

Clovis residents, council members frustrated by state water mandate

By Marc Benjamin
mbenjamin@fresnobee.com

Clovis City Council Member Bob Whalen regularly hears complaints about the city's water fines from friends and constituents, and sometimes he takes a uniquely Clovis approach to dealing with them – he buys them a cup of coffee and hears them out.

“Usually when people see me,” Whalen said, “they take the opportunity to vent.

“People don't like paying fines, especially when they think they've been good stewards.”

He explains to them that the city is at the state's mercy, ordered to cut consumption by 36 percent compared with 2013 usage or risk daily fines of \$500 to \$10,000. In the past three months, the city has fined residents \$500,000. If the state imposes the maximum, it would far exceed the city's fines.

Residents are fined in increments of \$12.50, \$25 or \$50. Industrial and business customers could face larger fines if they don't meet the state's mandate.

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Bob Whalen, Clovis City Council member

Council Member Jose Flores can't go anywhere without hearing about it.

“At a public event or at the grocery store, even at the gym if people know who I am,” he said. “The first question I'm asked is how we got here.”

Residents who know that Clovis has more than enough water to serve all its customers wonder why they are being fined. The city balanced its water sources by building a \$40 million water treatment plant to take water off canals and filter it for city use, put \$10 million into a water bank near Kerman and spent millions more to pipe recycled water from its sewage treatment plant near McCall and Ashlan avenues for use in city parks, Clovis Community Medical Center and Highway 168.

“Of all the cities around here, we were best prepared,” Flores said.

Heat plus large lots

The problem is twofold: Clovis is in one of the hottest parts of the state, where landscaping demands more water. And the city is primarily composed of single-family homes, many with large lots and hearty landscaping.

City officials point out that Clovis is among the state's fastest-growing cities, adding about 4 percent to its population since 2013. But the state didn't take the growth into account when it issued its mandates earlier this year.

That puts cities like Clovis in the state's crosshairs. Other communities facing a 36 percent mandate include Pinedale in northwest Fresno, Redding, Red Bluff, Wasco, Shafter, Modesto, Exeter, Norco, Yucaipa and Redlands.

Those living on larger-than-average lots are getting hit hardest.

John Guarnera, who downsized from a northeast Fresno house and moved to a new Clovis home in early 2014, is one of those people. He was fined even after installing a \$1,500 drip irrigation system. He collects shower water and applies it to his lawn. Last year, he used 75,000 gallons of water in July and August compared with 37,000 gallons this year. But under the state-mandated cut, he was only supposed to use 22,000 gallons, he said.

It's just kind of frustrating. I'm happy I have the money to pay it but I'm unhappy I have to pay it.

John Guarnera, Clovis resident since 2014

Guarnera is upset because his home didn't even exist in 2013. Under the city's rules, an average use is calculated from all users in 2013, and new homeowners must cut back 36 percent from that average to avoid a fine.

If his use this year was measured against 2014, the only year he was in the home, instead of the 2013 average, he wouldn't have been fined.

"It's just kind of frustrating," Guarnera said. "I'm happy I have the money to pay it, but I'm unhappy I have to pay it."

He said many who are fined just pay it.

"I have the feeling that once people see they are getting fined they just forget about it and water the heck out of everything," Guarnera said. "I guess I'm just frustrated."

Mayor Nathan Magsig said the city is frustrated, too.

After accounting for the city's growth, the cut in consumption is really closer to 40 percent, Magsig said.

"Our preference is to collect absolutely no fines, but ultimately we had to put some measures in place so the state would say we had teeth in our regulations," he said. "Nobody wants to face \$10,000-a-day fines, but 36 percent of the average (from 2013) means your landscaping is going to take a beating."

Those upset by the fines can appeal them. So far, the city has had requests from about three dozen customers, city officials say. The city also offers water use audits to show customers where they could save or if they have undetected leaks that need repairs.

Rebates beat the system

Clovis resident Staci Wells-Mefford said she is redesigning her backyard with the state's new turf rebate program, which she figures will help her avoid a fine.

Wells-Mefford said she was fined \$12.50, but the meter reader misread her meter and the fine was later nullified.

The turf removal rebate offers up to \$2,000 for California residents to remove grass and replace it with rocks, mulch, water-conserving plants and shrubs.

We are in the process of ripping out our yard. Mine is already pretty much down to the dirt.

Staci Wells-Mefford, Clovis resident

"We are in the process of ripping out our yard," she said. "Mine is already pretty much down to the dirt."

Wells-Mefford said she is "excited" about her new home project.

"You do have to get rid of your lawn," she said. "We plan to use decomposed granite, bark and drought-resistant plants."

Rebate information is available on the Clovis city website, but applications are processed by the state.

City officials say the turf rebates will require some work on behalf of the homeowner, but encourage those interested in taking it on.

“People should do it if they are willing to do the work,” said Lisa Koehn, the city’s assistant public utilities director.

Marc Benjamin: [559-441-6166](tel:559-441-6166), [@beebenjamin](https://www.instagram.com/beebenjamin)

Water-saving resources

- Residents interested in California water rebates should go to: <http://www.saveourwaterrebates.com/>
- The Clovis city website has information available about reducing water use. Go to: <http://www.ci.clovis.ca.us/Depts-Services/Public-Utilities/Water>