

NEWS CLIPS

Published February 19, 2016



Resource Conservation and Public Outreach

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Mayor Eric Garcetti says he will back a ballot measure to reform the DWP

Source: LA Times 2/18/16

Los Angeles Mayor Eric Garcetti said Thursday he would support efforts to place a ballot measure before voters in November that would overhaul the city's perennially unpopular public utility, which in recent years has been subject to growing calls for reform.

In an interview with The Times, Garcetti -- who placed promises to reform the Department of Water and Power at the center of his 2013 campaign -- asserted that his administration had made steady progress in improving department operations. However, he said further advances would require changing the utility's unwieldy governance structure to prevent political meddling, a move critics of the DWP have long advocated.

"The campaign was about this. I've been focused since I've been here on modernizing a utility that serves its ratepayers -- that does things cheaper, faster, better, greener," Garcetti said. "I think this is a once-in-a-generation chance. I'm sick of the studies, and it's time to take action for the ratepayers."

Yet some of the specific changes Garcetti described could put him on a collision course with other reform advocates -- in particular City Councilman Felipe Fuentes, who last month introduced a motion calling for a DWP ballot initiative. Garcetti's outlined reforms, while significant, fall short of those proposed by Fuentes and favored by many DWP critics.

For instance, Garcetti rejected the idea that the department should be governed by an independent board whose members aren't subject to appointment and firing by the mayor, as are the current DWP commissioners. He said the mayor should also retain the ability to hire and fire the utility's general manager.

"I think what we have on appointment is good now," Garcetti said. "It's exactly the right kind of oversight that you elect people to do. People elect me to make sure the chief of police is the right chief of police. They elect me to make sure I have the right person running the airport."

The head of the DWP, he said, "shouldn't be protected" from the same accountability.

Fuentes, whose motion was seconded by Council President Herb Wesson and Councilman Mitch O'Farrell, said Garcetti's insistence on maintaining mayoral control over the DWP's board and general manager was "unacceptable" and would perpetuate the political interference in the utility that his proposal is meant to remedy.

"The bottom line for me is that the current system doesn't work," Fuentes said.

Like many of the of the controversies that preoccupy Los Angeles City Hall, the topic of DWP governance reform is relatively arcane. At its core the question is whether the department's

loathed bureaucracy would function better if it were overseen by a management team independent from the whims of the city's elected leaders.

That question has grown more urgent as a series of scandals have buffeted the department since Garcetti took office.

Among them have been the revelation that a pair of questionable nonprofit groups affiliated with the department's powerful employee union had siphoned \$40 million from the utility, and the botched rollout of a new billing system that miscalculated many Angelenos' bills. In July, the consumer group J.D. Power and Associates ranked the DWP last among large Western power providers in its annual customer satisfaction survey.

Despite such setbacks, the department is currently seeking to raise water and power rates.

In December, City Controller Ron Galperin released a report stating that because of DWP's unusual structure "no single entity has enough insight into or authority over department operations and finances to hold it fully accountable."

Unlike private and some other public utilities, the department currently operates under the control of the mayor and City Council. As a result, many low-level decisions on the department's technical operations and contracts must go through City Hall.

The DWP is also subject to the city's ponderous civil service code, which slows the hiring process and makes recruiting workers difficult, especially when faced with competition from utilities offering similar jobs in the private sector. (Both Garcetti and Fuentes said they supported exempting DWP workers from the city's civil service rules.)

Fuentes, chairman of the council's Energy and Environment Committee, introduced a motion last month to place an initiative on the ballot that would amend the city charter to grant the DWP greater independence.

While all its details have not been finalized, the measure -- which would likely go before voters in November -- would create an independent, full-time board to oversee the utility and remove mayoral and City Council oversight of most department operations.

One unanswered question about the proposed overhaul is whether the board would be elected or appointed. Fuentes said he was open to either option, but was leaning toward the idea of a hybrid board of elected and appointed officials who have expertise relevant to running a public utility.

Garcetti, by contrast, said he did not support the idea of electing board members, since he could foresee cases in which unqualified people won office or in which the International Brotherhood of Electrical Workers Local 18, which represents most DWP employees, was able to hand-pick and fund its desired candidates.

"A union could buy that election," Garcetti said. "Or ... when you're running for election, who're you going to vote for -- the guy who says, 'Look, I'm going to responsibly look at your rates,' or

the person who says, 'I will never vote for a rate increase'? And that might not be the responsible thing, but for voters they need to say that."

The council's Rules Committee is scheduled to hold a hearing on Fuentes' ballot measure proposal Friday.

Winter storm drops rain in Los Angeles, 2 feet of snow in Sierra Nevada

Source: LA Times 2/18/16

As a rainstorm moved out of Southern California to make way for warmer conditions, snow blanketed parts of the Sierra Nevada with up to 24 inches of new accumulation Thursday.

The weight of the fresh powder triggered an avalanche on at least one snowy mountainside in Alpine Meadows near Lake Tahoe, the California Highway Patrol in Truckee reported.

Preliminary snowfall reports showed at least 24 inches in the last 24 hours at Heavenly Ski Resort in South Lake Tahoe. Another 14 to 20 inches were reported at Alpine Meadows Ski Resort. Truckee received about 13 inches.

Up to 12 inches of snow fell at Tuolumne Meadows in Yosemite National Park.

Powerful winds with up to 70 mph gusts whipped through the Kern County mountains.

Meanwhile, scattered showers continued to fall on Los Angeles County on Thursday morning. But the rain won't stick around for long and dry conditions will return.

A cold front swept over Santa Barbara, Los Angeles and Ventura counties overnight, producing three hours of steady light rain, according to the National Weather Service. More than half an inch of rain fell in downtown Los Angeles, while the mountains of San Luis Obispo, Santa Barbara, Ventura and L.A. counties received more than an inch of precipitation.

By Thursday afternoon, the storm will move east and out of the area.

Temperatures will hover in the 60s for most of the day, with a slight warming Friday.

Rainy conditions led to some dangerous road conditions in L.A. County on Wednesday night.

In Arleta, a driver was killed about 6:28 p.m. when his pickup crashed into a transformer, which fell onto the truck, according to the Los Angeles Fire Department. Department of Water and Power crews worked to de-energize the transformer in the 13700 block of West Osborne Street so firefighters could safely reach the driver and remove him from his vehicle.

The rain prompted a health advisory for local beaches until 5 p.m. Saturday. The Los Angeles County Department of Public Health warned that coastal waters could be contaminated by runoff from the storm.

By Saturday, forecasters say a high-pressure system building over Nevada will bring gusty winds and warm temperatures, which will continue through early next week.

Forecasters expect dry conditions through February, with more rainfall by early March.

Here's a sampling of rainfall totals for the area through 7 a.m. for this storm.

Alhambra: 0.78 inches
Avalon: 0.50 inches
Bel Air: 0.75 inches
Beverly Hills: 0.77 inches
Claremont: 0.66 inches
Culver City: 0.56 inches
Hollywood Reservoir: 0.59 inches
Long Beach: 0.53 inches
Mt. Baldy: 1.22 inches
Pasadena: 0.79 inches
Redondo Beach: 0.70 inches
Santa Monica Pier: 0.39 inches

Source: The Acorn 2/18/16

Pollution challenge fails

Recent lawsuit claimed watershed regulations were too austere



SOMEBODY'S GOT TO DO IT—Workers clean up the trash and pollution at Las Virgenes Creek in Calabasas. ACORN FILE PHOTO A federal court upheld a plan to reduce pollution in the Malibu Creek watershed despite claims that the move will lead to higher rates for water customers.

The ruling rejects a 2013 lawsuit brought against the United States Environmental

Protection Agency by Las Virgenes Municipal Water District and Triunfo Sanitation District seeking to curb the pollution measures.

Environmentalists say the court decision is a victory for one of Los Angeles County's few remaining natural watersheds. But critics believe the stricter discharge requirements will be costly with unproven results.

The Las Virgenes-Triunfo Joint Powers Authority is responsible for the operations of the Tapia water reclamation plant in Malibu Canyon.

The facility treats approximately 10 million gallons per day, converting sewage into treated recycled water that complies with state and federal standards.

During warm- weather months, most of the treated water is used to irrigate parks, golf courses, highway landscapes and public areas. In cooler, wetweather months, the surplus is discharged into the L.A. River or Malibu Creek.

But Tapia is also required to discharge some water in the dry season to supplement creek levels for endangered fish.

"It is time for this public agency to stop wasting its customers' funds on fighting to pollute Malibu Creek," said Steve Fleischli, water program director and senior attorney for the Natural Resource Defense Council.

"The judge was clear that the water agency's arguments against reducing water pollution were at times 'specious,' 'misleading' and 'disconcerting,'" Fleischli said.

The case ties back to a 1998 Heal the Bay and Los Angeles Waterkeeper lawsuit against the EPA over California's alleged failure to establish pollution targets, known as Total Maximum Daily Loads, for waterways in the Los Angeles region that were not meeting water quality standards.

Since then, the EPA and State Water Resources Control Board have been working to establish water quality standards that are more stringent than existing requirements. The Los Angeles Regional Water Quality Control Board is in charge of phasing in the new clean-water measures locally.

"One of the Clean Water Act's most important provisions is the requirement to establish pollution targets to improve contaminated waterways," Heal the Bay vice president Sarah Sikich said.

David Pedersen, general manager for LVMWD, said the lawsuit was filed on behalf of ratepayers who will ultimately bear the cost of the pollution control facilities that would need to be built, yet may not accomplish meaningful water quality improvements.

"The ruling last week was disappointing to us. No doubt it's a setback for the JPA and its ratepayers, but it wasn't unexpected and it's not the last chapter," Pedersen said.

Since the Malibu Creek Watershed is a high-profile ecosystem that remains under constant scrutiny, the joint powers authority has and will continue to work with the regional water board to address pollution concerns, Pedersen said.

Local water officials are exploring new options to store and reuse excess recycled water from Tapia. One alternative would turn the reclaimed supply into potable water and the other would involve the use of an existing reservoir in Encino for additional storage space.

As proposed, the discharge requirements do not sufficiently recognize native conditions in the watershed and they go far beyond the scope and intent of the Clean Water Act.

Moreover, the stringent water quality standards could cost \$100 million to implement, possibly tripling the sewer bills for thousands of ratepayers in the local communities, Pedersen said.

"A lot has happened since the litigation began in 2013. There is certainly more work to be done, but I'm optimistic that we have some good things in store that can help to come to a resolution," he said.

But according to the EPA, the new requirements are essential to help ensure that Las Virgenes and Triunfo will better treat the wastewater before releasing it into the creek.

The watershed extends from the Santa Monica Mountains and adjacent Simi Hills to the Pacific coast, and drains into Malibu Lagoon, a 13-acre tidal inlet. About three-quarters of the watershed is undeveloped and several threatened and endangered plant and animal species call the creek and lagoon home.

Too much sediment can clog habitat within the creek, and nitrogen and phosphorous can cause dense algal growth, making it difficult for aquatic life to live in the creek.

“We’re thankful the court upheld this important plan to protect water quality for the people and wildlife of Los Angeles,” said Bruce Reznik, executive director of Los Angeles Waterkeeper, who joined Heal the Bay and Natural Resources Defense Council as interveners.

The joint powers agency representing Las Virgenes and Triunfo has 60 days to file an appeal of the district court’s order.

Other stakeholders, such as local cities, counties, and state and national park agencies, also face high costs as they try to meet new discharge standards that require stormwater and urban runoff to be treated before it goes into the local waterways.

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www.LVMWD.com
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Las Virgenes - Triunfo Joint Powers Authority

