John Cunningham

From: Leland Frayseth
Sent: Saturday, March 12, 2022 10:00 AM
To: Samantha.Arthur@cwc.ca.gov; Alexandre.Makler@cwc.ca.gov; daniel.curtin@cwc.ca.gov; Teresa.Alvarado@cwc.ca.gov; Matthew.Swanson@cwc.ca.gov; Kimberly.Gallagher@cwc.ca.gov; fern.steiner@cwc.ca.gov; jose.solorio@cwc.ca.gov; cwc@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; john@goldenstatesalmon.org; Bob Wright; Obegi, Doug; Rachel Murphy; Kennedy, Kellye J; Jennifer Allen; jciampa@lagerlof.com; rperea@lagerlof.com; Scott Anderson
Subject: Los Vaqueros Reservoir Proforma Financial Model - Fool me Once

Subject: Los Vaqueros Reservoir Proforma Financial Model - Fool me Once

Dear CWC Commissioners, Los Vaqueros Reservoir JPA Directors, Staff and the Public,

This is my 47th letter to the California Water Commission (CWC). This month marks my 5th year submitting public comments to the CWC. I have watched videos of every CWC meeting and I have submitted over 3 dozen public records requests to agencies. Please embed this comment as a PDF link into the 16 March 2022 agenda under item 9 Water Storage Investment Program (WSIP) consideration of use of remaining funds.

The climate has changed and business conditions have changed since passage of Proposition 1 by the voters. The people of California deserve real relief from the drought and none of the WSIP offstream reservoir projects will help. Los Vaqueros is the poster girl for offstream reservoir failure. It was sold to us 30 years ago on a lie to improve water quality. It has degraded my tap water quality. It has been poorly maintained. It took $5 million in electricity to pump water up to fill 6 years after the 160,000 acre-feet dam raise and then it developed a longitudinal crest crack 5,000 acre feet below its design capacity. It has lost 11% of the water pumped up to it through seepage and evaporation. It is an algal bloom incubator. Gate 5 has been inoperable for 10 years. The dam toe drain outfall is buried in Kellogg Creek. The dam face is overgrown with vegetation and burrowing rodents. There is muddy water where it should not be after an earthquake. Off-stream reservoirs are the poster girls for projects that make CWC Commissioners, management and staff look like they do not know what they are doing. Stop funding off stream reservoirs and ask the Joint Powers Authority (JPA) and local agency partners for our tax money back.

California agriculture is 2.6% of GDP farmers and ranchers need to be escorted to the state line and sent to the Mississippi river basin where there is an abundance of water. We do not have water, it is not raining and snowing anymore.

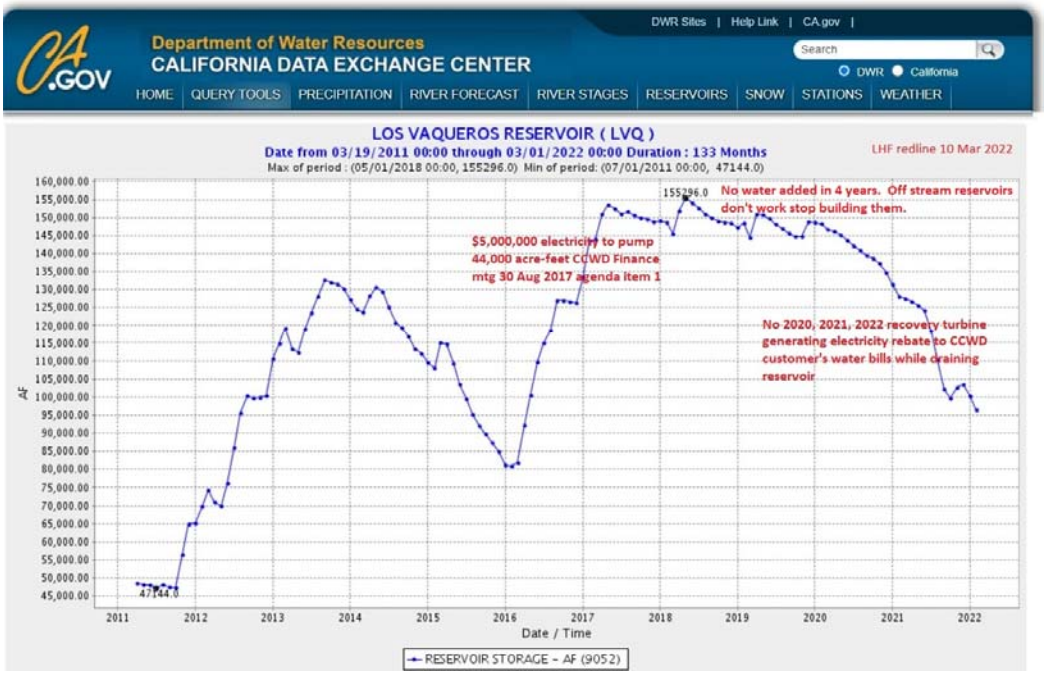
The following images document my experience asking for public records of Los Vaqueros Reservoir's Proforma Financial Model. This is a contract deliverable in the early funding agreement. I was told repeatedly the Los Vaqueros Expansion JPA only has a preliminary draft Proforma Financial model exempt from public release. That is a lie, their contractors, formerly with Lehman Brothers that cost US taxpayers $750 billion, presented the Proforma version 1 model to the Contra Costa Water District Board 5 December 2018. The takeaway in that presentation was that Los Vaqueros 275,000 acre-feet expansion is "Expensive." Troubled asset Los Vaqueros has no financial plan and a very long and growing longitudinal crack in the dam crest. The JPA wants the Feds to pay their annual off-stream reservoir pumping power bill for San Joaquin wildlife refuges when the water should be left at no cost in the Sacramento river for salmon, steelhead and northern California wildlife.

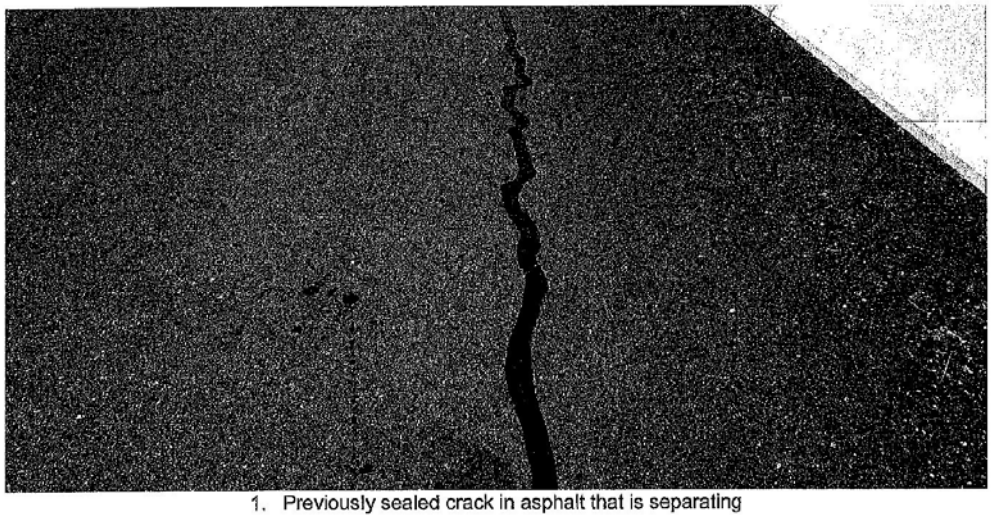
Thank you for reading my comments and studying the embedded images.
Leland Frayseth


Contra Costa Water District
Los Vaqueros Reservoir
Dedicated: May 2, 1998
The Los Vaqueros Reservoir is a project to improve and protect the quality and reliability of the water supply for the residents of Contra Costa – overwhelmingly approved by Contra Costa Water District voters in 1988.
Board of Directors
Elizabeth Robinson Anello
Bette Boatmun
Joseph L. Campbell
Noble O. Elcenko, D.C.
James Pretti
Former Directors During Project
Ronald E. Butler
Donald P. Freitas
Paul F. Hughey
Daniel L. Pellegrini
Craig Z Randall
Key CCWD Staff for the Project
Walter F. Anton
Gary W. Darling
John E. DeVito
John S. Gregg
Thomas J. Linville
General Manager
Walter J. Bishop
CONTRA COSTA WATER DISTRICT
Dam Construction
Kiewit Pacific Co.
Dam Design
Woodward-Clyde Consultants
Acknowledgments
The Board of Directors wishes to acknowledge the dedication and efforts of all staff who worked on the project, as well as Labor's contribution to the project.


Contra Costa Water District
Expansion of Los Vaqueros Reservoir Dam
Dedicated July 13, 2012
This enlargement of the Los Vaqueros Reservoir improves water supply reliability and water quality while enhancing the Delta aquatic environment.
Board of Directors
Joseph L. Campbell, President
Karl L. Wandry, Vice President
Bette Boatmun
Lisa M. Borba
John A. Burgh
Former Directors During Project
Elizabeth R. Anello
James Pretti
Noble O. Elcenko, D.C.
Former General Manager
Walter J. Bishop
General Manager
Jerry D. Brown
Construction Contractor
Barnard Construction Company, Inc.
Design Engineer
URS Corporation
CONTRA COSTA WATER DISTRICT
Acknowledgments
The Board of Directors wishes to acknowledge the dedication and efforts of staff, consultants and contractors who worked on the project, as well as Labor's contribution.


47 °F
93 %
WIND
0
67 °F
48 %
1/12/22 9:16 AM
65 °F
MONTH
30.16
OUTSIDE
ACU-RITE
TDS&EC
meter(hold)
ON/OFF
SHIFT
HOLD


DWR Sites | Help Link | CA.gov |
Department of Water Resources
CALIFORNIA DATA EXCHANGE CENTER
Search
DWR California
HOME QUERY TOOLS PRECIPITATION RIVER FORECAST RIVER STAGES RESERVOIRS SNOW STATIONS WEATHER
LOS VAQUEROS RESERVOIR (LVQ)
Date from 03/19/2011 00:00 through 03/01/2022 00:00 Duration : 133 Months
Max of period : (05/01/2018 00:00, 155296.0) Min of period: (07/01/2011 00:00, 47144.0)
LHF redline 10 Mar 2022
155296.0
No water added in 4 years. Off stream reservoirs don't work stop building them.
$5,000,000 electricity to pump 44,000 acre-feet CCWD Finance mtg 30 Aug 2017 agenda item 1
No 2020, 2021, 2022 recovery turbine generating electricity rebate to CCWD customer's water bills while draining reservoir
AF
47144.0
Date / Time
RESERVOIR STORAGE - AF (9052)



1. Previously sealed crack in asphalt that is separating

3. Separation in parapet wall measured approximately 1-1/8 inch

DWR 1261 (rev. 10/09) Sheet 4 of 5

4/10/2018 Board Meeting 8-7 Attachment 3, Page 20 of 26
Modernizing the System: California WaterFix Finance & Cost Allocation

Troubled assets in red merging into Los Vaqueros 275,000 acre-feet Joint Powers Authority with addtional $1.2 Billion state and federal bailout

Year	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Avg Rate Increase	1.5%	1.5%	4.0%	4.0%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%

COMPARISONS OF CALIFORNIA WATERFIX COSTS TO OTHER LARGE WATER INFRASTRUCTURE PROJECTS IN THE STATE

The project costs and impacts of California WaterFix on individual public agencies are comparable to the construction of other large water infrastructure projects and underscores the project's economic value.

A survey of both the funding mechanisms used for other public water projects as well as the capital cost impacts of those projects was previously considered in Chapter 8 of the Bay Delta Conservation Plan. As shown in Table 6, per capita costs for California WaterFix facilities compare favorably with other large-scale water projects in California.

TABLE 6: COSTS OF LARGE-SCALE WATER PROJECTS IN CALIFORNIA, SORTED BY PER CAPITA COSTS IN 2017 DOLLARS

Project	Agency	Date Completed	Capital Cost in Billions (1)	Population within Service Area in Millions (2)	Project Cost per Capita
Diamond Valley Reservoir/Inland Feeder	Metropolitan Water District	2000	$3.6	18	$198
Freeport Project	East Bay Municipal Utility District	2010	$0.6	1.3	$481
Emergency Storage Project	San Diego County Water Agency	Est. 2014	$1.7	2.8	$598
Capital Improvement Program	Santa Clara Valley Water District	Ongoing	$1.1	1.8	$620
California WaterFix	**CA Department of Water Resources**	Est. 2033	$16.7	25	$669
Los Vaqueros Reservoir Expansion Project	Contra Costa Water District	2012	$0.7	0.55	$1,186
State Water Project	State of California	1965	$19.2	13	$1,476
Coastal Branch Aqueduct	Department of Water Resources and Central Coast Water Authority	1997	$1.1	0.43	$2,444
Hetch Hetchy Aqueduct Improvement Project	San Francisco Public Utilities Commission	Ongoing	$5.1	2.5	$2,052

Source: BDCP Public Draft, November 2013, Chapter 8, Table 8-44.
(1) Capital costs presented in 2017 based on ENR Construction Cost Index – 20 Cities.
(2) Population at time of completion or 2017 for projects not yet completed.

missing Oroville gated & emergency spillway failure $1.2B repairs $51B litigation

Received: 12 Nov 2020 Leland Frayseth
From: CaliforniaDWRSupport Public Records Request R000419-072820

The Metropolitan Water District of Southern California, August 2017 16

Clean Energy Capital
Amendment No. 3 Scope of Work Summary
Phase 2 Los Vaqueros Reservoir Expansion Project

LHF redline 12 Mar 2022

CWC staff needs to mark $850,000 non reimbursable on invoices because public deserves request for proposal, bid tab, competitive bid and this contract was awarded sole source. Reference D10 Competitive Bidding and Procurements Early Funding agreement.

Existing Agreement:	$1,350,000
Amendment No. 3[1]:	
TASK 1 – Project Management Manage the consulting services scope, schedule and budget and track project progress through regular reports and meetings as required. Support the District and the Local Agency Partners (LAPs) participating in the Los Vaqueros Reservoir Joint Powers Authority in development of Draft Service Agreements and other financial agreements as required.	$100,000
TASK 3 – Engineering Feasibility Update the Proforma Financial Model in response to comments by the District and the LAPs and incorporate updated operations and cost information as available. Support development of the Draft Financial Term Sheet. Develop a Draft Plan of Finance describing the proposed financing structure for LAP cost share of project implementation.	$250,000
Total Clean Energy Capital Amendment No. 3 Not to Exceed	**$350,000**
Total Clean Energy Capital Agreement Not to Exceed	**$1,700,000**

[1]Task numbers correspond with Tasks in the Early Funding Agreement. Task 2 (Environmental Planning) of the Early Funding Agreement is not applicable to the contract with Clean Energy Capital.

D.10) COMPETITIVE BIDDING AND PROCUREMENTS: Funding Recipient shall comply with all applicable laws and regulations regarding securing competitive bids and undertaking competitive negotiations in Funding Recipient's contracts with other entities for acquisition of goods and services and construction of public works with funds provided by State under this Funding Agreement.

Los Vaqueros Reservoir JPA - Public Records Act request Travel ×

James D. Ciampa Mon, Jan 24, 1:48 PM (5 days ago)
to me, Rose

Good afternoon, Mr. Frayseth:

On January 13, 2022, you sent the following e-mail to the Authority: "This is a public records request for the complete unredacted electronic Excel file(s) of the Proforma cost model described in deliverables in the attached Early Funding Agreement for Los Vaqueros 275,000 acre-feet expansion on page 12 task 3."

The requested pro forma cost model is still in the development phase and thus is not yet available for public disclosure (per Government Code Section 6254(a) preliminary drafts are exempt from disclosure under the Act). Once that model is finalized, it can be provided in response to a subsequent Public Records Act request.

Thank you for your interest in the Authority.

Sincerely,

James Ciampa, Interim General Counsel
sent on behalf of Interim Clerk, Rosemarie Perea

James D. Ciampa
Partner

[Records Center] Public Records Request :: R000596-102421 Travel ×

CALIFORNIADWR Support
to me

Fri, Jan 14, 11:04 AM

--- Please respond above this line ---

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

Powered by GovQA

Dear Mr. Frayseth,

A in-depth search has been preformed and it has been determined the Proforma Financial Model has not yet been delivered to the California Water Commission as it is still in progress with the Contra Costa Water District.

Sincerely,

PRA Coordinator
Department of Water Resources

To monitor the progress or update this request please log into the Public Records Center

RECOMMENDED ACTION: a) Authorize execution of a sole source contract with Clean Energy Capital for Los Vaqueros Reservoir Expansion Project consulting services for an amount not to exceed $150,000; and b) Authorize an increase in the Water Resources Department's FY18 consulting services capital budget of $150,000, to be funded by the existing Local Partner Agency Funding Agreements.

Marguerite Patil Special Assistant to the GM		Jerry Brown General Manager

MP/MM:wec

Attachment: Clean Energy Capital FY18 Scope of Work and Funding Summary

LOS VAQUEROS RESERVOIR EXPANSION PROJECT

Los Vaqueros Reservoir Expansion

CCWD Board Meeting

December 5, 2018

CleanEnergyCapital

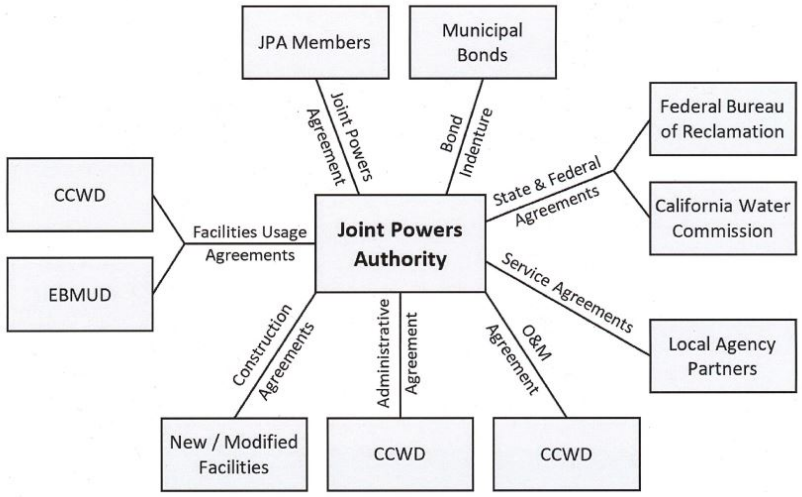
Attachment

Version 1.0 Discussion Points

- CCWD/EBMUD Usage Fees
  - Expensive
  - May be reviewed by independent 3rd party
- Allocation of WSIP contributions to benefit Project
- Sensitivity of Project to changes in interest rate
- Historical CalSim modeling versus the actual cost allocation going forward

Working Model for LVE Project

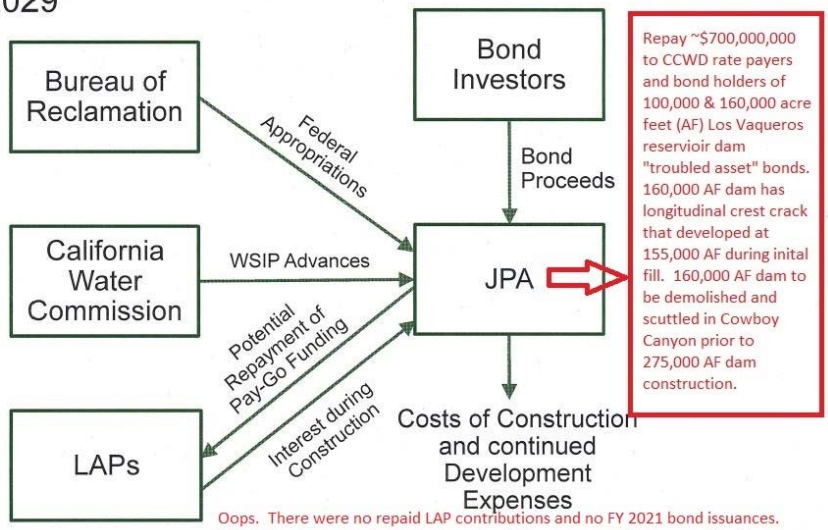
Preliminary Organizational Diagram



Flow of Funds: Construction Period

2021 – 2029

LHF redline 9 Mar 2022



Repay ~$700,000,000 to CCWD rate payers and bond holders of 100,000 & 160,000 acre feet (AF) Los Vaqueros reservoir dam "troubled asset" bonds. 160,000 AF dam has longitudinal crest crack that developed at 155,000 AF during inital fill. 160,000 AF dam to be demolished and scuttled in Cowboy Canyon prior to 275,000 AF dam construction.

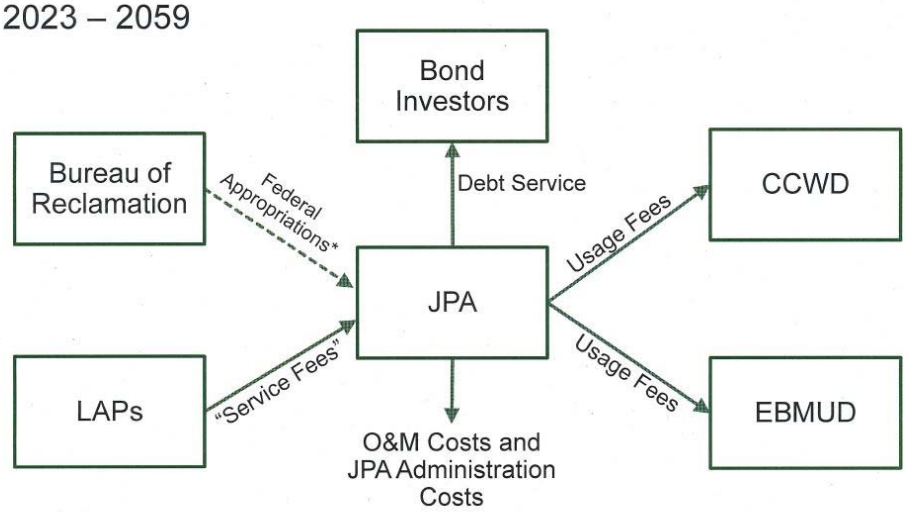
Oops. There were no repaid LAP contributions and no FY 2021 bond issuances.
Why behind schedule? "Preliminary Draft" Proforma model Financial Plan?

- *The v1.0 Proforma Model assumes that all Pay-Go contributions provided by LAPs through FY2020 will be repaid to participating LAPs (with interest) using the proceeds from FY2021 bond issuances.*

CleanEnergyCapital 14

Flow of Funds: Operating Period

2023 – 2059



- *The costs associated with diverting water on behalf of and delivering to the Refuges is not included in v1.0 Proforma Model. A separate evaluation of the costs attributable to the Refuges will be detailed in a separate analysis with the intention of demonstrating that the State and Federal funds available to the LVE Project are sufficient to cover the cost.*

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Cost Allocation to LAPs

- Cost allocation "Decoder" reflecting CalSim modeled usage over the past 82 years

Project Facility	ACWD	BAWSCA	BBID	Brentwood	DPWD	EBMUD	ECCID	Refuges	SCVWD	SFPUC	SLDMWA	SLWD	WWD	Zone7	Total
1. Brentwood Pipeline	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2. Delta-Transfer Pipeline	9.0%	1.2%	6.1%	0.0%	5.6%	0.0%	0.3%	0.0%	28.3%	14.9%	3.3%	6.0%	20.6%	4.6%	100.0%
3. ECCID Pipeline	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
4. Los Vaqueros Dam Raise	10.8%	8.9%	17.7%	0.0%	6.2%	17.8%	1.8%	0.0%	17.8%	0.4%	0.1%	6.7%	2.7%	9.1%	100.0%
5. Neroly High-Lift Pump Station	9.0%	1.2%	6.1%	0.3%	5.6%	0.0%	0.3%	0.0%	28.2%	14.9%	3.3%	6.0%	20.5%	4.6%	100.0%
6. Transfer Facility Expansion	11.1%	1.4%	0.0%	0.0%	7.9%	0.0%	0.0%	0.0%	6.6%	31.1%	5.0%	8.5%	24.6%	3.9%	100.0%
7. Transfer-Bethany Pipeline	11.1%	1.4%	0.0%	0.0%	7.9%	0.0%	0.0%	0.0%	6.6%	31.1%	5.0%	8.5%	24.6%	3.9%	100.0%
8. Los Vaqueros Recreation Facilities	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%		7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	100.0%
9. Rock Slough PP#1 Replacement	6.5%	0.8%	4.3%	28.7%	4.0%	0.0%	0.2%	0.0%	20.2%	10.6%	2.4%	4.3%	14.7%	3.3%	100.0%
10. Transfer Facilities Improvements	10.7%	8.9%	17.7%	0.3%	6.2%	17.7%	1.8%	0.0%	17.8%	0.4%	0.1%	6.6%	2.7%	9.0%	100.0%
11. Walnut Creek VFDs	10.7%	5.8%	0.2%	0.0%	12.5%	0.0%	0.6%	0.0%	11.3%	34.4%	7.6%	13.4%	1.2%	2.1%	100.0%
12. Mokelumne Aqueduct Lining	11.1%	2.8%	0.2%	0.0%	12.9%	0.0%	0.7%	0.0%	11.6%	35.5%	7.9%	13.9%	1.3%	2.2%	100.0%
13. Freeport Intake	11.1%	2.8%	0.2%	0.0%	12.9%	0.0%	0.7%	0.0%	11.6%	35.5%	7.9%	13.9%	1.3%	2.2%	100.0%
14. EBMUD-CCWD Intertie	7.6%	4.2%	0.1%	0.0%	8.9%	28.7%	0.5%	0.0%	8.0%	24.5%	5.4%	9.6%	0.9%	1.5%	100.0%
15. Los Vaqueros Dam	10.4%	8.6%	17.2%	3.3%	6.0%	17.2%	1.7%	0.0%	17.2%	0.4%	0.1%	6.4%	2.7%	8.8%	100.0%
16. Los Vaqueros Pipeline	8.1%	1.0%	5.4%	2.5%	5.0%	8.4%	0.3%	0.0%	25.2%	13.3%	2.9%	5.4%	18.4%	4.1%	100.0%
17. Middle River Intake	8.8%	1.1%	5.9%	2.7%	5.5%	0.0%	0.3%	0.0%	27.5%	14.5%	3.2%	5.9%	20.0%	4.5%	100.0%
18. Middle River Pipeline	8.8%	1.1%	5.9%	2.7%	5.5%	0.0%	0.3%	0.0%	27.5%	14.5%	3.2%	5.9%	20.0%	4.5%	100.0%
19. Old River Intake	8.8%	1.1%	5.9%	2.7%	5.5%	0.0%	0.3%	0.0%	27.5%	14.5%	3.2%	5.9%	20.0%	4.5%	100.0%
20. Old River Pipeline	8.7%	1.1%	5.9%	3.5%	5.4%	0.0%	0.3%	0.0%	27.3%	14.4%	3.2%	5.8%	19.9%	4.5%	100.0%
21. Rock Slough Facilities	6.5%	0.8%	4.3%	28.7%	4.0%	0.0%	0.2%	0.0%	20.2%	10.6%	2.4%	4.3%	14.7%	3.3%	100.0%
22. Transfer Pipeline	10.7%	8.9%	17.7%	0.3%	6.2%	17.7%	1.8%	0.0%	17.8%	0.4%	0.1%	6.6%	2.7%	9.0%	100.0%
Usage of EBMUD Contributed Facilities	1.1%	0.4%	0.0%	0.0%	1.3%	89.9%	0.1%		1.2%	3.6%	0.8%	1.4%	0.1%	0.2%	100.0%
Usage of CCWD Contributed Facilities	8.7%	4.0%	9.5%	8.7%	5.4%	8.5%	0.8%		21.0%	8.5%	1.9%	5.8%	11.4%	5.7%	100.0%
Usage of JPA Administration	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%		7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	100.0%

- Allocated costs compiled and shown for each LAP
- For example purposes only; these allocations are a work in progress

CleanEnergyCapital

8

Water Yield and Storage Allocations

Sites Reservoir Proforma Financial Model
Received: 14 Jan 2022 Leland Frayseth
From: California DWR Support
Public Records Request: R000664-120121

	Yield Allocation (AF)	Yield Percentage Allocation (%)	Storage Allocation (AF)	Storage Percentage Allocation (%)
Antelope Valley-East Kern Water Agency	500	0.30%	3,117	0.2%
Carter Mutual Water Company	300	0.18%	1,870	0.1%
City of American Canyon	4,000	2.39%	24,937	1.8%
Coachella Valley Water District	10,000	5.97%	62,343	4.5%
Colusa County	10,000	5.97%	62,343	4.5%
Colusa County Water District	10,073	6.01%	62,799	4.6%
Cortina Water District	450	0.27%	2,805	0.2%
Davis Water District	2,000	1.19%	12,469	0.9%
Desert Water Agency	6,500	3.88%	40,523	2.9%
Dunnigan Water District	2,972	1.77%	18,528	1.3%
Glenn-Colusa Irrigation District	5,000	2.98%	31,172	2.3%
Irvine Ranch Water District	1,000	0.60%	6,234	0.5%
La Grande Water District	1,000	0.60%	6,234	0.5%
Metropolitan Water District of Southern California	50,000	29.83%	311,717	22.6%
Reclamation District 108	4,000	2.39%	24,937	1.8%
Rosedale-Rio Bravo Water Storage District	500	0.30%	3,117	0.2%
San Bernardino Valley Municipal Water District	21,400	12.77%	133,415	9.7%
San Gorgonio Pass Water Agency	14,000	8.35%	87,281	6.3%
Santa Clara Valley Water District	500	0.30%	3,117	0.2%
Santa Clarita Valley Water Agency	5,000	2.98%	31,172	2.3%
Westside Water District	5,375	3.21%	33,510	2.4%
Wheeler Ridge-Maricopa Water Storage District	3,050	1.82%	19,015	1.4%
Zone 7 Water Agency	10,000	5.97%	62,343	4.5%
Total	**167,620**	**100.00%**	**1,044,998**	**75.7%**
State			244,000	17.7%
Federal			91,000	6.6%

Red circles also sit on Los Vaqueros (LV) JPA board what is their LV storage allocation pledge?

Grand Total	**167,620**	**100.0%**	**1,379,998**	**100.0%**

Notes:
1. Participation (AF of yield) is used primarily as the basis of local agency participation and allocation of local cost share of planning/development costs
2. The storage allocation for the State of California and Bureau of Reclamation are estimated as placeholders and will be determined at a later date. The storage allocations for local project participants are estimates until federal and state participation is finalized.