

## John Cunningham

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**From:** Leland Frayseth <leland.frayseth@gmail.com>  
**Sent:** Saturday, October 16, 2021 6:10 PM  
**To:** Samantha.Arthur@cw.ca.gov; Alexandre.Makler@cw.ca.gov; daniel.curtin@cw.ca.gov; Teresa.Alvarado@cw.ca.gov; Matthew.Swanson@cw.ca.gov; Kimberly.Gallagher@cw.ca.gov; Fern.Steiner@cw.ca.gov; Jose.Solorio@cw.ca.gov; cw@water.ca.gov; Shoemaker, Brianna@DWR; amy.young@water.ca.gov; Cambra, Paul@CWC; Yun, Joseph@DWR; Klopfenstein, Rachael@DeltaCouncil; erik.erreca@deltacouncil.ca.gov; John Cunningham; spalmer@zone7water.com; Bob Wright; Obegi, Doug; Daniel Bacher; Scott Anderson; Rachel Murphy; Kennedy, Kellye J; Jennifer Allen  
**Subject:** Las Vaqueros Reservoir 275,000 acre-feet - CCWD Board to flounder in Closed Session  
**Attachments:** 10.20.21 Special Board Meeting Agenda.pdf; 41\_1019.003\_Los\_Vaqueros\_Dam\_InspRpt\_20181031\_redacted.pdf.pdf

Subject: Las Vaqueros Reservoir 275,000 acre-feet - CCWD Board to flounder in Closed Session

Dear Commissioners, Staff and the Public,

This is my 42nd letter to the California Water Commission please add this comment to the 20 Oct 2021 meeting agenda item 9 Water Storage Investment Program: Los Vaqueros Reservoir Expansion Project Continuing Eligibility and Feasibility Determination (Action Item). I am a 37 year Contra Costa Water District (CCWD) ratepayer of Los Vaqueros Reservoir 100,000 and 160,000 acre-feet that gives me poor water quality, has a longitudinal crack in its crest and never was filled to 160,000 acre-feet after being raised in 2012.

I think this item should be pulled from the agenda. There is no way Staff could have determined Los Vaqueros is feasible or "will advance the long-term objectives of restoring ecological health and improving water management for beneficial uses of the Delta."

Every major reservoir in the West is almost empty; there are millions of acre-feet unused surface storage capacity in the Colorado and Sacramento River Basins. There is no water to fill them because you changed the climate by burning fossil fuels to pump water to the Central Valley and up the Tehachapi Mountains. That dumped tons of Carbon into the atmosphere. Last Spring I told you to embrace the Next California Project to move Central Valley farming the Mississippi Delta where there is abundant water.

You will dump tons more Carbon into the atmosphere burning diesel fuel for construction and earthmoving equipment to tear down the 160,000 acre-feet dam built in 2012 further exacerbating climate change.

I think Lisa Borba and her CCWD Board know the fish are winning in Court that is why they have to meet in Closed session. There will be water for fish but no 275,000 acre-feet reservoir. My tap water has been particularly nasty this year while they try to drain that stagnant pool through my kitchen faucet and shower head.

The 275,000 acre-feet schedule has slipped 5 years since what was on their Prop 1 application. CCWD's Board approved a plan to buy water from East Bay Municipal District (EBMUD) during the 5 year construction. EBMUD has no water to spare Comanche Reservoir and the Mokelumne River are dangerously low pulse flows for salmon are a trickle of what they should be from the California Data Exchange Format queries I pull.

The Federal Infrastructure Bill has not passed and its prospects look grim, there will be no more federal money for Los Vaqueros 275,000 acre-feet.

Please Commissioners if this item does not get pulled from the agenda and you do vote on it, vote it down. I know these people at CCWD very well, I have been their customer for 37 years. The 275,000 acre-feet Los Vaqueros project should be canceled, the project team terminated and migrating salmon should get the water.

Leland Frayseth

**FILE**

**INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS**

Name of Dam Los Vaqueros Dam No. 1019-003 County Contra Costa  
Type of Dam Earth fill Type of Spillway Concrete ogee and chute  
Water is 7 feet below spillway crest and 21 feet below dam crest.

Weather Conditions Sunny to partly cloudy, 66°F, winds NNW at 5 to 10 mph  
Contacts Made Peter Stabb (CCWD), Anthony Morales (CCWD), staff from CCWD  
Reason for Inspection Periodic inspection

**Important Observations, Recommendations or Actions Taken**

On June 11, 2018 Mr. Peter Stabb of the CCWD submitted a work plan for re-establishing operation of Gate #5, which was accepted in a letter dated August 3, 2018. The accepted work plan included dive operations to apply vibratory energy to release the gate. Upon reaching the gate, the divers found that the gate was partially open. Upon further exploration the owner determined that the gate was operable, and the valve operator was malfunctioning. The owner repaired the valve operator. Gate #5 was fully cycled during this inspection with no problems.

The two surficial slumps on the downstream face of the dam were repaired and appeared satisfactory.

Vegetation control in downstream channel to Kellogg Creek was excellent.

Vegetation on upstream slope was mild and sparse and should be monitored to ensure no woody vegetation occurs.

Woody vegetation on the downstream slope needs to be removed. The dense grass on the downstream face prevents adequate assessment of the magnitude of animal burrows and localized depressions. The grass needs to be mowed periodically, and the owner needs to inspect the downstream face for animal burrows and localized depressions.

Longitudinal cracking was observed at several locations along the dam crest near the spillway, near the right abutment, and along the paved asphalt on the right side of the dam near the MSE wall. Some of these locations were previously patched and have since opened and propagated longitudinally. All cracking noted in this report should be patched and closely monitored visually. The upstream slope on the left side of the dam (upstream of the longitudinal cracking) should be visually monitored for signs of movement or bulging. The downstream slope on the left side of the dam (downstream of the longitudinal cracking) should be cleared of vegetation obstructing visual assessment and should be closely monitored for signs of movement or bulging. The parapet wall where the asphalt and concrete meet should also be monitored for movement.

The upstream portion of the spillway chute contained mild debris and vegetation, which the owner needs to remove and keep clear.

Woody vegetation should be removed and kept clear of the spillway chute walls.

Design work to unobstruct the toe drain outlet is currently underway. The owner plans to go to construction in 2019 or 2020. This work will not require a repair application.

**Conclusions**

From the known information and visual inspection, the dam, reservoir, and the appurtenances are judged safe for continued use.

Photos taken? Yes  No   
cc for Owner/Book

Inspected by Rick Keizer RAK 11-14-18  
Date of Inspection Nekane Hollister MNH 11/14/18  
Date of Report 11/14/2018 Feb 11/14/18

# INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS

Name of Dam Los Vaqueros

Dam No. 1019-003

Date of Inspection 10/31/2018

## Observations and Comments

### Dam

The visible portion of the riprap-covered upstream slope of the dam appeared to be satisfactory with mild sparse vegetation and debris, and no signs of slope instability (Photo 1). Upstream vegetation should be monitored to ensure no perennial growth occurs. The downstream slope of the dam contained numerous visible animal burrows, and areas of mild to moderate vegetation obstructing inspection (Photo 2). Woody vegetation on the downstream slope needs to be removed. The dense grass on the downstream face prevents adequate assessment of the magnitude of animal burrows and possible localized depressions. The two surficial slumps previously reported were repaired, and hydroseed was recently placed (Photo 3). The rock fill against the lower right abutment appeared to be satisfactory.

Longitudinal cracking was observed along the paved asphalt and concrete covered portion of the crest right of the spillway bridge. The asphalt cracking (approximately 120-foot-long) was previously patched in some locations, but is now open up to 1/2-inch-wide toward the center of the cracking, and is propagating longitudinally (Photo 4). The concrete crack (approximately 15-foot-long) was surficial (<1/8-inch-wide), but only 20-feet away from the asphalt crack (Photo 5). This cracking needs to be patched and closely monitored visually. The upstream slope on the left side of the dam (upstream of the longitudinal cracking) should be visually monitored for signs of movement or bulging. The downstream slope on the left side of the dam (downstream of the longitudinal cracking) should be cleared of vegetation obstructing visual assessment and should be closely monitored for signs of movement or bulging.

There was also a mild separation on the parapet wall where the asphalt and concrete sections meet (Photo 6). This parapet wall should also be monitored for movement. There was no visible evidence of slope movement either upstream or downstream of the crest.

Longitudinal cracking was also observed along the paved asphalt on the right side of the dam. Portions of the cracking were previously patched but have since opened further and propagated. It is estimated that the cracking is evident in locations along a line approximately 300-foot-long, from the [REDACTED] following the crest curvature near the right abutment. Longitudinal cracking was also observed along the paved asphalt on the right side of the dam near the MSE wall in two locations. One of the locations (further downstream than the second) was a previously patched crack about 80-foot-long, about 1/4-inch-wide, and has slightly propagated. The second location was about 40-foot-long, surficial (<1/8-inch-wide), and was not previously patched. The visible portion of the MSE wall along the upstream side of the dam crest appeared to be satisfactory.

The cracking discussed in this report is not an immediate dam safety issue and needs to be monitored as noted.

### Spillway

The spillway approach and ogee structure were clear and unobstructed. The upstream portion of the spillway chute contained mild debris and vegetation, which the owner needs to remove and keep clear (Photo 7). Some woody vegetation was observed adjacent to the spillway chute walls. The owner needs to remove this vegetation during regular maintenance. The stilling basin contained standing water which prevented inspection of the concrete floor and rip-rap. No apparent structural or concrete deficiencies were noted on the visible portion of the spillway structure.

The RCC spillway block appeared to be in good condition. No visible structural deficiencies or concrete deterioration were observed. The access road bridge over the spillway chute also appeared to be in good condition.

# INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS

Name of Dam Los Vaqueros Dam No. 1019-003

Date of Inspection 10/31/2018

## Observations and Comments

<u>Outlet</u>	<p>On June 11, 2018 Mr. Peter Stabb of the CCWD submitted a work plan for re-establishing operation of Gate #5, which was accepted in a letter dated August 3, 2018. The accepted work plan included dive operations to apply vibratory energy to release the gate. Upon reaching the gate, the divers found that the gate was partially open. Upon further exploration the owner determined that the gate was operable, and the valve operator was malfunctioning. The owner repaired the valve operator. The [REDACTED] valves for all five gates were recently replaced. Gate #5 was fully cycled during this inspection. The upstream sloping intake control building was well maintained. The multilevel gate controls and the hydraulic lines appeared to be satisfactory.</p> <p>The visible portion of the outlet pipe and the operators for the [REDACTED] valve and the [REDACTED] valve in the outlet control room appeared to be in good condition. The outlet control room was well maintained. The condition of the downstream [REDACTED] valve appeared to be satisfactory from a distance. All valves/gates used for emergency drawdown need to be fully cycled annually by the owner and in DSOD's presence every three years.</p> <p>Vegetation control in the downstream channel to Kellogg Creek was excellent, most recently trimmed the week of October 8<sup>th</sup>, 2018. The owner periodically removes undesirable vegetation in the channel.</p>
<u>Seepage</u>	<p>There were no signs of through-seepage on the downstream slope, abutment contacts, or along the downstream toe. Seepage over the toe drain weir was measured to be 14-cubic-feet per second while onsite. A significant portion (60-70%) of the toe drain outlet pipe was buried in the creek bed (Photo 8). The owner was able to maintain a positive flow from the drain because the creek normally runs low. The owner has environmental limitations to modify the creek bed, but design modifications are being performed and design is scheduled to be completed in the spring of 2019. Environmental permits are required for alterations, and construction is anticipated to begin by 2020. This work will not require a repair application.</p>
<u>Instr.</u>	<p>The dam instrumentation consists of piezometers, survey monuments, an inclinometer, and seepage weirs. The toe drain structure was observed during the inspection and appeared to be in excellent and operating condition. The most recent instrumentation was delivered by hand during the last inspection on 10/12/2017 and was reviewed in that report. The existing instrumentation is considered adequate and no additional instrumentation is judged necessary at this time.</p>



Photo 1 – Upstream rip-rap slope in satisfactory condition with mild vegetation.

# INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS

Name of Dam Los Vaqueros

Dam No. 1019-003

Date of Inspection 10/31/2018



Photo 2 – View of downstream slope taken from V-channel on right side of dam showing slope vegetation and animal burrows.

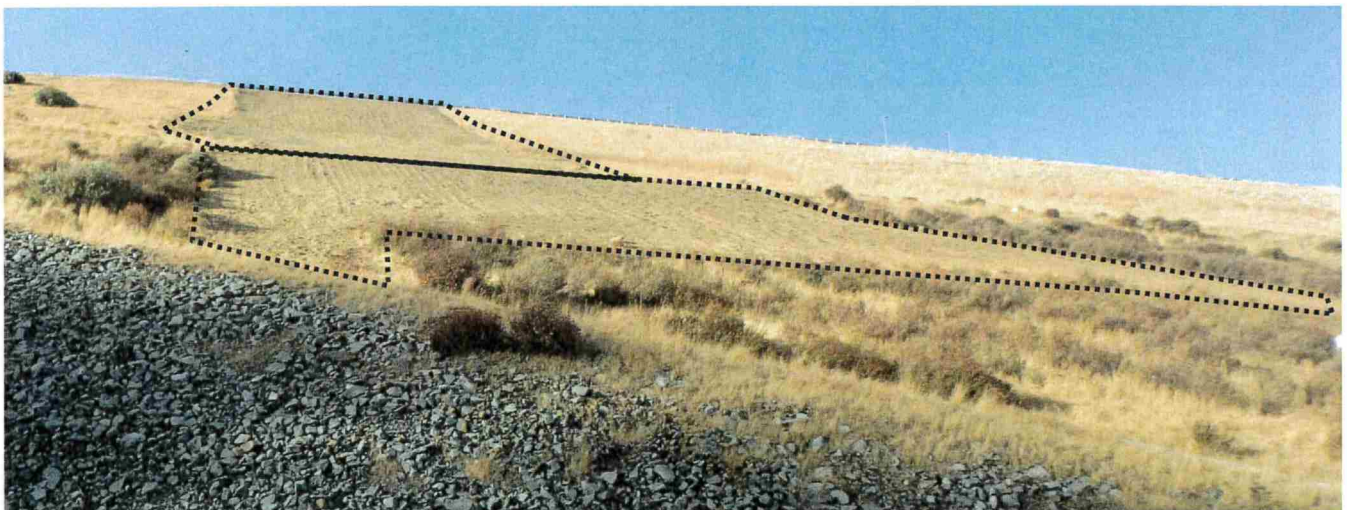


Photo 3 – Two repaired surficial slumps on downstream slope.

# INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS

Name of Dam Los Vaqueros

Dam No. 1019-003

Date of Inspection 10/31/2018



Photo 4 – Close-up of longitudinal crack on left side of dam along asphalt crest.

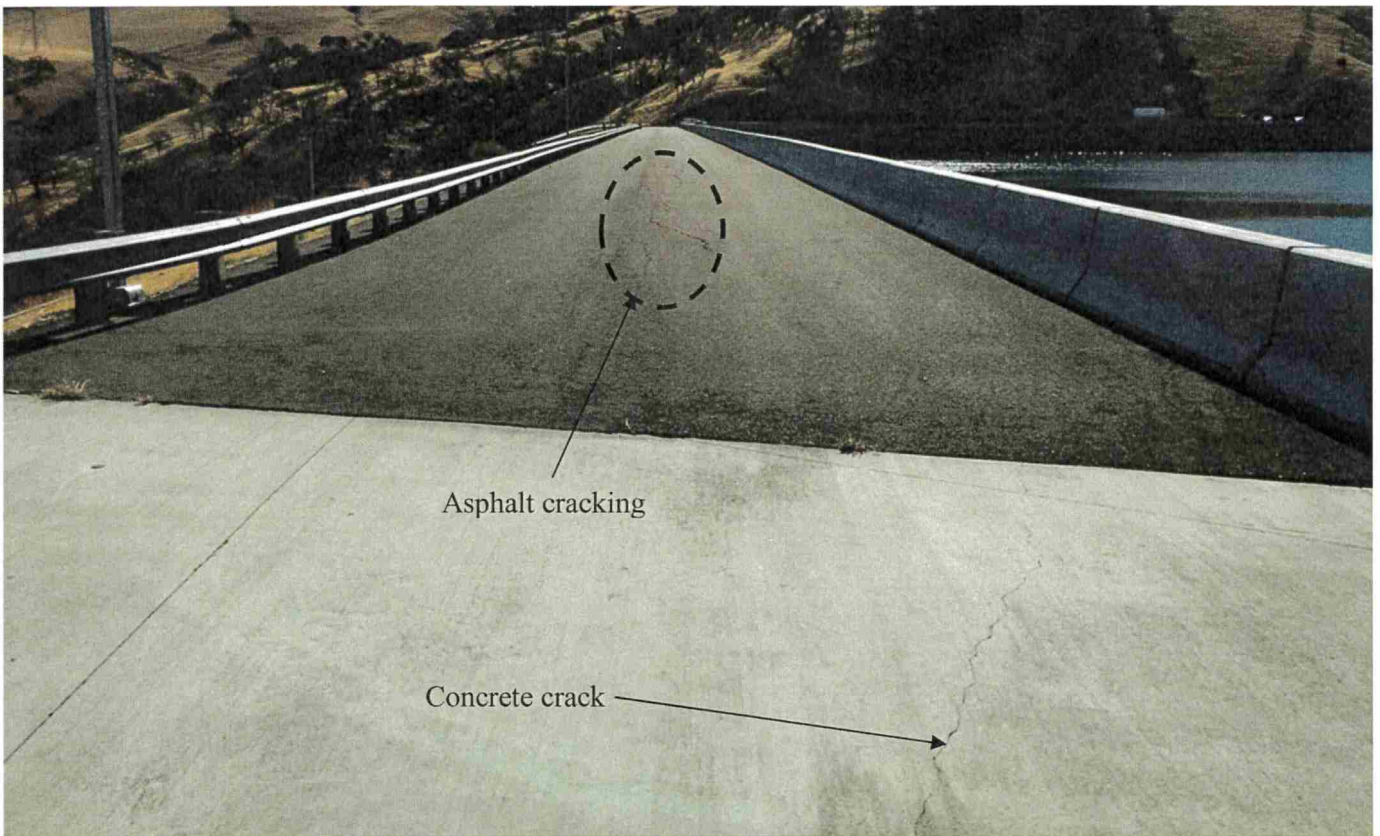


Photo 5 – View of concrete crack in the foreground and asphalt cracking in the background.

# INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS

Name of Dam Los Vaqueros

Dam No. 1019-003

Date of Inspection 10/31/2018



Photo 6 – Separation in parapet wall where asphalt and concrete meet on dam crest.

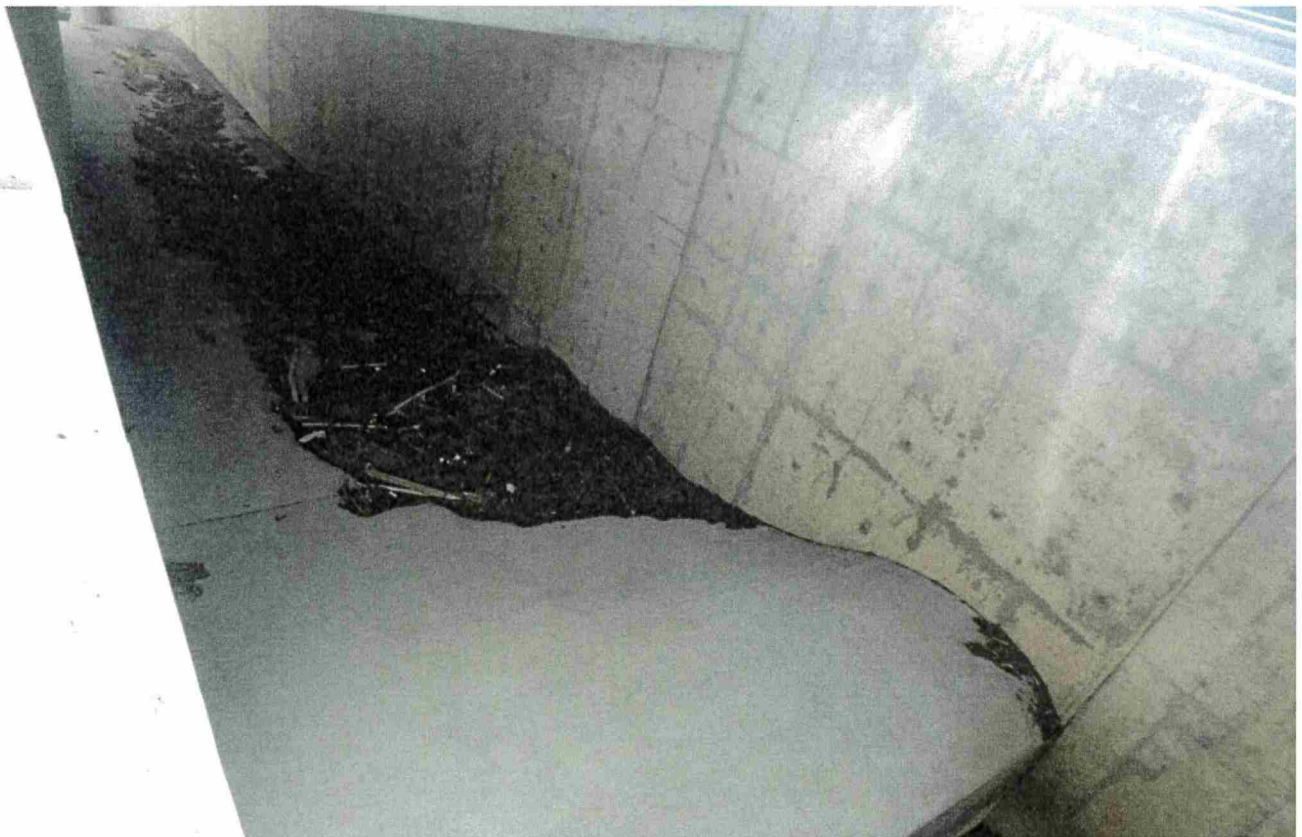


Photo 7 – Debris and vegetation to be removed located at upstream portion of spillway chute.



# INSPECTION OF DAM AND RESERVOIR IN CERTIFIED STATUS

Name of Dam Los Vaqueros Dam No. 1019-003

Date of Inspection 10/31/2018

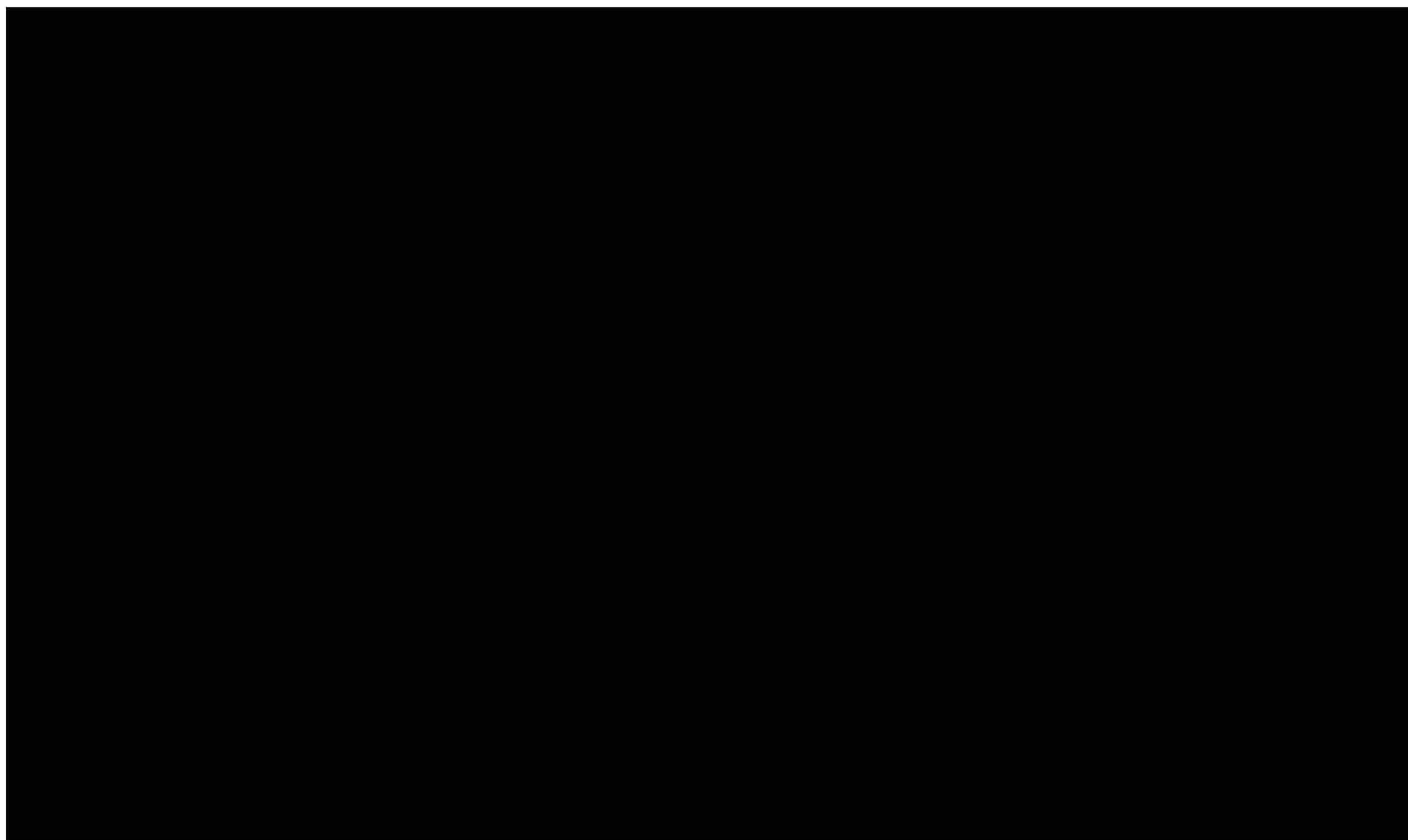


Photo 8 – Toe drain outlet pipe partially submerged in Kellogg Creek.

**BOARD OF DIRECTORS**

Lisa M. Borba, AICP

PRESIDENT

Ernesto A. Avila, P.E.

VICE PRESIDENT

John A. Burgh

Connstance Holdaway

Antonio Martinez

**CONTRA COSTA WATER DISTRICT  
SPECIAL MEETING****AGENDA****GENERAL MANAGER**

Stephen J. Welch, P.E., S.E.

**Wednesday, October 20, 2021 at 6:00 p.m.**  
**1331 Concord Avenue, Concord – Board Room (in-person) or**  
**Via Teleconference (617) 829-7560**

**CLICK ITEM NUMBER TO VIEW REPORT**

**Pursuant to the authorizations provided in CCWD Resolution 21-017, this meeting may be conducted telephonically or by other electronic means. One or more Directors may attend via electronic means. If participating telephonically, please call into the teleconference up to 10 minutes before the scheduled start time.**

**The Telephonic Meeting Participation Guide is the final page of this Agenda [[or click here.](#)]**

*Members of the public may speak on any matter within the jurisdiction of the Contra Costa Water District: in person by filling out a speaker's card available at the Board Room entrance and giving it to the District Secretary; during the teleconference when comments are requested; or in writing/email sent to and received by the District Secretary by 4:30 p.m. on the meeting day to be read into the record (up to 3 minutes in length). Comments on matters not listed on the agenda will be taken during the "Public Comment" section of the agenda. Comments on matters listed on the agenda will be taken during consideration of that agenda item. The District Secretary may be contacted at (925) 688-8024; [ysepulveda@ccwater.com](mailto:ysepulveda@ccwater.com); or 1331 Concord Avenue, Concord, CA 94520.*

*Agendas, agenda-packet materials, and other supporting documents are available at: [ccwater.com](http://ccwater.com), 1331 Concord Avenue in Concord, or by calling the District Secretary. A fee may be charged for copies.*

*District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed for you to participate, please contact the District Secretary as soon as possible, but preferably at least two days prior to the meeting. Food will be available for staff and Board members during the hour before the Board meeting. If Board members are present, they will not discuss District business.*

**CALL TO ORDER****SAFETY BRIEFING****ROLL CALL****ADOPTION OF AGENDA****PUBLIC COMMENT (Please observe a three-minute time limit)**

*This section of the agenda is provided so that the public may express comments on any item within the District's jurisdiction not listed on the agenda. Board members can ask questions for clarification, respond to statements or questions from members of the public, refer a matter to staff, or follow Board procedures to direct staff to place a matter of business on a future agenda. The public may express comments on agenda items at the time of Board consideration, per Board President instructions.*

**CLOSED SESSION**

1. Conference with Legal Counsel – Existing litigation pursuant to paragraph (1) of subdivision (d) of Section 54956.9: (*PCFFA v. U.S. Department of Commerce*, Case No. 1:20-cv-00426-DAD-EPG and *California Natural Resources Agency v. U.S. Department of Commerce*, Case No. 1:20-cv-00431-DAD-EPG; United States District Court, Eastern District).

**RECONVENE FROM CLOSED SESSION**

2. Report on closed session.

**ADJOURNMENT**

The next meeting of the Board of Directors will be a regular meeting on Wednesday, October 20, 2021 commencing at 6:30 p.m. in the Board Room located at 1331 Concord Avenue in Concord and also available via teleconference.

### **Teleconference Participation Guide**

- Please call (617) 829-7560 to join the Board meeting, up to 10 minutes before the meeting start time of 6:00 p.m.
  - You will hear an informational recording welcoming you to the meeting
  - Disregard the request to announce yourself when you join the conference call
  - You will hear music while on hold until the meeting begins
  - Please do not place the call on hold
  - Place your phone on mute when you are not speaking to reduce background noise
  - Please call back by dialing the same number if you get disconnected
  - During the call you may hear several different teleconference announcements
  - There will be needed pauses during the meeting to allow for teleconference facilitation and participation
  
- During the meeting, you may hear an announcement: **“Muted.”** This is to prevent unintended background noises, such as dogs barking, sirens, etc., from disrupting the meeting. While the line is muted, you will still be able to hear the meeting. An announcement of **“Unmuted”** signals you are able to be heard by all participants.
  
- Public Comments: Written/emailed comments to be read into the record (up to 3 minutes in length) must be received by the District Secretary by 4:30 p.m. on the meeting day. There will be several opportunities to provide Public Comment during the meeting: Public Comment Section; Consent Calendar Section; and each Action Item. Depending upon the number of public in attendance, the Public Comments may be taken in one of two ways.
  1. The meeting facilitator will announce: **“Callers May Speak Freely.”** To provide your comment, you will need to take your phone off **“Mute.”** Please state your name, so the Board may personally address you and allow separation of Public Comments in the minutes; or
  2. **“Q&A” Session:** All callers are muted following the announcement: **“Q&A Session has started.”** Please follow the voice prompts after the announcement to be placed in the speaker’s queue. Comments will be taken in the order received. The prompts are:
    - **“To ask your questions, please press star 6 (\*6)”**
    - **“Press one (1) to add yourself to the queue”**
    - You should then hear the announcement: **“Your request has been received.”**
  - It is your turn when you hear the announcement: **“You may now ask your question.”**
  - Please state your name, so the Board may personally address you and allow separation of Public Comments in the minutes and indicate when your Comment is completed.
  - An announcement: **“Muted”** will acknowledge that your Public Comment has ended.
  - When there are no further Public Comments for the item, the Q&A Session will be closed with the announcement: **“Q&A Session is over”**
  
- If a Closed Session is included on the agenda, the teleconference will be placed on hold until the Board returns from Closed Session. You will hear music while on hold.

**Thank you for your patience. Your comments are appreciated.**