

## Western Water

June 13, 2019 Gary Pitzer

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Agenda Item 18b

# As Californians Save More Water, Their Sewers Get Less and That's a Problem

**WESTERN WATER NOTEBOOK: Lower flows damage equipment, concentrate waste and stink up neighborhoods; should water conservation focus shift outdoors?**



[Corrosion is evident in this wastewater pipe from Los Angeles County. \(Image: Los Angeles County Public Works Department\)](#)

Californians have been doing an exceptional job [reducing their indoor water use](#), helping the state survive the most recent drought when water districts were required to meet conservation targets. With more droughts inevitable, Californians are likely to face even greater calls to save water in the future.

However, less water used in the home for showers, clothes washing and toilet flushing means less water flowing out and pushing waste through the sewers. That has resulted in corroded wastewater pipes and damaged equipment, and left sewage stagnating and neighborhoods stinking. Less wastewater, and thus more concentrated waste, also means higher costs to treat the sewage and less recycled water for such things as irrigating parks, replenishing groundwater or discharging treated flows to rivers to keep them vibrant for fish and wildlife.

It's a complex problem with no easy answers. Some water agencies even have suggested the state needs to push more conservation efforts to outdoor water use rather than indoor use to keep wastewater flowing. For now, local sanitation agencies are beginning to assess how best to respond with changes in how they operate – and how they plan for a future that will inevitably include more droughts.

“Indoor water savings are good, but the flip side is, as you get lower [use] ... at what point are you causing more harm than the benefit you are getting from saving those drops of water?” said Adam Link, director of operations with the [California Association of Sanitation Agencies](#).

Link said his organization had heard anecdotal accounts of problems, but that they varied depending on location. Wastewater agencies generally handled problems through operational changes such as increased chemical treatment.

A recent report by the Public Policy Institute of California (PPIC) quantified the problem, finding in a survey of wastewater agencies, that one-fifth of respondents indicated increased corrosion of collection systems due to declining influent quality.

The PPIC's report released in April, [Managing Wastewater in a Changing Climate](#), said the wastewater treatment sector “is at a turning point,” with drought posing the biggest challenge. The report suggested action is needed to improve coordination between water suppliers and wastewater agencies to ensure that water conservation efforts in the urban sector can be accounted for as part of the short- and long-term planning on the treatment side.

“Wastewater managers would benefit from knowing which demand management strategies are deployed, when and where the strategies are being implemented, and how much indoor water savings are expected over time,” according to the report. It noted that the [California Department of Water Resources](#) and the [State Water Resources Control Board](#) could help facilitate better exchange of information and provide guidance for integrating water supply and wastewater planning.

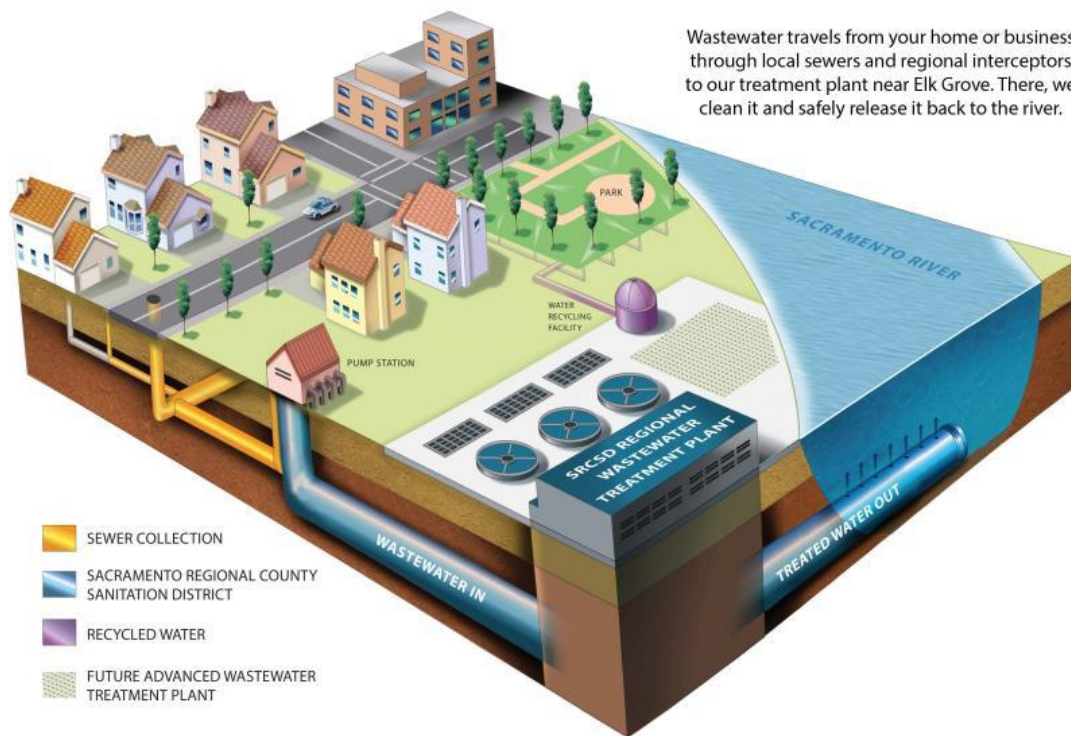
“Indoor water savings are good, but the flip side is, as you get lower [use] ... at what point are you causing more harm than the benefit you are getting from saving those drops of water?”  
~Adam Link, director of operations with the California Association of Sanitation Agencies

Link agreed that as wastewater agencies plan for future treatment capacity and the projected demand for recycled water, they should be included in discussions about further reductions in water use — and how reduced flows affect the planning and sizing of recycled water projects.

The state has set a goal of developing at least 2.5 million acre-feet a year of recycled water by 2030.

Rob Thompson, assistant general manager of the [Orange County Sanitation District](#), said his agency has planned for changing flow patterns based on factors such as economic activity and the amount of rain received.

“When people talk about low flow, it’s really one of a plethora of items which are really about resilience,” he said. “We are consistently planning ... with our operations, maintenance and engineering to deal with those changes.”



[This schematic from Sacramento Regional County Sanitation District is an example of how wastewater systems work. \(Image: Sacramento Regional County Sanitation District \)](#)

The district receives about 185 million gallons of sewage each day from more than 2 million people in north central Orange County (185 million gallons would fill a football field 515 feet deep). One hundred million gallons of that treated wastewater is put back to work to irrigate parks, schools and golf courses and help combat seawater intrusion.

The district’s collection system and manholes have been protected from corrosion since the 1960s and for the last decade, chemical treatment has been used to block formation of odorous and corrosion-causing compounds, said Thompson, noting that the district has been granted patents for its processes.

## Re-evaluating Water Conservation Strategies

The 2012-2016 drought was the driest in recorded state history. The extent of the impacts from reduced sewage flows – corrosion, odor problems as sewage pools in neighborhood pipes and increased salinity – surprised some people. The episode highlights what’s needed in the future.

“We know the next drought is coming. This is our reality to manage and adapt to,” said Jelena Hartman, senior scientist with the State Water Board, at PPIC’s April panel presentation on the report.

“California policy on long-term water use efficiency should prioritize outdoor water use restrictions, which will have a lower impact on interconnected water systems, to achieve statewide demand management goals.”

~ 2017 California Urban Water Agencies white paper, [\*Adapting to Change: Utility Systems and Declining Flows\*](#)

Because many rivers rely on treated wastewater for water quality and flow, reductions in discharges can add to the environmental impacts on rivers when drought strikes, Hartman said. Less water flowing to rivers — whether from treatment plants, street runoff or stormwater flows — affects overall environmental quality.

“It’s not just water recycling,” she said. “We are talking about low-impact development, capturing storm flows and reducing urban runoff.”

Meanwhile, the drive to ratchet down water use in California begs the question of whether conservation efforts could eventually shift because of the impacts to the wastewater sector. A 2018 law sets indoor consumption goals at 55 gallons per person per day, with the figure dropping to 52.5 gallons in 2025 and 50 gallons in 2030. It’s up to water agencies to work with users to meet the goals.

In a 2017 white paper, [\*Adapting to Change: Utility Systems and Declining Flows\*](#), California Urban Water Agencies (CUWA) noted that while saving water indoors is an important element of water management programs, more must be done to manage all future water demands. CUWA is an association of 11 major California urban water agencies.

“California policy on long-term water use efficiency should prioritize outdoor water use restrictions, which will have a lower impact on interconnected water systems, to achieve statewide demand management goals,” the white paper said.

Outdoor water use varies greatly in the state, accounting for as little as 25 percent of a household’s use in coastal areas and as much as 80 percent in the hotter inland regions.

On the environmental side, work is underway to quantify the impact of reduced discharges to surface waters. In Los Angeles, a coalition of state and local agencies are collaborating with the [Southern California Coastal Water Research Project](#) on a two-year study launched last fall to

determine what happens when treated wastewater effluent and runoff usually sent to the Los Angeles River is diverted for recycling.

Researchers are looking at how vulnerable species and habitats along a 45-mile stretch of the lower reach of the river respond to flow reductions with an eye toward developing recommended flow targets by season and section of the river.

### **What's Next**

When drought returns to California and people do their part to conserve water, use levels will again drop, perhaps even to record-low levels. Wastewater treatment agencies will again be faced with even less flows. Thompson, with the Orange County Sanitation District, said agencies should use their regular retrofit and upgrade schedule to measure their resilience.



[Part of a wastewater treatment plant in Contra Costa County. \(Image: File\)](#)

“You don’t design for one little problem,” he said. “You look at the overall condition of your treatment plant and look at opportunities to replace outdated infrastructure with more focused infrastructure that meets the new needs you are facing.”

The state, PPIC said, should help the wastewater sector and direct its funding assistance toward regional approaches to planning and research.

“The state also has a responsibility to evaluate its own policies for areas of conflict between water use efficiency, recycled water production and environmental flows,” the report said. “The

state needs to be clear about the inevitable tradeoffs associated with these goals and help set priorities.”

There also needs to be better delineation between what’s happening with the long-term trend of reduced indoor water use and the impact drought has on that use.

“That is one of the unanswered questions,” Link said. “Is there going to be a bounce back [in water use after a drought] or is there where we are and what we have to plan for?”

# Win-loss budget outcomes for ag climate programs

By [Todd R. Hansen](#) / June 14, 2019

FAIRFIELD — The California Climate & Agriculture Network had a mixed day of success and failure in the state budget votes Thursday.

The Legislature approved \$1.4 billion in climate-change appropriations, supporting the Healthy Soils Program at \$28 million – up from \$15 million in 2018-19 – while eliminating support for the State Water Efficiency and Enhancement Program.

CalCAN called the State Water Efficiency and Enhancement Program the most popular of the Climate Smart Agriculture Programs, and the only program that offered incentives for on-farm water conservation practices.

The program, according to CalCAN, is credited with saving more than 100,000 acre-feet of water annually.

“Today’s budget vote is a mix of wins and losses for advancing agricultural solutions to climate change,” Jeanne Merrill, policy director with the California Climate and Agriculture Network, said in a statement released Thursday.

The dairy methane program saw its budget cut by two-thirds to \$7 million, CalCAN reports.

“We must continue to invest in our farmers and ranchers to support Climate Smart Agriculture that keeps producers on the land, our communities healthy and our food security thriving. Governor Newsom and legislative leaders embraced one important strategy – Healthy Soils – to support our farms and ranches to become carbon sinks,” Merrill said.

“But the stripping of funding for water-smart farming and the bare bones funding for the most popular dairy methane program in the state are steps backward in California’s leadership on climate change and agriculture issues. We cannot address the climate crisis or the health and economic crises in our rural and agricultural communities without resources,” Merrill said. “California was a global leader on these issues. Will it remain one?”

The Healthy Soils Program funds farmers to adopt soil management practices such cover crops, compost, mulch and conservation tillage “to increase carbon sinks and lower greenhouse gas emissions overall.”

CalCAN said the funding is just over half the \$50 million investment it feels is needed to reach the state’s goal of 1 million acres under Healthy Soils management by 2030.

The Alternative Manure Management Program funds dairies and livestock operations to turn wet manure into dry manure to reduce methane, a potent greenhouse gas. Most of the projects are turning manure into compost.

Ninety-one dairies and livestock operators applied for the program, seeking \$55 million in funding.

“That will not only hurt methane reduction efforts in the state, but it will also hurt industry efforts to address water quality issues at time of steep declines in dairy prices,” the CalCAN report states.



## CALmatters

# Why fighting for clean water with climate change money worries some California lawmakers

By [Rachel Becker](#) | [June 17, 2019](#) | [CLIMATE CHANGE](#), [ENVIRONMENT](#), [LEGISLATURE](#), [POLITICS](#), [WATER](#)

Combat climate change, or clean up California's water? Those alarmed by the Legislature's decision to dip into a greenhouse gas fund to pay for clean drinking water may need to get used to it: constitutional restrictions on spending that money are set to expire in 2021.

At issue is the decision to address one environmental crisis—the lack of clean water for [one million](#) Californians—with money set aside for fighting another: climate change. It's a [move that pits](#) those committed to curbing greenhouse gases against environmental allies over [\\$1.4 billion dollars](#) of polluters' money, even as the state boasts [a \\$20.6 billion surplus](#).

Environmentalists who worked for years to find money for clean water are celebrating the decision as a victory despite the message for climate change goals. Sen. [Bill Monning](#), a Carmel Democrat who has [pushed for safe drinking water funding](#) in the past, called it the right thing to do on the Senate floor on Thursday.

“We will make history today by making good on that promise of addressing the human right of every Californian for access to clean, safe drinking water,” he said.

Sen. [Bob Wieckowski](#), a Democrat from Fremont, didn't dispute the need for clean water funding. But he voiced concerns over its source: income from cap and trade, a program that requires major greenhouse gas producers to reduce their emissions or buy credits to compensate. The money from selling those credits goes into a piggy bank called the Greenhouse Gas Reduction Fund, which is supposed to pay for efforts to do exactly that: reduce greenhouse gases.

Those [efforts have included](#) high-speed rail, reducing [emissions from transportation](#), [clean air](#) programs, and [promoting housing density](#)—efforts that, at least arguably, could be related to greenhouse gas pollution. The fund also has been used for tasks less clearly connected, like a [\\$500 million dollar loan](#) to the general fund and [paying for a tax break](#) for manufacturers.

Adding water to the mix dilutes the fund's emphasis on climate change prevention, making it more of an environmental catchall fund. It's a controversial shift in political direction for a finite pot of money.

“It’s morally reprehensible that there are more than a million Californians that don’t have clean water,” [Kathryn Phillips](#), director of the Sierra Club, told CALmatters. But, she said, “We think it would have made more sense to take the money out of the general fund. That way you could continue to use cap-and-trade funds to reduce air pollution and greenhouse gas pollution.”

Wieckowski warned the Senate before the budget vote on Thursday that the Greenhouse Gas Reduction Fund shouldn’t be tapped for every worthy cause. “To finance worthy, and non-carbon reducing programs, would move us farther, not closer, to the ambitious greenhouse gas reduction goals we have set for 2030.”

Across the room—and across the aisle—Sen. [Jeff Stone](#), a Riverside County Republican, agreed. “We could have very easily funded this through our budget surplus,” he said.

### **Contaminated drinking water: “a moral disgrace”**

State political leaders looking to compromise thought otherwise. Gov. Gavin Newsom threw down the gauntlet during his [state of the state](#), calling drinking water contamination “a moral disgrace and a medical emergency.” He called for sustained funding to ensure all Californians have access to clean water.

But Newsom initially proposed creating the [funding from fees](#) on water users, animal farms, dairies, and fertilizer companies, a plan that was [criticized as a new tax](#) and met with resistance. The Assembly floated its own [collection of charges](#) and fees for water providers and polluters. The Senate instead opted for an ongoing flow of [\\$150 million](#) from the general fund, the state’s discretionary account. Ultimately, all three dropped their proposals in favor of the cap-and-trade piggy bank.

The [compromise](#) is a package of safe drinking water funding that includes \$100 million from cap-and-trade and another \$30 million from the general fund for this budget year. Going forward, 5 percent or \$130 million of cap and trade revenues will continue to pay for safe and affordable drinking water every year through 2030. If there isn’t enough in the cap-and-trade purse, then the general fund will fill in the rest.

“We made the best of a negotiation across three parties,” Senate President Pro Tem Toni Atkins said on the Senate floor. “We did what we had to do—somewhat reluctantly—in order to get it done.”

The move, however, is legally murky. Right now, cap-and-trade revenues are only supposed to pay for efforts that “reasonably relate to the reduction of [greenhouse gas] emissions,” according to an opinion by the [Legislative Counsel](#). H.D. Palmer, deputy director for external affairs at the California Department of Finance, told CALmatters the funding helps advance the state’s climate resiliency goals and support disadvantaged communities. “Climate change adversely impacts water availability and can affect drinking water quality,” he said in an email. “Rising temperatures will impact precipitation amounts and result in less reliable water supplies.”

Still, it can be hard to say what really constitutes a reasonable relationship. “Everybody has an incentive to describe their project as being related to greenhouse gas reduction,” says [Danny Cullenward](#), policy director at climate change think-tank Near Zero and member of the Independent Emissions Market Advisory Committee. But when it comes to evaluating their effects, he said, “There’s not a lot of rigor, and no independent review.”

He points to the [25 percent yearly allocation](#) for the controversial high-speed rail project, which, once completed, will need to be cheap enough to draw people away from emissions-intensive air travel. “There are a lot of contingencies that have to come true for that to be a major climate reduction,” Cullenward said.

Some of those legal restrictions on fund use end in 2021, according to the [Legislative Counsel’s opinion](#), when the cap-and-trade extension kicks in. At that point, “The handcuffs are off the Legislature in terms of how the Legislature can use these funds,” said [Cara Horowitz](#), co-executive director of UCLA Law’s Emmett Institute on Climate Change and the Environment. “The Legislature may very well decide to continue prioritizing projects that reduce greenhouse gases and promote climate resilience after 2021, but it won’t be obligated to do so,” Horowitz said.

That lack of obligation worries lawmakers like Wiekowski and Assemblywoman [Cristina Garcia](#), a Bell Gardens Democrat. “At least with the safe drinking water there’s still an environmental justice component, which has constantly been my argument about thinking locally, but acting globally,” she said.

Yet she’s concerned the move could set up the fund for future plunder. “What’s going to happen if we have a downturn in the economy and we’re desperate for money—are we going to have money grabs for anything else from this pot? Because we’ve opened that door,” she said.

That precedent becomes more critical as the money in the greenhouse gas fund ebbs and flows. Observers expect the fund to grow over the next decade as industry relies more heavily on credits to meet more stringent climate goals. That expectation changes over time. Longer term, the hope is that industry and fossil fuel companies will need to buy fewer credits as they clean up their emissions. That means this tap of environmental funding eventually could run dry.

“We have generations of man-made disasters that we need to clean up, and we know how expensive that is,” Garcia said. “People keep telling me, ‘Why are you so worried? You have enough money right now.’ I know that, but I know that down the road, there’s not going to be enough money—and I want to have that discussion now.”

[Phoebe Seaton](#), co-executive director of Leadership Counsel for Justice and Accountability, which helped lead the push for safe drinking water with the Community Water Center and Clean Water Action, thinks that water quality belongs in that conversation. “I think everybody would cut up the pie a little differently, and everybody has opinions over what’s the most bang for your buck,” she said. If the fund were to prioritize climate resilience, greenhouse gas reductions, adaptation, and environmental justice, she said, “It would absolutely include safe drinking water and drinking water resilience.”

The Washington Post

# Wet California winter is a boon for skiers and water supply. But it brings a threat: Wildfires.

By [Scott Wilson](#)

June 17 at 1:02 PM

MAMMOTH LAKES, Calif. — This early June morning is Boyd Shepler’s birthday, No. 66, and he is spending it in a classic California way: a few hours of skiing in a snowflake-filled morning, then a round of golf in the dry afternoon sun.



Heavy snow coats the Eastern Sierra, located five hours north of Los Angeles along Highway 395, on March 21, near Mammoth Lakes, Calif. A massive winter snowpack means lots of water supply in Northern California, but while that water solves some problems, it can create others. (George Rose/Getty Images)

The snow here in the Sierra Nevada is epic, packed into a base that is more than double the historic average for early summer. Here on [Mammoth Mountain](#), the ski lifts will be running into August. At lower altitudes, a spring of atmospheric rivers and hard rain has filled the state’s once-languishing reservoirs.

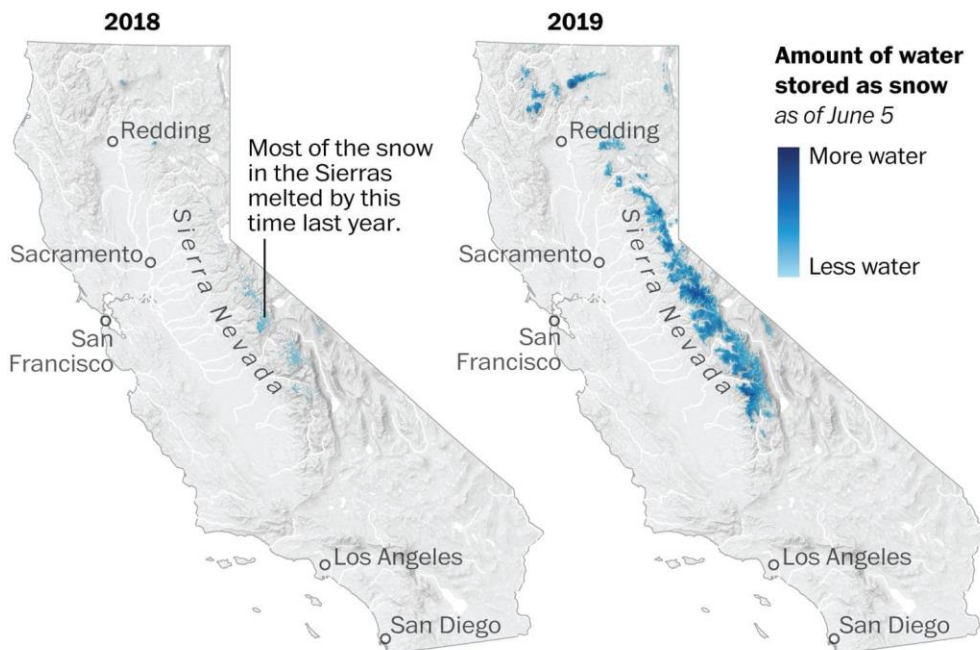
“The coverage at the top is as good as I have seen it in 30 years,” said Shepler, stoked after skiing Hangman’s Hollow in June for the first time in years before trading his waterproof pants for a pair of shorts and flip-flops. “We live for these summers up here.”

But the bounty of California's have-it-both-ways climate has evolved into a can't-win challenge, something former governor Jerry Brown called the "new abnormal."

Awash in precious snow and water that will help meet the demands of the state's 40 million residents, the wetness also is forcing California to confront an even greater threat of wildfire. The soaking spring nourishing the Jeffrey pines and sagebrush is giving way to a desert dry as soaring heat scorches the new growth into blankets of kindling.

## More snow in California

A heavy snow season and lingering cool weather has ended California's drought, but could be setting up trouble for the upcoming fire season.



Source: Snow Data Assimilation System (SNODAS) Data Products at NSIDC  
LAUREN TIERNEY/THE WASHINGTON POST

At least eight wildfires already have flared during the past week to the north and west of here, and the Bay Area is hitting record-high temperatures for early June. The utility company responsible for the state's deadliest fire, which reduced [the town of Paradise](#) to ash last year, has begun pre-emptively shutting down power to tens of thousands of customers in fire-prone areas.

The shift to climate extremes also highlights years of inadequate forest management that has turned places such as the [Inyo National Forest](#), which surrounds this mountain resort, into overgrown stands of fuel. Forest managers here are setting "controlled" fires months earlier than usual, and they have adopted plans that will allow vast stretches of state forest to burn if wildfires begin naturally.

"We've gotten really good at putting out fires under all circumstances, except for extreme weather conditions," said [Alan Taylor](#), a Pennsylvania State University professor of geology and ecology who has found that the historic link between wet winters followed by mild fire seasons no longer exists. "And that is how they are burning in California now."

Since taking office, [President Trump has blamed irresponsible forest management](#) for California's severe wildfires, which have followed wet springs. He has failed to mention that more than half the forest land in the state is under federal control.

But Trump's push for more aggressive fuel-clearing measures — including controlled burns often opposed by the public and in conflict with state air quality regulations — is a rare point of agreement between those who manage the forests and his administration.

The U.S. Forest Service has been ordered to increase by threefold the amount of fire fuel it clears each year through controlled burns and "thinning," the more selective cutting down of trees. The agency also has been told to step up timber production, a policy that has traditionally bothered environmentalists.

California, too, has strengthened its approach.

Brown (D) allocated \$1 billion from the state's carbon-tax revenue to the lead fire agency, CalFire, for the purpose of managing forests to prevent fires rather than simply fighting them. His successor, Gov. Gavin Newsom (D), has continued that approach.

"Sometimes California feels like this entirely different country than the United States, and people love to disparage the state, sometimes for good reason," said [Malcolm North](#), a forest service scientist who runs a lab at the University of California at Davis. "But this is an issue in the West that we are not going to fix without a financial commitment, and California is making that financial commitment."

The long-term goal is to return California forests to their conditions before 1850, when decades of European settlement culminated with the rapid population increase that accompanied the Gold Rush. What that means: Forests with far fewer trees.

The success of modern, aggressive fire suppression techniques has meant that forests, which once burned naturally, have for decades been prevented from doing so, leaving dangerous consequences.

About 10 percent, or 500,000 acres, of Sierra forest now under federal management burned each year before 1850. Forest scientists say that is roughly the natural fuel quota that should be eliminated annually.

But, in those same forests today, managers are clearing just 33,000 acres of fuel each year. The result is that forests dry out faster because, as North puts it, "there are too many straws in the ground." The fires burn hotter and longer.

"We're not even close, we're off by an order of magnitude, and you cannot just thin your way out of the problem," he said of meeting adequate fuel-clearing quotas. "We're behind the eight ball on this and we should use every tool we have."

The Inyo National Forest's 1.9 million acres include the Sierra's pine forests, steep canyons, expansive calderas and the highest peak in the Lower 48 states, Mount Whitney. There is no timber industry here in what is a rain shadow formed by the surrounding range.

“We are basically a forest on top of a desert,” said Eric Vane, the U.S. Forest Service’s vegetation planning manager for the northern Inyo.

Vane is 32 years old, a Michigan native, who has worked here for three years. Before that he was in [Stanislaus National Forest](#) to the north where, unlike in the Inyo, a commercial timber industry thrived.

Inyo’s challenges are different — from its climate to its trees to its closer contact with a public that doesn’t always weigh the long-term goals of forest management against short-term challenges and inconveniences of controlled burns.

Outside Vane’s U.S. Forest Service office, a carved wooden Smokey Bear displayed a green sign one recent morning declaring fire danger “low.”

There are patches of snow on the ground at 7,800 feet, the peaks above coated in white. But the clear air is dry and the sun hot when the windblown clouds reveal it.

“It changes so fast right now,” Vane said. “This combination of dryness and heat just sucks the moisture out of the plants. We’ll go from Smokey saying ‘low’ to ‘extreme’ very quickly.”

The Inyo is made up primarily of Jeffrey pine, a tree that has adapted to fire. Its bark is thick and reddish, and on those that existed before the Gold Rush, its horizontal branches begin far up the trunk. The trees shed their lower branches to prevent flames from climbing into their crowns.

Some stands here are a tangle of old and young pines, pale sage and bitter brush covering the small patches of ground between them. This is unnatural, the bunching too close together to allow for healthy growth or the right allocation of water for all these straws.

“You read accounts from the mid-1800s, and people were taking horse and buggy through here,” Vane said, pointing at a stand so dense a hiker would have a hard time passing.

But, as the dirt road climbs and dips through the forest, signs of the last fire appear. Charred trunks, cut down by the forest service after the blaze, lie in haphazard piles.

In 2016, the [Owens River Fire](#) charred nearly 5,500 acres, about 700 of which burned here along the steep roadside. This was a “high-intensity” event because the flames reached into the tree canopy, spreading quickly through high branches rather than across the ground.

Over the next rise, a patch of blackened forest fills the valley before climbing along the canyon’s far wall toward the top of Bald Mountain. The trees here are black spikes, branchless.

“This was an area that had not seen fire in a hundred years, so all these dense patches were primed to burn at high-severity,” Vane said. “The way this burned was an abnormality compared to how it would have a century ago.”

The severity of the state’s recent fire seasons, which have been longer and more intense than any in memory, prompted officials to update forest-management plans. The one for Inyo had not been revised since 1988.

At the state level, all 175 fire districts have done the same. Among the most significant measures adopted in some of the revised plans is the designation of large tracks of forest as “let it burn” zones. In the three districts in the Sierras, the designation encompasses between 150,000 and 300,000 acres of forest that would be allowed to burn if a wildfire were to begin.

Cinematic storm clouds blow in quickly, casting the approach to the Bald Mountain summit in shadow. A light snow dusts the roadside, heated only minutes before by a summer sun. Then hail begins to pelt the windshield. Nearing the summit, it turns to balls of ice and snow that pound down and make the summit unreachable.

Minutes later, and a thousand feet lower, the sun is out.

“I’ve never seen it like that before,” Vane said. “I guess we decided to show you all the weather we have on one day.”

The readings are promising — light wind, blowing away from town, and humidity above 50 percent. Conditions auspicious enough to start a fire and, with much planning and dozens of well-trained men and women, control it.

On this June day, the forest service is going to burn 120 acres of the Inyo National Forest, an operation that would commonly wait until fall. But fire season seems to start — if it ends at all — earlier each year here.

“We want to keep this fire on the ground — scorch height, but no higher,” Jason Wingard, the burn boss, told his crew in the preignition briefing.

“What are we stressing most here?” asked Bren Townsend, a “holding team” leader assigned to keep the fire within its parameters.

“The wind,” Wingard answered.

The planning for even a burn of this modest size is painstaking and politically fraught. One mistake, one wind shift, could turn a tool for wildfire prevention into a wildfire itself.

As a result, these burns are tiny bites of a very large apple. California air quality rules limit prescribed burns to 200 acres a day, and even after extending the window for these operations, the goal for the year here is about 3,000 acres.

The crew breaks into groups — holding, ignition, water. Those who will be starting the fire with drip torches, each containing a mix of diesel and gasoline, huddle around the team leader who is sketching the contours of the slope in front of them in the dirt.

The strategy is to bring the fire down the hill, against the wind, and into the flats. The sage and bitter brush is the primary target, not the larger trees that, at least here, are spaced far enough apart to indicate a healthy forest.

Soon a half dozen men and women are crisscrossing the hill, setting fires. The lines are organized, close together, and the boundaries defined by “black lines” that prevent flames from jumping “out of the box.”



The work is slow. Stumps take special care, as do piles of bone-dry trees cut down in previous thinning operations. The smell of man-made fuel — hauled up hills in 50-pound jerrycans — is strong. So is the flat heat from nearby, chest-high walls of flame.

The burn will take all day. But the weather holds and after several hours Wingard is pleased with the fire's course.

"It's going about as well as it could be going," he said.

Tusks is the indoor-outdoor bar at the foot of Mammoth Mountain, a deck of picnic tables and a fire pit unlit on a recent summer afternoon.

It is the perfect vantage to watch the skiers and snowboarders delight in a June bonanza, launching from end-of-run jumps, skidding wildly into lift lines, and pounding upstairs for a beer after a few hours of traversing the cornice.

To Liam Corrigan, the snow is simply a boon. He jumped in his car in Orange, Calif., one recent morning and drove hundreds of miles north, reaching the slopes here before noon.

"The farther you go up the mountain, the better it is," said Corrigan, 23, who works at the REI in his Orange County town.

Light snow, then a thin rain begins to fall. Three shirtless guys reach the bottom of the slope with a noisy stop, a pair of resting kids drinking hot chocolate giggling at the spectacle.

"I'm from the East Coast, and I'm skiing in June," Corrigan said. "Believe me, I have nothing to complain about."



Published June 26th, 2019

## Grand jury comes down on ConFire over fire inspections and record keeping

By Nick Marnell

A Contra Costa County grand jury issued a report in May recommending that the Contra Costa County Fire Protection District upgrade and periodically audit its record management system to maintain compliance with state-mandated fire inspection regulations and to ensure accurate and timely fire inspection reporting. The report also recommended that ConFire hire additional inspectors and make the status of fire inspections available to the public through an online address-based program.

The Oakland Ghost Ship fire killed 36 in 2017, and lax fire inspections on the property were alleged in victim lawsuits. Ensuing media coverage in 2018 found that many fire agencies, including ConFire, had failed to keep up with annual state-mandated fire inspections for schools and multifamily residences. ConFire acknowledged that it fell behind on its inspections, blaming budget cutbacks because of the Great Recession and the inability to hire qualified personnel.

With improved finances and a sharper focus on the lagged inspections, ConFire hired new fire inspectors in mid-2018 and reassigned inspectors from the engineering department to help out with the backlog. ConFire then added temporary clerks to input data for the field inspectors, which allowed the inspectors to spend more time in the field. As the district caught up on its inspections, it allowed this newspaper access to its Lafayette inspection reports and to accompany it on Lafayette state-mandated fire inspections, which ConFire completed, as well as all mandatory annual inspections in its database, by the end of the year. To help ensure that fire inspections are conducted on time in the future, the grand jury recommended that the district increase its number of fire inspectors. Seven current inspectors conduct 8,000 state-mandated inspections each year, exceeding the 900 annual inspections each code officer can average, the report said. The grand jury urged ConFire to replace its time-consuming data recording system with a mobile digital system, allowing code officers to enter inspection data directly into an electronic device on site rather than having to input the data later at the district office. The report also recommended that the district periodically conduct audits of its record management system, publish a quarterly report on the status of fire inspections and make the information readily available to the public through a web-based program.

Neither Fire Chief Lewis Broschard nor his board of directors commented on the grand jury report at the June 11 district meeting. "By law, we have 90 days to prepare and submit a response, which we will do," ConFire spokesman Steve Hill said. "I expect this response may be addressed at either the July or August fire board meeting and will likely be posted on the grand jury website, along with other such responses, some time thereafter."

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## Full-time staffing of MOFD Medic 45 not dead yet

By Nick Marnell

Still frustrated over the refusal of the Moraga-Orinda Fire District board of directors to allocate money to restore full-time staffing of the ambulance at Fire Station 45 in Orinda, Capt. Lucas Lambert, speaking as the district labor representative, tore into the board at the June 19 district meeting.

Lambert's remarks stemmed from the district's 2017 application for federal grant money to hire four firefighters, who were to be used to fully staff Medic 45 in Orinda. The ambulance had been and continues to be cross-staffed, as the grant money was used by the district to fill overtime positions, a permitted use of the grant funds notwithstanding the reason given in the application.

"I resent the fact that the statement was made that this money was to provide adequate staffing for our community and firefighter safety when in actuality that was never going to be the case," Lambert said. "I resent the fact that the line of duty deaths by two firefighters within this county were used in vain and quoted in an effort to sell the need for this grant." The MOFD grant application referred to the July 2008 line of duty deaths of two Contra Costa County Fire Protection District firefighters as a need for adequate ground support.

Lambert received support from two new directors, with Greg Baitx pushing for fully staffing Medic 45 immediately and Michael Donner insisting that safety of the firefighters and district residents called for the staffing increase. The fire chief agreed that a staffing increase is not a bad thing.

"More is undoubtedly better," Fire Chief Dave Winnacker said. "More firefighters equals greater certainty that there will be an engine or an ambulance at the patient's side or the resident's side in the shortest time possible."

Donner proposed that some of the \$1.8 million earmarked for district pension and retiree health care trust funds be shifted to increase on-duty staffing. "The climate has changed," Donner said. "Fires aren't the same as they were three to five years ago."

Using overtime to fully staff the Station 45 ambulance would cost an extra \$1 million a year, and increasing the firefighter roster from 57 to 63 to fully staff Medic 45 would cost \$1.44 million per year, the difference due largely to pension costs.

Board President Steven Danziger said that he would add an item to a future agenda, or even call a special meeting, to discuss a district staffing increase.

Which was exactly the request Lambert made of the board that evening.

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## Grand opening ceremony for Station 43

By *Nick Marnell*



Moraga-Orinda Fire District Director Michael Donner, left, and President Steven Danziger cut the ribbon at the June 15 grand opening ceremony for rebuilt Fire Station 43 in north Orinda. The crews had occupied the new facility in May as final work continued on the station.

Fire Chief Dave Winnacker told his board that he was still working out a "punch list" with the contractor and hoped to have it completed in July. "Things don't get identified until you move in," the chief said. "We want to make sure all the little things are corrected before the contractor clears the scene."

MOFD officials make it official Photo Sora O'Doherty



Folks gather for the June 15 grand opening of Fire Station 43 in north Orinda. Photo Sora O'Doherty

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## 2019-20 budget: Moraga in cash flow crisis no longer

By Nick Marnell

The town of Moraga forecasts a financially stable 2019-20 fiscal year, having come a long way from the fiscal emergency and cash flow crisis the town operated under two years ago. The receipt of federal reimbursements for expenses related to the Rheem sinkhole and the temporary Canyon Road bridge projects enabled the town to restore its general fund reserve to 50% of expenditures in 2018-19, where it is forecast to remain in 2019-20. Long-term financial concerns include the town's unfunded pension liability and insufficient funds to repair an aging infrastructure.

The total proposed budget for 2019-20 equals \$18.24 million, including a \$10.3 million general fund operating budget, and a \$7.94 million capital budget. The budget projects a surplus of \$95,913 and a general fund reserve balance of \$4.7 million, \$362,000 more than 2018-19.

With Moraga having developed comprehensive pavement and storm drain plans in 2019, and having identified funding for each, there is no extraordinary pressure on operations to fund those projects beyond a \$145,000 contribution from the general fund. But with the Audit and Finance Committee in 2015 having projected \$600,000 per year needed for deferred maintenance and asset replacement, and less than \$400,000 allotted in four years for those programs, the town plans to hire a consultant to reevaluate infrastructure needs.

Moraga provides a defined benefit retirement plan for its employees, the only Lamorinda municipality to do so. Because of investment losses and incorrect cost assumptions by the California Public Employees' Retirement System, the town pension administrator, Moraga carries an unfunded pension liability of nearly \$6 million. In order to pay down the liability, the town must make a payment of \$392,000 in 2019-20, escalating to \$673,000 in five years, based on CalPERS' calculations. That figure is in addition to current retirement costs, which total \$357,000 for 2019-20 after employee cost sharing.

In her summary report, Town Manager Cynthia Battenberg said that the budget "includes funding to acquire outside actuarial analysis of the Town's anticipated contribution rate projections, including an asset return sensitivity study, and the options the Town may have to accelerate and/or smooth payment of unfunded liability." The Moraga-Orinda Fire District used a similar strategy in 2017 and established a pension stabilization trust which it funds over and above the required payments to its pension manager.

With the general fund reserve projected to dip below 50% in five years, a placeholder was inserted into the budget in anticipation of a possible revenue-generating measure. Moraga put aside \$42,000 for a public opinion poll, \$25,000 for community outreach and \$33,000 for legal fees to be spent if the town council gives a go-ahead to pursue the measure.

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## No imminent crises in Lafayette financial condition, but ...

By Nick Marnell

The city of Lafayette projects a fairly solid financial picture for fiscal year 2019-20 as well as five years forward, but problem areas include high maintenance costs, mounting legal expenses and a shrinking general fund reserve.

General fund revenue for 2019-20 is forecast at \$16.59 million, and after a reclassification adjustment, comes in at \$428,000 more than the estimated final figure for 2018-19. With expenses forecast at \$16.55 million, the city projects a surplus of \$39,000 for the next fiscal year, with a general fund reserve of \$9.85 million, equaling 63% of general fund expenditures.

Lafayette has no defined benefit retirement plan for its employees so it avoids any unfunded pension liability, the scourge of many California municipalities and special districts. The city's financial albatross is its expense for legal fees, which have risen from \$290,000 in 2012 to \$869,000 in 2018-19, primarily due to land use lawsuits. According to a city staff report, the city budgeted for \$665,000 in legal costs for next year but warned that the number may be optimistic due to the "contentiousness of the current environment surrounding development projects."

The city also struggles with maintenance costs. In order to maintain a Pavement Condition Index of 76 - considered "good" by the Metropolitan Transportation Commission - the city projects a \$1.8 million annual expense, far more than the \$1 million that has been budgeted, due to rising construction costs. "Based on current market trends, \$1 million a year toward street maintenance will not keep Lafayette streets in their current condition; their condition would become worse," said Tracy Robinson, administrative service director.

A similar problem exists with maintenance of the downtown core. Lafayette runs a \$265,000 annual deficit in core maintenance funding, as costs have increased over the last 23 years whereas the assessments have not. Any assessment increase must be approved by property owners, and since the city has been unsuccessful in increasing the assessments the general fund plugs the gap.

Though Lafayette forecasts a balanced budget not only for this coming year, but for the next five, the pressure put on the general fund by rising expenses - like the ones listed above - will see the general fund reserve shrink from 64% of expenditures in 2019 to 54% in 2024, less than the 60% figure targeted by the city.

And while a \$9.85 million reserve is a reasonably healthy figure, the city remains concerned that an economic downturn or a major disaster, like the 2017 Northern California wildfires, could significantly eat into that figure.

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## Unincorporated Reliez Valley Road residents want influence in Lafayette

By Pippa Fisher

SOI Option – Cities of Lafayette and Pleasant Hill

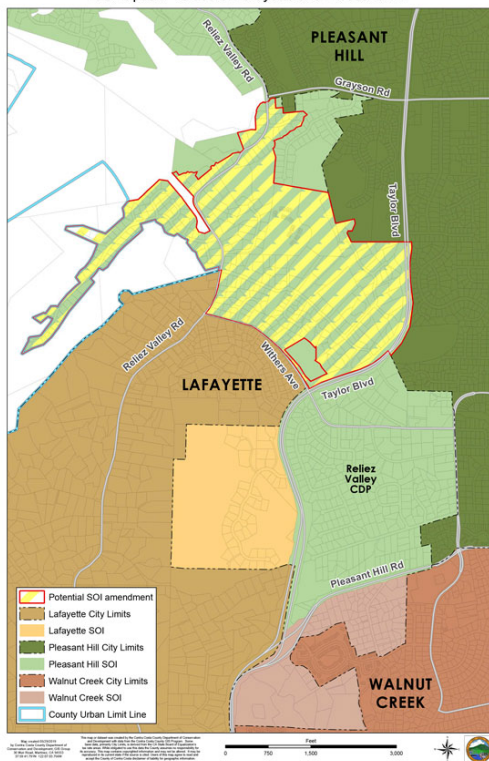


Image provided

Despite a 4-1 vote from the Lafayette City Council at its May 28 meeting - with Council Member Susan Candell the only one opposing - to notify the Local Agency Formation Commission of its opposition to any change in sphere of influence for unincorporated Reliez Valley area residents, the issue is not necessarily over quite yet. LAFCO, while not approving any changes to SOI, subsequently decided to form a subcommittee to further discuss the topic.

□ Kristen Altbaum and Roger Chelemedos, representing an area of roughly 300 homes in unincorporated Contra Costa County along Reliez Valley Road between Grayson and Withers that share the Lafayette zip code, have Lafayette addresses and send their children to Lafayette schools, had requested that LAFCO remove them from the Pleasant Hill SOI and that they be placed in the Lafayette SOI.

□ Residents of this area say they want to simplify jurisdictional boundaries. They want school districts and city boundaries to align. They say they identify with Lafayette and that their area is home to coaches and involved community members. They point out they patronize Lafayette restaurants and businesses, spend their time in activities and sports with their Lafayette school-attending children in Lafayette and as such should be under the Lafayette SOI enabling them to vote in elections on Lafayette matters that affect them, such as traffic and safety along the RVR corridor.

□ Interim City Manager Niroop Srivatsa explained to the council in her presentation that an SOI change is the first step and that the next logical step is annexation. And in such a scenario she warned the costs could be high.

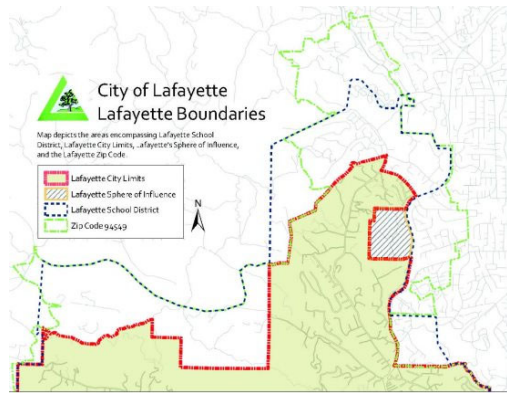
□ Altbaum made the point before both the city council and LAFCO that they are simply asking for change in SOI, not annexation to the city. This was a point that Council Member Cam Burks took issue with. "It is clear to me that

the SOI change is solely geared towards annexation," he said.

□ LAFCO Executive Officer Lou Ann Teixeira explained that the agency can amend the SOI for each district and city. "Sphere of influence, by definition, means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission," she said. "If there is no indication that an area will be annexed to a local agency (i.e., city, district), then LAFCO would typically have no reason to place that area in the SOI. The city of Lafayette does not currently include the Reliez Valley in its General Plan, which indicates they are not planning to serve this area in the future."

□ Referring to an email sent to council just hours before the meeting from Former Mayor Don Tatzin urging a "no" vote on the matter, Altbaum told the LAFCO hearing, "Don still puppeteers our city." She went on to say that the letter was full of fear mongering and absent truths. "Costs associated with a potential annexation was the excuse he laid out, but if costs are so prohibitive, how then did 17 annexations to the city of Lafayette occur prior to 1983 in the span of just 11 years and how do boundary changes happen all the time, up and down the state of California?" asked Altbaum.

□ It is not known when the LAFCO subcommittee will report back to the commission with an update, but Altbaum says that she appreciates the thoughtfulness of the LAFCO commissioners in forming the committee. "I'm cautiously optimistic that the adhoc committee can work with Lafayette and County to make us feel included in Lafayette's demographic and that costs to residents will be consistent with the past 17 Lafayette annexations."



From the city's staff report, showing the area in question.

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