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Agenda Item: ID#15-123 (5:30 P.M.)

Date: 2/26/15

CITY CLERK, FRESNO **FRESNO CITY COUNCIL**



Supplemental Information Packet

Agenda Related Item(s) – ID#15-123

Contents of Supplement: Letter from Fresno Branch Earth Democracy Committee

Item(s)

Actions pertaining to adopting a five year plan for water rates, pursuant to Proposition 218

1. ***RESOLUTION - Adopting a Five Year Water Rate Plan in Compliance with Proposition 218
2. ***RESOLUTION - 522nd amendment to the Master Fee Schedule ("MFS") Resolution No. 80-420 to adjust water fees in the Public Utilities Water Fee Section according to Proposition 218
3. ***RESOLUTION - Adopting a Water Affordability Credit Program ("Water ACP")

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

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WILPF Fresno Branch Earth Democracy Committee
Questions City of Fresno Claims to 50 Upcoming Years of Responsible
Water Delivery

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CITY CLERK, FRESNO CA

Issues:

1 Capital water projects—costs and theories of efficiency: The City of Fresno, the fifth largest in California and the 34th largest in the nation, intends to develop a major surface-water capture, treatment, and distribution system with a pipeline from the Kings River to a new facility in southeast Fresno. Cost: \$340.2 million. In addition, \$82.5 million is to be spent on renewing aging water infrastructure (pipeline and well replacement). Current groundwater recharge facilities are to be augmented with an additional \$6.4 million. The total cost is projected at \$429 million.

To pay for all this, City Council and Staff propose the doubling of monthly water fees to the rate-paying public over a five-year period. Modest amounts of \$1 million each from other sources are proposed to subsidize the increased rates to low income Fresnans and to pay for water conservation strategies.

The City does not acknowledge and may not know what the actual cost of water delivery is. Rates charged are quite low. Statewide, local agencies apparently make decisions about and spend about 80% of the money involved in water access and delivery.

What is the actual cost of water from access through delivery?
Is this proposed water project a timely and cost-effective alternative?
Why not educate the users about the actual costs?

2 City's concerns do not include the impacts of the drought or climate change. The City's major concern to this point appears to be fear of public negative reaction to the increase in rates. Neither City nor State officials appear concerned about how the effects of the prolonging drought and climate change might reduce the amount of water available in the Central Sierra Nevada from decreasing snowmelts, rising temperatures, and less rain. Climate projections look to critically dry years up to 50 percent more often if our heat-trapping emissions continue to rise unabated, as well as decreases in water for crops and livestock of 40-50 percent.

Furthermore, the project is a dusted-off version of one that has been on the shelves since the 80s of the last century. It appears to be an 80's solution to the problems of a new century and almost three decades of population growth and climate change.

Why are City and State officials and staff not concerned about the timeliness, suitability, and costs of this project within the context of the extensive Southwest U.S. drought and increasing signs of climate change?

3 Absence of a cohesive vision. Vague projections in water allocations and nil address of alternatives considered: The title of the proposed project is "Recharge Fresno". One of

the stated purposes is to recharge the groundwater overdrafts. Another purpose is “safe and reliable water for the next 50 years”. Fresno currently relies on groundwater (located in aquifers below the land surfaces) for all the water uses within the city. The local water table has dropped over 100 feet in 80 years. California in the fall of 2014 passed a “Sustainable Groundwater Management Act” which apparently requires that cities cease or substantially reduce the use of groundwater. (It will take a few to several years for implementation of this act, as the regional oversight processes are yet to be developed.)

There appears to be no specific plan addressing how much water will be set aside for recharging the aquifer; nor whether such a plan, if produced, would be feasible. Key facts are being ignored. The city is surrounded by land in heavy agricultural use: agriculture uses 80% of the water and urban areas about 20% annually. The relationships between City and County water sources have not been addressed, other than a vague and perhaps vainglorious allusion that “Fresno is fortunate” compared to other cities and regions within the State. Agricultural draws on groundwater are increasing with the prolonged drought. Among California counties, the drilling of deeper and new wells is highest in Fresno, Tulare, and Merced counties—perhaps double the rates elsewhere in the State. Finally, increases in population over the next 50 years have only vaguely been alluded to. (Fresno County population has been growing at the rate of 1.6% annually since 1990—higher than State rates overall. No data has been provided, nor have the issues been mentioned other than vaguely in a series of interviews with reporters from The Fresno Bee.)

Currently, a minority of City Council members are concerned about the ability of the City to control project costs, in the light of several recent large capital ventures with huge cost overruns. None of the Council members or the Staff or State water officials appears concerned about doing real math.

Real math would factor in population growth, climate change, alternatives considered should the snowmelt decrease substantially, further plummets in the water table with the prolonged over-drafting of the groundwater (rendering current wells unusable), and alternative sources of water, including conservation and real water reclamation/recycling. For example, Fresno currently has a reclamation project in southwest Fresno. Recent articles in the local Bee imply that the City did not develop a plan prior to implementation about how to use the water, other than for groundwater recharge. There has been no public consideration of what it would take to use the water for in-City purposes.

4 The culture of water: insularity, chaos, and competition. Fresno appears to be acting in a vacuum. Actually, it is! Water policy in California has been declared akin to something dreamed up by “a . . . bureaucrat on LSD”. We are in a time and culture of self-interests and brutal competition. Water law and management have to shift to “for the common good”—of Californians, and to live in harmony with the earth and climates in CA.

Other California cities, Contra Costa, for example, seem to be making much more substantive headway on water conservation.

Why does Fresno not acknowledge exemplary performance elsewhere, and obtain advice?

5 The failure to address meaningful and substantive water conservation and reclamation: in what may be a California reverting to its 7,000 year old pattern of long droughts and much drier periods than the most recent and wettest 150 years. Last on this current list of laments, and certainly not least, is the failure to address water conservation and its potential to reduce urban water use easily by 30%, according a 2003 report from the Pacific Institute, based in Oakland, CA.

BACKGROUND:

The City of Fresno has been planning for the new surface water capture and treatment facility since the mid 1980s. What is providing a major impetus to move forward now is the passage of new State laws (2014) requiring back-off on groundwater (beneath-surface “aquifers”) over-drafting and elimination of the use of wells drawing up water contaminated with TCP. “Solutions [to these challenges] require a combination of conservation, recharge and maximizing surface water supply,” according to the City’s FAQ Responses from Water Forums in the fall of 2014. At present, the majority of City water is drawn from the underground aquifer.

WILPF EARTH DEMOCRACY COMMITTEE POSITION SUMMARY:

Aggressive (not Draconian) water conservation needs to and can happen now. Water conservation can much more immediately secure the City and its residents with a significant reduction in the groundwater over-draft sought by the State than the several years required to build and reap the benefits from the capital improvement project—should the snow continue to fall.

Fresno has no clear water conservation vision. It has taken 5-7 years for Fresnans to reduce urban consumption from 330 gallons per capita per day (gpcd) to 240. Other cities have made greater reductions in one year. In fact, the statewide consumption average was ≤ 230 gpcd in the year 2000 (see *Waste Not Want Not* study by Pacific Institute). While WILPF appreciates the City’s concerns for all its residents, we also ask the City to be transparent in providing and using the best water usage practices from other California communities.

Both State recent laws and the City’s proposal ignore the need for aggressive and thoughtful water conservation strategies now. These laws and strategies are based upon the much-disproved theories that we can in fact rob Northern and all Californians (“Peter”) in order to pay Paul by providing water to recently planted (within the last several years) thirsting, water-intensive crops not sustainable within California’s climate. Furthermore, we somehow seem to think that if we grow the population and the thirsty plants and if we build the

pipelines and the storage facilities, the snow and the rain will fall. This is the water version of "Build it and they will come".

According to the Pacific Institute in a well-researched study, *Waste Not Want Not*, published in 2003, urban areas can save at least 30% of present water usage with reasonable water conservation measures. The City of Los Angeles has demonstrated the truth of this with its aggressive strategies including mass conversion to low-flow toilets in both residential and commercial/institutional settings. According to the Sacramento-based Local Government Commission, Los Angeles is using the same amount of water as it did 30 years ago even while providing water to 1 million additional people.

Unfortunately, Fresno's dusted-off, capital-intensive build-and-the-rains-will-come solution from the 1980s does not address the drought and much drier conditions Californians are experiencing today. Climatologists and other geographic experts are saying that California may be in the midst of returning to the more prolonged drought cycles typical of its 7,000 year history. Both State and City of Fresno thinking are suitable to periods of plentiful rain, and actually increasingly plentiful rain to match population growth! (Note: we're not saying don't build water storage to capture water in any upcoming plentiful years. We are asking for wise water management that leaves a flourishing state for our children.)

Finally, such water conservation will involve difficult shifts in our competitive, self-serving and each-other-bashing culture into collaborative networks in order to leave a legacy of water and beauty for our children and our children's children.

We ask Fresno to be the model city it claims to be, and help lead the way.

The following pages provide more detail on our research and our recommendations. This is not a comprehensive study. We hope that this paper and its recommendations can stimulate an on-going dialogue the turns into wise actions now and in the future.

For more information, contact

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Or Joan Poss, Co-Chair, at ilsasso2003@yahoo.com

DETAILS: FACTS, WISE CONSERVATION PROJECTS, ESSENTIAL OPERATIONAL FACTORS TO ENACT WATER CONSERVATION, AND WHAT HAPPENS IF WE DON'T

- 1 Fact: California, geographically, is a semi-arid desert region in a larger geographic region known as the semi-arid to arid Southwest. California and the Southwest are currently in the midst of a multi-year drought. The current year promises to be the driest year on record since 1580, when CA was in a greater than 100-year drought. California's most recent 7,000-year history is one of dryness, scant rain, and recurring deep droughts: two within the last 2,000 years lasted over 140 years each.

Fresno City's proposal to shift from reliance on groundwater to a greater reliance on surface water, even though required by State law, might turn out to be a pipedream if "now" is one of those times that CA's drought patterns extend beyond a five or seven year time period.

- 2 Using up water resources: The established trend of relying on groundwater is producing concerns of limited supply, as wells go dry and the number of applications for new and deeper wells increases. The historically largest number of well permits in the State has been issued to corporations and individuals in Fresno and Tulare counties (350) within the past year. Merced County (200) ranks second.

Many individuals and communities, including Fresnans, rely on the pumping of groundwater from underground aquifers.

Ground subsidence will prevent the recharge of several aquifers.

Reliance on water for crop irrigation is not just a California problem. The Ogallala Aquifer in the Midwest is experiencing even more dramatic drying up in the areas of west-central Kansas.

- 3 Water conservation needs to be a dominant principle, regardless of other measures to be taken. Although the City states that "conservation, recharge and maximizing surface water supply" are, all, important responses to the challenge, conservation is given less than lip-service, with a proposed expenditure of \$1.1 million from a grant source over the five-year period. Fresno's six-year reduction in water use to 240 gallons per capita per day (gpcd) brings Fresnans in 2014-15 where the State average was in the year 2000, according to the Oakland-based Pacific Institute. Urban water conservation can save up to 30% of current water usage, according to the Pacific Institute in a thoughtful study produced in 2003.

Many CA cities are being much more aggressive and achieving more significant results. In addition to the achievements of Los Angeles, the cities of Livermore, Pleasanton, Dublin and San Ramon (Tri Valley Users) reduced their consumption of water in only **one year** by at least 25% (2013-2014). Marin County—Water-conserving landscapes at condos and townhouse complexes reduced water usage by 50%. The

city of St Helena (using mandatory restrictions) has a usage average maximum of 65 gallons per person per day.

Water conservation measures in Fresno should include a multi-project strategy.

- 3-1 All toilets to be low flow. Retrofit existing housing; require in all new and remodel construction.
 - 3-2 Low-flow showerheads. Development of “green” housing standards for new housing and bringing up existing housing to green standards.
 - 3-3 Replacement of turf with drought-tolerant landscaping, on all fronts: residential, commercial, industrial, and institutional (CII). Retrain the local gardeners to deal with assisting homeowners and institutions to shift to drought tolerant landscapes.
 - 3-4 Facilitating use of graywater systems and recycling water at both commercial and residential levels. This creates “buy-in”. Help home gardeners devise ways to maintain their vegetable gardens and their homegrown food supply.
 - 3-5 Include subsidy and rebate programs in all feasible strategies involving changing understanding and habits in both private and institutional sectors. Rebate programs should include conversion of front lawns and restriction of backyard lawns; a tiered fee structure with rewards for low and effective use of water; rebates for institutions switching to efficient washing machines, grey water systems, etc.
 - 3-6 Track and engage in sharing information and learning about imminent state-of-the-art programs, statewide and nationally. Even research ones that may apply only peripherally: the Live Machine program emerging on the East Coast may contain lessons for us. Despite costs, ultimately we may have no choice but to recycle all water. All current capital projects should address and assist with this issue.
 - 3-7 Share information with Fresno residents—beyond what Fresno is doing.
 - 3-8 Develop water conservation targets agreed upon by stakeholders, including all City residents. Submit regular information gathering and reports, just as is done now in the monthly utility bills. Take water conservation seriously.
 - 3-9 Push for and collaborate in statewide forums for wise water conservation and management.
 - 3-10 Work with the County of Fresno and the region to shift from competition to funding exemplary collaborative programs which gain public attention and provide success in water conservation and energy efficiency.
- 4 The role of policy-making and regulation of water: California is one of the few states that until the end of 2014 had not regulated the use of groundwater. A direct result of this avoidance has been the recent proliferation of water-intense crops, such as almonds, the bulk of which are exported internationally for the profit of the few. Other trends that require address and curtailment include preventing urban sprawl, opposing housing developments at both City and County levels that are water-intensive, and keeping public services public. The increasing trend toward privatization would only help foster the current climate of water banditry. Recurring private meetings at national, regional, statewide, and local levels also are to be outlawed. Water has to be conserved for the health of everyone and for the planet, not for profit.

Urban water usage constitutes about 20% of water consumed annually in California. Agriculture uses about 80%. Agricultural conservation and water control policies must be developed and implemented for the sake of all state residents and coming generations.

The laws recently passed at the State level include the Sustainable Groundwater Management Act. Analysts appear to agree that the legislation was written in haste, and contains several “holes” that will delay implementation for years. One of the holes of concern to WILPF is the development of the proposed local decision-making bodies: who is to sit on those bodies and how they are to be educated and sustained. The only people who can afford to sit on such bodies generally, in our present political/cultural climate, end up acting akin to the foxes raiding the henhouse. This penchant for well-meaning service ends in lip-service, while the water table drops and in places dries up, as it is doing in both California and the Midwest.

Access to water to sustain life, wisely managed, thoughtfully used, must become the major principle. There is not enough water to maintain turf or water-intensive crops unsustainable in California. We need to stop letting “the market” decide whether there is water available for everyone, including new non-essential entrepreneurial endeavors, such as fracking and the growing water pollution from that process.

- 5 The role of networking and collaboration: water, although rapidly being depleted in several areas of the State, is a matter for great competition. In order for the State to remain healthy, competition must turn into collaboration: shift mindsets to define and agree upon common interests for the common good of present and future generations. Without privatizing decision-making about public utilities such as water, private and public sectors must share information, innovative strategies, and cooperation.

To conserve water, collaboration has to begin at all levels. This is going to be a “tough go”. However, if the drought continues, there may be substantial impetus for doing so.

- 6 The role of education: developing and implementing water conservation curricula in all educational institutions is essential for the effectiveness of all conservation plans. Educational institutions have to be consistent: practice what they preach. In fact, corporations and other large institutions will require in-house educational and strategy components.

Public outreach and education will play a much-expanded role in water conservation. Such efforts will require greater funding. Still, networking with available resources, such as CSUF through their professors and students, can lessen the monetary burden and provide exciting learning opportunities and results that will enrich the Fresno community. (CSUFresno has what it considers a state-of-the-art irrigation-consulting unit. Give it the charge to help lead the way in assisting with clearer and more

definitive agricultural reduction in over drafting, as well as in dealing with—literal—“turf” issues.)

Our children can help lead the way here. When they are taught that smoking damages lungs, they ask us adults why we are ignoring what we’re teaching. Imagine what they can do to help water conservation!

- 7 Q: What California is likely to look like if we don’t comprehensively develop water conservation and water management policies that insure the health of all members of the present and future generations?

A: A desert. Grasshoppers, anyone?

Setting glibness aside, many thoughtful commentators have described elements of the California of the future without substantive immediate address of water conservation and wise water policies and active management:

- Many small towns would literally dry up and cease to exist.
- Millions of farm acres would be fallowed, row crops first. Massive amounts of groundwater pumping would deplete aquifers, and wells go dry. Eventually, the costs of drilling deeper wells (and encountering the heavy minerals in deeper waters) would prove unfeasible. Banks would lend their money elsewhere.
- Some farm sectors with “senior water rights” would make a huge profit, selling water at skyrocketing prices to cities.
- Billions of dollars in Federal aid provided from national levels would not solve the problems. Agriculture would decrease in California.
- The large urban areas will survive.
- Golf courses would dry up.
- Food will be imported, rather than grown locally. (Source: Paul Rogers, San Jose Mercury News)

Is this the kind of California we want? We may still have a choice.

Note: If you would like an e-file of our presentation talking points, please email Mary Murphy at murphymentor@sbcglobal.net. @ Mary Murphy, on behalf of WILPF Fresno.

End Notes