



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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July 25, 2016

Tam Doduc, California WaterFix Hearing Chair
Felicia Marcus, California WaterFix Hearing Officer
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

SENT VIA EMAIL TO: CWFhearing@waterboards.ca.gov

Subject: ***POLICY STATEMENT— California WaterFix Water Rights Change Petition Hearing***

Dear Chair Doduc and Hearing Officer Marcus:

Zone 7 Water Agency (Zone 7) appreciates the opportunity to provide a policy statement in support of the joint petition filed by the California Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) to add three new points of diversion and/or points of rediversion to the water right permits of the State Water Project and the Central Valley Project as part of the California WaterFix Project (California WaterFix).

Zone 7 is the wholesale urban water supplier to businesses and approximately 240,000 residents in the Livermore-Amador Valley in eastern Alameda County. The cities of Livermore, Pleasanton, and Dublin, and Dougherty Valley in San Ramon rely on Zone 7 for much of their water supply. Zone 7 also provides untreated water for the irrigation of 3,500 acres, primarily vineyards, which contribute \$200 million to the local economy.

Before the construction of the State Water Project in the early 1960s, groundwater was the sole water source for the Livermore-Amador Valley. By the 1950s the groundwater basin was in overdraft and Zone 7 became the first State Water Project (SWP) contractor to address the issue of limited local supplies by implementing a sustainable groundwater management program. It was during this era that Zone 7 first conducted a program of groundwater replenishment by recharging imported surface water for storage in the Main Basin, began supplying treated surface water to customers to augment groundwater supplies, and regulating municipal pumping by contractually establishing groundwater pumping quotas with each local retailer.

Today, approximately 80 percent of Zone 7's supply comes from the SWP and is conveyed through the Sacramento-San Joaquin River Delta. As such, Zone 7 is highly dependent on the SWP delivery system; the reliability of the SWP infrastructure—especially conveyance through the Delta—is the most critical component of achieving reliability of the Livermore-Amador Valley's urban and agricultural water supplies. Furthermore, in case of disruptions in the Delta due to earthquakes, levee failures, and other events, Zone 7 will be immediately affected as the

first State Water Project contractor receiving water south of the Delta.

The aging State Water Project system is outdated, inefficient and in need of repair and upgrades. The California WaterFix reduces the vulnerability of the State Water Project to earthquakes, climate change, sea level rise, and outages due to maintenance and environmental impacts. Furthermore, the California WaterFix is expected to improve the water quality of SWP deliveries, reducing the salt loading on the local groundwater basin which is a key objective of Zone 7's Salt Management Plan (approved by the San Francisco Regional Water Quality Control Board in 2004, as part of the area's Master Recycled Water Permit).

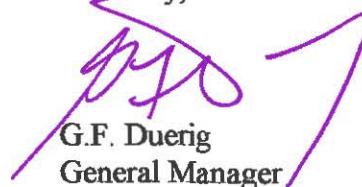
Because of Zone 7's reliance on this failing infrastructure, Zone 7 has been an active participant in evaluating alternatives for improving the conveyance infrastructure since 2006, when it became a signatory to the "Cooperation Agreement Among Potentially-Regulated Entities for Preparation of the Bay Delta Conservation Plan" and began sending representatives to the BDCP Steering Committee. In fact, in 2007, Zone 7 took on the role of fiscal agent for funding BDCP activities as further evidence of its commitment. A series of board resolutions is attached reflecting this decade-long commitment to planning for restoring water supply reliability and improving the Delta ecosystem.

Zone 7 staff remain active in the development of solutions for the Delta such as planning for the California WaterFix and California EcoRestore, including serving as president of the State Water Project Contractors Authority (SWPCA), as well as sitting on the boards of the SWPCA Delta Specific Project Committee and the State and Federal Contractors Water Agency.

As a matter of policy, on June 18, 2014, the Zone 7 Board of Directors adopted a resolution supporting both the California Water Action Plan, and the Association of California Water Agencies' Statewide Water Action Plan to achieve the co-equal goals of restoring water reliability and improving the Delta ecosystem. California WaterFix is a key component of both plans and represents a major step toward managing critical infrastructure and achieving sustainable water management for all Californians. A copy of this policy statement is also attached (Resolution 14-4370).

Zone 7 urges you to approve the joint petition by DWR and Reclamation to enable continued progress towards implementation of the California Water Action Plan.

Sincerely,



G.F. Duerig
General Manager

Attachments

cc: Mark Cowin, DWR
Terry Erlewine, State Water Contractors

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 07-2952

INTRODUCED BY DIRECTOR KALTHOFF
SECONDED BY DIRECTOR PALMER

BE IT RESOLVED, that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby approve the "Cooperation Agreement Among Potentially Regulated Entities for Preparation of the Bay Delta Conservation Plan" in connection with the Bay-Delta Conservation Plan and authorizes the General Manager to execute said Agreement.

BE IT FURTHER 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, with the concurrence of General Counsel, execute contract(s) with the selected consultant team(s) to provide professional and scientific services necessary for the completion of the Bay Delta Conservation Plan for a not-to-exceed amount of \$7.5M for the period of December 1, 2006 through October 31, 2009 and to issue notice(s) to proceed limited to Phase I of said contract(s) for a not to exceed amount of \$1.073 million.

BE IT FURTHER RESOLVED, that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District authorizes the General Manager and General Counsel to negotiate and the General Manager to execute agreements with the Department of Water Resources, Mirant Delta and the San Luis-Delta Mendota Water Authority to reimburse Zone 7 for costs incurred in connection with the consultant contract referred to above.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS CONCANNON, GRECI, KALTHOFF, KOHNEN, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

November 15, 2006

By 
President, Board of Directors

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

RESOLUTION NO 08-3065

INTRODUCED BY DIRECTOR KALTHOFF
SECONDED BY DIRECTOR CONCANNON

WHEREAS, the Zone 7 Board supports the development of the Bay Delta Conservation Plan (BDCP) to ensure the reliability of existing water supplies conveyed through the Sacramento-San Joaquin River Delta; and

WHEREAS, the Zone 7 Board authorized the General Manager to execute a Memorandum of Understanding (MOU) and Cooperative Agreement among the funding partners of the BDCP; and

WHEREAS, pursuant to the Cooperative Agreement, Zone 7 has entered into and administers certain consultant contracts in connection with the BDCP on behalf of the PREs the cost of which is reimbursed to Zone 7 by San Luis & Delta Mendota Water Authority ("SLDMWA"), Mirant Delta and the Department of Water Resources; and

WHEREAS, the SLDMWA, a signatory to the BDCP MOU and Cooperative Agreement, has agreed to administer additional contracts for consulting services related to the completion of the BDCP; and ;

WHEREAS, SLDMWA will be reimbursed by the Department of Water Resource and Mirant Delta costs incurred by SLDMWA in connection with its administration of these additional BDCP consultant contracts plus an administrative charge of 1.5%; and

WHEREAS, the Department of Water Resources and Mirant Delta have requested and authorized Zone 7 as the primary contract administrator for the BDCP consultant contracts, to pay SLDMWA their respective shares of consultant costs and thereafter, invoice DWR and Mirant as part of their respective reimbursement obligations to Zone 7.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to execute a reimbursement agreement with the San Luis & Delta Mendota Water Authority for costs incurred for consulting services associated with the Bay Delta Conservation Plan in an amount not-to-exceed \$600,000.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS CONCANNON, GRECI, KALTHOFF, KOHNEN, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

October 17, 2007

By W.A. [Signature]
President, Board of Directors

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 08-3115

INTRODUCED BY: DIRECTOR CONCANNON
SECONDED BY: DIRECTOR KALTHOFF

BE IT RESOLVED, that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to negotiate and approve the Scope of Work and associated expenditures for work to be performed by Science Application International Corporation (SAIC) for the period Jan 1, 2008 through February 2008 in an amount not-to-exceed \$135,000; and

BE IT FURTHER 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 a contract amendment with Jones & Stokes to provide additional biological and conservation planning services needed for BDCP development, in an amount not to exceed \$141,000 for a total contract amount of \$261,000 and extending the term through December 31, 2008; and

BE IT FURTHER RESOLVED THAT the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District authorizes the General Manager to execute amendments to existing reimbursement agreements with Kern County Water Agency and the San Luis-Delta Mendota Water Authority to reimburse Zone 7 for the additional costs associated with the consultant contracts referred to above.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS CONCANNON, GRECI, KALTHOFF, KOHNEN, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

December 19, 2007

By W. G. [Signature]
President, Board of Directors

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 09-3265

INTRODUCED BY DIRECTOR MYERS
SECONDED BY DIRECTOR KALTHOFF

Authorization to Become a Member of the State Water Project Contractors
Authority's Delta Specific Project Committee and to Execute Related Funding Agreement

WHEREAS, Zone 7 of the Alameda County Flood Control and Water Conservation District is a Member of the State Water Project Contractors Authority ("Authority"), a joint power agency established pursuant to the California Joint Exercise of Powers Act (Government Code Sections 6500, *et seq.*); and

WHEREAS, the Authority authorized the formation of a specific project committee pursuant to Section 4.3 of the Authority's Joint Powers Agreement, to be known as the "Delta Specific Project Committee" (hereinafter the "DSPC"); and

WHEREAS, Section 4.3 of the Authority's Joint Powers Agreement provides that Members of the Authority may become members of the DSPC; and

WHEREAS, this Board has determined that it is in the best interest of Zone 7 of the Alameda County Flood Control and Water Conservation District to become a member of the DSPC;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby authorize and approve becoming a Member of the Authority's DSPC and authorizes the President to execute the Authority's DSPC Specific Project Agreement; and

BE IT FURTHER RESOLVED that the President of the Board is also authorized to execute a DHCCP Funding Agreement with the California Department of Water Resources within 120 days of that Agreement becoming available for execution as provided for in this DSPC Specific Project Agreement; and

BE IT FURTHER RESOLVED that the General Manager or her designee is hereby appointed to represent Zone 7 at all meetings of the Delta Specific Project Committee.

AYES: DIRECTORS FIGUERS, GRECI, KALTHOFF, MYERS, PALMER, QUIGLEY

NOES: DIRECTOR STEVENS

ABSENT: NONE

ABSTAIN: NONE

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

December 17, 2008

By 
President, Board of Directors

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 09-3278

INTRODUCED BY DIRECTOR MYERS
SECONDED BY DIRECTOR QUIGLEY

BE IT RESOLVED, that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to 1) authorize work and associated expenditures under existing consultant contracts; and 2) negotiate and execute contracts and/or amendments for services with SAIC and other consultants as necessary and selected by the Potentially Regulated Entities. The total not-to-exceed-amount authorized for all BDCP related consulting services is \$6.8 million;

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 to amend agreements or execute new agreements as needed with the Department of Water Resources, Mirant Delta, and the San Luis & Delta Mendota Water Authority to reimburse Zone 7 for costs incurred in connection with the consultant contract(s) referred to above.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS FIGUERS, GRECI, KALTHOFF, MYERS, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

February 18, 2009

By 
President, Board of Directors

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 10-3358

INTRODUCED BY DIRECTOR GRECI
SECONDED BY DIRECTOR FIGUERS

WHEREAS, Zone 7 Water Agency approved the Planning Agreement regarding the Bay Delta Conservation Plan on October 18, 2006; and

WHEREAS, Zone 7 Water Agency approved the Cooperation Agreement Among Potentially Regulated Entities for Preparation of the Bay Delta Conservation Plan on November 15, 2006; and

WHEREAS, Both the Planning Agreement and the Cooperation Agreement are set to expire and it is anticipated that up to two additional years will be needed to complete the BDCP; and

WHEREAS, Zone 7 Water Agency wishes to remain involved in the BDPC process and continue as the contract administrator as defined in the Cooperation Agreement until an alternative is identified.

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 First Amendment to the Planning Agreement Regarding the Bay Delta Conservation Plan and hereby authorizes the General Manager to execute the amendment; and

BE IT FURTHER RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby approve the First Amendment to the Cooperation Agreement among PRE's for Preparation of the BDCP and hereby authorizes the General Manager to execute the amendment.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS FIGUERS, GRECI, KALTHOFF, MOORE, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

November 18, 2009

By 
President, Board of Directors

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

RESOLUTION NO 10-3370

INTRODUCED BY DIRECTOR MOORE
SECONDED BY DIRECTOR GRECI

Approval of Amendment No. 1 to the Delta Specific Project Committee Project Agreement

WHEREAS, Zone 7 of the Alameda County Flood Control and Water Conservation District is a member of the Delta Specific Project Committee ("DSPC" or "Delta Committee") of the State Water Project Contractors Authority ("Authority"), a joint powers agency established pursuant to the California Joint Exercise of Powers Act (Government Code Sections 6500, *et seq.*); and

WHEREAS, on December 17, 2008, by Resolution No. 09-3265, the Zone 7 Board of Directors authorized and approved the DSPC Project Agreement and membership in the Delta Committee; and

WHEREAS, in August 2009 water contractors of the California State Water Project and the federal Central Valley Project created a Joint Powers Agency known as the State and Federal Contractors Water Agency, a party to which is SWPCA acting through the Delta Committee; and

WHEREAS, members of the Delta Committee desire to amend the DSPC Project Agreement to change who can serve as director from the Delta Committee on the Board of Directors of the State and Federal Contractors Water Agency, and Amendment No. 1 has been prepared to effect such change; and

WHEREAS, this Board has determined that it is in the best interest of Zone 7 of the Alameda County Flood Control and Water Conservation District to approve said Amendment No. 1;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby approve Amendment No. 1 to the DSPC Project Agreement; and

BE IT FURTHER RESOLVED that the President of the Board is authorized and directed to execute said Amendment No. 1 on behalf of Zone 7.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS GRECI, KALTHOFF, MOORE, PALMER, QUIGLEY

NOES: NONE

ABSENT: DIRECTOR FIGUERS

ABSTAIN: DIRECTOR STEVENS

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

January 20, 2010

By  1/20/10
President, Board of Directors

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 10-3382

INTRODUCED BY DIRECTOR STEVENS
SECONDED BY DIRECTOR MOORE

BE IT RESOLVED, that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to 1) authorize additional work and associated expenditures under existing consultant contracts to complete the BDCP; and 2) negotiate and execute contracts and/or amendments for services with SAIC and other consultants as necessary and selected by the Potentially Regulated Entities. The total not-to-exceed-amount authorized for all BDCP related consulting services is \$12.5 million;

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 to amend existing agreements or execute new agreements as needed with the Department of Water Resources, Mirant Delta, San Luis & Delta Mendota Water Authority or other entity to reimburse Zone 7 for costs incurred in connection with the consultant contract(s) referred to above.

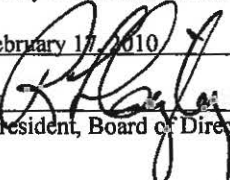
ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS GRECI, FIGUERS, KALTHOFF, MOORE, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

<p>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</p> <p>February 17, 2010</p> <p>By  President, Board of Directors</p>
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ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 11-4026

INTRODUCED BY DIRECTOR QUIGLEY
SECONDED BY DIRECTOR MACHAEVICH

Authorization to Negotiate and Execute Agreement for Supplemental Funding with the Department of Water Resources (DWR) for the Delta Habitat Conservation and Conveyance Program (DHCCP)

WHEREAS, on December 17, 2008, the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District adopted Resolution 09-3265 approving a Funding Agreement with the State Department of Water Resources (DWR) to participate in the funding of a \$140 million program for environmental analysis, planning, and design of Delta conservation measures (including Delta conveyance options), more commonly known as the Delta Habitat Conservation and Conveyance Program ("DHCCP"); and

WHEREAS, DWR has determined that additional funding of \$86 million is required to complete the tasks in the DHCCP; and

WHEREAS, DWR is preparing an Agreement for Supplemental Funding for Zone 7 to continue to participate in the DHCCP for Zone 7's estimated cost share of up to \$923,000; and

WHEREAS, under said Agreement DWR will consult with Zone 7 on decisions related to budget, scope, schedule, and activities of DHCCP to assure timely completion in a cost-effective manner;

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 the Agreement for Supplemental Funding between the Department of Water Resources and Zone 7 for completing the DHCCP up to a Zone 7 cost share level of \$923,000.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS GRECI, FIGUERS, MACHAEVICH, MOORE, PALMER, QUIGLEY, STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

August 18, 2010

By 
President, Board of Directors

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

RESOLUTION NO 14-4370

INTRODUCED BY DIRECTOR QUIGLEY
SECONDED BY DIRECTOR PALMER

Supporting Statewide Water Action Planning

WHEREAS, a broad cross-section of water interests convened by the Association of California Water Agencies (ACWA) has developed a Statewide Water Action Plan (SWAP) to address overall water supply reliability and ecosystem health in California; and

WHEREAS, when implemented together, this suite of statewide actions will serve as a sustainable path forward for California; and

WHEREAS, many of the actions in the SWAP were incorporated into the California Water Action Plan released by the governor on January 22, 2014; and

WHEREAS, together the two documents form a sound set of principles and implementing approaches to improve overall water supply reliability in the state;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Zone 7 Water Agency hereby supports both the California Water Action Plan and ACWA's Statewide Water Action Plan.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS GRECI, FIGUERS, PALMER, QUIGLEY, RAMIREZ HOLMES, STEVENS

NOES: NONE

ABSENT: DIRECTOR MACHAEVICH

ABSTAIN: NONE

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on June 18, 2014.

By: W. N. Stev
President, Board of Directors