

Shaver Lake CAC Meeting

Q & A

1. Whose responsibility is it to monitor and maintain road and road drainage facilities?

The County of Fresno has 128 separate districts and 5 analysts overseeing those districts. All districts are financially self-sustained. The County must rely on the Citizens Advisory Committee's (CAC) and residents within the districts to bring issues to the attention of the County. CAC's can request an inspection of roads from County staff however many choose not to do so due to the associated expense.

2. Who pays for mitigation and the repairs performed on roads and drainage facilities?

The respective road district will be responsible for improvements and maintenance work performed on road and associated drainage facilities.

3. With respect to the culvert on Musick Falls Lane who will be responsible for repair cost?

Repair and mitigation cost will be split between County Service Area (CSA) 35 V and Waterworks District (WWD) 41W. CSA 35V will be charged approximately \$17,385.39 for the pipe removal and reinstallation and WWD41W will pay approximately \$6,854.09 for required asbestos remediation.

4. Why did the County of Fresno consider cleaning of the culvert a health hazard?

Residents of the area expressed concerns that asbestos had accumulated in the culvert. In response the County had soils in an around the culvert tested and one test identified the presence of asbestos. Consequently, the County was required to retained services of an asbestos abatement contractor to work with County staff on the repair of the culvert. Ultimately the abatement contractor's testing did not identify asbestos contamination.

5. Why is WWD 41W being charged for asbestos removal in CSA 35 V.

It was the flushing of a WWD41W facility (water main) that resulted in asbestos being released into CSA 35V, thus WWD41W is responsible for asbestos removal.

6. Why is there a lack of continuity in the County?

There is no lack of continuity in the County with respect to the administration of the Special Districts. All report, budgets, records from previous years have been kept and required services have continued to be provided. However staff assigned to carry out duties to provide services have changed. The Special Districts Division has experienced a large amount of turnover due to promotions and opportunities for job advancements.

7. Does the Sunrock Development have a Storm Water Pollution Prevention Plan (SWPPP), if so what is its scope, who is responsible for monitoring the SWPPP and does the County ensure enforcement of the SWPPP?

- Yes, the Sunrock Development does have an SWPPP in place.
- The plan/scope encompasses all areas within the projects boundaries and all disturbed areas.
- The owner/contractor/developer has a responsibility to monitor all SWPPP requirements set forth by the State Water Quality Control Board and as such they must enforce all requirements.

8. A burlap sack was observed being used as a filter when flushing the water system. Why is the burlap sack being used and is it a proven method?

From trial usage this method has proven to be effective in capturing materials flushed out of the mains such as asbestos particulates and sand when the County must flush the water system.

9. Does asbestos of drinking water pose a health hazard?

EPA studies have suggested that a person drinking water containing asbestos well above the Maximum Contamination level (MCL) over a long period of time may develop benign intestinal polyps.

10. Will the cost to repair WWD41W Asbestos/Cement pipe problem fall on the homeowners?

This depends on how the community ultimately chooses to fund the project. If WWD 41W funds the project from current reserves and future user rates then only those connected to the system will pay. If a special assessment is chosen to fund the project then all parcels within the District will contribute to fund the project.

11. What do the District's administrative fees cover?

Administrative costs are the normal costs of a County Service Areas and include costs for the services provided by the Financial Services Division, Roads Operation & Maintenance & Design, Clerical, and Special Districts Administration. These costs are incurred by all Districts.

- Financial Services charges include budget review, accounts receivable/accounts payable, annual audit, etc.
- Clerical charges include budget preparation, general clerical support as it relates the Districts, creation of a new database necessary to put assessments on the tax roll, etc.
- Roads Operation & Maintenance charges are for road maintenance or special projects.
- Special Districts Administration charges are for communication and requests with the CAC and other members of the district, prepare reports, annual budget review, and County Counsel work as it relates the District.

12. What do regular property taxes cover?

No amount of general Property Taxes goes towards operations and road maintenance of CSA's. A portion of Ad valorem (a tax based on the assessed value of real estate or personal property) is provided to WWD41W in the amount of \$380,000 a year for operation of the system facilities.

13. How would a District go about a Prop 218?

It depends on the legislation used to form a District and that used to impose a fee or assessment on the District. If a fee is imposed a simple protest procedure is required whereby a property owner that is not in favor of a proposed rate increase may submit a protest letter to the Board of Supervisors. In this situation, if 50% plus one of **all parcel owners within the District** indicates opposition a majority protest exists and the proposed fee increase cannot proceed.

If an assessment is proposed, a ballot process is utilized where a notice and ballot is sent out to all parcel owners within the district. The majority of the ballots govern as to if the proposed assessment is approved or denied.

14. What is the role of a Districts Citizens Advisory Committee (CAC)?

The CAC represents and acts as a liaison for all property owners within the District and provides valuable advice, notice and recommendations to the Department of Public Works and Planning staff regarding service needs, cost considerations, and other service related matters.

15. With respect to the asbestos cement pipeline problem in Shaver, why should homeowners in non-affected areas have to pay for affected areas?

There is only one water system and it is interconnected throughout all the districts. Although the affected area is the only area experiencing deteriorating A/C pipe all areas within the District are connected and have the possibility of asbestos in their water. Further all properties benefit from the combined system in that water is commonly shifted around to address the changing community needs.

16. Why is the County allowing developers to connect to the water system when there are issues with the system?

There are areas within the existing system that will need to be replaced, but that is not the fault of new development and new developments have not and will not exasperated the problem. New developments do bring in new water sources and resources to meet their needs prior to annexation and will share in the costs to remedy the asbestos problems.

17. Is the deterioration of A/C pipe cause by large amounts of water flowing from the 8 inch line flush?

The deterioration of the A/C pipe comes from water with a low pH level (Acidic) attacking the cement layer on the inside of the pipe which results in asbestos cement particulates being released into the water system. **These particles are more frequently dislodged during periods of high velocity within the impacted pipes.**

18. Will vacant lots be charged to repair the affected A/C pipe?

See Question 10.

19. Is there a guide book for County Service Areas?

Yes, there is a pamphlet known as “What is so Special about Special Districts” that staff can provide upon request at jweeks@co.fresno.ca.us, by phone at (559) 600-4259 or online at <http://www.co.fresno.ca.us/viewdocument.aspx?id=60682>

20. How does the County expect homeowners who live out of the area to attend a 5pm meeting during the week?

The last public meeting was held on a Friday at 6PM. CAC meetings are open to the public and are generally held at 2PM upon mutual agreement between the County and the District’s CAC. As indicated above, there are 128 special districts and only five analysts available to meet with the CAC and property owners. Consequently most meetings are scheduled during normal work hours. Occasionally evening meetings are convened and generally occur between 5 and 8 PM.

21. How long has the County known about the asbestos problem?

The County has known about increasing releases of asbestos materials into the water system for approximately 3 years and has taken steps in an attempt to inhibit the release of asbestos particulates. Up until this last year the amount of asbestos in the water system was well below the MCL. Unfortunately, the A/C pipe has reached a point now where repair and/or replacement is the most prudent option available.

22. What is the estimated cost of fixing the problem?

One rough estimate had the cost at 1 million dollars a mile however until a study is complete the cost to fix the problem is unknown.

23. Why didn’t the Consumer Confidence Report (CCR) identify an asbestos problem?

The CCR recently received by residents of the District details water quality from the previous year. Asbestos is only required to be tested once every 9 years therefore the CCR would not indicate an asbestos issue.

24. What is the MCL for asbestos?

7 million fibers per liter

25. How long will it take to fix the problem?

A study that details how and what will need to be repaired and/or replaced is expected to be completed by May 2015. Once that is accomplished, the community will need to determine how the identified repairs will be funded and take steps to implement that funding. That process may take 4 to 12 months depending on the will and consensus of the community. Once the funding strategy is secured construction documents will be prepared and bid. This could take about 6 months. This would be followed by construction which could take 4 to 9 months to complete depending on the work to be performed. Therefore it is estimated that it could take from 1.5 to 3 years to complete.

26. Can we use home filters, if yes, how and what kind?

The County cannot recommend a specific filter however tests are being conducted on a whole house pleated filter. It is anticipated that results of that test will be available online at <http://www.co.fresno.ca.us/DepartmentPage.aspx?id=48427> by 10/13/14.

27. Why not install filters in the distribution system?

A filter in the distribution system would not be useful due to the asbestos being released from various parts of the A/C pipe and not from the distribution system consequently there is no way to capture all of the particles within the system.

28. Why will those that live in areas served by PVC pipe be required to pay to fix the problem?

See Question 15

29. What is being done to mitigate and fix the asbestos problem?

Chemicals have been safely used to reduce the acidity of the water and to help reduce the release of asbestos. The affected portions in the water system have been isolated to the extent possible to prevent transfer of asbestos into non affected areas and a study is to be completed by a qualified engineer to determine the best method to repair and/or replace affected A/C pipe.

30. What caused the asbestos problem?

See Question 17

31. What do the markings on a fire hydrant mean?

An "O" on a fire hydrant represents the mutual agreement between the County of Fresno and the fire departments in the area that those fire hydrants should only be used in case of an emergency to prevent unnecessary release of asbestos due to high velocity flows within the affected pipelines.

32. What have others done when confronted with this problem?

Apparently, this problem has not been seen before by any agency throughout the State. We have performed extensive research and found no other agency in the State or Nation that has confronted this problem. Consequently, we are not aware of any proven method of repair. That is why we have commissioned the study to evaluate potential repair strategies and recommend the most prudent strategy for the particular impacted segments of the system.

33. Why would CSA 35V pay for culvert repair?

See question 5

34. What is the difference between CSA 35 V and WWD 41W

Although homes in CSA 35 V are within WWD41W and receive water services through WWD41W, CSA 35 V was formed to provide road maintenance services to Sunset Vista Lane, Crest Vista Lane, Shaver Lake Forest Road, Musick Falls Lane, Waterfall Lane, and Crest Point Lane and only parcels located on those roads pay for road maintenance services provided on those roads.

35. Can we go back to the developer or pipe manufacture to fund the needed repairs?

The developer and pipe manufacturer were using the approved pipe at that time and have no known liability in this case.