



The
Ruralist

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Dedicated to Keeping Cherry Valley Rural – November 2007 issue

A Personal Note From Your President

Another year has almost slipped away. I want to express my gratitude to all of you who attended our meetings and to all of those who gave their generous financial support. Without all of you we could not exist. My very heartfelt, ***“Thanks!”***

Our annual BBQ was a great success. 100 members attended! It was a perfect day – good food - good music and GREAT neighbors. Next year I hope all of you attend.

It's been a busy year for CVAN. I guess the defeat of Measure B was the biggest issue. Needless to say, with all the propaganda about bad water and 'blue babies,' I was a bit surprised. I guess we all saw through the propaganda and figured out that the real issue was whether or not to give BCVWD the permit to run a waste water treatment plant. After all that WAS the issue, and the **ONLY** issue.

IT IS NOT OVER with the defeat of Measure B! The next step is to convince the County Supervisors that **there are flaws in the Wildermuth Report** -- they must realize that, and do an independent study.

Important News

The Cherry Valley Environmental Planning Group & CVAN filed suit against the City of Beaumont and Sunny-Cal Egg Ranch the middle of September.

There has been no response to date – We will keep you posted.

We have a court date on November 30th regarding litigation on the Black Bench project. And the Loma Linda Project (Banning Bench) is on the move again. It appears they are working on rewriting a portion of the EIR that was challenged. We will keep an eye on that also.

Last – but very important – The **Butterfield Project** (Pardee) on the East side of Highland Springs – North of Wilson is back in the news. They are proposing an eighteen (18) hole golf course and 5000(+) homes at that location. Simply blows my mind with the entire State in a drought! We will stay on top of this one!!

Speaking of Drought

It has been the driest year in So Cal history. I'm sure you've noticed the recharge ponds are empty. It seems there's a problem with algae, so they removed the expensive burlap fabric and are trying something new – rocks in wire baskets.

In the mean time the Smelt in the Delta were getting destroyed by the huge pumps, so San Geronio Pass Water Agency stopped taking delivery of the State water in July, shutting off the water being delivered to the ponds.

However, you still see that substantial dollar amount on your water bill. When asked, Mr. Butcher said, “it will stay on because they will need the money to purchase State water again when it is available.” When asked if this money is in a ‘special account,’ so we can

tell how much he had collected, spent, and had in reserve – just in case he had to pay it back, the answer was, “No, it goes into the General Fund.”

Apparently, that's where **all** their money goes, since spreadsheets for accounts receivables, payroll and assets are not available for review. A side note –the maintenance alone for the ponds is around **\$150,000.00 per MONTH!** Does this concern you?

Well, you should know that **there has been no audit** of the District since 2003! (Maybe not even 2000-01-02). The law says audits are to be done **annually!** This needs a thorough investigation by the County and the State, and an up-to-date audit. And, if it doesn't come out absolutely spotless – dismissal of the General Manager and replacement of Board members at the next ballot!

Very Expensive Water!

The San Geronio Pass Water Agency has taken action to ask the State for their full allotment of water - 17,300 acre/ft. Now, their pipes can't take that much water, but their reasoning is, ‘If the state limits us to 35 to 40% of our request, then 40% of 17,300 acre/ft is better than 40% of the current 12,000, and we'll just find new water up north to buy.’

This water is **VERY** expensive-- perhaps as much as **\$5000.00 an acre ft!** BCVWD will fight to get as much as possible, and that will be passed on to you through your water bill. ***Can you see the \$\$\$ flying out of your wallet?***

State water is only going to get more and more expensive. And believe... me that charge will **NEVER** be taken off your bill – just like that Power charge that was supposed to be ‘temporary.’

I guess I’ll get off my soapbox for now and let someone else have a few words. Patsy.

Who Runs The District?

BCVWD (Beaumont Cherry Valley Water District) General Manager Chuck Butcher really runs the operation. He is answerable to the Board of Directors. The Board is composed of five elected members (or they are supposed to be elected), in fact two Board members were **appointed** when vacancies occurred either by deaths or resignations. Mr. Butcher has closely controlled the entire seamy operation.

At the October 10, 2007 BCVWD Board meeting, the agenda contained an item to reorganize the Board and appoint new committees. Normally, Board reorganizations are only made following an election or the departure of a Board member. Discussion indicated that the item was placed on the agenda by Director Lash.

The Board then voted (3 to 2) to replace the President, Vice President and the Chairperson of the Budget and Finance Committee, as well as appointing new committees. The Directors voting “**Yes,**” to replace were Lash, Dopp and Chatigny – voting “**No,**” were Parks and Ball.

These Were No Puppets

The very obvious reason that Mr. Butcher wanted to replace these directors in their assignments was that these two board members were fulfilling their responsibilities in an honest and conscientious manner, and insisting upon answers that could not be answered without embarrassment to Butcher.

These board members used their own reasoning, and the evidence presented, to determine what was in the best interests of the ratepayers of the District, rather than blindly following the dictates of the General Manager.

They were replaced with board members who have consistently adhered to the dictates of the General Manager and who have **never** demonstrated any concern for the honest and professional management of the District.

The District will surely suffer from this maneuver that was orchestrated by the general manager in order to silence investigations into apparently illegal or unapproved actions.

At the same meeting, it was noted that the annual audit of the District’s books was seriously delinquent. An audit report is required to be completed and submitted to the County each year. It was brought out that the required report has not been submitted for 3-4 years, despite repeated requests from the public and the County.

During the periods to be covered by the audits, the District has **expended millions** of dollars of our money for a variety of projects, and futile and questionable actions. Included was the failed effort to place Cherry Valley on sewers, (Measure B) which was defeated by the voters.

Actions Closely Watched

You are assured that the actions of the new chairman and committee members will be closely watched as they fulfill (or fail to fulfill) their new duties. They must surely be aware that the voters are aware of the rapidly deteriorating climate that exists in the management of the District, and expect rapid and positive corrective action by their elected Board members.

Every voter in the District should remember the performance of each individual Board member at the next election.

Thank You to These Former Dedicated Board Members

The same voters extend thanks to Past Board Chair, Stella Parks, Vice Chair, and Dr. Blair Ball for their outstanding service on the Board. We consider them to be the best, and we believe that had the other Board members served with the same sense of honesty and dedication, the District would be in good condition rather than in the mess that it is obviously in.

And, the ratepayers would have a much higher level of confidence in the operation of the District.

All rate-payers should make an effort to attend Board meetings, watch the proceedings, ask questions and take an active part in it’s operations.

From such involvement, we can force the necessary changes, and assure that our future water rates are fair and equitable, and that needless and frivolous expenditures do not force us to pay for water that we never receive.

Stan Riddell

One man’s opinion

It is important that, not only citizens of Cherry Valley, but also citizens of Beaumont, know what is occurring at the local water district.

Recently, those of us in Cherry Valley were saved from being forced to spend thousands of dollars charged by BCVWD to each of us for sewerage Cherry Valley. The election would have given BCVWD the power to start the process, but was defeated by a slim margin.

The BCVWD stated that the election was all about nitrates in the water caused by septic tanks. This is not what the election was about.

The BCVWD has made serious financial mistakes, and has put themselves in an awkward situation. The well tests were done at shallow wells that were known to be high in nitrate, and had not been in use for years. They used this as an excuse to say we were polluting the entire basin.

False Accusations and Lies

The Pass Water Agency, the U. S. Geological Survey, and the yearly Consumer Report we get in the mail, all state there is no nitrate problem in this area. Our water is considered to be of the highest quality, and always has been. The BCVWD took it upon itself to falsely accuse us of the problem, made statements that were misleading, and attempted to charge Cherry Valley residents.

You may recall that they tried to scare you with the "Blue Baby Syndrome." It has nothing to do with nitrates and there has not been a case of BBS in the U. S. for 50 years.

So why the ruse? Because they need Cherry Valley's reclaimed water.

The expensive ponds project has been badly mismanaged and is not providing water for the area. Now we are paying expensive monthly maintenance for something that is not currently in use.

The expectation of developer fees have dwindled as income, even though BCVWD was warned of this a year ago. The water received from the State by the San Geronio Pass Water Agency was only 60% of what was asked for this year. Now the area is in a serious situation as to the availability of water.

Apparent Mismanagement

The BCVWD has not had an audit since 2003. This is not legal. We are also paying for college tuition for two employees. One board member has tried to stop this but was out-voted.

The General Manager and three Supervisors are living free in District Houses that we are paying the upkeep and expenses on. The maintenance this year alone is around \$9,000, and utilities \$13,218.00. There are members of the Board who have admitted they don't read reports, but vote to accept anyway. This and apparent mismanagement is not the proper way to run a public agency.

When President Parks and Vice-President Ball began questioning the finances they were promptly removed from their positions and replaced with a new Budget/Finance Committee. This was orchestrated by a 'block of three.' Those who regularly attend the meetings are aware of why they were removed, but the excuse given was Director Ball's attempts to try and stop the funding of the college tuition for the two employees.

There is an election next year for two members of the Board. With improper practices occurring at the District, it is important that we look ahead and make changes. What happens on this Board effects EVERYONE in Cherry Valley and Beaumont!

P. Doherty, concerned ratepayer

County's Responsibility

September 19, the Planning Commission OK'd a change in zoning on Dutton and Winesap (Old Baldi Property), and Supervisor Ashley endorsed it. According to the Riverside Co. Integrated Plan, Pass Area Plan, pg. 26 Policy PAP 3.1, "...require a minimum lot size of one acre properties within... Cherry Valley Policy area." Mr. Ashley's endorsement violates the RCIP!

They approved a track with seven one-half acre lots, in spite of personal testimony and over 25 letters of protest to the change!

The County established a moratorium on septic systems in Cherry Valley, then turns around and approves a project like this!

We are all aware of the lack of consistency at County level... the two mobile home parks, where over 300 toilets are flushed daily, are on huge septic/cesspool systems – and Cherry Valley has two other 'tracks' that are on septic systems. Should we now be singled out for the lack of foresight on the County's part? Cherry Valley has always championed for a rural life style. We have testified and challenged developments many times... and will continue to do so.

Yet our Supervisor and past Assemblyman came to our meetings... attended our BBQ's... ate with us... enjoyed live music... conversed with our families -- campaigned a little -- seemed to be straight forward... WHAT HAPPENED????????? Will we make the same mistakes the next election?
Patsy & Dick Reeley

Announcement

San Geronio Pass Heritage Corridor: A Bradshaw Trail Presentation will be presented on Saturday, December 1, 2007, 1:00 pm to 3:30 pm, at the Highland Springs Resort, 10600 Highland Springs Ave, Cherry Valley, CA 92223
RSVP required 951-572-2005 or tina.k@hsresort.com

How ISMS Wrecked a Pleasant Land

Once upon a time in a Kingdom very near, there were very powerful creatures who controlled the blue waters and open spaces of a serene valley.

These very powerful creatures were very fond of all kinds of **ISMS!** Let's look at how **ISMS** can impact the well being of a community.

Nepotism in a firm causes people to overlook and tolerate errors, omissions, and possible infractions in the use of power and money to protect their family ties. The un-ismed see it

as blatant favoritism – but can do nothing about it out of fear of reprisal

Cronyisms and *Good ole’boyisms* get no bid contracts and all kinds of benefits just because they’re known and close, and not necessarily because you’re the best qualified.

The un-isms finally can’t even be urged to give a bid on work for the creatures because they know the ‘Cronies or Good ole’ boys’ will get it and they would just be wasting their valuable time preparing a bid for work they know will be given to others no matter how well qualified and competitive they might be.

The people of the serene valley are always the losers because of the Creatures and their **ISMS**.

I have a friend who says the demographics of this peaceful valley are changing, and soon the **ISMS** will be dismantled by big numbers of new people moving in who vote. My answer is why must it take that long for the existing people to see that the only thing necessary for evil to prevail is for good men to do nothing.

Please don’t shake your head and sigh, “that the way it’s always been.” Go to meetings, ask questions, watch the Creatures – be informed, and address areas of wrong doing that infringe on your rights as a citizen, or that squander public funds. And when you cast a vote for a candidate for an office – know who you are voting for and what they stand for, or don’t vote for anyone in that particular race.

Be informed, all of us need to be protected from the **ISMS**.

A Close Look at the Wildermuth Environmental Report

By Steven Rhodes

The Wildermuth Environmental Inc. document, “Water Quality Impact From Onsite Waste Disposal Systems in the Cherry Valley Community of

Interest, Final Report March 2007,” has been referenced by local politicians, newspapers, water agency personnel, and political groups for several reasons in the recent past.

- ◆ Support of the failed Measure B election.
- ◆ The Beaumont/Cherry Valley Water District (BCVWD) cited evidence in their ‘Information Sheet’ and ‘Fact Sheet,’ mailed to all voters prior to the election.
- ◆ The Pass Area Families for Good Government cited failing CV septic systems poisoning area water supplies.
- ◆ Andrew Schlange, Beaumont Watermaster, cited the report as a reason that he, along with Supervisor Ashley and the Santa Ana Regional Water Quality Board, would get Cherry Valley sewered even if he had to sue somebody. -- (Oct 23, 2007, Managers Meeting)
- ◆ Supervisor Ashley cited the report as “compelling evidence” to introduce and approve three County ordinances (864, 864.1, and 871), placing and extending moratoriums on construction in Cherry Valley. The final result of this being that only advanced septic systems, removing 50% or more of the nitrogen in effluent, may be installed.
- ◆ Unnamed water district sources, and one District Board member, being quoted in the Record Gazette, citing the “scientific study,” in the year leading up to the recent election.

Not a “Scientific Study”

The report as presented by Wildermuth Environmental (W.E) is not a scientific study. A ‘report’ and a ‘scientific study’ are two different types of documents in the scientific world.

Ms. Kristal Davis, a W.E. scientist instrumental in the development of the report, told me personally at the first

town hall meeting at the Grange, that the report was not a scientific study and would not be reviewed because it didn’t have to be. It was a paid report done for the San Timoteo Watershed Management Authority (STWMA), Project Committee One, supporting their hypothesis that Cherry Valley Community of Interest (CVCOI) septic systems were affecting the Beaumont Basin Water Supply.

Scientific studies are peer reviewed by scientists in related fields who judge the validity of the data presented and conclusions reached.

Factors considered include:

1. The age of sources (is more current research available?)
2. The funding source of the study (who stands to benefit, could there be bias?)
3. The quality of the data (is there conflicting data readily available, and has it been considered?)

Applying these factors to the Wildermuth report exposes examples of data that would be “falsified” by peer review. Based upon the comparison of the following examples of current research available, and selected excerpts from the Wildermuth report, it is obvious that the document does not stand up to the high standards of a “scientific study.”

1. Age of Sources

The health concerns, and “Blue Baby” threats, listed in the Executive Summary (Page ES-2) and the Background section (pg. 1-1), use research based on a 1974 EPA report on Nitrate in drinking water. Several other sources from 1978-1993 are cited to show the relationship between Nitrogen and methemoglobinemia (met-B or Blue Baby syndrome), hypertension, cancer, birth defects, and increased infant mortality.

In 1995, the U.S. Environmental Protection Agency (U.S. EPA) commissioned an update to the 1974 report by the National Research Council entitled, “**Nitrate and Nitrite**”

in Drinking Water.” Results of the 1995 study reported include:

- “results of epidemiological studies are inadequate to support an association between high nitrate or nitrite exposure and cancer rates in humans” (pg. 2)
- “studies in humans are also inadequate to support an association between nitrate or nitrite exposure and reproduction or developmental effects” (pg. 2)
- “At high doses, inorganic nitrite, but not nitrate, can produce hypertension in humans” (pg. 2)
- “Infection is the major contributor of methemoglobinemia from nitrate exposure, the incremental contribution of drinking water is negligible” (pg. 49)
- “...diarrhea was the principal cause of infantile methemoglobinemia” (pg. 49)

Chris Van Kessel, PhD. (UC Davis), made this observation in February of 2006 about an article concerning the relationship of nitrogen in drinking water and Met-B:

“But on one point the article was confused and simply perpetuated an old myth – the link between nitrate in drinking water and “blue baby syndrome...”

2. Source of Funding, Bias

Funding for the report was through STWMA Project Committee One, whose bias on the issue is readily apparent. The BCVWD wants the recycled water (sewage effluent) collected and metered so that they can resell it to water retailers, and inject it into our aquifer.

Wildermuth Environmental shows the CVCOI recycled water as a new source of 2450 acre-feet of future water supply in a recent report to STWMA.

As a side note, the Santa Ana Regional Water Quality Board notes in their report, “Septic Systems – Nitrate Study,” that sewage treatment

plant effluent contains 15 to 25 mg/l of total Nitrogen (over the 10 mg/l MCL per U.S. EPA).

W.E. Inc. has a long history of contracts with several of the Pass area water agencies, and will continue to profit from these agencies, along with ratepayer’s fees, as long as they perform, and their contracts are renewed.

3. Quality of Data, Conflicting Data

Septic Failure Rates

W.E. Inc. lists the following statements about septic failure rates in the report. (The Pass Area Families for Good Government possibly cited these excerpts as the ‘source’ for their campaign mailer.)

On pages 2-1 and 2-2, of the report: “...at least 10% of the existing systems are faulty at any given time...,” and, “...national surveys suggest that a noticeable level of septic system failure is likely...” (no source noted!).

In contrast, the scientific study, “Failure Analysis of Large Septic Tank Systems” (DeValle, 1981), shows failure rates typically ranging between 1% and 5%.

Restated, 95% to 99% of septic systems **are working correctly.**

According to Dennis Hallahan, P.E., in Water Engineering and Management Magazine (Oct, 2002), a recent study evaluating more than 400 systems in Oregon found the failure rate below 2%. He continues by saying, “...*the standard septic system has an excellent track record despite the bashing it often gets from advocates of sewerage or more stringent regulation.*”

Septic Design Life

W.E. states on page 2-1 that “typical design life is 12-20 years.” However, the Massachusetts Septic System Test Center reports in its “Explanation of Facts” sheets that, “A conventional soil absorption system is

expected to last a minimum of 30 years...”

Professor Jim Harkin, University of Wisconsin-Madison, reports in his “**Project #DNR-103**” (May, 2000) that:

“...septic systems maintained the same high level of efficacy during operations over the years as their original performance in terms of nitrogen and bacterial attenuation...” and, “...the results of this and previous studies indicate that septic systems... provide excellent renovation of private small-scale wastewater flow over extended periods...”

Further, PhDs Gilbert N. Hanson and Martin Schoonen of the State University of New York found in their 1999 study, that the leach field below an Onsite Waste Disposal System (OSWDS) can easily accommodate one-half of the nitrogen produced by a family of four over a period of 30 years.

Septic Efficiency-Nitrogen Loading Rates

In Section 2-1 of the Wildermuth report (Nitrogen Treatment in OSWDS), several statements are made downplaying the role of septic systems in removing Nitrogen from wastewater.

On page 2.1, the report says, “They have very low nitrogen removal capabilities. Overall, conventional septic systems only remove 10% to 20% of the nitrogen entering the septic tank before disposal through the SAS” (soil absorption system or leach field).

On page 2-2 it states that, “Even when septic systems are working properly, significant levels of nitrogen are not removed during the treatment process.”

There are numerous studies and reports that refute Wildermuth’s claims. First, the removal capabilities of the total system have to be considered.

According to the U.S. EPA, Wastewater Treatment Systems Manual (Tables 3-17 and 3-19), 10% to 20% of Total Nitrogen is removed prior to the soil absorption system (SAS) or leach field. The leach field removes from 10% to 40%. So the total removal rate for an OSWDS ranges from 20% to 60%. Those levels are significant.

The U.S. EPA also found, in 1993, that the average effectiveness (total system reductions) is 28%. R.B. Brown, from the University of Florida, found removal efficiencies of up to 50%.

How does removal effectiveness relate to actual nitrogen loading?

On Page 2-2, Wildermuth Engineering reports that "...it has been estimated that the typical annual nitrogen contribution from a family of four is about 33 kilograms."

Converted to pounds, the report is saying that this family introduces **72.6 pounds of Nitrogen per year to the ground – 18 plus pounds per person!**

Exaggerated Data

First, Wildermuth did not consider the Total nitrogen reduction of OSWDS in this calculation or local demographics (residents per septic system). Secondly, a review of research and water agency information from around the country does not support this exaggeration.

For example:

- Matuszeski, (1997), 10 pounds per person per year;
- City of Norfolk, Mass., 5 lbs. per person per year -15 lbs per house;
- City of Plainville, Maryland, 5 lbs per person. 15 lbs. per family;
- Pennsylvania EPA, 9.9 lbs per person per year;
- New Jersey Geological Society, 10 lbs per person per year;

- Onsite Water Treatment Journal, 6 lbs. per person per year;
- New Jersey EPA, 8 lbs per person per year -- 14 kg per family;
- Ventura County, CA – 11 kg/year family -- 6.6 lbs per person;
- New England Interstate Water Pollution Control – 6.7 lbs per person;
- USGS (Approach for Estimating Nitrogen Load) – 6.5 lbs. per person

There are numerous other sources available, but this quick review shows an exaggeration of from 200% to 500% for Nitrogen production per person and/or family.

On page 4-3 of the report, future discharge is estimated to be between 185,000 to 500,000 pounds of nitrogen per year from OSWDS.

Using the range of the above-cited sources (5lbs to 10 lbs per person per year), and a population of 7,500 for Cherry Valley, actual total discharge would range from 37,500 to 75,000 pounds per year. Even a 300% increase in the population of Cherry Valley would result in only 112,500 to 225,000 pounds per year.

W.E. Inc. used this exaggerated data to produce their "Big Red Plume" model, one of the most convincing arguments in their report.

When combined with the number of septic tanks Wildermuth used for the model (7800 vs. actual amount of 1906 in 2007 and an estimated 2200 in 2020 per BCVWD), the resulting "Red Plume of Nitrogen" is so overstated as to make it invalid.

A Report Does Not Compare to the High Standards of a Scientific Study.

Several other areas of the Wildermuth report contain the same level of biased or exaggerated data, with conclusions reached that are not supported by current research, or their

own science (leach field excavation, PPCPs testing, etc.).

County government, the Beaumont Watermaster, local water agencies, and the voting public **cannot** make an informed decision based on this report. Yet decisions **are** being made every day based on this report.

A quote from the University of Florida document SL-118 (Brown, R.B., 2003) states:

"Numerous researchers across the U.S. have studied the influence of septic systems... on water quality. It would be highly misleading to generalize from these studies, conducted as they were in a wide variety of soil, landscape, and climate conditions, with different water quality parameters employed among the different studies."

Until the actual causes (past and present) of Nitrate and Nitrogen in our water are determined, a comprehensive and cost effective solution will not be found.

Steven Rhodes

A story is told, that upon exiting the Constitutional Convention, Benjamin Franklin was asked what sort of government the delegates had created. His answer was: "A republic, if you can keep it."

He was telling the good folks that a democratic republic is not merely founded upon the consent of the people; it is **absolutely dependent** upon the active and informed involvement of the people for their continued good.

Our republic is a beautiful thing, and will grow a bountiful harvest. But it needs tending. Like any garden, if we don't tend it, it'll start growing weeds.

Keep an eye on the weeds!

Until next time...