

Weekly ReCAP for January 10, 2020

Next CPC meeting February 3, 2020, now starting at 3:00 p.m. (to avoid night driving) at the Volunteer Center, San Andreas. **New members are welcome, and members only will be able to participate in any closed session. Directions below:**

The address for the Volunteer Center is 255 Lewis Avenue, San Andreas, CA (P.O.Box 196, San Andreas, CA 95249)

We share the same address as the San Andreas Elementary School, but we are located on the lower terrace, just down from the school office.

In San Andreas at the blinking light in town, take Main Street (old Hwy 49) past the Metropolitan, across the little bridge and turn right on Lewis Avenue. After about one block, Lewis Ave turns into a one-way street and our driveway is at the bottom of the *steep* hill, at the end of the chain link fence.

BOS January 14, 2020 – agenda available online.

PC meeting January 23, 2020 – no agenda available at this time.

CCWD & State Board Not Enforcing the Proposed 55 Gallon Per Day Usage Limits

The Pine Tree.net / January 7, 2020

San Andreas, CA...The 55-gallon-per-day standard is one part of a larger, state-mandated water use target that is being implemented over the next few years and fully enforced by 2025. Neither the State Board or CCWD are currently enforcing the 55-GPCD standard at an individual customer level. At this time, customers should not be concerned about any action being taken against them due to their indoor water use. However, in the years to come, CCWD will be given a target water budget by the State Board that is the aggregate of indoor water use, outdoor water use and leaks. Only if the District is unable or unwilling to meet that budget would the State Board consider taking action against CCWD. Even then, the State Board has committed to working with water agencies across the state to bring them into compliance before issuing fines.

For more information on water use efficiency legislation, view the [State Water Board's Fact Sheet](#).

As always, CCWD encourages our customers to enjoy the rich water resources this County enjoys, while always using water efficiently and avoiding waste.

More info:

News media reports have provided inaccurate information regarding water use targets set by Senate Bill 606 (Hertzberg) and Assembly Bill 1668 (Friedman). Neither bill sets fines on water customers for taking a shower and doing laundry on the same day.

CCWD customers should know that CCWD currently has no water conservation mandates in place, other than the ongoing rule that water should not be unreasonably wasted. Customers can use water normally without fear of fines or fees being imposed by CCWD or the State.

Below are facts on the long-term water efficiency legislation that was signed into effect May 2018.

Water agencies are required to calculate a water efficiency standard for their entire service area annually based on indoor residential water use; outdoor water use; and commercial, industrial and institutional irrigation.

The standard of 55 gallons per person per day for indoor residential water use is not intended as an enforceable standard for individuals. It is one of several elements used to calculate the overall efficiency standard for a service area.

Individuals will not be responsible for State Water Resources Control Board fines. Instead, the State Water Board can fine water agencies/districts up to \$10,000 per day if the agency does not meet its cumulative standard.

There is no law against showering and doing laundry on the same day. There are no specific statewide laws that require individual households to meet any specific targets. The targets will be set for an entire service area and are scheduled to go into effect in 2023.

The State Water Board is working and collaborating with urban suppliers to implement the new efficiency standards. In addition to the 55-gallon standard, targets for outdoor water use and water loss due to leaks will also be determined. These three standards will be used to represent the overall water efficiency standards for each urban water provider.

Feds seek endangered status for Sierra Nevada red foxes

Guy McCarthy / The Union Democrat / Jan 7, 2020 Updated Jan 8, 2020

The U.S. Fish and Wildlife Service has proposed Endangered Species Act protections for Sierra Nevada red foxes, which have been tracked in the Sonora Pass area and Yosemite National Park in recent years.

Staff with the Center for Biological Diversity, which has targeted the federal Fish and Wildlife Service, the Department of Interior and the Trump administration in lawsuits and a petition, describes the secretive, nocturnal Sierra Nevada red fox as one North America's rarest mammals.

The Center for Biological Diversity touted the U.S. Fish and Wildlife Service proposal earlier today, and posted a federal announcement to appear in tomorrow's Federal Register that states in part, "We, the U.S. Fish and Wildlife Service, propose to list the Sierra Nevada Distinct Population Segment of the Sierra Nevada red fox as an endangered species under the Endangered Species Act."

Sierra Nevada red foxes live in the highest parts of the Central Sierra and Cascade ranges of California and Oregon. Under today's proposal, only the Central Sierra population, in six counties, including Tuolumne County, would be protected.

About 70 adult Sierra Nevada red foxes are thought to remain in two locations, Lassen and Sonora Pass, Center for Biological Diversity communications staff said Tuesday. Such a small population could be wiped out by population-level threats including adverse genetic effects of inbreeding, climate change, or chance events such as storms or local disease outbreaks, animal advocate lawyers said in a 15-page court filing in May 2019.

In 2015, one of the rare foxes was spotted in Yosemite National Park for the first time in a century.

Sierra Nevada red foxes have declined due to habitat destruction through logging, grazing, road building and fire suppression, Jeff Miller with the Center for Biological Diversity said last year. They are also vulnerable to poaching, poisoning, trapping, and disturbance by off-road and snow vehicles. Climate change is projected to shrink the fox's habitat as warming pushes them farther up mountain slopes.

Legislation Would Put New Regulations On Cell Providers

By [B.J. Hansen](#) / MML / Jan 9, 2020

Sacramento, CA — Citing that many Californians went without cell service during PG&E's planned power outages, a group of lawmakers introduced legislation in response to it.

The bill would require all cellphone towers in high-risk fire areas to be equipped with at least 72 hours of backup power.

The bill's main author, Democratic Senator Mike McGuire, claims, "It is about life and death."

The bill was introduced the same day that representatives from companies like AT&T and Verizon appeared at a state hearing. The Associated Press reports that industry officials told lawmakers the new proposal is “unfair” because the outages are being caused by a different company, PG&E. The proposal will be debated over the coming weeks.

The Federal Communications Commission reports that 874 cellphone towers were offline during a power shutoff on Oct. 27. The Mother Lode was one of the areas impacted.

Official response: Grand Jury recommendations yield little change

[by Dakota Morlan](#) / The Calaveras Enterprise / January 9, 2020

Responses to the 2018-19 Calaveras County Grand Jury Report have been published, and county officials have pushed back against some of the committee’s recommendations.

The jury, which consisted of 19 members of the community, was tasked with surveying the operations of local government entities.

Some notable recommendations made last June, when the report was released, were that the Calaveras County Environmental Management Agency relinquish the helm of Animal Control Services (ACS) to the Sheriff’s Office and that the county withdraw from the San Joaquin Delta Community College District (SJDCD).

Animal Control will not go to the sheriff

All parties addressed in the Grand Jury’s report addressing ACS opposed the recommendation that its operations should be transferred to the Sheriff’s Office.

Environmental Management Agency Administrator Brad Banner pointed to improvements made to the county shelter since the Sheriff’s Office elected to give it up in 2012.

Banner listed a sharp decline in animal euthanizations, greater involvement with the community and volunteers, and the creation of new animal welfare-centric programs among the reasons why ACS should remain under his agency.

“I will recommend against implementation because, while there may be some advantage in transferring operations to the Sheriff’s Office in terms of enhanced enforcement capabilities and command presence, doing so would not automatically address the resource issues described in the report, would not bring us closer to obtaining a new animal shelter, and could bring a number of unintended consequences adversely affecting the community,” he wrote in his response.

Banner agreed with the Grand Jury's finding that ACS has been historically underfunded and argued that the issue would persist under the jurisdiction of the Sheriff's Office.

Calaveras County Sheriff Rick DiBasilio echoed Banner's sentiment that his department does not have enough funding to adopt ACS.

"As outlined within the 2014-2015 Grand Jury Report as well as many other Grand Jury reports, the Animal Services Department is under-budgeted and understaffed. The Sheriff's Office is also underfunded and understaffed," DiBasilio wrote. "In the recent past, members of the County Administrative Office and the Board of Supervisors had recommended and voted to decrease the budgets of both the Sheriff's Office and the Animal Services Department. The budgets were decreased to levels where services and staff cut to such an extent where both agencies were forced to manage and only respond to crisis and emergency calls rather than being properly responsive and proactive."

He continued, "At times, Animal Services staff was unavailable to respond to emergency and nonemergency calls for service. These calls were pushed to deputy sheriffs who were working patrol responding to crimes in progress and other emergency calls. The Patrol Division within the Sheriff's Office was also severely understaffed and was often forced to choose between responding to priority/emergency law enforcement calls for service and priority Animal Services calls or animal related emergencies. This unnecessarily placed a huge burden onto the Sheriff's Office and its staff."

The sheriff recommended that instead of transferring ACS to another agency, the county should combine ACS and Code Enforcement into one entity.

"This has been done with success in several states including cities within California," DiBasilio wrote. "There are several efficiencies that could be brought about by merging the two departments and cross-training staff."

In their responses to the Grand Jury's findings on ACS, County Administrative Officer (CAO) Albert Alt and the Board of Supervisors (BOS), represented by Chairman Jack Garamendi, stated that although the county's shelter is outdated, the animals are "properly housed and well cared for."

Nonetheless, the board stated that options for a potential location, designs and funding for a new shelter facility would be brought before the board by the CAO within six months of their response, dated September of 2019.

Funding for additional staff members, however, will not likely be provided in the county's 2019-20 budget, despite the jury's recommendation.

"While open hours are limited, ACS is able to provide all necessary services to the public," Alt wrote. "Additional staff would provide greater convenience to citizens however, all services are currently addressed."

He added that departments are given the opportunity to submit funding requests annually, and those requests are considered “within the constraints of the county budget.”

Banner confirmed in his response that a request for funding for an additional officer position would be included in the department’s 2020-21 fiscal year budget proposal.

The county will remain in the SJDCD

Although the Grand Jury found that the SJDCD has not fulfilled its promise of a new campus to Calaveras County taxpayers, all parties addressed in the report disagreed with the recommended withdrawal from the college district.

In 2004, SJDCD received voter approval of a \$250 million Measure L bond, a portion of which was to be invested in the construction of a new foothill/Mother Lode campus. The district’s residents have been paying for the bond on their property tax bills for a decade and a half.

In response to the jury’s finding that there are no plans to build a campus or college learning center in Calaveras County for the remaining life of the bond, Dr. Omid Pourzanjani, superintendent/president of San Joaquin Delta College, responded that a decline in enrollment has stalled the project.

“The Measure L project list included the Foothills Campus project and therefore, the expenditure of Measure L bond funds on that project was authorized by the voters,” he stated. “However, Measure L also stated that, ‘[i]n the event of an unexpected slowdown in development or enrollment of students at the college, certain of the projects described above will be delayed or may not be completed. In such case, bond money will be spent on only the most essential of the projects listed above.’ Following voter approval of Measure L, there was an unexpected slowdown in enrollment in the geographic area relevant to the Foothills Campus. For the foregoing reason, the Board of Trustees (‘Board’) SJDCD decided not to proceed with the Foothills Campus project.”

The college district agreed with the jury’s finding that a new bond will be required to fund future facilities requirements.

However, Pourzanjani also stated, “The Board of SJDCD expects to consider re-evaluating the allocation of unspent funds, even if currently allocated, to an educational facility project in Calaveras County. The board cannot assure that this will be done by Oct. 1, 2019.”

Calaveras County Superintendent of Schools Scott Nanik responded that the jury’s recommendation to withdraw from SJDCD by Dec. 31, 2019, was “unrealistic.”

“The process for the reorganization of a community college district is very detailed and complicated. The process must be initiated by a petition filed containing at least 25% of the registered voters in the territory or a majority of the members of the governing boards of each school and community college district affected. The process may also require an election. The

process would be further complicated by the fact that the territory of SJDCCD [sic] touches five counties,” Nanik wrote.

He also stated that he meets with the SJDCD president several times each year regarding Calaveras County students’ access to the college district’s programs.

“I will continue that effort when the new SJDCCD president is seated in the fall of 2019,” Nanik stated. “I communicate at least on a quarterly basis with SJDCCD’s dean of CTE & Workforce Development on matters in which SJDCCD can improve its services to Calaveras County.”

The Board of Supervisors stated in its response that a withdrawal from the college district would not be implemented.

“This recommendation will not be implemented. The CAO, in collaboration with the Superintendent of Schools, are working collaboratively to approach higher education entities to develop specific higher education delivery strategies for the county,” the board stated.

Homeless students have a resource guide for services

The Grand Jury investigated services offered to homeless kindergarten through 12th grade students within the county and recommended that the Calaveras County Office of Education (CCOE) develop a resource guide for homeless students by partnering with the Resource Connection.

Nanik stated that he agrees with the jury’s findings and that CCOE revised its website in response to the recommendations.

Through a collaboration with the director of health and human services, the site, ccoe.k12.ca.us/homelessliaison, now offers a comprehensive list of homeless youth resources and liaisons, as well as information regarding the rights of homeless youths.

The BOS will not partner with Jenny Lind Vets on outstanding loan

The Grand Jury found that Jenny Lind Veterans Memorial District (JLVMD) obtained commercial loans to pay for the completion of a new hall that opened in 2018 without the involvement of the Calaveras Board of Supervisors or the Auditor/Controller.

Due to an outstanding loan, the jury found that the district is now at risk of loan default. The jury recommended that the Board of Supervisors partner with the JLVMD to pay off the loan and develop a compliant long-term loan.

The board responded that it will not partner with the JLVMD due to its status as a special district.

“The BOS supports the JLMVD and will work with the district, at their request, to consider options but the JLMVD is a special district with its own governance. Decisions relative to their finances are independent of the BOS,” the board stated.

The district agreed in its response that the loan is at risk of default, but disagreed that the property is at risk due to “a substantial increase in property valuation” and additional revenue from renters, as well as land assets.

The full responses are available to view at <http://grandjury.calaverasgov.us/>.

Additional responses regarding departmental needs will be featured in next week’s edition.

Coming or Going?

County’s ambulance contract with American Legion in limbo

[By Davis Harper](#) / The Calaveras Enterprise / Jan 9, 2020

Calaveras County’s contract with American Legion Ambulance is currently in question. The contract with the nonprofit company expires in June. No other company has put in a bid for service.

Although Calaveras County’s contract with American Legion Ambulance (ALA) expires in June of 2020, and no other ambulance providers put in bids for the north and south response zones by the Dec. 2, 2019, deadline, there’s no reason to panic, local officials say.

The Mountain Valley Emergency Medical Services Authority (MVEMSA) coordinates and regulates local emergency services for Calaveras County, in addition to the counties of Alpine, Amador, Mariposa and Stanislaus.

Calaveras County is divided into three ambulance response zones. Ebbetts Pass Fire District is the current provider for the east zone, which covers everything east of Forest Meadows to the county line (along with mutual aid into Alpine and Tuolumne counties typically during winter months), and the district has submitted a bid for another five-year contract.

The north zone (including the towns of West Point, Valley Springs, Mokelumne Hill, Jenny Lind and San Andreas) and the south zone (including the towns of Murphys, Copperopolis, Altaville,

Milton and the city of Angels Camp) have been covered by ALA since it expanded from Amador County in 2005.

The nonprofit declined to submit a bid for a five-year contract that would start in July of 2020 due to added costs in the MVEMSA's request for proposal (RFP), according to ALA President Alan McNany.

In particular, he referenced increases in liquidated damages on response time penalties and increases in dispatch fees, along with new requirements for subsidizing Advanced Life Support fire districts.

McNany said the agency may be considering a one-year extension of the current contract with ALA, given the circumstances.

"Since (MVEMSA) had no bidders in those two zones I have been in contact with them and reassured that we're not going to go anywhere," McNany said. "We will be in Calaveras until the contract expires (and) until they can write another request for proposal."

On a Jan. 8 phone call, Calaveras County District 1 Supervisor Gary Tofanelli, the county representative on the MVEMSA board, said the agency is working on a new RFP that it hopes to get in front of the board by March.

"If we don't meet the timeline, we can go for an extension" with ALA, Tofanelli said.

He said several ambulance providers have inquired about the new RFP.

The Copperopolis Fire Protection District is the only fire district in ALA's service area that provides advanced life support services.

ALA currently has a mutual aid agreement with Copperopolis Fire to transport patients when the company has a long-estimated time of arrival and the patient's condition warrants immediate transportation, according to the RFP. In those instances, Copperopolis Fire may transport the patient to either a nearby hospital or to a landing site for air transport.

Under new requirements in the RFP, an ambulance service would compensate the district for being the first responder to an emergency in its response zone at a rate based upon "the estimated net annual savings for reduced ambulance unit hours as a result of this partnership." The goal would be to decrease response time to the patient and give the ambulance provider more time to get to the call.

"That's a new cost to us," McNany said.

The RFP also adjusts the current standard flat response times to match population densities. Code 3 emergency response times to most of the "urban" areas in the county would be decreased to 12 minutes, with the exception of hard-to-reach urban response areas surrounded by continuous rural and wilderness zones. Otherwise described as "urban islands," those include the

communities of Dorrington, Mokelumne Hill and West Point, according to MVEMSA Executive Director Lance Doyle, via transcripts of the Oct. 9, 2019, bidder's conference.

"There is not enough call volume to put a car there," Doyle said of the three communities. "And to be able to hit those zones from anywhere that makes sense to station a car even if we were to move our posts ... We're not going to hit it in, say a 12-minute response time just because of the distance. So we took those three areas and we came up with a methodology that allowed us to bump those down to a suburban response, which gives us a 20-minute response time into those urban pockets."

Regarding the proposed agreement with Copperopolis Fire Protection District, Doyle said, "We can't hit a 12-minute response time from Angels into Copper. So in conversations with Copper Fire, they said they can hit any call within their district 90% of the time in 10 minutes. So we're shortening by two minutes the response to the citizen, but then we're giving ... the ambulance provider an additional six minutes to be able to hit that call."

ALA currently staffs three 24-hour units at posts across Valley Springs, San Andreas and Angels Camp, along with a 12-hour day car in San Andreas that provides added support.

Over the 2018-2019 fiscal year, the company responded to 3,714 calls for service in Calaveras County, 2,645 of which resulted in medical transports.

McNany estimated that ALA's per-call charges range from about \$2,000 to approximately \$2,400, depending on the level of service, although out-of-pocket expenses can vary per patient due to differences in insurance coverage.

Group Suing Supes Over General Plan Sends State Notices

[By **Tori James**](#) / MML / **Jan 9, 2020**

San Andreas, CA – A Calaveras community advocacy group suing the supervisors and the county over its General Plan Update elevated its concerns another notch.

This week, the Calaveras Planning Coalition (CPC) sent out a notice regarding the county's recent adoption of the updated plan to 18 state and local agencies. General plans, which are required by law for jurisdictions to have and regularly update, are considered as constitutions and roadmaps for local development.

The notice to the agencies is required when a party files a case under the California Environmental Quality Act (CEQA), and a similar required notice was issued to the California Attorney General's Office back in December when CPC filed its case. The group deemed the General Plan Update unsafe and legally deficient because it does not adequately address various impacts as some other jurisdictions have and fails to provide timelines for dealing with them.

CPC officials say a required settlement conference in the case is scheduled for Jan. 15 but will be limited to a telephone discussion among the litigants' attorneys.

CPC's notice argued, "Indefinitely deferring fire safety efforts, delaying emergency response funding, and making fire safety measures optional in new development threatens lives. These threats are all part of the 2019 Calaveras County General Plan Update." It requested that agencies encourage State Attorney General Xavier Becerra in the interest of public safety to get involved in the case.

CPC is part of the group's overall Community Action Project (CAP), which promotes its mission to protect and improve the natural and built environments in Calaveras County by empowering people to claim their rights and participate in local government.

CAP Governing Committee member Muriel Zeller comments, "I don't think enough people recognize the extent to which our local General Plan impacts our lives each and every day."

She states that as the document directly affects the condition of local roads, community safety, water quality and quantity, and many other environmental and aesthetic concerns, it is critical to the quality of life.

Among the highlighted concerns in the notice was that most families in the county have to live in homes they can afford regardless of the fire risks. The CPC's position is that it is especially for the health and safety of the families that the county must establish a foundation of fire-safe building and zoning codes upon which all legitimate development is based.
