

Voters overwhelmingly approve reduction in size of East Contra Costa Fire board

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com | Bay Area News Group
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BRENTWOOD — Voters in the East Contra Costa Fire Protection District chose to reduce the soon-to-be elected board from nine members down to five in a recent mail-in ballot.

Although the results are still unofficial, 91 percent of votes had been counted on Tuesday afternoon and over 90 percent of those votes were in favor of reducing the number of directors on the East Contra Costa Fire Protection District's Board of Directors.

More than 12,000 voters from Bethel Island in the north through Oakley and Brentwood down to Tassajara in the south cast their ballots.

ECCFPD Fire Chief Brian Helmick wrote an argument in favor of reducing the board's size, saying that it would make the process more efficient, but more importantly, better-informed.

"It's a numbers issue and the reduction, I believe, will help with communications and in turn will help get consensus on things," Helmick said. "The work load for the office of the fire chief is overwhelming to some extent and there are many competing interests of time and it's a hard challenge for me to communicate effectively and keep nine individuals up-to-speed."

In November of 2016, a little over 62 percent of East County voters decided that they wanted to elect their own board members, rather than have members appointed for them by elected officials. Currently, the Contra Costa Board of Supervisors appoints two members, the Brentwood City Council appoints four members and the Oakley City Council appoints three members.

"I was a supporter and fan of (reducing the size of the district) from the beginning," said ECCFPD board member Erick Stonebarger. "Take it away from the city councils and board of supervisors so the district has a direct say and hopefully that will encourage them to have more participation in how the district is run. There's a real significant challenge there and it won't be easy to overcome."

On Nov. 6, voters will elect five at-large members to the board of directors. The filing period for candidates starts on July 16 and ends on Aug. 10. To learn more about filing candidacy papers, visit www.cocovote.us/run-for-office-or-file-a-measure/run-for-office/

The newly elected board will need to draw lots to decide which three elected officials will serve four-year terms and which two will serve two-year terms.

Overall, the largest turnout by percentage came from voters in the Deer Ridge area, with over half of registered voters in Brentwood precinct 128 making their voice heard. Both the Deer Ridge and Shadow Lakes areas saw voter turnout above 40 percent.

The Sacramento Bee

Why your water provider is fighting California's ban on watering sidewalks

By Dale Kasler And Ryan Sabalow

dkasler@sacbee.com

March 15, 2018 12:46 PM

Updated 2 hours 52 minutes ago

It seemed like the sort of thing any drought-wary Californian could support.

The state's water cops were poised last month to pass a set of rules prohibiting what most everyone agrees are wasteful water uses – like letting water from a hose without a nozzle flow into a storm drain.

But no change in California water policy ever comes easily. The State Water Resources Control Board's proposal to impose permanent conservation rules – such as prohibiting hosing down driveways, watering lawns less than two days after it rains and washing a car without attaching a shut-off nozzle to the hose – ran into a cascade of opposition. Leery of ceding any power to the state, practically every major water agency in California, from Sacramento to San Diego, stepped up to complain the water board was overstepping its legal authority.

The board postponed its vote.

The controversy comes at a delicate time. Eleven months after Gov. Jerry Brown declared an end to the drought, water usage is starting to creep back up in California: Urban consumption increased 5 percent last year as mandatory conservation restrictions were lifted, although usage was still 16 percent below the 2013 baseline figures used by the state water board.

Now, with California experiencing a dry winter and the possibility of another drought, Californians' stomach for conservation is about to be tested again. The state water board plans to resurrect its proposal in April. Separately, the Legislature is working on a pair of bills that in some respects would go even further in governing how much water Californians are allowed to use.

Designed to make conservation "a California way of life," the legislation would impose a long-lasting, comprehensive framework on water usage – drought or no drought. AB 1668 and SB 606 would establish overall standards for indoor and outdoor water consumption. Local water agencies would have plenty of input on how the standards are set, but if they miss the targets they could get fined thousands of dollars.

The idea is to get Californians to gradually consume less water.

"There's a lot of things we can do to be more efficient, and that's the goal of this," said Assemblywoman Laura Friedman, D-Glendale, author of AB 1668. "It's very important considering that we're going now into another drought, it looks like."

State officials are convinced that Californians are committed to saving water. During the drought, when mandatory cutbacks were imposed, the most frequent complaint from the general public was about neighbors over-watering their lawns and flouting the rules, said Felicia Marcus, chairwoman of the state water board.

"The average Californian wants to conserve and wants everybody else to conserve, and wants it to be as fair as possible," Marcus said. A Field Poll in 2016, when the drought was still severe, showed that 74 percent of Californians said curtailing water use was "very important."

Nonetheless, local water agencies are constantly on guard against efforts at the state level to restrict local water usage. They fought the cutbacks Brown mandated in 2015, during the worst of the drought. It cost them millions in revenue; and most water agencies in the Sacramento area said it was unfair that they had to slash use by 36 percent even though the region's actual water supplies were in fairly good shape.

"Most agencies didn't have a need to take a 36 percent cut," said John Woodling of the Sacramento Regional Water Authority, which represents area water agencies. "They had more water supply available than that. That was really state top-down rationing."

So perhaps a blowup over the state water board's proposal was inevitable. Marcus' agency is proposing to permanently ban certain practices that were temporarily forbidden during the drought. Hotels and motels would have to remind guests, in writing, that they can reuse their towels and sheets. Cities wouldn't be allowed to water grassy medians, with certain exceptions. Homeowners couldn't water their lawns so heavily that the water runs into the sidewalk or street.

The board says it has ample legal authority – granted by the state's Constitution – to impose restrictions on the "waste and unreasonable use" of water. Nonetheless, the proposal was tabled after local water agencies protested. The agencies didn't disagree with the proposals themselves but said the board was going too far in defining what's considered an "unreasonable use" of water. That phrase is a crucial element in California's complicated system of water rights.

"You're impacting water rights plain and simple," Sacramento attorney Rob Donlan, representing several local water agencies, told the board in February.

Jeffrey Mount, a water-policy analyst at the Public Policy Institute of California, said the water districts fear one regulation will lead to another. "If the state is going to step in and regulate how long you can hold a garden hose on your driveway, why wouldn't they step in and regulate everything else?"

The state's farm lobby is equally concerned. Farm groups say the water board's proposed rules on urban water usage could eventually lead to regulations on the types of crops farmers can irrigate. "There's the potential they'll make similar decisions encroaching on agriculture," Mike Wade of the California Farm Water Coalition said in an interview.

Marcus said fears of a runaway regulatory train are unfounded. The water board is only prepared to take steps that are in line with societal views on water use.

"It's not like we're saying, 'Don't have a lawn,'" she said. "Plenty of people have suggested we should ban lawns, but that's not reasonable yet. Someday it might be, but not yet."

So if a simple ban on watering driveways stirs up a fight, how can the Legislature expect to pass an even more ambitious series of conservation measures? The answer lies in the local control that AB 1668 and SB 606 allow water districts to keep.

After going nowhere in the Legislature last year, the bills have been revised to give local water agencies a greater say in establishing the usage targets they'll have to meet.

"We felt it was extremely important to go bottom-up instead of top-down," said Sen. Bob Hertzberg, D-Los Angeles, co-author of SB 606. "We're going to respect these (local) districts."

The drought emergency mandates required local districts to slash usage by as much as 36 percent, depending on historical consumption patterns. The legislation takes a different approach.

For indoor use, the legislation would set a single statewide target for local districts to meet: 55 gallons a day per person, gradually declining to 50 gallons by 2030.

For outdoor use, the targets would be set by the state in consultation with the local districts. The Department of Water Resources would set targets for each district based on data supplied by the district on climate, landscape sizes, available water supplies and other factors. Agencies that have broadened their supply portfolio through recycling or other means would have greater leeway to use their water even in dry conditions.

The Sacramento region, where lawns are big and summers are hot, traditionally has been one of the heaviest water users in the state. Last June, for instance, the average city of Sacramento resident used a total of 144 gallons of water a day, according to the water board. The figure was 76 gallons for Los Angeles and 47 for San Francisco.

The plan proposed by the Legislature, by acknowledging differences in climate and other factors, could give Sacramentans greater leeway to continue keeping their lawns green. Woodling, of the Sacramento water authority, said area water agencies are becoming more comfortable with the legislation.

The state's largest water agency is already on board.

"It's recognizing the unique circumstances of each agency," said Deven Upadhyay of the influential Metropolitan Water District of Southern California, which is supporting the legislation. "As many of us are looking at making investments in things like recycled water, some in seawater desalination, some in storage, you want to know you're going to be able to utilize those supplies as you go into drought. That's why you invest in those things."

Failure to meet the targets would leave districts open to financial penalties, but fines wouldn't kick in until 2027. "It's a very gentle glide path to start moving people to these efficiency standards," Hertzberg said.

Environmental groups tend to favor very strict regulations on water use, but some are on board with this relatively moderate piece of legislation. Tracy Quinn, of the Natural Resources Defense Council, said the bills strike the right balance between conservation and local flexibility.

"It is a much more equitable way of ensuring long-term reliability of our supplies," she said.

East Bay Times

Opinion: East County tragedy – two auto accidents within a half-hour



Two people were transported to local hospitals following a crash on Byron Highway near Orwood Road on Thursday morning. (Photo provided by the East Contra Costa Fire Protection District.)

By [Bryan Scott](#) |
March 17, 2018 at 8:40 am

An auto accident was reported at 4:05 pm on Feb. 13 in Oakley. It was a two-car accident, with one person injured who was subsequently transported to a hospital. The accident occurred at the intersection of East Cypress Road and Bethel Island Road, in Oakley.

It took nearly 16 minutes for help to arrive.

The reason for the lengthy response time is that all resources of the East Contra Costa Fire Protection District, the agency that provides emergency medical and fire services for the area, had responded to another auto accident that was reported at 3:38 pm, 27 minutes earlier.

This prior accident was in Brentwood, at the intersection of Sycamore Avenue and Brentwood Boulevard. All three stations responded to the accident, and four victims were flown by air to area hospitals.

Help for the Oakley accident came from a neighboring fire district, Contra Costa County Fire Protection District (ConFire), as well as the county-contracted ambulance service provider. The two Confire stations nearest to the Oakley accident are in Antioch at 315 W. 10th St. and 196 Bluerock Drive.

According to Google Maps, the stations are 10.3 and 11.2 miles away from the accident site, respectively, with normal driving time estimated at 21 and 20 minutes. Arriving in 15:58 minutes means that flashing lights and a siren take about 20 percent off the normal driving time.

The nearest ECCFPD fire station to the Oakley accident is at 540 Ohara Ave. in Oakley. According to Google Maps, it is just 4.2 miles from the accident scene, eight minutes normal driving time by car. With a siren and flashing lights first responders might arrive, from the closer fire station, in six minutes and 24 seconds.

The Monthly Operational Report issued by ECCFPD doesn't list the severity of the injuries suffered in either accident. An ECCFPD Facebook posting says that four victims of the Brentwood accident were transported to hospital by helicopters, shown in a picture the agency posted.

Consider this: The human heart beats about 70 times per-minute, and pumps about 5 to 7 liters of blood per minute. It has been estimated that blood makes up 7 percent of a body's weight, so for a 150-180-lb person there will be 4.7 to 5.5 liters of blood in the body. Those of us with larger proportions will have more.

In a severe accident a cut to a major artery by glass or a piece of metal can cause blood to be pumped from the body, and rapid death. Less-severe trauma to the body's circulatory system would, of course, take longer to cause death. But without immediate aid to staunch the loss of blood, a traffic accident victim has only minutes to live. It doesn't take long to lose four or five liters of blood.

State-mandated funding for ECCFPD is less than \$94 per person, while areas in Central County have funding for the same emergency medical and fire services at \$449 and \$370 per person, according to the county's Local Agency Formation Commission. This funding allocation rate was set four decades ago, before East County experienced heavy residential growth.

Response times throughout the ECCFPD service area exceed municipal and industry goals by a wide amount, and the 115,000 residents are in danger because of this underfunding practice.

The County's Grand Jury has issued several reports on the situation, a government task force has studied it, and the inadequate service has been noted by consultants, the media, and on a Vasco Road billboard that was erected by concerned residents.

Oakley City Manager Bryan Montgomery has obstructed efforts to get property tax funding shifted to ECCFPD, so that ECCFPD can do a better job of protecting Oakley's 40,000-and-growing population.

Like many top government managers, Montgomery wants to protect his agency's budget. This is a noble goal, but he is doing so at the expense of Oakley residents' safety.

Bryan Scott is co-chair of East County Voters for Equal Protection, a non-partisan citizen's action committee striving 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 <https://www.facebook.com/EastCountyVoters/>.



Published March 21st, 2018

ConFire beefs up ambulance service with ALS interfacility transport capability

By Nick Marnell

The Contra Costa County Fire Protection District added a new service as part of its contract as ambulance provider in most of Contra Costa County when it began offering its patients advanced life support interfacility transport service. The service is provided for patients who do not meet critical care transportation requirements but who need more than basic life support.

ConFire and the Moraga-Orinda Fire District transport patients who call 911 to hospital emergency rooms, if necessary. That does not change. What has changed is that ConFire, through its American Medical Response ambulance subcontractor, can also provide transport between hospitals, or from another medical facility to a hospital, for a Lafayette patient who needs advanced life support care and observation. Examples of advanced life support include administering continuous positive airway pressure for patients with breathing problems and thoracostomy, inserting a thin plastic tube into the pleural space between the lungs and the chest wall to remove excess fluid or air.

"We have been working on this for the past 15 months with AMR and our local emergency medical services agency," said ConFire Assistant Chief Terence Carey. The county LEMSA is Contra Costa Health Services, whose medical director must approve the medical facilities for transport.

ConFire deploys up to 40 ambulances daily, all staffed with a paramedic and an emergency medical technician. The ambulances are stationed dynamically, and Carey said that if the demand for the interfacility transport is high, the district may have to add even more resources.

"MOFD does not have a similar program and I do not believe it is feasible in our service area," said Fire Chief Dave Winnacker. MOFD currently staffs a single dedicated ambulance from Station 41 in Moraga with a second cross-staffed ambulance responding from Station 45 in Orinda. The chief explained that, because of the limited size of the system, taking a unit out of service for non-emergency transport would significantly degrade the district's ability to respond to emergencies and would result in delays for both response and transport.

ConFire began its ALS-interfacility ambulance transport service March 6.

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Published March 21st, 2018

Fire chiefs want extra staffing up front to fight major wildfires

By Nick Marnell



ConFire Chief Jeff Carman testifies in Sacramento. Photo provided

depended on mutual aid to get us mutual aid in the first 12 to 24 hours. Now we need them in the first minutes to hours," Carman said.

The chief said that at the start of the Napa and the Southern California wildfires, ConFire had resources ready to go, but the district was unable to send crews or engines for hours because it had not received an official order. "That was as frustrating as you can imagine," Carman told the committee. "The system became overwhelmed."

Carman often kidded that each year, he would predict the worst fire season ever. But he wasn't joking in Sacramento. "How long are we going to call these fires unprecedented, when we continue to have them year after year after year? Soon they will become the norm," the chief said.

Under Carman's proposal, local agencies would put together strike teams in advance of major, predictable weather events, rather than wait for resources to be assembled and deployed after a fire starts. Should a major wildfire roar over the Lafayette Ridge into Upper Happy Valley, or jump Bear Creek Road into north Orinda, local agency strike teams would be able to deploy instantly, without overwhelming the dispatch and ordering systems. Fire chiefs would be able to pay the local strike teams without relying on local funding, which doesn't exist, according to ConFire Deputy Chief Lewis Broschard, the system's operational area coordinator.

The \$100 million to pay for this upfront staffing would come through the state cap and trade program, which charges penalties to companies that exceed allowable greenhouse gas emissions. Carman drew a connection between cap and trade and wildfires in that the amount of carbon dioxide released into the atmosphere from the Napa and Southern California fires equals what every car in California emits in two years. The sooner a fire is put out, the fewer pollutants in the air.

In 2017, Cal Fire received \$200 million from the greenhouse gas funds through the Governor's Office of Emergency Services, which manages the state mutual aid system. Local districts received \$25 million. But most of the mutual aid comes from local agencies, like ConFire and the Moraga-Orinda Fire District, which regularly send out engine companies in response to mutual aid requests. Carman said that state officials were unaware of how little money trickles down to the local agencies.

But hope appears on the horizon, as Carman said that Gov. Jerry Brown wants to meet with local fire officials. "So after eight years of totally ignoring local government fire agencies, and after two years of giving us a fraction of our ask, we at least have his attention," Carman said.

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Published March 21st, 2018

Lafayette officials react to the approval of Fire Station 16

By Nick Marnell

When the Contra Costa County Fire Protection District board of directors unanimously authorized the execution of a \$3.4 million contract for the rebuild of Lafayette Fire Station 16, there may not have been a more relieved human being in the county than Fire Chief Jeff Carman.

"The hurdles we had to jump through to get to where we are today were ridiculous in my opinion, but Chief (Lewis) Broschard had the perseverance and tenacity to stick with it and bring this to fruition," Carman said. Not the least of the hurdles was convincing the city of Lafayette that the fire district was deserving of its business in the first place, after the county closed Fire Station 16 in 2012. Many a meeting of the city's emergency services task force - which did a top-to-bottom assessment of the delivery of fire and emergency medical service in the city - devolved into accusations that Carman was stonewalling the station rebuild in order to save the county the money.

Then surfaced the option of Fire Station 46, a joint venture between ConFire and the Moraga-Orinda Fire District to combine stations 16 and 43 into one fire station at the Orinda-Lafayette border. But the project never got off the ground, mostly due to philosophical differences between the two agencies. "It took a lot of thought to make the decision to back away from that concept, and the decision to do this on our own was not an easy one," Carman said.

"I always felt that a new Station 16 would be the only way to go," said former Lafayette fire commissioner Bill Granados.

Slowly, the tables began to turn in ConFire's favor. "I was mayor when Chief Carman sat down with me and the city manager, and told us that the joint station on the Orinda border was not going to work, but the fire district had the commitment and the money to reopen Station 16. He was as good as his word," said former Lafayette emergency services task force co-chair Brandt Andersson. "It took longer than we'd hoped, as it nearly always does, but I always felt confident that Station 16 would be rebuilt."

The firefighters union did not support the combined station and heralded the March 13 action by the board. "It is great to see that the plans to rebuild and staff Station 16 have finally cleared all hurdles and are moving forward," said Local 1230 President Vince Wells. "This will be a significant improvement of service in the area."

Former emergency task force co-chair Traci Reilly concurred. "When it's all said and done, most people will not remember how many hours were spent discussing and debating the merits of rebuilding Station 16, because in the near future we will once again have an operational fire station in the west end of Lafayette," Reilly said.

"It has been a long road with many a winding turn," said Peter Clark, who relentlessly pushed the fire district to action. "I and the other task force members have been frustrated by the leisurely pace of progress toward better response times in western Lafayette - arguably the highest fire danger zone in the county. So (the March 13) vote is cause for serious celebration."

Lafayette Mayor Don Tatzin and Vice Mayor Cam Burks both termed the board's approval a milestone, with Tatzin expressing cautious optimism. "Let's hope that construction proceeds quickly and without any alarms," he said.

ConFire director Candace Andersen, who had smiled from ear-to-ear as she made the motion for the approval of the fire station contract, sounded as excited as the No. 16 seed UMBC Retrievers who upset No. 1 Virginia in the NCAA Tournament. "Stating that I am delighted to see us reach this point would be an understatement," Andersen said. "We did it!"

Carman finally had a chance to exhale. "The relationship between the fire district and the city of Lafayette (and the emergency services task force) was pretty contentious when I first got here, but they too eventually gave us a chance and the relationship that has formed between us now is strong and trusting, which is important to me. Right to this point some people still questioned whether we would follow through, and I hope our actions have proven we are truly a partner in the public's safety."

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The Santa Rosa Press Democrat

Santa Rosa estimates fix of contaminated Fountaingrove water system could take 2 years



KEVIN MCCALLUM

THE PRESS DEMOCRAT | March 27, 2018, 10:37PM

It may take Santa Rosa more than two years to fully replace the water system in an area of Fountaingrove where the drinking water was contaminated by benzene following the fires last year, a timeline some residents say is unacceptable and will prevent them from rebuilding.

In the most detailed explanation yet of the unfolding water crisis, city officials outlined in a public meeting how they believe the water system serving 350 home sites in the devastated neighborhood became contaminated with a cancer-causing hydrocarbon, and just how complicated, costly and time-consuming its replacement may be.

The contamination problem has been known since November, and the city has been open in recent months that its investigation into the source was zeroing in on melting plastic pipes and other components of the water system.

But Tuesday's joint meeting of the City Council and the Board of Public Utilities was the first time residents learned that the fix was still a long way off, likely well past the time when their insurance payments for replacement housing will run out.

Carol Ellen, 70, said she and her partner had already spent \$60,000 in various architectural fees and other costs preparing to rebuild, only to learn recently from the city that it might not be possible.

"We are ready to begin building in May. Now, what do we do?" Ellen said. "Where does our water come from?"

John Stratton, a Fountaingrove resident and engineer at Keysight Technologies said he relied on the city's earlier "worst-case scenario" that a full replacement might take a year. He moved forward with rebuilding plans, spending thousands of dollars on architectural drawings and other costs.

"We were committed to rebuild last week," said Stratton. "What I see here today, it might be the commitment is to move out of state."

City officials said the water-system work would have to be done while other contractors were busy rebuilding homes in the area, complicating the overhaul. But Stratton said city officials were kidding themselves.

“Based on what I’ve heard today, you’re not going to be having a whole lot of it, because people are not going to be rebuilding,” he said.

City water officials, led by Ben Horenstein, director of Santa Rosa Water, outlined in detail how the city responded to the discovery of benzene in the system, leading to an investigation that has identified where it came from and how it got into the system.

Emma Walton, a water refuse engineer, explained that benzene, a hydrocarbon and a human carcinogen typically associated with gasoline, can leech out of plastics when heated to high temperatures. She said the city undertook the investigation into the source of the benzene in a “methodical and scientific manner,” that has considered a variety of possible sources. These included whether an underground fuel tank and contaminated soil may have permeated through the plastic pipes, an idea that was rejected.

The investigation came to focus instead on the plastic components in the water delivery system itself. Samples of burned pipes and gaskets from the valves and water meters were taken and analyzed by a forensic chemist. Tests that showed that when burned materials were soaked in clean water, the water came away contaminated with benzene and other hydrocarbons.

One city photograph of the inside of a piece of an affected water main from the area showed a dark sooty material that chemist Kent Patton of Apex Laboratories said indicated that smoke and ash and soot from the burned home sites made it into the water mains.

The “dominant question” for the team, Horenstein explained, has been why this area of Fountaingrove got contamination in the water mains when others did not. Altogether, 1,420 homes in the Fountaingrove area were destroyed in the fires.

The contamination penetrated mains throughout a city-identified 184-acre area. There are 350 homesites in that zone and 13 homes that remain standing, and residents there are advised not to drink or bathe in the hot water.

One of those homes is owned by Jerry Buhrz, who isn’t living in the home presently in part because of the water contamination.

“You can’t shower in it. You can’t brush your teeth with it. You can’t drink it,” said Buhrz, 75, who estimates that only about half of his neighbors plan to rebuild.

There have been about 50 locations outside the zone, including in Coffey Park, where tests of service lines to home — not water mains — have turned up traces of benzene, but those are of far less concern to water officials.

Horenstein stressed that while several areas of the city suffered similarly intense fires, only the Fountaingrove area “uniquely” endured an acute drop in pressure that could have caused the contaminants to be sucked back into the mains.

While officials didn’t delve into it in the meeting, Horenstein has previously said one of the city’s tanks in Fountaingrove was empty at the time of the fire since it was undergoing seismic upgrades. The city’s water pumps lost power amid the firestorm, contributing to a loss of pressure in the system, which firefighters noted to their dismay during the Oct. 8 and Oct. 9 firefight.

Backflow prevention devices, which might have prevented such contamination of the mains, were not required at homes in the area and typically not installed, explained Jennifer Burke, the city’s deputy director of water and engineering resources.

She stressed that the city is taking 170 water samples per day and plans to test each and every one of the more than 3,000 service lines to homes burned in the city.

The city has taken extensive efforts to flush the lines clean and in some cases scrub them with “pigs” that act like large circular sponges to scrub the interior of the pipes. But while they helped, the contamination eventually returned, suggesting the contaminants has been absorbed into the system and were leeching out, officials said.

This has led the city to conclude that it needs to replace the entire system in the advisory zone, but only the service lines in other parts of the city where needed.

Just how large an undertaking the system replacement would be became clearer when water officials told the Board of Public Utilities recently that the costs, because of the complexity of the project, had soared to \$43 million from early estimates of less than half that. Horenstein cautioned against putting too much credence in either the \$43 million figure or the two-year estimate. He put the cost at between \$30 million and \$40 million, and said it was “premature” to even float a timeframe, but felt compelled to do so because of the intense public interest.

Nevertheless, Lori Urbanek, the city’s supervising engineer, said in the best-case scenario, the project could be completed in two years from the time that the decision is made to move forward. That includes about three months to get the contractors lined up.

To speed construction, Urbanek explained the city is looking at a number of options, including doing a design-build process instead of traditional bidding, phasing construction and offering incentives to contractors to move quickly.

But there are lots of issues that the city can’t control, such as the location other utilities in the area. To drive that point home, she showed a photo of an unearthed Pacific Gas & Electric gas line right on top of a waterline, which she said was “unexpected.” That was just one location, she said. “There are miles of what we don’t know about yet,” she said.

Water officials said they would need six to eight weeks to formulate a plan to bring back to the council.

Scott Adams, who lost his home, told the council that two years “maybe, kinda, sorta” was unacceptable.

“We’re living in an 800-square-foot apartment on Santa Rosa Avenue, and I can tell you we’re not happy campers,” Adams said. “Two years is too long to be out of a house.”

You can reach Staff Writer Kevin McCallum at 521-5207 or kevin.mccallum@pressdemocrat.com. On Twitter @srcitybeat.

Los Angeles Times

Southern California might foot the bill for delta tunnels project — with no promise of reimbursement

By [Bettina Boxall](#)

Mar 28, 2018 | 5:00 AM

Southern California's biggest water agency is considering picking up most of the bill for overhauling the state's waterworks without any guarantee that it will eventually recoup its additional, multibillion-dollar investment.

At a board workshop Tuesday, officials of the Metropolitan Water District of Southern California outlined ways in which the agency could finance the construction of two giant water tunnels under the Sacramento-San Joaquin Delta.

Underlying the plan is an assumption that the San Joaquin Valley agricultural districts that have refused to share in the upfront costs of the mammoth construction project would be willing to buy into it when the project is finished.

But those big irrigation districts have yet to commit to future water purchases, leaving open the possibility that the MWD — and by extension ratepayers from Los Angeles to San Diego — will be stuck with a roughly \$11 billion bill for the project known as California WaterFix.

The MWD's board voted last fall to invest \$4.3 billion in the twin tunnel project, which proponents say is necessary to sustain water deliveries to San Joaquin Valley agriculture and Southland cities.

But after valley growers said they couldn't afford the project, the state decided to press ahead with a less costly, one-tunnel version financed by the MWD and the other, largely urban districts that get delta supplies from the State Water Project.

Not long after the state's February announcement, some MWD board members floated an idea to keep alive the two-tunnel version, which they believe would be more beneficial. They proposed that the MWD pick up agriculture's unfunded portion, which amounts to roughly a third of the project's total \$17-billion cost.

Under the scenario outlined by MWD staff Tuesday, the agency would recover that extra investment by selling tunnel capacity to agricultural irrigation districts when WaterFix is built.

The supposition is that once supplies start flowing through the tunnels, the project will be more attractive to growers who by then will also be facing new limits on groundwater pumping they traditionally rely on to carry them through droughts.

"Their problem is cash flow" during the years of construction, MWD Assistant General Manager Roger Patterson told the board.

He added that the MWD is hoping those districts will soon sign purchase agreements that bind them to future buy-ins.

But it's unlikely growers will do that before the board votes on whether it should more than double its investment in WaterFix.

The staff is planning to offer two options for a board vote next month: Add \$1 billion more to the MWD's 2017 funding commitment and move ahead with one tunnel, or throw roughly \$5.5 billion more into the WaterFix pot and build two tunnels. The latter would push the agency's total financing to nearly \$11 billion.

If the MWD is unable to eventually sell that extra project share, WaterFix would add nearly \$60 a year to household water costs in the agency's service area, according to staff calculations. Paying for one tunnel would increase annual household bills by half that amount.

Financing WaterFix to the tune of \$11 billion would also have twice the effect on the agency's overall budget, increasing it by 2.2% a year, compared with 1.1% for one tunnel.

Board members peppered the staff with questions about contract details and how the MWD's investment would be protected.

The most skeptical members were from Los Angeles and the San Diego County Water Authority. Mayor Eric Garcetti, who appoints L.A.'s representatives, last year said he supported one — but not two — delta tunnels.

Board Vice Chairman John Murray Jr. of Los Angeles noted that city policy calls for L.A. to reduce its use of imported water and boost local supplies, such as recycled water. Others wondered if paying so much for WaterFix would decrease investments in developing alternative sources.

MWD officials have said that Southern California needs to both maintain its delta imports and develop regional supplies, adding that the agency will continue to subsidize local programs.

In public comments, opponents repeated arguments against the tunnels. MWD's billions would be better spent developing regional water sources, they said. The project will drive up water rates. And they accused MWD of cherry picking data to exaggerate projected tunnel deliveries.

Murray also noted that some water experts say a second tunnel is not worth the extra cost since one tunnel would provide many of the same benefits as two. The project is intended to lessen the

ecological harm of massive withdrawals from the delta's southern portion by partially supplying delta pumps with tunnel water diverted from the Sacramento River in the delta's northern reach.

Patterson disagreed that one tunnel was enough. "I don't think one does the job of two," he said after the workshop.

Two tunnels, he said, would provide more flexibility in operating the big government projects that export water from the delta, would be able to capture more water during storm flows and would do more to lessen the harmful environmental effects of the delta operations.

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East Bay Times

Lafayette: Five quit city's Planning Commission over new conflict of interest policy

Five members of the Lafayette Planning Commission have resigned over the city's adoption of a new, revised conflict of interest policy. The policy demands that commissioners resign if they have a professional conflict of interest. (Google Street View)

By [Jon Kawamoto](#) | jkawamoto@bayareanewsgroup.com | Bay Area News Group
PUBLISHED: April 2, 2018 at 8:56 am | UPDATED: **April 2, 2018** at 3:45 pm

LAFAYETTE — Five planning commissioners have immediately resigned following the Lafayette City Council's approval of a revised conflict of interest policy, which in turn has forced the cancellation Monday night of a regular Planning Commission meeting.

The council adopted the new policy 3-2 at its March 26 meeting for members on its Planning Commission and Design Review Commission. The previous policy permitted commissioners with professional conflicts of interest to recuse themselves from discussions and decisions, but the new policy demands that they resign from the commission, according to Lafayette City Manager Steven Falk on the city's website.

Instead, the City Council will hold a special meeting at 7 p.m. Monday to discuss how to move forward. The options include: whether the council should quickly appoint a new Planning Commission, whether the council should sit as the Planning Commission in the interim or whether the Design Review Commission should also serve as the Planning Commission on an interim or permanent basis.

The five who resigned are: Planning Commission Chair Peter Gutzwiller, and Commissioners Jeanne Ateljevich, Patricia Curtin, Thomas Chastain and Will Lovitt.

“It is a real shame that the council's action effectively eliminates a large swath of current (and future) insight, market knowledge, and Lafayette history from its commissions,” Gutzwiller wrote in his resignation letter dated March 27. “We certainly do not want to imply improper action or malintent by those who have provided their service to the city with only good intentions, but it does feel like my colleagues and I have been found guilty of crimes we didn't commit.”

Curtin, in her resignation letter also dated March 27, called the new policy “ill-conceived.”

She wrote: “I am truly shocked that our leaders believe one is guilty before proven innocent. This is not a rule I can stand by; it is a rule that runs counter to our democracy. I am equally

sickened that the council had the audacity to exempt themselves from this rule. In doing so, they have created a false hierarchy I want no part of and is not healthy for our city or any city.”

Chastain said: “It is sad when a town’s democratic body votes to disenfranchise a class of its citizens. ... While prejudice is experienced by many in our society, this is new for me and unexpected within my own community.”

The new policy bans anyone on the Planning Commission or the Design Review Commission from: seeking compensation from any client or customer in dealings with the city or any city employee “or by participating indirectly in or providing advice or consultation on any such appearance” to influence “any administrative or legislative action or proceeding”; using the position as commissioner to solicit business or advertisements; and authorize or encourage any firms to perform any act in violation of the policy.

In addition, the new policy states that any commissioner may not “accept any business that is inconsistent with this policy for a period of one year following termination of membership on the commission.”

The policy takes effect 60 days from the March 26 adoption.

Council member Ivor Samson, who has been working on the new conflict of interest policy with Vice Mayor Cameron Burks since this past fall, said the policy isn’t related to any particular case involving conflict of interest.

“There is a perception in the community that there isn’t a level playing field and that is a bad thing because it creates a lack of trust in government,” Samson said, noting that he’s been concerned about any potential conflicts of interest since he was appointed to the council in December 2016. He added that the perception “create an appearance of impropriety.”

He said he hoped that the new policy would lead to the “public at large having more faith in our municipal institutions” and said his intent was to create a “process as objective and as conflict-free as possible.”

Mayor Don Tatzin, who cast one of the two “no” votes, said that the revised conflict of interest policy is “unlike any other policy in the state.”

“It forces people to resign from the (Planning) Commission even though they might not have any involvement” with an issue or project, Tatzin said. He said collectively that the city has lost about 70 years of experience because of the resignations and he expressed concerns about the city’s ability to recruit qualified, capable residents to serve on the Planning Commission in the future.

Tatzin added that none of the five commissioners who resigned had been accused of having a conflict under the previous policy.

East Bay Times

Lafayette: Council agrees to act as Planning Commission in wake of resignations



Lafayette City Council members agreed Monday night to act as both the council and as the Planning Commission. The council's decision came after five planning commissioners resigned in reaction to a new conflict of interest policy. (Jon Kawamoto/Bay Area News Group)

By [Jon Kawamoto](#) | jkawamoto@bayareanewsgroup.com | Bay Area News Group
PUBLISHED: **April 2, 2018** at 9:48 pm | UPDATED: April 3, 2018 at 3:54 am

LAFAYETTE — The Lafayette City Council, meeting in an emergency special session Monday night, decided to act as both the council and the Planning Commission on an interim basis in the wake of five resignations from the commission.

In addition, the council also agreed to temporarily reduce the size of the Planning Commission from seven to five commissioners. This would allow the appointment of a single new member to create a quorum and to hold meetings until new planning commissioners are appointed.

The council made both moves in light of the March 26 adoption of a revised conflict of interest policy for planning commissioners and design review commissioners. The old policy allowed commissioners with conflicts of interest to recuse themselves from discussions and decisions, but the new policy demands that they resign from the commission.

Immediately after the council adopted the new policy, five planning commissioners resigned from the seven-member board, effectively shutting down the panel. The city had scheduled a Planning Commission meeting Monday night.

East Bay Times

Stronger together: The Bay Area's newly linked water lifelines



A pump station that can transfer water between the East Bay Municipal Utility District and the San Francisco Public Utilities Commission during an emergency is photographed in Hayward, Calif., on Tuesday, April 3, 2018. (Anda Chu/Bay Area News Group)

By [Lisa M. Krieger](#) | lkrieger@bayareanewsgroup.com | Bay Area News Group
PUBLISHED: April 3, 2018 at 6:10 pm | UPDATED: **April 4, 2018** at 4:51 am

The Bay Area's deeply unequal cities, home to mansions and shacks alike, are linked by one thing: thirst.

Banding together, the region's water agencies on Tuesday unveiled the latest upgrades to a vast network that connects six million people and provides mutual aid in a crisis, such as an earthquake or severe drought.

"Interconnection makes all of us more reliable," said Steve Ritchie, assistant general manager of the Hetch Hetchy Regional Water System, operated by the San Francisco Public Utilities Commission.

If an earthquake fractures one system, an adjacent system kicks in to keep the faucets running. In a pinch, water could flow from one end to the other of our nine county region — all the way from South San Jose to Oakland, for instance.

Meanwhile, upgrades completed by each agency is building a system that is far more resilient than before. Pipes are designed to bend or twist, not break. Water tanks are sturdy. So are treatment plants. Special hoses could deliver water over a fractured landscape.

Water systems such as Hetch Hetchy have been operating for more than 80 years and were in need of a makeover.

According to the U.S. Geological Survey, there is a greater than 60 percent chance of a major earthquake occurring in the Bay Area in the next 30 years. It may not rupture in the remote Santa Cruz Mountains, like the Loma Prieta earthquake of 1989, but underneath our feet.

A century ago, American individualism created a system in which each municipality had a great deal of autonomy, making regional cooperation challenging. There's still a great deal of independence, with different water agencies getting their water from different sources.

But isolation is no longer good enough for the Bay Area's \$535 billion a year economic engine. The region is among the world's highest concentrations of wealth and a center of innovation, with top universities and home to companies such as Apple, Google Tesla and Facebook.

"Water is the lifeblood of the Bay Area's economy," said Ritchie. "We happen to have all these different water systems that date back decades, even a century. It is one Bay Area now and we have to think regionally to make sure we are all able to serve all of our customers."

At Tuesday's behind-the-scenes tour, the agencies showed how they are combining forces to face the realities of delivering water in an earthquake and drought-prone area:

- In Castro Valley, East Bay MUD's South Reservoir tank is replacing an open reservoir protected with a fragile wood roof. About two-thirds complete, the \$15 million tank will hold 9 million gallons of water. It is a temple of seismic safety, with 18-inch thick concrete walls strengthened by bundles of rebar, to withstand sloshing. A band of steel surrounds the tank, like a belt. Completion is scheduled for December.
- In Hayward, an \$18 million "intertie" of pipes, running through the city of Hayward, connects two East Bay water systems serving a combined 5.1 million people with the Hetch Hetchy system serving 2.6 million people.
- In Fremont, a large bright green above-ground pipeline, managed by the Alameda County Water District, crosses the Hayward Fault. It supplies water to 350,000 Fremont, Newark and Union City residents. There are \$40,000 ball joints on both ends. The pipe, made of ductile iron, sits on special pads that allow it to slide. If the ground breaks, it can extend several feet.

- Also in Fremont, a massive new 60-inch pipeline constructed by the San Francisco Public Utilities Commission connects the seismically-safe new Irvington Tunnel to the new Bay Tunnel. The 3.5-mile Irvington Tunnel is built to withstand a 7.1 earthquake on the Calaveras Fault and a 7.25 earthquake on the Hayward Fault. Inside the tunnel are welded steel pipes, nine feet in diameter. The Bay Tunnel, 100 feet underground and running from Redwood City to Newark, is also built to be extra sturdy.

- In Milpitas, cobalt blue pipes connect the Santa Clara Valley Water District with the Hetch Hetchy Water System. This “inertie” has been in use in recent weeks, because San Francisco stopped water flow from Yosemite due to construction, and relied on South Bay water, along with water from its local reservoirs.

Through these pipes, water would be sent from the Santa Clara Valley Water District through San Francisco’s Hetch Hetchy System, to Alameda County Water District — and delivered to East Bay Municipal Utility District.

Even the largest earthquake would never swallow whole an entire water system as colossal and dispersed as ours, the water experts said. But despite the interconnections, those first hours or days after a giant rupture could be traumatic, and there might be sputters and interrupted local flows.

To be truly safe, their advice: store bottled water.

There is only so much we can do with an earthquake that size,” said Bob Shaver, general manager of Alameda County Water District.

“At home, keep two gallons of water per person, per day.”

Water Education Foundation/Aquaforia

Statewide Water Bond Measures Could Have Californians Doing a Double-Take in 2018

Two bond measures, worth \$13B, would aid flood preparation, subsidence, Salton Sea and other water needs

California voters may experience a sense of déjà vu this year when they are asked twice in the same year to consider water bonds — one in June, the other headed to the November ballot.

Both tackle a variety of water issues, from helping disadvantaged communities get clean drinking water to making flood management improvements. But they avoid more controversial proposals, such as new surface storage, and they propose to do some very different things to appeal to different constituencies.

Since 2002, California voters have approved more than \$15.5 billion in bonds – voter-approved debt reimbursed with general fund taxes – that have been largely focused on water.

This year California voters will consider whether to approve another \$13 billion in water bonds — the \$4.1 billion California Clean Water & Safe Parks Act (Proposition 68) in June and the \$8.9 billion Water Supply and Water Quality Act of 2018 in November.

[Prop. 68](#), authored by Senate President Pro Tem Kevin de León as SB 5, includes \$1.5 billion for parks, \$1.5 billion for drought contingency/water supply and \$500 million for flood protection. It's the first parks and water bond since 2006, when the \$5.4 billion Prop. 84 was approved.

“It’s a jam-packed bond,” said Caitrin Chappelle, associate director at the Public Policy Institute of California’s Water Policy Center. “It’s not just a water bond. It’s parks, coastal protection and outdoor access.”

Gerald Meral, director of the Natural Heritage Institute’s California Water Program, is the author of the November bond known as the [Water Supply and Water Quality Act of 2018](#), which among other things dedicates \$640 million for assisting implementation of the Sustainable Groundwater Management Act (SGMA). He said his proposal, which is currently undergoing signature verification with the Secretary of State’s office, is intended to complement Prop. 68, which is broader in scope. Californians, he said, are ready to embrace both measures.

“Typically, in polling usually what polls well is safe drinking water, clean water in rivers and streams and water supply that’s resistant to drought,” he said. This bond, he said, responds “to all those things in a really big way.”

The two bond proposals reflect the disparity that sometimes exists among California stakeholders. Prop. 68, the result of the consensus-driven legislative process, includes funding for parks, coastal protection, outdoor access and natural resource management. Meral's measure is more geared toward the interests of urban and agricultural water suppliers.

"Given the need we have for water management, you couldn't have gotten it on one bond," said Tim Quinn, executive director of the Association of California Water Agencies, which represents both urban and agricultural water agencies. "The legislative bond reflects the constraints of doing something in the Legislature where the focus tends to be coastal, urban Democrat. The November bond shifts a lot of the investments inland [and] was developed through a different process reflecting a different political environment."

Water bonds regularly appear on the ballot (sometimes in June and November) because bond financing is seen as necessary to deal with water issues in a state as large as California. The recent spate of large water bonds can be traced to 1996's Prop. 204, which authorized \$995 million to help restore and improve the Sacramento-San Joaquin Delta and San Francisco Bay ecosystem, boost wastewater treatment, water supply and conservation and help with local flood control and prevention.

"Bonds are used in different ways," said Chappelle with PPIC. "Sometimes they are used to incentivize large infrastructure projects that wouldn't be able to get off the ground without state support and sometimes they are used to motivate new types of projects that local agencies haven't been investing in yet."

Voters last approved a water-related bond in 2014, when they passed Prop. 1, which included \$2.7 billion to fund the public benefits portion of new surface storage projects. Disbursement of the storage funds is subject to the California Water Commission's approval, and the agency has been criticized by some parties for its initial decision not to award funding for the proposed Sites Reservoir in Colusa County and Temperance Flat upstream of Friant Dam near Fresno.

Chappelle said the high bar set by the Water Commission was by design.

"Anyone who read or understood the original language of Prop. 1 probably is not that surprised because they set a pretty rigorous process by which money was going to be passed out," she said. "The fact that it's taking a while is because they are following the letter of the original bond language."

The two bonds of 2018 do not include any money for new surface storage. Among Prop. 68's supporters is the San Diego County Water Authority, which is keenly interested in seeing the state follow through on its commitment to restore the Salton Sea.

"Robust Salton Sea funding in this bond measure is significant for San Diego County because it supports agreements that generate substantial water supplies for our region," Mark Muir, chair of the Water Authority's board of directors, said in a March 22 statement. "The bond would help the state meet its obligations for Salton Sea restoration and allow our region to compete for other funds to further enhance water supply reliability and local watersheds."

The \$750 million allocated in the November bond to deal with subsidence issues in the San Joaquin Valley is crucial because of the need to move water for groundwater replenishment as part of SGMA, Quinn said. Beginning at Millerton Lake east of Fresno, the 36-mile Madera Canal moves water north to augment irrigation capacity in Madera County while the 152-mile Friant-Kern Canal moves water south to Fresno, Tulare and Kern counties.

“Both of these canals have been seriously impacted by subsidence,” Quinn said. “The Friant-Kern Canal has lost an amazing 60 percent of its capacity to deliver water. These funds will help raise the canals and restore the ability to deliver replenishment water.”

The two bonds together designate more than \$1 billion for the clean drinking water needs of disadvantaged communities, something ACWA endorses. The group would rather see the bonds fund this issue instead of a plan by the Brown administration to establish a tax on drinking water of 95 cents per month to help repair the hundreds of mostly small public water systems with unsafe tap water.

“We want to solve the problem and we want to minimize the desire people have for a tax on drinking water,” Quinn said.

Unknown is whether voters will experience bond fatigue with two multibillion-dollar measures facing them in June and November. SB 5 was opposed by the Howard Jarvis Taxpayers Association, which generally opposes the use of large state bonds to finance projects. While not formally opposing SB 5, the Coalition for a Sustainable Delta, a group of south-of-Delta water contractors, last year issued a release saying that SB 5’s funding allocation of \$1.5 billion for water “is woefully inadequate.”

While voters have a history of supporting water bonds, Chapelle noted that Prop. 1 passed during a protracted drought when water was viewed as one of the most important issues in California. “That is not currently the case anymore,” she said. A drought-busting winter in 2017 refilled many of the state’s depleted reservoirs and late season snow and rain in 2018 likely prevented the return of an official drought.

Meral said voters have a history of passing two bonds in the same year and that the issue with the Water Commission and storage funding will soon be resolved.

“I think by July they [the Water Commission] will make some awards,” he said. “I would be clearly surprised if they didn’t.”

Quinn, a veteran of California water policy, said times have significantly changed since the days when the primary focus in the state was completion of a major infrastructure project like the State Water Project. The emphasis now is developing sustainable water supplies at the regional level with financial help from the state.

“It turns out that about every four years we pass a new bond that infuses some public dollars, which always leverages a lot more local money and the voters have overwhelmingly supported them,” he said. “This is what has kept the wolves away from California’s door for 25 years –

public investment stimulating local investment in a different direction of water management and I believe it is now time for another infusion of that public investment.”

Comparing Water Bonds		
<i>(In millions)</i>		
Funding Category	Proposition 68	November Bond
	<i>(June ballot)</i>	
Forest Protection	\$110	\$120
Recycled Water and Desalination	\$80	\$800
Safe Drinking Water (and Wastewater)	\$330	\$750
SGMA Implementation	\$50	\$640
Conservation	\$20	\$365
Flood Management	\$550	\$500
Stormwater	\$100	\$400
Oroville Dam Safety	\$0	\$222
Madera & Friant-Kern Canals Improvements	\$0	\$750
Total for these funding categories	\$1,240	\$4,547
Total bond proposal	\$4,100	\$8,900

The Association of California Water Agencies developed this chart to compare the two statewide bond measures, for the June and November ballots, on key funding areas.

Los Angeles Times

Vote on Southern California's investment in delta tunnel project could be a nail-biter

By [Bettina Boxall](#)

Apr 09, 2018 | 6:25 PM

With the city of Los Angeles and Orange County on opposite sides, Southern California's role in financing a massive water delivery project is likely to hinge on a few smaller agencies.

In what will be a crucial decision, the board of the Metropolitan Water District of Southern California is expected to vote Tuesday whether to approve nearly \$11 billion in financing to help build two giant water tunnels in the center of the state's waterworks or \$5.2 billion to construct a single tunnel.

Lobbying on the long-planned project continued Monday as Gov. Jerry Brown asked MWD directors to move ahead with both tunnels.

"Tomorrow you have a historic decision to make about the future of California and the basic security of our water supply," wrote Brown, who has made the project a priority of his administration. "I urge the board to support the full project — without delay."

Hours earlier the five MWD board members from Los Angeles signaled they might vote against both options because too many uncertainties hung over the much-debated proposal to revamp the way water supplies are routed through the Sacramento-San Joaquin delta.

Los Angeles has the biggest vote under MWD's system, which weighs the votes of member agencies according to assessed property values in their service areas.

Second to L.A. is the San Diego County Water Authority, which is also expected to oppose the project, along with Santa Monica.

But the agency with the third-largest vote, the Municipal Water District of Orange County, is aggressively pushing the \$11-billion buy-in, which would finance about two-thirds of the full project.

"I think it's very close," said MWD director Brett Barbre, who is president of the Orange County agency. "They just need to get 11% more and they can kill us."

Both sides Monday restated familiar arguments about the project, known as California WaterFix.

The full \$17-billion project calls for construction of a new diversion point on the Sacramento River in the delta's northern reach that would feed two 35-mile tunnels. They would carry

supplies to the big government pumping operations that send water south to San Joaquin Valley farms and Southern California cities.

The project's underlying concept is that by partially supplying the export operations with tunnel water, the huge pumps would draw less water from the delta's southern portion, alleviating the pumping's harmful effects on the delta ecosystem.

When the San Joaquin Valley agricultural districts that were supposed to help pay for the tunnels voted not to participate, the Brown administration said it would initially pursue a smaller, one-tunnel project, to be financed by MWD and the other largely urban districts that get delta supplies from the State Water Project. Under that approach, the state said a second tunnel could be built later.

It didn't take long for WaterFix backers on the MWD board to suggest the agency step up and help fill the funding void to build both tunnels. They argued that agricultural districts would eventually buy some of the tunnel capacity and MWD would recoup its extra investment.

But Westlands Water District and other agricultural districts that depend on delta deliveries have so far declined to sign options or purchase agreements to buy future tunnel supplies.

That has raised the possibility that MWD — and Southern California ratepayers — could be stuck paying for a second tunnel that, according to MWD's analysis, would not send any more water to the Southland than one tunnel.

"Making Southern Californians foot the bill for this project is irresponsible, and unfair to our ratepayers. I would support a one-tunnel solution that protects ratepayers, our local investments and our environment," Los Angeles Mayor Eric Garcetti said Monday in a statement. "MWD's current plan does none of those things, and I cannot support it."

Garcetti appoints L.A.'s five MWD board members, who Monday sent a three-page letter to MWD's general manager, asking him to delay Tuesday's vote — something that is unlikely to happen.

The letter raised a host of concerns about pushing ahead with twin tunnels, arguing that MWD ran the risk of winding up with a largely unused second tunnel that could turn into a stranded asset. The delegation also questioned the wisdom of a \$5.2-billion investment in a single tunnel, which would add roughly a billion dollars to the tunnel funding approved by the MWD board last year.

Asked if that meant the Los Angeles contingent might vote against both options, L.A. director John Murray replied, "It's not impossible."

Twin tunnel backers say the second tunnel would give managers more flexibility in operating the delta pumps, and do more to reduce the harmful effects of pumping operations on native fish.

MWD board Chairman Randy Record said Monday that he supports the \$11-billion buy-in for the full project and thinks it would be worth it even if agriculture never contributes to the project.

In considering his vote, "I have to look at it as though ... we're going to be building the whole thing and we're going to hold that infrastructure for our own use," he said. "I still believe that's the right thing to do."

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Capitol Weekly

When it comes to California water, nothing is easy

by **TESS TOWNSEND** posted **04.09.2018**
[Twitter](#) [Facebook](#) [Email](#)

Camrosa Water District, a public services provider in Ventura County, gets its water from a combination of groundwater, recycled wastewater, and the State Water Project, which transports water south through the state.

Twenty miles away, another mid-size public water agency also founded around 1960 has a very different portfolio: Las Virgenes Municipal Water District gets virtually all its water from the State Water Project, which is managed by California's Department of Water Resources. Groundwater in the vicinity of the Los Angeles-area provider is too salty and high in iron and manganese to be fit for human consumption, according to Las Virgenes general manager David Pedersen.

In many respects, Camrosa and Las Virgenes are very different. But there are a few important similarities between the agencies.

This combination of the local water agencies' autonomy and their distinct differences reflects the difficulty of imposing a change across California's water systems.

And it's creating a significant hurdle for the proposed Safe and Affordable Drinking Water Fund, an issue that is fueling increased debate in California's water community and in the Capitol.

Camrosa and Las Virgenes are able to dependably serve their customers clean water because they have access to reliable, high-quality sources and the means to treat water as needed. Like other water agencies in the state, they operate independently, relying mostly on revenue from customer fees to cover the costs of delivery, ongoing maintenance and debt servicing. When they get state money, it's usually in the form of a loan for capital improvements, which the district typically has to pay back in full, or in some cases a grant.

"Water is intensely local," said Camrosa Water Resources Manager Ian Prichard. "It requires buried infrastructure, and water itself is very heavy. It necessitates a kind of very local control and management."

First put forward as Senate Bill 623, then later slipped into the governor's 2018-19 budget as a trailer bill, the fund's purpose is to cover an estimated \$140 million each year in improvements and ongoing maintenance in water systems that are out of compliance with water quality standards, a number based on calculations by environmental consulting firm Blue Sky. Funds

could go not just to construction of improvements like new water treatment plants, but [also operation and maintenance](#), which loans and grants are not intended to cover.

Adding \$1 to water bills sounds simple, but when it comes to California's web of water agencies, no change is simple.

Under the legislation, the State Water Resources Control Board — which enforces California's drought rules — would require roughly 1,100, largely public, water agencies serving residential areas, to collect a monthly charge amounting to [\\$0.95 for most households](#) and more for larger customers including some businesses. The charge would be reflected on roughly 9.4 million water bills, the board said, and only publicly- and privately-run systems billing more than 200 customers would collect it. This revenue would comprise most of the proposed fund, with the remainder of the fund slated to come from charges on agriculture. The bill requires a two-thirds vote in both houses of the Legislature, a threshold required of proposed taxes.

Adding \$1 to water bills sounds simple, but when it comes to California's web of water agencies, no change is simple.

The Association of California Water Agencies (ACWA), which advocates for its member public water providers, is the main opposition to adding the charge.

“To us it's just crazy to turn ... local agencies into tax collectors when this is a state problem and the state already has a tax collection system,” said ACWA deputy executive director Cindy Tuck, who oversees government relations for the association.

Camrosa and Las Virgenes are among 142 ACWA member water agencies that have joined the association's [coalition](#) opposing the tax. In total, 440 public water agencies are members of ACWA. ACWA member agencies supply 90 percent of water used by households, businesses, agriculture and industry, according to the association. Some members, such as irrigation districts, don't provide drinking water.

[Some](#) environmental groups [oppose](#) the bill, but on different grounds. [Supporting the charge](#) is a coalition of environmental, agriculture and social justice groups, as well as residents of communities that lack access to clean water. To understand why certain agencies think the charge is worth fighting against, it's helpful to understand how water agencies work.

ACWA and opposing member agencies furthermore think putting the charge into effect will make it easier to place even larger state fees and taxes on water bills in the future.

Most California residents get their water from publicly-run water agencies that are led by elected boards of directors, the way public school districts are. Also similar to school districts, said ACWA communications director Heather Engel, these systems deal with unique challenges and needs, based on their particular makeup of water sources and types of customers they serve. Privately-run water agencies, which are fewer in California than those that are publicly-run, do not necessarily have elected boards.

Unlike school districts, board-led public water agencies operate mostly off revenue from customer fees. Those fees go toward systems' operations, improvements and repairs. This model means that the larger a water system is, and the wealthier its customers, the more resources an agency has to meet user needs. It also means agencies that have boards are structured to be especially attuned to the preferences of their customers, who double as their boards' constituents.

Customers are not happy when their rates go up, and retaliation against rate increases disrupts district management.

For example, customers voted three of Camrosa's five board members out of office in the early 1990s over a new tiered billing system that increased rates. The general manager [resigned after the election](#), facing criticism from upset customers and new members of the board. At the time of the board recall, some customers reported their bills tripled, according to the *Los Angeles Times*.

The new proposed charge of about \$1 on most households is of less magnitude, but is still significant in comparison to normal rate increases. A \$1.30 hike in monthly cost is around what customers can reasonably expect each year, said Camrosa's water resources manager Prichard, so another dollar is close to doubling that increase.

Water agencies say the charge would be difficult to administer, too. Adding a new charge to bills can be onerous, said Eastern Municipal Water District Deputy General Manager Debby Cherney.

ACWA and opposing member agencies furthermore think putting the charge into effect will make it easier to place even larger state fees and taxes on water bills in the future.

Charlie Caspary, who has been on the board of Las Virgenes for 16 years, said limiting price increases is a duty his district has to its ratepayers. Advocating against something like the proposed charge is central to the Las Virgenes board's mission. The board's Legislative Policy Principles, which essentially comprise its platform, states the board will oppose collecting a state or federal tax or fee from ratepayers, and would oppose "proposals for a 'one-size-fits-all' statewide approach that would disproportionately affect the District's ratepayers."

"We have an elected board, and our districts' rates are among the lowest of all adjoining water agencies in our area, and our staff works extremely hard to be efficient and to spend the customers' money wisely," Caspary said. "Our customers, if they're not happy, do not have a choice. They cannot get another water service provider. We have to bend over backwards to serve them and provide for their needs."

Water agencies say the charge would be difficult to administer, too. Adding a new charge to bills can be onerous, said Eastern Municipal Water District Deputy General Manager Debby Cherney. She estimates the charge would cost her district at least \$150,000, and says that the bill's proposed funding wouldn't fully cover the costs to the district of putting the program into effect.

The 67-year-old district is one of the state's largest, serving 555 square miles and 816,000 people in Riverside County, and according to Cherney has an annual budget of at least \$350 million. Her estimate of implementation costs accounts for adding a new line item to bills, programming

customer income data into billing software, implementing measures to protect the new data and determining what to do about fees owed by customers who don't pay their whole bills.

Cherney's estimate also includes the expense of determining which customers are exempt from the charge. The proposed legislation stipulates households making less than 200 percent of the federal poverty level would not have to pay the extra money. Water agencies don't typically collect income information.

"That immediately brings up to me the potential for fraud within the system," said Cherney, who is a CPA. She concludes that the level of difficulty in implementing the charge will vary by district, in part based on how old their billing systems are, how large their IT departments are and whether tech support is on site or outsourced. Her district's billing system is 25 years old, she said. An agency with a newer or more standardized system will have an easier time making changes to billing.

The charge creates additional work for water agencies, and may upset customers. On top of this, opposing agencies feel it goes against a core principle of independence in water management.

When water agencies find themselves needing more water or water of better quality, they determine on their own how to do that and find the money to do so. Some that have had success with this level of autonomy see managerial failure as the reason other systems struggle, and see the tax as a proposal to throw money at a problem without forcing reform.

ACWA has proposed that instead of adding a new charge, general fund dollars should be apportioned to improvements and maintenance in systems out of compliance with water quality standards.

The state water board identified 331 [community water systems](#) in California out of compliance with water quality standards as of November, serving about 500,000 state residents. A new state regulation restricting the permissible level of [carcinogen 1,2,3-trichloropropane \(TCP\)](#), which became effective in January, means the number of systems out of compliance and impacted state residents is actually higher. The November calculation also does not account for contamination of private wells and small systems regulated by counties. Ultimately, there isn't sufficient data to come up with an exact total of systems or users affected by contamination, the Legislative Analyst's Office states in comments on the trailer bill in the governor's budget.

The circumstances of contaminated water systems are challenging. Many water systems suffering from quality problems are located in rural areas, serving low-income customers who are commonly immigrant farmworkers. Repairs can be time-consuming, frequently needed, and too expensive for these small systems to build or even maintain, Water Deeply Managing Editor Tara Lohan has [reported extensively](#). An example of [repairs gone wrong](#) is the Fresno County town Lanare, which Water Deeply reports couldn't afford to maintain a \$1.16 million arsenic treatment plant paid for with a federal grant. So even in cases where [solutions are in sight](#), lack of reliable funding can stand in the way.

ACWA has proposed that instead of adding a new charge, general fund dollars should be apportioned to improvements and maintenance in systems out of compliance with water quality standards. This would simplify administration of the fund, said ACWA government relations lead Tuck.

“If the state implements this, it would just be one agency that’s responsible and they already know everybody’s income because of state income tax,” she said.

The problem with this proposal is that general fund money isn’t secure the way a dedicated fee or tax is, say advocates of the charge.

During financial crises, general fund programs are the first to face cuts by the Legislature. Plus, programs supported by the fund must go back to the Legislature year after year to make the case that they need funding, so even in flush years funding isn’t necessarily certain. That’s problematic for a program that pays for improvements to drinking water systems, efforts that will need years of stable funding before the legislature can see results, said Jennifer Clary, a water policy and legislative analyst for environmental advocacy group Clean Water Action.

The idea of adding a state fee or tax to water bills isn’t a new one, and has been floated in academic settings, sometimes as a “public goods fee” or charge. Some compare it to the California Alternate Rates for Energy (CARE) program that subsidizes the bills of the program’s participating low-income energy customers with revenue from a surcharge on the bills of other customers. Placing a state charge like this on water bills would be a first, said state water board chair Felicia Marcus, and she thinks it’s a workable solution at solving a gap in access to safe and clean water.

Laurel Firestone, co-executive director of grassroots advocacy organization Community Water Center, described the reaction of ACWA and opposing water agencies to the bill as “knee jerk.”

“It’s sort of like how people have a kind of set of principles that they just sort of cloak themselves in, and I think for the water sector, they have cloaked themselves in ‘We will oppose state fees,’” she said. “And I think that’s rather than constructively looking at it as, ‘Let’s solve state problems.’ It’s become more of a knee jerk reaction.”

CWC Policy Director Jonathan Nelson similarly framed clean water access as an issue that impacts customers of all water systems. People traveling through California or relocating from one part of the state to another should be able to drink water wherever they find themselves without worrying about contamination, he said. Plus, the gap in access that his organization believes the charge will solve is positioned to worsen as climate change exacerbates California’s volatile water situation. And systems currently out of compliance with water standards won’t be the only ones facing challenges.

“Just because you have safe drinking water today doesn’t mean you have safe drinking water tomorrow,” he said.