

**ZONE 7 BOARD OF DIRECTORS
WATER RESOURCES COMMITTEE**

**Wednesday, September 9, 2015
2:30 p.m.**

Location: Boardroom
Zone 7 Administration Building
100 North Canyons Parkway
Livermore, CA 94551

President Palmer
Director Greci
Director Figuers

A G E N D A

1. Public Comment on Items Not on Agenda
2. Update on Status of Lake A
3. Status of Water Supply Evaluation Update
4. Possible Rescheduling of Capital Improvement Program Projects
5. Update on Well Ordinance Implementation
6. Verbal Comments
7. Adjournment



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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

ORIGINATING SECTION: ADMINISTRATION

CONTACT: Carol Mahoney/Kurt Arends

AGENDA DATE: September 9, 2015

ITEM NO. **2**

SUBJECT: Update on Status of Lake A

SUMMARY:

- Staff were notified by the County that there will be an impact assessment for Cemex's proposed SMP-23 Reclamation Plan Amendment which would cover Lakes A, B and J.
- Lakes A and B are designated as part of the future Chain of Lakes; Lake J is not.
- In general terms, Cemex is proposing to cease gravel mining operations in Lake A and extend operations in Lakes B and J.
- Cemex has been discussing a possible early transfer of Lake A to Zone 7 once mining is finished and required diversions and other structures are constructed.
- Staff will outline these and other proposed changes to the permit during the Water Resources Committee meeting.
- The Zone 7 letter that was sent (attached) outlines key concerns that should be considered when analyzing potential impacts.

ATTACHMENTS:

- Staff letter to Cemex on EIR Notice of Preparation



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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August 10, 2015

Mr. James Gilford, Deputy Director
Alameda County Community Development Agency
224 W. Winton Avenue, Suite 110
Hayward, CA 94544

Re: *SMP-23 Reclamation Plan Amendment EIR*

James,

Zone 7 Water Agency (Zone 7) has reviewed the referenced NOP/IS in the context of Zone 7's role as the Sustainable Groundwater Management Agency, wholesale water supplier, and regional flood protection provider within the Livermore-Amador Valley.

We're especially interested in this project, as the Reclamation Plan serves as mitigation for the loss of a portion the Valley's groundwater aquifer as a result of mining. Zone 7 intends to use the future "Chain of Lakes" for water management and related purposes, including flood protection, groundwater recharge, and water storage and conveyance.

We have the following comments for your consideration:

1. An analysis of the impacts of mining beyond the upper aquifer has not been undertaken and appears to not be included in the NOP/IS for Lake B and Lake J. Lake B and Lake J have been proposed to be excavated to 150 and 130 feet msl respectively, which will intersect the lower aquifer. This poses significant concerns that, at the very least, should be evaluated in the EIR. Mitigating these impacts may not be feasible. Such impacts may include, but are not limited to the following:
 - a. At both Lake B and Lake J, aquifer flow disruptions from the removal of aquifer materials, evaporative losses from confined layers, exposure to air and surface water pollution in confined aquifers could be significant and should be evaluated. The area around Lake J is proposed to be reclaimed for agriculture/open space, and all of the area would be graded to drain to Lake J. This opens up the potential for contamination from associated/adjacent land use activities to reach both the upper and lower aquifers of the groundwater basin. The purpose of using the Chain of Lakes as mitigation for aggregate removal is to assist with replenishment and movement of groundwater. The lower aquifer is a drinking water source for the Livermore-Amador Valley. Water from the lower aquifer is supplied to the cities of Dublin, Livermore, and Pleasanton in

combination with treated surface water. Any potential contamination to the lower aquifer could significantly impair Zone 7's ability to provide drinking water to the Valley.

- b. Because Lake J is isolated from the Chain of Lakes with no conduit connections, groundwater will be lost to evaporation without a way to replenish it; therefore this lake will represent a constant loss to the groundwater system. This would apply to both the upper and lower aquifer as proposed with the lake excavated to 130 feet msl.
 - c. Opening Lake J to the public in the future could impact groundwater quality and provide a way for potential contamination to get into the lower aquifer.
- 2. The Amendment proposes no further mining in Lake A. However, there will be some modifications to the current condition of the lake, including removing former berms that are now partially submerged. We suggest an evaluation as to whether or not the lake will function for water conveyance with the proposed changes.
 - 3. All reclamation plan elements should be designed to reduce the potential to favor non-native and invasive species habitats. For example, ponding of deep water within the stream corridor of the Arroyo Valle from past mining has created habitats conducive to non-native, predatory fish.
 - 4. Under Biological Resources (p. 12), note that while Steelhead are not yet able to access this watershed due to a complete barrier at the Bay entrance, the National Marine Fisheries Service is preparing a Recovery Plan that addresses steelhead in the entire Alameda Creek watershed. The Reclamation Plan should not hinder the implementation of the pending Recovery Plan.
 - 5. Under Biological Resources (p. 12), the NOP states that the County has not adopted the East Alameda County Conservation Strategy (EACCS). As a project collaborator on EACCS, we encourage a good faith effort by the EACCS steering committee members (this includes the County) to apply the pertinent goals of the Strategy to their projects, especially since - as stated in the NOP - the California Department of Fish and Wildlife will do so in their issued mitigation.
 - 6. Under Geology and Soils (p. 15), Item c, the supposition that there would be no potential presence of a geologic unit or soil that is unstable or that would become unstable as the result of the project needs to be further evaluated in light of previous geologic instabilities within the project area.

We appreciate the opportunity to comment on this project. If you have any questions on this letter, please feel free to contact me at (925) 454-5005 or via email at erank@zone7water.com.

Sincerely,


Elke Rank

cc: Jill Duerig, Carol Mahoney, Colleen Winey, file



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ORIGINATING SECTION: GROUNDWATER SECTION

CONTACT: MATT KATEN/JARNAIL CHAHAL

AGENDA DATE: September 9, 2015

ITEM NO. 5

SUBJECT: Water Wells Ordinance Implementation Update

SUMMARY:

- The Board of Supervisors amended the County's Water Wells Ordinance in April 2015, incorporating nearly all of the improvements recommended by Zone 7.
- As authorized by the Board of Directors, the General Manager negotiated and executed a Memorandum of Understanding (MOU) in June 2015 with Alameda County Public Works Agency (ACPWA) to accept the administrative function, powers and duties assigned by the amended Water Wells Ordinance for areas within Zone 7's jurisdiction.
- As provided in the amended Ordinance and the executed MOU, staff proposes to designate certain special requirement areas for soil boring permits and for special well construction requirements believed necessary for continued protection of groundwater quality in the groundwater basins, and the establishment of an appeals process.
- As a public outreach element, staff has prepared a draft flyer (attached) which describes Zone 7's plans for implementation of the amended County Wells Ordinance, informs local drillers of Zone 7's plans to begin collecting County adopted permit fees, and schedules an information meeting to answer any questions. Staff is planning to mail the flyer to drilling contractors and consultants and post it on the Zone 7 website at Zone7water.com.
- Staff is also planning to meet with staff from the Cities of Pleasanton, Livermore and Dublin, as well as DSRSD, and Cal Water, in early October to discuss the anticipated implementation plan.
- Staff plans to present the Water Well Ordinance implementation plan and schedule to the full Board in the Fall.

ATTACHMENTS:

- Draft Flyer –Implementation Plan for Amended County Water Wells Ordinance and Permit Fees for Areas within Zone 7's Jurisdiction

DRAFT

**Implementation Plan for Amended County Water Wells Ordinance
and Permit Fees for Areas within Zone 7's Jurisdiction**

This is to provide notice that as of January 1, 2016, Zone 7 Water Agency will begin collecting permit fees as set forth in the Alameda County Well Ordinance. Currently, Zone 7 does not charge fees for well permits for areas under its jurisdiction (Eastern Alameda County). The fees are intended to recover the cost of providing program services as authorized by Alameda County General Ordinance Code Section 6.88.050 (C). The current County fee schedule can be found at: <http://www.acgov.org/wells/fees.htm>.

Any updates to the permit fee schedule or to the date when Zone 7 will start charging permit fees will be posted on the Zone 7 website at <http://www.zone7water.com/business/permits-fees/64-well-drilling-and-destruction-permits>.

The amended County Water Wells Ordinance also provides for the Administering Agency to designate areas where special permit and well construction techniques are required to prevent spreading of contaminants or mixing of water between water-bearing zones. As the Administering Agency for Eastern Alameda County, Zone 7 is planning to formalize the designation of several special requirement areas, and their requirements, at the Zone 7 Board of Directors meeting on October 21, 2015. The special requirement areas include areas where a permit is required for any soil boring deeper than 10 feet, and areas of known solvent contamination where surface or intermediate casings must be set before advancing the borehole to a lower water-bearing zone.

There will be an informational meeting held at the Zone 7 office, at 100 North Canyons Parkway, Livermore on **September 29, 2015, 3:30 to 5:00 p.m.** specifically for drilling contractors and consultants.

Questions and comments concerning this notification should be directed to Wyman Hong at (925) 454-5056 or by email to whong@zone7water.com, or to Matt Katen at (925) 454-5071 or by email to mkaten@zone7water.com.

Information on upcoming and past Zone 7 Board Meetings can be accessed at: www.zone7water.com.

The Alameda County Water Wells Ordinance can be found on-line at: https://www.municode.com/library/ca/alameda_county/codes/code_of_ordinances?nodeId=TIT6_HESA_CH6.88WAWWE.