



January 9, 2025

VIA EMAIL

Ms. Niroop Srivatsa
City Manager
City of Lafayette
3675 Mt. Diablo Blvd. #210
Lafayette, CA 94549

Subject: Lafayette Reservoir Tower Seismic Retrofit Project

Dear Ms. Srivatsa,

I am writing to you in response to the invitation that the Lafayette City Council extended to EBMUD's Board of Directors on December 16, 2024 to hold a joint community meeting to solicit public input on the design of the Lafayette Reservoir Tower Seismic Retrofit. EBMUD's Board has received numerous updates over the years on the seismic safety of the tower.

We appreciate that you agree that safety should be the priority for the tower design and understand the City's interest in maintaining the height of the existing tower. Over the past 30 years, EBMUD has analyzed over a dozen designs, spending significant resources, and engaged various industry experts to develop a tower retrofit that would maintain the existing height of the tower. EBMUD submitted three potential options to the California Division of Safety of Dams (DSOD); but DSOD rejected all the options which maintained the existing height.

As part of the current design effort, EBMUD hired a structural engineering consultant with extensive expertise in dam structures to reevaluate all past alternatives, consider new alternatives, and evaluate the concepts presented by the City's Advisory Committee. The concepts proposed by the Committee were thoroughly evaluated by our consultant and found to be infeasible. DSOD reached a similar conclusion, which was shared with the City at the August 7, 2024 meeting between DSOD and the City.

In DSOD's November 8, 2024 letter to the City, they stated that "since the tower serves as both an outlet and spillway, it is a critical structure for dam safety and any innovative remediation proposed must have a dam specific record of proven performance." DSOD further stated that "the project, as currently proposed by EBMUD satisfactorily addresses DSOD's concerns."

EBMUD has exhausted all alternatives and has thoroughly evaluated the Committee's concepts, and has worked closely with the Committee, spending more than \$500,000 in ratepayer funds to evaluate the Committee's proposed alternatives. Working with the Committee, EBMUD postponed construction of the project by over a year also at great expense. I recognize and

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appreciate the expertise and experience that the Advisory Committee has brought to this discussion. However, DSOD's design standards are stringent and conservative and, as a regulatory agency, they are not open to input that would lessens their design requirements or for innovative retrofit options that do not have demonstrated reliability, many of which were already evaluated and rejected by DSOD.

As the owner and operator of Lafayette Tower, EBMUD is required to meet DSOD's criteria for dams. After exhaustive efforts, the high cost to evaluate and construct alternative innovative design, and the unlikelihood that DSOD would approve an alternative design, the EBMUD Board gave direction to staff to move forward with shortening the tower at its August 13, 2024 Planning Committee meeting and approved the contract to complete the design of the shortened tower at its September 24, 2024 Board meeting.

Since 2015, EBMUD has engaged with the Lafayette City Council, Lafayette City staff, and members of the community to discuss the project. The current design incorporates the community's input on the aesthetics of the shortened tower. The tower will feature a lightweight metal operating house, inspired by the community and designed by a professional architect, which is reminiscent of the current top of the tower. A majority of the community members have expressed an understanding of the safety aspects of the project and expressed support in favor of the project moving forward as designed. EBMUD will continue its public engagement and will submit the final project design and construction documents to DSOD for their approval before bidding in early 2025.

While I appreciate the Council's request to seek further public input, at this point I do not feel this would be helpful, especially given the new deadlines imposed by DSOD to submit a remediation concept to DSOD by April 1, 2025 and to not delay the start of construction past 2027.

EBMUD values its relationship with the City and remains committed to collaborating with the City and engaging the community as we move forward with this and other projects in Lafayette.

Sincerely,



Andy Katz, President Pro Tem
EBMUD Board of Directors

cc: EBMUD Board of Directors