

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

DATE: Wednesday, July 21, 2010
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. Salute to Flag

a) Swear in Newly Elected Directors

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. Reorganization of the Board

5. Minutes of the Regular Meeting of June 16, 2010 and Special Meeting of June 30, 2010

6. Consent Calendar

- a) Resolution of Commendation for Retiring Board Member Stephen Kalthoff
- b) Extension of Aquatic Pesticides Permit Monitoring Under JEPa
- c) Award of Construction Contract to Foam Experts Roofing, Inc. for the Parkside Buildings Roof Re-Cover Project, Project No. 205-10
- d) Request by Director Dick Quigley for Authorization to Attend Upcoming Water/Energy Sustainability Summit and California Special District Association Annual Conference
- e) East Alameda County Conservation Strategy – Amendments to Funding Agreement and ICF Jones & Stokes Contract
- f) Amendment No. 2 to the Water Transfer Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District

Recommended action: Adopt resolutions approving items as presented.

7. Staffing Updates:

a. Employee of the Month Recognition

8. 2010 Water System Master Plan: Project Update

Recommended action: Presentation and discussion.

9. Designation of Mitigation on Zone 7 Owned Property by Others: Anticipated Partnership Agreement Regarding the City of Livermore's El Charro Specific Plan

Recommended action: Adopt resolution.

10. Committees

11. Items for Future Agenda – Directors

12. Reports – Directors

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

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

- a. General Manager's Report
- b. Recent & Current Public Outreach Activities
- c. Legislative Update
- d. Quarterly Update of Expansion Fund
- e. Sycamore Grove Recovery Program Phase 2 Report
- f. Verbal Reports

14. CLOSED SESSION

- a) Conference with Legal Counsel – Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9: 2 cases
- b) Conference with Legal Counsel – Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: 1 case

Central Delta Water Agency, et.al., v. California Department of Water Resources, et al.;
Sacramento County Superior County Case No. 34-2010-80000561

- 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; Unrepresented Management

15. Open Session and Report Out of Closed Session

16. Adjournment

17. Upcoming Board Schedule:

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

- a) Board & Management Advisory Team Workshop: August 11, 2010, 8:30 a.m. to 4:00 p.m.
Location: Hilton Garden Inn – Livermore, 2801 Constitution Drive, Livermore
- b) Regular Board Meeting: August 17, 2010, 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.

ORIGINATING SECTION: ADMINISTRATION
CONTACT: JILL DUERIG/BONI BREWER

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: RESOLUTION OF COMMENDATION FOR RETIRING BOARD MEMBER
STEPHEN KALTHOFF

SUMMARY:

Stephen A. Kalthoff, who served on the Zone 7 Water Agency Board of Directors since 1994, decided not to seek another term of office this year. His latest term officially ended on June 30. Staff recommends that your Board adopt the attached resolution commending Mr. Kalthoff for his many years of valuable public service as a Zone 7 Board member.

FINANCIAL:

None.

RECOMMEND ACTION:

Adopt resolution of commendation for Mr. Kalthoff.



Zone 7
Alameda County Flood Control & Water Conservation District
Board of Directors

Resolution No.

WHEREAS, Stephen A. Kalthoff served the citizens of the Livermore-Amador Valley with great distinction since his election to the Zone 7 Board of Directors in 1994; and

WHEREAS, in addition to his faithful participation as a Director, Mr. Kalthoff also served twice as President and once as Vice President of the Board; and

WHEREAS, Mr. Kalthoff's business background, financial acumen and service on Zone 7's Finance Committee have provided invaluable contributions to the Agency in matters of fiscal management, responsibility and accountability; and

WHEREAS, as a member of the Water Committee Mr. Kalthoff was directly involved in negotiations that brought water service to the Dougherty Valley area in ways that protected Zone 7's financial interests and enhanced its overall water supply reliability, and in negotiations involving water transfer agreements with the Byron Bethany Irrigation District to that same end; and

WHEREAS, Mr. Kalthoff has also served on Zone 7's Administrative and City Liaison committees, and on its ad hoc Energy and Strategic Planning committees; and

WHEREAS, Mr. Kalthoff decided not to seek re-election and, therefore, left the Zone 7 Board at the end of his term on June 30, 2010;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control & Water Conservation District does hereby acknowledge, commend and thank Mr. Kalthoff for his fine public service on this Board.

Adopted by Unanimous Vote on July 21, 2010

John Greci, President
Board of Directors

ORIGINATING SECTION: ENGINEERING
CONTACT: ELKE RANK / JOE SETO

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: Extension of Aquatic Pesticides Permit Monitoring Under JEPA

SUMMARY:

- Zone 7 requires coverage under the statewide National Pollutant Discharge Elimination System (NPDES) Permit for the discharge of aquatic pesticides to waters of the United States.
- In 2003, Zone 7 entered into a Joint Exercise of Powers Agreement (JEPA) with Contra Costa County, Alameda County Public Works Agency, City of Antioch, and City of Concord to develop a monitoring and implementation plan for compliance with the permit.
- In 2004, the Board approved \$125,000 to cover Zone 7's share of the JEPA's cost of annual compliance with the NPDES permit for a period 5 years (the original term of the permit).
- A new NPDES Permit has not been issued and the agencies anticipate operating under the existing permit for an additional two years.
- The JEPA needs to be extended and additional funds approved to continue coverage under the General Permit.

FUNDING:

Funding for work under this agreement will be provided from Fund 50 - Flood Control.

RECOMMENDED ACTION:

Adopt the attached resolution authorizing the General Manager to approve Zone 7's continued participation in the JEPA for two years, and to approve additional funding in an amount of \$60,000, for a not-to-exceed total of \$185,000, for years 2010 and 2011 to be paid upon presentation of invoices with proper documentation from Contra Costa County.

ATTACHMENTS:

- 1) Staff Memo
- 2) Zone 7 Board Resolution

Interoffice Memo

Date: July 21, 2010
To: Jill Duerig
From: Elke Rank, Joe Seto
Subject: Extension of Aquatic Pesticides Permit Monitoring under JEPA

The following provides additional background and discussion regarding the Aquatic Pesticides Permit Monitoring and Joint Exercise of Powers Agreement (JEPA).

In March 2001, the State Water Resources Control Board adopted the statewide General National Pollutant Discharge Elimination System Permit #CAG990003, Order # 2001-12-DWQ, for the discharge of aquatic pesticides to waters of the United States. The purpose of the General Permit was to minimize the areal extent and duration of adverse impacts to beneficial uses of water bodies treated with aquatic pesticides, and to substantially reduce the potential discharger liability incurred for releasing water treated with aquatic pesticides into waters of the United States. This permit expired January 31, 2004.

On May 20, 2004, the State Water Resource Control Board adopted the statewide General NPDES permit for Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States #CAG 990005, Order # 2004-0009-DWQ. Currently, dischargers must be covered under this 2004 General Permit to perform aquatic pesticide applications. It was expected that this permit would be a 5-year permit after which time a new permit would be developed and issued by the State Water Resources Control Board.

To assist in complying with the permit requirements, Zone 7 entered into a Joint Exercise of Powers Agreement (JEPA) in 2003 with Contra Costa County, Alameda County Public Works Agency, City of Antioch, and City of Concord to develop a monitoring and implementation plan. Participating in the JEPA is a cost saving measure, since there is one consultant contract providing monitoring and reporting services to multiple agencies.

In 2004, the Board approved \$125,000 to cover Zone 7's share of the JEPA's cost for annual compliance with the NPDES permit for a 5-year period. Since this time, Contra Costa County has retained Mike Blankinship and Associates (Blankinship) to provide compliance services. Contra Costa County has fronted the expenses on behalf of the JEPA group in consultation with Zone 7 and the other participating agencies to prepare and implement the requirements of the General Permit with the expectation that they will be reimbursed. Blankinship completes monitoring and testing and submits annual reports in compliance with the NPDES permit. Zone 7 pays for only our fair share of the cost.

To date, the State Water Resources Control Board has not issued a new permit as expected. The agencies continue to conduct their aquatic pesticide programs under the existing (2004) permit. A date for a new permit has not been announced and staff estimated it could be two years before

a new permit is issued. Funds for the original JEPA agreement have now been expended, and additional funds are necessary to continue coverage under the General Permit.

It is recommended that the Board approve the attached resolution authorizing the General Manager to extend the term of the JEPA for up to two years, and authorizing a not-to-exceed cost increase of \$60,000 (which includes a 20% contingency) to fund this two year period, for a total not-to-exceed cost of \$185,000. Within the next two years, it is expected that the State will update the NPDES General Permit and the JEPA will negotiate a new five year permit.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS
RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Extension of Aquatic Pesticides Permit Monitoring under JEPA

BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to extend the term of the Joint Exercise of Powers Agreement (JEPA) among Contra Costa County, Alameda County Public Works Agency, Zone 7 - Alameda County Flood Control and Water Conservation District, City of Antioch, and City of Concord, and authorize an additional amount of \$60,000 for a total not-to-exceed amount of \$185,000 for annual compliance reporting to be completed in years 2010 and 2011 upon presentation of invoices with proper documentation from Contra Costa County.

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

July 21, 2010

By _____
President, Board of Directors

ORIGINATING SECTION: WATER SUPPLY ENGINEERING

CONTACT: JACK FONG/JARNAIL CHAHAL

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: Award of Construction Contract to Foam Experts_____ Roofing, Inc. for the Parkside Buildings Roof Re-Cover Project, Project No. 205-10

SUMMARY:

- The roofs for the Parkside Office, Shop building, and Hopyard Well No. 6 building have exceeded their useful life and continue to spring new leaks during the rainy season. Deferring a major roof project could lead to further water damage to the facilities, impact safety, and increase damage to the underlying wood frame system for each roof.
- An internal engineering evaluation of four industry standard roof systems suitable for re-covering the existing roofs recommended a spray-on polyurethane foam system.
- The Parkside Buildings Roof Re-Cover Project is in the Fiscal Year 2010/11 Budget with completion of project planned for late summer 2010.
- The Engineer's Estimate for this construction contract is \$82,000.
- The project is categorically exempt from CEQA review under Article 19, Section 15301, "Class 1 - Existing Facilities". The Notice of Exemption is scheduled to be filed with the Alameda County by July 23, 2010.
- Zone 7 advertised and solicited bids for the Project, and on June 29, 2010, four bids ranging from \$63,500 to \$85,302 were received. The Engineer's estimate for this construction contract is \$82,000.
- The lowest responsive and responsible bidder is Foam Experts Roofing, Inc., with a bid of \$63,500.
- Staff recommends award of the contract to Foam Experts Roofing, Inc.

FUNDING:

This project is funded from Fund 72 - Renewal & Replacement/System-Wide Improvements, and funds are available in the Fiscal Year 2010/2011 Budget.

RECOMMENDED ACTION:

Adopt the attached resolution to:

- Approve plans, specifications, appendices and addenda for the Parkside Building Roof Re-Cover Project;
- Accept the bid and award a contract to Foam Experts Roofing, Inc., as the lowest responsive and responsible bidder for the bid amount of \$63,500;
- Authorize the General Manager to negotiate and execute the contract with Foam Experts Roofing; and
- Authorize the General Manager to issue change orders as and when required for an amount not-to-exceed \$6,350 (10% of contract amount).

ATTACHMENTS:

1. Memo providing additional background and discussion of agenda item
2. Zone 7 Board Resolution

Interoffice Memo

Date: July 21, 2010
To: Jill Duerig, General Manager
From: Jack Fong, Associate Engineer, Water Supply Engineering
Subject: Award of Construction Contract to Foam Experts Roofing for the Parkside Buildings Roof Re-Cover Project, Project No. 205-10

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

BACKGROUND:

The three building roofs at the 5997 Parkside address, which include the former Zone 7 Administrative Office, the adjacent Shop Building, and Hopyard Well No. 6 Building, have all exceeded their design life and are overdue for a roof re-cover project. The office and shop buildings were in-service in 1986 and the Hopyard Well No. 6 building was constructed in 1988. The expected useful life for the existing “built-up” roof (BUR) system for each building is typically 15 to 20 years, provided they are continuously maintained. The roofs have never been replaced. New leaks have developed and been patched each rainy season for the last several years.

The risks from further project deferment include more roof leaks, water damage to the interior and wood frame system, including ceiling, flooring, office and mechanical/electrical equipment. A new roof re-cover system will prolong the facility service life of each building.

The “re-cover” option is an industry-wide standard and is a more cost-effective option to a roof replacement option. A number of membrane systems are commercially available to re-cover the existing roofs without a teardown of the original system to the wood substrate, which staff considers to be cost prohibitive. All three buildings have an existing wood frame design and the original roof systems consist of a “built-up roof” of multi-layers of felt laminated together with bitumen and then surfaced with hot-tar for waterproofing. The Parkside office has a history of roof leaks that required immediate attention. In addition, portions of the wood roof framing for both the Shop and Hopyard Well No. 6 Buildings will need to be replaced due to water damage from past leaks. The BUR will need to be “peeled back” in order to determine the extent of repair required. The repair will include removal of damaged plywood decking and rafters and re-covering the removed roofing materials with a treated gypsum board product, commonly known as “DensDeck”, prior to installing the new roof re-cover system.

An internal engineering evaluation and project memorandum was prepared to assess four industry standard roof systems suitable for re-covering a BUR system. Staff recommends a sprayed polyurethane foam system as the new method to re-cover each roof. Zone 7 used this approach in 2007 to re-cover the roofs for the DVWTP Control Building, an electrician shop at the DVWTP site, and the Stoneridge Well No. 6 Building. The polyurethane foam system is considered “renewable” and should last the life of the building, as long as the top coating for ultraviolet protection and reflection is renewed every fifteen years or so. This design will waterproof old leaks and past roof repairs, fill “low” spots, and consist of seamless construction, as seams are potential areas for future leaks.

Also, the system design with a white granulated top coat is reflective and meets Title 24 for a “cool” roof system. This design will improve building insulation and energy efficiency and reduce our energy costs. The roof foam system is lightweight and adds a minimal load to the existing roof. The installation offers the “good neighbor” approach for adjacent residents directly behind the Hopyard Well No. 6 building and the general public as the system does not release any nauseous fumes, unlike a hot-tar application.

Staff has determined that the project is categorically exempt from CEQA review under Article 19, Section 15301, “Class 1 - Existing Facilities” because the project involves repair of an existing public structure, involving no expansion of use beyond that existing at the time of the CEQA determination. The Notice of Exemption is scheduled to be filed with the County Clerk-Recorder’s Office by July 23, 2010.

DISCUSSION:

Zone 7 advertised the project two times in two local newspapers in accordance with the Public Contract Code. Copies of the plans and specifications were also posted at twenty four Northern California builders exchanges. A mandatory pre-bid meeting was held on June 17, 2010. Four bids were received and publicly read on June 29, 2010 at 2:00 p.m. in accordance with established procedures and were as follows:

<u>Name of Firm</u>	<u>Total Bid Amount</u>
Foam Experts Roofing, Inc.	\$63,500
Universal Coatings	\$72,000
Cook Coatings	\$74,280
Solar Coatings Inc.	\$85,302

The Engineer's Estimate for this construction contract is \$82,000. The bids have been reviewed by Zone 7 staff, and it was determined that the low bidder has complied with the bid requirements. Staff recommends authorizing the General Manager to execute a contract with the lowest responsive and responsible bidder, Foam Experts Roofing, Inc. for an amount not-to-exceed \$63,500, and to authorize the execution of change orders up to a maximum of 10 percent of the contract amount, if needed.

Foam Experts Roofing, Inc., has key office and field personnel working together since 1988 and have referenced several large projects completed in Northern California, including projects for Stockton airport, Tracy and Antioch School Districts, and an office building for Chabot-Las Positas Community College in Pleasanton.

This project is funded from Fund 72 - Renewal & Replacement/System-Wide Improvements, and funds are available in the Fiscal Year 2010/2011 Budget.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

**Award of Construction Contract for the Parkside Buildings Roof Re-Cover Project,
Project No. 205-10**

WHEREAS, Zone 7 of Alameda County Flood Control and Water Conservation District has a project for the construction of the Parkside Buildings Roof Re-Cover Project;

WHEREAS, the Project is a Class 1 project categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301;

WHEREAS, said project was advertised for bids to be received by the General Manager or her authorized representatives at the Zone 7 Administration Office, 100 North Canyons Parkway, Livermore, California 94551 on June 29, 2010 at 2:00 p.m., at which time said bids would be taken, opened, and publicly read; and

WHEREAS, on June 29, 2010, the following bids were submitted in response to said advertisement:

<u>Name of Firm</u>	<u>Total Bid Amount</u>
Foam Experts Roofing, Inc.	\$63,500
Universal Coatings	\$72,000
Cook Coatings	\$74,280
Solar Coatings, Inc.	\$85,302

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 plans, specifications, appendices and addenda for the Parkside Buildings Roof Re-Cover Project;

BE IT FURTHER RESOLVED that the bid of the lowest responsive and responsible bidder, Foam Experts Roofing, Inc., be accepted, and that the Contract for the work be awarded to Foam Experts Roofing, Inc., for an amount not to exceed \$63,500;

BE IT FURTHER RESOLVED that the General Manager be authorized to execute the contract on behalf of Zone 7 of the Alameda Flood Control and Water Conservation District upon such presentation and approval of the contract and each of the bonds presented by Foam Experts Roofing, 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 \$6,350.

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

July 21, 2010

By _____
President, Board of Directors

ORIGINATING SECTION: ADMINISTRATION
CONTACT: JILL DUERIG

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: REQUEST BY DIRECTOR DICK QUIGLEY FOR AUTHORIZATION TO ATTEND UPCOMING WATER/ENERGY SUSTAINABILITY SUMMIT AND CALIFORNIA SPECIAL DISTRICT ASSOCIATION ANNUAL CONFERENCE

SUMMARY:

Director Dick Quigley has expressed an interest in attending both the Water/Energy Sustainability Summit & Workshop sponsored by the Water Research Foundation to be held July 29th at the Metropolitan Water District of Southern California in Los Angeles and the California Special Districts Association (CSDA) Annual Conference & Exhibitor Showcase to be held September 20 through 23, 2010 in Newport Beach, California.

A copy of the Water/Energy Workshop agenda is attached. There is no registration cost for this event so costs would be limited to travel and lodging. The CSDA Annual Conference is an educational opportunity designed to provide members with information and to speak to trends in special district management and operations. The Conference also serves as a platform for continuing education and training for directors/trustees, general and assistant managers, financial managers, supervisors, and special district staff members. Reasons for attending the CSDA Annual Conference include: learning and networking opportunities, as well as interaction with industry experts. The annual conferences also allow time to discuss a variety of case studies with special districts that have found resolutions to challenges and created opportunities in the face of adversity. The annual conference also allows participation in training workshops that teach and equip members with the skills to better lead and govern Special Districts.

Zone 7's current board policy is to allow directors to attend one ACWA conference per year without seeking approval from the Board for reimbursement of travel and registration expenses. If directors wish to attend additional conferences, Board authorization must be obtained.

FINANCIAL:

Registration cost for the annual CSDA conference is \$550 plus miscellaneous expenses associated with attendance, i.e., mileage, parking, workshops/training, accommodations and meals, with a total cost for attendance estimated at \$2,750. Costs to attend the Water/Energy Summit are estimated at approximately \$650. Funds for both are available from Fund 52-Water Enterprise.

RECOMMEND ACTION:

Adopt attached resolution.

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

RESOLUTION NO

INTRODUCED BY
SECONDED BY

WHEREAS, Director Dick Quigley has expressed an interest in attending the California Special District Association (CSDA)'s Annual Conference & Exhibitor Showcase to be held September 20 through 23, 2010, in Newport Beach, California; and

WHEREAS, Director Quigley has also expressed an interest in attending the Water/Energy Sustainability Summit & Workshop sponsored by the Water Research Foundation to be held July 29, 2010, at the Metropolitan Water District of Southern California in Los Angeles, California

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control & Water Conservation District does hereby authorize Director Quigley's attendance at CSDA's Annual Conference & Exhibitor Showcase; and

BE IT FURTHER RESOLVED that Director Quigley be authorized to attend the Water/Energy Sustainability Summit & Workshop; and

BE IT FURTHER RESOLVED that Director Quigley be reimbursed for actual and necessary expenses associated with his attendance at both events.

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

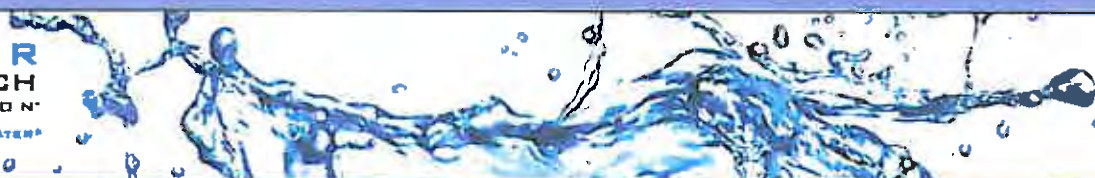
July 21, 2010

By _____
President, Board of Directors



**WATER
RESEARCH
FOUNDATION**

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- ▶ [Summit Home Page](#)
- ▶ [Registration](#)
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- ▶ [Hotel Information](#)

Venue and Lunch
Hosted by
Metropolitan Water
District of Southern
California



700 N. Alameda St.
Los Angeles, CA 90012

[Map and Directions](#)

Parking will be
available in the
MWD garage.

TO CONTACT US:

Shonnie Cline
Sr. Account Manager
Water Research Foundation
6666 W. Quincy Avenue
Denver, CO 80235

Email: sccline@waterf.org
Phone: 303-347-6108

WATER/ENERGY SUSTAINABILITY SUMMIT & WORKSHOP

SPONSORED BY THE WATER RESEARCH FOUNDATION

July 29th, 2010
at
Metropolitan Water District
of Southern California
7 am to 5 pm

PURPOSE

Water and energy industries are inextricably intertwined, however often times collaboration, information exchange and partnerships are overlooked due to limited communications and resources. The Water Research Foundation is sponsoring a number of workshops in California to develop long term strategies for water and energy providers to improve information exchange and develop enhanced collaboration for research, project funding and strategic planning.

WHO SHOULD ATTEND

- Water, Wastewater, Reuse and Energy Utility Professionals
- State and Federal Water and Energy Resource Officials
- Water and Energy Resource and Technology Experts

AGENDA OVERVIEW

7:00 – 8:00am	Registration / Coffee
8:00 am – noon	Presentations and Updates Water & Energy: Interrelationship and Impacts Greenhouse Gas Regulations and Impacts to utilities Advancements in Energy Technology California's Water Supply Outlook Overview of CPUC Water/Energy Nexus Studies Funding Opportunities for Renewable Energy Projects Case Study: IADWPs Energy Plan
12:15 – 2:00 pm	Working Lunch and Breakout Session – Part I – Develop Working Groups Identify water/energy issues Establish small working groups Develop end of day deliverables Discussion by working groups
2:20 – 5:00 pm	Breakout Session – Part II – Develop Plans and Strategies Developing Partnerships to control costs and reduce GHG emissions Improving End User Energy Efficiencies – Concepts to reduce end-user energy demand associated with water consumption while improving water and energy reliabilities New water supplies/energy requirements – Evaluate concepts to develop new water supplies with focus on the energy component of delivering these new water supplies. Collaboration opportunities between water and energy providers.

This event is open only to Water and Energy professionals and other industry stakeholders in California. Seating is limited.

THERE IS NO CHARGE FOR THIS COLLABORATION OPPORTUNITY
 Lunch provided
 by
 Metropolitan Water District
 of Southern California

Home Registration **Schedule** Sponsors Exhibitors Events Hotel/Travel Contact Us

The CSDA Annual Conference and Exhibitor Showcase is the one conference special district leaders can't afford to miss!

Today's leaders are confronted with challenges and opportunities that have never been more dynamic or complex. This conference will help special district leaders effectively understand and manage these forces to become the most effective leaders in the field.

The CSDA Annual Conference and Exhibitor Showcase is an educational opportunity specifically designed for special district management and operations. Individuals who benefit from this conference include: directors, trustees, general and assistant managers, financial managers, supervisors, board secretaries and other special district staff members.

Keynote & Super Session Highlights



**Tuesday, September 21
9:00 to 10:45 a.m.**

Opening Keynote Session: Tom Flick - "At the Heart of Leadership"

As a motivational speaker and training consultant, Tom Flick has tackled the business world with the same passion, focus and spirit that earned him honors as a collegiate and NFL quarterback. For over ten years, Tom Flick has helped Fortune 500 companies and leading organizations meet the challenges

of today's business environment.

"At the Heart of Leadership" presents the core drivers for the next great transformation of business. From corporate titans to public agencies, the skill and capacity to capture the hearts of people will be the decisive factor. No longer can one charismatic individual lead the vision alone. The catalyst for sustained high-level performance is leadership, from top-to-bottom, which empowers every individual.



**Tuesday, September 21
2:00 – 3:15 p.m.**

Super Session: Matt Weinstein – "Work Like Your Dog: New Dimensions in Team Building"

Matt Weinstein is the nation's foremost authority on the use of fun and humor in team building. Called "The Master of

Register Now!

California Special Districts Association
2010 Annual Conference & Exhibitor Showcase
September 20-23, 2010
Newport Beach, CA

For more conference information contact Laura DeOrio at laurad@csda.net or toll-free at 877.924.2732

Hotel Information



NEWPORT BEACH MARRIOTT HOTEL & SPA
900 NEWPORT CENTER DRIVE
NEWPORT BEACH, CA 92660
MARRIOTT.COM

CSDA ROOM RATES: \$179.00 PLUS TAXES AND FEES.
RESERVATIONS: 1-866-440-3375
ROOM CUT-OFF DATE: TUESDAY, AUGUST 31, 2010
WHEN BOOKING YOUR ROOM, PLEASE ASK FOR THE CSDA GROUP RATE.

Events





Playfulness" by PEOPLE Magazine and "America's Pied Piper of Play" by the Houston Post, his playful vision has been the subject of dozens of national newspaper articles, magazine features and television appearances. Matt Weinstein has recently been featured in The Wall St. Journal, The Los Angeles Times and CBS This Morning.

One way to work smarter, not harder, is to learn the skills of working like your dog. Dogs approach their work with dedication, loyalty, sensitivity and love, and also with joy, enthusiasm and a willingness to see their work as play. Based on Matt Weinstein's business bestseller, *Work Like Your Dog*.



Wednesday, September 22

9:00 – 10:45 a.m.

Keynote Session: Dick Ruhe, Ph.D. – "Leadership for a Reenergized Workforce"

Sponsored by SDRMA

Dr. Dick Ruhe is a specialist on leadership, change, quality and teambuilding. As a senior consulting partner for the Ken Blanchard Companies, he is the author of the training program

Total Quality Leadership.

During this dynamic presentation, learn why good performers sometimes take so long to provide effective leadership. Leaders know how to preserve the organization's values while changing the way it operates. It is important to retrain and redeploy the workforce in order to merge organizational objectives with the goals of individuals. Both leadership and management have their places in capitalizing on the talents of people at all levels. It is important to be both visionary and practical and to be capable of moving from discussions of purpose to the details of actual practice.



Wednesday, September 22

3:00 – 4:30 p.m.

Super Session: John Naber, Olympic Gold Medal Swimming Champion and Sports Broadcaster - "The Gold Medal Process"

One of America's greatest Olympic champions, John Naber was America's most highly decorated Olympian at the 1976 Games in Montreal, earning four gold medals in swimming. Naber went on to earn the Sullivan Award as America's top amateur athlete

of 1977. Today, he is one of America's top Olympic Ambassadors.

For over a quarter-century, John Naber has delighted audiences as a sports speaker, with stories of ordinary people accomplishing extraordinary results. What do Olympians go through on their way toward the awards platform? How can you feel like you're "going for the gold" in your field? John Naber explains an eight-step process, using humor and Olympic analogies that can help anyone reach their own personal and professional goals.



Wednesday, September 22

7:00 – 9:00 p.m.

Awards Banquet Entertainment: Mack Dryden

From humble beginnings as "the funniest paper mill employee in Mississippi," he won two Associated Press writing awards as a reporter in his home state, and finally became a professional comedian whose talent and perseverance landed him numerous TV appearances and got him hand-picked by Bill Maher to write on his acclaimed show. Now he spends his time writing and

traveling the country bringing his special brand of Motivation, Inspiration and Jubilation to thousands each year. It hasn't been an easy road, but, as he says, "falling on your face is still moving forward!"



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Conference Location



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[CLICK TO FIND OUT WHAT...](#)

Recognition



THE BOARD PRESIDENT OF THE YEAR WILL BE PRESENTED ON WEDNESDAY, SEPTEMBER 22 AT THE CHAPTERS RECEPTION. [FOR MORE INFORMATION CLICK HERE.](#)

Attendees will benefit by:

- INTERACTING WITH INDUSTRY EXPERTS.
- HEARING SUCCESS STORIES FROM COLLEAGUES.
- LEARNING ABOUT THE CHALLENGES AND SOLUTIONS FROM SPECIAL DISTRICT CASE STUDIES.
- BEING THE FIRST TO HEAR ABOUT SPECIAL DISTRICT INDUSTRY TRENDS.
- GAINING KNOWLEDGE FROM NATIONALLY RECOGNIZED SPEAKERS.
- ATTENDING SPECIALIZED WORKSHOPS AND SESSIONS DESIGNED TO ADDRESS THE NEEDS OF TODAY'S SPECIAL DISTRICT.
- MEETING ONE-ON-ONE WITH INDUSTRY SUPPLIERS WHO UNDERSTAND YOUR NEEDS.
- ATTENDING NUMEROUS NETWORKING OPPORTUNITIES.

**Thursday, September 23****10:15 a.m. – Noon****Closing Keynote & Brunch: Ralph Heim, "Understanding the State's Fiscal and Reform Issues and What's Next for Special Districts"**

Join us for a closing brunch as CSDA Legislative Advocate Ralph Heim gives attendees the most up-to-date information on the state of the state budget and special district revenues. 2010 has been an exceptionally challenging year for local government

and the state and Heim will give attendees the most current information on the issues facing both.

- MAKING NEW CONTACTS AND MAINTAINING KEY RELATIONSHIPS.
- EARNING CREDIT INCENTIVE POINTS (CIPS) FROM THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY.
- LEARNING HOW TO THINK STRATEGICALLY IN CHANGING AND DIFFICULT TIMES.

ORIGINATING SECTION: ENGINEERING
CONTACT: MARY LIM / KURT ARENDS

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: East Alameda County Conservation Strategy – Amendments to Funding Agreement and ICF Jones & Stokes Contract

SUMMARY:

- On June 18, 2008 the Zone 7 Board of Directors authorized the General Manager to execute a funding agreement with Alameda County Community Development Agency, Alameda County Congestion Management Agency, Alameda County Resource Conservation District, Alameda County Waste Management Authority, the Cities of Dublin, Livermore and Pleasanton and East Bay Regional Park District to develop the East Alameda County Conservation Strategy (“EACCS”). Based on this cost sharing arrangement, the Board authorized the General Manager to execute contracts with ICF Jones & Stokes to complete EACCS Phase 1 in an amount not-to-exceed \$150,000 and Phases 2 and 3 in an amount not-to-exceed \$230,000 with Zone 7’s share not-to-exceed \$70,000.
- Alameda County Resource Conservation District’s CalFed grant, which was to help offset the cost of the ICF Jones & Stokes EACCS contracts, was suspended and only reimbursed \$68,015 out of the \$156,600 allocated to go toward the contracts. With some scope reductions, this resulted in an overall budget shortfall in \$6,929.
- The 18-month schedule has now been stretched to 27 months and an additional 3 months will be necessary to complete the EACCS document. The schedule extension was necessary to adequately address comments on draft work products from the EACCS Steering Committee and the Users Advisory Committee.
- In addition to the overall ICF Jones & Stokes budget shortfall of \$6,929, an additional \$11,862 will be needed for ICF Jones & Stokes to complete the EACCS document. Therefore, a total of \$18,791, which is the sum of the existing budget shortfall (\$6,929) and the additional costs (\$11,862), is needed to complete the EACCS document.
- Alameda County Waste Management Authority has volunteered to contribute the \$18,791 for the ICF Jones & Stokes contract to complete the EACCS document.
- Staff is recommending that Zone 7 amend the existing ICF Jones & Stokes Phases 2 and 3 contract by increasing the total contract price to an amount not to exceed \$241,862 and to amend the existing Funding Agreement to show Alameda County Waste Management Authority will fund the necessary \$18,791, the sum of the existing budget shortfall (\$6,929) and additional costs (\$11,862) to complete the EACCS document.

FUNDING:

No additional funds are requested.

RECOMMENDED ACTION:

Adopt the attached resolution (1) authorizing the General Manager to execute a contract amendment with ICF Jones & Stokes to increase the total contract price to an amount not to exceed \$241,862 for EACCS Phases 2 and 3 and (2) amending the existing Funding Agreement to reflect a new funding arrangement whereby Alameda County Waste Management Authority will be funding the necessary \$18,791, the sum of the existing budget shortfall (\$6,929) and additional costs (\$11,862) to complete the EACCS document.

ATTACHMENTS:

1. Memo providing additional background and discussion on agenda item
2. Zone 7 Board Resolution

Interoffice Memo

Date: July 21, 2010
To: Jill Duerig, General Manager
From: Mary Lim, Associate Water Resources Planner
Subject: East Alameda County Conservation Strategy – Amendments to Funding Agreement and ICF Jones & Stokes Contract

BACKGROUND

Zone 7, Alameda County Community Development Agency, Alameda County Congestion Management Agency, Alameda County Conservation Partnership¹, Alameda County Waste Management Authority, the Cities of Dublin, Livermore and Pleasanton and East Bay Regional Park District have been working in collaboration with the U.S. Fish and Wildlife Service, California Department of Fish and Game and the San Francisco Bay Regional Water Quality Control Board to develop the East Alameda County Conservation Strategy (“EACCS”). These agencies, collectively known as the Steering Committee, retained ICF Jones & Stokes to assist with facilitating and organizing this effort because of their extensive experience with natural resources in eastern Alameda County and expertise with conservation planning in areas adjacent to eastern Alameda County. The EACCS will be a blueprint for the conservation of specific biological resources, particularly those subject to federal and state Endangered Species Act regulation, for East Alameda County. The strategy will provide Zone 7 and the rest of the partnering agencies with the following benefits:

- Streamlined permitting process by directing individual mitigation actions toward mitigation that regulatory agencies will support;
- Streamlined CEQA process by providing a vehicle for comprehensive mitigation for direct and cumulative impacts to biological resources;
- Up-to-date scientific and biological basis for species conservation efforts;
- Creating partnerships with the regulatory agencies, local landowners, public entities and municipalities that will improve relations among the parties; and
- Creating eligibility for state and federal financial contributions to local conservation efforts.

To assist in development of the EACCS, the Steering Committee established a Users Advisory Group to review and comment on EACCS material and, at critical stages in the process, make recommendations to the Steering Committee. The Users Advisory Group includes technical and non-technical representatives from development, environmental and conservation groups, local landowners, and other local agencies.

DISCUSSION:

The Steering Committee retained ICF Jones & Stokes to assist in the development of the EACCS and elected Zone 7 to be the EACCS Coordinator and the contract administrator for the ICF Jones & Stokes contract. EACCS is being developed in phases for an initial total cost of \$380,000. Phase 1 work tasks included compiling land use and open space data and mapping land cover and focal species. Phase 1 was completed in May 2008 for \$150,000. Phases 2 and 3 included the following tasks: conducting conservation gap and corridor analysis; developing conservation goals and priorities; preparing the draft and final conservation strategy report; developing a communication plan; developing and maintaining a standalone website for EACCS; and providing strategic communication counsel. The cost of Phases 2 and 3 and outreach was \$230,000 and was scheduled to be complete in May 2009.

The Alameda County Resource Conservation District (RCD) received a grant of \$296,500 from the CALFED Watershed – Proposition 50 Grant Program to help offset the cost of developing the EACCS. Of the total grant funds awarded, \$156,600 was allocated to the ICF Jones & Stokes contract. The remainder of the ICF Jones & Stokes contract, or \$223,400, was to be paid by the partnering agencies in equal shares. Zone 7, Alameda County Community Development Agency, Alameda County Congestion Management Agency, Alameda County Waste

¹ The Alameda County Resource Conservation District (ACRCD) and the USDA Natural Resources Conservation Service (NRCS) make up the Alameda County Conservation Partnership.

Management Authority, the Cities of Dublin, Livermore and Pleasanton and East Bay Regional Park District each contributed \$38,125 for a total of \$305,000 to go toward the ICF Jones & Stokes contract, other specific tasks outlined in the RCD grant, Zone 7 contract administrator fees and contingencies.

Due to budget issues, the State of California suspended RCD's grant in December 2009 and only reimbursed \$68,015 for the ICF Jones & Stokes Phase 1 contract. As a result, the entire local agencies' funding contribution of \$305,000 was completely expended in funding the ICF Jones & Stokes contracts. The reduction in the amount of grant monies received and some scope reductions also resulted in an overall budget shortfall of \$6,929 for the ICF Jones & Stokes Phases 2 and 3 contract.

In addition to the overall budget shortfall of \$6,929, an additional \$11,862 will be needed for ICF Jones & Stokes to complete the EACCS document. The original ICF Jones & Stokes budget was based on an 18-month schedule. To date, the EACCS development has stretched to 27 months in order to adequately address comments received on draft work products from both the Steering Committee and the Users Advisory Group. ICF Jones & Stokes was able to stretch the 18-month budget to accommodate the schedule extension. However, the existing budget has been expended. At least an additional three months will be necessary to finalize the document. The EACCS document, in its entirety, has been drafted and will soon be ready for a public review. A Community Meeting, during the public review period, is planned in order to provide the public more information about the EACCS and its benefits. ICF Jones & Stokes and the Steering Committee will review and incorporate public comments, as appropriate, into the final document. Therefore, a total of \$18,791, which is the sum of the existing budget shortfall (\$6,929) and the additional costs (\$11,862), is needed to complete the EACCS document. A contract amendment to the ICF Jones & Stokes contract is necessary to reflect the increase in total contract price for Phases 2 and 3 from \$230,000 to \$241,862.

Alameda County Waste Management Authority has volunteered to contribute the \$18,791 for the ICF Jones & Stokes contract to complete the EACCS document. An amendment to the existing funding agreement is necessary to reflect this new funding arrangement. Zone 7 shall remain the contract administrator and Alameda County Waste Management Authority will remit a check for \$18,791 to Zone 7. Any unexpended funds at the end of the project shall be returned to Alameda County Waste Management Authority.

SCHEDULE

The East Alameda County Conservation Strategy document is anticipated to be complete by October 2009. The document will be brought before the Board of Directors for acceptance once the document is finalized.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS
RESOLUTION NO.

INTRODUCED BY
SECONDED BY

**East Alameda County Conservation Strategy – Amendments to Funding Agreement
and ICF Jones & Stokes Contract for Phases 2 and 3**

WHEREAS, the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District authorized the General Manager to execute a funding agreement with Alameda County Community Development, Alameda County Congestion Management Agency, Alameda County Resource Conservation District, Alameda County Waste Management Authority, the Cities of Dublin, Pleasanton and Livermore, and East Bay Regional Park District for the development of the East Alameda County Conservation Strategy (hereinafter “EACCS”); and

WHEREAS, pursuant to the Funding Agreement, Zone 7 retained the firm of ICF Jones and Stokes to provide environmental consultant services for a not-to-exceed amount of \$150,000 for Phase 1 and \$230,000 for Phases 2 and 3 of the EACCS development; and

WHEREAS, Alameda County Resource Conservation District was awarded a CALFED grant for the EACCS that was to contribute \$156,600 toward the ICF Jones & Stokes contracts; and

WHEREAS, the CALFED grant was suspended in December 2009 and only reimbursed \$68,015 for the ICF Jones & Stokes Phase 1 contract; and

WHEREAS, the original eighteen (18) month schedule has become stretched beyond the expectations of the original scope of work; and

WHEREAS, the original budget was used to accommodate the schedule extensions; and

WHEREAS, the contribution from Proposition 50 CALFED grant funding for the EACCS was reduced as a result of the State of California’s budget issues; and

WHEREAS, the reduction in grant funds and the local cost-share of the remaining Funding Partners resulted in a \$6,929 shortfall in the original budget; and

WHEREAS, an additional \$11,862 above the original contract amount is needed for ICF Jones and Stokes’s participation in additional meetings, collecting and responding to public comments, creating the final EACCS document, and printing of the final document; and

WHEREAS, Alameda County Waste Management Authority volunteered to fund a total of \$18,791, the sum of the existing budget shortfall and additional costs, in order to complete the EACCS document.

NOW, THEREFORE BE IT RESOLVED, that the ICF Jones and Stokes contract amount be increased to a maximum not-to-exceed \$241,862; and

BE IT FURTHER RESOLVED, that after the cost-share contributions of the Funding Partners have been exhausted, Alameda County Waste Management Authority will fund the remaining ICF Jones and Stokes contract associated with completing the EACCS document for an amount not-to-exceed \$18,791; and

BE IT FURTHER RESOLVED, that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager (1) to negotiate and execute a contract amendment with ICF Jones & Stokes to increase the total contract price in an amount not to exceed \$241,862 for EACCS Phase 2 and 3 and (2) negotiate and execute an amendment to the existing Funding Agreement to reflect a new funding arrangement whereby Alameda County Waste Management Authority will be funding the necessary \$18,791, the sum of the existing budget shortfall and additional costs to complete the EACCS document.

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

July 21, 2010

By _____

President, Board of Directors

ORIGINATING SECTION: WATER SUPPLY ENGINEERING
CONTACT: SAL SEGURA/JARNAIL CHAHAL

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: Amendment No. 2 to the Water Transfer Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District

SUMMARY:

- Zone 7 has an existing agreement with Byron Bethany Irrigation District (BBID), signed February 18, 1998, to transfer up to 5,000 AF of water to Zone 7 annually.
- Amendment 1, signed June 17, 1998, clarified the price of transferred water and provided for an optional term extension to 2028.
- This is the second Amendment to the agreement, which will extend the term of the agreement through December 31, 2030 with an option to renew through 2039. It also modifies the fee schedule to reflect BBID's adopted price for untreated water delivered for municipal and industrial purposes within the boundaries of BBID, plus \$20.
- Amending the existing agreement would not cause substantial direct or indirect environmental effects beyond what has already been analyzed in the Negative Declaration, Five-Year Water Transfer Agreement with Byron Bethany Irrigation District (1994) and Zone 7's Water Supply Planning Program EIR (1999). Therefore, no additional CEQA documentation is necessary.
- Staff recommends adoption of the attached resolution authorizing the General Manager to negotiate and execute Amendment No. 2 to the Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District (A98-03-BYR).

FUNDING:

There is a minimum annual payment of \$90,000 associated with this agreement, which can be used toward payment for water transferred. These costs are budgeted and funded from Fund 52 – Water Enterprise.

RECOMMENDED ACTION:

Adopt the attached resolution authorizing the General Manager to negotiate and execute the attached Amendment.

ATTACHMENTS:

1. Memo providing additional background and discussion of agenda item
2. Zone 7 Board Resolution
3. Amendment No. 2 to the Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY:

SECONDED BY:

Amendment No. 2 to the Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District

WHEREAS, Zone 7 has an existing agreement entered into on February 18, 1998 with the Byron-Bethany Irrigation District (BBID) to transfer up to 5,000 acre-feet per year from BBID to Zone 7; and

WHEREAS, said agreement was amended on June 17, 1998 to clarify Price and Payment as well as Renewal/Extension; and

WHEREAS, Zone 7 must plan and provide for a water supply at least 20 years into the future; and

WHEREAS, following negotiations, Zone 7 and BBID seek to amend the agreement to make changes to the term of the Agreement, the Price and Payment for Surplus Water and Compensation to BBID for Renewal/ Replacement; and

WHEREAS, an Initial Study was completed and found that no additional CEQA documentation is necessary because amending the existing agreement would not cause substantial direct or indirect environmental effects beyond what has already been analyzed in the Negative Declaration, Five-Year Water Transfer Agreement with Byron Bethany Irrigation District (1994) and Zone 7's Water Supply Planning Program EIR (1999).

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 authorize the General Manager to negotiate and execute Amendment No. 2 to the Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District through December 31, 2030 with an option to renew through 2039.

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

July 21, 2010

By _____
President, Board of Directors

Interoffice Memo

Date: July 21, 2010
To: Jill Duerig, General Manager
From: Sal Segura, Associate Civil Engineer, Water Supply Engineering
Subject: Amendment No. 2 to the Water Transfer Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District - (A98-03-BYR)

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

BACKGROUND:

The Byron-Bethany Irrigation District (BBID) service area includes approximately 17,500 acres of land in eastern Contra Costa County, eastern Alameda County and western San Joaquin County. BBID has pre-1914 appropriative water rights permitting diversion from the Delta at Italian Slough. BBID delivers water from the Harvey O. Banks Pumping Plant Intake Channel to agricultural users throughout its service area.

In 1994, Zone 7 and BBID entered into a five-year water transfer options program. Under this agreement, Zone 7 was granted the right to purchase up to 5,000 acre-feet of surplus water, with a minimum delivery of 2,000 acre-feet from BBID during years when water is needed. Surplus water is derived from temporary fallowing, permanent conversion of farmland to other uses (i.e. urban), conversion from surface to drip irrigation and water conservation measures taken by BBID. Surplus water is transferred from BBID via the Banks Pumping Plant to Bethany Reservoir as part of Zone 7's scheduled delivery.

DISCUSSION

On February 18, 1998, Zone 7 and BBID entered into a new agreement with the same terms described above. This agreement was then amended on June 17, 1998 (Amendment 1). That amendment provided for a fifteen-year extension and provided for renewal on December 31, 2013. It also provided that every five years, starting in 2004, Zone 7 had the ability to extend the agreement for another five years while otherwise continuing the agreement in full force and effect for fifteen years with the same terms and agreement. It also established that effective 2004, a \$10,000 renewal fee would be due every five years.

To comply with the requirements of the Urban Water Management Plan, Zone 7 needs to plan and provide a water supply at least 20 years into the future. Therefore, Zone 7 and BBID now propose to amend the agreement to extend the term and update the price and payment for surplus water. The proposed amendment seeks to renew the agreement for a twenty-year term through December 31, 2030 with an option to renew through 2039 and omits the need to renew the agreement every five years established by Amendment 1. Amendment No.2 also modifies the fee schedule to reflect the BBID Board's adopted price for untreated water delivered for municipal and industrial purposes within the boundaries of BBID, plus \$20.

Staff has completed an Initial Study and determined that no additional CEQA would be necessary. Since the water transfer agreement involves surplus water in the BBID service area and no new facilities or modification of existing facilities are required, amending the existing water transfer agreement would not result in any significant environmental impacts beyond those already identified in the original Negative Declaration for the Zone 7-BBID Water Transfer Agreement (1994) and the Water Supply Planning Program EIR (1999). Although the Water Supply Planning Program EIR's planning horizon was through 2020, the EIR described the existing Zone 7-BBID water transfer agreement as providing five-year renewal options through and terminating in the year 2028. This proposed amendment will extend the existing agreement through 2030, only two years past the termination date of the existing water transfer agreement.

Staff recommends authorizing the General Manager to negotiate and execute Amendment No. 2 to the agreement between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District (A98-03-BYR).

AMENDMENT NO. 2
TO
AGREEMENT BETWEEN
ZONE 7 OF THE ALAMEDA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT
AND
BYRON BETHANY IRRIGATION DISTRICT

This Amendment to the Agreement is entered into this ____ day of _____ 2010 between Zone 7 of the Alameda County Flood Control and Water Conservation District (hereinafter referred to as "Zone 7") operating under and by virtue of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of Statutes of 1969) and Byron Bethany Irrigation District (hereinafter referred to as "BBID") operating under and by virtue of Division 11 of the California Water Code. The undersigned parties agree as follows:

RECITALS

WHEREAS, Zone 7 and BBID have entered into an agreement, dated February 18, 1998, which provides for the transfer and exchange of water between the parties; and

WHEREAS, said agreement was amended on June 17, 1998 to clarify Price and Payment as well as Renewal/Extension; and

WHEREAS, Zone 7 must plan and provide for a water supply at least 20 years into the future; and

WHEREAS, following negotiations, Zone 7 and BBID are desirous of amending the agreement to make changes to the term of the Agreement, the Price and Payment for Surplus Water and Compensation to BBID for Renewal/ Replacement.

NOW THEREFORE, Zone 7 and BBID do hereby agree to the changes and additions set forth below and Sections 1.1, 2.1 and 6.0 are hereby modified as follows. Except as specifically modified herein the Agreement Between Zone 7 of the Alameda County Flood Control and Water Conservation District and Byron Bethany Irrigation District remains in full force and effect, including the recitals which are an integral part of the Agreement and are incorporated herein.

1.0 AMOUNT OF WATER

1.1 Minimum Amount. BBID agrees to make available a minimum of 2,000 acre-feet of Surplus Water each year, beginning January 1, 1999 and continuing through December 31, 2030. Zone 7 understands and agrees that BBID's ability to provide even the minimum amount of Surplus Water may be diminished should BBID become subject to administrative or regulatory orders from the State Water Resources Control Board, the Department of Water Resources, or other adverse conditions, judicial decrees or State or Federal legislation which obstructs or prohibits BBID's ability to deliver the minimum amount of Surplus Water to Zone 7 each year and no liability shall accrue against BBID or any of its officers, agents, or employees for any damage, direct or indirect, arising therefrom.

2.0 PRICE AND PAYMENT

- 2.1 Price. Except as set forth in 2.4, below, the price shall be equivalent to the highest rate established by BBID, through a resolution adopted by its Board of Directors, for untreated water delivered for municipal and industrial purposes within the boundaries of BBID, plus \$20. Any further modification of water pricing shall be mutually agreed upon after completion of good faith negotiations.

6.0 RENEWAL / EXTENSION

6.1 Renewal.

Zone 7 has the option to renew this Agreement by sending written notice of renewal to BBID at any time between July 1, 2030 and December 31, 2030. Should Zone 7 elect to renew the Agreement, all of the terms and conditions of this Agreement shall remain in effect; however, the parties may elect to modify Paragraph 1.1 regarding the term of agreement and Paragraphs 2.1 through 2.4 regarding price and payment as long as such changes are mutually agreed upon. BBID grants Zone 7 the right to any and all Surplus Water up to 5,000 acre-feet per year available at the time of renewal. If this Agreement is renewed, the Agreement shall terminate in 2039 unless both parties agree in writing before December 31, 2029 to extend it beyond 2039.

6.2 [DELETE SECTION]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above.

Approved as to legal form
sufficiency:

By: _____
General Counsel – Byron
Bethany Irrigation District

BYRON BETHANY IRRIGATION DISTRICT

By: _____
President

Attest: _____
Secretary

**ALAMEDA FLOOD CONTROL AND WATER
CONSERVATION DISTRICT, ZONE 7**

By: _____
G. F. Duerig, General Manager

Attest: _____
Judy Rector,
Acting Executive Assistant

ORIGINATING SECTION: HUMAN RESOURCES
CONTACT PERSON: TOM HUGHES

AGENDA DATE: July 21, 2010

ITEM NO:

SUBJECT: Employee of the Month Recognition

SUMMARY:

The Employee Recognition Program Nomination Committee met in June and selected the Employee of the Month for May 2010 according to the established Program Guidelines. The individual chosen out of the submitted nominations is recommended to Management for approval and subsequent announcement to all Agency employees.

Tom Rooze, Associate Civil Engineer/Professional Geologist, has been chosen from among those nominated as the May 2010 Employee of the Month. Tom works in the Groundwater Section at our North Canyons Facility. The recommendation for recognition of Tom Rooze states that he shows great initiative, taking on new assignments enthusiastically, and completes them efficiently. Tom willingly teaches skills to others, is a great team player, and is very helpful to other employees in the course of his work. Tom was complimented on the high quality reports he produces for the Agency and for having a positive outlook while performing his duties.

RECOMMENDED ACTION:

It is recommended that the Zone 7 Board of Directors recognize and congratulate Tom Rooze as May 2010 Employee of the Month.

ORIGINATING SECTION: WATER SUPPLY ENGINEERING
CONTACT: BRAD LEDESMA \KURT ARENDS \JARNAIL CHAHAL

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: 2010 Water System Master Plan: Project Update

SUMMARY:

- As the reliability of the State Water Project (SWP) declines due to court rulings and biological opinions, so has Zone 7's long-term water supply. Zone 7 estimates that projected water demands will likely exceed long-term average water supplies sometime between 2015 and 2020.
- In response to these findings, Zone 7 is completing an updated Water System Master Plan (Plan), and expects to complete the Plan by the end of the year.
- The goal of the Plan is to develop a set of portfolios that will provide the flexibility required to respond to an uncertain future caused by legal and environmental constraints in the Delta and climate change, and offer a reliable supply of high quality water to the Livermore-Amador Valley.
- During the first part of 2010, Zone 7, in cooperation with all four water supply retailers, developed an extensive list of potential water supply options that will help create a diverse set of water supply portfolios.
- Over the next few months, Zone 7 will continue to work with its water supply retailers to develop and analyze the various water supply portfolios.
- As part of the analysis, Zone 7 staff will also use the newly developed water supply risk model to review existing water supply policies relative to current and potential future water supply conditions.
- The analysis completed in this phase of the Water System Master Plan will be used to facilitate future policy discussions with the Board.
- Staff will present an overview of the progress to date and the methodology recommended for developing and analyzing the portfolios.

FUNDING: Fund 72 (35%) and Fund 73 (65%) – all work being performed by in-house staff.

RECOMMENDED ACTION: Discussion only.

ATTACHMENTS:

Table 1 – Summary of Potential Water Supply Options Considered in the 2010 Water System Master Plan

Table 2 – Water Supply Option Screening

Table 3 – Potential Water Supply Options: Sorted by Cost

Table 1. Summary of Potential Water Supply Options Considered in the 2010 Water System Master Plan

Water Supply Option or Strategy	Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs <i>(does not reflect funding source)</i>			Comments
		af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)	
Increase Yield from Existing Supplies											
Delta Conveyance <i>(increase long-term average yield of existing State Water Project contract)</i>	Depends on hydrologic conditions	no change	no change	15,300	13.6	0	2020 - 2030	\$97,000,000 to \$142,000,000	\$380,000 to \$420,000	\$500 to \$700	This project involves fixing the Delta to increase the long-term average yield from existing State Water Project contract. The additional supply from Delta Conveyance is based on an increased long-term average yield of 60% to 79%. The costs, timing, and yield are not within Zone 7's control.
Arroyo Valle Water Right <i>(re-operation of Lake Del Valle)</i>	Depends on hydrologic conditions	no change	no change	600	0.9	0	2015 - 2020	\$500,000 to \$1,000,000	\$48,000	\$140 to \$200	The water supply yield is based on reoperation of Lake Del Valle - lower level to 20,000 af, instead of 25,000 af between Sep and Dec to capture more inflow. Cost is for coordination and moving EBRP intake located within the lake.
Byron Bethany Irrigation District <i>(maximize existing contract)</i>	Available during all hydrologic conditions	3,000	2.7	3,000	2.7	0	2011 - 2015	\$50,000 to \$100,000	\$850,000	\$285	Zone 7 is currently renewing its contract with BBID. Although the contract provides up to 5,000 acre-feet of water, 2,000 acre-feet has been used for planning. This supply is based on a study that will help justify the use of a higher yield from this contract. Additional O&M expenses for treating and delivery the supply every year.
New or Additional Surface Water Supplies											
Additional State Water Project Water <i>(increase contract above 80,619 af)</i>	Depends on hydrologic conditions	10% to 30% of Contract Amount	10% to 30% of Contract Amount	60% of Contract Amount	60% of Contract Amount	0	2015 - 2020	\$10,000 to \$12,500 per acre-foot.	\$130	\$840 to \$1,050	The availability of water depends on price and the willingness of State Water Contractors to sell. The cost is based on historical and recent sales. Cost range based on 25% increase between last sale and time Zone 7 decides to purchase State Water Project Water (next 10 years).
Long-term Non-State Water Project Purchase, Transfer, or Contract <i>(not spot market water)</i>	Depends on hydrologic conditions	5,600	5.0	8,600	7.7	5.0	2015 - 2020	\$32,000,000 to \$46,000,000	\$335 to \$480 per af	\$700 to \$1,100	The availability of non-State Water Project Water transfers (e.g., a new BBID supply) depends on price and willingness of wholesale water agencies to sell. Costs are based on joint EBMUD-Zone 7 purchase of water supply and wheeling through EBMUD's Freeport Project and Distribution system.
Los Vaqueros Reservoir Expansion	Depends on hydrologic conditions	0 to 8,300	7.4	0 to 8,300	7.4	0	2015 - 2020	\$32,400,000 to \$212,000,000	\$420,000 to \$2,800,000	\$330 to \$2,200	Total yield to SBA contractors could be 25,000 af, or 8,300 for Zone 7. Yield ranges from 0 to 8,300 af because it is unknown whether unappropriated Delta water rights actually exist. Cost range reflects with and without Federal and State Project participation.

Table 1. Summary of Potential Water Supply Options Considered in the 2010 Water System Master Plan

Water Supply Option or Strategy	Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs <i>(does not reflect funding source)</i>			Comments
		af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)	
Stormwater Runoff and Rainfall Capture											
Arroyo Mocho Water Rights	Depends on hydrologic conditions	< 200	< 0.18	900 to 1,800	0.8 to 1.6	0	2020 - 2030	\$3,800,000	\$410,000	\$400 to \$800	This supply is a new water right on the Arroyo Mocho. The supply can only be used to recharge the local groundwater basin; there is no existing way to capture and treat the supply. Additionally, the Arroyo Mocho Diversion project must be completed before the water right can be perfected. Supply and cost range reflects the potential allocation to prior rights.
Arroyo Las Positas Water Rights	Depends on hydrologic conditions	< 200	< 0.18	800 to 1,600	0.7 to 1.4	0	2020 - 2030	\$5,600,000	\$412,000	\$500 to \$1,100	This supply is a new water right on the Arroyo Las Positas. Natural runoff from the Alkali Sink and inflow from the groundwater basin diminish the water quality in the Arroyo Las Positas during low flows. There is no existing way to capture and treat the supply; therefore, these costs only include capture for groundwater recharge. Costs assume completion of the StreamWISE diversion project for Flood Control. Supply and cost range reflects allocation to prior rights.
Tassajara and San Ramon Valley Creek runoff	--	--	--	--	--	--	--	--	--	--	Both of these creeks are located on the western edge of Zone 7's service area. At this time, there is no practical way to capture, store, or treat this supply.
End User Local Rain Capture for Recharge <i>(Low Impact Development)</i>	--	--	--	--	--	--	--	--	--	--	This supply is generated by directing onsite stormwater to vegetated or rock swales which then permeate water into the groundwater basin. Analysis indicates that a majority of applicable areas are located in Livermore. Zone 7 has not land use authority. Long-term supply planning cannot rely on end-user to implement and maintain each and every swale.
End User Local Rain Capture for Irrigation <i>(residential, commercial, institutional roof top capture)</i>	Available during all hydrologic conditions <i>(storage is less than yield during driest year on record)</i>	220 to 860	0.2 to 0.8	220 to 860	0.2 to 0.8	0	2015 - 2040	\$94,000,000 to \$395,000,000	\$9,400,000 to \$39,500,000	\$73,600 to \$79,300	Supply based on average roof size and storing two months of available supply, while the range depends on the ability to retrofit existing accounts with a rainwater capture system. Costs do not include regulatory oversight or inspection of the systems. It was assumed that this supply would not provide peak day capacity because there is little to no control over when customers decide to use their water. There is always a minimum amount of rainfall, so dry year supply is based on minimum historical rainfall of 5.2 inches.
Additional Non-Local Groundwater											
Transfers: Purchase of Agricultural Land	--	--	--	--	--	--	--	--	--	--	Significant institutional, legal, and political barriers would likely prevent implementing either of these two supply options. Most irrigation districts and cities would probably oppose any such activities. Consequently, these options were not evaluated as part of this analysis.
Transfers: Purchase of M&I Land	--	--	--	--	--	--	--	--	--	--	

Table 1. Summary of Potential Water Supply Options Considered in the 2010 Water System Master Plan

Water Supply Option or Strategy		Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs <i>(does not reflect funding source)</i>			Comments
			af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)	
Recycled Water for Livermore-Amador Valley <i>(Water Demand Reduction for Zone 7 Water Agency)</i>												
City of Pleasanton	Direct use (without Storage)	Available during all hydrologic conditions	1,400	1.2	1,400	1.2	2.4	2015 - 2020	\$14,100,000	\$1,000,000	\$1,500	This project would treat the City's secondary effluent to meet irrigation demands without storage. City of Pleasanton has no facilities; this option assumes the City constructs a new facility to treat all supplies that do not require storage. A lower cost option maybe available if the City uses DSRSD's existing facilities.
	Indirect use (with Storage)	Available during all hydrologic conditions	2,700 to 4,300	2.4 to 3.8	2,700 to 4,300	2.4 to 3.8	4.8 to 9.6	2020 - 2030	\$29,000,000 to \$73,900,000	\$2,000,000 to \$3,300,000	\$1,500 to \$2,000	This project would store tertiary water during shoulder months. Range is based on no new tertiary capacity required for shoulder month supply versus additional tertiary capacity, and storage in the Chain of Lakes versus storage in Sunol.
Dublin San Ramon Services District	Direct use (without Storage)	--	--	--	--	--	--	--	--	--	--	DSRSD has additional secondary effluent, but it requires storage; all summer month supply is fully allocated.
	Indirect use (with Storage)	Available during all hydrologic conditions	6,200	5.5	6,200	5.5	11.0	2020 - 2030	\$66,600,000 to \$91,500,000	\$4,700,000	\$1,500 to \$1,800	This project would store tertiary water during shoulder months. DSRSD has sufficient capacity today to treat all of their shoulder month supply. The cost range reflects storage in the Chain of Lakes versus storage in Sunol.
City of Livermore	Direct use (without Storage)	Available during all hydrologic conditions	2,000	1.8	2,000	1.8	3.6	2015 - 2020	\$20,100,000	\$1,500,000	\$1,500	This project would expand the City's system to treat additional water for delivery in the summer months. Pipeline costs do not include retrofits.
	Indirect use (with Storage)	Available during all hydrologic conditions	4,500 to 6,800	4.0 to 6.1	4,500 to 6,800	4.0 to 6.1	8.0 to 12.2	2020 - 2030	\$48,400,000 to \$106,000,000	\$3,400,000 to \$5,200,000	\$1,500 to \$1,900	This project would store tertiary water during shoulder months. Range is based on no new tertiary capacity required for direct use versus additional tertiary capacity and storage in the Chain of Lakes versus storage in Sunol.
End User Greywater Reuse for Residential Irrigation		Available during all hydrologic conditions	1,200 to 7,800	1.1 to 7.0	1,200 to 7,800	1.1 to 7.0	2.2 to 14.0	Builds up over time from 2015 to buildout	\$20,000,000 to \$143,000,000	\$3,000,000 to \$21,000,000	\$3,700 to \$4,000	This project involves capturing greywater from sinks, showers, bathtubs, and washing machines, filtering it, and using it for irrigation of lawns and gardens. Yield depends on retrofit of existing homes versus only new development. Additional analysis would be required to evaluate the potential impacts on water quality.
Groundwater Injection: Recycled Water <i>(recharge groundwater basin with recycled water treated with reverse osmosis technology)</i>		Available during all hydrologic conditions	Additional Supply in Main Basin: 2,800 af/yr	Additional Supply in Main Basin: 2.5	Additional Supply in Main Basin: 2,800 af/yr	Additional Supply in Main Basin: 2.5	0	2015 - 2020	\$21,500,000 to \$34,200,000	\$1,400,000	\$1,100 to \$1,500	This project involves injecting treated recycled water into the Main Basin to increase local storage supply. Costs include rehabilitation of exiting RO unit, a new pipeline for Zone 7's Demineralization Facility, and a new injection well. Additional analysis required to verify travel distance/timing from existing potable production wells. Cost range reflects uncertainty of RO rehabilitation, cost to purchase secondary effluent, and Livermore participation.

Table 1. Summary of Potential Water Supply Options Considered in the 2010 Water System Master Plan

Water Supply Option or Strategy	Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs <i>(does not reflect funding source)</i>			Comments
		af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)	
Agricultural Waste Stream Reuse	Available during all hydrologic conditions	< 100	< 0.1	< 100	< 0.1	> 0.2	--	--	--	--	A cursory review of potential water supply savings from reuse of process wastewater and residual capture of stormwater runoff at the five largest vineyards indicates that the savings are within the rounding error of future water supply needs (e.g., < 100 acre-feet). Although the savings may be significant for an individual grower, they are significantly smaller than the projected need of the Livermore-Amador Valley.
Commercial/Industrial Waste Stream Reuse	--	--	--	--	--	--	--	--	--	--	This water supply option would likely be implemented through water conservation programs, including SBX7-7; therefore, this option was not evaluated as part of this analysis.
Purchase Existing Well to Increase Recycled Water Supply in Summer Months (Yara Yara Well)	Available during all hydrologic conditions	280	0.25	280	0.25	0.75	2011 - 2015	\$4,500,000	\$28,000	\$1,270	This project involves purchasing an existing well, located on the fringe of the Fringe Basins, and using this well to offset peak irrigation recycled water demands. Discussions with Zone 7 Groundwater staff indicate that the well would not likely be able to sustain 0.75 mgd for very long given its location in the Tassajara Formation and outside of any of the Fringe Basins. Cost assumptions based on meetings with Zone 7's water supply retailers and discussions with Zone 7's O&M Staff. The costs do not include additional piping required to add the well to DSRSD's recycled water system. Assumes the well is used at 0.75 mgd for 122 days per year.
Desalination											
Bay Area Regional Desalination Project	Available during all hydrologic conditions	5,150	5	5,150 to 9,800	5 to 8.7	5	2015 - 2020	\$67,900,000	\$2,680,000 to \$5,100,000	\$1,200 to \$1,600	Based on discussions with the BARD Project member agencies and recent feasibility and pilot testing results. Participation would be subject to member agency approval.
ACWD Entitlement Exchange	Available during all hydrologic conditions	4,100	3.7	4,100	3.7	0 to 3.7	2020 - 2025	\$70,000,000	\$4,000,000	\$2,200	This water supply option includes construction of a phase 3 desalination facility for ACWD, and in exchange for another supply either along the South Bay Aqueduct or the Hetch-Hetchy Aqueduct (e.g., Table A Water) at 80% of yield.
Demineralization of Groundwater											
Fringe Basin Development <i>(including Mocho Sub basin I)</i>	--	--	--	--	--	--	--	--	--	--	Per discussions with Zone 7 groundwater staff, potential yields from the fringe basins are extremely low, and any water pumped would likely require demineralization. A significant amount of additional study would be required to establish potential yields and costs.

Table 1. Summary of Potential Water Supply Options Considered in the 2010 Water System Master Plan

Water Supply Option or Strategy		Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs <i>(does not reflect funding source)</i>			Comments	
			af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)		
Operational Improvements													
Loss Reduction	Reduce Mocho Demineralization Losses (20% to 15%)	Available during all hydrologic conditions	260	0.23	260	0.230	0	2011 - 2015	\$100,000	\$0	\$30	Influent water quality test results collected during design were less than the detection limit; consequently, the detection limit was used to design the brine waste (20%). This water supply project assumes a new study is conducted that reviews actual water quality results that recommend reoperation of the demineralization facility with only 15% losses instead of 20% losses.	
	Reduce Unaccounted-for Water Losses	Available during all hydrologic conditions	1,300	1.1	1,300	1.1	2.2	2011 - 2015	\$500,000	\$100,000	\$100	Historical records indicate that unaccounted-for water losses were less than 2% between 1995 and 2002. After 2002, unaccounted-for water losses increased to about 4% on average. This water supply project assumes a new study is conducted that reviews and corrects this increase.	
	Reduce Well Startup Waste	Available during all hydrologic conditions	< 100	< 0.1	< 100	< 0.1	0	--	--	--	--	A cursory review of potential water supply savings from capture of water discharged to waste during each startup of existing groundwater wells indicates that the savings are within the rounding error of future water supply needs (e.g., < 100 acre-feet).	
	Capture Gravel Mining Exports	Available during all hydrologic conditions	3,500 af of groundwater storage saved.	3.0 of groundwater storage saved.	3,500 af of groundwater storage saved.	3.0 of groundwater storage saved.	0	2011 - 2015	\$140,000 to \$700,000	\$11,000 to \$700,000 <i>(larger cost due to equipment rental)</i>	\$7 to \$220 per acre-foot of groundwater storage	Estimates completed by Zone 7 staff indicate that mining exports associated with gravel quarry operations could increase to as high as 3,500 acre-feet per year over the next 10 years or beyond. This project captures these exports and stores the water for recharge. Some of the methods proposed to capture the exports may require the use of Lake H, which does not become Zone 7's until sometime after 2014.	
	Reduce Cawelo and Semitropic Losses	--	--	--	--	--	--	--	--	--	--	The planned-losses associated with use of Zone 7's non-local storage are specified in contracts, and in the case of Semitropic Water Storage District, involve many different parties. The institutional and political hurdles to changing assumed losses are significant, and likely insurmountable.	

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Water Supply Option or Strategy		Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs <i>(does not reflect funding source)</i>			Comments
			af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)	
Recharge Capacity	In-Lieu Recharge of Main Basin per Existing Contracts	Depends on hydrologic conditions	0	0	Additional Recharge in Main Basin: 500 to 830 af/yr	Additional Recharge in Main Basin: 0.4 to 0.7	0	2011 - 2020	\$200,000	\$40,000 to \$66,400	\$100 to \$110 per acre-foot of additional storage	Zone 7 currently practices in-lieu recharge activities within its own operations. Per existing contracts with Zone 7's retailers, Zone 7 has the option of implementing in-lieu recharge activities associated with the use of their groundwater pumping quotas. Although this project does not provide new water supplies, it does increase the rate at which drought storage can be recovered during a drought or replenished during drought recovery - both reduce the chance of a shortage.
	Aquifer Storage and Recovery in Main Basin	Depends on hydrologic conditions & system capacity	0	0	Additional recharge in Main Basin: 3,000 af/yr	Additional Supply in Main Basin: 2.7	0	2015 - 2020	\$2,400,000	\$600,000	\$260 per acre-foot of additional storage	The purpose of this project is to increase Zone 7's ability to conjunctively use the local groundwater basin through injection of treated surface water. This project is likely a back-up in case recharge within the Chain of Lakes is limited. Costs reflect additional analysis and study to correct clogging issues experienced by Zone 7 during previous attempts to implement an ASR program, and only include retrofit of Chain of Lakes 1 and 2
	In Stream Infiltration Swale/Wetlands	Depends on hydrologic conditions	0	0	Additional Supply in Main Basin: 830 af/yr	Additional Recharge in Main Basin: 0.7	0	2015 - 2020	\$7,800,000	\$1,560,000	\$2600 per acre-foot of additional storage	The purpose of this project is to enhance Zone 7's ability to recharge imported surface water through the Arroyo Mocho. This project is likely a back-up in case recharge in the Chain of Lakes is limited. The project is limited to Arroyo Mocho because recharge capacity in Arroyo Valle starts downstream of the Chain of Lakes.
	Chain of Lakes Diversion (<i>Arroyo Mocho</i>)	Facility - not supply.	0	0	Additional Supply in Main Basin: 3,000 af/yr	Additional Supply in Main Basin: 2.7	0	2015 - 2020	\$2,000,000	\$410,000	\$180 per acre-foot of additional storage	Water supply yield is based on estimated evaporative loss reduction once the diversion structure is installed. The intended purpose of the project is to increase Zone 7's artificial recharge capacity in the main groundwater basin, which increases the rate at which storage reserves are replenished during drought recovery - both reduce the chance of a shortage.
	Chain of Lakes Diversion (<i>Arroyo Valle</i>)	Depends on hydrologic conditions	0	0	3,800	3.4	0	> 2030	\$5,000,000	\$250,000	\$160	After mining of Lake A is completed, sometime around 2030, Zone 7 will have the ability to capture flood releases from Lake Del Valle and store those releases in the Chain of Lakes. This supply can only be used to recharge the local groundwater basin; there is no existing way to capture and treat the supply for direct use. Zone 7 would likely need to construct fish screens and obtain any required reoperation permits.
	Intertie with EBMUD or SFPUC	Facilitates wheeling of 5,600 af	Facilitates wheeling of 5 mgd	Facilitates wheeling of 8,600 af	Facilitates wheeling of 7.7 mgd	up to 10 mgd	Facilitates wheeling of 8,600 af	2015 - 2020	\$18,000,000 to \$35,000,000	\$100,000	\$160 to \$310	This project involves constructing a new intertie with EBMUD, SFPUC, or both. The intertie would help Zone 7 take delivery of excess supplies during normal and wet years, and then provide water to the participating agency during dry years. These costs are included in the costs of either the non-SWP water transfer or the Bay Area Regional Desalination Project.

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Water Supply Option or Strategy	Availability ^(a)	Dry Year Yield ^(b)		Average Annual Yield ^(c)		Peak Day Capacity, mgd ^(d)	Estimated Timing: Supply is Available to Zone 7 ^(e)	Total Costs (does not reflect funding source)			Comments
		af	mgd	af	mgd			Capital Cost, \$ ^(f)	Annual Operation and Maintenance Cost, \$/year ^(g)	Total Amortized Cost, \$/acre-foot ^(h)	
Water Conservation											
SBX7-7 (20% by 2020)	Available during all hydrologic conditions	3,000 to 7,000	2.7 to 6.2	3,000 to 7,000	2.7 to 6.2	5.4 to 12.5	2015 - 2020	Depends on the methodology used by each water supply retailer.	Depends on the methodology used by each water supply retailer.	Depends on the methodology used by each water supply retailer.	In November 2009, the California legislature passed SBX 7-7, which requires Water Retailers to reduce baseline per capita demands by 20% by 2020. The purpose of this project is to capture potential savings from this new law. Estimates are based on analysis conducted by Zone 7 staff using the new requirements, and represent conservative estimates.

^(a) Availability refers to the hydrologic conditions the water supply is available.
^(b) DRY YEAR YIELD: The supply available during single dry or multiple dry years.
^(c) AVERAGE YIELD: The long-term average supply available over various hydrologic conditions.
^(d) Capacity available to help meet maximum day demands during the summer months. Unless limited by facilities, based on a peaking factor of 2.0 times the average supply.
^(e) Potential timing is the projected years that the supply would become available to Zone 7, after planning, design, CEQA, and construction.
^(f) Capital costs include all of the additional one-time costs to obtain, convey, treat, and deliver the water supply.
^(g) Operation and Maintenance costs include all of the annual expenses necessary to maintain the supply (e.g., power and chemical costs).
^(h) For comparative purposes, all costs were amortized based on 6 percent interest over a 30 year term.

Table 2. Water Supply Options Screening

Water Supply Option or Strategy	Average Yield, acre-feet annually ^(a)	Timing ^(b)	Amortized Cost, \$/acre-foot ^(c)		Will this project be included in 2010 Portfolio Analysis?	Brief Summary of Reasoning
			Low	High		
Increase Yield from Existing Supplies						
Delta Conveyance	15,300	Long Term	\$500	\$700		
Arroyo Valle Water Right	600	Near Term	\$140	\$200		
Byron Bethany Irrigation District	3,000	Near Term	\$285	\$285		
New or Additional Surface Water Supplies						
Additional State Water Project Water <i>(increase contract above 80,619 af)</i>	60% of Contract Amount	Mid Term	\$840	\$1,050		
Long-term Non-State Water Project Purchase, Transfer, or Contract	8,600	Mid Term	\$700	\$1,100		
Los Vaqueros Reservoir Expansion	0 to 8,300	Mid Term	\$330	\$2,200	No	- There is no evidence it provides a new water supply
Stormwater Runoff and Rainfall Capture						
Arroyo Mocho Water Rights	900 to 1,800	Long Term	\$400	\$800		
Arroyo Las Positas Water Rights	800 to 1,600	Long Term	\$500	\$1,100		- No significant barriers as long as steps are taken to ensure the water quality is acceptable
Tassajara and San Ramon Valley Creek runoff	--	--	--	--	No	- Tassajara Creek has poor water quality - No practical or feasible way to capture, store, and treat
End User Local Rain Capture for Recharge <i>(Low Impact Development)</i>	--	--	--	--	No	
End User Local Rain Capture for Irrigation <i>(residential, commercial, institutional roof top capture)</i>	220 to 860	Mid Term	\$73,600	\$79,300	No	- Cannot rely on end user to implement and maintain - Zone 7 has no land use authority
Additional Non-Local Groundwater						
Transfers: Purchase of Agricultural Land	--	--	--	--	No	- Significant institutional and political barriers
Transfers: Purchase of M&I Land	--	--	--	--		

Table 2. Water Supply Options Screening

Water Supply Option or Strategy		Average Yield, acre-feet annually ^(a)	Timing ^(b)	Amortized Cost, \$/acre-foot ^(c)		Will this project be included in 2010 Portfolio Analysis?	Brief Summary of Reasoning
				Low	High		
Recycled Water for Livermore-Amador Valley (Water Demand Reduction for Zone 7 Water Agency)							
City of Pleasanton	Direct use (without	1,400	Mid Term	\$1,500	\$1,500		
	Indirect use (with Storage)	2,700 to 4,300	Long Term	\$1,500	\$2,000		
Dublin San Ramon Services District	Direct use (without Storage)	--	--	--	--	No	- No additional supply available
	Indirect use (with Storage)	6,200	Long Term	\$1,500	\$1,800		
City of Livermore	Direct use (without	2,000	Mid Term	\$1,500	\$1,500		
	Indirect use (with Storage)	4,500 to 6,800	Long Term	\$1,500	\$1,900		
End User Greywater Reuse for Residential Irrigation		1,200 to 7,800	Mid Term	\$3,700	\$4,000	No	- Cannot rely on end user to implement and maintain - Potential water quality impacts to groundwater basin
Groundwater Injection: Recycled Water (recharge groundwater basin with recycled water treated with reverse osmosis		Additional Supply in Main Basin: 2,800	Mid Term	\$1,100	\$1,500		
Agricultural Waste Stream Reuse		< 100	--	--	--	No	- Extremely low water supply yield - Possible prohibitive water quality issues - RWQCB constraints
Commercial/Industrial Waste Stream Reuse		--	--	--	--	No	- Likely accomplished via other water conservation efforts
Purchase Existing Well to Increase Recycled Water Supply in Summer Months (Yara Yara Well)		280	Near Term	\$1,270	\$1,270	No	- Well is located outside of the Fringe Basin - Poor water quality
Desalination							
Bay Area Regional Desalination Project		5,150 to 9,800	Mid Term	\$1,200	\$1,600		
ACWD Entitlement Exchange		4,100	Mid Term	\$2,200	\$2,200		
Demineralization of Groundwater							
Fringe Basin Development (including Mocho Sub basin I)		--	--	--	--	No	- Supply yield is likely very low - Poor water quality - Requires significant study to pursue any further

Table 2. Water Supply Options Screening

Water Supply Option or Strategy		Average Yield, acre-feet annually ^(a)	Timing ^(b)	Amortized Cost, \$/acre-foot ^(c)		Will this project be included in 2010 Portfolio Analysis?	Brief Summary of Reasoning
				Low	High		
Operational Improvements							
Loss Reduction	Reduce Mocho Demineralization Losses (20%	260	Near Term	\$30	\$30		
	Reduce Unaccounted-for Water Losses	1,300	Near Term	\$100	\$100		
	Reduce Well Startup Waste	< 100	--	--	--	No	- Extremely low water supply yield - Might be required in future for permitting - Considered in subsequent updates of the Water System Master Plan
	Capture Gravel Mining Exports	3,500 af of groundwater storage saved.	Near Term	\$7	\$220		
	Reduce Cawelo and Semitropic Losses	--	--	--	--	No	- Many institutional and political barriers
Recharge Capacity	In-Lieu Recharge of Main Basin per Existing Contracts	Program - not supply.	Near Term	\$100	\$110		
	Aquifer Storage and Recovery in Main Basin	Facility - not supply.	Mid Term	\$260	\$260	No	- Zone 7 will likely receive the same benefit via the Chain of Lakes - Previous attempts to inject treated water into existing Zone 7 wells resulted in lost production capacity
	In Stream Infiltration Swale/Wetlands	Facility - not supply.	Mid Term	\$2,600	\$2,600	No	- Zone 7 will likely receive the same benefit via the Chain of Lakes - Could be added in subsequent updates of the Water System Master Plan - Technology may improve in the future to incorporate both environmental and water supply goals.
	Chain of Lakes Diversion (Arroyo Mocho)	Facility - not supply.	Mid Term	\$180	\$180		
	Chain of Lakes Diversion (Arroyo Valle)	3,800	Long Term	\$160	\$160		
	Intertie with EBMUD or SFPUC	Facility - not supply.	Mid Term	\$160	\$310		
Water Conservation							
SBX7-7 (20% by 2020)		3,000 to 7,000	Mid Term	--	--		

^(a) AVERAGE YIELD: The long-term average supply available over various hydrologic conditions.

^(b) Near Term: 2011 to 2015; Mid Term: 2015 to 2024; Long Term: 2025 or longer

^(c) For comparative purposes, all costs were amortized based on 6 percent interest over a 30 year term.

Table 3. Potential Water Supply Options: Sorted by Cost

Water Supply Option or Strategy	Average Yield, acre-feet annually	Timing	Amortized Cost, \$/acre-foot	
			Low	High
Reduce Mocho Demineralization Losses (20% to	260	Near Term	\$30	\$30
Reduce Unaccounted-for Water Losses	1,300	Near Term	\$100	\$100
In-Lieu Recharge of Main Basin per Existing Contracts	Additional Recharge in Main Basin: 500 to 830 af/yr	Near Term	\$100	\$110
Chain of Lakes - Arroyo Valle Supply	3,800	Long Term	\$160	\$160
Chain of Lakes Diversion (Arroyo Mocho)	Additional Supply in Main Basin: 3,000 af/yr	Mid Term	\$180	\$180
Re-Operation of Lake Del Valle	600	Near Term	\$140	\$200
Capture Gravel Mining Exports	3,500 af of groundwater storage saved.	Near Term	\$7	\$220
Increase BBID Yield	3,000	Near Term	\$285	\$285
Intertie with EBMUD or SFPUC	Facilitates wheeling of 7.7 mgd	Mid Term	\$160	\$310
Delta Conveyance	15,300	Long Term	\$500	\$700
Arroyo Mocho Water Rights	900	Long Term	\$400	\$800
Additional State Water Project Water	60% of Contract	Mid Term	\$840	\$1,050
Arroyo Las Positas Water Rights	800	Long Term	\$500	\$1,100
Long-term Non-State Water Project Transfer	8,600	Mid Term	\$700	\$1,100
Groundwater Injection: Recycled Water	2,800	Mid Term	\$1,100	\$1,500
Recycled Water - Pleasanton - Direct use	1,400	Mid Term	\$1,500	\$1,500
Recycled Water - Livermore - Direct	2,000	Mid Term	\$1,500	\$1,500
Bay Area Regional Desalination Project	5,150 to 9,800	Mid Term	\$1,200	\$1,600
Recycled Water - DSRSD - Storage	6,200	Long Term	\$1,500	\$1,800
Recycled Water - Livermore - Storage	4,500 to 6,800	Long Term	\$1,500	\$1,900
Recycled Water - Pleasanton - Storage	2,700 to 4,300	Long Term	\$1,500	\$2,000
ACWD Entitlement Exchange	4,100	Mid Term	\$2,200	\$2,200
SBX7-7 (20% by 2020)	3,000 to 7,000	Mid Term	--	--

ORIGINATING SECTION: ENGINEERING
CONTACT: KURT ARENDS/CAROL MAHONEY

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: Discussion of Mitigation on Zone 7 Owned Property by Others: Anticipated Partnership Agreement regarding the City of Livermore's El Charro Specific Plan

SUMMARY:

- In January 2010 Staff provided an update on the on-going negotiations with the City of Livermore on flood protection improvements to be constructed as a part of the City's El Charro Specific Plan (ECSP).
- Staff anticipates bringing a partnership agreement between Zone 7 and the City of Livermore before the Board in the coming months; however, there are still some outstanding items that are being negotiated.
- To facilitate the on-going negotiations and to assist the City in receiving their 401 Permit from the San Francisco Bay Regional Water Quality Control Board, Staff has prepared a Resolution of Intent to provide evidence of Zone 7's concurrence regarding the use of the mitigation area and the necessary restrictions.
- Zone 7's Staff have evaluated the ramifications of allowing another entity to mitigate within our property and have concluded that the mitigation and subsequent creek restoration are in line with the goals and objectives of our Stream Management Master Plan and do not impede Zone 7's ability to provide flood protection in this geographic area given the nature of the improvements proposed by the City as a part of the ECSP.
- Attached is a memo providing more detail.

FUNDING:

An easement, license, or deed restriction such as the one proposed by the City of Livermore would ordinarily generate revenues to Fund 76 and Fund 50. Payment for this particular mitigation will be negotiated as a part of the overall development agreement for the ECSP.

RECOMMENDED ACTION:

Adopt the attached Resolution affirming the Board's intent to recommend approval of a covenant and deed restriction to the Alameda County Board of Supervisors on property owned in fee by Zone 7 for the purposes of mitigation and creek restoration, once details and associated consideration are negotiated.

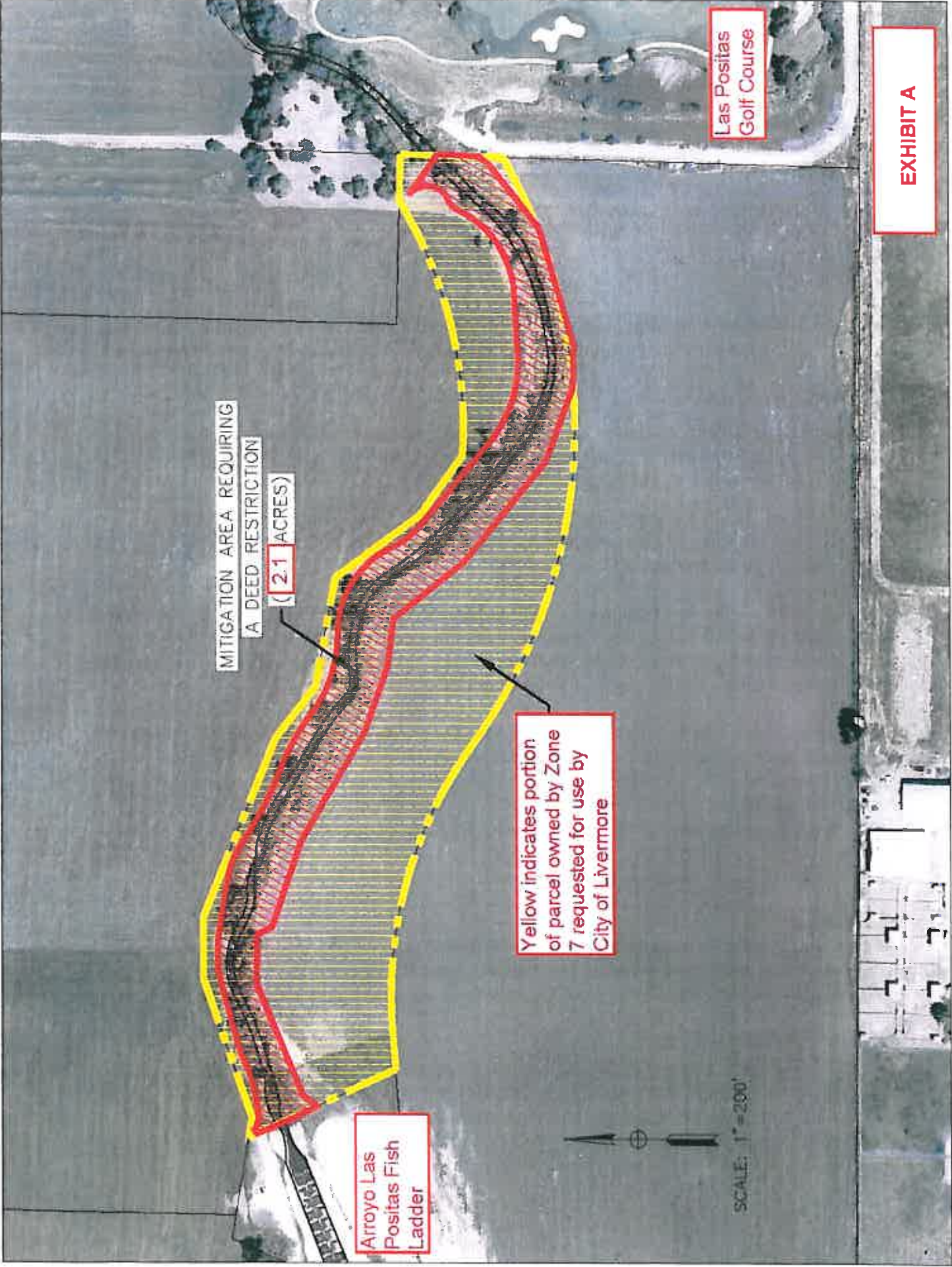


EXHIBIT A

Interoffice Memo

Date: July 21, 2010
To: Jill Duerig, General Manager
From: Carol Mahoney, Associate Professional Geologist
Subject: Discussion of Mitigation on Zone 7 Owned Property by Others: Anticipated Partnership Agreement regarding the City of Livermore's El Charro Specific Plan

BACKGROUND:

As a part of the on-going negotiations regarding the City of Livermore's El Charro Specific Plan (ECSP) flood protection improvements, the City requested to use a portion of the Arroyo las Positas owned by Zone 7 for the purposes of mitigation and restoration. During negotiations between the City and Zone 7, it was found that the mitigation/restoration site would be consistent with the intent of Zone 7's Stream Management Master Plan (SMMP) and should not impede Zone 7's ability to provide flood protection for the area given the City's other proposed improvements. The City has proposed that 2.1 acres of stream-side riparian cover be planted along the arroyo's banks on both sides as shown in **Exhibit A (Get drawing from CITY)**. The required mitigation for the ECSP totals only 0.3 acres of this planted area. The remaining 1.8 acres will be planted as a restoration site. The San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) has agreed that the 1.8 acres of restoration site may be used by Zone 7 as mitigation credit for an upcoming Zone 7 project.

The SFBRWQCB is requiring as a part of their 401 Permitting process that a deed restriction be placed on the mitigation/restoration site to ensure that this area will not be modified for other purposes without consultation, concurrence, and further mitigation requirements from the regulatory agencies. In early July 2010, the City approached Zone 7 to request that the deed restriction be expedited to allow the Regional Board to finalize and issue the 401 Permit by August 2010. This deadline is critical to one of the ECSP development's land transfers, as per the agreement between the landowner and the outlet mall developer. Zone 7 and City Staff need time to review, revise, and prepare the final deed restriction language and legal property description. Therefore, to facilitate the issuance of the 401 Permit, Board action stating its intent to recommend approval of a deed restriction (once finalized) on that portion of the property impacted by the mitigation plantings is necessary.

DISCUSSION:

The Arroyo Las Positas is undersized upstream of the fish ladder and overtops its banks in numerous places within the City-owned Las Positas Golf Course. Zone 7's Stream Management Master Plan had anticipated that the Arroyo Las Positas would be expanded to carry 100-year ultimate flows through the golf course and mitigation/restoration area. The SMMP improvements would have eliminated the use of the existing floodplain by containing the flood flows fully within the channel. As a part of the negotiations, the City has agreed to allow the golf course to continue to act as a floodplain for flows from the Arroyo Las Positas. The mitigation/restoration area can therefore support the additional riparian plantings and increased roughness because the existing floodplain that surrounds it will be maintained. Staff finds that this mitigation/restoration area meets the goals and objectives of the SMMP and does not impede the original intent of the SMMP project to increase capacity. Staff further finds that the mitigation restoration

site should not cause a significant maintenance burden on Zone 7 because future maintenance will be covered by the City. The City plans to recover the costs of maintenance by establishing a Landscape Maintenance District as a part of the ECSP.

Staff is working to draft a Partnership Agreement which will identify the financial commitment of Zone 7 and in turn the facilities to be built by the City, respective maintenance responsibilities, right-of-way considerations, and other conditions of the agreement. While there are still conditions of the agreements which need to be resolved, Zone 7 Staff recommend that the Board indicate its intent to recommend approval of a deed restriction on the mitigation/restoration property to the Alameda County Board of Supervisors. Staff will continue to work to revise and refine the Partnership Agreement and deed restriction and will return to the Board for further action once these items have been finalized by Zone 7 and City staff.

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

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

WHEREAS, Zone 7 and the City of Livermore (City) staff have been in negotiations regarding the flood protection improvements proposed as a part of the City's El Charro Specific Plan (ECSP); and

WHEREAS, Zone 7 and City staff have reached tentative agreement on the basic elements of the Partnership Agreement for the construction of the ECSP flood protection improvements; and

WHEREAS, one of the elements of the Partnership Agreement includes the use of 0.3 acres of Zone 7 property for the purposes of mitigating the impacts of the ECSP through riparian plantings and includes 1.8 acres of additional restoration plantings along the Zone 7 owned portion of the Arroyo Las Positas; and

WHEREAS, the additional 1.8 acres of restoration plantings shall be allocated for future mitigation credits for use by Zone 7; and

WHEREAS, a deed restriction on the mitigation area is necessary for the issuance of the San Francisco Bay Regional Water Quality Control Board's 401 Permit to the City;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors hereby declares that it is the Board's intent to grant access to the City of Livermore on Zone 7 property for the purposes of constructing, monitoring, and maintaining those elements associated with the flood protection improvements and associated mitigation measures defined in the El Charro Specific Plan, subject to the terms of a final partnership agreement being currently negotiated with the City, and furthermore to recommend approval to the Board of Supervisors of Alameda County a covenant and deed restriction and 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 creek 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

July 21, 2010

By _____
President, Board of Directors

7/ 21 /10 Board Written/narrative Comments By Dick Quigley
Recent activity and involvement worth sharing.

Wednesday 6/23 Attended the water package comprehensive informational forum in Pleasanton at CarrAmerica Center. Well attended (89) and informative.

Introduction of Video Presentations.....Mario Santoyo , *Director,*
California Latino Water Coalition

ACWA Video
California Latino Water Coalition Video
Governor Schwarzenegger's Welcoming Video

1:45 Comprehensive Water Package Panel OverviewSue Sims, Moderator,
Chief Deputy Director, California Department of Water Resources

Panelists:

SAFE, CLEAN AND RELIABLE DRINKING WATER ACT OF 2010
(GENERAL OBLIGATION BOND) Timothy Quinn, *Executive Director*
Association of California Water Agencies

DELTA GOVERNANCE.....Timothy Quinn

ZONE 7 WATER USEJill Duerig, *General Manager,*
Zone 7 Water Agency

RECYCLED WATER.....Bert Michalczyk, *General Manager,*
Dublin San Ramon Services District

WATER CONSERVATION.....Walt Wadlow, *General Manager,*
Alameda County Water District

REMARKS FROM LOCAL OFFICIALS.....Jennifer Hosterman, *Mayor,*
City of Pleasanton

Thursday 6/24 Attended an Alameda Creek Watershed Council meeting at Zone 7. Our Elke Rank is current chair: The Alameda Creek Watershed Council's mission is to protect and enhance water-related beneficial uses and resources in the Alameda Creek Watershed in order to create a healthy and sustainable watershed for the community. The Council promotes collaboration and the sharing of information among all stakeholders.

I am impressed with the groups partnership projects in particular, Education Programs The partnership staff is committed to providing educational opportunities to youth. We have participated in several events including watershed science expos and watershed tours to increase students' knowledge of the natural resources that surround them.

Monday 6/28 BAWF: Attended Bay Area Water Forum meeting at the State Coastal Conservancy in Oakland. Note:

Speakers - Pros & Cons of November 2010 California Water Bond

Two analysts and two advocates discuss the water bond measure

Darla Guenzler, Executive Director, California Council of Land Trusts
85 land trusts in her organization most north of the Delta, and they are Bond supporters!

Lucy Allen, Research Analyst, Pacific Institute
Seemed to be more positive than negative.

Pro: Tim Quinn, Executive Director, Association of California Water Agencies
Gave a good simple overview of the Bond funding three legged stool making up the 11 .14 billion

Con: Adam Scow, California Campaigns Director, Food & Water Watch
I debated with this very nice guy at a panel in Hayward recently. His case was weak again in my opinion.

Wednesday 7/14 Attended CSDA Alameda County chapter meeting at EBRPD Oakland board room. Well attended: 2 EBMUD directors; 2 ACWD directors; 2 DSRD directors; 2 LARPD directors and GM; 2 EBRPD directors, GM and several senior staff members; LAFCO ex-director; and many other agency board and staff members. About 40 attendees!

Three great and timely speakers. One, President & CEO of Oakland Chamber of Commerce, shared strong support for Water Bond still in play for the Nov ballot. AC District Attorney was also a speaker and brought us up to date on security issues and court progress.

Note: ZONE 7 board is the only group among SBA contractors that has not given strong support to the Water Bond. I am again recommending we do so even if the Legislature decides with a two- thirds vote to pull from the Nov ballot and place on the 2012 presidential election ballot as Gov has recommended.

HEADS UP!

SAVE THE DATE **ACWA Region 5 Board Meeting, Dinner & Tour of State and Federal Pumping Facilities**

Please join us for an ACWA Region 5 tour of the State Water Project's J. E. Skinner Delta Fish Protective Facility and the Harvey O. Banks Pumping Plant as well as the Bureau of Reclamation's Jones Pumping Plant and the Tracy Fish Collection Facility. The one-day tour will be preceded by a Region 5 Board meeting followed by a dinner the evening of August 8 hosted by the Byron Bethany Irrigation District in Byron. Local elected officials, including Assembly member Joan Buchanan, will discuss local water issues.

Who: ACWA Members
What: Board Meeting, Dinner and Tour
When: August 8-9, 2010
Where: Byron, California

Don't Miss Out! Mark Your Calendar Today!

Hotel accommodations are available at the Hampton Inn in Tracy. Room rates are \$74.00 plus tax per night. **Please reserve your room by July 30, 2010, to guarantee room rate.** Room rate, tax, incidentals and parking is to be arranged and paid for by attendee. *Bus transportation is available from the hotel to and from the reception the evening of August 8.*

Hampton Inn - Tracy
2400 Naglee Rd., Tracy, CA 95376
209.833.0483 – Ask for the “ACWA” rate

Registration and itinerary information will be sent out via e-mail soon.

For more information, please contact Region 5 Regional Affairs Representative, Marcia Wulff at 916.441.4545 or marciaw@acwa.com.

A separate workshop hosted by ACWA and DWR will be held on Monday, August 9 after the Region 5 Event to discuss the draft SBX7 6 Groundwater Elevation Monitoring Program – Please call ACWA's Danielle Blacet at 916.441.4545 for more detailed information.

Katie Dahl
Region Coordinator
Association of CA Water Agencies
916-441-4545 | katied@acwa.com

If there are any questions on this report please give me a call.

Thanks!
Dick Quigley

ORIGINATING SECTION: ADMINISTRATION

CONTACT: Jill Duerig

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: GENERAL MANAGER'S REPORT

SUMMARY: The following highlights a few of the key activities which occurred during the month of June. Also attached is a list of the GM contracts executed during the month.

Operations and Maintenance:

- During June, DWR increased the State Water Project allocation to 50%. This will allow Zone 7 to place some water in out-of-basin storage (both Cawelo and Semitropic) in addition to the local recharge that was already planned for this year.
- Three out of the six turbines at Oroville are out of commission the rest of the year due to repairs to correct design flaws. This significantly reduces delivery capacity and flexibility.

Environmental & External Affairs:

- The California Urban Water Agencies (CUWA) and the State Water Contractors both submitted comments to the Central Valley Regional Board on the Board's white paper about expanding capacity at the Sacramento Regional Wastewater Facility. The focus of both sets of comments was to ask the Board to take a harder line to better control nitrogen-bearing discharges from this secondary treatment plant into the sensitive Delta Habitat.
- The BDCP has posted a new June 2010 Status Update on its website, outlining proposed facilities, <http://www.baydeltaconservationplan.com/bdcp/BDCPInfoFactSheets.aspx>.
- Staff met with the solar vendor for DVWTP, RTI, along with ET (a new, proposed solar module manufacturer in the USA – the old modules that were foreign-made have been removed from the site). RTI says they will soon have the money to resume the project.
- DWR's Dyer Reservoir construction is proceeding relatively smoothly. Reservoir bowl excavation is down to the last 18 inches and final completion is anticipated by March 2011. The canal modification contract is scheduled to be advertised on June 18th with bid award projected on July 28th and anticipated completion in March 2012.
- The Bay Area Quagga Consortium received a grant of \$250,000 from the state to defray the costs of Quagga/Zebra Mussel inspections at waterways such as Lake Del Valle. Zone 7 will receive a \$12,500 credit to apply against its 2010/11 Consortium dues.

Engineering and Flood Control:

- CalTrans' contractor has installed by-pass piping and has begun pumping Arroyo Las Positas flow around the area of the channel where at least three utility crossings (including Zone 7's Cross-Valley Pipeline) are being relocated for the Highway 84/Isabel Avenue project.
- Staff have developed a surface water monitoring plan to comply with the Department of Public Health's (DPH) requirement for additional proof that the new Chain of Lakes wells are not "under the direct influence of surface water" (which would require significant additional treatment). The plan includes recommendations for water sampling equipment including a temperature/conductivity probe/data logger, as well as proposing locations for the probes and for the biweekly surface water sampling.
- Vulcan Materials intermittently discharged groundwater from their quarry pits into the Arroyo Mocho under their NPDES permit this week. Negotiations continue to try to allow them to discharge to one of Zone 7's lakes to keep the water in the valley.

Finance & Administration

- DWR submitted a revised invoice for off-aqueduct power facilities. For July 2010 through Dec 2010, the total costs are \$0.7M higher than planned. The increase is due to fuel costs being higher than estimated by approximately 19%.
- The newly-formed chemical-bidding consortium ("Bay Area Chemical Consortium" or BACC) received its first bid – for sodium hypochlorite (liquid bleach), a chemical that is used by both water and wastewater agencies. Due to the large volume, a great bid was received that might result in hypochlorite savings as high as 25% for Zone 7.

Monthly List of GM Contracts

June 2010

Contracts:

Associated Right of Way Services	\$30,000
Biggs Cardoso	29,000
Cascade Drilling	18,976
Low Accountancy	10,000
Star Performance Group	6,700

Amendments:

Eco:Logic	\$16,252	not to exceed \$902,571
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Total June 2010	\$110,928
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ORIGINATING SECTION: OFFICE OF THE GENERAL MANAGER
CONTACT: BONI BREWER

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: Recent, Current & Upcoming Public Outreach Activities

Recent Public Outreach Activities

Alameda County Fair, June 23 – July 11

As in past years, Zone 7 partnered with several other agencies in helping to staff an Alameda County Clean Water Program booth during the county fair, and provided both pollution prevention and water conservation messages. The specific shifts we covered were on June 27 and July 3.

Informational Forum on Comprehensive Water Package, June 23

As one of several presenters, Zone 7 provided an overview of its long-term water-supply reliability challenges during an informational forum in Pleasanton conducted by the Association of California Water Agencies. ACWA has been holding a series of such forums throughout the state on the water package enacted by the California Legislature in 2009.

Current Public Outreach Activities

ACWA's "Real People, Real Savings" Campaign

Following referrals from Zone 7, two local residents are among the very first people in the state featured in the Association of California Water Agencies new "Real People, Real Savings" campaign, which focuses on what Californians are doing to conserve water. Kathryn McClelland of Pleasanton and Anne Severs of Livermore appear both on ACWA's Save Our Water website – www.saveourh2o.org – and in ACWA's June 18 newsletter. "The best thing I ever did was replace my thirsty, labor-intensive lawn with low-water, easy-care California natives and Mediterranean plantings," Kathryn is quoted as saying. And Anne says that even after several years, "I am still awestruck at how lush our garden is without any additional water." These Valley residents have long been featured on the "Local Water Saving Heroes" page of Zone 7's website.

Family Film Festival, June 15 – August 12

Zone 7 is again getting its water-conservation message out as a co-sponsor of the summer Family Film Festival at Regal Hacienda Crossings in Dublin. As a co-sponsor, some key Zone 7 materials promoting water conservation are being viewed by all summer movie-goers, not limited just to those attending the film festival. While our cost of being a co-sponsor is minimal (\$1,000), sponsorship benefits also include opportunities to staff (with our mascot "Drippy") a water-conservation table at up to nine shows during the festival (Tuesday, Wednesday and Thursday mornings) and up to three Saturdays during the nine-week program.

ORIGINATING SECTION: Administration
CONTACT: Jill Duerig/Tim Hunt

AGENDA DATE: July 21, 2010.

ITEM NO.

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. Of particular interest to Zone 7 are bills regarding specific water issues, such as those related to the Delta.
- Gov. Schwarzenegger and Sen. Cogdill proposed postponing the vote on the water bond until the 2012 election cycle. This will take a two-thirds vote of both houses to remove it from the ballot. The Legislature is not likely to consider this action until it returns from its recess Aug. 2. The deadline to remove it from the ballot is Aug. 9. Assemblywoman Joan Buchanan (D-Alamo, 15th District) is a co-chair of the "No on the Water Bond" campaign.
- AB 2336 (Fuller), which the Zone 7 Board passed a resolution to "co-sponsor" at its April meeting, was "held" in the Senate Natural Resources and Water Committee, effectively killing it. Only Senators Fran Pavley and Lois Wolk were present when the bill was presented and both opposed it. Committee staff report also argued that bill was unnecessary because the Delta Stewardship Council already will be looking at other stressors. Fuller will now work with lobbyists to craft a letter to the Stewardship Council that she will enlist other legislators to sign.
- AB 2049 (Arambula) was defeated on the Assembly floor when it did not receive the 41 votes necessary for passage and then came back to life in the Senate. It would add a new section to the Water Code forbidding the transfer for State Water Project contracted rights from an agricultural user to a municipal contractor for more than 10 years. On June 28, AB 2776 was gutted and the AB 2049 language inserted despite protests from lobbyists for 15 water agencies. The amended bill passed the Senate Natural Resources and Water Committee on a 5-4 vote and was referred to the appropriations committee.
- SB 808 (Wolk) Delta Levee Maintenance extends current system of reimbursement for local agencies for costs incurred to maintain or repair levees. Passed both houses and signed by governor on June 3.
- Zone 7 staff supported AB 1929 providing a "safe harbor" for agencies that have taken all appropriate procedures to control Quagga Mussels should mussels show up in a water system. There has been no opposition and the bill has unanimously passed the Assembly. It passed one Senate committee and is pending before the appropriations committee.

FUNDING: No funding necessary.

RECOMMENDED ACTION: Information only.

ATTACHMENT: Executive Summary of tracked bills



EXECUTIVE SUMMARY State Legislation

8-Jul-10

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



Bill	TOPIC	SYNOPSIS	STAFF- RECOMMENDED POSITION	STATUS OF THE BILL / COMMENTS
Delta Stewardship Council				
AB 2092	Fees: Delta Stewardship Council	As amended on June 15 would require the Delta Stewardship Council to, by January 1, 2013, develop a plan to finance the long-term costs of implementing the Delta Plan. This plan must "identify and evaluate the benefits to all groups resulting from the implementation of the Delta Plan", including the "potential benefits" to urban and agricultural water users diverting water in the Delta, Bay-Delta tributaries and watershed, and dischargers into the Delta or its tributaries, including wastewater dischargers; requires the financing plan to allocate costs based on the beneficiary pays principle which the bill defines as the allocation of costs to public or private interests in approximate proportion to benefits received or negative impacts caused; Finally, the bill prevents the council from adopting this fee unless and until the Legislature enacts a statute that authorizes the council to do so	Watch	Passed the Senate Natural Resources and Water Committee on June 22 by a party-line vote of 5-3 and was referred to the Senate Committee on Appropriations. COMMENTS: E-mail of June 17 Despite the fact the June 15 version of AB 2092 retains only 26 lines from the introduced and amended versions of April 6 and 20, the latest iteration is much improved. Two examples: On page 2, at lines 31 -32 the language which would have had the long-term finance plan pay for costs for the ongoing administration of the council is stricken; On page 3, at lines 17-18 "an analysis and description of the basis for allocating program and projects costs among private and public interests" is now required to be part of the finance plan.
AB 2336	Striped Bass	As amended on May 17, AB 2336 (Fuller) would declare it is the intent of the Legislature that the Delta Stewardship Council consider for inclusion in its final Delta Plan identification of effective and scientifically justified measures to reduce or eliminate the impact of other significant stressors on California's native fish population. The bill requires the Delta Stewardship Council to direct the Delta Independent Science Board to conduct an assessment of other stressors, including impacts of invasive species and non-native species, water quality impairments, and predation on native species	CO-SPONSOR and SUPPORT: Signatory to a coalition letter in support of the bill	The Senate Natural Resources and Water Committee voted to hold the bill in their committee on June 29. COMMENTS: Ms. Fuller's bill was caught in the cross currents of a Senate NR & W Committee hearing that lacked Republican members and also lacked the support of the committee's chair (Senator Fran Pavley) and Senator Lois Wolk. The major factor impinging on the debate was the view of staff to the committee that the bill was unnecessary given the path being followed by the Delta Stewardship Council to investigate Delta stressors. In fact, Senator Wolk congratulated Dr. Fuller on her efforts to spur the DSC on in this issue. Also at work was the fact that Dr. Fuller had been Passed the Assembly Water, Parks and Wildlife Committee on June 29 by a vote of 12-1 and was referred to the Assembly Committee on Appropriations
SB 1450	Delta Stewardship Council: Contracts	As amended on June 24, SB 1450 would allow the Delta Stewardship Council (DSC) to use an expedited contracting process for the development of the management plan for the Sacramento-San Joaquin Delta Estuary (Delta Plan) which is due January 1, 2012	Watch	

Bill	TOPIC	SYNOPSIS	STAFF-RECOMMENDED POSITION	STATUS OF THE BILL /COMMENTS
Water Conservation, Supply & Delivery				
SB 991	Water Supply	As amended on April 7, SB 991 would, pursuant to Public Resources Code section 5096.821, appropriate \$30,000,000 million dollars from Proposition 1E to DWR for "flood protection projects that improve the sustainability of the Delta." The bill also requires DWR to "expedite the evaluation of nonurban levees on the west bank of the Sacramento River that protect unincorporated communities and consider a joint project with local government agencies for improving flood bypass facilities as multibenefit flood control facilities."	Watch	Passed the Senate by a vote of 21-14 on June 2. Passed the Assembly Water, Parks and Wildlife Committee on June 29 by a vote of 8-4 and was referred to the Assembly Committee on Appropriations. The Department of Finance is opposed to the measure on the basis that the appropriations from Propositions 1E and 84 made via SBx7 8 in 2009 are sufficient
AB 1886	Delta	As amended on March 17, AB 1886 requires DWR, as part of its next update of the California Water Plan, to include a report on progress towards meeting the state's goal of reducing reliance on the Delta	Watch	Died on the Assembly Appropriations Committee's Suspense File on May 27
AB 1929	Quagga Mussels	As introduced on February 17, and after finding that up to forty thousand quagga mussels can colonize within one square meter, but "that implementation of the available measures to control mussel infestations and prevent the spread of the mussels to new water bodies is the most that can reasonably be required of water supply agencies", AB 1929 would amend existing law to permit Fish and Game to inspect their water supply systems and would not subject suppliers to liability IF the supplier is in full compliance with a plan to control and eradicate mussels	SUPPORT: Zone 7 letter dated March 10 was sent to the author	Passed the Assembly by a vote of 74-0. Passed the Senate Natural Resources and Water Committee on June 29 by a unanimous vote of 9-0 and was referred to the Senate Committee on Appropriations
AB 2049	Water Delivery	As amended on May 28 AB 2049 would Prohibits the State Water Resources Control Board (SWRCB) or the Department of Water Resources (DWR) from approving a transfer of surface water or water rights from agricultural use to municipal use for a period of twenty years or more unless the water user prepares, or contracts for the preparation of, and provides to the SWRCB or DWR, a written evaluation of the economic, social, and environmental effects of the transfer upon the service area from which the water is to be transferred. 2)Allows the SWRCB or DWR to charge a reasonable fee to cover costs associated with the written evaluation required above 3)Prohibits a water user from substituting groundwater for water supplies transferred from agricultural use to municipal use for a period of twenty years or more unless the groundwater basin of the service area from which the water supplies were transferred is regularly, systematically, and locally monitored in accordance with state law. Allows DWR to charge a water user a reasonable fee to cover DWR's costs of implementing 4)Allows DWR to charge a reasonable fee to cover costs associated with the groundwater monitoring required above, including costs incurred by DWR if it must perform the groundwater monitoring function.	OPPOSE	Defeated on the Assembly floor by a vote of 35 -33. The bill needed 41 votes to pass. AB 2049 is dead. COMMENTS: Please note the comments on AB 2776
SB 1469	State Water Project	SB 1469 was amended for the second time on April 14. As amended, this bill would add Section 189 to the Water Code to require the SWRCB, by January 1, 2012, to: (1) Identify all parties that both benefit from waters originating in the Delta watershed, and whose activities impact it; (2) Develop a process for determining the degree of responsibility attributable to the identified parties for physical and environmental impacts on the Delta; would add Section 10014 to the Water Code to require DWR, as a part of their next update of the CA. Water Plan (December 31, 2013), and every five years thereafter, to identify the infrastructure needs for the state, by hydrologic region over the next 30years, estimate the expected costs for that period of time of environmental mitigation and restoration projects associated with the identified infrastructure needs, propose a beneficiary pays policy, propose a "financing strategy for funding responsibilities proposed to be assigned to the state", and "identify all relevant assumptions" associated with the mandates of this section.	Watch	Died on the Senate Appropriations Committee's "Suspense File" on May 27. The SWRCB estimates the need for four full-time employees and \$513,000 dollars per year General Fund to implement the bill; The Department of Water Resources estimates they will need three part-time employees and \$400,000 in start-up General Fund funding, and \$200,000 per year thereafter to implement the bill.

Bill	TOPIC	SYNOPSIS	STAFF-RECOMMENDED POSITION	STATUS OF THE BILL /COMMENTS
AB 2776	Water Transfers [NEW BILL]	As amended on June 28, AB 2776 would prohibit the SWRCB or DWR from approving any transfer of surface water or water rights lasting 20 or more years, including transfers of SWP contract rights, from agricultural use to municipal use unless the water user provides to the board or the department a written evaluation of the economic, social, and environmental effects of the transfer upon the service area from which the water is to be transferred. The SWRCB and DWR would be required to charge the water user a reasonable fee to cover the agency's costs associated with implementing this bill, including costs incurred for reviewing the evaluation. The bill would prohibit a water user from replacing transferred surface water that is subject to this bill with groundwater, unless the groundwater basin of the service area from which the water is to be transferred is regularly, systematically, and logically monitored in accordance with SBx7 6.	OPPOSE	Passed the Senate Natural Resources & Water Committee on June 29 by a vote on 5-4, and was referred to the Senate Committee on Appropriations. COMMENTS: AB 2776 was "gutted" and completely rewritten on June 28. The language of the May 28 version of AB 2049 (Arambula)(Water Transfers), legislation Zone 7 opposed and was defeated on the Assembly floor by a vote of 35-33, was inserted into AB 2776 and, in so doing, given new legislative life. Lobbyists for more than 15 water entities, including us, testified in strong opposition to this bill
Water Diversion and Use				
SB 565	Water resources	SB 565 would authorize the SWRCB, in fulfilling their statutory responsibilities, to order any users of water to submit "any technical or monitoring report related to the diversion or use of water" and conduct inspections to ascertain compliance, would increase the penalties for trespass, and a violation of a cease and desist order, but the increase in the amount of penalties would "not apply to violations that occurred prior to January 1, 2011, would create a rebuttable presumption that no use of water occurred UNLESS that use is "included in a statement submitted to any reporting or monitoring requirement established under any permit, license etc., and the statement is submitted within six months after it is required to be filed with the board," would authorize the SWRCB to impose an additional liability in the amount of 150 percent of any fees that have not been paid for material misstatements in a statement of diversion and use, established the Water Rights Protection Subaccount in the Water Rights Fund and declares that the moneys in this subaccount are available, upon appropriation by the Legislature, "to reduce fees on water rights holders, for water restoration projects, conservancies, and for General Fund purposes" with "any funds recovered pursuant to this section that exceed the amounts that were authorized before January 1, 2011, shall be deposited in this subaccount", would impose new civil liabilities relative to monitoring, reporting, violations of any terms or conditions of a permit, license et. and would require funds recovered to be deposited into the Water Rights Protection Subaccount	Watch	Passed the Assembly Water, Parks and Wildlife Committee on June 29 by a vote of 7-6 and was referred to the Assembly Committee on Appropriations
SB 1234	Water Use	As introduced on February 19, AB 1234 would new Section 188.7 to the Water Code to require the SWRCB, by January 1, 2012, to adopt regulations to identify unreasonable uses of water during shortages in water supply amounting to 10, 20 and 30 percent	Watch	The first hearing on this bill was set, and Senator Kehoe canceled it

Bill	TOPIC	SYNOPSIS	STAFF-RECOMMENDED POSITION	STATUS OF THE BILL/COMMENTS
Groundwater				
AB 2304	Groundwater	As amended on May 28, AB 2304 would require a local agency to include a map, or maps, of recharge areas in its groundwater management plan, including current recharge areas that substantially contribute to the replenishment of the groundwater basin. Requires a description of how those areas substantially contribute; 2) Adds a notice requirement that, after a local agency has prepared a groundwater management plan and is holding a second hearing to adopt the plan, allows interested persons to request information about the plan and maps describing the recharge areas prior to the second hearing. Requires the local agency to provide 30 days notice of the date, time, and place of the second hearing to each person that requests information; 3) Allows a local agency to request state funds to map groundwater recharge areas to the extent the request for state funds is consistent with the eligibility requirements that are applicable to those funds.	Watch	Passed the the Senate Natural Resources and Water Committee on June 22 by a party-line vote of 5-3 and was referred to the Senate Committee on Appropriations. COMMENTS: Sponsored by the California Groundwater Coalition and the Groundwater Resources Association of California, the June 15 version of AB 2304 is supported by, among others, MWD, and the Santa Clara Valley Water District and opposed by the Chamber, California Cattlemen's Association, California Farm Bureau Federation and Western Growers Association
Water Recycling				
SB 918	Water recycling	This bill was amended for the fourth time on June 1. As amended on June 1, requires DPH to adopt uniform water recycling criteria for indirect potable reuse for groundwater recharge on or before December 31, 2013 and requires DPH to develop and adopt uniform water recycling criteria for surface water augmentation on or before December 31, 2016, reporting to the Legislature on the feasibility of developing uniform water recycling criteria for direct potable reuse, and requires a public review draft report to the Legislature and public by June 30, 2016, and a final report by December 31, 2016. Also requires DPH to convene an expert panel to advise on scientific and technical matters related to the development of the aforementioned criteria, comprised of specified experts. Allows DPH to also appoint an advisory group, task force, or other group comprised of representatives of water and wastewater agencies, local public health officers, and related public health	Watch	Passed the Senate by a vote of 24-12 on June 2. Passed the Assembly Water, Parks and Wildlife Committee on June 29 by a vote of 10-2 and was referred to the Assembly Committee on Appropriations
SB 1173	Recycled Water	As amended on June 10, SB 1173 defines "raw water" as untreated surface water or groundwater but excludes remediated groundwater; Modifies the existing prohibition against using domestic potable water for non-potable uses if recycled water meeting certain criteria for quantity, quality and cost is available to a prohibition on using "raw water and potable water" for non-potable uses if recycled water meeting certain criteria for quantity, quality, and cost is available; Adds a criterion that the supply of recycled water must also be "reliable" before use can be required. In determining reliability, this bill requires the State Water Resources Control Board (SWRCB) to consider whether the recycled water supply is subject to interruption; Makes conforming changes to the statutes on water reuse by substituting the words "the use of raw or potable water" for the words "the use of potable domestic water."	Watch	Amended on the Senate Floor to address the concerns of the Association of California Water Agencies. As amended, the bill passed the Senate by a vote of 22-11. Passed the Assembly Committee on Environmental Safety and Toxic Materials by a vote of 6-3 on June 29 and was referred to the Assembly Committee on Appropriations.
Water Quality				
AB 2583	Water Quality	As introduced on February 19, AB 2583 would add a new Section 13003 to the Water Code to require water agencies, and their direct suppliers, "utilize raw material chemical products derived from Inherently Safer Technology or inherently safer production measures where the products derived from safer measures or technology are appropriate given the disinfection methodology used by the water agency, and are commercially available without being materially cost prohibitive to the water utilities or rate payers"	Watch	Died on the Assembly Appropriations Committee's Suspense File on May 27

Bill	TOPIC	SYNOPSIS	STAFF-RECOMMENDED POSITION	STATUS OF THE BILL/COMMENTS
Two-Gates Protection Demonstration Project				
AJR 38	Two-Gates Protection Demonstration Project	AJR 38 was amended for the fourth time on May 24 to add 51 Assembly Members as coauthors of the measure. AJR 38 would request the the U.S. Department of the Interior to prioritize completion of its study of the Two-Gates Fish Protection Demonstration Project in the Sacramento-San Joaquin Delta	SUPPORT: Zone 7 letter dated May 10 was sent to the joint authors of the measure	Passed the Assembly by a vote of of 63-4. Assembly Members Buchanan, Gaines, Niello and Yamada cast "No" votes. Pending in the Senate Rules Committee.
CESA				
AB 2420	CESA	As amended on March 24, would amend Fish and Game Code section 2080.1 to require a biological opinion be obtained along with the currently required incidental take statement, OR the obtaining of a conservation plan along with the currently required incidental take permit to take an endangered, threatened, or candidate species after doing, among other things, the following: (1) notifying the director in writing that the person has received a biological opinion and an incidental take statement or a conservation plan and an incidental take permit which includes references that "meet the minimization, full mitigation, funding, and compliance monitoring requirements of subdivision (b) of Section 2081 and the director determines based	Watch	On April 5, the author announced through staff that this bill would not be moving forward in 2010
Delta Levee Maintenance				
SB 808	Delta levee maintenance	As amended on January 25, 2010 SB 808 would declare the intent of the Legislature to reimburse local agencies for costs incurred to maintain and/or improve project or non-project levees in the Delta until July 1, 2013 in an amount not to exceed 75% of the costs in excess of one thousand dollars per levee mile and, thereafter, in an amount not to exceed 50% of those costs. Reimbursements made pursuant to this law must be consistent with the priorities of the Delta Plan	Watch	SIGNED by Governor Schwarzenegger on June 3 (Chapter 23, Statutes of 2010)
Peripheral Canal				
AB 1594	Sacramento-San Joaquin Delta: peripheral canal	As amended on April 15, AB 1594 would prohibit the construction of a peripheral canal, as defined, unless expressly authorized by the Legislature, would condition the Legislature's "enactment" of a bill on the Office of Legislative Analyst's completion of an economic feasibility analysis that must include (1) the total cost of the project and the methods for paying those costs (2) the expected impacts of the project on "taxpayers, water ratepayers, and the General Fund" (3) the "expected environmental and economic impacts of the project on existing public infrastructure in and around the Delta and the Delta watershed". Finally, the bill requires "the construction and operation of a peripheral canal shall not diminish or negatively affect the water supplies, water rights, or quality of water for water users within the Delta watershed, or impose any new burdens on infrastructure within, or financial burdens on persons residing in, the Delta	OPPOSE: Zone 7 letter dated February 7 was sent to the author	"Died" in the Assembly Committee on Water, Parks and Wildlife on April 27. Senators DeSaulnier and Wolk and Assembly Members Chesbro, Fong, Gaines, Torlakson and Yamada are coauthors of the April 15 version of AB 1594
AB 1797	Delta Corridors Plan	As amended on April 7, AB 1797 would add a new Section 148 to the Water Code to require DWR to fast-track a study of "a through-Delta conveyance plan referred to as the Delta Corridors Plan" as that plan is "described in [the] Proposal to Reconnect the San Joaquin River to the Estuary, dated March 23, 2007". As a part of this study, the April 7 amendments require DWR to "consult" with Fish and Game "to study the potential environmental and ecological impacts and benefits of the Delta Corridors Plan, including issues of water quality and include an evaluation of ways the Two-Gates Project can be incorporated into the Plan"; Requires this	Watch	Died on the Assembly Appropriations Committee's Suspense File on May 27

Bill	TOPIC	SYNOPSIS	STAFF- RECOMMENDED POSITION	STATUS OF THE BILL /COMMENTS
SB 1334	Natural Community Conservation Plans	As amended on May 10, SB 1334 would require DF & G, when finding that a NCCP has been developed consistent with a planning agreement, to make a finding that it has cooperated with a local agency that has land use permit authority over the activities proposed to be addressed in a NCCP.	Watch	Passed the Assembly Water, Parks and Wildlife Committee on June 29 by a vote of 9-4 and referred to the Assembly Committee on Appropriations. COMMENTS: The May 10 version of the bill is opposed by the Department of Fish and Game. Senator Wolk's rationale for the bill is the local land use authority is often not the permit applicant for an NCCP. In those cases, the permit applicant must commit to carry out actions that he or she does not have the authority to carry out. Without the cooperation of the land use authority, permitting agencies have no assurance that such actions will ever be implemented



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9486 • PHONE (925) 454-5000

ORIGINATING DIVISION: Financial and Systems Services

CONTACT PERSON: JaVia Green

AGENDA DATE: July 21, 2010

ITEM NO:

13d

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 by 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	ISA Draw/Payback	Projected Expenses	Projected End of Year Available Funding ¹
09/10	504	\$12,011,746 ²	\$30,500,000	\$21,539,429 ³	\$42,181,914
10/11	381	\$9,286,437		\$21,420,445 ⁴	\$30,047,905
11/12	572	\$13,859,022		\$23,333,733	\$20,573,194
12/13	915	\$22,255,830		\$17,073,667	\$25,755,357
13/14	1465	\$36,393,762	-\$30,507,251	\$15,364,360	\$16,277,508

¹ Represents the sum of net available funds and cash from ISA after expenses.

² Based on unaudited actuals which includes \$10,508,578 of connection fees and other revenue of \$1,503,168.

³ Projected FY 09/10 expenses are based on unaudited actuals.

⁴ Includes projected expenditures and encumbrances.

- Based on the revenue and expenditure projections shown in the table above, staff anticipates sufficient funding to pay off the ISA in January 2014. The attached Fund 73 cash flow provides more details on the data summarized above. Projected available funding is shown in the chart below.

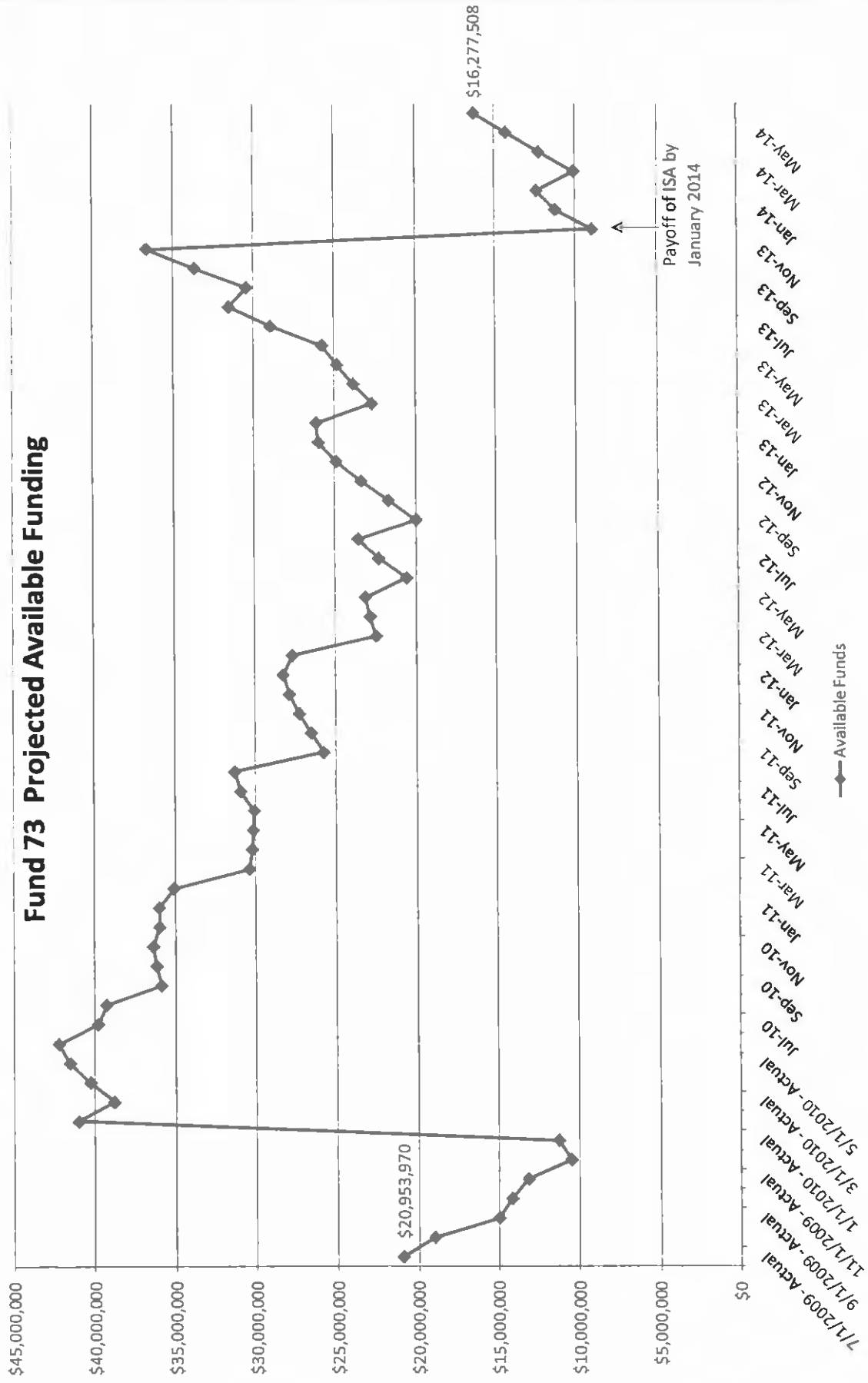
RECOMMENDED ACTION:

Information only.

ATTACHMENT:

Chart – Fund 73 Projected Available Funding
Fund 73 Five-year Cash Flow Tables

Fund 73 Projected Available Funding



Fund 73 Cash Flow Tables

08/10

	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 - Projected	Sum of Key Data
Beginning Fund Balance Projected	21,209,597	20,953,970	18,989,582	14,970,695	14,184,041	13,160,753	10,512,471	277,348	40,966,704	38,792,295	40,257,008	41,570,592	
Encumbrances													
Source of Funds - Projected													
Z7 Connection Fee Revenue	449,188	405,356	418,023	163,975	384,021	82,837	277,348	754,011	418,023	1,130,720	900,542	789,377	6,179,428
DV Connection Fee Revenue		239,400		458,850	179,550	52,800	785,100	79,800	319,200	518,700	736,150	957,600	4,729,150
Interest Revenue/Prepaid Connections/Other			447,604	191,538				31,244	71,916	735,854	11,866	13,146	1,503,188
ISA								30,500,000					30,500,000
Total Sources of Funds	449,188	644,756	865,626	844,383	563,571	115,637	1,062,448	31,307,139	865,055	2,385,283	1,650,557	1,760,123	
Available Funds Projected	21,658,784	21,598,727	19,853,208	15,815,058	14,727,612	13,276,390	11,574,919	42,575,211	41,831,758	41,177,578	41,907,568	43,270,715	
Projected Expenditures	704,914	2,509,145	4,582,513	1,651,017	1,565,659	2,763,918	308,846	1,588,508	2,059,464	920,599	306,974	1,088,802	21,539,479
Net Available Funds - Projected	20,953,870	19,089,582	15,270,695	14,164,041	13,161,953	10,512,471	11,266,073	40,996,704	39,772,295	40,257,008	41,570,592	42,181,913	

FY 08/10 Key Data Projected Connection Fee Revenue: \$ 5,145,519 Projected Expenditures: \$ 25,632,046
 Actually Received \$ 10,508,578 Actually Spent/Encumbered \$ 21,539,479
 % of Actual to Projected 204% % of Actual to Projected 84%

08/11

	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	Sum of Key Data
Beginning Fund Balance Projected	42,181,914	39,787,507	39,259,889	35,839,006	36,130,763	36,342,299	35,955,676	35,973,695	35,056,634	30,379,338	30,191,975	30,124,044	
Encumbrances	2,704,986												2,704,986
Source of Funds - Projected													
Z7 Connection Fee Revenue	382,469	382,469	382,469	382,469	382,469	382,469	265,155	265,155	265,155	265,155	265,155	265,155	3,885,747
DV Connection Fee Revenue	406,980	406,980	406,980	406,980	406,980	406,980	282,200	282,200	282,200	282,200	282,200	282,200	4,135,080
Interest Revenue/Prepaid Connections/Other	100,467			101,024			90,260		884,704	89,155			1,265,810
ISA													
Total Sources of Funds	889,916	789,449	789,449	890,474	789,449	789,449	637,615	547,355	1,432,059	638,510	547,355	547,355	
Available Funds Projected	40,476,928	40,576,956	40,049,339	36,729,479	36,920,213	37,131,748	36,593,291	36,521,050	36,488,693	31,015,848	30,739,330	30,671,399	
Projected Expenditures	579,336	1,317,067	4,210,333	598,716	577,914	1,176,072	619,598	1,464,416	6,109,355	823,873	615,286	623,494	18,715,459
Net Available Funds - Projected	39,787,507	39,259,889	35,839,006	36,130,763	36,342,299	35,955,676	35,973,695	35,056,634	30,379,338	30,191,975	30,124,044	30,047,905	

7/1/12

	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Sum of Key Data
Beginning Fund Balance Projected	30,047,905	30,897,173	31,265,031	25,763,611	26,517,351	27,241,451	27,866,619	28,249,682	27,666,824	22,462,870	22,839,246	23,131,990	
Encumbrances													
Source of Funds- Projected													
Z7 Connection Fee Revenue	596,106	598,106	596,106	598,106	596,106	596,106	413,364	413,364	413,364	413,364	413,364	413,364	6,056,820
DV Connection Fee Revenue	634,950	634,950	634,950	634,950	634,950	634,950	440,232	440,232	440,232	440,232	440,232	440,232	6,451,082
Interest Revenue/Prepaid Connections/Other	75,579			96,052			82,836		1,009,368	87,274			1,351,110
ISA													
Total Sources of Funds	1,306,635	1,231,056	1,231,056	1,327,108	1,231,056	1,231,056	936,432	853,596	1,862,964	940,870	853,596	853,596	
Available Funds Projected	31,354,540	32,128,229	32,496,087	27,090,720	27,748,407	28,472,507	28,803,051	29,103,278	29,529,789	23,403,740	23,692,842	23,985,566	
Projected Expenditures	457,368	863,198	6,732,476	573,368	506,956	605,888	553,368	1,436,454	7,066,919	564,494	560,882	3,412,392	23,333,733
Net Available Funds - Projected	30,897,173	31,265,031	25,763,611	26,517,351	27,241,451	27,866,619	28,249,682	27,966,824	22,462,870	22,839,246	23,131,990	20,573,194	

7/1/13

	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Sum of Key Data
Beginning Fund Balance Projected	20,573,194	22,303,222	23,558,459	19,975,879	21,697,824	23,357,013	24,694,486	25,985,468	26,121,030	22,684,220	23,814,561	24,813,586	
Encumbrances													
Source of Funds- Projected													
Z7 Connection Fee Revenue	990,675	990,675	990,675	990,675	990,675	990,675	687,083	687,083	687,083	687,083	687,083	687,083	10,066,560
DV Connection Fee Revenue	1,057,420	1,057,420	1,057,420	1,057,420	1,057,420	1,057,420	733,367	733,367	733,367	733,367	733,367	733,367	10,744,720
Interest Revenue/Prepaid Connections/Other	71,286			69,203			108,385		1,067,352	128,335			1,444,560
ISA													
Total Sources of Funds	2,118,381	2,048,095	2,048,095	2,117,298	2,048,095	2,048,095	1,528,835	1,420,450	2,487,802	1,548,785	1,420,450	1,420,450	
Available Funds Projected	22,692,574	24,351,317	25,606,554	22,093,177	23,745,919	25,405,108	26,423,320	27,405,818	28,608,832	24,233,005	25,235,011	26,234,036	
Projected Expenditures	389,353	792,858	5,630,675	395,353	388,908	510,622	437,853	1,284,888	5,924,612	418,443	421,425	478,680	17,073,667
Net Available Funds - Projected	22,303,222	23,558,459	19,975,879	21,697,824	23,357,013	24,894,486	25,985,468	26,121,030	22,684,220	23,814,561	24,813,586	20,755,357	

7/1/14

	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Sum of Key Data
Beginning Fund Balance Projected	25,755,357	28,823,218	31,509,793	30,413,585	33,618,636	36,611,698	38,975,027	41,229,552	42,388,472	40,100,788	42,233,186	44,284,601	
Encumbrances													
Source of Funds- Projected													
Z7 Connection Fee Revenue	1,651,425	1,651,425	1,651,425	1,651,425	1,651,425	1,651,425	1,144,988	1,144,988	1,144,988	1,144,988	1,144,988	1,144,988	16,778,478
DV Connection Fee Revenue	1,760,080	1,760,080	1,760,080	1,760,080	1,760,080	1,760,080	1,220,427	1,220,427	1,220,427	1,220,427	1,220,427	1,220,427	17,863,040
Interest Revenue/Prepaid Connections/Other	178,281			215,471			251,610		1,005,400	81,483			1,732,244
ISA													(30,507,251)
Total Sources of Funds	3,589,786	3,411,505	3,411,505	3,626,976	3,411,505	3,411,505	2,617,024	2,365,415	3,370,815	2,446,897	2,365,415	2,365,415	
Available Funds Projected	29,345,143	32,334,723	34,921,298	34,040,561	37,030,141	40,023,203	41,592,051	42,594,967	45,759,287	42,547,685	44,598,600	46,650,016	
Projected Expenditures	421,925	824,930	4,507,713	421,925	418,443	540,925	382,489	1,206,494	5,658,499	314,499	313,989	372,507	15,364,360
Net Available Funds - Projected	28,923,218	31,509,793	30,413,585	33,618,636	36,611,698	38,975,027	41,229,552	42,388,472	40,100,788	42,233,186	44,284,601	46,277,508	

ORIGINATING SECTION: Environmental Services
CONTACT: Elke Rank

AGENDA DATE: July 21, 2010

ITEM NO.

SUBJECT: Sycamore Grove Recovery Program, Phase 2 Report

SUMMARY:

- There has been concern from the agencies and from the public that sycamore trees at Sycamore Grove Park have been, or can be, impacted by the operation of the dam at Lake Del Valle, including the rate and/or timing of flows released to Arroyo Valle. There is also concern for the sustainability of the grove because of lack of regeneration.
- Four consultants – Sycamore Associates (biology, ecology), HortScience (horticulture), Kamman Hydrology (hydrology), and Lone Pine Research (tree ring analysis) were hired in 2005 by Zone 7 and the Livermore Area Recreation and Park District to further investigate the reasons for the decline of sycamore trees at Sycamore Grove Park between 1985 and 1989 and to identify environmental management strategies for the grove. The Phase 1 Technical Report (“Preliminary Findings”) was prepared in 2004.
- HortScience, Kamman Hydrology, and Lone Pine Research were again hired in 2005 for Phase 2. The consultant work culminated in a Phase 2 Technical Report in December 2009; the report did not include an executive summary and there were insufficient funds in the contract to either develop such a summary or to adequately address comments made by staff on the consultant’s draft report. Two of the consultants presented the Phase 2 findings and recommendations to the Zone7 Board in December 2009.
- The attached staff memo summarizes the findings and recommendations from the Consultant’s 2009 Phase 2 report that are relevant to Zone 7. Also attached is a summary prepared by LARPD staff that was presented to their Facilities Committee in 2001.

FUNDING:

Staff is not requesting additional funds at this time.

RECOMMENDED ACTION:

Information only.

ATTACHMENTS:

- 1) Staff Report / Summary for the Sycamore Grove Recovery Program, Phase 2 Report
- 2) LARPD’s “Executive Summary for Sycamore Grove Recovery Program – Phase 2,” prepared by LARPD Staff for presentation to the LARPD Facilities Committee in April 2010

Staff Memo

Date: July 21, 2010
To: Jill Duerig, General Manager
From: Elke Rank, Assistant Water Resources Planner
Subject: Sycamore Grove Recovery Program, Consultant Phase 2 Report

This memo provides a discussion and summary of the Sycamore Grove Recovery Program Phase 2 Report (December 2009).

I. BACKGROUND

The 742-acre Sycamore Grove Park is noted for its large stand of western sycamores, which, during the 1980s and 1990s suffered a noticeable loss in the number of trees and canopy cover.

In 2003, a consulting team led by Sycamore Associates and including sub-consultants HortScience, Kamman Hydrology, and Lone Pine Research, initiated the Sycamore Grove Recovery Program. In 2004, this team produced “Phase 1 Technical Report – Preliminary Findings”.

In 2005, the team of HortScience, Kamman Hydrology, and Lone Pine Research initiated Phase 2 of the Sycamore Grove Recovery Program. A goal of Phase 2 was to understand how best to manage Sycamore Grove Park and to identify environmental management strategies, including water releases into Arroyo Valle, to sustain the grove, including preparation of a Sycamore Resource Conservation and Revegetation Guide. The Consultants submitted a draft Phase 2 report in 2007 (without the Resource Conservation and Revegetation Guide, which is currently being prepared by HortScience); however, budget constraints resulted in a “final” consultant report submitted in 2009 that lacks a full response to agency comments on the draft report, and lacks an executive summary.

II. DISCUSSION

Key Points From Phase 2 Study Relating to Zone 7 Water Operations in Arroyo Valle:

- While the precise timing and severity of the 1985-1989 mortality event at Sycamore Grove Park (SGP) is unknown due to the lack of recorded observations and preserved deadwood, the research team suggests that the changes to the water flows through Arroyo Valle during 1983-1992 caused water stress conditions on the sycamore trees in SGP.
- The period of reduced water supply in Arroyo Valle was caused by two sequential events that reduced the stream flow through Sycamore Grove for an unprecedented nine-year period. The first event was the agreement between Zone 7 and the gravel mining companies to lower groundwater storage in the main basin (accomplished by stopping all supplemental stream recharge; some releases were made in adherence to permit requirements, etc.). The second event was the worst multi-year drought on record. The 1987-92 drought severely reduced water supplies to Zone 7 and precluded resumption of the supplemental stream recharge program. This resulted in a nine-year period with significantly reduced supplemental stream recharge.

- Following the period of extreme low-growth and mortality, sycamore growth has increased to near-average and above-average levels. Further, the overall condition of the live sycamores improved between 1989 and 2004, and sycamore growth has been within normal range since 2002. These findings correspond to the resumption of supplemental releases.
- There is little evidence of natural recruitment of sycamore seedlings in Sycamore Grove Park since the 1920s (recruitment refers to the addition of new trees into a forest community). The gap in Sycamore Grove Park sycamore recruitment during approximately 1925-1990 does not correspond with the 1969 timing of flow regime change in Arroyo Valle due to construction of the dam.

Future Plans, Conditions, and Uncertainties

Zone 7's mission is to manage our water supplies in an environmentally sensitive manner. Currently, Zone 7 makes supplemental releases to Arroyo Valle for the purposes of groundwater recharge (in addition to other releases to meet permit requirements, etc.), and there are no pending plans to change this mode of operation. Supplemental surface water releases are highly dependant on water availability from the State Water Project. Sustainability models show that in some future years Zone 7 will be unable to release supplemental water to Arroyo Valle, as water supply is expected to be greatly reduced or unavailable from the State Water Project during times of drought. Further, uncertain times in the Delta (i.e., Wanger court rulings resulting in low State Water Project deliveries, Delta levee system threats such as earthquakes, and even local aqueduct failures and maintenance) can have implications on water delivery from the State Water Project.

III. SUMMARY OF CONSULTANT SYCAMORE GROVE RECOVERY PROGRAM PHASE 2 REPORT, 2009

This is a summary of the findings and recommendations from the Consultants' Phase 2 report. Budget constraints resulted in a final consultant report submitted in 2009 that lacks a full response to agency substantive comments (from both Zone 7 and LARPD) on the 2007 draft report, and lacks an executive summary.

Hydrology Analysis (led by Kamman Hydrology)

Consultant's Key Findings:

- Since completion of Del Valle Dam in 1968, significant hydrologic, hydraulic, and geomorphic changes have occurred in the Arroyo Valle system through Sycamore Grove Park. Before 1968, the flow regime was floodplain-dominated, with ten-year flood events spanning the full floodplain width. Since 1968, peak flood flows have been reduced by up to 90%. The footprint of the active channel, and its associated secondary channels, has become significantly reduced.
- There is a strong association and correlation between surface water flow through the Park and shallow groundwater levels in the underlying shallow, perched groundwater system, which supplies the local sycamore trees.

- Zone 7 water operations between 1969 and 1983 raised flows exponentially over the April through October period (which naturally would be drier) compared to pre-dam conditions, likely raising and maintaining a much higher groundwater level than before the dam.
- Water table elevations at the downstream end of Sycamore Grove Park appear deeper than those at the upstream and middle portions of the Park and the aquifer in the downstream section of the Park is more sensitive to changes in flow rates in Arroyo Valle. This may leave trees at the downstream end of the Park more vulnerable to reductions in flow rates experienced over the past decade.
- An average flow rate of 1.0-cfs for the April through October period is an important threshold for maintaining shallow water table elevations necessary for healthy sycamore growth rates within Sycamore Grove Park.
- It does not appear that the Chain of Lakes project will have much, if any, influence on surface and groundwater hydrology of Sycamore Grove Park. There is a subsurface structural control, likely composed of low-permeability bedrock, in the vicinity of Vallecitos Road, which effectively segregates the shallow alluvial aquifer that underlies Sycamore Grove Park from the downstream arm of the main Livermore groundwater basin. This structural control also effectively limits the total amount of groundwater recharge through the Park to 1.0-cfs with excess subsurface groundwater being forced to rise back to the surface into Arroyo Valle at the bedrock control.

Consultant's Proposed Management Recommendations

- To the degree possible, maintain average depth to water table between 5 to 6 feet below ground surface (bgs).
- Avoid sustained water tables below 15 feet.
- Conduct a set of three threshold tests during early March each year to potentially identify the onset of low-moisture conditions associated with extreme low-growth in sycamores.
- Experiment with release patterns to see if the flow threshold can be lowered or relaxed with time, restoring a more natural hydrology.
- Determine the ecosystem that now fits or would thrive in the altered hydrologic and geomorphic state and manage the Park for that type of "new" system or equilibrium, recognizing that this may preclude sycamores in certain parts of the Park.

Tree-Ring Analysis (led by Lone Pine Research)

Consultant's Key Findings

- Water flows through Arroyo Valle during 1983-1992 may have contributed to water stress conditions on the sycamore trees in Sycamore Grove Park.
- The precise timing and severity of the 1985-1989 mortality event at SGP is unknown due to the lack of recorded observations and preserved deadwood from this period.

- In the absence of human alterations to the Arroyo del Valle watershed, it is likely that sycamore growth at SGP would have been moderately below average during approximately 1987-1990 due to regional drought conditions; it is not known if tree mortality would have been associated with this scenario.
- The 1985 annual growth ring is the single most extreme low-growth year in the 188 year Sycamore Grove Park sycamore tree-ring record analyzed as part of this project. In addition, many of the trees that could not be successfully analyzed were found to have highly suppressed growth between 1985 and 1992.
- Following the 1985-1992 period of extreme low-growth and mortality, sycamore growth has increased to near-average and above-average levels.
- There is little evidence of natural recruitment of sycamore seedlings in Sycamore Grove Park since the 1920s. Following the 1968 completion of Del Valle Dam, reduced levels of sycamore recruitment would be expected at Sycamore Grove Park due to the mitigation of flood peaks and to changing competitive interactions with upland plant species. Nevertheless, the large gap in Sycamore Grove Park sycamore recruitment during approximately 1925-1990 does not correspond with the 1968 timing of flow regime change in Arroyo Valle following construction of the dam. Based on this set of observations, it is likely that sycamore recruitment patterns at Sycamore Grove Park have been driven by complex interactions among multiple factors, including disturbance events that have not been investigated (e.g., grazing history, fire frequency, etc.).

Consultant's Proposed Management Recommendations

- Apply a set of three threshold tests to be conducted during early March each year to potentially identify the onset of low-moisture conditions associated with extreme low-growth in sycamores.

Genetics Analysis (performed by National Forest Genetic Electrophoresis Laboratory)

Consultant's Key Findings

- Much of the sycamore stand at Sycamore Grove Park is characterized by well-defined tree clusters that may result from vegetative (i.e., clonal) reproduction.
- Very low levels of genetic variation were detected in samples collected from trees at Sycamore Grove Park (researcher noted that it would be desirable to compare these results to other western sycamore groves to determine what is common for the species).
- Over 78% of tree clusters were found to consist of a single genetic profile.

Consultant's Proposed Management Recommendations

- Implement sycamore planting schemes that will enhance genetic diversity in the future.
- Propagate plants primarily from seed rather than cuttings.
- Propagate seeds collected from a few individuals per tree cluster and from as many tree clusters as possible within the Park and in nearby offsite locations (e.g. Arroyo Mocho).

Horticulture Analysis (led by HortScience)

Consultant's Key Findings

- From comparison of tree canopy in the 1966 and 1993 aerial photographs, it is estimated that 15-20% of the trees present in 1966 were absent in 1993 in the downstream section; 8-10% midstream; and 1-2% in the upstream section.

Consultant's Proposed Management Recommendations

- To the degree possible, maintain average depth to water table between 5- to 6-feet bgs.
- Avoid sustained water tables below 15-feet bgs.
- Apply a set of three threshold tests to be conducted during early March each year to potentially identify the onset of low-moisture conditions associated with extreme low-growth in sycamore.
- Restore sycamore canopy to pre-dam density to the extent possible given current hydrologic conditions.
- Plant sycamores in suitable sites such as relic channels, near active stream channels or other low areas that minimize the depth to the underlying groundwater table.
- Implement sycamore planting schemes that will enhance genetic diversity in the future
- Propagate sycamores for planting primarily from seed rather than cuttings.
- To enhance genetic diversity within the stand, propagate seeds collected from a few individuals per tree cluster and from as many tree clusters as possible within SGP and in nearby offsite locations (e.g. Arroyo Mocho).
- Where site conditions are too dry to sustain sycamores (e.g. sustained water table levels are below 10-feet bgs), plant indigenous oak species.

HortScience is currently preparing a *Sycamore Resource Conservation and Revegetation Guide* for Livermore Area Recreation and Park District staff.

Executive Summary for Sycamore Grove Recovery Program – Phase Two

Prepared by Staff of the Livermore Area Recreation and Park District

April 5, 2010

LARPD's 742-acre Sycamore Grove Park (SGP) is noted for its large stand of western sycamores, which, during the 1980s and 1990s suffered a noticeable loss in the number of trees and canopy cover. In 2003, LARPD and Zone 7 initiated the first of two studies to determine the cause of this loss and to find ways to restore the sycamore canopy.

The first study, completed in July 2004, provided extensive information regarding what happened to the sycamore trees. The study did not provide a clear indication as to what could be done to re-populate the Sycamores on a long term basis, so a second study was commissioned by LARPD and Zone 7, with each agency paying half the cost. This study began in 2005 with the goal of discovering what could be done through resource management and controlled water releases to enhance the growth of sycamore trees and prevent future losses.

LARPD and Zone 7 hired three consultants (HortScience, Inc., Kamman Hydrology & Engineering, Inc. and Lone Pine Research) to form a research team. The team was asked to report back on four areas of scientific analysis, findings and recommendations. The four areas defined for the study were:

1. Hydrology of the park
2. Annual tree ring growth of the sycamore grove trees
3. Genetics of the Park's sycamore trees
4. Condition of the Park's sycamore trees

Within in these four areas the LARPD and Zone 7 Boards established several goals they wanted to accomplish. They were:

- Perform tree ring study comparisons between Sycamore Grove park trees and similar trees in the surrounding area to isolate the effects of water flow through Arroyo del Valle.
- Describe best practices for sycamore planting.
- Identify the impact of rainfall on the annual ring growth.
- Determine the water table conditions that are most likely to support sycamores.
- Evaluate what effect construction of the Chain of Lakes will have on the water table in SGP and on sycamore growth.

The following is a short and partial listing of the research team's tree canopy restoration information and recommendations for Sycamore Grove Park:

1. Hydrology of the Park

Hydrologic & Geomorphic features of the park were studied by Greg Kamman of Kamman Hydrology & Engineering, Inc. This portion of the study involved the properties, distribution and effects of water on the park, both above and under ground.

Board Goals

- Determine the water table conditions that are most likely to support sycamores.
- Evaluate what effect construction of the Chain of Lakes will have on the water table in SGP and on sycamore growth.

Recommendations

1. To the degree possible, maintain average depth to water table between 5 to 6 feet below ground surface.
2. Avoid sustained water tables below 15 feet
3. Conduct a set of three threshold tests during early March each year to potentially identify the onset of low-moisture conditions associated with extreme low-growth in sycamores.
4. Determine the ecosystem that now fits or would thrive in the altered hydrologic and geomorphic state and manage the Park for that type of “new” system or equilibrium, recognizing that this may preclude sycamores in certain parts of the Park.
5. Experiment with release patterns to see if the flow threshold can be lowered or relaxed with time, restoring a more natural hydrology. This will require a lot of coordination and monitoring and is likely unrealistic from a water operations perspective.

Information / Findings

Since sycamore productivity is greatest with stable, shallow groundwater conditions, depth to groundwater and rate of groundwater fluctuation may be the most important factors associated with the 1985-1989 mortality event.

Maintaining lake water levels as proposed in the Chain of Lakes project will likely have no adverse impact or influence on the groundwater conditions beneath SGP, assuming flow rates through SGP are similar to those experienced over the last decade.

2. Annual Tree-Ring Growth

The study of the annual tree ring growth was conducted by John King of Lone Pine Research. This portion of the research involved comparing the successive and concentric annual growth rings in the cross-sections of the sycamores to discover the effects on the trees from climate changes and past events.

Board Goals

- Perform tree ring study comparisons between Sycamore Grove Park trees and similar trees in the surrounding area to isolate the effects of water flow through Arroyo del Valle.
- Identify the impact of rainfall on the annual ring growth.

Recommendations

None - Information Only

Information / Findings

Overall, this study detected low levels of genetic variation within the Park’s sycamores.

While the precise timing and severity of the 1985-1989 mortality event at Sycamore Grove Park is unknown due to the lack of recorded observations and preserved deadwood, the research team suggests that the changes to the water flows through Arroyo del Valle During 1983-1992 caused water stress conditions on the sycamore trees in SGP. This change in water flow and groundwater conditions resulted in an extreme low-growth and high tree mortality beginning in 1985 (the 1985 annual growth ring is the single most extreme low-growth year in the 188-year SGP sycamore tree-ring record). As rainfall is the main factor in determining drought and water storage/flow capacities, it was not studied separately from the flow and groundwater factors.

3. Genetics of the Park's Sycamore Trees

Genetic Analysis to determine how the trees are reproducing and what impact that has on their survival was performed by Valerie Hipkins of the National Forest Genetic Electrophoresis Laboratory (a sub contractor for HortScience).

Board Goals

No Specific Goals Established

Recommendations

1. To enhance genetic diversity in the future, propagate plants primarily from seed rather than cuttings.
2. To enhance genetic diversity within the stand, propagate seeds collected from few individuals per tree cluster and from as many tree clusters as possible within SGP and in nearby offsite locations (e.g. Arroyo Mocho).

Information / Findings

Very low levels of genetic variation were detected in samples collected from trees at Sycamore Grove Park. In addition, over 78% of tree islands were found to consist of a single genetic profile. The level and pattern of genetic diversity in sycamore trees at Sycamore Grove Park suggest that conservation efforts should be centered on as many groups as practical. That is, if genetic variation is important with respect to managed propagation activities, then seeds or vegetation samples should be collected from few individuals per tree cluster and from as many tree clusters as possible.

4. Condition of the Park's Sycamore Trees

The physical condition of the Sycamore Grove Park trees was studied by Nelda Matheny of HortScience, Inc.

Board Goals

- Describe best practices for sycamore planting.

Recommendations

1. Restore sycamore canopy to pre-dam density to the extent possible given current hydrologic conditions.
2. Plant sycamores in suitable sites such as relic channels, near active stream channels or other low areas that minimize the depth to the underlying groundwater table.
3. Implement sycamore planting schemes that will enhance genetic diversity in the future.

4. Propagate sycamores for planting primarily from seed rather than cuttings.
5. To enhance genetic diversity within the stand, propagate seeds collected from few individuals per tree cluster and from as many tree clusters as possible within SGP and in nearby offsite locations (e.g. Arroyo Mocho).
6. Where site conditions are too dry to sustain sycamores (e.g. sustained water table levels are below 10-feet), plant indigenous oak species.

HortScience, Inc. will prepare a Sycamore Resource Conservation and Revegetation Guide as a handbook for Livermore Area Recreation and Park District staff.

Information / Findings

Comparison of tree canopy in the 1966 and 1993 aerial photographs indicate a greater loss of trees in the downstream third of the park compared to the midstream and upstream. It is estimated that 15-20% of the trees present in 1966 were absent in 1993 in the downstream section; 8-10% midstream; and 1-2% in the upstream section. Historically, tree canopy density has been (and still is) significantly less in the midstream of the stand compared to the upstream and downstream sections. Even accounting for 19 trees removed for installation of the utility lines prior to 1966, the midstream section supports approximately half the number of trees as the upstream and downstream sections.

More detailed information regarding procedures, assumptions and results can be found within the full report.

Executive Summary for Sycamore Grove Recovery Program – Phase Two

Prepared by Staff of the Livermore Area Recreation and Park District

April 5, 2010

LARPD's 742-acre Sycamore Grove Park (SGP) is noted for its large stand of western sycamores, which, during the 1980s and 1990s suffered a noticeable loss in the number of trees and canopy cover. In 2003, LARPD and Zone 7 initiated the first of two studies to determine the cause of this loss and to find ways to restore the sycamore canopy.

The first study, completed in July 2004, provided extensive information regarding what happened to the sycamore trees. The study did not provide a clear indication as to what could be done to re-populate the Sycamores on a long term basis, so a second study was commissioned by LARPD and Zone 7, with each agency paying half the cost. This study began in 2005 with the goal of discovering what could be done through resource management and controlled water releases to enhance the growth of sycamore trees and prevent future losses.

LARPD and Zone 7 hired three consultants (HortScience, Inc., Kamman Hydrology & Engineering, Inc. and Lone Pine Research) to form a research team. The team was asked to report back on four areas of scientific analysis, findings and recommendations. The four areas defined for the study were:

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Board Goals

- Determine the water table conditions that are most likely to support sycamores.
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Recommendations

1. To the degree possible, maintain average depth to water table between 5 to 6 feet below ground surface.
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Information / Findings

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Board Goals

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Recommendations

None - Information Only

Information / Findings

Overall, this study detected low levels of genetic variation within the Park’s sycamores.

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Board Goals

No Specific Goals Established

Recommendations

1. To enhance genetic diversity in the future, propagate plants primarily from seed rather than cuttings.
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Information / Findings

Very low levels of genetic variation were detected in samples collected from trees at Sycamore Grove Park. In addition, over 78% of tree islands were found to consist of a single genetic profile. The level and pattern of genetic diversity in sycamore trees at Sycamore Grove Park suggest that conservation efforts should be centered on as many groups as practical. That is, if genetic variation is important with respect to managed propagation activities, then seeds or vegetation samples should be collected from few individuals per tree cluster and from as many tree clusters as possible.

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Board Goals

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Recommendations

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Information / Findings

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More detailed information regarding procedures, assumptions and results can be found within the full report.