



BIGHORN-DESERT VIEW WATER AGENCY

"To provide a high-quality supply of water and reliable service to all customers at a fair and reasonable rate."

BOARD OF DIRECTORS' REGULAR MEETING AGENDA

BOARD MEETING OFFICE
1720 N. CHEROKEE
LANDERS, CALIFORNIA 92285

October 13, 2026
6:00 P.M.

PUBLIC WISHING TO PARTICIPATE REMOTELY MAY

Join the meeting online on Zoom

<https://us02web.zoom.us/j/5194728347?pwd=tEbr3Cb3A8LeAbJiO0UaXsjl9lD3kY.1>

or by telephone by calling 1-669-900-6833

Zoom Meeting ID: 519 472 8347 / Passcode: 190001

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

Discussion and Action Items - The Board of Directors will discuss the following items and consider taking action. The Public is invited to comment on any item on the agenda during discussion of that item. When giving your public comment, please have your information prepared. If you wish to be identified for the record, then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

1. **BOARD TO CONSIDER ADOPTING RESOLUTION NO 26R-XX DECLARING AN EMERGENCY PREPAREDNESS CONDITION RELATED TO FORECASTED EL NIÑO STORM EVENTS AND AUTHORIZING ADVANCE PROTECTIVE MEASURES TO SAFEGUARD WATER INFRASTRUCTURE, PROPERTY, EQUIPMENT, AND OPERATIONS**

Presented by Jennifer Cusack, General Manager

2. **BOARD TO CONSIDER AUTHORIZING TASK ORDER NO. 3 (CHANGE ORDER NO. 3) TO PROFESSIONAL SERVICES AGREEMENT WITH COMPASS CONSULTING ENTERPRISES, INC. FOR PRE-CONSTRUCTION BIOLOGICAL SERVICES AS REQUIRED BY CDFW FOR THE PIPES WASH STREAMBED ALTERATION AGREEMENT COMPLIANCE RELATED TO THE PROJECT SWRCB GRANT AGREEMENT NO. D2102065.**

Presented by Marina West, Chief Engineer

3. **BOARD TO CONSIDER AUTHORIZING TASK ORDER NO. 4 (CHANGE ORDER NO. 4) TO PROFESSIONAL SERVICES AGREEMENT WITH COMPASS CONSULTING ENTERPRISES, INC. FOR PREPARATION OF A "PIPES WASH HABITAT MITIGATION AND MONITORING PLAN" IN SUPPORT OF THE PIPES WASH STREAMBED ALTERATION AGREEMENT RELATED TO THE PROJECT SWRCB GRANT AGREEMENT NO. D2102065.**

Presented by Marina West, Chief Engineer

4. BOARD TO CONSIDER AUTHORIZING TASK ORDER NO. 5 (CHANGE ORDER NO. 5) TO PROFESSIONAL SERVICES AGREEMENT WITH COMPASS CONSULTING ENTERPRISES, INC. FOR ENVIRONMENTAL MONITORING IN SUPPORT OF THE PIPES WASH STREAMBED ALTERATION AGREEMENT RELATED TO THE PROJECT SWRCB GRANT AGREEMENT NO. D2102065.

Presented by Marina West, Chief Engineer

5. Consent Calendar - The following are routine, non-controversial items to be acted on with one motion, without discussion. If a member board requests an item(s) be pulled from the consent calendar, it/they will be moved for separate discussion and consideration.

- a. Board Meeting Minutes
 - i. September 8, 2026 – Regular Meeting
 - ii. September 22, 2026 – Special Meeting
- b. Financial Statements
 - i. Financial Report – August 2026
- c. Disbursements/Check Register – August 2026
- d. Service Order Report – August 2026
- e. Production Report for Bighorn-Desert View System – September 2026
- f. Production Report for Goat Mountain System – September 2026
- g. Receive and File Committee Meeting Minutes
 - i. Planning/Legislative/Engineering/Grants Standing Committee - none
 - ii. Finance/Public Relations/Education/Personnel Standing Committee July 21, 2026
- h. Receive and File True Bad Debt for 2025/26 of \$572.66

Recommended Action: Approve Consent Calendar Items a through h, as presented.

6. Matters removed from the Consent Calendar

7. Public Comment Period

Any person may address the Board on matters within the Agency's jurisdiction not appearing on this agenda. When giving your public comment, please have your information prepared. If you wish to be identified for the record, then please state your name. Due to time constraints, each member of the public will be allotted three minutes to provide their public comment. State Law prohibits the Board of Directors from discussing or taking action on items not included on the agenda.

8. Items for Next or Future Agenda

9. Verbal Reports – Including Reports on Courses/Conferences/Meetings.

- 1. General Manager Report
- 2. Chief Engineer Report
- 3. Director Reports

10. Adjournment

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code

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Posted October 8, 2026

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Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above. As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda. Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Thursday, closed Fridays. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at www.bdvwa.org

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.

Calendar Reminder - Upcoming Director Meetings

- Regular Board Meeting – second Tuesday every month at 6 p.m.
- Finance/Public Relations/Education & Personnel (FPREP) Committee – third Tuesday of odd months at 4 p.m.
- Planning/Legislative/Engineering & Grant (PLEGS) Committee – third Tuesday of even months at 4 p.m.
- Mojave Water Agency Board of Directors Meeting – second and fourth Thursday every month (regular schedule) at 9:30 a.m.
- Landers Homestead Valley Community Association Meeting – second Monday at 5 p.m. every month
- ASBCSD Monthly Dinner Meeting – third Monday (regular schedule) various locations

BIGHORN DESERT VIEW WATER AGENCY AGENDA ITEM SUBMITTAL

Date: October 13, 2026

To: Board of Directors

Budgeted: No

Budgeted Amount: N/A

Cost: Unknown at this time

From: Jennifer Cusack, General Manager

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Resolution No. 26R-XX — Declaring an Emergency Preparedness Condition Related to Forecasted El Niño Storm Events and Authorizing Advance Protective Measures to Safeguard Water Infrastructure, Property, Equipment, and Operations.

RECOMMENDATION

Adopt Resolution No. 26R-XX declaring an emergency preparedness condition related to forecasted El Niño storm events and authorizing the General Manager, or designee, to implement reasonable and necessary advance protective measures, subject to the Agency's purchasing policies, delegated authority limits, available appropriations, and applicable law.

BACKGROUND/ANALYSIS

The Agency provides essential drinking water service through groundwater wells, pipelines, storage facilities, booster stations, electrical and communications systems, and related infrastructure. The proposed resolution identifies potential storm-related risks, including flooding, erosion, washouts, exposed pipelines, loss of access to critical facilities, power outages, and damage to equipment and facilities. Its purpose is to allow timely preparation before storm impacts occur, rather than waiting until facilities are damaged or service is interrupted.

The proposed resolution cites forecasted El Niño-related storm impacts and State and County preparedness activities as the basis for advance action. Staff should attach or identify current weather forecasts and applicable preparedness advisories before Board consideration. These statements have not been independently confirmed in this report. Protective measures should be based on local forecasts, site conditions, and the risk to Agency facilities, rather than assuming that seasonal conditions will produce flooding in the service area.

The resolution establishes a preparedness framework for protecting Agency assets and maintaining reliable water service. It authorizes the following categories of work:

- Infrastructure protection: Place erosion-control materials; stabilize vulnerable pipeline corridors, road crossings, and access roads; install temporary flood barriers; and protect wells, pumps, storage facilities, electrical equipment, and communications systems.
- Materials and supplies: Procure and stage sandbags, pipe, valves, fittings, clamps, fuel, aggregate, fill, and other emergency repair supplies at Agency facilities.

- Equipment readiness: Reserve or pre-position heavy equipment, generators, pumps, lighting, and other resources through appropriate rental, standby, purchasing, or mutual aid arrangements.
- Staffing and operational readiness: Prepare storm response procedures, provide training, and arrange overtime, standby coverage, and temporary scheduling or assignment changes consistent with applicable requirements.
- Pre-storm activation: When forecasts indicate a significant threat, inspect vulnerable locations, deploy protective materials, secure facilities, stage resources, and coordinate with utilities, contractors, emergency responders, and mutual aid partners.

The resolution takes effect upon adoption and remains in effect until rescinded by the Board or until the General Manager determines that the forecasted threat no longer warrants activation of the authorized measures. Advance preparation is intended to reduce damage, improve response capability, limit service interruptions, and reduce emergency response and recovery costs; the amount of any savings has not been quantified.

FISCAL IMPACT

- Costs are unknown at this time but are expected to be within the current adopted budget.
- Spending controls: Expenditures remain subject to existing purchasing policies and delegated authority limits. Any expenditure requiring additional Board approval should be brought forward under the applicable requirements.
- Cost recovery: Maintain detailed records to support any available insurance or disaster assistance claim. Reimbursement is not assured and should not be assumed when identifying funding.

RESOLUTION NO. 26R-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BIGHORN-DESERT VIEW WATER AGENCY
DECLARING AN EMERGENCY PREPAREDNESS CONDITION
RELATED TO FORECASTED EL NIÑO STORM EVENTS
AND AUTHORIZING ADVANCE PROTECTIVE MEASURES
TO SAFEGUARD WATER INFRASTRUCTURE,
PROPERTY, EQUIPMENT, AND OPERATIONS

WHEREAS, the Bighorn-Desert View Water Agency ("Agency") owns, operates, and maintains facilities that provide essential drinking water service to the residents, businesses, and customers within its service area; and

WHEREAS, the Agency's facilities include groundwater production wells, pipelines, storage reservoirs, tanks, booster stations, electrical systems, communications systems, access roads, buildings, vehicles, equipment, and other infrastructure necessary to provide safe and reliable water service; and

WHEREAS, the Agency has identified risks from flooding, erosion, washouts, roadway failures, exposed water pipelines, loss of access to critical facilities, power outages, and damage to water system infrastructure; and

WHEREAS, the State of California and the County of San Bernardino have activated emergency preparedness and storm response activities in anticipation of significant weather events associated with El Niño conditions; and

WHEREAS, weather forecasts and emergency preparedness advisories indicate the potential for heavy rainfall, flooding, debris flows, erosion, washouts, and other storm-related impacts that could threaten Agency infrastructure, property, operations, public health, and the continuity of water service; and

WHEREAS, the Board of Directors recognizes that timely preparation and implementation of protective measures before forecasted storm events are necessary to reduce risk, prevent infrastructure failure, maintain essential public services, and protect public resources; and

WHEREAS, the California Emergency Services Act and other applicable laws authorize local public agencies to prepare for, respond to, and mitigate the impacts of emergency conditions affecting public facilities and services; and

WHEREAS, the Board of Directors finds that expenditures incurred for advance protective measures and emergency preparedness activities are expected to substantially reduce damage to public infrastructure, protect public health and safety, maintain continuous and reliable water service, reduce emergency response costs, and minimize overall disaster recovery expenditures; and

WHEREAS, the Board of Directors finds that immediate and proactive actions are necessary to prepare Agency facilities, equipment, and personnel for anticipated severe weather events and related emergency conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Bighorn-Desert View Water Agency does hereby find, determine, and resolve as follows:

Section 1. Declaration of Emergency Preparedness Condition

The Board hereby declares that forecasted severe storm conditions and potential El Niño-related weather impacts present a credible threat to Agency facilities, property, operations, and the continued delivery of potable water service.

The Board further determines that proactive emergency preparedness, mitigation measures, and resource staging are necessary to reduce potential damage and ensure operational continuity.

Section 2. Findings

The Board hereby finds and determines that:

Agency groundwater wells, pipelines, reservoirs, tanks, access roads, electrical facilities, communications systems, and related infrastructure are vulnerable to flooding, erosion, washouts, debris flows, and storm-related damage.

Proactive preparation and mitigation activities undertaken in advance of forecasted severe storm events are necessary to protect public health, safety, and welfare.

Pre-staging personnel, equipment, materials, and emergency supplies will improve response capabilities and reduce service disruptions.

Advance expenditures for protective measures, including erosion control, road stabilization, stockpiling of materials, equipment mobilization, and emergency preparedness planning, are reasonably necessary and are expected to reduce the severity of damage, maintain continuity of water service, and lower overall emergency response and recovery costs.

The actions authorized herein are in furtherance of the Agency's responsibility to provide reliable public water service and to protect public assets held in trust for its customers and ratepayers.

Section 3. Authorization of Protective Measures

The General Manager, or designee, is authorized to undertake all reasonable and necessary preparedness, mitigation, and protective actions, including but not limited to the following:

A. Infrastructure Protection

Placement of road base, aggregate materials, fill dirt, and other erosion-control materials to prevent erosion and exposure of water pipelines and facilities.

Reinforcement and stabilization of vulnerable pipeline corridors, road crossings, access roads, and utility easements.

Construction or installation of temporary berms, sandbags, barriers, and flood protection measures.

Protection of wells, booster stations, storage tanks, reservoirs, electrical equipment, generators, communication systems, and other critical facilities from anticipated flooding and storm impacts.

B. Materials and Supply Staging

Procurement, stockpiling, storage, and deployment of sandbags and flood-control materials.

Procurement and staging of emergency repair materials including pipe, valves, fittings, clamps, pumps, generators, fuel, electrical components, erosion control materials, aggregate base, fill materials, and related supplies.

Establishment of supply storage locations at Agency facilities to support emergency response operations.

C. Equipment Readiness

Identification, reservation, and pre-positioning of heavy equipment, excavation equipment, loaders, backhoes, dump trucks, generators, pumps, portable lighting systems, fuel supplies, and other equipment necessary for emergency operations.

Execution of rental agreements, emergency contracts, standby agreements, purchase orders, mutual aid arrangements, or cooperative agreements necessary to ensure the availability of equipment, personnel, and supplies.

D. Emergency Staffing and Operational Readiness

Development and implementation of emergency staffing plans and storm response procedures.

Authorization of overtime, standby assignments, emergency scheduling adjustments, temporary reassignment of personnel, and related operational measures.

Training and preparation of employees for storm response and emergency operations.

E. Pre-Storm Activation Measures

Upon issuance of weather forecasts indicating significant storm activity or conditions likely to threaten Agency facilities or operations, the General Manager may activate emergency preparedness protocols, pre-stage personnel and equipment at strategic Agency facilities, conduct inspections of vulnerable infrastructure, deploy protective materials and supplies, secure Agency facilities and equipment, coordinate with utilities, contractors, emergency responders, and mutual aid partners, implement emergency communications procedures, and take any additional actions reasonably necessary to protect Agency facilities and maintain water service.

Section 4. Emergency Expenditures

The Board recognizes that emergency preparedness activities may require expenditures before the occurrence of storm impacts.

The General Manager is authorized to incur reasonable and necessary emergency preparedness expenditures and enter into agreements consistent with the Agency's purchasing policies, delegated authority limits, emergency procurement provisions, and applicable provisions of California law.

The Board further finds that such expenditures are necessary to safeguard public infrastructure, protect public health and safety, maintain water service reliability, and reduce overall emergency response and disaster recovery costs.

Section 5. Documentation and Cost Recovery

The General Manager shall maintain records of all preparedness activities, expenditures, labor costs, equipment usage, contracts, damages, and recovery activities for purposes.

Section 6. Effective Date

This Resolution shall take effect immediately upon adoption and shall remain in effect until rescinded by the Board of Directors or until the General Manager determines that the threat of forecasted severe storm conditions no longer warrants activation of the preparedness measures authorized herein.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Bighorn-Desert View Water Agency at a regular meeting held on the ____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President, Board of Directors
Bighorn-Desert View Water Agency

ATTEST:

Board Secretary

**BIGHORN-DESERT VIEW WATER AGENCY
BOARD OF DIRECTORS'
AGENDA ITEM SUBMITTAL – GRANT FUNDED PROJECT**

Meeting Date: October 13, 2026

To: Board of Directors

From: Marina D. West, PG, Chief Engineer

Agenda Topic: **SWRCB Grant Agreement No. D2102065: Authorize Task Order No. 3 (Change Order No. 3) to Professional Services Agreement with Compass Consulting Enterprises, Inc. for Pre-Construction Biological Services as Required by CDFW for the Pipes Wash Streambed Alteration Agreement Compliance Related to the Project.**

Requested Action:

That the Board considers taking the following action:

1. Authorize Task Order No. 3 (Change Order) to Professional Services Agreement with Compass Consulting Enterprises, Inc. for pre-construction and project construction monitoring/ protocol surveys as required by the CA Department of Fish and Wildlife Streambed Alteration Agreement related to the Project in the amount of \$47,990; and
2. Receive and File CA Department of Fish and Wildlife Streambed Alteration Agreement No EPIMS-SBR-64495-R6 Pipes Wash Crossing Consolidation of Water Systems executed July 30, 2026.

Project: **Pipeline Improvements and Consolidation Project (PI/C) – Phase 2**

Funding Source: SWRCB PI/C Grant Agreement No. D2102065/ Proj. No. 3610009-002C Potable Water System Improvements and Consolidation of Water Systems Project

Contract: Yes, Counsel Kennedy approved execution of Professional Services Agreement with CA Rural Water Association

Funds Allocated: Staff anticipates that these costs will be included in the revised budget (Amendment 2) to be submitted with the Final Budget Approval package for construction of the Project.

Agency Cost Share: Current estimate is \$0

General Counsel Approval for this Action: Yes, Counsel Kennedy approved execution of Professional Services Agreement. General Counsel Ciampa have been involved as Special Counsel on this project since December 2024.

Summary:

The Pipeline Improvements and Consolidation Project (PI/C) Phase 2 Zone B Transmission Pipeline (Vol. 1 Drawings) traverses Pipes Wash along Winters Road. This is a desert wash which has defined “channel banks” bringing it under the jurisdiction of the CA Fish and Wildlife (CDFW). Therefore, the Agency applied for and received a Streambed Alteration Agreement (attached). This Agreement, executed July 30, 2026,

requires special monitoring and restoration of the wash before, during and after the construction.

The proposal presented herein from Compass Consulting Enterprises, Inc. (Compass) outlines the proposed activities for pre-construction and project construction biological monitoring/ protocol surveys as required by this specific Agreement. The proposal outlines a best management approach as reporting and/or coordination with CDFW is required depending on actual field conditions encountered. This proposal does not include the biological services needed for the required Habitat Mitigation and Monitoring Plan (Task Order No. 4) or the overall project environmental compliance outlined in the CEQA Mitigated Negative Declaration adopted for the entire project (Task Order No. 5).

The proposed base cost for services is \$47,990 which is part of the project budget which will be presented to the Grantor with the construction budget approval package.

Staff recommends the Board approve the Task Order for services as outlined herein.

Grant Background (Bolded items relevant to this action. Items “struck out” have been removed from Grant Deliverables via Amendment No. 1)

A funding Agreement with the State Water Resources Control Board (SWRCB) for some projects defined within the Preliminary Engineers Report (PER) completed in 2022. Agreement executed April 20, 2023. Projects included in the funding Agreement are outlined in Phases as follows:

Phase 1:

- Install new pump in the existing R-1 Booster Station (Zone D1 Booster Pump)
- Replace the BDVWA A-Booster Station, reconfiguring the pipeline between the A-Booster Station and B reservoirs, and install a metered supply from BDVWA’s Zone B to Zone C with necessary pressure reducing valves (PRV’s). To be constructed at Agency cost with possible reimbursement later.
- Construct Zone B Pump Station; and
- ~~Construct a block wall building to enclose the proposed GM Well No. 2 replacement (proposed BDVWA Well No. 13).~~

Phase 2:

- Construct approximately 9,300 feet of 6-inch distribution pipeline and necessary pressure reducing station to consolidate BDVWA with GM.

Phase 3:

- **Construct approximately 21,500 feet of 6-inch transmission and distribution pipeline to convey water from the proposed Zone B Pump Station to BDVWA’s B reservoir site and install distribution pipelines to convey water from BDVWA’s D Zone to the proposed Zone B Pump Station;** and
- ~~Construct approximately 9,900 feet of transmission pipeline (approximately 4,100 feet of 6-inch and 5,800 feet of 8-inch pipe) necessary to blend water from the Zone B Pump Station, BDVWA’s active wells (Nos. 3 and 8), and if permitted by DDW, BDVWA’s currently inactive wells (Nos. 2 and well 4).~~

Phase 4:

- Recoat and rehabilitate BDVWA Reservoirs B1, B2; and
- Recoat and rehabilitate GM Reservoir R1.

CEQA Action: Mitigated Negative Declarations Notice of Determination filed May 2021 (SCH No. 2021020354).

All Prior Board Action(s) Relevant to this Grant Funded Project (Bolded Motions relevant to this action)

9/8/2026 Motion No. 26-XX Adopt Consent Calendar Items m. SWRCB Grant Agreement No. D2102065: Authorize Change Order No. 4 Task Order CA Rural Water Association for Design Changes Related to the Construction of the Zone B Transmission Mainline in the amount of \$16,650; n. SWRCB Grant Agreement No. D2102065: Authorize Change Order No. 3 Task Order for Monument ROW for additional Right-of-Way Services related to the Water System Consolidation Projects in the amount of \$10,000 and o. SWRCB Grant Agreement No. D2102065: Retroactive Authorization of Payment of CA Department of Fish and Wildlife Invoices for two (2) Western Joshua Tree Incidental Take permits for the Water System Consolidation Projects totaling \$179,986.50.

7/14/2026 Motion No. 26-036 Authorize the General Manager to publish a Notice Inviting Bids for a contract to construct the Water System Improvements and Consolidation Project (PI/C Project SWRCB Grant Agreement No. D2102065).

4/14/2026 Motion 26-018 Authorize Change Order No. 3 Task Order to CA Rural Water Association for Construction Management Services Related to the Construction of the Zone B Transmission Mainline, Zone B and Zone D Pump Stations, HDWD#2 Intertie and Consolidation of Improvement District Goat Mountain with Bighorn-Desert View (SWRCB Grant Agreement No. D2102065) in the amount of \$1,026,000 when contingency included.

4/14/2026 Motion No. 26-020 Accept Completion of Work, Authorize Filing of Notice of Completion and Release of Retention Amounts Held to J. Colon Coatings, Inc. for Phase 4 B-Tank Rehabilitation (SWRCB Grant Agreement No. D2102065: Contract PWC25-01).

1/20/2026 Motion No. 26-009 PI/C Project: Motion to approve Contract No. PWC25-02 Change Order No.1 for \$706.13 and Change Order No. 2 for 21,096.75 to J. Colon Coatings for the State Water Resources Control Board Grant No. D2102065 Phase 4 B-Tank Rehabilitation Project.

9/9/2025 Motion No. 25-049 Motion to Motion to authorize Change Order No. 2 to Professional Services Agreement with Fomotor Engineering for additional survey related tasks related to SWRCB Grant Agreement No. D2102065 in the amount of \$8,670.

9/9/2025 Motion No. 25-048 Motion to authorize Change Order No. 2 to Professional Services Agreement with Compass Consulting Enterprises, Inc. for environmental services in support of the Pipes Wash Jurisdictional Permitting related to the SWRCB Grant Agreement No. D2102065 in the amount of \$27,420.

7/8/2025 Motion No. 25-037 Authorize Change Order No. 1 to Professional Services Agreement with Compass Consulting Enterprises, Inc. for Environmental Services in support of the Incidental Take Permit for Western Joshua tree Related to Compliance with the Mitigation and Monitoring Plan Related to the Project in the amount of \$11,810. (Phase 2)

6/10/2025 Motion No. 25-025 Motion to approve Change Order No. 2 Task Order to Professional Services Agreement with California Rural Water Association (CRWA) for \$3,940 to provide additional engineering and mapping services associated with the environmental compliance for the Project. (Phase 1, 2, 3)

6/10/2025 Motion No. 25-023 Motion to receive and file the Notice Inviting Bids, Ratify issuance of Addendum No. 1 and award Public Works Contract No. PWC25-01 Reservoirs 81 and 82 Rehabilitation and Recoating Project to J. Colon Coatings, Inc. in the amount of \$539,000 pending approval by the State Water Resources Control Board Division of Financial Assistance in accordance with Agreement No. D2102065 and Authorize construction contingency of 10% or \$53,900. (Phase 4)

4/8/2025 Motion No. 25-016 Approve SWRCB Grant Agreement No. D2102065: Authorize Professional Services Agreement with Compass Consulting Enterprises, Inc. for Phase 4 Environmental Services in the Amount of \$10,000. (Phase 4)

3/11/2025 Motion No. 25-008 Approve SWRCB Grant Agreement No. D2102065: Authorize Change Order No. 1 Task Order to Professional Services Agreement with California Rural Water Association for \$386,425 to Provide Additional Engineering Design Services Associated with the Project. (Phase 1 and 2)

12/10/2024 Motion No. 24-050 Authorize Professional Services Agreement with Engineering Resources of Southern California to complete plans, specifications, contract documents, to provide Bidding assistance and construction management/inspection services for rehabilitation of Reservoirs B1, B2 and R-1 for the Pipeline Improvements and Consolidation Project Phase 4; and Authorize publication of Notice Inviting Bids for a Contract to perform the work. (Phase 4).

12/10/2024 Motion No. 24-049 Authorize engagement with Special Counsel Mr. Jim Ciampa and execution of Attorney Services Agreement with Lagerlof, LLP to Provide Legal Opinion Letter Relevant to Property Rights for the Construction of the Pipeline

Improvements and Consolidation Project. (Phase 1, 2, 3 and 4)

10/8/2024 Motion No. 24-045 Pipeline Improvements and Consolidation Project (PI/C) Professional Services Agreement with Monument ROW - Authorize Change Order No. 1 for \$20,000 to Obtain Land Patent Records to Complete Phase 1 – Strategy for Acquisition of R/W for the Pipeline Improvement and Consolidation Project Summary Report; and Change Order No. 2 for \$144,000 to Provide Services to Pursue Fourteen (14) Private Easement Deeds. (Phase 2 and 3)

10/8/2024 Motion No. 24-044 Improvements and Consolidation Project (PI/C) Pipeline Improvements and Consolidation Project (PI/C) Professional Services Agreement with Fomotor Engineering - Authorize Change Order No. 1 to Professional Services Agreement with Fomotor Engineering for \$22,000 to Provide 14 Plat Maps and Legal Descriptions for Identified Private Easements and \$10,000 for Unspecified “On-Call Services” for the Pipeline Improvements and Consolidation Project (PI/C). (Phase 2 and 3)

7/9/2024 Motion No. 24-034 Authorize issuance of Professional Services Agreement with Fomotor Engineering for Ground and Aerial Survey Work Associated with the Final Design of the Pipeline Improvements and Consolidation Project (PI/C Project) Transmission and Blending Pipeline Design in the Amount of \$28,800 plus a 10% Contingency. (Phase 3)

3/12/2024 Motion No. 24-016 Authorize Issuance of Professional Services Agreement to Fomotor Engineering for Pipeline Improvement and Consolidation Project “On-Call and as-needed” Land Survey Support Services. (Phase 1,2, 3 and 4 as needed)

3/12/2024 Motion No. 24-014 HDWD #2 Intertie (Grant No. 4600014979): Authorize Issuance of Professional Services Agreement to California Rural Water Association (CWRA) for Intertie No. 2 (BDVWA to HDWD#2) Pipeline Design Services at a Cost of \$50,892

3/12/2024 Motion No. 24-015 Authorize issuance of Professional Services Agreement to California Rural Water Association (CRWA) for Pipeline Improvement and Consolidation (PI/C) Project design services at a cost of \$257,075. (Phase 3)

10/10/2023 Motion No. 23-036 Authorize issuance of Professional Service Agreement to Monument Right-of-Way for the Pipeline Improvement and Consolidation Project Right-of-Way Acquisition Services at an initial contract cost of \$458,075. (Phase 2 and 3)

2/14/2023 Motion No. 23-006 Adopt Resolution No. 23R-03 (F5a) Authorize execution of \$11,000,000 Funding Agreement No. D2102065 with the State Water Resources Control Board for the Purpose of the Potable Water Supply Systems Improvements Consolidation of Water Systems Project No. 3610009-002C.

12/10/2024 Motion No. 24-050 Authorize Professional Services Agreement with Engineering Resources of Southern California to complete plans, specifications, contract documents, to provide Bidding assistance and construction management/inspection services for rehabilitation of Reservoirs B1, B2 and R-1 for the Pipeline Improvements and Consolidation Project Phase 4; and Authorize publication of Notice Inviting Bids for a Contract to perform the work.

2/14/2023 Motion No. 23-006 Adopt Resolution No. 23R-03 Authorize execution of \$11,000,000 Funding Agreement No. D2102065 with the State Water Resources Control Board for the Purpose of the Potable Water Supply Systems Improvements Consolidation of Water Systems Project No. 3610009-002C.

5/11/2021 Motion No. 21-025 Motion made to adopt the Mitigated Negative Declaration (MND) pertaining to the Potable Water System Improvements and Consolidation of Water Systems (SCH 2021020354)

EPIMS-SBR-64495-R6 - Pipes Wash Crossing ? Consolidation of Water Systems

Permit Details

Notification Type: 10185-Notify for Standard Agreement (Cannabis and non-Cannabis)
Region: Region 6
Status: Underway
Organization: Bighorn-Desert View Water Agency

Final Agreement

Standard Agreement

This Standard Agreement is being issued to:

Bighorn-Desert View Water Agency

Final Standard Agreement*: EPIMS-SBR-64495-R6_Final_Draft_Agreement.pdf
Open and print the attached PDF file.

Exhibits

Document Description: Exhibit A Project Location

Document: Exhibit A_Project Location.pdf

Document Description: Exhibit B Project Design Plan

Document: Exhibit B_Project Design Plan.pdf

Document Description: Exhibit C Project Impact Map

Document: Exhibit C_Project Impact Map.pdf

Document Description: Exhibit D Biologist Resume Form

Document: Exhibit D_Biologist Resume Form.pdf

Document Description: Exhibit D Biologist Resume Form

Document: Exhibit D_Biologist Resume Form.pdf

Concurrence

I am the applicant or I have the authority to sign for the applicant. By my signature, I accept and agree to comply with all the provisions contained herein.

Final Agreement Effective Date: 07/30/2026

Permittee Electronic Signature: Marina West
First and Last Name

Date Signed:

07/13/2026

Department of Fish and Wildlife

CDFW Electronic Signature :

Alisa Ellsworth

CDFW Representative Title:

Environmental Program Manager

Date Signed:

07/30/2026

Acting for:

No

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

INLAND DESERTS REGION

3602 INLAND EMPIRE BLVD., SUITE C-220

ONTARIO, CA 91764



STREAMBED ALTERATION AGREEMENT

EPIMS-SBR-64495-R6

Pipes Wash and Associated Streams

BIGHORN-DESERT VIEW WATER AGENCY

PIPES WASH CROSSING CONSOLIDATION OF WATER SYSTEMS

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Bighorn-Desert View Water Agency (Permittee) as represented by Marina West.

RECITALS

WHEREAS, pursuant to Fish and Game Code section 1602, Permittee notified CDFW on February 12, 2026 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to Fish and Game Code section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in this Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed this Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with this Agreement.

PROJECT LOCATION

The Pipes Wash Crossing Consolidation of Water Systems project (Project) is located at Pipes Wash and associated streams that are tributary to Emerson Lake, in the County of San Bernardino, State of California; centered at latitude 34.23688, longitude -116.42070 (see Exhibit A). The Project is located on Winters

Road that turns into Tracy Boulevard between Warren Vista Avenue and Tahoe Avenue, in the unincorporated community of Landers, California.

PROJECT DESCRIPTION

The Project is limited to installation of a new water pipeline along Winters Road/Tracy Boulevard approximately 0.71 miles west of Warren Vista Avenue and 0.21 miles east of Tahoe Avenue (see Exhibit B). The Project includes the creation of a linear trench that will be 12-ft wide and 5 to 7-ft deep. In total 2,542 linear feet (ft) of polyvinyl chloride pipe will be installed within trenched areas and will occur via segments that are 20-ft long and 6 inches. The Project will use backhoes and/or excavators to create the trench, separate the topsoil, place segments of pipe into the trench, and fill the trench with topsoil to create a 12-inch clearance between the top of soil and the pipeline.

The Project will also construct concrete cutoff walls in which the pipeline will be placed through to reduce erosion and failure of the pipeline. In total, the Project will require the placement of 17 concrete cutoff walls that will be 8-inches thick, a maximum of 4-ft wide, and a maximum of 4.5-ft tall. The cutoff walls will be cast in place on steep grades and along downhill runs as needed, extending into the ground and placed along the bank of washes at an estimated interval of 12 to 18-inches below grade level.

The Project anticipates placing 1,000-ft of pipeline per day and completing the Project within three days.

PROJECT IMPACTS

Existing fish or wildlife resources the Project could substantially adversely affect include, but are not limited to:

Plants: western Joshua tree (*Yucca brevifolia*)(SC)¹, Joshua tree poppy (*Eschscholzia androuxii*)(RP)²(4.3), crowned muilla (*Muilla coronata*)(RP)(4.2), desert mariposa lily (*Calochortus kennedyi*), hairy sand verbena (*Abronia villosa* var. *villosa*), California shieldpod (*Dithyrea californica*), desert bells (*Phacelia campanularia*), paperbag bush (*Scutellaria mexicana*), desert senna (*Senna armata*), little San Bernardino Mountain linanthus (*Linanthus maculatus* ssp.

¹ CESA Listed Candidate

² CNPS Listed Rare Plant

maculatus), creosote bush (*Larrea tridentata*), white bursage (*Ambrosia dumosa*)

Birds: Le Conte's thrasher (*Toxostoma lecontei*) (SC), loggerhead shrike (*Lanius ludovicianus*) (SSC), cactus wren (*Campylorhynchus brunneicapillus*), black-throated sparrow (*Amphispiza bilineata*), greater roadrunner (*Geococcyx californianus*), western burrowing owl (*Athene cunicularia hypugaea*) (SC)

Mammals: American Badger (*Taxidea taxus*) (SSC) (FM)³, coyote (*Canis latrans*), desert kit fox (*Vulpes macrotis arsipus*) (FM), white-tailed antelope squirrel (*Ammospermophilus leucurus*), desert cottontail (*Sylvilagus audubonii*), black-tailed jackrabbit (*Lepus californicus*)

Reptiles: desert tortoise (*Gopherus agassizii*) (SE)⁴, western side-blotched lizard (*Uta stansburiana elegans*), western whiptail (*Aspidoscelis tigris*)

The adverse effects the Project could have on the fish or wildlife resources identified above include: temporary loss of natural bed or bank; colonization by exotic plant or animal species; temporary loss of instream channel habitat; disruption to nesting birds and other wildlife, direct take of terrestrial species; disturbance of wildlife and habitat from Project activities; temporary loss of vegetation; disturbance to, alteration of, and/or temporary loss of breeding, foraging, and refugia habitat; and short-term release of contaminants (e.g., incidental from construction).

Project activities described above are anticipated to temporarily impact 5.83 acres of Fish and Game Code section 1602 resources (see Exhibit C).

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make this Agreement, any extensions and amendments to this Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the Project site at all times and shall be presented to

³ Furbearing Mammal (Fish and G. Code §4000; see Cal. Code Regs., tit. 14, §460)

⁴ CESA Listed Endangered

CDFW personnel, or personnel from another state, federal, or local agency upon request.

- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of this Agreement and any extensions and amendments to this Agreement to all persons who will be working on the Project at the Project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in this Agreement might conflict with a provision imposed on the Project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the Project site at any time to verify compliance with this Agreement.
- 1.5 Additional Project Impacts. Permittee shall submit to CDFW a request to amend this Agreement if any additional impacts to Fish and Game Code section 1602 resources not identified in this Agreement are anticipated. No additional impacts to Fish and Game Code section 1602 resources are authorized unless the impacts and/or activities are expressly authorized by CDFW through an amendment to this Agreement.
- 1.6 Reporting of Violations. Permittee shall report any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, to the CDFW contact identified below in the Contact Information section within 24 hours of the violation.
- 1.7 Take of Listed Species. The issuance of this Agreement does not authorize take of any State or Federally listed threatened, candidate, endangered or fully protected species. Take of California Endangered Species Act (CESA)-listed or candidate species is prohibited except as authorized by state law (Fish and G. Code §§ 2081 & 2085). Consequently, if a Project, including Project construction or any Project related activity during the life of this Project, results in the take of a CESA-listed or candidate species, CDFW recommends that the Permittee seek appropriate authorization prior to Project implementation. That may include an incidental take permit or a consistency determination (Fish and G. Code, §§ 2080.1 & 2081).

- 1.8 Impacts to Species of Special Concern. Species of special concern and habitat thereof shall be avoided to the greatest extent feasible.
- 1.9 Take of Nesting Birds. Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey), to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.). The issuance of this Agreement does not in any way exempt or excuse compliance with these statutes.
- 1.10 Compliance with Other Agencies. The Agreement does not relieve the Permittee of responsibilities for compliance with applicable federal, state, or local laws, ordinances or grant conditions.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

- 2.1 Designated Biologist(s). At least thirty (30) days before site preparation and initiating ground- or vegetation-disturbing activities, Permittee shall submit to CDFW the name, contact information, and qualifications of each biologist, botanist, or other specialist (Designated Biologist(s)) proposed to perform surveys or conduct monitoring activities addressed by this Agreement. To expedite CDFW review, Permittee may use the CDFW Biologist Resume Form (see Exhibit D) to submit the qualifications of any proposed Designated Biologist(s). The Designated Biologist(s) shall be knowledgeable and experienced in the biology, natural history, and/or appropriate survey methodology of local fish and wildlife resources described in the measures of this Agreement and those that are present or may be present at the Project site. Permittee shall specify the proposed responsibilities of each Designated Biologist(s) and provide clear evidence

of knowledge, experience, and capability of performing those proposed duties. Permittee shall obtain CDFW's written approval of the Designated Biologist(s) prior to the commencement of Project activities. Permittee shall obtain CDFW's written approval if the Designated Biologist(s) must be changed. The Designated Biologist(s) shall be on-site daily and be responsible for monitoring all Project activities, including construction and any ground- or vegetation-disturbing activities in areas subject to this Agreement. The Designated Biologist(s) shall flag the limits of Project activities within the areas subject of Fish and Game Code section 1602, perform necessary surveys, prevent unlawful take of species, conduct compliance inspections, and take photographs prior to and during the construction process.

- 2.2 Designated Biologist(s) Authority. The Designated Biologist(s) shall have authority to immediately stop any activity that is not in compliance with this Agreement, and/or to order any reasonable measures to avoid or minimize impacts to fish and wildlife resources. If any fully protected, candidate, threatened, or endangered species are found within the Project site, the Designated Biologist(s) shall immediately stop work within the Project site and notify CDFW in writing. Consultation with CDFW regarding next steps and CDFW's approval is required prior to resuming work. Neither the Designated Biologist(s) nor CDFW shall be liable for any costs incurred as a result of compliance with this measure. This includes any cease-work orders issued by CDFW.
- 2.3 On-Site Education. Permittee shall conduct an education program for all persons employed or otherwise working on the Project site prior to the start of Project activities. The education program shall consist of a presentation from the Designated Biologist(s) that includes a discussion of the biology of the habitats and species identified in this Agreement and potentially present at the Project site. The Designated Biologist(s) shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, wildlife and invasive plant species, penalties for violations, and Project-specific protective measures included in this Agreement. The education program shall include but not be limited to information for nesting birds, species of special concern, and special-status plants listed in the Project Impact section of this Agreement. Interpretation

shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on-site. All personnel shall be informed of their responsibility to report any form of take to the Designated Biologist(s).

- 2.4 Demarcate Work Area Boundary. Project-related personnel shall access the Project site using existing routes and shall not cross-country travel outside of or in route to the Project site. In consultation with the Designated Biologist(s), Permittee shall demarcate the outer perimeter of the Project site to prevent damage to adjacent habitat and to provide visual orientation to the limits of the Project site and access routes. Fencing, stakes, or flags may be used, and the marking shall be in place and maintained during all periods of operation. All persons employed or otherwise working on the Project site shall be instructed about the restrictions that the marking represents. Permittee shall remove all temporary flagging, fencing, and/or barriers from the Project site and vicinity of the stream upon completion of Project activities, or at the onset of precipitation if materials can be washed downstream. All demarcation materials that are removed due to precipitation shall be replaced if Project activities have not concluded.
- 2.5 Work Period in Dry Weather Only. Work within the streambed shall be restricted to periods of no stream flow and dry weather. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease, and all necessary erosion control measures shall be implemented prior to the onset of precipitation. No work shall occur within 24 hours of a precipitation event resulting in stream flow.
- 2.6 Invasive Species. Permittee shall conduct Project activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, animals, and microbes (e.g., algae, fungi, parasites, bacteria, etc.), from the Project site to adjacent fish and wildlife resources. Prevention Best Management Practices (BMPs) and guidelines for invasive plants can be found on the California Invasive Plant Council's website at: <http://www.cal-ipc.org/ip/prevention/index.php>.

Vegetation and Sensitive Plant Species Protection

- 2.7 Western Joshua Tree. Permittee shall fully avoid take of western Joshua tree or any part or product of a western Joshua tree that is otherwise not covered under a Western Joshua Tree Conservation Act incidental take permit (ITP) issued by CDFW. The issuance of this Agreement does not authorize take of western Joshua tree.
- 2.8 Pre-Project Plant Survey. Prior to the start of Project activities, the Designated Biologist(s) shall conduct a thorough floristic-based pre-Project vegetation survey in the Project site, access route(s), staging area(s), stockpile(s), and a 100-foot buffer surrounding those areas. The 100-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Permittee. The survey shall be completed during the time of year when plants are evident and identifiable (i.e., flowering or fruiting) and follow the guidelines in the *2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*⁵, if feasible in consideration of Project timelines, or no more than 10 days prior to the initiation of ground-disturbing activities with CDFW's approval. If the survey or ongoing monitoring confirms presence of a California Native Plant Society (CNPS) ranked species, Permittee shall avoid impacts to the CNPS ranked species to the greatest extent feasible. If the survey or ongoing monitoring confirms presence of a CESA candidate or listed plant, Permittee must fully avoid impacting the species or should obtain a CESA ITP. A summary of the survey shall be provided to CDFW per Measure 4.1. For plant survey protocols and species lists, see <https://wildlife.ca.gov/conservation/plants/info>.

Wildlife Protection

- 2.9 Species Avoidance. Permittee shall avoid impacts to wildlife species that are non-special status species (i.e., non-listed, non-candidate, non-fully protected, non-Fish and Game Code protected) to the greatest extent feasible. Impacts to species that are CESA listed or candidate shall be fully avoided unless authorized by an ITP and impacts to fully protected species or species otherwise protected by Fish and Game Code shall be fully avoided. The Designated Biologist(s) shall inspect the Project site daily prior

⁵ California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.

to any vegetation removal or ground disturbing Project activities commencing that day and any individuals found shall not be harassed and shall be allowed to leave the Project site unharmed. If needed, a Designated Biologist may guide, handle, or capture non-listed, non-candidate, non-fully protected, non-Fish and Game Code protected wildlife species to move it to a nearby safe location within nearby refugium, or it shall be allowed to leave the Project site of its own volition. Capture methods may include hand, dip net, lizard lasso, snake tongs, and snake hook. If the wildlife species is discovered caught in any pits, ditches, or other types of excavations, the Designated Biologist(s) shall release it into the most suitable habitat near the site of capture.

2.10 Pre-Project Desert Kit Fox and American Badger Surveys. Within 14-21 days prior to the beginning of surface disturbing activities, the Designated Biologist(s) shall conduct a survey to determine if active desert kit fox or American badger dens or sign of activity (e.g., tracks, scat, prey remains) are present within the Project site and within a 50-foot buffer of the Project site. The 50-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Permittee. If active natal dens (a den with pups, cubs, or kits) are detected, Permittee shall implement Measure 2.10.1 and contact CDFW immediately (within 24 hours). Permittee shall submit the survey results within 5 days following survey completion (see Measure 4.1).

2.10.1 Desert Kit Fox and American Badger Avoidance and Monitoring. Any active dens that are confirmed to be presently occupied by desert kit fox and/or American badger during the species' breeding season (typically February to October) shall not be excavated and a minimum of 500-foot no-disturbance buffer shall be maintained until the den is confirmed by the Designated Biologist as no longer active through ongoing monitoring as described in Measure 2.10.2. Reduction of the no-disturbance buffer may occur upon consultation with CDFW. Excavation and backfill of dens shall occur only for confirmed inactive and unoccupied dens, as described in Measure 2.10.2 below.

2.10.2 Inactive Dens within the Project. Excavation and backfill of inactive and unoccupied dens within the Project site, shall only occur with

dens in which the entirety of the den can clearly be seen (e.g., the den isn't deep and doesn't curve). In cases where the entirety of the den cannot be clearly seen, the CDFW-approved Designated Biologist(s) shall monitor the den for 3 consecutive nights using infrared camera stations at the entrance(s). If no tracks or sign are observed at the den or no photos of desert kit fox or American badger are captured after 3 nights, then the den shall be excavated by hand and backfilled with handheld equipment or mechanized equipment.

2.11 Nesting Birds. Permittee shall ensure that impacts to nesting birds are avoided through the implementation of pre-construction surveys, ongoing monitoring, and if necessary, establishment of minimization measures.

2.11.1 Nesting Bird Pre-Project Surveys. Surveys for nesting birds shall be conducted by the Designated Biologist(s) at the appropriate time of day/night, during appropriate weather conditions. The surveys shall encompass the entire Project site and shall be conducted no more than 3 days prior to the initiation of Project activities addressed by this Agreement. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of area subject to this Agreement; density and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. Surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors). If a nest is suspected, but not confirmed, the Designated Biologist(s) shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. The Designated Biologist(s) shall not risk failure of the nest to determine the exact location or status and shall make every effort to limit the nest to potential predation as a result of the survey/monitoring efforts (e.g., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators

before approaching, immediately depart nest area if indicators of stress or agitation are displayed). If a nest is observed, but thought to be inactive, the Designated Biologist(s) shall monitor the nest for one hour (four hours for raptors) prior to approaching the nest to determine status. The Designated Biologist(s) shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate. Results of the Nesting Bird Pre-Construction Surveys shall be provided to CDFW at least 1 day following survey completion (see Measure 4.1). The report shall include the following information: a list of all nesting bird(s) observed; a description of habitat and refugia (e.g., potential burrows, nests, dens, etc.) supporting the nesting bird(s); the location(s) of each observation; methods proposed to demarcate/delineate those locations and any associated buffers/avoidance areas; and any other avoidance or minimization measure proposed to be implemented.

2.11.2 Buffers. When an active nest is confirmed, the Designated Biologist(s) shall immediately establish a conservative buffer surrounding the nest based on their best professional judgement and experience. The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a manner that it attracts predators. Once the buffer is established, the Designated Biologist(s) shall document baseline behavior, stage of reproduction, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. Following documentation of baseline conditions, the Designated Biologist(s) may choose to adjust the buffer based on site characteristics, stage of reproduction, and types of Project activities proposed at/near that location. The Designated Biologist(s) shall monitor the nest at the onset of Project activities addressed by this Agreement, and at the onset of any changes in Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist(s) determines that Project activities may be causing an adverse reaction, the Designated Biologist(s) shall adjust the buffer accordingly.

2.11.3 Ongoing Monitoring. The Designated Biologist(s) shall be present onsite daily to monitor all existing nests, the efficacy of established buffers, and to document any new nesting occurrences. The Designated Biologist(s) shall document the status of all existing nests, including the stage of reproduction and the expected fledge date. If a nest is suspected to have been abandoned or failed, the Designated Biologist(s) shall monitor the nest for a minimum of 1 hour (4 hours for raptors), uninterrupted, during favorable field conditions. If no activity is observed during that time, the Designated Biologist(s) may approach the nest to assess the status. The Designated Biologist(s) shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.

2.11.4 Securing Site. Permittee under direction of the Designated Biologist(s) may also take steps to discourage nesting on the Project site, including moving equipment and materials daily, covering material with tarps or fabric, and securing all open pipes and construction materials. The Designated Biologist(s) shall ensure that none of the deterrent materials pose an entanglement risk to birds or other species.

2.11.5 Reporting. If nesting birds are observed on the Project site, the Designated Biologist(s) shall be present on-site and shall be responsible for maintaining weekly summary reports regarding the nesting species identified onsite, discovery of any new nests, the status/outcome of any previously identified nest, buffer distances established for each nest, and any adjustments made to established buffers. Weekly nesting summary reports shall be included in the Final Construction Report (see Measure 4.4). If any special status bird species is observed onsite, Permittee shall notify CDFW within 24 hours of detection. If Project activities result in the abandonment of, or damage to a nest, Permittee shall notify CDFW within 24 hours of detection.

2.12 Le Conte's Thrasher. Permittee shall ensure that impacts to Le Conte's thrasher are fully avoided, absent a CESA ITP. The issuance of this Agreement does not authorize take of Le Conte's thrasher.

2.12.1 Pre-Construction Surveys. If suitable habitat is present, the Designated Biologist(s) with the appropriate CESA authorization shall conduct pre-construction surveys for Le Conte's thrasher in accordance with the Desert Thrasher Working Group Clearance Protocol⁶. The Designated Biologist(s) shall conduct the surveys 30 minutes before sunrise and up to 4 hours after sunrise during appropriate weather conditions (not be conducted in rainy or windy conditions (> 12 mph sustained)). The Designated Biologist(s) shall perform three surveys spaced 20-35 days apart between January 15th and April 30th. If Project activities are set to commence outside of the recommended survey period, the Permittee shall contact CDFW to review and approve alternative methodology and protocol. Permittee shall submit the pre-construction survey results within 1 day prior to commencement of Project activities (see Measure 4.1).

2.12.2 Le Conte's Thrasher Observed During Construction. If Le Conte's thrasher is observed within the Project site during Project activities, and full avoidance isn't possible, Permittee shall notify CDFW immediately (within 24 hours) in writing to R6LSAReporting@wildlife.ca.gov (reference EPIMS-SBR-64495-R6) and shall comply with Measure 1.7.

2.13 Desert Tortoise. Permittee shall ensure that impacts to desert tortoise are fully avoided, absent a CESA ITP. The issuance of this Agreement does not authorize take of desert tortoise.

2.13.1 Pre-Construction Surveys. The Designated Biologist(s) shall conduct a protocol level presence or absence pre-construction survey within the Project site and 50-foot buffer zone surrounding the Project site. The 50-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Permittee. The preconstruction survey shall be conducted no more than 48 hours prior to the commencement of Project activities during the desert tortoise active season (typically March to October) in accordance with the U.S. Fish and Wildlife Service 2019 desert tortoise survey methodology⁷. The survey shall utilize perpendicular survey routes and ensure 100% visual coverage for desert tortoise and their sign (e.g., scat, tracks, burrows). Results of the survey shall be

⁶ Desert Thrasher Working Group. 2024. Thrasher Clearance Protocol (April 2024 Edition).

⁷ U.S. Fish and Wildlife Service. 2019. Preparing for Any Action that May Occur Within the Range of the Mojave Desert Tortoise (*Gopherus agassizii*).

submitted to CDFW within 1 day following survey completion (see Measure 4.1). If active burrows, sign, or desert tortoise are detected at any time throughout the term of this Agreement, Permittee shall contact CDFW immediately (within 24 hours) and fully avoid impacts to desert tortoise or should obtain a CESA ITP.

2.14 Western Burrowing Owl. Permittee shall ensure that impacts to western burrowing owl are fully avoided, absent a CESA ITP. The issuance of this Agreement does not authorize take of western burrowing owl.

2.14.1 Western Burrowing Owl Habitat Assessment. Prior to the initiation of Project activities, Permittee shall conduct a western burrowing owl habitat assessment consistent with the 2012 *Staff Report on Burrowing Owl Mitigation*⁸. The habitat assessment shall be conducted by a Designated Biologist(s) approved by CDFW under Measure 2.1, who is knowledgeable of western burrowing owl habitat, ecology, and field identification of the species, burrow and burrow surrogates, and western burrowing owl sign. The habitat assessment shall be conducted by the Designated Biologist(s) at least thirty (30) calendar days prior to the initiation of Project activities. The assessment shall consist of walking the Project site to identify the presence of western burrowing owl habitat. Survey duration shall take into consideration the size of the property; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. A report summarizing the results of the habitat assessment shall be submitted to CDFW within 5 days of survey completion (see Measure 4.1).

2.14.2 Focused Surveys. If the western burrowing owl habitat assessment identifies western burrowing owl habitat, including suitable burrows or western burrowing owl sign on site (e.g., feathers, pellets, prey remains etc.), Permittee shall have the Designated Biologist(s) perform breeding season and wintering season surveys conducted according to the 2012 *Staff Report on Burrowing Owl Mitigation, Appendix D* prior to initiation of Project activities. If performing both breeding season and non-breeding season surveys is infeasible,

⁸ California Department of Fish and Wildlife. 2012. *Staff Report on Burrowing Owl Mitigation*.

Permittee shall coordinate with CDFW regarding whether to proceed with either breeding season surveys or non-breeding season surveys, which will be determined by CDFW and depend on Project initiation. If Project initiation conflicts with the number of visits and timing outlined in the Staff Report for breeding or non-breeding season surveys, Permittee shall notify CDFW of which survey visits may conflict with Project initiation and shall propose alternative visits. CDFW shall then review the proposal and provide final approval of the number of visits and timing. Alternative survey visits shall remain consistent with weather conditions, time of day, and survey methods (e.g., transects) etc. outlined in the Staff Report. Occupancy of western burrowing owl habitat is confirmed at a site when at least one western burrowing owl, or its sign (e.g., feathers, pellets, prey remains etc.) at or near a burrow entrance, is observed within the last three years. Results of the focused surveys shall be submitted to CDFW within 5 days of survey completion (see Measure 4.1). If western burrowing owls are detected, Permittee shall immediately contact CDFW (within 24 hours) and fully avoid impacts to western burrowing owl. CDFW strongly recommends that Permittee obtains a CESA ITP if impacts to western burrowing owl cannot be fully avoided.

2.14.3 Western Burrowing Owl General Pre-Construction Surveys. To confirm presence/absence of western burrowing owl from previous surveys, the Designated Biologist(s) shall inspect all suitable burrows for evidence of western burrowing owl activity within three days prior to Project initiation. Evidence of western burrowing owl activity may include presence of owls themselves and burrowing owl sign at burrow entrances such as pellets, whitewash or other "ornamentation," feathers, prey remains, etc. If it is evident that the burrows are actively being used, Permittee shall not commence activities, contact CDFW immediately (within 24 hours), and fully avoid impacts to western burrowing owl or should obtain a CESA ITP if impacts cannot be fully avoided. Permittee shall submit the pre-construction survey methodology and results within 1 day prior to commencement of Project activities (see Measure 4.1).

2.14.4 Western Burrowing Owls Observed During Construction. If western burrowing owls are observed within the Project site during Project

activities, Permittee shall notify CDFW immediately (within 24 hours) in writing to R6LSAReporting@wildlife.ca.gov (reference EPIMS-SBR-64495-R6) and shall comply with Measure 1.7.

- 2.15 Pre-Activity Sweep. The Designated Biologist(s) shall conduct a pre-activity sweep within the Project sites (including access routes) and within an appropriate buffer surrounding the Project sites, as determined by the Designated Biologist(s), within two (2) hours of initiating Project activities. The pre-activity sweep shall confirm and mark/map for avoidance the location of any known nesting bird(s) and/or special-status species and shall verify that no additional/new nesting bird(s) and/or special-status species have occupied the Project sites or adjacent habitats. Permittee shall avoid impacts to non-listed, non-candidate, non-fully protected, non-Fish and Game code protected species to the greatest extent feasible and fully avoid impacts to nesting birds, candidate, listed, fully protected species, and Fish and Game code protected species. If full avoidance of nesting birds, CESA candidate species, CESA-listed species, or fully protected species cannot be accomplished, Permittee shall postpone the Project, and contact CDFW to discuss an appropriate path forward. A summary of the pre-activity sweep results shall be provided to CDFW per Measure 4.2.

Best Management Practices

- 2.16 Check for Wildlife in Pipes/Construction Materials. Any pipes, poles, culverts, drill holes or similar structures with a diameter greater than 3 inches and less than eight (8) inches aboveground shall be inspected by the Designated Biologist(s) for wildlife before the material is moved, buried, or capped. The Designated Biologist(s) shall inspect all open holes and trenches at a minimum of twice a day and just prior to backfilling. At the end of each workday, the Designated Biologist(s) shall place an escape ramp at each end of trenches to allow any animals that may have become trapped in the trench to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than thirty (30) degrees. If any worker discovers that wildlife has become trapped, they shall halt Project activities and notify the Designated Biologist(s) immediately. Project workers and the Designated Biologist(s) shall allow the wildlife to escape unimpeded if possible, or a Designated

Biologist(s) approved by CDFW shall move the non-CESA-listed, non-CESA candidate wildlife out of harm's way if not moving on its own volition.

- 2.17 Dust Control. Permittee shall implement dust control measures during Project activities to facilitate visibility for monitoring by the Designated Biologist(s). Permittee shall keep the amount of water used to the minimum amount needed and shall not allow standing water or formation of puddles to avoid attracting opportunistic predators, such as ravens, coyotes, and feral dogs.
- 2.18 Staging Areas and Stockpile Sites. Permittee shall confine all Project site-related parking, storage, laydown sites, and any other Project site staging and stockpiling activities within the Project site boundaries, which may include within Fish and Game Code section 1602 resources on-site. However, staging and stockpiling within the streambed shall be restricted to periods of no stream flow and dry weather (see Measure 2.5).
- 2.19 Best Management Practices. Permittee shall actively implement BMPs to prevent erosion and discharge of sediment and pollutants into streams to avoid impacts to Fish and Game Code section 1602 resources adjacent and downstream of the Project site during Project activities. BMPs shall be monitored and repaired, if necessary, to ensure maximum control of erosion, sediment, and pollution. Permittee shall prohibit the use of erosion control materials potentially harmful to fish and wildlife species, such as welded-weave monofilament netting (erosion control matting) or similar material, within and adjacent to Fish and Game Code section 1602 resources. All fiber rolls, straw wattles, and/or hay bales utilized shall be certified free of nonnative plant materials. Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Non-welded weaves reduce entanglement risks to wildlife by allowing animals to push through the weave, which expands when spread.
- 2.20 Pollution and Litter. Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of Permittee to ensure compliance. Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be

washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.

- 2.21 Removal of Debris and Refuse. Permittee shall remove and properly dispose all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes. Permittee shall remove all hardened concrete, concrete washout, and other loose debris in areas that need to be cleared by slowly removing stored material starting from the top and working down to ground level, rather than scooping from the ground up. This method will minimize the possibility of harming terrestrial wildlife possibly using the debris as shelter and will allow them to escape.
- 2.22 Hazardous Substances. Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from Project-related activities shall be prevented from contaminating the soil and/or entering the lake, streambed, or flowing stream. These materials, placed within or where they may enter a lake, streambed, or flowing stream by Permittee or any party working under contract or with the permission of Permittee, shall be removed immediately.
- 2.23 Hazardous Materials. No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into a lake, streambed, or flowing stream. When daily operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within the bed and bank of a lake or stream.
- 2.24 Spill Cleanup. Permittee shall begin the cleanup of all spills immediately upon detection. CDFW shall be notified immediately (within 24 hours) by the Permittee of any spills and shall be consulted regarding cleanup procedures. Permittee shall have all spill clean-up equipment on site during construction.

- 2.25 Trash Abatement. Permittee shall ensure that trash and food items are contained in animal-proof, self-closing, sealable receptacles with lids that latch. Permittee shall ensure all trash receptacles are regularly inspected, emptied, and removed from the Project site a minimum of once a week to prevent spillage, maintain sanitary conditions, and avoid attracting opportunistic predators such as ravens, coyotes, and feral dogs.
- 2.26 Equipment Maintenance and Fueling. No equipment maintenance or fueling shall be done within Fish and Game Code section 1602 resources where petroleum products or other pollutants from the equipment may enter these areas under any flow.
- 2.27 Decontamination Sites. Permittee shall perform decontamination of vehicles and other Project gear and equipment in a designated location where runoff can be contained and not be allowed to pass into areas subject to Fish and Game Code section 1602 and other sensitive habitat areas. Cleaning of equipment may occur at a location that contains and recycles resulting wastewater.

3. Compensatory Measures

To compensate for adverse impacts to fish and wildlife resources identified above that cannot be avoided or minimized, Permittee shall implement each measure listed below.

- 3.1 Restoration and Enhancement (On-site Restoration of Temporary Impacts). To compensate for temporary impacts to 5.83 acres of fish and wildlife resources subject to Fish and Game Code section 1600 et seq, Permittee shall restore 5.83 acres of temporarily impacted areas to pre-Project conditions according to a CDFW reviewed and approved Restoration and Revegetation Plan. The Restoration Plan shall be provided to CDFW at least 30 days prior to Project initiation and shall include, but not be limited to the following: a proposed timeline for initiation and completion of restoration, contouring the ground surface to pre-impact grade; removing all construction related materials, trash and debris; replacing any natural materials/refugia moved during Project activities, as feasible; a plant palette for re-seeding with plant species native to the area, if reseeding is required; topsoil segregation (i.e., top 6 inches) and spreading methodology; procedures for invasive species management; and

contingency measures to ensure success of the restoration. The Restoration Plan shall also include annual reporting (see Measure 4.5) and maintenance and monitoring for 5 years or until success criteria are met, performance measures, performance standard descriptions, attainment objectives, and proposed timelines.

4. Reporting Measures

Permittee shall meet each reporting requirement described below.

- 4.1 Pre-Project Survey Summary. Permittee shall prepare and submit to CDFW a summary of pre-Project survey results as described in Measure 2.8, 2.10, 2.11.1, 2.12.1, 2.13.1, 2.14.1, 2.14.2, and 2.14.3. Permittee shall submit the summary to CDFW before Project activities commence.
- 4.2 Pre-activity Sweep Results. The results of the pre-activity sweeps shall be provided to CDFW within 1 day of commencement of Project activities by email to Steven.Recinos@wildlife.ca.gov.
- 4.3 Notification to CNDDDB. If any special-status or listed species are observed on or in proximity to the Project site, or during Project surveys, Permittee shall submit California Natural Diversity Data Base (CNDDDB) forms and maps to the CNDDDB within five working days of the sightings. The CNDDDB form is available online at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. A copy of this information shall be emailed within 7 days to CDFW by email to Steven.Recinos@wildlife.ca.gov.
- 4.4 Final Construction Reporting. Permittee shall submit a final construction report to CDFW no later than 2 weeks after the Project is completed. The final construction report shall include: a summary of the Project activities completed; total area of impact for the Project; summary of all pre-project survey results and on-site resource updates. The final construction report shall include submission of pre-Project photographs of the areas impacted and current photographs of the areas impacted. The reports shall be submitted as a Status Report in EPIMS, and any unsupported file type shall be emailed to the CDFW email addresses below.
- 4.5 Restoration and Enhancement Plan Reporting. Permittee shall submit a report to CDFW annually for 5 years or until success criteria is met that

describes the restoration and enhancement activities conducted within and during the previous annual term by December 31 of each year.

- 4.6 Notification of Start and End of Construction. Permittee shall notify CDFW, in writing, at least five days prior to initiation of Project activities and at least 5 days prior to completion of Project activities. Notification shall be submitted to Environmental Permit Information Management System (EPIMS) (available at <https://epims.wildlife.ca.gov/index.do> and sent via email to R6LSAReporting@wildlife.ca.gov. Please reference EPIMS-SBR-64495-R6.
- 4.7 Reporting Violations. Permittee shall report any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee to CDFW within 24 hours of the violation occurring.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be submitted through Environmental Permit Information Management System (EPIMS) as instructed by CDFW.

To Permittee:

Bighorn-Desert View Water Agency
Attn: Marina West
EPIMS-SBR-64495-R6
Pipes Wash Crossing Consolidation of Water Systems
622 Jemez Trail,
Yucca Valley, CA 92284
mwest@bdvwa.org

To CDFW:

California Department of Fish and Wildlife
Inland Deserts Region
EPIMS-SBR-64495-R6
Pipes Wash Crossing Consolidation of Water Systems
R6LSAReporting@wildlife.ca.gov
ec: Steven.Recinos@wildlife.ca.gov

LIABILITY

Permittee shall be solely liable for any violations of this Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that this Agreement authorizes.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if CDFW determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with this Agreement, in accordance with section 723 of title 14 of the California Code of Regulations.

Before CDFW suspends or revokes this Agreement, it shall provide Permittee written notice that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes this Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in this Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking this Agreement.

Nothing in this Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it.

For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the Fish and Game Code including, but not limited to, Fish and Game Code sections 2050 *et seq.* (threatened and endangered species), section 3503 (bird nests and eggs), section 3503.5 (birds of prey), section 5650 (water pollution), section 5652 (refuse disposal into water), section 5901 (fish passage), section 5937 (sufficient water for fish), and section 5948 (obstruction of stream).

Nothing in this Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend this Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend this Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall use the "Amendments & Extension" form in EPIMS to submit the request. Permittee shall include with the completed form, payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of this Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

EPIMS-SBR-64495-R6
Streambed Alteration Agreement
Page 24 of 25

The transfer or assignment of this Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall use the "Amendments & Extension" form in EPIMS to submit the request. Permittee shall include with the completed form, payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with Fish and Game Code section 1605, subdivision (b), Permittee may request one extension of this Agreement, provided the request is made prior to the expiration of this Agreement's term. To request an extension, Permittee shall use the "Amendments & Extension" form in EPIMS to submit the request. Permittee shall include with the completed form, payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with Fish and Game Code section 1605, subdivisions (b) through (e).

If Permittee fails to submit a request to extend this Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project this Agreement covers (Fish & G. Code § 1605, subd. (f)).

EFFECTIVE DATE

This Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable Fish and Game Code section 711.4 filing fee listed at <https://wildlife.ca.gov/Conservation/Environmental-Review/CEQA/Fees>.

TERM

This Agreement shall expire on May 5, 2031, unless it is terminated or extended before then. All provisions in this Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after this Agreement expires or is terminated, as Fish and Game Code section 1605, subdivision (a)(2) requires.

EXHIBITS

The documents listed below are included as exhibits to this Agreement and incorporated herein by reference.

- A. Project Location
- B. Project Design Plan
- C. Project Impact Map
- D. Biologist Resume Form

AUTHORITY

If the person signing this Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project this Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with Fish and Game Code section 1602.

CONCURRENCE

Through the electronic signature by the permittee or permittee's representative as evidenced by the attached concurrence from CDFW's EPIMS, the permittee accepts and agrees to comply with all provisions contained herein.

The EPIMS concurrence page containing electronic signatures must be attached to this agreement to be valid.



PO Box 2627
Avalon, CA 90704
(909) 496-5960

October 2, 2026

Marina West, General Manager
Bighorn Desert View Water Agency
622 Jemez Trail
Yucca Valley, CA 92284

**RE: Response to Request for Proposals
CDFW Permit Compliance Monitoring – Pipes Wash
Zone B Pipeline**

Dear Marina:

Compass Consulting Enterprises, Inc (Compass) is pleased to present this response your request to provide environmental management services for the above-referenced project. Compass is a full-service environmental consulting firm focused on providing project services from concept to construction in a budget-friendly manner.

Compass Principal Julie Gilbert has been working with the Bighorn Desert View Water Agency (BDVWA) on all aspects of this project.

PROJECT UNDERSTANDING

On July 30, 2026, the California Dept of Fish and Wildlife (CDFW) issued Streambed Alteration Agreement EPIMS-SBR-64495-R6 (Permit) which identifies the State requirements for working in Pipes Wash. This proposal is to provide compliance for all of the conditions as required by the CDFW Streambed Alteration Agreement. A copy of the Permit is attached to this Proposal and the scope of services are made a part of this proposal.

SCHEDULE NOTE: The Project is expected to be complete within three to five business days and a start date of January 2027. However the Permit requirements require a variety of surveys to be completed during specific months, with most needing to begin in October 2026 and end in January 2027 (refer to Estimated Schedule section in this proposal). Therefore, for the purpose of this proposal, construction is anticipated to begin in January 2027. The BDVWA should also be aware of the “Super El Nino” forecasted for the winter of 2026/2027 and plan accordingly.

SCOPE OF WORK

For this effort, Compass will utilize the services of Jennings Environmental who has already been supporting the Zone B effort by providing the biological surveys to obtain the permits. President Gene Jennings has decades of experience in the desert environment and is intimately familiar with the Pipes Wash construction scope of work and environment.

Task 1 – Literature Review and Kickoff Meetings

This task involves the review of the upcoming project work plans, drawings, specifications and construction schedule with BDVWA staff and the contractor to discuss the overall permit and requirements of the contractor, the BDVWA and the role of the compliance monitoring. This is assumed to be a virtual meeting.

As part of this task, Compass will also obtain approval from the CDFW to utilize Jennings Environmental as the Designated Biologist for the Project, in accordance with Permit Section 2.1. The Designated Biologist name should be submitted at least 30 days prior to site preparation or initiating vegetation disturbing activities.

Task 2 – Pre-Construction Surveys

The pre-construction surveys will be scheduled at the appropriate times prior to construction, and every effort will be made to conduct surveys for multiple species at the same time while complying with the permit conditions.

Task 2.1: Pre-Construction Plant Survey

In accordance with Permit Section 2.8:

Prior to the start of Project activities, the Designated Biologist(s) shall conduct a thorough floristic-based pre-Project vegetation survey in the Project site, access route(s), staging area(s), stockpile(s), and a 100-foot buffer surrounding those areas. The 100-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Permittee. The survey shall be completed during the time of year when plants are evident and identifiable (i.e., flowering or fruiting) and follow the guidelines in the 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, if feasible in consideration of Project timelines, or no more than 10 days prior to the initiation of ground-disturbing activities with CDFW's approval. If the survey or ongoing monitoring confirms presence of a California Native Plant Society (CNPS) ranked species, Permittee shall avoid impacts to the CNPS ranked species to the greatest extent feasible. If the survey or ongoing monitoring confirms presence of a CESA candidate or listed plant, Permittee must fully avoid impacting the species or should obtain a CESA ITP. A summary of the survey shall be provided to CDFW per Measure 4.1.

Task 2.2: Pre-Construction Desert Kit Fox and American Badger Survey

In accordance with Permit Section 2.10:

Within 14-21 days prior to the beginning of surface disturbing activities, the Designated Biologist(s) shall conduct a survey to determine if active desert kit fox or American badger dens or sign of activity (e.g., tracks, scat, prey remains) are present within the Project site and within a 50-foot buffer of the Project site. The 50-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Permittee. If active natal dens (a den with pups, cubs, or kits) are detected, Permittee shall implement Measure 2.10.1 and contact CDFW immediately (within 24 hours). Permittee shall submit the survey results within 5 days following survey completion.

Task 2.3: Pre-Construction Nesting Birds Survey

In accordance with Section 2.11, this task includes implementation of pre-construction surveys, on-going monitoring and establishment of minimization measures if required. This task includes all items under Permit Section 2.11 including:

- 2.11.1: Nesting Bird Pre-Project Surveys
- 2.11.2: Buffers
- 2.11.3: Ongoing Monitoring
- 2.11.4: Securing Site
- 2.11.5: Reporting

Task 2.4: LeConte's Thrasher

In accordance with Permit Section 2.12, the services include:

- 2.12.1: Pre-Construction Surveys
- 2.12.2: LeConte's Thrasher Observed During Construction

Task 2.5: Desert Tortoise

In accordance with Permit Section 2.13, the services include pre-construction surveys for desert tortoise.

Task 2.6: Western Burrowing Owl

In accordance with Permit Section 2.14, the services include the following:

- 2.14.1: Western Burrowing Owl Habitat Assessment and report.
- 2.14.2: Focused Surveys (if required). If suitable habitat is found, a focused survey is required. If no suitable habitat is found, no focused surveys would be required.
- 2.14.3: Pre-Construction Surveys and notification to CDFW (2.14.4)

Task 3: Pre-Activity Sweep

In accordance with Permit Section 2.15, the Designated Biologist would conduct a pre-activity sweep of the Project sites including access routes and buffers, within two hours of initiating Project activities. This task includes a field survey with the contractor, who would have placed flagging of the work, in accordance with the Permit conditions.

A summary report will be submitted to the CDFW in accordance with Permit Measure 4.2.

Task 4: Workers Environmental Awareness Program

In accordance with Permit Section 2.3, a Worker Environmental Awareness Program (WEAP) will be prepared and presented to the construction crew. The WEAP will cover all permit conditions. It is anticipated that the WEAP

would be presented to the crew prior to the start of construction, and would be given in the field on same day as the Pre Activity Sweep (Task 3).

Task 5: Post Construction Final Visit

Mr. Jennings will make one site visit at the conclusion of construction in Pipe's Wash to ensure that all responsibilities have been met, and to document conditions for a final report that is required as part of the Permit conditions.

This visit will help determine the final areas of disturbance for the purpose of final reporting and establishing the HMMP acreage requirement.

Task 6: Project Management

This task involves the time and effort to management the contract, review reports, and ensure compliance deadlines are met.

Task 7: Daily Construction Monitoring (Optional – if required)

Because the BDVWA desires to begin construction in January 2027 and some of the species survey windows would end in April 2027, Compass and Jennings would propose to the CDFW a compressed survey schedule that would begin in October 2026 and end in January 2027, provided that construction monitoring would occur daily. We would first attempt to compress the survey schedule with no provision for daily monitoring, but CDFW may want daily monitoring in order to agree to the compressed schedule.

For the purpose of this proposal, daily monitoring is assumed to occur for four days.

COST ESTIMATE

The base cost for our services is identified in Table 1. Costs for time and services not rendered will not be charged. The hourly rate for Compass' services is \$185/hour which is the same rate as charged for on-call work for the Mojave Water Agency.

Table 1 – Cost Estimate

Task/ Subtask	Description	Compass Principal/P roject Mgr	Compass Cost	Jennings Environmental	Total Cost
	Labor Rates	\$185.00			
Task 1	Literature Review and Kickoff Meetings	8	\$1,480	\$1,480	\$2,960
Task 2	Pre-Construction Surveys				
2.1	Plant Survey			\$3,500	\$3,500
2.2	Desert Fox, Kit Fox and Badger Survey			\$3,500	\$3,500
2.3	Nesting Birds			\$2,750	\$2,750
2.4	LeConte's Thrasher			\$2,750	\$2,750
2.5	Desert Tortoise			\$3,500	\$3,500
2.6	Burrowing Owl			\$12,750	\$12,750
Task 3	Pre-Activity Sweep			\$1,200	\$1,200
Task 4	WEAP	8	\$1,480	\$850	\$2,330
Task 5	Post-Construction Final Visit and Report	8	\$1,480	\$3,050	\$4,530
Task 6	Project Management	12	\$2,220		\$2,220
Task 7	Daily Construction Monitoring if needed			\$6,000	\$6,000
	Labor Hours	36	\$6,660	\$41,330	\$47,990
	TOTAL COST		\$6,660	\$41,330	\$47,990

ESTIMATED SCHEDULE

Compass will first need to have a kick off meeting with the BDVWA prior to beginning work. We will work with a “time is of the essence” attitude.

The pre-construction and focused protocol survey schedule is as follows:

- Task 2.1: Pre-Construction Plant Survey: 10 days prior
- Task 2.2: Pre-Construction Desert Kit Fox and American Badger Survey: 14 to 21 days prior
- Task 2.3: Pre-Construction Nesting Birds Survey: three days prior
- Task 2.4: LeConte's Thrasher: **protocol** surveys required as follows: three total surveys, spaced 20-35 apart between January 15 – April 30, although the survey method can be revised with CDFW (see Note 1 below)
- Task 2.5: Desert Tortoise: two days prior
- Task 2.6: Western Burrowing Owl: **protocol** surveys required as follows: four surveys, spaced evenly throughout the non-breeding season, Sept 1 through January 31 (see Note 1 below). Pre-construction occurs three days prior.
- Task 3: Pre-Activity Sweep: two hours prior

Marina West
CDFW Permit Compliance Monitoring – Pipes Wash
October 2, 2026
Page 6

***Note 1:** because the BDVWA desires to begin construction in January 2027, Compass and Jennings would propose a compressed schedule for Task 2.4 (LeConte's Thrasher) and Task 2.6 (Burrowing Owl). This would need to begin as soon as possible, in October 2027, and then one survey each in November 2026, December 2026 and January 2027. As discussed in Task 7, Daily monitoring during construction may be required to reduce the schedule. If approved, Compass and Jennings will re-evaluate the survey cost to determine if there would be any cost savings to the original estimate and provide a scope and fee modification at that time.

CONCLUSION

If you agree with the scope of work and cost, please sign the attached contract and return. Please feel free to contact me at (909) 496-5960 if you have any questions or need more information. I look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Gilbert". The signature is written in dark ink and is positioned to the left of the typed name and title.

Julie A. Gilbert
President

Attachment:

Streambed Alteration Agreement EPIMS-SBR-64495-R6

**BIGHORN-DESERT VIEW WATER AGENCY
BOARD OF DIRECTORS'
AGENDA ITEM SUBMITTAL – GRANT FUNDED PROJECT**

Meeting Date: October 13, 2026

To: Board of Directors

From: Marina D. West, PG, Chief Engineer

Agenda Topic: **SWRCB Grant Agreement No. D2102065: Authorize Task Order No. 4 (Change Order No. 4) to Professional Services Agreement with Compass Consulting Enterprises, Inc. for Preparation of a “Pipes Wash Habitat Mitigation and Monitoring Plan” in Support of the Pipes Wash Streambed Alteration Agreement Related to the Project.**

Requested Action:

That the Board considers taking the following action:

1. Authorize Task Order No. 4 (Change Order) to Professional Services Agreement with Compass Consulting Enterprises, Inc. for Preparation of a “Pipes Wash Habitat Mitigation and Monitoring Plan” for a five-year period in Support of the Pipes Wash Streambed Alteration Agreement Related to the Project in the amount of \$57,760.

Project: **Pipeline Improvements and Consolidation Project (PI/C) – Phase 2**

Funding Source: SWRCB PI/C Grant Agreement No. D2102065/ Proj. No. 3610009-002C Potable Water System Improvements and Consolidation of Water Systems Project

Contract: Yes, Counsel Kennedy approved execution of Professional Services Agreement with CA Rural Water Association

Funds Allocated: Staff anticipates that these costs will be included in the revised budget (Amendment 2) to be submitted with the Final Budget Approval package for construction of the Project. However, the Agreement requires a five-year compliance period which extends beyond the current permit closure date. Therefore, the Agency could have some financial liability for portions of the work invoiced after grant closure.

Agency Cost Share: Current estimate is \$0 to \$10,000.

General Counsel Approval for this Action: Yes, Counsel Kennedy approved execution of Professional Services Agreement. General Counsel Ciampa have been involved as Special Counsel on this project since December 2024.

Summary:

The Pipeline Improvements and Consolidation Project (PI/C) Phase 2 Zone B Transmission Pipeline (Vol. 1 Drawings) traverses Pipes Wash along Winters Road. This is a desert wash which has defined “channel banks” bringing it under the jurisdiction of the CA Fish and Wildlife (CDFW). Therefore, the Agency applied for and received a Streambed Alteration Agreement (attached). This Agreement, executed July 30, 2026, requires special monitoring and restoration of the wash before, during and after the construction.

The proposal presented herein from Compass Consulting Enterprises, Inc. (Compass) outlines the proposed activities for the required Habitat Mitigation and Monitoring Plan required by this specific Agreement. This proposal does not include the biological services needed for pre-construction/construction surveys for this Agreement (Task Order No. 3) or the overall project environmental compliance outlined in the CEQA Mitigated Negative Declaration adopted for the entire project (pending Task Order No. 5).

The proposed base cost for services is \$57,760 which is part of the project budget which will be presented to the Grantor with the construction budget approval package.

Staff recommends the Board approve the Task Order for services as outlined herein.

Grant Background (Bolded items relevant to this action. Items “struck out” have been removed from Grant Deliverables via Amendment No. 1)

A funding Agreement with the State Water Resources Control Board (SWRCB) for some projects defined within the Preliminary Engineers Report (PER) completed in 2022. Agreement executed April 20, 2023. Projects included in the funding Agreement are outlined in Phases as follows:

Phase 1:

- Install new pump in the existing R-1 Booster Station (Zone D1 Booster Pump)
- Replace the BDVWA A-Booster Station, reconfiguring the pipeline between the A-Booster Station and B reservoirs, and install a metered supply from BDVWA’s Zone B to Zone C with necessary pressure reducing valves (PRV’s). To be constructed at Agency cost with possible reimbursement later.
- Construct Zone B Pump Station; and
- ~~Construct a block wall building to enclose the proposed GM Well No. 2 replacement (proposed BDVWA Well No. 13).~~

Phase 2:

- Construct approximately 9,300 feet of 6-inch distribution pipeline and necessary pressure reducing station to consolidate BDVWA with GM.

Phase 3:

- **Construct approximately 21,500 feet of 6-inch transmission and distribution pipeline to convey water from the proposed Zone B Pump Station to BDVWA’s B reservoir site and install distribution pipelines to convey water from BDVWA’s D Zone to the proposed Zone B Pump Station;** and
- ~~Construct approximately 9,900 feet of transmission pipeline (approximately 4,100 feet of 6-inch and 5,800 feet of 8-inch pipe) necessary to blend water from the Zone B Pump Station, BDVWA’s active wells (Nos. 3 and 8), and if permitted by DDW, BDVWA’s currently inactive wells (Nos. 2 and well 4).~~

Phase 4:

- Recoat and rehabilitate BDVWA Reservoirs B1, B2; and
- Recoat and rehabilitate GM Reservoir R1.

CEQA Action: Mitigated Negative Declarations Notice of Determination filed May 2021 (SCH No. 2021020354).

All Prior Board Action(s) Relevant to this Grant Funded Project (Bolded Motions relevant to this action)

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5/11/2021 Motion No. 21-025 Motion made to adopt the Mitigated Negative Declaration (MND) pertaining to the Potable Water System Improvements and Consolidation of Water Systems (SCH 2021020354)



PO Box 2627
Avalon, CA 90704
(909) 496-5960

October 2, 2026

Marina West, General Manager
Bighorn Desert View Water Agency
622 Jemez Trail
Yucca Valley, CA 92284

**RE: Response to Request for Proposals
Preparation of Habitat Mitigation and Monitoring Plan – Pipes Wash
Zone B Pipeline**

Dear Marina:

Compass Consulting Enterprises, Inc (Compass) is pleased to present this response your request to provide environmental management services for the above-referenced project. Compass is a full-service environmental consulting firm focused on providing project services from concept to construction in a budget-friendly manner.

Compass Principal Julie Gilbert has been working with the Bighorn Desert View Water Agency (BDVWA) on all aspects of this project.

PROJECT UNDERSTANDING

On July 30, 2026, the California Dept of Fish and Wildlife (CDFW) issued Streambed Alteration Agreement EPIMS-SBR-64495-R6 which identifies the State requirements for working in Pipes Wash. Among them are the following conditions.

Restoration and Enhancement (On-Site Restoration of Temporary Impacts). To compensate for temporary impacts to 5.83 acres of fish and wildlife resources shall be subject to Fish and Game Code Section 1600 et seq, Permittee shall restore 5.83 acres of temporarily impacted areas to pre-Project conditions according to a CDFW reviewed and approved Restoration and Revegetation Plan. The Restoration Plan shall be provided to CDFW at least 30 days prior to Project initiation and include, but not be limited to the following: a proposed timeline for initiation and completion of restoration, contouring the ground surface to pre-impact grade; removing all construction related materials, tash and debris; replacing any natural materials/refugia moved during Project activities, as feasible; a plant palette for re-seeding with plant species native to the area, if reseeding is required; topsoil segregation (ie top 6 inches) and spreading methodology; procedures for invasive species management; and contingency measures to ensure success of the restoration. The Restoration Plan shall also include annual reporting (Measure 4.5) and maintenance and monitoring for 5 years or until success criteria are met, performance measures, standard descriptions, attainment objectives, and proposed timelines.

This condition requires that a restoration plan, known as a Habitat Mitigation Monitoring and Reporting Plan (HMMP) be developed that would identify the requirements of the restoration and monitoring and reporting over the five-year required period.

SCOPE OF WORK

For this effort, Compass will utilize the services of Jennings Environmental who has already been supporting the Zone B effort by providing the biological surveys to obtain the permits. President Gene Jennings has decades of experience in the desert environment and is intimately familiar with the Pipes Wash construction scope of work and environment.

It should be noted that because the HMMP involves a long-term plan, the contract for this service should extend for at least five years.

Task 1 – Kickoff, Literature Review, Restoration Effort Area and Methods Identification

This task involves the review the upcoming project work plans, drawings, and specifications with BDVWA staff and the contractor to fully understand the extent of the planned work and environmental controls already in place or expected of the contractors. This task will also serve to identify the restoration efforts required by the contractor and will serve as the basis for the HMMP.

Task 2 – Habitat Mitigation Monitoring and Reporting Plan (HMMP) Preparation

As required in the Draft Streambed Alteration Agreement (SAA) from CDFW the HMMP will contain the following:

1. Habitat Mitigation Site Approval. Permittee shall obtain approval by CDFW in writing of the proposed On-Site Restoration of 5.83 acres of Desert Wash Streambed.
2. Restoration Specialist. Preparation of the Mitigation Site HMMP shall be by persons with expertise in southern California ecosystems and native plant re-vegetation techniques (restoration specialist). Planting, maintenance, monitoring, and reporting activities shall be overseen by the restoration specialist familiar with restoration of native plants.
3. Site Description. A description of the physical conditions and vegetation communities including a map and GIS shapefiles. Photo-documentation of restored areas shall be provided before and after restoration.
4. Planting Plan. Details of the site preparation consisting of a detailed contouring/grading plan and details of native plant installation (Planting Plan), including the type and number of materials to be used (e.g., local native seeds, cutting, and/or container stock), source(s) of the materials, planting location, methods of installation, and a local California native plant palette. This Planting Plan shall include plantings of both overstory and understory vegetation as appropriate. All seeded/planted species installed shall include only local California native container plants and cuttings and shall be typical of the existing native plant species present within, or immediately adjacent to the site. The Planting Plan shall have adequate detail regarding the sampling plan so that it can be duplicated by different people and shall include a sample data collection sheet that shows appropriate data to be collected per the proposed sampling methodology.

5. **Native Plant Sources.** Plant material for revegetation shall be derived from cuttings, materials salvaged from disturbed areas, and/or seeds obtained from randomly selected native trees and shrubs occurring locally within the same drainages. Any replacement tree/shrub stock, if used, which cannot be grown from cuttings or seeds, shall be obtained from a native plant nursery, be ant-free, and shall not be inoculated to prevent heart rot.
6. **Sampling Techniques.** The sampling techniques (e.g., quadrats, transects, or relevé) to be used to collect quantitative/qualitative data (e.g., vegetation relative/absolute cover, density, diversity indices, recruitment, survivorship, etc.) for baseline conditions and to establish and measure success criteria.
7. **Survey Timing.** The primary monitoring surveys to determine the success of restoration efforts (survival, cover, and growth of plants) shall be conducted at a minimum twice annually, preferably in May and September.
8. **Maintenance Activities.** A description of maintenance operations with particular emphasis on invasive species control and watering methods and schedules. Watering/ irrigation of the site shall be discontinued at least two years prior to completion of the monitoring period.
9. **Corrective Actions:** A description of corrective actions to be taken when restoration measures do not meet the proposed targets.
10. **Success Criteria.** The Mitigation Site HMMP shall identify the success criteria for the Mitigation Site and shall be compared against an appropriate reference site with as good or better-quality habitat than the pre-project impact site. The reference site shall be approved by CDFW. The success criteria shall include percent relative and absolute cover (invasive and native vegetation), species diversity, abundance, and any other measures of success deemed appropriate by CDFW. Permittee shall be responsible for any cost incurred during the restoration/mitigation or in subsequent corrective measures.
11. **Mitigation and Monitoring Reports.** Permittee shall have the qualified restoration specialist monitor the recovery of plant, wildlife, and aquatic resources in the area following mitigation implementation. Monitoring of plant, wildlife, and aquatic resources shall be done twice a year as outlined in the Mitigation Site HMMP, through the term of restoration. The results and analysis shall be submitted with the annual restoration monitoring report to CDFW by February 1 of each year after mitigation implementation for at least 5 years and until mitigation success criteria have been met. This report shall include the status and any success trends (i.e., comparison throughout the 5 years of monitoring) for the success criteria outlined in the Mitigation Site HMMP. Photos from designated photo stations shall be included.
12. **Mitigation Success.** After the fifth monitoring year, if the site has met the success criteria outlined in the Mitigation Site HMMP, CDFW may request a site visit to determine if the mitigation portion of the Agreement is deemed complete. The site should be free of trash and any irrigation infrastructure shall be removed if it was used (unless there is an acceptable justification for leaving the irrigation system in place).

Deliverable: Jennings will complete a draft the HMMP for submittal to CDFW for their approval.

Task 3 – Agency Support and CDFW Revisions (HMMP)

Once the draft HMMP is submitted to CDFW for their approval, Jennings will provide continued support to the BDVWA. This will include discussions with CDFW, two rounds of revisions on the HMMP, and a Final Draft of the HMMP.

Deliverable: Jennings will be available to answer questions CDFW or the BDVWA will have and will also prepare two revisions and a Final Draft of the HMMP. This will be invoiced on a time and materials basis. The cost assumption below is a not to exceed amount.

Task 4 – HMMP Implementation

The mitigation area requires two visits annually, an annual report, and a final report until the success criteria have been met, or for a maximum of five years. This task assumes services for the full five years. However, if the success criteria is met before the five years, the future visits and annual reporting would not be required. The final report would be required.

Task 5– Project Management

This task involves all aspects of management for the period including meetings with the CDFW, BDVWA, and Jennings to successfully complete the Project.

COST ESTIMATE

The base cost for our services is identified in Table 1. Costs for time and services not rendered will not be charged. The hourly rate for Compass’ services is \$185/hour which is the same rate as charged for on-call work for the Mojave Water Agency. Jennings Environmental is a flat rate that is not subject to the limitations of the Mojave Water Agency rates.

Table 1 – Cost Estimate

Task/ Subtask	Description	Compass Principal/Pr oject Mgr	Compass Cost	Jennings Environmental	Total Cost
	Labor Rates	\$185.00			
Task 1	Kickoff, Literature Review, Project Review	8	\$1,480	\$1,480	\$2,960
Task 2	HMMP Prep	8	\$1,480	\$6,250	\$7,730
Task 3	Agency Support and CDFW Revisions (HMMP)	12	\$2,220	\$1,500	\$3,720
Task 4	HMMP Implementation				
4.1	Initial Establishment Planting Assistance			\$3,600	\$3,600
4.2	Site Visits (two per year for five years)			\$12,000	\$12,000
4.3	Annual Report (assumes four)			\$7,400	\$7,400
4.4	Final Report			\$1,850	\$1,850
Task 4	Project Management, Meetings				
	Project Management, Meetings, Sub Coor (5 years)	100	\$18,500		\$18,500
	Labor Hours	128	\$23,680	\$34,080	\$57,760
	TOTAL COST		\$23,680	\$34,080	\$57,760

ESTIMATED SCHEDULE

Compass will first need to have a kick off meeting with the BDVWA prior to beginning work. We will work with a “time is of the essence” attitude. Compass requires approximately 10 days notice prior the actual start of construction work, with a verification at least three days prior to start of construction work.

If you agree with the scope of work and cost, please sign the attached contract and return. Please feel free to contact me at (909) 496-5960 if you have any questions or need more information. I look forward to working with you.

Sincerely,



Julie A. Gilbert
 President

**BIGHORN-DESERT VIEW WATER AGENCY
BOARD OF DIRECTORS'
AGENDA ITEM SUBMITTAL – GRANT FUNDED PROJECT**

Meeting Date: October 13, 2026

To: Board of Directors

From: Marina D. West, PG, Chief Engineer

Agenda Topic: **SWRCB Grant Agreement No. D2102065: Authorize Task Order No. 5 (Change Order No. 5) to Professional Services Agreement with Compass Consulting Enterprises, Inc. for Environmental Monitoring in Support of the Pipes Wash Streambed Alteration Agreement Related to the Project.**

Requested Action:

That the Board considers taking the following action:

1. Authorize Task Order No. 5 (Change Order) to Professional Services Agreement with Compass Consulting Enterprises, Inc. for Environmental Services Related to the Project in the amount of \$59,800.

Project: **Pipeline Improvements and Consolidation Project (PI/C) – Phase 2**

Funding Source: SWRCB PI/C Grant Agreement No. D2102065/ Proj. No. 3610009-002C Potable Water System Improvements and Consolidation of Water Systems Project

Contract: Yes, Counsel Kennedy approved execution of Professional Services Agreement with CA Rural Water Association

Funds Allocated: Staff anticipates that these costs will be included in the revised budget (Amendment 2) to be submitted with the Final Budget Approval package for construction of the Project. However, the Agreement requires a five-year compliance period which extends beyond the current permit closure date. Therefore, the Agency could have some financial liability for portions of the work invoiced after grant closure.

Agency Cost Share: Current estimate is \$0 to \$10,000.

General Counsel Approval for this Action: Yes, Counsel Kennedy approved execution of Professional Services Agreement. General Counsel Ciampa have been involved as Special Counsel on this project since December 2024.

Summary:

The construction of the Pipeline Improvements and Consolidation Project (PI/C) phases requires compliance with the Mitigated Negative Declaration prepared in compliance with the CA Environmental Quality Act (CEQA) which was adopted in 2021. The primary mitigation measures outlined within the CEQA involve monitoring for biological resources.

The proposal presented herein from Compass Consulting Enterprises, Inc. (Compass) outlines the proposed activities to comply with the Mitigation Measures outlined in the CEQA which include awareness

training, pre-construction surveys, construction reporting for the Western Joshua tree Incidental Take Permit and project management activities. The proposal outlines a best management approach as reporting and/or coordination with CDFW is required depending on actual field conditions encountered. This proposal is separate from the required pre-construction biological services required for the Streambed Alteration Agreement (Task Order No. 3) and the Habitat Mitigation and Monitoring Plan (Task Order No. 4) for the same.

The proposed base cost for services is \$57,760 which is part of the project budget which will be presented to the Grantor with the construction budget approval package.

Staff recommends the Board approve the Task Order for services as outlined herein.

Grant Background (Bolded items relevant to this action. Items “struck out” have been removed from Grant Deliverables via Amendment No. 1)

A funding Agreement with the State Water Resources Control Board (SWRCB) for some projects defined within the Preliminary Engineers Report (PER) completed in 2022. Agreement executed April 20, 2023. Projects included in the funding Agreement are outlined in Phases as follows:

Phase 1:

- **Install new pump in the existing R-1 Booster Station (Zone D1 Booster Pump)**
- **Replace the BDVWA A-Booster Station, reconfiguring the pipeline between the A-Booster Station and B reservoirs, and install a metered supply from BDVWA’s Zone B to Zone C with necessary pressure reducing valves (PRV’s). To be constructed at Agency cost with possible reimbursement later.**
- **Construct Zone B Pump Station; and**
- ~~Construct a block wall building to enclose the proposed GM Well No. 2 replacement (proposed BDVWA Well No. 13).~~

Phase 2:

- **Construct approximately 9,300 feet of 6-inch distribution pipeline and necessary pressure reducing station to consolidate BDVWA with GM.**

Phase 3:

- **Construct approximately 21,500 feet of 6-inch transmission and distribution pipeline to convey water from the proposed Zone B Pump Station to BDVWA’s B reservoir site and install distribution pipelines to convey water from BDVWA’s D Zone to the proposed Zone B Pump Station; and**
- ~~Construct approximately 9,900 feet of transmission pipeline (approximately 4,100 feet of 6-inch and 5,800 feet of 8-inch pipe) necessary to blend water from the Zone B Pump Station, BDVWA’s active wells (Nos. 3 and 8), and if permitted by DDW, BDVWA’s currently inactive wells (Nos. 2 and well 4).~~

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PO Box 2627
Avalon, CA 90704
(909) 496-5960

October 5, 2025

Marina West, General Manager
Bighorn Desert View Water Agency
622 Jemez Trail
Yucca Valley, CA 92284

**RE: Response to Request for Proposals
Environmental Monitoring
Zone B and Landers Pipeline Replacement**

Dear Marina:

Compass Consulting Enterprises, Inc (Compass) is pleased to present this response your request to provide environmental management services for the above-referenced projects. Compass is a full-service environmental consulting firm focused on providing project services from concept to construction in a budget-friendly manner.

Compass Principal Julie Gilbert has been serving the Mojave Water District as an environmental consultant for the past five years and is pleased to extend the same rates and services to the Bighorn Desert View Water Agency (BDVWA).

PROJECT UNDERSTANDING

In 2021, the BDVWA prepared an Initial Study/Mitigated Negative Declaration (IS/MND) to assess the potential environmental impacts of various potable water improvements and the consolidation of the BDVWA and Goat Mountain water systems. The Western Joshua Tree has been listed as a candidate endangered species since the time the IS/MND was prepared, and WJT have been determined to be within the Project alignment. As such, the BDVWA has received an Incidental Take Permit (ITP) 1927-ITP-2026-009-06 (WJT ITP Permit) for the Zone B facilities, with the ITP for the Landers facilities pending at the time of this proposal. However, both ITPs also require construction monitoring. Additionally, in accordance with the IS/MND, pre-construction monitoring for various species is also required during construction.

SCOPE OF WORK

The scope of work for this contract includes primarily construction monitoring and reporting, with various project management activities.

Task 1 – Literature Review and Kickoff Meetings

This tasks involves the review the upcoming project work plans, drawings, specifications and construction schedule with BDVWA staff and the contractor to discuss the overall permit and requirement of the contractor, the BDVWA and the role of the compliance monitoring. This is assumed to be a virtual meeting.

As part of this task, Compass will also obtain approval from the CDFW to utilize Jennings Environmental as the Designated Biologist for the Project, in accordance with WJT ITP Permit Section 5.2. The Designated Biologist name should be submitted at least 30 days prior to site preparation or initiating vegetation disturbing activities. Mr. Jennings conducted the census along all of the pipeline alignments and has served as an approved Designated Biologist on numerous projects, including the Mojave Water Agency (MWA)'s most recent White Road Traveling Screen project where one western Joshua Tree (WJT) was removed and one protected in place in accordance with that project's ITP.

Mr. Jennings will be responsible for monitoring construction for all species per the mitigation measures in the IS/MND, as well as training contractor employees regarding sensitive species. However, his primary responsibility would be to document impacts to the WJT in accordance with the ITP requirements. Mr. Jennings is an experienced construction monitor and strives to work with the contractor on solutions to minimize environmental impacts while keeping construction moving. He will also coordinate with the contractor directly to ensure that the work planned for the day requires his services.

Notification to the CDFW of the start of work is also included in this task.

Task 2: Workers Environmental Awareness Program

In accordance with WJT ITP Permit Section 5.4, a Worker Environmental Awareness Program (WEAP) will be prepared and presented to the construction crew. The WEAP will cover all permit and IS/MND conditions. It is anticipated that the WEAP would be presented to the crew prior to the start of construction, or on the same day as the start of construction.

Task 3: Pre-Construction Surveys and Weekly Surveys

WJT ITP Permit Section 5.3, weekly monitoring for the WJT is required. The IS/MND also requires pre construction surveys for the burrowing owl and desert tortoise. It is assumed that the pre-construction surveys required for burrowing owl and desert tortoise would occur on the same day of the week as the WJT monitoring to reduce monitoring costs. The pre-construction surveys would be performed for the day's work as well as for the areas that the contractor has planned.

For the purposes of this proposal, it is assumed that Project construction would occur over 36 weeks.

Task 4: Construction Reporting/WJT Permit Reporting

This task includes the preparation and submittal of reports to the CDFW as part of the WJT ITP Permit. This also includes keeping the daily monitoring log and production of a final report at the end of construction.

Task 5: Project Management

This task includes meetings, subconsultant coordination, and CDFW support during the life of the project.

COST ESTIMATE

The base cost for our services is identified in Table 1. Costs for time and services not rendered will not be charged. The hourly rate for Compass' services is \$185/hour which is the same rate as charged for on-call work for the Mojave Water Agency, and less than Compass' current rates.

Jennings Environmental charges \$1,250 per day, and only days worked will be charged. If an increase in cost is anticipated, Compass will notify the client and first obtain a change order authorization before expending funds.

Table 1 – Cost Estimate

Task/ Subtask	Description	Compass Principal	Compass Hours	Compass Cost	Biologist Daily Rate \$1,250; hourly \$185	Biologist Total Cost	Total Cost
	Labor Rates	\$185.00			\$1,250		
Task 1	Literature Review, Kickoff (Hrly)	4	4	\$740	\$740	\$740	\$1,480
Task 2	Prepare/Provide WEAP (Hrly)	4	4	\$740	\$740	\$740	\$1,480
Task 3	Weekly Surveys/Pre-Const Monitoring (Daily)	0	0	\$0	36	\$45,000	\$45,000
Task 4	Construction Reporting/WJT Perimt Reporting (Hrly)	8	8	\$1,480	\$1,480	\$1,480	\$2,960
Task 5	Project Management (Hrly)	40	40	\$7,400	\$1,480	\$1,480	\$8,880
	TOTAL COST	\$10,360		\$10,360		\$49,440	\$59,800

It should be noted that Compass will make very attempt to work with the CDFW to allow Jennings to potentially train the contractor to photograph and document in an effort to reduce his fees.

ESTIMATED SCHEDULE

Compass will first need to have a kick off meeting with the BDVWA prior to beginning work. We will work with a "time is of the essence" attitude.

If you agree with the scope of work and cost, please provide a change order to my existing contract. Please feel free to contact me at (909) 496-5960 if you have any questions or need more information. I look forward to working with you.

Sincerely,



Julie A. Gilbert
 President



BIGHORN-DESERT VIEW WATER AGENCY

"To provide a high-quality supply of water and reliable service to all customers at a fair and reasonable rate."

BOARD OF DIRECTORS' SPECIAL MEETING MINUTES

**BOARD MEETING OFFICE
1720 N. CHEROKEE
LANDERS, CALIFORNIA 92285
AND REMOTE ACCESS VIA ZOOM**

**September 8, 2026
EARLIER START TIME AT 4:00 P.M.**

CALL TO ORDER

President called the meeting to order at 4:04 pm.

PLEDGE OF ALLEGIANCE

President Miller-Boyer led the pledge.

ROLL CALL

Directors present: Rodney Miller-Boyer
 William Aldridge
 Megan Close-Dees – Absent with prior notice
 Jose Martinez
 JoMarie McKenzie

Staff present: Jennifer Cusack, General Manager
 Marina West, Chief Engineer
 David Rewal, Laun Hanson, Tyler Price, Rosalind Paulino, Lana Keiser-Jazo

Public: Following Roll Call 3 member(s) of the public were present in the meeting room.
 There was 0 member of the public participating via Zoom platform.

APPROVAL OF AGENDA

Motion to approve the agenda as presented.

MSC¹ (McKenzie/Martinez) unanimously approved.

PRESENTATIONS

25 YEAR ANNIVERSARY RESOLUTION PRESENTATION TO DAVID REWAL

OPERATIONS PRESENTATION

Water Distribution Supervisor Rewal and GM Cusack gave a PowerPoint presentation on accomplishments of the Operations Department over the past several years. They presented on the new A-Booster Station; Goat Mountain Well No. 13 well head tie-in to distribution system and SCADA work. They also reported on upgrades to R-2 Reservoirs and rehabilitation of Reservoirs B3 and B4

September 8, 2026 Special Board Meeting Agenda

Approved October 13, 2026

Page 1 of 4

completed some years ago. David Rewal also summarized water level measuring at various sites. Other projects mentioned were the emergency response to a leak on Old Woman Springs Highway, replacement of the Landers School service line, valve maintenance program tasks, support to new capital projects and replacement of chlorine sheds.

Questions from Directors were asked and answered.

MBCA – WATER WISE LANDSCAPING PRESENTATION

GM Cusack introduced Mr. Steve Bardwell, President Morongo Basin Conservation Association (MBCA), addressed the Board regarding the 2026 Desert-Wise Living Series partially sponsor through a grant by the Agency. Mr. Bardwell summarized the history of MBCA advocating for the health of the desert and our local communities. He summarized the history of the Desert-Wise Landscape Tours and the evolution of the program from in-person tours to the current format utilizing video content in the 15th year. He thanked the Agency for its financial support throughout the Series. Videos from the MBCA YouTube channel were shown. He further shared statistics on “views” to the MBCA channel totally over 400,000 to date highlighting the impact the program has had over time.

CLOSED SESSIONS –

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION [GOV CODE SECTION 54957(b)(1)]
Title: General Manager
- b. CONFERENCE WITH LABOR NEGOTIATORS [GOV CODE SECTION 54957.6]
Agency designated representative: Jennifer Cusack
Unrepresented employee: Chief Engineer

Board adjourned to Closed Session at 4:47 pm.

Board returned from Closed Session at 5:39 pm.

CLOSED SESSION REPORT –

Item a. The Board met in Closed Session concerning Public Employee Evaluation of its General Manager under Government Code Section 54957(b)(1). No reportable action.

Item b. The Board met in Closed Session concerning Conference with Labor Negotiator, Jennifer Cusack, regarding its unrepresented employee, Chief Engineer, under Government Code Section 54957.6. No reportable action.

Discussion and Action Items

1. **DEPARTMENT OF WATER RESOURCES PROP. 1 ROUND 2 IRWMP IMPLEMENTATION GRANT AGREEMENT NO. 4600013807 (PROP 1 2014): ACCEPT COMPLETION OF WORK, AUTHORIZE FILING OF NOTICE OF COMPLETION AND RELEASE OF RETENTION AMOUNTS HELD TO SOUTH WEST PUMP & DRILLING, INC.**

Chief Engineer gave a brief Powerpoint presentation summarizing the staff report presented in the agenda packet.

Questions from the Board were asked and answered.

Public Comment: None.

Motion No. 26-044 – Accept completion of work; Authorize filing of Notice of Completion and release of retention amounts owed to South West Pump & Drilling, Inc. for Goat Mountain Well No. 13 Development and testing Contract No. PWC25-02 (Department of Water Resources Prop. 1 Round 2 IRWMP Implementation Grant Agreement No. 4600013807)

Jose Martinez	yes
William Aldridge	yes
Megan Close-Dees	Absent
Rodney Miller-Boyer	yes
JoMarie McKenzie	yes

MSC¹ (Martinez/Adridge) unanimously approved.

2. Consent Calendar -

- a. Board Meeting Minutes
 - i. August 11, 2026 – Regular Meeting
- b. Financial Statements
 - i. Financial Report – July 2026 (New Format)
 - ii. Balance Sheet(s) – July 2026
 - iii. Budget Sheet(s) – July 2026
- c. Disbursements/Check Register – July 2026
- d. Service Order Report – July 2026
- e. Production Report for Bighorn-Desert View System – August 2026
- f. Production Report for Goat Mountain System – August 2026
- g. Capital Project Status Report – August 2026
- h. Receive and File Committee Meeting Minutes
 - i. Planning/Legislative/Engineering/Grants Standing Committee – June 23, 2026
 - ii. Finance/Public Relations/Education/Personnel Standing Committee May 19, 2026
- i. Corrected Resolution 26R-08 – ID Goat Mtn Standby Liens 2026-27
- j. Corrected Resolution 26R-09– Delinquent Account Liens on Tax Roll 2026-27
- k. Resolution 26R-14 – Approving Form of and Authorizing the Special Districts Risk Management Authority (SDRMA) Memorandum of Understanding (MOU) and 2027 Group Insurance Renewal
- l. Resolution 26R-15 – Biennial Review and Adoption of the Conflict-of-Interest Code
- m. SWRCB Grant Agreement No. D2102065: Authorize Change Order No. 4 Task Order CA Rural Water Association for Design Changes Related to the Construction of the Zone B Transmission Mainline in the amount of \$16,650.
- n. SWRCB Grant Agreement No. D2102065: Authorize Change Order No. 3 Task Order for Monument ROW for additional Right-of-Way Services related to the Water System Consolidation Projects in the amount of \$10,000.
- o. SWRCB Grant Agreement No. D2102065: Retroactive Authorization of Payment of CA Department of Fish and Wildlife Invoices for two (2) Western Joshua Tree Incidental Take permits for the Water System Consolidation Projects totaling \$179,986.50.

Recommended Action: Approve Consent Calendar Items a through o, as presented.

Motion No. 26-045 Adopt Consent Calendar Items a-o, as presented.

William Aldridge	yes
------------------	-----

Megan Close-Dees Absent
Rodney Miller-Boyer yes
JoMarie McKenzie yes
Jose Martinez yes

MSC¹ (Martinez/Aldridge) unanimously approved.

3. Matters removed from the Consent Calendar Items

None.

4. Public Comment Period

None.

5. Items for Next or Future Agenda

Dir. McKenzie requested presentation on status of the Agency's Special Districts Leadership Foundation Certificate of Transparency.

6. Verbal Reports – Including Reports on Courses/Conferences/Meetings.

1. General Manager Report – None.

2. Chief Engineer Report – Reported that the Notice Inviting Bids will be released September 15th with Bid opening October 15, 2026. Most likely a Special Meeting will be scheduled to review and approve the low bid to keep on schedule. MWA Mini-Tour is scheduled for September 16, 2026 from 9am to noon.

3. Director Reports -

Director Martinez – Reported on the CA Special Districts Association (CSDA) Conference he attended in August and summarized his thoughts on what he learned at the conference. He submitted written comments for the record. He posed several questions of staff for later follow-up.

Director Miller-Boyer – Reported on attendance at BIA Conference, MWA Technical Advisory Committee (TAC), MWA Regular Board of Directors meeting and CSDA Conference he recently attended.

Director McKenzie – Reported on the BIA Water Conference, Association of San Bernardino County Special Districts (ASBCSD) Dinner meeting, and CSDA conference she recently attended.

Director Aldridge – Reported on the CSDA Conference he recently attended. He further reported on a meeting he held with GM Cusack.

7. Adjournment

President Miller-Boyer adjourned the meeting at 6:15 pm.

Approved by:

Megan Close-Dees, Secretary of the Board

MSC¹ – Motion made, seconded and carried.

Official Seal



BIGHORN-DESERT VIEW WATER AGENCY

"To provide a high-quality supply of water and reliable service to all customers at a fair and reasonable rate."

BOARD OF DIRECTORS' SPECIAL MEETING MINUTES

**BOARD MEETING OFFICE
1720 N. CHEROKEE
LANDERS, CALIFORNIA 92285
AND ONLINE VIA ZOOM**

**September 22, 2026
5:00 P.M.**

CALL TO ORDER

President called the meeting to order at 5:00 pm

PLEDGE OF ALLEGIANCE

Director Aldridge led the pledge.

ROLL CALL

Directors present: Rodney Miller-Boyer
William Aldridge
Megan Close-Dees
Jose Martinez
JoMarie McKenzie

Staff present: Jennifer Cusack, General Manager
Marina West, Chief Engineer

Public: Following Roll Call 1 member(s) of the public arrived at 6:04 m. There was 0 member of the public participating via Zoom platform.

APPROVAL OF AGENDA

Motion to approve the agenda as presented

MSC¹ (Martinez/Close-Dees) unanimously approved.

CLOSED SESSIONS –

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION [GOV CODE SECTION 54957(b)(1)]
Title: General Manager

Public Comment: None.

The Board adjourned to Closed Session at 5:01 pm.

The Board returned from Closed Session at 6:30 p.m.

CLOSED SESSION REPORT –

The Board met in Closed Session concerning Public Employee Evaluation of its General Manager under Government Code Section 54957(b)(1). President Miller-Boyer reported that the Performance Evaluation (90-day Period) is completed with GM Cusack receiving an evaluation “exceeding expectations”.

Discussion and Action Items -

- 1. Public Comment Period**
None.
- 2. Items for Next or Future Agenda**
None.
- 3. Adjournment**
President Miller-Boyer adjourned the meeting at 6:43 p.m.

Approved by:

Megan Close-Dees, Secretary of the Board

MSC¹ – Motion made, seconded and carried.

Official Seal

August 2026 Financial Reporting



**Preliminary Results – Subject to Change
(Unaudited)**

Prepared by



**No assurance is provided on the financial statements. The financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the United States are not included.*



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Bighorn Desert View Water Agency
Cash & Investments
As of August 31, 2026
(Unaudited)

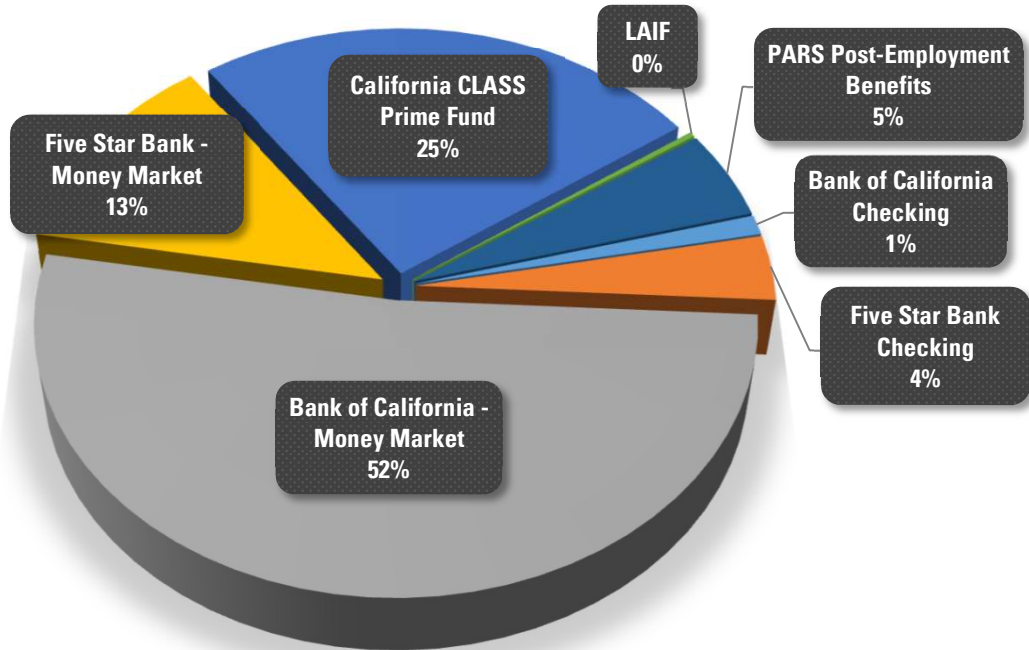
	Type	Est. Monthly Yield	Current Balance	Market Value
1 Agency Cash & Investments				
2	Bank of California Checking		\$ 66,954	\$ 66,954
3	Five Star Bank Checking		222,930	222,930
4	Bank of California - Money Market	3.920%	3,010,208	3,010,208
5	Five Star Bank - Money Market	3.816%	720,175	719,363
6	California CLASS Prime Fund	3.748%	1,455,030	1,455,089 ¹
7	LAIF	3.863%	17,818	17,797 ²
8	PARS Post-Employment Benefits	3.380%	306,148	306,148 ³
9 Total Agency Cash & Investments			\$ 5,799,263	\$ 5,798,490

¹ The CLASS Prime Fund Net Asset Value factor is updated monthly.

² The LAIF Market Value factor is updated quarterly in September, December, March, and June.

³ 5-year annualized return shown for PARS

Cash & Investments Distribution

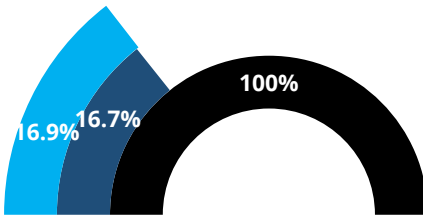




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Bighorn - Desert View Water Agency
Summary Statement of Revenues & Expenses
For the Period Ending August 31, 2026
(Unaudited)

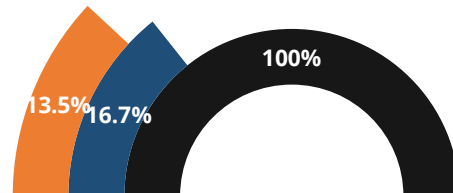
	Aug-26	Year to Date (YTD)	Adopted Budget	YTD 17 % of Budget
1 Operating Revenues	\$ 226,798	\$ 436,827	\$ 2,235,800	20%
2 Non-Operating Revenues	20,044	33,723	547,100	6%
3 Total Revenue Available to Fund Operations & Capital	246,842	470,550	2,782,900	17%
4 Operating Expenses	85,408	148,980	1,303,000	11%
5 Administrative - Operating	122,367	184,655	1,118,300	17%
6 Administrative - Non-Operating	1,463	1,672	33,200	5%
7 Board of Directors	3,592	6,731	70,000	10%
8 Total Expense	212,830	342,040	2,524,500	14%
9 Net Revenue Available Before Capital & Trust Contributions	34,012	128,510	258,400	50%
10 Less: Capital Expenses (Reserve Funded)	(214,577)	(221,947)	(784,500)	28%
11 Less: Pension Trust Contributions	-	-	-	0%
12 Sub-Total: Net Capital / Trust Contribution	(214,577)	(221,947)	(784,500)	28%
13 Addition To (Use Of) Reserves	\$ (180,566)	\$ (93,436)	\$ (526,100)	

Revenue v. Budget



YTD Revenue	YTD Target	Total Budget
\$470,550	\$463,817	\$2,782,900

Expense v. Budget



YTD Expense	YTD Target	Total Budget
\$212,830	\$420,750	\$2,524,500



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Bighorn - Desert View Water Agency
Detail Statement of Revenues & Expenses
For the Period Ending August 31, 2026
(Unaudited)

	Aug-26	Year to Date (YTD)	Adopted Budget	YTD 17 % of Budget
1 Operating Revenues				
2 Total Metered Water Consumption (Uniform)	\$ 111,961	\$ 198,218	\$ 875,500	23%
3 Basic Service Charge	111,663	209,707	1,271,200	16%
4 Johnson Valley Bulk Water Sales	200	690	2,700	26%
5 Service Line Installation Fees	-	3,040	3,000	101% ¹
6 Basic Facilities Charge	-	16,201	17,200	94% ¹
7 Income Other - Operating	2,974	8,971	69,200	13%
8 Bad Debt Expense	-	-	(1,500)	0%
9 Bad Debt - Uncollectable Liens	-	-	(1,500)	0%
10 Total Operating Revenues	226,798	436,827	2,235,800	20%
11 Non-Operating Revenues				
12 General Tax Levy - Bighorn Imp. Area "A"	-	-	134,300	0%
13 General Tax Levy - Bighorn-Desert View	-	-	128,300	0%
14 General Tax Levy - Improvement District Goat Mtn.	-	-	66,300	0%
15 Goat Mtn. Standby/Water Availability Charge	-	-	64,600	0%
16 Interest Revenue	19,764	32,646	130,600	25%
17 Income Other - Non-Operating	280	1,077	23,000	5%
18 Total Non-Operating Revenues	20,044	33,723	547,100	6%
19 Total Revenues	246,842	470,550	2,782,900	17%
20 Expenses				
21 Operations				
22 Operations Compensation	38,167	70,751	501,200	14%
23 Chief Engineer Compensation	9,869	24,128	255,000	9%
24 Power - Wells & Booster	13,463	20,234	143,300	14%
25 Water Purchases	-	-	-	0%
26 Water System Repairs	139	139	60,000	0%
27 Field Material & Supplies	6,131	10,154	78,800	13%
28 Contract Engineering	500	500	100,000	1%
29 Vehicle/Tractor/ Equipment Expense	-	2,029	35,000	6%
30 Vehicle Expense - Fuel	8,229	8,229	50,200	16%
31 Building Repair And Maintenance	1,445	1,567	18,300	9%
32 Disinfection Expense	2,805	5,232	19,100	27%
33 Water Testing	2,005	2,005	10,200	20%
34 Uniforms	993	1,206	10,000	12%
35 Communications Expense	670	670	7,900	8%
36 Permit / System Fees (Ops Other)	992	2,135	14,000	15%
36 Total Operations	\$ 85,408	\$ 148,980	\$ 1,303,000	11%

¹Service Line Install Fees & Basic Facilities Charge are conservatively budgeted at one new connection due to unpredictable nature of development.



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Bighorn Desert View Water Agency
Detail Statement of Revenues & Expenses
For the Period Ending August 31, 2026
(Unaudited)

	Aug-26	Year to Date (YTD)	Adopted Budget	YTD 17 % of Budget
38 General & Administration				
39 Operating Expenses				
40 Administrative Compensation	\$ 11,781	\$ 21,465	\$ 146,700	15%
41 General Manager Compensation	16,923	31,943	229,600	14%
42 Salary Allocations to Capital Projects	-	-	(191,300)	0%
43 Employee Benefits Insurance	17,646	25,083	293,100	9%
44 PERS Contribution	14,741	28,625	190,100	15%
45 Payroll Taxes	1,538	2,868	21,800	13%
46 Workers Compensation Insurance	1,739	3,478	16,600	21%
47 Employee Education	-	-	5,700	0%
48 Contractual Services - Auditor	7,197	7,197	21,600	33% ¹
49 Contractual Services - Legal	563	563	61,000	1%
50 Contractual Services - Other	38,893	41,123	150,000	27%
51 Property/Liability/Cyber Insurance	8,830	17,661	103,100	17%
52 Legislative Affairs - CWSA	-	-	15,000	0%
53 Dues, Subscriptions & Annual Fees	50	1,268	22,200	6%
54 Power / Propane - Office & Yards	1,296	1,850	11,700	16%
55 Office Supplies/ Printing	231	313	10,200	3%
56 Phone, Fax Lines, Internet	940	963	9,900	10%
57 Mailing Expense	-	256	1,300	20%
58 Total G&A - Operating Expenses	122,367	184,655	1,118,300	17%
59 Non-Operating Expenses				
60 Other Administrative Expenses	1,463	1,672	14,400	12%
61 Office Equipment Expense	-	-	14,100	0%
62 Customer Relations	-	-	3,200	0%
63 Election Expense	-	-	1,000	0%
64 Miscellaneous Expense (Revenue)	-	-	500	0%
65 Total G&A Non-Operating Expenses	1,463	1,672	33,200	5%
66 Total General & Administration	123,831	186,328	1,151,500	16%
67 Board of Directors				
68 Director Fees	3,592	6,731	70,000	10%
69 Total Board of Directors	3,592	6,731	70,000	10%
70 Total Expenses	212,830	342,040	2,524,500	14%
71 Net Revenue Available Before Capital & Trust Contributions	34,012	128,510	258,400	50%
72 Less: Capital Expenses (Reserve Funded)	(214,577)	(221,947)	(784,500)	28%
73 Less: Pension Trust Contributions	-	-	-	0%
74 Addition To (Use Of) Reserves	\$ (180,566)	\$ (93,436)	\$ (526,100)	

¹Contractual Services - Auditor is trending ahead of target budget due to timing of annual audit.



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Bighorn Desert View Water Agency
Capital Plan Budget to Actual
For the Period Ending August 31, 2026
(Unaudited)

	Aug-26	Year to Date (YTD)	Adopted Budget 2026/27
1 District Projects			
2 Administration Building Roof Replacement	\$ -	\$ -	\$ 50,000
3 New Well Zone B (Well 14)	760	3,704	630,000
4 Replacement Storage Tank R1	1,005	1,295	525,000
5 PI/C Project - Pipelines/Consol.	205,482	207,872	9,061,000
6 Well 10 Rehab	-	-	200,000
7 Pump Well 10	-	-	100,000
8 GIS System	-	-	50,000
9 GM Replacement Well (Well 13)	7,331	9,076	130,000 ¹
10 Total District Projects	214,577	221,947	10,746,000
11 Grant/Debt Funding			
12 Prop 1 Round 1: Goat Mountain Replacement Well	-	-	(75,000)
13 Grant Funding: PI/C Project	-	-	(9,061,000)
14 USDA Loan Proceeds (\$2M Total in Rate Study)	-	-	(825,500)
15 Total Grant/Debt Funding	-	-	(9,961,500)
16 Total Capital Expenses - Funded by Revenue/Reserves	\$ 214,577	\$ 221,947	\$ 784,500

¹Includes carryover project budget from FY26

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Bighorn Desert View Water Agency
Check Register

Check Date Range: 8/1/2026 thru 8/31/2026

Ck Date	Ck No	Payable To	Void	Check Amt
8/3/2026	0	CARDMEMBER SERVICES		875.27
8/12/2026	0	COUNTY OF SAN BERNARDINO DEPT PW		107.20
8/12/2026	2591	BEYOND SOFTWARE SOLUTIONS		1,999.90
8/12/2026	2592	CLINICAL LABORATORY OF SB INC.		1,815.00
8/12/2026	2593	INFOSEND INC.		1,142.94
8/12/2026	2594	OFFICE DEPOT		50.61
8/12/2026	2595	SDRMA		20,040.24
8/12/2026	2596	HOME DEPOT CREDIT SERVICES		2,873.74
8/12/2026	2597	UNDERGROUND SERVICE ALERT OF SO CAL		49.90
8/12/2026	2598	XEROX CORPORATION		400.26
8/12/2026	2599	SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT		992.00
8/12/2026	2600	FRONTIER CALIFORNIA INC		827.32
8/12/2026	2601	CORE & MAIN LP		1,580.70
8/12/2026	2602	WATER SYSTEM ENGINEERING, INC		190.00
8/12/2026	2603	SBRK FINANCE HOLDING INC.		24,810.01
8/12/2026	2604	LAUN HANSON		250.00
8/12/2026	2605	C.J. BROWN & COMPANY CPAs		7,197.00
8/12/2026	2606	GENESIS CLEANING SERVICE INC.		1,290.00
8/12/2026	2607	VEIT LLC		458.85
8/12/2026	2608	US LBM OPERATING CO. 3009 LLC		58.95
8/12/2026	2609	ORANGE COUNTY WINWATER WORKS		3,751.39
8/12/2026	2610	LAGERLOF LLP		562.50
8/12/2026	2611	STARTING LINE ADVISORY		9,228.19
8/12/2026	2612	CARL OTTESON'S CERTIFIED BACKFLOW TESTING & REPAIR		500.00
8/12/2026	33489	JEFF DROZD		650.00
8/12/2026	33490	ENGINEERING RESOURCES OF SOUTHERN CA, INC.		600.37
8/12/2026	33491	LAGERLOF LLP		960.00
8/12/2026	33492	T.R. HOLLIMAN AND ASSOCIATES INC		1,520.00
8/13/2026	0	IRS PAYROLL		6,337.61
8/13/2026	0	EDD PAYROLL		2,698.15
8/13/2026	0	CALPERS		8,285.53
8/13/2026	0	IRS PAYROLL		54.92

Bighorn Desert View Water Agency

Check Register

Check Date Range: 8/1/2026 thru 8/31/2026

Ck Date	Ck No	Payable To	Void	Check Amt
8/13/2026	33481	PAYROLL		5,995.84
8/13/2026	33482	PAYROLL		1,862.21
8/13/2026	33483	PAYROLL		2,417.76
8/13/2026	33484	PAYROLL		5,857.58
8/13/2026	33485	PAYROLL		2,251.25
8/13/2026	33486	PAYROLL		2,965.29
8/13/2026	33487	PAYROLL		5,070.77
8/13/2026	33488	PAYROLL		3,655.52
8/20/2026	0	IRS PAYROLL		6,748.81
8/20/2026	0	EDD PAYROLL		2,775.59
8/20/2026	0	CALPERS		8,359.15
8/26/2026	2613	CUSTOMER REFUND		133.08
8/26/2026	2614	CUSTOMER REFUND		129.82
8/26/2026	2615	CUSTOMER REFUND		63.67
8/26/2026	2616	CUSTOMER REFUND		97.68
8/26/2026	2617	CUSTOMER REFUND		138.26
8/26/2026	2618	CUSTOMER REFUND		79.10
8/26/2026	2619	CUSTOMER REFUND		100.00
8/26/2026	2620	HI-DESERT STAR		1,318.36
8/26/2026	2621	USABBLUEBOOK		599.14
8/26/2026	2622	AVALON URGENT CARE INC.		145.00
8/26/2026	2623	INFOSEND INC.		314.66
8/26/2026	2624	OFFICE DEPOT		179.89
8/26/2026	2625	USABBLUEBOOK		1,138.38
8/26/2026	2626	HASA INC.		2,205.59
8/26/2026	2627	MM INTERNET INC.		112.80
8/27/2026	0	IRS PAYROLL		547.46
8/27/2026	0	EDD PAYROLL		7.46
8/27/2026	33493	PAYROLL		5,420.68
8/27/2026	33494	PAYROLL		1,807.21
8/27/2026	33495	PAYROLL		2,362.76
8/27/2026	33496	PAYROLL		5,802.58

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Bighorn Desert View Water Agency
Check Register

Check Date Range: 8/1/2026 thru 8/31/2026

Ck Date	Ck No	Payable To	Void	Check Amt
8/27/2026	33497	PAYROLL		3,570.85
8/27/2026	33498	PAYROLL		2,754.85
8/27/2026	33499	PAYROLL		241.62
8/27/2026	33500	PAYROLL		3,413.75
8/27/2026	33501	PAYROLL		4,996.11
8/30/2026	0	AT&T MOBILITY		340.12
8/30/2026	0	BURRTEC WASTE&RECYC		109.10
8/30/2026	0	CINTAS CORPORATION #150		742.98
8/30/2026	0	SOUTHERN CALIFORNIA EDISON COMP		14,758.07
8/30/2026	0	AMERICAN FIDELITY		1,005.52
8/30/2026	0	BLUEFIN PAYMENT SYSTEMS		1,635.44
8/30/2026	0	SPRINGBROOK ACH		190.10
8/30/2026	0	DIESEL DIRECT WEST LLC		8,229.41
8/31/2026	33502	CA DEPT OF FISH & WILDLIFE		179,986.50
8/31/2026	33503	CA RURAL WATER ASSN		12,205.00
8/31/2026	33504	JEFF DROZD		500.00
8/31/2026	33505	MONUMENT ROW		5,182.80
			Total	412,684.12



To: Jennifer Cusack
 From: Rosalind Paulino
 Subject: Service Order Report AUGUST 2026

SERVICE ORDER REPORT FOR FISCAL YEAR 2026/27

UTILITY BILLING SERVICE ORDERS	2026/27	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
After Hours Call Out	24	8	9											17
Backflow (Misc/Lock-off or Un-Lock)	31	-	-											0
Customer Requested Asst	81	8	6											14
Reported Leaks	59	3	4											7
Destroy Service Line	0	-	-											0
Exchange Meter	300	2	1											3
Fire Flow Test	19	-	1											1
Hangtag	118	7	10											17
Install New Service	12	2	-											2
Miscellaneous	106	8	7											15
Open New Service (New Owner or Tenant)	152	6	2											8
Pull Meter	2	-	-											0
Reread Meter/Read Meter	267	36	26											62
Tamper	5	1	-											1
Unlock Service	139	10	3											13
Verify Meter Locked	96	13	4											17
TOTAL	1411	104	73	0	0	0	0	0	0	0	0	0	0	177
UTILITY BILLING INFORMATION	TOTAL	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Active Res, Agr, Commerical, Bulk 1 Inch Accounts Billed	13361	1117	1249											2366
Inactive Res, Agr, Commerical, Bulk 1 Inch Accounts Billed	1783	167	153											320
Active Bulk Accounts Billed - 2-inch Meter	135	9	9											18
Active Number of JV Cash Sales Accounts	753	82	82											164
Active Fire Accounts Billed	24	3	1											4
Active Construction Meter Accounts Billed	15	1	1											2
TOTAL	17483	1379	1495	0	0	0	0	0	0	0	0	0	0	2874
DELINQUENT ACCOUNT BILLING	TOTAL	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Res, Agr, Commerical, Bulk 1 Inch Accounts - DQ	3355	330	320											650
Bulk Accounts 2 Inch- DQ	57	-	2											2
TOTAL	3612	330	322	0	0	0	0	0	0	0	0	0	0	652
LOCK-OFF SERVICE - NON-PAYMENT	TOTAL	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Accounts L/O	239	13	3											16
Payment Plans - Initiated	34	1	6											7
Payment Plans - Failed	0	-	-											0
Bulk 2 Inch Accounts L/O	2	-	-											0
TOTAL	281	14	9	0	0	0	0	0	0	0	0	0	0	23
OPERATIONS/MAINTENANCE SERVICE ORDERS	TOTAL	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
AirVac Maintenance	66	-	-											0
AirVac Replacement	1	-	-	-										0
Bulk Stations Maintenance	10	2	3											5
Flush Deadend/Blowoffs	2													0
Goat Mountain Mainline Repair	0	-	-											0
Goat Mountain Service Line Replacement	9	1	-											1
Goat Mountain Service Line Repair	4	1	3											4
Hydrant Maint.	1	1	1											2
Pressure Complaint	2	-	-											0
BDV Mainline Repair	1	-	1											1
BDV Service Line Repair	45	9	8											17
BDV Service Line Replace	53	1	7											8
Valve Maintenance	10	-	-											0
Water Quality Issues Customer Reported (taste, Odor, Color)	3	1	1											2
Well Water Level	4	1												1
TOTAL	211	17	24	0	0	0	0	0	0	0	0	0	0	41
SAFETY TRAINING AND INSPECTIONS	TOTAL	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Monthly Safety Training	12	1	1											2
Operations "Tail-Gate" Safety Training	25	3	2											5
Monthly Inspections - Fire Extinguisher	12	1	1											2
Monthly Inspections - Vehicles	12	1	1											2
Quarterly Inspections - Facility	4	1												1
Quarterly Inspections - 90-day BIT	4	1												1
Monthly/Quarterly Inspections - Tank/Reservoir	4	1												1
Monthly/Quarterly Inspections - Fuel	12	1	1											2
Monthly/Quarterly Inspections - Generators	12	1	1											2
Monthly Safety Class Review	11	1	1											2
TOTAL	97	12	7	0	0	0	0	0	0	0	0	0	0	18
TOTAL	23095	1856	1930	0	0	0	0	0	0	0	0	0	0	3785

*Residential, Agricultural, Commercial, 1inch Bulk merged into one cycle.



DATE: 10/1/2026
 TO: Board of Directors
 FROM: Laun Hanson
 RE: Bighorn-Desert View Production SEPTEMBER 2026

	<u>Cubic Feet</u> <u>Pumped</u>	<u>Total Gallons</u> <u>Pumped</u>	<u>GPM from</u> <u>Hour Meter</u>	<u>GPM</u> <u>Flowmeter</u>	<u>Total</u> <u>Running Time</u>	<u>acre feet</u>
Well 2	Well is "inactive"					
Well 3	250,920	1,876,882	177	166	176.4	5.76
Well 4	Well is "inactive"					
Well 6	78,060	583,889	86	80	113.3	1.79
Well 7	110,850	829,158	112	136	123.2	2.54
Well 8	510,300	3,817,044	358	380	177.5	11.71
Well 9	657,400	4,917,352	429	440	190.9	15.09
Well 10	27,090	202,633	76	92	44.7	0.62
Total	1,634,620	12,226,958			826	37.53

Maximum Day Demand

Date 9/28/2026

Total Production (Gallons) 681577.60

A Boosters	88,040	658,539	159	150	69
C Boosters	163,700	1,224,476	170	175	120.0
Total	251,740	1,883,015			



DATE: 10/1/2026
 TO: Board of Directors
 FROM: Laun Hanson
 RE: Goat Mountain Production SEPTEMBER 2026

	Cubic Feet Pumped	Total Gallons Pumped	GPM from Hour Meter	GPM from Flowmeter	Total Running Time	acre feet
Well GMW1	44,480	332,710	189	220	29.4	1.02
Well GMW3	516,200	3,861,176	281	320	228.7	11.85
Total	560,680	4,193,886			258.1	12.87

Maximum Day Demand

Date 9/28/2026

Total Production (Gallons) 211534.40

GM booster	192,500	1,439,900	248	222	96.9
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BIGHORN-DESERT VIEW WATER AGENCY

Our Mission - "To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."

Finance/Public Relations/Education and Personnel

Standing Committee Meeting Minutes

Committee Members: President Miller-Boyer & Director McKenzie

BOARD MEETING OFFICE

1720 N. CHEROKEE TR.

LANDERS, CALIFORNIA 92285

Remote participation available by Zoom

July 21, 2026

Time – 4:00 P.M.

CALL TO ORDER

Committee Chair Miller-Boyer called the meeting to order at 4:00 p.m.

PLEDGE OF ALLEGIANCE

President Miller-Boyer led the pledge of allegiance.

ROLL CALL

Board members present: Rodney Miller-Boyer and JoMarie McKenzie

Staff: Jennifer Cusack, Marina West and Lana Kiezer-Jazo

Public: Three (3) members of the public were present in the room and two (2) online.

APPROVAL OF AGENDA

Motion to approve the agenda.

MSC¹ (McKenzie/Miller-Boyer) unanimously approved.

DISCUSSION AND ACTION ITEMS -

1. PURCHASING POLICY REVIEW

Committee to review and provide input to the Purchasing Policy before it goes to the Board for approval.

General Manager Cusack presented the Purchasing Policy. After Committee questions and discussion they recommended no changes to the policy at this time.

- 2. CONSENT ITEMS** – The following items are expected to be routine and non-controversial and will be acted on by the Board in one motion, without discussion, unless a member of the Board requests pulled from the Consent Calendar for discussion or further action.

- a. FPREP Committee Meeting Minutes May 19, 2026**

Motion to approve the Consent Calendar
MSC¹ (McKenzie/Miller-Boyer) unanimously approved.

3. MATTERS REMOVED FROM CONSENT CALENDAR

None

4. PUBLIC COMMENT

No public comment.

5. VERBAL REPORTS - Including Reports on Courses/Conferences/Meetings.

1. Committee Members' Comments/Reports

JoMarie McKenzie reported on her attendance at the ASBCSD Dinner on
7/20/2026

2. General Manager's Report

Jennifer Cusack reported on the Audit visit and preliminary items.

6. ITEMS FOR FUTURE AGENDAS

None

7. ADJOURNMENT

Committee Chair Miller-Boyer adjourned the meeting at 4:58 p.m.

Approved by:

JoMarie McKenzie, Committee Chair

OFFICIAL SEAL

BIGHORN DESERT VIEW WATER AGENCY AGENDA ITEM SUBMITTAL

Meeting Date: October 13, 2026

To: Board of Directors

Budgeted: Yes

Budgeted Amount: \$1,500

Cost: \$572.66

From: Jennifer Cusack

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Approve “True Bad Debt” Write-off through June 30, 2026 of \$572.66

SUMMARY

The “true bad debt” being presented for “write-off” through June 30, 2026 is \$572.66 (8 accounts).

RECOMMENDATION

The Board considers taking the following action(s):

1. Approve true bad debt expenses “write-off” in the amount of \$572.66 for account balances which cannot be collected through the secured property lien process through June 30, 2026.

BACKGROUND/ANALYSIS

Each year the Agency budgets for “true bad debt” for unpaid water bills that cannot be collected for one of the following reasons:

- They cannot be tied to a property for a secured property lien (eg. property ownership changed without our knowledge and without an unsecured lien on the property); and/or
- The amount remaining on the account is less than \$25, and written off per Agency policy (Resolution 13R-05); and/or
- The customer did not pay their final bill and by that time, it is too late to put an unsecured lien on property.
- The person is deceased or had obtained bankruptcy judgment relieving them of past water account debt.

The secured tax lien process internally begins May of each year, at that time the “true bad debt” accounts are segregated from those that will be processed further. These are scheduled to be received by the Board of Directors following completion of the secured lien process and the fiscal year-end audit (est. Sept).

Therefore, the total true bad debt is \$572.66.

At the close of Fiscal Year 2025-26, a total of \$572.66 was determined to be the “true bad debt” amount. The amount does not exceed the budget line item of \$1,500 for FY2025/26 over time.

Below is a summary of the accounts requested for write-off:

- Total number of accounts..... 8
- Number of accounts under \$25..... 1
- Number of accounts between \$25 and \$125..... 6
- Number of accounts exceeding \$125..... 1

With respect to the four (5) accounts shown above with a balance exceeding \$125:

1. One account had a balance of \$191.67; this was always an account in good standing. This debt represents a final bill, which the customer did not pay. Numerous attempts have been made.

Since the standard \$100 deposit does not appear to sufficiently cover final bills, perhaps the Board should consider increasing the customer deposit amount. Staff will bring this discussion forward to a future Finance Committee meeting for further consideration.

Staff is bringing this report to the full Board for a motion to approve in accordance with Agency policy outlined in Resolution No. 13R-05.

PRIOR RELEVANT BOARD ACTION(S)

9/9/2025 – Motion No. 25-0 Motion to approve true bad debt expenses “write-off” in the amount of \$2,144.76 for account balances which cannot be collected through the secured property lien process through June 30, 2025.

2024 – Unclear if Board received the report of True Bad Debt expenses in 2024.

9/12/2023 Motion No. 23-031 motion to approve True Bad Debt expenses “write-off” in the amount of \$1,509.80 for account balances which cannot be collected through the secured property lien process for the period July 2022 through June 2023 of \$1,509.80.

9/13/2022 Motion No. 22-038 motion to approve True Bad Debt expenses “write-off” in the amount of \$4,859.50 for account balances which cannot be collected through the secured property lien process and for the period February 25, 2021 through July 18, 2022.

09/14/2021 Motion No. 21-054 Motion made to approve the “true bad debt” write-off of \$1,216.19 for fiscal year 2020/21 through February 24, 2021.

08/25/2020 Motion No. 20-056 Motion made to approve the “true bad debt” write-off of \$1,888.50 for fiscal year 2019/20.

07/23/2019 Motion No. 19-034 Motion to Approval of Bad Debt expenses “write-off” in the amount of \$1,951.16 for account balances which cannot be collected thru the property lien process.

06/26/2018 Motion No. 18-031 Motion to vote for approval of Bad Debt expenses “write-off” in the amount of \$1,207.57 for account balances which cannot be collected as a property the period August 2015 to present.

3/26/2013 Motion No. 13-020 Motion to adopt Resolution No. 13R-05 Establishing a Policy for the Approval of the Expense of Bad Debt.

Utility Billing

Collections Proof List

User: paulino

Printed: 09/01/2026 - 10:22AM

Sort By: Account Number

Batch: 00001.09.2026 - 2026 TRUE BAD DEBT

Bighorn – Desert View Water Agency

622 S. Jemez Trail (760) 364-2315

Yucca Valley, CA 92284-1440

Account No	Reference No	Tax Lot	READY Misc	WTR	FS	DEP	PEN
007905-000	5017612	0630-121-12	-81.64	-6.76	0.00	0.00	0.00
BILLY ROSS			0.00	0.00	0.00	0.00	0.00
008158-000		0629-171-17	0.00	-77.74	0.00	0.00	0.00
Donald Hyslop			0.00	0.00	0.00	0.00	0.00
008625-000		0629-301-18	0.00	0.00	0.00	0.00	0.00
Elaina Escalante			-191.67	0.00	0.00	0.00	0.00
009363-000		0629-101-04	0.00	-77.45	0.00	0.00	0.00
Matthew Slater			0.00	0.00	0.00	0.00	0.00
009792-000		0635-031-23	0.00	0.00	0.00	0.00	0.00
Sarah Easter			-4.65	0.00	0.00	0.00	0.00
009918-000		0629-461-22	-36.25	-1.94	0.00	0.00	0.00
Dustin Beatty			0.00	0.00	0.00	0.00	0.00
009936-000		0629-352-33	-27.22	0.00	0.00	0.00	0.00
Kimberly Velez			0.00	0.00	0.00	0.00	0.00
010555-000		0629-121-06	-62.63	0.00	0.00	0.00	-4.71
Gabriel & Ileana Reyes			0.00	0.00	0.00	0.00	0.00

-207.74	-163.89	0.00	0.00	-4.71
-196.32	0.00	0.00	0.00	0.00
Batch Total: -572.66				