

RESOLUTION NO. 17R-04

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BIGHORN-DESERT VIEW WATER AGENCY
EXPRESSING ITS SUPPORT FOR ASSEMBLY BILL 366,
AN ACT TO AMEND SECTION 106.4 OF THE WATER CODE**

WHEREAS, the Bighorn-Desert View Water Agency's ("Agency") Law is set forth in California Water Code-Uncodified Acts; and

WHEREAS, the State Water Resources Control Board Division of Drinking Water has issued Water Supply Permits to supply water for domestic purposes within the Agency boundaries pursuant to the provisions of Division 104, Part 12, Chapter 4, Article 7, of the California Health and Safety Code; and

WHEREAS, the Water Supply Permits are subject to the requirements of Title 22, California Code of Regulations, and to the conditions provided in the water supply permit; and

WHEREAS, approximately one-third of the Agency's service territory does not have a pressurized water system which led to the installation of facilities that could provide a "you haul" water source otherwise known as a "bulk water station"; and

WHEREAS, the water supplied to the five bulk water stations meets all the requirements of Title 22 and the California Code of Regulations; and

WHEREAS, installation of a pressurized water system to these portions of the Agency has been found to be extremely cost prohibitive given the low population and vast amount of public lands managed by the Bureau of Land Management that must be traversed; and

WHEREAS, aside from bulk hauled water the residents in these areas could drill their own water well however water quantity and water quality is not always sufficient to provide for such needs as drinking, cooking and sanitation; and

WHEREAS, bulk hauled water represents one of the most conservative uses of potable water; and

WHEREAS, in 2016 Senate Bill 1263 (Wieckowski) was signed into law and essentially prohibits the use of bulk hauled water for private property development which directly impacts the Agency's ability to provide bulk water service to any new property owners; and

WHEREAS, the Agency finds that this prohibition flies in the face of the "Human Right to Water"; and

WHEREAS, Assemblyman Olberholte (Big Bear) has drafted legislation, AB 366, which would undo some of the prohibitions set forth in SB 1263 (Wieckowski) and essentially allow for the issuance of building permits when "the water provided to those parcels will be obtained from a legal source and delivered by a licensed water hauler"; and

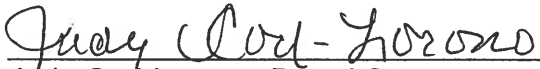
WHEREAS, Bighorn-Desert View Water Agency maintains "legal" bulk hauling water sources and there are known to be "licensed water haulers" doing business within the boundaries of the Agency.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Bighorn-Desert View Water Agency hereby expresses its unanimous and unqualified approval of, and support for, Assembly Bill 366, introduced by Assembly Member Olberholte on February 8, 2017, and respectfully urges the State Legislature to enact this measure at the earliest opportunity.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this 28th day of February 2017.

By 
J. Larry Coulombe, Board President

Attest:


Judy Cori-Lorono, Board Secretary