

RECEIVED
EAST BAY-DELTA AUTHORITY
MAIL ROOMDENNIS M. DIEMER
GENERAL MANAGER

2008 SEP 29 PM 2:35

September 25, 2008

Mr. Philip Isenberg, Chairman
Delta Vision Blue Ribbon Task Force
650 Capitol Mall, 5th Floor
Sacramento, CA 95814

Dear Chairman Isenberg:

Since the beginning of the Blue Ribbon Task Force's work on developing the Delta Vision and Strategic Plan, the East Bay Municipal Utility District (EBMUD) has taken an active part in supporting this effort. We commend you for your achievement in advancing many solutions toward a sustainable Delta, in the face of many challenging issues. As a public agency with a major stake in the Delta, EBMUD is committed to constructive participation in implementing the Delta Vision in the years ahead.

Critical infrastructure has always been among the major concerns regarding Delta sustainability, as a number of "utility lifelines" cross the Delta that connect the Bay Area with the rest of the state. In addition, you recall that the Governor's Executive Order that created the Delta Vision specifically identified "[u]tilities, including aqueducts, pipelines, and gas/electric transmission corridors" among the elements that the Delta Vision would address.

I am disappointed that as part of the Delta Vision proceedings, critical utility and transportation infrastructure has been addressed only tangentially, and usually in reference to the "infrastructure corridor" concept. The Task Force has repeatedly encouraged the owners of utility and transportation lines in the Delta to investigate the feasibility of such a corridor as a risk-reducing alternative to the existing configuration.

I am pleased to report that EBMUD has followed your advice. In its own analysis of long-term solutions to its aqueduct vulnerability, EBMUD retained the services of URS, the same consulting firm used by DWR for conducting the Delta Risk Management Strategy assessment. An evaluation of the corridor alternative as a means of protecting the Mokelumne Aqueducts concluded that this option was far more expensive than several other options for protecting our aqueducts. This option would also impose an additional cost associated with requiring the relocation of some of the existing utility lines. We are confident that if the state were to undertake a similar feasibility study of this "infrastructure corridor" it would result in the same conclusion. This option would be prohibitively expensive in comparison to other viable alternatives for protecting utility infrastructure.

Philip Isenberg
September 25, 2008
Page 2

In addition, we learned at a workshop on Delta Emergency Preparedness (hosted by the Delta Protection Commission on May 20, 2008) that federal Homeland Security officials generally oppose the co-location of multiple utility lines because this would create a "throttle point" for terrorist attacks. In short, the infrastructure corridor appears to be a fatally flawed concept, and it survives only because no one has formally renounced it.

The levees that protect EBMUD's Mokelumne Aqueducts also protect many other interests and uses, including those providing benefits to the public. These interests include conveyance channels needed for export projects, a major rail line, gas pipelines, electrical transmission lines, and a portion of State Highway 4, in addition to thousands of acres of agricultural lands. Further, these levees provide benefits that extend to the entire Bay Area region, as the Mokelumne Aqueducts are now intertwined with several other major water systems in the Bay Area. These interties have been constructed for mutual aid and moving water from one system into another, across much of the Bay Area.

Some have argued that EBMUD's ratepayers should shoulder the full burden of financing necessary levee improvements that protect our aqueducts. We believe that imposing such a standard upon EBMUD would result in an unfair burden, and one that has been imposed upon no other entities that rely on the Delta levees to protect their water supplies. EBMUD has embraced its responsibilities by providing long-term funding for levee improvements for the five islands where our aqueducts cross the Delta since the early 1980s. During this same time period, substantial state expenditures have been made on levee improvements in other parts of the Delta that directly benefit the export projects. We are unaware of any equivalent contributions on the part of the project contractors to levee investment in the Delta. Such a double-standard is not fair, and is not justified.

It is important that the Strategic Plan provide a road map for a fair apportionment of financial responsibility among multiple beneficiaries. Any expectations for "co-payments" from EBMUD should also be applied to all interests that benefit from the continued viability of essential Delta levees.

We would like to request a meeting with you at your earliest convenience to discuss these concerns further. Before the Strategic Plan is formally adopted, we hope to ensure that it embraces a more complete perspective on the statewide interests in the Delta. We will call your office next week to inquire about scheduling.

Sincerely,



Dennis M. Diemer
General Manager

DMD:RK:DW