



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

## **BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, April 22, 2020 – 1:30 p.m.**

In accordance with [Governor Newsom's Executive Order N-25-20 and N-29-20](#), this meeting is being conducted via teleconference/Zoom. Anyone wishing to join the meeting can join via

**Zoom: Call in (669) 900-6833, Meeting ID: 824 505 799**

To join the Zoom Meeting online: <https://zoom.us/j/824505799>

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District office and are available for public review during normal District business hours. New information relating to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District office and in the Agenda Package on the District's website. It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance with respect to the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as an attendee or a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Monge at (909) 793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

---

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

---

#### **1. PUBLIC PARTICIPATION**

*Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.*

#### **2. ADDITIONS/DELETIONS TO AGENDA**

*Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.*

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
[www.sbvwd.org](http://www.sbvwd.org) Email: [info@sbvwd.org](mailto:info@sbvwd.org)

#### **BOARD OF DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

#### **GENERAL MANAGER**

Daniel B. Cozad



- C. May 12, 2020 San Bernardino Valley Municipal Water District Board Engineering Workshop, 2:00 p.m. at Valley Municipal
- D. May 12, 2020 Ad Hoc Trail Committee Meeting, 9:00 a.m. at Conservation District
- E. May 14, 2020 San Bernardino Valley Municipal Water District Board Policy Workshop, 2:00 p.m. at Valley Municipal
- F. May 19, 2020 San Bernardino Valley Municipal Water District Board of Directors Meeting, 2:00 p.m. at Valley Municipal
- G. May 25, 2020 Office Closed in Observance of Memorial Day
- H. May 27, 2020 Board of Directors Meeting, 1:30 p.m. at Conservation District
- I. June 1, 2020 San Bernardino Valley Conservation Trust, 10:00 a.m. at Conservation District
- J. June 10, 2020 Board of Directors Meeting, 1:30 p.m. at Conservation District
- K. July 4, 2020 Office Closed in Observance of Independence Day
- L. July 9, 2020 Big Bear Watermaster Committee, 2:00 p.m. at Conservation District
- M. July 28-31, 2020 ACWA Summer Conference, Monterey, CA  
*(Board Approval Required)*

8. **CLOSED SESSION**

1. The Board will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, Endangered Habitats League et al. vs. U.S. Army Corps of Engineers, Central District Court Case no. Case No.: 2:16-cv-09178-MWF-E.

2. The Board will meet in closed session under authority of Government Code §54956.8 regarding the potential renewal of lease of various properties located within section 11 and 12 more specifically described in “Mineral Lease for Extraction of Sand and Gravel Materials” dated November 1, 2011. The discussion will concern the price and terms of a potential renewal of the lease. The District’s negotiators are Daniel Cozad and David Cosgrove. The party with whom the District will negotiate is Cemex Materials Pacific, LLC, and its negotiators are Sean Palmer and Christine Jones.

3. The Board will meet in closed session under authority of Government Code §54956.8 regarding the lease of various tenant suites at 1630 West Redlands Boulevard, Redlands, CA. The parties with whom the District may negotiate are listed below. The discussion will concern the price and terms of a potential revision of applicable leases. The District’s negotiators are Daniel Cozad and David Cosgrove. The parties with whom the District may negotiate are: Chris Pohren, Discover Cruises; Dr. Ojano, Dr. Ojano Dentistry; Ted Park, Hello Sushi; Reverend Daniel Yeboah, Help for Future Leaders and Lightway Church; Mark Bacher, Red Dragonfly Spa and Eric Laudenslager, Yucaipa Physical Therapy.

9. **ADJOURN MEETING.** The next regularly scheduled Budget Workshop will be on April 22, 2020 at 2:00 p.m. or immediately following Board of Directors meeting via Zoom.

RESOLUTION NO. 577

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SAN BERNARDINO VALLEY WATER CONSERVATION  
DISTRICT ESTABLISHING A GROUNDWATER CHARGE ON THE PRODUCTION OF  
GROUNDWATER WITHIN DISTRICT BOUNDARIES, AND MAKING CERTAIN FINDINGS  
RELATIVE THERETO**

**WHEREAS**, California Water Code, Division 21, Part 9 provides authority for the San Bernardino Valley Water Conservation District to consider and impose a groundwater charge on groundwater production within the District; and

**WHEREAS**, the California Legislature has found, in Water Code Section 75521, that such groundwater charges are in furtherance of District activities in the protection and augmentation of water supplies for users, which are necessary for the public health, welfare and safety; and

**WHEREAS**, Water Code Section 75523 allows for the use of proceeds from a groundwater charge for any District purposes, which may be authorized by law; and

**WHEREAS**, The District has presented a budget showing the needs and uses of the Groundwater Charge for 2020-2021 water year; and

**WHEREAS**, at the regular meeting of the Board of Directors on February 12, 2020, the District accepted an Engineering Investigation report, relating to groundwater conditions in the Bunker Hill Basin underlying the District boundaries; and

**WHEREAS**, the Engineering Investigation and preliminary Groundwater Enterprise Budget and rate options were presented to the Groundwater Council on February 10, 2020; and

**WHEREAS**, The BTAC and Basin Producers, as well as the District, have formed a Groundwater Council, and in connection with that Groundwater Council have entered into the San Bernardino Basin Groundwater Council Framework Agreement (“GC Agreement”), which includes the annual review and funding of various maintenance costs for facilities used to replenish the Bunker Hill Basin, including facilities owned or managed by the District, pursuant to an agreed Equitable Allocation formula developed as part of the GC Agreement; and

**WHEREAS**, the California Supreme Court on December 4, 2017 issued its decision in the case of *City of San Buenaventura v. United Water Conservation District*; Case No. S226036 (“Ventura Decision”) which resolved previously outstanding legal issues relating to the procedures and constitutional requirements attending the levy and collection of groundwater charges under applicable authorizing statutes, pertaining to water conservation districts like the District; and

**WHEREAS**, under that opinion, the California Supreme Court clarified that such groundwater charges are not “property related charges” under California Constitution Article XIII D (Proposition 218), but did affirm that such charges are governed by California Constitution Article XIII C (Proposition 26), such that the charge must be set at a rate that in the aggregate is no more than is necessary to cover the reasonable costs of the governmental activity for which it is charged, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the governmental activity; and

**WHEREAS**, the California Supreme Court’s opinion in the Ventura Decision cast serious legal doubt on the continuing validity of the statutory differentials in groundwater charge rates provided under Water Code section 75594, which dictates that groundwater charges for non-agricultural uses be three to five times greater than agricultural uses; and

**WHEREAS**, the District desires to comply with the procedural and constitutional requirements clarified by the California Supreme Court in the Ventura Decision, while at the same time continuing to accommodate agricultural producers within the District who may bear a short-term transitional burden from elimination of statutorily-dictated rate differentials in groundwater charges, and

**WHEREAS**, the District provided mailed notice to all groundwater producers within its District boundaries of a public meeting held on April 08, 2020, and a public hearing held on April 22, 2020, inviting all groundwater producers and all persons interested in the condition of groundwater or surface water supplies of the District to appear and submit evidence, and inviting all water producers to examine the Engineering Investigation report; and

**WHEREAS**, the Board of Directors conducted a public meeting on April 8, 2020, and a public hearing on April 22, 2020, to receive comment and evidence submitted by the public at such hearing; and

**WHEREAS**, the District has made available by wide distribution, beginning on February 12, 2020, a Groundwater Enterprise Budget identifying the proposed use of the estimated Groundwater Charge proceeds, which will be subsequently incorporated in the District budget; and

**WHEREAS**, the Board has considered the Engineering Investigation report, applicable groundwater enterprise budgets, and considered all comments and evidence presented to it at the public meetings and hearings; and

**WHEREAS**, the District's ad valorem tax revenues are limited, and the District receives relatively low return in the way of interest on reserves; , and

**WHEREAS**, on the basis of all evidence presented, including the Engineering Investigation report and such public comment, the Board has determined that it is appropriate and in the best interests of the District and all those water users who rely, directly or indirectly, on the District's services, to levy a groundwater charge as further provided herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT AS FOLLOWS:**

Section 1. As required by Water Code Section 75574, the Board hereby makes the following findings:

- A. Annual Change in Storage in those portions of the Bunker Hill Basin lying within the District's boundaries ("Bunker Hill Basin" herein), Fall 2018 to Fall 2019, is an increase of 152,408 acre-feet or more.
- B. Accumulated Change in Storage in the Bunker Hill Basin as of the Last Day of the Preceding Water Year (using 1993 as base year) is -418,310 acre-feet or more.
- C. Total Groundwater Production from the Bunker Hill Basin from the Preceding Water Year July 1, 2018 to June 30, 2019 is 157,354 acre-feet.
- D. Estimate of the Annual Change in Storage for the Current Water Year (July 1, 2019 to June 30, 2020) in the Bunker Hill Basin is 27,658 acre-feet or more.
- E. Estimate of the Annual Change in Storage for the Ensuing Water Year (July 1, 2020 to June 30, 2021) in the Bunker Hill Basin is -1, 923 acre-feet.
- F. Average Annual Change in Storage for the Immediate Past Ten Water Years in the Bunker Hill Basin is -3,407 acre-feet or more.
- G. Estimated Amount of Agricultural Water Withdrawn from the Groundwater Supplies of the District for the Ensuing Water Year (July 1, 2020 to June 30, 2021) is 11,207 acre-feet.
- H. Estimated Amount of Other-than-Agricultural Water Withdrawn from the Groundwater Supplies of the District for the Ensuing Water Year (July 1, 2020 to June 30, 2021) is 86,772 acre-feet.
- I. Estimated Amount of Water Necessary for Surface Distribution for the Ensuing Water Year (July 1, 2020 - June 30, 2021) within the Bunker Hill Basin is 79,857 acre-feet.
- J. Estimated Amount of Water Necessary for Surface Distribution for the Ensuing Water Year (July 1, 2020 - June 30, 2021) for the District is 56,415 acre-feet.
- K. The Amount of Water which is Necessary for the Replenishment of the Groundwater Supplies of the Bunker Hill Basin to maintain constant groundwater supplies for the Ensuing Water Year (July 1, 2020 to June 30, 2021) is 127,462 acre-feet.
- L. The Amount of Water which is necessary from all sources, including natural recharge to bring the basin back to its "full" condition of 1993 is 518, 114 acre-feet.

Section 2. The Board of Directors hereby finds that the entire District constitutes a single zone of benefit for the imposition of this charge. The basis for this finding is that the entire portion of the basin underlying the District boundary is fed by the same naturally occurring surface flows. Although the basin may be divided into various subparts, because of hydrogeological conditions these areas are interconnected, and water recharged by the District from its existing recharge facilities contributes to underground "flows" which eventually reach other subparts of the basin. Thus, the District's recharge inures to the benefit of users in other areas by enhancing the availability of water supplies throughout the basin. In addition, the District maintains both the availability of surface water flows for groundwater recharge, and the facilities for accommodating the recharge, whether by the District or by other parties pursuant to collaborative regional groundwater management efforts. The District likewise undertakes habitat enhancement and

preservation measures, providing an important source of offsetting mitigation land for disturbances occasioned by the maintenance of existing groundwater recharge facilities, and the development of new ones.

Section 3. The Board finds that there is no past accumulation of the amount of water necessary to be replaced in the intake areas of the groundwater basins within the District to prevent the landward movement of salt water into the fresh groundwater body, or to prevent subsidence of the land within the District, either in the past water year or the proceeding 10 years, nor is there likely to be any amount of water necessary for these purposes in the ensuing water year. The Board further finds that the District is not obligated by contract to purchase any water, though depending on the decision making processes of the Groundwater Council, the District may be asked to help fund regional purchases of imported water to augment native water supplies, in amounts presently unknown. The Board also finds that further recharge of the basin is required based upon the findings related to change in storage stated in Section 1 above, to prevent depletion or degradation to the basin's groundwater supplies, to enhance both the availability and accessibility of such supplies, and to replenish, augment, and protect such supplies, and that the proceeds of the groundwater charge established herein shall be used for such purposes.

Section 4. The Board of Directors hereby levies, assesses and affixes a groundwater charge in the amount of \$13.85 per acre foot of water produced, to be applicable to all production (agricultural and non-agricultural use). The Board imposes this unitary rate in response to, and in an attempt to comply with, the Ventura Decision, but also because the District has not historically segregated either facilities or groundwater charge-funded efforts based on agricultural vs. non-agricultural use basis. Nor has the District undertaken studies to isolate a predominantly agricultural producing zone or region within the District boundaries, and even if such an area were to be isolated, there is some question based on existing facts and circumstances whether the benefits and burdens of the District's groundwater management and replenishment services could support a rate differential based on agricultural use. Late charges on delinquent accounts will be 1% interest per month in accordance with Water Code §75615 et seq. and any additional actual costs to collect delinquent amounts not paid by August 1, 2020 and February 1, 2021

Section 5. Exemptions:

A. Notwithstanding the foregoing, for producers who can demonstrate that their production for the water year is restricted to basic, personal residential use limited to the property on which the applicable groundwater production facility is based, and the total cumulative production for the applicable producer within the District is not in excess of two (2) acre feet over the course of the water year; such production shall be exempted from the groundwater charge provided the producer documents its exemption prior to semi-annual collection of the groundwater charge. In establishing this exemption, the Board finds that the likely revenues to be derived from the groundwater production subject to the exemption is outweighed by the administrative burdens in administering and collecting the charge. The District General Manager is authorized to waive late fees with explanation and request from payees or if the cost of recovery outweighs the fee to be collected.

B. To the extent that a party who is a member of the Groundwater Council has paid a maintenance and operation charge through the Equitable Allocation based upon an approved budget for the Groundwater Council that includes the maintenance and operations costs reflected in the District's budget showing the needs and uses of the Groundwater Charge for 2020-2021 water year, and such payment is remitted to the District, the General Manager is authorized to accept such Equitable Allocation payment as payment in full for groundwater charges due from that party's production for the applicable water year. If a party remits its Equitable Allocation for maintenance and operation costs to the District, but in that same water year leaves or otherwise ceases to participate in the Groundwater Council, the District's then-current groundwater charges shall apply to such party's production for the entire water year, and that party's amount of the Equitable Allocation so remitted will be used as a prepayment offset for groundwater charges otherwise due from such party's production. The purpose for this credit is to assure that parties contributing to the maintenance and operations component of the Equitable Allocation do not double-pay for their proportionate cost of the District's services.

C. The District has been in discussions with various Riverside County entities who propose to be Ex Officio members of the Groundwater Council, and who may, by separate agreement with the District, agree to fund portions of the maintenance and operations costs of existing recharge facilities. To the extent such an agreement is reached, and a party otherwise subject to the District's groundwater charge contributes in such a way this its payment is remitted to the District; the General Manager is authorized to provide discharges and credits to such Ex Officio members in the same manner as for Groundwater Council members, provided above. The purpose for this credit is to assure that parties contributing to the maintenance and operations of the District though any such agreement do not double-pay for their proportionate cost of the District's services.

Section 6. In connection with fixing the groundwater charge as set forth in Section 4 above, the Board of Directors makes the following findings:

- A. Consistent with the Ventura Decision, the District's groundwater charge is not a "property-related charge" for purposes of determining the applicability of Article XIID of the California Constitution. Notwithstanding, the District has provided mailed notice of the proposed charge and the amounts proposed to be charged to all known groundwater producers within its jurisdictional boundaries.
- B. The groundwater charge is imposed upon the action of extraction of groundwater from the basin underlying the District's boundaries, and not on property or groundwater extraction facilities as such. The groundwater charge will be incurred by groundwater producers through their voluntary action of groundwater production. The groundwater charge is not one for water delivery by the District to groundwater extractors, but rather relates to the District's service of maintaining groundwater supplies, recharge facilities, and management of both for groundwater extractors within the District. The District maintains no pipes, canals or other facilities directly connecting District facilities to the groundwater extractors' property or pumping facilities. In addition, parties subject to the groundwater charge are predominantly either public or private entities involved in the business of providing water, or persons or entities involved in irrigation, for agricultural-related activities, and for uses of water exceeding what would be required for basic residential use of the property.
- C. The District has provided notice of the proposal for imposition of the groundwater charge through a number of different avenues. Mailed notice was provided to all operators reflected on the District's records as containing active groundwater production facilities within the District. In addition, published notice was provided in the San Bernardino Sun on March 6, 13 and 20, 2020, and in the Highland Community News on March 6, 13 and 20, 2020. All such notices identified the prior and proposed rate for agricultural and non-agricultural water, the estimated total revenue to be collected from the charge, and the time and place for public hearing at a public meeting at which parties objecting to the charge could appear and be heard. That notice also reflected the rate and method of calculation for this consumption-based charge, which provided notice of the basis of the charge.
- D. The proposed groundwater charges, and Engineering Investigation report prepared by the District, were reviewed at a public meeting held April 8, 2020, and a public hearing held April 22, 2020. In addition, the Engineering Investigation report prepared by the District was presented to and reviewed with the Board of Directors at a public meeting on February 12, 2020, and was discussed at the Groundwater Council on February 10, 2020.
- E. The groundwater charge is being levied to assist in offsetting the costs of the District's Groundwater Enterprise in providing groundwater supplies, groundwater recharge facilities, and recharge management and administration for the benefit of groundwater producers within the District. The Groundwater Enterprise Budget includes, but is not limited to, funding the following:
  1. Making available the District's Santa Ana River water rights, in an amount no less than 10,400 acre per feet per year, for recharge into the Bunker Hill Basin;
  2. Conducting groundwater recharge activities by diverting both Santa Ana River and Mill Creek water supplies into District's recharge facilities;
  3. Applying the District's experience and expertise in directing groundwater recharge effectively and efficiently, administering the physical recharge of groundwater both directly for the District and its water supplies, and recharging on behalf of other entities, including State Project Water and exchanges under the Santa Ana River/Mill Creek Cooperative Water Project Agreement;
  4. Maintaining and operating the District's diversion works, recharge basins and canals to insure the availability of sufficient infrastructure to accommodate needed groundwater recharge; and defense and protection of the District's water rights and manner of operations; and performing such maintenance of other parties' diversion works, recharge basins and canals as requested and per prior agreements.
  5. Pursuing various environmental permits and related permissions to continue the maintenance and operation of the District's Facilities for the future and to provide for potential expansion of facilities for Bunker Hill recharge, including the preservation, enhancement, and management of habitat areas;

6. Investigation and implementation of improvements to groundwater measurement and recharge infrastructure;
  7. Reporting to groundwater producers and other interested parties of groundwater recharge activities and conditions, including but not limited to the daily flow report;
  8. Conducting engineering analyses, such as the District's annual Engineering Investigation, designed to provide information regarding the District's groundwater basin and groundwater recharge facilities;
  9. Participating in, and serving as the accounting arm for the collection of, facilities maintenance and operations funds and contributions for the Groundwater Council; and
  10. Administrative support, training and overhead for all the above-listed activities.
- F. The total amount of estimated revenues from the groundwater charge is estimated at approximately \$1,129,722 based on production reported for the 2019-2020 water year. These revenues do not fully recover expected cost and will not exceed the costs of providing the services as detailed above, in that the District's Groundwater Enterprise Budget for fiscal year 2020-2021 proposes total expenditures of \$1,417,230. The remaining funds are to be paid by the District's capital and groundwater reserves.
- G. The amount of groundwater charge paid by each individual payor will not exceed the benefit of the Conservation District's services to such parties, because the structure of the groundwater charge is such that the amount paid varies in direct proportion to the amount of groundwater supplies extracted, and therefore is proportional to the benefit each individual payor receives from the District's services.

Section 7. The Board of Directors further finds that the groundwater charge adopted herein is statutorily exempt from CEQA under Title 14, California Code of Regulations Sections 15273, 15301, and 15306. The action contemplated herein constitutes a structuring and establishment of a charge which will be used in part for meeting operating expenses and for purchasing or leasing equipment and materials. To the extent the groundwater charge revenues will be applied to groundwater testing, these activities fit within Title 14, California Code of Regulations Section 15306. Such activities involve the occasional taking of groundwater samples by means of temporary equipment, which will not cause any alteration to the land, and consist solely of information gathering. To the extent any portion of the funds is directed to maintenance, operation, or repair of existing facilities, involving no or negligible expansion of existing uses, these activities fit within Title 14, California Code of Regulations Section 15301. To the extent any portion of the funds is directed to construction or establishment of new facilities, environmental review of such facilities will occur at such time those facilities are proposed, and the nature, location, scope, and function of such potential future facilities becomes known. Under each of the above-referenced exemptions, therefore, the Board of Directors finds that the levy and implementation of the groundwater charge is properly exempt from CEQA.

Section 8. The General Manager is hereby authorized and directed to provide notice to operators of the levy of the groundwater charge, as provided for in Water Code Section 75610.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors this 22<sup>nd</sup> day of April 2020, by the following roll-call vote:

YES:	DIRECTORS:
NO:	DIRECTORS:
ABSTAIN:	DIRECTORS:
ABSENT:	DIRECTORS:
ATTEST:	

---

Richard Corneille, President

---

Daniel Cozad, Secretary

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
SPECIAL BOARD OF DIRECTORS MEETING

MINUTES OF April 2, 2020  
10:00 a.m.

President Corneille called the Special Board Meeting of the Board of Directors to order at 10:07 a.m. by teleconference and Zoom meeting.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President  
Melody McDonald, Vice President  
Robert Stewart, Director  
David E. Raley, Director  
John Longville, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

STAFF PRESENT:

Daniel Cozad, General Manager  
Betsy Miller, Land Resource Manager/Assistant General Manager  
Athena Monge, Administrative Specialist

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
David Smith, East Valley Water District

1. PUBLIC PARTICIPATION

President Corneille announced this as the time for any persons present, who so desire, to make an oral presentation to the Board of Directors. Hearing none, the meeting continued with published agenda items.

2. CONSERVATION EASEMENT AND ENDOWMENT AGREEMENTS WITH SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

Mr. Cozad introduced this item for discussion. The District has been assisting the San Bernardino County Transportation Authority (SBCTA) in obtaining permits for the 210 expansion. SBCTA had federal permitting in order a year or so ago, but with the addition of San

Bernardino Kangaroo Rat (SBKR) by California Department of Fish and Wildlife (CDFW), they need additional assistance. The District has been working with SBCTA since December 2019. Ms. Miller provided a verbal overview of the project. Mr. Cozad discussed items 2A and 2B within the memo on package page 4.

- Item 2A: There is a \$58,250 wasting endowment for start-up actions for newly conserved lands.
- Item 2B: There is \$87,060 to fund wasting endowment for survey and management for the first three years.

President Corneille asked about the values that are included in the memo. Ms. Miller said that there is a formula that calculates endowment costs for the community mitigation program. She said that there is habitat enhancement that takes place within the first two to three years to raise the property to Wash Plan standards. This funding could include invasive grass removal, restoration, or other appropriate actions. CDFW requires the non-wasting endowment not to be used for the first three years of conservation. All three of the costs from Item 2A through 2C will go to the Conservation Trust. The charge for \$567,000 is the cost to purchase the Conservation Easement on 4.2 acres of land. President Corneille asked where the 4.2 acres are located. Mr. Cozad reviewed the area and map of the areas available for mitigation.

President Corneille also asked about how the \$58,250 was calculated. Mr. Cozad said that these are the costs calculated by the Conservation District for treatment and reporting and development to Wash Plan standards. Discussion ensued on fees and calculations. The Conservation Trust will review and approve their own fees and agreements with SBCTA separately. Director Stewart asked if the District has several of these agreements was it developing a tracking system. Mr. Cozad said that the District tracks the three entities it has deposit agreements with; over time, there will be a change to the Wash Plan tracking system to allow for tracking of community mitigation as well. Mr. Cosgrove said that the Conservation District would likely be the escrow agent. Mr. Cozad said that staff is requesting approval of the documents, including modifications to these agreements since there is a potential need to use an escrow account or other changes acceptable to counsel.

**It was moved by President Corneille and seconded by Vice President McDonald to approve the agreements presented with minor revisions acceptable by District Counsel and authorize the General Manager to execute these agreements. The motion carried 4-0 with all Directors present voting in the affirmative. Director Longville was unable to vote due to technical issues.**

**President Corneille: Yes**

**Vice President McDonald: Yes**

**Director Longville: N/A (having technical issues)**

**Director Raley: Yes**

**Director Stewart: Yes**

### **3. ADJOURN MEETING**

**It was moved by Vice President McDonald and seconded by Director Raley to adjourn. The motion carried 4-0 with all Directors present voting in the affirmative. Director Longville was unable to vote due to technical issues.**

**President Corneille: Yes**  
**Vice President McDonald: Yes**  
**Director Longville: N/A (having technical issues)**  
**Director Raley: Yes**  
**Director Stewart: Yes**

At 10:45 a.m., the meeting adjourned to the Regular Board Meeting/Groundwater Public Meeting scheduled for April 8, 2020, at 1:30 p.m. at District Headquarters, 1630 W. Redlands Blvd., Redlands, California.

---

Daniel B. Cozad  
General Manager

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF April 8, 2020  
1:30 p.m.

President Corneille called the meeting of the Board of Directors to order at 1:30 p.m. by teleconference and Zoom meeting.

ROLL CALL:

BOARD MEMBERS PRESENT:

David E. Raley, Director  
Melody McDonald, Vice President  
John Longville, Director  
Richard Corneille, President  
Robert Stewart, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager  
Athena Monge, Administrative Specialist  
Erwin Fogerson, Senior Engineer/Project Manager  
Betsy Miller, Land Resources Manager/Assistant General Manager  
Katelyn Scholte, Assistant Engineer

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
June Hayes, San Bernardino Valley Municipal Water District  
Gil Navarro, San Bernardino Valley Municipal Water District  
David Smith, East Valley Water District  
Ted Park, Hello Sushi  
Daniel Yeboah, Lightway Church  
Clay Larkins, Tetra Tech

1. PUBLIC PARTICIPATION

President Corneille announced that any person present, who so desired, may make an oral presentation to the Board of Directors. Mr. Navarro noted a typo under upcoming meetings and that his Board will be holding a Policy Workshop Teleconference on April 9 at 2:00 p.m. Mr. Park of Hello Sushi indicated that their restaurant is having hardship due to COVID-19. They

requested the Conservation District waive their rent for three months or pay fifty percent of their rent for six months with no payback to the District. President Corneille noted that the Conservation District offered to allow a fifty percent reduction in their usual rent and CAM/HVAC fees for the tenants with repayment by December 2020. Although Hello Sushi did receive this notice, they are asking for the aforementioned options to be considered instead. Hello Sushi indicated that it would be very difficult for them to even pay half of their rent due to their restaurant losing significant business caused by the pandemic. Mr. Cosgrove stated that the District is unable to take action on this item at this time, but it will be discussed further in Closed Session. The District is receiving public comment for consideration of Closed Session item. Lightway Church indicated that they are a non-essential business and are closed, and although they appreciate the Conservation District's offer even 50% would be difficult for them to pay. The church asked for the Conservation District to consider allowing a longer payback period and a potential waiver of full rent.

## 2. ADDITIONS/DELETIONS TO AGENDA

There were none.

## 3. PUBLIC MEETING RELATING TO ADOPTION OF GROUNDWATER CHARGE

President Corneille opened the Groundwater Public Meeting and asked if any member of the public desired to hear the 2020 Engineering Investigation Report Presentation or provide any comments on the Draft Resolution. Staff is proposing a five percent increase in the unitary groundwater rate to \$13.85 for the fiscal year 2020-2021. The staff has not received any written or verbal comments. Hearing no public comments, President Corneille closed the Groundwater Public Meeting.

## 4. CONSENT CALENDAR

**It was moved by Director Raley and seconded by Vice President McDonald to approve the Consent Calendar: Item A: Board Minutes, March 11, 2020, and Item B: Expenditure Report, March 2020. The motion carried 5-0 with all Board members present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

## 5. COMMITTEE REPORTS/ACTION ITEMS

### A. 3<sup>RD</sup> QUARTER UNAUDITED FINANCIALS FOR 2019-2020

The Finance & Administrative Committee met on March 25 to review and discuss the 3<sup>rd</sup> Quarter Unaudited Financials for 2019-2020. Mr. Cozad said that the Committee reviewed the estimated numbers and that there are minor changes to the financials presented today. He noted that the District is on budget in revenue and expenses. The Quarterly Investment Report was sent out in a separate email. The decreases in investments will likely continue into at least

next quarter due to the pandemic. The economic downturn will affect both Conservation Trust and District investments. The decrease in investments depicts unrealized gains and losses. Vice President McDonald asked if, with the decreases in market value, there is an opportunity for the District to buy investments. Mr. Cozad indicated that PFM is the financial consultant who advises the District on investments.

**It was moved by Director Raley and seconded by Director Longville to approve the 3<sup>rd</sup> Quarter Unaudited Financials for 2019-2020 as presented. The motion carried 5-0 with all Board members present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

**B. UNAUDITED FINANCIAL REPORTS, MARCH 2020**

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 24. Director Raley asked about the insurance being over budget. Mr. Cozad indicated that this item would be adjusted at the end of the year, where it goes from cash to accrual basis. Field Operations (GL 5200) was also briefly discussed. Mr. Cozad noted that basin maintenance was performed and that the District paid to move aggregate materials to storage.

**It was moved by Director Raley and seconded by Director Longville to approve the Unaudited Financial Reports for Marche 2020. The motion carried 5-0 with all Board members present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

**C. RECONSIDERATION OF CONSERVATION EASEMENT AND ENDOWMENT AGREEMENTS WITH SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

President Corneille noted that Director Longville had feedback that he was unable to provide at the April 2 Special Board meeting due to technical difficulties and had requested reconsideration of the vote.

**It was moved by Director Stewart and seconded by Director Raley to grant reconsideration of the item by the Board. The motion carried 5-0 with all Board members present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

Director Longville said that he is experienced in dealing with transportation issues, and he was on the SBCTA Board in prior years. He said that freeway widening does not resolve the traffic issues but expands urban sprawl development. He said he would rather see SBCTA implement more public transit projects. Vice President McDonald asked when the deposit will be received. Ms. Miller indicated that a check had been issued, and it is on its way to the District via FedEx. Director Raley asked what action needs to be taken on behalf of the Conservation Trust and if that action has to come prior to the Conservation District receiving funds. Mr. Cozad indicated that the agreements would be considered by the Conservation Trust for approval at its next meeting.

**It was moved by President Corneille and seconded by Vice President McDonald to authorize the General Manager to execute the Conservation Easement Deed and the Endowment Agreement for the Deposit, Disbursement and Use of Funds for Wasting and Non-wasting endowments related to the San Bernardino County Transportation Authority's State Route 210 Mixed Flow Lane Addition Project with minor revisions acceptable to District Counsel. The motion carried 4-1 with Directors Corneille, McDonald, Stewart, and Raley voting in the affirmative and Director Longville voting opposition.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: No  
Director Raley: Yes  
Director Stewart: Yes**

**D. EXCHANGE PLAN RELATED AGREEMENT TO EXCHANGE WATER FOR SANTA ANA RIVER WATER DURING PERIOD OF POOR WATER QUALITY**

Mr. Cozad began by noting that the Board Letter on package page 60 explains this item. He indicated that the Board approved the Memorandum of Understanding related to this issue earlier this year. The agreement presented helps resolve an issue caused by the poor water quality caused by Seven Oaks Dam (SOD) operations. The agreement, shown on package page 63, has already been approved by the Board of Valley Municipal; its purpose is to provide clean water to Bear Valley during times when it cannot take SOD water due to poor water quality. The Conservation District would use this water for groundwater recharge and Bear Valley would receive State Project Water in lieu up to 3,200 AF. Director Stewart asked who would be responsible for the additional maintenance caused by the silt. Mr. Cosgrove indicated we were but that the costs would be covered by the Groundwater Council within their general maintenance budget since it will be a benefit to the basin. A brief discussion ensued regarding calculations.

**It was moved by Vice President McDonald and seconded by Director Longville to approve the agreement to exchange State Water Project Water for Santa Ana River Water during periods of poor water quality and authorize the General Manager to execute the agreement. The motion carried 5-0 with all Board members present voting in the affirmative.**

**President Corneille: Yes**  
**Vice President McDonald: Yes**  
**Director Longville: Yes**  
**Director Raley: Yes**  
**Director Stewart: Yes**

E. REVIEW OF LEGAL COUNSEL FEES

Mr. Cosgrove is requesting a minor increase in legal fees from \$365 per hour to \$375 per hour for the fiscal year 2020-2021, with a reimbursable rate of \$500 per hour. Mr. Cosgrove reviewed the history of legal fees, noting that during hard times for the District, his firm reduced their fees and that his hourly rate is already discounted from rates charged to private entities. This item is included on package page 73 for consideration. This is a minor increase in line with CPI. The Board expressed their appreciation to Mr. Cosgrove for his continued support of the District.

**It was moved by Vice President McDonald and seconded by Director Longville to approve an increase in legal counsel fees from \$365 per hour to \$375 per hour with a reimbursable rate of \$500 per hour and authorize staff to prepare and execute an amendment to contract for legal services. The motion carried 5-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes**  
**Vice President McDonald: Yes**  
**Director Longville: Yes**  
**Director Raley: Yes**  
**Director Stewart: Yes**

6. INFORMATION ITEMS

A. WASH PLAN VERBAL UPDATE

Ms. Miller provided a verbal update. The responses to public comments on the EIR/EIS and HCP were submitted to USFWS on March 27. They are currently in review by the USFWS solicitor. The draft Biological Opinion(BO) was reviewed by Conservation District staff with support from Valley Municipal staff and was submitted to USFWS. Ms. Miller thanked Valley Municipal for their efforts to support preparation of the BO. The Implementing Agreement is being reviewed by District Counsel. District staff is coordinating with Flood Control District. The Department of Interior Secretarial briefing will be held on May 1; there will be a thirty-day waiting period with an additional two weeks added due to the pandemic. April 16 will be a meeting with CDFW regarding state permitting for the Wash Plan. USFWS has indicated that final approval for the Wash Plan should occur by the end of July 2020. There will be a Wash Plan Task Force meeting in the near future; the date has yet to be determined. Staff is meeting with the new director of the Bureau of Land Management to provide an introduction to the Wash Plan and Land Exchange. The Board thanked staff for their hard work.

## B. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report was included in the Board package on pages 78 through 81. The Monthly Recharge Report was included on package page 82. Mr. Cozad said that most of the staff are working from home most of the time, except for field staff. Director Stewart asked for a report on the aggressive recharge actions from last year and the cost/benefit ratio. Mr. Cozad said that staff is identifying the acre-feet that the costs should be recovered over for comparison. Staff should have a report by the end of the fiscal year. This item was received and filed.

## C. CONSTRUCTION PROJECTS PLUNGE/MILL/ARTP VERBAL UPDATE

Mr. Fogerson said that the contracts for Plunge Creek are executed. Staff is coordinating with CDFW on Mill Creek. Mr. Fogerson said that the District is anticipating Plunge Creek to move to construction in June or July.

## D. FUTURE AGENDA ITEMS AND STAFF TASKS

President Corneille requested an update on the Mentone Shop Facilities Enhancements. Director Raley requested an update on the Active Recharge Transfer Projects be presented to the Board at a future meeting. Staff will prepare and email out the status report for that item.

### 7. MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS

President Corneille attended the meeting via zoom on the Active Recharge Transfer Project (ARTP) on March 31.

Director Stewart attended the ARTP meeting on March 31 and listened in on the Finance & Administration Committee meeting on March 25.

Director Longville attended the Finance & Administration Committee Meeting on March 25.

Director Raley attended the Valley Municipal Board Meeting on March 17 and Big Bear Watermaster on March 18. He attended the Finance & Administration Committee Meeting on March 25.

Vice President McDonald attended the Valley Municipal Policy Workshop on March 12, State Legislative Meeting on March 13 and Valley Municipal Board Meeting on March 17. She attended the Koffee Klatch on March 18 and met with Valley Municipal on March 31.

### 8. UPCOMING MEETINGS

Staff will add the May and June meetings on the next agenda.

9. CLOSED SESSION

**It was moved by Director Longville and seconded by Vice President McDonald to adjourn to Closed Session. The motion carried 5-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

General Counsel announced that the meeting would adjourn to closed session under all posted agenda items.

At 3:30 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

10. ADJOURN MEETING

**It was moved by Vice President McDonald and seconded by President Corneille to adjourn. The motion carried 5-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

At 3:20 p.m., the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on April 22, 2020, at District Headquarters, 1630 W. Redlands Blvd., Redlands, California.

---

Daniel B. Cozad  
General Manager



**San Bernardino Valley  
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1715

**To: Board of Directors**

**From: Daniel Cozad, General Manager**

**Date: April 22, 2020**

**Subject: Amendment to Professional Services Agreement for On-Call Biological Services with Mikael Romich**

---

**RECOMMENDATION**

Staff recommends that the Board amend the Contract Services Agreement for Professional Services (Agreement) with Mikael Romich (Consultant) for on-call biological services to a total amount not-to-exceed \$243,560.

**BACKGROUND AND DISCUSSION**

On March 11, 2020, the Board ratified a Contract Services Agreement for Professional Services (Agreement) with Mikael Romich for on-call biological services to an amount not-to-exceed \$100,000. On April 10, 2020, the San Bernardino Valley Conservation Trust received a pre-paid services agreement from San Bernardino County Transit Authority (SBCTA) which includes funds for projects related to San Bernardino kangaroo rat, including tasks that require state and/or federal permits for handling of this species. As District staff does not have the appropriate permits for this work, the Trust wishes to utilize the Contract Services Agreement for Professional Services with Mikael Romich for on-call biological services to accomplish these tasks.

In order to retain capacity within the Agreement for District projects, staff recommends increasing the not-to-exceed amount of the Agreement by \$143,560. This increase will be completely covered by the pre-paid services agreement from SBCTA.

**FISCAL IMPACT**

The costs for the Agreement are included in the current professional services and will be included in the proposed FY 2020-2021 budget. The increase of \$143,560 will be completely covered by the pre-paid services agreement from SBCTA.

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
www.sbvwd.org Email: info@sbvwd.org

**BOARD OF DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

**GENERAL MANAGER**

Daniel B. Cozad

**POTENTIAL MOTIONS**

1. Amend the Contract Services Agreement for Professional Services (Agreement) with Mikael Romich (Consultant) for on-call biological services to a total amount not-to-exceed \$243,560.
2. Move to table consideration of the issue and request the Admin and Finance Committee review provide a recommendation.
3. Table the item to a future meeting for consideration.

**ATTACHMENTS OR MATERIALS**

Amendment 1 to Professional Services Agreement for On- Call Biological Services by and between the San Bernardino Valley Water Conservation District and Mikael Romich

**AMENDMENT TO  
CONTRACT SERVICES AGREEMENT  
FOR  
PROFESSIONAL SERVICES**

**THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR ON-CALL BIOLOGICAL SERVICES** (“Amendment”) by and between the **SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT**, a California Special District (“SBVWCD” or “District”), and **MIKAEL ROMICH** (“Consultant”), is effective on April 22, 2020 and when signed by District and Consultant (“Effective Date”).

**WHEREAS** District and Consultant entered into a Contract Services Agreement dated February 24, 2020; and

**WHEREAS** Consultant has performed under the Agreement, and upon Board approval on April 22, 2020, District wishes to revise the Agreement to include the following tasks for Implementation of Take Minimization Measures in the California Endangered Species Act Incidental Take Permit (No. 2081-2017-062-06) as issued by the California Department of Fish and Wildlife (CDFW) to the State Route 210 Mixed Flow Lane Addition Project as proposed in Attachment 1.

**NOW THEREFORE**, the parties hereto agree as follows:

**1.0 AMENDMENT TO TERMS OF CONTRACT**

1.1 Section 2.1 of the Agreement is hereby amended to read as follows:

Contract Sum. For the services rendered pursuant to this Amendment, the Consultant shall be paid on a time and materials basis for work actually performed, not to exceed a total payment of One Hundred Forty Three Thousand Five Hundred Sixty Dollars (\$143,560.00). Services provided under this agreement are in support of the Mill Creek Diversion Debris Management Project modifications.

1.3 Section 5.1 of the Agreement is hereby amended to read as follows:

Term. This Amended Amendment shall be effective from April 22, 2020, and shall continue in full force and effect until completion and approval of the work and services described hereunder (Attachment 1), unless extended by mutual consent, or until otherwise terminated under Section 6.11 of the Agreement. During the term of this agreement, monthly invoices and progress reports shall be provided by the Consultant.

**2.0 REMAINDER OF AGREEMENT UNAFFECTED**

2.1 Except as specifically amended by this Amendment, the remainder of the

Agreement remains unaffected, and is and shall be in full force and effect throughout the term of this Amendment.

**IN WITNESS WHEREOF**, the parties have executed and entered into this Amendment and by signature below:

SAN BERNARDINO VALLEY WATER  
CONSERVATION DISTRICT

By: \_\_\_\_\_  
Daniel Cozad  
General Manager

Date: \_\_\_\_\_

CONSULTANT: Mikael Romich

By: \_\_\_\_\_  
Mikael Romich

Date: \_\_\_\_\_

## Attachment 1

### 1<sup>st</sup> Amendment to February 24, 2020 On-Call Biological Services Agreement

#### Proposal

This proposal provides a scope and fee for the ITP minimization measures concerning the federally endangered and state candidate endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus*) (SBKR), the small mammal restoration plan and the habitat management land (HM Land) monitoring. The ITP states that approximately 12 acres (or 5 hectares) of habitat (Project Area) will be temporarily lost. This total has been revised to 4.2 acres (1.7 ha.) with project footprint reductions, which has been used to estimate effort in this proposal. The 500-foot buffer of the Project Area is assumed to add an additional 17 acres (7 hectares). The assumed density of SBKR for this proposal is 12 individuals per hectare, resulting in approximately 20 SBKR for the Project Area and 84 SBKR for the buffer. It is assumed that the contractor's small mammal trapping would cover approximately 1 hectare per session. Trapping for 6-nights in the Project Area and 3-nights in the 500-foot buffer is assumed to constitute a trap session. The HM lands total 4.2 acres and, per the ITP, monitoring will occur for 5 years.

#### **Task 1. Post-Exclusionary Fencing Installation (ITP 8.7)**

Per the ITP, within 7 days following the installation of the exclusionary fence, the following tasks would be completed:

##### *Subtask 1.4 SBKR Relocation Plan (ITP 8.7.5)*

Prior to SBKR relocation, CDFW requires for review and approval: a spatial map of kangaroo rats trapped both within the exclusionary fence and adjacent 500-foot buffer, data collected on each individual, and a map of proposed relocation area(s) that includes individual spatial grouping, and any other details related to the relocation. This plan would be prepared, submitted, and coordinated under this task.

#### **Task 2. Soft Release Exclusion (ITP 8.8)**

This task involves the construction, installation, monitoring, and maintenance of above-ground wire mesh retention cages, as well as care of SBKR for 7-10 days while in the cage. The cage would measure about 90 × 60 cm and be constructed of 6.4 mm (1/4 in) hardware cloth with a closed top and open bottom. SBKR artificial burrows would be hand augured at 45 mm diameter at roughly a 30° angle to a length of 1 m (3.3 feet). It is assumed that 50 artificial burrows and cages would be required. The burrows would be established outside of the exclusionary fencing in the same approximate neighbor relationship as trapped (per the approved SBKR Relocation Plan). A retention cage would be placed over each artificial burrow and buried to an approximate depth of 20 cm. Ten (10) remote infrared wildlife cameras would be placed to record activity during acclimation and for 30 days following removal of the cage.

SBKR would be placed in an artificial burrow and retention cage for 7-10 days. The burrow

entrance would be plugged during the day and unplugged each evening prior to dark to allow the SBKR to enter into the cage area. SBKR would be fed a combination of romaine lettuce, finch seed mix, and plant seeds native to the release site daily while in the retention cage/burrow. After 7-10 days the retention cages would be removed. CDFW would be provided daily updates on the status of SBKR during, and 30 days following, the soft release, including any camera data information (activity period, behaviors, physical trauma, predation attempts), daily monitoring summary, cage damage, and vandalism.

### **Task 3. Supplemental Feeding (ITP 8.9)**

Seed will be broadcast at the release site 3 evenings per week for the first month following the removal of the retention cages and once each week thereafter for the next 3 months. Seed will be microwaved for 1-3 minutes before broadcast at the release site to prevent seed germination and alteration of the native vegetation community.

### **Task 4. Relocation Monitoring (ITP 8.11)**

Following the removal of the retention cages, the location of the radio transmitted SBKR will be logged 3 times weekly until the battery life ends (about 6 weeks). SBKR trapping in suitable habitat will occur within the Project Area, including where Covered Activities are occurring (as feasible), the relocation release area(s), and the 500-foot buffer will occur each month for the first 3 months following relocation, and then annually thereafter for the duration of the Project (assume 2 years). Therefore, there would be a maximum total of 30 3-night trap sessions. A report of the relocation monitoring findings shall be submitted to CDFW annually for the duration of the Project (assume 2 annual reports).

### **Task 5. Small Mammal Restoration Plan (ITP 9.3.1.1)**

A Small Mammal Restoration Plan (SMRP) shall be prepared to document the condition of the HM Land for SBKR and provide specific recommended habitat management actions. At a minimum, the SMRP shall include the following: (1) recommended habitat management techniques and locations to increase suitability to SBKR; (2) methods to track SBKR abundance/density estimates, demographics, and spatial movement; and (3) methods to measure habitat characteristics.

### **Task 6. Habitat Management Land Monitoring**

It is assumed that monitoring of the HM Land will be conducted annually for 5 years. Monitoring would include SBKR trapping before any management activities, then annually for 5 years afterwards. This scope assumes a total of 6 3-night trap sessions.

Vegetation monitoring would include qualitative and quantitative methods before any management techniques, then annually for 5 years afterwards. A total of 5 annual reports would be prepared with an analysis of the data collected.

## **Cost**

The total cost to complete the tasks listed above is \$143,560.00 as detailed in Table 1 below:

Table 1. Cost Breakdown							
Employee	SBKR Biologist	Specialist	GIS	Labor Hours	Labor @ Billing Rates	DIRECT COSTS	Total
Task	80	150	65				
Task 1. Post-Exclusionary Fencing Installation							
Subtask 1.4 SBKR Relocation Plan	40		6	46	3,590.00		3,590.00
Task 2. Soft Release Exclusion	120			120	9,600.00	2,500.00	12,100.00
Task 3. Supplemental Feeding	75			75	6,000.00	500.00	6,500.00
Task 4. Relocation Monitoring					-		-
Radio tracking	135	8	8	151	12,520.00	200.00	12,720.00
Trapping	810			810	64,800.00	2,500.00	67,300.00
Reporting	80		8	88	6,920.00		6,920.00
Task 5. Small Mammal Restoration Plan	40		4	44	3,460.00	20.00	3,480.00
Task 6. Habitat Management Land Monitoring							
SBKR trapping	144		8	152	12,040.00	700.00	12,740.00
Vegetation measures	96		4	100	7,940.00	150.00	8,090.00
Annual Reports	120		8	128	10,120.00		10,120.00
Total Hours	1,660	8	46	1,714			
Total Billing	132,800	1,200	2,990		136,990.00	6,570.00	143,560.00



**San Bernardino Valley  
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1716

**To: Board of Directors**

**From: General Manager, Daniel Cozad**

**Date: April 22, 2020**

**Subject: Groundwater Council Membership Clarification Related to Annexation**

---

**RECOMMENDATION**

Approve the clarification letter to West Valley Water District and authorized the President to sign.

**BACKGROUND**

West Valley Water District (WVWD) is one of two organizations that have not yet joined the Groundwater Council. While they have participated in the meetings and agree to the Equitable Allocation Model for payment, there have been issues of concern for their Board. San Bernardino Valley Municipal Water District (Valley District) and its Board have been meeting with them to resolve remaining issues. Three issues are being resolved this month. One issue is administrative and deals with billing and payment to one agency. The Groundwater Council did this by allowing the District and Valley District to accept and distribute payment on behalf of any member. Also Valley Municipal is sending a letter clarifying billing related to the Baseline Feeder. Finally, there was concern and confusion about the Groundwater Council Membership and annexation.

**DISCUSSION**

Staff at Valley District, the Conservation District and WVWD worked to clarify issues of concern by the WVWD Board. The actions taken by the Groundwater Council and Valley Municipal in addition to the letter under consideration are thought to provide a path for WVWD to approve the Groundwater Council Framework Agreement. Staff prepared the letter as we believe it is a restatement of Local Agency Formation Commission rules, Agreement language and existing Board Policy.

**FISCAL IMPACT**

Staff did not identify any fiscal impacts related to the letter other than its preparation, review and coordination.

**BOARD OF  
DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

**GENERAL  
MANAGER**

Daniel B. Cozad

**POTENTIAL MOTIONS**

1. Approve the letter and authorize the President to sign and staff to transmit the letter.
2. Recommend revision and request the letter be heard at a future meeting.
3. Provide other direction or table this item.



## San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

April 22, 2020

Board of Directors  
West Valley Water District  
855 W Baseline Rd, Rialto, CA 92376

President Hawkins and Directors:

In response to your request, the San Bernardino Valley Water Conservation District approved this letter at its April 22 meeting. We are pleased to hear that your District is considering membership in the San Bernardino Basin Groundwater Council.

We understand some confusion may exist about the Groundwater Council membership and San Bernardino Local Area Formation Commission (LAFCO) processes for annexation. West Valley Water District (WVWD) production wells are outside of the Conservation District service area but within its sphere of influence. Nothing in the Groundwater Council Agreement would trigger or authorize annexation of members areas into the Districts boundary. The District would not seek LAFCO approval to expand its boundaries into WVWD's service area without consulting WVWD and the Groundwater Council.

We encourage your approval of the Groundwater Council Agreement and hope that this letter clarifies any issues in this regard.

Sincerely,

Richard Corneille, President

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
www.sbvwd.org Email: info@sbvwd.org

**BOARD OF  
DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

**GENERAL  
MANAGER**

Daniel B. Cozad

# Mentone Yard Shop Project Summary & Status Report

April 2020



**San Bernardino Valley  
Water Conservation District**  
Helping Nature Store Our Water

## Project Management Approach / Work Plan

- a. District staff to handle all of the permit processing
- b. Consider bid out demo and grading or Ops staff
- c. Bid out building construction with foundation and limited portion of plumbing
- d. Bid out septic construction including design
- e. Bid out electrical work design plans and installation
- f. Bid out lavatory fixtures (including shower) / sprinklers / finish plumbing
- g. Consider bid out storage cabinets / install including hazardous material cabinets (portion may be done by Ops staff)
- h. Contract out Title 24 Energy calcs / forms



## Required plans and calcs

1. Plot Plan
2. Demo Plan including tree removal work
3. Floor Plan(s) (1 plan for just the steel building construction and 2<sup>nd</sup> plan with interior walls)
4. Foundation Plan and calcs (Preliminary by District with final provided by Steel Building Company)
5. Roof Plan (to be provided by Steel Building Company)
6. Elevations Plan(s)
7. Grading Plan
8. Plumbing Plan (water and wastewater)
9. Septic / Leach Field Plan and calcs
10. Electrical Plan (do we need another service pole?)
11. Sediment Control / Water Quality Plan
12. CEC Title 24 Forms (including CF-1R Forms)
13. California Green Building Standards Code Checklist and Calcs
14. Geotechnical – percolation test for septic, bearing pressure and compaction beneath building footprint
15. NPDES Plan including vehicle wash-down area and separate outside wash-down area for chemicals

## Current design changes project details being considered

1. How to best utilize the existing building in conjunction with the new building
2. Bay layout – confirm welding areas and general construction area including chop saw area
3. Lighting – inside and outside lighting
4. Fuel Storage – confirm containers to confirm size and rack design
5. Chemical Storage – any requirements on walls and ventilation – is a wash tub needed or outside sink as an eye-wash station
6. Windows – size, location, type (specs)

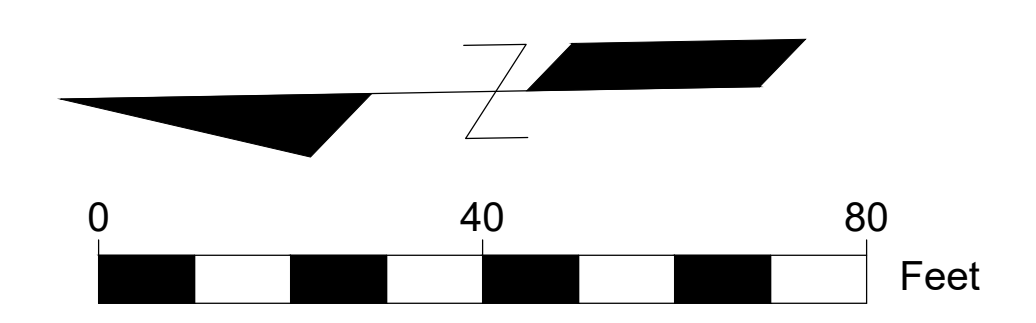
7. Doors – additional doors from outside into restroom, chemical storage and side entrance from other building
8. Ventilation beyond doors and windows
9. Outside awning for south side of building to help control heat along south side of shop
10. Swap chemical storage and storage bay and include
11. Welding table (possibly in existing shop)
12. Delete windows along south side of meeting and only place windows on east end & northwest end
13. Include patio area along south side and plumb for future tree plantings for shade and block view from Hwy18. Should we include I beam for future hoist? At a minimum footing for future hoist support structure
14. Heating and cooling needs (will verify with Ops staff)
15. Fire sprinklers not considered at this time
16. Loading Dock
17. Instant Ekectrical Hot Water
18. Existing shop needs including sealing current openings and new steel doors

### **Work in Progress**

- Complete Site Plan
- Prepare RFP for Geotechnical and Septic Design Services

### **Attachment**

1. Current Preliminary Site Plan



**UNDERGROUND SERVICE ALERT**  
 CALL TOLL FREE  
**1-800-227-2600**  
 TWO WORKING DAYS BEFORE YOU DIG

NO.	DATE	REVISIONS	APPROVED	DATE
1				
2				
3				
4				
5				
6				
7				

Engineer's stamp

Prepared under the supervisor of: \_\_\_\_\_

DRAWN BY: \_\_\_\_\_

DESIGNED BY: \_\_\_\_\_

CHECKED BY: \_\_\_\_\_



**SAN BERNARDINO VALLEY WATER CONVERSATION DISTRICT**

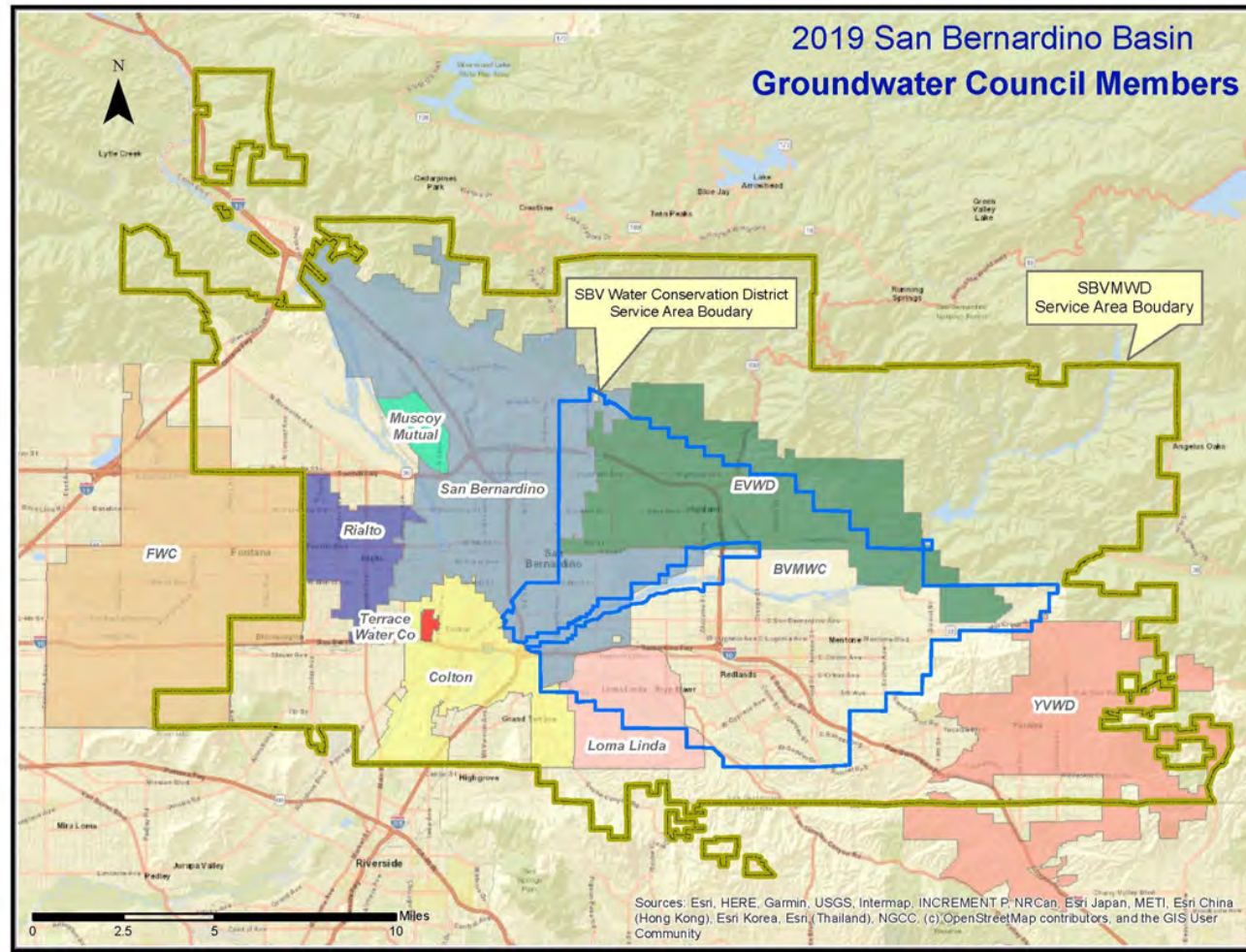
**MENTONE SHOP SITE PLAN**

PROJECT NO. SBVWCD - **XXX**

SHEET **X** OF **XX**

# San Bernardino Basin Groundwater Council

## Annual Basin Groundwater Report 2019



**Shared Resource. Shared Responsibility.**

# Table of Contents

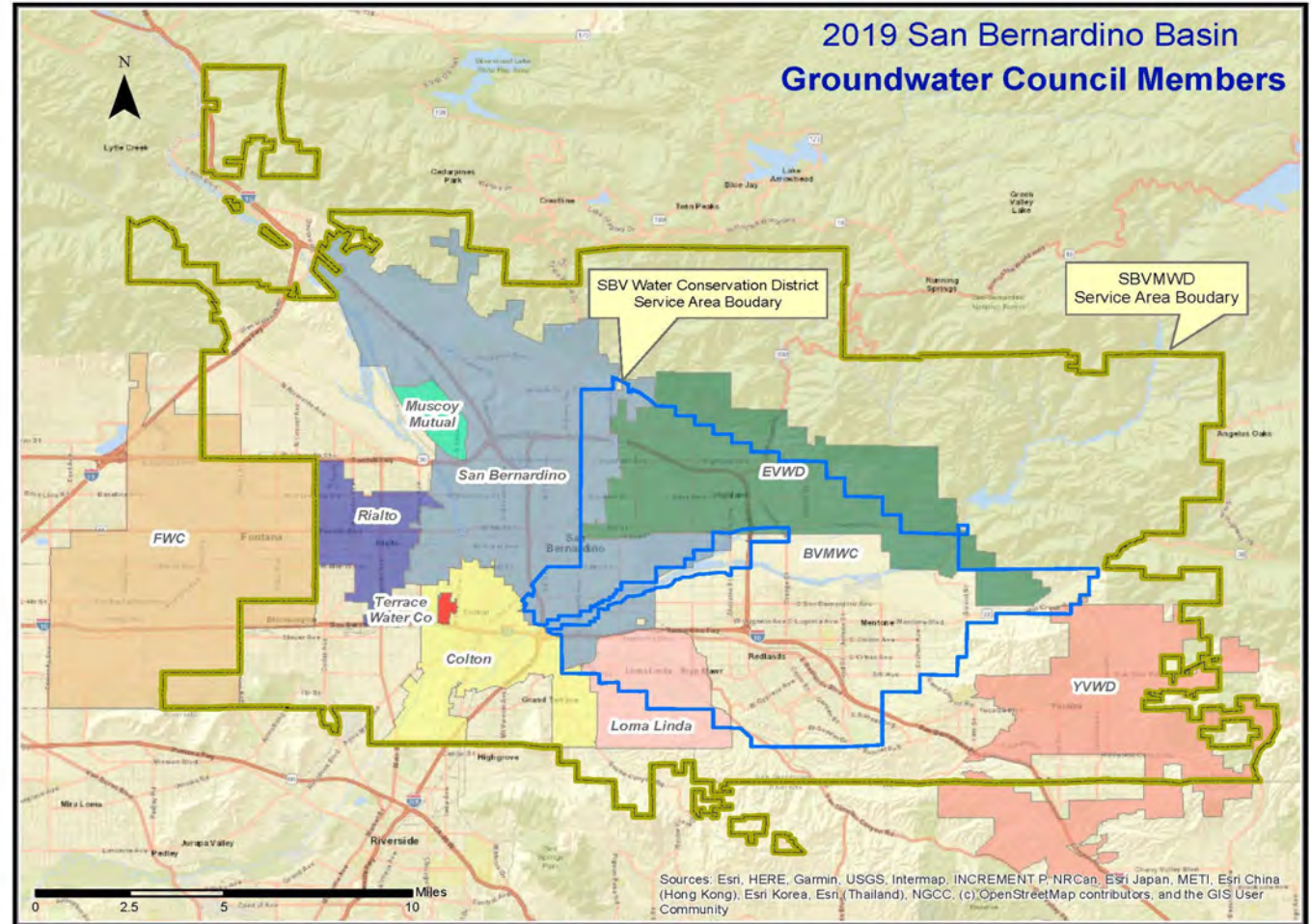
Introduction .....	3
Basin Sustainability .....	4
Equitable Cost Sharing.....	5
Water Deliveries .....	8
Operations and Maintenance .....	9
Appendix.....	11
Appendix A: SBBA Precipitation Index.....	12
Appendix B: Running Total/Balance Owed by Pumpers .....	13
Appendix C: GC 2020 Delivery Plan.....	14

## Introduction

The San Bernardino Basin Groundwater Council (GC) was formed in 2017 to cooperatively manage the San Bernardino Basin (SBB) to achieve the following general goals:

- ◇ Ensure sustainable groundwater supply
- ◇ Proactively manage the SBB
- ◇ Prevent long-term groundwater overdraft

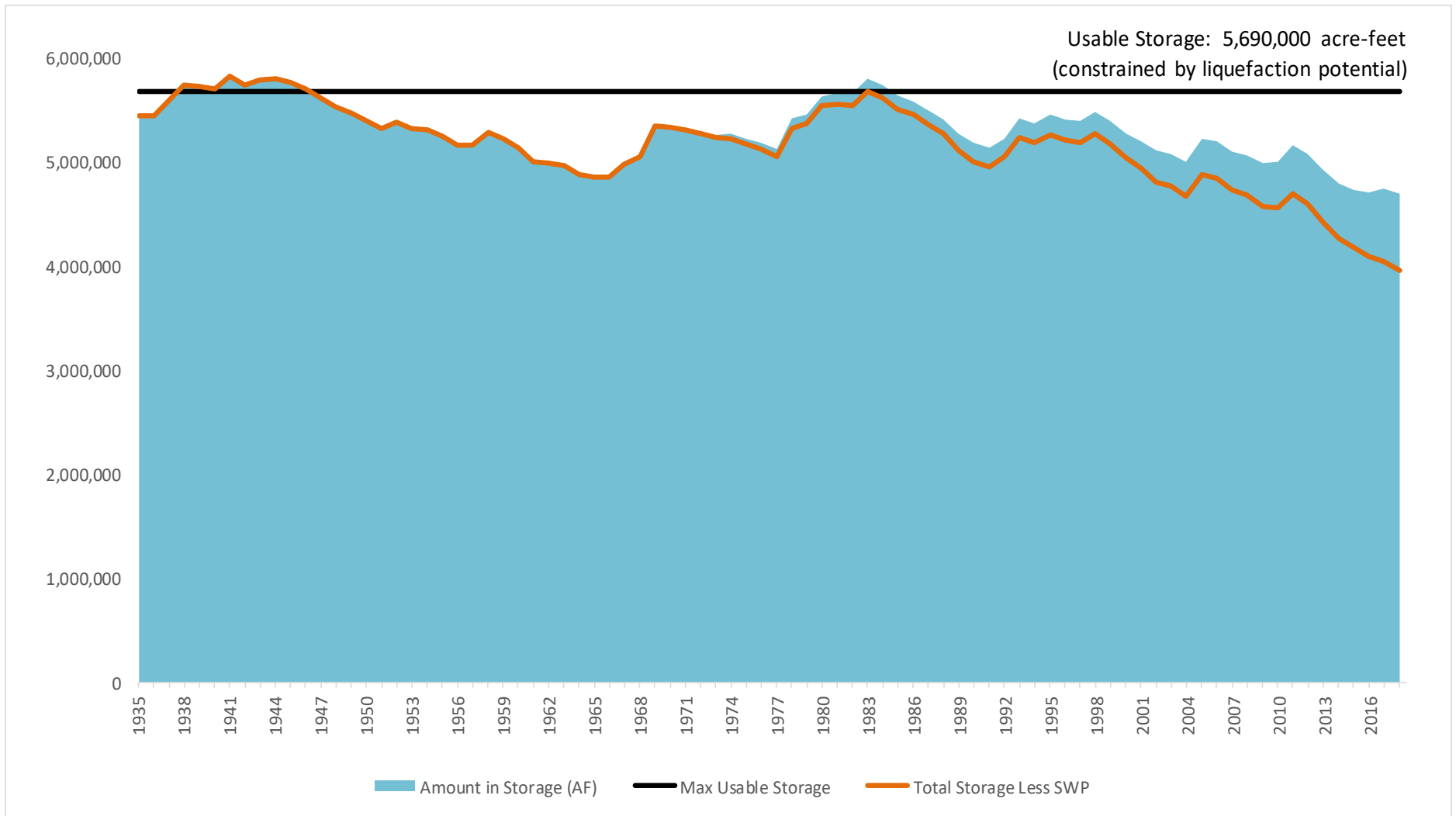
The agreement that formed the GC includes a general requirement to develop an annual report. Since the agreement did not provide a specific outline for the annual report, the GC asked the Basin Technical Advisory Committee Engineering Subcommittee to prepare an outline for the report which was later approved by the GC. The general goals for this Annual Report are to report on the sustainability of the SBB, the amount paid by participants for State Water Project (SWP) water deliveries and operations and maintenance for the previous year, the water purchases for the previous year and the operations and maintenance activities for the previous year. The report also provides the plan and budget for the coming year.



# Basin Sustainability

## Basin Storage Level: 982,000 AF Below Full

Despite drought conditions that began around 1998 (see Appendix A), the SBBA is in stable condition due largely to the import of supplemental water from the SWP. The positive influence of the GC and Valley District SWP water purchases over the last couple of years stopped the decline in storage levels.



## Equitable Cost Sharing

The GC developed an Equitable Allocation Model to proportion the cost of imported water purchases by the GC and the operations and maintenance costs for recharge. To avoid large swings in the amount of water to be purchased, the GC decided to import the projected average amount of imported water needed in the future, as determined by the San Bernardino Valley Regional Urban Water Management Plan (RUWMP). Based on the latest update of the RUWMP, the future average need for SWP water is 28,823 acre-feet. This amount may change based on updates to the RUWMP and based upon basin storage levels.

Should the SBB return to full, or get close to full, the GC may choose not to import SWP water. Even if the GC does not import water, it may choose to collect money to build up a cash reserve for future water purchases. While the GC desires to purchase the projected average amount of imported water needed in the future, SWP water will likely not be available on a consistent basis. Instead, it will be available mostly in wet years. In order to achieve the long-term average, the GC will likely purchase more water in wet years when it is available.

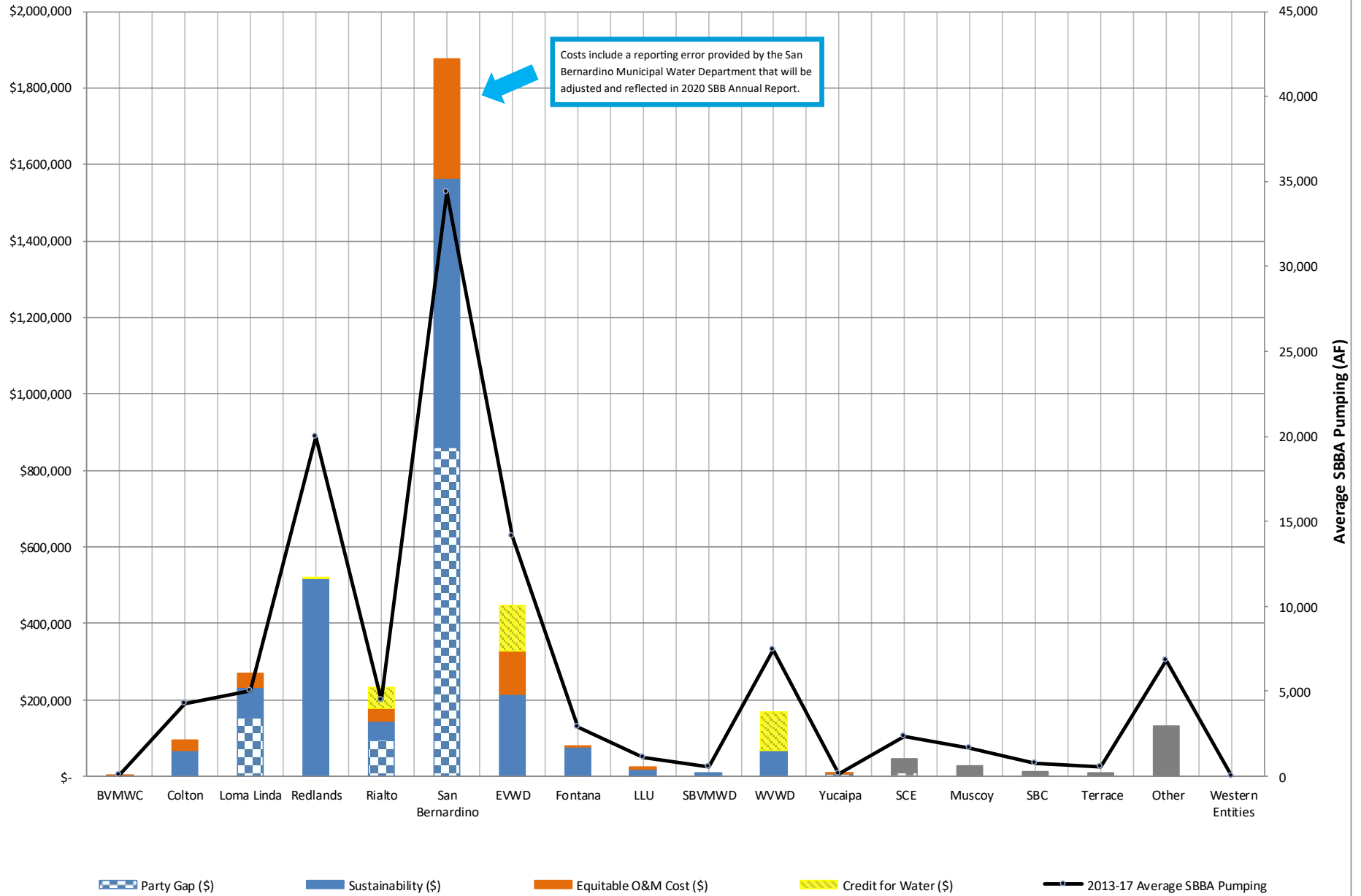
The GC water cost is proportioned among the parties based upon their individual water budget which compares their demand to their supplies, including any investment they may have made in recycled water and/or surface water. Generally speaking, the agencies that are the most upside down, meaning demands exceed supplies, pay the most. The O&M costs are proportioned based upon the last five years of groundwater extractions since those who divert and pump the most are most reliant on the recharge.

### 2019 GC agencies

- ◇ City of Colton
- ◇ City of Rialto
- ◇ City of San Bernardino Municipal Water Department
- ◇ City of Loma Linda
- ◇ East Valley Water District
- ◇ San Bernardino Valley Municipal Water District
- ◇ San Bernardino Valley Water Conservation District
- ◇ Fontana Union Water Company
- ◇ Yucaipa Valley Water District
- ◇ Loma Linda University
- ◇ Bear Valley Mutual Water Company

There are two public water agencies that have not yet signed the SBB GC Agreement, the City of Redlands and West Valley Water District, which collectively represent about 16 % of the total costs. Also, private water agencies, private well owners, Southern California Edison and the County of San Bernardino have not signed the agreement which collectively represent about 7 % of the total costs. Parties that have not signed the agreement continue to accrue costs since the formation of the GC. In 2019, Valley District purchased the collective SWP water for the parties that have not yet signed the GC agreement. Valley District will be reimbursed for this expense, as pumpers join the GC. San Bernardino Valley Water Conservation District (Conservation District) has continued to collect its Groundwater Charge from the parties who have not signed the GC which is helping fund the operations and maintenance costs. Conservation District will be reimbursed for these costs, as required, when additional pumpers join the GC.

## GC EAM 2020 Annual O&M and SWP for Ultimate Sustainability (2040)



## Costs by Agency in the GC

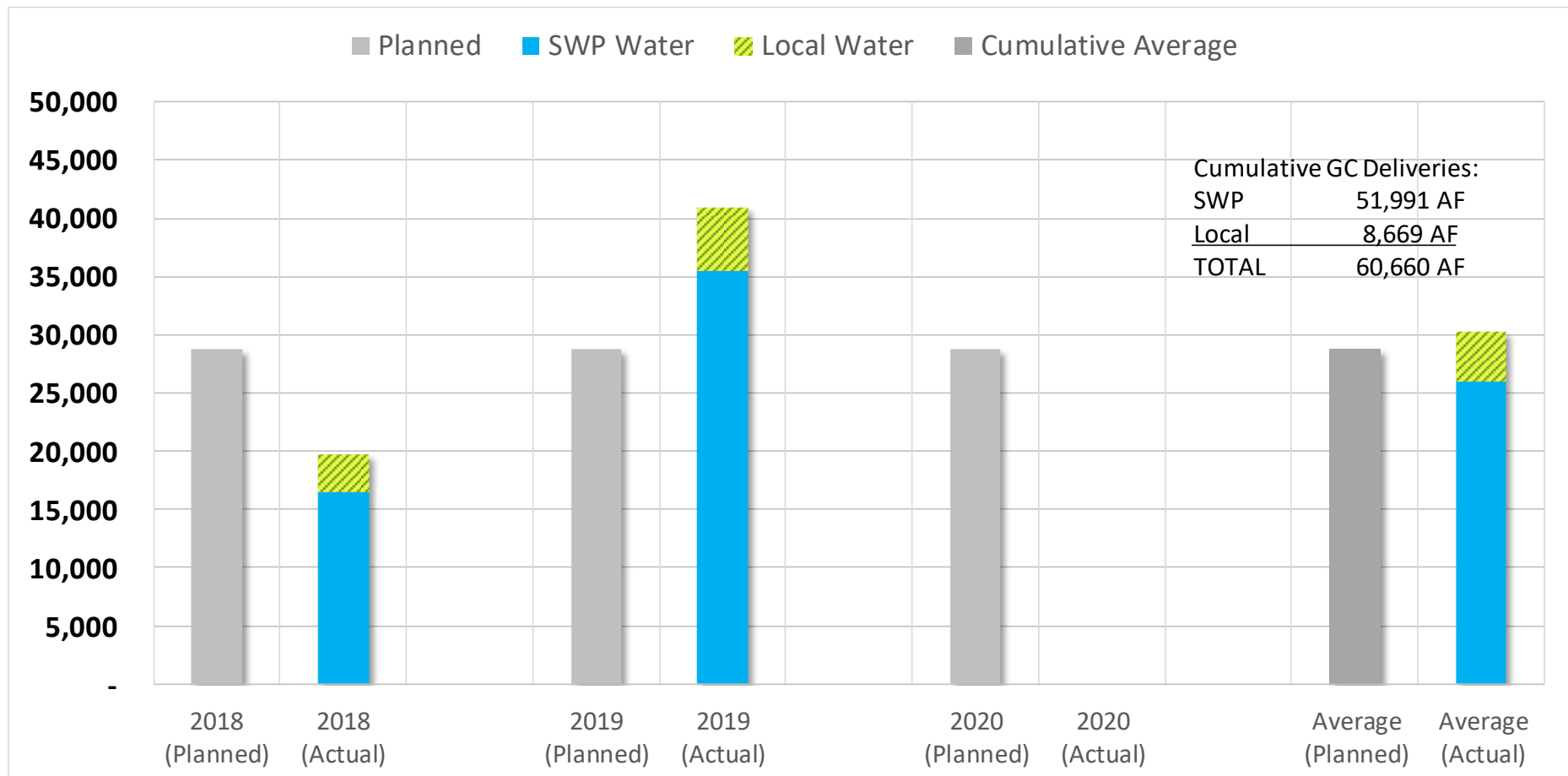
### Summary of Groundwater Council Total Party Costs (FY 2018-2021)

Agency	Total Party Costs 2018-19 (\$)	Total Party Costs 2019-20 (\$)	Estiamted Total Party Costs 2020-21 (\$)	Cost Increase from 2019-20 (\$)	Voting Weight 2020-21	Percent Pumping in SBBA
Bear Valley Mutual Water Company	\$ 121	\$ 277	\$ -	\$ (277)	0.00%	-
City of Colton	\$ 115,116	\$ 95,204	\$ 96,657	\$ 1,454	3.2%	2.4%
City of Loma Linda	\$ 254,647	\$ 268,988	\$ 278,587	\$ 9,599	9.1%	3.3%
City of Redlands	\$ 569,400	\$ 516,253	\$ 256,926	\$ (259,326)	8.4%	12.3%
City of Rialto	\$ 322,907	\$ 176,324	\$ 349,011	\$ 172,687	11.4%	3.5%
City of San Bernardino	\$ 1,416,088	\$ 1,877,120	\$ 1,630,807	\$ (246,313)	53.5%	25.7%
East Valley Water District	\$ 443,555	\$ 325,774	\$ 273,088	\$ (52,686)	9.0%	9.4%
Fontana Union Water Company	#N/A	\$ 80,315	\$ 96,842	\$ 16,527	3.2%	2.1%
Loma Linda University	\$ 31,233	\$ 24,935	\$ 26,281	\$ 1,346	0.9%	0.6%
San Bernardino Valley M.W.D.	\$ 1,987	\$ 8,006	\$ 24,546	\$ 16,540	0.8%	0.2%
West Valley Water District	\$ 207,215	\$ 68,503	\$ 186,279	\$ 117,776	#N/A	5.5%
Yucaipa Valley Water District	\$ 14,616	\$ 7,216	\$ 16,054	\$ 8,839	0.5%	0.1%
<b>Total GC Parties:</b>	<b>\$ 3,539,329</b>	<b>\$ 3,448,912</b>	<b>\$ 3,235,078</b>	<b>\$ (304,251)</b>	<b>100%</b>	<b>65.25%</b>
Mountain View Power Co.	\$ 69,536	\$ 44,732	\$ 35,104	\$ (9,628)	#N/A	0.6%
Muscoy Mutual Water Company No. 1	\$ 32,509	\$ 25,888	\$ 28,674	\$ 2,786	#N/A	1.1%
San Bernardino County - Facility Management	\$ 14,513	\$ 11,617	\$ 12,625	\$ 1,008	#N/A	0.5%
Terrace Water Company	\$ 11,907	\$ 8,699	\$ 8,288	\$ (411)	#N/A	0.2%
Other San Bernardino Extractions	\$ 173,037	\$ 130,978	\$ 147,347	\$ 16,370	#N/A	4.0%
<b>San Bernardino Non-Parties Total:</b>	<b>\$ 301,502</b>	<b>\$ 221,914</b>	<b>\$ 232,038</b>	<b>\$ (69,464)</b>	<b>0%</b>	<b>6.43%</b>
<b>Western Entities Total:</b>	<b>\$ 249,755</b>	<b>-</b>	<b>-</b>		<b>0%</b>	<b>27.95%</b>
<b>Total:</b>	<b>\$ 4,090,586</b>	<b>\$ 3,670,826</b>	<b>\$ 3,467,116</b>	<b>\$ (623,470)</b>	<b>100%</b>	<b>100.00%</b>

## Water Deliveries

In calendar year 2019, the GC delivered 35,504 acre-feet of imported SWP water and 5,394 acre-feet of local water to various recharge facilities located in the SBB, which included 9,061 acre-feet of carryover from 2018. To date, the GC has purchased almost 52,000 acre-feet of SWP water for the SBB. In 2020, the GC plans to deliver 23,624 acre-feet of imported SWP and 5,277 acre-feet of local water to various recharge facilities throughout the SBB to ensure basin sustainability. The proposed delivery plan is included in Appendix C.

	Deliveries	Cost
Total	51,991 acre feet	\$11,228,527
Cumulative		
2019	40,898 acre feet	\$3,670,826
Planned 2020	28,901 acre feet	\$3,467,116



## Operations and Maintenance

**Total SBVWCD Cumulative Cost: \$1,853,822**

**2019 SBVWCD Cost: \$ 540,000**

**Planned SBVWCD 2020 Cost: \$670,000**

The total cost for O&M includes both the SBVWCD cost for groundwater recharge and SBVMWD cost for groundwater recharge.

### **O&M Activities in 2019**

Heavy rains in January and February of 2019 required significant management and heavy maintenance, particularly in the Mill Creek facility. It proved operationally challenging to keep the soft plugs and Mill Creek diversion in operation as three successive storms caused the soft plugs to erode three times and the diversion levee to fail, all within the span of one month. Thanks to the diligence and rapid efforts of the SBVWCD staff, the Mill Creek diversion structure was repaired one day after the storms.

SBVWCD effort to recharge as much native and imported water as possible caused six Mill Creek basins to completely fill with sand and rock, eight basins requiring scrapping removing silt, and the North Canal to fill with silt. Two basin levees were overtopped, requiring emergency repair by Upland Rock and Jacinto Construction. The material that was removed from the basins has been stockpiled within the Mill Creek facility. Approximately 75,000 cubic-feet of material will need to be relocated before any future maintenance can be completed.

The Santa Ana facility required less emergency maintenance, however high flow releases from Seven Oaks Dam and delivery of imported water pushed the facility to maximum capacity. Due to the poor water quality of the Santa Ana River, water from behind Seven Oaks Dam and the prolonged recharge period, recharge rates in the basins decreased significantly towards the end of the year and water is still present within the ponds.



## Planned Operations and Maintenance Efforts for 2020

Due to continuous recharge of imported water through the fall and winter of 2019, the Conservation District maintenance of the recharge basin in the Santa Ana spreading facility has been delayed . The eight basins located at the Santa Ana spreading facility will require scrapping and silt removal, however they are still in the process of drying out before work can begin.

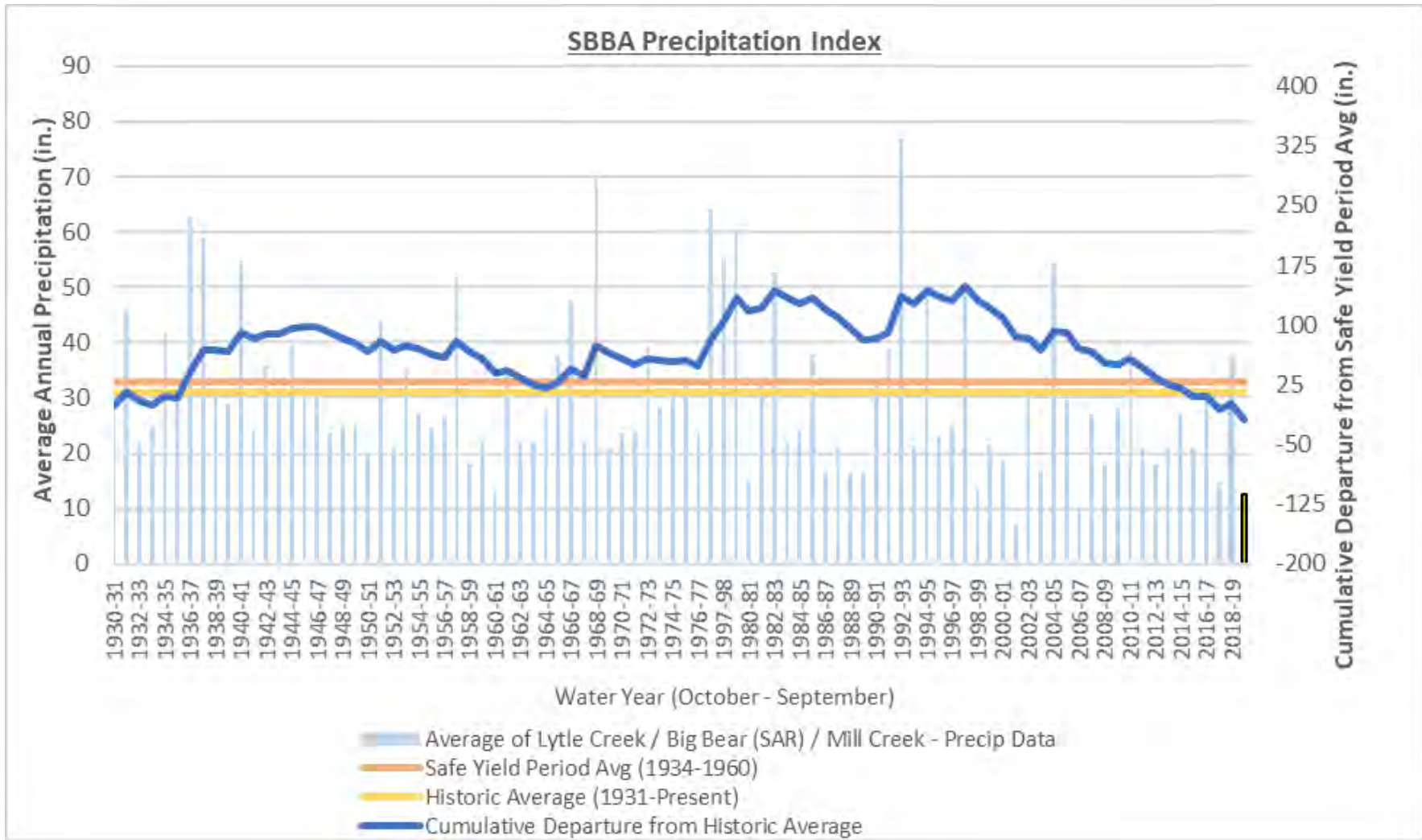
Work is scheduled to be completed in February of 2020. The Mill Creek facility is fully operational and anticipated maintenance will include movement of material and minor repairs to overflow structures between basins.



# Appendix

## Appendix A: SBBA Precipitation Index

The SBBA receives the majority of its water supply from as runoff local precipitation. Approximately two-thirds of this precipitation comes from three sub-watersheds: Santa Ana River, Mill Creek and Lytle Creek. Based on precipitation levels in these three watersheds, Valley District created a precipitation index that tracks the average precipitation in these three watersheds. The precipitation index shows that the region has been experiencing a drought since around 1998.



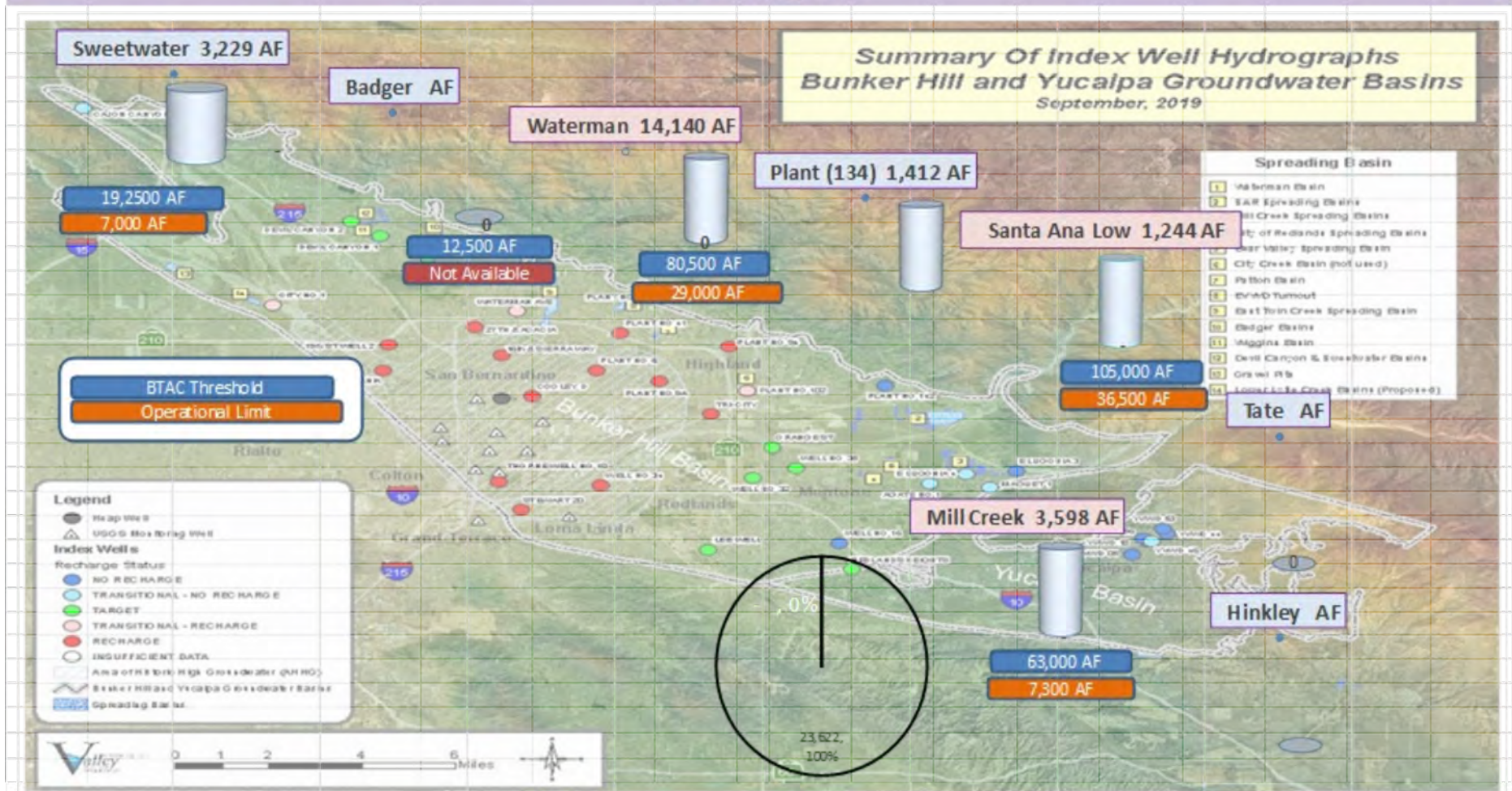
## Appendix B: Running Total and Balance Owed by Pumpers

Agency	Groundwater Council Equitable Allocation Budget for FY 2020-21								FY 2019-20				FY 2018-19			
	Total Due to Date	Total Due to SBVMWD	Total Due to SBVMWD (AF)	Total Due to SBVWCD	Water Cost 2020-21 (\$)	Total Paid to SBVMWD in 2020	Equitable O&M Costs 2020-21 (\$)	Total Paid to SBVWCD in 2020	Water Cost 2019-20 (\$)	Total Paid to SBVMWD in 2019	Equitable O&M Costs 2019-20 (\$)	Total Paid to SBVWCD in 2019	Water Cost 2018-19 (\$)	Total Paid to SBVMWD in 2018	Equitable O&M Costs 2018-19 (\$)	Total Paid to SBVWCD in 2018
Bear Valley Mutual Water Company	\$ (7)	\$ (13)	(0)	\$ 6	\$ -	\$ -	\$ -	\$ -	\$ 187	\$ 237	\$ 89	\$ 86	\$ -	\$ -	\$ 121	\$ 121
City of Colton	\$ 112,012	\$ 83,472	705	\$ 28,540	\$ 69,762	\$ -	\$ 26,896	\$ -	\$ 66,608	\$ 62,397	\$ 28,596	\$ 28,046	\$ 91,875	\$ 92,234	\$ 23,240	\$ 23,240
City of Loma Linda	\$ 294,351	\$ 254,636	2,151	\$ 39,715	\$ 241,042	\$ -	\$ 37,545	\$ -	\$ 231,252	\$ 226,262	\$ 37,736	\$ 36,885	\$ 218,718	\$ 219,514	\$ 35,929	\$ 35,929
City of Redlands	\$ 861,564	\$ 723,639	5,752	\$ 137,924	\$ 119,002	\$ -	\$ 137,924	\$ -	\$ 516,253	\$ -	#N/A	pending	\$ 569,400	\$ -	\$ 106,757	\$ 181,131
City of Rialto	\$ 418,717	\$ 377,489	3,188	\$ 41,228	\$ 309,639	\$ -	\$ 39,372	\$ -	\$ 144,051	\$ 135,686	\$ 32,273	\$ 31,367	\$ 284,657	\$ 285,581	\$ 38,250	\$ 38,250
City of San Bernardino	\$ 1,305,254	\$ 1,030,519	8,704	\$ 274,735	\$ 1,343,115	\$ -	\$ 287,692	\$ -	\$ 1,562,395	\$ 1,525,347	\$ 314,725	\$ 308,163	\$ 1,138,924	\$ 1,142,797	\$ 277,164	\$ 277,164
East Valley Water District	\$ 347,957	\$ 235,572	1,873	\$ 112,385	\$ 167,215	\$ -	\$ 105,872	\$ -	\$ 212,537	\$ 193,606	\$ 113,237	\$ 110,925	\$ 345,898	\$ 347,030	\$ 97,656	\$ 97,656
Fontana Union Water Company	\$ 111,907	\$ 87,969	743	\$ 23,939	\$ 73,200	\$ -	\$ 23,642	\$ -	\$ 75,157	\$ 196,070	\$ 5,158	\$ 20,401	\$ -	\$ -	\$ -	\$ -
Loma Linda University	\$ 30,332	\$ 22,731	192	\$ 7,601	\$ 19,104	\$ -	\$ 7,177	\$ -	\$ 17,566	\$ 16,458	\$ 7,369	\$ 7,184	\$ 23,453	\$ 23,562	\$ 7,780	\$ 7,780
San Bernardino Valley M.W.D.	\$ 34,137	\$ 31,553	266	\$ 2,584	\$ 21,962	\$ -	\$ 2,584	\$ -	\$ 8,006	\$ -	\$ -	\$ -	\$ 1,987	\$ -	\$ -	\$ -
West Valley Water District	\$ 587,628	\$ 587,628	4,963	\$ -	\$ 186,279	\$ -	#N/A	\$ -	\$ 68,503	\$ -	#N/A	\$ -	\$ 207,215	\$ -	\$ 55,688	\$ -
Yucaipa Valley Water District	\$ 16,463	\$ 15,121	128	\$ 1,342	\$ 14,759	\$ -	\$ 1,296	\$ -	\$ 6,397	\$ 6,275	\$ 819	\$ 790	\$ 13,379	\$ 13,379	\$ 1,237	\$ 1,237
<b>Total GC Parties:</b>	<b>\$ 4,120,316</b>	<b>\$ 3,450,316</b>	<b>28,665</b>	<b>\$ 670,000</b>	<b>\$ 2,565,078</b>	<b>\$ -</b>	<b>\$ 670,000</b>	<b>\$ -</b>	<b>\$ 2,908,912</b>	<b>\$ 2,362,339</b>	<b>\$ 540,000</b>	<b>\$ 543,847</b>	<b>\$ 2,895,506</b>	<b>\$ 2,124,096</b>	<b>\$ 643,822</b>	<b>\$ 662,508</b>
Mountain View Power Co.	\$ 153,561	\$ 153,561	1,297	\$ -	\$ 35,104	\$ -	#N/A	\$ -	\$ 44,732	\$ -	#N/A	pending	\$ 69,536	\$ -	#N/A	\$ 9,703
Muscoy Mutual Water Company No. 1	\$ 91,005	\$ 91,005	769	\$ -	\$ 28,674	\$ -	#N/A	\$ -	\$ 25,888	\$ -	#N/A	#N/A	\$ 32,509	\$ -	#N/A	#N/A
San Bernardino County - Facility Management	\$ 40,524	\$ 40,524	342	\$ -	\$ 12,625	\$ -	#N/A	\$ -	\$ 11,617	\$ -	#N/A	#N/A	\$ 14,513	\$ -	#N/A	#N/A
Terrace Water Company	\$ 30,180	\$ 30,180	255	\$ -	\$ 8,288	\$ -	#N/A	\$ -	\$ 8,699	\$ -	#N/A	#N/A	\$ 11,907	\$ -	#N/A	#N/A
Other San Bernardino Extractions	\$ 470,971	\$ 470,971	3,978	\$ -	\$ 147,347	\$ -	#N/A	\$ -	\$ 130,978	\$ -	#N/A	#N/A	\$ 173,037	\$ -	#N/A	#N/A
<b>San Bernardino Non-Parties Total:</b>	<b>\$ 786,242</b>	<b>\$ 786,242</b>	<b>6,641</b>	<b>\$ -</b>	<b>\$ 232,038</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 221,914</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 301,502</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 9,703</b>
<b>Western Entities Total:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>pending</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 313,326</b>
<b>Total:</b>	<b>\$ 4,906,558</b>	<b>\$ 4,236,559</b>	<b>35,305</b>	<b>\$ 670,000</b>	<b>\$ 2,797,116</b>	<b>\$ -</b>	<b>\$ 670,000</b>	<b>\$ -</b>	<b>\$ 3,130,826</b>	<b>\$ 2,362,339</b>	<b>\$ 540,000</b>	<b>\$ 543,847</b>	<b>\$ 3,197,008</b>	<b>\$ 2,124,096</b>	<b>\$ 643,822</b>	<b>\$ 672,211</b>

Red/Pending = O&M charges paid through SBVWCD Groundwater Charge

# Appendix C: GC 2020 Delivery Plan

## San Bernardino Basin Groundwater Council 2020 Delivery Plan



FY2020-21 SWP Deliveries	23,624 AF
FY2020-21 Additional Local Water	5,277 AF
<b>SBBA GC Total</b>	<b>28,901 AF</b>



[www.sbgroundwatercouncil.org](http://www.sbgroundwatercouncil.org).

---

**DATE:** April 13, 2020  
**TO:** San Bernardino Basin Groundwater Council  
**FROM:** Bob Tincher, Deputy General Manager – Resources  
San Bernardino Valley Municipal Water District  
**SUBJECT:** Consider Administrative Draft Policy 001 - Revenue Collection

---

This administrative policy would provide the flexibility for any Party to the San Bernardino Basin Groundwater Council Framework Agreement (Agreement) to make a single payment of their portion of the costs under the Agreement to either San Bernardino Valley Municipal Water District or San Bernardino Valley Water Conservation District for distribution for both water and facilities costs, per the terms of the Agreement.

#### **Background**

Section 5.1.1 of the Agreement allows the Groundwater Council (GC) to adopt rules, regulations, policies and procedures governing the operation of the GC. West Valley Water District has proposed to pay SBVMWD for its full costs under the agreement.

#### **Fiscal Impact**

There is no fiscal impact associated with this policy.

#### **Policy Subcommittee Recommendation**

Discuss and consider approval of Draft Administrative Policy 001 – Revenue Collection

#### **Attachment**

Administrative Policy 001 – Revenue Collection

**San Bernardino Basin Groundwater Council**  
Administrative Policy 001 – Revenue Collection

**Authority:**

Section 5.1.1 of the San Bernardino Basin Groundwater Council Framework Agreement (Agreement) allows the Groundwater Council (GC) to adopt rules, regulations, policies and procedures governing the operation of the GC.

Section 4.7 of the Agreement designates the two agencies that are authorized, under the Agreement, to collect revenue per the terms of the Agreement: San Bernardino Valley Municipal Water District (imported water cost) and San Bernardino Valley Water Conservation District (facilities cost).

**Explanation:**

The Parties to the Agreement desire a policy which provides the flexibility for a Party to make a single payment for their Equitable Allocation Model costs, under the Agreement. A single payment for import water and operations and maintenance could be paid to either San Bernardino Valley Municipal Water District (Valley District) or San Bernardino Valley Water Conservation District (Conservation District) for distribution to the other for the costs per the terms of the Agreement.

**Policy:**

1. Any Party desiring to invoke this policy (Requesting Party) must notify both Valley District and the Conservation District. The correspondence must designate the agency (Payment Agency) they desire to invoice them for their single payment costs due under the Agreement.
2. Within sixty (60) days, Valley District and Conservation District will make the changes to their financial procedures to effectuate a request made under this policy.
3. The Payment Agency will notify the Requesting Party, in writing, once their request has been processed. Until the Requesting Party receives this notice, the Requesting Party is responsible to make all payments under the Agreement within the timeframe provided in the Agreement.
4. Once the request has been processed, the Payment Agency will provide a single invoice each year to the Requesting Party that will include both the imported water and facilities costs due per the terms of the Agreement. The Requesting Party will pay the invoice to the Payment Agency per the terms of the Agreement.
5. The Payment Agency will expediently distribute funds due to the other agency.



## 2020 Board Calendar - San Bernardino Valley Water Conservation District

JANUARY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Jan. 8 Board Meeting  
Jan. 22 2<sup>nd</sup> Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Jul. 8 Board Meeting  
Jul. 22 4<sup>th</sup> Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

Feb. 12 Board Meeting

AUGUST						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Aug. 12 Board Meeting

MARCH						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Mar. 11 Board Meeting  
Engineering Investigation Report Presentation  
Mar. 25 3<sup>rd</sup> Qtr. Finance & Admin Mtg.

SEPTEMBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Sept. 9 Board Meeting

APRIL						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Apr. 8 Board Meeting  
Public Meeting/Groundwater Charge  
Apr. 22 Board Meeting  
Public Hearing/Groundwater Charge

OCTOBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Oct. 14 Board Meeting

MAY						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

May 27 Board Meeting

NOVEMBER						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Nov. 18 1<sup>st</sup> Qtr. Finance & Admin Mtg. (@9:00 a.m.)  
Nov. 18 Board Meeting (@ 1:30 p.m.)

JUNE						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Jun. 10 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Dec. 9 Board Meeting (@ 9:00 a.m.)  
Holiday Luncheon