



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

Wednesday, March 8, 2023 – 1:30 p.m.

Location-1630 West Redlands Boulevard, Suite A, Redlands, California

Anyone wishing to listen to or participate in the meeting can join via Zoom:

Call in (669) 900-6833, Meeting ID: 811 5882 7619

To join the Zoom Meeting on <https://us02web.zoom.us/j/81158827619>

While the District makes every attempt to follow all guidance re COVID-19 safety protocols, the District cannot assure in-person attendees that they will not be exposed to COVID-19 or persons who have been so exposed, and attendees are advised to exercise caution in limiting their own incidences of exposure, particularly those who may be in groups at higher risk of infection, or serious symptoms of COVID-19 if infected.

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 a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Laroche 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

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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

Betsy Miller

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.

- 3. **AD HOC COMMITTEE APPOINTMENTS**
 - A. GENERAL MANAGER REVIEW

- 4. **GUEST RECOGNITION/SELF INTRODUCTIONS**

- 5. **CONSENT CALENDAR**
 - A. Approval of Board Minutes, February 8, 20236
 - B. Approval of Expenditure Report, February 202317
 - C. Report of Excused Absences
 - D. ACWA JPIA Executive Committee Concurring Nomination Resolutions
(M#1919)24

- 6. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

- A. AD HOC TRAILS COMMITTEE VERBAL REPORT – 10 minutes
Presenter: Ad Hoc Trails Committee
Recommendation: The chair of the Ad Hoc Trails Committee will provide a verbal report on the meeting held on February 9.

- B. OUTREACH & COMMUNICATIONS COMMITTEE VERBAL REPORT – 10 minutes
Presenter: Outreach & Communications Committee
Recommendation: The chair of the Outreach & Communications Committee will provide a verbal report on the meeting held on February 9.

Action Items

- C. UNAUDITED FINANCIAL REPORTS, FEBRUARY 2023 – 5 minutes
(M#1920)34
Presenter: Angie Quiroga/Betsy Miller
Recommendation: Review and approve the unaudited financials for February 2023.

- D. GROUNDWATER LATE PAYER, NON-RESPONDENTS, AND INVESTIGATION LIST FOR GROUNDWATER ASSESSMENT NO. 59 – 5 minutes (M#1921)41
Presenter: Betsy Miller
Recommendation: Review, discuss and direct staff to investigate late payers and non-respondents for the groundwater assessment period of July 1, 2022 – December 31, 2022.

- E. FINAL ENGINEERING INVESTIGATION REPORT FOR 2023 – 10 minutes
(M#1922)44
Presenter: Katelyn Scholte
Recommendation: Provide comments or changes to the Engineering Investigation (EI Report);

receive and file staff’s presentation.

- F. ENHANCED RECHARGE AGREEMENT SECOND AMENDMENT – 5 minutes
(M#1923)46

Presenter: *David B. Cosgrove*

Recommendation: Review and approve the Second Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities, and authorize the Board President to execute same on behalf of the District.

- G. ANNUAL REPORT ON THE STATUS OF THE SAN BERNARDINO VALLEY
CONSERVATION TRUST – 5 minutes (M#1924).....60

Presenter: *Milan Mitrovich*

Recommendation: Receive and file the report on the State of the San Bernardino Valley Conservation Trust.

- H. CSDA CALL FOR NOMINATIONS FOR SEAT C, SOUTHERN NETWORK – 5 minutes
(M#1925)78

Presenter: *Betsy Miller*

Recommendation: Provide direction to staff to nominate a Board member, if desired, to the CSDA Board of Directors, Seat C, Southern Network, for the 2024-2026 term.

- I. REBRANDING OF ACTIVE RECHARGE TRANSFER PROJECTS (ARTP) TO PROJECTS
FOR THE ENHANCEMENT OF RECHARGE CAPACITY (PERC)
– 5 minutes (M#1926).....84

Presenter: *Betsy Miller*

Recommendation: The Operations Committee and ARTP Policy Committee recommends the Board review and approve the rebranding of ARTP to PERC.

7. INFORMATION ITEMS:

- A. Environmental Update – 5 minutes.....88
- B. Wash Plan Trails Status Report – 5 minutes.....92
- C. Engineering Update – 5 minutes.....93
- D. Board President Monthly Verbal Update
- E. General Manager’s Report and Monthly Recharge Report – 5 minutes.....94
- F. Strategic Planning Verbal Update
- G. Future Agenda Items & Staff Tasks – 5 minutes

8. MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS

- A. Board Member Meeting Reports – 15 minutes
- B. ACWA Spring Conference Travel Requests

9. **UPCOMING MEETINGS:**

- A. March 14, 2023 San Bernardino Valley Municipal Water District Resources/Engineering Workshop, 2:00 p.m. at Valley Municipal
- B. March 15, 2023 USAR WIFA Meeting, 8:30 a.m. via Teleconference
- C. March 17, 2023 *Form 700's Due to District Office*
- D. March 21, 2023 Big Bear Watermaster Committee, 10:00 a.m. at Conservation District
(Zoom Meeting ID: 860 5485 1971)
- E. March 21, 2023 San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal
- F. March 22, 2023 USAR WIFA Technical Advisory Committee Meeting, 8:30 a.m. via Teleconference
- G. March 22, 2023 Finance & Administration Committee, 1:30 pm at Conservation District
(Zoom Meeting ID: 897 4220 1089)
- H. March 28, 2023 Operations Committee, 9:00 a.m. at Conservation District
(Zoom Meeting ID: 885 5599 7489)
- I. April 3, 2023 Basin Technical Advisory Committee, 1:30 p.m. at Valley Municipal
- J. April 6, 2023 San Bernardino Valley Municipal Water District Policy/Administration Workshop, 2:00 p.m. at Valley Municipal
- K. April 12, 2023 Board of Directors Meeting/Groundwater Public Meeting, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 811 5882 7619)
- L. April 26, 2023 Board of Directors Meeting/Groundwater Public Meeting, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 842 5799 5859)
- M. May 9-11, 2023 ACWA Spring Conference (Monterey, CA)
(Board Approval Required)

10. **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 may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: Southern California Edison East End Hydroelectric Generation Plant property located on various parcels and easements in Mill Creek and Santa Ana River Canyons, Negotiator: Betsy Miller and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.
3. The Board will meet in Closed Session under Government Code section 54956.8, to discuss the terms and conditions of potential acquisition of Federal properties as part of the Wash Plan land exchange with BLM, consisting of 327.5 acres of the Federal Exchange Parcel, and 90 acres of the Federal Equalization Parcels, in exchange for District property of Assessor Parcel Nos. 0291-151-01, -02, and-05. David Cosgrove and Betsy Miller are the District's negotiators, and Jessika Peltz is the lead negotiator for BLM.
4. The Board will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, San Bernardino Valley Water Conservation District v. Mark J. Bacher dba Red Dragonfly Spa, SBCSC Case No. LLTVA 2103055.
11. **ADJOURN MEETING.** The next regularly scheduled Board of Directors/Groundwater Public Meeting will be on April 12, 2023 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF FEBRUARY 8, 2023
1:30 p.m.

President McDonald called the Board of Directors meeting to order at 1:31 p.m. by in-person, teleconference, and Zoom meeting. All those in attendance stood for the pledge of allegiance led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Betsy Miller, General Manager
Milan Mitrovich, Land Resources Manager
Katelyn Scholte, Principal Engineer
Athena Laroche, Administrative Specialist
Angie Quiroga, Senior Administrative Analyst
David Cosgrove, District Counsel
Laura Torres, Assistant Engineer

GUESTS PRESENT:

June Hayes, San Bernardino Valley Municipal Water District
Paul Kielhold, San Bernardino Valley Municipal Water District
Willow Green, Tetra Tech
David E. Smith, East Valley Water District
Michael Mayer, Member of the Public

1. PUBLIC PARTICIPATION

President McDonald announced that any person present, who so desired, may make an oral presentation to the Board of Directors. There being none, the meeting continued with the posted agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the posted agenda.

3. GUEST RECOGNITION/SELF INTRODUCTION

President McDonald introduced those attending via Zoom. Ms. Miller introduced staff and Board members made self-introductions.

4. CONSENT CALENDAR

Director Corneille requested that Item D: Groundwater Assessment Report for July 1, 2022, to December 31, 2022, and Item E: District Board Priorities for 2023 be pulled from consent for discussion.

It was moved by Director Corneille and seconded by Director Longville to approve the Consent Calendar: Item A: Board Minutes, January 11, 2023; and Item B: Expenditure Report, January 2023. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Stewart: Yes

Director Longville: Yes

Director Raley: Yes

Director Corneille: Yes

Director Corneille discussed the Groundwater Assessment Report (GWA) and asked why Arrowhead Country Club (Arrowhead) or other agricultural producers were not reporting any production during this assessment period. Ms. Miller indicated that Arrowhead has not reported for the last three assessment periods, and that they have requested a payment plan. She discussed next steps in brief. Ms. Quiroga indicated that the GWA shown in the package includes data collected through January 31, noting that additional groundwater producers have reported for this GWA period since the publishing of the package. She said that currently Arrowhead is the only groundwater producer that has indicated their need for a payment plan. Director Corneille suggested implementation of an intermittent audit of groundwater producers. Mr. Cosgrove stated that statute allows us to meter wells if the District believes that a producer is under-reporting or failing to report their groundwater production, and stated that staff is working to resolve the issue administratively at this time.

Director Corneille reviewed District Board Priorities as included on package page 37. He asked if Item 12: Wash Plan Trails MOU Approval may be expedited due to funds included in the FY23 budget and if a design for at least one trail can be completed this year. Director Corneille reviewed Item 14: Initiate ARTP Final Design and asked if the project completion date of December 2023 can be moved up. Ms. Miller said that the December timeframe is due to important data that will be available after the feasibility

study is completed in Summer/Fall 2023 to inform the design. She noted concerns with overloading engineering staff due to the two construction projects that are anticipated to begin this summer. Director Corneille said that once we get a project identified, design should begin immediately if possible.

It was moved by Director Corneille and seconded by Director Longville to approve the Consent Calendar: Item D: Groundwater Assessment Report for July 1, 2022, to December 31, 2022; and Item E: District Board Priorities for 2023. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Stewart: Yes

Director Longville: Yes

Director Raley: Yes

Director Corneille: Yes

5. COMMITTEE REPORTS/ACTION ITEMS

A. OPERATIONS COMMITTEE VERBAL REPORT

Director Corneille provided a verbal report on the meeting held on January 24. He stated that the Committee received a Field Supervisor Report and discussed staff efforts to cost-effectively remove accumulated sand on District property. The Mentone Shop project has already been awarded. Construction is anticipated to begin over the summer dependent on County Permit timelines and building delivery timeline. Ms. Scholte said that building permits were submitted to San Bernardino County yesterday. Director Corneille reviewed the new name for the previously known Active Recharge Transfer Projects (ARTP) and the recommended new name is PERC, which stands for Project to Enhance Recharge Capacity; this will be presented to the ARTP Policy Committee for review and approval at their February meeting. Director Corneille noted that the Committee discussed the Exchange Plan amendment, and stated that in addition to Redlands, East Valley Water District is considering leaving the group. Mr. Cosgrove said that Bear Valley Mutual Water Company (Mutual) and District staff met to discuss the amendment and that they are awaiting comments from Mutual. Mr. Cosgrove said that a meeting is likely to be convened in the next few months to discuss the future of the Exchange Plan. The District serves in an administrative capacity to the Exchange Plan Committee and is awaiting feedback from all members. Director Corneille said that we are having a good water year. He complimented President McDonald on her February 3rd Commentary in the Redlands Community News on recent storm boosting storage in the Bunker Hill Basin.

B. FINANCE & ADMINISTRATION COMMITTEE VERBAL REPORT

Ms. Quiroga reviewed this item. She stated that the Finance & Administration Committee met on January 25 and reviewed the second quarter annual unaudited financials for FY23 and quarterly investment report, Board Policy Manual Revisions and the Groundwater Enterprise preliminary Budget for FY24. She indicated that the Committee recommended Board approval of these items.

C. SECOND QUARTER ANNUAL UNAUDITED FINANCIAL REPORTS FOR FISCAL YEAR 2022-2023

Ms. Quiroga reviewed this item and noted its inclusion beginning package page 38. She noted that this is a quarterly review of income and expenses for the current fiscal year. Ms. Quiroga reviewed the quarterly investment report on package page 42 to 43, noting the investment balance of \$351,000 and a net change of approximately \$327,000 since July 1. She noted that approximately \$3 million was moved from LAIF to CAMP to obtain higher yields. Director Corneille inquired as to what items are included within GL 7110: Property-Capital Repairs and 7120: Property-Land Purchase. Ms. Quiroga indicated that the expenses for GL 7120 included work completed for the Land Exchange. Director Corneille asked about GL 7160-Mendoza Property and what the District intends to do with that property. Ms. Scholte indicated that the property has been initially reviewed for inclusion of Active Recharge Transfer Projects and habitat restoration. President McDonald asked how many more inches of rainfall are needed to greenlight the proposed slender-horned spineflower surveys to be completed. Ms. Miller indicated that the District needs two more. The Committee recommended this item for approval with no revisions.

It was moved by Director Raley and seconded by Director Stewart to approve the Second Quarter Unaudited Financials for FY23 as presented. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Stewart: Yes

Director Longville: Yes

Director Raley: Yes

Director Corneille: Yes

D. UNAUDITED FINANCIAL REPORT FOR JANUARY 2023

Ms. Quiroga introduced this item for discussion, beginning on package page 44. She noted that all major groundwater producers have paid, with the highest amount received from the City of Riverside at \$216,821. Late statements have been mailed out to groundwater producers as necessary. GL 4010: Interest Income is above budget due to funds being reallocated to higher yield investment accounts. She said that GL 4030: Mining Income is as budgeted and GL 5120: Miscellaneous Professional Services is slightly overbudget at present but expected to be as budgeted by year end. The increase in GL 5120 was due to the invoice for \$66,000 received from Integrated Planning and Management for Daniel Cozad's charges through the first two quarters of the fiscal year. She noted that GL 5300: Vehicle Operations is above budget due to increased fuel costs and maintenance caused by inflation. GL 4025: Wash Plan Revenue is higher than budgeted, including state permitting fees received from other agencies. She reviewed the graph financials shown on package page 47. Director Corneille asked for more information on GL 9999: Contribution to Capital Maintenance. Ms. Quiroga indicated that the total amount to be allocated to reserves is calculated at the end of the year. Ms. Miller said that the contribution to reserves is anticipated to be lower than budgeted due to budget amendments for costs associated with Board room technology and funds that may be allocated to trusts for the CERBT and CEPPT.

It was moved by Director Raley and seconded by Director Longville to approve the Unaudited Financial Reports for January 2023. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Stewart: Yes

Director Longville: Yes

Director Raley: Yes

Director Corneille: Yes

E. BOARD POLICY MANUAL REVISIONS

Ms. Miller introduced this item for discussion, noting its inclusion beginning package page 51. The Finance & Administration Committee met on January 25, and recommended approval of this item as presented. Ms. Miller noted that there are three revisions shown in redline in the document. She reviewed the additional options for meal reimbursement as shown on package page 57. This section gives directors the option to submit an itemized receipt for full reimbursement or to submit a request without receipt to be reimbursed at the per diem rate. This provides additional flexibility for directors and allows staff to promptly provide reimbursement. The revisions to Appendix C are noted on package page 59 include director attendance at the District for administrative business. President McDonald thanked Director Raley for his thorough review and signing of expenditures. She also thanked the Committee for their review of these items. President McDonald spoke on the Board Policy Manual revision related to the meal reimbursement, and said that if you have your itemized receipt that you can still turn it in for full reimbursement but if you have lost it you can use the meal per diem method for reimbursement. The meal per diem rates are included within section 4025.1.1.g.

It was moved by Director Corneille and seconded by Director Longville to approve the revisions to Board Policy section 4010.3, 4025.1.1.g and Appendix C as recommended by the Finance & Administration Committee as presented and approve Resolution No. 606. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Corneille: Yes

Director Longville: Yes

Director Raley: Yes

Director Stewart: Yes

F. DRAFT ENGINEERING INVESTIGATION REPORT FOR 2023

Ms. Scholte presented a PowerPoint presentation on the Draft 2023 Engineering Investigation (EI). This item is included in the package beginning on page 61. Director Corneille asked how the District is notified of new wells within our District boundaries. Ms. Quiroga said that we are notified through the San Bernardino County (County) when new well permits are issued. Review of the EI ensued. The annual change in storage for the Bunker Hill Basin decreased by 71,231 acre feet (AF) from last year. Ms. Scholte noted that the data for the Lytle Basin may change slightly because Fontana Water Company has been unable to provide current data. The accumulated change in storage is 651,262 AF down from full (in

1993). A comparison of water elevations from 2021 and 2022 was included. The estimated groundwater production for the previous water year (2021-2022) is 173,565 AF, and the estimated annual change in storage for the current water year (2022-2023) is a decrease of 37,353 AF based on the precipitation being 20.98 inches. The estimated average annual change in storage for the upcoming water year (2023-2024) is a decrease of 7,025 AF. The estimated production for the upcoming water year (2023-2024) is 201,274 AF. The average change in storage over the last ten years is an annual decrease of 32,099 AF; all of the subbasins are in the negative and decreasing. The estimated groundwater production within the District boundaries for historically agricultural is 10,961 AF, and 93,790 AF for historically non-agricultural. The estimated surface diversion for the basin is 72,309, with the District's portion at 50,684. The estimated replenishment required for constant storage is 136,468 AF for the basin and 111,776 AF for the District. The replenishment needed to bring the basin back to full based on 1993 data is 825,082 AF. The Board thanked Ms. Scholte and Ms. Torres for their presentation and work to develop the report.

It was moved by Director Stewart and seconded by Director Raley to receive and file the Draft Engineering Investigation Report, with presentation of the Final Engineering Investigation Report planned for the March Board meeting. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Corneille: Yes

Director Longville: Yes

Director Raley: Yes

Director Stewart: Yes

**G. BUDGET PLANNING FOR GROUNDWATER ENTERPRISE FOR FY 24: PROPOSED
GROUNDWATER COUNCIL OPERATIONS & MAINTENANCE FEE AND ADVERTISED
GROUNDWATER CHARGE**

Ms. Miller presented on this item noting its inclusion beginning page 63. She noted that this item was reviewed at the Finance & Administration Committee on January 25, and the committee recommended this item be forwarded to the Board for approval as presented. Review of this item continued via PowerPoint. Ms. Miller indicated that the CPI-U All West was 6.6% for calendar year 2022, leading staff to recommend a 5% increase due to inflation in accordance with the Board's policy for rate increases. She stated that there are additional costs related to compliance with recently issued environmental permits that will be incurred in FY24, resulting in staff recommending an additional 6% increase. The total increase recommended for the groundwater charge is 11%. Director Corneille asked if any of these costs are reimbursed by the Trust. Ms. Miller indicated that the costs presented here today are those for District groundwater operations only. GL 5050-Basin Cleaning also includes increased costs for berm repair that will be covered by annual operating costs and reserves if needed, and thus do not require an increase in the rate. The Groundwater Council (GC) budget and the groundwater enterprise income was reviewed via PowerPoint in brief. She reviewed potential rate options including 0%, 5% and 11% groundwater charge increases. The total operating expenses for the proposed FY24 groundwater enterprise are \$1,910,491 and the total estimated revenue is \$1,917,015, including the proposed 11% increase.

President McDonald said that the District operations conservatively and asked if an 11% increase is sufficient. Ms. Miller indicated that inflation for calendar year 2022 for the western United States was 6.6% while the Inland Empire was over 9% based on the Consumer Price Index. Director Stewart stated that he does not see interest income included within the preliminary budget. Ms. Miller indicated that interest income is not included within the groundwater enterprise. Discussion ensued regarding potential use of reserves. Ms. Miller indicated that the current budget is balanced based on feedback from the engineering team on berm maintenance needs, and use of reserves is not recommended at this time. Staff continues to work on the full budget for FY24. Director Raley stated that reserves are in place to cover unexpected expenses. Ms. Miller indicated that any budget changes that include use of reserves will be reviewed at the April Budget Workshop. Ms. Miller said that the reserves were developed to account for variability in rainfall and allow the District to operate successfully with single-year increases in the groundwater charge. Director Stewart voiced his concern over the potential 11% groundwater increase. Ms. Quiroga said that previous management did not want to depend on interest income for the groundwater enterprise and therefore the current practice is for a self-sustaining groundwater enterprise. Director Corneille also expressed his concern over the proposed rate increase. He asked for detailed information on current reserves. Ms. Miller said that there is approximately \$2 million in groundwater reserves split between various funds. Director Stewart said that interest income can offset some of these costs. Director Corneille said that inflation is significantly affecting our retail agencies, which need to include our groundwater charge in their rates and prefers that the District adopt a rate below the 11% proposal. Director Raley said that the inflation rate for the current year is likely to be 8-9%. Director Longville said that is bad policy to rely on reserves for operating costs. He said they should be used only for unanticipated costs, and spoke on how low the groundwater charge is compared to other agencies. President McDonald spoke on historical use of mining funds to support groundwater operations, which resulted in the need to significantly increase the groundwater rate when mining revenues decreased. Discussion ensued. She believes it is prudent to take into account inflation and advertise for the staff and Committee-recommended increase. Staff stated that the preliminary groundwater enterprise was reviewed informally with the GC, and they were supportive of the proposed budget and increase. Mr. Cosgrove said that the proposed increase would result in a groundwater rate of \$16.95 per acre foot with an additional sustainability component not to exceed \$20. The current phase in amount for the sustainability component would be an amount not to exceed \$12 per acre foot. The Groundwater Public Meeting will be held on April 12, and the Groundwater Public Hearing to adopt the rate will be held on April 26.

It was moved by Director Longville and second by Director Raley to direct staff to advertise an 11% increase inclusive of a 5% increase due to inflation and a 6% increase due to new permit compliance requirements in the Groundwater Charge, continue to phase in the Replenishment/Sustainability component over 5 years, and approve the budget plan as shown herein. The motion carried 3-2, with President McDonald, Director Longville and Raley voting in the affirmative. Director Corneille and Vice President Stewart voted in opposition.

President McDonald: Yes

Vice President Corneille: No

Director Longville: Yes

Director Raley: Yes
Director Stewart: No

H. YEAR 3 AMENDMENT TO CONSERVATION SERVICES AGREEMENT WITH INLAND EMPIRE RESOURCES CONSERVATION DISTRICT FOR IMPLEMENTATION OF PERMIT CONDITIONS FOR THE PLUNGE CREEK CONSERVATION PROJECT

Mr. Mitrovich introduced this item for discussion, noting its inclusion on package page 75. He reviewed the Second Amendment with Inland Empire Resources Conservation District (IERCD) related to Plunge Creek. He indicated that this would result in a budget amendment to GL 5120 in the amount of \$50,187.87. This is the third year for a five-year agreement with IERCD, inclusive of the components listed on package page 76. The schedule of activities is listed on package page 83. Mr. Cosgrove reviewed the agreement and provided Attachments A and B as a handout for Board reference. IERCD agrees with the form of the agreement and is taking it to their Board for approval tomorrow. Director Corneille asked to take funds from another GL rather than increasing the overall budget. Ms. Miller indicated that no additional funds were budgeted in GL 5120 per Board direction and that the budget amendment under discussion would not increase the overall budget.

It was moved by Director Corneille and seconded by Vice President Stewart to approve the proposed second amendment with IERCD and authorize the Board President to sign the contract in substantially the form attached hereto, subject to minor modifications as may be approved by District Counsel, in amount not to exceed \$50,170.87; and amend the budget to increase GL 5120: Miscellaneous Professional Services by \$50,170.87 to fund this project without increasing the overall budget. The motion carried 5-0 with all Board members present voting in the affirmative.

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

I. CONTRACT WITH STRATEGY DRIVER, INC FOR 2023 STRATEGIC PLAN UPDATE

Ms. Miller introduced this item for discussion and indicated its inclusion on package page 85. This item includes the costs for the District's five-year strategic planning update, including three in-person workshops. In addition, the consultant will meet with staff, Board members, and partners individually, and hold a remote kick-off meeting. Ms. Miller said that the process is expected to take three to four months. There is an option included to have the consultant attend in-person at a higher cost. Director Longville did not see a need to schedule any additional in-person meetings. Director Stewart said that the asterisk within the contract states that these costs do not include travel. He suggested having a limit on travel expenses to avoid going over budget. Director Corneille was in support of staff's recommendation without impacting the overall budget. Ms. Miller will coordinate with the consultant

to obtain specific costs. Director Stewart said that the 2017 Strategic Plan includes significant historical data and he looks forward to the updated plan with a forward focus.

It was moved by Director Longville and seconded by Director Corneille to approve the proposed contract with Strategy Driver, Inc. and authorize the Board President to sign the contract in substantially the form attached hereto, subject to minor modifications as may be approved by District Counsel, in an amount not to exceed \$63,475 including flight, car, etc.; and amend the budget to increase GL 5120: Miscellaneous Professional Services by \$63,475 to fund this project without increasing the overall budget. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Corneille: Yes

Director Longville: Yes

Director Raley: Yes

Director Stewart: Yes

6. INFORMATION ITEMS

A. ENVIRONMENTAL UPDATE

Mr. Mitrovich provided an update on this item, noting its inclusion on package pages 101 to 104. He reviewed the San Bernardino Kangaroo Rat monitoring program for the Wash Plan, noting that the Trust submitted a Traditional Section 6 Grant application on January 26 to fund an expansion of this work across the species' range. He noted that fieldwork for this project, if the proposal is selected for award, would be scheduled for 2024, 2025 and 2026. President McDonald spoke in support of staffs' collaborative efforts with partnership agencies. Mr. Mitrovich reviewed the Wash Plan programmatic permits as noted on page 102. He shared that a job announcement for the Environmental –Biology/GIS Intern position has been posted. Mr. Mitrovich commended Anna Frey, Assistant Biologist, on her efforts to move these items forward. This item was received and filed.

B. WASH PLAN TRAILS STATUS REPORT

Ms. Miller introduced this item for discussion, noting its inclusion on package page 105. She said that the City of Redlands is reviewing the MOU and five party agreement. The District has not received comments from the mining companies on the five party agreement at this time.

C. ENGINEERING UPDATE

This item is included on package page 106. Ms. Scholte said that the Seven Oaks Dam releases have decreased to 100 CFS and we are currently recharging 20 CFS in Mill Creek. She indicated that the Mentone Shop permits have been submitted and fire flow testing is scheduled. She said that comments have been received from the Army Corps on the 408 permit for Mill Creek Diversion and staff responded on February 2. Staff hopes to receive permits in March; if this occurs, construction is anticipated to

commence in June. Ms. Scholte said that District staff, consultants, and Flood Control staff have engaged in discussions on hydrology and annual flood analysis related to the ARTP projects.

D. BOARD PRESIDENT MONTHLY VERBAL UPDATE

President McDonald passed on this item.

E. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Ms. Miller introduced this item for discussion, noting its inclusion on package pages 107 to 110. The monthly recharge report is included on package page 114. President McDonald had an article published in the Redlands Daily Facts on groundwater recharge; in addition, the District's work to support people experiencing homelessness was highlighted in a separate article on February 2, 2023. Ms. Miller noted work by Mr. Mitrovich related to the 2023 Santa Ana River Science and Conservation Symposium with related materials shown on pages 112 to 113. She noted that Valley Municipal has opened bids for the Enhanced Recharge Project and is currently evaluating the bids. The District's annual water rights reporting was completed by Ms. Torres and Ms. Scholte, with files submitted to the State of California. Ms. Miller congratulated President McDonald as her appointment as the first woman president of ACWA/JPIA. This item was received and filed.

F. FUTURE AGENDA ITEMS & STAFF TASKS

President McDonald recommended keeping the ACWA Concurring Nomination Resolution as a placeholder, noting there are two vacancies and two incumbents running. Director Corneille requested an update on the Exchange Plan.

7. MONTHLY BOARD MEMBER MEETING REPORTS

Director Stewart attended the Valley Municipal Policy Workshop on January 12, Conservation Trust on January 18 and Santa Ana River Water Forum (Water Forum) on January 19. He attended the Association of San Bernardino County Special Districts (ASBCSD) dinner on January 23, Operations Committee on January 24 and Finance & Administration Committee on January 25. He attended the Big Bear Watermaster Committee on January 31 and the Loma Linda Chamber of Commerce on February 1.

Director Corneille attended the Water Forum on January 19, Redlands Chamber of Commerce Installation Dinner on January 20 and Operations Committee on January 24. He attended the Redlands Rise N Shine on February 3.

Director Raley attended the Water Forum on January 19, Redlands Rise N Shine on February 3, ASBCSD on January 23 and Valley Municipal Board meeting on January 17.

Director Longville attended the Conservation Trust on January 18, Finance & Administration Committee on January 25 and Valley Municipal Board meeting on January 17. He attended the Valley Municipal Policy Workshop on February 2.

President McDonald attended the Water Forum on January 19, Valley Municipal Board Meeting on February 7 and Finance & Administration Committee on January 25. She met with the General Manager

on January 18, ASBCSD on January 23 and ACWA State Legislative meeting on January 20. She attended the Valley Municipal Board meeting on January 17, ASBCSD Board meeting on January 16 and Valley Municipal Board meeting on January 12.

8. UPCOMING MEETINGS

No meetings were discussed.

9. CLOSED SESSION

It was moved by Director Corneille and second by Director Longville to enter into Closed Session. The motion carried 5-0, with all Directors present voting in the affirmative.

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

Mr. Cosgrove announced that the meeting would adjourn to closed session to discuss all items on the posted agenda.

At 4:56 p.m. the meeting reconvened into open session. Mr. Cosgrove reported that while in closed session the Board took no reportable action.

10. ADJOURN MEETING

It was moved by Director Corneille and seconded by Director Stewart to adjourn. The motion carried 5-0, with all Directors present voting in the affirmative.

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

At 4:57 p.m., the meeting adjourned to the regular Board meeting scheduled for 1:30 p.m. on March 8, 2023, via Zoom and in-person.

Betsy Miller
General Manager

San Bernardino Valley Water Conservation District Expenditure Report February 2023

Num	Date	Name	Account	Class	Original Amount
PC 02.08.23	02/08/2023	Paychex	1012 · Citizens Busine...		-125.71
			6042 · Payroll Processing	4-General Fund Ent.	125.71
TOTAL					125.71
PC 02.22.23	02/22/2023	Paychex	1012 · Citizens Busine...		-122.38
			6042 · Payroll Processing	4-General Fund Ent.	122.38
TOTAL					122.38
23962	02/01/2023	California Dept of Fish ...	1012 · Citizens Busine...		-2,630.25
	01/31/2023		7151 · Mill Creek Permi...	1-Groundwater Ent.	2,630.25
TOTAL					2,630.25
23989	02/14/2023	ACWA/JPIA-Health	1012 · Citizens Busine...		-23,158.11
	02/01/2023		6110 · Vision Insurance	4-General Fund Ent.	39.99
			6110 · Vision Insurance	1-Groundwater Ent.	138.41
			6110 · Vision Insurance	2-Redlands Plaza/...	12.30
			6110 · Vision Insurance	3-Land Resources	30.76
			6110 · Vision Insurance	5-Wash Plan	21.53
			6110 · Vision Insurance	6-Active Recharge ...	64.59
			6130 · Dental Insurance	4-General Fund Ent.	133.92
			6130 · Dental Insurance	1-Groundwater Ent.	463.57
			6130 · Dental Insurance	2-Redlands Plaza/...	41.21
			6130 · Dental Insurance	3-Land Resources	103.02
			6130 · Dental Insurance	5-Wash Plan	72.11
			6130 · Dental Insurance	6-Active Recharge ...	216.33
			6150 · Medical Insurance	4-General Fund Ent.	2,836.65
			6150 · Medical Insurance	1-Groundwater Ent.	9,819.16
			6150 · Medical Insurance	2-Redlands Plaza/...	872.81
			6150 · Medical Insurance	3-Land Resources	2,182.04
			6150 · Medical Insurance	5-Wash Plan	1,527.43
			6150 · Medical Insurance	6-Active Recharge ...	4,582.28
TOTAL					23,158.11
23990	02/14/2023	American Power Security	1012 · Citizens Busine...		-1,120.00
	01/31/2023		6026 · Redlands Plaza ...	2-Redlands Plaza/...	1,120.00
TOTAL					1,120.00
23991	02/14/2023	Brownstein Hyatt Farb...	1012 · Citizens Busine...		-15,375.00
	02/09/2023		5120 · Misc. Profession...	3-Land Resources	15,375.00
TOTAL					15,375.00
23992	02/14/2023	Castro Landscaping Se...	1012 · Citizens Busine...		-250.00
	01/30/2023		6026 · Redlands Plaza ...	2-Redlands Plaza/...	250.00
TOTAL					250.00

San Bernardino Valley Water Conservation District
Expenditure Report
February 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
23993	02/14/2023	City of Redlands -Muni...	1012 · Citizens Busine...		-2,029.02
	02/02/2023		6026 · Redlands Plaza ...	2-Redlands Plaza/...	2,029.02
TOTAL					2,029.02
23994	02/14/2023	CWE-CA Watershed En...	1012 · Citizens Busine...		-1,478.00
	01/31/2023		7150 · Mill Creek Divers...	1-Groundwater Ent.	1,478.00
TOTAL					1,478.00
23995	02/14/2023	Diamond Environment...	1012 · Citizens Busine...		-145.48
	01/30/2023		5460 · Water / Trash / ...	4-General Fund Ent.	65.47
			5460 · Water / Trash / ...	1-Groundwater Ent.	50.92
			5460 · Water / Trash / ...	3-Land Resources	14.55
			5460 · Water / Trash / ...	6-Active Recharge ...	14.54
TOTAL					145.48
23996	02/14/2023	DKC Architects	1012 · Citizens Busine...		-870.15
	02/13/2023		5215 · Property Mainte...	1-Groundwater Ent.	696.12
			5215 · Property Mainte...	3-Land Resources	174.03
TOTAL					870.15
23997	02/14/2023	Echelon Chem, Inc.	1012 · Citizens Busine...		-1,134.80
	02/08/2023		5215 · Property Mainte...	1-Groundwater Ent.	907.84
			5215 · Property Mainte...	3-Land Resources	226.96
TOTAL					1,134.80
23998	02/14/2023	Edison - 3636	1012 · Citizens Busine...		-35.91
	01/31/2023		6016 · Redlands Plaza ...	2-Redlands Plaza/...	35.91
TOTAL					35.91
23999	02/14/2023	Edison - 6256 (Redland...	1012 · Citizens Busine...		-211.56
	01/31/2023		6026 · Redlands Plaza ...	2-Redlands Plaza/...	211.56
TOTAL					211.56
24000	02/14/2023	Edison - 6493	1012 · Citizens Busine...		-69.47
	02/09/2023		5420 · Electricity	4-General Fund Ent.	19.45
			5420 · Electricity	1-Groundwater Ent.	13.89
			5420 · Electricity	2-Redlands Plaza/...	29.18
			5420 · Electricity	6-Active Recharge ...	6.95
TOTAL					69.47

San Bernardino Valley Water Conservation District
Expenditure Report
February 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
24001	02/14/2023	Edison - 8958	1012 · Citizens Busine...		-264.14
	02/07/2023		5420 · Electricity	4-General Fund Ent.	73.96
			5420 · Electricity	1-Groundwater Ent.	52.83
			5420 · Electricity	2-Redlands Plaza/...	110.94
			5420 · Electricity	6-Active Recharge ...	26.41
TOTAL					264.14
24002	02/14/2023	Edison - 9779	1012 · Citizens Busine...		-270.24
	01/31/2023		5420 · Electricity	4-General Fund Ent.	75.67
			5420 · Electricity	1-Groundwater Ent.	54.05
			5420 · Electricity	2-Redlands Plaza/...	113.50
			5420 · Electricity	6-Active Recharge ...	27.02
TOTAL					270.24
24003	02/14/2023	Empire Disposal	1012 · Citizens Busine...		-173.39
	01/31/2023		5460 · Water / Trash / ...	4-General Fund Ent.	78.03
			5460 · Water / Trash / ...	1-Groundwater Ent.	60.68
			5460 · Water / Trash / ...	3-Land Resources	17.34
			5460 · Water / Trash / ...	6-Active Recharge ...	17.34
TOTAL					173.39
24004	02/14/2023	Frontier-4860	1012 · Citizens Busine...		-488.58
	01/28/2023		5440 · Telephone	4-General Fund Ent.	142.22
			5440 · Telephone	1-Groundwater Ent.	59.26
			5440 · Telephone	6-Active Recharge ...	35.56
			5470 · Internet Services	4-General Fund Ent.	113.19
			5470 · Internet Services	1-Groundwater Ent.	62.89
			5470 · Internet Services	2-Redlands Plaza/...	12.58
			5470 · Internet Services	3-Land Resources	37.73
			5470 · Internet Services	6-Active Recharge ...	25.15
TOTAL					488.58
24005	02/14/2023	Greenbaum Law Group...	1012 · Citizens Busine...		-275.00
	02/07/2023		5180 · Legal	2-Redlands Plaza/...	275.00
TOTAL					275.00
24006	02/14/2023	HCC Surety Group	1012 · Citizens Busine...		-1,815.00
	02/02/2023		6010 · Surety Bond	3-Land Resources	1,815.00
TOTAL					1,815.00
24007	02/14/2023	Home Depot Credit Ser...	1012 · Citizens Busine...		-330.17
	01/27/2023		5210 · Equipment Maint...	1-Groundwater Ent.	330.17
TOTAL					330.17

San Bernardino Valley Water Conservation District
Expenditure Report
February 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
24008	02/14/2023	Image Source	1012 · Citizens Busine...		-218.91
	01/22/2023		6033 · Office Equipmen...	4-General Fund Ent.	164.17
			6033 · Office Equipmen...	1-Groundwater Ent.	10.95
			6033 · Office Equipmen...	2-Redlands Plaza/...	32.84
			6033 · Office Equipmen...	3-Land Resources	10.95
TOTAL					218.91
24009	02/14/2023	Lowe's Companies, Inc.	1012 · Citizens Busine...		-25.58
	01/25/2023		5210 · Equipment Maint...	1-Groundwater Ent.	25.58
TOTAL					25.58
24010	02/14/2023	Magnolia Environment...	1012 · Citizens Busine...		-539.00
	02/13/2023		6016 · Redlands Plaza ...	2-Redlands Plaza/...	539.00
TOTAL					539.00
24011	02/14/2023	Michael Guizar	1012 · Citizens Busine...		-17.50
	02/01/2023		5460 · Water / Trash / ...	1-Groundwater Ent.	17.50
TOTAL					17.50
24012	02/14/2023	Netsteller	1012 · Citizens Busine...		-708.18
	02/01/2023		6027 · Computer Softw...	4-General Fund Ent.	111.02
			6027 · Computer Softw...	1-Groundwater Ent.	25.82
			6027 · Computer Softw...	2-Redlands Plaza/...	38.73
			6027 · Computer Softw...	3-Land Resources	38.73
			6027 · Computer Softw...	6-Active Recharge ...	43.88
	02/01/2023		5160 · IT Support	4-General Fund Ent.	135.00
			5160 · IT Support	1-Groundwater Ent.	202.50
			5160 · IT Support	3-Land Resources	45.00
			5160 · IT Support	5-Wash Plan	22.50
			5160 · IT Support	6-Active Recharge ...	45.00
TOTAL					708.18
24013	02/14/2023	Q3 Consulting, Inc.	1012 · Citizens Busine...		-62,217.75
	12/31/2022		7126 · ARTP Engr/Prof ...	6-Active Recharge ...	38,886.00
	01/29/2023		7126 · ARTP Engr/Prof ...	6-Active Recharge ...	23,331.75
TOTAL					62,217.75
24014	02/14/2023	Quill Corporation	1012 · Citizens Busine...		-148.29
	01/25/2023		6030 · Office Supplies	4-General Fund Ent.	80.90
			6030 · Office Supplies	1-Groundwater Ent.	5.05
			6030 · Office Supplies	2-Redlands Plaza/...	10.12
			6030 · Office Supplies	3-Land Resources	5.05
	01/25/2023		6030 · Office Supplies	4-General Fund Ent.	16.34
			6030 · Office Supplies	1-Groundwater Ent.	1.02
			6030 · Office Supplies	2-Redlands Plaza/...	2.05
			6030 · Office Supplies	3-Land Resources	1.02
	01/25/2023		6030 · Office Supplies	4-General Fund Ent.	0.88
			6030 · Office Supplies	1-Groundwater Ent.	0.05
			6030 · Office Supplies	2-Redlands Plaza/...	0.11
			6030 · Office Supplies	3-Land Resources	0.05

San Bernardino Valley Water Conservation District
Expenditure Report
February 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
	01/25/2023		6030 · Office Supplies	4-General Fund Ent.	20.52
			6030 · Office Supplies	1-Groundwater Ent.	1.28
			6030 · Office Supplies	2-Redlands Plaza/...	2.57
			6030 · Office Supplies	3-Land Resources	1.28
TOTAL					148.29
24015	02/14/2023	Terminix	1012 · Citizens Busine...		-91.00
	01/03/2023		6026 · Redlands Plaza ...	2-Redlands Plaza/...	91.00
TOTAL					91.00
24016	02/14/2023	Tetra Tech	1012 · Citizens Busine...		-77,759.13
	02/01/2023		7126 · ARTP Engr/Prof ...	6-Active Recharge ...	77,759.13
TOTAL					77,759.13
24017	02/14/2023	Thompson Reuters	1012 · Citizens Busine...		-495.00
	02/01/2023		5180 · Legal	4-General Fund Ent.	123.75
			5180 · Legal	1-Groundwater Ent.	74.25
			5180 · Legal	3-Land Resources	99.00
			5180 · Legal	6-Active Recharge ...	198.00
TOTAL					495.00
24018	02/14/2023	ThunderWheel Commu...	1012 · Citizens Busine...		-15,000.00
	02/03/2023		6060 · Outreach	4-General Fund Ent.	2,250.00
			6060 · Outreach	1-Groundwater Ent.	1,500.00
			6060 · Outreach	3-Land Resources	2,250.00
			6060 · Outreach	5-Wash Plan	975.00
			6060 · Outreach	6-Active Recharge ...	525.00
	02/03/2023		6060 · Outreach	4-General Fund Ent.	2,250.00
			6060 · Outreach	1-Groundwater Ent.	1,500.00
			6060 · Outreach	3-Land Resources	2,250.00
			6060 · Outreach	5-Wash Plan	975.00
			6060 · Outreach	6-Active Recharge ...	525.00
TOTAL					15,000.00
24019	02/14/2023	Ultra Plumbing Services	1012 · Citizens Busine...		-2,754.79
	02/03/2023		6016 · Redlands Plaza ...	2-Redlands Plaza/...	1,875.52
	02/03/2023		6016 · Redlands Plaza ...	2-Redlands Plaza/...	879.27
TOTAL					2,754.79
24020	02/14/2023	Water Education Foun...	1012 · Citizens Busine...		-2,250.00
	02/02/2023		6093 · Memberships	4-General Fund Ent.	2,250.00
TOTAL					2,250.00
24021	02/14/2023	WEX Bank-Shell	1012 · Citizens Busine...		-853.01
	02/06/2023		5320 · Fuel	1-Groundwater Ent.	853.01
TOTAL					853.01

San Bernardino Valley Water Conservation District
Expenditure Report
February 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
24022	02/15/2023	Corneille, Richard	1012 · Citizens Busine...		-449.94
	02/15/2023		6401 · Directors' Fees	4-General Fund Ent.	449.94
TOTAL					449.94
24023	02/15/2023	California Dept of Fish ...	1012 · Citizens Busine...		-3,860.25
	01/23/2023		7151 · Mill Creek Permi...	1-Groundwater Ent.	3,860.25
TOTAL					3,860.25
100324N	02/07/2023	PERS	1012 · Citizens Busine...		-9,039.72
			6170 · PERS Retirement	4-General Fund Ent.	1,175.17
			6170 · PERS Retirement	1-Groundwater Ent.	4,067.87
			6170 · PERS Retirement	2-Redlands Plaza/...	361.59
			6170 · PERS Retirement	3-Land Resources	903.97
			6170 · PERS Retirement	5-Wash Plan	632.78
			6170 · PERS Retirement	6-Active Recharge ...	1,898.34
TOTAL					9,039.72

San Bernardino Valley Water Conservation District
Director Fees Expenditure Payroll Report
February 2023

Pay Date	Name	For Period	Director Fees	Taxes Withheld	Check Amt
2/8/2023	Corneille, R	Jan-22	\$ 1,548.00	\$ 202.02	\$ 1,345.98
2/8/2023	McDonald, M	Jan-22	\$ 258.00	\$ 22.05	\$ 235.95
2/22/2023	McDonald, M	Feb-22	\$ 2,064.00	\$ 213.84	\$ 1,850.16



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1919

To: Board of Directors
From: Betsy Miller, General Manager
Date: March 8, 2023
Subject: ACWA JPIA Executive Committee Concurring Nomination

RECOMMENDATION

Review, discuss, and consider approval of concurring nomination resolutions for Pamela E. Tobin, Director at San Juan Water District; June Hayes, Director at San Bernardion Valley Municipal Water District; and/or Fred R. Bockmiller, Director at Mesa Water District for the ACWA JPIA Executive Committee, and approve Resolution No. 607, 608, and/or 609.

BACKGROUND AND DISCUSSION

The District has received a request from Pamela E. Tobin, Director at San Juan Water District; June Hayes, Director at San Bernardion Valley Municipal Water District; and Fred R. Bockmiller, Director at Mesa Water District, for concurring nominations for a four-year term (beginning May 2023) on the ACWA JPIA Executive Committee. At this time, no other requests have been received for the concurring nominations for this Committee.

FISCAL IMPACT

There is no fiscal impact associated with adopting concurring nomination(s) for position on the ACWA JPIA Executive Committee.

POTENTIAL MOTIONS

1. Move to approve concurring nominations for Pamela E. Tobin, Director at San Juan Water District; June Hayes, Director at San Bernardion Valley Municipal Water District; and/or Fred R. Bockmiller, Director at Mesa Water District for the ACWA JPIA Executive Committee, and approve Resolution Numbers 607, 608, and/or 609.
2. Move to table or deny a concurring nomination for Pamela E. Tobin, Director at San Juan Water District; June Hayes, Director at San Bernardion Valley Municipal Water District; and/or Fred R. Bockmiller, Director at Mesa Water District for the ACWA JPIA Executive Committee.
3. Provide direction to staff to pursue an alternative path of action related to the nominations of Pamela E. Tobin, Director at San Juan Water District; June Hayes, Director at San Bernardion Valley

Municipal Water District; and Fred R. Bockmiller, Director at Mesa Water District for the ACWA JPIA Executive Committee.

ATTACHMENTS OR MATERIALS

Pamela E. Tobin Resume and Concurring Resolution No. 607

June Hayes Resume and Concurring Resolution No. 608

Fred R. Bockmiller Resume and Concurring Resolution No. 609



PAMELA TOBIN

petpyrs@surewest.net | C: 916-275-0875 | 8700 Golden Spur Drive, Granite Bay, CA 95746

With nearly 20 years of involvement in local, regional, and statewide and federal water issues as an elected and appointed official, I bring considerable experience, knowledge, and capabilities to the office of (Association of California Water Agencies) ACWA President including: water policy development, organizational governance, finance, collaboration, and coalition building. I have a passion for helping agencies and organizations to fulfill their mission and support their customers and communities. I am credited with the formation of a DEI (Diversity, Equity and Inclusion) ACWA Foundation, a 501C(3) non-profit organization designed through scholarships, mentorships and training, to the advance the future workforce and water leadership in the State of California. I have served two years as ACWA Vice President and was on the ACWA-Joint Powers Insurance Authority Board of Directors, Executive Committee, and Liability Committee. I have actively served in ACWA leadership as a ACWA Region 4 Chair, and as a member of the Federal Affairs and Local Government Committees and Board Member of the San Juan Water District: Past Chair of the Sacramento Groundwater Authority (SGA) and Past Board Chair of the Regional Water Authority (RWA).

Skills

- Financial Leadership
- Policy Development
- Contract Negotiations
- Collaboration and Coalition Building
- Public Agency and Organizational Governance
- Strategic Planning
- Testimony before State and Federal Agencies / Elected Bodies
- Development of New Programs

Related Water Experience

Association of California Water Agencies Sacramento, CA

President, Executive Committee (2021-2023)

- Developed a DEI ACWA Foundation (501C(3)) organization for scholarships, mentoring and training for future generations.
- Developed a program called QuenchCA.com to inform the public about water issues in the State of CA
- Meeting with Governor Newsom and his staff on water policy issues
- Work with and support over 466 public water agencies throughout the State of California on state and federal water issues.
- ACWA Washington D.C. Water Conferences on infrastructure investments and jobs and ongoing discussions on drought and opportunities in meetings with the 118th Congress; Biden Administration.

Vice President, Executive Committee (2020-2021)

- Developed a Leadership-to-Leadership Program during the pandemic to keep all member agencies connected and sharing innovative ideas and solutions to water issues.

Member, Board of Directors (2018-2019)

Member, Strategic Plan Steering Committee (2021)

Chair, Region 4 Board of Directors (2018-2019)

Member, Region 4 Board of Directors (Since 2014)

Member, Federal Affairs Committee (2014-2019)

Member Local Government Committee (2014-2015)

- Attended ACWA Conferences (2004-current)
- Attended ACWA's Washington D.C. Conference (2015-current), including serving as member advocate in ACWA's lobbying visits with members of Congress and their staffs, Administration officials, and other D.C. leadership.

ACWA Joint Powers Insurance Authority Roseville, CA

Member, Board of Directors (01/2016 – Current)

- Participate at annual ACWA-JPIA Board meetings.
- Provide organizational leadership and collaborate with member partners to establish long-term goals, strategies, and policies
- Past Member of the ACWA – JPIA's Executive and Liability Committees

San Juan Water District
Granite Bay, CA

Member, Board of Directors (01/2004 – Current)

President (2020, 2016, 2012, 2007)

San Juan is both a wholesale and retail agency, with over 10,000 retail connections and serving a total wholesale population of over 150,000 in North-Eastern Sacramento County and Southern Placer County. San Juan has one of the most senior water rights in California (1853) and is also an American River Division contractor with the Federal Central Valley Project

- Provide leadership and guidance, facilitate solutions and collaboration on a variety issues including:
 - District operations and governance
 - Regional water transfers
 - Groundwater / conjunctive use planning
 - District financial issues and budget
 - District policies and business practices

Regional Water Authority & Sacramento Groundwater Authority
Citrus Heights, CA

Member, Board of Directors (01/2004 – 2019)

Each Board is comprised of General Managers and Elected Officials from more than 22 public water agencies, private water companies, cities, and counties

- Represent San Juan WD on the RWA Board since 2004, including providing leadership as Past Chair (2012) and long-time member of the Executive Committee (2011-2014, 2016-2019)
- Received 2018 RWA Distinguished Service Award in recognition of many years of active service and contributions
- Facilitate open dialogue, resolved conflicts, and negotiated agreements between parties to reach win-win solutions and clarify goals
- Shepherd consensus and collaboration with professional staff



- Serve as Past Chair of the Sacramento Groundwater Authority and Board member since 2004 (Past Chair - 2007 & 2008).

Professional Experience

- Curtis Real Estate – Realtor (2004-Present)
- Property Exchange Pro LLC – Owner, (2015- Present) – Provide comprehensive real estate services for residential and land markets.

Volunteer & Community Involvement

- Great Pyrenees Rescue – President (1996-Present). Sierra Pacific Great Pyrenees Rescue is a non-profit (501C (3)) organization, charged with **saving lives** and restoring health of Great Pyrenees and Great Pyrenees mixed dogs. In the past 42 years, I rescued over 5,000 through this program.
- 4-H Club of Placer County – Served as Community Leader (1982-1996)
- Alliance of Therapy Dogs – Tester / Observer (20 Years)

Awards

- Regional Water Authority - 2018 Distinguished Service Award
- Volunteer Center of Sacramento – 2007 Volunteer Spirit Award, “Sacramento Community Change Maker”

RESOLUTION NO. 607
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO
VALLEY WATER CONSERVATION DISTRICT
CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY ("ACWA/JPIA")

WHEREAS, this district is a member district of the ACWA/JPIA; and

WHEREAS, the Bylaws of the ACWA/JPIA provide that in order for a nomination to be made to ACWA/JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

WHEREAS, another ACWA/JPIA member district, the San Juan Water District has requested that this District concur in its nomination of its member of the ACWA/JPIA Board of Directors to the **Executive Committee** of the ACWA/JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Water Conservation District that this District concur with the nomination of Pamela E. Tobin of San Juan Water District to the **Executive Committee** of the ACWA/JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

ADOPTED this 8th day of March 2023.

Melody McDonald, President

ATTEST:

Betsy Miller, General Manager

June Hayes, Ph.D. – Vice President/ Board Member

Dr. June Hayes was elected to the Board of Directors of the San Bernardino Valley Municipal Water District in 2016 and re-elected in 2020. She represents Division I, which includes portions of Rialto and Fontana, and the Fontana Water Company, Marigold Mutual Water Company, Rialto Water Service, and West Valley Water District. Dr. Hayes serves as Valley District's Vice President and Chair of the Resources Workshop. She co-chairs the Policy and Initiatives Engagement ad-hoc committee which aims to organize the District's legislative advocacy efforts at the State and Federal levels.



Vice President Hayes serves as the Vice Chair of the Utilities Commission for the City of Rialto, a position she was appointed to in 1995. In 2017 she received her Water Distribution 1 certification in an effort to enhance her understanding of water operations and water systems. She is active with California Special Districts Association and the Association of California Water Agencies (ACWA). She served as a Commissioner on the Santa Ana Watershed Project Authority.

Vice President Hayes is a clinical psychologist and spent 10 years serving as the clinic manager at one of the largest mental health clinics in the San Bernardino County Mental Health system. She then went into private practice, specializing in Workers' Compensation, and neglected, abused, and delinquent youth in placement, a field she continues to work in. Vice President Hayes is a veteran and was a finalist for Assembly Majority Leader Eloise Gomez-Reyes' Veteran of the Year award in 2019.

RESOLUTION NO. 608
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO
VALLEY WATER CONSERVATION DISTRICT
CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY ("ACWA/JPIA")

WHEREAS, this district is a member district of the ACWA/JPIA; and

WHEREAS, the Bylaws of the ACWA/JPIA provide that in order for a nomination to be made to ACWA/JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

WHEREAS, another ACWA/JPIA member district, the San Bernardino Valley Municipal Water District has requested that this District concur in its nomination of its member of the ACWA/JPIA Board of Directors to the **Executive Committee** of the ACWA/JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Water Conservation District that this District concur with the nomination of June Hayes of San Bernardino Valley Municipal Water District to the **Executive Committee** of the ACWA/JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

ADOPTED this 8th day of March 2023.

Melody McDonald, President

ATTEST:

Betsy Miller, General Manager

Re-elect Fred R. Bockmiller, P.E. to ACWA JPIA Executive Committee

Fred R. Bockmiller, P.E. Director, Mesa Water District



OBJECTIVE: To further the goals of ACWA JPIA in best serving its members, by applying analytical and leadership skills, and risk management experience, while continuing to serve our members on the ACWA JPIA Executive Committee during this time of significant transition for the organization.

STATEMENT OF QUALIFICATIONS:

- ACWA JPIA Executive Committee, 2019-present
- ACWA JPIA Committees – Risk Management, 2008-present; Workers Compensation, 2022-present; Personnel, 2023-present
- ACWA JPIA Board, 2006-present
- ACWA Energy Committee, 2002-present
- Mesa Water District Director, 1996-present – Five-term Board President; Chaired every Mesa Water District Committee (Executive, Audit Ad Hoc, Finance, Human Resources, IT Ad Hoc, Engineering and Operations, Public Information)
- Engineering Manager, University of California, Irvine (UCI) Department of Finance and Administration
- Ex Officio member, California Building Standards Commission Plumbing Electrical Mechanical and Energy Code Advisory Committee, 2015-present

BIOGRAPHY: Fred Bockmiller represents Division 1 -- encompassing the West Side of Costa Mesa and portions of Newport Beach -- on the Mesa Water District (Mesa Water®) Board of Directors. He has served as Mesa Water Board President for five terms.

Throughout his elected service, Director Bockmiller has championed water quality and cost-effective service reliability through a perpetual agency philosophy of long-term planning for the future of Mesa Water and continuous infrastructure maintenance, renewal, and improvement. He has been a relentless supporter of high-quality, fact-based decision-making.

Director Bockmiller has represented Mesa Water at the City/Districts Liaison Committee, Orange County Council of Governments, Orange County Water District, and the Costa Mesa Westside Revitalization Oversight Committee.

For more than 15 years, Director Bockmiller has represented Mesa Water on the Board of the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA). He presently serves on the ACWA JPIA Executive, Risk Management (Chair), Workers Compensation (Vice Chair), and Personnel Committees.

Director Bockmiller has been the Engineering Manager in the Department of Finance and Administration at UCI, a leader in energy conservation and construction efforts for more than 25 years, including completion of more than \$3 billion in major capital construction projects; more than \$300 million in reconstruction and extensive energy and water conservation retrofits, which tripled the developed building space, reduced energy consumption in laboratories by 50 percent, slashed the campus carbon footprint, improved the energy infrastructure, and decreased per capita water use by more than 30% while improving the built environment for research, teaching, and public service.

Developing the next generation is an area of interest for Director Bockmiller. He is a regular guest lecturer in UCI's Department of Mechanical and Aerospace Engineering, a mentor in the Junior Mentor Program at Newport Harbor High School, and served for 17 years on the board of Youth Employment Service -- a local charity that provides youth with the tools to find jobs -- where he served as CFO and President.

RESOLUTION NO. 609
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO
VALLEY WATER CONSERVATION DISTRICT
CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
JOINT POWERS INSURANCE AUTHORITY ("ACWA/JPIA")

WHEREAS, this district is a member district of the ACWA/JPIA; and

WHEREAS, the Bylaws of the ACWA/JPIA provide that in order for a nomination to be made to ACWA/JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

WHEREAS, another ACWA/JPIA member district, the Mesa Water District has requested that this District concur in its nomination of its member of the ACWA/JPIA Board of Directors to the **Executive Committee** of the ACWA/JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Water Conservation District that this District concur with the nomination of Fred R. Bockmiller from Mesa Water District to the **Executive Committee** of the ACWA/JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

ADOPTED this 8th day of March 2023.

Melody McDonald, President

ATTEST:

Betsy Miller, General Manager



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1920

To: Board of Directors

From: Angie Quiroga, Senior Administrative Analyst
Betsy Miller, General Manager

Date: March 8, 2023

Subject: Unaudited Financial Reports for February 2023

RECOMMENDATION

Review and approve the unaudited financial report for February 2023.

BACKGROUND

Staff provides a monthly presentation of the District's unaudited financial reports. The reports presented today are as of February 28, 2023.

DISCUSSION

Interest income continues to be above budgeted levels. The majority of groundwater production has been reported, with approximately \$8,000 expected from remaining producers. GL 4025 Wash Plan Revenue includes expenses for implementation requirements of the Wash Plan HCP as well as state permitting fees, some of which will be reimbursed. GL 4040-Miscellaneous Income includes the settlement agreement payment from DR Horton in the amount of \$200,618. GL 4043-Project Salary Reimbursement includes payments from the Conservation Trust for District staff time on community mitigation agreements through December 30th. Vehicle Maintenance and Fuel expenses are above budget due to work being needed on multiple vehicles and higher fuel prices. GL 6093-Memberships will be adjusted slightly at yearend for prepayment of fees for next fiscal year. Administrative/Staff Expenses for mileage, meals, lodging and conference/seminar fees are slightly over budget for the month but staff anticipates mileage and meals will be within budget by yearend. All other expenses are at or as expected.

FISCAL IMPACT

There is no fiscal impact from reporting the financial status of the District.

POTENTIAL MOTIONS

1. Move approval of the Unaudited Financials for February 2023 as presented.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.

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**

Betsy Miller

ATTACHMENTS OR MATERIALS

Graph Financials for February 2023

Profit & Loss to Date vs. Annual Budget

SBVWCD - All Enterprises Budget and Actual

February 2023

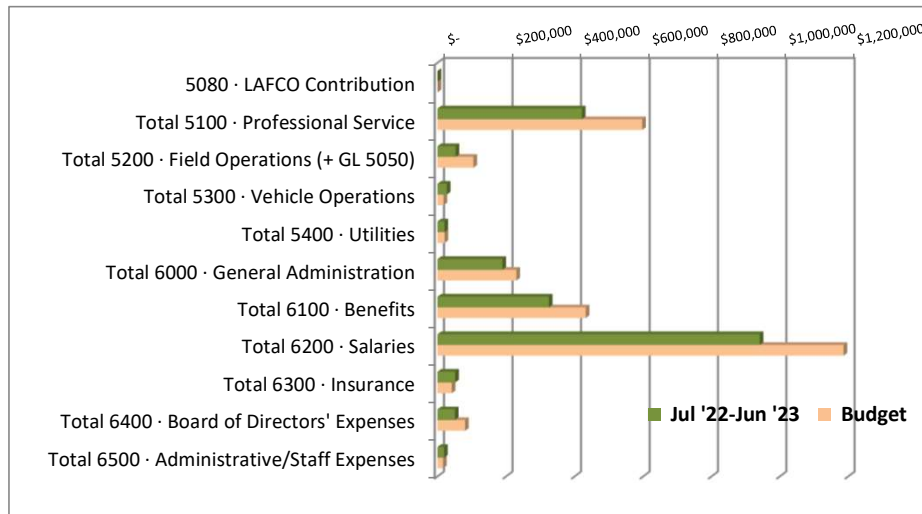
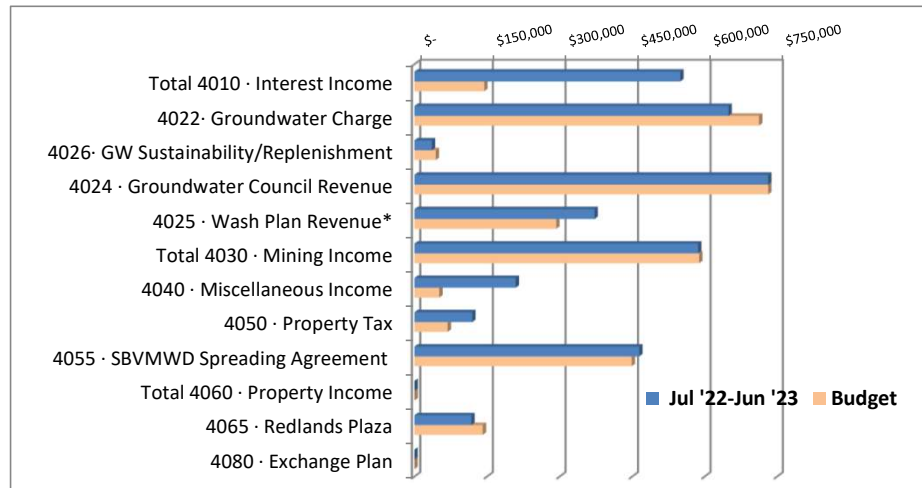
REVENUE	Jul '22-Jun '23	Budget
Total 4010 · Interest Income	\$ 549,654	\$ 144,238
4022 · Groundwater Charge	\$ 649,582	\$ 712,631
4026 · GW Sustainability/Replenishment	\$ 36,099	\$ 44,089
4024 · Groundwater Council Revenue	\$ 731,640	\$ 731,640
4025 · Wash Plan Revenue*	\$ 372,074	\$ 292,979
Total 4030 · Mining Income	\$ 586,466	\$ 588,667
4040 · Miscellaneous Income	\$ 209,093	\$ 51,333
4050 · Property Tax	\$ 119,396	\$ 68,679
4055 · SBVMWD Spreading Agreement	\$ 464,629	\$ 449,083
Total 4060 · Property Income	\$ 200	\$ 100
4065 · Redlands Plaza	\$ 117,564	\$ 141,233
4080 · Exchange Plan	\$ -	\$ -

Total Revenue \$ **3,836,396** \$ **3,224,674**

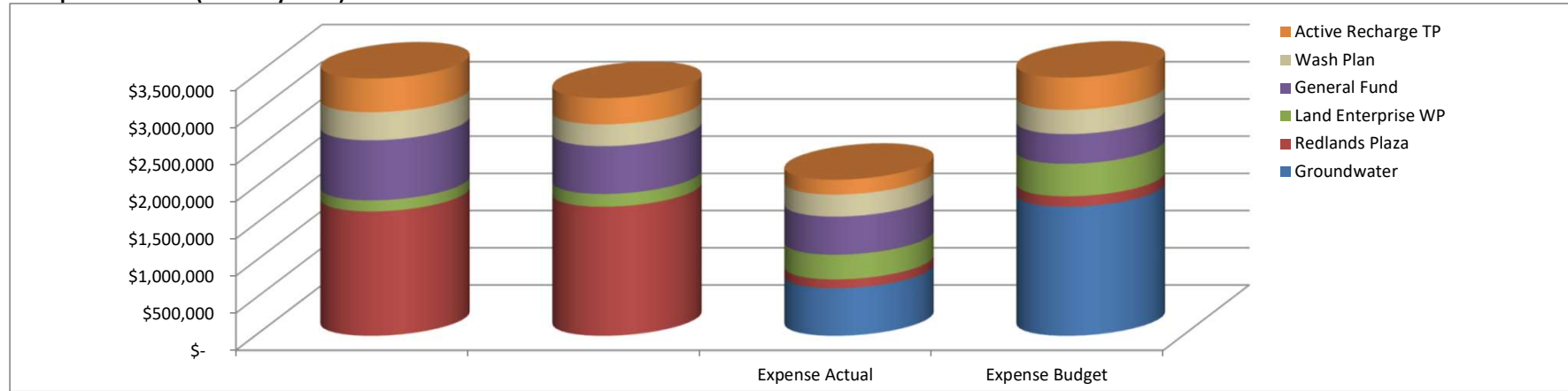
*District loans to the WP & State Permitting payments

EXPENSES Operating and Capital	Jul '22-Jun '23	Budget
5080 · LAFCO Contribution	\$ 57	\$ 100
Total 5100 · Professional Service	\$ 421,177	\$ 597,114
Total 5200 · Field Operations (+ GL 5050)	\$ 52,856	\$ 104,940
Total 5300 · Vehicle Operations	\$ 27,367	\$ 17,700
Total 5400 · Utilities	\$ 20,149	\$ 20,682
Total 6000 · General Administration	\$ 189,148	\$ 230,069
Total 6100 · Benefits	\$ 325,016	\$ 432,264
Total 6200 · Salaries	\$ 940,962	\$ 1,186,642
Total 6300 · Insurance	\$ 51,459	\$ 41,493
Total 6400 · Board of Directors' Expenses	\$ 50,549	\$ 80,481
Total 6500 · Administrative/Staff Expenses	\$ 19,290	\$ 16,000

Total Expense \$ **2,098,029** \$ **2,727,485**



Enterprises to Date (February 2023)



Enterprise	Actual	Budget	% of Budget
Groundwater Revenue	\$ 1,672,866	\$ 1,735,356	96%
Groundwater Expense	\$ 639,797	\$ 1,045,984	61%
Revenue -Expense	\$ 1,033,070	\$ 689,373	
Redlands Plaza Revenue	\$ 148,520	\$ 171,805	86%
Redlands Plaza Expense	\$ 119,330	\$ 140,399	85%
Revenue -Expense	\$ 29,190	\$ 31,406	
Land Enterprise Revenue	\$ 807,679	\$ 642,500	126%
Land Enterprise Expense	\$ 331,822	\$ 437,145	76%
Revenue -Expense	\$ 475,857	\$ 205,355	
General Fund Revenue *	\$ 426,464	\$ 368,905	116%
General Fund Expense	\$ 511,941	\$ 398,904	128%
Revenue -Expense	\$ (85,477)	\$ (29,999)	
Wash Plan Revenue	\$ 376,881	\$ 292,979	129%
Wash Plan Expense	\$ 296,368	\$ 326,378	91%
Revenue-Expense	80,514	(33,398)	
Active Recharge TP Revenue	\$ 453,615	\$ 352,575	129%
Active Recharge TP Expense	\$ 198,933	\$ 433,485	46%
Revenue-Expense	\$ 254,682	\$ (80,910)	
Total All Revenue - Expense	\$ 1,787,835	\$ 781,826	

Cash Status	As of 7/1/2022	As of 02/28/23
LAIF	\$ 18,879,158.26	\$ 479,799.13
Cal Trust	\$ 3,200,472.16	\$ 3,257,125.00
Citizens Bank	\$ 833,594.25	\$ 911,684.39
UBS Financial Services	\$ 1,458,168.03	\$ 16,788,673.11
US Bank-CAMP	\$ 18,803,603.20	\$ 22,259,931.91
Total Cash	\$ 43,174,995.90	\$ 43,697,213.54
Less Prepaid Royalty	\$ (5,000,000.00)	\$ (5,000,000.00)
Less ARTP Obligation	\$ (36,551,309.63)	\$ (35,981,144.19)
Cash Position	\$ 1,623,686.27	\$ 2,716,069.35

Increase (decrease) of \$1,092,383.08
Percent Increase 67.3%

* General Fund Revenue shown here does not include overhead

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	Jul '22 - Feb 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4010 · Interest Income				
4012 · LAIF	65,273.92	2,157.43	63,116.49	3,025.54%
4013 · Caltrust Investment Income	56,652.84	16,000.00	40,652.84	354.08%
4015 · UBS Interest Income	-28,601.17	18,200.00	-46,801.17	-157.15%
4016 · Interest Income ARTP	456,328.71	180,000.00	276,328.71	253.52%
Total 4010 · Interest Income	549,654.30	216,357.43	333,296.87	254.05%
4017 · ARTP Capital Income	0.00	583,500.00	-583,500.00	0.0%
4020 · Groundwater Charge				
4022 · Groundwater Charge	649,581.71	712,630.95	-63,049.24	91.15%
4024 · Groundwater Council Revenue	731,640.00	731,640.00	0.00	100.0%
4026 · GW Sustainability/Replenishment	36,098.77	44,089.25	-7,990.48	81.88%
Total 4020 · Groundwater Charge	1,417,320.48	1,488,360.20	-71,039.72	95.23%
4025 · Wash Plan Revenue	372,073.58	439,469.00	-67,395.42	84.66%
4030 · Mining Income				
4031 · Plant Site - CEMEX	24,000.00	48,000.00	-24,000.00	50.0%
4032 · Cemex - Royalty / Lease	531,283.38	775,000.00	-243,716.62	68.55%
4036 · Aggregate Maintenance	31,182.25	60,000.00	-28,817.75	51.97%
Total 4030 · Mining Income	586,465.63	883,000.00	-296,534.37	66.42%
4040 · Miscellaneous Income				
4041 · Reimbursed Expenses	6,253.20	0.00	6,253.20	100.0%
4040 · Miscellaneous Income - Other	202,839.71	77,000.00	125,839.71	263.43%
Total 4040 · Miscellaneous Income	209,092.91	77,000.00	132,092.91	271.55%
4043 · Project Salary Reimbursement	20,595.71	15,000.00	5,595.71	137.31%
4050 · Property Tax	119,396.49	137,358.53	-17,962.04	86.92%
4055 · SBVMWD Spreading Agreement Reim	464,628.62	449,083.42	15,545.20	103.46%
4060 · Property Income				
4062 · Mentone Property	200.00	100.00	100.00	200.0%
Total 4060 · Property Income	200.00	100.00	100.00	200.0%
4065 · Redlands Plaza	117,564.38	211,849.83	-94,285.45	55.49%
4066 · Redlands Plaza CAM	29,033.67	45,707.27	-16,673.60	63.52%
4080 · Exchange Plan	0.00	30,000.00	-30,000.00	0.0%
4999 · Trust Reimbursement-Wash Plan	0.00	50,000.00	-50,000.00	0.0%
Total Income	3,886,025.77	4,626,785.68	-740,759.91	83.99%
Gross Profit	3,886,025.77	4,626,785.68	-740,759.91	83.99%
Expense				
5040 · Regional Programs				
5080 · LAFCO Contribution	56.78	100.00	-43.22	56.78%
Total 5040 · Regional Programs	56.78	100.00	-43.22	56.78%
5050 · Basin Cleaning	13,145.00	50,000.00	-36,855.00	26.29%
5100 · Professional Service				
5120 · Misc. Professional Services	236,359.76	300,000.00	-63,640.24	78.79%
5122 · Wash Plan Professional Services	13,121.25	0.00	13,121.25	100.0%
5123 · Habitat Management-WP	128,992.29	274,219.00	-145,226.71	47.04%
5124 · Plunge Creek Prof Services	0.00	0.00	0.00	0.0%
5125 · Engineering Services	0.00	50,000.00	-50,000.00	0.0%
5126 · GW Sustainability/Replenishment	0.00	44,089.25	-44,089.25	0.0%
5127 · Project Accounting Services	0.00	5,000.00	-5,000.00	0.0%
5130 · Aerial Photography & Surveying	0.00	2,310.00	-2,310.00	0.0%
5155 · WP Trails Professional Services	0.00	100,000.00	-100,000.00	0.0%
5160 · IT Support	3,150.00	14,400.00	-11,250.00	21.88%
5170 · Audit	27,550.00	28,000.00	-450.00	98.39%
5175 · Legal - Wash Plan	0.00	10,000.00	-10,000.00	0.0%
5180 · Legal	12,003.75	25,000.00	-12,996.25	48.02%
Total 5100 · Professional Service	421,177.05	853,018.25	-431,841.20	49.38%
5133 · Regional River HCP Contribution	0.00	25,000.00	-25,000.00	0.0%
5200 · Field Operations				
5210 · Equipment Maintenance	7,094.70	7,416.00	-321.30	95.67%
5215 · Property Maintenance	8,662.80	40,000.00	-31,337.20	21.66%
5225 · Field Clean Up-Illegal dumping	23,953.13	60,000.00	-36,046.87	39.92%
Total 5200 · Field Operations	39,710.63	107,416.00	-67,705.37	36.97%
5223 · Temp. Field Labor	161.53	10,000.00	-9,838.47	1.62%
5300 · Vehicle Operations				
5310 · Vehicle Maintenance	13,503.62	8,400.00	5,103.62	160.76%
5320 · Fuel	13,863.57	18,150.00	-4,286.43	76.38%
Total 5300 · Vehicle Operations	27,367.19	26,550.00	817.19	103.08%

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul '22 - Feb 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
5400 · Utilities				
5410 · Alarm Service	755.00	1,800.00	-1,045.00	41.94%
5420 · Electricity	6,671.49	9,832.44	-3,160.95	67.85%
5430 · Mobile Phone	4,375.00	5,850.00	-1,475.00	74.79%
5440 · Telephone	3,033.58	6,000.00	-2,966.42	50.56%
5450 · Natural Gas	1,602.86	1,000.00	602.86	160.29%
5460 · Water / Trash / Sewer	2,029.32	3,790.40	-1,761.08	53.54%
5470 · Internet Services	1,681.34	2,750.00	-1,068.66	61.14%
Total 5400 · Utilities	20,148.59	31,022.84	-10,874.25	64.95%
6000 · General Administration				
6001 · General Administration - Other	5,859.10	4,500.00	1,359.10	130.2%
6002 · Website Administration	3,096.94	6,000.00	-2,903.06	51.62%
6004 · Meeting Expenses	1,058.06	2,200.00	-1,141.94	48.09%
6006 · Permits	415.00	10,000.00	-9,585.00	4.15%
6007 · Inter District Costs	1,500.00	10,000.00	-8,500.00	15.0%
6009 · Licenses	2,090.28	1,709.00	381.28	122.31%
6010 · Surety Bond	3,025.00	1,900.00	1,125.00	159.21%
6012 · Office Maintenance	7,638.85	5,101.60	2,537.25	149.73%
6013 · Office Lease Payment	33,333.36	50,000.00	-16,666.64	66.67%
6015 · Mentone House Maintenance	44.75	3,850.00	-3,805.25	1.16%
6016 · Redlands Plaza Maintenance	8,553.18	35,000.00	-26,446.82	24.44%
6018 · Janitorial Services	5,810.00	10,400.00	-4,590.00	55.87%
6019 · Janitorial Supplies	308.51	375.00	-66.49	82.27%
6020 · Vacancy Marketing-Redlands Plaz	0.00	5,000.00	-5,000.00	0.0%
6026 · Redlands Plaza CAM expenses	24,339.67	41,612.65	-17,272.98	58.49%
6027 · Computer Software	11,969.13	34,314.12	-22,344.99	34.88%
6030 · Office Supplies	14,076.88	5,500.00	8,576.88	255.94%
6033 · Office Equipment Rental	4,774.55	9,500.00	-4,725.45	50.26%
6036 · Printing	5.00	2,500.00	-2,495.00	0.2%
6039 · Postage and Overnight Delivery	829.42	1,200.00	-370.58	69.12%
6042 · Payroll Processing	2,473.78	3,002.09	-528.31	82.4%
6045 · Bank Service Charges	536.91	750.00	-213.09	71.59%
6051 · Uniforms	2,034.13	3,025.00	-990.87	67.24%
6060 · Outreach	20,009.89	60,000.00	-39,990.11	33.35%
6087 · Educational Reimbursement	339.00	5,000.00	-4,661.00	6.78%
6090 · Subscriptions/Publications	1,277.00	2,400.00	-1,123.00	53.21%
6091 · Public Notices	0.00	3,200.00	-3,200.00	0.0%
6093 · Memberships	33,749.17	24,776.15	8,973.02	136.22%
Total 6000 · General Administration	189,147.56	342,815.61	-153,668.05	55.18%
6100 · Benefits				
6110 · Vision Insurance	2,082.08	3,776.71	-1,694.63	55.13%
6120 · Workers' Comp. Insurance	9,393.68	21,665.71	-12,272.03	43.36%
6130 · Dental Insurance	7,355.48	13,376.47	-6,020.99	54.99%
6150 · Medical Insurance				
6150.01 · Medical Employee Contribution	-29,426.72	-28,211.94	-1,214.78	104.31%
6150 · Medical Insurance - Other	174,573.52	299,907.66	-125,334.14	58.21%
Total 6150 · Medical Insurance	145,146.80	271,695.72	-126,548.92	53.42%
6160 · Payroll Taxes-Employer	59,508.63	123,939.97	-64,431.34	48.01%
6170 · PERS Retirement				
6170.01 · PERS Employee Contributions	-34,539.22	-53,775.96	19,236.74	64.23%
6170.02 · 457 Plan Employee Contributions	-38,485.30			
6170 · PERS Retirement - Other	174,553.91	273,134.30	-98,580.39	63.91%
Total 6170 · PERS Retirement	101,529.39	219,358.34	-117,828.95	46.29%
Total 6100 · Benefits	325,016.06	653,812.92	-328,796.86	49.71%
6200 · Salaries				
6230 · Regular Salaries	940,962.12	1,779,962.83	-839,000.71	52.86%
Total 6200 · Salaries	940,962.12	1,779,962.83	-839,000.71	52.86%
6300 · Insurance				
6310 · Property/ Auto Insurance	6,071.24	5,070.18	1,001.06	119.74%
6320 · General Liability Insurance	45,387.74	36,423.19	8,964.55	124.61%
Total 6300 · Insurance	51,458.98	41,493.37	9,965.61	124.02%
6400 · Board of Directors' Expenses				
6401 · Directors' Fees				
6401.5 · Payroll Taxes-Directors	-465.72	0.00	-465.72	100.0%
6401 · Directors' Fees - Other	40,343.94	100,800.00	-60,456.06	40.02%
Total 6401 · Directors' Fees	39,878.22	100,800.00	-60,921.78	39.56%

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul '22 - Feb 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6410 · Mileage	1,441.54	4,400.00	-2,958.46	32.76%
6415 · Air Fare	521.96	3,125.00	-2,603.04	16.7%
6420 · Other Travel	192.63	550.00	-357.37	35.02%
6425 · Meals	2,420.66	3,850.00	-1,429.34	62.87%
6430 · Lodging	2,992.72	4,400.00	-1,407.28	68.02%
6435 · Conf/Seminar Registrations	3,101.46	5,500.00	-2,398.54	56.39%
Total 6400 · Board of Directors' Expenses	50,549.19	122,625.00	-72,075.81	41.22%
6500 · Administrative/Staff Expenses				
6510 · Mileage	3,017.04	2,500.00	517.04	120.68%
6515 · Air Fare	915.94	4,500.00	-3,584.06	20.35%
6520 · Travel, Other (rental car, taxi)	130.25	1,500.00	-1,369.75	8.68%
6525 · Meals	3,204.17	3,500.00	-295.83	91.55%
6530 · Lodging	4,560.47	5,500.00	-939.53	82.92%
6535 · Conf/Seminar Registrations	7,462.02	6,500.00	962.02	114.8%
Total 6500 · Administrative/Staff Expenses	19,289.89	24,000.00	-4,710.11	80.38%
6600 · Replenishment Water Purchase GC	0.00	44,089.25	-44,089.25	0.0%
9999 · Contribution to Capital Maint.	0.00	550,000.00	-550,000.00	0.0%
Total Expense	2,098,190.57	4,661,906.07	-2,563,715.50	45.01%
Net Ordinary Income	1,787,835.20	-35,120.39	1,822,955.59	-5,090.59%
Other Income/Expense				
Other Expense				
7000 · Construction				
7010 · Materials	0.00	12,000.00	-12,000.00	0.0%
Total 7000 · Construction	0.00	12,000.00	-12,000.00	0.0%
7100 · Land & Buildings				
7110 · Property Capital Repairs	1,428.63	529,971.00	-528,542.37	0.27%
7120 · Property-Land Purchase	31,291.91	0.00	31,291.91	100.0%
7126 · ARTP Engr/Prof Services	789,400.05	3,212,754.00	-2,423,353.95	24.57%
7130 · Mentone Property (House)-CapRep	0.00	7,000.00	-7,000.00	0.0%
7140 · Mentone Property (Shop)-CapRep	599.25	450,500.00	-449,900.75	0.13%
7150 · Mill Creek Diversion	5,673.00	1,400,000.00	-1,394,327.00	0.41%
7151 · Mill Creek Permitting	132,290.98	202,000.00	-69,709.02	65.49%
7160 · Mendoza Property	0.00	137,000.00	-137,000.00	0.0%
Total 7100 · Land & Buildings	960,683.82	5,939,225.00	-4,978,541.18	16.18%
7200 · Equipment & Vehicles				
7210 · Computer Hardware-Capital Purch	45,286.64	52,858.39	-7,571.75	85.68%
7220 · Computer Software	7,675.00	10,000.00	-2,325.00	76.75%
7230 · Field Equipment / Vehicles	1,888.70	149,973.07	-148,084.37	1.26%
7240 · Office Equipment	13,028.04	1,500.00	11,528.04	868.54%
Total 7200 · Equipment & Vehicles	67,878.38	214,331.46	-146,453.08	31.67%
7400 · Professional Services Capital				
7438 · Engineering Services-Other	0.00	125,000.00	-125,000.00	0.0%
Total 7400 · Professional Services Capital	0.00	125,000.00	-125,000.00	0.0%
Total Other Expense	1,028,562.20	6,290,556.46	-5,261,994.26	16.35%
Net Other Income	-1,028,562.20	-6,290,556.46	5,261,994.26	16.35%
Net Income	759,273.00	-6,325,676.85	7,084,949.85	-12.0%



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

Memorandum No. 1921

To: Board of Directors
From: Betsy Miller, General Manager
Date: March 8, 2023
Subject: Groundwater Late Payer, Non-Respondents, and Investigation List for Groundwater Assessment No. 59

RECOMMENDATION

Review, discuss and direct staff to investigate late payers and non-respondents for the groundwater assessment period of July 1, 2022 – December 31, 2022.

BACKGROUND AND DISCUSSION

In February 2023, the District sent notices to all producers for groundwater assessment (GWA) #59 covering the period from July 1, 2022, to December 31, 2022. After each assessment period’s payment deadline, staff sends late notices, calls producers who have not responded, and provides assistance to those who have filed incorrect statements, failed to file, and/or failed to pay, in accordance with Board-approved procedures.

For GWA #59, late statements were mailed in early February to each non-respondent producer with follow-ups by phone and email. After several communications with Arrowhead Country Club, back payment and statements were received for GWA 57 and GWA 59; their payment for GWA 58 is expected in the near future. The outstanding remaining groundwater assessment payments for GWA #59 are estimated at less than \$8,000.

FISCAL IMPACT

Approximately \$800 of staff time was expended to follow up and work with late payers and non-respondents.

POTENTIAL MOTIONS

1. Move to direct staff to investigate late payers and non-respondents for the groundwater assessment period of July 1, 2022 – December 31, 2022.
2. Move to request this item be tabled and referred to the Finance & Administration Committee for reconsideration of specific issues discussed.
3. Take no action on this item.

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Fax: 909.793.0188
www.sbvwd.org Email: info@sbvwd.org

BOARD OF DIRECTORS

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Division 2:
David E. Raley

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Betsy Miller

ATTACHMENTS OR MATERIALS

Groundwater Assessment #59 – Past Due Producers

PAST DUE GW #59 PRODUCERS Investigation list

PAST DUE GW #59 PRODUCERS Investigation list				Expect Pymt/Report	Late Reporters	Field Visit Needed
Producers	Well Code	Recordation	Last Payment/Reporting			
1. George Everett/New Owner		WP0003068	\$0/GW #57 (July-Dec 2021)		X	
2. Arrowhead Country Club	1N4W23E	3601925	Expecting \$7,600.85/GW #58		X	



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1922

To: Board of Directors

From: Katelyn Scholte, Principal Engineer

Date: March 8, 2023

Subject: Final Engineering Investigation Report for 2023

RECOMMENDATION

Provide comments or request changes to the Engineering Investigation (EI Report); receive and file staff's presentation.

BACKGROUND

For a number of years, District staff has prepared the first EI Report Plan, after discussion and input from the Basin Technical Advisory Committee and other community stakeholders. Recently, staff has updated the Plan to incorporate changes and revisions that were identified from the preparation of the EI Report in 2022.

Staff developed the 2023 EI Report in accordance with the updated EI Plan approved by the Board in November 2022. The draft EI Report and findings were reviewed by the Board and the public at the Board's February 2023 meeting. Staff has posted the Final EI Report to the District's website and will present the report to the Board for review and comment. We have also offered to present the EI Report at the April BTAC meeting.

DISCUSSION

The primary purpose of the report is to provide the basis for the Groundwater Charge in compliance with Water Code §75523. Generally, the EI Report process was very similar to prior years. Well location data were requested and verified by Laura Torres to improve accuracy and quality of mapping. This year, for mapping we utilized locations for more than 250 wells in order to prepare a more accurate representation of the groundwater elevation. Staff has not received comments or to date been requested to revise the EI Report; however, comments may be received in the future. As in previous years, the EI Report results will be compared to San Bernardino Valley Municipal Water District's basin model for quality assurance and transparency with results reported when complete.

The 2023 EI Report indicates precipitation was lower for the water year and for the calendar year, at approximately 81.9% of normal. The EI Report shows a general drop in basin water levels from the elevations of the prior year. Most of the basin declined between 5 and 25 feet due to a limited supply of

native and State Water Project water for recharge. No State Project Water was available for recharge in the basin in 2022. Combined, the lack of native and imported water for recharge and below average precipitation resulted in a decrease of about 71,231 AF for the Bunker Hill Basin. Groundwater production was higher than the previous period with 90,116 AF within SBVWCD boundaries and 173,565 AF within the Bunker Hill Basin boundary. It should be noted the period covered by these findings ended June 30, 2022, so recent precipitation has not been considered, and will be folded into the next EI cycle.

The Final EI Report with appendices is available on the District's website at <http://www.sbvxcd.org/reports-and-data/engineering-investigation.html>. Limited copies of the Final EI Report will be produced with primary distribution by digital file; please contact staff if you would like a hardcopy.

FISCAL IMPACT

The EI Report (including data acquisition, management, analysis, and document preparation) is completed in-house by District staff; the 2023 EI Report is estimated to have cost approximately \$15,000 in salary charges to the Groundwater Recharge Enterprise.

POTENTIAL MOTIONS

1. Receive and file the Final EI Report.
2. Direct staff to make specific revisions to the Final Engineering Investigation Report for 2023.



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1923

To: Board of Directors
From: David B. Cosgrove, General Counsel
Date: March 8, 2023
Subject: Enhanced Recharge Agreement Second Amendment

RECOMMENDATION

Review and approve the Second Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities, and authorize the Board President to execute same on behalf of the District.

BACKGROUND AND DISCUSSION

On or about October 1, 2012, the District, San Bernardino Valley Municipal Water District (“Valley”) and Western Municipal Water District (“Western”) entered their “Agreement to Develop and Operate Enhanced Recharge Facilities.” (“Original Agreement”). Under the Original Agreement, the Conservation District leased portions of lands it owned, and those it otherwise occupied, to Valley and Western for the purposes of developing, and ultimately constructing, a series of new recharge basins designed to enhance the region’s groundwater recharge capacity, and ultimately, the region’s groundwater supply. The Agreement included land that was to be exchanged to the United States Department of Interior, Bureau of Land Management (“BLM”) under the Congressional Legislation directing a land exchange in furtherance of the Wash Plan, the John D. Dingell Conservation, Management, and Recreation Act.

Valley and Western are now in the final pre-construction planning phases of their Enhanced Recharge Project, designed to utilize Conservation District owned properties, and extending into other properties included in the Original Agreement, for construction of additional basins that the Conservation District will ultimately maintain and operate. Unfortunately, the timing of this project has created complications for completion of the land exchange contemplated by the legislation. Specifically, BLM indicated that it was uneasy with any party other than the Conservation District exercising rights over the property proposed to be transferred to the federal government (“New Federal Parcel”) despite that the facilities contemplated by the Enhanced Recharge Project were at all times known to BLM staff, and identified as a Valley covered activity and analyzed in the EIS/EIR accompanying the Wash Plan HCP,

In response to this concern, the parties on December 20, 2020 entered into their “Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities,” which clarified the Conservation

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Melody McDonald

GENERAL MANAGER

Betsy Miller

District's existing rights over the New Federal Parcel, and committed that the exercise of any possessory rights on that parcel after the exchange would be by and through the Conservation District, and its rights.

This ultimately failed to satisfy BLM, whose staff now indicates it is unwilling to accept the New Federal Parcel subject to the lease interests created in the Original Agreement. BLM staff suggested the approach more acceptable to it would be for all parties, including the Conservation District, to secure federal rights of way over the New Federal Parcel for the Enhanced Recharge facilities, and remove the lease interests of the Original Agreement. In response, the Conservation District prepared applications for such rights of way, filed with the BLM on or about May of 2022. The Conservation District has funded an Environmental Assessment of that application, which is underway. BLM has further indicated that Valley and Western would also need such rights of way, of at least a temporary nature, to construct the facilities of the Enhanced Recharge Project, while the Conservation District holds more long-term rights for their maintenance and operation.

The Conservation District has prepared draft companion right of way applications for Valley and Western, which as of this writing have been reviewed by those putative applicants. We have also conducted a pre-application meeting with BLM staff on those applications, to expedite their processing and attempt to address early technical issues that might arise.

In light of all this, and absent some reversal of position by BLM, the leasehold interests of the New Federal Parcel must be removed in order for the land exchange to proceed. The Second Amendment does exactly that, detailing the above progress of events, and assuring that the leasehold interests of the Original Agreement on other properties owned by the Conservation District are unaffected. In addition, Conservation District staff is currently working with Valley and Western to try to make contingency plans for adjustments to construction sequencing and areas to assure the Enhanced Recharge Project can proceed in the timeliest fashion consistent with the implementation of the Wash Plan, of which it is a part. The land exchange is a critical component the Wash Plan conservation strategy under which mitigation the Enhanced Recharge Project proposes to proceed, and absent that exchange, the likelihood of the Enhanced Recharge Project meeting its assigned habitat requirements under the Wash Plan may come into question. The quickest path to resolution therefore appears to be the Second Amendment, and issuance of the rights of way being required by BLM to proceed.

FISCAL IMPACT

The short-term fiscal impact of the Second Amendment is nominal, consisting of application fees (which Conservation Staff has offered to pay on behalf of Valley and Western, to expedite matters), and potentially minor additional consultant time to adjust the EA to include Valley and Western as right of way applicants. Staff is pursuing waivers of rental payments and recovery bonds otherwise normally required by BLM, and awaits word back from BLM on these matters. Should such costs prove prohibitive, the Conservation District could opt not to proceed with the right of way, and attempt to find another path to complete the land exchange and still allow the project's construction to proceed.

POTENTIAL MOTIONS

1. Approve the Second Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities, and authorize the Board President to execute same on behalf of the District.

2. Reject the Second Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities, with directions to staff to attempt to explore alternate manners of proceeding with both the land exchange and the Enhanced Recharge Project.
3. Provide other direction to Staff.
4. Table the item to a future meeting for consideration.

ATTACHMENTS

Second Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

SAN BERNARDINO VALLEY
WATER CONSERVATION DISTRICT
Attn: General Manager
1630 West Redlands Boulevard Suite A
Redlands CA 92373-8032

(SPACE ABOVE FOR RECORDER'S USE)

EXEMPT FROM FILING FEES PURSUANT GOVERNMENT CODE 6103

**SECOND AMENDMENT TO AGREEMENT TO DEVELOP AND OPERATE
ENHANCED RECHARGE FACILITIES**

SECOND AMENDMENT TO AGREEMENT TO DEVELOP AND OPERATE ENHANCED RECHARGE FACILITIES

This Second Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities (“Second Amendment”) is entered into and effective this ____ day of March 2023, by and among the SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT (the “Conservation District”), the SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT (the “Valley District”) and WESTERN MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY (“Western”). The Conservation District, Valley District and Western are each sometimes referred to as a “Party” and are collectively sometimes referred to as the “Parties.” This Amendment is entered into in consideration of all of the following:

RECITALS

A. On or about October 12, 2012, the Parties entered into their “Agreement to Develop and Operate Enhanced Recharge Facilities” (“**Original Agreement**”). The purposes of the Original Agreement were to permit the Parties to collaborate by increasing opportunities to recharge local surface water supplies, as well as State Project Water, in the San Bernardino Basin Area (the “**SBBA**”); by reducing the time and cost required to permit and construct essential public infrastructure (such as spreading basins); and by working together to achieve an efficient division of labor in the operation and maintenance of water infrastructure.

B. Part of the Original Agreement was a lease by the Conservation District to Valley District and Western, of specified properties both owned by the Conservation District, and other properties owned by the United States, Bureau of Land Management (“**BLM**”), for the purposes of the “recharging of water” as that term is defined in the Original Agreement.

C. Conservation District is in the process of completing and implementing the Upper Santa Ana River Wash Plan (“Wash Plan”). The Wash Plan includes a land exchange between the Conservation District and BLM, authorized and directed by the United States Congress in P.L. 116-9, the John D. Dingell, Jr. Conservation, Management, and Recreation Act, passed March 12, 2019 (“Act”). Section 1003(b)(1) of the Act directs the Secretary to convey certain lands currently in BLM ownership to the District, and accept from the District other lands, both more specifically described therein. The Act also identifies various “exchange” parcels to use in the event values of the property need to be equalized with any equalization payment necessary under Section 206(b) of the Federal Land Policy and Management Act of 1976 (43 USC § 1716(b).)

D. Part of the properties affected by the lease provisions of the Original Agreement are properties involved in the Wash Plan Land Exchange. In reviewing exceptions to title regarding Conservation District properties to be conveyed to the BLM as part of such exchange, BLM refused to accept property in exchange from the Conservation District subject to the lease interests of Valley District and Western under the Original Agreement. BLM expressed concerns that the broadly stated nature of the Original Agreement’s lease provisions in favor of Valley District and Western, as they may apply to lands held in ownership by BLM, may not be entirely consonant with the Conservation District’s historical rights of use and occupancy of BLM lands.

E. To address these concerns, the Parties entered into that certain “Amendment to Agreement to Develop and Operate Enhanced Recharge Facilities,” dated on or about December 15, 2020. (“First Amendment”). The purpose of the First Amendment was to clarify the intent of the Parties under the Original Agreement that any use by Valley District and Western of any properties leased to them by the Conservation District under the Original Agreement, owned by BLM and not involved in the Wash Plan Land Exchange, will only be exercised consistent with the Conservation District’s rights in and to such lands. This Amendment was also for the purpose of specifying that on properties currently owned by the Conservation District, and leased to Valley District and Western, which properties will be transferred to the BLM after the Wash Plan Land Exchange, exercise of the lease rights under the Original Agreement by Valley District and Western will be by and through the Conservation District as the entity with approval power over such facilities, and the operator and manager of such facilities, consistent with the uses specified in the Wash Plan, and for no other purposes, absent further grant of rights of way by BLM.

F. BLM refused to accept the First Amendment as satisfaction of its concerns regarding the Original Agreement rights conferred, and has indicated to the Conservation District that a condition of completion of the land exchange under the Act is the removal of any leasehold interests under the Original Agreement on the properties to be transferred to the BLM under the contemplated land exchange, which properties are more specifically described in **Exhibit “5”** hereto (“New Federal Parcel”). The Parties desire to complete the land exchange as expeditiously as possible. By this Second Amendment, the Parties incorporate Exhibit 5 into the Original Agreement.

G. The Parties are concerned that the land exchange be completed, both timely and in a manner that provides Valley District and Western the means to utilize the New Federal Parcel to construct its Enhanced Recharge Project, Phase 1B, which was a Covered Activity under the Wash Plan HCP, and which was identified and described in the Draft Environmental Impact Statement/Supplemental Environmental Impact Report for the Proposed Habitat Conservation Plan and Section 10 Permit for the Upper Santa Ana River Wash Plan certified by the U.S Fish and Wildlife Service (“EIS”).

NOW, THEREFORE, IN CONSIDERATION OF ALL OF THE FOREGOING, THE PARTIES DO HEREBY AMEND THE ORIGINAL AGREEMENT A SECOND TIME, AS FOLLOWS:

AGREEMENTS

1. Paragraph 2(a) is hereby amended again to read as follows: *Lease of Facilities for the Purpose of Groundwater Recharge to Valley District and Western*. Under the Original Agreement, the Conservation District leased to Valley District and Western, for the term of this Agreement and on the terms specified herein, the surface of the lands shown on **Exhibit 1** to the Original Agreement during the term of this Agreement (“Leased Property”). By this Second Amendment, the Parties hereby exclude the New Federal Parcel, more specifically described in **Exhibit 5** hereto, from the Leased Property, with the intent and effect that the New Federal Parcel is no longer a part of the Lease under the Original Agreement.

2. *Original Agreement Lease Rights Unaffected Outside of New Federal Parcel.* As to all properties covered in the Original Agreement except the New Federal Parcel, “Leased Property” remains clarified to specify that the Conservation District’s rights over other property presently owned by the United States, Bureau of Land Management (“BLM”), generally referred to in paragraph 2(a) of the Original Agreement as “existing easements under ownership of the Bureau of Land Management[,]” is more specifically composed of the following: a) rights of way established by historical use arising under R.S. 2339 and establishment by the Conservation District’s predecessors, carried on to the present, of facilities for water diversion, conveyance, storage and other beneficial use, dating from 1856 onward; b) rights of way arising from 26 Stat. 1095, and a February 20, 1909 reservation enacted at 30 Stat. 645, memorialized in a January 22, 1915 right of way approved by the Department of the Interior; and c) the rights conferred on the Conservation District and its predecessors to use such areas for water diversion, conveyance, storage, and other beneficial use, as arising under State law. Such rights continue to be collectively referred to in this Amendment as “**Conservation Rights.**” Except for the New Federal Parcel, Valley District and Western shall have the right to enter upon and use the Leased Property, and any reasonably necessary subsurface areas incident thereto. Such entry and use shall be only for the purpose of recharging, storing or conveying water from any source (collectively “**recharging of water**” herein) into or through the percolation basins and other facilities owned or controlled by the Conservation District, whether existing as of the effective date of this Agreement, or as may be constructed pursuant to the terms of this Agreement, as such existing and contemplated future facilities are depicted in **Exhibit 2** to the Original Agreement. The Conservation District reserves all rights in and to the Leased Property not expressly conveyed as a part of the Original Agreement, First Amendment, and this Second Amendment.

3. *Anticipated Rights of Way Granted by BLM.* On the New Federal Parcel, the Conservation District has submitted to BLM its “Application For Transportation, Utility Systems, Telecommunications And Facilities On Federal Lands And Property” (Standard Form 299) on or about May, 2022, to seek a permanent federal right of way over the New Federal Parcel for groundwater recharge activities, including those aspects of the Enhanced Recharge Project studied and analyzed in the now-completed and certified Upper Santa Ana River Wash Plan HCP EIS/EIR (“**EIS/EIR**”). That application is currently under review by BLM, and is the subject of an ongoing Environmental Assessment incident to BLM action in considering and potentially granting the requested right of way, which Environmental Assessment is being funded by the Conservation District. BLM has also indicated to the Conservation District that any party exercising possessory rights over the New Federal Parcel after the land exchange will have to hold a federally granted right of way, even if such occupancy is temporary. As a result, Conservation District has prepared draft companion applications for Valley District and Western to secure their own temporary federal rights of way over the New Federal Parcel, for construction activities incident to the placement of Enhanced Recharge Project facilities as analyzed in the EIS/EIR, and has forwarded such draft applications to Valley District and Western for filing. Conservation District shall pay any application fees required by BLM to file such companion applications. The Parties anticipate that the Environmental Assessment being prepared for the Conservation District’s right of way application will cover, and suffice for, the temporary rights of way applications of Valley District and Western, and that all three applications for rights of way will be processed simultaneously by BLM. The Parties agree to accept these rights of way anticipated to be granted by BLM, as well as any applicable rights under the Conservation District’s Conservation Rights, as the exclusive

authority under which they may and will occupy the New Federal Parcel for groundwater recharge activities, such as those contemplated by the Enhanced Recharge Project.

4. *No Representation or Warranty re BLM Grant of Rights of Way.* Conservation District has conferred extensively with BLM, and has indicated to Valley District and Western that the right of way application process it is pursuing to secure the ability to construct, operate, and maintain groundwater recharge facilities on the New Federal Parcel was suggested by BLM staff as acceptable to it as the best procedure for the Conservation District to pursue both to complete the land exchange, and to permit the existing and expanded groundwater recharge facilities contemplated in the EIS/EIR to proceed expeditiously. Notwithstanding such background circumstances, however, the grant of rights of way by BLM is a discretionary process, over which the Conservation District has no control, and the Parties agree and acknowledge that Conservation District provides no warranty or guarantee regarding the outcome of the Parties' respective right of way applications, the timing of their consideration or potential grant, nor the terms, stipulations, or conditions thereof. Valley District and Western hold the Conservation District harmless from any claim, cause of action, injury to person or property, consequential or incidental damage, monetary or otherwise, caused by or arising from BLM's consideration of the grant of rights of way for groundwater recharge uses and facilities on the New Federal Parcel. In the event such rights of way are not granted, or are unreasonably delayed for any reason, the Parties shall meet and confer in good faith, under the auspices of the Joint Operations Committee provided for in the Original Agreement, to determine how best next to proceed.

5. *Conservation District-Owned Property Unaffected.* On those portions of the Leased Property owned by the Conservation District both at the time of the Original Agreement, and outside of the New Federal Parcel, Valley District and Western shall continue to enjoy the full range of rights for entry and use as described in the Original Agreement. Notwithstanding any of the foregoing, on those portions of the Leased Property owned by BLM and outside of the New Federal Parcel, and as provided in the First Amendment, Valley District and Western shall be limited in the exercise of their rights of entry and use to the exercise of the Conservations Rights, exercising such rights by and through the Conservation District as the entity with approval power over any facilities for the recharging of water on such lands, and the operator and manager of such facilities. As to Valley District and Western, such rights for entry and use on those portions of the Leased Property owned by BLM may further only be exercised for uses consistent with the uses specified in the Wash Plan, and for no other purposes, absent further grant of rights of way to Valley District or Western, or both of them, by BLM.

6. *Effect of Second Amendment.* Except as specifically amended herein, the remainder of the Original Agreement and First Amendment shall remain in full force and effect. In the event of any conflict between the First Amendment and the Second Amendment to the Original Agreement, this Second Amendment shall control.

**SAN BERNARDINO VALLEY
WATER CONSERVATION DISTRICT
"Conservation District"**

By: _____

Melody McDonald, President
Board of Directors

**APPROVED AS TO FORM:
RUTAN & TUCKER, LLP**

By: _____
David B. Cosgrove
General Counsel

**SAN BERNARDINO VALLEY
MUNICIPAL WATER DISTRICT
“Valley District”**

By: _____
Paul Kielhold, President
Board of Directors

**APPROVED AS TO FORM:
DOWNEY BRAND, LLP**

By: _____
General Counsel

**WESTERN MUNICIPAL WATER
DISTRICT OF RIVERSIDE COUNTY
“Western”**

By: _____
Donald D. Galleano, President
Board of Directors

**APPROVED AS TO FORM:
BEST, BEST & KRIEGER**

By: _____
General Counsel

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2023, before me, _____, Notary Public, personally appeared xx, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2023, before me, _____, Notary Public, personally appeared xx, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2023, before me, _____, Notary Public, personally appeared xx, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

EXHIBIT 5

Legal Description of New Federal Parcel

PARCEL 1: (APN: 0290-271-03)

The Southeast 1/4 of Section 9, Township 1 South, Range 3 West, San Bernardino Base and Meridian, in the City of Redlands, County of San Bernardino, State of California, according to the Official Plat thereof.

Excepting therefrom that portion conveyed to the State of California by Grant Deed, recorded May 5, 1983, as Instrument No. 83-097136, of Official Records.

[Also described as](#)

T. 1 S., R. 3 W.,
sec. 9, S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, except that portion conveyed to the State of California by the grant deed recorded May 5, 1983, as instrument number 83-097136 in San Bernardino County.

The area described contains 59 acres, more or less, in San Bernardino County, California

PARCEL 2: (APN 0291-151-01; 0291-151-02; 0291-151-05)

The Northwest 1/4 and the Northeast 1/4 of Section 12, Township 1 South, Range 3 West, San Bernardino Base and Meridian, in the City of Highland, County of San Bernardino, State of California, according to the Official Plat thereof.

Excepting therefrom that portion conveyed to the San Bernardino Valley Water Conservation District by Quitclaim Deed, recorded June 28, 1984, as Instrument No. 84-152554, of Official Records.

[Also described as](#)

San Bernardino Meridian

T. 1 S., R. 3 W.,

sec. 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 310.00 acres, more or less, in San Bernardino County, California.

Non-Federal Land

PARCEL 3: (APN 0291-151-05)

All of the Atchison, Topeka and Santa Fe Railway Company's property in the North half of Section

12, Township 1 South, Range 3 West, San Bernardino Base and Meridian, in the City of Highland, County of San Bernardino, State of California, according to the Official Plat, described as follows:

A 100-foot-wide strip of land lying between lines that are parallel and/or concentric with and distant 50 feet, measured at right angles, and/or radially from and on each side of the centerline of the San Bernardino and Eastern Railway Company's (predecessor in interest to first said Railway Company) tract as originally located in the Northwest quarter of said Section 12; a 100-foot wide strip of land and a 50 foot wide strip of land, both in Southwest quarter of the Northeast quarter of said Section 12, as described in deed to said San Bernardino and Eastern Railway Company, recorded December 15, 1891, in Book 144 of Deeds, page 16, records of said county, and, a 100 foot wide strip of land in the North half of the Southeast quarter of said Section 12, as described in deed to said San Bernardino and Eastern Railway Company, recorded December 15, 1891, in Book 142 of Deeds, page 392, records of said county.

The area described contains 9.053 acres, more or less, in San Bernardino County, California.



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

Memorandum No. 1924

To: Board of Directors

From: Milan Mitrovich, Land Resources Manager

Date: March 8, 2023

Subject: Annual Report on the Status of the San Bernardino Valley Conservation Trust

RECOMMENDATION

Receive and file the report on the State of the San Bernardino Valley Conservation Trust.

BACKGROUND AND DISCUSSION

The San Bernardino Valley Conservation Trust was formed in March 2016 to further the protection and stewardship of land, water, and natural resources. Specifically, the Trust currently invests endowment funds for the Upper Santa Ana River Wash Plan Habitat Conservation Plan and holds mitigation easements; in the future, the Trust may receive and utilize grant funds, hire consultants to implement habitat restoration and management, be contracted to provide support to other local and regional HCPs, and hold fee title to conserved lands.

The District is the lead agency for obtaining the required permits for approval of the Wash Plan covered activities and created the Conservation Trust to support Wash Plan implementation. District employees act as the staff of the Trust, managing Wash Plan implementation requirements and agreements with the Trust. Staff also manages Trust investments, finances, and day-to-day operations. While the Trust has its own Board of Directors, staff provides an annual presentation to the SBVWCD Board with detailed information on the Trust's financial status, activities, agreements, accomplishments, and upcoming requirements per the request of the SBVWCD Board.

FISCAL IMPACT

There are no fiscal impacts related to this status report with the exception of limited staff time to prepare the presentation.

ATTACHMENTS

Presentation on status of the San Bernardino Valley Conservation Trust

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

Betsy Miller

POTENTIAL MOTIONS

1. Receive and file the report on the State of the San Bernardino Valley Conservation Trust.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.
3. Take no action on this item.

San Bernardino Valley Conservation Trust

A Special Purpose Land Trust

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PURPOSE

- The direct protection or stewardship of land, water, and natural resources, including, but not limited to, agricultural lands, wildlife habitat, wetlands, endangered species habitat, open-space areas, and outdoor recreational areas.
- Specific activities include implementation of the Upper Santa Ana River Wash Habitat Conservation Plan, which is a Habitat Conservation Plan approved by the US Fish and Wildlife Service and the CA Department of Fish and Wildlife.
- Implementation activities include the collection and investment of endowment funds for the purposes described above. Additionally, this nonprofit corporation may hold mitigation easements and/or fee title to land being conserved for the purposes described above.
- Finally, this nonprofit corporation anticipates working with cities and San Bernardino County for open space trails access and other public benefit programs for education, water related outreach, natural resource awareness and related activities.

APPROVALS

- IRS: Recognition of Exemption under Section 501(c)(3)
- California Department of Fish and Wildlife: Granted authorization to hold and manage mitigation lands*
- California State Treasurer: Tax Exempt Status
- State of California Department of Justice: Registration with Attorney General's Registry of Charitable Trusts
- Land Trust Accreditation Commission: Land Trust Accreditation

**CDFW now reviews trusts for each transaction*

CURRENT POLICIES

Investment

Reserve

Conflicts of Interest

Records

Endowment Spending

Conservation Easement Amendment



BOARD OF DIRECTORS



President
David Raley, SBVWCD



Vice President
John Longville, SBVWCD



Director
Brad Buller, IERCD



Director
Paul Kielhold, SBVMWD

SPECIAL RELATIONSHIP

Important Differences

- Trust Board includes two District Board members
- District employees staff the Trust
- Trust supports the District in implementing the Wash Plan HCP
 - Holding and Investing Endowment Funds
 - Holding and Enforcing (if needed) Conservation Easements
- Responsible to:
 - The Trust Board of Directors
 - The California Department of Fish and Wildlife
 - The IRS for maintenance of non-profit status
 - The public as a Public Benefit non-profit

TRUST ROLES

Wash Plan implementation
Independent third party in
Conservation Easements



INVESTMENT DIFFERENCES

SIP-Systematic Investment Plan (Used)

- Benefits:
 - a) Set payments are placed into an investment vehicle (i.e., mutual funds, commingled trusts, separate accounts, etc.) on a regularly scheduled basis
 - b) Dollar-Cost-Averaging -Shares bought consistently even on down market brings average cost lower
 - c) Provides funding anticipated withdrawals on a continuing basis for spending policy needs and reasonable expenses for operation of the Fund

FD-Fixed Deposit

- Disadvantages
 - a) Lump-sum investment
 - b) Relatively low investment returns with potential for wealth erosion
 - c) No flexibility to access funds

CE HOLDER/ENFORCEMENT

Third party beneficiary in Conservation Easements

- Required by state and federal mitigation requirements

- Legal standing to enforce Conservation Easement restrictions

Able to implement Conservation Easement requirements via endowment

- Biological monitoring

- Conserved land management



**COMMUNITY
MITIGATION
PROGRAM
DEPOSIT
AGREEMENTS
WITH PRIVATE
DEVELOPERS**

- **S-P Deerfield, LLC (Blossom Trails Project)**

Scope: To assist in obtaining required mitigation for the San Bernardino Kangaroo Rat (SBKR) in the form of dedication of preserved land, restoration, or other habitat management activities.

Initial Deposit: \$10,000

Total Deposits: \$41,763.59

Available Balance: \$4,106.64

- **Highland-Fifth Orange Partners, LLC (Woodbridge Project)**

Scope: To assist in providing mitigation needs for the potential taking of 36 acres of SBKR habitat in the form of dedication of preserved land, conservation easements, endowment, and habitat management.

Initial Deposit: \$10,000

Total Deposits: \$10,000

Available Balance: \$4,791.73

OTHER DEPOSIT AGREEMENTS

- **SB County Transportation Authority (210 FWY Expansion Project)**

Scope: To assist in obtaining CESA ITP No. 2081-2017-062-06 by performing all necessary capturing, tracking, releasing and monitoring of SBKR, developing start-up costs for 4.2 acres of land conserved via Conservation Easement to meet project mitigation requirements, obtain Conservation Easement approval and recording, and establish an endowment fund.

Initial Deposit: \$324,491.69

Total Deposits: \$435,255.03

Available Balance: \$182,548.46

- **SB County Flood Control District (Elder Creek Restoration Project)**

Scope: Working to develop a plan and provide assistance with restoring .57 acres of created low-flow channel with cattail marsh, restore .06 acres of existing cattail marsh, and restore .08 acres of arroyo willow scrub.

Initial Deposit: \$0 (\$4,807.68 billed)

Total Deposits: \$0

Available Balance: \$0

**FY 2021-2022
AUDIT
STATEMENT**

**San Bernardino Valley Conservation Trust
Statement of Financial Position
June 30, 2022**

Assets

Current Assets:

Cash and cash equivalents	\$ 913,989
Investments	2,945,392
Accounts receivable	<u>7,930,623</u>

Total current assets	<u>11,790,004</u>
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Total assets	<u><u>\$ 11,790,004</u></u>
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Liabilities

Current Liabilities:

Due to San Bernardino Valley Water Conservation District	\$ 2,119,186
Unearned revenue	<u>8,145,574</u>

Total current liabilities	<u>10,264,760</u>
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Total liabilities	<u>10,264,760</u>
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Net assets (deficit)

Without donor restrictions	(329,213)
With donor restrictions	<u>1,854,457</u>

Total net assets	<u>1,525,244</u>
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Total liabilities and net assets	<u><u>\$ 11,790,004</u></u>
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**FY 2021-2022
AUDIT
STATEMENT**

**San Bernardino Valley Conservation Trust
Statement of Activities
For the year ended June 30, 2022**

	Without donor restrictions	With donor restrictions	Total
Revenues			
Contributions	\$ 542,321	\$ -	\$ 542,321
Realized gain on investments	107,345	190,836	298,181
Unrealized gain on investments	(300,303)	(533,871)	(834,174)
Interest and dividends, net	16,743	29,765	46,508
Total revenues	366,106	(313,270)	52,836
Expenses			
Wash Plan	352,771	359,960	712,731
Insurance	1,351	-	1,351
Bank fees	3,500	-	3,500
Other expenses	5,506	-	5,506
Total expenses	363,128	359,960	723,088
Total change in net assets	2,978	(673,230)	(670,252)
Net assets (deficit)			
Beginning of year, as restated	(332,191)	2,527,687	2,195,496
End of year	\$ (329,213)	\$ 1,854,457	\$ 1,525,244

Main Investment Objective

- Minimize risk of principal loss and maintain the ability of the portfolio to meet current and long-term spending policies, net of inflation. Long-term growth of the assets in excess of inflation is secondary.

Authority

- The Board will have the authority to implement the investment policy and guidelines in the best interest and to best satisfy the purpose of the Fund.

Objectives (simplified)

- All transactions must be for sole interest of Fund beneficiaries and assets diversified to minimize impact of large losses
- To provide withdrawals for spending policy needs and reasonable expenses
- To enhance value of Fund long-term while maintaining a reasonable risk profile
- Minimize principal fluctuations
- To achieve a long-term return commensurate with economic conditions equal to or exceeding the investment objective

Asset Allocation (simplified)

- To create the greatest likelihood of meeting the Fund's investment objectives and the best balance between risk and return for optimal diversification, the Board directed assets to be invested in a 70% Growth/30% Income Portfolio

INVESTMENT POLICY

As of 12/31/2022

Assets:	\$ 886,484.64 California Credit Union (cash)
	<u>\$2,949,576.39 US Bank (investments)</u>
	\$3,836,061.03
Accounts Receivable:	\$7,843,563.00 Wash Plan MOU (in 2016 dollars)
Liabilities:	\$2,337,509.90 SBVWCD for WP/Implementation
	\$ 0.00 SBVWCD Earned Mitigation Credits
	<u>\$ 186,446.82 Unearned Mitigation Deposits Balance</u>
	\$2,523,956.72
Net Position	\$9,155,667.31

FINANCIAL STATUS

Wash Plan Year 3 Requirement	Resources	Direct Cost	Admin Cost	Approved FY21 Budget	Projected Annual Costs	Draft FY22 Budget
1) Conserve 200 acres of Jump Start land				\$ 69,500.00	-	\$ 29,500.00
Platt and legal description on portions of APN 029113101, 029114108, and 029707110	Consultant	\$ 10,000.00	\$ 4,500.00			
Title Report	Consultant	\$ 1,000.00	\$ 1,000.00			
Legal review	Legal Counsel	\$ 9,000.00	\$ 2,000.00			
Record Conservation Easement on portions of APN 029113101, 029114108, and 029707110	Staff	\$ 2,000.00	\$ -			
2) Initial clean-up on Jump Start land				\$ 8,000.00	\$ -	\$ 8,000.00
Dump and trash removal on portions of APN 029113101, 029114108, and 029707110	Staff	\$ 8,000.00	\$ -			
3) Invasive grass treatments at spineflower sites				\$ 29,000.00	\$ 30,000.00	\$ 25,000.00
Invasive grass treatment on 20 acres	IERCD	\$ 22,500.00	\$ 2,500.00			
4) Monitor Slender-horned spineflower				\$ -	\$ 4,000.00	\$ 6,000.00
SHSF baseline monitoring - Year 3	Staff	\$ 5,000.00	\$ 1,000.00			
5) Monitor California gnatcatcher				\$ 7,500.00	\$ 7,500.00	\$ 8,000.00
CAGN baseline monitoring - Year 3	Consultant	\$ 7,000.00	\$ 1,000.00			
6) Monitor San Bernardino kangaroo rat				\$ 28,500.00	\$ 50,000.00	\$ 124,500.00
SBKR baseline monitoring - Year 2	Consultant	\$ 40,000.00	\$ 4,500.00			
Data analysis	Staff	\$ 15,000.00				
	Consultant	\$ 60,000.00	\$ 5,000.00			
7) Preserve natural resource management plan				\$ -	\$ -	\$ 19,000.00
Draft natural resource management plan	Staff	\$ 15,000.00	\$ -			
Present to PMC/incorporate comments	Staff	\$ 4,000.00	\$ -			
8) Slender-horned Spineflower Restoration Program				\$ -	\$ -	\$ 109,700.00
Literature review	Consultant	\$ -	\$ -			
Comprehensive SHSF survey on Preserve lands	Consultant	\$ 62,000.00	\$ 2,000.00			
SHFS survey on Managed lands	Consultant	\$ -	\$ -			
Track environmental factors at occupied sites	Consultant	\$ 15,500.00	\$ 1,000.00			
Seed collection	Consultant	\$ 7,500.00	\$ 500.00			
Germination trials	Consultant	\$ 1,700.00	\$ -			
Seed bulking	Consultant	\$ 6,000.00	\$ 500.00			
SHSF Restoration Plan	Consultant	\$ 11,000.00	\$ 2,000.00			
Out-planting	Consultant	\$ -	\$ -			
9) Annual report				\$ -	\$ 18,250.00	\$ 18,250.00
Data management and annual reporting	Staff	\$ 18,250.00	\$ -			
10) Vegetation classification				\$ -	\$ -	\$ 31,519.00
Develop Manual of Ca Vegetation classification	Consultant	\$ 30,019.00	\$ 1,500.00			
11) Monitor cactus wren				\$ -	\$ 7,500.00	\$ 15,000.00
Participate in grant-funded TNC project	Staff	\$ -	\$ 15,000.00			
		\$350,469.00	\$ 44,000.00			\$ 394,469.00
			\$ 394,469.00			

FUNDING FOR ANNUAL WASH PLAN IMPLEMENTATION



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

Memorandum No. 1925

To: Board of Directors
From: Betsy Miller, General Manager
Date: March 8, 2023
Subject: CSDA Call for Nominations for Seat C, Southern Network

RECOMMENDATION

Provide direction to staff to nominate a Board member, if desired, to the CSDA Board of Directors, Seat C, Southern Network, for the 2024-2026 term.

BACKGROUND

The leadership of CSDA is elected from its six geographical regions, with each region holding three seats on the Board filled in staggered, 3-year terms. Candidates must be affiliated with an independent special district that is a member of CSDA, such as the SBVWCD.

CSDA Board members are expected to attend all board meetings held on alternate months at CSDA's office in Sacramento, participate in at least one CSDA Board Committee, and attend two annual events such as the Special District's' Legislative Days. CSDA reimburses directors for their expenses related to Board and Committee meetings. Expenses for the two required annual events are not reimbursed by CSDA. CSDA Board members who have not already completed all four modules of CSDA's Special District Leadership Academy are expected to do so within two years of election.

The deadline for filing a nomination is April 6, 2023. See attachment for additional information.

FISCAL IMPACT

The District would be responsible for paying expenses for at least the two annual events and the cost for all four modules of CSDA's Special District Leadership Academy, plus associated travel and per diem, which is estimated at \$5,886.22 annually. Other regular Board and Committee meeting costs would be reimbursed by CSDA.

**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**

Betsy Miller

Required Meetings	Per Diem/Travel	
CSDA Annual Conference	\$ 3,620.52	
<i>CSDA Board Meetings</i>	<i>\$ 3,440.00</i>	<i>Reimbursable</i>
CSDA Leadership Academy	\$ 2,265.70	
<i>CSDA Committee Meetings</i>	<i>\$ 3,440.00</i>	<i>Reimbursable</i>
CSDA Legislative Days	\$ 2,314.00	
Fiscal Impact Annually	\$ 12,766.22	
<i>Total Less Reimbursable Expenses</i>	<i>\$ 5,886.22</i>	

POTENTIAL MOTIONS

1. Move approval of Board member selected for nomination and direct staff to prepare necessary documents for submittal to CSDA.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.
3. Take no action on this item.

ATTACHMENTS OR MATERIALS

CSDA Letter with Nomination Form



California Special
Districts Association
Districts Stronger Together



**GET INVOLVED
IN CSDA**

CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS - SEAT C

Deadline: April 6, 2023

The California Special Districts Association Elections and Bylaws Committee is looking for independent special district board members or their general managers who are interested in leading the direction of CSDA for the 2024 - 2026 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network they seek to represent (see the [CSDA network map](#)).

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, professional development, and other resources for members. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
 - *(CSDA reimburses directors for their related expenses for board and committee meetings as outlined in board policy).*
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the Spring, and the CSDA Annual Conference - held in the Summer/Fall.
 - *(CSDA does **not** reimburse expenses for the two conferences even if a board or committee meeting is held in conjunction with the event).*
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.
 - *(CSDA does **not** reimburse expenses for the academy classes even if a board or committee meeting is held in conjunction with the event).*

Nomination Procedures:

Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors) for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action along with the Candidate Information Sheet must accompany the Nomination Form. The deadline for receiving nominations for the Northern, Sierra, Coastal and Southern Networks is April 6, 2023. Where there is no incumbent running in the Bay Area and Central Networks the deadline for receiving nominations is April 17, 2023. Nominations and supporting documentation may be mailed or emailed**

Mail: 1112 I Street, Suite 200, Sacramento, CA 95814

Fax: 916.442.7889

Email: amberp@csda.net

Once received, nominees will receive a candidate's letter in the mail. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.

CSDA will begin electronic voting on June 5, 2023. All votes must be received through the system no later than 5:00 p.m. July 14, 2023. The successful candidates will be notified no later than July 18, 2023. All selected Board Members will be introduced at the Annual Conference in Monterey, CA in August 2023.

Expiring Terms

(See [geographic network map](#) for network breakdown)

Northern Network Seat C - Fred Ryness, Burney Water District*

Sierra Network Seat C - Pete Kampa, Groveland Community Services District*
Bay Area Network Seat C - Vacant
Central Network Seat C - Steve Perez, Rosamond Community Services District
Coastal Network Seat C - Vincent Ferrante, Moss Landing Harbor District*
Southern Network Seat C - Arlene Schafer, Costa Mesa Sanitary District*

(* = Incumbent is running for re-election)

CSDA will be using a web-based online voting system, allowing your district to cast your vote easily and securely. Electronic Ballots will be emailed to the main contact in your district June 5, 2023. All votes must be received through the system no later than 5:00 p.m. July 14, 2023.

*Districts can opt to cast a paper ballot instead; but you must contact Amber Phelen by e-mail at amberp@csda.net by **April 6, 2023** in order to ensure that you will receive a paper ballot on time.*

CSDA will mail paper ballots on June 5, 2023 per district request only.

If you have any questions, please contact Amber Phelen at amberp@csda.net.

2023 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: _____

District: _____

Mailing Address: _____

Network: _____ (see map)

Telephone: _____

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this form, a Board resolution/minute action supporting the candidate, and Candidate Information Sheet by mail or email to:

CSDA
Attn: Amber Phelen
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732

amberp@csda.net

DEADLINE FOR RECEIVING NOMINATIONS:

Northern, Sierra, Coastal and Southern Networks: **April 6, 2023 at 5:00 p.m.**

Bay Area and Central Networks: **April 17, 2023 at 5:00 p.m.**



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1926

To: Board of Directors

From: Betsy Miller, General Manager

Date: March 8, 2023

Subject: Rebranding of Active Recharge Transfer Projects (ARTP) to Projects for the Enhancement of Recharge Capacity (PERC)

RECOMMENDATION

The Operations Committee and ARTP Policy Committee recommends the Board review and approve the rebranding of ARTP to PERC.

BACKGROUND AND DISCUSSION

On November 14, 2018, the Board approved a Partnership Agreement for Joint Active Recharge Project Development under the Upper Santa Ana River Habitat Conservation Plan (HCP) with San Bernardino Valley Municipal Water District. This agreement created an important partnership between these agencies, providing conservation easements on Conservation District-owned lands to satisfy anticipated habitat mitigation requirements for the HCP in exchange for funds dedicated to increasing groundwater recharge in accordance with the Conservation District's mission. The agreement specified certain planned active recharge projects to be transferred from Valley District to the Conservation District for analysis, design, and construction, and recognized the ability of the Conservation District to utilize the conservation easement funds for related land acquisitions, water quality or supply facilities development, and other related projects with similar benefits within the jurisdictional boundaries of at least one of the two parties. These Agreement Transfer Projects have become known as the Active Recharge Transfer Projects (ARTP).

In discussions with the District's partners and PR consultants, it was determined that this current working name represents a challenge for communicating the important purpose of these projects to the community and non-technical stakeholders. After working with our PR team, District staff presented the PERC branding update to the Operations Committee on January 24, 2023, and to the ARTP Policy Committee on February 28, 2023. Both Committees recommended that the partner agencies forward the new branding to their Boards for review and approval. Additional coordination is planned with Western Municipal Water District and the San Bernardino County Flood Control District. No changes are proposed to the Partnership Agreement as part of this action.

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

Betsy Miller

FISCAL IMPACT

The cost of developing the updated brand materials was \$2,500 to GL 6060-Outreach, funded by the ARTP Enterprise.

POTENTIAL MOTIONS

1. Move approval of the updated brand materials as presented.
2. Move to direct staff to bring the item back for consideration following coordination with Western Municipal Water District and San Bernardino County Flood Control District.
3. Move to request this item be tabled and referred to the Operations Committee for reconsideration of specific issues discussed.

ATTACHMENTS OR MATERIALS

PERC Guiding Story

It is often said "It takes a village," and this is true in the stewardship of our most precious natural resource — water. Working together, local agencies are leveraging their assets and expertise to help nature "percolate" as much water into our aquifer system as possible in order to preserve the natural environment and our way of life.

The **PERC** initiative (formerly named the Active Recharge Transfer Project, or ARTP) is based on a partnership between the San Bernardino Valley Water Conservation District and the San Bernardino Valley Municipal Water District to increase our ability to recharge the aquifer to its full potential through state-of-the-art engineering.

The initiative includes planning and implementation of resource and feasibility studies, facilities creation, habitat protection, engineering upgrades to transform existing single purpose facilities into multi-benefit workhorses, and optimization of operational protocols to ensure increased aquifer recharge in changing climate conditions.

PERC is an important piece of the larger regional plan to continue to provide a resilient, reliable water supply to the people living and working in the San Bernardino Valley.

PERC

Program for the Expansion of Recharge Capacity

"Working together, we have taken the best of our respective financial, land and staff assets and skills and are bringing them together to build a more efficient water storage system for the communities we serve." — Richard Corneille, SBVWCD

Quote from Director Longville, SBVMWD

Our Collective Purpose:

PERC's primary purpose is to capture stormwater to maintain our local aquifer as a critical water resource. This will become increasingly important as storm water replaces snow melt as the primary source of recharge under changing climate conditions.

PERC's secondary purpose is to conduct these efforts with transparency that demonstrates the value of our coordinated work to steward the public's funds to protect our water supply for generations to come.



Environmental Update

as of February 24, 2023

Wash Plan Implementation – Monitoring Activities

- SBKR Monitoring Program
 - On February 2, staff was accepted to speak at the International Association for Landscape Ecology - North American Annual Meeting, occurring March 19-23 in Riverside California on the Percent Area Occupied monitoring approach and its applicability to the management of endangered and threatened species at the wildland urban interface using the SBKR monitoring program as an example.
 - On February 24, staff met with the USGS to discuss plans for analysis of collected 2022 field data and modifications to the habitat assessment survey protocol to be implemented by District staff over a six-week period beginning in early April and extending through the middle of May.

Wash Plan Implementation – Management Activities

- Slender-horned Spineflower (SHSF) Restoration Program
 - Dudek continues to actively coordinate initiation of the bulking program with California Botanic Garden. Enough seeds were sown to propagate 500 plants at the botanical garden on December 2, with evidence of successful germination occurring as of December 13. Plants have continued to show growth throughout much of January and February. Plants are being grown in 2-inch containers and then will be transferred to 4-inch containers prior to being planted in the field in March/April.

Wash Plan Implementation – Organizational Structure & Planning

- Monthly coordination meeting with the USFWS was held on February 21. Items addressed at the meeting included discussion of scheduled monitoring work and opportunities for active management of resources critical to SBKR and SHSF within the Wash Plan Preserve. The field visit by the USFWS staff to the Wash and Mill Creek was rescheduled for March 29. A meeting between the District and USFWS to discuss advancement of the Safe Harbor Agreement (SHA) for Mill Creek, with focus on discussion of baseline conditions, was scheduled for February 28.

Wash Plan Programmatic Permits

- USACE 404 Programmatic Individual Agreement – Public Notice was posted by the Corps on July 1 regarding application by the District for a long-term standard individual permit under Section 404 of the Clean Water Act. The public comment period ended on July 31. Responses to comments were prepared and submitted to the Corps on August 26. The consultant team shared a draft Environment Assessment (EA) with the District on September 2. Following review by the District,



the draft EA was finalized by AECOM and shared with the Corps on September 30. Comments were provided by USACE on the draft EA on January 27. Throughout February, District staff and AECOM continued to meet with USACE weekly in support of completion of the EA and eventual issuance of the standard individual permit.

- District staff met with CDFW on November 16 to discuss next steps tied to advancement of the 2081 Incidental Take Permit (ITP). During the discussion, CDFW indicated they are working to define the next steps in the permit process and should be reaching out to the District in the near future with a list of specific items that need to be addressed. District staff have continued to reach out in December, January and February, emphasizing the importance of making progress on completion of the permit in the new year.

Mill Creek Programmatic Permits

- An annotated outline for a Safe Harbor Agreement (SHA) with the USFWS to address issues tied to endangered and threatened species associated with ongoing operations and maintenance activities at Mill Creek was submitted to the Service on November 9 for review and comment.
- An in-person meeting between District staff and the USFWS was held at their Palm Springs office on January 12. The purpose of the meeting was to discuss the framework of the future SHA, including the clear conservation benefits of such an agreement for the Covered Species, SBKR, cactus wren, and California gnatcatcher. The conversation with the Service was very positive and the District was encouraged to pursue a SHA covering ongoing operations and maintenance and future capital improvement projects tied to ground water recharge at Mill Creek.
- To further development of the SHA, with focus on defining metrics characterizing baseline conditions for the three species to receive covered by the SHA at Mill Creek, an in-person working session between District staff and AECOM was held on February 14.
- Conversations with the USACE in early January and Regional Water Quality Control Board on Jan 20 were both positive with regards the likelihood of a streamlined approach to receiving regulatory coverage for ongoing operations and maintenance activities at Mill Creek from these agencies.
- Working with the District's consultants from AECOM, District staff facilitated information transfer to the USACE in an expeditious manner to meet the USEPA's late February deadline for Approved Jurisdictional Determinations (ADJs) identifying isolated waters as non-jurisdictional prior to new regulations going into effect.

Community Mitigation Program

- District staff submitted a Long-term Management Plan (LTMP) and Property Analysis Record (PAR) to CDFW on September 22. The LTMP and PAR covers the approved, District-owned and managed, 4.2-acre offsite mitigation area for San Bernardino County Transportation Authority (SBCTA) SR-210 Mixed Flow Lane Addition Project. On January 10, District staff and SBCTA contractor VCS Environmental heard from CDFW that they were able to support the Conservation Trust as holder



of the Conservation Easement for the 4.2-acre parcel. Such a determination clears the path for successful movement through the escrow process. Throughout February, District staff was actively working with CDFW to ensure needed information to finalize approval of the Trust as the holder of the Conservation Easement is available to the Department.

- On October 26, District staff shared a draft LTMP and PAR with San Bernardino County Flood Control District (SBCFCD). The LTMP and PAR covers the District-owned and managed 0.64-acre onsite mitigation area for the SBCFCD Elder Creek Channel Improvement Project. In December, January, and February, District staff continued to work with SBCFCD in support of the County submitting the items tied to the identified habitat management lands consistent with their state permits.
- On February 8, 9, and 10, at the suggestion of the USFWS, District staff, working through their contractor, Mikael Romich, trapped for SBKR across approximately 20 acres of District property proposed for future inclusion in the Community Mitigation Program. Trapping resulted in detection of SBKR on proposed mitigation lands.

MOU with San Bernadino County

- District staff is coordinating with SBCFCD staff to setup monthly coordination meetings to advance development of the draft MOU that is to cover the long-term management and permanent protection of 185 acres of Flood Control District property to be protected consistent with the Wash Plan. The MOU defines roles of the District and Trust in managing and protecting the property in perpetuity. A draft Property Analysis Record (PAR) is in development and will be included in the MOU to assist with calculation of the SBCFCD endowment.

Land Resources Team

- District staff interviewed candidates for the Environmental Biology and GIS Internship position on February 21 and 22. Two candidates were selected for the position and sent offer letters on February 24. Interns are expected to assist the Land Resources Team in the field this spring among other responsibilities supporting the District's mission over the course of the year.

General Land Stewardship

- On February 9, District staff toured the 0.41-acre area involved in the July 2021 trespass that occurred just south of Greenspot Road with IERCD staff. A conceptual restoration plan was discussed during the field visit and a proposal to implement the plan over the next three years was provided by IERCD to the District on February 15.

Partnership Activities

- On February 1, District staff attended the 2023 Santa Ana River Science and Conservation Symposium. At the symposium, staff presented the PAO methods implemented in the SBKR monitoring program. Mikael Romich shared results of the SBKR radio telemetry work required of



**San Bernardino Valley
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Helping Nature Store Our Water

the SBCTA 210 Lane Addition Project, and Dudek presented ongoing work in support of the SHSF field seed bulking efforts.

- On February 2, District staff, together with other SBVWCD partners, led a 3-hour tour through the Wash for registered participants of the 2023 Santa Ana River Science Symposium.

Wash Plan Trails Status Report

March 2023



**San Bernardino Valley
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Project Management Approach / Work Plan

- a. Develop/obtain support from Cities on trails MOU
- b. Complete trail permitting, including 1) Wash Plan HCP Certificate of Inclusion and 2) State/waters permits
- c. Record public access easements, if necessary
- d. Install signs/fencing
- e. Open trail(s) that do not require ancillary facilities such as trailheads or parking lots
- f. Obtain grant funding for ancillary trail facilities such as trailheads and parking lots
- g. Bid construction of/build ancillary trail facilities



Current Status

District staff continues to coordinate with the City of Redlands to adopt the Trail MOU. Prior to approval of the MOU, Redlands has requested a five-party agreement between the cities, mining companies, and the District to clarify implementation items such as payment. District Counsel provided a draft agreement for review by the parties in April 2022; Redlands staff have indicated that they are reviewing the documents at this time.

The City of Highland adopted the Trail MOU in January 2022, and has scheduled approval of the five-party agreement for February 2023.

CEMEX and Robertson's are reviewing the five-party agreement and are coordinating with the District team to discuss details further.

In an effort to expedite opening of the trails, District staff reviewed the location of trail segments based on City jurisdiction to evaluate options for a segment located entirely on District lands within the City of Highland for review and discussion with the Trails Committee at their February 9 meeting.

Trails were included in the Wash Plan state and waters permitting applications which were submitted to the regulatory agencies in 2021. Trail opening will be dependent upon receipt of these permits, as well as final approval from USFWS, which included conditional approval in the Wash Plan HCP.



Engineering Update

as of February 28, 2023

Mentone Shop

- Architectural drawings, building manufacturer drawings/calculations, and structural foundation plan are complete.
- Fire flow test will be completed March 1, 2023.
- Architect/contractor has submitted all permits to the County, with the exception of the fire permits.

Mill Creek Diversion and Debris Management Project

- Staff met with the Corps 408 team on September 1 to discuss construction of the original structure, and the EA is now being processed based on the discussion. Corps legal counsel accepted the approach so the permit could be issued.
- Staff received additional comments on the EA on January 21, 2023. Responses were made and Corp staff has forwarded the EA to Corp legal Counsel for review.
- New 5 ft x 5 ft gates have been delivered to the Mentone Shop. New 5 ft x 17 ft gate is expected to arrive the first week of March.

Active Recharge Transfer Projects

Waterman, Twin Creek, and Lynwood Basins

- Hydrology study being finalized for resubmittal to Flood Control. Study conducted in two parts: 1) 100-year storm event for Flood Control and 2) average annual analysis for groundwater recharge.
- Coordination with Nate Scheevel for support of the average annual analysis is ongoing.
- The Hydraulic modelling approach has been accepted by District staff, with concurrence from Flood Control staff expected in early March. Models are being developed.
- Geotechnical field testing was completed on November 16 and report is being developed.

Plunge and Oak Creeks

- Hydrology study in finalization process by CASC for resubmittal to Flood Control. Average annual analysis methodology has been developed.
- Oak Creek geotechnical field work is complete. Draft report is being developed.
- Plunge Creek geotechnical work has been relocated to existing mining areas. Testing was started February 17 with District field staff support and will be completed the first week of March.

Mill, Bledsoe, and Cook Creeks

- Existing condition hydrology and hydraulic models for the basins are substantially complete and proposed condition models are being developed. Hydraulic model for the diversion structure and soft plugs is being developed and has been reviewed by operations and engineering staff.
- Permitting for the seismic refraction study at Cook Creek is in process.

General Manager's Report

From February 9, 2023 to March 2, 2023

Betsy Miller



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

The following report covers the efforts and activities during the reporting period.

1. **Water Conservation – Plan Goal 1** – Santa Ana River, Mill, and Plunge Creeks received rainfall in December and January. Mill Creek's total recharge for the Water Year is currently 2,006.9 AF. The Santa Ana River recharge is currently 13,436.2 AF. Plunge Creek recharge is 1,296.7 AF. The total recharge is 16,739.8 AF for the Water Year beginning October 2022.

Staff attended the kick-off for the Seven Oaks Dam Forecast Informed Reservoir Operations project led by San Bernardino Valley Municipal Water District on February 27.
2. **Facility Maintenance and Cleanout – Plan Goal 1** – Normal water recharge operations are underway with all facilities are in good working order. Removal of excess sand from Mill Creek basins was completed in November and staff have met with aggregate sales professionals to evaluate cost-effective alternatives for off-site removal of material to optimize on-going operations.
3. **Aggregate Management – Plan Goal 1** – Upland Rock continues screening and selling sand and rock from District basin cleaning efforts in support of land management efforts.
4. **Personnel/Administration/Staff** – The District conducted interviews and extended offers of employment to two Environmental/GIS Interns to support spring Wash Plan monitoring, water resources projects, and engineering tasks.
5. **Finance/Budget/Audit** – Please refer to Agenda Item C.
6. **Mill Creek Diversion Engineering – Plan Goals 1/4** – Please refer to the Engineering Update.
7. **Plunge Creek Conservation Project – Plan Goals 1/4** – Total project recharge for this water year is currently 1,296.7 AF.
8. **Enhanced Recharge Project – Plan Goal 1** – The Enhanced Recharge Phase 1A is completed. Final engineering design for Phase 1B was approved by the Conservation District Board at their December meeting and bids were opened by San Bernardino Valley Municipal Water District on February 7, 2023.
9. **Active Recharge Transfer Project Partnership – Plan Goals 1, 2, and 4** – Please refer to the Engineering Update.

10. **Edison Divestiture** – *Plan Goals 1/4* – The consortium submitted a revised bid, which incorporated requirements from SCE, on January 4, 2023.
11. **Groundwater Council** – *Plan Goal 1* – The Groundwater Council Budget Committee and Groundwater Council Renewal Committee met on February 27. Staff continues to work with Groundwater Council partners to develop an updated agreement for approval in Q2 of 2023.
12. **Shop Facilities for Field Staff** – *Plan Goals 1* – Please refer to the Engineering Update.
13. **Wildland Trails** – *Plan Goal 3* – Please refer to the Trails Status Update.
14. **Wash Plan** – *Plan Goal 4* – Please refer to the Environmental Update.
15. **Santa Ana River Wash Plan Land Exchange Act Implementation** – *Plan Goal 4* – The land exchange appraisal has been approved by BLM, along with costs for the equalization parcels. BLM has revised the legal description in the Binding Exchange Agreement to address Conservation District comments and the final Agreement is ready for signature. The District coordinated closely with BLM on the site clean-up required for land transfer, which was completed in December. Staff from Conservation District are working closely with the Valley District team to coordinate Enhanced Recharge construction with the land exchange. The Binding Exchange Agreement was signed by the BLM State Director on February 28, 2023.
16. **Conservation Trust** – *Plan Goal 4* – In February, IERCD appointed Director Brad Buller to the Trust Board and San Bernardino Valley Municipal Water District appointed President Paul Keilhold to the Trust Board.
17. **Property/Redlands Plaza** – Staff continues to manage Redlands Plaza tenants and maintenance issues. Staff is working with an interested party to lease currently vacant Suite K. District staff have been working closely with ACWA JPIA, plumbers and restoration contractors to address a leak reported by a tenant.
18. **Mining** – Mining efforts by CEMEX contractors continue at the Plant Site quarry. Mining continues to be above the guaranteed minimum resulting in additional revenue to the Land Enterprise.
19. **Public Outreach and Legislative** – *Plan Goal 5*
District staff attended the Chino Basin Water Conservation District’s Groundwater and Sustainability Tour on February 16 to learn more about operations at a sister agency.

IERCD presented five in-person water conservation education programs at Mariposa Elementary in Redlands in February, including a presentation attended by President McDonald on February 16.

The District is working with IERCD to host a community project for Redlands Earth Day on April 22, 2023.

The District is exploring a waterwise garden partnership with IERCD and the San Bernardino County Museum of Natural History.

20. Current Board Action Implementation – Significant staff resources are allocated to ARTP, various permitting applications, the Wash Plan land exchange, mediation talks for the EHL/CBD v. USACOE lawsuit, FY24 budget preparation, noticing the proposed FY24 groundwater rate, and the Groundwater Council renewal.

21. Future Board Activities – Expected short-term items for consideration or note:

- Ad Hoc Committee for Review of General Manager
- Strategic Plan Update processes

22. District Successes

- Staff worked closely with Seven Oaks Dam operators to maximize groundwater recharge during the recent storms
- Permit applications for the Mentone Shop have been submitted to the County, with the exception of the fire permit
- Seismic refraction fieldwork at the Cook Creek ARTP site was completed on February 26
- Staff met with Strategy Driver to discuss specific processes for the District’s five-year strategic plan update
- Staff selected a new IT consultant for the District; the consulting team met with District staff on-site on February 22 and 28 to understand and begin to address IT issues experienced by the team

San Bernardino Valley Water Conservation District

Monthly Recharge Report

From: 2/1/2023
To: 2/28/2023



	February				
	Avg Daily Recharge	Monthly Recharge	Recharge WYTD	10yr Avg Recharge*	BTAC Max**
Santa Ana River	181.7	5,088	13,436	10,598	213,375
Mill Creek	26.2	733	2,007	3,079	128,025
Plunge Creek	6.7	188.3	1,297	488	#N/A
State Water Project	0.0	-	-	6,638	#N/A
In River Channel Recharge***	0.2	5	1,469	#N/A	#N/A
Total	215	6014	18,209	20,803	341,400

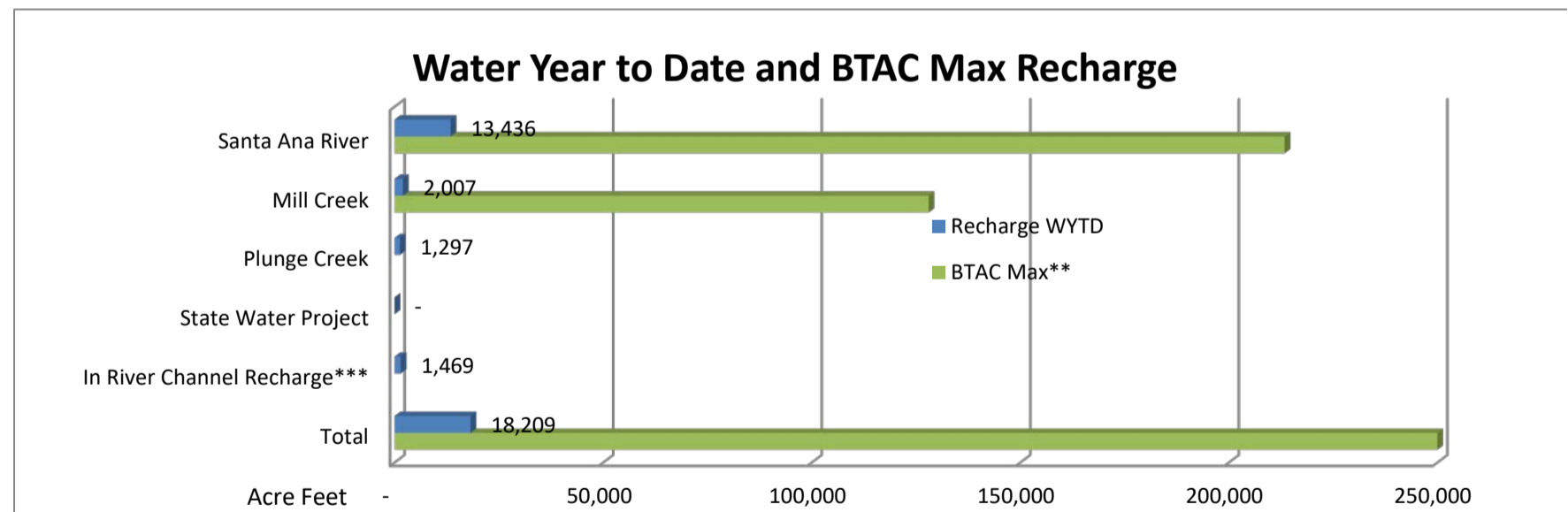
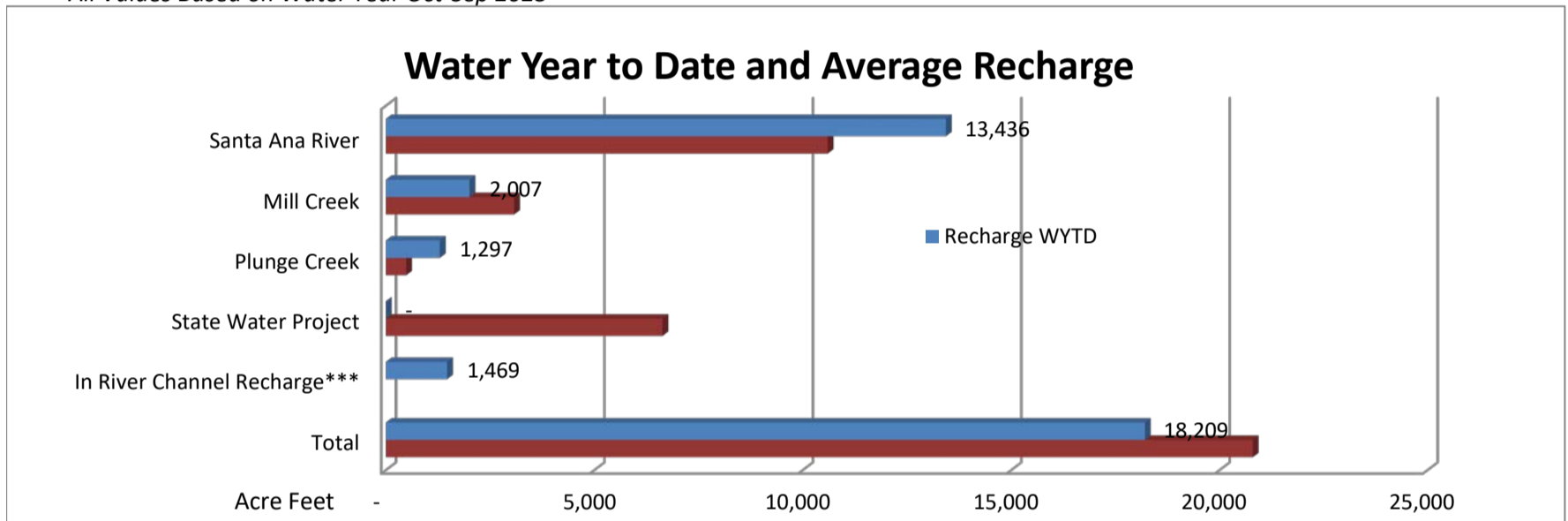
Values in Acre Feet

* Plunge Creek only has 2 years of available data

**BTAC Revised Max in December 2022

***Monitoring began in Mid-April 2011

**** All Values Based on Water Year Oct-Sep 2023



2023 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. 11 Board Meeting
 Jan. 24 Operations Committee Mtg.
 Jan. 25 2nd Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
						1
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Jul. 12 Board Meeting
 Jul. 25 Operations Committee Mtg.
 Jul. 26 4th Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
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26	27	28				

Feb. 8 Board Meeting
 Feb. 9 Ad Hoc Trails Committee @ 9 am/
 Outreach Committee @ 10 am

AUGUST						
S	M	T	W	Th	F	S
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13	14	15	16	17	18	19
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27	28	29	30	31		

Aug. 9 Board Meeting

MARCH						
S	M	T	W	Th	F	S
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19	20	21	22	23	24	25
26	27	28	29	30	31	

Mar. 8 Board Meeting
 Engineering Investigation Report Presentation
 Mar. 22 3rd Qtr. Finance & Admin Mtg.
 Mar. 28 Operations Committee 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. 13 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. 12 Board Meeting
 Public Meeting/Groundwater Charge
 Apr. 26 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. 10 Operations Committee Mtg.
 Oct. 11 Board Meeting

MAY						
S	M	T	W	Th	F	S
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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 17 Board Meeting

NOVEMBER						
S	M	T	W	Th	F	S
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Nov. 8 Board Meeting
 Nov. 15 1st Qtr. Finance & Admin Mtg.

JUNE						
S	M	T	W	Th	F	S
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Jun. 14 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
					1	2
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Dec. 13 Board Meeting
 (@ 9:30 a.m.)
 Annual Luncheon