



PO Box 675 • 61750 Chollita Road • Joshua Tree CA 92252
Phone (760) 366-8438 • Fax (760) 366-9528 • www.jbwd.com
An Equal Opportunity Provider

JOSHUA BASIN WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
WEDNESDAY APRIL 2, 2014 7:00 PM
61750 CHOLLITA ROAD, JOSHUA TREE, CALIFORNIA 92252
AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM
4. APPROVAL OF AGENDA

5. PUBLIC COMMENTS:

This public comment portion of this agenda provides an opportunity for the public to address the Board of Directors on items not listed on the agenda that *are of interest to the public at large* and are within the subject matter jurisdiction of this Board. The Board of Directors is prohibited by law from taking action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Board does not respond to public comments at this time. Comments that concern individual customer accounts are welcome, however we encourage doing so only after other administrative avenues for redress have been fully exhausted. In all cases, your concerns will be referred to the General Manager for review and a timely response.

Comments are to be limited to three minutes per speaker and shall not exceed a total of 20 minutes. All comments are to be directed to the Board of Directors and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their comments. Public input may be offered on an agenda item when the item comes up for discussion and/or action. Members of the public who wish to speak shall proceed to the podium when called by the President of the Board. Please state your name and community of residence for the record.

6. CONSENT CALENDAR: Items on the Consent Calendar are considered routine in nature and will be adopted in total by one action of the Board of Directors unless any Board Member or any individual or organization interested in one or more consent calendar items wishes to be heard.

- Pg. 1 A. Approve Draft Minutes of the March 19, 2014 Special Meeting of the Board of Directors
- Pg. 2-4 B. Approve Draft Minutes of the March 19, 2014 Regular Meeting of the Board of Directors

- Pg. 5-11 7. JOSHUA TREE NATIONAL PARK NATIVE PLANT PROGRAM COLLABORATION
Recommend that the Board approve the 5-year pilot program agreement serving as a template for other U.S. National Parks to follow.

Pg. 12-19

8. ELECTION OF SAN BERNARDINO COUNTY LOCAL AGENCY FORMATION COMMISSION SPECIAL DISTRICT MEMBER AND ALTERNATE
Recommend that the Board consider information/resumes attached plus comments from Director Luckman to be made at the meeting and vote for one regular and one alternate member to the Local Agency Formation Commission.

Pg. 20-39

9. CONSIDER RESOLUTION TO SUPPORT ACWA'S STATEWIDE WATER ACTION PLAN FOR CALIFORNIA
Recommend that the Board approve Resolution 14-917

Pg. 40-56

10. KAY KEENE SECOND REQUEST FOR RECONSIDERATION OF COSTS REQUIRED FOR WATER SERVICE CONNECTION
Recommend that the Board receive information and direct that any further inquiries are to be handled by the General Manager.
11. COMMITTEE REPORTS:
AD HOC:
- A. ADMINISTRATION CODE UPDATE PROJECT: President Fuller and Director Luckman - no meeting/no report
 - B. HOSPITAL WASTEWATER PROJECT: Director Luckman and President Fuller - no meeting/no report
 - C. MOJAVE WATER AGENCY INTEGRATED REGIONAL WATER MANAGEMENT PLAN COMMITTEE: Director Luckman and President Fuller - no meeting/no report
 - D. RULES AND REGULATIONS COMMITTEE: President Fuller and Vice President Reynolds: no meeting/no report
 - E. TANK RESTORATION PROJECT: Director Wilson and Director Johnson - no meeting/no report
 - F. SOLAR PROJECT REVIEW COMMITTEE: President Fuller and Director Luckman - no meeting/no report
12. STANDING:
- A. PUBLIC INFORMATION COMMITTEE: Director Luckman and President Fuller: Kathleen Radnich, Public Outreach Consultant to report.
 - B. FINANCE COMMITTEE: President Fuller and Director Johnson
13. PUBLIC COMMENT
At this time, any member of the public may address the Board on matters within the Board's jurisdiction that are not listed on the agenda. Please use the podium microphone. The Board may not discuss at length or take action on items not on the agenda.
14. GENERAL MANAGER REPORT
15. DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES
- A. ACWA May 2014 Conference in Monterey
 - B. LAFCO Meeting - April 16, 2014
16. INDIVIDUAL DIRECTOR REPORTS ON MEETINGS ATTENDED
17. DIRECTORS COMMENTS/REPORTS

Pg. 57-58

18. DISTRICT GENERAL COUNSEL REPORT
19. FUTURE AGENDA ITEMS
20. ADJOURNMENT

INFORMATION

The public is invited to comment on any item on the agenda during discussion of that item. Any person with a disability who requires accommodation in order to participate in this meeting should telephone Joshua Basin Water District at (760) 366-8438, at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the District's office located at 61750 Chollita Road, Joshua Tree, California 92252 during normal business hours.

This meeting is scheduled to be broadcast on Time Warner Cable Channel 10 on April 9 at 7:00 pm and April 16 at 7:00 pm. DVD recordings of Joshua Basin Water District Board meetings are available at the District office and at the Joshua Tree Library

JOSHUA BASIN WATER DISTRICT
Minutes of the
SPECIAL MEETING OF THE BOARD OF DIRECTORS
March 19, 2014

1. CALL TO ORDER: 6:02 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

Victoria Fuller	Present
Bob Johnson	Present
Mickey Luckman	Present
Mike Reynolds	Present
Gary Wilson	Absent

STAFF PRESENT:

Curt Sauer, General Manager
Susan Greer, Assistant General Manager/Controller
Marie Salsberry, HR Manager/Administrative Specialist

CONSULTANTS PRESENT: Gil Granito, District Counsel, Redwine & Sherrill

GUESTS 0

4. APPROVAL OF AGENDA

MSC Reynolds/Luckman 4/0 (1 Absent) to approve the agenda for the March 19, 2014 Special Meeting of the Board of Directors.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	Absent

5. PUBLIC COMMENTS

None.

6. CLOSED SESSION

At 6:05 pm the Board and designated representative met in closed session to discuss Item 6 as described on this meeting's agenda: Conference with labor negotiator regarding General Unit; pursuant to Government Code 54957.6. District Labor Counsel Steve Berliner participated telephonically. No reportable action was taken during the closed session and the meeting resumed in open session at 6:42 pm.

7. ADJOURN TO THE REGULAR MEETING OF MARCH 19, 2014 AT 7:00 PM

At 6:45 pm the Special Meeting was adjourned to the Regular Board meeting, scheduled to begin at 7:00 pm.

Respectfully submitted:

Curt Sauer, General Manager and Board Secretary

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
March 19, 2014

1. CALL TO ORDER: 7:02 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

Victoria Fuller	Present
Bob Johnson	Present
Mickey Luckman	Present
Mike Reynolds	Present
Gary Wilson	Present

STAFF PRESENT:

Curt Sauer, General Manager
Susan Greer, Assistant General Manager/Controller
Marie Salsberry, HR Manager/Administrative Specialist
Keith Faul, GIS Coordinator

CONSULTANTS PRESENT:

Gil Granito, District Counsel
Kathleen Radnich, Public Outreach Consultant

GUESTS 6

4. APPROVAL OF AGENDA

MSC 5/0 to approve the agenda for the March 19, 2014 Regular Meeting of the Board of Directors.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	Aye

President Fuller commented that Jay St. Gauden, chair of the District's Citizens Advisory Committee, passed away recently. Jay was involved with the CAC since its inception and was elected to chair the committee in 2009. He was involved with the community and a friend who will be missed.

5. PUBLIC COMMENTS

None.

6. CONSENT CALENDAR

MSC Luckman/Reynolds 5/0 to approve the draft minutes of the March 5, 2014 Special Meeting of the Board of Directors and to approve the draft minutes of the March 5, 2014 Regular Meeting of the Board of Directors.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	Aye

7. CONSIDER CONTRACT FOR COMPUTER/NETWORK SUPPORT FOR OFFICE

General Manager Curt Sauer presented the staff report. There was no discussion.

MSC Luckman/Reynolds 4/1 to approve staff recommendation to contract network managed services with the lowest bidder.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

8. REVIEW AND APPROVE LETTER TO COUNTY CONCERNING ALTA LOMA SOLAR PROJECT

President Fuller presented the staff report on behalf of the committee, and read the proposed correspondence aloud. Richard Fountain of Joshua Tree suggested describing water in gallons as well as acre-feet in the correspondence.

MSC Luckman/Reynolds 5/0 to approve the letter to the county concerning Alta Loma Solar Project.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	Aye

The action was amended: MSC Luckman/Reynolds 5/0 to approve the letter to the county concerning Alta Loma Solar Project, as amended, describing water in number of gallons as well as acre-feet.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	Aye

District Counsel Gil Granito suggested that all Directors sign the letter and that the approved modifications be made to the letter so that it could be signed this evening. Human Resources Manager Marie Salsberry was excused from the meeting to prepare the correspondence for signature.

9. COMMITTEE REPORTS

AD HOC COMMITTEES:

- A. ADMINISTRATION CODE UPDATE PROJECT: President Fuller and Director Luckman: No report.
- B. HOSPITAL WASTEWATER PROJECT: Director Luckman and President Fuller: No report.
- C. MOJAVE WATER AGENCY INTEGRATED REGIONAL WATER MANAGEMENT PLAN COMMITTEE: Director Luckman and President Fuller: No changes since the last Board meeting.
- D. RULES AND REGULATIONS COMMITTEE: President Fuller and Vice President Reynolds: No report.
- E. TANK RESTORATION PROJECT: Director Wilson and Director Johnson: No report.
- F. SOLAR PROJECT REVIEW COMMITTEE: President Fuller and Director Luckman: Action taken earlier this meeting.

10. STANDING COMMITTEES:

- A. PUBLIC INFORMATION COMMITTEE: Director Luckman and President Fuller. Public Outreach Consultant Kathleen Radnich reported the committee met this morning and was attended by GM Sauer.

The tri-chamber mixer will be sponsored by Hi-Desert Medical Center next week. Over 40 people attended garden tours over the weekend. Water Education Day will be hosted by the District on March 30 with many local agencies co-sponsoring and participating in the event. April 18, United States Geological Survey representatives will present *Aquifers 101*.

B. FINANCE COMMITTEE: President Fuller and Director Johnson: No report.

11. PUBLIC COMMENT

None.

12. GENERAL MANAGER REPORT

GM Sauer reported visiting A Reservoir and Well 15, staff cleanup of the office and shop grounds, upcoming focus on surplus property disposal, District vehicle use policy, and his attendance at the Marine Corps Air Ground Combat Center Battle Color Ceremony and the Morongo Basin Pipeline Commission meeting. He reported on the status of the D-3 Booster Station replacement and Recharge Pond projects.

13. INDIVIDUAL DIRECTOR REPORTS ON MEETINGS ATTENDED

Director Luckman reported attending the Morongo Basin Pipeline Commission meeting. President Fuller reported attending the JBWD Agenda Committee meeting and JBWD Public Information Committee meeting.

14. DIRECTORS COMMENTS/REPORTS

Directors expressed condolences on the passing of Jay St. Gauden. Mr. St. Gauden was thanked for his military service.

15. DISTRICT GENERAL COUNSEL REPORT

Mr. Granito reported on a recent court of appeals decision regarding rate study methodologies.

Directors signed the revised correspondence to the county regarding the proposed Alta Loma Solar Project.

16. FUTURE AGENDA ITEMS

Director Luckman requested the District prepare a resolution regarding the state water plan, recommended by the Association of California Water Agencies.

17. ADJOURNMENT 7:37 PM

MSC Luckman/Reynolds 5/0 to adjourn the March 19, 2014 Regular Meeting of the Board of Directors in memory of Jay St. Gauden.

Fuller	Aye
Johnson	Aye
Luckman	Aye
Reynolds	Aye
Wilson	Aye

Respectfully submitted:

Curt Sauer, General Manager and Board Secretary

JOSHUA BASIN WATER DISTRICT
MEETING AGENDA REPORT

Meeting of the Board of Directors

April 2, 2014

Report to: President and Members of the Board

Prepared by: Kathleen Radnich

TOPIC: JOSHUA TREE NATIONAL PARK NATIVE PLANT PROGRAM COLLABORATION

RECOMMENDATION:

Approve the 5-year pilot program serving as a template for other U.S. National Parks to follow.

ANALYSIS:

This program addresses several JBWD mission goals:

1. Allows expansion of the water conservation message for both locals and visitors by collaborating with the Joshua Tree National Park; encouraging and educating on the use of native plant gardening. This is exceptionally timely during a statewide-declared drought.
2. This pilot program between JBWD and JTNP will serve as a model program—the first in the nation—for other National Park communities to engage in, both locally, and throughout the United States.
3. Demonstrates good stewardship of community funds by sharing government resources.
4. Directly helps to generate revenue for maintenance and replacement of flora within the Joshua Tree Water Wise Demonstration Garden at minimal expense through an annual JBWD native plant sale.
5. Creates opportunity for local patrons to actively participate in the health and welfare of their community (using our docent program to learn how to collect, clean, and propagate native seeds) both for our regional demonstration garden, and residents' landscaping.
6. Will help to generate on-going attraction of locals and visitors to the Joshua Tree Water Wise Demonstration Garden for desert water wise gardening inspiration.
7. Aligns a partnership with the Joshua Tree National Park to help meet their mission goals to stop the local use of invasive, non-native plants. A recent tour of the Demonstration Garden of approximately 24 individuals supports this. It was reported that the educational pre tour of the garden led to a better comprehension of the delicate balance of nature and water for the desert environs during their follow-on tour of the National Park.

NOTE: A trial of the above concept has been attempted as one of the components of the JTNP's educational outreach activities. They have shared their secrets on native plant seed collecting, cleaning and propagating with JBWD's team of volunteer docents over the past year. Acting as a "protective plant nursery" they grew our JBWD Desert Marigold seeds resulting in over 400 plants offered for sale by JBWD for the Water Education Day event hosted here, March 30th, at the JBWD District Office.

STRATEGIC PLAN ITEM:

Meets the strategic plan to increase agency collaborations.

FISCAL IMPACT:

This program is designed to be self-sustaining.

MEMORANDUM OF AGREEMENT

Between
The United States Department of the Interior
National Park Service
Joshua Tree National Park
And the Joshua Basin Water District

This Memorandum of Agreement is entered into by and between the National Park Service, Joshua Tree National Park (JOTR) and the Joshua Basin Water District (JBWD), a local public agency organized and operating pursuant to Division 12 of the California Water Code, collectively referred to herein as “the Parties”.

ARTICLE I – BACKGROUND AND OBJECTIVES

Joshua Basin Water District (JBWD) and Joshua Tree National Park (JOTR) will work together to encourage and enable citizens of Joshua Tree and the Morongo Basin to use native plants rather than nonnative invasive plants for landscaping. The use of native plants as landscaping alternatives within Joshua Tree National Park (“JOTR”) gateway communities helps to protect and preserve JOTR from invasion by non-native species. Numerous examples demonstrate the invasive potential of non-native ornamentals. Additionally, native plants are adapted to local climate conditions and will assist JBWD with its mission to conserve water that JBWD provides to the residents of its service area. JBWD presently maintains and supports The Joshua Tree Water Wise Demonstration Garden (which includes native plants) for the purposes of educating community members on how to select and use native plants as landscape alternatives for the purpose of promoting water use efficiency in furtherance of achieving water conservation objectives. As such, this Agreement will contribute to and further JBWD’s conservation efforts.

Pursuant to this Agreement, JBWD will provide native plant seeds to the JOTR Native Plant Nursery to be propagated and raised into plants that will be returned to the JBWD. JBWD will maintain The Joshua Tree Water Wise Demonstration Garden (which includes native plants) and host an annual native plant sale (“Annual Sale”) where community members can purchase native plants for landscaping. Revenue generated from the Annual Sale will help fund the operation and maintenance of The Joshua Tree Water Wise Demonstration Garden. Revenue generated from the Annual Sale which exceeds JBWD’s annual cost of maintaining The Joshua Tree Water Wise Demonstration Garden may be donated by JBWD to JOTR to assist JOTR for recovering costs associated with growing native plants. Any such donation shall be voluntary and subject to JBWD’s sole and absolute discretion. This Agreement creates no obligation on JBWD to make any such donation.

ARTICLE II - AUTHORITY

- 16 U.S.C. § 1g authorizes the National Park Service (NPS) to enter into cooperative agreements that involve the transfer of NPS appropriated funds to state, local and tribal Governments, other public

entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs.

ARTICLE III - STATEMENT OF OBJECTIVES

A. JOTR agrees to:

1. Provide guidance and training on proper seed collecting techniques;
2. Suggest a suite of native species that may make good native alternatives;
3. Propagate seeds provided by JBWD;
4. Care for plants until they are hardy enough to be transported to JBWD facilities;
5. Educate the public about the benefits of native plants, water conservation, and the problems associated with non-native, invasive plants.

B. JBWD agrees to:

1. Ensure permissions/permits are in place prior to collecting native plant seeds;
2. Provide JOTR with native plant seeds and enough time to propagate and grow to maturity (~9-12months);
3. Continue to educate the public about the use of native plants;
4. JBWD will host and promote a native plant Annual Sale;
5. Use proceeds to cover annual operating and maintenance costs for The Joshua Tree Water Wise Demonstration Garden;
6. Consider making a voluntary donation to JOTR in order to help fund operation costs for growing native plants if revenue generated by the Annual Sale exceeds JBWD's annual cost of maintaining The Joshua Tree Water Wise Demonstration Garden. Any such donation shall be voluntary and subject to JBWD's sole and absolute discretion.

C. The Parties further agree as follows:

1. Each party will provide to the other party a list of responsible persons, with telephone numbers and email information, to be contacted in an emergency.
2. Coordinate on public outreach pertaining to this program. Parties will share in the development and coordinate prior to the public release of outreach materials. Outreach materials include, website, press release, signs and any other materials intended to be shared with the public as part of this project.

ARTICLE IV – TERM OF AGREEMENT

This Agreement shall become effective on the date of the final signature and shall remain in full force and effect for a period of five (5) years, unless it is terminated earlier in accordance with Article VIII.

ARTICLE V – KEY OFFICIALS

All communications and notices regarding this agreement will be directed to the following key official(s) for each party.

A. For the NPS:

Agreement Technical Representative (ATR):

Attn: Josh Hoines

National Park Service

Joshua Tree National Park

74485 National Park Drive

Twenty-nine Palms, California, 92277

Phone: 760.367.5564

Email: Josh_Hoines@nps.gov

Signatory Agreements Officer:

Attn: Barbara A. Eschels

Supervisory Contracting Officer

NPS Lake Mead National Recreation Area

601 Nevada Way

Boulder City, NV 89005

Phone: 702.293.8909

Fax: 702.293.8626

Email: barbara_eschels@nps.gov

Administrative Agreements Officer:

Attn: Susan Erickson

Financial Agreements Officer

NPS Lake Mead National Recreation Area

601 Nevada Way

Boulder City, NV 89005

Phone: 702.293.8771

Fax: 702.293.8626

Email: susan_erickson@nps.gov

B. For JBWD:

JBWD Signatory:

Victoria Fuller, President of the Joshua Basin Water District

Joshua Basin Water District

Mailing Address: PO Box 675

Joshua Tree, CA 92252

Phone: 760.366.8438

Curt Sauer, General Manager of the Joshua Basin Water District

Mailing Address: P.O. Box 675

Joshua Tree, CA 92252

Phone: 760.366.8438

Point of Contact:

Kathleen J. Radnich, Public Information and Outreach

Joshua Basin Water District

Mailing Address: PO Box 675

Joshua Tree, CA 92252

Phone: 760.366.8438

Email: kjrarnich@jbwd.com

C. Changes in Key Officials - Neither JOTR nor JBWD may make any change in a key official without written notice to the other party reasonably in advance of the proposed change. Any such Notice should be provided as set forth in Article VIII of this Agreement. The Notice shall include a justification with sufficient detail to permit evaluation of the impact of such a change on the scope of work specified within this Agreement and only be official by modification to this agreement.

ARTICLE VI – AWARD, PAYMENT & INVOICES

In the event JBWD makes a donation to JOTR as referenced in Article III, B. 6, a reimbursable donation account will be created at that time. All donated funds will be utilized for the operation of the nursery to produce plants that are the subject of this Agreement.

ARTICLE VII - REPORTS AND/OR OTHER DELIVERABLES

Upon request and to the fullest extent permitted by the applicable law, the Parties will share Reports or other Agency specific reports arising from this Memorandum of Agreement.

ARTICLE VIII – MODIFICATION AND TERMINATION

A. This Agreement may be modified only by a written instrument executed by the Parties.

B. Either party may terminate this agreement by providing the other party with 90 days written notice. Any such notice shall be provided as set forth in Article IV of this Agreement. In the event one party provides the other party with notice to terminate this Agreement, the Parties will meet promptly to discuss the reasons for the notice and to try and resolve their differences.

ARTICLE IX – GENERAL AND SPECIAL PROVISIONS

A. General Provisions

1. Non-Discrimination – All activities pursuant to this Agreement shall be in compliance with the requirements of Executive Order 11246; Title VI of the Civil Rights Act of 1964, as amended, (78 Stat. 252; 42 U.S.C. §§2000 et seq.); Title V, Section 504 of the Rehabilitation Act of 1973, as amended, (87 Stat. 394; 29 U.S.C. §794); the Age Discrimination Act of 1975 (89 Stat. 728; 42 U.S.C. §§6101 et seq.);

and with all other federal laws and regulations prohibiting discrimination on grounds of race, color, sexual orientation, national origin, disabilities, religion, age or sex.

2. Lobbying Prohibition - 18 U.S.C. §1913, as amended, Lobbying with Appropriated Moneys – No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Members or official, at his request, or to Congress or such official, through the proper official channels, requests for legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31.

3. Anti-Deficiency Act – 31 U.S.C. §1341 – Nothing contained in this Agreement shall be construed as binding the NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress for the purposes of this Agreement for that fiscal year, or other obligation for the further expenditure of money in excess of such appropriations.

4. Minority Business Enterprise Development – Executive Order 12432 – It is the national policy to award a fair share of contracts to small and minority firms. The NPS is strongly committed to the objectives of this policy and encourages all recipients of its Cooperative Agreements to take affirmative steps to ensure such fairness by ensuring procurement procedures are carried out in accordance with 43 CFR §12.76 for State and Local Governments.

B. Special Provisions

Publications of Results of Studies

No party will unilaterally publish a joint publication without consulting the other party. This restriction does not apply to popular publication of previously published technical matter. Publications pursuant to this Agreement may be produced independently or in collaboration with others; however, in all cases proper credit will be given to the efforts of those parties contributing to the publication. In the event no agreement is reached concerning the matter of publication or interpretation of results, either party may publish data after due notice and submission of the proposed manuscripts to the other. In such instances, the party publishing the data will give credit to the cooperation but assume full responsibility for any statements on which there is a difference of opinion.

Liability and Indemnification

1. The United States shall be liable, to the extent allowed by law, including the Federal Tort Claims Act, for claims for personal injuries or property damage resulting from the negligent or wrongful act or omission of any employee of the United States while acting within the scope of his or her employment, arising out of this Agreement.
2. Joshua Basin Water District shall be liable, to the extent allowed by law, including the California Claims Act, for claims for personal injuries or property damage resulting from the negligent or wrongful act or omission of the JBWD, its officers, employees or authorized representatives while acting within the scope of his or her employment arising out of this Agreement.

ARTICLE X – SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) set forth below.

FOR Joshua Basin Water District

Victoria Fuller
President

Date

FOR THE NATIONAL PARK SERVICE

Barbara A. Eschels
Supervisory Contracting Officer

Date

JOSHUA BASIN WATER DISTRICT
MEETING AGENDA REPORT

Meeting of the Board of Directors

April 2, 2014

Report to: President and Members of the Board

Prepared by: Susan Greer



TOPIC:

ELECTION OF SAN BERNARDINO COUNTY LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICT MEMBER AND ALTERNATE

RECOMMENDATION:

Consider information/resumes attached plus comments from Director Luckman to be made at the meeting and vote for one regular and one alternate member to the Local Agency Formation Commission.

ANALYSIS:

The Regular and Alternate Special District Members of the Local Agency Formation Commission (LAFCO) are up for election. These members represent special district interests on the Commission. The 32-day voting period commenced on March 12 and will end on April 14. Two different persons are pursuing each open seat, including each of the incumbents.

James Curatalo, incumbent, and Al Morrissette are vying for the Regular Special District Member seat. Bob Smith, incumbent, and Steven Farrell are pursuing the Alternate Special District Member seat.

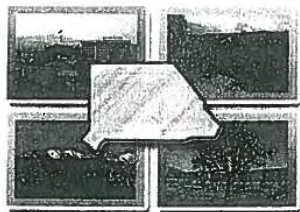
Director Luckman has been attending the LAFCO meetings on behalf of the District for some time and will provide her recommendations at the meeting. Each special district is entitled to vote for one candidate per position.

STRATEGIC PLAN ITEM:

N/A

FISCAL IMPACT:

N/A



LAFCO

Local Agency Formation Commission for San Bernardino County

215 North "D" Street, Suite 204
San Bernardino, CA 92415-0490
909 383 9900 | Fax 909 383 9901
E-mail: lafco@lafco.sbcounty.gov
www.sbclafco.org

Established by the State of California
to serve the Citizens, Cities, Special Districts
and the County of San Bernardino

COMMISSIONERS

JIM BAGLEY
Public Member

KIMBERLY COX, Vice Chair
Special District

JAMES V. CURATALO, Chair
Special District

ROBERT A. LOVINGOOD
Board of Supervisors

LARRY McCALLON
City Member

JAMES RAMOS
Board of Supervisors

DIANE WILLIAMS
City Member

ALTERNATES

DAWN ROWE
City Member

JANICE RUTHERFORD
Board of Supervisors

SUNIL SETHI
Public Member

ROBERT W. SMITH
Special District

STAFF

KATHLEEN ROLLINGS-McDONALD
Executive Officer

SAMUEL MARTINEZ
Assistant Executive Officer

MICHAEL TUERPE
Project Manager

REBECCA LOWERY
Clerk to the Commission

LEGAL COUNSEL

CLARK H. ALSOP

March 12, 2014

**TO: Presidents of the Boards of Directors of the Independent
Special Districts in San Bernardino County**

**SUBJECT: Special Districts Selection Election for Regular LAFCO
Member and Alternate LAFCO Member**

By distribution of this letter, the official voting process for the Regular Special District Member and the Alternate Special District Member of the Local Agency Formation Commission shall commence. Attached are the ballots for the selection of these positions. Pursuant to the provisions of Government Code Section 56332, the voting period will be for 32 days, commencing as of today's date and ending on **Monday, April 14, 2014**. The voting instructions for these selections are as follows:

1. Each District may vote for one candidate only per position. The vote shall be cast as directed by the Board of Directors of the District through consideration at a Board Hearing and a roll call vote. A copy of the information provided by the candidates is included for your information.
2. The signed original ballot, with the name of each voting Board Member outlined, must be received in the LAFCO Office by 5:00 p.m. on **April 18, 2014**. If a faxed copy of the ballot is provided by the April 18 deadline, the original signed copy must be received by 5:00 p.m. on April 25, or the ballot will be declared invalid.
3. Twenty-six (26) ballots are required to be received for selection of each Special District position.

The completed ballot is to be mailed to:

Kathleen Rollings-McDonald, Executive Officer
Local Agency Formation Commission
215 N. D Street, Suite 204
San Bernardino, CA 92415

If you are faxing a copy of the ballot, the LAFCO fax number is (909) 383-9901. As outlined in Item #2 above, if the ballot is faxed to the LAFCO office, the original signed copy of the ballot will need to be mailed to the above address and received by 5:00 p.m. on April 25, 2014 to be considered in the election.

Please let me know if you have any questions concerning this selection process. You may contact me at the address listed above, by e-mail at kmcdonald@lafco.sbcounty.gov, or by phone at (909) 383-9900.

Sincerely,

KATHLEEN ROLLINGS-McDONALD
Executive Officer

KRM/RL

Enclosures

BALLOT

**REGULAR SPECIAL DISTRICT MEMBER
OF THE LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby votes for the marked candidate as indicated below:

REGULAR MEMBER OF LAFCO:

_____ **JAMES CURATALO (Member of the Board of Directors of
Cucamonga Valley Water District)**

_____ **AL MORRISSETTE (Member of the Board of Directors of
Phelan Piñon Hills Community Services District)**

I, _____, do hereby certify that at its regularly-
scheduled meeting of _____, the Board of Directors voted to elect
the above-marked candidate as the Regular Special District Member of the Local Agency
Formation Commission of San Bernardino County, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

Dated: _____

Elect
James V. Curatalo, Jr.
For the Local Agency Formation Commission of San
Bernardino County Special District Voting Member



Dear Special District Member:

I am seeking re-election to the Local Agency Formation Commission of San Bernardino County as a Special District Voting Member. It has been my honor to represent Special Districts on the Commission, where I presently serve as Chairman. I ask for your continued support and vote so that I may continue my service as your representative on the Commission.

I firmly believe in the Special District form of government. I believe Special Districts provide the most accessible, responsive and accountable system of local government. If re-elected, I will continue my work, as your representative, to assure Special Districts maintain a strong ability to provide needed services and quality representation to the communities we serve.

For the past 12 years I have served on the Local Agency Formation Commission of San Bernardino County (San Bernardino LAFCO), which has provided me with a depth of knowledge and experience in addressing governance issues as it pertains to special districts. As your representative I work to ensure the integrity and scope of special district governance is preserved and effective not only for special district organizations, but for the constituents that we serve. I would like to continue my representation on San Bernardino LAFCO by serving as your Special District Voting Member.

I have learned a great deal about the governance of San Bernardino County through the evaluation of numerous service reviews of public agencies that have come before the commission. With this gained knowledge I hope to continue to provide quality representation as a member of the special district community. California's political landscape, and in particular the role LAFCO plays statewide, is changing. These changes require that the San Bernardino LAFCO have representation that will provide leadership, direction and a common sense approval to managing local government.

My political involvement includes serving on the Board of Directors of the Cucamonga Valley Water District for the past 15 years, where I currently serve as Vice President of the Board and have previously served as President. I also serve as the Chairman of both the Finance Committee and the Human Resources/Risk Management Committee. I also currently serve as the Vice-Chair for the Coalition of California LAFCO's and as a Board Member of the California Association of LAFCO's (CALAFCO).

My commitment to community service and local government is also demonstrated by my extensive experience with the Rancho Cucamonga Fire Protection District. While employed I have served as a Firefighter, Engineer, Fire Captain and Battalion Chief. My professional career, as well as my tenure as an elected representative has solidified my belief that local self-governance is the most responsive form of government for the people.

I firmly believe in the special district approach to local government and the need to have effective representation on the San Bernardino LAFCO Board. If re-elected as the Special District Voting Member I will serve the organization to the best of my ability and for the betterment of all special districts. I look forward to your support.

James V. Curatalo Jr.

Albert Morrissette
PO Box 720434
Pinon Hills, CA 92372
(760) 810-5007

I will bring to the LAFCO Board an extensive background in business development, logistics, journalism, recycling and consulting. I am known as a community activist with a level interest in development, conservation and environmental issues. I am familiar with many LAFCO procedures and understand the need of discernment plus objective reasoning. As a journalist for the past 20 years, I have developed a third person perspective when evaluating issues.

My knowledge of LAFCO is based upon hands on procedures through the Phelan Pinon Hills CSD including the development of its Feasibility Study. Through the California Special Districts Association, I serve on their Legislative Committee and LAFCO Sub-Committee. Through this and other associations, I have gained LAFCO knowledge by participating in webinars and workshops.

Feel free to contact as references: Kimberly Cox, Special Districts Jeff Rigney, First District Supervisor Robert Lovingood, Former First District Supervisor Brad Mitzelfelt, Victor Valley College Trustees Joe Brady and John Pinkerton, Assemblymen Steve Fox and Tim Donnelly, State Senator Steve Knight CSDA General Manager Neil McCormick and anyone you feel could help you in confirming my appointment.

I would appreciate your consideration in serving as a board member and fulfilling the term desired. Thank You for your consideration.

Sincerely,

Al Morrissette

RESUME

Government

Pinon Hills Municipal Advisory Council

Appointment 1996-2004: Chairman 1997-2004

Liaison between First District Supervisor and Pinon Hills Community: Established a working relationship with county agencies and Special Districts

Zone-L70 Water Board

Appointment 2004-2008: Vice-Chairman 2005-2008

Represent the communities of Phelan and Pinon Hills working with Special Districts on infrastructure and other water related issues

Phelan Pinon Hills CSD Feasibility Committee

Community Activist: Public Information Officer 2004-2008

The committee was formed by 5 community leaders, Charlie Johnson, Sandy Hemmingway, Joe Fahrlander, Dave Roberts and me, to develop the feasibility in forming the district. We worked with LAFCO, the First District Supervisor, Special Districts and the County in joint effort to keep the formation within guidelines and fiscal financial status. The District was voted by the community with an 82% approval.

Phelan Pinon Hills Community Services District

Elected to the Board of Directors: 2008-2013, re-elected 2013-2017

The CSD consist of former Zone-L70 Water District, CSA-9 Street Light/Park and Recreation Phelan District and CSA56F-1 Pinon Hills Park and Recreation District, we also applied in 2011 through the LAFCO process to attain limited Solid Waste Powers. I currently serve on the Alternative Energy, Engineering, and Adjudication Committees: Have served on the Finance, Park and Recreation and various ADHOC committees. I serve as the district grant writer and lobbyist as a volunteer.

Employment

Have been an entrepreneur since 1970 owning several businesses and currently am a freelance journalist, business plan writer and certified grant writer. My schedule is flexible and I work from home.

Associations

Association of California Water Agencies (ACWA)

California Park and Recreation Society (CPRA)

California Rural Water Association (CRWA)

California Special Districts Association (CSDA): Serving on Legislative, Education and Membership Committees, also the CSDA LAFCO Sub-Committee

BALLOT

**ALTERNATE SPECIAL DISTRICT MEMBER
OF THE LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby votes for the marked candidate as indicated below:

ALTERNATE MEMBER OF LAFCO:

_____ **STEVEN FARRELL (Member of the Board of Directors of
Crestline Village Water District)**

_____ **BOB SMITH (Member of the Board of Directors of
Yermo Community Services District)**

I, _____, do hereby certify that at its regularly-
scheduled meeting of _____, the Board of Directors voted to elect
the above-marked candidate as the Alternate Special District Member of the Local Agency
Formation Commission of San Bernardino County, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

Dated: _____



PO Box 3347, 777 Cottonwood Drive, Crestline, CA 92325-3347
Telephone: (909) 338-1727 «» FAX: (909) 338-4080

RECEIVED
MAR 10 2014

March 10, 2014

Special District Members,

LAFCO
San Bernardino County

I ask for your vote - for your support and endorsement of my personal interest and commitment to effective governance in our County, and the importance of having regional diversity in LAFCO's Special District membership.

In spite of its policy encouraging balanced geographic representation on the Commission, it has been some time since Special Districts has elected a Mountain representative. And that is a real loss, because the Mountain Region *should* be actively engaged in the LAFCO process.

You may recall I've been a LAFCO candidate in the last few Special District elections. I'm very proud to have repeatedly received near unanimous votes from the Mountain Region Districts and hope to again. Unfortunately, that support has not been enough. The fact is, I consider myself a citizen of this County and not just "the Mountains", and I deeply care about county-wide success. In this election I hope to convince Valley and Desert districts that in addition to my bringing the missing Mountain perspective to the Commission, I am also well able to respect and serve their interests.

I'm an active participant in ACWA, the Association of California Water Districts. I attend ACWA's Local Governance committee meetings and similar seminars paying close attention to state and local topics that pertain to all Special Districts.

Crestline Village has recently joined the Mojave IRWMP, and as our board representative to the IRWMP, I look forward to meeting and learning more about the many desert districts who also participate.

I've been following County and local Agency issues now for over a decade, well beyond my obvious service on Crestline's water board as a director and past president. In that time I have used the analytical skills I learned from a 25-year career in IT management and consulting to engage and contribute to many of our area's local government processes.

I believe every district is different. And every situation is different. I'm from the mountains yes, yet I appreciate that mountain experiences may not translate directly to another District situation. And vice-versa, which illustrates why it's so important to have a "Mountain Region" LAFCO presence.

If elected, I will serve the best interests of the entire County and its residents. I will consider and protect the special concerns and perspectives of all.

I strive for excellence and will always act and represent Special Districts fairly, thoughtfully and capably.

Sincerely,

Steven Farrell
Director, Crestline Village Water District

JOSHUA BASIN WATER DISTRICT
MEETING AGENDA REPORT

Meeting of the Board of Directors

April 2, 2014

Report to: President and Members of the Board

Prepared by: Susan Greer 

TOPIC:

CONSIDER RESOLUTION TO SUPPORT ACWA'S STATEWIDE WATER ACTION PLAN FOR CALIFORNIA

RECOMMENDATION:

Approve Resolution 14-917.

ANALYSIS:

ACWA convened a broad cross-section of member water interests earlier this year to develop a statewide plan addressing California's overall water supply reliability and ecosystem health. The goal was to craft a specific plan that could be broadly supported by the water interests throughout the state and to serve as a sustainable path forward for California. ACWA has prepared a side-by-side analysis of the Governor's proposed water action plan compared to the ACWA proposed plan, which is attached.

The result of that effort is the Statewide Water Action Plan for California, approved unanimously by the ACWA Board of Directors. In order to demonstrate the broadest support possible for the Plan, ACWA is encouraging ACWA members to adopt resolutions in support of the Plan. The proposed resolution was provided by ACWA and is attached for your consideration.

STRATEGIC PLAN ITEM:

N/A

FISCAL IMPACT:

N/A

RESOLUTION #14-917

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE JOSHUA BASIN WATER DISTRICT
IN SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES'
STATEWIDE WATER ACTION PLAN

WHEREAS, a broad cross-section of water interests convened by the Association of California Water Agencies (ACWA) has developed a Statewide Water Action Plan to address overall water supply reliability and ecosystem health in California; and

WHEREAS, the ACWA Board of Directors unanimously approved the Statewide Water Action Plan at its Sept. 27, 2013, meeting and directed that it be submitted to California Governor Jerry Brown as the water community's recommendations for developing the Administration's water plan; and

WHEREAS, ACWA's Statewide Water Action Plan outlines 15 actions to improve water supply reliability, protect water rights, protect the integrity of the state's water system and promote better stewardship; and

WHEREAS, the plan also includes guiding principles for implementation to help ensure actions benefit the entire state, respect water rights and contract terms, and reflect a new regulatory approach that can better meet the needs of California water users and ecosystems; and

WHEREAS, the Statewide Water Action Plan provides context for a Delta solution and other critical actions as components of a broader set of strategies to secure California's water future; and

WHEREAS, when implemented together, this suite of statewide actions will serve as a sustainable path forward for California; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Joshua Basin Water District hereby supports ACWA's Statewide Water Action Plan and encourages its adoption as the basis for statewide action by Governor Brown.

PASSED AND ADOPTED this 20th day of April 2, 2014

JOSHUA BASIN WATER DISTRICT

By _____
Victoria Fuller
President, Board of Directors

Attest _____
Curt Sauer
General Manager

RESOLUTION #14-917

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE JOSHUA BASIN WATER DISTRICT
IN SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES'
STATEWIDE WATER ACTION PLAN

WHEREAS, a broad cross-section of water interests convened by the Association of California Water Agencies (ACWA) has developed a Statewide Water Action Plan to address overall water supply reliability and ecosystem health in California; and

WHEREAS, the ACWA Board of Directors unanimously approved the Statewide Water Action Plan at its Sept. 27, 2013, meeting and directed that it be submitted to California Governor Jerry Brown as the water community's recommendations for developing the Administration's water plan; and

WHEREAS, ACWA's Statewide Water Action Plan outlines 15 actions to improve water supply reliability, protect water rights, protect the integrity of the state's water system and promote better stewardship; and

WHEREAS, the plan also includes guiding principles for implementation to help ensure actions benefit the entire state, respect water rights and contract terms, and reflect a new regulatory approach that can better meet the needs of California water users and ecosystems; and

WHEREAS, the Statewide Water Action Plan provides context for a Delta solution and other critical actions as components of a broader set of strategies to secure California's water future; and

WHEREAS, when implemented together, this suite of statewide actions will serve as a sustainable path forward for California; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Joshua Basin Water District hereby supports ACWA's Statewide Water Action Plan and encourages its adoption as the basis for statewide action by Governor Brown.

PASSED AND ADOPTED this 20th day of April 2, 2014

JOSHUA BASIN WATER DISTRICT

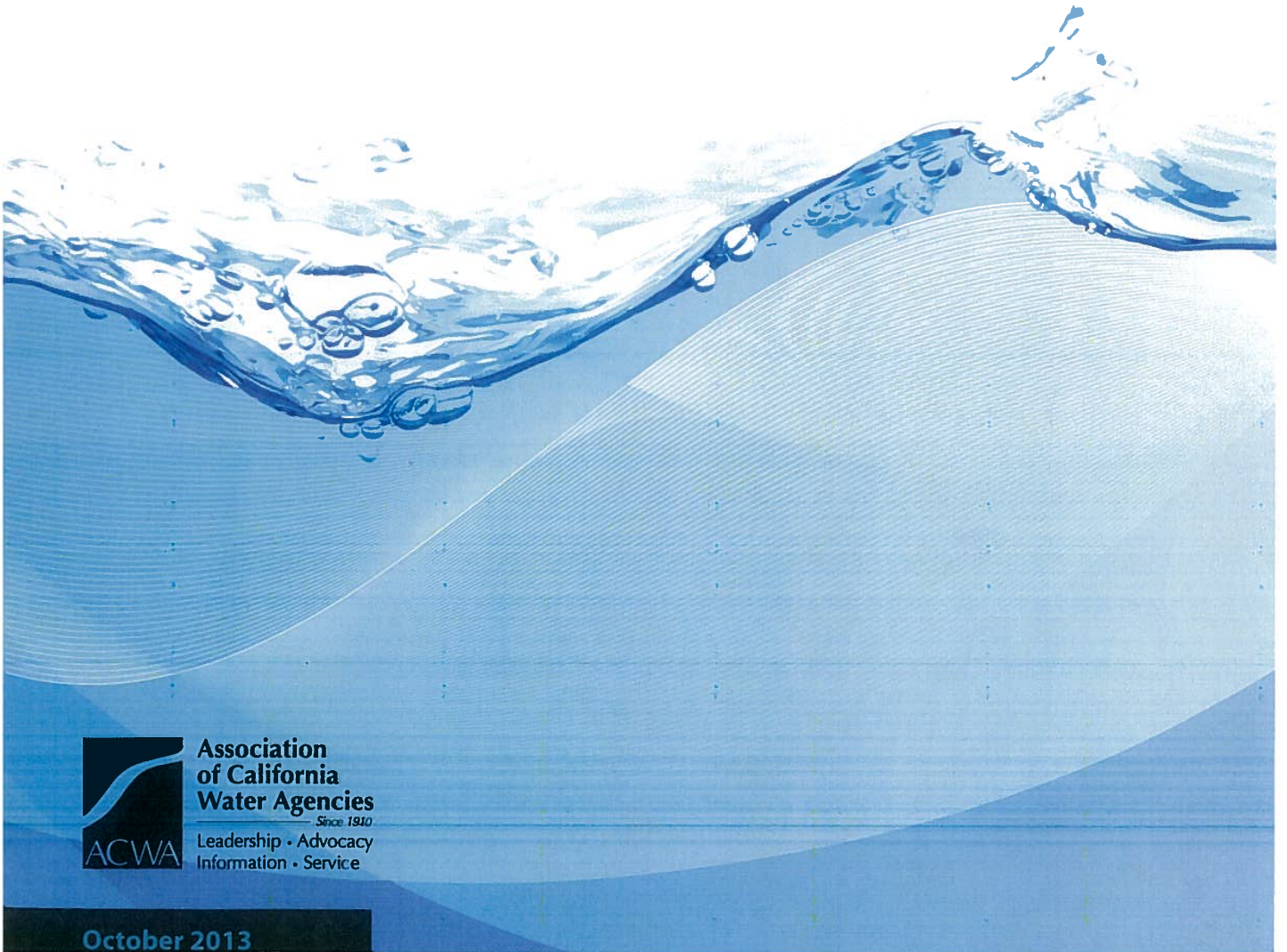
By _____
Victoria Fuller
President, Board of Directors

Attest _____
Curt Sauer
General Manager



ASSOCIATION OF CALIFORNIA WATER AGENCIES

STATEWIDE WATER ACTION PLAN FOR CALIFORNIA



**Association
of California
Water Agencies**
Since 1910
Leadership • Advocacy
Information • Service

October 2013

About the Statewide Water Action Plan

The Association of California Water Agencies (ACWA) convened a broad cross-section of member water interests in spring 2013 to develop a statewide plan addressing the state's overall water supply reliability and ecosystem health. The goal was to craft a specific plan that could be broadly supported by water interests throughout the state and serve as a sustainable path forward for California.

The resulting Statewide Water Action Plan was completed in September and unanimously approved by the ACWA Board of Directors on Sept. 27, 2013. ACWA submitted the Statewide Water Action Plan to California Governor Edmund G Brown Jr. on Oct. 2, 2013, as the water community's recommendations for developing the Administration's water plan for the state.

Association of California
Water Agencies

Contacts and Location:

Sacramento Office
910 K Street, Suite 100
Sacramento CA, 95814
TEL 916.441.4545

Randy Record
ACWA President

John Coleman
ACWA Vice President

Timothy Quinn
Executive Director

ACWA's mission is to assist its members in promoting the development, management and reasonable beneficial use of good quality water at the lowest practical cost in an environmentally balanced manner.

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ASSOCIATION OF CALIFORNIA WATER AGENCIES

STATEWIDE WATER ACTION PLAN FOR CALIFORNIA

Introduction

California's complex water management system is facing unprecedented challenges. Local investments in water supply reliability and ecosystem health have built upon the legacy infrastructure projects that served us well in the past, but the backbone water supply system we rely on today no longer satisfies the state's needs. California's statewide water system cannot respond effectively to our growing population, changing ecosystem needs, increasing flood risks and consecutive years of drought. Climate change and its impacts on public safety and long-term water supply reliability also pose a significant challenge to this generation of water and flood managers.

These problems are extraordinary, and their solutions will require an extraordinary commitment from state, local and federal agencies. They also will require a more evolved regulatory approach that will allow the system to operate efficiently and predictably to meet 21st century water supply and ecosystem needs.

The state has recognized the need for action in venues and initiatives such as the Department of Water Resources' (DWR) California Water Plan, the Delta Stewardship Council's Delta Plan, and the multi-agency Bay Delta Conservation Plan (BDCP). Now California's public water agencies are stepping forward to recommend this set of principles and actions to enhance these individual efforts and integrate them in a comprehensive Statewide Water Action Plan. Our recommended plan, submitted to the Governor for his consideration, provides context for a Delta solution and other critical actions as components of a broader set of strategies to address overall water supply reliability and ecosystem health in California.

When implemented together, this suite of statewide actions will serve as a sustainable path forward for California. Governor Brown's leadership and commitment will be central to the success of this action plan and to moving water policy forward in California.

Guiding Principles for Implementation of the Statewide Water Action Plan

1. **Long-term water supply reliability and improved ecosystem health** are the core objectives of this statewide water action plan. In the course of achieving them, however, we must ensure that one region's increased reliability does not adversely affect another's near- or long-term water supplies.
2. **A new regulatory approach** is essential to reflect today's realities and better serve the needs of California water users and the ecosystem. This is critical if we are to reduce scientific uncertainty and incorporate new understanding of operational and ecosystem dynamics. Under the current approach, regulatory agencies tend to focus only on their specific goals, resulting in duplicative and contradictory requirements that fail to deliver benefits to our water supply, water quality or ecosystem. To combat this, state agencies should commit to using collaborative processes as extensively and transparently as possible to achieve regulatory goals in a way that satisfies water supply, water quality, and ecosystem needs. This new approach should embrace enhanced sharing of data, consistent use of peer-reviewed science (including climate change models), coordinated review under the California Environmental Quality Act (CEQA), and improved integration and coordination of all related processes. This approach will help ensure continued ecosystem protections and increase the water community's confidence that regulatory investments will achieve benefits.
3. **The best available science** should be used to support every action, report or decision made as part of this Statewide Water Action Plan. The science should be inclusive, objective, transparent, and peer reviewed.
4. **Water rights and contract terms**, including area-of-origin protections, are foundational to our water system and should be respected and adhered to whenever projects and initiatives are implemented. State and federal facilities should be operated consistent with the conditions of water rights, contracts, and other entitlements.
5. **Bold actions guided by strong leadership** at the state, federal and local levels are essential for the successful implementation of this action plan. In particular, increased commitments by federal partners are needed to ensure the plan moves forward. The Department of Water Resources should provide leadership and support for these efforts from the department's highest level.
6. **Financing:** The state should fund investments that provide broad public benefits such as improved water supply reliability, water quality and ecosystem health. The state should also incentivize local projects that advance statewide water priorities and require public assistance to be cost effective.

Statewide Actions

To be most effective, the following suite of statewide actions should be implemented as a comprehensive package. Indeed, many elements — including a Delta conveyance solution — are much more likely to succeed if they are part of a broader action plan. Statewide support for the action plan is essential. Advancing all elements of the plan simultaneously will help secure and maintain that support and build a statewide coalition capable of achieving these ambitious goals.

1. Storage

California's water infrastructure has proven inadequate to meet the state's needs in a two-year drought, let alone a multi-year drought. This deficiency, coupled with the already measurable effects of climate change, makes construction of new storage facilities and expansion of existing storage imperative. A wide range of options should be on the table, including new surface water projects; re-operation and expansion/enlargement of existing storage projects; groundwater and conjunctive use; and development of other local and regional storage facilities. Additional storage will add flexibility to the water management system and help ensure a more reliable water supply to serve California's diverse needs, including drought resilience and ecosystem protection (e.g., improved temperatures and flows for fish).

Actions

- **Studies.** In coordination with DWR, the responsible state, federal or local water agency proponents of projects should complete storage studies by June 2014 and formally determine whether a particular project is environmentally and economically sound and will provide benefits for water supply and the ecosystem.
 - **Permitting.** Within six months of a local determination based on these studies, DWR and the California Department of Fish and Wildlife (CDF&W) should begin coordinating with local agencies to expedite permitting and CEQA compliance for new storage facilities. For storage projects found to have statewide benefit, DWR and CDF&W should take the lead in expediting the permitting process.
- The state also should coordinate with federal agencies as needed on permitting, the National Environmental Policy Act (NEPA), water rights issues and potentially construction.
- **Financing.** Under comprehensive water legislation enacted in 2009, the California Water Commission is tasked with defining and quantifying the public benefits of water storage projects eligible for funding with state dollars. By June 2014, local water agencies that would receive identifiable water supply benefits from water storage projects should provide a plan outlining their commitment and steps they will take to pay for those benefits. This Statewide Water Action Plan recommends that any water bond that moves forward in 2014 provide for continuous appropriation of funding for the public benefits of storage as outlined in the bond measure currently slated for the November 2014 ballot.
 - **Construction.** By January 2018, construction should commence for new groundwater and surface water storage projects with an initial target of 1.5 million acre-feet of new storage capacity, as documented in the 2000 CALFED Record of Decision.
 - **Local Construction.** As soon as practicable, construction of local facilities with a target of 1 million acre-feet should be completed.
 - **Reoperation.** DWR should complete its study of reservoir reoperation by June 2014, including reoperation of existing reservoirs and integration of new storage into system operations.

2. Water Use Efficiency

Water conservation and water use efficiency are central elements of the state's strategy to enhance water supply reliability, restore ecosystems and respond to climate change and a growing population. It should continue to be the state's policy to encourage investments in water conservation and water use efficiency by ensuring that the right to conserved water remains with the conserving entity. Local and regional water agencies have made significant multi-decade investments in water conservation and water use-efficiency activities and continue to do so under new state requirements

enacted in law. The state should acknowledge that local agencies are in the best position to determine compliance with these requirements and should respect local determinations as sufficient.

Actions

- The state should provide funding for water use efficiency activities in disadvantaged communities and support programs that are not locally cost effective but contribute broad benefits to California.
- DWR and local water agencies should coordinate with groundwater management agencies where applicable to enhance conjunctive use opportunities and minimize potential impacts on groundwater recharge that may result from water use efficiency and conservation efforts.

3. Water Supply Assurances

California law establishes a goal of improving water supply reliability throughout the state. Water supply reliability in regions that rely on water conveyed across the Delta is of obvious importance to the California economy. A BDCP is being developed in part to improve and protect water supply reliability for the agencies that will benefit from its completion. However, it is important that these improvements be accomplished in a manner consistent with this principle.

When the Central Valley Project (CVP) and the State Water Project (SWP) were built, assurances were incorporated in their authorizing statutes that water needed to meet present and future beneficial uses in the areas of origin (i.e., the Sacramento Valley, the east side of the San Joaquin Valley and the Delta) would be available to those areas when needed. All of California has benefited from these fundamental assurances. The state should commit to implementing an action plan that augments storage and modifies regulatory approaches to ensure that positive storage balances can be maintained at all times to provide for improved water supply reliability and ecosystem health and protection of the state's economy.

Actions

- As the state implements this plan, all relevant agencies should adhere to water rights protections in state law and comply with existing water rights and contractual requirements.
- The Administration should continue to affirm through its policies and actions that the

implementation of a BDCP will not adversely affect existing water rights of those in the watershed of the Delta, nor will it impose any obligations on area-of-origin water users, including in the Delta, to supplement flows in and through the Delta.

- Those seeking to secure permits for a BDCP will be responsible for meeting all applicable conditions in their BDCP permits, including any obligations in those permits for Delta flow, which as required by law must avoid redirected impacts to area-of-origin water users, including in the Delta, unless provided for in voluntary agreements or settlements.

4. Operational Assurances

Recent modeling indicates that, in the driest 10% of years, some major reservoirs will hit "dead pool," the condition in which water levels fall below a dam's lowest outlets and no operable storage exists to deliver water for supply, environmental, and power generation purposes. The ramifications of hitting dead pool at that frequency could be catastrophic for water users who rely on these facilities for a portion of their supply, for the environment, and particularly for affected water agencies that do not have another viable source of water supply for their customers.

Allowing reservoirs to reach dead pool is not sound policy and is at odds with overall efforts by the state and federal governments to address California's water supply reliability and ecosystem health. Adaptive strategies that address this issue are critical to ensure that the operational rules for California's water delivery system will provide the water supply assurances needed by water users throughout the state. It should be the policy of the state to adopt regulations, develop operating rules, or take other actions that will ensure that reservoirs are not drawn to dead pool conditions, even in multiple dry years.

Actions

- The Administration should develop a strategy in coordination with state agency leadership and federal agency partners by January 1, 2015, to ensure reservoirs are not driven to dead pool levels. This strategy should identify needed regulatory changes, infrastructure improvements including increased storage capacity, and changes in reservoir operations, as well as support for additional local resources development.

- Initial actions identified through this process that can be implemented prior to January 1, 2015, should be included as part of the report outlined in the Governmental Coordination section of this Statewide Water Action Plan.
- As part of this strategy, the Governor should direct state agencies to implement new and existing water management and water quality programs in a manner that will help ensure California's reservoirs do not reach dead pool conditions.

5. Improved Regional Self-Reliance

In addition to water use efficiency and water conservation, California's water agencies utilize a variety of methods to increase local water supplies and reliability for water users and the environment. The state should continue to support development of local and regional water resources that improve each region's water supply reliability and, where applicable, augment imported water supplies. This includes surface water diversions for in-basin uses, conjunctive use, stormwater capture, recycled water, desalination, and groundwater cleanup. Projects and programs that achieve multiple benefits should be a priority.

Actions

- Local agencies should improve self-reliance by planning and implementing projects consistent with decisions made by local and regional water agencies.
- DWR should consult with local and regional agencies to develop a statewide strategy to improve regional supplies, in accordance with the Sacramento-San Joaquin Delta Reform Act.
- The state should continue to support Integrated Regional Water Management Plan (IRWMP) efforts that successfully provide for regional and local needs.
- DWR should work with existing IRWMP programs and stakeholders to evaluate the state's Integrated Regional Water Management program and identify areas for improvement, including streamlining the application process, developing specific criteria to determine successful plan implementation, and reducing transaction costs. This effort should include ways to enhance the program's effectiveness in serving disadvantaged communities in IRWMP-eligible areas.

6. Headwaters

Because nearly all of the state's water supplies originate in California's headwaters, more effectively managing these areas is integral to optimizing the water supplies that nature provides. Adapting to climate change and improving watershed resiliency to reduce the likelihood of catastrophic wildfires and increase water yield and quality will require substantial investments by the state.

Actions

- State land and resource management agencies with jurisdiction in headwaters areas should draft a joint report to the Governor and the Legislature analyzing the impacts of climate change on headwaters. The report should identify the benefits that headwaters currently provide, identify models to assess the impacts of climate change on these resources and outline strategies to adapt to those impacts. The appropriate state agencies should invite their federal agency partners to participate in the development of the report.
- The Natural Resources Agency, in consultation with the Sierra Nevada Research Institute (UC Merced) and the U.S. Departments of Agriculture and the Interior, should provide a report to the Governor outlining and prioritizing investments that can be made on public lands to improve the condition and functions of California's headwaters to benefit water supply reliability for the state.
- Working with local agencies, the state should assess and support solutions for legacy issues affecting water quality and supply to improve the condition of affected watersheds.
- The state should seek to partner with the U.S. Forest Service in meadow restoration projects that can control excessive soil erosion and sediment delivery in California's watersheds to help maintain reservoir storage capacity, reduce flood risks and increase conjunctive use capability.

7. Water Quality

Protecting water quality is a critical aspect of water management in California. The state should continue to pursue actions to protect, maintain and enhance surface water and groundwater quality for all applicable beneficial uses, consistent with meeting all applicable standards, agreements and regulatory requirements.

Actions

- The Department of Public Health should fund the development and use of new analytical methods and cost-effective treatment technologies to better detect and remove chemical and microbial contaminants from drinking water supplies.
- The state should provide funding support for local water agencies to develop and implement salt and nutrient management plans that will reduce salinity in surface and groundwater supplies and provide enhanced conjunctive use opportunities.
- The State Water Resources Control Board and the Regional Boards should review and better match water quality standards to the locally appropriate and demonstrated use of the water. Water quality program expenditures should be focused where they will provide the greatest water quality benefits. Source water quality for municipal uses should continue to be protected.
- The state should continue to develop solutions for assisting disadvantaged communities that do not have safe drinking water.

8. Bay Delta Conservation Plan

A Delta solution, including a BDCP, is a critical component of a broader set of actions that will address water supply reliability and ecosystem health in California.

Actions

- Within the scope of existing regulatory statutes, all state agencies involved in developing a BDCP should exercise their discretion and authority to ensure the final project is consistent with the principles of this Statewide Water Action Plan.
- A Delta solution is expected to provide substantial public benefits, which will be funded from public sources including a revised 2014 water bond. The state should work with its federal partners to secure long-term, non-reimbursable federal funding to pay for the federal share of these public benefits.
- Any large construction project, including a BDCP, may have adverse impacts related to the project's "footprint." Where feasible, a BDCP should be designed to avoid or minimize adverse impacts in the first place. When adverse impacts cannot be avoided, the permittees of a BDCP should

mitigate project-related environmental impacts, including water supply impacts, in accordance with existing law.

- The permittees of a BDCP, including the Central Valley Project and State Water Project contractors, should work collaboratively with other water users in good faith on all statewide water issues to find mutually acceptable solutions on the broader statewide water issues.

9. Levee Improvement and Maintenance

Levees in the Delta and throughout California are key features of the state's water system and are subject to many risks, including those associated with earthquakes and floods. To protect against and prepare for future levee failures, the state should continue to support and prioritize the maintenance of levees in accordance with state law, including critical near-term actions and the Central Valley Flood Protection Plan.

Actions

- The Delta Stewardship Council should complete its prioritization plan by July 1, 2014.
- The state should continue to support DWR's Delta Levee Maintenance and Special Projects programs and provide support for local flood protection measures throughout the Central Valley by partnering with local agencies in projects that can incorporate public benefits.

10. Emergency Preparedness and Public Safety

Recent events in California and other states have demonstrated that water-related emergencies can have significant impacts and put public safety at risk. A robust emergency response plan is essential for minimizing disruption due to floods, earthquakes, wildfires, power outages or contamination of drinking water supplies. The state, working with federal partners, should continue efforts to improve response strategies to enhance public safety during these unforeseen events.

Actions

- DWR should implement pertinent recommendations of the Sacramento-San Joaquin Delta Multi-Hazard Coordination Task Force Report of 2012.

- To reduce the risk of catastrophic wildfires, the California Department of Forestry and Fire Protection (CAL FIRE) should review and, if necessary, revise relevant state regulations to better accommodate and effectuate the use of forest management tools such as forest thinning, biomass removal and controlled burns that reduce fuel loading.
- DWR should coordinate with the California Governor’s Office of Emergency Services and the U.S. Army Corps of Engineers to ensure public safety in the Delta and upstream will not be compromised by actions that might otherwise degrade the performance of flood management facilities; create or redirect hydraulic impacts; or, interfere with or impede flood facility improvements, operations or maintenance.
- DWR should implement the pathway strategy adopted in its draft Delta Flood Emergency Preparedness and Response Plan and supported by the U.S. Army Corps of Engineers. This effort includes all measures to facilitate restoration of an emergency freshwater pathway to water export facilities in approximately six months.

11. Bay-Delta Water Quality Control Plan

Multiple regulatory agencies, including, but not limited to, the State Water Resources Control Board (State Water Board), National Oceanic and Atmospheric Administration (NOAA) Fisheries, U.S. Fish and Wildlife Service (USFWS), CDF&W, U.S. Environmental Protection Agency (USEPA), DWR, Army Corps of Engineers, and the Delta Stewardship Council are tasked with making decisions affecting California’s water supplies. Continued coordination among these agencies is essential to avoid duplicative and possibly conflicting policies and regulations, and to make the most efficient use of the state’s resources. Negotiated programs and planning efforts have been and likely will be the most effective tools to protect beneficial uses in the Bay-Delta. The State Water Board has the opportunity to lead this coordination through its review and update of the 2006 Water Quality Control Plan (Bay-Delta Plan). In its review of the Bay-Delta Plan, the State Water Board should:

Actions

- Encourage and facilitate negotiated programs, planning efforts and settlements that will implement flow and non-flow actions consistent

with the need to protect beneficial uses and public trust balancing.

- Require a tri-annual review of water quality objectives and implementation accountability through annual reports by local agencies, state offices, departments and boards with responsibility to implement the Bay-Delta Plan.

12. Water Bond

Significant investments in California’s water infrastructure, water management improvements and ecosystem health are critically needed and long overdue.

Actions

- The water bond currently set for the November 2014 ballot should be modified, consistent with the ACWA Board of Directors’ Water Bond Policy Principles, in early 2014 to ensure its placement on the November ballot. An appropriately crafted general obligation bond can fund broad public benefits associated with investments identified in this Statewide Water Action Plan. Priorities for funding should include new surface and groundwater storage; local and regional projects that support greater regional self-sufficiency; investments in Delta ecosystem restoration; safe drinking water projects and water quality improvements; water conservation and water use efficiency; and watershed management.

13. Groundwater Resources

Many regions of the state rely on groundwater for a significant portion of their water supply. In recent years, climate change, regulatory restrictions on surface water supplies, and increased demands have forced greater reliance on groundwater as a principal or supplemental supply for urban, agricultural and environmental uses. More sustainable management of groundwater is needed, but in order to succeed the state must invest in improvements to its water storage and Delta conveyance infrastructure to optimize both surface and groundwater supplies. Consistent with ACWA’s strategic policy document, *Sustainability from the Ground Up: A Framework for Groundwater Management in California*, the state should support and incentivize effective local and regional groundwater management, resolve conflicting state regulatory requirements and streamline its policies to optimize and increase surface and groundwater storage opportunities.

Actions

- DWR should convene a multi-agency workgroup with participation by local groundwater agencies to coordinate, review and facilitate implementation of local and regional groundwater management performance objectives.
- Groundwater recharge, banking and conjunctive use projects are critical to the future sustainability of California's groundwater resources. DWR and State Water Board (and Regional Boards) should support and facilitate these activities when programs are implemented as part of an IRWMP or legally recognized groundwater management plan.
- DWR, in consultation with other agencies that gather data, should develop a single data portal on a publicly accessible website for groundwater quality information. DWR also should continue to expand the CASGEM database for groundwater quantity.
- The state, through the Regional Boards, should support and incentivize local agencies' efforts to develop long-term, sustainable solutions for cleanup of existing groundwater contamination and prevention of future contamination.

14. Water Transfers

Water transfers can provide much-needed flexibility in meeting water supply and environmental needs and have proven invaluable in dry years and droughts. A well-defined set of policies and procedures that provide certainty to transferring parties is essential to facilitate future transfers and promote local and statewide economic, social and environmental sustainability.

While federal and state laws promote transfers, DWR's current approval processes should be streamlined. These issues should be resolved as expeditiously as possible so water transfers can be implemented quickly — when they are needed — without adversely affecting third parties.

Actions

- DWR should convene stakeholder meetings, including with the U.S. Bureau of Reclamation, to identify and resolve, at a minimum, the following issues by December 1, 2013:

- Identify a process to expedite transfers within a region;
 - Assess the role of CEQA in water transfers,
 - Review DWR and Reclamation processes and criteria that are used to determine what water is transferable; and
 - Investigate and review contracting practices within Reclamation and DWR for approving agreements to use conveyance and storage facilities of the Central Valley Project and the State Water Project.
- DWR also should review the 2002 SWRCB report, *Water Transfers Issues in California*, for background and relevant recommendations to further facilitate water transfers.

15. Governmental Coordination

For this plan to be successful, improved coordination among state agencies and between the state and federal government will be critical.

Actions

- The Governor and state agency leadership should follow up with their federal counterparts, including the President, to assess actions, policy direction and commitments in response to the memo from the President's Council on Environmental Quality (CEQ) to his cabinet directing that a BDCP be a priority for the Obama Administration. The state should further coordinate with federal agencies to advance other actions identified in the CEQ memo, including conservation and water use efficiency, enhancing water supplies and storage, and facilitating water transfers during times of shortage.
- The secretaries of the Natural Resources Agency, California Environmental Protection Agency and the Health and Human Services Agency, in coordination with their respective boards, departments, offices, councils, commissions and conservancies that have a role in implementation of this plan, should produce within 90 days of the Governor's approval of this plan a joint report that details how the agencies and entities they oversee will exercise their authorities to implement this plan in an expeditious and integrated manner.

Statewide Water Action Plan Participation





Comparison of ACWA’s Statewide Water Action Plan for California and the Brown Administration’s California Water Action Plan

ACWA’s Board of Directors unanimously approved a Statewide Water Action Plan for California on Sept. 27, 2013. Developed by a broad cross-section of member water interests convened by ACWA over several months, the plan outlines 15 actions to improve water supply reliability, protect water rights, protect the integrity of the state’s water system and promote better stewardship. It also includes guiding principles for implementation of the plan to help ensure actions benefit the entire state, respect water rights and contract terms, and reflect a new regulatory approach that can better meet the needs of water users and ecosystems.

ACWA submitted the Statewide Water Action Plan to Governor Brown on Oct. 2, 2013 as the water community’s recommendations for developing the Administration’s water action plan for the state. On January 27, 2014, the California Natural Resources Agency, California Environmental Protection Agency and the California Department of Food and Agriculture released the final California Water Action Plan. Below is a comparison of the two plans.

Key Elements of ACWA’s Statewide Water Action Plan Compared to the Brown Administration’s California Water Action Plan

Actions to Improve Statewide Water Supply

ACWA’s SWAP	California Water Action Plan	Notes
<ul style="list-style-type: none"> ✓ Expand water storage capacity (both surface and groundwater) (pg. 3) 	<ul style="list-style-type: none"> ✓ Expand both surface and ground water storage (pg. 13) ✓ Support funding partnerships for storage projects (pg. 13) 	<ul style="list-style-type: none"> • The Administration’s Plan emphasizes groundwater storage and management opportunities (pg. 13-14), but is not inconsistent with additional surface storage provisions in ACWA’s SWAP. See the groundwater section of this document for the groundwater-related actions. • The storage section in the Administration’s Plan specifically mentions the Sites Project Joint Powers Agreement as an example of collaboration. (pg. 13)

**Comparison of ACWA’s Statewide Water Action Plan for California and
the Brown Administration’s California Water Action Plan**

ACWA’s SWAP	California Water Action Plan	Notes
<ul style="list-style-type: none"> ✓ Invest in water use efficiency and water conservation activities (pp. 3-4) 	<ul style="list-style-type: none"> ✓ Facilitate expansion of existing agricultural and urban water conservation and water use efficiency programs to exceed SBX7 7 targets (pg. 5) ✓ Increase water sector energy efficiency and greenhouse gas reduction capacity (pg. 5) 	<ul style="list-style-type: none"> • The Administration’s Plan indicates the State will work with the Legislature to expand funding for water use efficiency programs. Programs must include numeric targets and be designed to achieve state-developed targets and performance measures. (pg. 5) • The Administration’s Plan includes additional details in this section on the water-energy nexus. (pg. 5)
<ul style="list-style-type: none"> ✓ Advance regional self-reliance/ Integrated Regional Water Management Plans (pg. 5) 	<ul style="list-style-type: none"> ✓ Streamline permitting for projects to increase local water supplies (pg. 7) ✓ Increase the use of recycled water (pg. 7) ✓ Support and enhance IRWMP program, targeting funding to those projects that result in multi-benefit solutions (pg. 6) ✓ Work more closely to promote land use decisions with sustainable water management (pg. 6) ✓ Provide assistance to disadvantaged communities (pg. 6) 	<ul style="list-style-type: none"> • The Administration’s Plan indicates the state will adopt criteria for indirect and direct potable water reuse of recycled water, which is required by SB 918 (Ch. 700 Stat. 2010). ACWA recommended this action in its Groundwater Framework. The Administration also indicated it will seek to consolidate the state’s recycling programs in the State Water Resources Control Board. (pg. 7) • ACWA included a recommendation in its Groundwater Framework regarding bridging the gap between land use decisions and sustainable water management. (pg. 31)
<ul style="list-style-type: none"> ✓ Facilitate water transfers (pg. 8) 	<ul style="list-style-type: none"> ✓ The Administration’s Plan does not include an action item related to water transfers 	<ul style="list-style-type: none"> • While this action item does not appear in the Administration’s Plan, the Administration has indicated voluntary transfers are a priority for California.

**Comparison of ACWA’s Statewide Water Action Plan for California and
the Brown Administration’s California Water Action Plan**

ACWA’s SWAP	California Water Action Plan	Notes
✓ Protect and improve water quality (pp. 5-6)	✓ Complete consolidation of drinking water and surface and groundwater quality programs; provide long-term funding for disadvantaged communities; identify drought-vulnerable small systems (pg. 15)	<ul style="list-style-type: none"> • This action in the Administration’s Plan transfers the CDPH Drinking Water Program to the State Water Resources Control Board. Originally opposed to this move, ACWA is now working with the Administration to ensure that the transfer does not disrupt this critical program. As noted above, the Administration has indicated the CDPH recycling program will also be consolidated to the Water Board.
✓ Pass a water bond (pg. 7)	<ul style="list-style-type: none"> ✓ Develop water financing strategy to identify all potential sources of revenue. Mentions general obligation (G.O.) bond as one financing opportunity, along with federal grants and loans, cap and trade auction revenue, revenue bonds, fees, taxes, private investments etc. (pg. 19) ✓ Review changes needed to Prop. 218 that would allow water agencies to assess funds for sustainable water management (pg. 18) ✓ Analyze user and polluter fees (pg. 19) 	<ul style="list-style-type: none"> • The Administration’s Plan lays the foundation for possible agreement on the 2014 water bond and clearly contemplates going beyond G.O. Bond financing of public benefits in the future. • The Administration’s Plan also includes cap-and-trade auction revenue as a potential funding source and language about energy efficiency measures that would be a co-benefit of water infrastructure investments.

Actions to Protect Water Rights

ACWA’s SWAP	California Water Action Plan	Notes
✓ Respect area of origin commitments (pg. 4)	✓ Includes a statement in the operational and regulatory efficiency section that states “efficiently operating the State Water Project and Central Valley Project, while complying with the requirements of state and federal endangered species acts and operating consistent with the	<ul style="list-style-type: none"> • ACWA will continue advocating to the Administration to satisfy the water supply assurances commitments of the SWAP.

**Comparison of ACWA’s Statewide Water Action Plan for California and
the Brown Administration’s California Water Action Plan**

ACWA’s SWAP	California Water Action Plan	Notes
	conditions of water rights, contracts and other entitlements, is a delicate balancing act.” (pg. 17)	
✓ Ensure that reservoirs are not operated to “dead pool” as a result of state regulations or actions (pp. 4-5)	✓ Does not include specific actions that address the operational concerns related to this issue, although the Administration’s Plan does state in the <i>Manage and Prepare for Dry Periods</i> section that state and federal agencies will implement a series of administrative solutions to make water delivery decisions and propose options in extreme conditions (pg. 12)	<ul style="list-style-type: none"> • The Administration has acknowledged the issue, and ACWA and its affected members will continue working on efforts to address it with State agencies.

Actions to Protect the Integrity of the System

ACWA’s SWAP	California Water Action Plan	Notes
✓ Complete a Bay Delta Conservation Plan, consistent with the Statewide Water Action Plan (pg. 6)	<ul style="list-style-type: none"> ✓ Complete the current Bay Delta Conservation Plan. Once the BDCP is permitted, it will become part of the Delta Plan (pg. 8) ✓ Identify improvement and restoration projects based in part on priority areas listed in the Delta Stewardship Council’s (DSC’s) Delta Plan (pp. 8-9) 	<ul style="list-style-type: none"> • The Administration’s Plan indicates many of the actions build on the priorities in the DSC’s Delta Plan and directs all relevant agencies to fully participate in the Delta Plan Implementation Committee and to work with the Delta Science Program. (pg. 8)
✓ Continue to support DWR’s Delta Levee Maintenance and Special Projects programs (pg. 6)	<ul style="list-style-type: none"> ✓ Continue implementation of the Delta Levee Subventions, Delta Special Projects and Floodway Corridor Programs (pg. 9) ✓ Develop prioritization plan for state investments in Delta levees (pg. 16) 	<ul style="list-style-type: none"> • ACWA’s SWAP says that DSC should complete its levee prioritization plan by July 1, 2014. (pg. 6) • The Administration’s Plan does not include a deadline for the completion of a prioritization plan.
✓ Prepare for emergencies to protect public safety (pg. 6-7)	✓ Develop funding, streamline permitting and coordinate response protocols to	<ul style="list-style-type: none"> • The Administration’s Plan and SWAP appear to be in conformance on this issue.

**Comparison of ACWA's Statewide Water Action Plan for California and
the Brown Administration's California Water Action Plan**

ACWA's SWAP	California Water Action Plan	Notes
	<p>reduce flood risk and impacts (pg. 16)</p> <p>✓ Encourage flood projects that plan for climate change and achieve multiple benefits (pg. 16)</p>	
<p>✓ Improve and expand groundwater management (pp. 7-8)</p>	<p>✓ Update Bulletin 118 (pg. 14)</p> <p>✓ Outline strategy for sustainable groundwater management (pg. 14)</p> <p>✓ Support and expand the California Statewide Groundwater Elevation Monitoring (CASGEM) program (pg. 13)</p> <p>✓ Advance groundwater quality improvements (pg. 12)</p> <p>✓ Increase statewide groundwater recharge (pg. 14)</p>	<ul style="list-style-type: none"> • The recommendations on page 13-14 were in the storage section, renamed to reflect action on groundwater management. • Many of the groundwater recommendations are similar to ACWA's Groundwater Framework. • The Administration's plan suggests action by the state when local or regional entities have not made sufficient progress.

Actions to Promote Better Stewardship

ACWA's SWAP	California Water Action Plan	Notes
<p>✓ Invest in headwaters management to sustain the environment and improve statewide water quality and supply. Areas include climate change, legacy issues and meadow restoration. (pg. 5)</p>	<p>✓ Manage Headwaters for Multiple Benefits through sound forest management meadow restoration, and expanded funding for strategically important watersheds (pg. 9)</p>	<ul style="list-style-type: none"> • This section includes new actions on headwaters investments. This addition is consistent with ACWA's comment letter.
<p>✓ Coordinate state and federal regulatory actions (pg. 8)</p> <p>✓ New regulatory approach needed (pg. 2)</p>	<p>✓ Improve and clarify coordination of State Bay Delta actions (pg. 18)</p> <p>✓ Working Together and Continued Collaboration is Essential (pg. 4)</p>	<ul style="list-style-type: none"> • The final version focuses more on collaboration, including actions the state will take to initiate efforts with other partners. • The Administration's Plan opens the door to a more collaborative approach to regulation, but there will be a lot of "devil in the details."
<p>✓ Bay Delta Water Quality Control Plan: Implement flow regulations through a collaborative, science-based process that protects</p>	<p>✓ Complete the Bay Delta Water Quality Control Plan establishing requirements, recommended actions and balancing competing uses of water (pg. 9)</p>	

**Comparison of ACWA's Statewide Water Action Plan for California and
the Brown Administration's California Water Action Plan**

ACWA's SWAP	California Water Action Plan	Notes
beneficial uses and public trust balancing (pg. 7)		

Additional Actions

ACWA SWAP	California Water Action Plan	Notes
<p>✓ The ACWA SWAP did not specify in its document restoration projects for individual areas or watersheds</p>	<p>✓ Implement actions for San Joaquin River, Salton Sea, Klamath Basin, Lake Tahoe and Coastal watershed restoration (pp. 10-11)</p> <p>✓ Develop and implement managed wetlands program (pg. 11)</p> <p>✓ Address fish passage at California's rim dams (pg. 11)</p> <p>✓ Enhance flows statewide in at least five streams that support critical habitat for anadromous fish (pg. 12)</p>	<ul style="list-style-type: none"> • Allocation of effort and funds among California headwaters and watersheds will require the active involvement of ACWA members during implementation.
<p>✓ While climate change was mentioned in the context of a major policy challenge for sustainable water system (pg. 1), the SWAP did not include specific actions related this issue or the water-energy nexus</p>	<p>✓ The Administration will continue to work with water/wastewater agencies and energy utilities on water-energy nexus education programs (pg. 5)</p> <p>✓ The Administration will work with the Legislature to eliminate barriers to co-funding and expand/prioritize funding projects with water and energy benefits (pg. 5)</p>	<ul style="list-style-type: none"> • The Administration's Plan calls out the Global Warming Solutions Act (AB 32) and the role of water conservation and efficiency in reducing energy needed to pump, transport, treat and deliver water (pg. 5) • The addition of these actions and other energy-related items throughout the document illustrate the increased overall focus on the impacts on water policy of climate change and energy use/generation.

**For additional information, please contact Danielle Blacet, ACWA Special Projects Manager, at 916-441-4545 or danielleb@acwa.com.

JOSHUA BASIN WATER DISTRICT
MEETING AGENDA REPORT

Meeting of the Board of Directors

April 2, 2014

Report to: President and Members of the Board

Prepared by: Susan Greer 

TOPIC:

KAYE KEENE SECOND REQUEST FOR RECONSIDERATION OF COSTS REQUIRED FOR WATER SERVICE CONNECTION

RECOMMENDATION:

Receive information and direct that any further inquiries are to be handled by the General Manager

ANALYSIS:

A request was submitted to the Board on behalf of Kaye Keene at the 11/20/13 Board meeting. The request posed five different questions; primarily related to implied deficiencies in the water system in the area of Copper Mountain Mesa Assessment District (CMMAD). If some of the implied deficiencies were accurate, the corrections to those deficiencies would provide opportunity for Ms. Keene to obtain the water service she requests at a significantly lower cost. The information below indicates that no deficiencies exist and the District has made no error in the design or installation of pipe in her area or the CMMAD.

This is the third time that Ms. Keene will be appearing before the Board. Several additional committee meetings have also been held where this topic has been considered, beginning in early 2012. None of the information provided or questions asked by Ms. Keene or on her behalf or the responses provided by Staff, Engineer or Counsel indicate that any error has been made or that any other affordable alternative is currently available for her.

We held off responding to the 11/20 information request as additional information was presented by Mr. Fountain on Ms. Keene's behalf at the last minute, just prior to the board meeting when this topic was to be considered. The only new information presented by Mr. Fountain on 11/20 is an attached map, labeled FOUNTAIN MAP. The map appears to provide details for a \$277,200 mainline extension in Ms. Keene's area, which Mr. Fountain appears to propose as a solution, with total payback from seven parcels of \$161,700 and net cost of \$115,500 to "get water to parcels U,V,W,X,Y and Z and correct substandard pressure." As indicated below, the original CMMAD design already properly addresses such issues, there is water already available to the referenced parcels and there is no substandard pressure.

Question 1: What are the proposed alignments in map form that relate to quotes provided in a 10/4/13 letter to Ms. Keene, and which parcels would qualify for refund agreements?

Maps providing the proposed alignments as well as the refund agreement parcels for Quote 1 and Quote 2 are attached.

Question #2: Why wasn't the mainline extended to the farthest most property line on parcel #5? Installing the mainline any further than was done (to the northwest corner of parcel #3) would have constituted unnecessary construction, as parcels 1-5 are all within 1,400 feet of the pipeline and properties A-G are not included in the Assessment District. There was no need to provide water service to parcels A-G and the rules of the CMMAD allow parcels to utilize service lines up to 1,400 feet in length, so parcels 1-5 can install their meters at the terminus of the pipeline and install long service laterals to their individual properties. The overall objective of the CMMAD was to reduce the project costs while still providing a water system. The construction is consistent with the intent of the CMMAD and with maintaining minimal cost impacts to the assessment district participants.

In February, 1996, the District adopted Article 2.7.1 of the Rules and Regulations, authorizing that "customers within the CMMAD shall be allowed to install a service line up to 1,400 feet long, which may cross the property of others" (also attached). That rule, enacted prior to the issuance of the CMMAD debt or construction of the project, authorized longer service lines within the CMMAD. The intent was to substantially reduce the amount of mainline required for the project by eliminating the need to install mainlines adjacent to every parcel, which reduced the overall cost for the participants—reducing overall cost was the only way to obtain financing for the project. Elsewhere in the District, mainlines must be adjacent to parcels being served, long service lines are not allowed and mainlines must be extended to the furthest property line of the most distant applicant (with some exceptions such as pressure boundary and remote meters).

Question #4: Parcels U, V, W, X, Y and Z are not serviceable from the D1-pressure zone due to elevation; what is the District's plan to resolve this issue?

Parcels U-Z are serviceable from the D1 pressure zone because pressure *at the water meter* is greater than 40/20 psi minimum pressure under the average and fire flow service conditions. Pressure has been field-verified by District staff to exceed 40 psi at the water meters located on Foxy Flats Road that serve these parcels. If water pressure at the customer's homes is less than 40 psi, it is their responsibility to provide additional facilities to increase the pressure. The District's responsibility ends at the meter where pressure exceeds 40 psi; we can't control and therefore do not assume responsibility for what occurs beyond the meter.

Question #5: Indicates that three existing customers south of La Brisa (parcels 6, 7 and 9 on the attached METTS' MAP) have substandard water pressure; what is the District's plan to resolve this issue?

The E-2 pressure boundary bisects the parcels in question, with northern portions of the parcels located in the E-2 zone and the southern portions in the D-1 zone. The three parcels are receiving water service from the mainline located on McGarry Road south of the parcels, which is in the D-1 zone. Again, the pressure at the meters serving the parcels in question exceeds the 40/20 psi minimum pressure under the average and fire flow service conditions requirements. Water pressure is provided at the meter and not at the customer's homes.

Question #3: (first part of question) With all required permits in hand, is the District obligated to serve all parcels within the Copper Mountain Mesa Assessment District (CMMAD) if the property owner pays meter charges, supply capacity charges, account set up fees and deposit?

The quick answer is yes, the District has an obligation to serve those participants with payment of only those listed fees (keeping in mind that fee amounts and types are subject to change), although there could be extenuating circumstances. An example would be if the original CMMAD parcel has been subdivided. If an original CMMAD parcel has been subdivided, the *new parcels* created are required to comply with all of the current rules, and that may require installation of additional mainlines at property owner expense.

Second part of question: What is the required amount of time for meter installations when the owner has paid all fees and has permit in hand. Assuming no mainline installation is required on the part of the customer, the District can typically set a meter within 48 hours after payment of fees.

This issue prompts further questions about the Copper Mountain Mesa Assessment District and any legal issues associated with non-participants such as Ms. Keene connecting to main lines funded by the participants as well as the District's obligation, if any, to correct any project deficiencies that might be identified in the future, since all project funding has already been spent nearly 20 years ago. These are complex issues that would involve significant legal research. General Counsel will address the issue and associated cost at the Board meeting.

Substantial effort and expense has already been incurred in providing information for Ms. Keene since early 2012, all of which has supported the original findings that unfortunately she must install expensive facilities in order to obtain water service for her parcel. We are estimating that Staff, Engineer and Counsel time spent analyzing various additional alternatives and questions from Ms. Keene have cost the District well in excess of \$5,000, without payment from Ms. Keene. The District's philosophy has been that development pays its own way.

Information provided to the Board by Ms. Keene just prior to the January 15th meeting provides one bit of new information not previously shared. Ms. Keene indicates that she has her booster system. Mike Metts indicates that a booster pump station at the end of the pipeline in the E2 pressure zone *might work if* the District allowed a variance of the remote meter policy, remembering that Ms. Keene does not qualify for a remote meter because she does not meet the requirements per the existing Rules and Regulations. A pump station located where described above would require a power feed and easements and then installation of a small pipe north toward her property—an option that would not be inexpensive according to Mike Metts. If Ms. Keene is envisioning a booster pump at her property, Metts calculates that the suction pressure would be very low and might not support the requirements of the pump. In any case, an engineering evaluation would be needed, taking into consideration the type of pump and characteristics, pressures and pipe losses in getting water to the property. If the Board agrees to consider a waiver to allow the remote meter, Ms. Keene should have the engineering evaluation done and submitted for our review, requiring payment of plan check fees when submitted to the District. In the end, the engineering evaluation would determine if the remote meter would be an appropriate solution for Ms. Keene, when considered in combination with the booster system that she has. The District cannot allow a solution for her that won't work consistently or meet the minimum pressure requirements, thereby creating liability for the District.

Consideration of a variance of the remote meter policy would need to include evaluation of how the other non-assessment district parcels surrounding Ms. Keene's parcel will receive water service in the future. In fairness, any variance offered to Ms. Keene should be offered to the other four parcels as their cost to connect will also be quite high and they don't meet the remote meter requirements either. That solution would provide for five remote meters and potentially open up remote meters for hundreds of other similarly-situated parcels adjacent to but not part of the Assessment District that don't technically qualify for the remote meters.

Ms. Keene is not part of the Copper Mountain Mesa Assessment District and therefore does not get to enjoy any rights, privileges or exceptions afforded to those participants who have paid for nearly 20 years for the water system constructed for them in their area. Ms. Keene is expected to comply with the District's current Rules and Regulations for water service, not those that apply for the Assessment District participants. Notwithstanding the new discussion above about the booster pump station, the District has evaluated many options again and again and, unfortunately, finds no alternatives that are

affordable for Ms. Keene. There are hundreds of other similarly-situated parcels, near, but not part of, the Assessment District. Any opportunity afforded to Ms. Keene to participate in the Assessment District after-the-fact should be given to all of those parcels, including allowing remote meters for parcels that don't qualify per the Rules and Regulations. Similarly, if proper analysis is not conducted, allowing non-participants to connect to pipelines paid for by the Assessment District participants could result in legal and financial challenges from the participants.

Staff does not recommend providing waiver of the remote meter policy because of the potential implications to other non-Assessment District participants. Staff respectfully requests that the Board consider this issue closed and direct that any further issues related to this matter be handled directly by the General Manager and not brought back to the Board unless the General Manager determines the need to do so.

STRATEGIC PLAN ITEM:

N/A

FISCAL IMPACT:

N/A

On behalf of K. Keene and the owners of the 4 parcels east of the Keene property which are identified as V,W,X,Y on attached map,

I hereby request the following be on the agenda for discussion and possible action at the next meeting of the board of directors

Question #1: I would like to know proposed alignments in map form that were proposed in quotes #1 and #2 dated 10/4/13 to misses K. Keene, and which parcels in the alignments will have refund agreements issued.

Question #2: Why wasnt the mainline ran to the farthest most property line on parcel 5 (see attached map).

Question #3: With all the required county permits (ie. building permit) in hand, Is the district obligated to serve all parcels within the CMMAD with only meter charges (ARTICLE 13.18) and supply capacity charges (ARTICLE 13.19) account set up fees and deposit due. In the CMMAD what is the required amount of time for meter installations when the owner of the parcel has all fees paid and building permit in hand.

Question #4:Parcels U,V,W,X,Y and Z (see attached map) due to elevation are NOT serviceable from the D- pressure zone(see Metts letter 9/12/13 pg. 2 par. 2)

What is the districts plan to resolve this issue?

Question #5: Three existing customers south of La Brisa, lots 7,8 and 9,(see attached map), have substandard water pressure of approx. 28 psi. "District and health department standards for min. serv. pressure required to be 40 psi" (see Metts letter). Furthermore, it is noted that code requires under fire flow conditions that a min. pressure of 20 psi. be maintained. Assuming under fire flow conditions, a pressure of 20 psi. at the meter locations for 7,8, and 9 (see Metts letter) the pressure at the homes will be sub-standard at approx 1.5 psi. due to elevation climb from the meters to the homes. This does not account for losses in service lateral, meter, check valve and curb stop. What is the districts plan to resolve this issue?

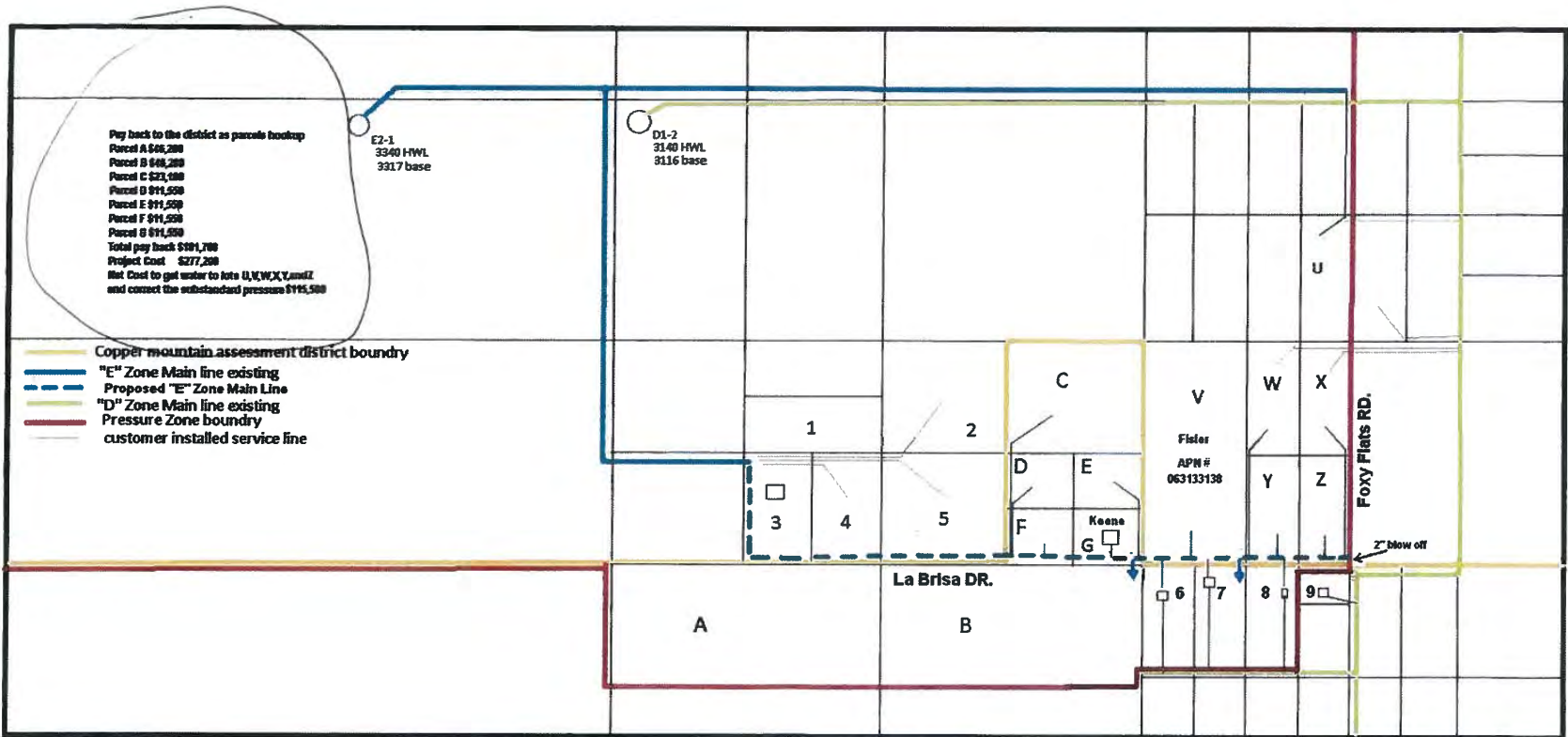
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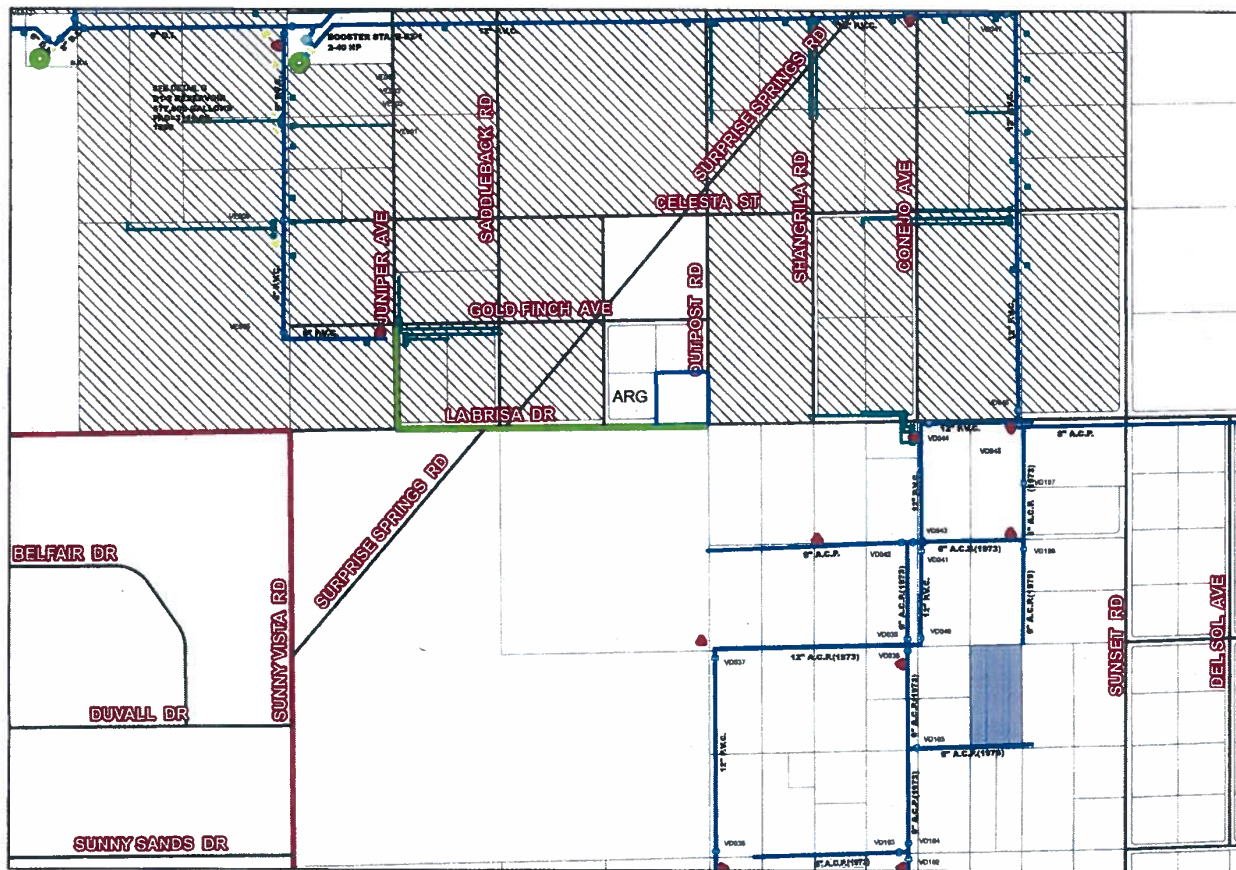
RICHARD FOUNTAIN 11/20/2013



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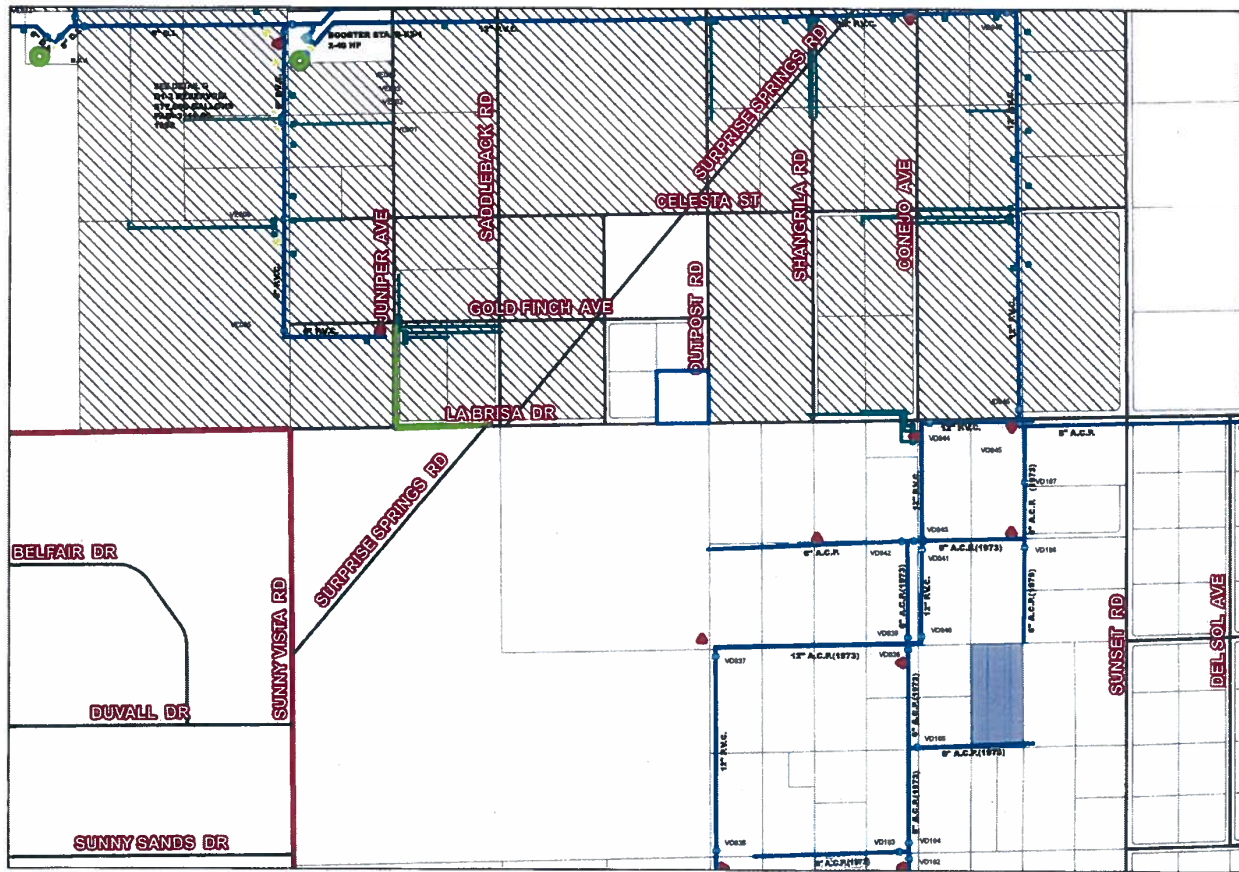
FOUNTAIN MAP









Legend
 CMM_OG_parcels_Dissolve
 = PIQ
 Watermain Alignment
 ARG = Parcel with Refund Agreement

Quote 1 N



Legend
 CMM_OG_parcels_Dissolve
 = PIQ
 = Watermain Alignment

Quote 2 

DUDEK

CORPORATE OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92034
P 760.741.5147 F 800.450.8181 WWW.DUDEK.COM

January 6, 2014

6079-01

Susan Greer, General Manager
Joshua Basin Water District
61750 Chollita Road
Joshua Tree, California 92252

Re: Keene Property Supplemental Information – Part 2

Dear Susan:

The following discussions are provided in relation to the comments received at the November Board Meeting. I have also attached a drawing for reference in understanding the responses.

1. Question #1 requests definition of the proposed alignments proposed in Quotes #1 and #2 dated October 4, 2013. As I did not prepare the quotes, I don't believe I am the right person to address this question. However, the following discussion in this letter may impact this question.
2. Question #2 seeks to know why the main pipeline was not extended to the farthest most property line on Parcel #5. Referencing Attachment A (provided herewith), the existing water pipeline extends to the northwest corner of Parcel #3. Extending the pipeline to the northeast corner of Parcel #5 would result in unnecessary construction at a greater cost, as Parcels #1 through #5 are all within the 1,400-foot limitation of the Copper Mountain Mesa Assessment District remote meter policy. Properties A through G were not included in the defined Assessment District (AD), and as such were not entitled to service by AD facilities. As the participants in the AD and JBWD were seeking to reduce the overall project cost at that time, Parcels 1 through 5 are within the District code for service from the subject pipeline. There was no requirement to extend the pipeline beyond that point. Therefore, the pipeline, as constructed, is consistent with the intent of the AD and with maintaining minimal cost for AD facilities.
3. Question #3 discusses legal elements of the AD documentation. As such, I will confine my comments to the engineering questions and allow others to address this question.
4. Question #4 identifies Parcels U through Z as having elevations not serviceable from the D-1 pressure zone, and what the District's plans were to resolve these issues. Parcels U through Z are currently serviced from the D-1 pressure zone. Service from the D-1 pressure zone is allowed as long as the pressure at the water meter is greater than 40 and 20 psi minimum pressure at the meter location under the average and fire flow service conditions respectively. District staff has field-verified that meters serving Parcels U through Z exceed 40 psi at the water meters under average demand conditions (meters are located along Foxy Flats Road). As a result, these parcels are consistent with the District's water service code. It is the responsibility of the property owner to provide additional facilities on the

customer side of the meter to continue service to the actual location of the home. Therefore, there are no service issues to resolve relative to these parcels.

5. Question #5 discusses parcels 6 through 9 shown on Attachment A. The question addresses the service pressures available to these parcels and how the District would resolve these considerations. Referring to Attachment A, the four parcels in question are bisected by the E-2 pressure zone boundary. As such, the northern portions are within the E-2 pressure zone and the lower portions are in the D-1 pressure zone. Parcels 6, 7 and 9 are currently served from the D-1 water main along the southern edge of each parcel (within McGarry Road). Therefore, the delivery pressure at each parcel's water meter is sufficient to meet the requirements of the District code necessitating 40 and 20 psi minimum pressure at the meter location under the average and fire flow service conditions respectively. It would be the responsibility of the of the property owner to provide additional facilities on the customer side of the meter to continue service to the actual location of the home. It is also noted that the fire flow pressure requirement is located at the fire hydrant, not the home, and the hydrant is located along the southern boundary of these parcels. District staff measured the normal operating pressure at this hydrant for the previously prepared analyses to be approximately 40 to 45 psi. Therefore, the District provided service to these parcels is in accordance with District code requirements.

From Attachment A, it is clear that service to parcels within the AD was properly considered in AD design and past District decisions, and the fact that Parcels C through G are not included in the AD affected the decision process with regard to constructing new facilities. An additional consideration is whether Parcels C through G would be legally allowed to connect to water distribution facilities paid for and constructed through the AD. This question requires legal discussion beyond my area of expertise.

I am available to discuss any questions you might have with regard to this information. We can discuss prior to the next Board meeting, if you wish. However, please feel free to give me a call if you have any questions or require any additional information prior to that meeting.

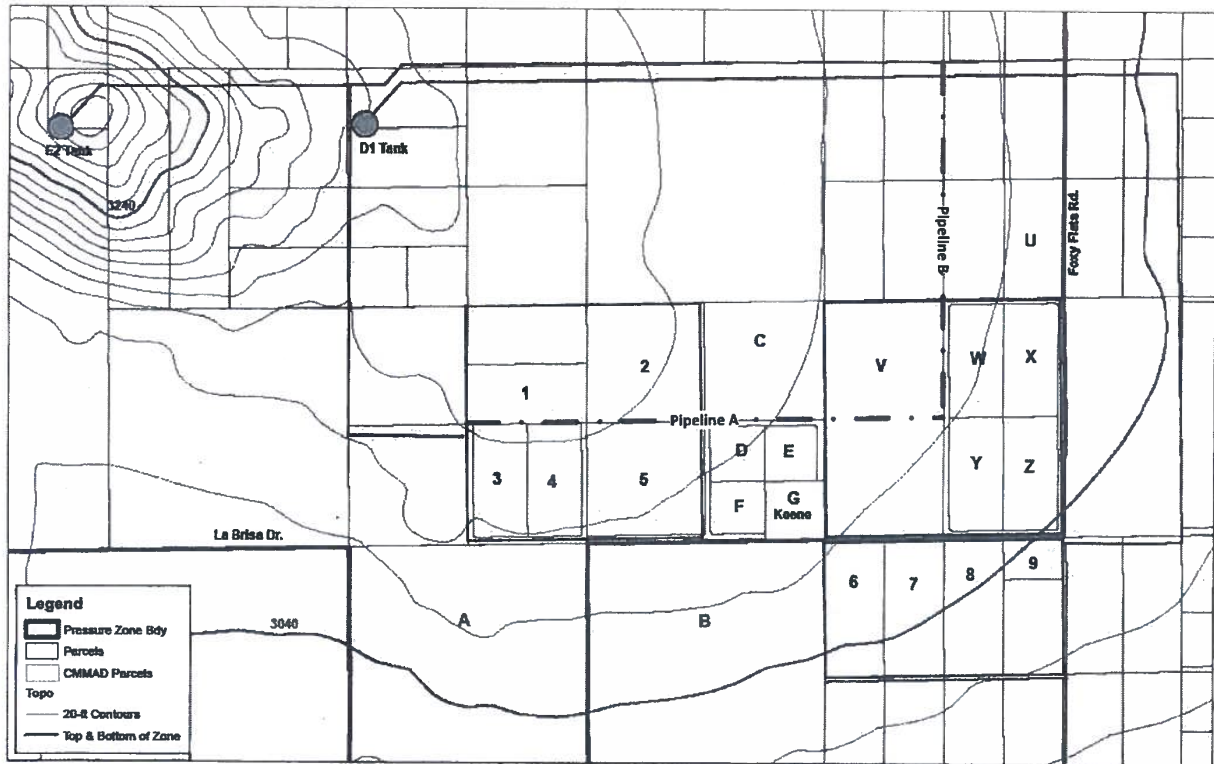
Respectfully Submitted,
DUDEK



D. Michael Metts, P.E.
Contract District Engineer

DUDEK

METTS' MAP





PO BOX 675
61750 CHOLLITA ROAD
JOSHUA TREE CA 92252
PHONE: 760.366.8438
FAX: 760.366.9528
JBWD@JBWD.COM

November 25, 2013

Richard Fountain
61620 Fountain Blvd.
Joshua Tree, CA 92252

Re: Public Records Request dated 11 15 2013

Dear Mr. Fountain:

The District is in receipt of your request for photocopies of records, specifically:

"Main line extension policy in place 1994-1997"

Photocopies have been prepared and are ready for you to pick up at the District office. The cost for the photocopies will be 75 cents.

Please let us know if you have any questions.

Sincerely,

Marie Salsberry
HR Manager/Administrative Specialist

ARTICLE III

WATER SYSTEM FACILITY EXTENSIONS. This Article will apply to all water system facility extensions initiated by the customer or customers for the purpose of extending service to their property or properties.

Article 3.1. **GENERAL.** Through various funding methods over time there has been provided the basic water system including production, storage, and the transmission system. The costs of these basic facilities have been shared by all of the customers and property owners of the District from the combination of water service revenues, water availability charges, ad valorem taxation, and the total mixture of revenues available and collectible by the District.

The six inch distribution lines with valves, fire hydrants, and other necessary appurtenances lying adjacent to a customer's property are for the specific, limited benefit of that property, and therefore, are not considered basic facilities for the purpose of these rules and regulations.

The Board, in the interest of providing maximum equity to all of the individual residential property owners, has established the MEP to assist in distribution system extensions.

Article 3.2. **ORGANIZATION OF PARTICIPANTS.** The initiation of and customer organization and coordination for a MEP project is the customer's responsibility. It shall be the responsibility of interested applicants to organize the MEP effort and obtain commitments from potential participants. A customer acting for the group may make application for a project at such time as the potential beneficiaries have signed a petition requesting a project on a form provided by the District. This form shall also be evidence of intent to participate.

Article 3.3. **APPLICATION FEE.** The application for a MEP project may include a standard fee if the Board elects to establish same. Such fee, if any, will be used to offset the cost of the necessary District study to determine the eligibility of and feasibility of a project.

Article 3.4. **BOARD'S DETERMINATION OF FEASIBILITY.** Projects are not automatic; feasibility is determined by the District. A MEP project is not an automatic or unconditional right of the District's eligible customers. Such projects shall be subject to funding availability and physical feasibility determination at the sole discretion of the Board. Each case will be determined on its own merit after the application is received and the applicable application fee, if any, is paid.

Article 3.5. DISTRICT'S PARTICIPATION SUBJECT TO FUNDS AVAILABILITY. The District's financial assistance, if any, will be limited and, in any event, shall be subject to the availability of sufficient facility extension funds.

Article 3.6. DISTRICT LIMIT ON FINANCIAL ASSISTANCE. Applicants for main extensions under MEP may request District financial assistance equalling up to 20% of the cost (or at the Board's discretion, 20% of the eligible properties) from the facility extension fund where it is not possible to secure the participation of all of the properties which would be benefited by a particular pipeline extension.

The program is intended to eventually break even financially. As the original nonparticipating parcels connect in the future, the distribution system connection charges paid by them will then be available for allocation to the facility extension fund.

Article 3.7. CONDITIONS REQUIRED FOR START OF DESIGN AND CONSTRUCTION. The design and construction of MEP projects shall be done by the District, or contractors of its choosing. Design shall not be started until the Board has found the project to be feasible and all project costs are paid to the District in advance of initiation of the project.

Actual construction shall not begin or bids shall not be taken for the construction until all project costs have been collected by the District through the participant's main extension connection charges.

Article 3.8. LIMITS OF APPLICABILITY. MEP is for the purpose of providing distribution facilities for individual residential property uses only on existing parcels of land, and making the cost thereof uniform throughout the District. MEP shall not apply to the following types of developments/properties:

- 1) tract subdivisions past, present or future where the developer has installed the water facilities.
- 2) main extensions for a new multiple residential or commercial/industrial/public/agricultural water service
- 3) The properties within Improvement District Number 1, existing in 1966, which were intended to be benefited within the scope of the original Improvement District Number 1 bonded improvements and intended to be subject to the special connection fees in connection with those bonded improvements; and formal assessment districts under the applicable laws of the State of California.

Article 3.9. MAIN LINE EXTENSION CHARGES. This charge shall be the cost to eligible customers of implementation of MEP extensions. The charges applicable, as they may be revised from time to time by the Board to reflect actual cost increases, shall be as scheduled in Article 13.14.

Such main extension connection charges shall be in addition to the current service facility installation charge and all other applicable charges.

The main extension charge shall specifically apply to all new individual residential service connections to existing pipelines where the property lying adjacent to such pipeline was not charged and did not directly pay for a portion of the original pipeline extension under whatever financing means it was installed. All applicants for new customer service facilities to be connected to such pipelines will be charged the main extension connection charge in accordance with the cost in effect at the time the service connection is made, regardless of the time the original pipeline was installed.

Article 3.10. APPLICANT'S RIGHT TO MAKE INDEPENDENT MAIN EXTENSION. Any applicant property owner may pay the entire cost of a pipeline extension even if adjacent landowners elect not to participate in such cost. Under such circumstances, the District may enter into a refund agreement in accordance with the terms of Article 7.3.

Article 3.11. FUTURE DIVISIONS OF PARTICIPATING PROPERTIES. New parcels resulting from a division of parcels participating in an earlier MEP extension shall pay basic facilities, water supply capacity charge, and meter installation charge, unless the land division requires a further main extension, in which case the full main extension connection charges will be applicable.

Article 3.12. ALL MAINLINE EXTENSIONS. Main extensions shall extend to the furthestmost property line of the most distant applicant in all cases.

ARTICLE 2.7.1 Maximum Length of Service in the Copper Mountain Mesa Assessment District

Customers within the CMMAD shall be allowed to install a service line up to 1,400 feet long, which may cross the property of others. It shall be the responsibility of the customer to obtain the necessary right-of-way across neighboring properties for such service line.

ARTICLE 2.8 Hauling Stations

There are areas within the District where there is currently no water service. Customers in these areas obtain water themselves through a hauling meter or other methods of hauling water. The District will provide water hauling stations and will provide a method to be used to purchase water through the hauling station. If an existing hauling meter is authorized to continue in service, service will be terminated when the existing customer closes the account or no longer resides at the account address.

No refund will be issued for hauling meters, where service has been transferred to another source. Authorized hauling meters are reserved for use by customer account holder only. Refer to Cross Connection Section 12, for Cross Connection and Back Flow requirements.

*added w/ Res. 96-556
2/21/96*

January 15, 2014

Joshua Basin Water District

attention: The Board of Directors

"LOOK AT HIGHLIGHTS ONLY AND REMOTE^{METER (1)} RULES.
Some new developments show that the area
mike metts stated in his September letter
(see attached copy - page 3) that the over-40 psi
is definitely "not adequate" for my remote
water meter & qualified for so I was
denied any help of a waterline.

However, in his January 6, 2014 letter (see
attached copy - page 1 on 2) parcels U through Z
"are approved" to get remote water lines with
the same 40 psi and can get boosters as needed.
RICHARD FOUNTAIN VERIFIED THE 40 PSI TODAY.

I would like to know why they can and
I cannot get remote water meters. I even
have my booster system!

New
Information

I FEEL TOO MUCH IS POPPING UP LIKE
SOMEONE IS ALWAYS MAKING BIG THINGS
FROM NOTHING TO SPEND MONEY.

I DO QUALIFY AND HAVE PROVEN IT!
WITHOUT THE BOARD'S HELP, I HAVE NO HELP!
I NEED THIS LIFE LINE! THANKS, KAYE KEENE

NOTICE OF HEARING

Notice is hereby given that the **LOCAL AGENCY FORMATION COMMISSION** for San Bernardino County will hold a public hearing:

APRIL 16, 2014
CITY OF SAN BERNARDINO
CITY HALL - COUNCIL CHAMBERS
300 North D Street, First Floor
San Bernardino, California

Environmental documentation on the following projects is available for review in the staff office of the Local Agency Formation Commission. Anyone wishing to examine this documentation may contact the LAFCO staff office at 215 North D Street, Suite 204, San Bernardino, California 92415-0490, or call (909) 383-9900 within 21 days of this notice.

9:00 A.M. – Convene Regular Meeting

CONSENT ITEMS:

1. Approval of Minutes for Regular Meeting of March 19, 2014
2. Approval of Executive Officer's Expense Report
3. Ratify Payments as Reconciled for Month of March 2014 and Note Cash Receipts

PUBLIC HEARING ITEMS:

4. Consent Items Deferred for Discussion
5. Preliminary Budget Review for Fiscal Year 2014-15
 - Proposed Schedule of Fees and Charges
 - Proposed Budget for Fiscal Year 2014-15

INFORMATION ITEMS:

6. Legislative Update Report
7. Executive Officer's Report
8. Commissioner Comments
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
9. Comments from the Public
(By Commission policy, the public comment period is limited to five minutes per person for comments related to items under the jurisdiction of LAFCO.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m.

In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 215 N. D St., Suite 204, San Bernardino, during normal business hours, on the LAFCO website at www.sbclafco.org, and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at www.fppc.ca.gov or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 383-9900 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

LOCAL AGENCY FORMATION COMMISSION
KATHLEEN ROLLINGS-McDONALD, Executive Officer

By: ANGELA SCHELL, Deputy Clerk to the Commission