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FILED

July 7, 2015

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Clerk of the Court
Superior Court of California
County of Calaveras
By: *[Signature]*, Deputy

Honorable Judge Grant Barrett, Presiding Judge
Superior Court of California
County of Calaveras
891 Mountain Ranch Road
San Andreas, CA 95249

RE Union Public Utility District Response to the 2014-2015 Grand Jury Report

Dear Judge Barrett:

This response is submitted by the Union Public Utility District (UPUD) with respect to the 2014-2015 report of the Calaveras County Grand Jury.

Regarding **Groundwater and Wells** (pages 37-46):

Finding 2

Some wells throughout the county are failing. Calaveras County Environmental Health Department (EHD) does not have statistics regarding failed wells. EHD does issue permits for new wells and for extending old wells. Testing of these wells is done primarily to determine the potability of the water.

CCWD does not monitor the number or location of failing wells so the scope of the problem is not well known. CCWD is apprised of failed wells only when a resident contacts them in search of an alternate water source.

EHD has conducted surveys and data collection studies as part of the 2004 Calaveras County Ground Water Management Program and this information is available on-line (see sources listed above). This data includes information on well depth, productivity, and water collected at the time of permitting as well as tertiary channels. (EHD)

Drought conditions have an effect on well water, but the impact depends entirely on how the water is replenished. Wells on tertiary channels seem to be the most reliable. Wells on shattered rock are hit or miss. Wells on the San Joaquin County Ground Water Sub-basin (SJCGW Sub-basin) are dependent on depth and overdraft conditions.

CCWD provided the following data regarding the number of households obtaining water from their water pickup locations (taps) due to failing wells (April, 2015):

- 38 – Jenny Lind System (Valley Springs/Rancho Calaveras, Burson, Campo Seco, Wallace, Paloma)
- 12 – Copper System (Angels Camp, Copperopolis, Diamond XX)
- 2 – West Point System (West Point/Wilseyville area)

CCWD reported to the Grand Jury that there are five water pickup taps available to the public (2 in Jenny Lind, 1 in Arnold, 1 in Copperopolis, 1 in West Point). To gain access to these taps a form with a liability of release needs to be completed at which time CCWD will provide the location of the supply tap. All other public water companies reported they had 0 water tap locations.

Recommendation

The Grand Jury recommends that EHD and public water companies coordinate in developing and maintaining data regarding failing wells. In addition, both entities should also develop long term plans for extended drought conditions.

UPUD's Response

UPUD recommends Calaveras County Environmental Health Department (EHD) become the agency responsible for maintaining data regarding failing wells with the various water districts providing information on failed wells when notified by property owners within each District's sphere of influence. UPUD has a Drought Management Plan in place to deal with drought conditions.

Finding 3

Many wells in the western part of the county draw water from the San Joaquin County Ground Water Sub-basin and some have failed. The primary cause is serious overdraft of the sub-basin for many years. The reasons for this are well understood, but lay outside the scope of the Grand Jury.

Monitoring of some wells in the Calaveras County portion of the sub-basin indicate that the ground water level is dropping approximately one foot per year and is not recovering (CCWD, EHD).

Oakdale Irrigation District monitors 22 wells on the SJCGW Sub-basin and reports a 13 foot drop in the water table between 2005 and 2015. This is generally representative of the entire sub-basin as a whole.

Primary responsibility for the management of the "Ground Water Sustainability Act(s)" falls to the individual water districts of the County. Regulations for wells have not yet been determined and, according to the time schedule proposed, may not be decided for a few years. These are long term plans and won't reach full implementation until 2040.

EHD is also a stakeholder in the management of how these acts will affect wells using the San Joaquin County Ground Water Sub-basin within the county. EHD has previously conducted studies regarding groundwater and wells. There is presently no funding for further studies in this area.

Recommendation 1

The Grand Jury recommends the water companies publish quarterly updates regarding the management of the Ground Water Sustainability Acts.

UPUD's Response

UPUD's sphere of influence does not contain any ground water basins or sub-basins that are covered under the Ground Water Sustainability Act(s) and therefore will not be implementing management of the Act(s).

Finding 4

Options become limited when wells fail, particularly for communities with multiple failing wells. Those options include:

- Drill a new well or extend an existing well (permits required by EHD).
- Obtain water from the local district provider at a provided pickup location.
- Partner with other local community households to have infrastructure installed for water hookups.

Each of these options has its drawbacks. Drilling a new well or extending an old one is expensive with no guarantee of results. Water obtained from a provider at a pickup location requires the customer to obtain or provide his own conveyance, and water, once out of the "tap" is no longer considered potable unless the conveyance is a certified water carrier. Having infrastructure installed is expensive and is paid for by the community affected. Payment typically is in the form of an assessment applied to property taxes. The cost of infrastructure installation is sometimes so expensive as to be impractical.

In the instance of a county resident getting water from a pickup location, CCWD reports that a fee of \$10/month is charged for an "unlimited" amount of water (some restrictions apply). As mentioned, the responsibility for transport of the water lies with the customer.

In the instance of infrastructure installation, a request must be made by the affected property owners and a vote for approval by the affected community must be taken after the costs have been determined. This entire process can be lengthy.

The following chart represents the "hookup" fees. These fees are *in addition* to any infrastructure installation to bring the water lines into the community.

CCWD Capacity Fees 2014:

Copperopolis Water Only	\$10,977.00
Copperopolis Water & Wastewater	\$21,681.00
Ebbetts Pass Water	\$ 7,365.00
Ebbetts Pass Water and Wastewater	\$17,644.00
Forest Meadows Water & Wastewater	\$18,932.00
Jenny Lind Water Only	\$10,861.00
LaContenta Water & Wastewater	\$28,224.00
AD604 Water & Wastewater	\$21,075.00 current assessment
AD604 Water & Wastewater	\$28,224.00 delinquent assessment
West Point Water Only	\$11,198.00
West Point Water & Wastewater	\$16,768.00
Wallace Water Only	\$ 9,527.00
Wallace Water & Wastewater	\$18,597.00

UPUD Capacity Fees 2015 \$14,000.00 Domestic

VSPUD Capacity Fees 2015 \$ 3,500.00 Single family

CPUD Capacity Fees 2015 \$ 3,245.00 But no hookups allowed at this time.

The cost to install infrastructure to the community of Valley Springs (Rancho Calaveras – 2009 through 2010), excluding hookup costs (\$10, 750), was quoted in the CCWD Final Assessment Engineer’s Report totaling \$835,248. This resulted in a 30 year \$990,000 bond to be divided equally between 56 households. CCWD reported that some communities cannot afford the cost of infrastructure and have voted against it.

A portion of *all* property taxes goes to the assorted public water companies in the County. These funds are spent at the discretion of each company.

Recommendation 1

The Grand Jury recommends that a portion of the funds from property taxes be placed in a fund for future expansion of infrastructure and financial assistance for property owners with failed wells.

UPUD’s Response

UPUD and other water agencies rely on property tax revenue to fund on-going operations and maintenance of the Districts. Shifting of property tax revenues to other purposes would place an undue burden on agencies already suffering from income shortages due to the drought. All property owners within the UPUD currently pay taxes to the Calaveras County Water District with limited or no benefit. Should it be deemed prudent to provide funds for future expansion of infrastructure and financial assistance for property owners with failed wells within the District’s sphere of influence, the District recommends use of all or a portion of these CCWD allocated funds for that purpose.

Regarding the **Oversight of Calaveras County's Water Providers**

Finding 1

The Calaveras County Board of Supervisors has no authority over any utility agency or entity, yet CCWD and other water agencies receive property tax revenue regardless of services provided. There is no official mechanism for reporting information to the Board of Supervisors or anyone else in county government.

Recommendation

The Grand Jury recommends that all six public water companies submit a quarterly budget report to the Board of Supervisors.

UPUD's Response

Union Public Utility District is governed by a duly elected Board of Directors responsible for insuring the operation of the District is in conformance with all state laws and regulations, including fiduciary responsibility for continuous operation of the District. All budgets, operating expense reports, and yearly audits are available to the public and the County Board of Supervisors. Adding another level of oversight would not provide any benefit to the District, Calaveras County or the District's rate payers.

Finding 2

Residential water consumption includes outdoor (landscape irrigation and swimming pools), toilet, shower, cleaning, and kitchen uses. Information obtained by the Environmental Protection Agency (EPA) shows the following breakdown of consumption in percentages:

- 44% Outdoor
- 23% Toilet
- 18% Showering/bathing
- 12% Dishwashing/laundry

The remaining 3% of consumption relates to cooking and other kitchen uses.

Recommendation

The Grand Jury recommends that the county promotes water conservation efforts even in periods of amply water supply. The Planning Department and the Environmental Health Department should partner with water companies in establishing a water conservation management practice program to promote water use efficiency. For example: Promote climate appropriate landscaping to reduce water usage now and in the future.

UPUD's Response

Union Public Utility District has and will continue to promote water conservation efforts even in periods of ample water supply. Should the Calaveras County Planning Department or the Environmental Health Department establish a water conservation management practice program to promote water use efficiency, the District would promote said program to its customers.



Bill Airola, President
Union Public Utility District Board of Directors

cc Gary S. Ghio, District Engineer

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Response to Grand Jury Letter_7-7-2015