

# The Mercury News Sunday



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BayArea NewsGroup

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\$3.00 111 AUGUST 20, 2023

**POLICE OFFICER INDICTMENTS**

*'You can have all the body-worn cameras in the world, but if no one is watching what the officers are doing, then it's useless.'* — Howard Jordan, former Oakland police chief

## Did lack of reform lead to scandal?



The most serious charges focus on Antioch Officers Morteza Amiri, Eric Rombough and Devon Wenger. The three are accused of plotting and carrying out acts of extreme violence.

**Allegations »** 3 legal experts suggest evidence points toward prison sentences

By Ethan Baron  
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The allegations of brutality and bravado among Antioch police officers who shared "gory pics" and vowed "blood for blood" are spelled out over 29 pages in one of four federal indictments returned this past week, adding even more outrage to a growing police scandal that has rocked two east

Contra Costa County communities for months.

But how will the evidence hold up in a criminal court?

The Bay Area News Group shared copies of the federal indictments — stuffed with allegations of criminal activity ranging from wire fraud to conspiracy to distribute steroids to barbaric civil rights violations — with three local

CASE » PAGE 6

12:35 a.m., AMIRI exchanged the following text messages with WENGER:

**AMIRI:** if [Agency-1] didn't have all those body cams and that was us... we would have f—ed him up more. He didn't get what he deserved

**WENGER:** I agree  
That's why I don't like body cams

**Keeping tabs »** Antioch force was one of last in Bay Area to require body-worn cameras

By John Woolfolk and Nate Gartrell  
Staff writers

On Aug. 21, 2020, two Antioch officers who had been called to aid neighboring cops released a police dog to bite a fleeing suspect. The officer handling the dog later lamented to his partner that the suspect "didn't get what

he deserved" in the glare of all the body cameras worn by the other department's officers.

"We would have f—ed him up more," the officer, Morteza Amiri, messaged his partner, Devon Wenger, who replied in agreement: "That's why I don't like body cams."

The exchange, recounted in an indictment Thursday charging

both officers, along with Antioch Officer Eric Rombough, with civil rights violations, begs a difficult question for city and department leaders:

Did the police department's long resistance to the kind of reforms adopted far earlier in other Bay Area cities — Antioch didn't require body cameras until 2021 — enable the brutal behavior that has now led to a sweeping crisis of corruption? And if Antioch's problems run deeper than the

CAMS » PAGE 6

**ENVIRONMENT**

## FIGHTING TO PREVENT FUTURE RED TIDES



KARL MONDON — STAFF PHOTOGRAPHER

Jimmy Dang, general manager of the Oro Loma Sanitary District, surveys the aeration being used at their wastewater facility to reduce the amount of nitrogen being dumped into the waters of San Francisco Bay on Tuesday.

Bay algae blooms have been fewer this year, but agencies are taking measures to continue reducing nitrogen pollution from wastewater

By Lisa M. Krieger  
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The largest sources of nutrient pollution and algae blooms in the San Francisco Bay — 37 different sewage treatment plants — are cleaning up their

act. Faced with two blooms called red tides, which are deadly to marine life, officials will soon recommend the first restrictions on the release of the nutrients, such as nitrogen, into the bay, a vast body of water that has long

seemed resilient to trouble.

Nitrogen is not a toxin; it is necessary for a healthy ecosystem. But too much of it, discharged in wastewater from human urine, sets off a complex series of events that causes too much algae to grow, which depletes oxygen and kills marine life. Last year, a harmful bloom caused piles of stinking fish corpses to wash ashore. This summer, a smaller bloom appeared and then vanished.

"The science is telling us that we need to reduce nutrient loads as quickly as possible," said Eileen White, executive officer for the San Francisco Bay Regional Water Quality Control Board, which regulates sewage treatment plants. "What has happened is a game-changer."

More than two-thirds of the region's nitrogen comes from sewage treatment plants, which collectively dump about 50,000

NITROGEN » PAGE 5

**NEW MEGAREGION**

## Tri-Valley emerging as mecca for tech

Innovative companies moving to East Bay

By Will McCarthy  
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For a brief moment in December, scientists inside a nondescript gray building in the Bay Area suburbs re-created the conditions of the sun.

"It's a singular moment in humanity," said Vincent Tang, the principal deputy director for the National Ignition Facility and Photon Science Directorate at Lawrence Livermore National Laboratory. "The first time that anyone has brought star fire to Earth."

The breakthrough — fusion ignition — was a stirring moment for the team, some of whom had been working toward this for decades. The achievement was hailed by U.S. Secretary of Energy Jennifer Granholm as "one of the most impressive scientific feats of the 21st century," portending the potential for a nearly unlimited source of clean renewable energy. According to Tang, it is "one of the most important missions on earth."

The Livermore lab, of course, is not new to the Tri-Valley region, a rolling stretch of interconnected cities and towns just over the hills from the East Bay. The lab first opened in 1952 and the fusion ignition research has been ongoing for more than 40 years.

But the achievement is perhaps the most prominent example of why the center of tech innovation and talent in the Bay Area is shifting to — or at least growing to include — the Tri-Valley.

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NEW MEXICO

# NTSB: Balloon pilot with cocaine in system made mistake that caused crash, killed five

By The Associated Press

ALBUQUERQUE, N.M. » A mistake made by a hot air balloon pilot who had drugs, including cocaine in his system, caused a crash in 2021 in New Mexico that killed all five people on board, investigators have determined. The National Transportation Safety Board said in its final report released this week that pilot Nicholas Meleski did not maintain enough clearance from power lines while trying to land. He hit the power lines

and crashed into a busy intersection. The report said investigators found no evidence of mechanical malfunctions or failures.

The amounts of cocaine and marijuana found in his system suggested “recent use” that would have likely had “impairing effects” that contributed to the crash on June 26, 2021, the report said.

Meleski’s family told Albuquerque station KOB-TV in a statement that their hearts go out to the families of the passengers: Mary Martinez, her

husband Martin, and their friends Susan and John Montoya.

“We cannot express the depth of our grief and sadness for the pain this accident has caused,” the statement said.

Witnesses also told investigators that the balloon’s envelope separated from the basket after hitting the power lines and floated away. It was found south of the crash site.

Federal officials said the balloon crash was the deadliest in New Mexico’s history.



ANDRES LEIGHTON — THE ASSOCIATED PRESS

The basket of a hot air balloon lies on the pavement after a crash landing in Albuquerque, N.M., in June 2021.

## Nitrogen

FROM PAGE 1

kilograms into bay waters every day. While many natural factors create a red tide, named for the discolored water, these nutrient releases are humanmade, and can be controlled, experts say.

About 14 of the Bay Area’s treatment plants already have modernized their facilities to clean up their chocolate-colored sludge, harnessing bacteria and aeration techniques to turn nitrogen from a liquid to a gas, then safely releasing it into the air. Several more have planned upgrades and are studying treatment wetlands.

But others are lagging behind.

A thorough cleanup will be very pricy, boosting costs for ratepayers. To cut nitrogen releases in half, the total price tag could reach \$11.5 billion; more modest reductions of 7% to 20% would cost \$220 million to \$870 million, respectively. The most aggressive reduction — 82% — could cost nearly \$15 billion.

And the payoff may not be immediately obvious. Until last year, the bay had no dramatic red tide die-offs of marine life. Scientists are trying to learn whether these are very rare events or the beginning of a trend. There



PHOTOS BY NHAT V. MEYER — STAFF PHOTOGRAPHER

The outfall channel, where treated water is discharged into the lower South Bay, at the San Jose-Santa Clara Regional Wastewater Facility in San Jose on Wednesday.



A fish swims near where treated water is discharged at the San Jose-Santa Clara Regional Wastewater Facility.

are hints, yet no proof, that climate change could trigger repeated outbreaks.

“It’s a huge challenge ... with a lot of uncertainty,” said Lorien Fono, executive director of the Bay Area Clean Water Agencies, whose members provide sewer services to more than 7.1 million

residents. “But, working together, we have the possibility of creating a regionwide approach for nutrient reduction.”

July’s red tide algae bloom faded without a repeat of last summer’s toll of thousands of dead fish and other marine creatures, according to

an analysis by scientists at San Francisco Baykeeper, an environmental group that monitors water conditions in the Bay.

But summer is not yet over. Increased algae concentrations in the 2000s, combined with these recent outbreaks, are causing authorities to take a harder look.

Discharge limits have helped reverse ecological disasters in Tampa Bay, Florida, the Long Island Sound and other estuaries around the nation. In the Chesapeake Bay, which once seemed unsavable, key fish species have rebounded, more seagrass is growing and the water holds more life-giving oxygen.

Historically, limits have not been required in San Francisco Bay. It has fierce tides, which reduce concentrations of nitrogen. It has cloudy water, due to millions of tons of mud, gravel and sand from Gold Rush mining. And it has a large population of organisms, such as clams, that feed on algae.

But that resiliency may be fading. Water clarity is increasing due to upstream dams capturing sediment. Clam populations are declining. Climate change may cause waters to warm.

The region’s 50-year-old treatment facilities also are aging, creating opportunities for upgrades, Fono said.

Limits will be placed on nitrogen discharges, White

said. The San Francisco Bay Regional Water Quality Control Board issues new permits — with new regulatory requirements — every five years. The existing permits will expire next year.

“We tried to be a progressive thinker,” said Jimmy Dang of Oro Loma/Castro Valley Sanitary Districts, which upgraded its decade-old facility to remove nearly 95% of nitrogen from its discharge flow, contributing to a 7% price hike for ratepayers. “It was a conscious decision to look at the environment of the bay, ahead of any limits that were coming down the pipeline.”

San Jose-Santa Clara Regional Wastewater Facility, which sits on the edge of the shallow and slow-moving South Bay, started to remove nitrogen discharges about two decades ago and now about 85% of it is gone.

Last year, South San Francisco and San Bruno completed the construction of a technology that has also reduced nutrients by 85%.

According to the Bay Area Clean Water Agencies’ most recent report, Palo Alto and its partners are embarking on a major \$200 million makeover of its Regional Water Quality Control Plant. West County Wastewater, which serves San Pablo, Richmond and Pinole, already has completed plant improvements. The Dublin San Ramon District is solving its problem through a

recycled water program, which uses nitrogen to fertilize fields and landscaping. San Leandro’s project, under construction, should be finished this year. San Mateo began its upgrade in 2021.

The two largest dischargers — East Bay Municipal Utility District and San Francisco PUC — are off to a slower start, according to the report. EBMUD is now pilot testing treatment of about 10% of its flow, which should result in some reductions.

“It is very expensive,” Fono said. “But the community, as a whole, takes this very seriously.”

Given the enormous cost, how much reduction is needed? That is what David Senn of the San Francisco Estuary Institute and his partners with the San Francisco Bay Nutrient Management Strategy are studying. They are developing computer simulations of a gradual decline in the ecosystem’s health, as well as more catastrophic red tides to better understand whether massive die-offs will be rare events, or something more frequent. The goal is to generate the data needed to support major management decisions.

“How do we think through something that’s never happened before — that would cost \$10 billion or more to prevent from happening again?” Senn asked. “And what pace do we need to get there?”

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