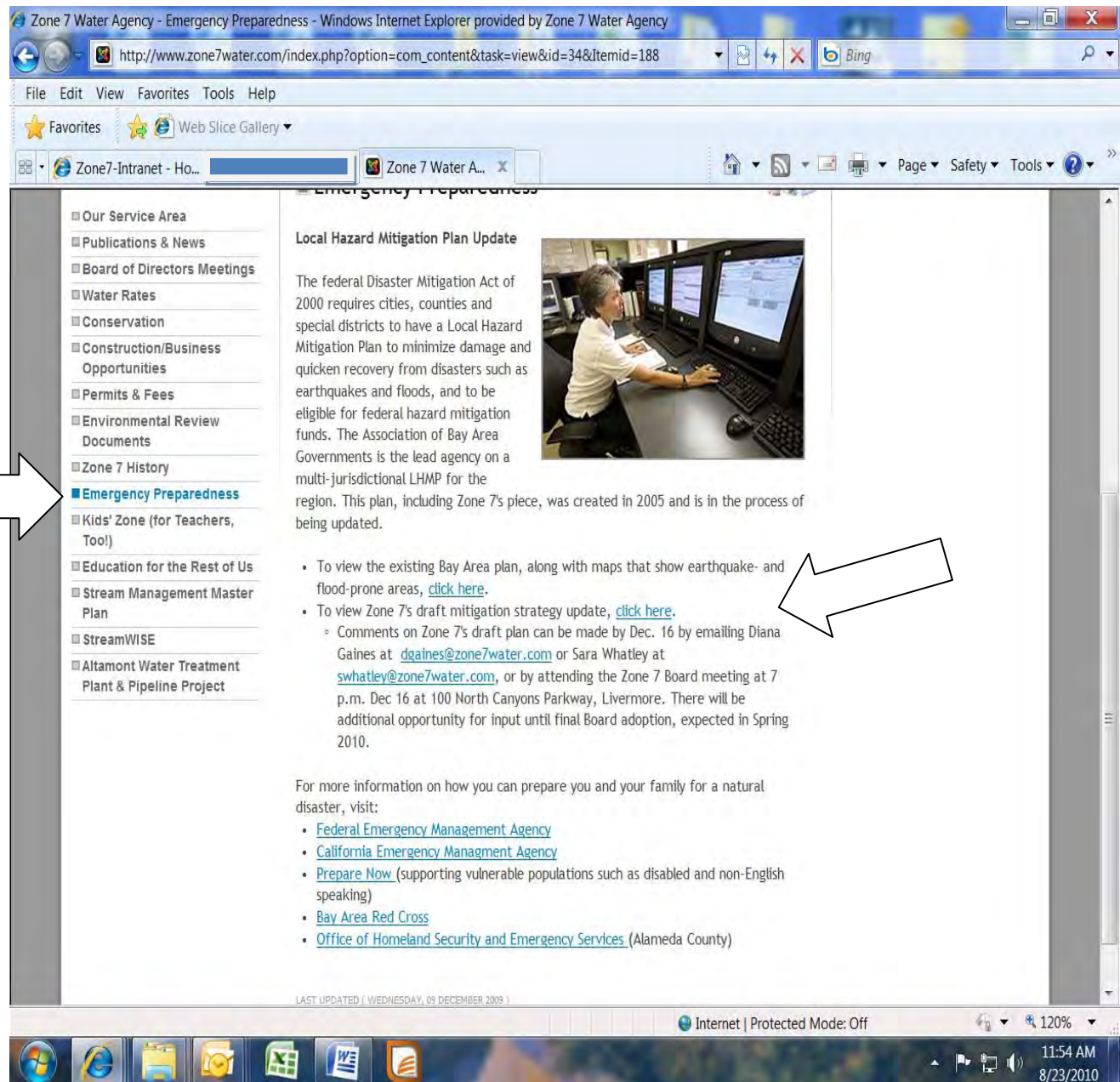


Exhibit C

Draft Infrastructure Mitigation Strategies

2009-2010 Strategy Number	2005 Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Existing Program	Existing Program, underfunded	Very High - Unofficial Program- Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Applicable, Not Appropriate, or Not Cost Effective	Not Yet Considered	Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority, OR Other Comments
filling out this form, including a city, county, or special													
a-1	a-1	Assess the vulnerability of critical facilities owned by infrastructure operators subject to damage in natural disasters or security threats, including fuel tanks and facilities owned outside of the Bay Area that can impact service delivery within the region. Note - Infrastructure agencies, departments, and districts are those that operate transportation and utility facilities and networks.	EQ LS WF FL SEC		X								
a-2	a-2	If a dam owner , comply with State of California and federal requirements to assess the vulnerability of dams to damage from earthquakes, seiches, landslides, liquefaction, or security threats.	EQ LS WF FL SEC							X			Not a dam owner
a-3	a-3	Encourage the cooperation of utility system providers and cities, counties, and special districts, and PG&E to develop strong and effective mitigation strategies for infrastructure systems and facilities.	EQ LS WF FL DR SEC	X									
a-4	a-4	Retrofit or replace critical lifeline infrastructure facilities and/or their backup facilities that are shown to be vulnerable to damage in natural disasters.	EQ LS WF FL SEC		X								
a-5	a-5	Support and encourage efforts of other (lifeline infrastructure) agencies as they plan for and arrange financing for seismic retrofits and other disaster mitigation strategies. (For example, a city might pass a resolution in support of a transit agency's retrofit program.)	EQ LS WF FL DR SEC	X									
a-6	a-6	Develop a plan for speeding the repair and functional restoration of water and wastewater systems through stockpiling of shoring materials, temporary pumps, surface pipelines, portable hydrants, and other supplies, such as those available through the Water /Wastewater Agency Response Network (WARN). Communicate that plan to local governments and critical facility operators.	EQ LS WF FL DR SEC	X									

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a-7	a-7	Engage in, support, and/or encourage research by others (such as USGS, universities, or Pacific Earthquake Engineering Research Center-PEER) on measures to further strengthen transportation, water, sewer, and power systems so that they are less vulnerable to damage in disasters.	EQ LS WF FL DR SEC	X									
a-8	a-8	Pre-position emergency power generation capacity (or have rental/lease agreements for these generators) in critical buildings of cities, counties, and special districts to maintain continuity of government and services.	EQ LS WF FL SEC		X								
a-9	a-9	(REWORDED) Ensure that critical intersection traffic lights function following loss of power by installing battery back-ups, emergency generators, or lights powered by alternative energy sources such as solar. Proper functioning of these lights is essential for rapid evacuation, such as with hazmat releases resulting from natural disasters.	EQ LS WF FL SEC							X		not applicable for a water agency	
a-10	a-10	Develop unused or new pedestrian rights-of-way as walkways to serve as additional evacuation routes (such as fire roads in park lands).	EQ LS WF FL SEC							X		not applicable for a water agency	
a-11	a-11	Minimize the likelihood that power interruptions will adversely impact lifeline utility systems or critical facilities by ensuring that they have adequate back-up power.	EQ LS WF FL SEC		X								
a-12	a-12	Encourage replacing above ground electric and phone wires and other structures with underground facilities, and use the planning-approval process to ensure that all new phone and electrical utility lines are installed underground.	EQ LS WF FL SEC		X								
a-13	a-13	If you own a dam , coordinate with the State Division of Safety of Dams to ensure an adequate timeline for the maintenance and inspection of dams, as required of dam owners by State law, and communicate this information to local governments and the public.	EQ LS WF FL SEC							X			Not a dam owner

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a-14	a-14	Encourage communication between State Emergency Management Agency (CalEMA) , FEMA, and utilities related to emergencies occurring outside of the Bay Area that can affect service delivery in the region.	EQ LS WF FL DR SEC	X									
a-15	a-15	Ensure that transit operators, private ambulance companies, cities, and/or counties have mechanisms in place for medical transport during and after disasters that take into consideration the potential for reduced capabilities of roads following these same disasters.	EQ LS WF FL SEC							X		not applicable for a water agency	
a-16	new	Recognize that heat emergencies produce the need for non-medical transport of people to cooling centers by ensuring that (1) transit operators have plans for non-medical transport of people during and after such emergencies including the use of paratransit and (2) cities, counties, and transit agencies have developed ways to communicate the plan to the public.	Heat							X		not applicable for a water agency	
a-17	a-16	Effectively utilize the Regional Transportation Management Center (TMC) in Oakland , the staffing of which is provided by Caltrans, the CHP and MTC. The TMC is designed to maximize safety and efficiency throughout the highway system. It includes the Emergency Resource Center (ERC) which was created specifically for primary planning and procedural disaster management. RESPONSIBLE AGENCY: MTC only.	EQ LS WF FL SEC							X		not applicable for a water agency	
a-18	new	Develop (with the participation of paratransit providers, emergency responders, and public health professionals) plans and procedures for paratransit system response and recovery from disasters.	EQ LS WF FL Heat SEC							X		not applicable for a water agency	
a-19	new	Coordinate with other critical infrastructure facilities to establish plans for delivery of water and wastewater treatment chemicals.	EQ LS WF FL SEC	X									
a-20	new	Establish plans for delivery of fuel to critical infrastructure providers.	EQ LS WF FL SEC		X								

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a-21	new	As an infrastructure operator, designate a back-up Emergency Operations Center with redundant communications systems.	EQ LS WF FL SEC		X								
a-22	new	Monitor scientific studies of the Sacramento-San Joaquin Delta and policy decisions related to the long-term disaster resistance of that Delta system to ensure that decisions are made based on comprehensive analysis and in a scientifically-defensible manner. Levee failure due to earthquakes, flooding, and climate change (including sea level rise and more frequent and more severe flooding) are all of concern. The long-term health of the Delta area is critical to the Bay Area's water supply, is essential for the San Francisco Bay and estuary's environmental health, provides recreation opportunities for Bay Area residents, and provides the long-term sustainability of Delta communities. While only part of the Delta is within the nine Bay Area counties covered by this multi-jurisdictional LHMP, the Delta is tied to the infrastructure, water supply, and economy of the Bay Area.	EQ FL		X								
INFR - b - Earthquakes													
b-1	b-1	Expedite the funding and retrofit of seismically-deficient city- and county-owned bridges and road structures by working with Caltrans and other appropriate governmental agencies.	EQ							X		not applicable for a water agency	
b-2	b-2	Establish a higher priority for funding seismic retrofit of existing transportation and infrastructure systems (such as BART) than for expansion of those systems.	EQ							X		not applicable for a water agency	
b-3	b-3	Include "areas subject to high ground shaking, earthquake-induced ground failure, and surface fault rupture" in the list of criteria used for determining a replacement schedule for pipelines (along with importance, age, type of construction material, size, condition, and maintenance or repair history).	EQ	x									
b-4	b-4	Install specially-engineered pipelines in areas subject to faulting, liquefaction, earthquake-induced landsliding, or other earthquake hazard.	EQ		X								
b-5	b-5	Replace or retrofit water-retention structures that are determined to be structurally deficient, including levees, dams, reservoirs and tanks.	EQ		X								

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b-6	b-6	Install portable facilities (such as hoses, pumps, emergency generators, or other equipment) to allow pipelines to bypass failure zones such as fault rupture areas, areas of liquefaction, and other ground failure areas (using a priority scheme if funds are not available for installation at all needed locations).	EQ		X								
b-7	b-7	Install earthquake-resistant connections when pipes enter and exit bridges and work with bridge owners to encourage retrofit of these structures.	EQ		X								
b-8	b-8	Comply with all applicable building and fire codes, as well as other regulations (such as state requirements for fault, landslide, and liquefaction investigations in particular mapped areas) when constructing or significantly remodeling infrastructure facilities.	EQ	X									
b-9	b-9	Clarify to workers in critical facilities and emergency personnel, as well as to elected officials and the public, the extent to which the facilities are expected to perform only at a life safety level (allowing for the safe evacuation of personnel) or are expected to remain functional following an earthquake.	EQ	X									
b-10	b-10	Develop a water-based transportation "system" across the Bay for use in the event of major earthquakes. Implementation of such a system could prove extremely useful in the event of structural failure of either the road-bridge systems or BART and might serve as an adjunct to existing transportation system elements in the movement of large numbers of people and/or goods.	EQ							X		not applicable for a water agency	

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INFR - c - Wildfire													
c-1	c-1	Ensure a reliable source of water for fire suppression (meeting acceptable standards for minimum volume and duration of flow) for existing and new development.	WF		X								
c-2	c-2	Develop a coordinated approach between fire jurisdictions and water supply agencies to identify needed improvements to the water distribution system, initially focusing on areas of highest wildfire hazard (including wildfire threat areas and in wildland-urban-interface areas).	WF							X			No fire hydrants for public use
c-3	c-3	Develop a defensible space vegetation program that includes the clearing or thinning of (a) non-fire resistive vegetation within 30 feet of access and evacuation roads and routes to critical facilities, or (b) all non-native species (such as eucalyptus and pine, but not necessarily oaks) within 30 feet of access and evacuation roads and routes to critical facilities.	WF		X								
c-4	c-4	For new development , ensure all dead-end segments of public roads in high hazard areas have at least a "T" intersection turn-around sufficient for typical wildland fire equipment.	WF							X		not applicable for a water agency	
c-5	c-5	For new development , enforce minimum road width of 20 feet with an additional 10-foot clearance on each shoulder on all driveways and road segments greater than 50 feet in length in wildfire hazard areas.	WF							X		not applicable for a water agency	
c-6	c-6	Require that development in high fire hazard areas provide adequate access roads (with width and vertical clearance that meet the minimum standards of the <i>Fire Code</i> or relevant local ordinance), onsite fire protection systems, evacuation signage, and fire breaks.	WF							X		not applicable for a water agency	
c-7	c-7	Ensure adequate fire equipment road or fire road access to developed and open space areas.	WF							X		not applicable for a water agency	
c-8	c-8	Maintain fire roads and/or public right-of-way roads and keep them passable at all times.	WF							X		not applicable for a water agency	
INFR - d - Flooding													
d-1	d-1	Conduct a watershed analysis of runoff and drainage systems to predict areas of insufficient capacity in the storm drain and natural creek system.	FL		X								
d-2	d-2	Develop procedures for performing a watershed analysis to examine the impact of development on flooding potential downstream, including communities outside of the jurisdiction of proposed projects.	FL		X								

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Draft Infrastructure Mitigation Strategies

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d-3	d-3	Conduct a watershed analysis at least once every ten years unless there is a major development in the watershed or a major change in the Land Use Element of the General Plan of the cities or counties within the watershed.	FL		X								
d-4	d-4	Assist, support, and/or encourage the U.S. Army Corp of Engineers, various Flood Control and Water Conservation Districts, and other responsible agencies to locate and maintain funding for the development of flood control projects that have high cost-benefit ratios (such as through the writing of letters of support and/or passing resolutions in support of these efforts).	FL	X									
d-5	d-5	Pursue funding for the design and construction of storm drainage projects to protect vulnerable properties, including property acquisitions, upstream storage such as detention basins, and channel widening with the associated right-of-way acquisitions, relocations, and environmental mitigations.	FL		X								
d-6	d-6	Continue to repair and make structural improvements to storm drains, pipelines, and/or channels to enable them to perform to their design capacity in handling water flows as part of regular maintenance activities. (This strategy has the secondary benefit of addressing fuel, chemical, and cleaning product issues.)	FL		X								
d-7	d-7	Continue maintenance efforts to keep storm drains and creeks free of obstructions, while retaining vegetation in the channel (as appropriate) to allow for the free flow of water.	FL		X								
d-8	d-8	Enforce provisions under creek protection, stormwater management, and discharge control ordinances designed to keep watercourses free of obstructions and to protect drainage facilities to conform with the Regional Water Quality Control Board's Best Management Practices.	FL		X								
d-9	d-9	Develop an approach and locations for various watercourse bank protection strategies, including for example, (1) an assessment of banks to inventory areas that appear prone to failure, (2) bank stabilization, including installation of rip rap, or whatever regulatory agencies allow (3) stream bed depth management using dredging, and (4) removal of out-of-date coffer dams in rivers and tributary streams.	FL		X								
d-10	d-10	Use reservoir sediment or reed removal as one way to increase storage for both flood control and water supply.	FL		X								

Exhibit C

Draft Infrastructure Mitigation Strategies

2009-2010 Strategy Number	2005 Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Existing Program	Existing Program, underfunded	Very High - Unofficial Program- Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Applicable, Not Appropriate, or Not Cost Effective	Not Yet Considered	Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority, OR Other Comments
d-11	d-11	Identify critical locally-owned bridges affected by flooding and either elevate them to increase stream flow and maintain critical ingress and egress routes or modify the channel to achieve equivalent objectives.	FL		X								
d-12	d-12	Provide or support the mechanism to expedite the repair or replacement of levees that are vulnerable to collapse from earthquake-induced shaking or liquefaction, rodents, and other concerns, particularly those protecting critical infrastructure.	FL		X								This response is based on our maintenence roads being considered levees.
d-13	d-13	Ensure that utility systems in new developments are constructed in ways that reduce or eliminate flood damage.	FL							X		not applicable for a water agency	
d-14	d-14	Determine whether or not wastewater treatment plants are protected from floods, and if not, investigate the use of flood-control berms to not only protect from stream or river flooding, but also increase plant security.	FL							X		not applicable for a water agency	
d-15	d-15	Work cooperatively with water agencies, flood control districts, Caltrans, and local transportation agencies to determine appropriate performance criteria for watershed analysis.	FL		X							Zone 7 Standard Practice	
d-16	d-16	Work for better cooperation among the patchwork of agencies managing flood control issues.	FL	X									
d-17	d-17	Improve monitoring of creek and watercourse flows to predict potential for flooding downstream by working cooperatively with land owners and the cities and counties in the watershed.	FL		X								
d-18	new	Using criteria developed by EPA for asset management, inventory existing assets, the condition of those assets, and improvements needed to protect and maintain those assets. Capture this information in a Geographic Information System (GIS) and use it to select locations for creek monitoring gauges.	FL							X			Flood control properties are listed per GASB34 and Alameda County fixed asset policy

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INFR - e - Landslides													
e-1	e-1	Include "areas subject to ground failure" in the list of criteria used for determining a replacement schedule (along with importance, age, type of construction material, size, condition, and maintenance or repair history) for pipelines.	LS	X									
e-2	e-2	Establish requirements in zoning ordinances to address hillside development constraints in areas of steep slopes that are likely to lead to excessive road maintenance or where roads will be difficult to maintain during winter storms due to landsliding.	LS							X		not applicable for a water agency	
INFR - f - Building Reoccupancy													
f-1	f-1	Ensure that critical buildings owned or leased by special districts or private utility companies participate in a program similar to San Francisco's Building Occupancy Resumption Program (BORP). The BORP program permits owners of buildings to hire qualified engineers to create facility-specific post-disaster inspection plans and allows these engineers to become automatically deputized as City/County inspectors for these buildings in the event of an earthquake or other disaster. This program allows rapid reoccupancy of the buildings. Note - A qualified (deleted structural) engineer is a California licensed engineer with relevant experience.	EQ LS WF FL SEC							X		not applicable for a water agency	
INFR - g - Public Education													
g-1	g-1	Provide materials to the public related to planning for power outages.	EQ LS WF FL SEC							X		not applicable for a water agency	
g-2	g-2	Provide materials to the public related to family and personal planning for delays due to traffic or road closures, or due to transit system disruption caused by disasters.	EQ LS WF FL SEC							X		not applicable for a water agency	

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g-3	g-3	Provide materials to the public related to coping with reductions in water supply or contamination of that supply BEYOND regulatory notification requirements.	EQ LS WF FL DR SEC	X									
g-4	g-4	Provide materials to the public related to coping with disrupted storm drains, sewage lines, and wastewater treatment (such as that developed by ABAG's Sewer Smart Program).	EQ LS WF FL DR SEC	X									
g-5	g-5	Facilitate and/or coordinate the distribution of emergency preparedness or mitigation materials that are prepared by others, such as by making the use of the internet or other electronic means , or placing materials on community access channels or in city or utility newsletters, as appropriate.	EQ LS WF FL DR SEC	X									
g-6	new	Sponsor the formation and training of Community Emergency Response Teams (CERT) for the employees of your agency. [Note – these programs go by a variety of names in various cities and areas.]	EQ LS WF FL DR SEC								X		
g-7	new	Develop and distribute culturally appropriate materials related to disaster mitigation and preparedness, such as those on the http://www.preparenow.org website related to infrastructure issues.	EQ LS WF FL DR SEC	X									

Draft Health Mitigation Strategies

2009-2010 Strategy Number	2005 Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Priority (CHECK ONLY ONE)								Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority, OR Other Comments
				Existing Program	Existing Program, underfunded	Very High - Unofficial Program- Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Appropriate, or Not Cost Effective	Not Yet Considered		
HEAL - a - Hospitals and Other Critical Health Care Facilities (including those facilities licensed by OSHPD, as well as water agencies, public & private hospitals as noted). To be filled out by cities, counties, and county health department as well as water agencies, public & private hospitals as noted)													
a-1	a-1	Work to ensure that cities, counties, county health departments, and hospital operators coordinate with each other (and that hospitals cooperate with the California Office of Statewide Health Planning and Development - OSHPD) to comply with current state law that mandates that critical facilities are structurally sound and have nonstructural systems designed to remain functional following disasters by 2013. In particular, this coordination should include understanding any problems with obtaining needed funding. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ LS WF FL SEC							X		not applicable for a water agency	
a-2	a-2	Encourage hospitals in your community to work with OSHPD to formalize arrangements with structural engineers to report to the hospital, assess damage, and determine if the buildings can be reoccupied. The program should be similar to San Francisco's Building Occupancy Resumption Program (BORP) that permits owners of buildings to hire qualified structural engineers to create building-specific post-disaster inspection plans and allows these engineers to become automatically deputized as inspectors for these buildings in the event of an earthquake or other disaster. OSHPD, rather than city/county building departments, has the authority and responsibility for the structural integrity of hospital structures. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ LS WF FL SEC							X		not applicable for a water agency	
a-3	a-3	Ensure health care facilities are adequately prepared to care for victims with respiratory problems related to smoke and/or particulate matter inhalation. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ WF SEC							X		not applicable for a water agency	
a-4	a-4	Ensure these health care facilities have the capacity to shut off outside air and be self-contained. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ WF SEC							X		not applicable for a water agency	

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a-5	a-5	Ensure that hospitals and other major health care facilities have auxiliary water and power sources. RESPONSIBLE AGENCIES: Cities, counties, county health departments, water suppliers, and hospitals	EQ LS WF FL SEC							X		not applicable for a water agency	
a-6	a-6	Work to ensure that county health departments work with health care facilities to institute isolation capacity should a need for them arise following a communicable disease epidemic. Isolation capacity varies from a section of the hospital for most communicable diseases to the entire hospital for a major pandemic flu. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ WF FL SEC							X		not applicable for a water agency	
a-7	a-7	Develop printed materials, utilize existing materials (such as developed by FEMA, the American Red Cross, and others, including non-profit organizations), conduct workshops, and/or provide outreach encouraging employees of these critical health care facilities to have family disaster plans and conduct mitigation activities in their own homes. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ LS WF FL SEC							X		not applicable for a water agency	
HEAL - b - Ancillary Health-Related Facilities (including medical offices, pharmacies, free-standing or specialty clinics, etc.)													
b-1	b-1	Identify these ancillary facilities in your community. These facilities are not regulated by OSHPD in the same way as hospitals. RESPONSIBLE AGENCIES: Cities, counties, and county health departments	EQ LS WF FL SEC							X		not applicable for a water agency	
b-2	b-2	Encourage these facility operators to develop disaster mitigation plans. RESPONSIBLE AGENCIES: Cities, counties, and county health departments	EQ LS WF FL SEC							X		not applicable for a water agency	
b-3	b-3	Encourage these facility operators to create, maintain, and/or continue partnerships with local governments to develop response and business continuity plans for recovery. RESPONSIBLE AGENCIES: Cities, counties, and county health departments	EQ LS WF FL SEC							X		not applicable for a water agency	
HEAL - c - Coordination Initiatives													
c-1	c-1	Designate locations for the distribution of antibiotics to large numbers of people should the need arise, as required to be included in each county's Strategic National Stockpile Plan. RESPONSIBLE AGENCIES: County Health Departments	FLU SEC							X		not applicable for a water agency	

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c-2	c-2	Ensure that you know the Metropolitan Medical Response System (MMRS) cities in your area. Fremont, Oakland, San Francisco, and San Jose (plus Sacramento and Stockton) are the MMRS cities in or near the Bay Area . MMRS cities are provided with additional federal funds for organizing, equipping, and training groups of local fire, rescue, medical, and other emergency management personnel to respond to a mass casualty event. (The coordination among public health, medical, emergency management, coroner, EMS, fire, and law enforcement is a model for all cities and counties.) RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ LS WF FL SEC							X		not applicable for a water agency	
c-3	c-3	Know that National Disaster Medical System (NDMS) uniformed or non-uniformed personnel are within one-to-four hours of your community. These federal resources include veterinary, mortuary, and medical personnel. Teams in or near the Bay Area are headquartered in the cities of Santa Clara and Sacramento. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals	EQ LS WF FL SEC							X		not applicable for a water agency	
c-4	c-4	Plan for hazmat related-issues due to a natural or technological disaster. Hazmat teams should utilize the State of California Department of Health Services laboratory in Richmond for confirmation of biological agents and Lawrence Livermore National Laboratory or Sandia (both in Livermore) for confirmation of radiological agents. RESPONSIBLE AGENCIES: Cities, counties, county health departments, and hospitals.	EQ WF FL SEC							X		not applicable for a water agency	
c-5	d-1	Create discussion forums for food and health personnel (including, for example, medical professionals, veterinarians, and plant pathologists) to develop safety, security, and response strategies for food supply contamination (at the source, in processing facilities, in distribution centers, and in grocery stores). RESPONSIBLE AGENCIES: County environmental health departments	FL SEC							X		not applicable for a water agency	

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c-6	new	Ensure mental health continuity of operations and disaster planning is coordinated among county departments, (including Public Health and Emergency Services), private sector mental health organizations, professional associations, and national and community-based non-profit agencies involved in supporting community mental health programs. First , such planning should ensure that the capability exists to provide both immediate on-site mental health support at facilities such as evacuation centers, emergency shelters, and local assistance centers, as well as to coordinate on-going mental health support during the long-term recovery process. Second , this planning should ensure that mental health providers, in collaboration with the county agencies responsible for providing public information, are prepared to provide consistent post-disaster stress and other mental health guidance to the public impacted by the disaster.	EQ LS WF FL SEC							X		not applicable for a water agency	
deleted	d-2	(duplicate information to c-2)											
deleted	d-3	(duplicate information to c-3)											
deleted	d-4	(duplicate information to c-4)											

Draft Housing Mitigation Strategies

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HSNG - a - Multi-Hazard															
a-1	a-1		Assist in ensuring adequate hazard disclosure by working with real estate agents to improve enforcement of real estate disclosure requirements for residential properties with regard to seven official natural hazard zones: 1) Special Flood Hazard Areas (designated by FEMA), 2) Areas of Potential Flooding from dam failure inundation, 3) Very High Fire Hazard Severity Zones, 4) Wildland Fire Zones, 5) Earthquake Fault Zones (designated under the Alquist-Priolo Earthquake Fault Zoning Act), and the 6) Liquefaction and Landslide Hazard Zones (designated under the Seismic Hazard Mapping Act).	EQ LS WF FL SEC							X		not applicable for a water agency		
a-2	a-2		Create incentives for private owners of historic or architecturally significant residential buildings to undertake mitigation to levels that will minimize the likelihood that these buildings will need to be demolished after a disaster, particularly if those alterations conform to the federal Secretary of the Interior's <i>Guidelines for Rehabilitation</i> .	EQ LS WF FL SEC								X		not applicable for a water agency	
a-3	NEW Was GOV T b-4		Develop a plan for short-term sheltering of residents of your community in conjunction with the American Red Cross.	EQ LS WF FL SEC								X		not applicable for a water agency	
a-4	NEW Was GOV T b-4		Develop a plan for interim housing for those displaced by working with the Regional Catastrophic Planning Grant Program (CPGP) that funded this effort in 2009. (Estimated completion is 2011.)	EQ LS WF FL SEC								X		not applicable for a water agency	

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HSNG - b - Single-Family Homes Vulnerable to Earthquakes													
b-1	b-1	Utilize or recommend adoption of a retrofit standard that includes standard plan sets and construction details for voluntary bolting of homes to their foundations and bracing of outside walls of crawl spaces ("cripple" walls), such as Plan Set A developed by a committee representing the East Bay-Peninsula-Monterey Chapters of the International Code Council (ICC), California Building Officials (CALBO), the Structural Engineers Association of Northern California (SEAONC), the Northern California Chapter of the Earthquake Engineering Research Institute (EERI-NC), and ABAG's Earthquake Program.	EQ							X		not applicable for a water agency	
b-2	b-2	Require engineered plan sets for seismic retrofitting of heavy two-story homes with living areas over garages, as well as for split level homes (that is, homes not covered by Plan Set A) , until standard plan sets and construction details become available.	EQ							X		not applicable for a water agency	
b-3	b-3	Require engineered plan sets for seismic retrofitting of homes on steep hillsides (because these homes are not covered by Plan Set A) .	EQ							X		not applicable for a water agency	
b-4	b-4	Encourage local government building inspectors to take classes on a periodic basis (such as the FEMA-developed training classes offered by ABAG) on retrofitting of single-family homes, including application of Plan Set A .	EQ							X		not applicable for a water agency	
b-5	b-5	Encourage private retrofit contractors and home inspectors doing work in your area to take retrofit classes on a periodic basis (such as the FEMA-developed training classes offered by ABAG or additional classes that might be offered by the CALBO Training Institute) on retrofitting of single-family homes.	EQ							X		not applicable for a water agency	
b-6	b-6	Conduct demonstration projects on common existing housing types demonstrating structural and nonstructural mitigation techniques as community models for earthquake mitigation.	EQ							X		not applicable for a water agency	
b-7	b-7	Provide retrofit classes or workshops for homeowners in your community, or help promote utilization of subregional workshops in the South Bay, East Bay, Peninsula, and North Bay as such workshops become available through outreach using existing community education programs .	EQ							X		not applicable for a water agency	
b-8	b-8	Establish tool-lending libraries with common tools needed for retrofitting for use by homeowners with appropriate training.	EQ							X		not applicable for a water agency	

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b-9	b-9	(reworded) Provide financial incentives to owners of single-family homes to retrofit if those retrofits comply with Plan Set A or IEBC 2006 in addition to that provided by existing state law State law that makes such retrofits exempt from increases in property taxes.	EQ							X		not applicable for a water agency	
HSNG - c - Soft-Story Multifamily Residential Structures Vulnerable to Earthquakes													
c-1	c-1	Require engineered plan sets for voluntary or mandatory soft-story seismic retrofits by private owners until a standard plan set and construction details become available.	EQ							X		not applicable for a water agency	
c-2	c-2	Adopt the 2009 (changed date) International Existing Building Code or the latest applicable standard for the design of voluntary or mandatory soft-story building retrofits for use in city/county building department regulations. In addition, allow use of changes to that standard recommended by SEAOC for the 2012 IEBC.	EQ							X		not applicable for a water agency	
c-3	c-3	Work to educate building owners, local government staff, engineers, and contractors on privately-owned soft-story retrofit procedures and incentives using materials such as those developed by ABAG and the City of San Jose (see http://quake.abag.ca.gov/eqhouse.html .)	EQ							X		not applicable for a water agency	
c-4	c-4	Conduct an inventory of privately-owned existing or suspected soft-story residential structures as a first step in establishing voluntary or mandatory programs for retrofitting these buildings.	EQ							X		not applicable for a water agency	
c-5	c-5	Use the soft-story inventory to require private owners to inform all existing tenants (and prospective tenants prior to signing a lease agreement) that they may live in this type of building.	EQ							X		not applicable for a water agency	
c-6	c-6	Use the soft-story inventory to require private owners to inform all existing and prospective tenants that they may need to be prepared to live elsewhere following an earthquake if the building has not been retrofitted.	EQ							X		not applicable for a water agency	
c-7	c-7	Investigate and adopt appropriate financial, procedural, and land use incentives (such as parking waivers) for private owners of soft-story buildings to facilitate retrofit such as those described by ABAG (see http://quake.abag.ca.gov/fixit).	EQ							X		not applicable for a water agency	
c-8	c-8	(reworded) Explore development of State regulations or legislation to require or encourage private owners of soft-story structures to strengthen them.	EQ							X		not applicable for a water agency	

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c-9	c-9	Provide technical assistance in seismically strengthening privately-owned soft-story structures.	EQ							X		not applicable for a water agency	
HSNG - d - Unreinforced Masonry Housing Stock													
d-1	d-1	Continue to actively implement existing State law that requires cities and counties to maintain lists of the addresses of unreinforced masonry buildings and inform private property owners that they own this type of hazardous structure.	EQ							X		not applicable for a water agency	
d-2	d-2	Accelerate retrofitting of privately-owned unreinforced masonry structures that have not been retrofitted, for example, by (a) actively working with owners to obtain structural analyses of their buildings, (b) helping owners obtain retrofit funding, (c) adopting a mandatory versus voluntary, retrofit program, and/or (d) applying penalties to owners who show inadequate efforts to upgrade these buildings.	EQ							X		not applicable for a water agency	
d-3	d-3	Require private owners to inform all existing tenants (and prospective tenants prior to signing a lease agreement) that they live in an unreinforced masonry building and the standard to which it may have been retrofitted.	EQ							X		not applicable for a water agency	
d-4	d-4	As required by State law, require private owners to inform all existing tenants that they may need to be prepared to live elsewhere following an earthquake even if the building has been retrofitted, because it has probably been retrofitted to a life-safety standard, not to a standard that will allow occupancy following major earthquakes.	EQ							X		not applicable for a water agency	

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HSNG - e - Other Privately-Owned Structurally Vulnerable Residential Buildings and Earthquakes													
e-1	e-1	Identify and work toward tying down mobile homes used as year-round permanent residences using an appropriate cost-sharing basis (for example, 75% grant, 25% owner).	EQ							X		not applicable for a water agency	
e-2	e-2	Inventory non-ductile concrete, tilt-up concrete (such as converted lofts), and other privately-owned potentially structurally vulnerable residential buildings.	EQ							X		not applicable for a water agency	
e-3	e-3	Adopt the 2009 International Existing Building Code or the latest applicable standard for the design of voluntary or mandatory retrofit of privately-owned seismically vulnerable buildings.	EQ							X		not applicable for a water agency	
e-4	e-4	Adopt one or more of the following strategies as incentives to encourage retrofitting of privately-owned seismically vulnerable residential buildings: (a) waivers or reductions of permit fees, (b) below-market loans, (c) local tax breaks, (d) grants to cover the cost of retrofitting or of a structural analysis, (e) land use (such as parking requirement waivers) and procedural incentives, or (f) technical assistance.	EQ							X		not applicable for a water agency	
HSNG - f - New Construction and Earthquakes													
f-1	f-1	Continue to require that all new housing be constructed in compliance with (deleted "structural") requirements of the most recently adopted version of the California Building Code.	EQ							X		not applicable for a water agency	
f-2	f-2	Conduct appropriate employee training and support continued education to ensure enforcement of building codes and construction standards, as well as identification of typical design inadequacies of housing and recommended improvements.	EQ							X		not applicable for a water agency	
HSNG - g - Wildfire and Structural Fires													
g-1	g-1	Increase efforts to reduce hazards in existing private development in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat through improving engineering design and vegetation management for mitigation, appropriate code enforcement, and public education on defensible space mitigation strategies.	WF							X		not applicable for a water agency	
g-2	g-2	Tie public education on defensible space and a comprehensive defensible space ordinance to a field program of enforcement.	WF							X		not applicable for a water agency	

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g-3	g-3	Require that new homes in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat be constructed of fire-resistant building materials (including roofing and exterior walls) and incorporate fire-resistant design features (such as minimal use of eaves, internal corners, and open first floors) to increase structural survivability and reduce ignitability. Note - See Structural Fire Prevention Field Guide for Mitigation of Wildfires at http://osfm.fire.ca.gov/structural.html .	WF							X		not applicable for a water agency	
g-4	g-4	Create or identify "model" properties showing defensible space and structural survivability in neighborhoods that are wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat.	WF							X		not applicable for a water agency	
g-5	g-5	Consider fire safety, evacuation, and emergency vehicle access when reviewing proposals to add secondary units or additional residential units in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat.	WF							X		not applicable for a water agency	
g-6	g-6	Adopt and amend as needed updated versions of the <i>California Building and Fire Codes</i> so that optimal fire-protection standards are used in construction and renovation projects of private buildings .	WF							X		not applicable for a water agency	
g-7	g-7	Create a mechanism to enforce provisions of the <i>California Building and Fire Codes</i> and other local codes that require the installation of smoke detectors and fire-extinguishing systems on existing residential buildings by making installation a condition of (a) finalizing a permit for any work valued at over a fixed amount and/or (b) on any building over 75 feet in height, and/or (b) as a condition for the transfer of property.	WF							X		not applicable for a water agency	
g-8	g-8	Work to ensure a reliable source of water for fire suppression in rural-residential areas through the cooperative efforts of water districts, fire districts, and residents.	WF							X		not applicable for a water agency	
g-9	g-9	Expand vegetation management programs in wildland-urban- interface fire-threatened communities or in areas exposed to high-to-extreme fire threat to more effectively manage the fuel load through roadside collection and chipping, mechanical fuel reduction equipment, selected harvesting, use of goats or other organic methods of fuel reduction, and selected use of controlled burning.	WF							X		not applicable for a water agency	

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g-10	g-11	Establish special funding mechanisms (such as Fire Hazard Abatement Districts or regional bond funding) to fund reduction in fire risk of existing properties through vegetation management that includes reduction of fuel loads, use of defensible space, and fuel breaks.	WF							X		not applicable for a water agency	
g-11	g-12	Work with residents in rural-residential areas to ensure adequate plans are developed for appropriate access and evacuation in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat. For example, in some areas, additional roads can be created, and in other areas, the communities will need to focus on early warning and evacuation because additional roads are not feasible.	WF							X		not applicable for a water agency	
g-12	g-13	Require fire sprinklers in new homes located more than 1.5 miles or a 5-minute response time from a fire station or in an identified high hazard wildland-urban-interface wildfire area.	WF							X		not applicable for a water agency	
g-13	g-14	Require fire sprinklers in all new or substantially remodeled multifamily housing, regardless of distance from a fire station.	WF							X		not applicable for a water agency	
g-14	g-15	Require sprinklers in all mixed use development to protect residential uses from fires started in non-residential areas.	WF							X		not applicable for a water agency	
g-15	g-16	Compile a list of privately-owned high-rise and high-occupancy buildings which are deemed, due to their age or construction materials, to be particularly susceptible to fire hazards, and determine an expeditious timeline for the fire-safety inspection of all such structures.	WF							X		not applicable for a water agency	
g-16	g-17	Conduct periodic fire-safety inspections of all multi-family buildings, as required by State law.	WF							X		not applicable for a water agency	
g-17	g-18	Ensure that city/county-initiated fire-preventive vegetation-management techniques and practices for creek sides and high-slope areas do not contribute to the landslide and erosion hazard. For example, vegetation in these sensitive areas could be thinned, rather than removed, or replanted with less flammable materials. When thinning, the non-native species should be removed first. Other options would be to use structural mitigation, rather than vegetation management in the most sensitive areas.	WF LS							X		not applicable for a water agency	

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g-18	g-19	Create a mechanism to require the bracing of water heaters and flexible couplings on gas appliances, and/or (as specified under “b. Single-family homes vulnerable to earthquakes” above) the bolting of homes to their foundations and strengthening of cripple walls to reduce fire ignitions due to earthquakes.	EQ WF							X		not applicable for a water agency	
g-19	g-20	Work with the State Fire Marshall, the California Seismic Safety Commission, Pacific Earthquake Engineering Research Center (PEER), and other experts to identify and manage gas-related fire risks of soft-story residential or mixed use buildings that are prone to collapse and occupant entrapment consistent with the natural gas safety recommendations of Seismic Safety Commission Report SSC-02-03. Note - See http://www.seismic.ca.gov/pub/CSSC_2002-03_Natural%20Gas%20Safety.pdf . Also note - any valves that are installed may need to have both excess flow and seismic triggers (“hybrid” valves).	EQ WF							X		not applicable for a water agency	
g-20	new	Work with insurance companies to create a public/private partnership to give a discount on fire insurance premiums to “Forester Certified” Fire Wise landscaping and fire-resistant building materials on private property.	WF							X		not applicable for a water agency	
HSNG - h - Flooding													
h-1	h-1	To reduce flood risk, thereby reducing the cost of flood insurance to private property owners, work to qualify for the highest-feasible rating under the Community Rating System of the National Flood Insurance Program.	FL							X		not applicable for a water agency	
h-2	h-2	Balance the housing needs of residents against the risk from potential flood-related hazards.	FL							X		not applicable for a water agency	
h-3	h-3	Ensure that new private development pays its fair share of improvements to the storm drainage system necessary to accommodate increased flows from the development, or does not increase runoff by draining water to pervious areas or detention facilities.	FL							X		not applicable for a water agency	
h-4	h-4	Provide sandbags and plastic sheeting to residents in anticipation of rainstorms, and deliver those materials to vulnerable populations upon request.	FL							X		not applicable for a water agency	

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h-5	h-5	Provide public information on locations for obtaining sandbags and/or deliver those sandbags to those various locations throughout a city and/or county prior to and/or during the rainy season.	FL							X		not applicable for a water agency	
h-6	h-6	Apply floodplain management regulations for private development in the floodplain and floodway.	FL							X		not applicable for a water agency	
h-7	h-7	Ensure that new subdivisions are designed to reduce or eliminate flood damage by requiring lots and rights-of-way be laid out for the provision of approved sewer and drainage facilities, providing on-site detention facilities whenever practicable.	FL							X		not applicable for a water agency	
h-8	h-8	Encourage home and apartment owners to participate in home elevation programs within flood hazard areas.	FL							X		not applicable for a water agency	
h-9	h-9	As funding opportunities become available, encourage home and apartment owners to participate in acquisition and relocation programs for areas within floodways.	FL							X		not applicable for a water agency	
h-10	h-10	Encourage owners of properties in a floodplain to consider purchasing flood insurance. For example, point out that most homeowners' insurance policies do not cover a property for flood damage.	FL							X		not applicable for a water agency	

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HSNG - i - Landslides and Erosion													
i-1	i-1	Increase efforts to reduce landslides and erosion in existing and future development by improving appropriate code enforcement and use of applicable standards for private property , such as those appearing in the <i>California Building Code</i> , <i>California Geological Survey Special Report 117 – Guidelines for Evaluating and Mitigating Seismic Hazards in California</i> , <i>American Society of Civil Engineers (ASCE) report Recommended Procedures for Implementation of DMG Special Publication 117: Guidelines for Analyzing and Mitigating Landslide Hazards in California</i> , and the <i>California Board for Geologists and Geophysicists Guidelines for Engineering Geologic Reports</i> . Such standards should cover excavation, fill placement, cut-fill transitions, slope stability, drainage and erosion control, slope setbacks, expansive soils, collapsible soils, environmental issues, geological and geotechnical investigations, grading plans and specifications, protection of adjacent properties, and review and permit issuance.	LS							X		not applicable for a water agency	
i-2	i-2	Increase efforts to reduce landslides and erosion in existing and future private development through continuing education of design professionals on mitigation strategies.	LS							X		not applicable for a water agency	

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HSNG - j - Building Reoccupancy													
j-1	j-1 same as econ i-5	Develop and enforce a repair and reconstruction ordinance to ensure that damaged buildings are repaired in an appropriate and timely manner and retrofitted concurrently. This repair and reconstruction ordinance should apply to all public and private buildings, and also apply to repair of all damage, regardless of cause. See http://quake.abag.ca.gov/recovery/info-repair-ord.html.	EQ LS WF FL SEC							X		not applicable for a water agency	
j-2	NE W same as econ i-6	Establish preservation-sensitive measures for the repair and reoccupancy of historically significant privately-owned structures, including requirements for temporary shoring or stabilization where needed, arrangements for consulting with preservationists, and expedited permit procedures for suitable repair or rebuilding of historically or architecturally valuable structures.	EQ LS WF FL SEC							X		not applicable for a water agency	
HSNG - k - Public Education													
k-1	k-1	Provide information to residents of your community on the availability of interactive hazard maps showing your community on ABAG's web site.	EQ LS WF FL SEC							X		not applicable for a water agency	
k-2	k-2	Develop printed materials, utilize existing materials (such as developed by FEMA and the American Red Cross), conduct workshops, and/or provide outreach encouraging residents to have family disaster plans that include drop-cover-hold earthquake drills, fire and storm evacuation procedures, and shelter-in-place emergency guidelines.	EQ LS WF FL SEC							X		not applicable for a water agency	
k-3	k-3	Inform residents of comprehensive mitigation activities, including elevation of appliances above expected flood levels, use of fire-resistant roofing and defensible space in high wildfire threat and wildfire-urban-interface areas, structural retrofitting techniques for older homes, and use of intelligent grading practices through workshops, publications, and media announcements and events.	EQ LS WF FL SEC							X		not applicable for a water agency	
k-4	k-4	Develop a public education campaign on the cost, risk, and benefits of earthquake, flood, and other hazard insurance as compared to mitigation.	EQ LS WF FL SEC							X		not applicable for a water agency	

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k-5	k-5	Use disaster anniversaries, such as April (the 1906 earthquake), September (9/11), and October (Loma Prieta earthquake and Oakland Hills fire), to remind the public of safety and security mitigation activities.	EQ LS WF FL SEC							X		not applicable for a water agency	
k-6	k-6	Sponsor the formation and training of Community Emergency Response Teams (CERT) for residents in your community. [Note – these programs go by a variety of names in various cities and areas.]	EQ LS WF FL SEC							X		not applicable for a water agency	
k-7	k-7	Include flood fighting technique session based on California Department of Water Resources training to the list of available public training classes offered by CERT.	FL							X		not applicable for a water agency	
k-8	k-8	Institute the neighborhood watch block captain and team programs outlined in the Citizen Corps program guide.	EQ LS WF FL SEC							X		not applicable for a water agency	
k-9	k-9	Assist residents in the development of defensible space through the use of, for example, “tool libraries” for weed abatement tools, roadside collection and/or chipping services (for brush, weeds, and tree branches) in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat.	WF							X		not applicable for a water agency	
k-10	k-10	Train homeowners to locate and shut off gas valves if they smell or hear gas leaking.	EQ LS WF FL SEC							X		not applicable for a water agency	
k-11	k-12	Develop a program to provide at-cost NOAA weather radios to residents of flood hazard areas that request them, with priority to neighborhood watch captains and others trained in their use.	FL							X		not applicable for a water agency	
k-12	k-13	Make use of the materials on the ABAG web site at http://quake.abag.ca.gov/fixit and other web sites to increase residential mitigation activities related to earthquakes. (ABAG plans to continue to improve the quality of those materials over time.)	EQ							X		not applicable for a water agency	
k-13	k-14	Develop a “Maintain-a-Drain” campaign, similar to that of the City of Oakland, encouraging private businesses and residents to keep storm drains in their neighborhood free of debris.	FL							X		not applicable for a water agency	

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k-14	k-15	Encourage the formation of a community- and neighborhood-based approach to wildfire education and action through local Fire Safe Councils and the <i>Fire Wise Program</i> . This effort is important because grant funds are currently available to offset costs of specific council-supported projects.	WF							X		not applicable for a water agency	
k-15	k-16	Inform shoreline-property owners of the possible long-term economic threat posed by rising sea levels.	FL							X		not applicable for a water agency	
k-16	k-17	Distribute appropriate materials related to disaster mitigation and preparedness to residents. Appropriate materials are (1) culturally appropriate and (2) suitable for special needs populations. For example, such materials are available on the http://www.preparenow.org website and from non-governmental organizations that work with these communities on an on-going basis.	EQ LS WF FL SEC							X		not applicable for a water agency	
deleted	g-10	DELETED - REPLACED BY DISCUSSION OF REVERSE 911 in GOVT c-14.											
deleted	k-11												

Draft Economy Mitigation Strategies

2009-2010 Strategy Number	2005 Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Priority (CHECK ONLY ONE)								Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority. OR Other
				Existing Program	Existing Program, underfunded	Very High - Unofficial Program- Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Appropriate, or Not Cost Effective	Not Yet Considered		
ECON - a - Multi-Hazard													
a-1	a-1	Assist in ensuring adequate hazard disclosure by working with real estate agents to improve enforcement of real estate disclosure requirements for commercial and industrial properties with regard to seven official natural hazard zones: 1) Special Flood Hazard Areas (designated by FEMA), 2) Areas of Potential Flooding from dam failure inundation, 3) Very High Fire Hazard Severity Zones, 4) Wildland Fire Zones, 5) Earthquake Fault Zones (designated under the Alquist-Priolo Earthquake Fault Zoning Act), and the 6) Liquefaction and Landslide Hazard Zones (designated under the Seismic Hazard Mapping Act).	EQ LS WF FL SEC							X		not applicable for a water agency	
a-2	a-2	Create incentives for private owners of historic or architecturally significant commercial and industrial buildings to undertake mitigation to levels that will minimize the likelihood that these buildings will need to be demolished after a disaster, particularly if those alterations conform to the federal Secretary of the Interior's <i>Guidelines for Rehabilitation</i> .	EQ LS WF FL SEC							X		not applicable for a water agency	
ECON - b - Soft-Story Commercial Buildings Vulnerable to Earthquakes													
b-1	b-1	Require engineered plan sets for voluntary or mandatory soft-story seismic retrofits by private owners until a standard plan set and construction details become available.	EQ							X		not applicable for a water agency	
b-2	b-2	Adopt the 2009 (changed date) International Existing Building Code or the latest applicable standard for the design of voluntary or mandatory soft-story building retrofits for use in city/county building department regulations. In addition, allow use of changes to that standard recommended by SEAOC for the 2012 IEBC.	EQ							X		not applicable for a water agency	
b-3	b-3	Work to educate building owners, local government staff, engineers, and contractors on privately-owned soft-story retrofit procedures and incentives using materials such as those developed by ABAG and the City of San Jose (see http://quake.abag.ca.gov/eqhouse.html .)	EQ							X		not applicable for a water agency	
b-4	b-4	Conduct an inventory of privately-owned existing or suspected soft-story commercial or industrial structures as a first step in establishing voluntary or mandatory programs for retrofitting these buildings.	EQ							X		not applicable for a water agency	

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b-5	b-5	Use the soft-story inventory to require private owners to inform all existing tenants (and prospective tenants prior to signing a lease agreement) that they may work in this type of building.	EQ							X		not applicable for a water agency	
b-6	b-6	Use the soft-story inventory to require private owners to inform all existing and prospective tenants that they may need to be prepared to work elsewhere following an earthquake if the building has not been retrofitted.	EQ							X		not applicable for a water agency	
b-7	b-7	Investigate and adopt appropriate financial, procedural, and land use incentives (such as parking waivers) for private owners of soft-story buildings to facilitate retrofit such as those described by ABAG (see http://quake.abag.ca.gov/fixit).	EQ							X		not applicable for a water agency	
b-8	b-8	(reworded) Explore development of State regulations or legislation to require or encourage private owners of soft-story structures to strengthen them.	EQ							X		not applicable for a water agency	
b-9	b-9	Provide technical assistance in seismically strengthening privately-owned soft-story structures.	EQ							X		not applicable for a water agency	

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ECON - c - Unreinforced Masonry Buildings in Older Downtown Areas													
c-1	c-1	Continue to actively implement existing State law that requires cities and counties to maintain lists of the addresses of unreinforced masonry buildings and inform private property owners that they own this type of hazardous structure.	EQ							X		not applicable for a water agency	
c-2	c-2	Accelerate retrofitting of privately-owned unreinforced masonry structures that have not been retrofitted, for example, by (a) actively working with owners to obtain structural analyses of their buildings, (b) helping owners obtain retrofit funding, (c) adopting a mandatory (rather than voluntary) retrofit program, and/or (d) applying penalties to owners who show inadequate efforts to upgrade these buildings.	EQ							X		not applicable for a water agency	
c-3	c-3	Require private owners to inform all existing tenants (and prospective tenants prior to signing a lease agreement) that they work in an unreinforced masonry building and the standard to which it may have been retrofitted.	EQ							X		not applicable for a water agency	
c-4	c-4	As required by State law, require private owners to inform all existing tenants that they may need to be prepared to work elsewhere following an earthquake even if the building has been retrofitted, because it has probably been retrofitted to a life-safety standard, not to a standard that will allow occupancy following major earthquakes.	EQ							X		not applicable for a water agency	
ECON - d - Privately-Owned Structurally Vulnerable Buildings													
d-1	d-1	Inventory non-ductile concrete, tilt-up concrete, and other privately-owned structurally vulnerable buildings.	EQ							X		not applicable for a water agency	
d-2	d-2	Adopt the 2009 International Existing Building Code or the latest applicable standard for the design of voluntary or mandatory retrofit of privately-owned seismically vulnerable buildings.	EQ							X		not applicable for a water agency	
d-3	d-3	Adopt one or more of the following strategies as incentives to encourage retrofitting of privately-owned seismically vulnerable commercial and industrial buildings: (a) waivers or reductions of permit fees, (b) below-market loans, (c) local tax breaks, (d) grants to cover the cost of retrofitting or of a structural analysis, (e) land use (such as parking requirement waivers) and procedural incentives, or (f) technical assistance.	EQ							X		not applicable for a water agency	
ECON - e - Wildfire and Structural Fires													

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e-1	e-1	Increase efforts to reduce hazards in existing private development in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat through improving engineering design and vegetation management for mitigation, appropriate code enforcement, and public education on defensible space mitigation strategies.	WF							X		not applicable for a water agency	
e-2	new	Tie public education on defensible space and a comprehensive defensible space ordinance to a field program of enforcement.	WF							X		not applicable for a water agency	
e-3	e-2	Require that new privately-owned business and office buildings in high fire hazard areas be constructed of fire-resistant building materials and incorporate fire-resistant design features (such as minimal use of eaves, internal corners, and open first floors) to increase structural survivability and reduce ignitability.	WF							X		not applicable for a water agency	
e-4	e-3	Adopt and amend as needed updated versions of the <i>California Building and Fire Codes</i> so that optimal fire-protection standards are used in construction and renovation projects of private buildings.	WF							X		not applicable for a water agency	
e-5	e-4	Create a mechanism to enforce provisions of the <i>California Building and Fire Codes</i> and other local codes that require the installation of smoke detectors and fire-extinguishing systems on existing privately-owned buildings by making installation a condition of (a) finalizing a permit for any work valued at over a fixed amount and/or (b) on any building over 75 feet in height, and/or (b) as a condition for the transfer of property.	WF							X		not applicable for a water agency	
e-6	e-5	(reworded to more closely match the HSNG strategy) Expand vegetation management programs in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat to more effectively manage the fuel load through roadside collection and chipping, mechanical fuel reduction equipment, selected harvesting, use of goats or other organic methods of fuel reduction, and selected use of controlled burning.	WF							X		not applicable for a water agency	
e-7	e-6	Establish special funding mechanisms (such as Fire Hazard Abatement Districts or regional bond funding) to fund reduction in fire risk of existing properties through vegetation management that includes reduction of fuel loads, use of defensible space, and fuel breaks.	WF							X		not applicable for a water agency	

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e-8	e-7	Establish special funding mechanisms (such as Fire Hazard Abatement Districts or regional bond funding) to fund fire-safety inspections of private properties, roving firefighter patrols on high fire-hazard days, and public education efforts.	WF							X		not applicable for a water agency	
e-9	e-8	Compile a list of privately-owned high-rise and high-occupancy buildings that are deemed, due to their age or construction materials, to be particularly susceptible to fire hazards, and determine an expeditious timeline for the fire-safety inspection of all such structures.	WF							X		not applicable for a water agency	
e-10	e-9	Conduct periodic fire-safety inspections of all privately-owned commercial and industrial buildings.	WF							X		not applicable for a water agency	
e-11	e-10	Work with the State Fire Marshall, the California Seismic Safety Commission, Pacific Earthquake Engineering Research Center (PEER), and other experts to identify and manage gas-related fire risks of privately-owned soft-story mixed use buildings that are prone to collapse and occupant entrapment consistent with the natural gas safety recommendations of Seismic Safety Commission Report SSC-02-03. Note - See http://www.seismic.ca.gov/pub/CSSC_2002-03_Natural%20Gas%20Safety.pdf . Also note - any valves that are installed may need to have both	EQ WF							X		not applicable for a water agency	
e-12	e-11	Ensure that city/county-initiated fire-preventive vegetation-management techniques and practices for creek sides and high-slope areas do not contribute to the landslide and erosion hazard.	WF							X		not applicable for a water agency	
e-13	e-12	Work with insurance companies to create a public/private partnership to give a discount on fire insurance premiums to "Forester Certified" <i>Fire Wise</i> landscaping and fire-resistant building materials on private property .	WF							X		not applicable for a water agency	
ECON - f - Flooding													
f-1	f-1	To reduce flood risk, thereby reducing the cost of flood insurance to private property owners, work to qualify for the highest-feasible rating under the Community Rating System of the National Flood Insurance Program.	FL							X		not applicable for a water agency	
f-2	f-2	Balance the needs for private commercial and industrial development against the risk from potential flood-related hazards.	FL							X		not applicable for a water agency	

Draft Economy Mitigation Strategies

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f-3	f-3	Ensure that new private development pays its fair share of improvements to the storm drainage system necessary to accommodate increased flows from the development, or does not increase runoff by draining water to pervious areas or detention facilities.	FL							X		not applicable for a water agency	
f-4	f-4	Provide sandbags and plastic sheeting to private businesses in anticipation of rainstorms, and deliver those materials to vulnerable populations upon request.	FL							X		not applicable for a water agency	
f-5	f-5	Provide information to private business on locations for obtaining sandbags and deliver those sandbags to those various locations throughout a city and/or county.	FL							X		not applicable for a water agency	
f-6	f-6	Apply floodplain management regulations for private development in the floodplain and floodway.	FL							X		not applicable for a water agency	
f-7	f-7	Encourage private business owners to participate in building elevation programs within flood hazard areas .	FL							X		not applicable for a water agency	
f-8	f-8	As funding becomes available, encourage private business owners to participate in acquisition and relocation programs for areas within floodways.	FL							X		not applicable for a water agency	
f-9	f-9	Require an annual inspection of approved flood-proofed privately-owned buildings to ensure that (a) all flood-proofing components will operate properly under flood conditions and (b) all responsible personnel are aware of their duties and responsibilities as described in their building's <i>Flood Emergency Operation Plan</i> and <i>Inspection & Maintenance Plan</i> .	FL							X		not applicable for a water agency	

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ECON - g - Landslides and Erosion													
g-1	g-1	Increase efforts to reduce landslides and erosion in existing and future development by improving appropriate code enforcement and use of applicable standards for private property , such as those appearing in the <i>California Building Code</i> , <i>California Geological Survey Special Report 117 – Guidelines for Evaluating and Mitigating Seismic Hazards in California</i> , American Society of Civil Engineers (ASCE) report <i>Recommended Procedures for Implementation of DMG Special Publication 117: Guidelines for Analyzing and Mitigating Landslide Hazards in California</i> , and the California Board for Geologists and Geophysicists <i>Guidelines for Engineering Geologic Reports</i> . Such standards should cover excavation, fill placement, cut-fill transitions, slope stability, drainage and erosion control, slope setbacks, expansive soils, collapsible soils, environmental issues, geological and geotechnical investigations, grading plans and specifications, protection of adjacent properties, and review and permit issuance.	LS							X		not applicable for a water agency	
g-2	g-2	Increase efforts to reduce landslides and erosion in existing and future private development through continuing education of design professionals on mitigation strategies.	LS							X		not applicable for a water agency	
ECON - h - New Construction and Earthquakes										X		not applicable for a water agency	
h-1	h-1	Continue to require that all new privately-owned commercial and industrial buildings be constructed in compliance with (deleted "structural") requirements of the most recently adopted version of the <i>California Building Code</i> .	EQ							X		not applicable for a water agency	
h-2	h-2	Conduct appropriate employee training and support continued education to ensure enforcement of construction standards for private development .	EQ							X		not applicable for a water agency	
h-3	h-3	Work with private building owners to help them recognize that many strategies that increase earthquake resistance also decrease damage in an explosion. In addition, recognize that ventilation systems can be designed to contain airborne biological agents.	EQ SEC							X		not applicable for a water agency	

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ECON - i - Building Reoccupancy													
i-1	i-1	Institute a program to encourage owners of private buildings to participate in a program similar to San Francisco's Building Occupancy Resumption Program (BORP). This program permits owners of private buildings to hire qualified structural engineers to create building-specific post-disaster inspection plans and allows these engineers to become automatically deputized as City/County inspectors for these buildings in the event of an earthquake or other disaster.	EQ LS WF FL SEC							X		not applicable for a water agency	
i-2	i-2	Actively notify private owners of historic or architecturally significant buildings of the availability of the local BORP-type program and encourage them to participate to ensure that appropriately qualified structural engineers are inspecting their buildings, thus reducing the likelihood that the buildings will be inappropriately evaluated following a disaster.	EQ LS WF FL SEC							X		not applicable for a water agency	
i-3	i-3	Actively notify owners of educational facility buildings of the availability of the local BORP-type program and encourage them to participate to ensure that appropriately qualified structural engineers are inspecting their buildings, thus reducing the likelihood that the buildings will be inappropriately evaluated following a disaster.	EQ LS WF FL SEC							X		not applicable for a water agency	
i-4	i-4	Allow private building owners to participate in a BORP-type program as described above, but not actively encourage them to do so.	EQ LS WF FL SEC							X		not applicable for a water agency	
i-5	i-5	Develop and enforce a repair and reconstruction ordinance to ensure that damaged buildings are repaired in an appropriate and timely manner and retrofitted concurrently. This repair and	EQ LS WF FL SEC							X		not applicable for a water agency	
i-6	i-6	Establish preservation-sensitive measures for the repair and reoccupancy of historically significant privately-owned structures, including requirements for temporary shoring or stabilization where needed, arrangements for consulting with preservationists, and expedited permit procedures for suitable repair or rebuilding of historically or architecturally valuable structures.	EQ LS WF FL SEC							X		not applicable for a water agency	
ECON - j - Public Education													
j-1	j-1	Provide information to private business owners and their employees on the availability of interactive hazard maps on ABAG's web site.	EQ LS WF FL SEC							X		not applicable for a water agency	

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j-2	j-2	Develop printed materials, utilize existing materials (such as developed by FEMA and the American Red Cross), conduct workshops, and/or provide outreach encouraging private businesses' employees to have family disaster plans that include drop-cover-hold earthquake drills, fire and storm evacuation procedures, and shelter-in-place emergency guidelines.	EQ LS WF FL SEC							X		not applicable for a water agency	
j-3	j-3	Develop and print materials, conduct workshops, and provide outreach to Bay Area private businesses focusing on business continuity planning.	EQ LS WF FL SEC							X		not applicable for a water agency	
j-4	j-4	Inform Bay Area private business owners of mitigation activities, including elevation of appliances above expected flood levels, use of fire-resistant roofing and defensible space in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat, structural retrofitting techniques for older buildings, and use of intelligent grading practices through workshops, publications, and media announcements and events.	WF FL							X		not applicable for a water agency	
j-5	j-5	Sponsor the formation and training of Community Emergency Response Teams (CERT) training for other than your own employees through partnerships with local private businesses. [Note – these programs go by a variety of names in various cities and areas.]	EQ LS WF FL SEC							X		not applicable for a water agency	
j-6	j-6	Assist private businesses in the development of defensible space through the use of, for example, "tool libraries" for weed abatement tools, roadside collection and/or chipping services (for brush, weeds, and tree branches) in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat.	WF							X		not applicable for a water agency	
j-7	j-7	Make use of the materials developed by others (such as found on ABAG's web site at http://quake.abag.ca.gov/business) to increase mitigation activities related to earthquakes by groups other than your own agency . ABAG plans to continue to improve the quality of those materials over time.	EQ							X		not applicable for a water agency	
j-8	j-8	Develop a "Maintain-a-Drain" campaign, similar to that of the City of Oakland, encouraging private businesses and residents to keep storm drains in their neighborhood free of debris.	FL							X		not applicable for a water agency	

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j-9	j-9	Encourage the formation of a community- and neighborhood-based approach to wildfire education and action through local Fire Safe Councils and the <i>Fire Wise Program</i> . This effort is important because grant funds are currently available to offset costs of specific council-supported projects.	WF							X		not applicable for a water agency	
j-10	j-10	Encourage private businesses and laboratories handling hazardous materials or pathogens increase security to a level high enough to create a deterrent to crime and terrorism, including active implementation of "cradle-to-grave" tracking systems.	SEC EQ							X		not applicable for a water agency	
j-11	j-11	Encourage joint meetings of security and operations personnel at major private employers to develop innovative ways for these personnel to work together to increase safety and security.	SEC EQ							X		not applicable for a water agency	
j-12	j-12	Inform private shoreline-property owners of the possible long-term economic threat posed by rising sea levels.	FL							X		not applicable for a water agency	
j-13	j-13	Distribute appropriate materials related to disaster mitigation and preparedness to private business owners. Appropriate materials are (1) culturally appropriate and (2) suitable for special needs populations. For example, such materials are available on the http://www.preparenow.org website and from non-governmental organizations that work with these communities on an on-going basis.	EQ LS WF FL SEC							X		not applicable for a water agency	

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				Existing Program	Existing Program, underfunded	Very High - Unofficial Program-Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Applicable, Not Appropriate, or Not Cost Effective	Not Yet Considered		
GOVT - a - Focus on Critical Facilities (...Owned by the Local Government Filling Out This Form)													
a-1	a-1	Assess the vulnerability of critical facilities (such as city halls, fire stations, operations and communications headquarters , community service centers, seaports, and airports) to damage in natural disasters and make recommendations for appropriate mitigation.	EQ LS WF FL		X								
a-2	a-2	Retrofit or replace critical facilities that are shown to be vulnerable to damage in natural disasters.	EQ LS WF FL SEC		X								
a-3	a-3	Clarify to workers in critical facilities and emergency personnel, as well as to elected officials and the public, the extent to which the facilities are expected to perform only at a life safety level (allowing for the safe evacuation of personnel) or are expected to remain functional following an earthquake.	EQ X										
a-4	a-4	Conduct comprehensive programs to identify and mitigate problems with facility contents, architectural components, and equipment that will prevent critical buildings from being functional after major natural disasters. Such contents and equipment includes computers and servers, phones, files, and other tools used by staff to conduct daily business.	EQ LS WF FL SEC		X								
a-5	a-5	Encourage joint meetings of security and operations personnel at critical facilities to develop innovative ways for these personnel to work together to increase safety and security.	EQ LS WF FL SEC X										
a-6	a-6	When Installing micro and/or surveillance cameras around critical public assets tied to web-based software, and develop a surveillance protocol to monitor these cameras, investigate the possibility of using the cameras for the secondary purpose of post-disaster damage assessment.	EQ LS WF FL SEC				X						
a-7	a-7	Identify and undertake cost-effective retrofit measures related to security on critical facilities (such as moving and redesigning air intake vents and installing blast-resistant features) when these buildings undergo major renovations related to other natural hazards.	EQ LS WF FL SEC				X						

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a-8	a-8	Coordinate with the State Division of Safety of Dams to ensure that cities and counties are aware of the timeline for the maintenance and inspection of dams whose failure would impact their jurisdiction	EQ LS WF FL SEC							X			Not a dam owner
a-9	a-9	As a secondary focus, assess the vulnerability of non-critical facilities to damage in natural disasters based on occupancy and structural type, make recommendations on priorities for structural improvements or occupancy reductions, and identify potential funding mechanisms.	EQ LS WF FL SEC					X					
a-10	a-10	Ensure that new government-owned facilities comply with and are subject to the same or more stringent regulations as imposed on privately-owned development.	EQ LS WF FL SEC							X			not applicable for a water agency; however we do follow regulations on any facilities we build
a-11	a-11	Comply with all applicable building and fire codes, as well as other regulations (such as state requirements for fault, landslide, and liquefaction investigations in particular mapped areas) when constructing or significantly remodeling government-owned facilities.	EQ LS WF FL SEC	X									
a-12	a-12	Prior to acquisition of property to be used as a critical facility, conduct a study to ensure the absence of significant structural hazards and hazards associated with the building site.	EQ LS WF FL SEC	X									
a-13	new	Ensure that any regulations imposed on private-owned businesses related to repair and reconstruction (see "Economy Section") are enforced and imposed on local government's own buildings and structures.	EQ LS WF FL SEC							X		not applicable for a water agency	
GOVT - b - Maintain and Enhance Local Government's Emergency Recovery Planning													
b-1	b-1	Establish a framework and process for pre-event planning for post-event recovery that specifies roles, priorities, and responsibilities of various departments within the local government organization, and that outlines a structure and process for policy-making involving elected officials and appointed advisory committees.	EQ LS WF FL SEC	X									
b-2	b-2	Prepare a basic Recovery Plan that outlines the major issues and tasks that are likely to be the key elements of community recovery, as well as integrate this planning into response planning (such as with continuity of operations plans).	EQ LS WF FL SEC							X		not applicable for a water agency	

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b-3	b-3	Establish a goal for the resumption of local government services that may vary from function to function.	EQ LS WF FL SEC							X		not applicable for a water agency	
b-4	b-25	Develop a continuity of operations plan that includes back-up storage of vital records, such as plans and back-up procedures to pay employees and vendors if normal finance department operations are disrupted, as well as other essential electronic files.	EQ LS WF FL SEC							X			not responsible for payroll but, have back-up storage for electronic data.
b-5	new	Plan for the emergency relocation of government-owned facilities critical to recovery, as well as any facilities with known structural deficiencies or in hazardous areas.	EQ LS WF FL SEC							X			Zone 7's EOC is built as essential services building and water treatment plants can not be relocated
GOVT - c - Maintain and Enhance Local Government's Emergency Response Capacity													
c-1	new (old b-4 moved to HSN G a-2)	Develop a plan for short-term and intermediate-term sheltering of your employees.	EQ LS WF FL SEC	X									
c-2	new	Encourage your employees to have a family disaster plan.	EQ LS WF FL SEC								X		Have link to Red Cross web-site for information. Have discussed some elements with EOC staff
c-3	new	Offer CERT/NERT-type training to your employees.	EQ LS WF FL SEC								X		
c-4	b-5 (a)	Periodically assess the need for new or relocated fire or police stations and other emergency facilities.	EQ LS WF FL SEC							X		not applicable for a water agency	
c-5	b-5 (b)	Periodically assess the need for changes in staffing levels, as well as for additional or updated supplies, equipment, technologies, and in-service training classes.	EQ LS WF FL SEC	X									
c-6	b-6	Ensure that fire, police, and other emergency personnel have adequate radios, breathing apparatuses, protective gear, and other equipment to respond to a major disaster.	EQ LS WF FL SEC							X		not applicable for a water agency	

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c-7	b-7	Participate in developing and maintaining a system of interoperable communications for first responders from cities, counties, special districts, state, and federal agencies.	EQ LS WF FL SEC		X								
c-8	b-8	Harden emergency response communications, including, for example, building redundant capacity into public safety alerting and/or answering points, replacing or hardening microwave and simulcast systems, adding digital encryption for programmable radios, and ensuring a plug-and-play capability for amateur radio.	EQ LS WF FL SEC							X		not applicable for a water agency	
c-9	b-9	Purchase command vehicles for use as mobile command/EOC vehicles if current vehicles are unsuitable or inadequate.	EQ LS WF FL SEC							X		not applicable for a water agency	
c-10	b-10	Maintain the local government's emergency operations center in a fully functional state of readiness.	EQ LS WF FL SEC							X		not applicable for a water agency	
c-11	b-11	Expand or participate in expanding traditional disaster exercises involving city and county emergency personnel to include airport and port personnel, transit and infrastructure providers, hospitals, schools, park districts, and major employers.	EQ LS WF FL SEC		X								
c-12	b-12	Maintain and update as necessary the local government's Standardized Emergency Management System (SEMS) Plan and the National Incident Management System (NIMS) Plan, and submit an appropriate NIMSCAST report.	EQ LS WF FL SEC	X									
c-13	b-13	Continue to participate not only in general mutual-aid agreements, but also in agreements with adjoining jurisdictions for cooperative response to fires, floods, earthquakes, and other disasters.	EQ LS WF FL SEC	X									
c-14	b-14 & b-22	Install alert and warning systems for rapid evacuation or shelter-in-place. Such systems include outdoor sirens and/or reverse-911 calling systems.	EQ LS WF FL SEC							X		not applicable for a water agency	
c-15	b-15	Conduct periodic tests of the alerting and warning system. (deleted some wording)	EQ LS WF FL SEC		X								

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c-16	b-16	Regulate and enforce the location and design of street-address numbers on buildings and minimize the naming of short streets (that are actually driveways) to single homes.	EQ LS WF FL SEC							X		not applicable for a water agency	
c-17	b-17	Monitor weather during times of high fire risk using, for example, weather stations tied into police and fire dispatch centers.	WF							X		not applicable for a water agency	
c-18	b-18	Establish regional protocols on how to respond to the NOAA Monterey weather forecasts, such as the identifying types of closures, limits on work that could cause ignitions, and prepositioning of suppression forces. A multi-agency coordination of response also helps provide unified messages to the public about how they should respond to these periods of increased fire danger. Response should also be modified based on knowledge of local micro-climates. Local agencies with less risk then may be available for mutual aid.	WF							X		not applicable for a water agency	
c-19	b-19	Increase local patrolling during periods of high fire weather.	WF							X		not applicable for a water agency	
c-20	b-20	Create and maintain an automated system of rain and flood gauges that is web enabled and publicly-accessible. Work toward creating a coordinated regional system.	FL LS		X								
c-21	b-21	Place remote sensors in strategic locations for early warning of hazmat releases or use of weapons of mass destruction, understanding that the appropriate early warning strategy depends on the type of problem.	EQ LS WF FL SEC		X								
c-22	b-23	Review and update, as necessary, procedures pursuant to the <i>State Dam Safety Act</i> for the emergency evacuation of areas located below major water-storage facilities.	EQ LS FL SEC	X									
c-23	a-8	Improve coordination among cities, counties, and dam owners so that cities and counties can better plan for evacuation of areas the could be inundated if a dam failed, impacting their jurisdiction.	EQ LS FL SEC	X									
c-24	b-24	Develop procedures for the emergency evacuation of areas identified on tsunami evacuation maps as these maps become available.	EQ (TS)								X		
c-25	new	Support and encourage planning and identification of facilities for the coordination of distribution of water, food, blankets, and other supplies, coordinating this effort with the American Red Cross.	EQ LS WF FL SEC		X								
GOVT - d - Participate in National, State, Multi-Jurisdictional and Professional Society Efforts to Identify and Mitigate Hazards													

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d-1	c-1	Promote information sharing among overlapping and neighboring local governments, including cities, counties, and special districts, as well as utilities.	EQ LS WF FL SEC	X									
d-2	c-2	Recognize that emergency services is more than the coordination of police and fire response; it also includes planning activities with providers of water, food, energy, transportation, financial, information, and public health services.	EQ LS WF FL SEC	X									
d-3	c-3	Recognize that a multi-agency approach is needed to mitigate flooding by having flood control districts, cities, counties, and utilities meet at least annually to jointly discuss their capital improvement programs for most effectively reducing the threat of flooding. Work toward making this process more formal to insure that flooding is considered at existing joint-agency meetings.	FL										Meetings occur on a project by project basis (not annually)
d-4	c-4	As new flood-control projects are completed, request that FEMA revise its flood-insurance rate maps and digital Geographic Information System (GIS) data to reflect flood risks as accurately as possible.	FL										
d-5	c-5	Participate in FEMA's National Flood Insurance Program.	FL	X									
d-6	c-6	Participate in multi-agency efforts to mitigate fire threat, such as the Hills Emergency Forum (in the East Bay), various <i>FireSafe</i> Council programs, and city-utility task forces. Such participation increases a jurisdiction's competitiveness in obtaining grants.	WF									not applicable for a water agency	
d-7	c-7	Work with major employers and agencies that handle hazardous materials to coordinate mitigation efforts for the possible release of these materials due to a natural disaster such as an earthquake, flood, fire, or landslide.	EQ LS WF FL SEC	X									
d-8	c-8	Encourage staff to participate in efforts by professional organizations to mitigate earthquake and landslide disaster losses, such as the efforts of the Northern California Chapter of the Earthquake Engineering Research Institute, the East Bay-Peninsula Chapter of the International Code Council, the Structural Engineers Association of Northern California, and the American Society of Grading Officials.	EQ LS										

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d-9	c-9	Conduct and/or promote attendance at local or regional hazard conferences and workshops for elected officials and staff to educate them on the critical need for programs in mitigating earthquake, wildfire, flood, and landslide hazards.	EQ LS WF FL SEC		X								
d-10	c-10	Cooperate with researchers working on government-funded projects to refine information on hazards, for example, by expediting the permit and approval process for installation of seismic arrays, gravity survey instruments, borehole drilling, fault trenching, landslide mapping, flood modeling, and/or damage data collection.	EQ LS WF FL SEC								X		Have done some monitoring for landslide movement in flood control channels
GOVT - d - Take a Lead in Loss and Risk Assessment Activities													
e-1	e-1	Work with the cities, counties, and special districts in the Bay Area to encourage them to adopt a Local Hazard Mitigation Plan and to assist them in integrating it into their overall planning process. RESPONSIBILITY: ABAG only; all others are "not applicable."	EQ LS WF FL DR TS SEC Flu Ag Heat							X		not applicable for a water agency	
e-2	e-2	Improve the risk assessment and loss estimation work in the <i>Taming Natural Disasters</i> report and multi-jurisdictional plan related to natural disasters. RESPONSIBILITY: ABAG only; all others are "not applicable."	EQ LS WF FL DR TS Flu Ag Heat							X		not applicable for a water agency	

Draft Education Mitigation Strategies

2009-2010 Strategy Number	2005 Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Priority (CHECK ONLY ONE)										Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority. OR
				Existing Program	Existing Program, underfunded	very high - Unofficial Program Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Appropriate, or Not Cost Effective	Not Yet Considered				
EDUC - a - Focus on Critical Facilities (...Owned by School Districts)															
a-1	a-1	Assess the vulnerability of critical public education facilities to damage in natural disasters and make recommendations for appropriate mitigation.	EQ LS WF FL SEC							X				not applicable for a water agency	
a-2	a-2	Retrofit or replace critical public education facilities that are shown to be vulnerable to damage in natural disasters.	EQ LS WF FL SEC							X				not applicable for a water agency	
a-3	a-3	Conduct comprehensive programs to identify and mitigate problems with facility contents, architectural components, and equipment that will prevent critical public education buildings from being functional after major disasters.	EQ LS WF FL SEC							X				not applicable for a water agency	
a-4	a-4	As a secondary focus, assess the vulnerability of non-critical educational facilities (that is, those that do not house students) to damage in natural disasters based on occupancy and structural type, make recommendations on priorities for structural improvements or occupancy reductions, and identify potential funding mechanisms.	EQ LS WF FL SEC							X				not applicable for a water agency	
a-5	new	Assess the vulnerability of critical private education, pre-school, and day care facilities to damage in natural disasters and make recommendations for appropriate mitigation.	EQ LS WF FL SEC							X				not applicable for a water agency	
a-6	a-5	(Major Rewording) Work with CalEMA and the Division of the State Architect to ensure that there will be an adequate group of Safety Assessment Program (SAP) inspectors trained and deployed by CalEMA to schools for post-disaster inspection. In addition, if a school district is uncomfortable with delays in inspection due to too few SAP inspectors available in catastrophic disasters, formalized arrangements can also be created with those inspectors certified by the Division of the State Architect as construction inspectors to report to the district, assess damage, and determine if the buildings can be reoccupied.	EQ LS WF FL SEC							X				not applicable for a water agency	
EDUC - b - Use of Educational Facilities as Emergency Shelters															
b-1	b-1	Work cooperatively with the American Red Cross, cities, counties, and non-profits to set up memoranda of understanding for use of education facilities as emergency shelters following disasters.	EQ LS WF FL SEC							X				not applicable for a water agency	

Draft Education Mitigation Strategies

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b-2	b-2	Work cooperatively to ensure that school district personnel and relevant staff understand and are trained that being designated by the American Red Cross or others as a potential emergency shelter does NOT mean that the school has had a hazard or structural evaluation to ensure that it can be used as a shelter following any specific disaster.	EQ LS WF FL SEC						X		not applicable for a water agency	
b-3	b-3	Work cooperatively to ensure that school district personnel understand and are trained that they are designated as disaster service workers and must remain at the school until released.	EQ LS WF FL SEC						X		not applicable for a water agency	
EDUC - c - Actions Related to Disaster Preparedness and Recovery Planning												
c-1	new	Encourage employees of schools to have family disaster plans and conduct mitigation activities in their own homes.	EQ LS WF FL SEC						X		not applicable for a water agency	
c-2	c-2	Develop plans, in conjunction with fire jurisdictions, for evacuation or sheltering in place of school children during periods of high fire danger, thereby recognizing that overloading of streets near schools by parents attempting to pick up their children during these periods can restrict access by fire personnel and equipment.	EQ LS WF FL SEC						X		not applicable for a water agency	
c-3	c-3	Offer the 20-hour basic CERT training to teachers and after-school personnel.	EQ LS WF FL SEC						X		not applicable for a water agency	
c-4	c-4	Offer the 20-hour basic Student Emergency Response Training (SERT, rather than CERT) training to middle school and/or high school students as a part of the basic science or civics curriculum, as an after school club, or as a way to earn public service hours.	EQ LS WF FL SEC						X		not applicable for a water agency	
c-5	c-5	Offer the 20-hour basic CERT training course through the Adult School system and/or through the Community College system (either using instructors with teaching credentials or by making facilities available for classes not run by school personnel themselves).	EQ LS WF FL SEC						X		not applicable for a water agency	
c-6	c-6	Develop and maintain the capacity for schools to take care of the students for the first 48 hours after a disaster, and notify parents that this capacity exists.	EQ LS WF FL SEC						X		not applicable for a water agency	

Draft Education Mitigation Strategies

2009-2010 Strategy Number	2005 Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Existing Program	Existing Program, underfunded very high -	Unofficial Program - Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Appropriate, or Not Cost Effective	Not Yet Considered	Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority OR
c-7	new	Develop a continuity of operations and disaster recovery plan using models such as that developed by the University of California Berkeley. (The American Red Cross has a role in promoting this activity, as well, in schools that they plan to use as shelters.)	EQ LS WF FL SEC							X		not applicable for a water agency	
EDUC - d- Actions Related to Schools as Conduits for Information to Families About Emergencies													
d-1	c-1	Utilize the unique ability of schools to reach families through educational materials on hazards, mitigation, and preparedness, particularly after disasters and at the beginning of the school year. These efforts will not only make the entire community more disaster-resistant, but speed the return of schools from use as shelters to use as teaching facilities, particularly if coordinated with cities, counties, the American Red Cross and others.	EQ LS WF FL SEC							X		not applicable for a water agency	
d-2	c-7	Develop and distribute culturally appropriate materials related to disaster mitigation and preparedness, such as those on the http://www.preparenow.org website.	EQ LS WF FL SEC							X		not applicable for a water agency	

Draft Environment Mitigation Strategies

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				Existing Program	Existing Program, underfunded	Very High - Critical Program-Becomes Official on Plan	Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Applicable, Not Appropriate, or Not Cost Effective	Not Yet Considered		
ENVI - a - Environmental Sustainability and Pollution Reduction														
a-1	a-1	Continue to enforce State-mandated requirements, such as the <i>California Environmental Quality Act</i> , to ensure that mitigation activities for hazards, such as seismic retrofits and vegetation clearance programs for fire threat, are conducted in a way that reduces environmental degradation such as air quality impacts, noise during construction, and loss of sensitive habitats and species, while respecting the community value of historic preservation.	EQ LS WF FL DR SEC	X										
a-2	a-2	Encourage regulatory agencies to work collaboratively with safety professionals to develop creative mitigation strategies that effectively balance environmental and safety needs, particularly to meet critical wildfire, flood, and earthquake safety levels.	EQ WF FL SEC	X										
a-3	a-3	Continue to enforce and/or comply with State-mandated requirements, such as the <i>California Environmental Quality Act</i> and environmental regulations to ensure that urban development is conducted in a way to minimize air pollution. For example, air pollution levels can lead to global warming, and then to drought, increased vegetation susceptibility to disease (such as pine bark beetle infestations), and associated increased fire hazard.	LS WF FL DR SEC	X										
a-4	a-4	Develop and implement a comprehensive program for watershed management optimizing ecosystem health with water yield to balance water supply, flooding, fire, and erosion concerns.	LS WF FL DR SEC		X							MEIR 07-2918 SMMP 07-2919		
a-5	a-5	Balance the need for the smooth flow of storm waters versus the need to maintain wildlife habitat by developing and implementing a comprehensive Streambed Vegetation Management Plan that ensures the efficacy of flood control efforts, mitigates wildfires and maintains the viability of living rivers .	LS WF FL DR					X					Envisioned with the SMMP or Streams Managemant Master Plan	
a-6	a-8	Comply with applicable performance standards of any <i>National Pollutant Discharge Elimination System</i> municipal stormwater permit that seeks to manage increases in stormwater run-off flows from new development and redevelopment construction projects.	FL	X										

Draft Environment Mitigation Strategies

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a-7	a-9	Enforce and/or comply with the grading, erosion, and sedimentation requirements by prohibiting the discharge of concentrated stormwater flows by other than approved methods that seek to minimize associated pollution.	LS FL	X									
a-8	a-10	Explore ways to require that hazardous materials stored in the flood zone be elevated or otherwise protected from flood waters.	FL	X									
a-9	a-11	Enforce and/or comply with the hazardous materials requirements of the State of California Certified Unified Program Agency (CUPA).	EQ LS WF FL SEC	X									
a-10	a-12	Provide information on hazardous waste disposal and/or drop off locations.	EQ LS WF FL SEC	X									
a-11	new	When remodeling existing government and infrastructure buildings and facilities, remove asbestos to speed up clean up of buildings so that they can be reoccupied more quickly.	EQ LS WF FL SEC						X				
a-12	a-13	Develop and implement a program to control invasive and exotic species that contribute to fire and flooding hazards (such as eucalyptus, cattails, and cordgrass). This program could include vegetation removal, thinning, or replacement in hazard areas where there is a direct threat to structures.	WF FL		X								
a-13	a-14	Enforce provisions under creek protection, stormwater management, and discharge control ordinances designed to keep watercourses free of obstructions and to protect drainage facilities to conform with the Regional Water Quality Control Board's Best Management Practices.	FL		X								
ENVI - b - Climate Change													
b-1	a-6 + a-7	Stay informed of scientific information compiled by regional and state sources on the subject of rising sea levels and global warming, especially on additional actions that local governments can take to mitigate this hazard including special design and engineering of government-owned facilities in low-lying areas, such as wastewater treatment plants, ports, and airports.	LS WF FL DR	X									

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b-2	new	Inventory global warming emissions in your own local government's operations and in the community, set reduction targets and create an action plan.	LS WF FL DR	X									Inventoried global warming emmisions...Climate Action Leader
b-3	new	Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities.	LS WF FL DR						X			not applicable for a water agency	
b-4	new	Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit.	LS WF FL DR						X			not applicable for a water agency (don't promote but, do support)	
b-5	new	Increase the use of clean, alternative energy by, for example, investing in "green tags", advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology.	LS WF FL DR	X									
b-6	new	Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money.	LS WF FL DR						X			not applicable for a water agency	
b-7	new	Purchase only Energy Star equipment and appliances for local government use.	LS WF FL DR						X				
b-8	new	Practice and promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system.	LS WF FL DR							X			No opportunity at this point for new building
b-9	new	Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel.	LS WF FL DR	X									
b-10	new	Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production.	LS WF FL DR	X									
b-11	new	Increase recycling rates in local government operations and in the community.	LS WF FL DR						X			not applicable for a water agency	
b-12	new	Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO2.	LS WF FL DR						X			not applicable for a water agency	

Draft Environment Mitigation Strategies

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b-13	new	Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution.	LS WF FL DR							X		not applicable for a water agency	
ENVI - c - Agricultural and Aquaculture Resilience													
c-1	b-1	Maintain a variety of crops in rural areas of the region to increase agricultural diversity and crop resiliency. RESPONSIBLE AGENCIES: County Offices of the Agricultural Commissioner.	Ag DR SEC							X		not applicable for a water agency	
c-2	b-2	Promote and maintain the public-private partnerships dedicated to preventing the introduction of agricultural pests into regionally-significant crops, such as the glassy-winged sharpshooter into vineyards. RESPONSIBLE AGENCIES: County Offices of the Agricultural Commissioner.	Ag DR SEC							X		not applicable for a water agency	
c-3	b-4	Encourage livestock operators to develop an early-warning system to detect animals with communicable diseases (due to natural causes or bioterrorism). RESPONSIBLE AGENCIES: County Health Department and Office of the County Agricultural Commissioner.	Ag Flu SEC							X		not applicable for a water agency	
deleted	b-3	(deleted since not a disaster-related strategy)											

Draft Land Use Mitigation Strategies

2009 Strategy Code	Original Strategy Number	Specific Mitigation Strategy	Applicable Hazards	Priority (CHECK ONLY ONE)							Responsible Agency or Department (Required if Existing Program, Existing Program under funded, Very High, High, or Under Study)	Ordinance or Resolution # (if existing program), Estimated Cost and Possible Funding Agency (if high priority), Estimated Date of Completion (if study), WHY if not same as regional priority, OR Other Comments	
				Existing Program	Existing Program, underfunded	Program-Becomes Official on Plan Adoption, no funding needed	High - Actively Looking for Funding	Moderate	Under Study	Not Applicable, Not Appropriate, or Not Cost Effective	Not Yet Considered		
LAND - a - Earthquake Hazard Studies for New Private Developments													
a-1	a-1	Enforce and/or comply with the State-mandated requirement that site-specific geologic reports be prepared for development proposals within Alquist-Priolo Earthquake Fault Zones, and restrict the placement of structures for human occupancy. (This Act is intended to deal with the specific hazard of active faults that extend to the earth's surface, creating a surface rupture hazard.)	EQ							X		not applicable for a water agency	
a-2	a-2	Require preparation of site-specific geologic or geotechnical reports for development and redevelopment proposals in areas subject to earthquake-induced landslides or liquefaction as mandated by the State Seismic Hazard Mapping Act in selected portions of the Bay Area where these maps have been completed, and condition project approval on the incorporation of necessary mitigation measures related to site remediation, structure and foundation design, and/or avoidance.	EQ							X		not applicable for a water agency	
a-3	a-3	Recognizing that some faults may be a hazard for surface rupture, even though they do not meet the strict criteria imposed by the Alquist-Priolo Earthquake Fault Zoning Act, identify and require geologic reports in areas adjacent to locally-significant faults.	EQ							X		not applicable for a water agency	
a-4	new	Ensure that development proposed near faults with a history of complex surface rupture (multiple traces, warping, thrusting, etc.) has larger setbacks than the minimum fifty feet.	EQ							X		not applicable for a water agency	
a-5	new	Consider imposing requirements similar to the Alquist-Priolo Earthquake Fault Zoning Act for structures without human occupancy if these buildings are still essential for the economic recovery of the community or region.	EQ							X		not applicable for a water agency	
a-6	a-4	Recognizing that the California Geological Survey has not completed earthquake-induced landslide and liquefaction mapping for much of the Bay Area, identify and require geologic reports in areas mapped by others as having significant liquefaction or landslide hazards.	EQ							X		not applicable for a water agency	
a-7	a-5	Support and/or facilitate efforts by the California Geological Survey to complete the earthquake-induced landslide and liquefaction mapping for the Bay Area.	EQ							X		not applicable for a water agency	

Draft Land Use Mitigation Strategies

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a-8	a-6	Require that local government reviews of geologic and engineering studies are conducted by appropriately trained and credentialed personnel.	EQ							X		not applicable for a water agency	
LAND - b - Wildland and Structural Fires													
b-1	b-1	Review new development proposals to ensure that they incorporate required and appropriate fire-mitigation measures, including adequate provisions for occupant evacuation and access by emergency response personnel and equipment.	WF							X		not applicable for a water agency	
b-2	b-2	Develop a clear legislative and regulatory framework at both the state and local levels to manage the wildland-urban-interface consistent with <i>Fire Wise</i> and sustainable community principles.	WF							X		not applicable for a water agency	
LAND - c - Flooding													
c-1	c-1	Establish and enforce requirements for new development so that site-specific designs and source-control techniques are used to manage peak stormwater runoff flows and impacts from increased runoff volumes.	FL							X		not applicable for a water agency	
c-2	c-2	Incorporate FEMA guidelines and suggested activities into local government plans and procedures for managing flood hazards.	FL							X		not applicable for a water agency	
c-3	c-3	Provide an institutional mechanism to ensure that development proposals adjacent to floodways and in floodplains are referred to flood control districts and wastewater agencies for review and comment (consistent with the NPDES program).	FL							X		not applicable for a water agency	
c-4	c-4	Establish and enforce regulations concerning new construction (and major improvements to existing structures) within flood zones in order to be in compliance with federal requirements and, thus, be a participant in the Community Rating System of the <i>National Flood Insurance Program</i> .	FL							X		not applicable for a water agency	
c-5	new	Encourage new development near floodways to incorporate a buffer zone or setback from that floodway to allow for changes in stormwater flows in the watershed over time.	FL							X		not applicable for a water agency	
c-6	new	For purposes of creating an improved hazard mitigation plan for the region as a whole, ABAG, and Bay Area cities and counties, jointly request geographically defined repetitive flooding loss data from FEMA for their own jurisdictions.	FL							X		not applicable for a water agency	
LAND - d - Landslides and Erosion													

Draft Land Use Mitigation Strategies

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d-1	d-1	Establish and enforce provisions (under subdivision ordinances or other means) that geotechnical and soil-hazard investigations be conducted and filed to prevent grading from creating unstable slopes, and that any necessary corrective actions be taken prior to development approval.	LS							X		not applicable for a water agency	
d-2	d-2	Require that local government reviews of these investigations are conducted by appropriately trained and credentialed personnel.	LS							X		not applicable for a water agency	
d-3	d-3	Establish and enforce grading, erosion, and sedimentation ordinances by requiring, under certain conditions, grading permits and plans to control erosion and sedimentation prior to development approval.	LS							X		not applicable for a water agency	
d-4	d-4	Establish and enforce provisions under the creek protection, storm water management, and discharge control ordinances designed to control erosion and sedimentation.	LS							X		not applicable for a water agency	
d-5	d-5	Establish requirements in zoning ordinances to address hillside development constraints, especially in areas of existing landslides.	LS							X		not applicable for a water agency	
LAND - e - Hillside - Multi-Hazard													
e-1	e-1	For new development, require a buffer zone between residential properties and landslide or wildfire hazard areas.	LS WF							X		not applicable for a water agency	
e-2	e-2	Discourage, add additional mitigation strategies, or prevent new construction or major remodels on slopes greater than a set percentage, such as 15%, due to landslide or wildfire hazard concerns.	LS WF							X		not applicable for a water agency	
LAND - f - Smart Growth to Revitalize Urban Areas and Promote Sustainability													
f-1	f-1	Prioritize retrofit of infrastructure that serves urban areas (or urban services areas) over constructing new infrastructure to serve outlying areas.	EQ LS WF FL DR SEC							X		not applicable for a water agency	
f-2	f-2	Work to retrofit homes in older urban neighborhoods to provide safe housing close to job centers.	EQ LS WF FL DR SEC							X		not applicable for a water agency	

Draft Land Use Mitigation Strategies

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f-3	f-3	Work to retrofit older downtown areas and redevelopment districts to protect architectural diversity and promote disaster-resistance.	EQ LS WF FL SEC							X		not applicable for a water agency	
f-4	f-4	Work with non-profits and through other mechanisms to protect as open space areas susceptible to extreme hazards (such as through land acquisition, zoning, and designation as priority conservation areas).	EQ LS WF FL SEC							X		not applicable for a water agency	
f-5	f-5	Strive to provide preserve existing buffers between development and existing users of large amounts of hazardous materials, such as major industry, due to the potential for catastrophic releases or fires due to an earthquakes, accidents , or terrorism. (Flooding might also result in release or spread of these materials, however it is unlikely.) In areas where buffers do not exist or cannot be created, provide alternative mitigation.	EQ LS WF FL SEC							X		not applicable for a water agency	
LAND - g - Hazard Abatement Districts													
g-1	new	Use hazard abatement districts as a funding mechanism to ensure that mitigation strategies are implemented and enforced over time.	EQ LS WF FL							X		not applicable for a water agency	



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: FLOOD CONTROL ENGINEERING
CONTACT: JOE SETO / DEXTER YEE

AGENDA DATE: April 20, 2011

ITEM NO. 10

SUBJECT: Award of Contract for Operated Equipment Supply Contract for Maintenance and Emergency Work for Flood Control Facilities, Project No. 211-11

SUMMARY:

- In May 2008, Zone 7 executed a 3-year, maintenance and emergency work contract for flood control facilities with Fanfa, Inc. The purpose of the contract was to obtain specialized services through the contractor for maintenance and emergency flood control work. The contract is currently in its third and final year and will expire on June 30, 2011.
- In March 2011, Zone 7 advertised a new annual contract for similar as-needed services.
- The Contract will allow payment to the Contractor for labor and operated equipment used based on time and materials unit prices in the Contractor's bid.
- The Contract will allow for extensions for up to two additional one-year periods (FY 2012/13 and FY 2013/14) with provisions for adjustments of unit bid prices based on changes in the Engineering News Record Construction Cost Index as published by McGraw-Hill Publishing Company (ENR Index).
- The engineer's estimate and contract amount for this contract is \$850,000 per year.
- The project was advertised in accordance with the Public Contract Code.
- A total of seven contractors acquired contract documents. On March 30, 2011, bids were received from four contractors.
- The lowest responsive responsible bidder is Fanfa, Inc. with a bid of \$723,900 per year.

FUNDING:

Funding for this project will be provided from Fund 50 – Flood Control

RECOMMENDED ACTION:

Adopt attached resolution to:

- Approve the project specifications, appendices and addenda;
- Accept and award a contract to Fanfa, Inc., for a not-to-exceed amount of \$850,000;
- Authorize the General Manager to execute a contract with Fanfa, Inc. and to issue change orders as and when required for an amount not-to-exceed \$85,000 annually;
- Authorize the General Manager to extend the contract for up to two additional one-year periods and adjust the unit bid prices in accordance with the Contract Documents.

Attachments;

- Memo providing additional background on agenda item
- Zone 7 Board Resolution

Interoffice Memo

Date: April 20, 2011
To: Jill Duerig, General Manager
From: Joe Seto/Dexter Yee
Subject: Award of Contract for Operated Equipment Supply Contract for Maintenance and Emergency Work for Flood Control Facilities, Project No. 211-11

The following provides additional background and discussion on the above-referenced agenda item.

BACKGROUND:

Zone 7 owns and maintains about 37 miles of flood control channels and facilities in Eastern Alameda County. Zone 7 currently has a contract to perform maintenance and emergency work on Zone 7 owned flood control channels and facilities on an as-needed basis at locations designated by Zone 7.

Work includes, but is not limited to, construction and repair of flood control channels, access roads, driveways, V-ditches, drainage culverts and structures, drop inlets and outfall structures, sediment removal and miscellaneous work as directed by the Engineer.

In May 2008, Zone 7 executed a 3-year, as-needed maintenance and emergency work contract with Fanfa, Inc. The purpose of the contract was to obtain specialized services through the contractor for maintenance and emergency flood control work. It is currently in its third and final year and will expire on June 30, 2011. The contract amount is \$750,000 per year.

The new contract, advertised in March 2011, is estimated as an annual not-to-exceed amount of \$850,000. Contract amounts for these services in previous fiscal years were:

• 02/03	\$800,000
• 03/04	\$500,000
• 04/05	\$500,000
• 05/06	\$500,000
• 06/07	\$1,018,000
• 07/08	\$500,000
• 08/09	\$750,000
• 09/10	\$750,000

For 10/11, it is anticipated that \$750,000 would be expended.

In 02/03 and 06/07 the contracts were augmented in response to the impact of heavy storm damage on flood control facilities. Due to the unanticipated heavy storm damage; increases in fuel and material costs; and loss of revenue in 2005-6, approximately \$6.2 million in deferred maintenance projects were accumulated. The deferred maintenance includes bank stabilization, access road maintenance, vegetation management and desilting projects. In the last two years, the amount of deferred maintenance projects has been decreasing. In fiscal year 2011/12, an annual contract increase is necessary to maintain an acceptable level of service.

DISCUSSION:

A Schedule of Unit Bid Prices was prepared using estimated quantities and type of labor and equipment required for Fiscal Year 11/12. The Contractor's unit bid prices on this Schedule were used for the determination of the lowest responsive responsible bid and establishing hourly rates for labor and operated equipment. The Contractor will be paid, based on unit prices in the Contractor's bid, for labor and equipment time used. The engineer's estimate for the estimated volume of work in FY 11/12 is \$850,000.

The Contract will allow, at Zone 7's sole discretion, for extensions for up to two additional one-year periods (FY 2012/13 and FY 2013/14) with provisions for adjustments of unit bid prices based on changes in the Engineering News Record Construction Cost Index as published by McGraw-Hill Publishing Company (ENR Index).

Zone 7 advertised the project two separate times in two local newspapers in accordance with the Public Contract Code. In addition, the project was advertised on the Zone 7 website, on Onvia free online advertising service, and northern California builder exchanges.

Four bids were received and publicly read on March 30, 2011, at 2:00 p.m. in accordance with established procedures. There was a discrepancy in multiplying the estimated quantity and the unit price which affected the total cost column in the bid submitted by DeSilva Gates Construction LP. The discrepancy was resolved in accordance with the Contract Documents and the corrected amount, which does not affect the order of the bids, is shown below. The submitted bids were as follows:

Name of Firm	Total Bid Amount	Corrected Bid Amount
DeSilva Gates Construction LP	\$919,500.00	\$913,560.00
Engineering Soil Repairs, Inc.	\$907,314.40	-
Fanfa, Inc.	\$723,900.00	-
GradeTech, Inc.	\$735,400.00	-

This contract is for as-needed maintenance and emergency work so the exact quantity and location of work to be performed is unknown at this time. Therefore, the submitted bids for this contract are based upon staff's estimates of work and quantities experienced in past years and are used only for comparison purposes and establishing hourly rates for operated equipment, and percent markup for labor and material. The budget for Flood Control Operated Equipment Supply Contract for Maintenance and Emergency Work for fiscal year 2011/2012 is \$850,000.

The submitted bids have been reviewed by Zone 7 staff, and it was determined that the low bidder has complied with all bid requirements. Staff recommends the award of contract to the lowest responsive responsible bidder, Fanfa Inc. for a not-to-exceed amount of \$850,000 per year for one year, with an allowance for extensions for up to two additional one-year periods and to authorize the execution of change orders up to a maximum of 10 percent of the contract amount, annually, if needed. All work will be measured for payment on time and material basis. This project is funded from Fund 50 – Flood Control.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

WHEREAS, Zone 7 of the Alameda County Flood Control and Water Conservation District has a project, Operated Equipment Supply Contract for Maintenance and Emergency Work for Flood Control Facilities, Project No. 211-11; and

WHEREAS, said project was advertised, bids were taken, were opened and publicly read; and

WHEREAS, on March 30, 2011, the following bids were received:

<u>Name of Firm</u>	<u>Total Bid Amount</u>
DeSilva Gates Construction LP	\$913,560.00 (corrected amount)
Engineering Soil Repairs, Inc.	\$907,314.40
Fanfa, Inc.	\$723,900.00
GradeTech, Inc.	\$735,400.00

WHEREAS, Fanfa's bid, as the apparent low bidder, was reviewed and determined to be both responsive and responsible;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby approve the specifications, appendices and addenda for Operated Equipment Supply Contract for Maintenance and Emergency Work for Flood Control Facilities; and

BE IT FURTHER RESOLVED that the bid of the lowest responsive responsible bidder, Fanfa, Inc., be accepted, and that the Contract for the work be awarded to Fanfa, Inc., for an amount not-to-exceed \$ 850,000; and

BE IT FURTHER RESOLVED that the General Manager be authorized to execute the contract on behalf of Zone 7 of the Alameda County Flood Control and Water Conservation District upon such presentation and approval of the contract and each of the bonds and insurance documents Fanfa, Inc.; and

BE IT FURTHER RESOLVED that the General Manager be authorized to negotiate and issue change orders as and when required by the contract for an amount not to exceed \$85,000 annually; and

BE IT FURTHER RESOLVED that the General Manager be authorized to extend the contract for up to two additional one-year periods and adjust the Contract Unit Prices in accordance with the Contract Documents and execute the contracts.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By _____
President, Board of Directors



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING DIVISION: Administrative Services

CONTACT PERSON: John Yue

AGENDA DATE: April 20, 2011

ITEM NO: [11](#)

SUBJECT: Proposed Budget for Fiscal Year 2011/12

SUMMARY:

- For fiscal year (FY) 2011/12, the total proposed budget for both the operating and capital funds including reserves is \$120.7 million; this is an \$8.9 million decrease, or 6.9% less than the FY 2010/11 budget.
- The total budget proposed for the operating funds including reserves is \$91.0 million; this is a \$0.5 million increase, or 0.6% more than the FY 2010/11 budget.
- The total budget proposed for the capital project programs is \$29.7 million; a \$9.4 million decrease, or 24.1% less than the FY 2010/11 budget.
- The proposed budget was presented to the Finance Committee on March 29, 2011 and the Committee recommended it for adoption by the full Board. Meetings were held on March 3 and 9, 2011 to brief the Tri-Valley Water Retailers Group (TWRG) on the proposed budget.

RECOMMENDED ACTION:

Discuss and adopt the proposed budget for FY 2011/12 by approving the attached resolution.

ATTACHMENTS:

Memorandum

Resolution

M E M O R A N D U M

DATE: April 6, 2011

TO: Jill Duerig, General Manager

FROM: John Yue, Assistant General Manager-Finance

SUBJECT: Proposed Budget for Fiscal Year 2011/12

The proposed budget for fiscal year (FY) 2011/12 is presented to the Board for review, discussion and adoption. Staff presented the proposed budget to the Finance Committee for review on March 29, 2011, and after discussions, the Committee supported the budget as proposed for adoption by the full Board on April 20, 2011. As a part of the budget development, staff held review meetings with members of the Tri Valley Water Retailers Group on March 3 and 9, 2011.

Below is a summary of the proposed FY 11/12 budget for Zone 7 comprising of six discrete funds. The General Fund/Flood Control, State Water Facilities, and Water Enterprise are operating funds, while the Renewal/Replacement and Systemwide Improvements, Expansion, and Flood Protection/Storm Drainage DIF are capital funds. The funding amount for the soft freeze positions (\$2.3 million) is not in the proposed expense budgets in the General Fund/Flood Control (Fund 50) and Water Enterprise (Fund 52), but, if needed, will be funded from reserves in those Funds.

		FY 2010/11 Budget	FY 2010/11 Forecast	FY 2011/12 Proposed Budget
	<u>Operating Funds</u>			
50	General Fund/Flood Control Reserves	\$9,885,957 \$19,129,429	\$9,328,180 \$20,425,404	\$8,682,000 \$17,795,731
51	State Water Facilities Reserves	\$9,650,490 \$5,647,949	\$10,635,201 \$7,655,127	\$12,561,522 \$6,748,292
52	Water Enterprise Reserves	\$35,716,839 \$10,504,666	\$31,572,847 \$11,314,569	\$33,542,069 \$11,708,414
	Total	\$90,535,330	\$90,931,328	\$91,038,028
		FY 2010/11 Budget	FY 2010/11 Forecast	FY 2011/12 Proposed Budget
	<u>Capital Funds</u>			
	<i>Systemwide Improvements (SWI)</i>	\$2,900,449	\$2,137,004	\$2,953,479
	<i>Renewal & Replacement (R/R)</i>	\$5,729,000	\$5,350,919	\$4,533,572
72	R/R & SWI Program Total	\$8,629,449	\$7,487,923	\$7,487,051
73	Expansion Program	\$20,696,244	\$17,525,495	\$20,374,424
76	Flood Protection and Stormwater Drainage	\$9,793,500	\$6,375,035	\$1,823,319
	Total	\$39,119,193	\$31,388,453	\$29,684,794
	Grand Total	\$129,654,523	\$122,319,781	\$120,722,822

Issues and Trends

Financial issues facing the Agency continue to be the slow recovery of the economy, the effects from conservation and the Asset Management Program. New development within the service area is continuing at a low rate, negatively impacting the growth of new water rate payers and connection fee revenue. Decline in property values resulted in decreases of the 2010 and 2011 assessment roll and lowering property tax revenue. Based on January 2011 data, Alameda County's average unemployment rate while coming down still hovers at 11%. While it is lower than California's average rate of approximately 12%, it is higher than the US average of about 9.5%, and hampering the recovery.

The Water Conservation Act of 2009 (SBX7-7) sets an overall goal of reducing per capita urban water use by 20% by the end of 2020, and calls for agricultural water suppliers to prepare and adopt water management plans. Until the effects of local conservation and other recycling efforts reach the level of "demand hardening"¹, water demands will continue to decrease while fixed costs remain high.

Increasing operating costs due to recently completed facilities going on-line such as the Mocho Demineralization Plant will continue to impact water rates. With the addition of new facilities, and as the water system infrastructure ages with time, the annual funding of the Renewal/Replacement and System-wide Improvement Fund from the Water Enterprise Fund is increasing. An updated Asset Management Program study to assess the condition of the infrastructure is about to be completed. The update has been a collaborative effort that includes participation by the retailer agencies.

For FY 11/12, the Agency will continue to focus on implementing plans to ensure the availability of a sustainable water supply and drought storage protection. We will also be evaluating future water source impacts of climate changes, and to finalize the programmatic requirements and funding sources to complete the necessary flood control improvements to meet the needs of the service area community.

Staffing

The proposed FY 11/12 budget provides for 109 full-time equivalent positions. Of the 109 funded positions, there are seven (7) vacant, unfilled positions as of April 8, 2011. The number of funded positions does not include any identified in the "soft" hiring freeze that began in FY 09/10. The initiative is continuing with fourteen (14) positions planned to remain unfilled in FY 11/12 which equates to a reduction of the FY 11/12 personnel cost by approximately \$2.3 million. The funding for the soft hiring freeze positions is not in the proposed expense budgets of the General Fund/Flood Control (Fund 50) and Water Enterprise (Fund 52), but, if needed, will be funded from reserves in those Funds.

Operating Funds Budget

- General Fund/Flood Control (Fund 50) FY 11/12 expenses are decreasing \$0.6 million compared to the FY 10/11 forecast due to a significant non-recurring project (El Charro Specific Plan \$4.3 million) expenses in FY 10/11, offset by new projects planned for FY 11/12.

¹ Demand Hardening: The diminished ability or willingness of a customer to reduce demand during a supply shortage as the result of having implemented long-term conservation measures.

- State Water Facilities Fund (Fund 51) expenses are increasing \$1.9 million over the FY 10/11 forecast, based on increasing State Department of Water Resources fixed charges for capitalized projects.
- Water Enterprise (Fund 52) expenses are increasing by \$2.0 million over the FY 10/11 forecast primarily due to \$0.9 million higher chemical costs (planned 30% increase use of surface water and 5% increase in chemical unit prices), \$0.5 million higher Mocho Demineralization Plant operating costs (planned operations at 50% capacity compared to 25% in FY 10/11) and other services (planned replacement of the financial information system at \$0.4 million and election expense of \$0.2 million).

Capital Funds Budget

- Renewal/Replacement and System-wide Improvements (Fund 72) expenditures for FY 11/12 total \$7.5 million, comprising of the projects listed on page 32 of the proposed budget book. The proposed FY 11/12 expenditures are \$1.1 million less than the FY 10/11 budget and consistent with the FY 10/11 forecast. This fund is funded via an annual contribution from the Water Enterprise fund which for FY 11/12 is planned at \$5.0 million. The original Asset Management Program study recommended that the annual contribution to these programs be increased from \$4 million to \$10 million per year which is planned to ramp up to \$10 million by FY 2013/14. The result of the updated Asset Management Program is expected to be available in May and will likely cause an adjustment to the ramp-up target.
- Expansion (Fund 73) expenditures for FY 11/12 total \$20.4 million, comprising of the projects listed on page 38 of the proposed budget book. The proposed expenditures are \$0.2 million less than the FY10/11 budget and \$2.8 million more than the FY 10/11 forecast. Funding is primarily from water connection fees.
- Flood Protection/Storm Drainage DIF (Fund 76) expenditures for FY 11/12 total \$1.8 million, comprising of the projects listed on page 44 of the proposed budget book. The proposed expenditures are \$8.0 million less than the FY 10/11 budget and \$4.5 million less than the FY 10/11 forecast due to the \$5.7 million El Charro Specific Plan project expenditures in the current year. Funding is mainly from new development fees.

Recommended Action

Discuss and adopt the attached resolution approving the Zone 7 budget for FY 11/12.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO

INTRODUCED BY
SECONDED BY

BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby approve the following budgets and designations for Fiscal Year 2011/12:

1. General Fund Budget (Exhibit A);
2. State Water Facilities Budget (Exhibit B);
3. Water Facilities Budget (Exhibit C);
4. Renewal & Replacement, System-Wide Improvements Capital Projects (Exhibit D);
5. Expansion Capital Projects (Exhibit E);
6. Flood Protection/Stormwater Drainage DIF Capital Projects (Exhibit F); and

BE IT FURTHER RESOLVED that the Board of Directors of Zone 7 does hereby request the Board of Supervisors of the Alameda County Flood Control and Water Conservation District to incorporate said budgets of Zone 7, where applicable; and

BE IT FURTHER RESOLVED that the Board of Directors of Zone 7 does hereby request the Board of Supervisors of said District to levy a tax on all property of Zone 7 to obtain the necessary funds for the State Water Facilities Fund; and

BE IT FURTHER RESOLVED that said taxes to be levied shall be consistent with the budget requirements set forth in the attached exhibits; and

BE IT FURTHER RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby approve the personnel actions, if any, as contained in the Zone 7 Budget for Fiscal Year 2011/12 and authorize the General Manager to implement such personnel actions; and

BE IT FURTHER RESOLVED that the General Manager is authorized and directed to adjust accounts as the General Manager may deem necessary to account for any changes in available fund balances, revenues or expenditures.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

April 20, 2011

By _____
President, Board of Directors

EXHIBIT A
GENERAL FUND/FLOOD CONTROL (50)

Acct #	50 Account Description	Proposed Budget 11/12
	<u>Revenues & Transfers</u>	
4111	Property Taxes Current Secured	\$5,362,311
4112	Property Taxes Current Unsecured	\$306,000
4113	Property Tax-Supplemental	\$3,672
4114	Property Taxes Prior Secured	\$153,000
4115	Property Taxes Sa Secured	\$10,200
4116	Property Taxes Prior Unsecured	\$9,180
4117	Property Taxes Prior Sa Unsecured	\$1,020
4191	Other Licenses & Permits	\$816
4211	Disaster Reimbursements	\$0
4221	HPTR	\$54,000
4241	Federal;Other	\$0
4251	Local Housing Authority In-Lieu	\$600
4311	Interest on Investments	\$100,000
4331	Rent of Land & Buildings	\$17,460
4610	Other Charges for Current Services	\$10,200
4631	Plan Checking Fees	\$1,428
4810	Other Revenue	\$22,440
	<u>Total Revenues</u>	<u>\$6,052,327</u>
	<u>Expenditures, Reserves & Credits</u>	
6100	<u>Labor & Overhead Apportioned</u>	
6110	Direct Labor & Benefits Appor	\$865,067
6120	Indirect Labor & Benefits Appor	\$351,315
	<u>Total Personnel</u>	<u>\$1,216,382</u>
6200	<u>Professional & Technical Svcs</u>	
6210	Professional & Tech Svcs	\$5,823,699
6230	County Prof & Tech Services	\$25,000
6250	District Prof & Tech Services	\$0
6280	Dist Labor/Indirect - Misc	\$0
6500	<u>Utilities</u>	
6510	Gas & Electricity	\$0
6520	Communications	\$4,750
6600	<u>Facilities Services</u>	
6610	Cleaning Services	\$6,000
6610	Other	\$0
6612	Garbage Disposal	\$6,000
6614	Janitorial Service	\$0
6620	Maint Svcs & Mat - Equipment	\$130,090
6630	Maint Svcs & Mat - Strcuts & Imp's	\$17,966,032
6640	Rents & Leases - Equipment	\$72,058
6650	Rents & Leases - Land, Strcuts	\$114,000
6670	Other Property Services	\$0
6700	<u>Services and Supplies</u>	
6720	Emergency & Safety	\$11,000
6740	Office Expense	\$92,400
6750	Organization Memberships & Dues	\$113,600
6760	Other Services & Supplies	\$117,459
6761	Advertising & Legal Services	\$2,000
6762	Clothing & Personal Supplies	\$2,100
6764	Household Expense	\$400
6765	Laboratory Supplies	\$2,000
6766	Tools & Instruments	\$25,100
6767	State & Local Fees	\$10,200
6768	Uniform Service	\$1,100
6769	Other	\$74,559
6770	Training	\$17,500
6780	Transportation	\$500
6790	Travel	\$5,500
6800	<u>Equipment</u>	
6810	Equipment & Vehicle Expense	\$58,848
6900	<u>Other</u>	
6910	Non-Operating Expense	\$31,000
	<u>Total Services & Supplies</u>	<u>\$24,589,436</u>
6245	Reprographics-AlaCo	\$0
	<u>Total Non-Discretionary Expenditures</u>	<u>\$0</u>
7500	<u>Capital Land, Structures, & Equip</u>	
7510	Capital Structures & Improvmts	\$671,913
7520	Capital Equipment	
	<u>Total Fixed Assets</u>	<u>\$671,913</u>
	<u>Total Expenditures</u>	<u>\$26,477,731</u>

EXHIBIT B
STATE WATER FACILITIES FUND (51)

Acct #	51 Account Description	Proposed Budget 11/12
<u>Revenues & Transfers</u>		
4111	Property Taxes Current Secured	\$8,839,167
4112	Property Taxes Current Unsecured	\$285,833
4113	Property Tax-Supplemental	\$175,000
4114	Property Taxes Prior Secured	\$150,000
4115	Property Taxes Sa Secured	\$0
4116	Property Taxes Prior Unsecured	\$0
4117	Property Taxes Prior Sa Unsecured	\$0
4221	Homeowners Prop Tax Relief	\$45,000
4251	Local Housing Authority In-Lieu	\$505
4311	Interest on Investments	\$25,000
4321	Interest from Other Sources	\$0
4541	Water Service Surcharge	\$1,184,182
4810	Other Revenue	\$950,000
<u>Total Revenues</u>		<u>\$11,654,687</u>
<u>Expenditures, Reserves & Credits</u>		
6410	Water - DWR Fixed Charges	\$22,597,631
6419	Credits for Fixed Cost from Expansion	(\$3,287,818)
<u>Total Expenditures</u>		<u>\$19,309,814</u>

**EXHIBIT C
WATER ENTERPRISE FUND (52)**

		Proposed Budget 11/12
Acct #	Account Description	
	<u>Revenues & Transfers</u>	
4230	SB 90 Claims	\$700
4310	Interest on Investments	\$100,000
4320	Interest from Other Sources	\$0
4330	Rent of Land and Buildings	\$31,000
4510	Treated Water Sales	\$35,738,630
4520	Untreated Water Sales	\$435,450
4530	Temporary Water Sales	\$2,020
4720	Transfers From Other Deposits	\$0
4810	Other Revenues	\$41,000
	<u>Total Revenues</u>	<u>\$36,348,800</u>
	Transfers-in (out)	
	72-542	(\$5,044,148)
	<u>Total Transfers</u>	<u>(\$5,044,148)</u>
	<u>Net Revenue Available</u>	<u>\$31,304,652</u>
	<u>Expenditures, Reserves & Credits</u>	
6100	<u>Labor & Overhead Apportioned</u>	
6110	Direct Labor & Benefits Appor	\$17,986,175
	<u>Total Personnel</u>	<u>\$17,986,175</u>
6200	<u>Professional & Technical Svcs</u>	
6210	Professional & Tech Svcs	\$2,735,499
6230	County Prof & Tech Services	\$80,100
6250	District Prof & Tech Services	\$0
6300	<u>Chemicals</u>	
6310	Chemicals	\$3,530,995
6400	<u>Water</u>	
6420	SWP - Variable Costs	\$3,086,802
6429	Credits for Variable Cost fr Expansion	
6430	Water Entitlement/Option Purchases	\$858,000
6460	Water Storage	\$1,252,750
6480	Water Other	\$965,449
6490	Water Rate Designations	\$5,000,000
6500	<u>Utilities</u>	
6510	Gas & Electricity	\$2,128,465
6520	Communications	\$139,023
6600	<u>Facilities Services</u>	
6610	Cleaning Services	\$53,596
6610	Other	\$2,500
6612	Garbage Disposal	\$9,400
6614	Janitorial Service	\$41,696
6620	Maint Svcs & Mat - Equipment	\$1,645,453
6630	Maint Svcs & Mat - Strcuts & Imp's	\$3,822,858
6640	Rents & Leases - Equipment	\$1,614,033
6650	Rents & Leases - Land, Strcuts	\$35,375
6670	Other Property Services	\$33,250
6700	<u>Services and Supplies</u>	
6720	Emergency & Safety	\$55,500
6740	Office Expense	\$892,080
6750	Organization Memberships & Dues	\$372,605
6760	Other Services & Supplies	\$600,505
6761	Advertising & Legal Services	\$11,500
6762	Clothing & Personal Supplies	\$17,835
6764	Household Expense	\$2,200
6765	Laboratory Supplies	\$127,885
6766	Tools & Instruments	\$20,480
6767	State & Local Fees	\$398,625
6768	Uniform Service	\$21,980
6769	Other	\$0
6770	Training	\$253,934
6780	Transportation	\$35,025
6790	Travel	\$84,800
6800	<u>Equipment</u>	
6810	Equipment & Vehicle Expense	\$272,500
6900	<u>Other</u>	
6910	Non-Operating Expense	\$296,350
	<u>Total Discretionary Expenditures</u>	<u>\$29,844,947</u>
6241	County Tie-line	\$4,500
6242	Maint-Electronic Equip-GSA	\$29,700
6243	Equip & Vehicle Fuel & Oil-GSA	\$16,416
6244	Data Processing Services	\$96,383
6245	Reprographics-AlaCo	\$0
6246	Risk Management Ins	\$354,389
	<u>Total Non-Discretionary Expenditures</u>	<u>\$501,388</u>
	<u>Total Services & Supplies</u>	<u>\$30,346,335</u>
6247	County Indirect Costs	\$568,713
7500	<u>Capital Land, Structures, & Equip</u>	
7510	Capital Structures & Improvmts	
7520	Capital Equipment	\$71,000
	<u>Total Fixed Assets</u>	<u>\$71,000</u>
7600	<u>Intra Fund Transfers</u>	
7610	Credit for Inter-department Charges	(\$3,721,740)
	<u>Total Expenditures</u>	<u>\$45,250,483</u>

**EXHIBIT D
PROJECT BUDGET REQUEST
SYSTEM WIDE IMPROVEMENTS/RENEWAL & REPLACEMENT FUND 72
CAPITAL PROJECTS**

Job Number	Project Description/Name	Fund Number	Funding Req. 2011/2012
GROUNDWATER BASIN MANAGEMENT			
96072	Well Destruction of Former Army Wells on DSRSD Property Adjacent to Mocho Demineralization Plant	72	\$137,500
	Groundwater Basin Management Subtotal:		\$137,500
TRANSMISSION & DISTRIBUTION			
96072	Automation of Identified Turnouts and Line Valves	72	\$75,000
	Transmission & Distribution Subtotal:		\$75,000
WATER SUPPLY & CONVEYANCE			
54516	Arroyo del Valle Water Right Permit Extension	72	\$500,000
53093	Bay Area Regional Desalination Project	72	\$69,979
54512	Commercial High Efficiency Toilet Rebate Program	72	\$50,000
54513	Commercial High Efficiency Urinal Rebate Program	72	\$100,000
54510	Commercial Landscape Conservation Program	72	\$30,000
54515	Greenplumbers Training Program	72	\$10,000
54505	High Efficiency Toilet Rebate Program	72	\$86,000
54504	High-Efficiency Washing Machine Rebate Program	72	\$150,000
54514	Schools In/Out Survey & Hardware Replacement Program	72	\$50,000
54501	Water Conservation Best Management Practices	72	\$75,000
96072	Water-Efficient Landscape Rebate Program	72	\$50,000
96072	Weather Based Irrigation Controller Rebate Program (CI/MF)	72	\$100,000
96072	Weather Based Irrigation Controller Rebate Program(SF)	72	\$10,000
	Water Supply & Conveyance Subtotal:		\$1,280,979
WATER TREATMENT FACILITIES			
96072	DVWTP Chemical Systems/Parking Lot Improvements	72	\$288,000
96072	DVWTP Sludge Handling Improvements	72	\$200,000
96072	PPWTP Filter Improvements Study	72	\$80,000
96072	PPWTP Sludge Handling Improvements	72	\$880,000
53069	Water Quality Management Program	72	\$12,000
	Water Treatment Facilities Subtotal:		\$1,460,000
	SYSTEMWIDE IMPROVEMENTS TOTAL		\$2,953,479
BUILDING & GROUNDS			
54053	North Canyons Administrative & Engineering Building Lease	72	\$508,000
	Building & Grounds Subtotal:		\$508,000
PROGRAM MANAGEMENT			
54071	Asset Management Program Management	72	\$40,000
54508	Capital Improvement Program Management	72	\$10,000
54507	System-Wide Improvements and Renewal/Replacement Program Management	72	\$50,000
	Program Management Subtotal:		\$100,000
REGULATORY COMPLIANCE			
54042	Laboratory Equipment Replacement	72	\$120,000
	Regulatory Compliance Subtotal:		\$120,000
TRANSMISSION & DISTRIBUTION			
96072	CWS Turnout No. 7 Modifications	72	\$107,000
96072	Pleasanton Turnout No. 3 Replacement	72	\$100,000
53096	Santa Rita Pipeline Relocation	72	\$750,000
	Transmission & Distribution Subtotal:		\$957,000
WATER TREATMENT FACILITIES			
96072	Dougherty Access Road Rehabilitation	72	\$50,000
96072	Dougherty Reservoir Recoating Project	72	\$800,000
54083	Minor Renewal/Replacement Projects	72	\$250,000
54072	PPWTP Clarifier Rehabilitation Project	72	\$343,572
54059	PPWTP Ultrafiltration Membrane Replacement	72	\$400,000
54048	SCADA Enhancements	72	\$225,000
96072	Well Pump, Motor and Casing Inspections	72	\$30,000
	Water Treatment Facilities Subtotal:		\$2,098,572
	RENEWAL & REPLACEMENTS TOTAL		\$3,783,572
	SYSTEMWIDE IMPROVEMENTS/RENEWAL & REPLACEMENT PROJECTS TOTAL		\$6,737,051
CONTINGENCY FUNDS			
96172	Contingency	72	\$750,000
	Contingency Funds Subtotal:		\$750,000
	SYSTEMWIDE IMPROVEMENTS/RENEWAL & REPLACEMENTS PROGRAM SUBTOTAL		\$7,487,051
SINKING FUNDS			
	Administrative & Engineering Building - Sinking Fund	72	\$378,102
	Sinking Funds Subtotal:		\$378,102
	SYSTEMWIDE IMPROVEMENTS/RENEWAL & REPLACEMENTS PROGRAM TOTAL		\$7,865,153

**EXHIBIT E
PROJECT BUDGET REQUEST
EXPANSION PROJECTS FUND 73**

Job Number	Project Description/Name	Fund Number	Funding Req. 2011/2012
	BUILDING & GROUNDS		
55048	North Canyons Administrative & Engineering Building Lease	73	\$399,000
	Building & Grounds Subtotal:		\$399,000
	PROGRAM MANAGEMENT		
55050	Capital Improvement Program Management	73	\$37,500
55001	Connection Fee Program Administration	73	\$25,000
55010	Interest on Installment Sale Agreement	73	\$276,877
	Program Management Subtotal:		\$339,377
	WATER SUPPLY & CONVEYANCE		
57101	Arroyo Mocho Lake H Diversion Structure	73	\$40,000
55430	Bay Area Regional Desalination Project	73	\$129,962
51401	Bay-Delta Conservation Program/DHCCP Program Participation	73	\$257,361
55052	Bay-Delta Conservation Program/DHCCP	73	\$40,000
55106	Cawelo Groundwater Banking Program Debt Service	73	\$1,293,056
57102	Chain of Lakes Facilities and Improvements	73	\$560,000
96073	Cope Lake Facilities and Improvements	73	\$500,000
55043	CUWA Membership	73	\$60,000
55053	Delta Outreach	73	\$30,000
51401	Fixed Cost of Water Entitlement	73	\$287,818
51401	Fourth Contractor's Share of the SBA	73	\$3,000,000
55003	High Efficiency Toilet Rebate Program	73	\$29,000
55303	High-Efficiency Washing Machine Rebate Program	73	\$50,000
51410	Semitropic Stored Water Recovery Unit	73	\$48,000
55037	South Bay Improvement and Enlargement Project	73	\$11,698,074
51408	SWP Peaking Payment (Lost Hills & Bellridge Water Districts)	73	\$331,276
96073	Walker Ranch Conservation Easement Mgmt and Maintenance	73	\$340,000
55300	Water Conservation Best Management Practices	73	\$25,000
	Water Supply & Conveyance Subtotal:		\$18,719,547
	WATER TREATMENT FACILITIES		
96073	Land Acquisition for PPWTP Expansion	73	\$100,000
55054	Water Quality Management Program	73	\$4,000
	Water Treatment Facilities Subtotal:		\$104,000
	WELLS		
96073	Well Master Plan Wells - Future Phases	73	\$200,000
	Wells Subtotal:		\$200,000
	EXPANSION PROJECTS TOTAL		\$19,874,424
	CONTINGENCY FUNDS		
96173	Contingency Funds	73	\$500,000
	Contingency Funds Subtotal:		\$500,000
	EXPANSION PROGRAM SUBTOTAL		\$20,374,424
	SINKING FUNDS		
96073	Administrative & Engineering Building - Sinking Fund	73	\$34,470
96073	Fourth Contractor's Share of the SBA - Sinking Fund	73	\$21,705
96073	South Bay Aqueduct Improvement & Enlargement - Sinking Fund	73	\$129,897
	Sinking Funds Subtotal:		\$186,072
	EXPANSION PROGRAM TOTAL		\$20,560,496

**EXHIBIT F
BUDGET REQUEST
FLOOD PROTECTION AND STORM WATER DRAINAGE**

Job Number	Project Description/Name	Fund Number	Funding Req. 2011/2012
61154	North Canyons Administrative & Engineering Building Lease	76	\$113,000
	<i>Building & Grounds Subtotal:</i>		<i>\$113,000</i>
	FLOOD CONTROL FACILITIES		
96076	Arroyo de la Laguna Improvements	76	\$290,023
96076	Arroyo Las Positas @ N. Vasco (R 1-7)	76	\$255,924
96076	Arroyo Mocho @ Stanley (R 3-5)	76	\$101,818
96076	DIF Update	76	\$326,169
96076	El Charro Specific Plan	76	\$37,401
61160	Flood Control Hydrology Study	76	\$340,480
61157	Flow Studies- Steelhead Restore	76	\$18,000
96076	Lower Arroyo Mocho (R 8-3)	76	\$19,493
61161	Sediment Study	76	\$68,510
	<i>Flood Control Facilities Subtotal:</i>		<i>\$1,457,819</i>
	PROGRAM MANAGEMENT		
61156	Capital Improvement Program Management	76	\$2,500
	<i>Program Management Subtotal:</i>		<i>\$2,500</i>
	CONSULTING & OTHER COSTS		
96076	Administrative, Consulting and Other Program Costs	76	\$250,000
	<i>Consulting & Other Costs Subtotal:</i>		<i>\$250,000</i>
	<i>FLOOD PROTECTION AND STORM WATER DRAINAGE SUBTOTAL:</i>		<i>\$1,823,319</i>
	SINKING FUNDS		
96076	Administrative & Engineering Building - Sinking Fund	76	\$84,023
	<i>Sinking Fund Subtotal:</i>		<i>\$84,023</i>
	<i>FLOOD PROTECTION AND STORM WATER DRAINAGE TOTAL</i>		<i>\$1,907,342</i>

SUMMARY MINUTES OF THE FINANCE COMMITTEE
ZONE 7 BOARDS OF DIRECTORS

March 29, 2011

5:30 p.m.

Directors present: Sandy Figuers
A. J. Machaevich
Chris Moore

Zone 7 Staff: Jill Duerig, General Manager
John Yue, Asst. General Manager, Finance
Tamara Baptista, Financial & Systems
Service Manager
JaVia Green, Staff Analyst
Judy Rector, Board Secretary

1. Public Comment - None

2. FY 2011/12 Final Budget

John Yue, Assistant General Manager, Finance, began the presentation on the final budget for Zone 7. Staff was seeking the Finance Committee's direction regarding the FY 11/12 budget.

Tamara Baptista, Financial & Systems Service Manager, discussed the budget for the three operating funds. In summary:

- General Fund/Flood Control (Fund 50) FY11/12 proposed expenses are decreasing \$0.6 million compared to the FY10/11 projected actuals due to a significant non-recurring project (El Charro Specific Plan \$4.3 million) expenses in FY10/11, offset by new projects planned for FY11/12.
- State Water Facilities Fund (Fund 51) proposed expenses are increasing \$1.9 million over the FY10/11 projected actuals, based on increasing State Department of Water Resources charges.
- Water Enterprise (Fund 52) proposed expenses are increasing by \$2.0 million over the FY10/11 projected actuals primarily due to \$0.9 million higher chemical costs (planned 30% increase use of surface water and 5% increase on unit prices), \$0.5 million higher Demin operating costs (planned operations at 50% capacity compared to 25% in FY10/11) and other services (planned replacement of the financial information system, partial cost of \$0.4 million and election expense of \$0.2 million).

Issues affecting the budget include:

- Conservation (SBX7-7) - Because of environmental issues, SBX7-7 requires a 20 percent reduction in water usage in California by 2020. However, reduced water usage also lowers water revenues.
- Economy – The poor economy's impact on the housing market lowers connection fee revenues and affects Zone 7's growth-related funds.
- Asset Management Program (AMP) - Completed in 2004; however, staff is in the process of updating the Asset Management Program which will be presented to the Board in May.

The total proposed budget for operating funds, including reserves, is \$91,038,028 million.

The presentation included a slide presentation and handouts referencing individual funds. Director Figuers suggested improving the presentation to the full Board on April 20 by clarifying terminology and consistently using specific accounting definitions, i.e., forecast = projected actuals; budget=proposed budget; proposed expenditures=subset of something within a budget; correction of the height of the blue bars on a graph; and more detail on where transfers come from and go.

Director Figuers also suggested that it would be helpful to have a graph showing actual acre feet sold so board members can see actuals. The graph referenced during the presentation shows revenue for lots of water being sold but he wants to see if there is a trend for acre feet of demand.

JaVia Green, Staff Analyst for Finance, discussed the budget for the three capital funds. In summary:

- Renewal/Replacement and System-wide Improvements (Fund 72) proposed expenditures for FY11/12 total \$7.5 million. The proposed FY11/12 expenditures are \$1.1 million less than the FY10/11 budget and consistent with the FY10/11 projected actuals. This fund is funded via an annual contribution from the Water Enterprise fund which for FY11/12 is planned at \$5.0 million. The original Asset Management Program study recommended that the annual contribution to these programs be increased from \$4 million to \$10 million per year which is planned to ramp up to \$10.0 million by FY 2013-14.
- Expansion (Fund 73) proposed expenditures for FY11/12 total \$20.4 million. The proposed expenditures are \$0.2 million less than the FY10/11 budget and \$2.8 million more than the FY10/11 projected actuals. Funding is primarily from water connection fees.
- Flood Protection/Storm Drainage DIF (Fund 76) proposed expenditures for FY11/12 total \$1.8 million. The proposed expenditures are \$2.3 million less than the FY10/11 budget and \$4.5 million less than the FY10/11 projected actuals due to the \$5.7 million El Charro Specific Plan project expenditures in the current year. Funding is mainly from new development fees.

The total proposed budget for capital funds is \$29,684,794 million.

Director Figuers suggested putting the funding source on each page as an improvement for the April 20th board presentation.

During a discussion regarding revenue from connection fees, Director Figuers also requested a graph showing the number of water connections. Staff promised to provide, based on equivalent dwelling units.

After a discussion regarding the use of the Installment Sale Agreement (ISA) with Wells Fargo, Director Figuers asked for an ISA history sheet showing when it started, when it was used, and a timeline to facilitate keeping track of such a large obligation.

The annual budget and Quarterly Update for Fund 73 will both be presented at the April board meeting.

Director Moore moved that the proposed budget be recommended to the Board on April 20th and Director Machaevich seconded the motion followed by a unanimous voice vote.

There were no verbal reports.

Since there were no further issues or comments, the meeting was adjourned at 6:20 p.m.

**Zone 7 Water Agency
Administrative Committee
Summary Notes and Minutes**

Meeting Date: March 31, 2011

Start Time: 5:10 p.m.

Directors Present: J. Greci
S. Palmer

Staff Present: K. Arends C. Mahoney
J. Duerig E. Rank

1. Public Comment on Items Not on the Agenda

Members of the public did not provide comments.

2. Stanley Reach, Pilot Project Using Mitigation Funds on Arroyo Mocho

Carol Mahoney gave a presentation to the Committee on a potential pilot project on the Stanley reach of Arroyo Mocho.

Zone 7 Staff have been exploring various funding options for the Stream Management Master Plan (SMMP). Non-traditional funding sources will likely be necessary to complete many SMMP projects. This potential pilot project on the Stanley Reach of Arroyo Mocho came about partially by other agencies approaching Zone 7 to satisfy their mitigation needs related to 401 dredge/fill permits by implementing enhancement projects on our channels. The project would serve multiple purposes – (1) allow Caltrans, Alameda County Surplus Property Authority (SPA), and possibly a third entity or Zone 7 to meet their Regional Water Quality Control Board (RWQCB) permit requirements by mitigating on our channels, (2) address the habitat improvement and possible recreation related elements in the SMMP, and (3) serve as a pilot project for Zone 7 to learn about using volunteers to help implement planting plans and habitat improvements in our channels.

RWQCB is highly supportive of this project to enhance riparian habitat. Similar to the process that Zone 7 and the Board went through last year with the restoration/mitigation area for the City of Livermore's El Charro Specific Plan, the RWQCB will require the Zone 7 Board to commit to pursuing a deed restriction on the property to ensure the mitigation remains in perpetuity. This is a legal formality that is required for the issuance of most 401 dredge/fill permits by RWQCB.

Director Greci asked if Zone 7 would receive any mitigation credits for the project. Ms. Mahoney explained that mitigation credits would only be available to Zone 7 if areas outside of the Caltrans/SPA mitigation were completed with Zone 7 dollars (which could be the case if a third entity is not found to participate in the downstream portion of the project). This project could have the added benefit of enhancing our relationships with RWQCB, Caltrans, and perhaps also with various local environmental groups. Further, the City of Livermore had plans to open this area up as part of their trail system, but grant funding fell through. They have expressed a continuing interest in eventually opening this area to public access, and having the plantings installed prior to the area being open to the public will certainly increase the likelihood of plant success.

Director Palmer asked about cost. Ms. Mahoney answered that overall, Zone 7's cost will be minimal, provided that a third entity contracts for the removal and revegetation of the eastern dragon's teeth structure – otherwise, funding from Zone 7 for that portion (removal of dragon's teeth and revegetation) will in essence purchase mitigation credits for this effort. However, Alameda County Transportation Authority (ACTA) is currently considering the removal of the dragon's teeth as mitigation for one of their projects and is in discussion with Zone 7 staff to take on that portion of the project.

Initial funding for the project will be covered by Caltrans, who will pay for the design and planning/environmental studies required for the entire project reach, including: re-grading, plantings, and removal of several in-stream structures. A Cooperative Agreement will be entered into between Caltrans and Zone 7 to orchestrate the payment and reimbursement of all parties. Caltrans will pay for their share of the implementation of the project and for 10 years of monitoring. SPA will also pay for their share of the mitigation plantings and monitoring. ACTA is also looking for a mitigation project; if this project suits their needs, they would pay for the removal of the dragon's teeth and downstream revegetation, which would fulfill the costs requirements for the entire project – except for design and construction of the Surplus Property area. SPA currently only plans to contribute to riparian plantings as that satisfies their mitigation requirement.

Directors Greci and Palmer agreed that this is a good project and a good tool to help us fund parts of the SMMP. Ms. Mahoney will bring this item with a Resolution indicating the Committee's support for moving forward on this project in cooperation with Caltrans and RWQCB to the April 20, 2011 Regular Board Meeting.

3. Chain of Lakes, Historical Information

The consultant and distinguished guest speaker presenting this item was Mun J. Mar, former Zone 7 General Manager. Mr. Mar's tenure as General Manager spanned the concept development and planning period of the Chain of Lakes acquisition and his insight into its background is invaluable to understanding what opportunities may lie ahead.

Mr. Mar presented a historical narrative of the development of the "Chain of Lakes" concept. A summary paper was provided, which will be distributed to the Board to aid in the series of presentations on Chain of Lakes "opportunities" that is currently scheduled over the next few months. Mr. Mar also acknowledged Former Director Margaret Tracy, present in the audience, for her participation in the early years. Director Greci commended Mr. Mar for such forward thinking during his tenure as GM, as the valley will greatly benefit from the water supply, flood control, and recreation aspects of the lakes.

4. Verbal Comments

None.

5. Adjournment

Meeting was adjourned at 6:00 p.m.

Zone 7 Water Agency Delta Committee

Summary Notes and Minutes

Meeting Date: March 31, 2011

Start Time: 4:00 p.m.

Directors Present: J. Greci
S. Palmer

Staff Present: K. Arends, J. Chahal,
J. Duerig, A. Flores,
B. Ledesma, C. Mahoney

1. Public Comment on Items Not on the Agenda

Members of the public did not provide comments.

2. Water System Master Plan

Staff gave a presentation that summarized the analysis, results, and recommendations of the study. Staff also told the Committee that the name of the report would change to Water Supply Evaluation (WSE) instead of a Master Plan because it would not provide a “blue print” for purchasing or constructing major water supplies. Staff indicated that the report is a work plan that outlines steps necessary to minimize risk until more is known regarding a Delta fix.

Some of the key recommendations from the study to help minimize near term risk included working with the local water supply retailers to develop additional water conservation and recycled water programs, confirming minimum yields from Zone 7’s existing contract with BBID, reducing unaccounted-for water, and developing an enhanced in-lieu recharge program. Successfully implementing these recommendations provides Zone 7 time to complete additional work necessary to verify key assumptions made in the report.

Some of the major studies recommended included working with the Retailers to develop a water conservation tracking methodology, linking potable water demand offsets identified in the WSE to potential recycled water demands, and evaluating the potential salt implications of recycled water over the Main Basin as part of the Salt Management Plan update. The evaluation will also recommend continuing to participate in both the BDCP/DHCCP effort and the feasibility studies associated with the Bay Area Regional Desalination Project.

Staff also provided a summary of observations made regarding reliability. In particular, the analysis indicated that there was only about a 10 to 20 percent difference in total portfolio costs between a 75 and 99 percent reliability, and that other drivers (e.g., demand hardening and uncertainty) would likely drive any potential changes in policy. Consequently, staff also recommended working with the local water supply retailers to develop proposals for changing the existing reliability policy that can be brought to the Delta Committee and Board of Directors for review after completion of the report.

The Committee commented on how the WSE appears to emphasize the importance of the Chain of Lakes, complimented the detailed information provided, and concurred with all of the recommendations.

3. Verbal Reports

No verbal reports were given.

4. Adjournment

Meeting was adjourned at 5:00 p.m.

4/20/11 Board written/narrative comments By Dick Quigley

Monday, March 14 - Attended ACWA Energy/Global warming committee meeting in Sacramento. Issues discussed included:

- AB32 implementation procedures
- TREC's (Tradable Renewable Energy Credits) question: What do we need to do as a Water/Utility agency to participate? (Transfer credit to another location sounded appealing.)
- Flow criteria for the Delta and other rivers may have an impact on hydro power
- Cap and Trade and FIT (Feed in Tariffs) protocols are being developed.
- New commissioners at CPUC & CEC; SB32 proceeding at CPUC ACWA position
- Federal hydro legislation in process
- Energy jobs and the economy
- Governor Brown's renewable energy goals (diversified 4,000 MW + storage)
- Hand out materials are available.

Friday, March 18 - Attended ACWA Region 5 Board meeting. Issues discussed included:

- Election, nominating committee 2012-2013 election timeline and process. FYI, General Manager G. F. Duerig is on the Nominating Committee and I have expressed interest in serving as a full board member.
- May 22-23 Region 5 Freeport, (EBMUD) tour and program.
- ACWA Spring Conference Sacramento May 10-13. John Laird, keynote speaker. Delta com/BDGP and SWCB and more will be there.
- Fall Region 5 event possibilities; Possible Pajaro Valley WMA Recycling Facility, or SBA enlargement tour were discussed. San Luis Obispo was also discussed; few ACWA members are in the south coast area.
- Hand out materials are available.

Monday, March 21 - Attended a meeting at Zone 7 requested by Peter MacDonald, Attorney, Orlando Gutierrez, and Kurt Arends regarding a September 23, 2010, request to split a current 35 ac ft untreated water contract into two parts. No additional water is requested. The 35 ac ft. belonging to the Ibsen's would be split 23.3 ac ft for Ibsen and 11.7 ac ft to Orlando Gutierrez. Both parties have signed an agreement to start the process; Zone 7 staff has asserted a moratorium on such transactions as the untreated contracts are currently under review.

Peter gave some background on pre-1997 "entitlements" coupled with a South Livermore plan for ag. Wente is the Wheeler and bills once a year. Kurt mentioned the 72 or 73 contracts with different start and ends are under review as they are difficult to manage now. Z-7 is looking at an "ordinance based" system. The challenge is how the water is moved. Kurt shared there had been a meeting with Wente, the Wheeler. Issues are current system is not well documented. P-Splitting contract would be simple and no new allocation. Also subject to contract language, which protects Z-7 going forward.

P- Keep it simple and make it easier for Zone 7 and contractors.

My take is we need to be able to timely address requestors need for modifications. The request posed sounded reasonable to DQ.

Wednesday, March 23 – Attended annual [Tri-Valley Science and Engineering Fair](#) and served as a senior judge team captain as retired LLNL staff. Scientists and engineers judged 262 projects and 413 students from Tri Valley high schools and middle schools. I am pleased to report that there were many water, desalination, environment, and renewable energy projects that received nice scores. The sweepstakes winner in the Junior Division, an eighth-grade team from a Dublin middle school had a water purification project that sold the judges, including me. I was glad to see Zone 7 staff, Amparo Flores, John Koltz, and Boni Brewer participating in the special award category. I know we will have some water kids to review at our May Board meeting. DSRSD had a nice write-up as a sponsor in the program's glossy guide and had three judges listed.

Wednesday, March 30 – Participated via teleconference call in ACWA local governance committee meeting (agenda forwarded to staff early 3/10).

Issues discussed included:

- Transparency after Bell and new bill emerging in legislature
- What public agencies can and cannot do
- State Controller has made some recommendations- confusion exists
- Form 700 agency harassment, requirements, fines. Bell broad paint brush? Standard protocol preferred - keep it simple and avoid duplicity
- Board members generally no problem, Over \$100K salaried employees an issue. Many agencies have voluntarily posted on web sites. Bonuses a problem
- Pension reform
- Governor's Goals
- Cal Forward- engage
- Water & waste water districts different due to Public Safety & Health and high technical nature. (May not be selling)
- ACWA & CSDA may be joining on common issues involving consolidation push from state
- Reserve funds may be an attractive target

Local Governance and Communications committee will work together on an outreach strategy.

More discussion will occur at May ACWA meeting in Sacramento.

INFO to share: From SFPUC website

From: rlquig1@comcast.net

Date: March 27, 2011 2:48:06 PM PDT

To: jduerig@zone7water.com

Cc: jrector@zone7water.com, palmerdive@comcast.net, Christopher.M.Moore@comcast.net

FYI

Very impressive in our backyard.

Are tours available?

Maybe Tim Koopman can put one together.

DQ

PROJECT AT-A-GLANCE



Project Schedule & Cost

PROJECT UPDATE

A significant milestone has been achieved for the Alameda Siphon No. 4 project. In November, a 96-inch (eight-foot) diameter micro-tunneling machine **completed its work to construct a 554-foot-long tunnel underneath Alameda Creek.**

This newly constructed tunnel is a significant component of the new Siphon No. 4 that will stretch across the Sunol Valley, connecting the existing Coast Range Tunnel at Alameda East Portal to the existing Irvington Tunnel and the New Irvington Tunnel (currently under construction) at Alameda West Portal. It will help ensure the SFPUC can deliver water to its customers after a major earthquake. This is necessary since the three existing siphons cross the Calaveras Fault and are vulnerable to earthquake damage.

Since the tunneling work is complete, the contractor efforts are now focused on the rest of the work inside the tunnel. This includes installing one 66-inch (5.5-foot) diameter and two 12-inch diameter pipes and securing it within the tunnel. This work will continue through the end of 2010.





Crews posed in front of the tunneling machine after it completed its work

Crews removed the cutterhead portion of the machine from the receiving pit.

PROJECT DESCRIPTION

The Alameda Siphon No. 4 Project extends approximately 3,000 feet from the Alameda East Portal across both the Calaveras Fault and Alameda Creek to the Alameda West Portal.

The project consists of:

- A 66-inch diameter welded steel pipeline with 310 feet of a seismically-designed special trench thicker-walled pipe in the fault rupture zone, and a tunnel crossing under Alameda Creek.
- A 96-inch diameter "blending structure" that consists of a pipe and valve manifold near the Alameda West Portal that will blend water from the Sunol Valley Water Treatment Plant and Hetch Hetchy, so the existing and new Irvington Tunnels will receive a uniform quality of water.
- Other ancillary project components include the following: new valves on the existing siphons, ventilation improvements, chemical injection facilities, overflow pipe, road improvements at the intersection of Calaveras Road for construction access, and improvements to the bridge crossing Alameda Creek.

The project is currently more than 50% complete, and all work is expected to be completed by December 2011.

Let me know if you have any questions.

Thanks!

Dick Quigley



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: ADMINISTRATION

CONTACT: Jill Duerig

AGENDA DATE: April 20, 2011

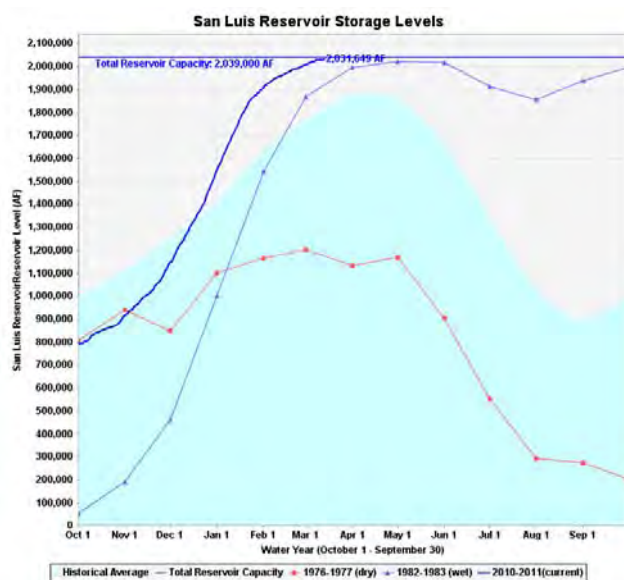
ITEM NO. 15a

SUBJECT: GENERAL MANAGER'S REPORT

SUMMARY: The following highlights a few of the key activities which occurred during March. Also attached is a list of the General Manager (GM) contracts executed during the month.

Engineering and Flood Control:

- On March 16th, the California Department of Water Resources (DWR) increased the 2011 State Water Project (SWP) allocation to 70% of contractors' requests, up 10% from the earlier figure. San Luis Reservoir filled on March 8th. DWR's estimated that Zone 7 lost about 7,300 AF of carryover water from San Luis. There were also flood releases at Lake Oroville and Lake Del Valle. DWR's flood releases from Lake Del Valle contribute some "free water" (no charges from the State Project) for both Zone 7 and ACWD until the lake drops below flood stage.



- The stormy weather also resulted in many new bank slides along Zone 7's regional flood control channels, bringing the total number of bank slides thus far this season to 29.

Operations and Maintenance:

- Patterson Pass Water Treatment Plant (PPWTP) remained offline for electrical upgrades and work on the Patterson Reservoir. Del Valle Water Treatment Plant (DVWTP) was online producing about 20 million gallons per day (MGD) through the pulsators; the Dissolved Air Flotation (DAF) system remains offline.
- Storm conditions continued through most of March and created high source water turbidity (measure of suspended solids such as silts) in water conveyed through the Delta, resulting in higher demands for coagulant doses and increased treatment and residuals costs for surface water being produced at DVWTP.

- Groundwater levels are tracking last year's elevations across the Basin for the most part except for the Lower Zone of the Amador East Sub-Basin where levels have fallen 30 feet below last year's levels. This localized effect may be the result of the pumping at the Chain of Lakes wells over the last year.
- The new Computerized Maintenance Management System (CMMS) is now up and running with about 1500 equipment tags in the system. A substantial list of preventive maintenance (PM) work orders has been developed, for example on the various ammonia systems to assure compliance with California Accidental Release Prevention (CalARP) program requirements. In addition, staff is working with a Certified Industrial Hygienist (CIH) to assure Zone 7's procedures are in compliance with CalOSHA requirements related to CalARP.

Environmental & External Affairs:

- Staff attended a workshop on Monitoring of Constituents of Emerging Concern (CEC), such as pharmaceuticals and personal care products (PPCPs). CEC monitoring is now required for Salt and Nutrient Management Plans developed as part of water recycling programs (such as Zone 7's). The impact of CECs on the environment (which could be factored into new wastewater discharge requirements) and on public health (which could impact development of any future drinking water standards) could both increase operational costs. Dr. Bruce MacIer, regional toxicologist with USEPA in San Francisco, has said that "EPA's current take is that there is no evidence that [PPCPs] in the environment cause human health effects."
- Staff continues to participate in the Clifton Court Forebay Low Flow Fish Screens study with several other agencies from the California Urban Water Agencies (CUWA). This study considers the placement of fish screens in three potential locations in the Forebay to reduce or eliminate fish entrainment. Initial results from particle tracking suggest that only the north location may be beneficial but it may have other feasibility issues. Focused biological analysis will shed some light on correlation between particle tracking and actual fish behavior.

Finance & Administration

- Staff attended the Joint Meeting of the Alameda County Employee Retirement Association (ACERA) and the Board of Supervisors as the first step in the budget process. While the budget compilation is on-going and final numbers are not yet available, the County's projected budget gap is anticipated at over \$100 million. ACERA provided updated investment reports, advising that returns were better than anticipated so the increase in employer contributions may be held to less than 1%.
- Borrego (the DVWTP solar provider) has completed installation of the solar panels. They have also installed the breaker for solar power in the electrical room at the plant. The facility should be on line by the end of April:



Monthly List of GM Contracts

March 2011

Contracts:

Urban Futures Incorporated	50,000	Financial Management Consulting Services
Rockhurst University	3,500	Coaching & Mentoring Training for Supervisors
Viking Safety Consultants, Inc.	10,000	Noise Monitoring

Total March 2011	\$63,500
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ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: OFFICE OF THE GENERAL MANAGER
CONTACT: BONI BREWER

AGENDA DATE: April 20, 2011

ITEM NO. 15b

SUBJECT: Recent & Upcoming Public Outreach Activities

Recent Public Outreach Activities

Tri-Valley Science & Engineering Fair, March 22-25

As in past years, Zone 7 staff served as *Special Award* judges on water-related projects during the Tri-Valley Science & Engineering Fair. This event, geared to high school and middle school students, is sponsored by Lawrence Livermore National Laboratory. The judging took place on March 23. Zone 7's *Special Award* winners have been invited to make presentations on their water-related projects during the May Board meeting as yet another way to recognize their good work and to help celebrate Water Awareness Month.

Sunol Wildflower Festival, April 2

Zone 7 for the first time had an exhibit at the East Bay Regional Park District's Spring Wildflower Festival at Sunol Regional Wilderness on Geary Road. This was the ninth year for this family-oriented event and was very well-attended. The festival was geared to environmental education, including subjects of interest to Zone 7 such as water-wise gardening, water conservation, native plants and stormwater-pollution prevention.

Pleasanton Earth Festival, April 16

Zone 7 participated in a new Family Earth Festival at the Pleasanton Library that was organized by the City of Pleasanton and featured a variety of sustainability topics including water conservation and stormwater pollution. Zone 7 had a booth with water-conservation games and crafts for children, along with general information on such things as water-wise plants and rebates for water-saving appliances. We also promoted the Tri-Valley Water-Wise Gardening Website and had a computer work station that showed kids a fun, interactive Environmental Protection Agency website on conservation.

EMC Corp., April 20

Outreach staff had a booth during an Earth Week event held for 500 employees of this Pleasanton software and equipment company to share information on water conservation and stormwater pollution. In cooperation with StopWaste.org, we also distributed that organization's information on the Bay Friendly Gardening program.

Future Public Outreach Activities

Bay-Friendly Gardening “Rethink Your Lawn” Talk, May 21

Zone 7 will provide various water conservation handouts for distribution during this free, interactive educational workshop on converting lawns to water-conserving, environmentally friendly landscapes, to be provided by the Bay-Friendly Gardening Program (part of StopWaste.org). The talk will be held from 10 to 11:30 a.m. at Western Garden Nursery in Pleasanton. In addition to covering the “how-to” of lawn conversion, this workshop will include demonstrations on sheet mulching. A similar workshop was held April 16 at Alden Lane Nursery in Livermore.

Livermore Wine Country Festival, April 30-May 1

Zone 7 will again share an informational table with the California Water Service Company at the 20th annual Wine Country Festival, to be held in downtown Livermore. The festival runs from 10 a.m. to 6 p.m. on Saturday, April 30 and from 10 a.m. to 5 p.m. on Sunday, May 1.

Bringing Back the Natives Garden Tour, May 1

Zone 7 is among several sponsors of this free, self-guided garden tour, which will showcase native and drought-tolerant gardens throughout the East Bay, including at seven homes within Zone 7’s service area. We will staff a table at one of the locations (in Pleasanton) and will have information available for distribution at others. The tour will run from 10 a.m. to 5 p.m. For information or to register for the tour, go to www.bringingbackthenatives.net.

Dublin Pride Week, May 7-14

Zone 7 is participating in this annual celebration of Dublin pride in a variety of ways. On May 12 from 4 to 8 p.m., we will team up with Dublin San Ramon Services District in staffing a booth at the new Farmers’ Market at Emerald Glen Park. Information and activities will cover such things as water conservation and stormwater pollution. Also as part of Dublin Pride Week, we are collaborating with the City of Dublin in providing for volunteer creek cleanups and, in cooperation with DSRSD, we are working with the city to help identify senior citizens who may be in need of replacing old toilets with water-efficient models that can qualify for rebates and other assistance.

Bay-Friendly Gardening Tour, May 15

This self-guided tour of water-wise, environmentally friendly gardens throughout Alameda and Santa Clara counties, coordinated by the Bay-Friendly Coalition, will include five locations in Livermore and three in Sunol. Hours will be from 10 a.m. to 4 p.m. Most of the locations are private homes and will provide visitors with Bay-Friendly ideas for their own yards. Zone 7’s participation will include a noontime talk about water-wise plants that thrive in our Valley. This talk will be held at Alden Lane Nursery in Livermore, which is one of the Bay-Friendly tour sites. For information or to register for the tour, go to www.bayfriendly.org.



ORIGINATING SECTION: Administration
CONTACT: Jill Duerig/Tim Hunt

AGENDA DATE: April 20, 2011

ITEM NO. 15c

SUBJECT: Legislative Update

SUMMARY:

- Zone 7 staff, with the support of the agency's lobbying firm, The Gualco Group, Inc., and the agency's legislative support consultant, Tim Hunt, monitors legislation that is being considered in Sacramento.
- Staff, with recommendations of the agency's lobbying firm, determines a number of bills of interest to Zone 7 for the legislative session, such as those related to the Delta. Bills being monitored are summarized in the attached Executive Summary.
- The state budget for the upcoming fiscal year remains in limbo after Governor Jerry Brown signed a number of budget-related bills with major cuts in March, but was unable to reach agreement with two Republicans in each house to put a five-year extension of temporary taxes to the voters in a June special election. The practical deadline for the June election was the first week of April. The governor's May revise likely will include proposals for substantial further cuts.
- Zone 7 signed a second coalition letter opposing SB 200 (Wolk) as amended. The bill, after amendments, continues to have onerous provisions that undermine both the legislative intent of the Delta Plan that the Delta Stewardship Council is developing as well as the Bay Delta Conservation Plan. Zone 7 also signed a coalition letter opposing AB 550 by Allison Huber that is identical to her bill that failed in 2010 that would have required legislative approval before constructing a new Delta conveyance.
- A compromise is being discussed to modify a bill that would allow Sacramento Regional County Sanitation District to sell recycled water after it upgrades its plant. Assemblyman Roger Dickinson withdrew AB 134 from its policy committee hearing so he could meet with opponents (Zone 7 and the water contractors included). The sale has water rights issues for downstream diverters since recycling more water will mean less water for the downstream habitat. New language was developed that is being reviewed by legal counsel and the policy committee will likely hear the bill in late April. Meanwhile, the State Water Quality Control Board determined both appeals to the regional board's enhanced treatment requirements for Sac Regional were complete and set a deadline for comments of April 27.
- Senator Simitian amended SB 34 so it would set up a public trust water fee similar to that used for electrical power. The bill would set a per-acre fee on agriculture of \$20 per acre foot that could be reduced to \$10 per acre foot if best irrigation practices were used. For urban users, the charge would be \$110 per acre foot. This bill would require a 2/3 vote for approval since it would impose a "fee" under Proposition 218.

RECOMMENDED ACTION: Information only.

ATTACHMENT: Executive Summary



EXECUTIVE SUMMARY State Legislation

Prepared for the Zone 7 Water Agency, Eastern Alameda County, Board of Directors
by The Gualco Group, Inc.

April 8, 2011



Bill	TOPIC	SYNOPSIS	ZONE 7 STAFF'S RECOMMENDED POSITION	STATUS OF THE BILL /COMMENTS
Delta Stewardship Council				
AB 576 (Dickinson)	Fees	As amended on March 31, AB 576 would, by January 1, 2013, require the Delta Stewardship Council to develop a long-term plan to pay for the costs of implementing the Delta Plan; would authorize the council, before adopting and collecting long-term revenues, to seek to obtain early funding contributions from entities that may benefit from implementation of the Delta Plan and to track those contributions to provide credit against future funding requirements.	Watch	April 26: Hearing by the Assembly Water, Parks and Wildlife Committee
Groundwater				
AB 359 (Huffman)	Groundwater Management Plans	As introduced on February 14, this bill would, among other provisions, require local agencies to provide a copy of the proposed groundwater management plan to anyone who makes a written request for one, and would require these "interested persons" to receive notice of the date, time, and place of the second hearing to determine whether to adopt the plan, either by mail or electronically, thirty calendar days in advance of the hearing. Beginning January 1, 2013, this bill would require that a groundwater management plan include a map identifying recharge areas, as defined, for the groundwater basin and, after adoption of the plan, the map must be provided to local planning agencies.	Watch	The CA. Groundwater Coalition and the Groundwater Resources Association are the co-sponsors of this bill. The introduced version of AB 359 is opposed by the CA. Cattlemen's Association, CA. Chamber of Commerce, CA. Farm Bureau Federation and Western Growers. The Assembly Water, Parks and Wildlife Committee's analysis of this bill stated that the most recent version of DWR's Bulletin 118, produced in 2003, estimated that 43% of all Californians obtain their drinking water from groundwater. Passed the Assembly Water, Parks and Wildlife Committee by a unanimous vote and is pending before the Assembly Local Government Committee. Passed the Assembly Water, Parks and Wildlife Committee by a vote of 7-0
Peripheral Canal				
AB 550 (Huber)	Peripheral Canal	The introduced version of AB 550 is identical to the bill (AB 1594) Ms. Huber introduced last year, and which was "held" in the first policy committee. The bill would prohibit the construction of a peripheral canal, as defined, unless expressly authorized by the Legislature; would require the LAO to complete an economic feasibility analysis prior to enactment; would require that the canal's construction and operation not diminish or negatively affect the water rights, supplies, or quality of water within the Delta.	OPPOSE. Zone 7 was one of 44 signatories to a 3-18 letter in opposition to AB 550	Pending a hearing of the Assembly Water, Parks and Wildlife Committee
SB 200 (Wolk)	Delta Conveyance Facility	As amended on March 24, SB 200 would add numerous new conditions that each state agency must meet before it can take or authorize any action to implement a conservation measure with the Bay Delta Conservation Plan.; would require "full mitigation" absent any definition and would require multiple state agencies to exercise their authority "consistent with protecting and maintaining public trust resources" BACKGROUND: According to the author's "Fact Sheet" on her measure, "SB 200 establishes specific criteria and assurances to meet the statutory co-equal goals of a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem." And, "These assurances are based on the same provisions negotiated by Governor Jerry Brown in 1980"	OPPOSE. Zone 7 was one of 45 signatories to two letters in opposition to SB 200	April 12: Hearing by the Senate Natural Resources and Water Committee
Water Conservation, Supply & Delivery				
AB 779 (Fletcher)	Water Transfers	As amended on March 30, AB 779 would authorize a municipal water district to establish an independent oversight committee to assist in tracking and reviewing revenues of the district to advance capital improvements, operations and maintenance of district facilities, and allocation methodologies.	Watch	May 11: Hearing by the Assembly Local Government Committee
SB 215 (Huff)	Mussels	SB 215, as introduced on February 9, would delete the existing repeal date of January 1, 2012 of provisions which exempt suppliers from civil or criminal liability IF the supplier is in full compliance with a plan to control and eradicate Quagga Mussels.	Support	April 12: Hearing by the Senate Natural Resources and Water Committee
SB 224 (Pavley)	Public Contracts: DWR)	As amended on March 17, SB 224 would, except for contracts for the sale, delivery, or use of water or power from the State Water Resources Development System, exempt the following contracts from the review of approval by the Department of General Services: "Any contract of a type specifically mentioned and authorized to be entered into by the Department of Water Resources under the Water Code" "Any contract entered into by the Department of Water Resources that is not funded by money derived from state tax sources, but rather, is funded by money derived from federal and local sources"	Watch	Pending a hearing by the Senate Natural Resources and Water Committee

Bill	TOPIC	SYNOPSIS	ZONE 7 STAFF'S RECOMMENDED POSITION	STATUS OF THE BILL/COMMENTS
SB 571 (Wolk)	Master Plan for Financing/Developing Water Resources	As introduced on February 17, SB 571 would require the California Water Commission to, on or before January 1, 2013, develop a master plan for financing and developing water resources in the state, including specified assessments, and would require the commission to update the plan every five years; would require the commission to annually review and audit the award of state funds for water resources projects and programs; to develop, consistent with the master plan, a prioritized list of projects and programs relating to water supply, water quality, water conservation, water use efficiency, ecosystem and watershed restoration, and integrated regional water management planning and implementation for purposes of awarding state financial assistance for those projects and programs and to establish guidelines for the award of state financial assistance allocated for integrated regional water management plans. The bill would also declare legislative intent that the commission be given authority to allocate specified state funds for water resources projects and programs.	Watch	April 12: Hearing by the Senate Natural Resources and Water Committee
SB 710 (La Malfa)	Project: County Services State Water Project	As amended on March 25, would authorize a county, in accordance with prescribed procedures, to prepare and adopt a county services impact report containing, among other things, a description of the costs of county services, as defined, related to the operation of specified dams and reservoirs as State Water Project facilities within the county.	Watch	Pending referral to a policy committee
SB 834 (Wolk)	IRWM Plans	The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt an integrated regional water management plan. The act requires an integrated regional water management plan to address specified water quality and water supply matters. This bill would additionally require an integrated regional water management plan to demonstrate the manner in which the plan complies with a specified state policy concerning reducing reliance on the Sacramento-San Joaquin Delta for water supply and improving regional self-reliance for water, if the region covered by the plan receives water supply that originates in the Sacramento-San Joaquin Delta, as defined.	Watch	April 12: Hearing by the Senate Natural Resources and Water Committee

California Regional Water Quality Control Boards

SB 900 (Steinberg)	Regional Water Quality Control Boards	As amended on April 6, SB 900 would delete the provisions prohibiting a board member from participating in actions that involve the member or a waste discharger with which the member is connected; would specify that the limitation on a board member's financial interest applies only to a disqualifying financial interest within the meaning of the Political Reform Act of 1974. The Porter-Cologne Water Quality Control Act, with certain exceptions, requires a waste discharger to file a report of waste discharge with a California regional water quality control board and to pay an annual fee established by the State Water Resources Control Board (state board). The act requires the state board to report to the Governor and the Legislature on the expenditure of those annual fees on or before January 1 of each year. This bill would, instead, require the state board to provide the report to the Governor and the Legislature on or before December 1 of each year.	Watch	Pending referral to a policy committee
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Special Districts

AB 54 (Solorio)	Drinking water	As amended on April 4, AB 54 would specify that any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for irrigation purposes, and any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for domestic use shall be know as a mutual water company.	Watch	April 13: Hearing by the Assembly Local Government Committee
AB 59 (Swanson)	Family and medical leave	Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. Under the act, "child" means a biological, adopted, foster, or stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under 18 years of age or an adult dependent child. The act defines "parent" to mean the employee's biological, foster, or adoptive parent, stepparent, legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.	Watch	Passed the Assembly Committee on Labor and Employment by a vote of 5-1

Bill	TOPIC	SYNOPSIS	ZONE 7 STAFF'S RECOMMENDED POSITION	STATUS OF THE BILL/COMMENTS
ACA 4 (Blumenfield)	Local government financing: voter approval	This measure would lower to 55% the voter-approval threshold for a city, county, or city and county to incur bonded indebtedness, exceeding in one year the income and revenue provided in that year, that is in the form of general obligation bonds to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police or fire protection.	Watch	Pending referral to a policy committee
SB 31 (Correa)	Local government: lobbyist registration	The Political Reform Act of 1974 provides for the comprehensive regulation of lobbyists, as defined. As amended on March 23, SB 31 would enact a comprehensive scheme to regulate lobbying entities, as defined, that lobby local government agencies, including requirements to register and make periodic reports regarding certain lobbying activities; would require each local government agency to create a commission to implement and enforce	Watch	Pending a hearing by the Senate Committee Elections and Constitutional Amendments

Sacramento Regional County Sanitation District

AB 134 (Dickinson et al.)	Appropriation of water	As amended on March 23, AB 134 would authorize the Sacramento Regional County Sanitation District to file an application with the State Water Resources Control Board for a permit to appropriate a specified amount of its treated effluent in order to facilitate sale and transfer beyond SRCSD's service area.	OPPOSE. Zone 7 is one of 47 signatories to a letter to Assembly Member Roger Dickinson in opposition to AB 134.	April 26: Hearing by the Assembly Committee on Water, Parks and Wildlife
SB 52 (Steinberg)	Sacramento Regional County Sanitation District	As introduced on December 15, 2010, SB 52 would appropriate \$50 million dollars from Propositions 1E and 84 to DWR to provide financial assistance to the SRCSD to offset a portion of the costs of capital improvements at the SRCSD wastewater treatment plant to meet the requirements of the SRCSD discharge permit adopted by the Central Valley Regional Water Quality Control Board.	Watch	Pending a hearing by the Senate Committee on Environmental Quality

Financing

AB 157 (Jeffries)	Water Bond	Existing law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters at the November 6, 2012, statewide election, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. This bill would reduce by 25% the total amount of bonds authorized to be issued pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, and would make conforming reductions to amounts specified to be allocated from these bond funds for certain purposes.	Watch	Pending a hearing by the Assembly Committee on Water, Parks and Wildlife
SB 34 (Simitan)	California Water Resources Investment Act of 2011	Would enact the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would impose on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural uses. The bill would require the State Board of Equalization to collect the charges from retail water suppliers in accordance with the Fee Collection Procedures Law, and would authorize the State Board of Equalization and the Department of Water Resources to adopt and enforce regulations for the administration and enforcement of the charges and related requirements as emergency regulations.	Watch	Requires a super-majority vote of both the Assembly and Senate to pass. April 12: Hearing by the Senate Natural Resources and Water Committee.
SB 475 (Wright et al.)	Infrastructure Financing	Existing law authorizes a governmental agency, as defined, to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law permits these agreements to provide for infrastructure facilities owned by a governmental entity, but constructed by a private entity, to be leased to or owned by that private entity for a period of up to 35 years. As amended on March 21, AB 475 would authorize a local governmental agency to enter into an agreement with a private entity for the financing of specified types of revenue-generating infrastructure projects; would require an agreement entered into under these provisions to include adequate financing resources to perform the agreement.	Watch	April 27: Hearing by the Senate Committee on Governance and Finance

Bill	TOPIC	SYNOPSIS	ZONE 7 STAFF'S RECOMMENDED POSITION	STATUS OF THE BILL/COMMENTS
SB 907 (Evans et al.)	Infrastructure Financing	As amended on March 30, this bill would create the Master Plan for Infrastructure Financing and Development Commission, the mission of which would be to develop and recommend a plan to be presented to the Governor and Legislature that provides for financing, building, and maintaining the infrastructure necessary to meet the needs of Californians from the present year to the year 2050, and to establish a process for periodically adjusting and adapting the plan in coming years to meet changing circumstances. The bill would require that the commission consist of 11 members: the Treasurer or his or her designee, and members appointed by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules. The bill would authorize the Governor to appoint the chair of the commission from among the commission members who would work full time on commission business for an unspecified salary. The bill would require the chair, with the concurrence of the commission, to appoint an executive director, who would be exempt from civil service and be paid an unspecified salary. The bill would require that funding for the operating costs of the commission be available upon appropriation by the Legislature. The bill would require the chair of the commission to appoint the members of specified task force committees, to be composed of both members and nonmembers of the commission, and would require commission members to chair at least one task force committee in which they have expertise. The bill would provide that the subject matter responsibilities of these task force committees include, but not be limited to, planning and financing, transportation, housing, natural resources and conservation, and education. The commission would be required to establish a timeline for submission of periodic reports on its findings to the Governor and Legislature, provide an opportunity for public comment and participation, and to incorporate existing state and local infrastructure reports, as specified, that reflect current or future infrastructure needs into its recommendations. The bill would require the commission to submit its final report to the Governor and Legislature no later than December 1, 2012, and to be dissolved 30 days after issuance of the final report.	Watch	April 27: Hearing by the Senate Committee on Governance and Finance



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: ADMINISTRATION

CONTACT: Jill Duerig/John Yue/Tom Hughes

AGENDA DATE: April 20, 2011

ITEM NO. 15d

SUBJECT: STATUS REPORT ON SEPARATION EFFORTS

SUMMARY:

The next meeting of the six-agency group (Cities of Dublin, San Ramon, Pleasanton and Livermore together with DSRSD and Zone 7) that was formed in response to LAFCo's scoping for their five-year Municipal Services Review took place on March 21st. At the meeting, a scope of services was defined for a Request for Proposals (RFP). The work will help identify ways the six agencies can become more efficient in working together to deliver water, recycled water, flood control and wastewater services to our communities. It will also look for ways to expand coordination and cooperation as well as identifying opportunities for integrating programs, services and activities to create efficiencies, improve results and achieve an overall cost benefit to the community.

Business Administration:

- Staff received and is reviewing drafts by Management Partners of administrative and financial policies and procedures. Additional drafts are being prepared by the consultant.
- The accounting staff held separate working meetings with two vendors of payroll services on systems, reporting requirements and link capabilities between systems. Additional meetings are set with the second vendor while the first is working to resolve a reporting limitation that was encountered.
- The consultant on the financial software replacement project submitted a draft of the request for proposal for staff review and comments. Additional internal circulation of the draft for comments will occur in the next several weeks while a scan of the available products in the marketplace is conducted.
- A meeting with the County Auditor-Controller is held on April 15, 2011 to discuss logistics, reporting and other requirements related to payroll, payment processing and other accounting tasks to be transitioned.

Employee Services:

- A Joint Labor Separation Negotiations meeting took place March 31, 2011. The unions proposed changes to the draft Transition Agreement previously provided by management. The next Joint Separation Negotiations meeting will be scheduled after management has had an opportunity to review the proposed changes and prepare a response.
- Staff met with Andy Belknap and Lynn Dantzker of Management Partners on March 29, 2011 to assist the agency in preparing an update on separation efforts to the County Administrator's Office (CAO) in preparation for a meeting between Zone 7 and the CAO to be scheduled at a later date.
- A master list of policies and procedures is being developed and draft documents are being reviewed by staff, which includes coordination with policy drafts being developed by Finance staff that may have labor or Meet and Confer impacts.



ORIGINATING DIVISION: Financial and Systems Services

CONTACT PERSON: JaVia Green

AGENDA DATE: April 20, 2011

ITEM NO: 15e

SUBJECT: Quarterly Update of Expansion Fund

SUMMARY:

- A \$60 million (M) Installment Sale Agreement (ISA) was established with Wells Fargo Bank in January 2008, to fill a funding shortfall for the Altamont Water Treatment Plant and Pipeline Project. A portion of the project, the Altamont Pipeline - Livermore Reach, has been constructed. On February 17, 2010, Zone 7 drew \$30.5M from the ISA and payback is required before January 1, 2014.

- Projected sources and uses of funds and year-end available funding through Fiscal Year 13/14 is as follows:

Fiscal Year	Projected Equivalent Connections	Projected Revenue ¹	ISA Draw/Payback	Projected Expenses	Projected End of Year Available Funding ²
09/10	504 ³	\$20,714,550 ⁴	\$30,500,000	\$21,312,244 ⁴	\$51,111,903
10/11	380	\$9,842,124		\$17,671,135	\$43,282,892
11/12	391	\$10,737,137		\$20,560,496	\$33,459,532
12/13	550	\$13,028,349		\$15,850,963	\$30,636,919
13/14	880	\$21,560,683	-\$30,503,481	\$14,743,027	\$6,951,094

1. Projected Revenue includes connection fee revenue and other revenue such as interest income and DWR refunds.

2. Represents the sum of net available funds and cash from ISA after expenses, excluding designated reserves.

3. Based on connection fee revenue of \$11.4M comprising of 504 current equivalent connections, and 176 prepaid equivalent connections earned during the year before a one-time adjustment.

4. FY 09/10 expenses and revenue are based on audited actuals. Revenue of \$20.7M includes the one-time year-end adjustment to recognize \$7.7M previously booked as deferred revenue from prepaid connection credits (Shea-Lin Water Transfer Assistance Agreement, 2000).

At the presentation of the FY 11/12 proposed budget to the Finance Committee on March 29, the committee requested a timeline detailing the chronology of ISA. A breakdown of connection fee revenue by the Zone 7 and Dougherty Valley service areas was also requested. This information is attached as Chart 2.

RECOMMENDED ACTION:

Information only.

ATTACHMENT:

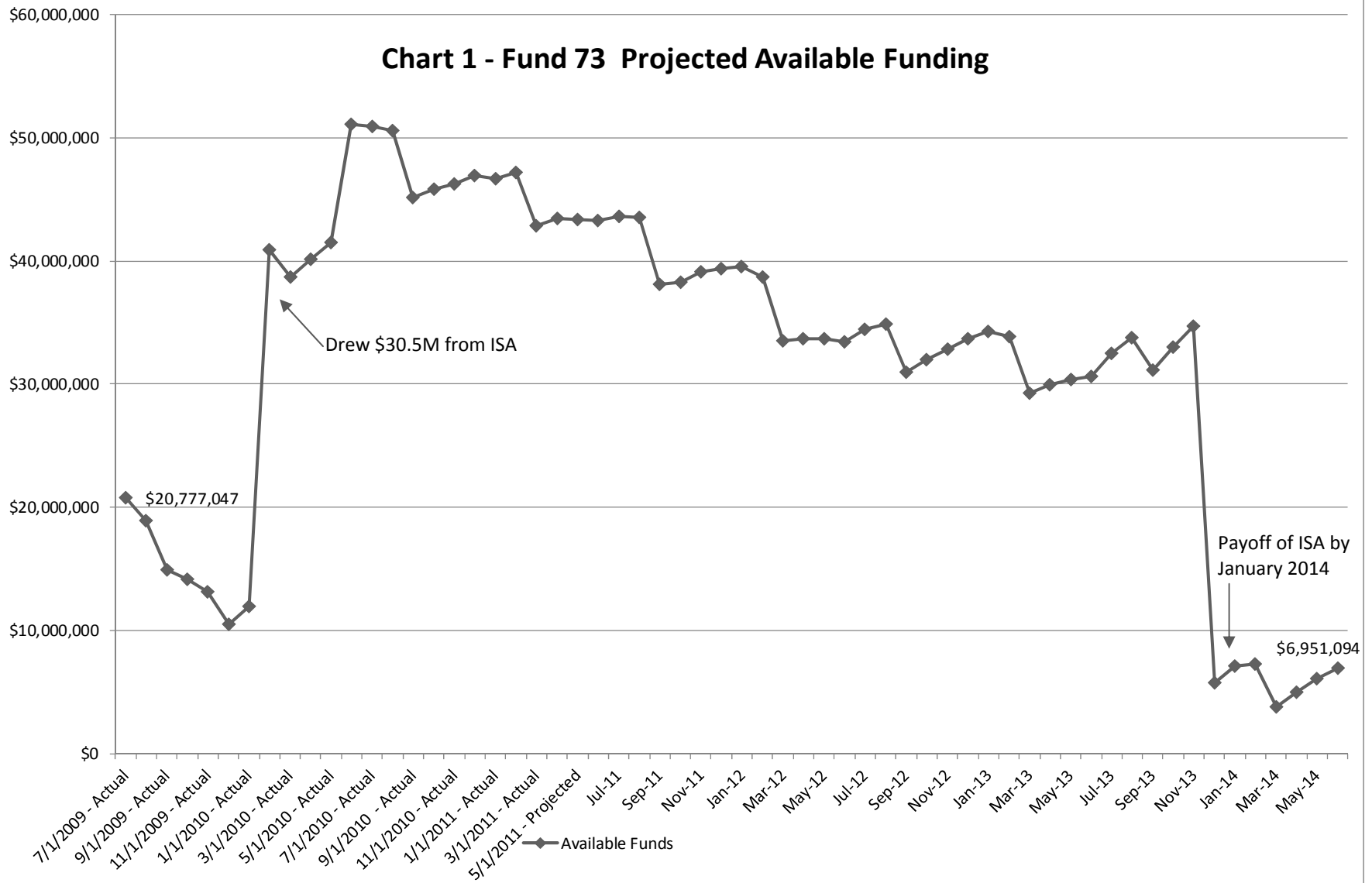
Chart 1 – Fund 73 Projected Available Funding

Fund 73 Five-year Cash Flow Tables

ISA Timeline

Chart 2 – Connection Fee Revenue by Service Area

Chart 1 - Fund 73 Projected Available Funding



Fund 73 Cash Flow Tables

	09/10												
	7/1/2009 - Actual	8/1/2009 - Actual	9/1/2009 - Actual	10/1/2009 - Actual	11/1/2009 - Actual	12/1/2009 - Actual	1/1/2010 - Actual	2/1/2010 - Actual	3/1/2010 - Actual	4/1/2010 - Actual	5/1/2010 - Actual	6/1/2010 - Actual	Sum of Key Data
Beginning Fund Balance Projected	21,209,597	20,777,047	18,880,767	14,965,466	14,148,967	13,166,578	10,518,296	11,909,351	40,893,026	38,682,173	40,146,851	41,536,315	
Source of Funds- Projected													-
Z7 Connection Fee Revenue	449,188	405,356	416,023	193,975	384,021	62,837	277,348	416,023	754,011	1,130,729	900,542	1,654,416	7,044,467
DV Connection Fee Revenue		239,400	-	458,850	179,550	52,800	785,100	319,200	79,800	518,700	738,150	957,600	4,329,150
Interest Revenue/Prepaid Connections/Other			447,604	191,538	-	-	-	71,916	31,244	735,854	11,866	7,850,911	9,340,933
ISA								30,500,000					30,500,000
Total Sources of Funds	449,188	644,756	863,626	844,363	563,571	115,637	1,062,448	31,307,139	865,055	2,385,283	1,650,557	10,462,927	
Available Funds Projected	21,658,784	21,421,804	19,744,394	15,809,829	14,712,538	13,282,214	11,580,744	43,216,489	41,758,081	41,067,456	41,797,409	51,999,242	
Projected Expenditures	881,737	2,541,036	4,778,928	1,660,863	1,545,960	2,763,918	(328,607)	2,323,464	3,075,908	920,605	261,094	780,607	21,205,512
Sinking Fund Contribution												106,731	106,731
Net Available Funds and ISA - Projected	20,777,047	18,880,767	14,965,466	14,148,967	13,166,578	10,518,296	11,909,351	40,893,026	38,682,173	40,146,851	41,536,315	51,111,903	
Designated Reserves												8,663,036	
Fund Balance and ISA												59,774,939	

FY 09/10 Key Data:

Projected Connection Fee Revenue: \$ 5,691,050

Actually Received \$ 11,373,617

% of Actual to Projected 200%

Projected Expenditures \$ 25,632,046

Actually Spent/Encumbered \$ 21,205,512

% of Actual to Projected 83%

	10/11												
	7/1/2010 - Actual	8/1/2010 - Actual	9/1/2010 - Actual	10/1/2010 - Actual	11/1/2010 - Actual	12/1/2010 - Actual	1/1/2011 - Actual	2/1/2011 - Actual	3/1/2011 - Actual	4/1/2011 - Projected	5/1/2011 - Projected	6/1/2011 - Projected	Sum of Key Data
Beginning Fund Balance Projected	51,111,903	50,896,147	50,629,054	45,161,002	45,868,566	46,282,541	46,945,809	46,718,266	47,183,867	42,857,927	43,471,233	43,350,884	
Source of Funds- Projected													-
Z7 Connection Fee Revenue	(128,007)	128,007	1,120,061	640,035	138,674	426,690	192,010	499,445	132,046	263,025	263,025	888,707	4,563,719
DV Connection Fee Revenue	-	-	598,500	-	-	638,400	99,750	391,020	264,092	279,888	279,888	905,570	3,457,108
Interest Revenue/Prepaid Connections/Other	(19,030)	576	92,762	39,428	690,849	24,837	89,095	289	-	902,490	-	-	1,821,298
ISA						-							-
Total Sources of Funds	(147,037)	128,583	1,811,324	679,463	829,524	1,089,927	380,855	890,754	396,138	1,445,404	542,913	1,794,276	
Available Funds Projected	50,964,866	51,024,730	52,440,378	45,840,465	46,698,090	47,372,469	47,326,663	47,609,020	47,580,005	44,303,331	44,014,146	45,145,160	
Projected Expenditures	68,719	395,676	7,279,376	(28,101)	415,548	426,660	608,398	425,153	4,722,078	832,098	663,262	1,716,629	17,525,495
Sinking Fund Contribution												145,640	145,640
Net Available Funds and ISA - Projected	50,896,147	50,629,054	45,161,002	45,868,566	46,282,541	46,945,809	46,718,266	47,183,867	42,857,927	43,471,233	43,350,884	43,282,892	
Designated Reserves												8,808,676	
Fund Balance and ISA												52,091,568	

FY 10/11 Key Data:

Projected Connection Fee Revenue: \$ 8,020,827

Actually Received \$ 5,140,724

% of Actual to Projected 64%

Projected Expenditures \$ 17,671,135

Actually Spent/Encumbered \$ 14,313,507

% of Actual to Projected 81%

[illegible]

Wells Fargo Installment Sale Agreement Timeline

Background

On January 15, 2008, Zone 7 entered into an agreement with Wells Fargo for a \$60,000,000 Installment Sale Agreement (ISA) to bridge an anticipated short term funding gap related to the Altamont Water Treatment Plant and Pipeline Project.

In November 2009, staff prepared various scenarios to analyze the cash needs of the Expansion Fund (Fund 73) because decreased connection fee revenues were anticipated in the following years. Under the most probable-case scenario, the available funding in Fund 73 could go negative in September 2010, or as early as March 2010 if FY09/10 connection fee projections did not materialize as planned, and the ISA credit-line was not used.

On December 16, 2009, the Zone 7 Board adopted a resolution authorizing the General Manager to draw from the ISA when needed to pay for the Altamont Pipeline – Livermore Reach. On February 17, 2010, Zone 7 requested an advance of \$30,500,000 under the ISA. This principal balance is due December 31, 2013.

On January 19, 2011, the Board authorized the General Manager to amend the ISA thereby reducing the unused outstanding ISA credit-line because no additional advances were anticipated. This eliminated a commitment fee, paid quarterly, of about \$15,000 annually on the unused portion of the credit-line (\$29,500,000). This agreement became effective on February 1, 2011.

Fund Balance

For FY09/10, the connection fee revenue received actually exceeded the forecast by \$5,682,568. In addition, Zone 7 was able to recognize, as current year revenue, \$7,694,433 of deferred connection fee stemming from a prepaid purchase transaction that occurred in 2000. As a result of these two factors and based on the latest update, the Expansion Fund's fund balance (not counting the \$30.5 million cash advance from the ISA) was \$29,274,938 on July 1, 2010 and is projected to be \$21,591,567, \$11,954,280, \$9,359,667 and \$16,407,842, on July 1, 2011, 2012, 2013 and 2014 respectively. The fund balance projections include designated reserves of \$8,663,036, \$8,808,676, \$8,994,748, \$9,222,748, and \$9,456,748 for the corresponding periods. These accumulated designated reserves are for the Building, Future Contractor's Share and South Bay Aqueduct sinking funds.

Since 2009, staff prepared quarterly updates of the Expansion Fund cashflow. The table below compares connection fee revenue projected in December 2009 against current projections.

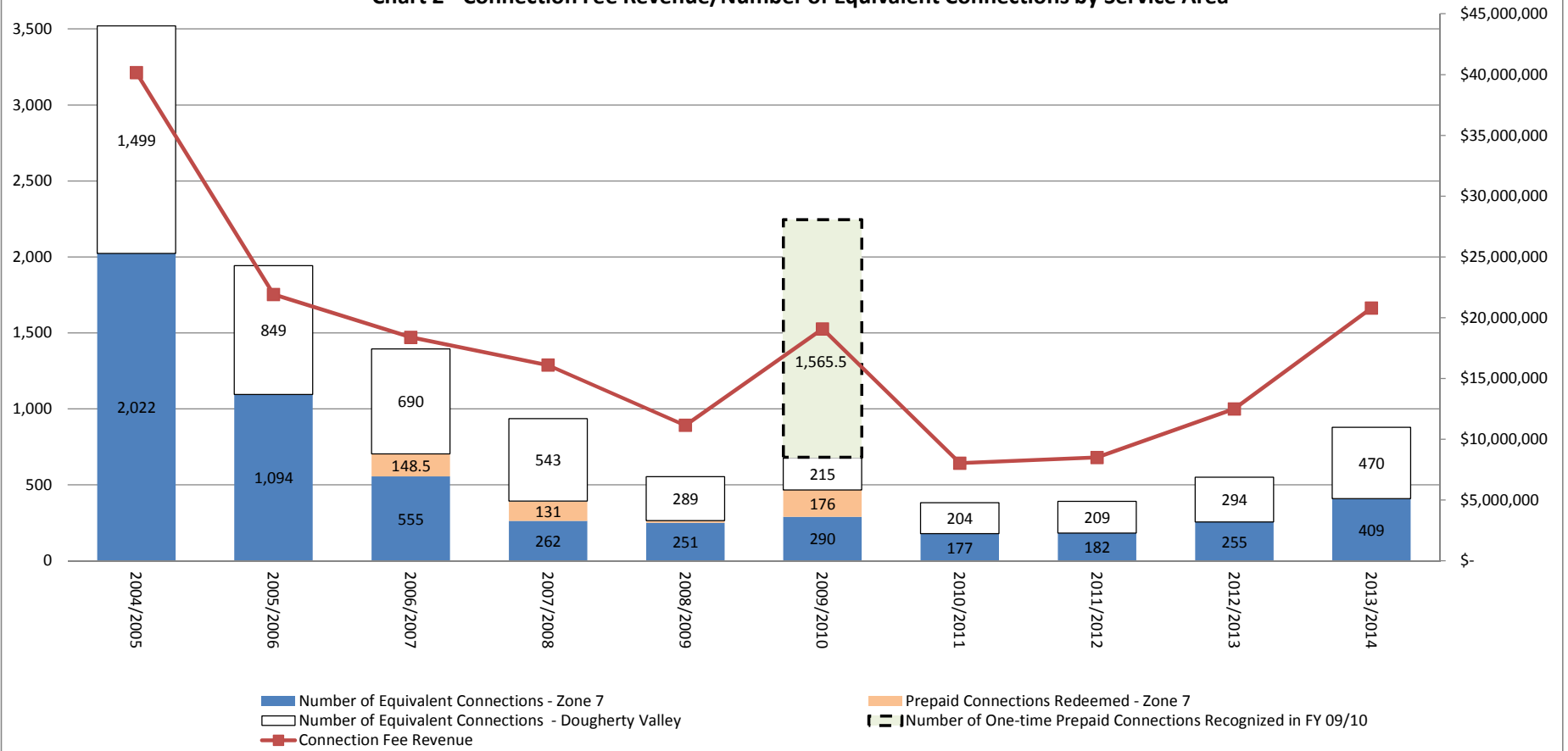
Fiscal Year	Number of Equivalent Connections		Resulting Connection Fee Revenue	
	12/2009 Projection	4/2011 Update	12/2009 Projection	4/2011 Update
FY 09/10 ¹	275	504	\$5,691,050	\$10,508,578
FY 10/11	561	380	\$11,795,334	\$8,020,827
FY 11/12	572	391	\$12,507,912	\$8,501,965
FY 12/13	915	550	\$20,811,270	\$12,486,762
FY 13/14	1465	880	\$34,661,518	\$20,796,911

1. Excludes prepaid connection fee revenue.

Under these assumptions, the entire amount of \$30,500,000 from the ISA remains unspent. Given the cyclical nature of connection fee revenue, the ISA is still needed to bridge any funding gaps that may arise. Sufficient revenue is projected to re-pay the \$30,500,000 principal balance on December 31, 2013.

Chart 2 below details actual and projected connection fee revenue by service area with the corresponding equivalent connections (5/8" meter) from FY 04/05 through FY 13/14. FY 06/07 through FY 09/10 includes revenue received from the redemption of prepaid connection fee credits. FY 09/10 also includes the one-time adjustment to recognize \$7.7M previously booked as deferred revenue from prepaid connection credits (Shea-Lin Water Transfer Assistance Agreement, 2000).

Chart 2 - Connection Fee Revenue/Number of Equivalent Connections by Service Area





ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: GROUNDWATER PROTECTION AND PROJECTS
CONTACT: TOM ROOZE/MATT KATEN

AGENDA DATE: April 20, 2011

ITEM NO. 15f

SUBJECT: Results of Hydrostratigraphic Investigation of Lakes C and D

SUMMARY:

Zone 7 staff completed a preliminary investigation of the stratigraphy near Lakes C and D in the future Chain-of-Lakes (COL), with an objective of determining whether they can function as “artificial recharge basins” for the Lower Zone aquifers that are tapped by the nearby municipal supply wells. This study was completed with major funding from a Department of Water Resources (DWR) Local Groundwater Assistance (LGA) Grant. Zone 7 is being reimbursed \$250,000 for the study expense.

The project was approved by the Zone 7 Board in December, 2007, and the scope-of-work included:

- Drilling a 615-foot deep borehole, logging and conducting a borehole geophysical survey;
- Constructing one multi-level piezometer cluster to monitor water levels in four aquifer zones;
- Conducting aquifer pumping while monitoring other wells to assess aquifer connectivity;
- Characterizing water type and mineral content in individual aquifer zones and pumping wells;
- Constructing hydrostratigraphic cross-sections guided by the data collected; and
- Assessing the potential for water in Lakes C and D to recharge the lower aquifer zones.

The following key observations and conclusions were made as a result of the study:

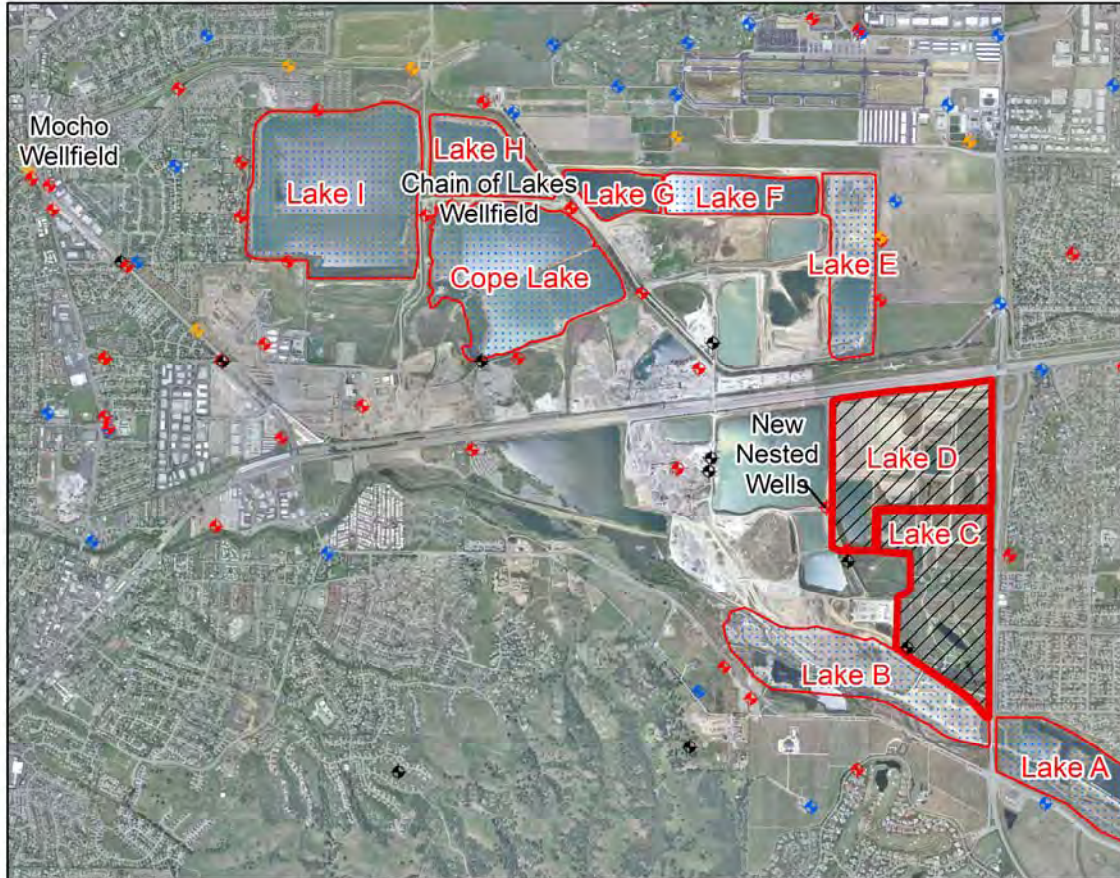
- The subsurface materials encountered in the borehole were mostly sandy gravels consistent with high yielding aquifers, as were the aquifer parameters estimated from the pumping test results (i.e., transmissivity and hydraulic conductivity);
- Pumping tests provided a means of evaluating communication between wells and continuity of aquifer units; whereas, water quality provided little help;
- The results of the geophysical logging in the new borehole, as well as those on file from other boreholes in the study area, provide a means to correlate the sequence stratigraphy concluded from the 2004 Norfleet study (conducted to the northwest) with that underlying the study area.
- There are fewer and thinner aquitards in the study area than observed to the northwest, below the Lake I area. This is consistent with the interpretation that the study area represents a proximal (upstream) area of the alluvial fan deposits that comprise the Main Basin.
- The results of this study suggest that the future Lakes C and D would be effective aquifer recharge facilities for replenishing the upper portions of the Lower Aquifer. Several of Zone 7’s and City of Pleasanton’s municipal supply wells pump from this aquifer unit.

The Executive Summary of the Study is attached. The complete study report will be posted on the Zone 7 website for public viewing and downloading.

RECOMMENDED ACTION: Information only

ATTACHMENTS: Executive Summary

Hydrostratigraphic Investigation of the Aquifer Recharge Potential for Lakes C and D of the Chain of Lakes, Livermore, California



PREPARED IN COOPERATION WITH

Department of Water Resources
Local Groundwater Assistance Grant Program

BY

Zone 7 Water Agency
Livermore, California
Alameda County



April 2011

ZONE 7 WATER AGENCY

Jill Duerig – General Manager

Kurt Arends – Assistant General Manager

Data Collection and Report Preparation provided by:

Matt Katen – Principal Engineer; PG #5167, CHG #336

Tom Rooze – Associate Geologist; PG #6039, CEG #1918

Colleen Winey – Assistant Geologist; PG #7476

Cheryl Dizon – Assistant Engineer; PE #C74577

Jeff Jones – Construction Inspector

ES Executive Summary

ES 1 Overview

Zone 7 has an ongoing project that, when complete, will consist of a series of abandoned gravel quarry pits converted into a chain of nine lakes (Chain of Lakes A through I) linked in series, and used for seasonal water storage and conveyance, and flood water detention and conveyance. As quarrying is completed, the designated lakes are to be transferred to Zone 7 for water supply purposes. The first one, which is located at the west end of the ‘chain’ (Lake I) has already been transferred. The last transfer is anticipated in about 2030. Preliminary designs for the lakes included augmenting Zone 7’s existing ‘artificial recharge’ with de-silted surface water diverted into Lake I and percolated through the lake’s sidewalls.

In 2004 Norfleet Consultants (Norfleet) completed a geological and sequence stratigraphy analysis of the subsurface in the area between Lakes H and I and Zone 7’s wellfield to the west of Lake I. During this study, Norfleet identified four sequences (from shallowest to deepest: Cyan, Gray, Purple, and Red) that were separated by unconformities. The results of that analysis show that there are several laterally continuous aquitards that potentially can act as barriers for recharge water from Lakes H and I to reach the wellfield. However, the proposed final mining depths at two future quarry pits (Lakes C and D, approximately 240 feet [ft] deep) are much deeper than Lake I’s (approximately 140 ft deep). It is possible that Lakes C and D could be mined below the barrier units, thus providing a more direct route for recharged water to migrate to the aquifer in which the municipal wells are completed.

On May 10, 2010, the Department of Water Resources (DWR) and Zone 7 Water Agency (Zone 7) entered into a grant agreement as part of the Local Groundwater Assistance (LGA) Program. The grant, which is funded by the State of California Proposition 84, provided Zone 7 with up to \$250,000 to perform a preliminary investigation of the potential for Lakes C and D to be effective aquifer recharge basins. The scope of work included drilling one exploratory borehole, performing borehole geophysical logging, and installing nested monitoring wells in the borehole. A pumping test was also performed to verify connectivity of hydrostratigraphic units. Zone 7 then evaluated the results to modify and extend Zone 7’s network of cross sections south through the study area (Figure ES-1). The new nested wells will remain an invaluable tool for future investigations in the area.

ES 2 Field Work

From October 18 to October 25, 2010, Cascade Drilling (Cascade) drilled a borehole to a total depth of about 615 feet below ground surface (ft bgs) using a combination of the air-rotary casing hammer

(ARCH) and mud-rotary methods. Geophysical logging (e-logging) of the borehole was performed on October 26, 2010 by Dewey Data, Inc. as a subcontractor to Cascade. Following Zone 7's field evaluation of the e-log data, Cascade installed four nested wells in the borehole. Intermediate annular seals were installed between each screened interval to prevent vertical movement of groundwater via the annular space surrounding the two-inch casings. Well development occurred at the site from November 15 to 19 using airlift pumping and bailing methods. Kier & Wright conducted a location and elevation survey of the top of each well casing on December 29. Blaine Tech Services sampled the new nested wells on January 21, 2011; however, due to what appeared to be poor correlation between the field and lab data, the wells were resampled on February 14.

Following the installation and development of the nested wells, Zone 7 performed a pumping test to verify the connectivity of hydrostratigraphic units and to help evaluate the potential for water in the lakes to recharge the drinking water aquifer. For the test, Zone 7 contracted with Western Strata Exploration (Westex) to supply the pumping equipment. Zone 7 coordinated with the two active mining companies in the area (CEMEX and Vulcan) to conduct the pumping test during the weekend to minimize potential interference from their active supply wells (Wells 14J1 and 14B1) which are frequently pumped during the week, and less or not at all on weekends. The pumping test, which was performed from December 11 to 12, consisted of a one-hour preliminary pumping test followed by a 2-hour recovery period and a 24-hour constant pumping rate test. At the beginning and end of the pumping test, Zone 7 took water samples from the pumping well using a sample port installed in the pump discharge pipe. The pressure transducers were left in the observation wells until December 21 to monitor the responses from other supply wells in the area.

ES 3 Observations

Zone 7 evaluated geophysical logs, historical groundwater level fluctuations, groundwater level responses during the pumping test, and groundwater quality results to modify and extend Zone 7's network of cross sections through the area (Figure ES-2). The following observations were made as a result of this study:

- The subsurface materials encountered in the study area correlate well with those encountered to the north. The cross sections prepared for this study show that the 'Sequences' defined by Norfleet and herein referred to as 'Units' (from shallowest to deepest: Cyan, Gray, Purple, Red) appear to extend and thin to the south and west. This is consistent with Zone 7's and Norfleet's interpretation that the study area represents a proximal (upstream) area of the alluvial fan deposits that comprise the Main Basin.
- Historically, water levels in deeper wells respond more significantly than shallower wells to pumping from nearby supply wells, presumably because the majority of the large scale pumping is from the deeper aquifers (Purple and Red Units). Also, vertical groundwater gradients are typically downward (i.e., water moves from the upper units down to the lower units, from the Cyan to Gray, Purple and Red), especially when more groundwater is pumped (for example, during the drier summer months). However in portions of the study area, the gradient appears to be upward from the lower units to the middle units (from Red to Purple in the 19D wellset or from Purple to Gray in the new 13P wellset). This is likely because pumping from nearby wells is preferentially extracting water from the middle units (Purple or Gray, respectively).

- Pumping from Well 14J3 (screened in the Purple and Red Units) showed a response in Well 14J1 (Cyan and Gray Units) and Well 13P6 (Gray Unit), even though they are screened in different units. However, only a slight response was observed in Well 13P7 which is screened in the one of the same units (Purple Unit). The reason for this is unknown, but may be because the majority of the water entering Well 14J3 during its pumping was from the Gray unit.
- The boundary between the Cyan and Gray Units appears to be less of a hydrostratigraphic flow boundary in the study area than it is to the north. This is evident by the fact that water levels in Wells 19D7 (Cyan) and 19D8 (Gray) tracked so closely together, but those in Wells 11G1 (Cyan) and 11G2 (Gray) to the north do not. This is likely because the aquitard between these units is thinner and/or was completely eroded (e.g., the interpreted ‘hole’ in the aquitard in Cross Section ZC, Figure 6-1) in the southern portion of the study area.
- The transmissivity and storativity calculated from the pumping test results were about 4,600 ft²/d and 0.0007 (unit-less), respectively. However, the water level response in the new nested wellset does not clearly indicate which aquifer unit(s) (Gray, Purple, and/or Red) were pumped. Using the 280-ft upper and 70-ft lower limits for aquifer thickness, hydraulic conductivities of 16 to 66 ft/d are calculated. This is representative of a well-sorted sand to well-sorted gravel, which is consistent with the materials encountered during drilling.
- The aquitards (both lacustrine and overbank deposits) that act as vertical flow boundaries appear to be thin or are non-existent to the south and east of the study area. This is true for both the lacustrine deposits that act as boundaries between the aquifer units and the overbank ‘stringer’ deposits within the aquifer.

ES 4 Lakes C and D as Recharge Ponds

The results of this study suggest that Lakes C and D can be effective recharge ponds, especially for recharging water into the upper portion of the Lower Aquifer (i.e., into the Gray Unit) because:

- The planned excavation depths of Lakes C and D span the entire Cyan Unit and into the upper portion of the Gray Unit,
- The aquitard between the Upper and Lower Aquifers (the Cyan and Gray Units) is relatively thin to non-existent (0 to 10 ft thick) in the Lakes C and D area, and
- The aquifers appear to consist of mostly coarse-grained materials that would transmit water freely vertically.

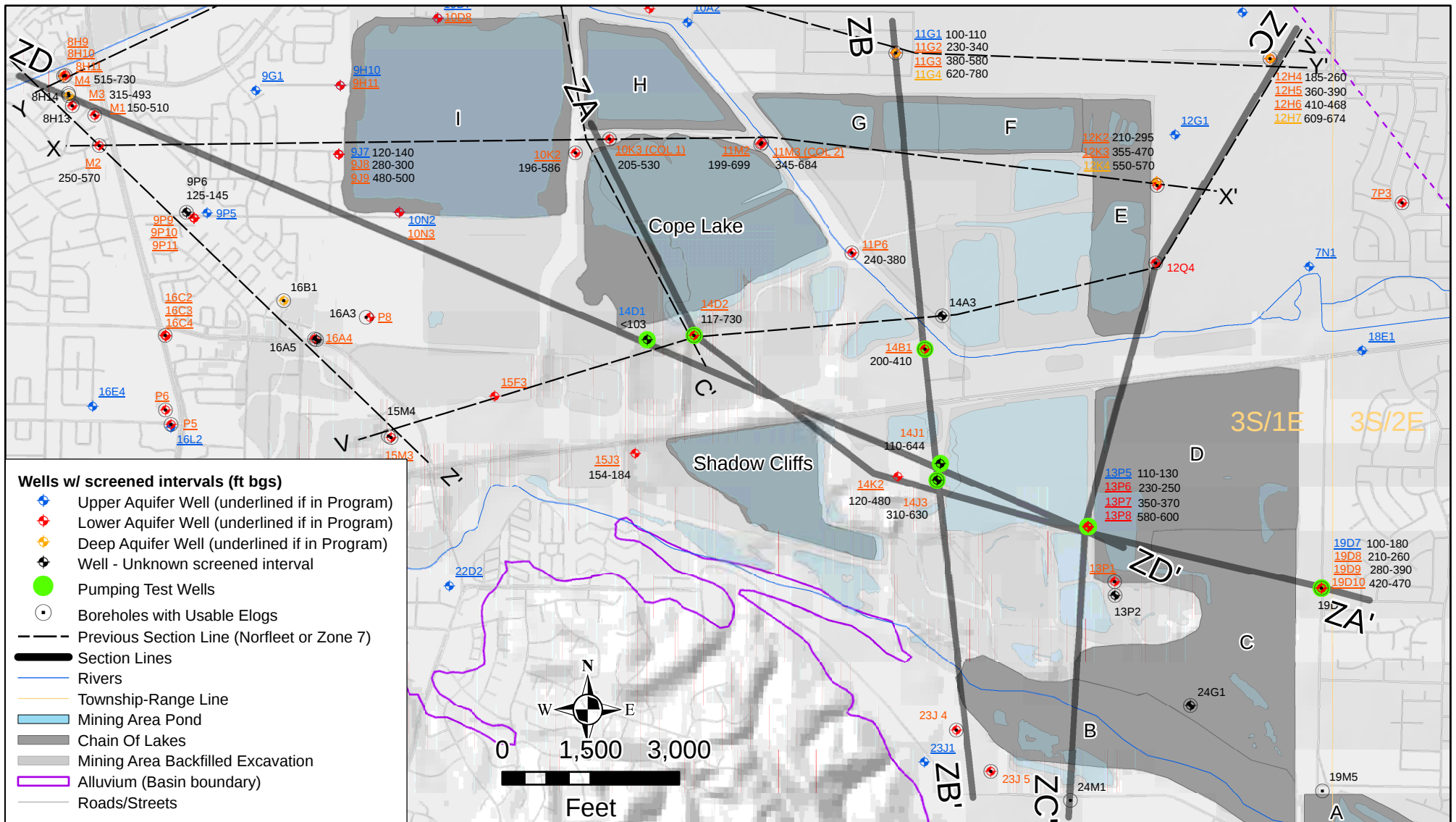
While the aquitards between the Gray and Purple Units and the Purple and Red Units appear to be more pronounced than between the Cyan and Gray Units; their total thicknesses are relatively thin, especially when compared to the stratigraphy below Lake I. Therefore, water discharged to Lakes C and D would migrate more freely to the Purple and Red Units, from which many of Zone 7’s supply wells are pumping, than water discharged to Lake I. There was some evidence that the Gray and Purple Units were in communication during the pumping tests, although the pathway is not fully understood. The downside

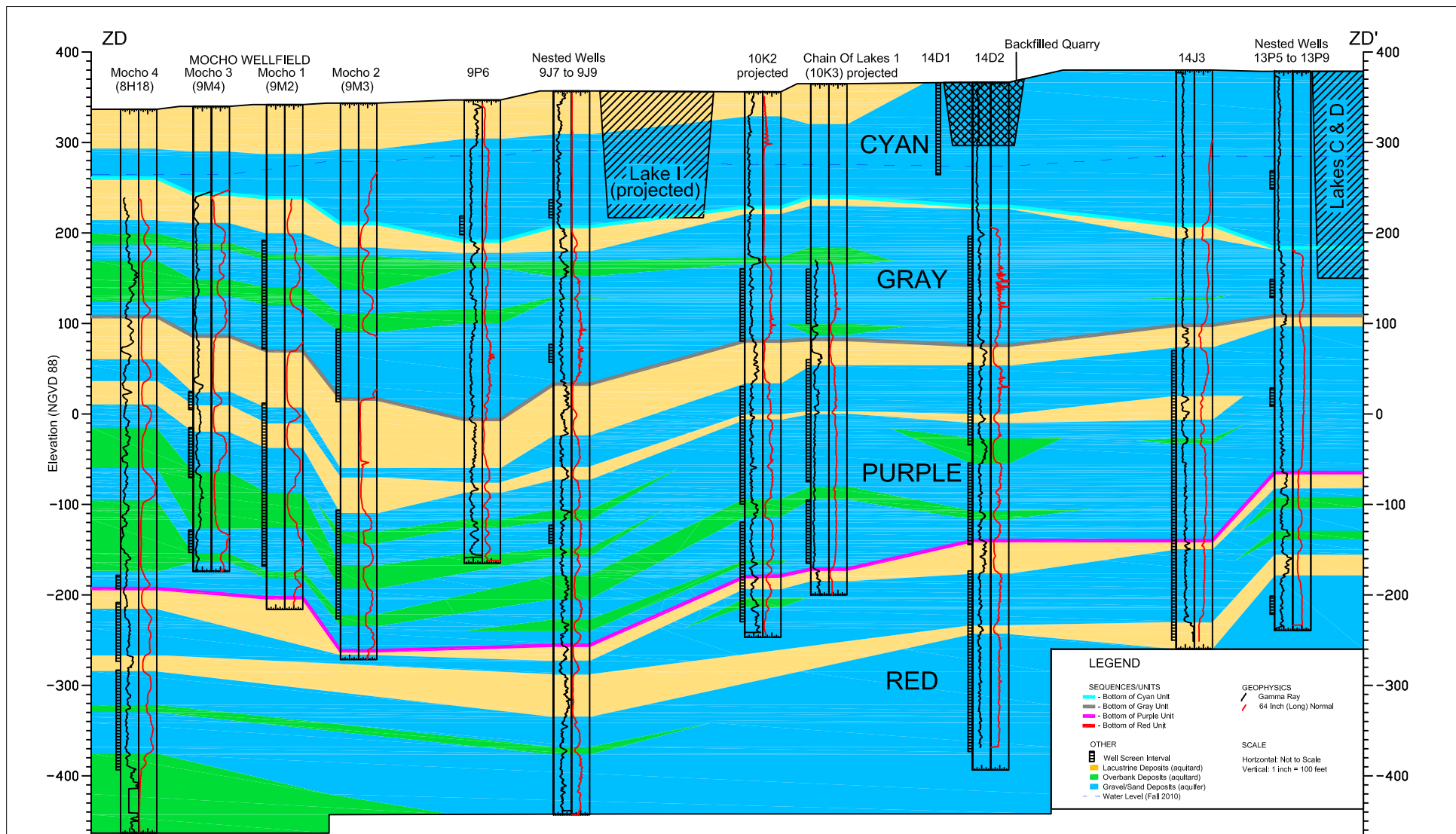
to using Lakes C and D as recharge ponds, however, is that Zone 7 won't be able to use them until after mining ceases in 2030, or later.

Attached Figures

Figure ES-1: Locations of Wells and Cross Sections

Figure ES-2: Cross Section ZD





ZONE 7 WATER AGENCY

100 NORTH CANYONS PKWY
LIVERMORE, CA 94551

DWN: TR
DES.: TR
CHK: MK
APPD: MK

SCALE: Horizontal: none; Vertical: 1" ~ 160'
DATE: Apr 12, 2011
FILE: E:\GISProg\Zone7\GeoSections\
MainSections\Section-ZD.dwg

FIGURE ES-2
CROSS SECTION ZD
Hydrostratigraphic Investigation for Lakes C and D