



**LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
OPERATIONS AND ENGINEERING COMMITTEE
AGENDA**

Regular Meeting
May 16, 2024 – 10:00 a.m.

Directors participating telephonically:

Jose Gutierrez	286 W. Cromwell Avenue, Fresno, CA 93711
Antonio Martinez	1331 Concord Ave. Concord, California 94520
Steve Ritchie	525 Golden Gate Avenue, San Francisco, California 94102
Jonathan Wunderlich	43885 S. Grimmer Blvd., Fremont, California 94538

This meeting will be conducted remotely and any member of the public who desires to participate in the open session items of this meeting may do so by accessing the Zoom link below without otherwise complying with the Brown Act's teleconference requirements.

Please click the link below to join the Meeting/Webinar:

<https://us06web.zoom.us/j/87256833448>

Webinar ID: 872 5683 3448

Or One tap mobile:

16694449171

Any member of the public wishing to make any comments to the Committee may do so by accessing the above-referenced link where they may select the option to join via webcam or teleconference. Members of the public may also submit written comments to the Clerk by 4:00 p.m. on the day prior to the meeting for the Clerk to read into the record (subject to three- minute limitation). The meeting Chair will acknowledge such individual(s) at the appropriate time in the meeting prior to making their comment. Members of the public will be disconnected from the meeting prior to any Closed Session, if applicable.

NOTE: *To comply with the Americans with Disabilities Act, if you need special assistance to participate in this Committee meeting, please contact the Authority's Interim Clerk at rperea@lagerlof.com by 4:00 p.m. on the day prior to the meeting to inform the Authority of your needs and to determine if accommodation is feasible. Each item on the Agenda shall be deemed to include any appropriate motion, resolution, or ordinance, to take action on any item. Materials related to items on this Agenda are available for public review at: www.losvaquerosjpa.com/board-meetings.*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF COMMITTEE MEMBERS

Jose Gutierrez – Chair, San Luis & Delta-Mendota Water Authority
Jonathan Wunderlich – Alameda County Water District
Antonio Martinez – Contra Costa Water District
Steve Ritchie – San Francisco Public Utilities Commission

PUBLIC COMMENT ON NON-AGENDA ITEMS

Any member of the public wishing to address the Operations and Engineering Committee regarding items not on the Agenda should do so at this time. The Committee welcomes your comments and requests that speakers present their remarks within established time limits and on issues that directly affect the Authority or are within the jurisdiction of the Authority.

DISCUSSION ITEMS

- 1.1 August 17, 2023 Operations and Engineering Committee Meeting Summary**
- 1.2 Transfer-Bethany Pipeline Update**
- 1.3 DWR Turn-In Agreement Update**

FUTURE AGENDA ITEMS

ADJOURNMENT

ITEM 1.1: AUGUST 17, 2023 OPERATIONS AND ENGINEERING COMMITTEE MEETING SUMMARY

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, General Counsel

DISCUSSION:

Attached for the Committee's information is the summary prepared for the August 17, 2023 Operations and Engineering Committee meeting.

ALTERNATIVES:

Any suggested revisions to the attached summary will be considered.

FISCAL ANALYSIS:

Not applicable.

ENVIRONMENTAL REQUIREMENTS:

Not applicable.

EXHIBITS/ATTACHMENTS:

Summary from August 17, 2023 Operations and Engineering Committee meeting



SUMMARY OF REGULAR MEETING OF OPERATIONS AND ENGINEERING COMMITTEE

August 17, 2023 – 10:00 a.m.

Chair Jose Gutierrez and Committee Members Jonathan Wunderlich, Steve Ritchie and Antonio Martinez participated telephonically. Staff and 10 members of the public also participated in the meeting. The meeting was called to order at 10:01 a.m.

Chair Jose Gutierrez called for public comment on non-agenda items. None were received.

1.1 July 20, 2023 Operations and Engineering Committee Meeting Summary.

The summary from the July 20, 2023 Operations and Engineering Committee meeting was presented. The draft summary was accepted with no revisions and will be included in the next Board meeting packet.

Chair Jose Gutierrez called for public comments. None were received.

1.2 Construction Schedule Presentation

Executive Director Taryn Ravazzini provided information on the Los Vaqueros Reservoir Expansion Project Phase 2 (the “Project”). She stated the Project’s construction schedule has recently been updated to reflect the latest program milestones with sequencing that is intended to expedite construction while maintaining Contra Costa Water District’s (CCWD) operational needs. The updated project schedule will be further utilized as the basis of the 2023 Program Cost Estimate Update, which is expected to be provided in the next few days. Key factors that have impacted the overall schedule include extended planning efforts in connection with California Water Commission (CWC) funding, electrical component lead times for Contra Costa Canal Pumping Plant No. 1 Replacement, and updated Los Vaqueros Dam Expansion construction schedule to reflect the California Division of Safety of Dams (DSOD) coffer dam construction requirements.

Chris Hentz, CCWD Los Vaqueros Expansion Project Engineering Manager, provided an overview of the updates to the construction schedule and a review of Project facilities and construction sequencing. Assuming all agreements and funding are in place for the CWC final funding award in July 2024, construction would start in Fall 2024. He advised CCWD is finalizing a technical memo to be provided to Executive Director Ravazzini within the next few days to update Project cost estimates.

Committee Member Ritchie asked whether the flow control stations are valves as opposed to pump stations and Mr. Hentz answered those facilities are valves. Chair Gutierrez asked about the critical path activities relating to the Transfer-Bethany Pipeline and Mr. Hentz responded that funding approvals and land acquisition must be accomplished before construction on that pipeline could start.

With respect to Pumping Plant 1, all approvals and funding must be in place before starting construction and the design is nearing 90% completion. Funding and bidding are anticipated in Fall 2024. Completion of construction of the Pumping Plant 1 replacement has been delayed by two additional years due to the funding delay and supply chain issues and is now anticipated to be completed in 2028.

With respect to the Los Vaqueros Dam Expansion, the technical design is complete and will be submitted for DSOD approval in September. DSOD approval is anticipated as early as December 2023. The proposed construction schedule has been moved back two years, due to the funding delay and the DSOD's requirement for the upstream coffer dam. Also, the length of time to complete the reservoir draw down will depend on various conditions, including hydrology and CCWD customer demands, at the time. Committee Member Ritchie asked about the status of the CCWD - East Bay Municipal Utility District backstop agreement and whether the Authority will be involved in the negotiations of that agreement. Executive Director Ravazzini stated the Authority is monitoring the development of that agreement and has an interest in the agreement because of the cost implications on its members. However, the agreement is between CCWD and EBMUD and the Authority will not be directly involved in those negotiations.

The Transfer-Bethany Pipeline (TBPL) is nearing 95% design for turn-in to the California Aqueduct. The construction schedule for that facility is dependent on the start of land acquisition activities which will begin once agreements and funding are in place. Chair Gutierrez asked in what phase the land acquisition will occur, and Mr. Hentz replied land acquisition will occur in the design phase. Committee Member Wunderlich asked when members may be able to take water through the TBPL. Mr. Hentz replied the TBPL could not be put to use until the Expanded Transfer Facility is completed and the reservoir is back in service. Committee Member Ritchie stated the schedule needs to reflect when the various facilities will be operational so the members can understand when they will begin to receive benefits from the Project. Mr. Hentz then concluded there is a one-year delay of construction on the TBPL.

The Expanded Transfer Facility and Transfer Pump Station modifications are co-located, and concurrent construction under a single construction contract is anticipated. There has been a one-year delay for start of construction on those facilities.

The Neroly High Lift Pump Station construction is dependent on the completion of the TBPL, Expanded Transfer Facility and Transfer Pump Station. Construction of that facility will result in some short-term shutdowns to some facilities, including the Contra Costa Canal and the Los Vaqueros Pipeline.

With respect to relocation of the Los Vaqueros Marina and recreational improvements, that work depends on the completion of the dam expansion in order to avoid conflicts with the dam expansion contractor.

Chair Jose Gutierrez asked whether adjustments in the schedule are reflected in member contributions. Executive Director Ravazzini advised that she is awaiting the updated cost estimates,

but any current increases are addressed in the Fiscal Year 2024 budget.

Chair Jose Gutierrez called for public comments. None were received.

FUTURE AGENDA ITEMS:

- Updates on the construction schedule and cost estimates

The meeting was adjourned at 10:44 a.m.

James D. Ciampa

James D. Ciampa
General Counsel

ITEM 1.2: TRANSFER-BETHANY PIPELINE UPDATE

RESPONSIBLE/LEAD STAFF MEMBER:

Chuck Gardner, Program Manager

DISCUSSION:

Bryan Perkins, CCWD Senior Engineer for the Los Vaqueros Expansion Project, will provide an update on the status of the Transfer-Bethany Pipeline (TBPL), which will deliver water from the expanded Transfer Pump Station to the California Aqueduct.

ALTERNATIVES:

For information only.

FISCAL ANALYSIS:

Not applicable.

ENVIRONMENTAL REQUIREMENTS:

Not applicable.

EXHIBITS/ATTACHMENTS:

- TBPL Presentation

The logo for the Los Vaqueros Reservoir Expansion Project is centered in the upper half of the image. It features the words "LOS VAQUEROS" in a bold, blue, sans-serif font. Below this, "RESERVOIR EXPANSION PROJECT" is written in a green, sans-serif font. To the right of the text is a vertical graphic element consisting of four stacked, trapezoidal shapes that resemble a dam or a reservoir cross-section, colored in shades of blue and green.

**LOS
VAQUEROS
RESERVOIR
EXPANSION
PROJECT**

The title "Operations and Engineering Committee Meeting" is centered in the middle of the image. It is written in a large, white, bold, sans-serif font. The background of this section is a scenic view of the Los Vaqueros Reservoir, showing rolling green hills, a large body of water, and several wind turbines in the distance under a clear sky.

**Operations and Engineering
Committee Meeting**

The title "Transfer-Bethany Pipeline Update" is centered in the lower middle of the image. It is written in a white, bold, sans-serif font. The background shows a closer view of the reservoir's edge, with a paved path, a concrete structure, and green grassy hills.

Transfer-Bethany Pipeline Update

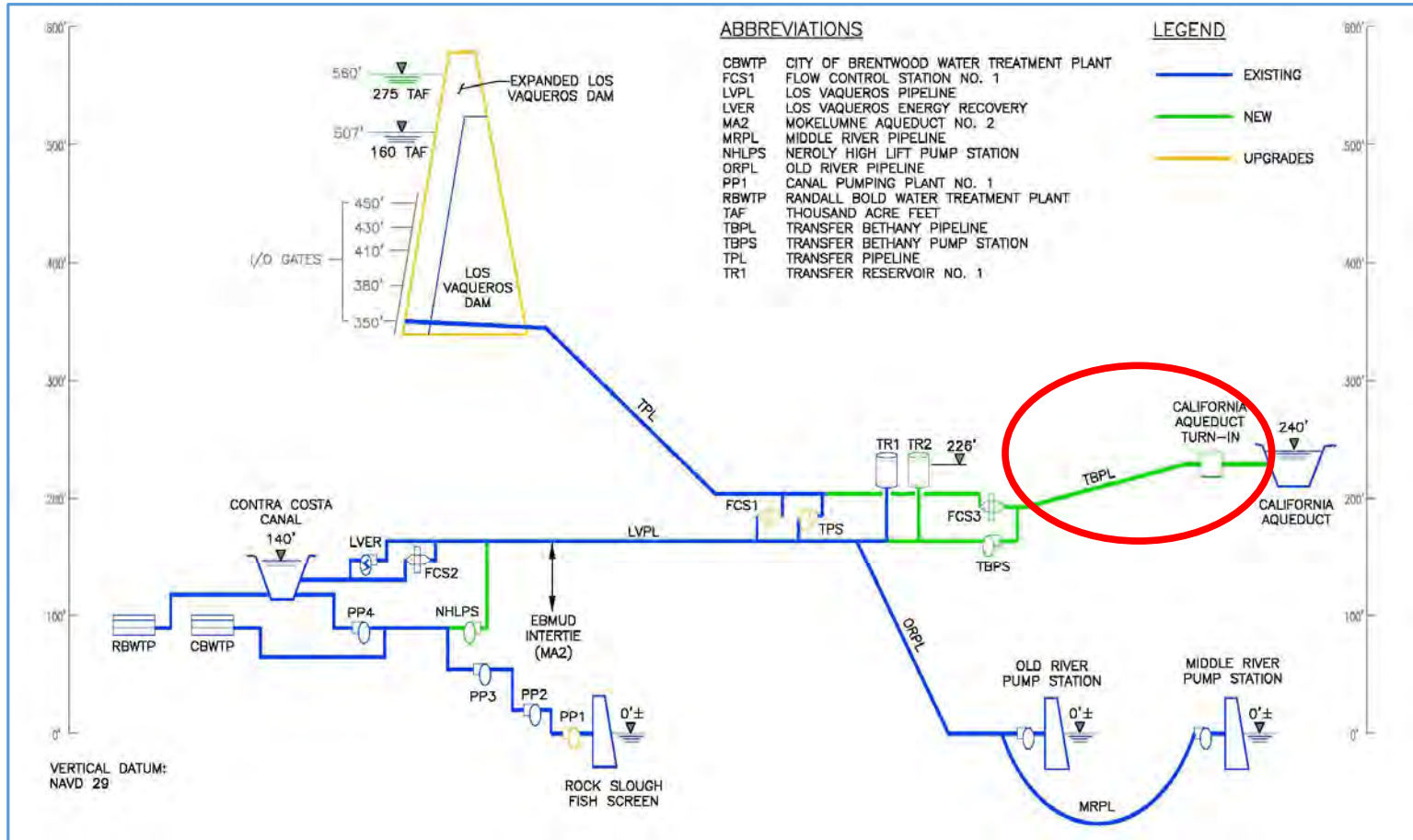
The date "May 16, 2024" is centered at the bottom of the image. It is written in a white, sans-serif font. The background is a close-up of the green grassy hills and a paved path.

May 16, 2024

Background

- Transfer-Bethany Pipeline (TBPL) will deliver water from expanded Transfer Pump Station (TPS) to the California Aqueduct
- TBPL will be a 90-inch, approximately 7.7-mile pipeline with a max capacity of 300 cubic feet per second (cfs)

Hydraulic Profile



Pipeline Alignment

- Lowest cost alternative that minimizes impacts to existing utilities, sensitive habitat, and planned transportation infrastructure





Pipeline Design Activities

- **Completed**
 - CEQA update to address alignment changes
 - Site investigations on select parcels
- **In Progress**
 - Turn-In Agreement with Department of Water Resources (DWR)
 - 30% Pipeline Design Plans and Preliminary Design Report Progressing right of way planning and coordination for properties with conservation protections
 - Right-of-way planning
- **Upcoming**
 - Pausing design efforts upon completion of 30% Pipeline Design Plans consistent with capital preservation strategy

Site Investigation

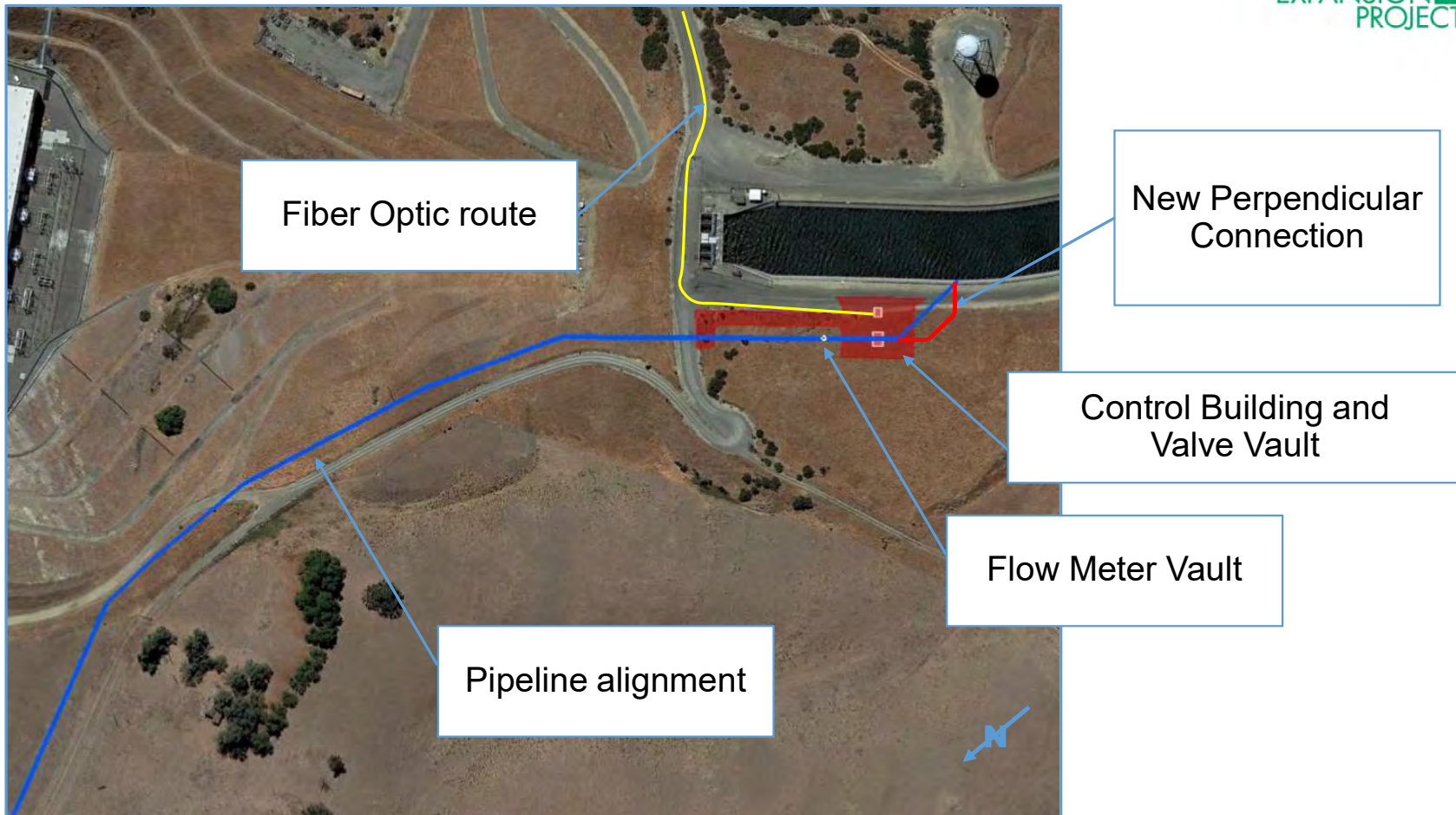
- 13 borings, 9 CPTs, and 5 test pits, geophysical refraction survey
- 7 locations encountered ground water, most shallow
- Bedrock encountered in the future trench section; exploring alternative methods for excavation
- Remaining investigations will be completed following CWC hearing when funding is available



California Aqueduct Turn-In

- A Turn-In Agreement with the DWR is needed prior to the CWC Final Award Hearing
- DWR will own all facilities on DWR property
- JPA to execute the agreement. CCWD may act as an agent for the JPA for construction, operations, and maintenance
- No further work is needed on the Turn-In Design for DWR to sign the Turn-In Agreement

Turn-In Design Updates



Pipeline Right-of-Way (ROW)

- Pipeline ROW included in 30% drawings
- Recommended approach:
 - Private property – Default fee simple, unless conditions warrant an easement
 - Conservation Parcels – Easement, risk of development encroaching on ROW is minimal
 - Public Roads – Agreement with County protecting the TBPL from future relocation
 - Cross over rights – Grant cross over rights to existing utilities and property owners where appropriate



ROW Acquisition

- Acquisition of ROW on lands with conservation easements is a largely unprecedented, complicated, multi-year process requiring the following steps:
 - Coordinate with agencies to develop a Memorandum of Agreement and Mitigation Plan
 - Property Owner review and negotiations
 - East Contra Costa County Habitat Conservancy review
 - California Department of Fish & Wildlife / California Wildlife Conservation review, including CEQA assessment and Appraisal Review
 - United States Fish and Wildlife Services review, including NEPA analysis, Tribal consultation, Endangered Species Act Section 7 consultation, State Historic Preservation Office consultation
 - California Wildlife Conservation Board action to consider approval



Schedule

Project Milestones

- CWC Consideration of Funding Award 2025
- Additional Site Investigations 2026
- Begin Land Acquisition Process 2026
- WCB Consideration of Land Actions 2029
- Final Design and Bidding 2030
- Construction Complete 2032

ITEM 1.3: DEPARTMENT OF WATER RESOURCES TURN-IN AGREEMENT UPDATE

RESPONSIBLE/LEAD STAFF MEMBER:

James Ciampa, General Counsel

DISCUSSION:

Mr. Ciampa will provide the Committee an overview of the Turn-In Agreement that is under negotiation with the Department of Water Resources.

ALTERNATIVES:

For information only.

FISCAL ANALYSIS:

Not applicable.

ENVIRONMENTAL REQUIREMENTS:

Not applicable.

EXHIBITS/ATTACHMENTS:

- DWR Turn-In Agreement Presentation



**LVR Joint Powers Authority
DWR Turn-In Agreement Review**

May 16, 2024



Turn-In Agreement



- **Parties:** DWR and the JPA; CCWD is an “agent” for delegation purposes relative to construction (maybe), operations and maintenance
- **Purpose:** To allow for an agreement for the construction, operations and maintenance of approximately 3,000 feet of pipeline with capacity of 300 cubic feet per second (Transfer-Bethany Pipeline) and a permanent turn-in facility at the California Aqueduct
- **Division of Responsibilities:**
 - DWR owns devices and equipment constructed or installed in its right-of-way;
 - DWR responsible for operation and maintenance of devices and equipment, except for JPA-owned communications equipment, constructed or installed within DWR right-of-way between flowmeter and California Aqueduct;
 - JPA responsible for operation and maintenance of devices and equipment constructed or installed upstream of flowmeter and all communications equipment; and
 - JPA will own and be responsible for operations and maintenance of devices and equipment constructed or installed beyond DWR’s right-of-way

Access & Maintenance

- JPA given permission to enter upon DWR right-of-way parcels for construction and maintenance purposes
 - No interference with DWR activities
 - DWR given access to Turn-In facilities for observation, inspection, operation and maintenance
- DWR has right to perform necessary work near any JPA construction site, but must minimize interference with JPA work



Costs and Invoicing

- DWR costs reimbursed under Memorandum of Agreement with CWC prior to JPA Prop. 1 funding – plan reviews and approvals, inspections, Turn-In Agreement preparation and CEQA costs
- After JPA receives Prop. 1 award until Statement of Acceptance issued, JPA pays DWR for DWR costs – inspection and other costs attributable to JPA work
- After Statement of Acceptance issued, JPA to pay \$3,000 per month O&M Fee – may be increased on 60 days' notice with backup justification for the increase
- JPA to pay other DWR costs not covered by the O&M Fee (e.g., comprehensive facility inspections, general or extraordinary repairs of Turn-In equipment)



Other Issues

- JPA must protect and maintain integrity of California Aqueduct and no adverse impact from JPA's actions to State Water Project – Table A, Article 21, etc.
- JPA to indemnify DWR – carve out for DWR sole negligence or willful misconduct
- Force majeure for “uncontrollable forces” – relief from obligations
- DWR to review and approve electronic drawings, specifications, data, plans and schedules; no construction until DWR approval is received
- Insurance: construction and post-construction requirements (liability: \$5 million; automobile: \$1,000,000)



Other Issues (continued)

- JPA to install warning devices, barriers, etc. for protection of persons and property during construction
- DWR inspection of JPA work for conformance with approved plans and to avoid interference with DWR's construction, operation and maintenance of the area
- DWR to provide formal Statement of Acceptance when the following are met:
 - Construction is completed and is satisfactory
 - JPA provides as-built drawings within 30 days of completion
 - JPA has submitted all necessary documents to DWR
- Construction must start within 4 years after DWR's approval of drawings and specifications



Other Issues (continued)

- DWR to provide at least 45 days' written notice to JPA of any plans to cease Aqueduct flows in vicinity of Turn-In
- Delivery scheduling: annual estimate, monthly, weekly and rolling 7-day schedule
- Term through Dec. 31, 2085 or upon termination of Operations Agreement among DWR, Reclamation, CCWD and the JPA, whichever occurs first
- Conditions to Agreement:
 - Operations Agreement among DWR, Reclamation, CCWD & JPA
 - Agreement between DWR and at least one SWP contractor for diversion, storage and delivery of water through LVE and related amendment
 - Any State Board approvals for changes to SWP water rights
 - Any necessary CAPBs



Next Steps

- JPA & CCWD responses provided to DWR – no further changes
- Awaiting response from DWR

