

# NEWS CLIPS

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**Resource Conservation and Public Outreach**

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Organized by date

# Water standards set by state

*'Brockovich' toxin receives safety limit*

By Jason Dearen  
Ventura County Star Associated Press

SAN FRANCISCO — California public health officials on Thursday submitted a safe drinking water standard for the cancer-causing chemical highlighted in the film "Erin Brockovich."

The proposed standard submitted by California Department of Public Health comes weeks after an Alameda County judge ordered officials to adopt the standard for the chemical hexavalent chromium, also known as chromium-6.

State water quality tests conducted between 2000 and 2011 showed about a third of 7,000 drinking water sources tested had hexavalent chromium levels at or above a preliminary benchmark set by the California EPA.

The chemical is a form of industrial pollution; it is used in the production of stainless steel, leather tanning and as an anticorrosive.

The harms of hexavalent chromium were exposed by the film "Erin Brockovich," which detailed the case of Pacific Gas & Electric Corp.

The utility was accused of leaking the contaminant into the groundwater of Hinckley, a small desert town, causing health problems.

The California Legislature passed a law in 2001 that directed public health agencies to set an enforceable drinking water standard for the chemical by 2004. That was delayed after a scientific dispute over whether it was a carcinogen when ingested in water, as opposed to inhaled.

In 2007, federal scientists at the National Toxicology Program confirmed chromium-6 is also carcinogenic when ingested.

The California EPA next set a preliminary benchmark in creating a drinking water standard. But in 2010, the agency recommended even stricter limits after research showed fetuses, infants and children were more susceptible than adults to the effects of the chemical.

That new goal was set last year at .02 parts of hexavalent chromium per billion parts of water.

Still, the public health department's regulations proposed Thursday recommend setting a standard at 10 parts per billion, a magnitude level higher than the goal.

## Limit urged for cancer-causing chromium in California drinking water

*California public health officials suggest limiting hexavalent chromium in drinking water to 10 parts per billion. Environmentalists say that's not nearly strict enough*

By Bettina Boxall  
LA Times August 22, 2013



Robert Morris, a resident of Hinkley, Calif., displays an upside-down American flag on his frontyard as a sign of distress. He was protesting groundwater contamination. (Robert Gauthier, Los Angeles Times / December 10, 2010)

State public health officials Thursday proposed the nation's first drinking-water standard for the carcinogen hexavalent chromium, at a level that elicited sighs of relief from municipal water managers and criticism from environmentalists.

At 10 parts per billion, the standard is 500 times greater than the non-enforceable public health goal set two years ago by the state Environmental Protection Agency.

The Department of Public Health described the proposed limit as a balance of public health, cost and treatment technology, but the agency acknowledged that economics were a key consideration.

Mark Starr, deputy director of the Center for Environmental Health, said the state's aim was to determine the lowest possible limit for the toxic heavy metal "given the technology available and the cost in order to protect public health."

Environmentalists said the 10 parts per billion standard — the equivalent of about 10 drops in an Olympic-sized pool — was far too high. "Five hundred times higher than



safe levels is not protective of public health," said Avinash Kar, an attorney with the Natural Resources Defense Council, which sued the state to issue the long-delayed standard.

Los Angeles, Burbank and Glendale already treat San Fernando Valley groundwater supplies contaminated by aerospace manufacturing to reduce hexavalent chromium levels to 5 parts per billion. That means the proposed new standard would not require them to adopt more intensive — and expensive — methods.

"We're happy and pleasantly surprised," said Ramon Abueg, a chief assistant general manager for Glendale Water and Power, which is treating about 15% of its water supply for the pollutant, also known as chromium 6.

"We took the most conservative approach until a standard could be set," he said. But Abueg added that the city, which has a sophisticated treatment system in place, would continue to adhere to its more stringent practice.

Chromium 6 occurs naturally but is also an industrial contaminant that gained a high profile after the 2000 movie "Erin Brockovich" related how the desert town of Hinkley's water supply was fouled by mid-century releases from a nearby utility operation.

The chemical has been found in 51 of California's 58 counties, including Los Angeles, Riverside and San Bernardino, according to the Department of Public Health. State officials said about 128 water systems would be required to treat their supplies under the new standard, at a total annual cost of \$156 million.

Current state and federal standards do not distinguish between hexavalent chromium and trivalent chromium, an essential nutrient found naturally in foods. Instead, they combine the harmful and benign forms into a limit on total chromium, which the state puts at 50 parts per billion and the federal government at 100 parts per billion.

Although Los Angeles has been treating valley groundwater supplies and blending them with imported water to reduce chromium 6 levels to a lower level than the standard would require, Pankaj Parekh of the Department of Water and Power said the new standard was reasonable in light of scientific disagreement over what levels of the contaminant are harmful.

"What they've come out with soon might be a little conservative," he said, adding that the city wants to expand treatment of polluted groundwater to increase local water supplies.

Bill Mace, an assistant general manager at Burbank Water and Power, said his utility probably would consider adopting the less stringent standard proposed Thursday. "If we went to 10 [parts per billion], it would require us to blend less" with expensive treated water, cutting costs, he said.

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# Stagnant Lake Lindero causes fish to die

Recent dredging project led to a depletion of oxygen

By Stephanie Bertholdo  
The Acorn 8/22/2013



**OXYGEN DEPRIVED**—A grouping of dead carp at the Lake Lindero dam where Lake Lindero Drive meets Canwood Street in Agoura Hills. Lake management declared the crisis under control. **JOHN LOESING/Acorn Newspapers**

The fish kill at Lake Lindero in Agoura Hills appears to be over.

Some 200 fish, mostly carp, were found dead Sunday and Monday at the man-made lake. The lake management said the fish died from lack of oxygen in the water.

Lake Lindero residents who live on the water suffered through a terrible stench until the dead fish were removed.

David Smith, president of Golf Projects Lindero, the company that maintains the lake and nearby golf course, acknowledged that similar fish kills have occurred in the past. Every year during the hot summer months the fish are at risk because the warm, still water encourages the growth of algae.

“Algae sucks oxygen from the water, which is harmful to fish,” Smith said.

“This is not the first time that this has happened to the fish in the lake” said Tyler Odney, a 17-year-old resident who enjoys fishing in Lake Lindero. “I feel that it is (Golf Projects Lindero’s) responsibility to keep our lake clean and fishable for all the local fisherman around the lake.”

Smith said the fish started to die on Sat., Aug. 17 and continued on Sunday and Monday evenings. About 90 percent of the fish casualties were carp, he said. The last of the decaying—and smelly—fish were removed from the lake by Tuesday. By Wednesday morning the emergency appeared to be over.



“They only die when the sun goes down,” Smith said. “Oxygen is (actually) created from algae during the day.”

When a fish kills occurs, Smith said the lake is treated with a series of chemicals. Rather than aggressively treating the entire lake, which would kill all algae, deplete oxygen and risk a larger fish kill, the management company opted for a more moderate approach and chose to apply algaecide in targeted amounts over a three-week time period to spare as many fish as possible.

The algaecide treatment will be followed by the application of aluminum sulphate to minimize the phosphorus produced by dying plant material. Phosphorous encourages new algae.

Not all of the lake was affected. The lake’s three fingers, or inlets, are artificially aerated, Smith said, and aeration creates additional oxygen for the fish.

“There wasn’t a fish kill in those areas of the lake,” Smith said.

The main body of the lake— which lies between a spillway where Lindero Creek enters the lake and a dam near Lake Lindero Drive and Canwood Street where the lake ends—does not receive aeration.

The Lake Lindero Homeowners Association recently dredged the lake to remove debris and improve overall depth and quality.

The average depth of the lake is now seven feet. Prior to dredging, the years of silt accumulation from upstream development had reduced the average depth to less than three feet.

“We dredged five feet of silt out of lake,” Smith said. “The good news is that the deeper the water the less likely it is to get hot. If there is any kind of good news, had the association not dredged the lake the situation would have been far worse.

“Golf Projects Lindero is “sensitive to this situation and are diligently working to restore oxygen levels and protect the fish,” Smith said.

Ironically, it was the dredging work that released nutrients from the lake’s bottom and spurred the recent algae bloom. Smith said the dredging company had warned that an algae bloom might be a byproduct of the dredging.

The \$600,000 dredging project that lasted from December 2012 until February 2013 was performed not only for the health of the lake, but to help the homeowner association and the city of Agoura Hills meet the new clean water demands of the state.

The lake had not been dredged since 1984.



Approximately 5,000 cubic yards of sand and silt was removed from the lake bottom and transported to newly created retention basins on the Lake Lindero golf course.

## LVMWD Seeks Alternative Ideas to Proposed Storage Tank Project

Are you an “outside the box” thinker? Las Virgenes Municipal Water District is inviting the public to submit ideas as alternatives to building a 5-Million Gallon storage tank at its reservoir site in Westlake Village. Submissions will be evaluated by a five-member panel of judges who will select first, second, and third place entries.

### Rules:

1. Eligible participants shall include community members, students, consultants, business professionals, and public agency employees. Judges of the contest and LVMWD Board members are not eligible to participate.
2. Submissions shall include the following information: (1) a title, (2) a detailed description of the suggestion and how it would work, and (3) an explanation of how it would effectively serve as an alternative to the 5-million-gallon storage tank.
3. The judges shall score submissions using the following criteria: (1) creativity/uniqueness, (2) feasibility for implementation, (3) anticipated/estimated magnitude of cost, (4) ability to meet regulatory requirements; (6) sustainability of results; (7) expected level of public support and/or concern; and (8) degree of customer action required.
4. Participants may not contact LVMWD personnel for technical assistance in preparing their entry, however, they may use the District’s website as a resource: [www.lvmwd.com/for-customers/construction-projects/las-virgenes-reservoir-5-mil-storage-tank-project](http://www.lvmwd.com/for-customers/construction-projects/las-virgenes-reservoir-5-mil-storage-tank-project).
5. Submissions shall be made to the Clerk of the Board via e-mail to [generalmanager@lvmwd.com](mailto:generalmanager@lvmwd.com), U.S. mail, or hand-delivery at Las Virgenes Municipal Water District, 4232 Las Virgenes Road, Calabasas, CA 91302 by 5:00 p.m. on Friday, September 6, 2013. Participants shall provide their name and contact information to the Clerk of the Board on a separate page from their submission. All submissions become the property of Las Virgenes Municipal Water District.
6. All submissions shall remain anonymous to the judges and others. After judging has occurred, the highest-scoring entries will be announced.

The top-scoring entries will be recognized by the Board of Directors and announced through the District’s website and via media notifications.



Letters

Ventura County Star 8/22/2013

## Ojai water rights

As a business consultant for more than 45 years, I have experienced many fights over water rights. Why is that? Because water is this planet's most important and needed asset. We cannot survive without water.

So, what is the fight for water rights in the Ojai Valley all about? It is about who is going to control some of the major water rights in the Ojai Valley. The choices are Golden State Water Co., which is a small member of a huge national water company, or the locally owned Casitas Municipal Water District.

Golden State has proved it believes its responsibility is only to maximize the profits for the company. It has shown for years that it has been a poor manager of the water rights it manages. Golden State has mismanaged its assets and has not kept up with regular maintenance.

This was again recently proved when Golden State had to advise its Ojai customers to boil their water because of poor maintenance. Meanwhile, Golden State continues to regularly increase the cost of water to its users by about 8 percent a year.

Because of the tireless work of members of Ojai FLOW, Ojai voters served by Golden State will determine whether the users of Golden State water desire to have the company continue to manage their water or have those water rights blended with a locally owned and managed company, Casitas Municipal Water District.

Most Ojai community leaders and nonprofits are in favor of a yes vote on Measure V. As a longtime and very community involved resident of the Ojai Valley, I believe Ojai is best served by a community-owned and managed company to replace Golden State. The best choice is a yes vote on this issue Tuesday.

Chris Bryson, Oxnard



# Somis water job up for bids

*Replacement set for pipes, surface of road*

By Jennifer Letzer

Ventura County Star 8/22/2013

A project to improve water quality, replace deteriorating pipes and repave a private Somis road that's in disarray is expected to go out to bid next month, according to Ventura County officials.

The estimated cost to replace the problem waterlines and repave potholes and an alley behind the Somis post office, 3349 Somis Road, is about \$10 million. The county gained permission to repave the private alley through an easement, according to Reddy Pakala, director of the Ventura County Water and Sanitation Department.

"Typically, we only repave trenches in the road, but this area in the county is in very bad shape," Pakala said.

Two years ago, the Ventura County Board of Supervisors authorized public-works managers to apply for a low-interest U.S. Department of Agriculture Rural Development loan of \$5 million for the project. Officials said the loan would be repaid by water customers.

Pakala said the loan has been secured, but the waterworks district is waiting on federal engineers to approve the plans so the project can go out for construction bids. He said he hopes to secure grants to repay the remaining \$5 million for the project.

The project is expected to go out to bid and public review in September. Construction on the waterlines is expected to start in early 2014, according to Pakala.

Supervisor Linda Parks, who represents Somis, said she was thrilled when she learned about the waterline project because it was an opportunity to address the stream of road and water complaints from Somis residents. Residents told officials that for years they had seen brownish water flowing out of their faucets and into their appliances.

County officials said the district's water distribution system is deteriorating because of aging and corrosion. Some of the pipes were installed 80 years ago and have started to experience breaks, pressure problems and other capacity issues.

Complaints about the water supply began in 2009 when Waterworks District No. 19 switched from imported water from Northern California to 80 percent local groundwater,



officials said. Water from the Las Posas Basin has high levels of iron and manganese and is known to cause brown water for some customers.

# FBI seeks records from water district in corruption probe



The offices of the Central Basin Municipal Water District in the city of Commerce. (Damian Dovarganes / Associated Press / June 12, 2013)

By Hector Becerra  
LA Times August 21, 2013

The FBI has requested records from the Central Basin Municipal Water District related to a groundwater storage plan that was the subject of bitter, long-running legal battle in southeast Los Angeles County.

Investigators are also seeking the personnel records of the water district's former general manager, Art Aguilar, and two elected directors, Art Chacon and Robert Apodaca.

The subpoena, obtained by The Times, shows the FBI's investigation into Sen. Ronald S. Calderon, his brother and the water district has continued to expand in the months since Calderon's Capitol office was raided. Calderon's brother Tom was a longtime consultant for Central Basin.

Tom Calderon has been the subject of at least two subpoenas, in which the FBI sought contracts between the district and Calderon's firm.

The latest subpoena focuses on the proposed groundwater storage system. The FBI wants records connected to the project's environmental impact report as well as several engineering and consulting companies involved, including HDR Engineering, Inc., Willdan Financial Services and Pacifica Services, Inc.

The water district sued Pacifica last month, alleging that it had overbilled it by almost \$900,000. In a letter last week, the company's president Ernest Camacho fired back, saying Pacifica would "use the judicial system to defend itself against unwarranted and malicious allegations."



For several years, Central Basin was [locked in a battle with a rival agency](#), the Water Replenishment District, over its efforts to gain control over local groundwater storage. More than a decade ago, new surveying technology revealed additional space available for storage — a valuable commodity that would allow purveyors to store huge amounts of extra water in wet years and save it for dry ones, when imported water prices surge.

But the efforts to use the space resulted in a protracted and costly legal and public-relations fight that cost both Central Basin and the Water Replenishment District millions, and generated criticism from neighboring cities and other water managers. Last year the state Legislature passed a law that essentially gave the WRD the primary authority to manage groundwater storage in the disputed area. The move essentially ended the pitched litigation between the agencies.

It is unclear from the latest subpoena, dated Aug. 5, what exactly the FBI will be looking for in the requested documents, which include electronic and physical records. Joseph Legaspi, a Central Basin spokesman, declined to comment on the subpoena, except to say, “It is our intention to comply fully with any outreach from any authorities.”

The FBI has been silent on a broader investigation, which became public in early June after FBI agents searched the Capitol offices of Sen. Calderon. A law enforcement source told The Times it involved Sen. Calderon’s “income stream,” and several state legislators have received subpoenas to appear before a grand jury. FBI agents have also questioned officials from several cities served by Central Basin, where the senator’s brother was once a powerful advisor.

Shortly after the senator’s offices were searched, a subpoena was first served at Central Basin, requesting documents related to contracts awarded by the water district, including invoices, purchase orders, voice mails and information related to how officials there accepted or rejected bids.

Along with records involving Tom Calderon and his group, federal officials also sought records related to former Bell City Councilman George Cole—a former Central Basin director—and the organization he once ran, the Oldtimers Foundation. The foundation, which provides low-cost housing, dial-a-ride programs and other services to municipalities had received more than \$2.5 million in contracts from the water district in the past.

The June subpoena also sought records on Gil Cedillo Jr., the son of legislator and newly elected L.A. City Councilman Gil Cedillo. Cedillo Jr. had been employed by Central Basin as a \$120,000 a year business development manager before being terminated last month.

# Under a new law, you will need low-flow toilets if you remodel

By Kathleen Wilson  
Ventura County Star Wednesday, August 21, 2013



PHOTO BY [RICHARD QUINN](#), VENTURA COUNTY STAR // [BUY THIS PHOTO](#)

RICHARD QUINN/SPECIAL TO THE STAR Low-flow toilets await purchase at Steve's Plumbing & Hardware in Ventura.

California will become the first state in the nation to require low-flow toilets in virtually all homes, apartment houses and businesses under a law that begins to take effect in January, officials say.

The water-conserving measure requires low-flow toilets, shower heads and interior faucets for single-family homes exceeding 20 years in age; homes built after that date already have them.

Owners of single-family homes built before 1994 — a number near 172,000 in Ventura County — would see an immediate impact if they remodel and don't have the fixtures.

Starting Jan. 1, they won't be able to get final approval for a variety of home improvements — from replacements of windows to a room addition — unless they have low-flow plumbing fixtures throughout their properties.

By 2017, the law requires all pre-1994 homes to be retrofitted with low-flow plumbing fixtures plus disclosure of noncomplying fixtures when owners sell. Businesses and multifamily buildings also must disclose whether they meet the law when selling property by that date.



Building inspectors say they won't become "toilet police," but they do expect toilets to be replaced as people sell their homes and do renovations.



PHOTO BY RICHARD QUINN, VENTURA COUNTY STAR

RICHARD QUINN/SPECIAL TO THE STAR Salesman John Thein (from left) talks about low-flow toilets with Mary and Greg Coats, of Oxnard, while they shopped last weekend at Steve's Plumbing & Hardware in Ventura. The Coatses were hoping to make their purchase in time for Mary Coats' sister-in-law, who is a retired plumber from Novato, to install it when she visits the area this week.

"There's no language that compels local building departments to write letters and knock on people's doors," said Jim MacDonald, building and safety director for unincorporated county territory. "I don't think the law anticipates there will be 100 percent compliance."

Local building officials are already trying to get the word out and come up with a consistent policy for the entire county, MacDonald said.

"We hope by the end of October to get announcements to all water users that this is coming," he said.

## **LEGAL OPINION PENDING**

MacDonald said he has asked for a legal opinion to determine whether he can exempt home improvement projects up to \$1,000 in the unincorporated territory. The new law is silent on the matter.

Under federal law enacted in 1992, low-flow toilets became standard. But the California law is believed to be unique in requiring them in virtually all structures. There are no exemptions for poverty, although some water districts offer rebates that partially offset the cost and others believe environmental groups may offer help.



PHOTO BY RICHARD QUINN, VENTURA COUNTY STAR

RICHARD QUINN/SPECIAL TO THE STAR This dual-flush model is one of many low-flow toilets for customers' consideration at Steve's Plumbing & Hardware in Ventura.

Carolyn Schaffer, a Metropolitan Water District specialist who helped develop the law, said she knows of no other state that was imposing a universal requirement. As policymakers debated how to expand use of low-flow devices, they settled on the idea of deadlines — 2017 for homes and 2019 for commercial buildings and apartments.

Coupled with regular attention to leaks, replacing high-flow toilets can cut per-person water use by 35 percent, estimates show.

In 2009, the year the measure passed, Gov. Arnold Schwarzenegger proclaimed a statewide emergency due to drought and asked Californians to cut their water use by 20 percent. The need is still strong, said Bob Muir, spokesman for Metropolitan, a consortium of 26 cities and water districts that provides drinking water to nearly 19 million people, including 630,000 in Ventura County.

“Certainly conservation is a key resource for Southern California,” he said. “The region itself conserves, recycles and recovers about a billion gallons of water a day and we need to have that continue.”

### **\$150,000 CEILING**

The new rules give owners of commercial property or multifamily buildings more time and arguably more latitude. They have until 2019 to make sure water-saving toilets, faucets, shower heads and urinals are installed in their properties.

Starting in January, those owners must replace noncomplying fixtures serving an area being renovated but only if the cost of the renovation exceeds \$150,000. They must retrofit the entire building if they make an addition exceeding 10 percent of the floor space. They must replace all inefficient fixtures in a room where they are making improvements.

But there is no dollar exemption for homeowners. Currently, they must replace high-flow fixtures only if they are remodeling a bathroom, MacDonald said. The new law requires



it when they are making an alteration to any part of the house requiring a permit, he said.

## **POVERTY NO EXCUSE**

Ventura's building official, Andrew Stuffer, said economic hardship also will be an issue.

"The other challenge is going to be those folks who can't afford to go and buy four or five new fixtures and pay to install them," he said. "What are they going to do?"

Low-flow toilets cost \$100 to \$800 or more, with labor costs dependent on whether a plumber has to be hired or the homeowner does his own work, building officials said. Some water districts offer rebates of \$50 to \$100, officials said.

The move could save about \$1 to \$2.50 a month on an average homeowner's bill, according to the Casitas Municipal Water District. Spokesman Ron Merckling said replacing one toilet could save the homeowner 10,000 gallons of water a year and close to double that for a second toilet.

Some of the first low-flow toilets introduced in the 1990s didn't really save water because they required more than one flush, critics said. Schaffer said the low-flow toilets have improved dramatically since then and now are required by the state to average 1.28 gallons per flush.

"There's a high level of satisfaction," she said. "It's what's required for new construction."

## **PLUMBING RISKS**

With universal adoption of low-flow toilets, there is some concern that plumbing systems could back up more easily. A certain volume of water is required to transport waste to the treatment plant, said Mark Norris, manager of the Triunfo Sanitation District, which serves about 40,000 people in the Thousand Oaks, Lake Sherwood and Oak Park areas.

"The less water, the slower the water flows," he said. "If you were to ask most people in the wastewater business, there is a potential downside to the low-flow plumbing fixtures."

Plumber Steven Vior said there's often a mismatch between the plumbing systems and the toilets.

"It's not so much that the toilets are not functioning properly," he said. "It's that the plumbing system is not made to have only that little bit of water."

Schaffer said that's why there is a plank in the law that allows an exemption if the plumbing system or property is too old or oddly configured to work.

The law also contains exemptions for registered historical sites and buildings with water service permanently disconnected.



## Letters: **Water solution won't wait**

Re "The shrinking Colorado," Opinion, Aug. 19  
LA Times August 21, 2013

The article mentioned that by 2015, the water level in Lake Mead could dip below the intake pipe that delivers water to Las Vegas, and that Las Vegas is racing to construct a deeper intake pipe by the end of 2014.

Meanwhile, Las Vegas hotels and golf courses are much too extravagant with their use of surface water for both artistic displays and recreational activities.

Las Vegas' solution to the problem — lowering the intake pipe — reminds me of the man who saw a red light come on on his dashboard and, rather than deal with the automotive problem, removed the wire attached to the red light.

Daniel Diamond, Santa Barbara

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The opinion piece is an excellent evaluation of our serious and growing water shortage. And it's far more widespread than some realize.

May I suggest The Times begin a series of suggestions on how to cope. Or maybe the era of green around homes is coming to an end.

Dick Ettington, Palos Verdes

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Craig Mackey states that by 2015, diminished Colorado River flow may reduce the power and water supply of millions. Scientists say that long-term droughts, along with stronger storms and fires, are caused by climate change and that this is only the beginning.

Responding with the Band-Aid strategy of federal disaster relief — costing billions for each event — is the new normal. Addressing the root of the problem — reducing greenhouse gases — remains off the table by congressional Republicans, who continue to deny the science of climate change and laugh it off as a liberal, freedom-controlling plot.

To those suffering the mounting human cost of fires, droughts and storms, such fantastic and paranoid plots are quickly losing much relevance.

Wendy Blais, North Hills

# Bad pipe connection blamed for sewage discharge in Thousand Oaks

By Michele Willer-Allred  
Ventura County Star Originally published August 20, 2013

Ventura County public health officials are warning Thousand Oaks residents to stay away from posted areas in or near the Arroyo Conejo because of sewage discharge near Thousand Oaks Boulevard.

Thousand Oaks city officials estimate about 3,500 gallons of sewage are being discharged daily into the city's storm drain system and the Arroyo Conejo from a condominium complex sewer line they say was wrongly connected to the storm drain system by a contractor almost four years ago.

City public works officials on Tuesday notified the Ventura County Environmental Health Division that sewage was discharging from the line connected to 18 condominiums at 2040-78 Los Feliz Drive.

Bob Carson, the city's environmental project administrator, said the city learned of the problem after residents in and near the complex reported a sewage smell.

"It is unknown when the discharge began or the total amount of sewage that has been discharged," said Debra Borsos, a spokeswoman for the Environmental Health Division.

Officials said the bad sewer connection is under a utility easement owned by Mastro's Steakhouse at 2087 E. Thousand Oaks Blvd. Carson said the restaurant is not affected by the sewage problem.

Carson said an investigation to determine how the line got changed is still being determined, and city officials are speculating how and why it happened.

He said a trash enclosure was built on top of the wastewater pipe in 2009 and that the contractor severed the wastewater pipe and re-plumbed or tied it into the storm drain rather than the city sewer line.

Carson said Mastro's officials have been cooperative and are working with the city to address the problem.

He said that in the next few days, a contractor for Mastro's is going to uncover the end of the sewage line and then reconnect to the correct line.

In the meantime, city work crews have placed sandbags in an underground storm drain catch basin to prevent further flow into the Arroyo Conejo until repairs are completed.

Borsos said the city has posted warning signs in areas where there is public access to open storm drain channels, and public should avoid the posted areas until further notice.



## Algae bloom blamed for death of fish floating to the surface of Lake Lindero



PHOTO BY [DAVID YAMAMOTO](#) // [BUY THIS PHOTO](#)

DAVID YAMAMOTO/SPECIAL TO THE STAR Dead carp float in Lake Lindero on Tuesday in Agoura Hills. In all, about 200 fish in Lake Lindero died of asphyxiation Sunday and Monday nights due to an algae bloom, said David V. Smith, president of Golf Projects Lindero

By Teresa Rochester  
Ventura County Star Tuesday, August 20, 2013

At first, residents noticed some dead fish floating on the dark green surface of Lake Lindero.

By Tuesday morning, dozens of them, mostly carp but also bass and other fish, had surfaced on the man-made lake in Agoura Hills.

“It’s really bizarre and really disgusting,” said Lisa Zdenek, whose backyard sits above the lake.

The fish, bloated and bug-eyed, gathered along the shoreline, and the smell of decay floated in the air as workers scooped the carcasses out of the water and into plastic bags. Residents said they were concerned about the safety of the lake, which is used for fishing, boating and swimming by some children.

“It’s a very popular fishing place,” Zdenek said.

In all, about 200 fish in Lake Lindero died of asphyxiation Sunday and Monday nights due to an algae bloom, said David V. Smith, president of Golf Projects Lindero.

The company has held a long-term lease of Lindero Country Club and Lake Lindero since 1994. Golf Projects Lindero leases the club and lake from the Lake Lindero Homeowners Association.



DAVID YAMAMOTO/SPECIAL TO THE STAR Cody Appling from Aqua Technex pulls dead carp from Lake Lindero as part of a cleanup of hundreds of fish that died in the lake and floated to the surface Tuesday in Agoura Hills. According to Ian Cormican, an employee of Aqua Technex, a company hired by Lindero Country Club, one possible explanation for the death of the fish was the lack of oxygen in the water due to a high concentration of algae growing in the lake

Smith said summer conditions, combined with a lack of wind, helped create the algae bloom. The growth of algae also was aided by a dredging project that took place between December and February. During that time, 50,000 cubic yards of silt was removed from the lake, increasing the depth from 3 to 7 feet.

“We were advised by our dredging contractor that oftentimes when you dredge, you disturb those nutrients,” Smith said, adding that when combined with summer heat, this compounds algae growth.

The last time previously for Lake Lindero to be dredged was in 1984. Smith said that over the course of 30 years, the nutrients had built up and been fed with runoff, including fertilizers, from properties around the lake.

During the day, algae creates oxygen through photosynthesis but at night, algae sucks up oxygen in the lake, causing the fish to die off.

“Now the next question is: What are we going to do about it?” Smith said.

Golf Project Lindero could take two approaches. The first would be aggressive and require chemicals to be added to the water to kill off the algae in two days. Doing so, however, would suck oxygen out of the water, triggering a “major fish kill,” Smith said.

“We don’t think it’s responsible or in the best interest of the people around the lake,” he said.

“What we are going to do is treat it in a more responsible way and calculated way.”





PHOTO BY DAVID YAMAMOTO

DAVID YAMAMOTO/SPECIAL TO THE STAR Aqua Technex employees Kevin Pulver (left), Cody Appling and Ian Cormican pull dead fish from Lake Lindero, as part of a cleanup of hundreds of fish that died in the lake and floated to the surface on Tuesday.

Instead, Aqua Technex, a company contracted by the club to maintain the lake, will kill algae in smaller areas. After the algae is killed, aluminum sulfate will be added to the water in the treated area to stop it from regrowing, Smith said.

The slower approach also will result in fish dying off because of a loss of oxygen, but it would not be in the dramatic fashion witnessed during the past two days. Killing the algae in different sections until workers can get the lake to a balanced oxygen level likely will take two to three weeks.

Diane Lawrence noticed a dead fish about 9 a.m. Monday. Later, there were dozens of dead fish. Lawrence called Agoura Hills officials and California Department of Fish and Wildlife, she said.

"It was so unbelievably sad," she said, adding that she hoped something positive would come of the situation.

Nathan Hamburger, assistant city manager for Agoura Hills, said the city received one or two calls about the fish deaths. Country club officials told the city they were taking care of the problem. The city had no reason to get involved, Hamburger said.

James Pugliese has lived on the lake for 10 years. He has never seen the water in the condition it was in Tuesday.

"The water got even darker, muddier, greener. The currents are different," Pugliese said. "It's a travesty. It was a beautiful lake and it's turned into a dirty swamp."

The father of two said the family has had to keep its windows closed to keep out the stench of dead fish. He refuses to let his children near the water. Pugliese questioned whether homeowner dues would foot the bill for restocking the lake with fish.



Smith said the fish kill is management's priority.



PHOTO BY DAVID YAMAMOTO

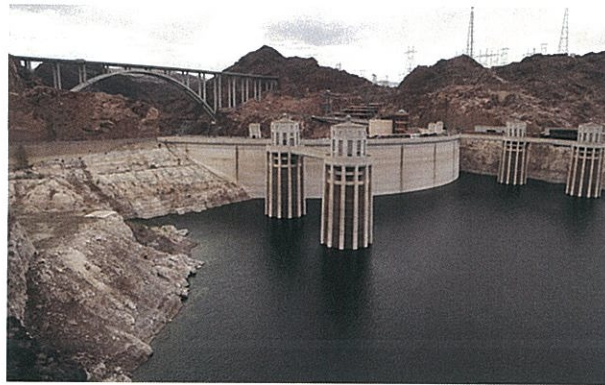
DAVID YAMAMOTO/SPECIAL TO THE STAR Residents of the neighborhood surrounding Lake Lindero stop to look at where hundreds of dead fish collected on the lake's surface earlier Tuesday in Agoura Hills.

**"It's being managed," he said. "It's at the top of our priority list, and we will make it so until we restore balanced oxygen levels to Lake Lindero."**

Op-Ed

## A slow-motion Colorado River disaster

*It may take federal disaster relief to offset the consequences of water scarcity in the Southwest.*



The high water mark for Lake Mead is seen on Hoover Dam and its spillway near Boulder City, Nev. After back-to-back driest years in a century on the Colorado River, federal water managers are announcing a historic step to slow the flow of water from a massive reservoir upstream of the Grand Canyon to the huge Lake Mead reservoir behind Hoover Dam near Las Vegas. (Julie Jacobson / Associated Press / April 15, 2013)

By Craig Mackey  
LA Times August 19, 2013

On Aug. 7, the head of the Southern Nevada Water Authority called for federal disaster relief to address the consequences of water scarcity in the Colorado River system. On Friday, the Bureau of Reclamation announced it would be forced to cut the flow of water into Lake Mead in 2014 to a historic low. Dominoes may now fall from California to Washington, D.C.

A nearly century-old body of agreements and legal decisions known as the Law of the River regulates water distribution from the Colorado River among seven states and Mexico. Two major reservoirs help collect and distribute that water. Lake Mead disburses water to Nevada, Arizona, California and Mexico. Mead gets its water from Lake Powell, which collects its water from Utah, Wyoming, Colorado and New Mexico. For the first time, Lake Powell releases will fall below 8.23 million acre-feet of water, to 7.48 million acre-feet, potentially reducing allotments down the line and setting off a cascade of significant consequences.

First, if recent dry weather in the Colorado River basin continues, declining water levels in Lake Powell could cut off power production at Glen Canyon Dam as early as winter 2015, affecting power supply and pricing in six states.



Second, less water coming into Lake Mead from Lake Powell may bring the level in Mead below an intake pipe that delivers water to Las Vegas by spring 2015. The Southern Nevada Water Authority has been racing to construct a deeper intake pipe by the end of 2014.

By winter 2015, Lake Mead also may dip to a level that would result in a major decline in power generation at Hoover Dam. That would affect the supply and cost of power for consumers in Nevada, Arizona and California. Southern California uses below-market-rate power from Hoover Dam to pump water to its cities and farms; if the region was forced to buy market-rate electricity from elsewhere, the price of water for Southern California consumers would surely rise.

These Bureau of Reclamation projections prompted Pat Mulroy, general manager of the Southern Nevada Water Authority, to call for federal disaster relief to mitigate the situation. She wasn't specific about how much money would be needed or how it would be used, but disaster relief could go toward completing Las Vegas' new intake pipe project, or for things like paying farmers to temporarily fallow their fields as a means to get more water in the reservoirs, or to finance a controversial new groundwater project in the region. Mulroy referenced Superstorm Sandy and said: "Does a drought not rise to the same level of a storm? The potential damage is just as bad."

If anything, Mulroy is understating the situation. What's at stake on the Colorado River, in addition to increased power and water costs, is drinking water for 36 million Americans, irrigation water for 15% of our nation's crops and a \$26-billion recreation economy that employs a quarter of a million Americans.

"Disaster relief" implies temporary measures, but the drought in the Southwest is not an isolated incident; it is a long-term reality. We need strong measures to head off further disaster, not just aid to help address the aftermath.

Demand on the Colorado River's water exceeds supply. According to a 2012 Bureau of Reclamation study, average river flow could decrease by nearly 10% by mid-century. Carrying on with business as usual by continuing to build new diversions from the river and failing to significantly improve the efficiency with which we use the river's water is akin to rebuilding wiped-out beach homes after a hurricane and then beckoning another storm to come in and destroy those homes again (requiring, of course, another government bailout).

Fortunately, that 2012 Colorado River study determined that urban and agricultural water conservation and recycling, along with market-based measures like water banking, are cost-effective measures that can lead the way to a secure water future for the Southwest. The Department of the Interior has convened a process with the seven Colorado River states and other interests to determine the next steps on water



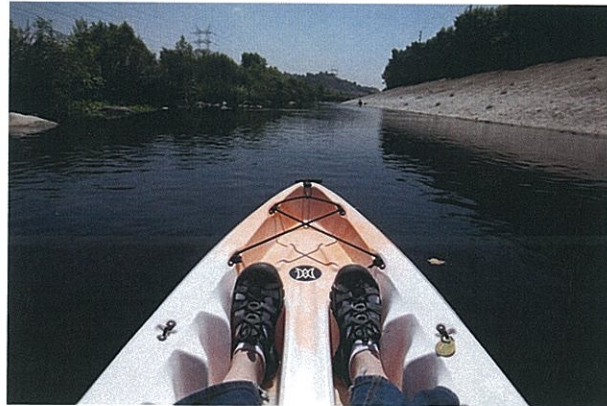
conservation and improving river flows. A report from the group should arrive next year. A robust plan is needed from this process to ensure a successful economic future for the Southwest, or else the dominoes will fall.

Craig Mackey is co-director of Protect the Flows, a network of businesses that advocates for healthy flows in the Colorado River and its tributaries.

PERSPECTIVE

## Angelenos' vision of their river is created from a made-up memory

*Historically, the river has been dry for most of the year. Now, it flows continually, but most of the water in the channel is industrial and residential discharge.*



Padding up a lazy L.A. River is a pleasant notion to restoration advocates, but it should be noted that most of the water in the channel is reclaimed sewage. (Francine Orr, Los Angeles Times / August 16, 2013)

By Doug Smith  
LA Times August 15, 2013

There's been a lot written on improving the concrete, channelized, litter-strewn Los Angeles River. No doubt the river could use some improving, but there's also a lot of misplaced nostalgia.

To hear some people talk about restoring the river, you'd think it was once the mighty Mississippi with flotillas of steamboats churning their way upstream.

Anyone who grew up here long ago, as I did, knows the natural condition of the L.A. River — dry.

As a kid searching the river for polliwogs in the 1950s, I could bound from one side to the other without getting my feet wet. Broken glass and debris would sit all year on the baked concrete waiting for the winter to wash it away.

In time, as I traveled to great cities whose identities are inseparable from their rivers, I came to understand that our lack of a "real" one was a flaw in L.A.'s otherwise grand sense of self.

So, I'm solidly behind the people today who extol a river where vegetation abounds, wildlife flourishes and kayakers drift through the heart of the city. I just think the ebullience should be tempered by some plain talk about where the water for all this comes from.

It is an essential question about every river. If you don't know the answer, you don't know the river.

So, like John Hanning Speke, who trekked through unexplored Africa 160 years ago to find the source of the Nile, I found myself driven to discover the headwaters of the L.A. River.

It didn't take long. It was mostly a matter of considering and dismissing traditional views of what makes a river.

History books tell us that long before the Los Angeles River looked like an empty freeway, it was a tiny tree-lined creek flowing through a swampy bed that in times of intense rain could become wilder than the roaring Colorado.

That river expired after the disastrous flood of 1938 when the U.S. Army Corps of Engineers built the concrete banks that still define the river channel today — barren and ugly for all but the few stormy days when they fill to the gunnels with raging water.

It's been said that the river's official starting point is in Canoga Park at the intersection of two concrete channels, Bell Creek and Arroyo Calabasas. But both are usually just trickles.

To find the water I had to venture to the Donald C. Tillman Water Reclamation Plant in the middle of the San Fernando Valley.

As it turns out, most of the water in the channel today is industrial and residential discharge. It's sewage.

John Mays, a soft-spoken man about my age who also grew up around here, is engineering supervisor of the Tillman plant. In that capacity he is, in some ways, the steward of the Los Angeles River.



Mays recalls the old river of the 1950s much as I do. "It's dry for nine months," he said.

The Tillman plant changed that. It receives water from two giant pipes that collect the sewage from the homes of 800,000 San Fernando Valley residents. That water originally comes from as far away as the Colorado River, but mostly the Owens River, which drains the Eastern Sierra.

The sewage-filled water goes through a series of holding tanks, digesters, filters and sanitizers before crashing over a man-made waterfall into Lake Balboa. That body of water, along with two smaller ones, puts 23 million gallons of water a day into the river at Sepulveda Basin.

When Mays and I were growing up, that water was already coming to Los Angeles through William Mulholland's aqueduct. We just didn't see it because it was going from the houses of the San Fernando Valley straight into the city's underground sewer system, and then on to the Hyperion Treatment plant near El Segundo.

Mays introduced me to "Brown Acres, an Intimate History of the Los Angeles Sewers." In one section, author Anna Sklar recounts the sadly obscure story of the birth of today's L.A. River.

Back in the 1960s, that sewer system was under duress. Episodes of intense rain would make it overflow, dumping raw sewage into the storm drains. The overload forced the city to halt all construction in the San Fernando Valley for a time.

The city engineer proposed solving the problem by drilling a huge new sewage tunnel under the Santa Monica Mountains.

But his rival in the city, an upstart retired Navy captain named Donald C. Tillman, proposed an alternative — building a water treatment plant behind Sepulveda Dam.

Tillman sold his idea to then Mayor Sam Yorty, who got President Richard Nixon to force the U.S. Army Corps of Engineers to build it.

After much delay, the plant opened in 1985, four years after Tillman had retired. Thus was born the L.A. River that modern-day enthusiasts say they want to restore.

For years, a lobby of environmentalists, urban dreamers and poets has been pushing for removal of as much concrete as possible and creation of parkways to make an urban amenity of the vast, and most of the time, empty spaces of the river.

They're careful not to overplay the "restoration" angle, but they have a tough time finding the right words to describe a natural phenomenon that couldn't actually exist in nature

Like Hollywood, the Los Angeles River is part of invented L.A.  
There is nothing to restore; nothing to rehabilitate or renew.

The L.A. River is creation and invention. We owe its existence to our forebears — engineers who had the vision and drive to bring water here, build a city with it, then reuse it to make a dry river run.

That, in the end, is all that is native.



# Foul odor from Santa Fe Springs plant will not 'cause long-term health effects'

By Venusse Navid  
Daily News Posted: 08/07/13

Though the air coming from the Santa Fe Springs wastewater treatment facility was foul, it will not cause any long-term health effects, concluded a report by the Southern California Air Quality Management District.

Air samples collected near the facility run by Ridgeline Energy Services USA Inc., had elevated levels of hydrogen sulfide district officials said in a statement.

The district received 335 odor complaints between July 29-30. Ridgeline Energy has now been given seven violations from the SCAQMD, five of which were for nuisance odors since the beginning of June.

SCAQMD inspectors discovered various holes in one of the facility's tanks on July 29 which contained wastewater. The tank will take at least three weeks to fix, officials said.

The 11 air samples collected were taken near the defective tank and throughout the location. Inspectors collected an additional sample the following day, officials said. All samples were tested for hydrogen sulfide and various hydrocarbons.

The amount of hydrogen sulfide found in the air samples emanating from the plant came in between 5 to 112 parts per billion (ppb). The normal non-detectable amount of hydrogen sulfide is less than 2 ppb. At its peak, the rotten egg-like smell was detected as far as the San Gabriel Valley and Fullerton.

According to the SCAQMD, some of the samples showed concentrations of hydrogen sulfide that were above the California ambient air quality standard, which is 30 parts per billion (ppb), averaged over one hour.

"Total hydrocarbons measured inside the Ridgeline property showed levels that are typical of outdoor air in Southern California," officials said. "Typically outdoor air ranges from 100 to 700 parts per billion carbon (ppbc); measurements inside the property were 136 ppbc to 331 ppbc."

SCAQMD filed a petition for an order for abatement with its hearing board in order for Ridgeline Engery to obtain necessary AQMD permits to operate their equipment and prevent additional nuisance odors, officials said. A tentative hearing is scheduled at AQMD headquarters on Aug. 15.

Ridgeline, located at 12345 Lakeland Road, is the former property of Powerine/Cenco oil refinery. According to AQMD, the facility collects and processes industrial wastewater for treatment and discharge into the sewer.



# Whittier council OKs lower water rate hike

By Peter Fullam, SGVN ,  
Daily News Posted: 08/05/13

WHITTIER-After listening to a long line of residents complain late into the night about a proposed water rate increase, the Whittier City Council backed off and OK'd a lower rate hike than what was proposed in a public notice sent to property owners in April.

The new fixed fee component of customers' water bills will see a 37 percent increase in the first year. It's a 252 percent increase over the four years the increase is implemented, according to city officials.

The fixed fee for a residence with a 3/4 inch pipe water hook up is currently \$14.93 a month. As of Aug. 1, the fixed fee will be \$20.45. In four years, the fixed fee for the same house would be \$52.59 a month.

However, the percentage of the increase for the total bill, which includes the usage rate, is much lower. For a customer using 11 billing units on a three-quarters-inch meter hookup, the overall rate increase, including the usage fee, is 16 percent, according to the Department of Public Works.

The fixed-fee rate is based on a 40-year replacement schedule for water pipes and infrastructure rather than the 30-year timetable contained in the public hearing notice sent to Whittier property owners in April. That would have been a 400 percent rate hike.

The water rates only affect customers of Whittier's water utility, which serves the west side of the city. Residents of the east side are served by Suburban Water Systems.

The rate for usage will not increase.

"I've heard you, and I've heard you loud and clear," said Councilman Joe Vinatieri after the public hearing portion of the meeting.

A 400-percent increase was "not reasonable by any means," he said.

The council also passed citywide rate increases for sewer service that were proposed by the Board of Works staff. Those increases also were substantially lower than those proposed in the notice.

All but five of the 86 seats in the council chambers were filled for the hearing. People lined the walls around the chamber and spilled into the corridor. All of the speakers opposed the proposed rate hike. However, with few exceptions, they also stated their understanding of the need to replace the aging water and sewer lines.

"We can fully understand and appreciate the city's need to maintain and upgrade its system," said Bob Schaefer, associate executive director of the YMCA of Greater Whittier. "We go through that with our own facilities. "It is the responsible and the safe thing to do. Our concern is the timeline and the amounts of the proposed increases."

He said bringing the increases in over a longer timeline would help.

"We calculated the annual increase on our YMCA at around \$5,500 to \$6,000 a year. And those are monies that we could use for our YMCA programming that helps the youth and families in our area."

Other residents raised issues such as the water utility's status as a monopoly, its responsibility to keep rates affordable, the problems of the elderly, poor and those on fixed incomes, the failure of the city to save enough for capital improvements, and the possible exodus of families and business that could result from the higher rates.

"We can't afford to lose any more families," said Linda Small, a board member of the Whittier City School District, asking the City Council to minimize the tax "at this sensitive time in our economy."

Whittier resident Bill Dobrenen said Uptown continues to struggle with vacancies and empty lots.

"If we can't get them developed now, how are we going to get them developed after these rate increases?" he asked.

Prior to the public comments, Director of Public Works David Pelsler explained why the city needed to increase the rates. He said the city's 60- to 80-year-old water and sewer infrastructure is deteriorating faster than anticipated.

At the current rates of replacement, it will take 103 years to complete projects identified as needing work in the 2008 Water Master Plan and 186 years to replace the sewer system. At those rates the water system would be 160 to 180 years old at the time replacement is completed.

The cost of replacing the sewer system was estimated at \$55 million and the cost of water system projects \$207 million.

Pelsler said the city faces a risk-management problem in determining how long the pipes will last compared with the risk and expense of pipe failures.

The council voted 3-2 in favor of the 40-year replacement time frame, with council members Vinatieri and Cathy Warner voting no.

The council voted 5-0 to increase residential sewer rates from 53 cents per billing unit (748 gallons) to 65 cents effective Aug. 1 and 79 cents effective Aug. 1, 2014.

Residents using 11 billing units per month currently pay \$69.96 a year. That would increase to \$85.80 in 2013-14 and \$104.28 in 2014-15, according to the staff report.



# San Bernardino recall targets say it's about water control

By Ryan Hagen, Staff Writer  
Daily News Posted: 08/05/13

**SAN BERNARDINO** - Officials targeted by a recall effort and their allies are increasingly making one specific charge: that it is all about taking control of the city's water resources for the personal gain of the developers behind the recall.

That's the only issue mentioned on a seven-sentence counterpetition those officials are circulating. The aim of the counterpetition is to have the name of anyone who signs it removed from the recall petitions targeting Mayor Pat Morris, City Attorney James F. Penman, all seven City Council members and City Clerk Gigi Hanna.

"I am opposed to the sale of the City's Water System to any private for-profit company," reads the counterpetition, paid for by a committee led by former Mayor Evelyn Wilcox. "I am opposed to the removal of any City official who is committed to keeping the City's Water System under the jurisdiction of and operated by The City of San Bernardino."

But Scott Beard, the leader of the recall effort and the target of the allegations, said that's a complete misrepresentation of the recall proponents' goal, which is to remove those they consider responsible for driving the city to bankruptcy before they can do more damage.

"I have never had any interest in the city's water department, period," Beard said. "This is completely Jim Penman and his efforts to counter a recall on him and his corrupt politician friends."

None of the recall leaders want water rates to go up, and no one has presented any evidence of a connection between the recall and water, Beard said.

But Penman and other officials stand by the allegation, pointing to Beard's role in brokering a lease of Rialto's water system.

Water is San Bernardino's most valuable remaining resource, Penman said, and he has no doubt that's what the recall effort is about.

"This isn't a maybe, this isn't an if," Penman said. "This is the deal: He's after the water. He intends to make millions. Scott Beard does not invest hundreds of thousands of dollars to put his candidates on the City Council and have his candidate as mayor and city attorney unless it's for himself."

## **Rialto's outsourcing**

The Rialto City Council in 2012 voted 4-1 to approve an increase that would spike water and sewer rates 114.8 percent by 2016, on the heels of a controversial 30-year lease of its water infrastructure.

The city maintains ownership of its water and wastewater systems, as well as control of the water supply, water rights and authority to set rates.

Although controversial, the decision was the best one for Rialto to make, said Mayor Deborah Robertson, who was a City Council member when the decisions were made.

"Over the long haul, it will turn out to be a wise investment and choice for the city," she said. "We needed to look at ways to offset our expenses to maintain and provide services to our citizens."

Rialto had deferred necessary maintenance and put off needed rate increases for years, Robertson said, and the deal gave the city a vital infusion of \$30 million.

Beard, a San Bernardino resident whose construction business is based in Rialto, said he consulted on the lease - not sale - because he saw it as a win for Rialto.

Penman said Beard has boasted that his consulting role earned him \$1 million, which Beard says is irrelevant if true.

"Whether or not I made a fee on that, it's really nobody's business, quite candidly," he said. "I've done a lot of transactions, and I've been accused of a lot of things. Every deal I've ever done has been good for the community I was in."

Penman disagreed.

"These people, these developers are bound to their own pocketbooks," he said, adding that he's turned down campaign money when it went against his principles, including from the police union during his 2011 run for city attorney. "I challenge Mr. Beard to come forward and see where he has turned down millions in commission for the betterment of the city."

## **San Bernardino connection?**

Beard acknowledges speaking to San Bernardino Councilwoman Wendy McCammack about a year ago about potentially solving San Bernardino's budget woes by leasing its water system.

But he said McCammack's explanation at the time convinced him that what worked in Rialto wouldn't work in San Bernardino and that he hasn't brought it up since.



The San Bernardino Water Department, by state law, must keep its funds separate from the rest of the city.

And, in sharp contrast to both Rialto and the insolvent city of San Bernardino, the Water Department has a healthy reserve.

"Our infrastructure's in good shape. Our rates are in good shape," said Stacey Aldstadt, its general manager. "We've done good things to position ourselves, and I don't see anything at all that compromises that in the next 10 to 20 years, honestly."

Aldstadt said Beard has not contacted her beyond showing up at a water board meeting seeking to dispel rumors that a deal was in the works.

The City Council isn't the only barrier to leasing the water rights, Aldstadt said: The city shares water rights with other users of its water basin that presumably would oppose any privatization, and it's subject to a consent decree with the federal Environmental Protection Agency relating to cleanup of water pollution from a World War II military supply camp.

"I think the EPA has confidence a public water company can do that, and I don't think they'd support a private water company," she said.

A similar cleanup is under way in Rialto, Penman noted.

"It'd be fairly simple" to transfer control, he said.

Five members of the San Bernardino council could vote to remove the water board members, then the mayor would appoint new members for the council to approve. The water board would then negotiate to sell or lease the water system.

San Bernardino Mayor Pat Morris points to charter language saying commissioners appointed for a defined term - the water board members serve six-year terms - cannot be removed by the mayor or council.

"That just sounds like a legal and political impossibility," Morris said.

A different section of the charter, the one concerning the water board, says five members of the City Council can dismiss members of the water board.

Penman said he, too, is skeptical about the legality but doesn't want to take a chance.

"I would have some legal arguments against that," he said. "If they have their own city attorney, they would probably make the argument that it is allowed under the city charter."



## **'Some of it's supposition'**

Penman has been the most vocal about tying the recall attempt to water, but other targeted officials say it's a possibility people should contemplate before signing recall petitions.

"Some of it's substantiated, some of it's supposition," McCammack said. "Which means to me and the average, everyday voter that you really need to research the facts before making a rash decision about an expense that the city at this point in time can't afford."

McCammack said she met a year ago with six people who asked whether she'd support selling the city's water or refuse services. She would not name the people but said all of them were present at the news conference announcing the recall attempt.

"It's not very difficult to connect the dots," she said.

The council explored the possibility of outsourcing its refuse in the months after filing for bankruptcy protection, when consultant Sloan Vazquez said it could bring \$300 million to \$600 million over seven to 20 years, but ultimately voted 5-2 to table a motion they said wouldn't give the city enough control.

That suspicion is also shared by Councilwoman Virginia Marquez, generally viewed as being part of the opposite political bloc from McCammack and Penman.

Marquez said the main reason voters should oppose the recall is the price - estimated at \$220,000 more than November's regularly scheduled election for mayor and three council seats - but said she considered it possible that the recall is about controlling water.

"The registered voters of the city need to be educated on what this is all about," Marquez said. "It's about removing all of us and putting new people (selected) by the group that is orchestrating all of that."

Morris, whose term ends in November and who opposes the recall because he suspects it's "not enough" to solve the city's problems, said the accusation was absurd.

"It sounds like an outlandish conspiracy theory," he said. "You'd have to first of all get a complicit majority of the council - the council has no power to remove commissioners who are appointed for a defined term - then compel the appointed board members.

"I suppose the black helicopters would tape the whole thing," he said, invoking a common anti-government conspiracy theory.

Beard said voters should look at the words and actions of the group in office and whether they should be replaced, not what they imagine someone's motivation for running a recall might be.

He said he's sick of personality-based politics, which is one reason he wants to keep the Water Department separate from elected officials.

"The reason it's run correctly is it's got a separate board they can't screw with," he said. "I pay these water rates. The last thing I want is to see them get control of this, too."

It's common for candidates in elections to push red herrings, and even if there's no factual basis to the claim, the argument and the counterpetition wouldn't violate the law, said Jessica Levinson, a professor at Loyola Law School who specializes in election law and governance issues.

"Is there an ethical issue there? That depends on your ethical ethos, I guess," she said. "We see this a lot for a lot of different offices, where an opponent will try to make an issue the center of a campaign that doesn't really have anything to do with that specific campaign."

*This report has been modified to note an incorrect assertion by Mayor Pat Morris. Although one section of the city charter does prohibit the City Council from dismissing commissioners on boards with defined terms, as Morris said, another section says water board members may be dismissed by a vote of five council members.*



# Fracking fuels water fights in nation's dry spots

By Garance Burke, Associated Press Writer  
Daily News Posted: 08/05/13

**SAN FRANCISCO** - The latest domestic energy boom is sweeping through some of the nation's driest pockets, drawing millions of gallons of water to unlock oil and gas reserves from beneath the Earth's surface.

Hydraulic fracturing, or the drilling technique commonly known as fracking, has been used for decades to blast huge volumes of water, fine sand and chemicals into the ground to crack open valuable shale formations.

But now, as energy companies vie to exploit vast reserves west of the Mississippi, fracking's new frontier is expanding to the same lands where crops have shriveled and waterways have dried up due to severe drought.

In Arkansas, Colorado, New Mexico, Oklahoma, Texas, Utah and Wyoming, the vast majority of the counties where fracking is occurring are also suffering from drought, according to an Associated Press analysis of industry-compiled fracking data and the U.S. Department of Agriculture's official drought designations.

While fracking typically consumes less water than farming or residential uses, the exploration method is increasing competition for the precious resource, driving up the price of water and burdening already depleted aquifers and rivers in certain drought-stricken stretches.

Some farmers and city leaders worry that the fracking boom is consuming too much of a scarce resource, while others see the push for production as an opportunity to make money by selling water while furthering the nation's goal of energy independence.

Along Colorado's Front Range, fourth-generation farmer Kent Peppler said he is fallowing some of his corn fields this year because he can't afford to irrigate the land for the full growing season, in part because deep-pocketed energy companies have driven up the price of water.

"There is a new player for water, which is oil and gas," said Peppler, of Mead, Colo. "And certainly they are in a position to pay a whole lot more than we are."

In a normal year, Peppler said he would pay anywhere from \$9 to \$100 for an acre-foot of water in auctions held by cities with excess supplies. But these days, energy companies are paying some cities \$1,200 to \$2,900 per acre-foot. The Denver suburb of Aurora made a \$9.5 million, five-year deal last summer to provide the oil company Anadarko 2.4 billion gallons of excess treated sewer water.



In South Texas, where drought has forced cotton farmers to scale back, local water officials said drillers are contributing to a drop in the water table in several areas.

For example, as much as 15,000 acre-feet of water are drawn each year from the Carrizo-Wilcox Aquifer to frack wells in the southern half of the Eagle Ford Shale, one of the nation's most profitable oil and gas fields.

That's equal to about one-half of the water recharged annually into the southern portion of the aquifer, which spans five counties that are home to about 330,000 people, said Ron Green, a scientist with the nonprofit Southwest Research Institute in San Antonio.

The Eagle Ford, extending from the Mexican border into East Texas, began to boom in 2011, just as Texas struggled with the worst one-year drought in its history. While conditions have improved, most of the state is still dealing with some level of drought, and many reservoirs and aquifers have not been fully replenished.

"The oil industry is doing the big fracks and pumping a substantial amount of water around here," said Ed Walker, general manager of the Wintergarden Groundwater Conservation District, which manages an aquifer that serves as the main water source for farmers and about 29,000 people in three counties.

"When you have a big problem like the drought and you add other smaller problems to it like all the fracking, then it only makes things worse," Walker said.

West Texas cotton farmer Charlie Smith is trying to make the best of the situation. He plans to sell some of the groundwater coursing beneath his fields to drillers, because it isn't enough to irrigate his lands in Glasscock County. Smith's fields, like the rest of the county, were declared to be in a drought disaster area this year by the USDA.

"I was going to bed every night and praying to the good Lord that we would get just one rain on the crop," said Smith, who hopes to earn several thousand dollars for each acre-foot of water he can sell. "I realized we're not making any money farming, so why not sell the water to the oil companies? Every little bit helps."

The amount of water needed to hydraulically fracture a well varies greatly, depending on how hard it is to extract oil and gas from each geological formation. In Texas, the average well requires up to 6 million gallons of water, while in California each well requires 80,000 to 300,000 gallons, according to estimates by government and trade associations.

Depending on state and local water laws, frackers may draw their water for free from underground aquifers or rivers, or may buy and lease supplies belonging to water districts, cities and farmers. Some of the industry's largest players are also investing in high-tech water recycling systems to frack with gray or brackish water.



Halliburton, for instance, recently started marketing a new technology that allows customers to use recycled wastewater, calling it an "investment to further the sustainable development of the oil and gas industry." The American Petroleum Institute, the principal lobbying group for the industry, said its members are working to become less dependent on fresh water, and instead draw on other sources.

"Recycling wastewater helps conserve water use and provide cost-saving opportunities," said Reid Porter, a spokesman for the group.

In some states, regulators have stepped in to limit the volume or type of water that energy companies can use during drought conditions.

In northwest Louisiana, as the production rush began in the Haynesville Shale in 2009, the state water agency ordered oil and gas companies to stop pulling groundwater from the local aquifer that also supplied homes and businesses, and use surface water instead. That order is still in effect and has helped groundwater levels to recover, said Patrick Courreges, a spokesman for the Louisiana Department of Natural Resources.

In Colorado's Weld County, home to Peppler's farm and more than 19,000 active oil and gas wells, some officials see selling unneeded portions of their allotments from the Colorado River as a way to shore up city budgets.

The county seat of Greeley sold 1,575 acre-feet of water last year to contractors that supply fracking companies, and made about \$4.1 million. It sold farmers nearly 100 times more water but netted just \$396,000.

"The oil and gas industry is a small but significant player," said Jon Monson, director of the city's water department, which has designated 35 fire hydrants where haulers may fill up their tanks to truck to gas wells. "Just knowing that oil and gas is a boom-and-bust industry, we are trying to not get used to it as a source of revenue because we know it won't last."

Some environmental groups argue that local and regional planners should let the public weigh in on how much drilling can be supported in drought-stricken areas. Some states require oil and gas companies to disclose the chemicals and the amount of water they use in fracking operations on FracFocus.org, a website formed by industry and intergovernmental groups in 2011, but the statistics are not complete.

"We don't want to look up 20 years from now and say, 'Oops, we used up all our water,'" said Jason Banes of the Boulder, Colo.-based Western Resource Advocates.

In California, oil companies are pressing for further exploration of the massive Monterey Shale, a 1,750-square-mile area extending from the agricultural Central Valley to the Pacific Ocean that federal energy officials say could ultimately comprise two-thirds of the nation's shale oil reserves.



In Ventura County, at the southern tip of the Monterey Shale and an hour north of Los Angeles, drought-induced pressures on local water systems are already visible; one local water district predicts some groundwater wells will go dry by summer.

David Schwabauer, a fourth-generation farmer in the county, said overtures by companies that want to drill new wells amid his avocado and lemon groves are prompting difficult conversations about how to manage the family farm. One orchard relies on irrigation from an overdrawn aquifer, while the other is kept alive using expensive water piped in from the distant Sierra Nevada mountains.

"Some parts of the family have very strong feelings against it, given the challenges that we face environmentally," Schwabauer said. "But other parts of the family are very comfortable with it, because we still have to stay in business. We still haven't reached a decision."

# Water Replenishment District reaches deal for more recycled water

By Mike Sprague, SGVN  
Posted: 08/05/13

WHITTIER - A regional water district announced an agreement that its general manager says will provide enough reclaimed water to replenish the aquifer between the Rio Hondo and San Gabriel rivers.

The Board of Directors of the Sanitation Districts of Los Angeles County on Wednesday approved the agreement with the Water Replenishment District of Southern California. WRD's board approved the agreement earlier this month.

It eliminates the need to purchase more expensive water from the Metropolitan Water District, officials said.

"It's the cornerstone of our effort to develop a totally sustainable groundwater supply for the 4 million people in the Water Replenishment District service area," said Robb Whittaker, the replenishment district's general manager.

The 30-year agreement, with an option for 25 more years, will allow WRD to annually purchase up to 73,000 acre-feet of recycled water.

The district now has agreements to purchase 35,000 acre-feet a year and typically buys 50,000 from the Sanitation Districts.

It also has purchased an additional 21,000 acre-feet of water from Metropolitan Water District.

Most of the recycled water will come from the Sanitation Districts' San Jose Creek Treatment Plant.

But since one of the agreements allowing the purchase of 10,000 acre-feet can be canceled with 30 days notice, there is "little legal certainty" the district can count on any more than 25,000 acre-feet of water a year, Whittaker said.

The replenishment district will pay \$40 per acre-foot for the first 50,000 acre-feet of water and \$261 per acre-foot for the next 23,000.

Whittaker said even with the higher rate for the additional water, it still will be cheaper than the expensive Metropolitan Water District water. MWD's rate is scheduled to increase on Jan. 1 to \$948 per acre-foot.

Before the district can begin using the additional water, improvements will be needed, Whittaker said.



For the first 11,000 acre-feet of water, some of the connections need to be enlarged.

That work is expected to be completed within 18 months, he said.

However, in order to use the next 12,000 acre-feet of water, the Sanitation Districts of Los Angeles County must install another level of purification to clean the sewer water -- most likely reverse osmosis, Whittaker said.

Cost of the additional treatment system, which will be paid for by the replenishment district, remains unknown.

"We'll know more after we finish the preliminary design," Whittaker said. "That's expected to be done in the next year." Mike Sullivan, division engineer for the Sanitation Districts, said the agreement is a good one for his agency.

"In an urban area like this, there are only a few main uses for recycled water," Sullivan said. "One is irrigation and we have a lot of irrigation going on."

But irrigation water is typically only needed during the summer.

"To use a lot of water, we need a year-round use," he said.

Groundwater recharge fills that need, Sullivan said.

Jim Glancy, president of Central Basin Water Association, said the deal could be good but he has concerns.

"The concept is good but what's the cost?" Glancy asked. "We really need this design to hone down what the number will be."

# Long Beach water rates rising

By Eric Bradley, Staff Writer  
Daily News Posted: 08/02/13

LONG BEACH -- City water customers are set for a 4 percent rate increase in October.

The Long Beach Board of Water Commissioners voted Thursday to hike the rates as part of a plan to keep pace with the rising cost of imported water and spend down a cash reserve.

Long Beach Water Department officials said imported water costs from the Water Replenishment District of Southern California and the Metropolitan Water District of Southern California have jumped 76 percent since 2008. The WRD will raise its assessment for pumping ground water by 9.9 percent next year; the MWD will charge 5 percent more for its water.

Water rates were last raised in Long Beach by 16 percent in 2010. Sewer bills increased by 5 percent in 2012, though costs will hold steady in 2014.

An annual rate study estimated the average monthly water and sewer bill for a single-family Long Beach residence using about 9,000 gallons each month at \$66.02. A 4 percent rise would increase a typical monthly bill by \$1.63, to \$67.65.

According to the analysis, Long Beach rates are lower than the combined monthly average in Los Angeles County, \$73.34. Combined water and sewer bills were \$80.56 in Sacramento, \$102.99 in Oakland, \$118.97 in San Diego and \$167.91 in San Francisco.

The LBWD's reserve was highlighted in a Long Beach City Auditor's Office report released in October.

Auditors found that the LBWD's backup fund grew by 566 percent in recent years, largely due to planned capital improvement projects that were not completed. The reserve was expected to hit \$48 million by Sept. 30 last year, the report said.

The new rate plan would shrink the fund to \$21.4 million next year, from \$31.8 million, toward an eventual balance goal of \$10 million. The amount equals a 90-day operating reserve recommended by creditors.

Water rates will now go to the City Council for final approval before being implemented on Oct. 1.

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# California water board grants Long Beach \$4.9 million for shoreline pollution reduction efforts

By Joe Segura, Staff Writer  
Daily News Posted: 08/02/13

**LONG BEACH** - The State Water Resources Control Board has approved a \$4.9 million grant for the city's effort to reduce bacterial pollution and contaminated storm water runoff from reaching coastal waters.

The funding is from the board's Clean Beaches Initiative Grant Program.

"We've made great strides to improve recreational water quality in recent years, and this funding will help us to continue the progress we've made," Mayor Bob Foster said in a statement.

The funds will be used to construct three Low Flow Diversion Systems and two Vortex Separation System devices that will affect three beach outfalls along Ocean Boulevard.

Both systems are designed to divert pollution such as motor oil, dog waste and lawn fertilizer away from waterways, according to city spokesman Ed Kamlan.

The systems will be installed at Ninth Place south of Ocean Boulevard, at Redondo Avenue north of Ocean Boulevard, and at Shoreline Avenue at Golden Avenue.

"This grant funding will help us to continue our investment in our beaches and coastline on behalf of our residents, visitors and future generations," said Councilman Gary DeLong, whose 3rd District includes a major section of the coastline.

Low Flow Diversion systems route dry weather urban runoff away from the storm drain system or waterways, and redirect it into the sanitary sewer system, where the contaminated runoff is treated and filtered before being discharged into the ocean, Kamlan said.

The Vortex Separation System works like the spin cycle of a washing machine. As storm water enters a cylindrical chamber, it spins through a cylindrical perforated screen, which traps and draws trash, sediment and green waste to the bottom of a litter sump. The filtered storm water then continues its path toward the ocean.

Recreational water quality in Long Beach has improved steadily in recent years; 10 of the 13 beaches sampled received A or B grades by Heal the Bay in its 2013 Annual Beach Report Card.

Colorado Lagoon, improved by an \$8.5 million restoration project, also received A+ grades every month since the project was finished last August, Kamlan noted.

# The drying of the West

*Dams and other engineering helped provide water throughout the arid region for decades. It's no longer enough.*



More frequent and intense droughts in the West may result in legal battles over the allocation of Colorado River water. Above, the river's Horseshoe Bend in Page, Ariz. (Matt York / Associated Press)

By William deBuys  
LA Times July 30, 2013

John Wesley Powell, whose legendary descent of the Colorado River in 1869 brought the one-armed explorer fame and celebrity, worried about America's westward migration. The defining characteristic of Western lands was their aridity, he wrote, and settlement of the West would have to respect the limits aridity imposed.

He was half right.

The subsequent story of the West can indeed be read as an unending duel between society's thirst and the dryness of the land, but in downtown Phoenix, Las Vegas or Los Angeles, you'd hardly know it.

By the late 20th century, Western Americans had created a miracle in the desert, successfully conjuring abundance from aridity. Thanks to reservoirs large and small, scores of dams including colossi like Hoover and Glen Canyon, more than 1,000 miles of aqueducts and countless pumps, siphons, tunnels and diversions, the West had been thoroughly re-rivered and re-engineered. It had acquired the plumbing system of a giant water-delivery machine, and in the process its liquid resources were stretched far beyond anything Powell might have imagined.

Today the Colorado River, the most fully harnessed of the West's great waterways, provides water to about 40 million people and irrigates nearly 5.5 million acres of



farmland. It also touches 22 Indian reservations, seven National Wildlife Reservations and at least 15 units of the National Park System, including the Grand Canyon.

Until now, the ever-more-complex water delivery systems of the Colorado Basin have managed to meet the escalating needs of their users. This is true in part because the states of the Upper Basin (Colorado, Wyoming, Utah and New Mexico) were slower to develop than their downstream cousins. Under the Colorado River Compact of 1922, the Upper and Lower Basins divided the river, with the Upper Basin assuring the Lower of an average of 7.5 million acre-feet of water per year delivered to Lees Ferry, Ariz., the dividing point between the two. The Upper Basin would use the rest. Until recently, however, it left a large share of its water in the river, which California, and secondarily Arizona and Nevada, happily put to use.

Those days are gone. The Lower Basin states now get only their annual entitlement and no more. Unfortunately for them, it's not enough, and never will be. Currently, the Lower Basin lives beyond its means — to the tune of about 1.3 million acre-feet per year, essentially consuming 117% of its allocation.

This deficit is "funded," for now, by drawing on the accumulated water surplus held in the nation's largest reservoir, Lake Mead, impounded behind Hoover Dam. Unfortunately, with the Lower Basin using more water than it receives, the surplus there can't last. In November 2010, the level of the lake fell to its lowest elevation ever: 1,082 feet above sea level, a foot lower than its previous nadir during the fierce drought of the 1950s.

Had the dry weather held — and increasing doses of such weather are forecast for the region — the reservoir would have soon fallen another 7 feet and triggered mandatory (but inadequate) cutbacks in water delivery to the Lower Basin states. Instead, heavy snowfall in the Northern Rockies that winter bailed out the system by producing a mighty runoff, lifting the reservoir a whopping 52 feet.

Since then, however, weather throughout the Colorado Basin has been relentlessly dry and the lake has resumed its precipitous fall. It now stands at 1,106 feet, which translates to roughly 47% of capacity. Lake Powell, Mead's alter ego, is in about the same condition.

Another dry year or two and the Colorado system will be back where it was in 2010, staring down a crisis.

One recent study forecasts that, under a changing climate, the yield of the Colorado will decline 10% by about 2030, and it will keep falling after that. Meanwhile, the U.S. Bureau of Reclamation expects the river's 40 million water users to grow to between 49.3 million and 76.5 million by 2060.

None of the available remedies inspires much confidence. "Augmentation" — diverting water from another basin into the Colorado system — is politically, if not economically, infeasible. Desalination, which can be effective in specific, local situations, is too expensive and energy-consuming to slake much of the Southwest's thirst. And weather modification, a.k.a. rainmaking, isn't much more effective today than it was in its infancy during the last century.

Undoubtedly, there will be small successes squeezing water from unlikely sources. But the surest prospect for the West? That a bumper harvest of lawsuits is approaching. Water lawyers can expect decades of full employment in the region. Their clients will include irrigation farmers, thirsty cities and power companies that need water to cool their thermal generators and for hydroelectric production. Recreation interests and environmentalists trying to save endangered species will join them in the legal equivalent of a long-running, circular firing squad.

Powell was right about one thing: Aridity bats last.

William deBuys irrigates a small farm in northern New Mexico and is the author, most recently, of "A Great Aridness: Climate Change and the Future of the American Southwest." A longer version of this piece appears at [tomdispatch.com](http://tomdispatch.com).