

State officials send warnings on eve of Fresno's big water vote

By George
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This is the end product at the city of Fresno's water treatment plant on Chestnut near Behymer in northeast Fresno, pure treated water. Photographed on Sept. 18, 2013. MARK CROSSE/THE FRESNO BEE
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What: City Council hearing on water rates

Where: Fresno City Hall, 2600 Fresno St.

When: 5:30 p.m. Thursday



Two powerful state agencies have sent letters reminding Fresno City Hall that the stakes are high in Mayor Ashley Swearingin's proposed water project.

As if just about everyone in town didn't already get it.

Top officials with the State Water Resources Control Board and the state Department of Water Resources took different approaches to emphasize that public health and safety will be the key issue when the City Council on

Thursday evening debates the mayor's plan.

Kassy D. Chauhan, senior sanitary engineer with the Water Resources Control Board, said as many as 44 city wells could be affected when new standards for 1,2,3-trichloropropane (or TCP) are made public.

The chemical compound, used in the production of pesticides among other things, is highly toxic. Studies link it to cancer.

Chauhan in her letter to Swearingin said the board's drinking water division "is concerned about the city's ability to be able to meet domestic water supply demands in the southeast portion of the city given the number of wells that could be deemed to be out of compliance" with TCP standards.

Chauhan said Fresno, thanks to its access to generous amounts of river water in normal rain years, is in good position to recharge its aquifer. The key, she said, is actually doing something.

If the city doesn't act and public health is threatened, Chauhan said, state officials "will have to use their enforcement authority to ensure that corrective action is taken."

While Chauhan hammered the city on water quality, state Department of Water Resources Director Mark W. Cowin in his letter stressed the importance of quantity. His focus was the state's new Sustainable Groundwater Management Act. The law ends the era in which cities such as Fresno could stick a straw in the ground and mindlessly pump water to its heart's content.

But Cowin's message was the same: Fresno has water at its fingertips to save the aquifer, the time for Fresno to build the necessary infrastructure is now, woe to anyone who thinks Sacramento will take no for an answer.

If City Hall fails to shoulder its legal duty, Cowin said, the state will "step in and manage the basin until local leaders find the wherewithal to do so."

Fresno Public Utilities Director Thomas Esqueda summed up the significance of the two letters.

"They're not fooling," he said.

Higher water rates in one form or another have been stirring up controversy at City Hall since spring 2013.

Swearingin is proposing a \$429 million upgrade to the water system that includes a new surface water treatment plant in southeast Fresno and lots of new pipes. Fresno, after more than a century of relying largely on groundwater, would relieve its thirst mostly with river water.

The mayor is proposing five years of graduated rate hikes to begin paying for everything. Estimating the effect on individual water bills has been a source of constant conflict. It's safe to say a typical single-family residence, with no change in consumption patterns, would see its bill nearly double by 2020.

Critics of the mayor's plan don't dispute the importance of clean and abundant water to Fresno's health and safety. They say there are better ways to reach the mayor's goal.

Just about everyone who is anyone in this water fight has spent the past week getting in a final punch or two.

Former Fresno County Supervisor Doug Vagim, the mayor's most persistent critic, told his considerable base of support that he won't start a petition drive to put the rate plan in the hands of voters.

No surprise there since Vagim in his winning legal settlement with City Hall last year agreed to personally stay away from such politicking. Then again, Vagim probably doesn't need to get involved. He said he knows of plenty of others with the freedom and motivation to pursue a ballot initiative.

Council Members Clint Olivier and Lee Brand unveiled their Enterprise Accountability and Oversight Act, slated to go to the council on Thursday morning. Their news conference at the city's northeast surface water treatment plant did two things.

First, it highlighted a policy that provides third-party review of big-ticket, ratepayer-funded construction projects, such as Swearengin's water-system upgrade. Don't worry, the council members said, a watchdog with real teeth will be on duty.

Second, the news conference almost certainly put to rest any question about the outcome of Thursday's water vote. Olivier and Brand join Council President Oliver Baines and Council Members Paul Caprioglio and Steve Brandau in publicly expressing in some manner their support for the mayor's plan before the hearing even starts.

And the City Clerk's Office made an eye-opening late addition to the hearing's packet of public documents.

Marina Magdaleno, business representative for Stationary Engineers Local 39 (the city's blue-collar union), sent a letter to the council voicing her members' strong support for Swearengin's plan.

Magdaleno tackled three themes.

She emphasized the important work done by Local 39.

"The employees of Local 39 and the city of Fresno are charged with the responsibility of delivering clean, safe and reliable water services to every residence, business, industry, and institution in the city's 110-square-mile service area," Magdaleno said. "Rest assured that we take this public health and safety responsibility very serious as we work on behalf of the community to ensure water deliver 24/7/365 — rain or shine, day or night, hot or cold."

Magdaleno praised city officials for making every effort to lighten the project's financial burden on ratepayers.

Finally, Magdaleno reminded council members that a safe and reliable supply of water is vital to life in Fresno.

"In closing," Magdaleno wrote, "I and the members of Local 39 look forward to the City Council adopting the proposed capital plan and rate plan on February 26, 2015, and to the Administration submitting additional financial assistance applications to fund other Recharge Fresno projects."

Once again City Hall shows the mysterious yet captivating nature of politics: It was Magdaleno who led the successful effort in 2013 to stop Swearengin's drive to privatize the city's residential trash service. Vagim and Baines were among Magdaleno's most powerful allies.

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