



## BIGHORN-DESERT VIEW WATER AGENCY

### **PLANNING & ENGINEERING/LEGISLATIVE/GRANT COMMITTEE SPECIAL MEETING WITH BOARD OF DIRECTORS\* AGENDA**

**BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA**

**JANUARY 15, 2009  
THURSDAY  
8:45 A.M.**

\*The BDVWA Planning & Engineering/Legislative/Grant Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act. Members of the Board who are not assigned to the Finance/Personnel/Public Relations & Education Committee will participate as observers at the meeting.

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL**

**Public Participation**-Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment, please state your name and have your information prepared. Due to time constraints, a three minute time limit may be imposed. 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, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **CONFERENCE CALL WITH MOJAVE WATER AGENCY'S LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE**- Committee to participate via teleconference for an update on State Advocate and Issues at the State Level and update on Federal Advocate and Issues at the Federal Level.
2. **PUBLIC PARTICIPATION**- Any person may address the Committee on any matter within the District's jurisdiction on items not appearing on this agenda.
3. **MINUTES OF THE AUGUST 21, 2008 PLANNING & ENGINEERING/LEGISLATIVE/GRANT SPECIAL COMMITTEE MEETING**- Committee to review and consider recommending approval of PLEGS Special Committee Meeting Minutes by the Board of Directors at the January 27, 2009 Regular Board Meeting.
4. **PROPOSALS FOR REPAIR OF WELL 10 BOOSTER PUMPS**- Review & discuss proposals for the repair of Well 10 booster pumps and construction of a pump enclosure.

5. **“STRAWMAN PROPOSAL”: GUIDANCE DOCUMENT FOR DEVELOPMENT OF A GROUNDWATER MANAGEMENT PLAN AND CONSTRUCTION OF AN ARTIFICIAL RECHARGE PROJECT IN THE RECHE GROUNDWATER SUBBASIN OF THE AMES VALLEY GROUNDWATER BASIN-** Committee to discuss and consider recommending adoption of Resolution No. 08R-XX- approving the “Strawman Proposal” by the Board of Directors’ at the Regular Board Meeting of January 27, 2009.
6. **BULK HAULING RATE STRUCTURE REVIEW PROJECT-** Committee to review, discuss and provide input to staff on how to proceed with bulk hauling usage and consumption charges for Agency’s bulk hauling customers.
7. **PROPOSED 29 PALMS TRAINING CENTER/AIRSPACE ACQUISITION PROJECT-** Committee to discuss relevant comments to be submitted to MCAGCC as part of the Environmental Review Process.
8. **CUSTOMER REQUEST FOR RELIEF OF BILLING FOR PARCEL 629-405-01-** Deferred from the October 28, 2008 Board of Directors Regular Meeting to committee to review and discuss claim.
9. **FEDERAL FUNDING PROGRAM UPDATE-** Staff to provide update on status of Federal Funding for Agency programs.
10. **STANDING COMMITTEE PROJECT LIST**
11. **DIRECTORS’ COMMENTS/REPORTS**
12. **ITEMS FOR NEXT AGENDA**
13. **ADJOURNMENT**

**Materials related to an item on this Agenda submitted to the Committee Members after distribution of the agenda packet are available for public inspection in the Bighorn-Desert View Water Agency office at 622 S. Jemez Tr., Yucca Valley, CA during normal business hours.**

**LEGAL/LEGISLATIVE AND  
PUBLIC INFORMATION  
COMMITTEE MEETING**

**AGENDA**

**Mojave Water Agency  
Board Room  
22450 Headquarters Drive  
Apple Valley, CA 92307**

**January 15, 2009  
9:00 a.m.**

**NO ACTION WILL BE TAKEN – STUDY SESSION ONLY**

1. Approval of Agenda
2. Adopt Actions from the Legal/Legislative and Public Information Committee Meeting of November 20, 2008
3. Update on State Advocate and Issues at the State Level (teleconference)
4. Update on Federal Advocate and Issues at the Federal Level (teleconference)
5. Consider Extending Agreement with TMG Communications for Public Outreach and Education for the Regional Recharge and Recovery Project
6. Public Information Update (oral report)
7. General Manager's Report (oral report)
8. Public Participation
9. Comments/Discussion Items for Next or Future Agendas
10. Adjournment

*Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7008 at least 24 hours prior to said meeting.*



## BIGHORN-DESERT VIEW WATER AGENCY

### PLANNING & ENGINEERING/LEGISLATIVE/GRANT SPECIAL MEETING WITH BOARD OF DIRECTORS\* MINUTES

BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA

AUGUST 21, 2008  
THURSDAY  
8:45 A.M.

\*The BDVWA Planning & Engineering/Legislative/Grant Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act. Members of the Board who are not assigned to the Finance/Personnel/Public Relations & Education Committee will participate as observers at the meeting.

- **CALL TO ORDER**-Meeting convened at 8:45 A.M.
- **PLEDGE OF ALLEGIANCE**-Led by John Burkhart
- **ROLL CALL**-Directors' Present: Director Burkhart, Director Johnson,  
Director McBride (as guest)  
Staff Present: Marina West  
Guests Present: Approx. 5
- **APPROVAL OF THE AGENDA**- Approved

**Public Participation**-Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment, please state your name and have your information prepared. Due to time constraints, a three minute time limit may be imposed. 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, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **PUBLIC PARTICIPATION**- Any person may address the Committee on any matter within the District's jurisdiction on items not appearing on this agenda -**None**.
2. **CONFERENCE CALL WITH MOJAVE WATER AGENCY'S LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE**- Committee to participate via teleconference for an update on State Advocate and Issues at the State Level and update on Federal Advocate and Issues at the Federal Level -**Cancelled**.
3. **RESOLUTION NO. 08R-XX- A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY APPROVING THE INTEGRATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**-Committee to

discuss and consider recommending adoption of Resolution No. 08R-XX by the Board of Directors' at the Regular Board Meeting of August 26, 2008- **Ms. West** gave a summary of the Resolution, explaining participation in NIMS and training by NIMS trainer was required for the Agency to qualify for Federal Preparedness Grant funding. Director Johnson had questions regarding amount of training and the cost of training. Ms. West advised that each employee required 8 hours of training at a cost of \$600. per day w/minimum of 2 days for all employees to be trained. Director Johnson also wanted to know if the Agency, once signed on to NIMS. Director Burkhart and Director Johnson concurred support of the Resolution and recommendation of adoption of Resolution to the full board.

4. **RESOLUTION NO. 08R-XX- A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY SUPPORTING THE DEVELOPMENT OF THE MORONGO BASIN INTEGRATED WASTEWATER MANANGEMENT PLAN-** Committee to discuss and consider recommending adoption of Resolution No. 08R-XX by the Board of Directors' at the Regular Board Meeting of August 26, 2008- **Ms. West** gave a summary explaining that as Hi-Desert Water District is under mandate to deal with wastewater treatment. Ms West explained the BDVWA Resolution was merely a show of support for a regional perspective and would help HDWD as they go out to seek funding. She also emphasized that having a regional plan benefits the Agency in knowing what's going on with wastewater.

Director Johnson commented he had an opportunity to hear Hi- Desert's presentation on this subject and he felt the Agency should utilize the regional concept.

Director Burkhart confirmed the committee's support of the Resolution for recommendation to the full board.

5. **GOALS AND OBJECTIVES OF PLANNING & ENGINEERING/LEGISLATIVE/GRANT COMMITTEE FOR 2008-2009-**An open forum discussion of future goals and objectives of each committee member and staff for 2008-2009- **Ms West** stated she would like to get feedback from the committee on the direction they would like to move in and what should be added to project list and what kind of status updates the committee would like to see.

Director Johnson said the committee should begin to work from the project list provided by Ms. West before adding to it.

Ms. West read from the current list and provided updates; EPA Grant- Committee to receive a report each meeting about status, review of the budget and project directives. She stated currently the Agency was dealing with two (2) portions of the grant; CEQA and NEPA and advised the Agency had been stalled with regard to the Agency's financial situation and the Agency was successful in achieving agreements with other entities (Mojave Water, Hi-Desert Water) to provide the match funding, otherwise the Agency could not proceed. Next is the development of Memorandum(s) of Agreement to have access to those monies. Ms. West said she has found inconsistencies with what the Agency's grant says and what CEQA says the Agency is going to do. Grant shall be used to further investigate the hydrogeology of the Johnson Valley Groundwater Basin as there is insufficient

funding to construct the pipeline project envisioned. Ms. West then turned attention to the recharge facility that will be the primary focus for the remaining EPA funds. She indicated that the Draft "Strawman Proposal", a document outlining the direction of the Ames Valley (Reche Subbasin) Recharge Project would be presented at the next Board meeting. Staff was cautioned about the importance of the Ames Valley Water Basin Stipulated Judgment. Dir. Johnson suggested the Judgment be made an integral part of any future agreements for use of the Ames Basin (Reche subbasin). The draft "Strawman Proposal" outlines the concept points of the entities involved, gets the issue out on the table so discussions can begin and financial participation from MWA, and possibly HDWD, can be obtained. Dir. Johnson commented on the legal review obtained from Trager's office regarding the status of HDWD Well No. 24 which did not include an update on the project schedule and status. Dir. Johnson expressed his disbelief that his request of the prior staff to update the Board on the issues led to this end.

Dir. Johnson suggested that the topic of security be added to the Committee Project List.

Public Comment: Mr. Harvey asked the Committee "who called for the gloated report". It was clarified that he was asking about the "\$22,000 report". Dir. Johnson replied that he called for a report on the status of HDWD Well No. 24 from the prior ("the last") General Manager.

Mr. McBride (Dir. McBride) asked about the source of the recharge water and was told the intend is to use State Water Project water from the Mojave Pipeline. Ms. West briefly discussed the concept of water bank accounts.

Chairwoman Burkhart noted, "I stand corrected I should not have allowed you to talk (Mr. McBride) because you are another Director".

6. DIRECTORS' COMMENTS/REPORTS - None
7. ADJOURNMENT – meeting was adjourned at approximately 10:00 am

Materials related to an item on this Agenda submitted to the Committee Members after distribution of the agenda packet are available for public inspection in the Bighorn-Desert View Water Agency office at 622 S. Jemez Tr., Yucca Valley, CA during normal business hours.

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
PLANNING/ENGINEERING/LEGISLATIVE/GRANT  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** January 15, 2009

**To:** Planning/Engineering/Legislative/Grant  
Standing Comm. of Board of Directors

**Budgeted:** No

**Budgeted Amount:** N/A

**Cost Impact of Action:** To be presented

**Funding Source:** Operations Budget

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject: Review Proposals for the Repair of the Johnson Valley Well No. 10 Bulk Hauling Station**

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**SUMMARY**

Johnson Valley Well 10 Bulk Hauling Station sustained freeze damage in December 2008 to the booster pumps that deliver water to the overhead drop structure. Staff has requested proposals repair or replace the booster pump(s) and to construct a small enclosure to protect the booster system from freeze damage. Staff will present the proposals at the committee meeting for review.

**RECOMMENDATION**

Review and discuss proposals for the repair of the facilities and construction of an enclosure

**BACKGROUND/ANALYSIS**

Staff has requested proposals repair or replace the booster pump(s) and to construct a small enclosure to protect the booster system from freeze damage. Seeking competitive quotes is the most cost effective way to proceed. When the term "emergency" is used, it circumvents the spending limitations of the General Manager and/or the competitive bidding process. This eliminates the customer and the Board from the decision making process. Cost quotes labeled "emergency" often come at a higher price as well.

All proposals received will be presented at the meeting for review and discussion. Staff intends to present a recommendation for approval at the next regularly scheduled meeting of the Board on January 27, 2009.

**PRIOR RELEVANT BOARD ACTION(S)**

none

**BIGHORN DESERT VIEW WATER AGENCY  
PLANNING/ENGINEERING/LEGISLATIVE/GRANT  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** December 18, 2008

**To:** Planning/Engineering/Legislative/Grant  
Standing Comm. of Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:**

**From:** Marina D. West

**General Counsel Approval:** Reviewed

**CEQA Compliance:** N/A

**Subject:** "Strawman Proposal": Guidance Document for Development of a Groundwater Management Plan and Construction of an Artificial Recharge Project in the Reche Groundwater Subbasin of the Ames Valley Groundwater Basin

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## **SUMMARY**

The Agency is interested in developing a Groundwater Management Plan for the Ames Basin which incorporates the concept of "conjunctive use", the deliberate combined use of groundwater and surface water to manage water supply needs in a region. At the same time, the Agency recognizes the groundwater protection rights established under the Ames Valley Water Basin Agreement of 1991. The attached "Strawman Proposal" is a first-step guidance document intended to develop consensus from interested parties upon which a cooperative Ames Basin Groundwater Management Plan framework can be constructed, providing for a more practical management technique, than the "Ames Valley Water Basin (groundwater pumping) Agreement/Stipulated Judgment", to ensuring long-term basin and regional water supply sustainability and security.

## **RECOMMENDATION**

Agendize for the January 27, 2009 Board Meeting:

1. Adopt Resolution approving the "Strawman Proposal" Guidance Document for Development of a Groundwater Management Plan and artificial recharge basin in the Reche Groundwater Subbasin of the larger Ames Valley Groundwater Basin; and
2. Direct the General Manager to pursue a Memorandum of Understanding with Mojave Water Agency to provide for financial participation in the development of the Groundwater Management Plan with the intent to design, construct and operate an artificial recharge facility for the intended purposes outlined in the "Strawman Proposal".

## **BACKGROUND/ANALYSIS**



The Agency is interested in developing a Groundwater Management Plan for the Ames Basin that incorporates a Conjunctive Use element by utilizing artificial recharge (ie. the intentional percolation of imported water). Of particular importance is the recognition that long-term sustainability requires the harmonious combination of both groundwater and imported water in order to minimize the undesirable physical, environmental and economical effects of each solution and to optimize the water demand/supply balance. The attached "Strawman" is a guidance document intended to develop consensus from interested parties upon which a Groundwater Management Plan framework can be structured. Staff is seeking final comments from the Board and public regarding the Draft "Strawman Proposal" before the Board is asked to adopt the Proposal in January 2009. Adoption of the Proposal, by BDVWA and HDWD, will allow staff to solidify financial participation from Mojave Water Agency to access matching funds for the EPA Grant under which this project is currently defined.

The Agency has secured grant money from the Environmental Protection Agency (EPA) and grant match pledges from Hi-Desert Water District and Mojave Water Agency (MWA) to be utilized to complete environmental compliance (CEQA/NEPA) and a Groundwater Management Plan documents. Ultimately, the Agency desires to construct a recharge basin to percolate water from the Mojave Pipeline that will be funded through either the Proposition 84 funding mechanism or the one-million dollar project pledge committed by MWA last year.

This next generation "Strawman Proposal" is being presented for the Committee to review, discuss and provide feedback to staff prior to the Board meeting in January to consider adoption. Ultimately, the approval of the "Strawman Proposal" is the basis for the involved parties to formally agree to further manage the Reche Subbasin, to construct a recharge facility, and to utilize surface water resources to augment natural recharge sources for maximizing the operation yield of the basin.

Conjunctive Use is recognized as an ideal water management strategy that capitalizes on the wet years and provides a coping strategy during the dry years and therefore a more practical technique for ensuring long-term basin and regional water supply sustainability and security for our constituents. However, any Conjunctive Use framework must incorporate the existing Ames Valley Water Basin Agreement (aka Stipulated Judgment).

Staff is optimistic that the "Strawman Proposal" can be completed and adopted at the January 2009 Board of Directors meeting. Once adopted, the Memorandum of Agreement (MOA) mechanisms for financial participation of other entities in the EPA Grant program can be drafted for approval, the status of the EPA Grant program will be secured and the staff can resume progress on the projects defined therein.

#### **PRIOR RELEVANT BOARD ACTION(S):**

**8/26/2008** Introduction of the "Strawman" Guidance Document of the Development of a Groundwater Management Plan and Conjunctive Use Program for the Ames Basin

**6/16/2008** Motion to authorize staff to seek formal partnerships with interested parties to participate financially in the Agency's EPA Grant Program – Water Infrastructure Restoration Program Projects.

**5/27/2008** Authorize the issuance of Change Order No. 1 to Candida Neal, AICP in the amount of \$32,250.48 for completion of Water Infrastructure Restoration Program CEQA/NEPA documentation.

**1/22/08** Review and discuss the status and history of monitoring of the Reche Subbasin pursuant to the Ames Valley Water Basin Agreement (aka Stipulated Judgment)

**9/30/2007** Motion to authorize staff to execute a Professional Services Agreement with Candida Neal, AICP in the amount of \$44,193.24 for preparation of Water Infrastructure Program CEQA/NEPA documentation.

**9/18/2007** Board Workshop to discuss the results of the Basin Conceptual Model and Assessment of Water Supply and Demand for the Ames Valley, Johnson Valley, and Means Valley Groundwater Basins by Kennedy/Jenks/Todd, LLC.

**4/24/2007** Motion to Accept the Basin Conceptual Model and Assessment of Water Supply and Demand for the Ames Valley, Johnson Valley, and Means Valley Groundwater Basins by Kennedy/Jenks/Todd, LLC.

**4/24/2007** Motion to accept Water Master Plan Report by Don Howard Engineering

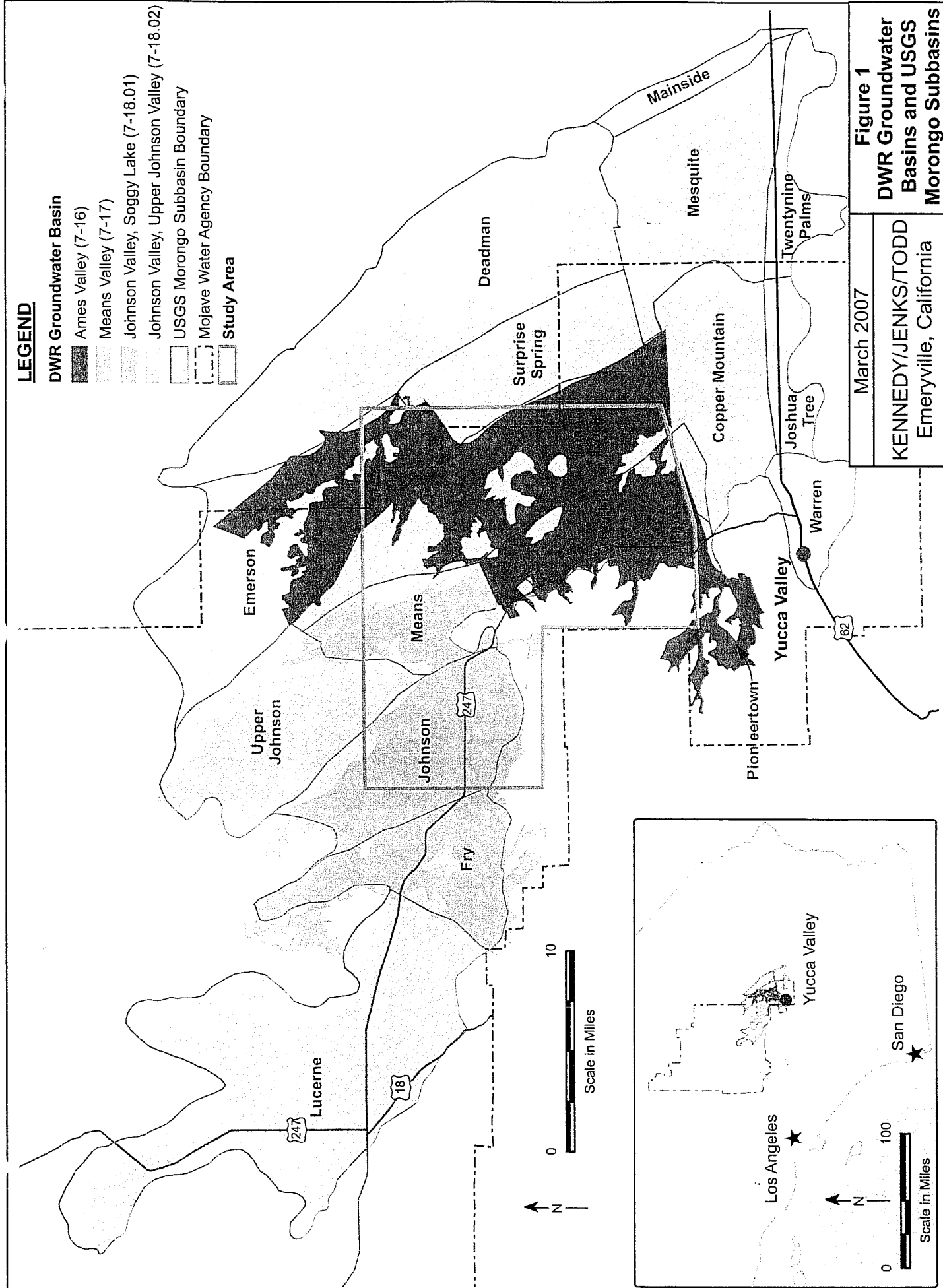
**12/20/2006 06R-18** Resolution of the Board of Directors of the Bighorn-Desert View Water Agency declaring its intention to draft a Groundwater Management Plan for the Ames/Mean/Johnson Valley Groundwater Basins.

**3/28/2006 06R-04** Resolution authoring GM to enter Grant Agreement \$477,000

# **LEGEND**

## **DWR Groundwater Basin**

- Ames Valley (7-16)
- Means Valley (7-17)
- Johnson Valley, Soggy Lake (7-18.01)
- Johnson Valley, Upper Johnson Valley (7-18.02)
- USGS Morongo Subbasin Boundary
- Mojave Water Agency Boundary
- Study Area



March 2007

**Figure 1**

**DWR Groundwater Basins and USGS Morongo Subbasins**

**KENNEDY/JENKS/TODD**  
Emeryville, California

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
PLANNING/ENGINEERING/LEGISLATIVE/GRANT  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** January 15, 2009

**To:** Planning/Engineering/Legislative/Grant  
Standing Comm. of Board of Directors

**Budgeted:** No

**Budgeted Amount:** N/A

**Cost Impact of Action:** Unknown

**Funding Source**

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject: Bulk Hauling Rate Structure and Out of District Rate Structure Review Project**

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## **SUMMARY**

The Agency provides water to approximately 100 "bulk water haulers" few of which are commercial water haulers, delivering bulk water to their own private customer base. Therefore, the total number of properties receiving bulk water is not clearly understood. It is also presumed that some bulk water is "exported" to properties outside the Agency boundaries and Sphere of Influence. In addition, BDVWA has a handful of metered connections there are outside the Agency boundaries. Most of these connections are within the CSA-70/W-1 Service Area and a few are in the Sphere of Influence. Before a bulk hauling or "out of Agency" rate and fee structure can be approved by the Board, which is fair and equitable to both bulk haulers and "connected" customers, there are a number of issues that have to be recognized and addressed so that appropriate policy and guidelines can be drafted and finally communicated to this unique customer base. Some of the issues are better addressed by the Finance Committee but the policy guidelines should be addressed in the Planning and Engineering Committee. A detailed list of issues is being presented herein so discussion can commence.

## **RECOMMENDATION**

Information and discussion between Committee and staff on how best to proceed with bulk hauling usage and consumption charges for the Agency's bulk hauling customers.

## **BACKGROUND/ANALYSIS**

The following facts and issues need to be recognized and addressed before a rate and fee structure can be developed for the delivery of bulk water and continued service to connected properties lying outside the Agency's boundaries.

- Currently there are approximately 100 individual bulk meter accounts. A small percentage are issued to "commercial" haulers, those that deliver water to individual

properties. In addition, there are a handful of connected properties receiving water service outside the Agency boundary.

- County building code will not allow for new development to utilize hauled water.
  - How much continued investment should be made to serve bulk water?
  - How many more properties can be expected to open bulk accounts?
  - Can we predict when the need for bulk water will become obsolete?
- Bulk meters are not “connected” or “on-the-pipe” meters therefore, in the context of Proposition 218 their rate and fee structure is not property related. Rates and fees can be set by resolution of the Board of Directors. Likewise, rates for exported water are also not subject to Prop. 218.
  - Bulk accounts can be opened and closed at the will of the account holder.
  - Bulk metered accounts do not pay a capacity charge (“buy-in” fee) for connecting to the water system. Therefore, new bulk accounts do not pay a fee for the delivery system, existing and future, as do “connected” property’s.
  - Bulk metered accounts do not contribute to the bond payments which built the Desert View and Bighorn Water Systems.
  - Johnson Valley bulk meters receive water from a separate water system than Bighorn and Desert View bulk stations. Well 10 is operated as an independent water system per direction of the Department of Public Health policy.
- How many properties actually receive water from commercial haulers?
  - Which are within the Agency’s boundaries?
  - Which are within the Sphere of Influence?
  - Which are outside the Agency?
    - There is a mechanism in place to provide outside properties a water account but is it legitimate?
- A decision needs to be made as to how Johnson Valley Well 10 water supply system should be evaluated. This requires us to revisit the County of San Bernardino agreement and the understanding and intentions of the Agency to assist County of San Bernardino with the maintenance of this facility built specifically to provide potable water to the Johnson Valley area. Since it only serves customers in Johnson Valley, and the water is not distributed throughout the agency should it continue to be run as a “stand alone” system as it is from the perspective of the Dept. of Public Health and the County of San Bernardino, OR, should it be considered part of the whole water system? The bulk meter water sales from the Johnson Valley well 10 water supply system does not cover the operation and maintenance costs of that system. Therefore, the O&M for the well is currently subsidized by all other customers of the Agency, who in fact receive no benefit from the facility. Additionally, when the well was built it appears that BDVWA was contracted by the County to operate and maintain the well on their behalf for the residents of JV, that finding confirms that JV Well 10 is to be self sustaining/self supporting. The Agreement with the County has expired and the facility now belongs to BDVWA.
  - The issue of whether or not subsidy is appropriate needs to be explored further to determine if Johnson Valley bulk station will require a separate rate and fee structure from those connected to Bighorn and Desert View.
  - Staff is seeking confirmation on what property tax revenue, if any, is received from the Johnson Valley area.
- Exporting water from the Agency has the following cost and program implications:

- Who did the County intend to receive water delivered from the Well 10 facility? Is that geographical boundary different from the BDVWA boundary?
- Agency receives no general property tax revenue from properties outside Agency boundaries.
- Agency cannot impose any new tax on any properties outside the Agency boundary.
- Agency might not receive any benefit from septic return flows from properties outside the boundaries.
- Rate and fee structure should have a “replenishment” component so the water can be replaced in the future
- There are LAFCO issues with respect to serving properties outside the Agency’s boundaries
- Currently the rate structure is skewed in that it does not address the inside/outside Agency issues
- The Agency has researched a bulk water dispensing system which would allow for an unlimited number of “virtual” water meters to be issued to private customer accounts. The cost of this system is approximately \$80,000. This system could replace the individual in-ground meters that exist now.
  - What is the cost benefit analysis to providing this kind of metering system which can serve an infinite number of customer accounts say over a 10-yr time period?
  - How does the Agency envision the ease of use to both the customer hauling his own water and the customer who contracts a commercial hauler?
- Regarding in-ground meters: Nearly all available in-ground bulk meters have been issued to customer accounts which means additional pipeline construction would be needed to serve future customers.
  - How many more meters will be needed in the future?
  - What is the cost benefit analysis to providing expanded in-ground metering system including Capital cost to expand and maintenance of all in-ground meters over a 10-yr. time period?
- Currently there are two rate structures predicated on hauling station location only, neither of these structures addresses all the above mentioned criteria.
  - Johnson Valley Well 10 Bulk Hauling Station: \$0.0962 per cubic foot of metered water
  - Bighorn and Desert View Water System Hauling Stations: \$27.50 per month basic service charge plus \$0.03 per cubic foot of metered water
- The Rules and Regulations for Bulk Hauling Water Accounts need to be updated once a final policy has been adopted.

Staff recommends that the Planning and Engineering Committee discuss implementation of policy for bulk hauling. Once that is determined then the item can move to the Finance Committee for discussion of the rate and fee schedule. It is expected that this process will take several months to complete.

Staff recommends the following overall plan of action:

- Answer the questions posed in this staff report
- Determine the basic facility charge for hauled water. There is a basic cost of service to maintain the bulk hauling system prior to any water registering through the meter.

- Property's inside Agency boundaries or sphere of influence if necessary
- Property's outside the Agency boundaries
  - Commercial hauler rate must assume water is exported. Or is there another way?
- Determine consumption rate for hauled water
  - Property's inside Agency boundaries or sphere of influence if necessary
  - Property's outside the Agency boundaries
    - Commercial hauler rate must assume water is exported. Or is there another way?
- Determine funding source for purchase of either an upgraded pipe system or a virtual card reading system. Determine if surcharge on bulk accounts is appropriate mechanism to pay for the upgrades. How much and for how long.
- Communicate with customers of bulk water

Determine which issues should be addressed by Planning and Engineering Committee and which would be sent to Finance Committee for finalization.

### **PRIOR RELEVANT BOARD ACTION(S)**

12/2/2008 Public Hearing and adoption of rate adjustment for the agencies metered and bulk hauling customers

11/25/2008 Overview of Bulk Water Hauling Rates for Johnson Valley Well 10

5/7/2008 Special Director's Workshop forum discussion regarding the Virtual Card Reader System at all agency Bulk Stations.

12/26/06 Motion accepted- Motion to rescind Resolution No. 06R-11 thereby reestablishing Resolution No. 06R-05 Setting rate for Johnson Valley Bulk Station

9/26/06 Resolution No. 06R-11 Setting rates for service for Johnson Valley Bulk Station Accounts- Establishing rate for Johnson Valley Bulk Station at \$4.50 per unit, \$20 Basin Service Charge.

4/25/06 Resolution No. 06R-05 Setting rates for service for Johnson Valley Bulk Station Accounts- Established rate for Johnson Valley Bulk Station at \$7 per unit, \$0 Basic Service Charge.

12/20/05 Resolution No. 05R-12 Amending and superseding Resolution 04R-12 to adjust the surcharge to provide funding to meeting the Improvement District Debt for the Mojave Water Agency District "M" Bonds. Fixes the MWA Surcharge at \$0 per metered connection per bimonthly billing period.

12/20/05 Resolution No. 05R-11 Amending and superseding Resolution No. 04R-11 to adjust the Basic Service Charge rate at \$40 per metered connection per bimonthly billing period.

11/23/04 Resolution No. 04R-13 Amending and superseding Resolution 02R-09 to continue the FMHA surcharge to provide funding to meeting the Improvement District Debt for the Water Revenue Bonds of 1980. Surcharge unchanged at \$9.30 bi-monthly per metered connection of parcels of the Agency's Improvement District A.

11/23/04 Resolution No. 04R-12 Amending and superseding Resolution 02R-09 to adjust the surcharge to provide funding to meet the Improvement District debt for the Mojave Water Agency District "M" Bonds-Set the MWA Bond surcharge at \$10 per connection per bimonthly billing period.

11/23/04 Resolution No. 04R-11 Amending and superseding Resolution 03R-14 to adjust basic service charge rate- Resolution increasing Basic Service Charge to \$30 per service connection per bimonthly billing period.

11/23/04 Resolution No. 04R-10 Amending and superseding Resolution 03R-08 adjusting water rates- Resolution adjusted consumption rate from \$4 per unit to \$3 per unit.

11/23/03 Resolution No. 03R-14 Adopting a surcharge for recover of projected revenue expenditures during FY 2003-04 not funded by the water rate at \$8.20 per service connection per bimonthly billing period.

5/27/03 Resolution No. 03R-08 Amending and superseding Resolution No. 02R-08 establishing water rates. Continuing the water consumption rate at \$4 per unit.

11/28/03 Resolution No. 03O-04 Addendum to Ordinance 03O-03 changing the name of the Agency surcharge "Q, S & T Non-Cap Cost Recovery Surcharge" to "Bi-Monthly Surcharge".

11/10/02 Resolution No. 02R-09 Increasing surcharges imposed by Resolution No. 02R-06 to provide funding to meet the Improvement District Debt Service requirements of the Water Revenue Bonds of 1980 and the Mojave Water Agency District "M" Bonds- fixes a bimonthly surcharge of \$9.30 on metered parcels for the Desert View Water District's Water Revenue Bond on 1980 and established a \$27.24 bimonthly surcharge on metered parcels for the MWA District "M" Bonds.

9/10/02 Resolution No. 02R-08 Amending and superseding Resolution No. 02R-05 establishing water rates, fees, and charges. Water consumption rate increased to \$4 per unit effective October 1, 2002 expiring June 2003 and reverting back to \$2.30 per unit unless other action is taken by the Board.

8/27/02 Resolution No. 02R-07 Adopting surcharge to cover expenditures not subject o the annual cap on expenditures pursuant to stipulated judgment in San Bernardino County Superior Court Case No. RCV 39853. Fixes a surcharge of \$8.20 per service connection per bimonthly billing period.

8/27/02 Resolution No. 02R-06 Amending surcharges imposed to provide funding to meet the Improvement District Debt Service requirements of the Water Revenue Bonds of 1980 and the Mojave Water Agency District "M" Bonds. Fixes a bimonthly surcharge of \$9.30 metered parcels for the Desert View Water District's Water Revenue Bond on 1980 and established a \$23.62 bimonthly surcharge on metered parcels for the MWA District "M" Bonds.

8/27/02 Resolution No. 02R-05 Amending and superseding Resolution No. 01R-06 establishing water rates, fees, and charges. Water consumption rate increased to \$2.80 per unit expiring June 2003 and reverting back to \$2.30 per unit unless other action is taken by the Board.

8/24/01 Resolution No. 01R-07 Adopting surcharge to recover expenditures pursuant to stipulated judgment in San Bernardino County Superior Court Case No. RCV 39853. Fixes a surcharge of \$6.12 per service connection per bimonthly billing period.

8/24/01 Resolution No. 01R-06 Amending Resolution No. 01R-01 establishing water rates, fees, and charges. Water consumption rate increased to \$2.30 per unit expiring September 2002 and reverting back to \$1.70 per unit unless other action is taken by the Board.



**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
PLANNING/ENGINEERING/LEGISLATIVE/GRANT  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** January 15, 2009

**To:** Planning/Engineering/Legislative/Grant  
Standing Comm. of Board of Directors

**Budgeted:** No

**Budgeted Amount:** N/A

**Cost Impact of Action:** Unknown

**Funding Source**

**From:** Marina D. West

**General Counsel Approval:** N/A

**NEPA Compliance by Federal**

**Government:** Required

**Subject:** **Proposed 29Palms Training Center/Airspace Acquisition Project:**  
National Environmental Policy Act Process and Initiation Environmental Impact  
Statement for the Acquisition of Lands Adjacent to the Bighorn Desert View  
Water Agency Boundary

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**SUMMARY**

Staff has been advised that the 29Palms Marine Corps Air Ground Combat Center (MCAGCC) has begun the environmental review process, through the issuance of a Notice of Intent, for the proposed acquisition of lands and establishment of airspace contiguous to the MCAGCC at Twentynine Palms, California. Staff wishes to discuss the proposed project impacts to Bighorn Desert View Water Agency specifically those topics dealing with water rights and groundwater quality (from bombs and ammo detonation, aircraft fuel, etc.), Agency boundaries with respect to MCAGCC desired boundary, and long-range projections on proposed growth impacts to the BDVWA service area from the actual MCAGCC expansion. The Scoping Period, an intended time for project communication and submission of official comments to the record. The first deadline for recordation of comment and attentive consideration is January 31, 2009.

**RECOMMENDATION**

Recommend staff compile list of relevant comments for draft review prior to January 27, 2009 Regular meeting of the Board in preparation of a Resolution making a comment of record to the Marine Corps Air Ground Combat Center Environmental Impact Statement regarding the acquisition of lands adjacent to the Bighorn Desert View Water Agency Boundary.

**PRIOR RELEVANT BOARD ACTION(S)**

none

# Proposed 29Palms Training Land/Airspace Acquisition Project



The Department of the Navy is in the initial stages of preparing an Environmental Impact Statement (EIS) for the proposed acquisition of lands and establishment of airspace contiguous to the Marine Corps Air Ground Combat Center (MCAGCC) at Twentynine Palms, California. This fact sheet provides information about the proposed project and the environmental review process.

## Project Background

Currently, no Department of Defense facility is large enough to provide sustained, combined-arms (air and ground), live fire and maneuver Marine Expeditionary Brigade (MEB) training under realistic conditions. A 2004 Center for Naval Analyses study concluded that expansion at MCAGCC was necessary to provide realistic MEB training.

The National Environmental Policy Act (NEPA) of 1969 requires federal agencies to analyze the potential environmental effects of their proposed actions. This analysis is presented in a document called an Environmental Impact Statement (EIS).

As part of the NEPA process, the Marine Corps is evaluating a range of reasonable alternatives for acquiring land and establishing corresponding airspace around MCAGCC. These acquisitions would permit three Marine battalions to simultaneously maneuver for 48 to 72 hours and converge on a single objective using combined-arms live fire.

The table below shows the steps in the NEPA process. The highlighted boxes indicate opportunities for public involvement.

NEPA Process	
Notice of Intent	
Scoping Period	
Draft EIS	
Public Meetings & Comment Period	
Final EIS	
Public & Agency Review Period	
Record of Decision	

**Proposed Action:** The Marine Corps is proposing the acquisition of lands and the establishment of Special Use Airspace contiguous to the Marine Corps Air Ground Combat Center (MCAGCC) at Twentynine Palms, California.

**Purpose and Need of the Proposed Action:** Meet Marine Expeditionary Brigade (MEB) training requirements.

## Marine Corps Requirements

The Marine Corps is directed by federal law to fulfill the following requirements:

- Operate as a combined-arms task force. Combined arms means using fully integrated ground and air live-fire weapons to support maneuver.
- Train for its missions. Training is how Marines prepare for combat. Marines must “train as they fight.” Realistic training prepares Marines to succeed in their mission and helps bring them home safely from combat.
- “...perform such other duties as the President may direct.” These words have significantly impacted Marine Corps doctrine, operations and training for more than 60 years.



A **Marine Air Ground Task Force (MAGTF)** is an organization of Marine Corps forces composed of the following elements:

- Command Element
- Ground Combat Element, including infantry, artillery and armor units
- Air Combat Element, including fixed and rotary wing aircraft
- Logistics Combat Element, including transport, maintenance, medical, food, ammunition, fuel and engineering

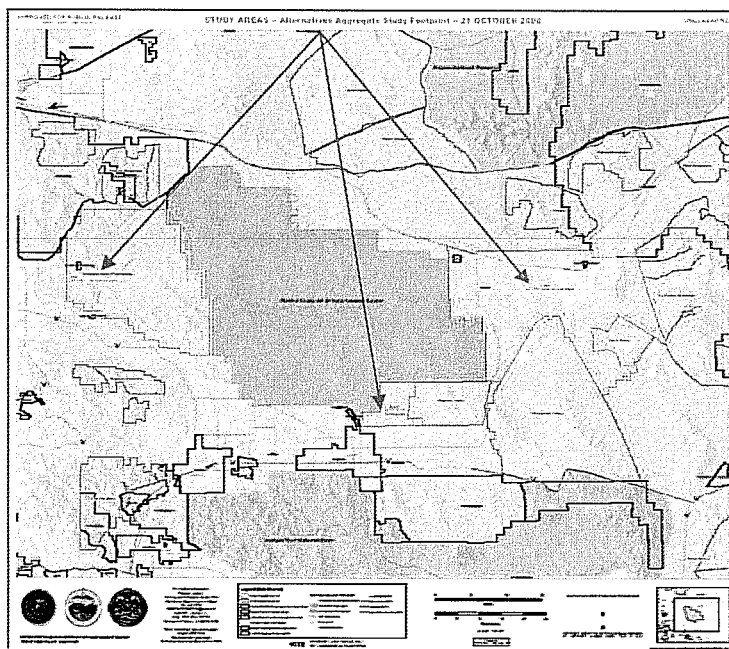
A **Marine Expeditionary Brigade (MEB)** is a type of MAGTF that responds to crises and smaller-scale contingencies. MEBs can range from 3,000 to 20,000 personnel.

### Project Alternatives

The map at right shows the areas near MCAGCC currently being studied. Several alternatives are being considered involving lands south, east and west of MCAGCC. Other alternatives continue to be examined, and alternatives approved for study by the Secretary of the Navy, including a No Action alternative, will be analyzed in the EIS. During the EIS process, the Marine Corps will work with stakeholders to minimize any disruption to current uses on public lands.

### Realistic Training

The Marine Corps must be able to provide sustained, combined-arms, live-fire and maneuver training for a Marine Expeditionary Brigade (MEB), ranging from 3,000 to 20,000 Marines and Sailors. Marines need sufficient land and airspace to be able to realistically train a MEB. Realistic training prepares Marines to succeed in their mission and helps bring them home safely from combat. MCAGCC is the premier facility for such training.

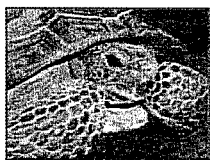


### Excellence in Environmental Stewardship

The Marine Corps at MCAGCC has a strong, proven record of stewardship for natural and cultural resources. MCAGCC is committed to continuing its record of excellence during and after this project. Below are a few examples of environmental stewardship.

#### Natural Resources

MCAGCC's Integrated Natural Resources Management Plan (INRMP) provides a summary of the many projects and programs the Marine Corps has in place at MCAGCC to protect natural resources.



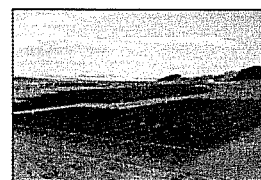
#### Cultural Resources

A significant portion of the base has been surveyed and inventoried for cultural resources and archeological sites. All areas of cultural and historical significance at MCAGCC are protected and are off-limits to training exercises.



#### Resource Conservation and Sustainability

MCAGCC generates 60 percent of its energy (95 percent in the winter) and operates a solar array and cogeneration plant.



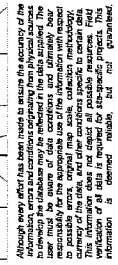
For more information, or to submit written comments, please contact:  
MAGTFCTC, MCAGCC, ATTN: Land Acquisition Program Manager  
Box 788104, Building 1554, Room 138  
Twentynine Palms, CA 92278-8104  
SMBPLMSWEBPAO@usmc.mil

Comments must be received by Jan. 31, 2009, for consideration in the Draft EIS.

<http://www.29palms.usmc.mil/las>







Although every effort has been made to ensure the accuracy of the information, errors and omissions originating from physical sources in developing the database may be reflected in the data reported. The user must be aware of data conditions and ultimately bear responsibility for the appropriate use of the information with respect to possible errors, original map scale, collection methodology, currency of the data, and other conditions specific to certain data. This information does not depict all possible measures. Field verification of all data is required for site-specific projects. This information is deemed reliable, but not guaranteed.

There must be assurance of data integrity and reliability, but also the assurance of the appropriate use of the information with respect to possible errors, original map scale, collection methodology, currency of the data, and other conditions specific to certain data. This information does not equate all possible measures. Field verification of all data is required for all specific projects. This information is deemed reliable, but not guaranteed.

MARINE CORPS AIR GROUND COMBAT CENTER, TWENTYNINE PALMS, CALIFORNIA

[Federal Register: October 30, 2008 (Volume 73, Number 211)]

[Notices]

[Page 64604-64606]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr30oc08-33]

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DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Prepare an Environmental Impact Statement for  
the Proposed Acquisition of Lands and Establishment of Airspace  
Contiguous to the Marine Corps Air Ground Combat Center, Twentynine  
Palms, CA

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

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SUMMARY: Pursuant to section (102)(2)(c) of the National Environmental  
Policy Act of 1969 (42 U.S.C. 4332(2)(c)), as implemented by the  
Council on Environmental Quality Regulations (40 CFR parts 1500-1508),  
the Department of the Navy announces its intent to prepare an  
Environmental Impact Statement (EIS) to study alternatives for meeting  
Marine Corps Marine Expeditionary Brigade (MEB) sustained, combined  
arms, live-fire and maneuver training requirements. The proposed  
action  
is to request the withdrawal of federal public lands, acquire state  
and  
privately owned lands, and to seek the establishment of Special Use  
Airspace with the effect of expanding the Marine Corps Air Ground  
Combat Center (MCAGCC), Twentynine Palms, California. The Department  
of  
the Navy will prepare the EIS in cooperation with the Bureau of Land  
Management and Federal Aviation Administration.

DATES: All written, oral, or telephonic comments regarding the scope of issues that the Department of the Navy should consider during EIS preparation must be received before January 31, 2009. Three public scoping meetings have been scheduled and the meeting locations are as follows:

1. December 3, 2009, 5 p.m. to 9 p.m., Twentynine Palms, CA;
2. December 4, 2009, 5 p.m. to 9 p.m., Victorville, CA;
3. December 5, 2009, 5 p.m. to 9 p.m., Ontario, CA.

ADDRESSES: Written comments or requests for inclusion on the EIS mailing list may be submitted to Project Manager (Attn: Mr. Joseph Ross), Box 788104, Bldg 1554, Rm 138, MAGTFTC/MCAGCC, Twentynine Palms,

CA 92278-8104. Public meeting locations are as follows:

1. Twentynine Palms Junior High School, Hay's Gym, 5798 Utah Trail, Twentynine Palms, CA;
2. Hilton Garden Inn Victorville, 12603 Mariposa Road, Victorville, CA;
3. Convention Center, 2000 E. Convention Center Way, Ontario, CA.

FOR FURTHER INFORMATION CONTACT: Project Manager (Attn: Mr. Joseph Ross), Box 788104, Bldg 1554, Rm 138, MAGTFTC/MCAGCC, Twentynine Palms, CA 92278-8104; phone: 760-830-3764; e-mail: [SMBPLMSWEBPAO@usmc.mil](mailto:SMBPLMSWEBPAO@usmc.mil).

SUPPLEMENTARY INFORMATION: Each of the three scoping meetings will consist of an informal, open house session with information stations staffed by Marine Corps representatives. Public comment forms will be available and gathered at the information stations, and a stenographer will be available to take oral comments for inclusion in the record. Details of the meeting locations will be announced in local newspapers.

Additional information concerning meeting times and the proposed alternatives will be available on the EIS Web site located at <http://www.29palms.usmc.mil/las>.

The meetings are designed to solicit input from agencies and the affected public regarding issues or interests that should be studied or the reasonable alternatives that should be considered for study to meet

Marine Corps Marine Expeditionary Brigade (MEB) sustained, combined arms, live-fire and maneuver training requirements. The public is welcome to comment orally or by written comment forms at the meeting; or, by sending a letter to Mr. Joe Ross, Project Manager, 29Palms Proposed Training Land/Airspace Acquisition Project, MAGTFTC/MCAGCC, Bldg 1554, Box 788104, Twentynine Palms, CA 92278-8104; by an e-mail to [SMBPLMSWEBPAO@usmc.mil](mailto:SMBPLMSWEBPAO@usmc.mil); or by voice mail at 760-830-3764.

The EIS will consider alternatives for the proposed acquisition of training land and accompanying Special Use Airspace sufficient to meet the training requirements for three MEB battalions, as a Ground Combat Element, and a correspondingly sized Air Combat Element to simultaneously maneuver for 48-72 hours, using combined-arms and live fire with their supporting Logistics Combat Element and Command Element. To meet MEB training requirements which utilize weapons systems and platforms currently and foreseeable in the Marine Corps inventory, more contiguous military range land and airspace than is now available for training anywhere in the United States would be required.

The requirement for MEB training reflects a shift in doctrine that emerged in the 1990s that placed the MEB as the premier fighting force that would be deployed to world crises in the foreseeable future. The Marine Corps studied locations nationwide that might meet the training requirements and concluded that the Southwest Region

[[Page 64605]]

range complex is the best location to meet them. This study further determined that expansion at MCAGCC would be necessary to meet the sustained MEB training requirement for a three battalion Ground Combat Element to maneuver to a single objective. MCAGCC is the Marine Corps' service-level training facility for Marine Air Ground Task Force training, the place through which nearly all Marine Corps units rotate for training before deployment.

The Marine Corps is studying various alternatives to meet MEB training requirements at MCAGCC Twentynine Palms, CA. At this time, it is anticipated that the EIS will evaluate five action alternatives and the No Action Alternative. The EIS will also consider any other reasonable alternatives that are subsequently identified during scoping or the preparation of the document. The Marine Corps will also evaluate opportunities for co-use of the land, as part of the evaluation of



alternatives. The following is a summary of the alternatives that are currently proposed to be studied in the Environmental Impact Statement.

Alternative 1 would add approximately 188,000 acres to the West of the base and approximately 22,000 acres to the South of the base, and accompanying Special Use Airspace. During a MEB training exercise, three battalions would begin movement in a westerly direction from different starting positions in the current MCAGCC range complex area and converge on a single objective in the western part of what is called ``Johnson Valley,' ' conducting live-fire from ground- and air-based combat elements throughout the training exercise. During non-MEB training periods, any newly acquired installation lands would be used for live-fire, combined arms training and other military training of smaller units. With regard to any Special Use Airspace, this alternative would establish Restricted Airspace over the Western Area to accommodate live-fire from aviation and surface units. Special Use Airspace over the proposed Southern expansion area would need to be converted from Military Operational Airspace to Restricted Airspace.

Alternative 2 would add approximately 112,000 acres to the West of the base, the same 22,000 acres to the South as in Alternative 1, and accompanying Special Use Airspace. During a MEB training exercise, three battalions would begin movement in a westerly direction from different starting positions in the current MCAGCC range complex area and converge on a single objective in the center of what is called ``Johnson Valley,' ' conducting live-fire from ground- and air-based combat elements throughout the training exercise. During non-MEB training periods, any newly acquired installation lands would be used for live-fire, combined arms training and other military training of smaller units. With regard to Special Use Airspace, this alternative would establish Restricted Airspace over the Western Area to accommodate combined arms live-fire from aircraft in support of the Ground Combat Element and would determine whether the current Special Use Airspace over the proposed Southern expansion area would need to be

converted from Military Operational Airspace to Restricted Airspace.

Alternative 3 would add the same 22,000 acres of land in the South as would be added in Alternatives 1 and 2 and would add approximately 228,000 acres to the East of the base. During a MEB training exercise, two battalions would begin movement from starting positions to the east

of the MCAGCC current range complex and travel together in a westerly direction before separating for individual movement once aboard the current MCAGCC. The third battalion would begin movement in a westerly direction from a starting position in the southern portion of the

current range complex. All three battalions would maneuver toward a single objective in the northwest portion of the current range complex.

The two battalions that would start in the proposed new areas to the east would conduct live-fire from ground- and air-based combat elements

once aboard the current MCAGCC range complex, and the third battalion would be able to conduct live fire from ground- and air-based combat elements throughout the training exercise. During non-MEB training periods, any newly acquired installation lands to the east would be used for live small arms fire and other military training of smaller units, and any newly acquired installation lands in the south would be used for live-fire, combined arms training and other military training of smaller units. In this alternative, it is possible that no additional Special Use Airspace would need to be established, or that any current Special Use Airspace would need to be modified.

Alternative 4 would add the same 188,000 acres to the west of the current installation and approximately 22,000 acres to the south of the installation as are contained in Alternative 1. During a MEB training exercise, three battalions would begin movement in an easterly direction from different starting positions in what is called ``Johnson

Valley'' and assault different objectives in the eastern portion of the

current range complex and in the proposed southern expansion area. Live-fire training in the western expansion area would be limited to non-dud producing ordnance, with dud-producing ordnance only targeted within the current range boundary. Non-MEB training events would be subject to the same restrictions. With respect to Special Use Airspace,

this alternative would establish Restricted Airspace over the Western and Southern Areas to accommodate combined arms live-fire from aviation and surface units.

Alternative 5 would add the same 188,000 acres of land to the west of the base as in Alternatives 1 and 4. During a MEB training exercise,

three battalions would begin movement in an easterly direction from separate starting positions in ``Johnson Valley.'' Two battalions would

attack separate objectives in the current range complex, and the third battalion would attack the Combined Arms Military Operations in Urban

Terrain (CA MOUT) facility in the current range complex. Live-fire training in the western expansion area would be limited to non-dud producing ordnance, with dud-producing ordnance only targeted within the current range boundary. Non-MEB training events would be subject to the same restrictions. With respect to Special Use Airspace, this alternative would establish Restricted Airspace over the Western Area to accommodate combined arms live-fire from aviation and surface units.

The No Action Alternative would seek no additional lands and no additional or changes to Special Use Airspace associated with MCAGCC's current range complex. During a MEB exercise, the three battalions of the ground combat element would commence their operations aboard the current MCAGCC range complex in the eastern and central areas of the base, moving towards a single objective in the northwest corner of the current MCAGCC, undertaking live-fire and combined arms actions throughout, except as restrained by on-base administrative controls.

The Department of the Navy is initiating the scoping process to identify community interests and local issues to be addressed in the EIS. Federal, state and local agencies, Native American Indian Tribes and interested individuals are encouraged to provide oral and/or written comments regarding the scope of the EIS to develop reasonable alternatives and/or to identify specific issues or topics of environmental

[[Page 64606]]

concern that the commenter believes should be considered.

The EIS will evaluate potential environmental effects associated with action alternatives and the No Action Alternative. Potential issues include, but are not limited to: Land use, recreation, energy development, air quality, airspace/air traffic, biological resources, cultural resources, mining/minerals, socioeconomics and noise.

A mailing list has been assembled to facilitate preparation of the EIS. Those on this list will receive notices and documents related to EIS preparation. This list includes local, state, and federal agencies with jurisdiction or other interests in the alternatives. In addition, the mailing list includes adjacent property owners, affected municipalities, and other interested parties such as conservation and off-highway vehicle organizations. Anyone wishing to be added to the mailing list may request to be added by contacting the EIS project manager at the address provided above.

Dated: October 24, 2008.

T.M. Cruz,  
Lieutenant Commander, Judge Advocate Generals Corps, U.S. Navy,  
Federal  
Register Liaison Officer.  
[FR Doc. E8-25845 Filed 10-29-08; 8:45 am]

BILLING CODE 3810-FF-P

**BIGHORN DESERT VIEW WATER AGENCY  
PLANNING/ENGINEERING/LEGISLATIVE/GRANT  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** January 15, 2009

**To:** Planning/Engineering/Legislative/Grant  
Standing Comm. of Board of Directors

**From:** Marina D. West

**Budgeted:** Yes

**Budgeted Amount:** \$3,000 for current FY

**Cost:** To be determined

**Funding Source:** Op. Budget Acct. 56022

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Request for Relief of Billing for Parcel 629-405-01

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**SUMMARY**

A request for relief of billing for Parcel No. 629-405-01 was initially discussed at the October 28, 2008 meeting of the Board. The Board was unable to reach a decision regarding the request thereby referring the matter to the PLEGS Committee for further investigation. Attached is the summary information regarding the request for relief of billing.

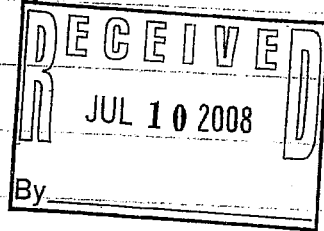
**RECOMMENDATION**

Review and discuss the request for relief of billing with possible recommendation to the full Board on January 27, 2009.

**PRIOR RELEVANT BOARD ACTION(S):**

10/28/2008 Board deferred matter to PLEGS Committee for further review and subsequent recommendation to full Board

FROM: WILLIAM BENTON  
TO: DESERT BORNER BOARD OF DIRECTORS  
RE: account # 03-0040-1



To Whom it may concern:

I believe that the amount shown in my recent bill (enclosed) is in error. I am requesting that the amount due be adjusted to reflect a more realistic amount (e.g. an average of my usage during this period in previous years). I am also requesting that my water service be restored in the interim.

Please direct all future correspondence and billing to

William Benton  
c/o Sharon Green  
58559 JOHNS DRIVE  
YUCCA VALLEY, CA  
92287

Sincerely,  
William Benton

In chronological order, the following notes were drafted from account comments for APN 629-405-01

*May 22, 2008* - During read meter #1123741 shows very high usage. Meter also discovered damaged and inoperable.

*May 23, 2008* - Damaged meter replaced, new meter spinning, agency shut off customer valve. Several voicemails left for customer.

*May 28, 2008* - Reread shows water moving through meter – field tech measured usage. (see July 8 comment).

*June 2, 2008* - Message left on customer voicemail regarding payment options.

*June 26, 2008* - Customer called with questions about his options. Customer told he appeared to have a leak and should perhaps contact a plumber. It was also suggested that he write a relief letter.

*July 7, 2008* - Message from Mr. Green requesting that agency not lock off the water.

*July 8, 2008* – No pymt made, customer locked off. Mr. Green (stepfather) called and said Mr. Bengtson would be unavailable for 3 months and no one was living at the home. He also said he goes there once a week to water and because the meter is still spinning, he turns the valve on only when he is watering the plants.

*July 10, 2008* - Agency received letter from customer to the BOD requesting relief on bill. Letter also requests a change of mailing address.

*July 11, 2008* - Mr. Green requested water be turned back on in his name. Mr. Green told that he would be contacted by the agency after reviewing the rules and regulations.

*July 14, 2008* - Mr. and Mrs. Green paid \$540 towards payment agreement. They stated they would have the customer sign it when they saw him.

*July 18, 2008* – Green's told they will receive either a written decision from the general manager or it will be on the agenda at the next BOD meeting.

*July 31, 2008* - Letter mailed to customer denying his request for billing relief.

*August 6, 2008* - Called made to Mr. Green regarding the unsigned payment agreement.

*August 13, 2008* - A letter received from the customer requesting a copy of agency "Rules and Regulations".

*August 22, 2008* - Agency adjusted delinquent charge on bill.

*August 25, 2008* - Agency sent customer a letter in response to customers requests and comments stated in letters dated August 5, 2008 and August 13, 2008.

*September 10, 2008* - Customer request placement on agenda for October meeting.

*September 18, 2008* - Meter test completed on damaged meter #1123741. Meter did test within parameters established by AWWA. Agency Cost is \$68.98. Copy of meter test certificate and letter sent to customer.

*September 29, 2008* - \$95.90 added to customer bill to replace damaged meter.

*September 30, 2008* – Customer asked if he could address the BOD tonight, but was reminded he had earlier stated he would be unable to make it (See Sept. 10 comment).

He once again questioned how the meter could register if the register was broken.

Agency informed him that 1100 units had past through the meter between the March read and when we found the register broken (May read). Agency responded that the billing relief program requires that a problem be documented and resolved and that in this case, he continues to insist that the meter is faulty even though it is shown to be accurate.

*October 3, 2008* - Customer refuses to pay for broken meter.

*October 20, 2008* - Voicemail left for customer regarding missed pymt on payment plan.

*October 23, 2008* - Voicemail left on phone number on file (310 #), advising customer he was in breach of payment plan.

*October 27, 2008* - Customer called and requested that agency not lock off until after the board meeting tomorrow.

*October 28, 2008* – Board deferred request to Planning/Engineering Committee for in-depth review. Past due amount on hold pending findings of committee.





# BIGHORN-DESERT VIEW WATER AGENCY

622 S. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 (760) 364-2315 FAX (760) 364-3412

July 31, 2008

**COPY**

Mr. William Bengtson  
- c/o Sharon Green -  
58559 Joshua Drive  
Yucca Valley, CA 92284

RE: Acct: 03-0040-1 Request for Water Bill Adjustment dated July 10, 2008

Dear Mr. Bengtson,

Bighorn Desert View Water Agency has received your request for billing adjustment due to "error". I have reviewed your account history, written reports from the Distribution Operator, and the Agency Rules and Regulations pertaining to billing adjustments and although the usage "greatly exceed the usual or expected occurrence" I am denying the request for billing relief based on the following:

- The request does not provide details as to what occurred at the property and how the problem was resolved as required by the Agency Rules and Regulations.
- The account record shows high water usage in the past that you attribute to a faulty meter. The meter was replaced with a newly certified meter however the original service meter was subsequently tested and found to be within the accuracy standards established by the American Water Works Association.
- On May 23, 2008, a Water Distribution Operator dispatched to the location for a routine service call found water flowing through the meter. In addition, the meter register was damaged and inoperable. The usage since the March meter read exceeded 1,100 billing units. The customer valve was shut off and a call was placed to the home answering machine.
- At your request on May 28, 2008, a Distribution Operator returned to the site to re-read the meter. Upon arrival, the customer valve was found to be in the "on" position and water was moving through the meter at a rate of approximately 270 gallons per day (665 billing units per month). In addition, floor matting, carpet and linoleum were piled up outside the dwelling. IN our view this clearly represents a leak has occurred at the property and the meter register was operational until it was damaged.

The Agency will honor the payment arrangements that have been set-up on the account.

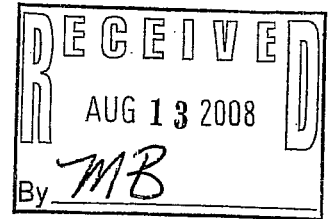
Sincerely,

A handwritten signature in black ink, appearing to read "Marina D. West".  
Marina D. West, PG  
General Manager

*This was calculated  
incorrectly. Actual  
measurement 10.8 units  
Per month.*

August 5, 2008

To: Marina D. West  
Desert Big Horn Water Agency  
622 S Jemez Trail  
Yucca Valley, Ca. 92284



From: William Bengtson acct: 03-0040-1  
C/O Sharon Green  
59559 Joshua Drive  
Yucca Valley, Ca. 92284

Re: Letter dated 7/31/2008

Dear Ms. West,

This letter will serve as a rebuttal to your denial of my claim that my water bill was in error.

- Can you please send me a copy of the “agency rules and regulations” that you referred to, so that I can provide the necessary details that you require.
- I have had high water usage in the past that I did attribute to a faulty meter. At the time, I was told that I probably had a leak somewhere on the property. I hired an independent plumber and did not find a leak. A water survey was then conducted by one of your representatives who concluded that the meter was probably faulty and a new meter was installed. The following billing cycle my water bill went down dramatically and has remained at reasonable levels until recently. At that time I requested an adjustment which was unfairly denied for reasons that I stated in previous correspondence.
- You stated that on May 23, 2008 a water distribution operator found water running through the meter but that the meter was “damaged and inoperable”. You further stated that the water usage since 3/08 exceeded 1,100 billing units. How can it be determined how much water was used in a damaged and inoperable meter? Is that meter still available for independent testing?
- Finally, your assumption that the carpet and other debris piled up outside the dwelling “clearly represents an internal leak is completely erroneous. This debris has been outside the home since December of

2007, as I am currently in the process of a complete re-model. This can be confirmed by numerous witnesses.

In conclusion, I have simply never had a leak either internally or externally, of a proportion that would justify a bill in the proportion I was billed for (\$3600). This is a ridiculous persecution of me and my repeated attempts to have "your" problem corrected.

A total relief of debt at this point is expected.

I should not be responsible for relieving the debt incurred by previous and current Water Board indiscretions.

*William Bengtson*  
William Bengtson



## BIGHORN-DESERT VIEW WATER AGENCY

622 S. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 (760) 364-2315 FAX (760) 364-3412

August 25, 2008

Mr. William Bengtson  
c/o Sharon Green  
58559 Joshua Drive  
Yucca Valley, CA 92284

RE: Acct: 03-0040-1 Response to Agency Letter Dated July 31, 2008

Dear Mr. Bengtson,

Bighorn Desert View Water Agency has received your letter dated August 5, 2008 (received by the Agency on August 13, 2008) which you indicate is a rebuttal to our letter of July 31, 2008 denying your request for a billing adjustment.

The following summarizes our response to requests and comments provided in your letter:

- Per your request, the Agency Rules and Regulations regarding Billing Adjustments processes are attached.
- We acknowledge the record shows that, in the past, you have attempted to receive billing relief due to a faulty meter. At the time, those allegations were never substantiated. The Agency has all correspondence on file from this past series of events and would like to point out that the facts on file are not consistent with statements made in your August 5, 2008 letter. In any event they are irrelevant to the circumstances of the current request for billing relief and are not discussed any further in this response.
- Regarding your third bullet statement, you indicate that our letter of July 31<sup>st</sup> indicates the "meter was 'damaged and inoperable'". This quote is incorrect, our letter of July 31<sup>st</sup> states that the "meter register was damaged and inoperable". When the meter register was found damaged the meter reading on the dial was, and still is, stuck at 164,008 cubic feet. At that time, water was flowing through the meter but the meter register was inoperable. During the March meter reading cycle, the meter registered 52,789 cubic feet. The difference between the March and May meter readings is 1,112 billing units, the charge is \$3/unit.
- You mention in your final statement that there has "simply never been a leak either internally or externally, of a proportion that would justify a bill in the proportion I was billed for (\$3,600)". Statistics show that a 1/4-inch hole in a pipe, at 60 psi, can leak approximately 450 units per month. Therefore, it is very probable that a leak, from even a small break, if left unattended for a period of time will result in the meter registering a high number of billing units.

- You have inquired if the meter is available for independent testing. Since the meter register is damaged it is impossible to test the accuracy of this meter body/register combination. To test this meter, the register must first be replaced. This cost has been estimated at \$65 plus shipping. However, if it is determined that the internal meter components are also damaged then it cannot be properly tested. It has been confirmed that this damaged meter was originally installed new on October 19, 2005 and met all accuracy standards at that time.
- Whenever an excessive amount of water is used at a property, we need a logical explanation. Our assumption that carpet and debris piled up outside the dwelling clearly represented an internal leak is a logical explanation but you claim this statement to be untrue. Please accept our apology for making this false statement of explanation.

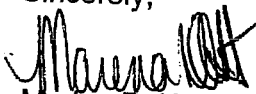
At this time and partly based on new information you have provided, the Agency is denying your request for billing relief on the basis of the following:

1. This meter is not faulty as you claim. The meter was replaced in October 2005 at which time it was documented to be within the appropriate accuracy standards. This is a positive displacement meter; rotation of the measuring chamber is required for any amount of water to be registered. By design, water meters wear out over time and begin to under register. They never "speed up" or "over register".
2. The Rules and Regulations state that you must provide details of what occurred to cause the meter register to indicate excessive usage through the meter. To date, you refuse to admit that there was a leak at the property. You continue to claim that this is the Agency's problem.
3. Meter tampering has occurred resulting in additional consumption revenue losses to the Agency which cannot reasonably be predicted. The Agency would be justified to charge you a tampering fee of \$250 as well as the costs associated with replacement of the damaged meter.

The Agency is not opposed to replacing the damaged register so that this meter can be tested and the results properly documented. I will make the necessary arrangements and inform you of the results when I receive them.

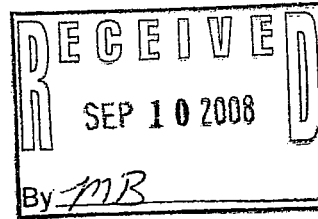
The Agency will continue to honor the payment arrangements that have been set-up on the account.

Sincerely,

  
Marina D. West, PG  
General Manager

9/7/2008

To: Marina D. West  
Desert Bighorn Water Agency  
622 S. Jimez Trail  
Yucca Valley, Ca. 92284



*No Attachments received*

From: William Bengtson  
C/O Sharon Green  
58559 Joshua Drive  
Yucca Valley, Ca. 92284

Re: 03-0040-1  
Letter Dated August 25, 2008

Dear Ms. West,

From 1/08-5/08 I was employed by Rapid Care Medical Clinic in Las Vegas, Nevada. During that time I resided in the city of Las Vegas, and came back to my home in Landers only occasionally to check on the progress of an ongoing remodel of the residence, which is still under way. During my absence my neighbor, Alex Pena, oversaw the remodel project, fed my cat, and looked after my property on a daily basis. According to Mr. Pena, as well as those who were working on the house, there was no evidence of a water leak, either inside or outside the premises during that period (please see attached statements). In addition, I can provide you with affidavits from both a plumber and a contractor, each of whom have inspected the property inside and outside and have found no leaks.

I will be unable to attend your next water board meeting, but would like to be placed on the agenda for your October meeting in order to discuss this matter further.

Sincerely,

  
William Bengtson.

629-405-01

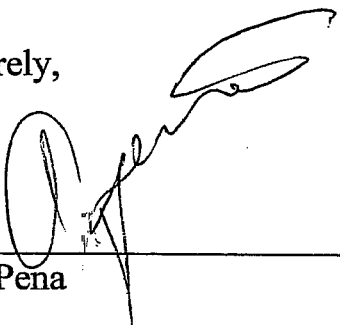
August 29, 2008

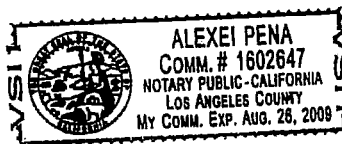
To Whom It May Concern:

My name is Alex Pena. I ~~was~~ William Bengtson's next door neighbor. From January, 2008 until June, 2008 I took care of Mr. Bengtson's residence while he was working out of the area, and checked the property every day. During that period I never saw any evidence of a water leak either inside or outside of the premises.

Should you have any questions, or require further verification, please feel free to contact me at (562) 805-4993.

Sincerely,

  
\_\_\_\_\_  
Alex Pena





629-405-01

BIGHORN-DESERT VIEW WATER AGENCY  
622 S. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 (760) 364-2315 FAX (760) 364-3412

Wednesday, September 17, 2008

Account 03-0040-1/ APN 629-405-01  
Mr. William Bengtson  
58559 Joshua Drive  
Yucca Valley, CA 92284-4705

RE: Certified Flow Test Results for Customer Water Service Meter

Dear Customer;

At your request, Bighorn-Desert View Water Agency has pulled your water meter for certified flow testing. Testing is conducted by Performance Meter, Inc. located in Beaumont California, an independent testing company. A new meter was installed when your meter was pulled for testing.

The test results are attached and summarized below:

- ☐ Water service meter tested within flow parameters set by the American Water Works Association and the no billing adjustment is due.
- ☒ Water service meter tested outside flow parameters set by the American Water Works Association and a new meter has been installed in its place.
- ☒ Meter registered below testing parameters resulting in lower than actual usage.
- ☐ Meter has registered above testing parameters resulting in higher than actual usage.

If you have any questions, please don't hesitate to contact the Agency at (760) 364-2315.

Sincerely,

*Michelle Bowling*  
Customer Service Representative

Attachments: Meter Test Results



# P.M. Performance<sup>®</sup> Meter Inc.<sup>®</sup>

Performance Meter, Inc  
PO Box 427  
Beaumont, CA 92223-0427  
Corporate 800-872-2723  
Phone 951-922-2485  
Fax 951-922-2395

State of California  
Department of Weights & Measures  
Registration # 2921

## Certified Test

Customer:	BIG HORN-DESERT VIEW WAT.	Manufacturer:	PMI
Address:	622 S. JEMEZ TRAIL	Model #:	PME07CF
City:	YUCCA VALLEY	Serial #:	1123741
State:	CA	Size #:	1" CF

High Flow:	50	GPM	97.5	%	Tested By:	Larry Stiff
Med. Flow:	3	GPM	100.5	%	Tester #:	02045
Low Flow:	3/4	GPM	91	%		

Comments:

Signature:

Date: 09/12/09

[www.performancemeter.com](http://www.performancemeter.com)

[sales@performancemeter.com](mailto:sales@performancemeter.com)

# TEST REQUIREMENTS FOR NEW, REBUILT, AND REPAIRED COLD-WATER METERS

Maximum Rate (All Meters)				Intermediate Rate (All Meters)				Minimum Rate (New and Rebuilt)				Minimum (Repaired)
Size in.	Flow Rate gpm	Test Quantity gal ft	Accuracy Limits percent	Flow Rate gpm	Test Quantity gal ft	Accuracy Limits percent	Flow Rate gpm	Test Quantity gal ft	Accuracy Limits percent	Flow Rate gpm	Test Quantity gal ft	Accuracy Limits percent (min)
5/8	15	100 10	98.5-101.5	2	10 1	98.5-101.5	1/4	10 1	95-101	90		
5/8 X 3/4	15	100 10	98.5-101.5	2	10 1	98.5-101.5	1/4	10 1	95-101	90		
3/4	25	100 10	98.5-101.5	3	10 1	98.5-101.5	1/2	10 1	95-101	90		
1	40	100 10	98.5-101.5	4	10 1	98.5-101.5	3/4	10 1	95-101	90		
1 1/2	50	100 10	98.5-101.5	8	100 10	98.5-101.5	1 1/2	100 10	95-101	90		
2	100	100 10	98.5-101.5	15	100 10	98.5-101.5	2	100 10	95-101	90		
Multi-Jet Meters (AWWA C708)												
5/8	15	100 10	98.5-101.5	1	10 1	98.5-101.5	1/4	10 1	97-103	90		
5/8 X 3/4	15	100 10	98.5-101.5	1	10 1	98.5-101.5	1/4	10 1	97-103	90		
3/4	25	100 10	98.5-101.5	2	10 1	98.5-101.5	1/2	10 1	97-103	90		
1	35	100 10	98.5-101.5	3	10 1	98.5-101.5	3/4	10 1	97-103	90		
1 1/2	70	100 10	98.5-101.5	5	100 10	98.5-101.5	1 1/2	100 10	97-103	90		
2	100	100 10	98.5-101.5	8	100 10	98.5-101.5	2	100 10	97-103	90		
Class I Turbine Meters (AWWA C701)												
1 1/2	80	200 20	98-102				12	100 10	98-102			
2	120	300 30	98-102				16	100 10	98-102			
3	250	500 50	98-102				24	100 10	98-102			
4	400	1000 100	98-102				40	100 10	98-102			
5	1000	2000 200	98-102				80	1000 100	98-102			
6	1500	3000 300	98-102				140	1000 100	98-102			
10	2200	5000 500	98-102				225	1000 100	98-102			
12	3300	7000 700	98-102				400	1000 100	98-102			
Class II Turbine Meters (AWWA C701)												
2	120	300 30	98.5-101.5				4	100 10	98.5-101.5			
3	275	800 80	98.5-101.5				8	100 10	98.5-101.5			
4	500	1000 100	98.5-101.5				15	100 10	98.5-101.5			
5	1100	2500 250	98.5-101.5				30	1000 100	98.5-101.5			
6	1800	4000 400	98.5-101.5				50	1000 100	98.5-101.5			
8	3000	8000 800	98.5-101.5				75	1000 100	98.5-101.5			
12	4000	8000 800	98.5-101.5				120	1000 100	98.5-101.5			



Performance Meter, Inc  
PO Box 427  
Beaumont, CA 92223-0427  
Corporate 800-872-2723  
Phone 951-922-2485  
Fax 951-922-2395

Attention: To Whom It May Concern

The register on the meter with serial number 1123741 was broken. We loaned you a register for the purpose of testing your meter. There was a \$10.00 charge for this loan.

Sincerely,

Gayle Simms

A handwritten signature in cursive script, appearing to read "Gayle Simms", is written over a horizontal line.

Rcvd. w/invoice #15036-IN  
9/18/2008

**BIGHORN DESERT VIEW WATER AGENCY  
PLANNING/ENGINEERING/LEGISLATIVE/GRANT  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** January 15, 2009

**To:** Planning/Engineering/Legislative/Grant  
Standing Comm. of Board of Directors

**Budgeted:** Yes, multiyear project

**Budgeted Amount:** \$0 current FY

**Cost:** 45% Grant match participation pledged  
by MWA/HDWD

**Funding Source:** EPA Grant

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** Required for Project

**Subject:** Status of Federal Funding Programs Provided by Grant Consultant Bucknam & Associates

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**SUMMARY**

Attached is the summary information from the Agency's grant consultant.

**RECOMMENDATION**

Information and discussion only

**PRIOR RELEVANT BOARD ACTION(S):**

3/28/2006 06R-04 Authorizing GM to submit an application to enter into a funding agreement for a grant to conduct phase one of the comprehensive water resources plan (\$477,000).

## **Bighorn Desert View Water Agency Engineering Committee Report**

**Date:** December 18, 2008

**To:** Engineering Committee

**From:** General Manager

**Subject:** Federal Funding Program Update

The following is a brief report on the activities of the Agency's federal grant program, which was initiated by the Board in 2005. The Agency has received two appropriations through the Environmental Protection Agency's (EPA) State and Tribal Assistance Grant Program. The total amount of the appropriations received through the EPA STAG program are as follows:

<b>Federal Fiscal Year</b>	<b>Appropriation Amount</b>	<b>Local Sponsor Match</b>	<b>Totals</b>
2005	\$ 96,200	\$ 78,709	\$174,909
2006	<u>\$477,900</u>	<u>\$391,009</u>	<u>\$868,909</u>
	\$574,100	\$469,718	\$1,043,818

Subsequent requests were made in Federal FY 2007 & 2008 through Congressman Lewis' office, but no appropriations were received through the EPA STAG program. General reductions in the program were experienced throughout California in both of those fiscal years. A Fiscal year 2009 request was made again under the program in the amount of \$550,000. Legislative action is still pending in Congress for appropriations and it is expected that Congress may include those requests in its FY 2009 Omnibus legislation, which is anticipated to occur after the inauguration in January 2009. In addition, the Agency has requested a new Authorization under the Water Resources Development Act's (WRDA) Section 219(f), Environmental Infrastructure Program, which is in the amount of \$15M. This Authorization if approved by Congress for FY 2009 would then allow the Agency to request annual appropriations under the authorization in subsequent fiscal years starting with FY 2010. WRDA appropriations are administered through US Army Corps of Engineers (Corps). A trip was made in the spring of this year by the former General Manager and Board Chairman to promote these requests through Congressman Lewis' offices in Washington DC. Copies of write-ups of these requests are attached for reference.

Administration of the EPA STAG appropriations require that periodic reports be made to EPA's Region IX offices in San Francisco. Attached for the Committee's reference is the latest Quarterly Report (September 30, 2008), which provides a detailed history of the program since its inception. Expenditures under the program have totaled \$109,933.91, leaving \$464,166.09 remaining to date under these grants include:

<b>Activity</b>	<b>Status</b>
1. Grant Administration Consultant	Ongoing
2. Water System Master Plan	Completed
3. Preparation of Environmental Documents	March '09

Upcoming work efforts anticipated under the program as identified in the approved Work Plan from EPA and additional tasks for design and construction include the following:

**Activity****Completion Schedule**

A. Ground Water Management Plan	June 2009
B. Johnson Valley Hydrologic Investigation	TBD
C. Recharge Facilities Spreading Grounds Analysis	June 2009
D. Spreading Grounds Project Design & Construction	February 2010

Preliminary siting for the Recharge Facilities and Spreading Grounds in the Pipes Wash area of the Reche Groundwater Basin has been conducted by Agency staff. Discussions with the Bureau of Land Management (BLM) will be required in order to obtain R/W and licensing for siting of the project on or through BLM lands. The end of the grant period for the EPA STAG grant is currently November 2009. With sufficient justification, the Agency can request from EPA a time extension to complete the work efforts identified in the Work Plan, which may be required due to the land acquisition and permitting requirements of the project. EPA has granted these types of extensions in the past to others for as much as one to two years. Depending upon the cost of the Ground Water Management Plan and the Recharge Facilities/ Spreading Grounds Analysis, the Johnson Valley Hydrologic Investigation may need to be delayed further or alternate funding sources identified for that work effort. A copy of the currently approved Work Plan from EPA is attached for reference.

A conceptual level cost for the project is projected to be approximately \$1.6M. Federal grant funds are only available for the items below under "Planning Phase" at this time. The projected project costs are broken down as follows:

**A. Planning Phase**

Environmental Documents	\$ 76,500
Groundwater MP	\$ 60,000
Feasibility Analysis / Pre-Design	<u>\$ 30,000</u>
Subtotal	\$ 166,500

**B. Design Phase**

PS&E Preparation	<u>\$ 41,500</u>
Subtotal	\$ 41,500

**C. Construction Phase**

Turnout	\$ 200,000
Pipeline	\$ 480,000
Spreading Area Preparation <sup>A</sup>	<u>\$ 150,000</u>
Subtotal	\$ 830,000

Total All Phases \$1,038,000

Contingency (10%) \$ 103,800

Program Management, CM & Inspection \$ 83,100

Permitting	\$ 75,000
Land Acquisition	<u>\$ 250,000</u>

**Total Estimated Project Cost \$1,549,900**

Please note that cost projections described above for the planning phase are updated from those in the current EPA Work Plan. Once the Agency has actual cost data for the planning phase then a revised EPA Work Plan would be needed to shift dollars from planning to the design stage.

**Note:** A. This cost could increase, pending the results of the Feasibility Analysis, which will determine whether extensive grading and site work will be needed to develop a higher infiltration rate at the spreading grounds.

At this writing, a draft MOU is being prepared between the Agency and the Mojave Water Agency, which has indicated a willingness to participate in the above program by providing the matching funds required for the EPA grant to the Agency and supplemental funding totaling at least \$1M. Additionally discussions with the Hi-Desert Water District have indicated that they may be willing to also participate in the Spreading Basin project with funds up to \$380,000.

A summary of projected funding available at this writing is:

EPA STAG Funds	\$ 464,166
MWA Funds	\$1,000,000
Hi-Desert Water District Funds	<u>\$ 380,000</u>
Total	\$1,844,166

The cost projections above result in a funding contingency of \$294,266 (\$1,844,166 - \$1,549,900), approximately 18.9%. Should additional costs accrue to the program, exceeding the contingency, additional funding could potentially come from MWA through its Integrated Regional Watershed Management Program (IRWMP) from State Prop 84 & Prop 1E grants or by future appropriations from the proposed WRDA Section 219(f) Environmental Infrastructure Program administered by the Corps.

The proposed Spreading Basin performance schedule is set forth below:

Description	Start	Complete
Phase A – Planning	Underway	June 2009
Phase B – Design	June 2009	September 2009
Phase C – Construction	October 2009	February 2010

An exhibit is attached delineating the potential location for the Spreading Basin project.

Assisting the Agency as Program Manager for the project is the firm of Bucknam & Associates, Inc. They are presently under contract through June 2010. At this writing, the amount remaining in their contract to provide these on-call support services is approximately \$46,200.

## **Bighorn -Desert View Water Agency FY 2009 Federal Program Information – Phase III Comprehensive Water Resources Program**

**Date:** February 12, 2008

**Contacts:** Ray Ruppel, Interim General Manager  
Steve Bucknam, Program Manager-Bucknam & Associates

**Phones:** Bighorn - Desert View Water Agency (760) 364-2315  
Bucknam & Associates (949) 363-6461

Emails: bdvwa5@mindspring.com  
csbjr@prodigy.net

### **Phase III Design and Construction of the Comprehensive Water Resource Plan**

#### **2. Description of Issue**

##### Problem

The Agency, which serves some 1,500 customers in the Landers area of San Bernardino County, is in need of investigation and design for current and future infrastructure needs for the existing water system as well as the undeveloped areas identified in the Comprehensive Water Resources Plan (WRP). The WRP identifies primary elements aimed at assuring long-term water supply reliability, water quality security and seismic reliability of its water system.

Following the major Landers earthquake in the early 1990's the Agency has determined the need for planning, design and construction funds to provide for various system upgrades and expansion to its system. These upgrades would not only protect the system and assure continuance of critical water supplies following another major seismic event, but also would assist in enhancing groundwater storage through conjunctive use of State Project Water delivered through the Mojave Water Agency Pipeline.

The WRP Phase III would allow the Agency to continue its program to provide long-term water supply reliability and assurance of meeting Federal and State water quality objectives for its customers. Funding would provide for the completion of the WRP Phase II, which would provide for engineering design and construction of wells, reservoirs, and transmission and distribution pipeline facilities for the implementation of recommendations from the Agency's Comprehensive Water Master Plan and Basin Conceptual Model which were completed in 2007. **As a part of the Water Master Plan, and in conjunction with the Basin Conceptual Model, the Agency is working together with the Mojave Water Agency (MWA) to complete their Regional Water Management Plan Update** which encompasses the Agency's service area and will define water supply availability from both imported and local groundwater supply sources. The WRP's Phase II efforts, which will determine the feasibility of land acquisition as well as enable the Agency to complete CEQA and NEPA processes for the WMP Program, which are currently in process And planned for completion in 2008.



Development and implementation of this program will increase water supply reliability, water quality and fire protection in the event of a another major earthquake on the Landers Fault, helping to assure water quality and continuity of water supply to the Agency customers within its service area.

#### Proposed Solution

Phase III of the WRP will provide for the preparation of engineering design documents based upon a five-year program of system improvements identified in the Water Master Plan. This work effort will include results from the Water Master Plan and the Basin Conceptual Model previously funded by EPA. As a result this work will include:

- Preparation of well siting studies, investigations and preliminary design for supplemental groundwater supplies in the Johnson Valley area derived from the information acquired in the Basin Conceptual Model
- Preparation of engineering designs for wells, reservoirs, transmission and distribution pipeline facilities throughout the Agency's boundaries.
- Preparation of Contract Documents & Specifications for construction necessary in order to send each project out for bid
- Preparation of an Engineers Estimate for each project
- Construction of initial projects

#### Expected Results

- Provide the necessary and critical steps towards the assurance of public health and safety by moving towards enhancing system supply reliability and water quality for economically depressed areas of the Agency.
- Increasing water supply through optimization of imported and local water supply resources.

### **3. Funding Request**

Federal funding in the amount of **\$550,000** (55 % Federal Share) is being sought for technical assistance to provide for the federal share of WRP Phase III, which has an estimated total cost of \$1,000,000.

### **4. Legislative Provisions Needed**

Funding is requested through continuing appropriations under applicable United States Environmental Protection Agency's (USEPA) State & Tribal Assistance Grant (STAG) program.

## 5. Program Matching Funds

The Agency expects to provide their share of the required match in collaboration with the Mojave Water Agency, and others in the amount of \$409,000 (45% Local Sponsor Share). These funds will be provided through either local water revenues from the Agency, or from regional sources such as the Mojave Water Agency or applicable State of California grant or loan monies. In 2006 MWA pledged \$1,000,000 toward a water recharge / treatment facility for regional water percolation and water banking purposes..

## 6. Background Information on Program

Multi-Year Funding -	It is anticipated that future multi-year funding requests will be made for construction of the WRP projects, which will be identified in the report.
Funding History -	Received Funding in the amount of \$96,200 in FY 2005 and \$477,900 in FY 2006 through the STAG Account for the Water Resources Plan effort
Future Funding -	Anticipated funding in the range of \$5,000,000 to \$10,000,000 over the next 10 years.
Legislative History -	N/A

## 7. Economic Impact

Development of this program would enhance the Agency's ability to assure delivery of reliable imported water supplies and to develop additional groundwater supplies to provide a safe and reliable water supply to the community following a major seismic event. Local and regional economic effects could accrue to businesses served by the Agency due to loss of water supply and fire protection capabilities if the program is not implemented.

Studies funded under this program in previous years, and confirmed by a recent groundwater study by the Mojave Water Agency (MWA) have identified the potential for increased groundwater supplies to the region service by the agency. The area is economically depressed and the potential increase in local water supplies can bring substantial economic benefits in both temporary and permanent jobs to the region

The Agency serves an economically depressed area of the County of San Bernardino with a median household income of \$23,500. This program would potentially in the long-term lead to the development and implementation of projects, which would create construction-related jobs in the Landers area greatly benefiting the areas local economy. The program will also support the development of affordable housing that could help alleviate the demand for low to moderate income housing in this densely populated area.

## **8. Related Projects**

None

## **9. Regional and Statewide Impacts - Goals**

This program would support EPA Safe Drinking Water Act goals and the State Department of Health Services objectives for water quality. Statewide water conservation goals, which would help to reduce the regions dependence on imported water supplies, would be enhanced. Development of this project could potentially assist Southern California in meeting Cal FED objectives by maximizing the use of local groundwater supplies. Additionally this program would help to mitigate the potential reduction in State Project Water through the recent reduction in imported water supplies from the Bay-Delta system through court action.

## **10. State Funding Efforts**

Considering funding opportunities through the Cal Fed program as well as Propositions 50, 84 and 1E funding on the next round of applications through the MWA's Integrated Regional Water Resources Program (IRWMP).

## **Bighorn-Desert View Water Agency, California FY 2009 - Modifications to Water Resources Development Act (WRDA)**

**Date:** February 12, 2008

**Contacts:** Ray Ruppel, Interim General Manager  
Steve Bucknam, Program Manager-Bucknam & Associates

**Phones:** Bighorn - Desert View Water Agency (760) 364-2315  
Bucknam & Associates (949) 363-6461  
Emails: bdvwa5@mindspring.com  
csbjr@prodigy.net

### **Corps of Engineers Section 219(f) - Environmental Infrastructure Program Authorization Request – Water Resources Development Act**

#### **Water System Improvement Program**

An **Authorization under Section 219(f) of the Water Resources Development Act (WRDA)** is sought to include projects in the service area of the Bighorn-Desert View Water Agency (Agency), located in San Bernardino County California, as eligible under the program. The funding would provide for technical assistance for planning, design and as well as construction of water infrastructure projects to increase system supply reliability, public safety, water quality, and environmental compliance with federal and state regulations. The Agency has an aging water infrastructure that requires rehabilitation and replacement of several of the most critical elements, including pipelines, pump stations, groundwater supply wells, reservoirs and appurtenant facilities. The agency completed a Water Master Plan in 2007, which identifies a water system improvement program spanning a twenty-year planning horizon. The program would entail the preparation of planning level documents for the water infrastructure elements, followed by the development of a program for the design and subsequent construction of projects developed in the original planning documents. The Agency will be a recipient of a \$1,000,000 pledge given in 2006 from the Mojave Water Agency (MWA) for construction of water facilities, which include a percolation pond to for regional groundwater management purposes. The Water Master Plan and a recent MWA groundwater study have identified the potential to develop additional water supplies form the Johnson Valley Basin of the Agency's Service Area. Augmentation of the Agency's groundwater supplies will provide substantial benefit to the region's water resources as well s provide economic benefits to its constituents.

Due to the fact that the Agency is in close proximity to the Landers fault system; the program would also include provisions to complete a seismic reliability analysis of its water system facilities to assure that they can withstand earthquake damage. Implementation of these infrastructure programs would help ensure public health and safety and enhance groundwater quality in the Agency's service area.

For planning and design technical assistance and construction, it is assumed that a 75% - 25%, federal local cost-sharing ratio would apply. An authorization of **\$15,000,000** is sought for construction of Agency's projects over the next twenty (20) years.



## BIGHORN-DESERT VIEW WATER AGENCY

622 S. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 (760) 364-2315 FAX (760) 364-3412

September 11, 2008

United States Senate  
Ranking Member James Inhofe  
Committee on Environment and Public Works  
410 Dirksen Senate Office Building  
Washington DC, 20510

**RE: Corps of Engineers Section 219(f) - Environmental Infrastructure Program**  
Authorization Request – Water Resources Development Act, Bighorn-Desert View  
Water Agency

Dear Senator Inhofe

Attached for your consideration is a "2008 Water Resources Development Act  
Environmental and Public Works Committee Request Sheet," for the Bighorn Desert  
View Water Agency's FY 2008 Authorization Request.

Please contact me if you have any questions regarding our request at (760) 364-2315.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marina D. West".

Marina D. West, PG  
General Manager

**2008 Water Resources Development Act  
Environment and Public Works Committee  
REQUEST SHEET**

(Please fill out one sheet for each request)

**MEMBER:** Senator Barbara Boxer

**Member Staff Contact (name and ph):** Matthew Baumgart or Jeff Rosato, (202) 224-3553

**Project/Study/Activity Name:** Water System Improvement Program

**Project/Study/Activity Sponsor Name and Location:** Bighorn-Desert View Water Agency,  
622 S. Jemez Trail, Yucca Valley, CA 92284

**Project/Study/Activity Purpose or Problem:** An Authorization under Section 219(f) of the **Water Resources Development Act (WRDA)** is sought to include projects in the service area of the Bighorn-Desert View Water Agency (Agency), located in San Bernardino County California, as eligible under the program. The funding would provide for technical assistance for planning, design and as well as construction of water infrastructure projects to increase system supply reliability, public safety, water quality, environmental compliance with federal and state regulations and provide for regional groundwater management plans to improve water resource reliability especially during critical water shortages resulting from prolonged drought periods. The Agency has an aging water infrastructure that requires rehabilitation and replacement of several of the most critical elements, including pipelines, pump stations, groundwater supply wells, reservoirs and appurtenant facilities. The Agency completed a Water Master Plan in 2007, which identifies a water system improvement program spanning a twenty-year planning horizon. The program would entail the preparation of planning level documents for the water infrastructure elements, followed by the development of a program for the design and subsequent construction of projects developed in the original planning documents. The Agency will be a recipient of a \$1,000,000 pledge given in 2006 from the Mojave Water Agency (MWA) for construction of water facilities, which include a percolation pond for regional groundwater management purposes. The Water Master Plan and a recent MWA groundwater study have identified the potential to develop additional water supplies from the Johnson Valley Groundwater Basin of the Agency's Service Area. Augmentation of the Agency's groundwater supplies will provide substantial benefit to the region's water resources as well as provide economic benefits to its constituents.

Due to the fact that the Agency is in close proximity to the Landers fault system; the program would also include provisions to complete a seismic reliability analysis of its water system facilities to assure that they can withstand earthquake damage. Implementation of these infrastructure programs would help ensure public health and safety and enhance groundwater quality in the Agency's service area.

For planning and design technical assistance and construction, it is assumed that a 75% - 25%, federal local cost-sharing ratio would apply. An authorization of **\$15,000,000** is sought for construction of Agency's projects over the next twenty (20) years.

**Non-Federal Sponsor Contact Information (Name, Phone, and Email Address):**

Marina West, General Manager, (760) 364-2315, email: [bdvwa2@mindspring.com](mailto:bdvwa2@mindspring.com)

**Submit an original of this request electronically to [WRDA2008@epw.senate.gov](mailto:WRDA2008@epw.senate.gov) and on paper to Chairman Barbara Boxer, Committee on Environment and Public Works, 410 Dirksen Senate Office Building and to Ranking Member James Inhofe, 456 Dirksen Senate Office Building.**



## BIGHORN-DESERT VIEW WATER AGENCY

622 S. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 (760) 364-2315 FAX (760) 364-3412

September 11, 2008

United States Senate  
Chairman Barbara Boxer  
Committee on Environment and Public Works  
410 Dirksen Senate Office Building  
Washington DC, 20510

**RE: Corps of Engineers Section 219(f) - Environmental Infrastructure Program**  
Authorization Request – Water Resources Development Act, Bighorn-Desert View  
Water Agency

Dear Senator Boxer

Attached for your consideration is a "2008 Water Resources Development Act  
Environmental and Public Works Committee Request Sheet," for the Bighorn Desert  
View Water Agency's FY 2008 Authorization Request.

Please contact me if you have any questions regarding our request at (760) 364-2315.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marina D. West".

Marina D. West, PG  
General Manager

**Environmental Protection Agency  
Appropriations Act Grant FY 2005 and FY 2006  
Bighorn Desert View Water Agency, California**

**Quarterly Program Status Report #12  
October 2008  
Reporting Period: July 1, 2008 – September 30, 2008**

**GRANT ID# XP-96937401-1**

In fiscal year 2005, the Bighorn Desert View Water Agency (BDVWA) received a total of \$96,200 in federal funds under this grant. With the addition of local matching funds of \$78,709, the total funds available for the water infrastructure projects are \$174,909. The grant funds will be used for water infrastructure plans and improvements in order to upgrade an aging water system infrastructure, increase water system reliability, and improve public health and safety.

As part of the grant, the Mojave Water Agency (MWA) is providing a portion of the matching funds (\$40,000 of the \$78,709) through a cash contribution of \$40,000.

In addition, the MWA is conducting a study of the region including the interfacing of the agencies to effect better water management for the region as well as technical studies (geotechnical, hydrological, etc.) that will provide the BDVWA with essential data that will be critical in the preparation of the Bighorn Desert View Water Agency's Water Master Plan and implementation of its overall Water System Improvement Program (WSIP).

BDVWA overlies three separate groundwater basins. The MWA study aims to gain a comprehensive technical understanding of the groundwater basins, thereby providing the foundation for BDVWA's Regional Water Master Plan (WMP). As a part of the study, the MWA will conduct research and assess existing data to establish groundwater and imported water capabilities from MWA and regional entities.

The WMP will be a guide for future improvement and operation of the BDVWA's water system. The preparation of the WMP will include the following:

- Collection of existing data from Agency and Regional entities as required
- Review historic production capabilities
- Review historic storage and distribution capabilities
- Compile operations information and data into a Water System Operations report
- Develop a computerized System Model based upon collective criteria
- Perform a System Hydraulic Analysis utilizing existing and projected population and water demand at build-out



- Develop a System Improvement Plan (SIP) incorporating capital improvement projects identified in the system analysis
- Estimate costs for proposed projects identified in the SIP
- Provide an overview of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements
- Develop recommendations for connection fees for all new developments based upon review of all criteria.

On June 22, 2006 EPA amended the original grant award by increasing the federal funding by 477,900 with a match requirement of \$391,009. The amended grant totals are: \$574,100 in federal funds and \$469,718 in matching funds, with a combined total of \$1,043,818.

There are four main activities identified as part of the grant Work Plan; the status of each is summarized below.

## **1. GRANT ADMINISTRATION CONSULTANT ACTIVITIES**

### **Status - Ongoing**

As part of the grant Work Plan, BDVWA has retained Bucknam & Associates (B&A) as BDVWA's consultant for all administrative matters pertaining to our grant. B&A will be responsible for administering the day to day activities pertaining to the grant and for preparing all reports to EPA in accordance with the grant conditions including quarterly status (project update) reports, MBE/WBE reports, financial reports, and requests for reimbursements. B&A will also be responsible for revisions to the Work Plan (as needed), managing project related efforts with other entities pertaining to the grant projects, keeping all records in accordance with grant requirements, and interfacing with EPA in any matters pertaining to the EPA grant administration. All reports and reimbursement submittals to EPA will be transmitted from and signed by an appropriate BDVWA official. Bucknam & Associates commenced work as of December 1, 2005. B&A services will continue throughout the grant process as needed.

### **Activities January 1, 2006 – March 31, 2006**

During this quarter, B&A assisted BDVWA with the preparation of a Request for Proposals (RFP) to prepare the Water Master Plan. The RFP was finalized in January, 2006. B&A assisted in the review and evaluation of the proposals submitted in response to the RFP and assisted BDVWA in the negotiations of a consultant contract and program schedule.

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #1 which was submitted to EPA in January, 2006.

B&A also provided assistance to BDVWA in the submittal of an amendment to the grant by preparing a grant application for an amendment to the grant, including an amended Work Plan, to add the FY 2006 grant funds into the existing grant.

Activities April 1, 2006 – June 30, 2006

During this quarter, B&A assisted BDVWA with the coordination of the commencement of the Water Master Plan by Don Howard Engineers.

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #2 which was submitted to EPA in April, 2006, and the preparation of Federal Reimbursement Request #1. B&A also provided for the maintenance of records associated with the grant.

Activities July 1, 2006 – September 30, 2006

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #3 which was submitted to EPA in July, 2006, and the preparation of Semi-annual Cash Transaction Reports for FY 2006. B&A interfaced with BDVWA and Mojave Water Agency during this period. B&A also provided for the maintenance of records associated with the grant.

Activities October 1, 2006 – December 31, 2006

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #4 which was submitted to EPA in October, 2006, and the preparation of Semi-annual Cash Transaction Reports for the period July 1, 2006 to December 31, 2006. B&A also prepared Federal Reimbursement Request #2 for submittal to EPA. B&A interfaced with BDVWA and Mojave Water Agency during this period. B&A attended a meeting with the new General Manager of BDVWA on November 14, 2006 to provide an overview of the EPA grant administrative functions and an update of the program activities. B&A also provided for the maintenance of records associated with the grant.

Activities January 1, 2007 – March 31, 2007

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #5 which was submitted to EPA in January, 2007, and the preparation of Semi-annual Cash Transaction Report for the period July 1, 2006 to December 31, 2006. B&A interfaced with EPA's MBE/WBE Coordinator and provided for the maintenance of records associated with the grant. B&A prepared the Federal Reimbursement Request #3 for submittal to EPA.

Activities April 1, 2007 – June 30, 2007

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #6 which was submitted to EPA in April, 2007, and the preparation of a Federal Grant Reimbursement Request #4 for the period January 1, 2007 to March 31, 2007. B&A also interfaced with BDVWA on other general grant administrative matters. B&A prepared a Request for Proposals (RFP) for the procurement of a firm for the preparation of the NEPA environmental document required as part of this grant. B&A also provided for the maintenance of records associated with the grant.

Activities July 1, 2007 – September 30, 2007

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #7 which was submitted to EPA in July, 2007, and the preparation of a Federal Grant Reimbursement Request #5 for the period April 1, 2007 to June 30, 2007. B&A also interfaced with BDVWA on other general grant administrative matters. B&A coordinated and prepared a Request for Proposals for the “second-round” procurement of a firm for the preparation of CEQA and NEPA environmental documents required as part of this grant, because no firms submitted a proposal in response to the issuance of the first RFP. B&A also provided for the maintenance of records associated with the grant.

Activities October 1, 2007 – December 31, 2007

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #8 which was submitted to EPA in October, 2007, and the preparation of a Federal Grant Reimbursement Request #6 for the period July 1, 2007 to September 30, 2007. B&A also prepared the 2007 Annual Financial Report and the Annual MBE/WBE Report to EPA in accordance with grant requirements. B&A also interfaced with BDVWA on other general grant administrative matters. B&A coordinated meetings and interfaced with BDVWA and Candida Neal, AICP, the consultant selected for the preparation of CEQA and NEPA environmental documents required as part of this grant. B&A also provided for the maintenance of records associated with the grant.

Activities January 1, 2008 – March 31, 2008

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #9 which was submitted to EPA in January, 2008, and the preparation of Federal Grant Reimbursement Request #7 for the period October 1, 2007 to December 31, 2007. B&A also interfaced with BDVWA on other general grant administrative matters. B&A coordinated meetings and interfaced with BDVWA and Candida Neal, AICP, the consultant selected for the preparation of CEQA and NEPA environmental documents required as part of this grant. B&A also provided for the maintenance of records associated with the grant.

Activities April 1, 2008 – June 30, 2008

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #10 which was submitted to EPA in April, 2008, and the preparation of Federal Grant Reimbursement Request #8 for the period January 1, 2008 to March 30, 2008. B&A also interfaced with BDVWA on other general grant administrative matters. B&A coordinated meetings and interfaced with BDVWA and Candida Neal, AICP, the consultant selected for the preparation of CEQA and NEPA environmental documents required as part of this grant. B&A also provided for the maintenance of records associated with the grant.

In addition, B&A coordinated with BDVWA and prepared a revised Work Plan, schedule and budget for the grant. The revised Work Plan was submitted to EPA on June 30, 2008. The revised Work Plan was prepared as a result of BDVWA re-evaluating its priorities following the Agency's reorganization. The revised Work Plan added tasks for the preparation of a groundwater management plan, preparation of a Johnson Valley hydrogeologic investigation, and preparation of a recharge facilities/spreading grounds analyses. BDVWA awaits EPA's review of the submitted revised Work Plan.

*Activities July 1, 2008 – September 30, 2008*

B&A provided grant administrative assistance during this quarter by preparing Quarterly Program Status Report #11 which was submitted to EPA in July, 2008, and the preparation of Federal Grant Reimbursement Request #9 for the period April 1, 2008 to June 30, 2008. B&A also interfaced with BDVWA on other general grant administrative matters. B&A coordinated meetings and interfaced with BDVWA and Candida Neal, AICP, the consultant selected for the preparation of CEQA and NEPA environmental documents required as part of this grant. B&A also provided for the maintenance of records associated with the grant.

In addition, B&A coordinated with BDVWA and prepared a revised Work Plan, schedule and budget for the grant. After several discussions with EPA, a final revised Work Plan was submitted to EPA on September 24, 2008. The revised Work Plan was prepared as a result of BDVWA re-evaluating its priorities. The revised Work Plan added tasks for the preparation of a groundwater management plan, preparation of a Johnson Valley hydrogeologic investigation, and preparation of a recharge facilities/spreading grounds analyses. EPA's approved the submitted revised Work Plan on October 3, 2008.

## **2. MOJAVE WATER AGENCY REGIONAL STUDY [In-kind Services]**

*Status – No Longer Applicable*

The Mojave Water Agency (MWA) has commenced its regional study and has conducted existing data review. MWA is in the process of assessing existing data to establish groundwater and imported water capabilities from the agency and regional entities and developing the water basin conceptual model. Tasks include collecting and reviewing water chemical analysis reports, collecting well construction information, and assessing the baseline volumes of basin storage capacity.

*Activities July 1, 2006 – September 30, 2006*

During this quarter, BDVWA and MWA have discussed changing the MWA match from in-kind services of \$20,000 to a cash contribution of \$20,000. This cash contribution of \$20,000 would be in addition to the \$20,000 cash match contribution already provided by MWA to BDVWA, thus yielding a total cash match contribution of \$40,000 by MWA. This matter will be addressed in a separate correspondence to EPA in the near future.

### Activities October 1, 2006 – December 30, 2006

On October 31, 2006, BDVWA submitted a letter to EPA describing the additional \$20,000 in cash from MWA in lieu of the in-kind amount of \$20,000 previously committed to BDVWA toward the grant match requirements. This additional \$20,000 in cash plus the previous \$20,000 in cash from MWA provides BDVWA with a total of \$40,000 in cash toward the grant match requirements

As indicated in the October 31, 2006 letter, the additional \$20,000 in cash would be used for the preparation of environmental documents, design, and/or construction of the projects over the course of the grant. Due to an annual budgeting cycle based upon a July 1<sup>st</sup> to June 30<sup>th</sup> fiscal year, it is not anticipated that MWA will provide the second installment of \$20,000 until after July 1, 2007.

As a result of this new financial arrangement, Task 4A of the Work Plan "Research and Assessment by the MWA" is deleted from the Work Plan. However, currently MWA is continuing the preparation of its own groundwater management basin study, a copy of which will be provided to BDVWA upon completion. Task 4B "Environmental Review" of the Work Plan is hereby revised to reflect California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) document preparation to be done by BDVWA via the use of a consultant. The in-kind budget detail indicating MWA staff hours provided in the original grant application would no longer apply.

## **3. BDVWA WATER SYSTEM MASTER PLAN**

### **Status - Completed**

#### Activities November 23, 2005 – December 31, 2005

BDVWA is currently developing the Request for Proposals (RFP) for the preparation of the WMP by an engineering consultant. The RFP includes the required elements of the plan, the schedule for completion, the proposal guidelines and other pertinent information as needed to solicit the most qualified applicants.

#### Activities January 1, 2006 – March 31, 2006

A RFP to solicit proposals for the preparation of the Water Master Plan was issued by BDVWA on January 25, 2006. The RFP indicated that proposals were due by February 28, 2006.

On February 8, 2006, a Water Master Plan pre-proposal conference was held by BDVWA to answer any questions regarding the RFP.

BDVWA reviewed and evaluated the proposals submitted in response to the RFP.

On March 28, 2006, BDVWA Board of Directors approved the proposal submitted by Don Howard Engineers (DHE), and on March 29, 2006, BDVWA issued a Notice to Proceed to DHE in the amount of \$129,531.

Activities April 1, 2006 – June 30, 2006

During this period, DHE has been conducting research and assessment and geological analysis. DHE has also been conducting a system hydraulic analysis of the water system and evaluating system improvements.

Activities July 1, 2006 – September 30, 2006

During this quarter, DHE completed the Research and Assessment task addressing existing land use data; billing data; existing, historical and future service area population data; monthly production data; water production data; groundwater and improved water data; and water storage data. This task is 100% complete.

During this quarter, DHE continued the System Hydraulic Analysis task including population projection, digitizing the distribution system, troubleshooting the program model, and calibrating the system program model. This task is estimated at 80% complete.

During this quarter, DHE commenced the System Improvement Plan task. DHE reviewed deficiencies in the existing system, and identified, inventoried and evaluated the water supply, wells, reservoirs and pump stations. This task is estimated at 25% complete.

Activities October 1, 2006 – December 31, 2006

During this quarter, DHE completed the System Hydraulic Analysis task including population projection, digitizing the distribution system, troubleshooting the program model, and calibrating the system program model. This task is 100% complete.

During this quarter, DHE continued the System Improvement Plan task. DHE reviewed deficiencies in the existing system, and identified, inventoried and evaluated the water supply, wells, reservoirs and pump stations. This task is estimated at 95% complete.

DHE also provided an environmental overview of Water Master Plan and connection fee recommendations. DHE is preparing a draft of the Water Master Plan document, which is estimated at 95% complete.

Activities January 1, 2007 – March 31, 2007

The Water Master Plan was completed on March 14, 2007 and submitted to BDVWA for review. The Water Master Plan will be presented to the BDVWA Board of Directors for approval at its meeting on April 24, 2007. The Mojave Basin Conceptual Model and Assessment of Supply will also be presented to the BDVWA Board of Directors for approval at its meeting on April 24, 2007.

The Water Master Plan recommends:

- ❶ Preparation of a groundwater management plan,
- ❷ A program to evaluate/reduce unaccounted-for-water,

- ③ Implementation of a Supervisory Control and Data Acquisition (SCADA) system to collect and store data and better control the system,
- ④ Implementation of emergency water supply connections with other agencies, and
- ⑤ Improvements to the existing water infrastructure such as additional pressure reducing stations, increased pipe sizes, enhanced electrical facilities and upgrades to existing reservoirs for seismic purposes.

After Board acceptance, BDVWA will forward a copy of the Water Master Plan to EPA.

Activities April 1, 2007 – June 30, 2007

The Water Master Plan was presented to and approved by the BDVWA Board of Directors at its meeting on April 24, 2007. A copy was forwarded to EPA on April 26, 2007.

#### **4. PREPARATION OF ENVIRONMENTAL DOCUMENTS**

**Status - Ongoing**

Activities April 1, 2007 – June 30, 2007

BDVWA prepared a Request for Proposals (RFP) for the preparation of environmental studies (CEQA and NEPA documents) for the agency's water infrastructure restoration program. The RFP was issued May 11, 2007. The date for receiving proposals was June 8, 2007. The RFP was sent to five firms that have expertise in the environmental studies area. Of the five firms, two are women-owned businesses. Unfortunately, there were no proposals received from any of the five firms. Follow-up discussion with the five firms indicated that the firms were either too busy with other work to adequately fulfill the requirements of the proposal, or were not staffed to the degree to propose at this time.

BDVWA reissued a RFP for the same services to 6 firms on June 28, 2007. Of the six, two are women-owned businesses. The date for receiving proposals is July 30, 2007.

As indicated above under "Activities January 1, 2007 – March 31, 2007" the Water Master Plan recommends the preparation of a groundwater management plan. As a result, BDVWA and other regional agencies have begun meeting to discuss the formulation of a plan to manage the groundwater basin affecting the parties. At this time, BDVWA is not seeking federal grant fund reimbursement for costs associated with these meetings. BDVWA may however, request that EPA fund the preparation of a groundwater management plan document from our current grant funds in the near future, if regional discussions yield a consensus on the plan's objectives.

Activities July 1, 2007 – September 30, 2007

BDVWA received three proposals in response to the second-round issuance of the RFP to prepare the CEQA and NEPA environmental documents. BDVWA evaluated the proposals and negotiated a final scope of work with the preferred firm.

*Activities October 1, 2007 – December 31, 2007*

BDVWA selected a consulting firm (Candida Neal, AICP) to prepare the CEQA and NEPA environmental documents. BDVWA Board of Directors awarded the contract to Candida Neal, AICP on October 23, 2007. Candida Neal, AICP has commenced the data gathering phase of the program and has met with BDVWA and B&A to discuss program tasks and deliverables. Candida Neal, AICP is interfacing with BDVWA and other agencies to collect appropriate documents for review, and has initiated the cultural study. Candida Neal, AICP is also developing pertinent environmental documentation forms for BDVWA.

*Activities January 1, 2008 – March 31, 2008*

Candida Neal, AICP continues the data gathering phase of the program and has met with BDVWA and B&A to discuss program various program elements. Candida Neal, AICP continues to interface with BDVWA and other agencies to collect appropriate documents for review and analysis. Candida Neal, AICP continues to develop pertinent environmental documentation forms for BDVWA.

*Activities April 1, 2008 – June 30, 2008*

Candida Neal, AICP continues the data gathering phase of the program and has met with BDVWA and B&A to discuss program various program elements. Due to the changes in priorities for BDVWA, the focus of the environmental documents also changed. During this period, work on the environmental documents was temporarily halted until the new priorities were defined and a revised scope of work was developed. Candida Neal, AICP has resumed its efforts to interface with BDVWA and other agencies to collect appropriate documents for review and analysis.

*Activities July 1, 2008 – September 30, 2008*

Candida Neal, AICP continues the data gathering phase of the program and has met with BDVWA and B&A to discuss various program elements. Due to the changes in priorities for BDVWA, the focus of the environmental documents also changed. During this period, work on the environmental documents was temporarily halted until the new priorities were defined and a revised scope of work was developed. EPA approved the revised Work Plan on October 3, 2008. Candida Neal, AICP has resumed its efforts to interface with BDVWA and other agencies to collect appropriate data for preparation of the CEQA document. Based on the Scope of Work approved by EPA on October 3, 2008, a NEPA document is no longer required to implement the grant program projects because only studies will be done under the approved Scope of Work.

*Tasks Anticipated for Completion Next Quarter*

During the next quarter, BDVWA will continue with the preparation of studies for the CEQA environmental document. It is anticipated that biological studies will commence during this quarter.

During the next quarter, B&A will provide grant administrative support by preparing quarterly program status reports and federal reimbursement requests. B&A will also provide record



keeping services. B&A will also continue to provide BDVWA with program management assistance on the preparation of environmental documents, as needed.

### **Changes to the Budget**

There are no changes to the EPA budget for this project.

### **Cost Sharing Arrangement**

There are no changes to the cost sharing arrangement specified in the grant.

### **Project Schedule**

The schedule for the preparation of the WMP includes:

1. the conducting of the research and assessment phase of the plan into July, 2006,
2. the development of a system hydraulic analysis and system improvement plan with an anticipated completion by the end of December 2006, and
3. the preparation of the draft and final report with an anticipated completion by the end of January 2007.

The Water Master Plan was completed on March 14, 2007.

BDVWA will continue with the preparation of the CEQA environmental document with completion by the end of March 2009.

### **Grant Work Plan**

As indicated above, a revised Work Plan was submitted to EPA for review and concurrence on September 24, 2008, and approved by EPA on October 3, 2008.

### **Programmatic Regulations/Programmatic Terms and Conditions**

There are no changes to the programmatic regulations or terms and conditions identified in the grant agreement required as a result of this project.

### **Equipment**

No equipment has been purchased for this project under this grant.

### **Land and/or Buildings**

There have been no land or building purchases for this grant project.

### **Travel**

No travel has been conducted as a part of this grant project.

### **Conferences**

No conferences have been conducted in association with this grant project.

### **Income**

There has been no unanticipated income generated as a result of this project.

### **EPA Assistance**

The BDVWA has successfully interfaced with EPA during the grant process thus far and appreciates the assistance provided by EPA. No significant assistance from EPA has been needed on this project to date.

### **Summary of Financial Reimbursement Requests**

The total grant award for this project is \$574,100.00.

To date, there have been nine "Request for Reimbursement" Documents submitted to EPA for this project totaling \$109,933.91. The remaining grant balance is \$464,166.09.

**EPA Grant XP-96937401-1**

**Revised Work Plan  
September 24, 2008**

**Background**

The Bighorn-Desert View Water Agency (Agency or BDVWA) is located in the Mojave Desert area of southern California in San Bernardino County, approximately 100 miles west of the City of Los Angeles. Its office is located in Yucca Valley, California. The Bighorn Desert View Water Agency serves water to the communities of Johnson Valley, Landers, and Flamingo Heights.

The Bighorn Desert View Water Agency is a special act agency created by the California legislature in 1989 by the consolidation of Desert View Water District, a county water district, and the Bighorn Mountain Water Agency, another special act agency. In accordance with the Act, the Agency is empowered to:

1. Acquire waterworks or a waterworks system, water rights, and to construct, maintain and operate facilities necessary to store, convey, supply, or otherwise make use of water for the benefit of the Agency,
2. Lease and operate water storage, transportation or distribution facilities and to sell water to cities and other public corporations within the Agency boundaries, and if available, to dispose of surplus water,
3. Acquire, control, distribute, store , spread, sink, treat, purify, reclaim, recapture and salvage any water for the beneficial use and protection of the Agency or its inhabitants,
4. Commence, maintain, intervene in, defend and compromise actions and proceedings involving the ownership or use of water or water rights for the common benefit of lands within the agency or its inhabitants and to prevent, control or abate pollution,
5. Distribute water to persons in exchange for ceasing or reducing groundwater extractions, and
6. Finance the acquisition and construction of water-related facilities.

The Bighorn-Desert View Water Agency's mission statement states:

*"To provide high quality water and reliable service at a reasonable rate."*

It is with this authority and mission that the Agency wishes to assure long-term water supply reliability, water quality security, and seismic reliability of its water system. With the assistance provided by the Environmental Protection Agency (EPA) through the FY 2005 and FY 2006 grant funds, the Bighorn-Desert View Water Agency can take action toward achieving this goal.

Since the grant award on November 23, 2005 and its subsequent amendment on June 22, 2006, BDVWA has been using federal grant funds for grant administration services, the preparation of a system-wide Water Master Plan (WMP) to evaluate the water system and to identify a comprehensive Water System Improvement Plan, and the preparation of environmental documents in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Bucknam & Associates is our grant administration consultant and continues to assist BDVWA in this regard. Don Howard Engineers prepared the Water Master Plan which was completed in March 2007 and submitted to EPA on April 26, 2007. Candida Neal, AICP, is currently preparing the environmental documents.

The current Work Plan also includes tasks associated with the design and construction of projects for the Johnson Valley area of the BDVWA district. The projects in the Work Plan include projects to improve the water supply reliability and water quality in the Johnson Valley Service Area of the Agency and include a water well, storage reservoir and booster pump station, interconnecting pipeline to Mojave Water Agency system and a transmission pipeline. These projects were identified as potential grant projects prior to the preparation of the Water Master Plan.

Now that the Water Master Plan has been completed and fully evaluated, BDVWA is proposing new additional tasks to provide for additional studies to evaluate our region's water resources in an effort to ultimately better manage our water resources. These studies are important planning documents that will provide BDVWA with the data needed to develop further planning actions.

This revised Work Plan includes the original tasks associated with the consultant services discussed above plus the addition of new tasks that were not included as part of the original Work Plan.

## **Bighorn-Desert View Water System**

The Bighorn-Desert View Water Agency encompasses 45 square miles of desert area serving the communities of Flamingo Heights, Landers, and Johnson Valley. The system includes approximately 1,820 lateral service lines. The Agency also provides 80 metered bulk water services via four separate water hauling stations. The bulk services

are available to both commercial and private individuals. The Agency currently supplies an average of 500 acre feet per year to its customers.

Water supplies to the Agency are obtained from eight deep wells pumping water from three underground basins (Ames Valley Basin, Means Valley Basin and Johnson Valley Basin). The system is divided into seven separate pressure zones, which are served from four storage reservoir sites and supplied by well pumps or booster pumps through transmission and distribution system pipelines. The Agency operates and maintains about 600 fire hydrants and 130 miles of water main pipelines.

### **Project Goals/Objectives**

Following the major Landers earthquake in the early 1990's, the Agency has determined the need for planning, design and construction funds to provide for various system upgrades to its system. These upgrades would not only protect the system and assure continuance of critical water supplies following another major seismic event, but also would assist in enhancing groundwater storage through conjunctive use of State Project Water delivered through the Mojave Water Agency Pipeline. The importance of the management of groundwater supplies was also recognized as very important to the region.

The first step in meeting its goals for system upgrades entailed the preparation of the Water Master Plan document which identified water infrastructure improvements and further studies in the region that would result in meeting the following goals and objectives:

- 1) Significantly increase the capacity to store water,
- 2) Manage groundwater supplies in the region,
- 3) Upgrade the Agency's aging water system infrastructure,
- 4) Increase water system reliability in the event of an earthquake or other major emergency,
- 5) Increase the capability to fight fires, particularly earthquake-related fires, and
- 6) Increase public health and safety.

The EPA funding will enable the Agency to initiate the implementation of important projects toward reaching these objectives.

## **Matching Funds**

The Mojave Water Agency (MWA) is a regional water agency. The MWA's boundaries encompasses approximately 4,900 square miles of the High Desert in San Bernardino County. As a state water contractor, MWA is entitled to receive an annual allotment of 75,800 acre feet of water from the State Water Project via the California Aqueduct. This facility extends south from the Sacramento Delta and runs locally through the communities of Baldy Mesa and Hesperia. The imported water supply is crucial to the area's survival, because local aquifers have been in overdraft since the early 1950's, according to recent studies. For the past four decades, residents have been using more water than is replaced naturally.

The MWA's essential mission was strongly reaffirmed with the conclusion of the Mojave River Adjudication. The Court ordered the MWA to seek sources of water, including supplemental water, and to deliver that water in the most effective fashion to ensure the quality of life within its boundaries.

MWA has agreed to contribute \$40,000 in cash toward the BDVWA's matching fund requirement.

## **Deliverables/Work Products**

The Deliverables or Work Products resulting from this revised Work Plan include:

- 1) grant administration services including water resources plan administrative and technical support and the preparation of all reports required as a condition of the grant
- 2) the preparation of a Water Master Plan document that includes the components described below
- 3) the preparation of environmental documents in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) [as necessary]
- 4) the study of the management of groundwater supplies in the region resulting in a Ground Water Management Plan
- 5) the preparation of a Johnson Valley Groundwater Basin Hydrogeologic Investigation and Recharge Facilities/Spreading Grounds analyses Report

The Water Master Plan is a flexible guide for future improvement and operation of the Agency's water system. The Water Master Plan includes the following:

- Research and Assessment of Data
- Water Supply
- Existing Facilities
- Future Water Requirements
- Water System Hydraulic Analysis Modeling
- System Deficiencies
- Proposed Projects/System Improvement Plan
- Connection Fee Recommendation
- Water Master Plan Report

As indicated earlier, the WMP was completed in March 2007 using EPA grant funds.

## **Tasks**

The following tasks are included in the program. Deliverables/work products, anticipated completion date, and estimated federal and BDVWA costs associated with each task are identified.

### **Task 1**

#### ***Retain Grant Administration Consultant Services***

- a) Prepare request for proposals for Grant Administration Services - This task includes the development of a Request for Proposals (RFP) for the administrative services of grant oversight. The RFP includes the required services, the schedule for completion, proposal guidelines and other pertinent information as needed to solicit the most qualified applicants.
- b) Issue RFP for Grant Administrative Services - This task includes issuing an RFP for the Grant Administrative Services in accordance with the Agency's standard procedures for requesting proposals. Proposals are reviewed and evaluated by the Agency for conformance to the Agency's needs and requirements, and a consultant is selected.
- c) After selection of the consultant for Administrative Grant Services, the Agency awards a contract and enters into a contract agreement as required.

Task Responsible Parties: Bighorn-Desert View Water Agency

Task Deliverable Work Product: Grant Administration Services Contract

Anticipated Task Completion Date: December, 2005 [Task Completed]

Estimated Task Federal Costs: \$0 [All cost associated with this task is borne by BDVWA]

Estimated Task Non Federal Costs: \$0 [All cost associated with this task is borne by BDVWA]

## **Task 2**      **Grant Consultant Services**

The grant consultant provides administrative and technical support to BDVWA as identified in the subtasks below. The deliverables include the preparation of all reports required by EPA under this grant. Grant consultant services will be conducted throughout the grant period or until the BDVWA no longer requires its services. This contract may be amended at the discretion of BDVWA, in accordance with BDVWA Board Approval.

Project reporting will be prepared by the selected consultant with assistance and review by BDVWA staff. Reporting consists of status reports, reimbursement requests, financial reports and all other items necessary in accordance with EPA federal funding requirements. The Grant Consultant, in coordination with BDVWA, serves as liaison to legal counsel, engineering consultants, County of San Bernardino, and the Mojave Water Agency as necessary in the preparation of the Water Master Plan, Ground Water Management Plan, and other studies and plans. Examples of tasks include:

- a) Preparation of RFP for Engineering Consultants
- b) Selection of Engineering Consultants
- c) Oversight of the Engineering Consultant's work efforts as described in the previously mentioned tasks including CEQA and NEPA review
- d) Conducting monthly contract performance reviews with the General Manager and/or other BDVWA representatives to ensure that both performance and fiscal goals are met
- e) Interfacing, assisting, reviewing, etc of CEQA/NEPA requirements
- f) Preparing MBE/WBE reports
- g) Preparing Annual Financial Reports to the EPA
- h) Preparing Quarterly Status Reports to the EPA
- i) Preparing all necessary project documentation, including financial recording keeping, and submit to BDVWA in a 3 ring binder
- j) Interfacing with BDVWA administration for all funds disbursements relative to the WRP program

Task Responsible Parties: BDVWA & Grant Consultant

Task Deliverable Work Products: Monthly Status Reports, MBE/WBE Reports, Financial Reports, miscellaneous documentation and a Project Recordkeeping Notebook

Task Due Date: Ongoing

Estimated Total Task Federal Costs: \$57,805

Estimated Total Task Non Federal Costs: \$47,295

Note: The increased cost for this task is associated with the continuation of grant administration and technical support services through to the end of the EPA grant period.



**Task 3**

***Retain Engineering Consultant Services – Water Master Plan***

- a) Prepare request for proposals for Water Master Plan - This task includes the development of a Request for Proposals (RFP) for the preparation of the Water Master Plan. The RFP includes the required elements of the plan, the schedule for completion, proposal guidelines and other pertinent information as needed to solicit the most qualified applicants.
- b) Issue RFP for the Water Master Plan - This task includes issuing an RFP for the preparation of the Water Master Plan in accordance with the Agency's standard procedures for requesting proposals. Once proposals are received from consultants, the Agency reviews the documents for conformance to the Agency's needs and requirements, evaluates the proposals and recommends a selected consultant for preparation of the Water Master Plan.
- c) After selection of the consultant for the preparation of the Water Master Plan, BDVWA awards the contract, enters into a contract agreement as required and issues a Notice to Proceed.

Task Responsible Parties: BDVWA & Grant Consultant

Task Deliverable Work Product: Engineering Services Contract & Notice to Proceed

Anticipated Task Completion Date: March, 2006 [Task Completed]

Estimated Task Federal Costs: \$0 [All Grant Consultant costs associated with this task are included in Task 2]

Estimated Task Non Federal Costs: \$0 [All Grant Consultant costs associated with this task are included in Task 2]

**Task 4**

***Preparation of Water Master Plan by the Engineering Consultant***

This task includes the preparation of the Water Master Plan. The deliverable work product is the Water Master Plan document. Don Howard Engineers prepared the Water Master Plan which was completed in March 2007 at a cost of \$130,581.45 (\$71,819.80 federal, \$58,761.65 match). The WMP was submitted to EPA on April 26, 2007.

Task Responsible Parties: BDVWA & Engineering Consultant

Task Deliverable Work Product: Final Water Master Plan Report

Anticipated Task Completion Date: March 14, 2007 [Task Completed]

Estimated Total Task Federal Cost: \$71,820

Estimated Total Task Non-Federal Cost: \$58,762 [includes \$20,000 cash contribution by MWA]

**Task 5**      ***Retain Consultant Services for Preparation of Environmental Documents for Project(s)***

- a) Prepare request for proposals for consulting services - This task includes the development of a Request for Proposals (RFP) for the preparation of environmental documents in accordance with CEQA and/or NEPA, as necessary for the specific projects which BDVWA has selected for inclusion in the water infrastructure program under this grant. The specific projects will be identified in the WMP. The RFP includes the required elements of the environmental analysis and document preparation, the schedule for completion, proposal guidelines and other pertinent information as needed to solicit the most qualified applicants. Since there may be multiple projects that will be selected under this program, there may be more than one environmental document needed.
- b) Issue RFP for the environmental documents preparation - This task includes issuing an RFP for the preparation of the environmental documents in accordance with the Agency's standard procedures for requesting proposals. Once proposals are received from consultants, BDVWA reviews the documents for conformance to the BDVWA's needs and requirements, and state and federal requirements, and evaluates the proposals and recommends a selected consultant for preparation of the environmental documents.
- c) After selection of the consultant(s) for the preparation of the environmental documents, BDVWA awards the contract(s), enters into contract agreement(s) as required and issues the Notice(s) to Proceed.

Task Responsible Parties: BDVWA & Grant Consultant

Task Deliverable Work Product: Consulting Services Contract & Notice to Proceed

Anticipated Task Duration Dates: May, 2007 – October, 2007 [Task Completed]

Estimated Task Federal Costs: \$0 BDVWA will conduct this task in accordance with Grant Consultant [All Grant Consultant costs associated with this task are included in Task 2]

Estimated Task Non Federal Costs: \$0 BDVWA will conduct this task in accordance with Grant Consultant [All Grant Consultant costs associated with this task are included in Task 2]

**Task 6**      ***Preparation of Environmental Documents for Project(s) by the Consultant***

This task includes the preparation of environmental documents for the specified water infrastructure projects as necessary. The specific projects are identified in the WMP and/or other planning documents. The CEQA document is being prepared for the projects included in the WMP and other projects that may be determined as part of the overall water system plan.

Documents under this task will be prepared in accordance with CEQA and NEPA requirements as required.

This revised Work Plan includes only studies and investigative analyses; it no longer contains design and construction of water infrastructure components. Accordingly, it is envisioned that environmental documents in accordance with NEPA are not required.

BDVWA will be the lead agency for all documents required in accordance with CEQA, and EPA will be the lead agency for all documents in accordance with NEPA, if required. BDVWA will prepare all documents, as required.

The deliverable work product(s) will be the interim and final preparation of environmental documents for the project(s). The appropriate environmental documents for each specific project will be determined after the specific projects are identified in the WMP or other planning documents.

Task Responsible Parties: BDVWA & Environmental Consultant

Task Deliverable Work Products: CEQA and/or NEPA Environmental Documents for project(s), if required

Anticipated Task Duration Dates: November 2007 – June, 2009

Estimated Total Task Federal Costs: \$55,000

Estimated Total Task Non Federal Costs: \$45,000 [includes \$20,000 cash contribution by Mojave Water Agency]

Note: The increased cost for this task is associated with the need to complete cultural and biological surveys and analyses in accordance with state and federal requirements for protected and/or endangered species. It includes a survey of cultural resources through the San Bernardino County Museum and documentation resulting from a California Historic Resources Survey records search. It also includes an increased effort for a general biological resources survey and focused surveys for specific animal species which may potentially be affected by implementation of the project.

#### **Task 7**

#### ***Retain Consultant Services – Ground Water Management Plan***

- a) Prepare request for proposals for Ground Water Management Plan - This task includes the development of a Request for Proposals (RFP) for the preparation of the Ground Water Management Plan for the Ames/Means Basins. The RFP includes the required elements of the plan, the schedule for completion, proposal guidelines and other pertinent information as needed to solicit the most qualified applicants.
- b) Issue RFP for the Ground Water Management Plan - This task includes issuing an RFP for the preparation of the Ground Water Management Plan in accordance with the BDVWA's standard procedures for requesting proposals. Once proposals are received from consultants, BDVWA reviews the

documents for conformance to BDVWA's needs and requirements, evaluates the proposals and recommends a selected consultant for preparation of the Ground Water Management Plan.

- c) After selection of the consultant for the preparation of the Ground Water Management Plan, BDVWA awards the contract, enters into a contract agreement as required and issues a Notice to Proceed.

Task Responsible Parties: BDVWA & Grant Consultant

Task Deliverable Work Product: Consultant Services Contract & Notice to Proceed

Anticipated Task Completion Date: January, 2009

Estimated Task Federal Costs: \$0 [All Grant Consultant costs associated with this task are included in Task 2]

Estimated Task Non Federal Costs: \$0 [All Grant Consultant costs associated with this task are included in Task 2]

#### **Task 8**

#### ***Preparation of Ground Water Management Plan by the Consultant***

This task includes the preparation of the Ground Water Management Plan (GWMP) for the Ames/Means Basins. The GWMP is the framework by which the Ames Valley/Reche ground water basin will be conjunctively managed. The GWMP is a regionally important plan. The GWMP establishes the parties' right to pump water, and spread, store and recover imported water. It establishes the manner in which rights to native and imported water may be transferred among parties and how the management plan is to be validated. The Groundwater Management Plan is an important regional component to the overall planning of the basin.

Task Responsible Parties: BDVWA & Consultant

Task Deliverable Work Product: Final Ground Water Management Plan Report

Anticipated Task Completion Date: November, 2009

Estimated Total Task Federal Cost: \$82,500

Estimated Total Task Non-Federal Cost: \$67,500

#### **Task 9**

#### ***Retain Consultant Services – Johnson Valley Ground Water Basin Hydrogeologic Investigation (JVHI) and Recharge Facilities/Spreading Grounds Analyses (RF/SGA)***

- a) Prepare Request for Proposals (RFP) for the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses (RF/SGA) - This task includes the development of a RFP for the preparation of one study to include the hydrologic investigation of the Johnson Valley Ground Water Basin and the Recharge Facilities/Spreading

Grounds Analyses. The RFP includes the required elements of the plan, the schedule for completion, proposal guidelines and other pertinent information as needed to solicit the most qualified applicants.

- b) Issue RFP for the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses - This task includes issuing an RFP for the preparation of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses in accordance with the BDVWA's standard procedures for requesting proposals. Once proposals are received from consultants, BDVWA reviews the documents for conformance to BDVWA's needs and requirements, evaluates the proposals and recommends a selected consultant for preparation of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses.
- c) After selection of the consultant for the preparation of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses, BDVWA awards the contract, enters into a contract agreement as required and issues a Notice to Proceed.

Task Responsible Parties: BDVWA & Grant Consultant

Task Deliverable Work Product: Consultant Services Contract & Notice to Proceed

Anticipated Task Completion Date: January, 2009

Estimated Task Federal Costs: \$0 [All Grant Consultant costs associated with this task are included in Task 2]

Estimated Task Non Federal Costs: \$0 [All Grant Consultant costs associated with this task are included in Task 2]

#### **Task 10**

#### ***Preparation of the Johnson Valley Ground Water Basin Hydrologic Investigation (JVHI) and Recharge Facilities/Spreading Grounds Analyses (RF/SGA) by the Consultant***

This task includes the preparation of one study including the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses. The conceptual model suggests 900 acre feet of unused water in the groundwater basin. Previous studies indicate that there is adequate ground water storage and available groundwater storage capacity for a conjunctive use project. Additional studies are needed to better define the characteristics of the basin for the benefit of the region. It may be necessary to conduct geophysical resistivity surveys across the area in order to understand the subsurface geometry, and to install monitoring wells as needed. It also includes ground borings and sampling and analysis activities. This task also includes the preparation of the Recharge Facilities/Spreading Grounds Analyses. It is presumed that the spreading basins will become integral to the management program for the Reche Basin.

The analyses will evaluate the long-term infiltration capacity of the sediments and the potential mounding/water quality changes to groundwater. It includes installation of two or three monitoring wells with a minimum 6-inch casing for aquifer testing with geophysical logging, and four soil borings and piezometers. It will also include a small pilot basin or recharge well for testing and development of a computer model.

Task Responsible Parties: BDVWA & Consultant

Task Deliverable Work Product: Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses Report

Anticipated Task Completion Date: November, 2009

Estimated Total Task Federal Cost: \$306,975

Estimated Total Task Non-Federal Cost: \$251,161

## **Budget**

A budget spreadsheet for all tasks is located at the end of this Work Plan.

## **Timeline/Schedule**

A Program Plan Schedule for completion of the above outlined tasks is located at the end of this Work Plan.

## **Available Funding and Costs**

The FY 2005 EPA grant amount is \$96,200 and the match requirement by the Agency is \$78,709 for a total of \$ 174,909. The Mojave Water Agency is assisting the Bighorn-Desert View Water Agency by providing a portion of the Agency's match fund requirement by providing \$40,000 in cash.

The FY 2006 EPA grant amount is \$477,900 with a match requirement of \$391,009 which will be provided entirely by BDVWA. The total EPA share of the combined funding is \$574,100 with a BDVWA match of \$469,718, resulting in \$1,043,818 available under the grant.

Essentially, all funds will be expended through awards to consultants/contractors for the preparation of the Water Master Plan, grant administration and technical support services, preparation of environmental documents, preparation of the Ground Water Management Plan, and preparation of the Johnson Valley Groundwater Basin Hydrogeologic Investigation and Recharge Facilities/Spreading Grounds Analyses.

## **Measures to Evaluate Success**

There are many ways to evaluate the measures of success for the Water Infrastructure Improvement Program and its various components. Depending upon the project, task or component, some of the measures are more tangible or quantifiable than others; notwithstanding, the measures are important to the overall evaluation of the program and its success. Whether the projects include planning or study documents, engineering design and/or construction, less tangible and quantifiable evaluations of the project's success are important parts of the overall satisfaction of the end result.

In many cases, professional and administrative judgment is necessary and is an essential part of evaluating the program's success, particularly in the case of design and construction. Such judgment is not readily quantifiable, but is a valuable method to judge the performance of consultants and contractors, and evaluate the overall success of the program. In design engineering and construction projects, there are accepted practices and procedures and acceptable industry standards that must be applied to projects, many of which are not easily quantified by a number or a dollar amount. Applying the industry standard, and assessing compliance with federal, state and local agencies' requirements are important means to measure the overall satisfactory completion of design and construction projects.

It is with this in mind, that the following measures to evaluate success are included in this Work Plan for the BDVWA water infrastructure improvements program and its components.

- The satisfactory development and operation of a Water System Hydraulic Analysis that yields useful and accurate data,
- The satisfactory completion of the Water System Improvement Plan, acceptable to the Agency's Board,
- The satisfactory completion of a Water Master Plan Report in accordance with industry standards, which is judged to present reasonable and sound conclusions, and which is acceptable to the Agency's Board,
- The satisfactory completion of the Environmental Review Process in accordance with CEQA and NEPA (if necessary) requirements, resulting in acceptable documents by the Agency's Board and EPA, and resulting in adoption or certification by the lead agencies,
- The satisfactory completion of the environmental documents in accordance with CEQA and NEPA (if necessary) requirements, resulting in minimal or no comments received by reviewing agencies and the public,
- The satisfactory completion of the Environmental Review Process in accordance with CEQA and NEPA (if necessary) requirements, resulting in no legal or formal challenges by other agencies, parties or the public,

- The satisfactory completion of the environmental documents in accordance with CEQA and NEPA (if necessary) requirements, resulting in the proper and timely filing of the documents with the appropriate local (County clerk) or state (State Clearing House) agencies, as required,
- The institution of various levels of quality control review during preparation of the Groundwater Management Plan,
- The completion of the Groundwater Management Plan on schedule per contract requirements,
- The completion of the Groundwater Management Plan within budget per contract requirements and in accordance with industry standards for acceptable costs associated with project changes resulting in higher than original contract project costs,
- The completion of a Groundwater Management Plan that yields useful and accurate data upon which further BDVWA program planning can be made,
- The completion of a Groundwater Management Plan acceptable to the BDVWA's Board,
- The completion of timely periodic submittals (preliminary drafts, interim drafts, final document) by the consultant during preparation of the Groundwater Management Plan,
- The institution of various levels of quality control review during preparation of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses,
- The completion of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses on schedule per contract requirements,
- The completion of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses within budget per contract requirements and in accordance with industry standards for acceptable costs associated with project changes resulting in higher than original contract project costs,
- The completion of a Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses that yields useful and accurate data upon which further BDVWA program planning can be made,



- The completion of a Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses acceptable to the BDVWA's Board,
- The completion of timely periodic submittals (preliminary drafts, interim drafts, final document) by the consultant during preparation of the Johnson Valley Ground Water Basin Hydrologic Investigation and Recharge Facilities/Spreading Grounds Analyses,
- The completion and filing of grant reports with EPA in a timely manner,
- The compiling of pertinent records associated with grant funding expenditures in an orderly recordkeeping system and readily available for EPA inspection,
- The administrative review of the BDVWA's program by EPA grant specialists to ensure administrative and financial compliance with grant terms and conditions.

**PLANNING/ENGINEERING/LEGISLATIVE/GRANT/SECURITY  
STANDING COMMITTEE PROJECT LIST**

SUBJECT	STATUS	COMMENTS
EPA Grant	ongoing	Committee should receive routine updates, budget reviews, project directives, etc
*****CEQA/NEPA Document		Project Description is completed. Biological survey completed. Project on-hold for match funding.
*****Ames Valley Groundwater Management Plan		2nd Draft document to be distributed at the meeting.
"Strawman" Proposal		Continue participation in conference call with MWVA lobbyists. Board to consider transmitting comments to ACWA or legislators regarding pending bills, etc.
Legislative Alliance	ongoing	Resolution has been forwarded to HDWD
Integrated Regional Wastewater Management Plan	Completed	Committee to consider integrating SEMS into our Emergency Response Plan. In-house training on "Introduction to LCS/SEMS/NIMS completed 12/12/2008. Consultant is reviewing existing Emergency Action Plan for conformance to LCS/SEMS/NIMS protocol. Mutual aid agreements need to be finalized.
Standardized Emergency Management System (SEMS)	ongoing	
Standardized Emergency Management System/National Incident Management System (SEMS/NIMS)	ongoing	Board approved NIMS Resolution.
Marine Corps. Ground Combat Center Proposed Base Expansion	new	Committee to review issues and concerns relating to the proposed Base Expansion
	new - referred by	Customer request for billing relief was brought before the BOD on October 28, 2008. BOD referred issue to the PLEGS Committee for in depth review and consideration.
Request for Billing Relief APN: 629-405-01	BOD	Committee to begin reviewing background and objectives of a revised bulk
Bulk Hauling Rates and Fees	new	hauling rate and fee structure

for January 15, 2009 Committee Meeting