

Palm Drive Heath District requests detachment reconsideration

by Amie Windsor Sonoma West Staff Writer amie@sonomawest.com | Posted: Wednesday, November 9, 2016 10:45 am

District seeks ability to charge more for out-of-district residents

In a move some saw as “revengeful” the Palm Drive Health Care District (PDHCD) sent a request of reconsideration to the Local Agency Formation Commission (LAFCO) on Wednesday, Nov. 2, seeking changes to the resolution granting detachment of the Guerneville, Monte Rio and Forestville school districts from PDHCD.

On Oct. 5, LAFCO agreed to detach the lower Russian River from the District in a landmark vote that will reduce the District’s annual property tax revenues.

LAFCO’s seven board members said detachment is appropriate after more than 25 percent of the River area’s voters signed petitions in support of leaving the District. Detachment will cut District tax revenues by about 40 percent.

The detachment process allowed for a 30-day window during which District directors could ask for a formal reconsideration of the detachment vote.

The District took advantage of the process, submitting a formal request for reconsideration on Nov. 2, two days before the 30-day cut off.

“The reconsideration focused on problems with the words of the resolution,” said Bill Arnone, the District’s attorney. “We brought up issues that didn’t come up until we saw the resolution. The issues are with the state law.”

The request asks that LAFCO add a condition to the adopted resolution allowing the District to implement California Health and Safety Code 32125(b), which enables a board to “establish different rates for residents of the district than for persons who do not reside within the district.”

“This is truly revengeful language,” said Jeanette Dillman, who lives in the detachment area.

While the code is established state law and has been applicable to the District since its inception, the board has not formerly implemented the code.

“If this has been the law for 16 years, why not do it already?” Dillman asked. “You should have been charging different rates the whole time.”

Arnone said the District wanted to allow detachment residents to be able to use District facilities,

including the hospital, while providing the District the same “economic viability” for those performed services.

“The District can give recognition to those who pay money into the District,” Arnone said.

The District also requested that within the resolution, the term “existing District debt obligation” include any refinancing of existing debt that decreases the burden of repayment on parcel tax payers.

“This is really important to do,” District Board President Jim Maresca said.

During the LAFCO deliberations, the District was in the midst of working to refinance their debt obligations to tax payers, creditors and old Palm Drive Hospital employees who were laid off when the medical facility closed in 2014.

The request explains that without the requested definition change, “the District may be foreclosed from refinancing existing debt on terms that would benefit both District residents and residents of the detachment area.”

“We want to make sure we can reduce our financing and interest rates,” Maresca said.

LAFCO will discuss the request for reconsideration during its Dec. 7 meeting.

East Bay Times

Antioch city manager announces plans to retire next year



Steve Duran/Archives

Antioch City Manager Steve Duran says he plans to retire in August 2017.

By [Rowena Coetsee](mailto:rcoetsee@bayareanewsgroup.com) | rcoetsee@bayareanewsgroup.com

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ANTIOCH — The city’s top administrator has announced that he’s planning to retire next year.

Antioch City Manager Steve Duran, 61, notified city council members Tuesday that he has set Aug. 15 as the tentative date for his departure.

Duran emphasized that the timing of his email had nothing to do with the outcome of the election — he emailed the news right after Tuesday’s council meeting before the results were in.

Rather, Duran said he wants council members to have ample time choosing a replacement; his contract only requires that he give a 45-day notice.

In addition, he expects that by mid-August he will have finished overseeing the completion of the city’s 2017-19 budget.

“In the coming months I plan to set a firm retirement date,” Duran wrote.

He wants more time to spend with his wife as well as their daughter and two grandsons who live in Concord, Duran said.

Being master of his own schedule also will allow him to savor more of life’s simple pleasures, which include Sylvie, the standard poodle.

“I don’t want to get up at 5:30 every morning anymore,” said Duran, who has been commuting from Dublin since he signed on with the city in January 2014. “I want to walk the dog every morning, water the yard, have a cup of coffee and relax for a minute.”

“I have enough (home) projects to keep me busy for at least six months,” he added.

After that, Duran thinks he might do some consulting work and help with missions-related activities at his church.

Duran came to Antioch from Hercules, where he first became a city manager in October 2011.

He has spent nearly 18½ years in local government since landing his first public sector job with the San Jose Redevelopment Agency.

Before that Duran worked in the commercial real estate industry as a broker and appraiser as well as in property management and real estate negotiations.

East Bay Times

Delta levee repair: New fees may target entities that benefit but ‘do not pay’



A levee road on Bradford Island, Calif. (Susan Tripp Pollard/Bay Area News Group)

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com

PUBLISHED: November 11, 2016 at 3:22 pm | UPDATED: **November 13, 2016** at 11:56 am

BETHEL ISLAND — Officials are hammering out a set of new fees that would permanently pay for the maintenance, repair and improvements on the levees in the Sacramento-San Joaquin River Delta.

The new fees explored by the committee identify beneficiaries of the levees inside the Delta, around the region and down into Southern California. The three fees are a flood prevention fee, aimed at industry and citizens, a water use fee and a water conveyance fee.

“It’s long been known that there are beneficiaries that do not pay — the Delta having levees benefits far more people than the residents of the islands protected.” said Nicole Bert, communications specialist with the Delta Protection Commission. “PG&E has utility infrastructure crossing the Delta; they benefit from not flooding. Railroads carrying freight across the Delta and certainly the exporters and contractors that rely on the Delta channeling fresh water to their pump benefit.”

The Delta provides two-thirds of California’s fresh drinking water and millions of acres of agriculture.

Over the past century, the levees have failed 160 times. Most notably in 1972 when the Andrus Island levee broke and 1,400 Isleton residents and 1,500 Andrus and Brannan residents were evacuated.

In 1973, the state authorized the Delta Levees Maintenance Subvention program, which lets local districts receive a 75 percent reimbursement from the state for levee maintenance. In the past 30 years, the levees have only broken once, with the Jones Tract levee failure in 2004.

The program was intended to provide 75 percent reimbursement for 10 years, then drop to a 50 percent reimbursement, but it has been extended through legislation over the years. A recent extension was put forth by Sen. Lois Wolk of Davis and was backed by Contra Costa County but faced opposition by a coalition of Southern California water agencies, which wrote that “it is simply unclear which Delta islands, if any, lack the economic standing to underwrite their own levee maintenance, and whether statewide interests merit a public subsidy for those levee improvements.

Gov. Jerry Brown [vetoed](#) the extension in October, citing work by the Delta Protection Commission on a more permanent source of funding.

“The group identified archetypes and assessed whether or not they were contributing,” Bert said. “They do pay taxes in California, but not to the proportion that they benefit.”

The report identifies six groups that benefit from the Delta: Delta communities, infrastructure, out-of-Delta water users, upstream dischargers, and state and public interests.

DELTA LEVEE BENEFICIARIES

Delta Communities	Schools - Facilities - Personal Safety - Residents - Local Economy
Infrastructure	Power Lines - Railroads - Telecommunications - Pipelines - Highways - Ports
In-Delta Water Users	Delta Agriculture - Delta Municipal Users
Out-of-Delta Water Users	Central Valley Agriculture, Southern California Municipal Users
Upstream Dischargers	Wastewater and Stormwater Management
State and Public Interests	Public Safety - Ecosystem Health - Recreation - Economy

Beneficiaries of the Delta’s levees, as identified by the Delta Protection Commission.

While still in the preliminary planning stages, fees could potentially increase to all groups with the exception of state and public interests. The fees being considered currently take three forms:

a Delta Flood Prevention Fee for the first five groups; a Delta water user fee to infrastructure, both water user groups and upstream dischargers, and a conveyance fee to out-of-Delta water users.

The report doesn't specifically identify who would be assessed, as that decision is still up in the air, but the three fees were seen as ones that "could be reasonably implemented with reasonable acceptance and would most fairly address the situation," according to Bert.

The report and recommendations will be presented to members of the Delta Protection Commission subcommittee for the study on Dec. 8 in Sacramento.

East Bay Times

East County firefighters dispirited after third attempt at funding fails

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com

PUBLISHED: November 11, 2016 at 6:29 pm | UPDATED: **November 13, 2016** at 12:05 am

BRENTWOOD — East County firefighters heard Brentwood and Oakley voters loud and clear on Tuesday after shooting down the third, and some say final, attempt to better fund the fire district.

Nearly 61 percent of voters in Brentwood and over 67 percent of voters in Oakley voted against separate utility user taxes that would have added approximately \$8 million to the cities' general funds to then be used for the East Contra Costa Fire Protection District.

The next morning, a message from Chief Hugh Henderson to firefighters appeared on ECCFPD's Facebook page.

“Last night, the voters took another step backward and continued to not understand the lack of resources providing their safety,” Henderson wrote. “I am personally extremely disgusted in their actions.”

The recent failure of both measures was the third time in four years that voters said no to the district and the frustration was clear for many firefighters and their supporters.

“We will be operating in the district within the budget that the voters said they want us to operate in and the level of service the voters said they are satisfied with,” said Joel Bryant, vice mayor of Brentwood and president of the ECCFPD board of directors. “There will be times, just like there are almost every month, when someone calls 911 and there's no one to respond to them.”

The utility user tax proposed by the two cities was intended to maintain current stations and open one in Oakley and two in Brentwood. A Municipal Service Review from the county identified nine stations as being the ideal number for the district.

Currently there are four stations spread between Oakley, Brentwood, Discovery Bay and Knightsen. Funding for the station in Knightsen will run out by June of 2017, and with the failure of both utility user taxes in Brentwood and Oakley, its future is uncertain.

“We obviously supported both measures, but I think the firefighters out there were surprised,” said Vince Wells, president of United Professional Firefighters of Contra Costa County Local 1230. “They are running four stations, so the worst case scenario is they drop back to three. The fourth station is technically funded with one-time money.”

Firefighters in East County struggled to see the Rodeo-Hercules Fire Protection District's parcel tax pass with over 77 percent voter approval.

The level of funding allocated to the ECCFPD is still based on a model developed in the 1970s after the passage of Proposition 13, when the area was significantly more rural and had less than a quarter of its current population.

"With the history of Proposition 13, there was no mechanism at that time to adapt to the growth and change of a rural farming community to the area we have now," Bryant said.

Karen Rarey, newly elected to the Brentwood City Council, said that she will begin working with Oakley and the county to keep the station in Knightsen open. While Rarey did not explain what form that work will take, Bryant rejected the idea that the public would approve of transferring general fund money to ECCFPD.

"It's not in the budget to do so, and I don't imagine that the will of the community would be there either until there are some devastating changes," Bryant said. "To reallocate funds will mean reduction of services elsewhere ... and the residents have come to expect a certain level of quality of life that it will certainly impinge upon."

Rarey said she would "determine if it is feasible or not" for Brentwood to create its own fire department. If Brentwood were to leave the fire protection district and strike out on its own, Oakley would be left with a larger portion of the costs of providing fire protection.

To do so, Brentwood would need to get approval from LAFCO, the county's Local Agency Formation Commission, which regulates the formation of special district boundaries. Since law requires cities to provide fire protection, Oakley would also need to create its own fire protection district or fund ECCFPD itself.

"If the district dissolves, Oakley and Brentwood would both have to provide services for their community," Wells said. "Then they would have to come up with the money to fund their own department."

Another solution was proposed by the group called the East County Voters for Equal Protection. Their idea was to sit down all 29 entities that receive property taxes within the district and get them to agree to give up a portion of their allocation to the firefighters.

"They have to recognize there is a problem, that there is a crisis in fire and emergency medical services, and the solution is to shift some of their property tax funding over to the fire district," said Bryan Scott, co-chair of East County Voters.

Scott said that in other areas of the county, the property tax allocations between city and fire departments are more evenly balanced. He agrees that it is difficult to convince a government agency to give up some of its funding but thinks that it could be done one entity at a time.

In October, the county Board of Supervisors reallocated \$730,000 in property taxes from the Byron-Bethany Irrigation District to the ECCFPD, after finding that the irrigation district drew taxes from Discovery Bay but did not provide water to that area.

In response, the irrigation district tripled their agricultural water usage rates.

While a difficult pill to swallow, Scott and the East County Voters think that the property taxes could be balanced better between the 29 groups that receive them and that these agencies should voluntarily donate the money to ECCFPD. However, the process is governed by [revenue and taxation code](#) that also requires the transfer to not impair the agencies' ability to provide services and does not result in a reduction of property tax revenue to schools.

Wells and Bryant are skeptical of the reallocation and think that the Facebook frenzy around it played a role in the failure of the two utility taxes.

“I don't see us getting involved in another revenue measure at this level or anywhere in the near future,” Wells said. “The only options are going to be whether or not the two cities and the county want to attribute money from their general funds.”

Whatever next steps East Contra Costa County communities decide to take, firefighters and their proponents have become fatigued from the fight.

“There are no next steps,” Bryant said. “We have done all we can as a district.”

Read the [Municipal Service Reviews report here](#).

East Bay Times

Editorial

November 15, 2016

Of two fire taxes, only the clearcut one got passed

Two Contra Costa fire districts in deep financial trouble. Two different appeals to voters in last week's election. Two disparate outcomes.

In West County, 77 percent of voters supported a \$215-a-year parcel tax for the Rodeo Hercules Fire District.

In East County, more than 60 percent of Brentwood and Oakley voters rejected a convoluted utility tax plan that lacked guarantees the money would go for fire service.

The lesson: Do your financial homework and ensure the money will go for its intended purpose. Voters are more likely to open their wallets.

To be sure, there are political challenges. Under California's convoluted tax rules, measures restricted to a specific purpose require two-thirds approval, while general taxes for any public use need only majority backing. It should be the other way around.

Rodeo Hercules proposed a straightforward parcel tax. The \$215-perparcel rate was hefty. Without it, the district would have gone broke.

District directors knew that, because they commissioned an independent financial analysis that showed, even with the tax, the district faces significant financial challenges. But the analysis provides a clear path forward.

Voters provided the required two-thirds approval. Now district directors must fulfill their part of the deal: keep costs down, pay off debt, save for capital needs, build up reserves and obtain concessions from firefighters.

The story in East County is different.

Rapid residential growth has outstripped East Contra Costa Fire District's resources. Because of historical anomalies of Proposition 13, the statewide 1978 property tax-cutting initiative, the district receives an unusually small share of tax revenues.

In 2012, the fire district asked voters to approve a parcel tax. But the district lacked a plan for solving its long-term budget woes even with a new tax. The tax required two-thirds approval and received just 44 percent.

In 2014, district officials tried to bypass the two-thirds vote requirement with a legally questionable and complex assessment district levy. Property owners would vote and be taxed in proportion to the theoretical benefit they received. The plan received just 47 percent approval.

This year, the district's largest cities, Brentwood and Oakley, again tried to bypass the two-thirds threshold. They proposed utility user taxes that needed simple majority approval.

Thus, the money could have been used for any legitimate city purpose. There were no guarantees it would go to fire service. Moreover, the taxes had no expiration date.

Voters saw through this. The taxes received 39 percent approval in Brentwood and 32 percent in Oakley.

East County officials can't keep approving more homes without adequate fire protection. And voters have shown they won't approve new fire taxes without clear financial plans and guarantees their money will be properly spent.

That's a reasonable demand.

East Bay Times

ViewPoints by Rob Schroder: New face on council, Measure D passes

By [Rob Schroder](#)

November 15, 2016 at 5:39 pm

The November elections are behind us now, and we can all exhale before taking another deep breath and forging on. We all have lots of work to do to bring this country together and moving forward.

I have a strong belief in our national, state and local governmental process, and we all need to support that system.

At the local level, the most recent campaigns for county, city and regional issues was lively, to say the least. Most were civil, with an extensive debate of the issues at hand. Others became personal and nasty with accusations being made from both sides.

I am very pleased that the race for the two seats on the Martinez City Council was an introduction of the candidates and their qualities with a civil debate on the priorities for the city's future.

Longtime City Council member Mark Ross was re-elected to a fifth term, and lifelong resident and businesswoman Noralea Gipner was chosen for the seat being vacated by Anamarie Avila Farias.

I am looking forward to working with them, along with incumbent council members Lara DeLaney and Debbi McKillop.

On Dec. 7, the council will reorganize, and Mark and Noralea will be sworn into office. Lara will be appointed as vice mayor, and I will make initial appointments to council subcommittees.

I would also like to congratulate my longtime friend and colleague, Federal Glover, on his re-election to the Board of Supervisors. I have known Federal since he was a city council member and mayor of Pittsburg, and have served with him on Contra Costa Local Agency Formation Commission (LAFCO) since 2002.

The best news for me in this last election was the passage of Measure D, the half-cent sales tax proposal to fix Martinez roads.

Martinez voters agreed, and saw the need to raise more revenue to accomplish this, and 71.35 percent of them voted in favor of the measure. It is expected that Measure D will generate more than \$2.1 million per year and will triple our budget for paving and road repair.

I would like to publicly thank my colleagues Lara DeLaney and Mark Ross for their hard work in getting signs out and being public advocates of the measure. Thanks to our treasurer, Paul Abelson, for paying the bills and making the FPPC filings, and also to Pete Sabine for developing and managing our social media campaign.

This small group of people managed to get the word out to voters with a successful result that will improve the infrastructure of Martinez for the next 15 years.

Rob Schroder is the mayor of Martinez. Email him at rschroder@cityofmartinez.org.



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Jorgens Edges Smith for MOFD Division 5 Director

By Nick Marnell



Craig Jorgens

In keeping with the 2016 general election trend of a private citizen beating a well-known public official, retired business executive Craig Jorgens defeated Orinda Mayor Victoria Smith for the Division 5 director seat on the Moraga-Orinda Fire District governing board.

"Voters liked my engineering and financial background," said Jorgens, during a break from taking down his campaign signs the day after the election. "We knocked on a lot of doors and met a lot of new people."

Jorgens structured his campaign around his ability to manage the fire district's \$65 million unfunded pension and health care liability, mapping hot spots for more efficient fire and medical deployment and using data to improve MOFD response times in the Sleepy Hollow and El Toyonal neighborhoods of north Orinda.

"I learned a lot more about the fire district and I connected with more people. Casual friends became better friends, and I made a lot of new friends," Jorgens said. "I look forward to working with the other board members."

Smith came up 117 votes short despite her strong name recognition thanks to 12 years of public service on the Orinda City Council. "Sure I'm sad," she said of the results, but she harbors no regrets about leaving her

council post. "I've accomplished all I can there and it was time to move on."

For now, Smith will continue to serve on the board of the Strive for Change Foundation, an East Bay nonprofit that helps the working poor achieve economic self-sufficiency.

"I'll keep my eyes open," Smith said of future civic opportunities.

Jorgens replaces Alex Evans, who opted to not run for reelection to his north Orinda board seat.

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With its New Standards Of Cover, Moraga-Orinda Fire District adds to its Roadmap of Services

By Nick Marnell

The Moraga-Orinda Fire District updated its Standards of Cover for the first time in 10 years and though the document showed district performance goals falling within acceptable, recognized standards, it confirmed the frustration of longer Orinda response times, which continue to nag the district.

The Standards of Cover document analyzes MOFD's deployment of its fixed and mobile resources and their response to fire, medical and special emergencies within the district. Director Fred Weil described the work as an assessment of "how well we're doing and how we can do better." The 97-page document, loaded with charts, tables, graphs and maps and presented by Fire Chief Stephen Healy at the district's Nov. 2 meeting, focuses mainly on what the district can do to improve its emergency response times.

No governmental or legal requirements exist to regulate response times, but according to the Performance Goals and Objectives on Page 73 of the Standards of Cover, the district goal is to reach all medical emergencies within Moraga and Orinda in seven minutes or less and all fires or rescues in seven minutes and 20 seconds, 90 percent of the time. The Commission of Fire Accreditation International, an industry performance evaluator, considers those goals "Superior Service Levels" for a suburban fire district like MOFD. Orinda has always posed a response time problem for the district. Despite the fact that three fire stations are located in Orinda and two in Moraga, the district has long reported about a one-minute longer response time in Orinda than in Moraga. The September district incident report lists 56 total responses into Moraga at an average response time of 6.97 minutes 90 percent of the time, and 74 responses into Orinda at 8.23 minutes.

"The conclusion I've come to is that the street routes are oblique and therefore less direct. The roads follow the topography, which is a hilly terrain and not a grid," Healy said.

Outgoing director Alex Evans of north Orinda requested that the chief insert into the Standards of Cover what the district can do to shorten the Orinda response times. "We know what we know about the roads," Evans said, and he urged Healy to continue to work on improving the call processing time and to keep on the lookout for equipment that might navigate those roads more quickly.

Evans also suggested that the district include in the document how it can improve the substandard water flow out of the fire hydrants, notable the older ones in north Orinda. Healy explained that the general manager of the East Bay Municipal Utility District - which owns the fire hydrants - said EBMUD would pay for 10 percent of the cost to improve water flow, as long as the fire district puts up 90 percent, but the chief said that was not a realistic option for MOFD. Orinda residents voted in 2002 and again in 2006 against measures that would have funded fire hydrant and storm drain repairs.

The chief said that even considering the 2 percent of the 1,430 district hydrants that do not measure up to current water flow standards, MOFD can meet the needs for routine emergencies any place in the district with the use of its 2,500-gallon water tender, deployed at station 44 in Orinda. "I've never been to a fire in my 10 years here where I've said, 'If only we had a good water system,'" Healy said.

The Standards of Cover, the strategic plan, the long-range financial plan and the budget documents present an accountable roadmap for MOFD operations, and each report is published on the district website.

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MOFD Breaks Ground, Begins Station 43 Construction

Groundbreaking for Moraga-Orinda Fire District fire station 43 took place Nov. 9 as the construction phase of the project begins in earnest. The new \$4.5 million Orinda station will be erected on the Via Las Cruces site of the razed station, which had deteriorated beyond repair.

"The construction has proceeded on time, with no delays, and we are under budget," said Fire Chief Stephen Healy. "We have received cooperation from the city and the county and there have been no problems whatsoever." Completion is expected in October 2017.

The firefighters work out of temporary quarters in the St. Stephen's Episcopal Church parking lot, less than 300 feet away from the station site. - N. Marnell



From left, Fire Chief Stephen Healy; architect Alan Kawasaki; board president Steve Anderson; Battalion Chief Sean Perkins; firefighter-paramedic Jared Costanza; neighborhood resident Ellen Dale; directors Brad Barber, Fred Weil and Kathleen Famulener; and Capt. Dan Dick Photo courtesy MOFD

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http://www.calaverasenterprise.com/news/article_18120380-ad26-11e6-9ec6-7704ff76330c.html

HOT

CPUD to sell water for Bay Area project

Critics concerned about impact on future Calaveras customers

By Sean P. Thomas sean@calaverasenterprise.com Updated **Nov 17, 2016**



Schaads Reservoir

The Calaveras Public Utility District is in talks to provide excess water stored in Schaads Reservoir to the Mokelumne River to a nearly 800-acre park and housing development in Contra Costa County.

The district, which provides water to about 5,400 customers primarily in San Andreas and Mokelumne Hill, has agreed to sell up to 200-acre-feet of water annually to the developers of the Tassajara Project at \$250 per acre foot of water, or \$50,000 per year.

CPUD Manager Donna Leatherman said the funds would help go toward a much needed pipeline project.

installation between the Schaads Reservoir and the new Jeff Davis Reservoir.

Leatherman said that last year the district was exploring options to pay for the \$11 million project, much of which will come from grants. The Contra Costa project gives the district the opportunity to fund the remaining portion of the project and potentially generate \$2.5 million in profit.

The water sale, however, hasn't passed without its critics.

The Calaveras Planning Coalition, a citizen's advocacy group, circulated a letter to the various agencies involved with the deal expressing concerns that Calaveras residents were left in the dark on the decision to sell the water.

In his letter, Tom Infusino, facilitator for the coalition, said the environmental impact report for the development downplays local concerns of selling water from the Mokelumne River supply to the "development" in Contra Costa County.

"Merely listing 'water supply' as a potentially controversial issue in the environmental report is too vague to alert people to the actual concerns," he wrote.

The letter said the revised draft Environmental Impact Report failed to provide a cumulative impact report on Calaveras County.

"Calaveras County is depending on new development in the CPUD service area to improve aesthetics of local downtowns, to improve the efficient use of water resources, to finance transportation congestion relief projects and to reduce the need for people to commute to work, among other environmental benefits."

The environmental report says that, "because the project is not currently located within the service area of any existing public water system and there are no other existing or future customers, the availability for existing EBMUD and CPUD customers and planned future land uses would remain unchanged from conditions otherwise planned."

Leatherman said that the water scheduled to be released from Schaads Reservoir will have

impact, if any, on the utility district.

According to the agreement term sheet, the 200 acre-feet per year figure was requested to project ample room for any changes in water needs. The project is estimated to use approximately 200 acre-feet per year.

To put that in perspective, the Schaads reservoir typically holds anywhere from 1,400 to 1,800 acre-feet of water.

The terms of the lease are broken into two, 25-year segments. After the first 25-year term, both parties will renew the lease for an additional 25 years.

Upon completion of an environmental review, approval of the project by Contra Costa County Agency Formation Commission and final approval of the lease agreement, CPUD will receive a \$50,000 lump-sum payment from the project's suppliers.

An additional \$200,000 will also be paid to CPUD upon final resource agency approval. The lump-sum payment will then be applied to the annual purchase price of the 25-year lease term.

To facilitate the transfer, CPUD will work with the East Bay Municipal Utility District to store the water released from the Schaads in EBMUD's Pardee Reservoir located south-east of the Schaads reservoir.

Due to CPUD's pre-1914 claim to the middle fork of the river, Schaads reservoir does not face the same "use it, or lose it," guidelines that other utility districts might have to contend with. A district with post-1914 appropriative water rights could lose their rights to the water if unused for more than five years.

In the meantime, even some Contra County officials are questioning whether the project actually needs the CPUD water supply. Originally, the water supply evaluation for the project, dated 2015, listed a possible recycled water option that would have increased the use of recycled water from the EBMUD service to offset the use of drinkable water for landscape irrigation.

An offsite water conservation option was selected to replace the recycled water plan. The plan either expand EBMUD's drinkable water by funding water conservation at a level beyond what EBMUD approved in 2012, or increase the implementation of yet-to-be funded conservation measures.

Either option would work for the project's water demands, according to one Contra County c

"They need water and they had these different options," said Contra Costa County Planning John Osborne. "I think that's where the applicant is going, to use something that works before not a precedent."

"We don't need to go to Calaveras," said Osborne.

However, Calaveras remains the leading option.

The Tassajara Parks Project has undergone several changes since originally proposed in 2007. New Farm. New Farm had originally planned to include 185 houses, mostly of the larger var

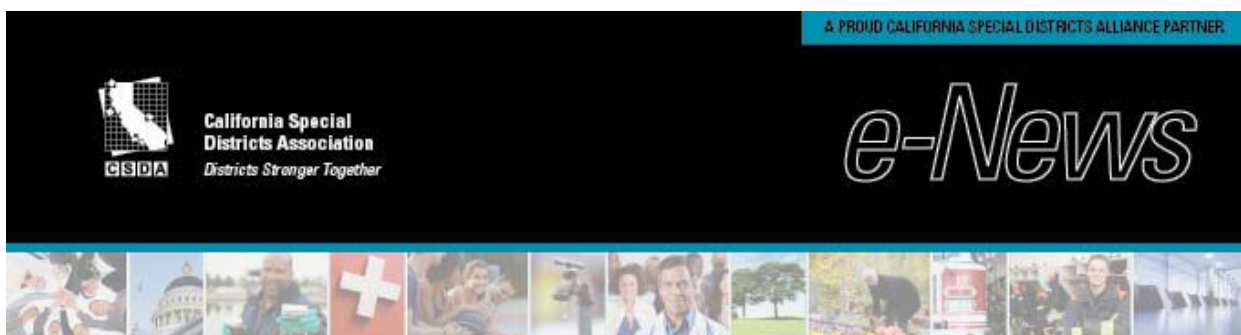
That plan was quickly panned by area environmentalist and stakeholders, due to what they create an opportunity for more urban sprawl.

"The public mainly is responding to the urban limit line move," said Osborne. "They are mainly it because the concern is it starts a precedent,"

Currently, the 125 single-family homes are planned for construction on a small, 30-acre plot on the northern site, with the remaining 135 split between the East bay Regional Park District Geologic Hazard Abatement District.

About 600-acres of the project will be set aside for preservation and will require no water de

The period for comment was initially scheduled to close on Nov. 14, but on Nov. 10 the com period was extended to Nov. 30. Written comments must be submitted by 5 p.m. on Nov. 30



Little Hoover's Last Meeting on Special Districts

On Wednesday, November 16, the Little Hoover Commission held its third and final public meeting as part of its review of special districts. The two hour “advisory meeting” focused on the role and relevance of healthcare districts. Unlike a traditional hearing with witness testimony, the Commission conducted this meeting in a roundtable format that facilitated a free-flowing discussion among invited participants from the special district and healthcare fields.

Commission Chair Pedro Nava presided over the advisory meeting, and Commissioners Janna Sidley and David Beier actively engaged with probing questions. Three prompts set the foundation for the discussion:

1. How healthcare districts are rethinking their roles and relevance in an Affordable Care Act era that favors preventative care over traditional hospital care.
2. An assessment of the appropriate role of healthcare districts that no longer own or operate hospitals.
3. A look at ways healthcare districts without hospitals are modeling and offering a new menu of healthcare services.

In addition to the formal prompts, Commissioner Beier spent considerable time attempting to drill down on how healthcare districts measure results and whether metrics are published and compared in order to improve performance outcomes. Additionally, Commissioner Sidley asked how healthcare districts coordinate with counties to prevent redundancies and overlap in services.

Representatives from Sequoia Healthcare District, Fallbrook Healthcare District, Grossmont Healthcare District, and the Association of California Healthcare Districts were invited, along with CSDA Advocacy and Public Affairs Director, Kyle Packham, to participate in the advisory meeting. Officials from several healthcare districts, including Peninsula Healthcare District and Redbud Healthcare District, attended the meeting as public participants and offered significant contributions to the discussion.

In addition to special district leaders, Commissioners heard from representatives of various hospital organizations and local agency formation commissions. Generally, participating healthcare districts conveyed the value and importance of preventative care, as well as the role healthcare districts play as conveners,

collaborators, and advocates for healthcare within the communities they represent. Perhaps more than any other issue, participants spent substantial time describing the uniquely important and distinct healthcare roles played by counties and special districts.

In early December, the Commission anticipates releasing an official written summary of the healthcare district advisory meeting discussion. Findings and recommendations drawn from this meeting will likely represent a substantial portion of the Commission's full report on special districts, due out in early Spring 2017. In addition to healthcare districts, the Commission is expected to emphasize water, wastewater, and flood control districts' climate change adaptation efforts, which it focused on at its second hearing October 27.

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East Bay Times

Moraga: EBMUD buys 604 acres to protect tap water quality



The 604 acre Carr Ranch in Moraga has been purchased by the East Municipal Utility District as a pollution buffer around its Upper San Leandro Reservoir. (File photo)

By [Denis Cuff](#) | dcuff@bayareanewsgroup.com

PUBLISHED: **November 25, 2016** at 7:08 am | UPDATED: November 25, 2016 at 8:17 am

MORAGA — Nearly a square mile of scenic grazing land and oak forests in the Moraga hills is being purchased as a pollution buffer to protect a major East Bay drinking water reservoir and provide public hiking areas.

The East Bay Municipal Utility District agreed this week to spend \$4.5 million to buy the 604-acre Carr Ranch from the John Muir Land Trust in an unusual partnership deal between the conservation group and public water supplier for 1.4 million people.

The water district will own and maintain the land to manage wildlife and protect against pollution and silt runoff into the Upper San Leandro Reservoir, a major drinking water source for EBMUD customers on the west side of the Oakland-Berkeley hills.

The Martinez-based land trust will manage the land to provide low-key recreation such as hiking, wildlife viewing and enjoying scenic views of San Francisco and Suisun bays.

The Carr Ranch purchase is the first time the water agency and a local non-profit conservation group have shared joint responsibility for managing watershed lands that drain into a water reservoir, officials said.

Both organizations praised the partnership as permanently protecting the land and managing it for overlapping purposes.

“We both provide permanent environmental stewards for this important land,” said Linus Eukel, executive director of the John Muir Land Trust. “They (EBMUD) are stewards of the natural areas and water, and we are stewards of public recreation.”

Richard Skyes, EBMUD’s director of natural resources, called the Carr Ranch a vital addition to the more than 58,000 watershed acres that the district owns in the East Bay and in the Sierra foothills.

“EBMUD’s commitment to protect the environment for future generations is at the core of our mission,” Sykes said.

Land trust officials said they expect to provide some public access to the property by next summer.

The land trust took the lead in protecting the land by announcing in May, 2015 that the group had made a deal to buy the property for an undisclosed price from the Carr family, which has grazed cattle there for more than a century.

At the time, however, the land trust said it needed financial help in raising money to buy the land.

The water district passed on buying the land in 2012 because of other pressing financial needs, according to a district report. Since then, however, the district has come up with a plan to make more than enough money to buy the Carr Ranch by designating 430 acres of district land near Pinole as the Oursan Ridge conservation bank.

The water district will manage the conservation bank land to protect two threatened species, the California-red-legged frog, and the Alameda whipsnake, and then sell conservation credits to utilities or public agencies required to offset the environmental impacts from their construction or development projects.

Utilities such as PG&E or public agencies such as Caltrans have expressed interest in purchasing conservation credits from EBMUD to satisfy environmental requirements, said Jenesse Miller, an EBMUD spokeswoman.

“It’s an innovative way to continue to protect our watershed lands and drinking water,” Miller said.

While an agreement with natural resource agencies to approve the conservation bank is not quite final, East Bay officials are confident the bank can raise twice as much as the \$4.5 million cost of the Carr Ranch over time, district officials said.

Petaluma expanding its borders

MATT BROWN

ARGUS-COURIER STAFF | November 27, 2016, 12:01AM

Petaluma officials took the first step towards expanding the city's southern boundary by annexing 19 parcels of county land to potentially create a future gateway to the city's core along Petaluma Boulevard South.

The Petaluma Planning Commission on Nov. 8 approved a proposal to annex the 17.2 acres into the city. The city council must also give the go ahead, before a county commission that oversees land use issues makes the final decision.

The annexation is a requirement laid out as part of the deal 10 years ago that created the Quarry Heights development at the Petaluma Boulevard South and Crystal Lane roundabout. Incorporating that land into the city created a so-called island of county land surrounded by city property, which the Sonoma County Local Agency Formation Commission said would eventually need to be brought into the city limits.

"The short of it is that when the Quarry Heights project was approved, it was approved as a two phase annexation," Kevin Colin, the city's deputy planning manager told the planning commission. "Islands are a no-no. They are prohibited. The purpose of that agency is to ensure orderly growth."

The area includes land on which the city has long planned to add a bridge over the Petaluma River, connecting Petaluma Boulevard with Caulfield Lane through the new Riverfront housing development under construction just across the river. Colin said that the area is ripe for mixed-use development and has the potential to be a revitalized entryway into the city for motorists exiting Highway 101 at the new Kastania off-ramp.

"We view this as an entry point to the city of Petaluma and a gateway to downtown," Colin said.

In approving the annexation, the planning commission designated the area for commercial and residential mixed-use. The area currently includes industrial parcels with storage and working yards, and single-family homes. No development is currently planned for the future annexed area, planning officials said. When a developer wishes to build in the area, they must conform to the new zoning and hook up to city services like water and sewer.

"My biggest concern here is the five properties whose existing uses would not be permitted," said Gina Benedetti-Petnic, a planning commissioner. "What are we doing with them?"

Heather Hines, the city's planning manager said that, over time, they would phase out and redevelop consistent with the changed zoning.

The parcels to be annexed are within the city's urban growth boundary, a voter-approved limit that dictates how far the city can extend. While the council must still approve the annexation, the move is likely a formality since the county LAFCO agency has required it.

The last time the city attempted to expand into its urban growth boundary, a proposed 10-acre annexation at Corona Road in 2015, the council overturned the planning commission recommendation after several neighbors voiced concerns.

Paula Butterworth, whose family has owned land for 80 years in the Petaluma Boulevard South area to be annexed, said she would rather remain in the county. She said the cost to upgrade the property to city service will be too great.

"I'm resentful about being forced into changing the use," she told the planning commission. "I'm feeling pressured by it and not feeling good about it. We're happy where we are and we don't want to annex in. It would be a huge expense."

Planning Commissioner Jennifer Pierre questioned why the residents would be forced to conform to the city's systems.

"If they are happily on septic, I don't understand why they need to hook up to sewer," she said. Planning officials said that it was city policy.

Jason Osborne, another resident in the area, said it would be nice to have city improvements, including sidewalks along Petaluma Boulevard South. He asked for the city to consider reducing the speed limit on the boulevard from 40 mph to 35 mph.

"Our family is very excited about the potential to have city services, especially police and fire being able to service us," he said.

(Contact Matt Brown at matt.brown@arguscourier.com.)

East Bay Times

Kensington: Interim chief abruptly resigns after less than two weeks

The new interim chief of the unincorporated town's 10-officer police force unexpectedly resigned "effectively immediately" on Nov. 25.

By [Rick Radin](#)

PUBLISHED: **November 29, 2016** at 2:08 pm | UPDATED: November 30, 2016 at 8:12 am



File photograph: Former Santa Clara Police Chief Kevin Kyle.

KENSINGTON — The new interim chief of the unincorporated town's 10-officer police force unexpectedly resigned "effectively immediately" on Nov. 25 after less than two weeks on the job.

Kevin Kyle, the retired former chief of the Santa Clara Police Department, was serving on a part-time basis as chief and community services district general manager until the governing board of the district could decide on a long-term solution to its leadership issues.

On Nov. 8, Eileen Nottoli and Sylvia Hacaj, a pair of candidates who talked during the campaign about making changes to the way the district is run, were elected to the community services district board, unseating two-term incumbent Chuck Toombs.

In his [resignation letter](#) to board President Len Welsh, Kyle wrote that after a period of "soul searching" over the Thanksgiving holiday, he decided that working part-time would be "insufficient to meet the district's challenges."

"Given the number of current issues and complex projects on the horizon, I do not believe the part-time schedule I am constrained by will allow me to achieve the excellence I demand of myself and the district deserves," he wrote.

Kyle took charge of the department Nov. 14 to replace Kevin Hart, a retired Alameda County sheriff, who resigned after serving on a part-time, interim basis for 16 months.

Both appointments came after Greg Harman, the district's last full-time chief and general manager, was terminated after a scandal in which a police sergeant's gun, badge and handcuffs was stolen by a prostitute in Reno.

The gun was later fired by the prostitute's pimp in an incident at a pawnshop.

The scandal came after years of dissension within the 5,000-resident community over allegations of harassment by officers of residents who had criticized the department's leadership, officer behavior and other issues.

Now, Nottoli and Hacaq could join incumbent Vanessa Cordova, who has been a critic of previous leadership, to form a new board majority that could make sweeping changes in how the district is organized or even decide to put it out of business.

In the past, some residents have advocated separating the police chief from the general manager position, which oversees the district's parks and recreation programs, while others have suggested that the department should be dissolved and police services contracted out to a neighboring department, such as El Cerrito.

Welsh called Kyle's resignation "quite disappointing" and said that he was trying to organize a closed session meeting, which would include Nottoli and Hacaq as new board members, on Sunday to determine how to fill the leadership gap following Kyle's departure.

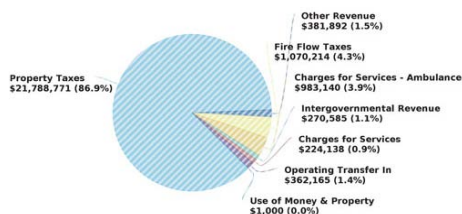
The district will hold its next public board meeting, in which it could take action, on Dec. 8, Welsh said.



Published November 30th, 2016

MOFD Steps Up its Financial Transparency

By Nick Marnell



The Moraga-Orinda Fire District continued its march toward total financial transparency by contracting with OpenGov, a Redwood City consulting company, to produce software that allows complete access to district financial and budget information on the MOFD website.

For years the district struggled through major financial crises, including the miscalculation of a pension for its retiring fire chief, the discovery of a \$2 million error that reduced its general fund, and the recognition of an unfunded pension and retiree health care liability that hovered near \$100 million. On top of that, thanks to the Great Recession, came the property tax crash. Because revenue was not covering expenses, MOFD was forced to consider an action it had never proposed in its history: laying off firefighters.

In 2013 the turnaround began. MOFD fired its auditor, hired a new administrative services director and the following year appointed a financial manager to its board of directors. Working in a much improved economic climate, the district was able to not only balance its budget but also secure a 10 percent general fund reserve and reduce its unfunded pension and retiree health care liabilities to \$65 million. With better news came better reporting, and the MOFD Comprehensive Annual Financial Report, produced in 2014 and 2015, won the Government Finance Officers Association award, presented to agencies that produce easily readable and efficiently organized financials.

The OpenGov financial software, unveiled at the district's Nov. 16 board meeting, could win an award from the public based on its ease of use. Administrative services director Gloriann Sasser led the audience through the new software presentation of district financial accounts, including current and historical revenues and expenses, plus assets and liabilities. Pictured is the chart showing projected revenue for the current fiscal year.

To navigate the new software program, hover on the About tab on the MOFD website home page, then click the Financial Transparency heading. Complete instructions on how to use the software, along with Frequently Asked Questions, are posted there.

"It's terrific," said director Brad Barber, and Barber would know, as he is the financial manager appointed to the board in 2014.

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Published November 30th, 2016

MOFD to Work to Improve Poor Water Flow in Orinda

By Nick Marnell



This hydrant on Charles Hill Circle in Orinda delivers substandard water flow. Photo Nick Marnell

Residents and board members have complained that substandard water flow to fire hydrants in north Orinda is so serious a community shortcoming that the Moraga-Orinda Fire District inserted water flow improvement as an additional element to its recently unveiled five-year Strategic Plan.

Outgoing north Orinda director Alex Evans has advocated for improved water flow in Orinda and Craig Jorgens, elected to fill Evans' seat, pushed for aging water pipe replacement in his campaign literature. Fire Chief Stephen Healy has maintained that even considering the 2 percent of the 1,430 district hydrants that do not measure up to current water flow standards of at least 500 gallons per minute, MOFD can handle routine emergencies any place in the district. But routine emergencies do not concern Orindans; they fear the potential of a serious wildfire that the inadequate water flow could not handle.

"It represents a significant risk to maybe the most vulnerable part of this district for a major catastrophe," Moraga resident and past board member Dick Olsen said at the Nov. 16 district meeting.

The catch for the district is that the underground piping infrastructure and the fire hydrants are owned by the East Bay Municipal Utility District. Healy recapped a recent meeting he attended with EBMUD officials who told the chief that the water district will pay for 10 percent of a pipe rebuild if MOFD pays for 90 percent. "I have a major problem with that from a public policy perspective," Healy said. "I was very disappointed when I walked out of that meeting."

"EBMUD is tone deaf about replacement of its infrastructure," added board president Steve Anderson.

The water company serves 1.4 million East Bay customers and has to be mindful of everyone's needs, according to EBMUD spokeswoman Andrea Pook. "We've been in conversation with MOFD regarding this issue for years," she said. "Our money is not our money. They are all ratepayers' dollars, and we have to be fair how we allocate them."

Understanding the political issues the district faces in this regard, the MOFD board agreed that just because it adds the water infrastructure project to the strategic plan, Healy will not be effective taking on the water district by himself. "We need to mobilize with cities and citizens' groups to encourage EBMUD to do its job better," director Brad Barber said. "It may mean for the city of Orinda to try again." Orinda residents defeated ballot measures in 2002 and 2006 to raise money for city infrastructure improvements, including hydrant and storm drain repairs.

The water district will hold a Fire Agency forum at its headquarters Dec. 13. On the meeting agenda appears an update on fire hydrant inspections. Healy and the MOFD board members plan to attend.

Though the success of the squeaky wheel may be overrated, "The wheel that never squeaks never gets the grease," Barber said, as he and the other four directors approved the water flow improvement project as part of the MOFD 2016-2021 Strategic Plan.

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Published November 30th, 2016

Tatzin Wins 2016 Outstanding Commissioner Award

By Pippa Fisher



Don Tatzin Photo Pippa Fisher

The Statewide Local Agency Formation Commission recently honored Lafayette City Council member Don Tatzin with the 2016 Outstanding Commissioner achievement award.

The Lafayette City Council recognized Tatzin for his achievement at the Nov. 14 council meeting.

Not only has he spent 30 years on the Lafayette City Council, Tatzin also served on Contra Costa LAFCO since 1998 - initially as an alternate city representative, and since 2011, as a regular city member. LAFCOs are regional planning agencies located in all 58 counties of California.

Lou Ann Texeira, executive officer of Contra Costa LAFCO, presented the award at the city council meeting.

Mayor Mark Mitchell read aloud the nominating letter, which said that Tatzin exemplified the meaning of LAFCO in his ability to balance the competing interests of orderly growth and development while working to

preserve agricultural and open-space lands.

In addition to multiple accomplishments for LAFCO, the letter went on, "He is a skilled facilitator (and) negotiator, and (is) always willing to listen to both sides."

Tatzin commented, "There are many highly qualified and hard-working LAFCO commissioners throughout California. Being selected as Commissioner of the Year for the state was both a surprise and an honor."

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The Press Enterprise

Farmland in Redlands may give way to 40 homes; planning panel gives its OK

By SANDRA EMERSON / STAFF WRITER

Published: Dec. 1, 2016 Updated: 5:55 p.m.

The Redlands Planning Commission is recommending that the City Council approve a residential project to erect 40 homes on nearly 20 acres of land that the Jacinto family has owned for generations.

Larry Jacinto and his family are seeking to build the single-family homes on 18.54 acres on the east side of Wabash Avenue, between Highland and Citrus avenues in unincorporated San Bernardino County.

“This particular piece of property has been in the Jacinto family for 60 years,” said Pat Meyer, who is representing the Jacinto family. “They’ve been actively farming this grove for quite a while.”

The Planning Commission last week recommended that the council approve annexation proceedings, a zoning change to residential estate, General Plan amendment and other related documents. The commission agreed to not make a recommendation on the environmental documents, as they are still under public review.

In [September 2015](#), the commission was given a presentation on the project, which proposes turning the land into 40 residential lots, ranging in size from 14,039 square feet to 18,541 square feet.

City code requires unincorporated parcels within its sphere of influence to be annexed into the city as a condition of receiving water and sewer service.

If the council approves, the city and property owner will work with the Local Agency Formation Commission, or LAFCO, on the annexation.

“We’ve still got three or four months of processing back and forth with LAFCO to finally get it annexed and to start the final engineering and processing inside the city,” Meyer said.

As part of the General Plan update process, the General Plan Steering Committee discussed land use in the area of Wabash Avenue, said Carol Dyer, commission chair.

“We have been quite mindful of this area,” Dyer said. “We know it’s emerging and we’re trying to fit it together correctly with the existing land use and proposed land use in the county area.”

Two nearby residents addressed the commission on the project’s potential impact on traffic as well as their desire to have citrus trees and fewer homes built on the property.

The project’s proposed landscape does not include citrus trees because small pockets of citrus have proved difficult to maintain, Meyer said.

Instead, the project would mimic the foothill landscaping found in Mentone and Forest Falls, said Shawn Burch, landscape architect on the project.

“We’re keeping with a very Redlands theme, just not using the citrus trees,” Burch said.

The project would use dry streambeds for water retention, pine trees, pepper trees, palm trees and other mountainlike landscaping.

“This is going to be a very nice-looking landscape,” Burch said. “I was instructed to do something unique and something Larry and his family can be proud of and that’s what we’re trying to do here.”

Contact the writer: semerson@scng.com Twitter: @TheFactsSandra

To save SF Bay and its dying Delta, state aims to re-plumb California

BY JULIE CART [/ABOUT/STAFF/JULIE-CART]

RYER ISLAND—The report’s findings were unequivocal: Given the current pace of water diversions, the San Francisco Bay and the Delta network of rivers and marshes are ecological goners, with many of its native fish species now experiencing a “sixth extinction,” environmental science’s most-dire definition of ecosystem collapse.

Once a vast, soaked marsh and channel fed by the gushing Sacramento and San Joaquin rivers, the Delta has diminished dramatically over the previous century as those rivers and their mountain tributaries have been diverted to irrigate Central Valley farms and Bay Area urbanity. With winnowing supplies of Chinook salmon available for food, Orcas off the coast are starving. So, too, are seals and fish-eating birds. And the Gulf of the Farallones, a national marine sanctuary, is suffering from a lack of freshwater fed by the Bay.

Those grim conclusions (<http://thebayinstitute.org/sf-bay-freshwater-starved-estuary>) in this fall’s report by scientists at the Bay Institute, an environmental group focused on the bay’s ecosystem, would normally have set off alarm bells— except that those warnings have been sounding for decades. That’s about as long as state agencies have been in the planning process to re-plumb the region that supplies close to half of California’s water and supports world-leading agricultural production, fisheries and tourism.

The state’s goal: recalibrate the water flows that have drained vital rivers down to as low as 10 percent of their natural levels—just a fifth of the 60 percent flow scientists say is necessary to preserve the ecosystem.

But the mechanism for change—the state water board’s much-anticipated update to its Bay-Delta plan (http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/docs/091516_bay_delta_plan_update.pdf)—is running “way, way behind,” according to board officials. The plan hasn’t had a significant update in more than two decades. And recent progress has been agonizingly slow.

The first of the plan’s phases—setting targets for turning the tap on and off on the vanishing San Joaquin river, and for reducing water salinity— has been six years in the making and

runs thousands of pages long. It isn't expected to be finalized until next summer.

After analyzing possible flow rates, the state board's staff, in its draft, sets a target that would have to be met: an "adaptive range" of 30 to 50 percent of the average unimpeded water flow for the San Joaquin River and its key tributaries, the Merced, Stanislaus and Tuolumne rivers. Such a flow, averaging about 40 percent, will "provide reasonable protection of fish and wildlife while moderating impacts to water supply for drinking water and agriculture."

The second phase will set water quality targets for the Sacramento River and its tributaries, including the Delta and its outflow.

In the third phase, at best a few years down the road, the state will play the role of Solomon, determining which competing parties get what amount of water. "It's when lawyers begin to line up in front of a judge," said Jon Rosenfield, the lead scientist on the Bay Institute report.

The state hopes to avoid that contentious period, instead encouraging the various factions to come to agreements on their own.

As is the way with California water policy, everyone's share of water is going to be cut, so no one is happy. Farmers predict fallowing of crops, Bay Area officials say impeding development will drive up housing prices, rural counties say the policies are inhibiting growth, and environmental groups still insist that not enough water is being set aside to maintain the health of the complex water system and the fish and wildlife that depend on it.

And, as the tedious, divisive planning process creeps along, the region's economy is at a standstill. Farms and harbors are in disrepair, private sector investments have withered, and residents are waiting for a consistent policy from Sacramento. Further adding to the uncertainty is the incipient presidency of Donald Trump, who, while campaigning in Fresno in May, proclaimed that it was "insane" to "shove water out to the sea" on behalf of endangered fish.

Nobody knows quite what to expect from a Trump administration, but it could try to undermine the state effort by withholding federal funds for restoration of the San Joaquin River and by relaxing federal Endangered Species Act protections. A Republican-controlled Congress also could weigh in by passing federal laws that could govern how water is divvied up.

"We all know that the Delta as it exists today is not sustainable," said Michael George, who serves as the Delta Watermaster (http://www.waterboards.ca.gov/water_issues/programs/delta_watermaster/) for the state Water Resources Control Board. "People have been waiting for a policy and no one is making any long term investments because the policy is so

uncertain. There's wariness. Nobody in the Delta wants Sacramento to do anything other than go away."

Amid the cacophony of claims and assertions about who owns water in California, there is one sobering point that all seem to agree upon: There's not enough water to satisfy all takers and that is not likely to change.

What will have to change is the way scarce water supplies are allocated. And that's where the fight begins.

"It's a game of musical chairs right now and we are missing about three chairs," said Chris Scheuring, a water lawyer for the California Farm Bureau Federation, which is fighting to preserve water supplies on behalf of the state's powerful agriculture industry. "It's a zero-sum game and somebody has to lose. The drought has intensified. Climate change is on the horizon. We have a declining snow pack. This is putting us on the path of an epic train wreck."

On a recent morning, the fog shrouding parts of the Delta was so dense that a pessimist might have seen it as a misty manifestation of the gloom enveloping the intense debate about the state's pending plans.

But the Watermaster is not given to negativity. George, whose background is as a water attorney, sees past the bitterness, the name-calling and the state's redlining spiral of water guzzling. He is focusing instead on the chance for an enduring agreement.

The situation has come down to powerful forces wrestling over a few drops. At any given time more than 80 percent of the water that would naturally flow through the various rivers, tributaries and sloughs feeding the Delta and Bay is siphoned off for storage, agricultural or municipal use. What comes out the south end, or into the San Francisco Bay, is often less a flow than a trickle. The San Joaquin River, for example, at some points has become almost a dry bed, its key tributaries also tapped (the Tuolumne, for example, feeds the Hetch Hetchy Reservoir that supports San Francisco.) As a result, last year less than 10 percent of the San Joaquin River's water was available to replenish the Delta.

Drought and climate change have transformed an intermittent crisis into a full-time emergency.

"We all recognize the Delta is broken, and there's blame to go around," said Heather Cooley, director of the Water Program at the Pacific Institute, a global water think tank. "Several years before the drought I would attend meetings and people said, 'Is there a water problem?' I don't think you would get that any more."

The catastrophic collapse of the estuary has driven the three-inch Delta Smelt (https://www.fws.gov/sfbaydelta/species/delta_smelt.cfm) to the brink of extinction and decimated the Sacramento Splittail, as well as two runs of chinook salmon, Central Valley steelhead, among others. The first phase of the state's plan, by setting its 40 percent flow target, attempts to help fish populations recover.

Although that flow would amount to a veritable flood in sections that are seeing less than 10 percent of natural levels, it would still be one-third below the board's own 2010 analysis (http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/final_rpt080310.pdf) that pegged 60 percent flow as best for fisheries recovery.

"If the 40 standard does anything beneficial for the fish, it sends them to extinction less quickly," said Rosenfield, of the Bay Institute. "Chinook salmon are the hardiest fish species we know of. They colonized every watershed from Monterey through Alaska to Japan. If Chinook salmon cannot live in your rivers, something is very, very wrong."

But water board chairwoman Felicia Marcus stressed that a 60 percent standard represents "what fish would have asked for if the fish could talk"—and that the final plan must balance the needs of all water users.

"I was stunned to see that over half the time we are diverting 80 and as much as 90 percent of water out of these rivers. That's gonna be tough on these fish," she said. "At the same time, people have to realize you can't put it all back. We're coming to grips with where we've been and where we need to go. We need to figure out how to share the rivers and water more thoughtfully, between human use and nature. It's a question of figuring out how to get there. It's not going to be easy."

What's good for the fish is often in conflict with the reality of a region that has been markedly altered by human hands. Nineteenth-century federal policy that favored bending nature to boost commerce meant draining the Delta's marshes and swamps to make way for farming islands and ever-growing settlement. Today an estimated 98 (http://www.sfei.org/sites/default/files/biblio_files/DeltaTransformed_SFEI_110414.pdf) percent (http://www.sfei.org/sites/default/files/biblio_files/DeltaTransformed_SFEI_110414.pdf) of the Delta's historic tidal wetlands have disappeared.

The state—and the estuary itself—has been struggling to accommodate all the claims on its waters.

"We don't have enough water to serve all of the demands that we put on it," George said, framing the obvious and most difficult issue in the debate. Not farms versus fish, not cities

versus rural areas, not California's age-old North verses South. It's an all-of-the-above crisis. The point is not that the state is simply going to run out of water, as a report on water myths (http://www.ppic.org/content/pubs/report/R_1209EHR.pdf) from the Public Policy Institute of California once noted. But it will have scarcity, said Jay Lund, one the report's authors and director of the Center for Watershed Sciences at UC Davis. "There a wonderful saying that economists have: There's not a shortage of water, there's a shortage of cheap water. If we are at all smart, we will make sure that we have enough water for the most important things. That's not going to be easy."

It's particularly difficult because everyone's favorite pastime is the blame game, said Jon Christensen, an environmental historian at UCLA's Institute of the Environment and Sustainability. "Farmers, cities, salmon fisheries offshore, people in Los Angeles, like myself, where some portion of my drinking water comes from the Bay-Delta. I'd like to think that history has bequeathed this responsibility to us. We are all in this together."

Driving along a misty levee above the Sacramento River, George swept an arm to take in what was once a bustling commercial corridor of towns and farms huddled by waterways that had been teeming with barge traffic.

Much of that farm-to-town economy is dormant, as investors have waited for consistent signals from Sacramento about the future of water policy. Farm machinery sits rusting and once-busy marinas and docks are choked with mats of invasive water hyacinth.

"The economy is stagnant, uncertainty about policy has been hanging there for a decade," said Jeffrey Michael, director of the Center for Business and Policy Research at the University of the Pacific in Stockton.

His group produced an economic study in 2011 that recommended against one of the state's largest water engineering projects ever, the proposed twin 40-foot wide Delta tunnels that would ferry water from the Sacramento River to serve cities and farms to the south. The project's supporters say the twin tunnels, the centerpiece of Gov. Brown's WaterFix (<https://www.californiawaterfix.com/>), would be an improvement on the current powerful pumping stations whose operations entrap threatened and endangered fish, and thus need to be shut down when the fish are running. The proposed twin tunnels, if ever built, would have to comply with the flow requirements and other standards set out in the Bay-Delta plan.

Regardless, the complex and often conflicting plans have added to the region's apprehension about its water future.

“These projects could turn the Delta into a massive construction zone for decades,” Michael said. “That’s an investment deterrent. The combination of uncertainty about the future of the Delta as well as the regulatory climate poses too much risk. The businesses out there today are on pretty thin margins. They are small enterprises that are not heavily capitalized. I am very concerned about their ability to survive.”

The farm bureau’s Scheuring said growers have adopted new water methods that have enabled them to produce twice the value of crops with the same amount of water as they required 30 years ago. Now, he says, farmers can’t give up any more water.

Neither can San Francisco, according to Charles Sheehan, spokesman for the city’s Public Utilities Commission. The region’s 2.6 million frugal customers are already consuming water at less than half the statewide average, he said. Less water has meant shorter showers, browner public parks and, officials say, restrictive economic development.

The commission’s analysis of the Bay-Delta plan envisions “serious economic impacts,” Sheehan said, especially in drought years. “This has the potential to restrict new housing development. Affordable housing is a big issue here.”

The collapse of the state’s water systems is taking a financial toll on other industries, such as the seafood business. Only about 3 percent of salmon survive the weeks-long journey through the Delta to the Pacific. Part of the problem is that salmon fry cannot survive in the Delta’s waters, which are now shallower and therefore warmer. The other is a deadly migratory collision—the fewer young salmon swimming downstream to the Bay, the more these new generations are wiped out in a feeding frenzy when they run into oncoming spring spawning runs of striped bass. That’s a hard blow on coastal businesses waiting on the other end of the pipe for salmon.

An October report (http://www.st.nmfs.noaa.gov/Assets/commercial/fus/fus15/documents/o2_Commercial2015.pdf) from the National Oceanic and Atmospheric Administration showed that between 2014 and 2015, the value of the California fishing harvest plummeted 53 percent.

It’s not only fish that can’t make it to the endpoint in the San Francisco Bay. Freshwater is in scarce supply, creating fewer stocks of fish that themselves support fish-eating birds and whales. Wetlands and beaches are missing the sediment that would have been carried along with high flows. And without the natural flushing action of arriving freshwater, a dangerous mix of pollutants and toxic algae blooms continues to accumulate and worsen water quality.

Across the state, people are lining up to recount similar tales of water woes. Often at the top

of their lungs. In recent months, Stanislaus County officials flatly accused state water officials of lying—and the rhetoric at a Merced County Board of Supervisors meeting got so overheated that one citizen compared the impact of the Delta plan on farmers to the Holocaust.

At the most recent meeting of the San Joaquin County Board of Supervisors, local water district representatives characterized the state water board's draft Bay-Delta plan as a "water raid" and a "dirty deal." The board unanimously voted to oppose the state draft after Les Grober, the water board's deputy director in the Division of Water Rights, was subjected to a verbal flaying.

"To propose any kind of change is never going to make everyone happy," Grober, a long-suffering veteran of many acrimonious public meetings, said in an interview. "We hear, 'How can you take our water?' But this is the water of the people of the state of California. The science tells us we need 60 percent flows for fish and habitat. On the supply side there is an unlimited demand for water. How do you balance all that? We have to keep talking about it."

Marcus, the state water board's hard-nosed but pragmatic chair, invites all the parties to engage in a "rational conversation instead of lobbing grenades from the corner.

"It's not the most comfortable place to be, people are always mad at you," she said. "But we are going to make these decisions. Either you help us make the decision or we are going to move. Our objective is to make this work."

Back in the Delta, George—himself an avid boatman—relishes showing off every waterway and marsh. Making it all work for as many groups as possible will be a heavy lift, he said, and requires careful, careful planning. But he's optimistic despite the President-elect's campaign comments, insisting he sees no indication from federal partners that the government would wish to undo what the state has put in motion. Even if the federal government delisted various threatened and endangered fish species—which would take years and need to be accompanied by an extensive scientific report—that would remove just one of many justifications for restoring flows. As far as the state board is concerned, increased flows are necessary for the health of the entire system.

"We are way behind and we feel it," he said. "I think we ought to be moving at warp speed. But before we move at warp speed, you better know where you are going to end up."