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The Real Cause of Gentrification

When Victoria Fierce arrived in the Bay Area three years ago, she decided to look for a place to live in North Oakland's Rockridge district. She had scored a job at a tech startup in San Francisco and was attracted to Rockridge because it has a BART station and seemed like a transit-oriented, walkable neighborhood. But she quickly realized that apartments are scarce in Rockridge and the nearby Temescal district and that rents are astronomically high.

"When I first move out here," she said, "I looked at Rockridge, and thought, 'Wow, this is so great. ... I wish I could afford to live here.'"

Fierce relocated to Oakland from Akron, Ohio, and ultimately landed in downtown. Although she loves living here, she says she sometimes doesn't feel welcome. She and other millennials who moved to Oakland during the tech boom have been blamed for gentrifying traditionally low-income areas of downtown, Uptown, and West Oakland. Some city residents have derided the newcomers, alleging that they're responsible for soaring rent and housing prices and the displacement of low-income people of color. Fierce, who is transgender, said she and her friends have been called "gentrifiers" and "techie scum" among other names.

But Fierce and her friends don't scare easily, and they're fighting back. They formed East Bay Forward, a group that champions new housing in Oakland, Berkeley, Alameda, and other urban areas, especially along transit lines. They consider themselves to be urbanists, or YIMBYs (for Yes In My Backyard), and they attend city council and planning commission meetings in support of dense housing developments and high-rises, while publicly calling out the NIMBYs (Not In My Backyard) who oppose them.

Yet while urbanists are cheering on the current housing construction boom in downtown and Uptown Oakland, they're also sensitive to the impacts of gentrification. They say it's unfair that nearly all the new housing is concentrated in certain areas of the city, while higher-income neighborhoods like Rockridge have effectively walled themselves off with special rules that ban large apartment buildings and condo complexes.

YIMBYs are pushing to ease these special rules, known as exclusionary zoning, and they're calling their nascent effort #UpzoneRockridge. They argue that it's not equitable for a diverse city like Oakland to prohibit dense new housing in predominantly white, upper-income areas. And they point out that opening up Rockridge and portions of Temescal to new housing will help relieve gentrification pressures elsewhere. After all, it's impossible to gentrify tony neighborhoods, because they're already gentrified. "The only people who can now afford to move here are rich people," said Justin Horner, a Rockridge resident and member of East Bay Forward.

But Horner, Fierce, and other YIMBYs realize that many wealthy and influential North Oakland residents will strenuously oppose any plans to upzone their neighborhoods. So East Bay Forward is proposing a more modest approach: It wants the city to greenlight some increases to height and density limits along major streets near Rockridge BART, reduce parking requirements in the area, and lift prohibitions on smaller apartment buildings on surrounding streets.

They say the streets of Rockridge and much of Temescal should once again allow construction of what is known as the “missing middle,” smaller buildings that range in size from three to about 12 units and were once common in North Oakland. In fact, Rockridge and Temescal are sprinkled with such housing. Much of it was built between the 1920s and the ’40s, but then was banned in the ’50s and ’60s when residents started complaining about traffic and the lack of parking.

Any proposal to upzone Rockridge today will surely be met with similar complaints. But there’s a growing sense among YIMBYs that momentum may be on their side. Over the past decade, environmental groups like the Greenbelt Alliance have increasingly argued that cities must build more dense urban housing to curb suburban sprawl and long commutes, protect open space, and help fight climate change. These days, you can’t call yourself an environmentalist and oppose dense urban housing near transit.

Moreover, numerous recent studies have concluded that the high cost of housing in the Bay Area and the displacement of low-income residents are directly related to exclusionary zoning rules and the region’s failure to build enough housing to keep up with population growth.

Meanwhile, Bay Area millennials are fed up with the lack of housing near job centers. A recent poll commissioned by the Bay Area Council, a business-oriented public policy advocacy organization, found that 46 percent of millennials said they want to leave the region, citing the high cost of living and out-of-control housing prices as two of the major reasons. Seventy percent said they would support building more housing in their neighborhoods.

But the baby boomers and Gen Xers who have watched the values of their homes skyrocket in the past few decades—thanks in large part to the persistent housing shortage created by zoning—are much less enthusiastic about changing the rules, even as their own children are priced out of the region. It’s a viewpoint that was shared by their parents, grandparents, and great-grandparents: the people who created exclusionary housing rules.

However, the motivation of those previous generations had nothing to do with parking or traffic.

The idea of creating exclusionary housing in Oakland—of blocking certain people from moving into certain neighborhoods—dates back more than a century and was rooted in racism. In the early 1900s, in order to keep out African-, Asian-, and Latin-American residents, developers of Rockridge and the nearby Claremont neighborhood in Berkeley attached racial “covenants” to the deeds of homes, ensuring that they would be white-only areas.

A 1909 advertisement in the *San Francisco Call* newspaper for Rock Ridge Park (now commonly known as Upper Rockridge) plainly stated a covenant attached to deeds in the neighborhood at the time: “No negroes, no Chinese, no Japanese can build or lease in Rock Ridge Park.”

Oakland historian Dennis Evanosky said such ads were common back then. “They would put ‘No Negroids’ and ‘No Mongoloids’ in the covenants,” he said.

And racial covenants were not exclusive to Oakland and Berkeley. “It was a national phenomenon,” said Richard Rothstein, a senior fellow at the Haas Institute and a research associate at the Economic Policy Institute at UC Berkeley who has studied racist housing policies around the nation.

Over time, racial covenants eventually expired and were no longer used in the East Bay, and the

U.S. Supreme Court outlawed the enforcement of them in 1948. But cities like Oakland and Berkeley replaced the covenants with exclusionary zoning laws that essentially accomplished the same result.

Exclusionary zoning got its start in the East Bay in the early 1910s in Berkeley. At the time, Duncan McDuffie, cofounder of Mason-McDuffie real estate company and developer of the Claremont neighborhood, just across the border from Rockridge, was upset that the nearby Elmwood district did not have racial covenants like those of his development, according to a 1986 historical report in the *Berkeley Planning Journal*. McDuffie was particularly outraged that a Chinese laundry had opened on College Avenue. McDuffie, who was perhaps the East Bay's first influential NIMBY, called the laundry an "incompatible" use and warned that more were coming.



PAT MAZZERA

Rockridge and Temescal are sprinkled with "missing-middle" housing, small apartment buildings that were constructed in 1920s to the '40s, but then were banned.

As chairman of the then-powerful Berkeley Civic Arts Commission, McDuffie was politically formidable. He later helped establish both the California state parks and the East Bay regional parks systems and served as president of the Sierra Club and chair of the Save the Redwoods League. In 1913, he convened a meeting at the Claremont Hotel to discuss the creation of zoning laws in Berkeley that would exclude people of color. It was one of the first meetings of its kind in the nation. A flier for the meeting read, "The location of one laundry near Dwight Way ... deteriorated that neighborhood until only negroes and Orientals would rent nearby buildings."

In 1916, McDuffie convinced the Berkeley City Council to approve an exclusionary zoning ordinance, arguing that it was needed for "protection against the disastrous effects of uncontrolled development," according to a 2013 historical report in *The Concord Review*. The city expedited the ordinance "to prevent a prominent negro dance hall from locating on a prominent corner" in the Elmwood, according to the report.

A year later, in 1917, the U.S. Supreme Court outlawed city zoning rules based on race, but in the decades afterward, Berkeley and Oakland adapted by banning apartment buildings in neighborhoods like Rockridge, Elmwood, and areas of Temescal and only allowing single-family homes, under the assumption that low-income people would not be able to afford to buy a house in an upscale area. Real estate agents and banks then kept the neighborhoods white for years through red-lining practices—refusing to sell homes or offer mortgage loans to people of color in traditionally white areas.

In the 1950s, '60s, and early '70s, Oakland and Berkeley finished walling off white neighborhoods from development through the implementation of strict building-height limits and parking mandates that effectively made apartment buildings impossible to build.

Today, there is no evidence that racism still plays a role in opposing new dense housing in Rockridge, parts of Temescal, and in neighborhoods like Elmwood and Claremont. Instead, residents of those areas cite concerns about parking and traffic, “greedy developers,” and “shadows” cast by tall buildings as reasons to oppose new housing.

But regardless of what motivates today’s opponents of more housing in wealthy areas, the legacy of Duncan McDuffie remains.

The harmful impacts of exclusionary zoning reach far beyond neighborhoods such as Rockridge. The decision to ban dense housing development in wealthy areas has been a major factor in the Bay Area’s housing shortage. It has helped spur suburban sprawl and created a significant barrier to reducing greenhouse gases. And it has played an indirect role in the gentrification of low-income neighborhoods and the displacement of longtime residents.

The nonpartisan state Legislative Analyst’s Office noted in a 2015 report that after California’s metropolitan areas adopted zoning rules and other regulations on new development, particularly in the Bay Area, the creation of new housing in coastal cities slowed dramatically. From 1980 to 2010, the total percentage of new housing in California’s coastal metros grew by just 32 percent, compared to 200 percent during the previous three decades. In all, the report estimated that the state’s coastal metros should have added 3.3 million more units of housing than they did to keep up with population growth and demand.

“It’s a very common dynamic—of neighborhoods that are well-resourced that work to repel new housing,” said Sarah Karlinsky of the urban planning group SPUR, which advocates dense housing near major transit corridors.

Exclusionary zoning also has led to a huge financial windfall for middle- and high-income property owners, many of them white. Those fortunate enough to have purchased or inherited homes in upscale parts of the Bay Area during the latter half of the 20th century have seen their home values soar. According to the LAO, in 1970, the median home price in California’s coastal metros was 50 percent higher than the rest of the country. By 2015, it was 300 percent higher. According to real estate firm Trulia, the median home price in Rockridge as of early April was \$1.3 million. The median rent? \$5,650 a month.

Exclusionary zoning also has had grave consequences for the environment. Because of the dearth of new housing in cities, much of the Bay Area’s growth in the past 30 to 40 years took place in the region’s far-flung suburbs, with open space plowed under for single-family housing. Not only did the region lose millions of acres of natural and agricultural land in the process, but it’s also losing the fight against climate change, as motorists are forced to navigate hours-long commutes and sit in mind-numbingly bad freeway traffic.

In California, passenger vehicles are the single-largest generator of greenhouse gases, according to 2015 report from the California Air Resources Board. And living in suburbia is a major cause: According to UC Berkeley’s carbon calculator, a family of four with an income of \$120,000 that resides in the 94507 zip code of Walnut Creek in Contra Costa County produces a staggering 137 tons of carbon dioxide, on average, a year. But if that same family were to move to the 94618 zip code of Rockridge and take advantage of the neighborhood’s transit access, its carbon footprint would shrink to just 87 tons annually.

“Here in the Bay Area, one of the most important things we can do for the environment is to say ‘yes’ to more housing near job centers and near transit,” said Stephanie Reyes, chief operating officer of Greenbelt Alliance. “And many communities in the Bay Area with access to transit have a lot of opportunities for putting in more dense housing.”

Developers have long sought to build in wealthy, transit-rich neighborhoods like Rockridge and parts of Berkeley. Rents and home prices have traditionally been high enough in those neighborhoods—even during economic downturns—to support the high costs of construction in the Bay Area. Several developers interviewed for this report said they would like to build in wealthier areas—if they were allowed to do so. But many residents of those neighborhoods steadfastly oppose upzoning and dense housing projects, because they’re worried about quality-of-life impacts and their home values.

“It’s really the baby boomers who are trying to preserve what they have at the expense of their children and grandchildren,” said Michael Ghielmetti, president of the Oakland-based Signature Development Group. “From my perspective, we have two choices: We can go out into the suburbs and build on farmland, or we can build here.”

For years, developers weren’t building here much at all, because rents and home prices in downtown, Uptown, and West Oakland—areas of the city that have liberal zoning rules and allow tall, dense housing projects—were not high enough to support new construction. Developers just couldn’t generate enough money for housing projects to pencil out.

However, the bans on new housing in wealthy neighborhoods, coupled with the tech boom, eventually drove up prices throughout the region to the point that they’re finally high enough to support new housing in what had been traditionally low-income areas. Oakland currently has about 3,000 units that are approved or under construction, most of it concentrated in downtown, Uptown, and West Oakland, with another 15,000 to 20,000 units of housing in the development pipeline.



PHOTO BY PAT MAZZERA

Justin Horner wants to upzone Rockridge to allow more apartments and condos.

But all that building is also generating a backlash. At council and planning commission meetings and on social media, some longtime residents have blamed gentrification and displacement in downtown and other parts of the city on the new housing—and especially on newcomers. In April, the Flight Deck, a multidisciplinary art space in downtown, featured a play, *Overnight*, focusing on the supposed gentrifying impacts of new a high-rise built on a parking lot.

In reality, experts say there is little evidence that new housing actually causes gentrification and displacement in cities—with the obvious exception of an older building being torn down, the tenants displaced, and a new one serving wealthier residents replacing it. Instead, when new housing goes up on previously unoccupied spaces—like a parking lot—it tends to help lower the overall cost of housing in the area, especially if it's accompanied by other new housing. Most housing studies, including the 2015 LAO report, have concluded that higher costs are the result of not enough housing—not the addition of new housing. That report estimated that California's coastal metros need to build an additional 100,000 units annually to stabilize prices.

Nonetheless, there is a widespread belief that new market-rate housing in a traditionally low-income neighborhood can gentrify the immediate surroundings, especially if the city doesn't have rent control. Local residents fear that landlords will raise rents to match those of the new market-rate housing. Oakland has rent control, so concerns about new housing might be overblown—although it's worth noting that under state law, rent control in Oakland doesn't apply to housing constructed after 1983.

Regardless, gentrification and displacement in Oakland started well before the current housing boom. And it was the lack of new homes coupled with the region's economic upswing that sent prices through the roof. Well-paid millennials simply outbid longtime residents for the existing available housing, causing displacement of city residents. But housing analysts say that if wealthy areas like Rockridge, parts of Temescal, and other neighborhoods allowed new apartment buildings,

then many of the newcomers would've moved there instead.

“Ultimately, you’re going to have to bust open the single-family zoning just to deal with all the people,” said Karen Chapple, a professor of city and regional planning at UC Berkeley who has studied housing and gentrification extensively. “We can’t just build all the housing in certain areas and keep others as exclusive as ever.”

Chapple also pointed out that a substantial number of millennials who can’t find housing are not newcomers. “A lot of people who are trying to find housing in the East Bay are people who grew up in the East Bay.”

Justin Horner calls the beautiful older apartment buildings scattered throughout his neighborhood “illegal Rockridge.” While sitting in the dining room of his Craftsman home, Horner explained that these smaller, early- to mid-century buildings—triplexes, four-plexes, and those of up to about 12 units in size—are “illegal” because local residents convinced the city decades ago to ban the construction of any more of them on neighborhood streets.

“You just can’t build that anymore,” said Horner, who works for the San Francisco planning department, is a member of East Bay Forward, and is a former staffer for ex-Oakland Councilmember Jane Brunner. As a result, he added, “the neighborhood character now is exclusive and unaffordable.”

There are some new housing complexes going up in the lower Rockridge area at 51st Street and Broadway, and more approved for 51st and Telegraph Avenue. And there is new housing approved or under construction on Telegraph in the Temescal district. Plus, the Oakland City Council recently greenlighted Temescal’s first housing tower, a 25-story high-rise at MacArthur BART (although that tower required a special zoning exemption to win approval).

But building height limits greatly restrict new housing on College and Claremont avenues. On College, the height limit is 35 feet, which equates to three stories. And it’s 45 feet, or four stories, on much of both Broadway and Telegraph in Temescal. Under state law, housing developers can technically go one story higher than local zoning allows if they include affordable units. But three to five stories is still low for a city of 400,000 people and an area that has two BART stations.

In addition, the vast majority of the area’s streets—Shafter, Lawton, Chabot, etc.—are zoned for single-family homes, which means anything larger than a duplex is illegal. It’s striking to walk or bike through North Oakland and see all the small, attractive apartment buildings that are now strictly forbidden. Horner and other members of East Bay Forward say it’s past time to allow this missing middle housing again in North Oakland—and for the city to relax building heights on major thoroughfares, especially near BART.

The phrase missing middle was coined five years ago by Berkeley architect Daniel Parolek, principal of Opticos Design. Parolek describes missing-middle housing as ranging in size from townhouses and duplexes to apartment and condo complexes of up to 15 units and four stories tall. During the past several years, he has been advocating for cities that used to allow missing-middle housing to once again legalize them to create more vibrant, walkable neighborhoods. “Zoning is a major barrier in most cities,” he said. “There is so much zoned single-family only, it’s ludicrous. We need to get rid of that.”



PAT MAZZERA

Apartment buildings like this one are illegal in most areas of Rockridge and Temescal.

North Oakland Councilmember Dan Kalb said he's open to exploring whether to allow taller, denser housing within "two to three blocks" of Rockridge BART. Kalb, a proponent of smart growth—dense housing near major transit—met in March with members of East Bay Forward to hear their proposal. "I think it's a valid discussion to have," Kalb said in an interview. "I'm open to looking to see what we can do to get more housing near our key transit hubs."

But Stuart Flashman of the locally powerful Rockridge Community Planning Council is deeply skeptical about East Bay Forward's plans. He said he personally opposes changing local zoning to allow market-rate apartments or condos in Rockridge. He said taller buildings along College would make the area feel like a "canyon" because of the shadows they would cast.

However, he indicated that he would support affordable-only housing. "I wouldn't be averse to putting in a fairly dense, 100-percent-affordable project," he said, adding that he would want it to include subsidized housing for moderate-income residents as well. "We have a tremendous demand for moderate-income housing."

But building a fully subsidized housing project in Rockridge could be prohibitively expensive because of the price of land there. Housing experts say it costs up to \$500,000 per unit in public subsidies to build affordable housing.



PHOTO COURTESY OF OPTICOS DESIGN

Daniel Parolek coined the phrase “missing middle.”

During an interview, Flashman also repeatedly pointed to parking as the No. 1 reason to oppose upzoning Rockridge. “If people didn’t have cars, density would be fine,” said Flashman, a land-use attorney who has often represented the Sierra Club in litigation. “The cars are the problem.”

But UC Berkeley’s Chapple and transportation experts note that millennials are much less likely to drive or own cars than previous generations and that fears about parking and traffic in transit-rich areas are rapidly becoming outdated. “The world is changing,” said Chapple, who also serves on the Berkeley Planning Commission. “People are not relying on automobiles in the same way. And we’re starting to have a conversation about reducing the amount of parking we demand and use that space instead for people.”

In recognition of this demographic shift, the Oakland City Council voted last year to relax parking requirements for the first time since the ’60s. The city eliminated parking requirements in downtown and eased them near most transit hubs. The city also “unbundled” parking from housing, meaning that it’s now legal to charge tenants who require parking more rent than is paid by those who do not.

Developers, transit experts, bike advocates, tenants’ groups, and environmentalists praised the city’s parking reforms, noting that requiring less parking not only discourages car use, but also helps reduce the cost of housing, while freeing up space for more housing units. However, transit advocates note that Rockridge still has regressive parking rules. Multifamily housing in the district still requires one parking space per unit.

Oakland is on the cusp of relaxing parking rules for secondary units—also known as granny flats or

backyard cottages—in Rockridge and elsewhere to coincide with a new state law, said Ed Manasse, strategic planning manager of the Oakland Bureau of Planning. Under the new regulations, which the council was expected to approve in April, the addition of a secondary dwelling would require no additional parking within one half-mile of a transit stop. “That’s basically everywhere in the city,” Manasse said.

Jennifer West, senior program manager at GreenTRIP, which advocates for environmentally friendly development and is a project of the group TransForm, noted that if Rockridge were to upzone, it could relieve parking concerns by encouraging developments to have a mix of market-rate and affordable units. Research has shown, she said, that low-income residents are more likely to take transit than high-income residents and that low-income residents are less likely to drive than high-income residents. “There is a benefit to the neighborhood to build affordable units,” she said.

Members of East Bay Forward support mixed-income housing projects. And they say more backyard cottages in Rockridge and Temescal would represent a good first step toward reducing some of the demand for housing. But restoring the missing middle in wealthy, transit-rich neighborhoods would help relieve the housing crisis more efficiently.

Kalb, who is now exploring a run for state Assembly in 2018, said he understands the resistance in Rockridge and the fears about parking but hopes that residents will see the bigger picture. “Not to dismiss people’s concerns ... but my concern is that we want families to live near where they work, and Oakland is a logical place,” he said. “And we need to be welcoming to those folks so that they don’t move to Vallejo, Brentwood, and Tracy. Long commutes are a horrible environmental problem.”

So where would Flashman build dense housing in Oakland if not in Rockridge and Temescal?

“There’s a lot more room in downtown,” he said.

During the past several years, wealthy NIMBYs in Berkeley who oppose new housing have formed a political alliance with left-wing progressives who advocate for more affordable housing and believe market-rate development causes gentrification and displacement. The coalition swept into power last November, winning the mayor’s office and a majority of the city council. Ever since, new housing projects, especially proposals for market-rate development, have been met with fierce opposition.

A similar political alliance formed years ago in San Francisco, but it has yet to coalesce in Oakland. Pro-housing activists are wary that it could, however, if the backlash against newcomers and the housing construction in downtown, Uptown, and West Oakland intensifies.

Advocates like Victoria Fierce, who is now a full-time pro-housing activist, are determined to prove that they’re not “gentrifiers” or “techie scum” or “shills” for developers but, rather, are progressives. Many of them were Bernie Sanders supporters, and they’re staunch advocates for traditional progressive values, such as universal health care, environmental protections, rent control, and services for the homeless.

And through the #UpzoneRockridge campaign, they hope to show other progressives that walling off wealthy, predominantly white areas from new housing is not only inequitable, but it also exacerbates the housing crisis for everyone else. It contributes to housing being absurdly expensive and to forcing more people each year to hand over a larger share of their earnings to landlords. According to the 2015 LAO report, low-income households in California spend, on average, 67 percent of their wages on housing. The median nationwide is 23 percent.

“The people who push housing into other neighborhoods,” Fierce said, “are the real gentrifiers.”

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California's Legal Assault On NIMBYs Begins

Over 100 bills aim to fix the state's severe housing crisis, including many that would crack down on developers and communities that aren't doing their part.

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Construction workers build a single-family home in San Diego. (Mike Blake/Reuters)

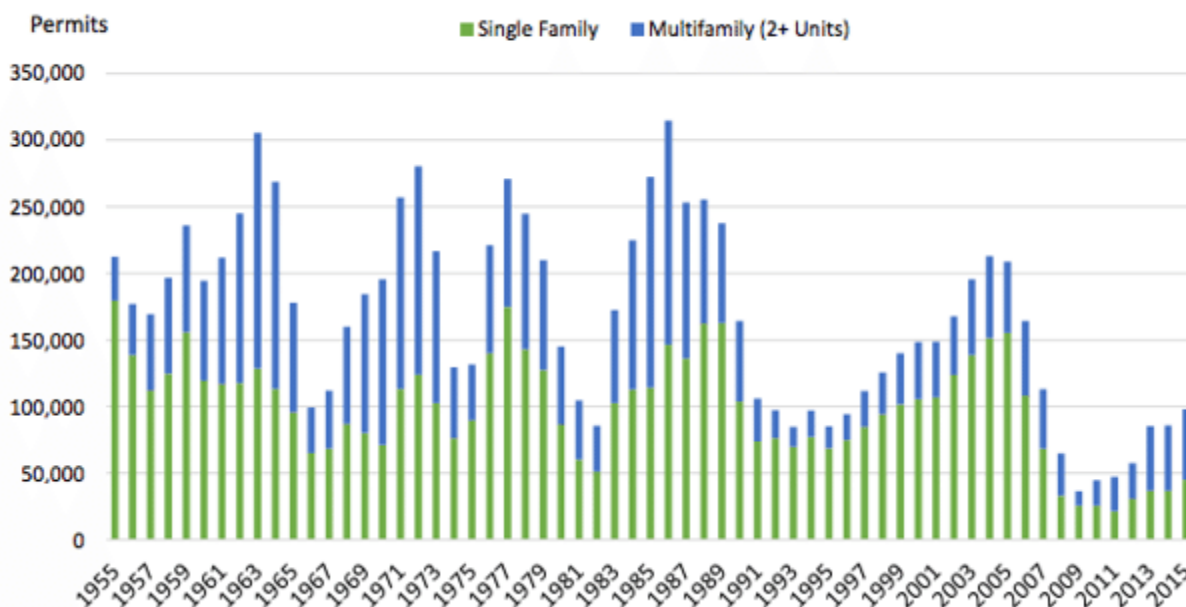
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California Democrats are uniting against a common enemy who they believe is making residents miserable and imperiling the state's future. The target: NIMBYs across the state who continually shoot down new housing projects, and the localities that bend to their will.

There are more than 100 bills before the California Legislature that address [the state's housing crisis](#), and a large share of them would crack down on communities that don't do their part by facilitating the construction of new homes.

A California Department of Housing and Community Development [report](#) published earlier this year paints a dire picture: Home ownership rates are at their lowest numbers since the 1940s; homelessness is high. Existing homes cost far too much for low-income and even middle-income residents. But the report focuses most of its attention on the homes that don't exist yet.

"In the last 10 years, California has built an average of 80,000 homes a year, far below the 180,000 homes needed a year to keep up with housing growth from 2015-2025," the report says. "Without intervention, much of the population increase can be expected to occur further from job centers, high-performing schools, and transit, constraining opportunity for future generations."



Annual housing production in California from 1955 to 2015. (Data: Construction Industry Research Board/California Homebuilding Research Reports 2005, 2013, 2015. Graphic: California Housing and Community Development)

Dozens of the solutions floating in the state Legislature aim to address that supply problem, including several that would streamline the process by which housing projects get approved (one, for example, would limit the circumstances in which a special permit could be required to build [a granny flat](#)). Others would not-so-subtly make it much harder for local residents and government agencies to block new projects, like by [requiring a two-thirds vote](#) for any local ordinance "that would curb, delay, or deter growth or development within a city."

That latter bill epitomizes the frustration many young working people and families have as they try to attain what was once a milestone of adulthood —homeownership—that is now out of reach for even those making decent money. Some of those folks are YIMBYs, or supporters of a "Yes in My Backyard" agenda. "We know that our housing struggles are not the result of impersonal economic forces or lack of individual effort, but derive from bad policy and bad laws that have restricted housing growth for decades," said YIMBY leader Brian Hanlon, co-founder of the California Renters Legal

Advocacy and Education Fund, at an April Assembly committee hearing.

California already has several laws on the books aimed at nudging localities to greenlight housing construction. One, the Housing Accountability Act, is even known as the Anti-NIMBY Act. But localities and residents have found ways around them. Many of the current proposals on the table either close loopholes opened by local governments, or add teeth to measures that some cities or neighborhoods have long ignored. A bill to strengthen the Housing Accountability Act, for instance, would even allow a court to authorize punitive damages against cities that act in bad faith. Another would set aside funds specifically for the state attorney general to enforce existing housing laws.

Democratic Assemblyman Richard Bloom, who represents several upscale Los Angeles neighborhoods including Santa Monica and Beverly Hills and who has written a package of housing bills, says many of the solutions that address localities aren't meant to be antagonistic. "I think many in our local communities are very appreciative of clarifications. They recognize that things have gotten out of hand, and they're not the right agencies to provide the clarity that we provide at the state level," he says. "There are times, particularly in a time of crisis, that the state needs to step in and provide a better sense of expectations for local governments."

Many dismiss the individual bills as a drop in the bucket. "But on the other hand, let's put a drop in the bucket. A drop is better than a drought."

Counterintuitively, some local officials might secretly crave punitive measures,

says Dana Cuff, a professor of architecture and urban design and director of cityLAB-UCLA. "Because the most vocal and organized housing cohort is often a conservative one, city councils and local administrators have a hard time fulfilling their obligation in terms of providing more housing," Cuff says. With state enforcement, she adds, "the local administrators will have a means to argue back that they have to do this or they will be punished."

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Other bills being floated, though, are more carrot than stick. One, written by San Diego Assemblyman Todd Gloria, would allow local housing authorities, which typically deal solely in affordable housing, to earmark some units in new projects for middle-income residents. Residents might be less likely to rally against a new project, the thinking goes, if it means their new neighbors will be teachers and firefighters in addition to those receiving housing subsidies.

During the recession, many market-rate projects that had been OK'd were abandoned by cash-strapped developers and converted into affordable housing projects because the government was the

only entity doing any building. The community's reception of a market-rate project compared with the same project when it became an affordable housing project was noticeably different, says Gloria, who was a San Diego city council member at the time.

"Whatever reason that might be, it could just be a pure no-growth approach or it could be a true fear of what affordable housing is perceived to be—and it's never what it really is—maybe this [bill] is a way to address that," he says.

It's unclear what the chances for each bill are. Though legislators seem eager to

spur more housing construction quickly, some of their allies might not be. Many environmentalists, for example, want new projects to comply with [CEQA, the state's landmark environmental law](#) that requires developers to study and possibly mitigate the environmental impact of whatever they build. And developers are never quick to embrace mandates that they include affordable units in their projects.

If the bills do pass, will any of them actually make a dent in what's become a crippling problem all across the state? The Sacramento Bee's Dan Walters recently [wrote off the current proposals](#) in the Legislature as "tepid, marginal approaches that would do little to close the gap." Cuff admits many critics dismiss individual bills as a drop in the bucket. "But on the other hand, let's put a drop in the bucket," she says. "A drop is better than a drought."

Smaller, incremental solutions are also more likely to go over well with wary residents, as opposed to sweeping mandates that would never be implemented, Cuff says.

Bloom cautions that even if an explosion of housing production suddenly takes off, it will still take a long time for it to make a meaningful impact. Lawmakers also need to focus on solutions that can take the burden off of residents right away, he says, such as repealing certain restrictions on rent control.

"Even if I waved a magic wand today and we were to double our current housing production around the state, it would take us a minimum of 10 years to catch up," he says. "I think that we need to give thought to the circumstances that tenants are facing today and see if there isn't a way in which we can provide some immediate relief."

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East Bay Times

EBMUD proposes 19 percent water rate increase over two years

By [Denis Cuff](#) | dcuff@bayareanewsgroup.com | Bay Area News Group

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OAKLAND — East Bay water customers would see rates rise 19 percent over the next two years under a proposal announced Tuesday.

The East Bay Municipal Utility District said the increase is needed to more quickly replace old pipe, upgrade treatment plants and offset reduced water use by customers.

The district proposes a 9.25 percent increase to take effect July 12 and another 9 percent increase to go into effect on July 1, 2018. Compounded, the increases amount to nearly 19 percent over two years for the district's 1.4 million residents in Alameda and Contra Costa counties.

About 35 percent of the water rate increase is needed to replace and fix old equipment, including 15 miles per year of aging pipe — some of it more than 90 years old, said Jenesse Miller, a water district spokeswoman.

About 30 percent of the rate increase in the coming year is to offset the higher-than-expected rate of customer conservation that is leaving the district with less revenue, she said.

The average EBMUD household used about 250 gallons of water per day before the drought began about six years ago. Now the average use is about 200 gallons per day.

“We appreciate our customers’ conservation efforts, and they should not feel they are being penalized for saving,” Miller said, “but reducing your water use doesn’t always mean your bill is going to go down.”

The district has a post-drought dilemma facing many California water districts. Because most water districts’ costs are fixed regardless of how much water they deliver, customers conservation habits learned during the drought are leaving the district with less revenue than expected.

Under the proposed increase, an average EBMUD single family home using 200 gallons per day would see its monthly bill rise from \$47.15 to \$51.49, or an increase of \$4.34 a month.

District administrators propose to raise the water system budget from \$733 million in the current fiscal year to \$863.9 million next year, a 17.9 percent increase.

Among the higher costs in the new budget are \$3 million to establish a program to test drinking water in schools for lead.

The water board agreed Tuesday to schedule a public hearing on the two rate increases in consecutive years for 1:15 p.m. July 11 at district headquarters in downtown Oakland.

During the drought, the district helped avoid financial trouble by levying a 25 percent emergency surcharge on water bills, but the district agreed to drop that surcharge last July after near normal rainfall in the winter of 2015-2016 eased shortages.

In a related money matter Tuesday, the district proposed a five percent increase in wastewater rates in each of the next two years in its sewage service area, which includes some 680,000 East Bay residents.

East Bay Times

Walnut Creek chooses new city manager, will vote soon on contract



City of Walnut Creek

The Walnut Creek City Council is expected to approve a contract for newly chosen City Manager Dan Buckshi at its May 16 meeting.

By [Sam Richards](#) | srichards@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **May 12, 2017** at 9:59 am | UPDATED: May 14, 2017 at 2:42 pm

WALNUT CREEK — The city is set to hire a veteran San Luis Obispo County administrator to become its next city manager, and his contract could be approved as soon as Tuesday night.

Dan Buckshi, currently San Luis Obispo's county administrative officer, was selected to fill the vacancy created with the departure late last year of Ken Nordhoff, who had been Walnut Creek's city manager for six years. Buckshi was selected during a closed session City Council meeting Thursday night. The council is expected to approve Buckshi's contract — which calls for a \$254,000 annual salary — Tuesday night.

Buckshi has been with San Luis Obispo county government since 2002, when he joined as an administrative analyst. He was promoted to budget director in 2006, to assistant county administrative officer in 2010 and to county administrative officer in 2012. His annual salary there is \$239,000.

In a statement Friday morning, Walnut Creek Mayor Rich Carlston said he and other council members were impressed with Buckshi's collaborative style and diverse experience in local government administration, and for building consensus among decision-makers. "Dan has a wealth of experience that would complement our already exceptionally strong organization," Carlston said.

Buckshi has a master's degree in public policy from Cal Poly San Luis Obispo; he and wife Kristen have two daughters.

Nordhoff had announced in October he was leaving the city manager's job for a position in the "private sector." His last day was Dec. 30. Assistant City Manager Fran Robustelli has been serving as interim city manager and will return to her previous position in August, said Gayle Vassar, Walnut Creek's communications director.

Nordhoff ran into trouble in 2013, during an investigation of a case of a part-time usher coordinator at the city's Leshner Center for the Arts who sent a 13-year-old inappropriate social media messages. Nordhoff was determined to have impeded the probe by evading questions and not telling police what he knew about the case.

Nordhoff survived that episode. And though he had strained relations with at least one council member the rest of his stay in Walnut Creek, other council members have praised him for his financial and economic development acumen — two areas for which Buckshi was praised down south.

Buckshi, too, had strained relations with some members of his board, in his case the San Luis Obispo County Board of Supervisors. Supervisors Adam Hill and Bruce Gibson both issued statements Friday alleging that the respected and well-liked official is leaving, at least in part, because of poor treatment by other board members. Two of those other supervisors on Friday denied assertions they mistreated Buckshi, according to the San Luis Obispo Tribune newspaper.

"I think the people in Walnut Creek are quite lucky; our loss is their gain," Hill said late Friday, praising his ability to take complex budget and management data and make it understandable to county supervisors and the public. "He's likable but tough when he needs to be. He's the real deal."

In a statement released Friday morning, Buckshi praised San Luis Obispo County workers. "However, the current Board of Supervisors is very different than the board that promoted me" five years ago, he said in the same statement.

San Luis Obispo Tribune reporter Monica Vaughn contributed to this report.

East Bay Times

Guest Commentary: Unequal funding of fire districts could be sign(s) of the times

By [Bryan Scott](#) |

PUBLISHED: **May 15, 2017** at 10:56 am | UPDATED: May 15, 2017 at 11:16 am

A short while ago those of us working to correct the inadequate funding of local fire and emergency medical services received an interesting email from an area resident, someone who had not been heard from before.

“Hi,” the email began. “I am a resident of Trilogy with lots of medical issues. I’ve been listening and reading and voting for change, and I came up with another approach.”

“What if the citizens collected enough cash to rent a billboard at the entrance to Brentwood, (and posted) some verbiage that included a message to new home buyers to ask their builder about fire response?”

Imagine, if you can, a bright red sign saying “WARNING: Entering a Public Safety Danger Zone! EMS and Fire Services inadequately funded! Proceed at your own risk!”

Maybe a skull-and-crossbones symbol added for emphasis.

East Contra Costa County has two major access routes. Highway 4 from the west and Vasco Road from the south are the two most-used routes.

These routes are probably used by three-quarters of those who enter the jurisdiction of the East Contra Costa Fire Protection District (ECCFPD), the agency charged with providing basic life support and fire services to over 250 square miles.

There is a bright LED billboard flashing alongside Highway 4 in Antioch. Brentwood attorneys use it to attract clients, as do public health agencies and the local bus company.

A string of old-school wooden billboards sits along Vasco Road. Anyone who has driven from Livermore to East Contra Costa has seen the signs. The cost to place a message on one of these signs is less than \$300 per month.

Two days after the first message arrived, this same concerned resident sent another email.

“Hi. Just wanted to share that (spouse) and I attended a party to play cards last night. We had six couples, all from (our community), and they are on board to contribute toward the billboards,” the resident said.

“They all indicated it would be so easy to solicit funds for this endeavor. I asked them to hold off until after ... I hear from you,” the resident’s email said.

The underfunding of fire and emergency medical services is not new. As far back as 2001, 16 years ago, the CCC Board of Supervisors saw the current public safety crisis coming.

The supervisors commissioned a consultant and used that report as justification to consolidate three volunteer fire districts into one. No changes were made to funding the fire district.

This allowed residents in one part of the county to have fire and EMS funding at \$366 per person per year while the same services in East County are funded at \$106 per person per year.

Response times would improve, the Board of Supervisors said, and there would be nearly a million dollars in savings. The Board of Supervisors, not the residents of the fire districts, voted to combine the fire agencies.

The California Legislature, in not incorporating flexibility into the method it distributes property tax funds, has failed the citizens of East County and one of the fastest-growing areas of the state.

The County Board of Supervisors, in not taking a leadership role in adjusting property tax distribution, has failed the citizens of East County.

The city councils of Brentwood and Oakley, in not taking action to correct the ECCFPD structural funding problem, have failed the citizens of East County.

Maybe it is time for citizens to put up a warning sign.

Bryan Scott is a Brentwood resident and co-chair of East County Voters for Equal Protection, a nonpartisan citizens action committee whose aim is to improve funding for the ECCFPD. He can be reached at scott.bryan@comcast.net or 925-418-4428. The group’s Facebook page is www.facebook.com/EastCountyVoters.

East Bay Times

Housing crisis causes legislative avalanche: 130 bills proposed in Sacramento



A mixed-use project with 185 apartments goes up in Fremont's Centerville district. State legislators have proposed around 130 bills to jump-start new housing construction and tackle affordability issues. (Joseph Geha/Bay Area News Group)

By [Richard Scheinin](#) | Bay Area News Group

PUBLISHED: **May 17, 2017** at 7:00 am | UPDATED: May 17, 2017 at 10:22 am

Home prices keep rising to shocking levels around the Bay Area, while rents remain out of sight. Now, state lawmakers in Sacramento are responding with a torrent of proposals.

Legislators have introduced about 130 bills to address what has become a statewide housing crisis. The sheer quantity “is unprecedented,” said Jason Rhine, legislative representative for the League of California Cities.

“I don’t think anyone can recall a time when we’ve had this many bills on housing — or on any one thing, period,” he said.

The legislative avalanche — bills to mitigate affordability concerns, boost housing production and protect tenants — demonstrates that the “crisis has reached its head,” said Assemblyman David Chiu (D-San Francisco).

“In the Bay Area in recent years, we’ve had the highest home prices, the highest rents and the highest eviction rates in the country. But now ... every pocket of California is experiencing this crisis,” he said.

California has the sixth largest economy in the world, Chiu said, adding that the state’s poverty rate is the highest in the country — 20.6 percent, when housing costs, medical expenses and taxes are factored in, according to the U.S. Census Bureau. And while the state used to invest \$1.7 billion annually in affordable housing, those funds have vanished due to the expiring of

bonds passed to address the problem in 2002 and 2006 and the dissolving of redevelopment agencies about five years ago amid the state's fiscal crisis.

The state Department of Housing and Community Development calculates that California on average built 80,000 homes annually over the last decade – but needed to build 180,000 each year to keep pace with demand. Now, homeownership levels have fallen to 54 percent, their lowest point since the late 1940s, and the cost of housing — \$1,050,000 for a median-priced single-family home in Santa Clara County — is pricing out many middle-income earners.

With job growth dwarfing housing production in the Bay Area, the crisis is “most egregious” here, said Matt Regan, senior vice president of public policy and government relations for the Bay Area Council. A March poll by the council showed that 40 percent of Bay Area residents are considering moving away because of costly housing and congested roadways.

Ask Max Pitts, 26, recently hired as an account manager at Twitter in San Francisco, earning about \$50,000 a year. His parents “are executives in the tech world,” he said, “and my mom told me, ‘Work for Twitter for five years, try to get transferred and get the heck out of California.’”

Asked if he expects to ever buy a home in the Bay Area, the Dublin, California, native laughed and said, “No — are you serious? When I was younger I thought I would be able to live in Danville or Walnut Creek... And then all of a sudden ... reality starts to flip.”

For now, he's living with his parents in Dublin because he finds renting an apartment with his income is close to impossible.

The scores of bills introduced to tackle the state's housing crisis fall into several categories.

Increasing funding for affordable housing

Chiu, who chairs the Assembly Committee on Housing and Community Development, authored Assembly Bill 71, which would eliminate the state mortgage interest deduction on second or vacation homes. Such deductions result in an annual revenue loss to the state of about \$300 million, Chiu said. The bill would redirect the \$300 million a year to affordable housing.

Senate Bill 2, penned by Sen. Toni Atkins (D-San Diego) would impose a \$75 recording fee on real estate documents, excluding property sales — and generate an estimated \$150 million to \$300 million a year in revenues.

If implemented, those funding sources potentially would be augmented by the proposed Senate Bill 3, from Senator Jim Beall (D-Campbell), which would put a \$3 billion bond for affordable housing production on the 2018 ballot.

Streamlining approvals for homebuilding projects

The need to jump-start residential construction is critical in the Bay Area, Regan said: “We need to create one new housing unit for every 1.5 new jobs. But we’re creating only one housing unit for every 4.5 new jobs. So it’s clearly not sustainable.”

To address the imbalance, state Sen. Scott Wiener (D-San Francisco) designed Senate Bill 35. It would require many local governments to say “yes” to new housing in areas zoned for high-density development so long as developers include some affordable units. Senate Bill 167 from Sen. Nancy Skinner (D-Berkeley) would add teeth to existing state law that hinders cities from blocking affordable housing projects.

Promoting availability of affordable rental units and protecting tenants

Chiu and Assemblyman Richard Bloom (D-Santa Monica) helped write Assembly Bill 1505, allowing local governments to insist that developers include more affordable units in their projects. They also authored Assembly Bill 1521, designed to keep aging affordable housing from being re-marketed at higher prices after their “affordable” status has expired.

Also authored by Chiu, Assembly Bill 291 would prevent landlords from evicting tenants based on immigration status. “This bill is really important in the current political climate,” said Daniel Saver, senior attorney for the housing program at Community Legal Services in East Palo Alto. “It would clarify and strengthen protections for immigrant tenants.”

How much Gov. Jerry Brown — who has been at odds with the legislature’s approach to past efforts at housing reform — will get behind the many new proposals is up in the air.

Still, Saver said, “If we get a fair number of these bills to move forward and become law, we may actually move the needle.”

Staff writer Katy Murphy and the Orange County Register contributed to this article.

East Bay Times

Group seeks to advertise East County's fire risk on billboards

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com | Bay Area News Group
May 18, 2017 at 9:08 am

BRENTWOOD — A coalition of concerned residents are moving forward with a plan to advertise a “warning sign” for East Contra Costa County’s inadequate fire funding.

The group is looking to raise \$1,770 for six months of a billboard advertisement that would say “WARNING: Entering a Public Safety Danger Zone! EMS and Fire Services inadequately funded! Proceed at your own risk!”

Some also want to add a skull and crossbones for extra emphasis.

The billboard location, or possibly locations, would be along major access routes into the East Contra Costa Fire Protection District’s 240-square-mile coverage area: Vasco Road and eastbound Highway 4.

The idea originated with a civic-minded Brentwood resident, Peggy Hart, who passed away in late April.

“She was a great person who cared about others and she was also a practical person,” said Greg Hart, husband of Peggy Hart. “She was pretty into (this idea) and they were talking about all the developments going up and that there wasn’t adequate fire service to begin with.”

In May, the state’s [Department of Finance released data](#) placed Brentwood’s population growth at 3.38 percent in 2016, which made it the fourth fastest growing city in the Bay Area and the 10th fastest in California in 2016. Oakley placed eighth in the Bay Area and 45th in the state with the population growing 2.16 percent.

“Peggy and several of her friends were playing cards and it just popped into her head and she said ‘we should put up a sign’,” said Kris Christensen, who took over organizing funds for the billboard following Peggy’s death. “We’re all so frustrated that nothing is getting done.”

Christensen said she can be contacted at krischris48@yahoo.com for any questions on their group.

The East Contra Costa Fire Protection District’s funding problem has been a topic of debate in Brentwood, Oakley, Discovery Bay and many towns within East Contra Costa County for over a decade.

Over the last four years, voters within the district have shot down three attempts at raising additional revenue through taxes. On July 1, the district will close Station 94 in Knightsen, bringing the area back down to three fire stations: one station in southwest Brentwood, one station in central Oakley and one station in Discovery Bay.

The goal, for the group, is to make new homeowners aware of what they are buying into, and to emphasize what it will cost, in both lives, insurance and home value.

The Insurance Services Office classifies fire service in a community on a scale from 1 to 10, with 10 being the worst. Areas in the district qualify for either a 4 or a 10. If a home is five miles from a fire station and within 1,000 feet from a fire hydrant, then it qualifies for a 4.

Nancy Kincaid, press secretary for the California Department of Insurance, said that there are no laws that require insurance is affordable, but only that it is fair, adequate and justified.

“Companies can set their rates, based on modelling and it may be that they can justify the rates because the risk has changed so dramatically,” Kincaid said. “They write down how far you are from a fire station, how far from a fire hydrant, how many stations there are... proximity to fire protection is very important.”

Kincaid said that most buyers look for homes with curb appeal, a good school and low crime, but that people should also look at the cost of insurance before they get hit with “sticker shock” on the price.

Residents can look through the California Department of Insurance’s homeowner comparison tool by going to <http://bit.ly/CAinsurance>. Kincaid also recommends that homeowners read their exclusions and consider making home improvements, such as enclosed eaves, a fire-resistant roof, or tempered glass windows.

LAFCO Wants Seat at Table in Plan Bay Area 2040

Posted: **Thursday, May 18, 2017 12:00 am**

Alameda County Local Agency Formation Commission (LAFCO) will be sending a letter in conjunction with other LAFCO government bodies during the comment period concerning Plan Bay Area 2040.

Alameda County LAFCO met May 11 in Dublin to hear a report from Executive Director Mona Palacios about the importance of sending the letter. There was no vote, and little discussion. The topic had already been discussed by the board's budget and policy committee. Panel members include Livermore Mayor John Marchand, Castro Valley Sanitary District Director Ralph Johnson, and Tom Pico, the alternate member for the public on LAFCO.

Plan Bay Area 2040 will be proposing major projects for Bay Area growth that includes development of transportation infrastructure and housing. The goal is to help with compliance of the 2006 law requiring the reduction of greenhouse gases.

The plan is led jointly by MTC and ABAG. The draft of the EIR for the plan has been run past city councils and county supervisors in the Bay Area. However, LAFCOs have been left out of the discussion, although they have a key decision making role in regard to providing municipal services for the Bay Area's growing population, said Palacios.

LAFCOs decide about whether open space and agricultural land will become developed, said Palacios.

The letter will ask that LAFCOs be kept in mind every step of the way so that they can comment on the ongoing progress of Plan Bay Area 2040. Other counties joining Alameda in sending the letter are Contra Costa, San Mateo and Marin.

The Sacramento Bee

Most California farm-water suppliers are breaking this law. Why doesn't the state act?

By Ryan Sabalow and Phillip Reese

rsabalow@sacbee.com

May 21, 2017

During [California's epic five-year drought](#), most of the state's irrigation districts didn't comply with a 2007 law that requires them to account for how much water they're delivering directly to farmers, a Bee investigation has found.

State regulators are largely powerless to stop them, but they don't seem too bothered by it. They say they'd rather switch to a different form of reporting.

Farm-advocacy groups say irrigation districts have been bombarded with a confusing slew of state and federal laws and regulations that often have overlapping reporting requirements, so it's no wonder their compliance rates are low.

"I'm not surprised there's confusion in this among districts on what their requirements are because it's been a moving target going back to '07," said Mike Wade, executive director of the [California Farm Water Coalition](#). "There have been so many changes and so many things being asked of them."

A decade ago, California lawmakers passed [Assembly Bill 1404](#) with the goal of keeping better track of farm-water use in a state [where some 80 percent of the water used by people goes to agriculture](#). The law called for collecting "farm-gate" data to allow the state to monitor surface water delivered to farmers' irrigation ditches. The idea was the reports could help regulators and the public better understand how much water is being used and where it's going.

[The law is explicit](#): Any water agency must file the reports with the Department of Water Resources if it supplies at least 2,000 acre-feet of surface water to farms or if the district serves 2,000 or more irrigated acres.

Ten years later, the state's data is so full of holes that it's effectively useless.

Some districts say they don't have to follow the law, so they ignore it. Some say they had no idea they even had to comply. No state agency keeps a tally of how many districts fall under the law's requirements. Because water districts self-report, the only way to know they're required to file with the state is when they choose to submit records. The law doesn't allow the state to issue fines for noncompliance.

The Sacramento Bee analyzed the filings made from 2012 through 2015 by 123 of the largest irrigation districts, the ones reporting use of more than 10,000 acre-feet of water.

During the heart of California's drought, just 24 of the 123 water suppliers reported each of the four years, and several of those appear to have turned in reports with incomplete data.

Most districts reported just once or twice – or not at all.

The low compliance rates frustrate environmentalists. They say the data is among the few publicly available sources of information that could be used to track California's largest water users with any sort of precision.

“It's important for the public to know how the state's water resources are being used,” said Laura West of the Natural Resources Defense Council. “The fact there's no incentive to turn (the reports) in or no penalty for not turning them in, it seems like it should be fixed.”

Responses varied when The Bee asked some of the districts that didn't file farm-gate reports at various times during the drought to explain why they chose not to.

Imperial Irrigation District in Southern California [boasts on its website](#) that its 3,000 miles of canals and drains make it the largest irrigation district in the nation. The agency filed a report in the 2012 fiscal year saying it supplied 2.6 million acre-feet of water – more than twice the size of a full Folsom Lake.

But the district didn't file any reports during the drought years that followed. Spokeswoman Marion Champion said that after filing the first report, the district had an “internal discussion” and determined it was exempt from the requirements.

Marty Berbach, a senior environmental scientist at DWR who oversees the farm-gate reports, said he's “not aware” of the exemption Champion cited.

Byron-Bethany Irrigation District in the southern Sacramento-San Joaquin Delta supplies water to nearly 30,000 acres of cropland, [according to its website](#). Yet the agency didn't report any farm-gate data during the drought.

In a written statement, spokesman Nick Janes said the agency has “aggressively worked” over the years to improve its agricultural water accounting and reduce its water use. He said the agency regularly submits water-use data to the state and will submit data from “farm-gate deliveries in the future.”

Berbach said that a few years ago he sent a mass mailing reminding agencies of the law.

Many of them responded by saying, “ ‘Oh, my gosh, I completely forgot about this,’ ” Berbach said. At least one had their lawyer call Berbach and threaten to sue.

“I said, ‘No, no, no, look at the water code,’ ” Berbach said. “There was this long pause. (The lawyer said,) ‘OK, I’ll go look at the water code.’ There is a lack of information and understanding.”

DWR does require agencies to complete the farm-gate reports when they apply for grants or loans. But Berbach acknowledges that during the drought, the state hasn’t made much of an effort to get irrigation districts to otherwise comply.

The reporting requirements have “fallen down on our priority list,” he said.

Instead, Berbach said, his agency has focused on what he describes as more comprehensive water-reporting requirements championed by Gov. Jerry Brown.

During the drought, [Brown issued an executive order](#) that temporarily required any irrigation provider serving an area larger than 10,000 irrigated acres to complete a comprehensive agricultural water management plan. Districts larger than 25,000 acres already were required to have those plans. The management plans include what are called “water budgets” that take into account such factors as groundwater use and recharge, precipitation and surface water.

Berbach said there is legislation pending that would make the governor’s requirements permanent.

“I think it’s much better,” Berbach said.

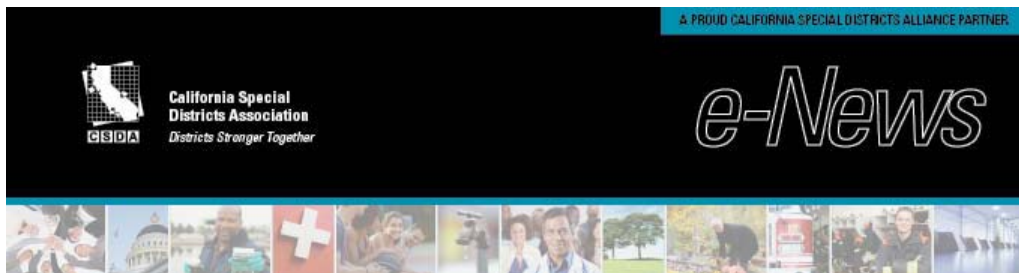
Ben Chou at the Natural Resources Defense Council agrees that the more holistic tracking envisioned in a water budget is a noble goal, but many water agencies are years away from being able to accurately track things like groundwater recharge. He said there’s still an urgent need to have fully completed farm-gate data to better know how agriculture is divvying up its massive share of the state’s surface water.

Chou and West support [Assembly Bill 1667](#) pending in the California Legislature because it includes provisions requiring the farm-gate reports to be posted online. Currently, they’re only available after being requested through DWR. Environmentalists hope the extra public scrutiny will prompt more irrigation districts to comply.

AB 1667 is separate from the governor’s legislation, [a trailer bill attached to the budget](#).

Wade of the Farm Water Coalition points to the two pending laws with different requirements as further proof of how confusing all this can be to irrigation districts.

“They’re trying to catch up with the past, and the future is already running them over with a new set of requirements,” Wade said. “It would be nice if the clock would stop at some point, and we can all agree on what the state needs to have.”



Little Hoover Commission Chair Encourages District Leaders to Engage Public

Last week, a record 226 special district leaders participated in Special Districts Legislative Days.

Attendees also took the message of special districts to the State Capitol, sharing two new [Districts Make the Difference informational pieces](#) with legislative offices and asking legislators to support [Assembly Bill 979](#). However, the highlight of the event was the second day's keynote speech by Little Hoover Commission Chair Pedro Nava.

Nava overviewed the role of the Little Hoover Commission and its process in reviewing special districts. He emphasized the bi-partisan nature of the Commission and the diverse background of the current Commissioners. Due to its composition, he explained, the Commission's recommendations can reflect different viewpoints than partisan political establishments.

Most significantly, Nava spoke to the opportunity for special district leaders to raise the level of awareness and understanding about special districts, both in their community's and amongst policy-makers. A message that, "if you don't tell your story, someone else will," emerged throughout several speeches during the two-day event.

Following his speech, Nava answered questions for nearly a half-hour, then stayed around for another twenty minutes speaking with attendees in the hall. Among the questions Nava received was one about the cost and challenges special districts face working through onerous State permitting regulations. Nava noted that the Commission will be including a section on this issue in an upcoming report.

The Little Hoover Commission will next hold a "roundtable" meeting in June to work through its remaining questions and final discussion points concerning special districts. The Commission will invite a select number of witnesses to participate in this meeting, and CSDA will be in attendance on behalf of all special districts.

Special districts looking to engage with the public and share about special districts are encouraged to visit www.DistrictsMakeTheDifference.org and join CSDA's public outreach campaign.

[California Special Districts Association](#) | 1112 I Street | Suite 200 | Sacramento, CA 95814 | 877.924.CSDA (2732)



A Proud California Special Districts Alliance Partner

Water Deeply

How One Water Agency Thrived During California's Drought

Leaders from Moulton Niguel Water District in Southern California explain how they used a combination of tools, including data analysis, budget-based rates and communication changes, to successfully weather the drought.

Written by [Tara Lohan](#) Published on σ May. 25, 2017 Read time Approx. 6 minutes



In June 2015, Rogalio Chavez of JW Landscape helps remove grass from Suzuki's headquarters in Brea, Calif. In the past three years, Moulton Niguel Water District removed about 5 million square ft of turf, about 25 percent of all the turf that was removed in Orange County. *Mindy Schauer/The Orange County Register via AP*

Now that California has come through the worst of its recent five-year drought, it's time to take stock of what went wrong and right. [Moulton Niguel Water District](#), which serves 170,000 people in Orange County with water, wastewater and recycled water services, insists it didn't just survive the drought, but thrived.

The district saw per capita water use fall and saw an improvement in the water efficiency of its customers. Moulton Niguel changed its outreach strategy to use more electronic communication with customers and is now piloting a program that allows customers to monitor their usage through a mobile app.

But one of the most helpful things was a budget-based rate structure put in place in 2011 that promoted efficiency and reinvested the money generated by customers' inefficient water use back into the community to foster more water efficiency programs.

To find out more about what the district did, Water Deeply talked to Joone Lopez, Moulton Niguel Water District's general manager, and Drew Atwater, director of planning.

Water Deeply: What did you do that allowed you to thrive through the drought?



Joone Lopez is the general manager of Moulton Niguel Water District, which serves 170,000 people in Orange County. (Courtesy of Joone Lopez)

Joone Lopez: We really worked hard to think creatively and innovatively about how to make sure we're prepared for dry conditions coming back to California and how we can be prepared for it financially.

One of the things we did was really dig into the data. Without good data, you don't really know how well you're doing, and you don't really know how to improve because there's really not an evaluation tool that defines what's working, what's not and what are the areas that need improvement. But we had that information, so we knew how to evaluate programs, we knew how to understand what works, what doesn't.

One of the earliest things we did was, when the state initiated its two-day-per-week watering restrictions, we were one of two agencies that was exempted from that because we were able to show with data that what we were doing was already superior to what they were asking. In our service area, we tried that two-day-a-week watering approach back in 2009 for about a year and a half, and there was no reduction in water use. So, for us, we knew that really wasn't the most effective route.

Water Deeply: The district was just given an award for innovation by the Association of California Cities – Orange County for your work with the [California Data Collaborative](#) on a water demand forecasting tool that helped save \$20 million. Can you explain the project?



Drew Atwater is the director of planning at Moulton Niguel Water District in Orange County, which used data analysis and creative partnerships to drive innovation during California's drought. (Courtesy of Drew Atwater)

Drew Atwater: The water demand forecasting work [by a senior data scientist at Netflix who volunteered his time through Data Kind, which connects talented data scientists with public-good projects] used a statistical model to forecast recycled water demand. The district's recycled water system has supply constraints in the summer where the district has had to use potable water to meet demand in the past.

Additionally, the district was evaluating seasonal storage capacity acquisition to store recycled water produced in the winter for use in the summer to avoid the need for potable makeup water in the recycled water system.

The statistical analysis provided a tool to help operators in better managing the system, to know when there is a high likelihood for need of potable makeup water in the future and then to target large irrigators to encourage them to shift their irrigation. Additionally, the detailed statistical analysis helped support the district in determining that spending \$20 million on seasonal storage capacity acquisition is not cost-effective and aided in understanding recycled water demand in detail to make that decision.

Water Deeply: How did your rate structure help during the drought?

Lopez: I don't know if you're familiar with water budget-based rate structure, but there is a tiered way of setting rates, but it goes further in incentivizing efficiency. Based on how many people are in the household, how much area you have to irrigate, we customize a budget based on efficient indoor and outdoor use, and if you stay within your budget, you pay less. If you decide to be more inefficient and use more water beyond your budget, you pay more. So it's tiered, and the costs climb, because the more you are inefficient, the more you pay.

The rate structure we've had since 2011 has proven to be very effective, because it incentivizes efficient use and it also puts the choice and responsibility in the customers' hands.

Water Deeply: And what happens when people are inefficient with their water usage and pay higher rates?

Lopez: The whole message of the rate structure was that the money we collect from inefficient use we were able to invest back into conservation efficiency programs that benefit our community.

So, we did a lot of partnerships with schools and cities where we were able to invest that money into transforming medians, transforming athletic fields, so people really saw how this rate structure worked and how it was an investment back into the community where those funds were collected.

Water Deeply: A lot of water agencies were hit hard financially during the drought because more conservation means less money in revenue, despite costs to supply water remaining constant. How did you address that?

Lopez: We restructured so that more of our costs are associated with the fixed cost rather than the variable costs. We have rate experts, we have data scientists, so in that combination we're

able to do some very sophisticated 10-year financial lookouts and be very nimble in looking at our rate structure and understanding the relationship between rates and water usage.

So because of the way that we're structured, even though our percentage reduction cutback was 20 percent, we did not see a loss of revenue, and that was so fundamental and critical because it keeps us operating and these guys have done an outstanding job of structuring our financial portfolio and our financial structure in such a way that we were very resilient during these years of cutbacks.

Water Deeply: What is the per capita use in gallons of water per day? And what was it before the drought?

Atwater: We're at about 130, 135 today in total. That's the total water use divided by population. Before the drought, probably 155 to 160.

I think the key message that the district has had is to be efficient. If it's hotter, people need to water more. So, the rate structure and all our messaging have been geared toward greater efficiency. One thing we've really tracked is how efficient customers are, the number of customers who go over their budget, or the water that is used above their budgets.

Lopez: We've done a lot of outdoor landscape work because we know throughout the state that about 60 percent of all inefficient use is associated with outdoor irrigation systems. So, in the past three years, we've removed about 5 million square ft of turf. Just to give you an idea, we represent a population of about 5 percent of Orange County, but we removed about 25 percent of all the turf that was removed in Orange County.

But that represents only 1 percent of all landscape in our service area alone. So, it just gives you a scale of understanding how much more opportunity there is if you really transform your outdoor landscape into California-friendly gardens. You can really have much more efficiency as a community.

Water Deeply: What did you learn about your customers?

Lopez: Customers want information. They want to do their part. A lot of people think the public doesn't get it – but they get it. They said, "Give us information or instructions to help us be efficient." And one of the things we're doing right now is we have a customer portal, and we're piloting a version of, basically, water smart meters so that customers can get their usage through an app on their phone so they can see their rate of activity, how much they're using.

And even with all the rain [this year], we have not seen a rebound in how much people are using, because they're in a different mindset altogether.

East Bay Times

Pittsburg: \$300K EPA grant could help spark waterfront commerce plan

By [Sam Richards](#) | srichards@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **May 31, 2017** at 12:00 pm | UPDATED: June 1, 2017 at 10:40 am

PITTSBURG — Just as federal and local officials were announcing a \$300,000 Environmental Protection Agency grant to the city of Pittsburg on Wednesday morning, a cargo ship, the West Treasure, slowly hummed past the Pittsburg Marina.

“Perfect timing; it speaks to our vision,” said Contra Costa County Supervisor Federal Glover, one of several officials at a news conference to tout the EPA grant. The money will help pay to assess cleanup needs at several local properties to prepare for future industrial and other economic development.

The endgame, Glover and others said — making Pittsburg a bigger part of a plan to transform Contra Costa’s northern shoreline a bustling corridor of both heavy and high-tech industry, under the county’s overarching Northern Waterfront Economic Development Initiative. It’s an ambitious plan county leaders hope brings 18,000 new jobs to the corridor by 2035.

The EPA grant, applied for jointly by the city of Pittsburg and Contra Costa County, will help pay for soil studies not only at contaminated old industrial sites, but also a part of the Pittsburg Marina area, said Glover, whose office joined with Pittsburg to apply for the grant.

Alexis Strauss, acting regional administrator for the U.S. Environmental Protection Agency on hand for Wednesday’s announcement, said the Pittsburg grant is one of many in the agency’s ongoing nationwide “Brownfields Program” to assess ground cleanup needs.

County leaders hope the Northern Waterfront Economic Development Initiative will promote and accommodate industrial and business development along the 55-mile-long, one-mile-wide industrial waterfront from Pinole through Rodeo and east along San Pablo Bay and Carquinez Strait through Crockett, Martinez, Avon, Bay Point, Pittsburg and Antioch to the former DuPont Chemical land in Oakley. Desired tenants include advanced transportation fuels, bio-tech/bio-medical, “diverse manufacturing,” food processing and clean technology businesses. The navigable waterway and two rail lines are touted as valuable assets in marketing the area, Glover and others say.

The former Johns Manville (later Schuller) roofing materials plant property at Third and Harbor streets is a key cleanup site in Pittsburg. Commercial roofing materials were made on the site until the plant closed about 2000. Among the contaminants believed there are asbestos, petroleum-based resins and solvents. Parts of the land have been cleaned up; a housing developer later planned a project there, which was never built.

“We know that area is ‘hot’ and that it needs cleanup,” said Sara Aliotti, a city of Pittsburg administrative analyst. She envisions commercial development there one day, manufacturing or perhaps an eastward expansion of downtown and its restaurants and vendors.

The former Johns-Manville (later Schuller) roofing materials plant grounds at Third and Harbor streets is a key cleanup site in Pittsburg. Officials say new EPA grant money will help assess the need for cleanup here, to make way for future development. Sam Richards/Staff

The waterfront development plan was authorized by the county Board of Supervisors in 2013. Its seeming glacial pace of progress has drawn criticism, but Glover said work has been going on behind the scenes. The new grant, though, should put work into higher gear, he said Wednesday.

“Other communities should apply for these grants, and I hope many more grants like this are forthcoming,” Glover said.

Separately, Strauss said another EPA grant — for \$600,000 — announced Wednesday will go to the Association of Bay Area Governments for “brownfield” cleanup assessments in Richmond, El Cerrito and unincorporated West Contra Costa to support the ongoing East Bay Corridors Initiative for reinvestment and new homes and jobs along transit corridors.

East Bay Times

More changes may be coming as Kensington hires general manager



OLYMPUS DIGITAL CAMERA

By [Rick Radin](#) | Correspondent

PUBLISHED: **June 12, 2017** at 7:53 am | UPDATED: June 12, 2017 at 8:47 am

KENSINGTON — The town's community services board has completed its goal of splitting its general manager job from its police chief position by hiring a former city manager of a similar Bay Area community to take on the GM role exclusively.

The board Thursday evening unanimously approved the hiring of Anthony Constantouros, who served as city manager in the exclusive San Francisco Peninsula town of Hillsborough from 1994 to 2012.

Moments later, it approved current interim Police Chief/General Manager Rickey Hull to serve as interim police chief from July 1 until the end of the year.

Constantouros will be paid between \$85,000 to \$100,000 per year on a three-year contract and Hull's salary will be reduced from \$140,000 annually to \$129,000, meaning that the district will be adding \$38,000 to \$43,500 in administrative costs during the second half of the year.

The abbreviated length of Hull's appointment and his continued interim status, along with the added administrative costs, might lend credence to the idea that Constantouros will be charged with dissolving the police department, which has been plagued by scandals in recent years, and contracting out its law enforcement to a neighboring community, such as El Cerrito or Albany.

Kensington has a contract for fire protection service with El Cerrito. It recently contracted with Albany for emergency dispatch services.

However, Len Welsh, the board's senior member, said his feeling is that most people in Kensington are satisfied with the service they are getting from the department.

Welsh said he favors the interim status for Hull because he thinks the general manager should have a say in who should be the police chief.

"I might consider pursuing a search and have everyone apply, including (Hull)," he said.

The 60 or so residents at the meeting seemed nearly unanimous in their approval of in the selection of Constantouros, who was picked from a group of 16 applicants.

Fiscal watchdog Jim Watt cautioned against making too many comparisons between Hillsborough and Kensington, saying that the Peninsula community spends much more per capita on its police force.

Watt said that Hillsborough, with a population of 11,400 compared with around 5,000 for Kensington, has 26 sworn officers with a support staff of 10 and its average police officer pay is \$137,000 per year, compared with \$103,000 for Kensington.

In his remarks after his appointment was official, Constantouros explained that funding for the Hillsborough force has been bolstered by a parcel tax passed by 80 percent of voters.

Both communities have very low crime rates, he added.

Besides holding the top job in Hillsborough, Constantouros has been an assistant city manager in Milpitas and chief personnel officer in Mountain View, among other Bay Area government positions.

The new GM, a Danville resident, had the 262nd highest pension on the California Public Employee Retirement System list in 2015 at \$205,681 a year, according to the 100K Club and Transparent California websites.

East Bay Times

Cancer-causing contaminants rise sharply in East Bay drinking water

By [Denis Cuff](#) | dcuff@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **June 13, 2017** at 11:12 am | UPDATED: June 15, 2017 at 5:30 am

OAKLAND — Cancer-causing compounds in East Bay drinking water have increased sharply over the past several years, and water in some areas is close to violating a federal public health standard, the East Bay Municipal Utility District [reported Tuesday](#).

Water-quality managers said the drought is at least partly to blame for the increase in contaminants called trihalomethanes or THMs, a byproduct of chlorine used to kill germs reacting with natural organic matter in water.

The low flows and hot temperatures in the drought led to more impurities in water, and sped up their formation into harmful byproducts.

The drought also led to reduced customer water use that meant tap water stayed longer in district water tanks, spurring the need to add more chlorine that forms the unwanted byproducts, district officials said.

Concentrations of the contaminants are higher than they have been in nearly 20 years, and higher than an internal district goal, officials said.

“We see a steady increase in the THMs. We have a problem,” Brett Kawakami, the district manager of treatment and distribution, told a water board committee Tuesday. “The THM readings in two areas are approaching the maximum contaminant level” at which violations trigger a requirement to issue a public health advisory.

Those two areas are in part of Lafayette and part of the Berkeley hills. But the contaminant level is on the rise throughout the district, officials said.

“The water is safe to drink,” said district spokeswoman Jenesse Miller, “but we have identified a long-term issue with our water that deals with risks of consuming it over a lifetime.”

Average district trihalomethane concentrations in 2016 averaged 58 parts per billion, exceeding the district’s internal goal of 40 ppb annual average. Areas with 80 ppb or more annual averages must issue a public health advisory.

The end of the drought has not lowered the concentrations in some areas as the district had hoped.

“THM concentrations have been increasing for the past few years. Concentrations have increased more significantly in the past few months,” district administrators wrote in the report.

Officials say they suspect that heavy winter rains washed organic matter, a precursor to THMs, into reservoirs that built up over hillsides during five years of drought.

To deal with the problem, the district is considering spending millions of dollars to refine treatment procedures or change equipment at some plants. The district also proposes to test the use of sedimentation basins and clarifier tanks to treat water.

District officials say they already have taken some measures to change how and where disinfectants are added to drinking water to reduce the formation of the byproducts.

Because its Mokelumne water from the Sierra is such high quality, the district traditionally hasn't built as elaborate and involved treatment plants as many other agencies that routinely use ozone gas and deep beds of granular activated carbon, said Michael Hartlaub, a district senior engineer in water treatment.

The drought brought to light the district's vulnerability in several ways.

Warm temperatures and low water flows accelerated formation of algae and tiny organic organisms in Pardee Reservoir, where the district's Sierra water is piped to the East Bay.

Warmer temperatures also sped the formation of contaminants, and caused chlorine to dissipate faster, leading water agencies to add more chlorine in tanks and pipes, leading to more THMs.

EBMUD provides drinking water to 1.4 million people in Contra Costa and Alameda counties in Oakland, Berkeley, San Ramon, Richmond, Walnut Creek and other areas stretching from Hercules in the north to San Leandro in the south.

East Bay Times

How safe is your East Bay drinking water?



The East Bay Municipal Utility District is looking at measures to reduce a drought-related increase in cancer-causing trihalomethanes in its drinking water. Shown above is part of the district's Orinda water treatment plant. (Laura Oda/Bay Area News Group)

By [Denis Cuff](#) | dcuff@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **June 14, 2017** at 4:08 pm | UPDATED: June 15, 2017 at 5:30 am

OAKLAND — Despite drought-related increases in cancer-causing compounds, tap water for 1.4 million East Bay residents is safe to drink, state regulators said Wednesday.

Related Articles

- [Cancer-causing contaminants rise sharply in East Bay drinking water](#)

The East Bay Municipal Utility District [reported Tuesday](#) that concentrations of trihalomethanes, a byproduct of chlorine disinfectant and organic matter in water, have risen sharply since 2015. The contaminants are nearing but not violating public health standards in two areas: The Lafayette hills and an area along Berkeley/Oakland border, the district reported.

State drinking water officials agreed with EBMUD that the water is safe to drink.

“The water meets all health standards,” said Marco Pacheco, senior engineer with the state Division of Drinking Water. “There are no acute health risks.”

He noted that the public standard for trihalomethanes or HTMs is based on a risk of contracting cancer from consuming five glasses a day of water that violates the maximum limit of 80 parts per billion annual average.

Last year EBMUD water averaged 58 ppb, although there are some areas where quarterly readings this year are close to and above the 80 ppb limit.

In response, the water district has modified how and where it disinfects water, how it flushes pipes and tanks to reduce THMs, and is testing ways to settle out and remove organic matter that can turn into the cancer-causing compounds

“We recognize that EBMUD is taking the necessary and proactive steps to lower TTHM concentrations in its service area,” Pacheco said.

He said his department has no recommendation and leaves it up to individual consumers to choose if they wish to use charcoal filters to treat their water at home.

If they use home filters, however, those filters should be cleaned at recommended intervals to avoid being sponges for impurities, Pacheco said.

EBMUD spokeswoman Andrea Pook said district officials don’t believe home water filters are effective at lowering THMs.

“There is no need for filters,” she said. “This is not an emergency.”

Experts believe the drought led to more of the harmful compounds because organic matter collected on hillsides and mountains during five years of drought and then washed down into reservoirs during the extremely wet last winter.

Also, reduced consumer water use has increased the waiting time water spends in distribution pipes and tanks before entering faucets and showers, providing more time for the harmful compounds to form.

Pacheco said there also are drought-related increases in THMs in San Francisco water from the city’s Hetch Hetchy water system.

In 2016, EBMUD’s THMs averaged 58 parts per billion, compared to a 39 ppb average in the Concord-based Contra Costa Water District, which uses ozone gas to blast apart the harmful compounds and deep granular activated carbon beds to remove impurities from Delta water.

In 2016, the Alameda County Water District’s highest annual average of THMs was 58 ppb in some places, according to the agency’s annual water quality report.

EBMUD gets its drinking water from the Mokelumne River in the Sierra foothills.

East Bay Times

Coast Guard to sell vacant housing near Concord Naval Weapons Station



(Dan Honda/Bay Area News Group)

The city of Concord wants to purchase the 58-acre former Coast Guard housing property near the Concord Naval Weapons Station. The vacant Victory Village and Quinault Village housing developments sit on the property on East Olivera Road.

By [Lisa P. White](#) | lwhite@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **June 26, 2017** at 8:05 am | UPDATED: June 26, 2017 at 9:36 am

CONCORD — Three years ago, the city jumped at the opportunity to buy the vacant military housing near the Concord Naval Weapons Station when the Coast Guard declared the property surplus.

But after initially saying it intended to sell, the Coast Guard put the disposal process on hold while it studied the need for Bay Area housing for enlisted personnel, according to Victoria Walker, Concord's community and economic director.

Last month, the Coast Guard announced its willingness to negotiate a possible sale of the property to Concord for fair market value, Walker said.

The 58-acre site, which city leaders believe would be ideal for a mix of affordable and market-rate housing, sits directly across East Olivera Road from Willow Pass Community Park and abuts the North Concord BART station parking lot.

In a May 19 letter to the U.S. General Services Administration, City Manager Valerie Barone reaffirmed Concord's interest in purchasing the property.

“The reuse of the USCG property is important to the city of Concord as it is adjacent to both the Concord Naval Weapons Station reuse project area and the North Concord BART station,” Barone wrote.

“This site offers opportunities for additional housing, including greatly needed affordable housing, and it would be the city’s intention to ensure that future development of the site supports and provides a variety of public benefits to the community.”

Although the GSA is handling the sale, the agency referred questions to the Coast Guard, which did not respond to a request for comment. The federal government must complete an environmental review of the property which could take six more months.

The city and the Coast Guard will wait until the environmental report is finished before they have the property appraised.

The Navy transferred the housing to the Coast Guard in 2008. The site includes two developments, Victory Village and Quinault Village — named after the S.S. Quinault Victory ship, which exploded in the deadly Port Chicago disaster during World War II.

Built in the 1950s, Quinault Village has 42 low-rise duplexes and a small community building; Victory Village, which dates to the 1980s, includes about 100 triplexes. Most of the units in both developments have three or four bedrooms.

“Our understanding is (the housing) was not built to code, it’s deteriorated and there would be real questions about the value of trying to rehabilitate it,” Walker said. “It’s premature to decide whether those units could be reasonably rehabilitated or if that is just not a good cost-benefit to our goals.”

On July 24, the city’s Housing and Economic Development Committee will consider recommending to the full council that the city seek a development partner to pursue a negotiated sale of the Coast Guard property.

If Concord buys the property, Walker said, it would require that 25 percent of the housing built on the site is affordable, the same standard city leaders set for the reuse project on the former naval base.

Since the land belongs to the federal government, it has no general plan designations or zoning. At the July 25 council meeting, staff members plan to propose that the city add the Coast Guard property to the ongoing specific planning process for the naval weapons station.

A specific plan defines land uses and densities, describes the components of private and public transportation, creates development standards, addresses natural resources and water, sewage and solid waste disposal.

“Until the specific plan is done, we won’t know the true development potential of the site,” Walker said.

East Bay Times

Grand jury report outlines path to East County fire funding



A fire engine sits in the driveway of the apparatus building at a fire station located in unincorporated Clayton out Marsh Creek and Morgan Territory roads in 2010. (Susan Tripp Pollard/Staff)

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **June 25, 2017** at 12:14 pm | UPDATED: June 26, 2017 at 4:58 am

BRENTWOOD — A Contra Costa civil grand jury has found that no community in the East Contra Costa Fire Protection District meets national response time standards.

The civil grand jury issued its 12-page report in early June after studying financial reports, a prior 2012 grand jury report on the same topic, and a number of other reports on the district's money woes over the years. The report also outlines a path and recommendations for funding the district.

The strongest finding in the report is that closing five of the district's eight fire stations has slowed down response times and that this leads to a higher chance of death, injury and property damage.

According to the report, the district had 6,785 calls for service in 2016 with an average response time of 8:03 minutes. The national standard for response times is 5 to 6 minutes.

Response times varied significantly among the cities and towns. While Oakley had an average response time of 7:05 minutes for a call, Bethel Island's average response time was 14:24 minutes.

The report went on to look at the financials of the district and how the district receives the lowest share of property taxes of any fire district in the county, as well as how cutting costs and closing five fire stations led to long term debt in the form of retirement expenses.

With all the woes laid out before them, the grand jury went on to find ways the district could pull itself back together.

The fire district board of directors could keep putting tax measures on the ballot, but voters have shot down [three tax measures in four years](#).

The district should support legislation to reallocate property tax revenues from another agency in the county. Two bills submitted by Assemblymember Jim Frazier, D-Discovery Bay, would do just that. One would reallocate money from the [East Bay Regional Parks system](#), and another is a placeholder bill for an election-based solution.

Voluntary reallocation was proposed, but in February, six school district administrators from Antioch, Brentwood, Knightsen, Byron, Oakley and Liberty Union signed a letter stating that they would not do so.

Four recommendations were for cities and counties to adopt policies that require all developers to pay impact fees for the fire services their developments are projected to use as well as community facility districts for the ongoing support of those fire services.

Currently, there is only one community facilities district — the Summer Lakes homes in the Cypress Development — that provides funding to the fire district. The Cypress CFD, which was established in unincorporated Contra Costa County in 2004, contributed \$162,370 in fiscal year 2015/2016. For the 616 houses there, this amounts to a little over \$260 a year.

Supervisor Diane Burgis' office said that they would like to see more developer fees and community facility districts and will be working with county staff to review the county's ordinances.

This and other reports from the county's civil grand jury can be found by going to www.cc-courts.org/civil/grand-jury-reports.aspx

East Bay Times

Kensington facing another tough public safety decision

Costly options for updating police and fire building



(Jane Tyska/Bay Area News Group)

Kensington residents last week heard options for replacing or renovating the town's public safety building on Arlington Avenue.

By [Rick Radin](#) | Correspondent

PUBLISHED: **June 27, 2017** at 11:06 am | UPDATED: June 28, 2017 at 5:51 am

KENSINGTON — A new public safety debate is brewing in the community over a plan to remodel or replace the Public Safety Building.

That was the indication given reactions to a preliminary study by some 75 residents attending a June 24 town hall meeting.

The Public Safety Building, which opened in 1969, has seismic issues and fire engine bays that are barely large enough to house modern fire trucks, according to an analysis done by RossDrulisCusenbery, an architecture firm that designs public buildings, including fire and police stations.

The analysis proposes tearing down the existing 6,000-square-foot building that houses Kensington's fire and police departments and replacing it with an 11,800-square-foot structure with larger fire truck bays, larger offices, better security and proper access for the disabled, among other improvements.

It soft peddles possible alternatives to replacement at the current site, which include a renovation and seismic upgrade to the existing building, and constructing a new police and fire building at Kensington Park, further north on Arlington Boulevard.

The current building, at 217 Arlington, is on a constrained site behind a retaining wall to the east and between two single-family homes.

A preliminary design concept from RossDrulisCusenbery would nearly double the space of the existing structure and preserve the views of homes located behind, according to firm principal Mallory Cusenbery.

Cusenbery got plenty of feedback at the meeting, especially a negative reaction to the estimated \$12 million cost of the proposal, with speakers objecting to the spending receiving consistent applause from many of the about 75 residents in attendance.

“The \$12 million is an astronomical cost, and we would almost certainly have to go to the taxpayers (with a bond) to pay for it,” said resident Jim Watt. “We’ve heard nothing about upgrading the current building, which would cost \$750,000 to \$1 million to bring into (seismic) compliance.”

Others questioned whether a new building could even be constructed on the site, since state law prohibits new construction on top of earthquake fault traces, and it is not currently known whether there is a fault trace under the building.

Cusenbery said that would be determined by a new seismic study if a decision is made to move ahead.

In addition, a major earthquake on the Hayward fault, which runs along the west side of Arlington Avenue, could make the street impassible, preventing firefighters from responding even if the building remained intact.

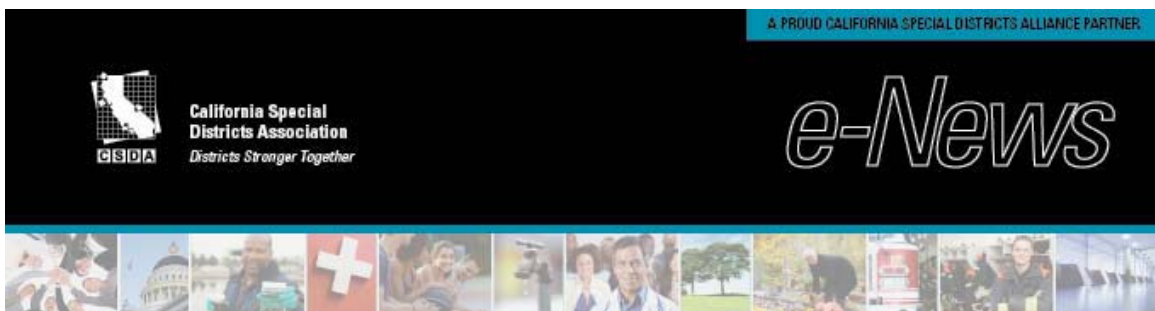
Fire board President Don Dommer responded, in part, to the criticisms by saying Kensington would still be out of compliance with a number of regulations if the current structure is renovated.

“We will still have non-staff wandering through the police department, we will still not be in compliance with (Americans with Disabilities Act) rules,” said Dommer, who operates an Albany architecture firm that also designs fire stations. “There are a whole lot of things in the current building that don’t work that wouldn’t change after a renovation.”

The fire district has spent \$200,000 getting to this point, but the board hasn’t settled on a financing proposal for an entire project.

El Cerrito Fire Chief Lance Maples, whose department staffs and operates the fire department portion of the building under contract with Kensington, advocated for the plan to build new, but seemed to acknowledge that the picture remains cloudy.

“We’re not in a rush to do this,” Maples assured residents as the meeting concluded.



Little Hoover Holds Productive Roundtable on Potential Recommendations



Last week, the Little Hoover Commission conducted a roundtable discussion with local government representatives and State officials to solicit feedback on proposed recommendations impacting special districts. The [draft potential recommendations](#) are a result of the Little Hoover Commission's review of special districts for a study that may be completed and released to the public as soon as this August.

Various CSDA [members, allies, and staff](#) participated in the roundtable discussion to help the Commission understand the feasibility and potential consequences of the draft recommendations. CSDA has proactively participated in the Little Hoover process since testifying at its first hearing in August 2016 with the goal of facilitating an open and constructive dialogue that can result in workable recommendations.

At the top of the roundtable discussion, Commission Chair Pedro Nava stated, "This has been one of the most rewarding and vigorous studies since I have become a Commissioner." He also complimented the participants, saying, "What you represent is public service."

The main suggestions from CSDA and partners at the roundtable discussion included:

LAFCOs

- When the Legislature overrides LAFCO, it overrides this most thorough, democratic, and effective way of reviewing local boundaries, reorganizations, dissolutions, and services.
- The State may wish to support the important work of LAFCOs through a small investment in grant funding. A one-time minor allocation of \$1-3 million could fund dozens of the most critically needed studies by LAFCOs.
- CSDA strongly opposes the diversion of property taxes away from the essential local services they were originally approved to fund. Diverting property taxes would result in an immediate and permanent hit to local services, and/or increases in other local taxes and fees in order to replace those revenues.
- CSDA will oppose any measure that would unreasonably reduce due public process regarding formations, dissolutions or reorganizations of local entities. LAFCO protest thresholds should be analyzed. However, arbitrarily raising the thresholds could stifle the voice and participation of residents on important matters affecting the services they receive and pay for.

Websites

- CSDA wants every special district to have a website, and is working proactively with its partners to make affordable, high-quality websites that are user-friendly available to CSDA members.
- Should the Commission choose to move forward with its potential recommendation to require websites for local agencies, CSDA strongly encourages the Commission include two thresholds for the requirement:
 - Access Threshold: Much of California still lacks reliable internet access. In fact, there are communities served by special districts where there is little-to-zero internet access. Clearly, in these areas, it would be impossible for a district to regularly update a website with the type of information proposed under the potential recommendations, let alone the four requirements under existing law. Moreover, even if these districts found a way to comply, the

vast majority of their constituents would never be able to benefit from it because they don't have the internet.

- o Revenue/Size Threshold: There are some public agencies that meet a real need for a community yet, given their small budget, small staff, and/or small population, the soft costs associated with maintaining a website simply may not pencil out for the taxpayers and ratepayers from a cost-benefit standpoint.
- When it comes to the content on websites, it is best to allow organizations like the Special District Leadership Foundation to set guidelines and best practices, rather than mandate them in statute. This is for a few reasons, including:
 - o Websites and technology evolve much faster than State law, making statute a poor place to micromanage websites.
 - o The needs and wants of a district's residents vary significantly from the needs and wants of the State, or various other entities. These needs also vary based on the types of services residents receive from an agency. When you design a website, the very first thing you do is choose your audience. With web-design, less is often more and cleaner sites result in more use.

Public Engagement and Awareness

- The small amount of civics education offered in K-12 is almost entirely limited to Federal Government. There is little-to-no education on local government. CSDA believes that meaningful curriculum for K-12 education on special districts, cities, counties is essential if we want people to understand and engage in their government.

During the public comment portion of the roundtable, several attendees also spoke to the value and benefit of the special districts serving their communities. Those testifying in support of special districts included:

- Stanislaus County Supervisor Vito Chiesa
- Calaveras County Supervisor Dennis Mills
- Nancy Wenninger, Conservation Chair, Mt. Diablo Audubon Society
- Susan Day, San Diego Burn Institute

The Commission was grateful for the thoughtful and thorough comments of all participants. "It is extremely important to engage with the people who would be responsible for implementing these recommendations. We thank you for your input," said Little Hoover Commission Chair Pedro Nava. In addition to Chair Nava, other Commissioners in attendance were Commission Vice-Chair Sean Varner, Commissioner David Beier, Commissioner Iveta Brigis, Commissioner Helen Iris Torres, and Commissioner Jana Sidley.

CSDA would like to thank our Little Hoover Commission working group, our website mandate working group, and all other members who helped provide feedback and input on the Commission's draft potential recommendations in advance of the roundtable meeting.

Do you want to give your input? The Little Hoover Commission is still accepting feedback on the draft potential recommendations. If you are interested in submitting a comment to the Commission, please contact Kyle Packham, Advocacy and Public Affairs Director at kylep@csda.net for instructions and assistance.

More information about the Little Hoover Commission's study on special districts can be found at www.lhc.ca.gov.

[California Special Districts Association](http://www.california-sd.org) | 1112 I Street | Suite 200 | Sacramento, CA 95814 | 877.924.CSDA (2732)



A Proud California Special Districts Alliance Partner

East Bay Times

Sense of urgency in updating Martinez land use plan

By [Dana Guzzetti](#) |

PUBLISHED: **June 27, 2017** at 7:42 am | UPDATED: June 27, 2017 at 7:48 am

MARTINEZ — The City Council will consider changes to the Downtown Specific Plan and an Alhambra Valley property annexation issue at a public meeting July 5.

There is a sense of urgency to complete the general plan update, and downtown is the last of four policy papers requested by the council to help complete general plan land use revisions.

The discussion will cover suggested uses for the block bounded by Alhambra, Escobar and Berrellessa streets, and Marina Vista Avenue. Blocks #1 (allows residential) and #2 (train station parking) in north downtown, north of the shoreline area at the railroad tracks, may be revised too.

Zoning changes that occurred without public approval and confusion caused by the outdated general plan have resulted in disagreements and uncertainty.

A seven-year update process started in 2008 with a 19-member task force and public workshops. It culminated in a Draft Environmental Impact Report, circulated in late 2015.

Public comment revealed some inconsistencies. Since then, the City Council hired consultant Management Partners to help get the general plan update completed as soon as possible.

In 2016, the council asked for the policy papers on remaining unresolved adjustments needed to make the Downtown Specific Plan, General Plan, Housing Element and Zoning Ordinance consistent.

Much of the Martinez General Plan was adopted in 1973, according to the city website. Council members, as well as planners, have expressed hope that the revisions will not require recirculation of the draft environmental review. If it is required, the update process will likely be extended by months.

Since annexations go through the Contra Costa County Local Agency Formation Commission (LAFCO), the Dunivan Family Trust application to annex 10 acres at 1030 Vaca Creek Road to the city of Martinez need not be delayed by that.

LAFCO will have to approve an adjustment to the Urban Limit Line — because the line now divides the property — before the entire 10 acres can be annexed, if that is approved by the City Council.

Mayor Rob Schroder represents Martinez on the LAFCO board and said the property owner's request for the adjustment is consistent with LAFCO policy to make minor adjustments that are more logical.

"The property is bifurcated by the Urban Limit Line and cannot be annexed without changing it," Schroder said.

Martinez already provides water to the property. Cities providing services outside its limits must have LAFCO approval, according to Schroder.

"A pre-annexation agreement has to be signed to get the approval," he said.

"We would like to annex the whole valley," the mayor said. "The citizens there should have a say on city issues ... and it simplifies services, like police."

The complete report on the proposed downtown revisions is available in the staff report of the June 13 Planning Commission agenda at <http://www.cityofmartinez.org/gov/meetings.asp>

[Contact Dana Guzzetti at dguzzetti10@gmail.com](mailto:dguzzetti10@gmail.com) or call [925-202-9292](tel:925-202-9292).



Published June 28th, 2017

MOFD chief ordered to cut district expenses

By Nick Marnell

The Moraga-Orinda Fire District board ordered the fire chief to cut more than \$400,000 of operating expenses and slash \$100,000 of projected overtime before it approves the 2017-18 district budget. The cuts would reduce costs in the two categories to match their 2016-17 actual expenditures.

"This budget does not reflect the long-term needs of the organization," Director John Jex said at the June 21 district meeting.

According to its 2016 Comprehensive Annual Financial Report, the district recognized \$67 million in long-term debt, which included its net pension liability and net retiree health care liability. Fire Chief Stephen Healy presented the draft of a 15-year facilities plan to the board in May that included more than \$13 million in mainly capital expenditures.

With general and capital fund balances for 2017-18 projected at slightly over \$10 million, the board objected that the proposed budget did not do enough to address those long-term liabilities or capital requirements.

"It does not provide for contingencies that will invariably come up," Director Brad Barber said. "We must build our reserves and aim for financial responsibility to our employees and the public."

The district forecast a 3.5 percent general fund revenue increase for the next fiscal year, with operating expenses to rise 21 percent. That \$500,000 cut out of overtime and operating costs could be used to help lower the district long-term debt, the board intimated.

"Give me 30 minutes and I'll find the \$400,000," Director Craig Jorgens said of the operating budget cuts. He urged the chief to rethink even items like \$7,500 for color printing cartridges. "Any area where the district can be thrifty and practical," Jorgens said.

The MOFD operating budget includes expenses other than salaries and benefits, which rose 7 percent, mostly according to terms of district labor agreements.

Directors Kathleen Famulener and Steve Anderson voted to approve the budget as presented, suggesting that the chief return to the board with amendments. "I have a hard time approving something that I do not agree with," Jex said, as he, Jorgens and Barber voted against the proposed budget.

Healy said that he will bring revised numbers, with options, to the board in July.

Reach the reporter at: nick@lamorindaweekly.com

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East Bay Times

Director at center of Kensington police controversy resigns

Vanessa Cordova cites long-term health issue



Vanessa Cordova (Courtesy photo)

By [Rick Radin](#) | Correspondent

PUBLISHED: **June 29, 2017** at 10:52 am | UPDATED: June 29, 2017 at 2:52 pm

KENSINGTON — Vanessa Cordova has resigned from the town’s community services board after a long-term health issue kept her in Italy for several months, requiring her to participate in meetings via a cell-phone connection.

In a letter to board President Rachelle Sherris-Watt, Cordova wrote from Italy that she was about to undergo an operation for a “cerebralspinal fluid leak” that “will demand 100 percent of my physical and emotional energy.”

Cordova and Sherris-Watt were elected to the police board in November of 2014.

“I think she used her skills as a public information officer to improve communication with the community, bringing residents a better understanding of local government,” Sherris-Watt said.

“She had a long-term goal of making the district financially viable,” she added. “We haven’t made as much headway as we would have liked about that.”

Cordova was also in the middle of controversy during her term.

She filed a complaint against Kensington police Sgt. Keith Barrow after she was pulled over in October of 2015 in Berkeley for having a missing front license plate and an expired registration.

The stop was made by Kensington Officer Juan Ramos while Barrow, who was off-duty at the time, was in the police car.

Cordova's ticket was later dismissed and she issued a statement calling the traffic stop an "egregious display of political retribution."

The Richmond Police Department, tasked to conduct an internal affairs investigation as an outside agency, found that Barrow, as the superior officer, had improperly supervised the traffic stop, but did not harass or stalk Cordova as she had claimed.

After the incident, Barrow was demoted from sergeant to officer, a decision he later appealed.

In a previous incident, Barrow's gun was stolen by a prostitute in Reno, Nev. and the prostitute's pimp accidentally shot himself in the leg with it in an incident on a Reno street corner.

Later, Kensington Police Chief/General Manager Greg Harman was fired by the board for alleged delays and mishandling of an investigation into the incident.

Cordova wrote in her resignation letter that "I leave the board knowing the district is in a much stronger position than when we arrived in 2014, and expecting many more pivotal achievements under your exceptional leadership," .

The board will either appoint a successor to fill out Cordova's term, which expires after the November, 2018 election, or hold a special election, Sherris-Watt said.

"My guess is we'll look to appoint," she said.

The Sacramento Bee

How climate change could threaten the water supply for millions of Californians

By Dale Kasler and Ryan Sabalow

When it comes to California and climate change, the predictions are staggering: coastal airports besieged by floodwaters, entire beaches disappearing as sea levels rise.

Another disturbing scenario is brewing inland, in the sleepy backwaters of the Sacramento-San Joaquin Delta. It's a threat to the Delta's ecosystem that could swallow up a significant portion of California's water supply.

Scientists from government and academia say rising sea levels caused by [climate change](#) will bring more salt water into the Delta, the hub of California's water-delivery network. As a result, millions of gallons of fresh water will have to be flushed through the Delta, and out into the ocean, to keep salinity from inundating the massive pumping stations near Tracy. That will leave less water available for San Joaquin Valley farmers and the 19 million Southern Californians and Bay Area residents who depend on Delta water – eventually as much as 475,000 acre-feet of water each year, enough to fill Folsom Lake halfway, according to one study by the Public Policy Institute of California.

“With rising sea levels, with climate change, that creates additional pressure coming in from the ocean,” said Michael Anderson, the state's climatologist, in a recent interview. “Sea level rise is going to become more of an influence.”

It figures to become a pocketbook issue for practically any Californian who drinks water that runs through the Delta. A 2010 study by scientists from UC Davis said rising seas, coupled with the inundation of some islands in the western Delta, will translate into higher costs for purifying water for human use. The additional cost could go as high as \$1 billion a year, “making the Delta less desirable as a conventional water source,” the study said.

That cost doesn't include the \$17.1 billion Gov. Jerry Brown proposes to spend on [the Delta tunnels](#), his controversial plan for reshaping the estuary's plumbing system.

Brown's administration is heralding the threat from climate change as one of the reasons for building the tunnels, which would increase water bills for urban Southern Californians and San Joaquin Valley farmers. An environmental impact statement released by state and federal officials in December said the tunnels are needed to prevent a significant cutback in water deliveries from the Delta.

Without the tunnels, the ability to pump water south “will be reduced under future climate and sea level rise conditions,” state and federal officials wrote. “Delta exports would be reduced by as much as 25 percent by the end of the century.”

Complicating the issue, climate scientists also agree a warmer climate will mean more rain and less snow. The Sierra snowpack serves as a giant reservoir that naturally releases water long after the rainy season ends. If more of California’s precipitation falls as rain instead of snow, much of that water will flow to the ocean in winter and spring, while it’s still raining. That will leave less water available in summer to satisfy human needs and to offset salinity in the Delta.

Salt water is already a problem at the Contra Costa Water District, which serves 500,000 residents in eastern and central Contra Costa County. Its location near the spot where water becomes brackish in the Delta puts Contra Costa on the front lines of the battle against salinity from the ocean. One of its four main intake pipes at the western edge of the Delta is precariously close to the point where water becomes too salty to drink without substantial treatment.

The agency has invested millions on intake pipes that are further and further away from the ocean. In 1997 it opened an intake along the Old River closer to the heart of the Delta. In 2010 it spent \$80 million building another intake a few miles east of the Old River facility. It considered building a desalination plant a few years ago, but the project, estimated to cost \$175 million, has been tabled.

Contra Costa’s main weapon against salinity is Los Vaqueros Reservoir, a 19-year-old man-made lake. Though it’s in the southwest Delta, it feeds off a pipeline from a San Joaquin River tributary from the east. Its purpose is to hold 160,000 acre-feet of fresh water that Contra Costa uses to dilute the supply that washes in from the Pacific.

“Things can get very salty for prolonged periods of time,” said Maureen Martin, the agency’s senior water resources specialist, during a recent tour of Los Vaqueros.

Contra Costa has spent nearly \$560 million on Los Vaqueros, and it isn’t done yet. Working with 11 other Bay Area agencies, it’s developing a plan to expand Los Vaqueros’ capacity by two-thirds, an \$800 million project.

Martin said her agency doesn’t consider sea-level rise “an imminent threat to Delta water quality.” But the scientific projections are influencing Contra Costa’s long-term planning on Los Vaqueros and other facilities.

Climate change “would probably cause the Delta to become saltier,” she said.

If climatologists are correct, the just-ended drought gave Delta residents a taste of things to come. In 2015, when the drought was at its worst and relatively little fresh water was trickling through the estuary, state officials worried about a surge of salt water gushing in. The Department of Water Resources built a [temporary rock barrier](#) on the West False River, near the heart of the Delta, to hold back the salty ocean water.

The price was \$37 million, including the expense of removing the 150,000 tons of rocks when the rainy season started. State officials declared it a successful investment. The barrier helped the state avoid releasing 90,000 acre-feet of water from upstream reservoirs to flush out the salinity.

Over the long haul, state officials believe keeping the salt at bay will be crucial to the viability of the State Water Project and the federal government's Central Valley Project, the delivery networks that move much of Northern California's water through the Delta to the water agencies of Southern California and the San Joaquin Valley.

It's a task that could become increasingly difficult as sea levels rise. Not only will higher waters bring a generally higher volume of salt into the estuary, they will put more stress on the 1,100 miles of levees protecting Delta farms and homes. A levee breach could inundate the SWP and CVP pumping stations with salt water, forcing them to shut down and reduce operations.

It represents one of the state's arguments for the tunnels project: By diverting a portion of the Sacramento River's flow at Courtland, at the northern fringe of the Delta, and piping it directly to the Tracy pumps, the state and federal water projects can sidestep much of the salt water and keep pumping water more reliably.

"The location of the north Delta diversion facility is further inland, making it less vulnerable to salinity intrusion," officials wrote in the environmental report last December.

Tunnels opponents aren't swayed by that argument.

They don't dispute that rising seas will bring more salt to the Delta. But they say the tunnels would actually worsen the problem and make Delta water dangerously salty for farming and drinking water needs. By pulling some of the fresh water out of the Sacramento at the upstream location, opponents fear it will increase the salt concentration in the remaining water flowing through the Delta. In that respect, they're insulted that the threat from global warming is being used to justify the project.

"Whatever the truth might be about the extent or arrival of (climate) changes, the theory is being used as one more arrow shot at us," said John Herrick, attorney for the South Delta Water Agency.

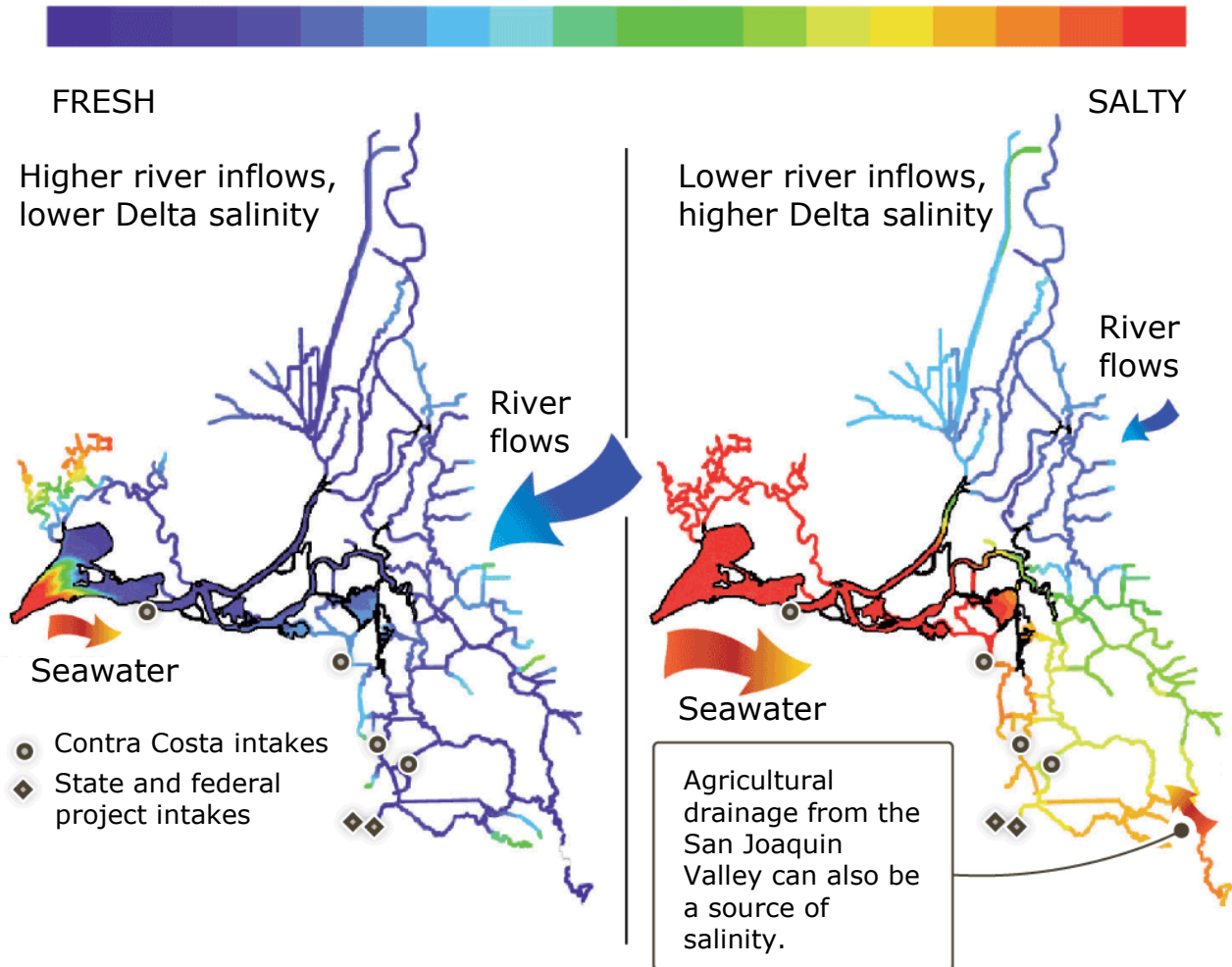
"There isn't a shadow of a doubt in our minds that once they're able to take water from up north, they'd doom us," he added.

The twin tunnels would take water from the Sacramento River and transport it under the Delta. See which islands and rivers they would cross.

A 2010 study by scientists from UC Davis said rising seas, coupled with the inundation of some islands in the western Delta, will translate into higher costs for purifying water for human use. The additional cost could go as high as \$1 billion a year, "making the Delta less desirable as a conventional water source," the study said.

Delta salinity

High water flows from the Sacramento and San Joaquin rivers push fresh water well into Suisun Bay. When flows from the rivers are low, sea water penetrates deep into the Delta. Climatologists say rising sea levels will worsen the saltwater intrusion.



Sources: Delta Stewardship Council, Resource Management Associates, Contra Costa Water Authority

The Sacramento Bee

East Bay Times

California drought: Plans advance to enlarge major Bay Area reservoir



(Doug Duran/Bay Area News Group)

Alex Amaya, of Pleasant Hill, Calif., walks down a trail after taking advantage in the break in the weather by fishing on the shore of Los Vaqueros Reservoir on Wednesday, Jan. 11, 2017.

By [Paul Rogers](#) | progers@bayareanewsgroup.com |

PUBLISHED: **July 3, 2017** at 3:17 pm | UPDATED: July 4, 2017 at 2:31 pm

Working to expand water supplies for California's next drought, a coalition of 12 Bay Area water agencies took a significant step Monday toward an \$800 million expansion of one of the largest reservoirs in the Bay Area — Los Vaqueros Reservoir in the rolling hills near the Alameda-Contra Costa county line.

The plan would raise the reservoir's earthen dam by 55 feet, to 273 feet high. That would make it the second tallest dam in the Bay Area, eclipsed only by Warm Springs Dam, at 319 feet tall, on Lake Sonoma near Healdsburg.

The construction would expand the size of Los Vaqueros from its current 160,000 acre-feet capacity to 275,000 acre-feet, enough water when full for the annual needs of 1.4 million people.

The Santa Clara Valley Water District, East Bay Municipal Utility District, Alameda County Water District, San Francisco Public Utilities Commission and other agencies are contributing to the studies of the project, and see it as a cooperative solution to water shortages and a way to better tie their systems together as insurance against emergencies like earthquakes.

“This is an opportunity to help us deal with extended droughts,” said Jennifer Allen, a spokeswoman for the Contra Costa Water District, based in Concord. “It’s a way to expand the benefits of the reservoir and make it work for a larger group.”

RESERVOIR EXPANSION PROPOSAL

An \$800 million project could expand Los Vaqueros Reservoir and connect it with other water systems as far south as San Jose.



On Monday, the Contra Costa Water District, which owns the reservoir, released new environmental studies and scheduled a series of [six public meetings](#) from July 11 to July 27 in Concord, Oakland, San Jose, Brentwood, Sacramento and Los Banos to discuss the specifics in the new documents, which are officially called [the draft supplement to the final environmental impact study](#).

Supporters of the idea are hoping that up to \$400 million of the \$800 million cost will come from Proposition 1, a water bond passed by California voters in 2014. The deadline for water agencies to apply for funding under the measure is August 14.

The remainder of the cost would be paid by the customers of each participating agency. Exactly which agencies will decide to formally join the project, and who will pay how much is yet to be determined. Costs will likely be decided based on the amount of water each agency would get.

“Having more partners brings in more customers, and that helps spread the costs out more widely,” said Allen.

Still, more studies, negotiations and permits are needed. Construction would begin in 2022 and be completed in 2027.

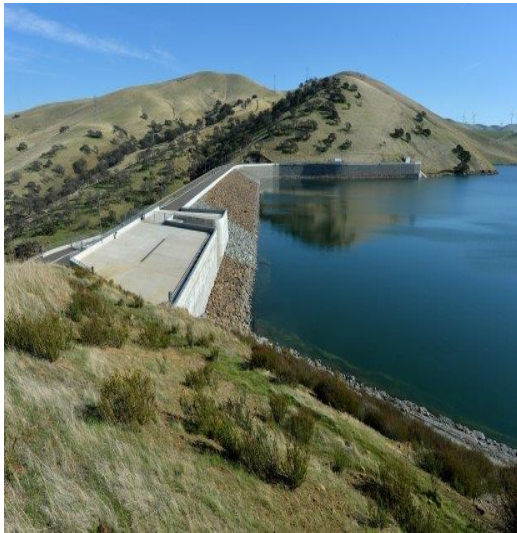
Los Vaqueros Reservoir is 3 miles long. It was built in 1998 with \$450 million from the 500,000 customers of the Contra Costa Water District. In 2010, the same customers approved an advisory measure to increase the reservoir’s size from 100,000 acre feet to 160,000 acre feet, raising the dam 34 feet.

That project was finished in 2012. The reservoir, which is filled by water from the Sacramento-San Joaquin River Delta, is currently 95 percent full, the highest level it has ever been, as a result of this recent drenching wet winter.

The idea of expanding Los Vaqueros Reservoir has been around for a while. Nearly a decade ago, it was discussed, but at the time, the economy was struggling, and there were few state matching funds, and Contra Costa officials could not find other agencies to help foot the bill.

Now, after the historic 5-year-drought, they are lining up.

“We’re interested in studying this because an expanded reservoir provides an opportunity for us and others to capture surplus water that ordinarily would flow to the ocean,” said Colleen Valles, a spokeswoman for the Santa Clara Valley Water District, which provides water to 1.9 million people in Santa Clara County. “It would allow us to store more for drier years.”



The Los Vaqueros Reservoir dam, located in Contra Costa County between Brentwood and Livermore, is photographed on Thursday, Nov. 3, 2016

The Santa Clara Valley Water District also is submitting its own plan for an expanded reservoir, a proposal to increase the size of Pacheco Reservoir, a remote lake located along Highway 152 between Gilroy and Los Banos. But that project is considered more of a long shot. It has no major water agencies as partners, and is in an area that has had geologic issues in the past.

Unlike with many other plans to build new dams on rivers, which would submerge huge areas of wilderness and kill endangered salmon and other species, environmentalists have not come out in opposition to increasing the height of Los Vaqueros, which is an off-stream reservoir filled with water brought in from the Delta via pipes and a canal.

[The project](#) would have a relatively minor impact, because a reservoir is already there. When Los Vaqueros’ dam was raised five years ago, the Contra Costa Water district purchased roughly 5,000 acres in Alameda, Contra Costa and San Joaquin counties to provide habitat for the endangered San Joaquin Valley kit fox and other species whose habitat was submerged when the lake level rose. A similar environmental project would be likely if the lake rises again.

The project would require the entire reservoir to be drained, since the dam would need to be worked on at the reservoir side, Allen said. Trails in the 20,000-acre watershed would need to be

rerouted, and the boat marina would need to be relocated. Also, a 9-mile long pipeline from a transfer station near Los Vaqueros would need to be built to Bethany Reservoir nearby, so the water could be put into the South Bay Aqueduct and delivered further south.

The meetings to discuss the idea are scheduled for:

- Tuesday, July 11, 2017, 1:30 p.m. – 3:30 p.m., Tsakopoulos Library Galleria, 828 I Street, Sacramento, CA 95814
- Wednesday, July 12, 2017, 6:30 p.m. – 8:30 p.m., Santa Clara Valley Water District, 5750 Almaden Expressway, San Jose, CA 95118
- Tuesday, July 18, 2017, 6:30 p.m. – 8:30 p.m., Contra Costa Water District, 1331 Concord Avenue, Concord, CA 94520
- Thursday, July 20, 2017, 6:30 p.m. – 8:30 p.m., East Bay Municipal Utility District, 375 11th Street, Oakland, CA 94607
- Tuesday, July 25, 2017, 6:30 p.m. – 8:30 p.m., Brentwood Community Center, 35 Oak Street, Brentwood, CA 94513
- Thursday, July 27, 2017, 1:30 p.m. – 3:30 p.m., San Luis National Wildlife Refuge Complex Headquarters and Visitors Center, 7376 S. Wolfsen Road, Los Banos, CA 93635