



BEAUMONT-CHERRY VALLEY WATER DISTRICT
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
ENGINEERING WORKSHOP**

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq. and
under the provisions of Assembly Bill 361 and BCVWD Resolution 2022-22*

**Thursday, July 28, 2022 - 6:00 p.m.
560 Magnolia Avenue, Beaumont, CA 92223**

COVID-19 NOTICE

This meeting of the Board of Directors is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards and the California Department of Public Health Recommendations

- **Face coverings are recommended for vaccinated and unvaccinated persons and should be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**
- **There will be no access to restrooms in the building**

TELECONFERENCE NOTICE

The BCVWD Board of Directors will attend in person at the BCVWD Administrative Office or via Zoom Video Conference

To access the Zoom conference, use the link below:

<https://us02web.zoom.us/j/84318559070?pwd=SXlzMFZCMGh0YTFL2tnUGlpU3h0UT09>

*To telephone in, please dial: **(669) 900-9128***

*Enter Meeting ID: **843 1855 9070** Enter Passcode: **113552***

*For Public Comment, use the “**Raise Hand**” feature if on the video call when prompted, if dialing in, please **dial *9 to “Raise Hand**” when prompted*

*Meeting materials are available on
the BCVWD’s website:*

<https://bcvwd.org/document-category/regular-board-agendas/>

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BCVWD ENGINEERING WORKSHOP – JULY 28, 2022

Call to Order: President Williams

Roll Call - Board of Directors

Pledge of Allegiance: President Williams

Invocation: Director Slawson

Teleconference Verification

Roll Call

Public Comment

	President Lona Williams
	Vice President Andy Ramirez
	Secretary David Hoffman
	Treasurer John Covington
	Member Daniel Slawson

PUBLIC COMMENT: RAISE HAND OR PRESS *9 to request to speak when prompted

At this time, any person may address the Board of Directors on matters within its jurisdiction which are not on the agenda. However, state law prohibits the Board from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

ACTION ITEMS

Action may be taken on any item on the agenda. Information on the following items is included in the full Agenda Packet.

- 1. Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
 - Item(s) to be removed or continued from the Agenda
 - Emergency Item(s) to be added to the Agenda
 - Changes to the order of the agenda
- 2. Water Service Requirements for San Bernardino County Assessor's Parcel No. 0325-111-24 Located along Oak Glen Road north of Wildwood Canyon Road in the City of Yucaipa, within the District's Service Area Boundary** (pages 5 - 33)
- 3. Continued Review of California Drought Conditions, District Urban Water Management Plan and Water Shortage Contingency Plan, BCVWD Resolution 2022-12 (as amended) Implementing Water Use Restrictions, and Other Drought Response** (pages 34 - 38)
- 4. Resolution 2022-__:** Amendment to Resolution 2022-12 (as amended by Resolution 2022-18) Related to Water Use Restrictions (pages 39 - 60)

5. **Selection of Consultant(s) for On-Call Land Surveying Services and Authorization of Expenditure Not-to-Exceed \$100,000** (pages 61 - 63)
6. **Authorization of Expenditures not to Exceed \$676,900.00 for Master Drainage Plan (MDP) Line 16 Water Pipeline Relocation Project for Pipelines 6A, 7, and 8 in Grand Avenue and Award Contract for Construction** (pages 64 - 69)
7. **Master Drainage Plan Line 16 Storm Drain Project Update** (page 70)
8. **Authorization of Additional Expenditures for an amount not to exceed \$395,000.00 for the Construction of the 2017 Pipeline Replacement Project Pipeline 1 (P-3620-0012) and Discussion of the 2017 Pipeline Replacement Project Pipeline 2 (P-3620-0015) and Pipeline 3 (P-2750-0069) Budget and Project Updates** (pages 71 - 79)
9. **Request for *Will Serve Letter* for Proposed Single-Family Residence for Riverside County Assessor's Parcel No. (APN) 402-060-003 located on Winesap Avenue, south of Orchard Place and north of Dutton Street in the Community of Cherry Valley** (pages 80 - 85)

10. Update: Legislative Action and Issues Affecting BCVWD (pages 86 - 95)

11. Reports for Discussion

a. Directors' Reports

In compliance with Government Code § 53232.3(d), Water Code § 20201, and BCVWD Policies and Procedures Manual Part II Policies 4060 and 4065, directors claiming a per diem and/or expense reimbursement (regardless of preapproval status) will provide a brief report following attendance.

- Water Re-Use Ad Hoc 2x2 Committee on July 18, 2022 (Hoffman, Covington)
- ACWA Quarterly Committee Forum: July 26-Water Management Committee and July 27-Water Quality Committee (Ramirez)
- San Gorgonio Pass Regional Water Alliance on July 27, 2022 (Slawson)

b. Directors' General Comments

c. General Manager's Report

d. Legal Counsel Report

12. Action List for Future Meetings

- Presentation on the San Bernardino Valley Resource Conservation District
- Water supply for BCVWD and the region
- Matrix for delivery of recycled water
- Maintenance costs at 800-hp well sites

13. Announcements

Check the meeting agenda for location and/or teleconference information:

- Finance and Audit Committee Meeting: Thursday, Aug. 4 2022 at 3 p.m.
- Regular Board Meeting: Wednesday, Aug. 10, 2022 at 6 p.m.
- Personnel Committee Meeting: Tuesday, Aug. 16 at 5:30 p.m.
- Engineering Workshop: Thursday, Aug. 31 at 6 p.m. (note change of date)
- Finance and Audit Committee Meeting: Thursday, Sept. 1 2022 at 3 p.m.
- District offices will be closed on Monday, Sept. 5 in observance of Labor Day
- Collaborative Agencies Committee: Wednesday, Sept. 7 at 5 p.m.
- Note: September Engineering Workshop has been postponed to Sept. 29

14. Closed Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to California Government Code Section 54956.9 (2) (d)
One Case: BCVWD vs. Merlin Properties

15. Adjournment

NOTICES

AVAILABILITY OF AGENDA MATERIALS - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available in the Board Room at the District Office. Materials may also be available on the District's website: www.bcvwd.org.

REVISIONS TO THE AGENDA - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Board Meeting.

REQUIREMENTS RE: DISABLED ACCESS - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at info@bcvwd.org or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

CERTIFICATION OF POSTING

A copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 2

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Water Service Requirements for San Bernardino County Assessor's Parcel No. 0325-111-24 Located along Oak Glen Road north of Wildwood Canyon Road in the City of Yucaipa, within the District's Service Area Boundary

Staff Recommendation

Direct staff as desired to:

1. Continue coordination with the Developer to finalize a Plan of Service for the provision of water service to the Subject Property, including delineation of required District and Developer required improvements necessary to provide service to said property.

OR

2. Proceed with the coordination/preparation of a draft extra-territorial water service agreement between the Beaumont-Cherry Valley Water District (BCVWD), the Yucaipa Valley Water District (YVWD), Riverside and San Bernardino Local Agency Formation Commissions (LAFCO), and the Property Owner (Developer or Owner) of the San Bernardino County Assessor's Parcel No. (APN) 0325-111-24 to allow for the a term limited provision (and possible sunseting of same) of water service by YVWD to the Subject Property while remaining within the BCVWD Service Area Boundary;

Background

Since the early 1990s, there has been correspondence with the Owner of a property identified as San Bernardino County Assessor's Parcel No. (APN) 0325-111-24, approximately 5.25 acres, located in the City of Yucaipa regarding the provision of water service by BCVWD. The property is located in what is currently identified as the District's 3900 Pressure Zone (PZ). Said pressure zone is partially completed with a 2-50 hp booster station and associated pipeline yet to be completed. See Attachment 1 for the property location.

In 1989, the property owner processed an application for annexation to BCVWD's service area with San Bernardino LAFCO. The LAFCO Annexation, designated LAFCO 89-13-3, was completed in 1990. The Notice of Completion is dated November 21, 1990. See Attachment 2.

In 2006, there was discussion between the Developer and the District to determine the conditions for water service to the property. At that time, District records indicate that the Developer desired to subdivide the property into nine (9) parcels. District records reflect that the Developer was notified that additional District facilities would be required to provide service to the Subject Property (e.g. establishment of the District's 3900 PZ).



To date, the 3900 pressure zone facilities have been partially completed and piping and booster station facilities remain uncompleted and water service has not been provided to the property.

In 2008, the District began work on establishing the 3900 PZ with the design and construction of a 200,000 gallon bolted steel tank located in Edgar Canyon and a 12" ductile iron pipe (DIP) waterline from said tank to the vicinity of the District's 3620 PZ Upper Edgar reservoir, where the proposed 3900 booster station would be located. Said booster station is intended to boost water from the 3620 PZ to the 3900 PZ tank. Work that is still required is to construct said booster station and construct the associated discharge pipeline to Oak Glen Road.

Since 2006, there has been minimal correspondence between the District and the Property Owner. In December 2021, a representative of the Property Owner requested that the District provide a formal letter stating that the District could not provide water service to the Subject Property, however no letter was prepared by the District.

On December 14th 2021, District staff met with the Property Owner to discuss the Subject Property and the provision of water service. District staff identified to the Property Owner that a main line extension would be required to service the property and staff identified estimated costs to extend a 12" waterline from the proposed location of the 3620 PZ Booster Station (in the vicinity of the Upper Edgar Tank [3620 PZ]) to Oak Glen Road, then northerly within Oak Glen Road to the Subject Property. It was expressed by District staff that the construction of the 3620 PZ Booster Station would also be required. The District currently has preliminary design plans for the booster station.

The Owner indicated that they would like to explore further options to minimize direct costs for a mainline extension to service the Subject Property.

On May 3, 2022, the Owner and his representative requested a meeting with District staff and Board Member John Covington to discuss the various options for the District to provide water service to the subject property including a discussion regarding possible detachment from BCVWD and Annexation to YVWD which was identified by Staff as an activity that Staff was not ready to support as a Board recommendation. The Owner further identified that the current property development plan proposed to subdivide the subject property into four (4) separate lots for single-family residences. District Staff further identified concerns related to the development's close proximity of required septic systems to existing District wells.

At said meeting, the developer proposed to receive water and service from the Yucaipa Valley Water District (YVWD) while remaining within the service area boundary of BCVWD. District staff indicated that an extra-territorial service agreement may be allowed, however the conditions of a service agreement would ultimately be determined by the Board. BCVWD would further support a clause in the agreement stating that at a future date, the Development would be converted back to BCVWD's service area once facilities were extended across the property frontage. District staff also indicated that any septic system would require the installation of a low nitrate system and approval from the District due to the proximity to said existing District wells.

District staff identified that the developer would still be required to submit a Will Serve Request Application with the associated deposit (\$500). District staff also requested that the developer coordinate the conditions of approval for an extraterritorial service from YVWD and also provide



a formal letter explaining the extent of the developer's proposal (with YVWD's concurrence) for said extra-territorial water service agreement; staff further recommended that the developer contact Riverside and San Bernardino LAFCO to secure a letter indicating that an extra-territorial agreement would be allowable. It is noted that while the property is located within San Bernardino County, San Bernardino LAFCO in this case would most likely transfer responsibility for annexations into the BCVWD service area to Riverside LAFCO, as most of the District is located within Riverside County and the previous LAFCO action was taken within Riverside County.

The developer to date has not provided said letter, however, on June 7, 2022, at the YVWD Board of Directors meeting, an item was presented for the consideration of the YVWD Board of Directors to consider provision of water service to the subject property, along with the detachment from BCVWD and concurrent annexation to the YVWD service area (See Attachment 3 – YVWD Staff Report). BCVWD General Manager Jagggers and Board Member Covington attended the YVWD Board meeting and provided public comment to the action item, indicating that the District has been working with the property owner to facilitate service to the property. General Manager Jagggers and Board Member Covington indicated that the District was generally opposed to the detachment of this property from BCVWD and to YVWD due to the fact that the District has annexed this property into the District's Service Area and began investing in 3900 PZ facilities necessary to serve this and other local area properties. The YVWD Board of Directors continued this item to YVWD's June 21, 2022 Board Meeting and requested that YVWD General Manager Zoba and BCVWD General Manager Jagggers meet with the property owner and discuss options for service.

On June 9, 2022 General Manager Jagggers and YVWD General Manager Joe Zoba, identified options for service and discussed working together to provide a solution for the property owner which would begin with BCVWD working towards permanent water service and ultimately providing a fall back activity for temporary extraterritorial service (with possible permanent water service being provided by YVWD, if necessary, in the event BCVWD was unable to develop service to the property in a timely manner).

GM's Jagggers and Zoba met with the Owner to further discuss the feasible options to provide water service to the subject property and the approach was identified to develop service options from BCVWD.

The YVWD Board of Directors continued the discussion of this item at their June 21, 2022 YVWD Board meeting. Options for service were discuss, and GM Jagggers and Board Member Covington again identified the desire to maintain this property within BCVWD's service area boundary. GM Jagggers further identified that this item would be discussed at the BCVWD July 28, 2022 Board Meeting. Based upon this discussion, the YVWD Board of Directors continued discussion of this item to a future YVWD Board meeting after BCVWD's discussion.

Discussion

Based on the above, District staff recommends that the Board direct staff to develop a plan of service that identifies District constructed facilities and Developer constructed facilities necessary to provide water service to the property and to continue coordination with the property owner to determine conditions for the provision of water service to the Subject Property by BCVWD, including all required improvements to the BCVWD's facilities (main line extension to the Subject Property frontage).



In the event the District is unable to develop a complete plan of service, Staff would propose to work with YVWD to develop a draft extra-territorial water service agreement between the Beaumont-Cherry Valley Water District (BCVWD), the Yucaipa Valley Water District (YVWD), and the property owner (developer or owner) of the San Bernardino County Assessor's Parcel No. (APN) 0325-111-24 to allow for the provision of water service by YVWD to the subject property while remaining within the BCVWD Service Area Boundary until such time that permanent service from BCVWD can be provided.

Should the Board direct staff to proceed with the preparation of a draft extra-territorial water service agreement, staff will arrange to meet with the property owner and YVWD, and possibly representatives from Riverside and/or San Bernardino County LAFCO to determine the conditions of said extra-territorial agreement.

As state previously, District staff proposes to develop with the property owner a Plan of Service which would include design and construction of District facilities to the southern boundary of the subject property with the requirement of the property owner to extend facilities across the frontage of the property to be developed. Should the Board direct staff to continue coordination with the property owner, staff could prepare (with Board direction) refined engineering estimates for the required main line extension to extend District facilities to the subject property.

Provided in Table 1 below are preliminary cost estimates to extend District facilities (12" waterline) to the property frontage and construct the associated Booster Station. District staff has estimated the cost to extend facilities to the southern point of the Subject Property, the "middle" of the subject property, and the northern point of the subject property (main line extension across the entire property frontage). See Attachment 4 for the locations of Pipelines 2A – 2C along the property frontage which is represented in Table 1. As discussed previously, the proposed 3620 PZ Booster Pumping Station would be required.

Table 1 – Cost Estimate to Extend District Facilities to APN 0325-111-24

	Description	Length, ft	Subtotal Cost	Contingency (30%)	Subtotal Construction Cost	Engineering, Surveying, and Other Costs	Total Estimated Project Cost
BP-3620-0001	3620 PZ to 3900 PZ Booster Station	-	\$330,000	\$99,000	\$429,000	\$107,250	\$536,250
Pipeline 1	From Upper Edgar Tank/PZ 3620 Booster to Oak Glen Road along Edgar Canyon Road	1,376	\$148,608	\$44,582	\$193,190	\$25,114	\$218,305
Pipeline 2A	From end of Pipeline 1 (at Oak Glen Road) north to south end of APN 0325-111-24	1,612	\$303,056	\$90,916	\$393,972	\$51,216	\$445,189
Pipeline 2B	From end of Pipeline 1 (at Oak Glen Road) north to middle of APN 0325-111-24	2,526	\$474,888	\$142,466	\$617,354	\$80,256	\$697,610



Pipeline 2C	From end of Pipeline 1 (at Oak Glen Road) north to north end of APN 0325-111-24. Across entire property frontage.	3,045	\$572,460	\$171,738	\$744,198	\$96,745	\$840,943
Total Option A ⁽¹⁾	BP-3620-0001, Pipeline 1 & Pipeline 2A	2,988	\$781,700	\$234,500	\$1,016,200	\$183,600	\$1,199,750
Total Option B ⁽¹⁾	BP-3620-0001, Pipeline 1 & Pipeline 2B	3,902	\$953,500	\$286,050	\$1,239,550	\$212,650	\$1,452,200
Total Option C ⁽¹⁾	BP-3620-0001, Pipeline 1 & Pipeline 2C	4,421	\$1,051,100	\$315,350	\$1,366,400	\$229,150	\$1,595,500

(1) "Total" Project costs identified above are rounded

Option C presented above represents the most conservative estimate and is the typical policy for mainline extensions (extend across entire project frontage; this option includes the extension of District facilities from the proposed 3620 PZ Booster Station in the vicinity of the Upper Edgar Reservoir to Oak Glen Road along Edgar Canyon Road [District's access road to Edgar Canyon]), as well as the extension to the northernmost point of the subject property (water line extended across entire property frontage), and the construction of the booster station. Included in each "Project Cost" is a 30% construction contingency, and a factor of 13% for the consideration of engineering design, survey/mapping, and other related soft costs.

Note, although there is a completed preliminary design of the booster station, there will be Engineering costs associated with District staff's review of the existing plans, as well as any required updates.

Summary

District staff identifies that currently, the property owner's representative has indicated that the owner is frustrated with the process and now wishes to develop wells to service the property, however BCVWD identified to the YVWD Board of Directors that we would discuss this item at this engineering workshop. Therefore, District staff is uncertain what the current intentions of the property owner regarding development activities or service activities.

District staff recommends the Board directing Staff to continue development of a Plan of Service for subject property due to the fact that the District has invested in facilities to support this development and other local area parcels that would be serviced by the 3900 pressure zone and refine the presented preliminary cost estimate for the construction of a 3900 pressure zone booster station and associated main line extension to extend District facilities to the subject property.

Fiscal Impact:

The fiscal impact to the District is unknown at this time and will be dependent on further discussions with the property owner and water service commitments from the Board of Directors. Should the Board direct staff to proceed with determining the conditions for water



service for the subject property, the developer (applicant) will be required to pay associated fees with Developer funded activities, and secure all Riverside County approvals.

Attachments:

Attachment 1 – APN 0325-111-24 Property Location Map

Attachment 2 – LAFCO 89-31-3 Notice of Completion

Attachment 3 – Yucaipa Valley Water District Director Memorandum 22-82 (pages 66-69 of 101 of the June 7, 2022 Yucaipa Valley Water District Board Meeting)

Attachment 4 – APN 0325-111-24 Water Main Line Extension Options

Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant

Attachment 1 - San Bernardino APN 0325-111-24 Property Location Map



Not to Scale 

CERTIFICATE OF COMPLETION

Pursuant to the Cortese/Knox Local Government Reorganization Act of 1985, Sections 57201, 57202 and 57205, this Certificate is hereby issued by the Executive Officer of the Local Agency Formation Commission of Riverside County, California.


1. Short-form designation, as designated by LAFCO, is 89-31-3.
2. The names of each district involved in this change of organization or reorganization and the kind or type of change of organization ordered for each district are as follows:

<u>District</u>	<u>Type of Change of Organization</u>
<u>Beaumont-Cherry Valley Water</u>	<u>Annexation</u>
<u>District</u>	

3. The above-listed district(s) is located within the following county(ies): County of San Bernardino.
4. A description of the boundaries of the above-cited change of organization or reorganization are shown on the attached map and legal description, marked Exhibit "A", by reference incorporated herein.
5. This change of organization or reorganization has been approved subject to the following terms and conditions, if any: None.
6. The date of adoption of the Resolution ordering this change of organization or reorganization (with or without election) is November 16, 1990. Certified copies of Resolution No. 90-9 are attached hereto and by reference incorporated herein.

I hereby certify that as Executive Officer for the Local Agency Formation Commission of Riverside County, the above-listed agency(ies) has completed a change of organization or reorganization pursuant to the Cortese-Knox Local Government Act of 1985.

Date: November 21, 1990



 GEORGE J. SPILIOTIS
 Executive Officer

RESOLUTION NO. 90-9

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BEAUMONT-CHERRY VALLEY WATER DISTRICT
ANNEXING CERTAIN LANDS TO THE DISTRICT

WHEREAS, the Local Agency Formation Commission of Riverside County, California, on January 25, 1990, adopted its Resolution LAFC No. 02-90 approving, subject to the terms and conditions therein, the annexation of approximately 5.25 acres of land, more particularly described on Exhibit "A" hereto, to this District and further authorized the Board of Directors of this District to proceed with such annexation without notice and hearing as the sole property owner had given its written consent to such annexation; and

WHEREAS, it is the desire of this Board of Directors to proceed with such annexation, it being in the best interest of the territory to be annexed and of the District.

NOW, THEREFORE, the Board of Directors of the Beaumont-Cherry Valley Water District does hereby resolve as follows:

- 1) That the territory described in Exhibit "A" hereto is hereby annexed to this District subject to the further terms and conditions set forth in this Resolution.
- 2) The distinctive short form designation of the proposed annexation by the Local Agency Formation Commission of Riverside County, California is "LAFC No. 89-31-3, Annexation to Beaumont-Cherry Valley Water District" (Mr. Hisam A. Baqai). The territory being annexed herein is uninhabited.
- 3) Such territory upon annexation shall be subject to all of the laws, rules and regulations, charges, taxes and assessments, if any, as imposed upon other properties within the District.
- 4) This annexation shall also be subject to all of the terms and conditions of that certain "Agreement for Annexation of Property to Beaumont-Cherry Valley Water District and Fixing Terms and Conditions Thereof, under date of September 24, 1990, between this District and Mr. Hisam A. Baqai, the owner of the property being herein annexed. Such agreement shall be recorded in the official records of Riverside County, California.

5) The Secretary of this District is hereby authorized and directed to send seven (7) certified copies of this Resolution to the Local Agency Formation Commission of Riverside County, California.

ADOPTED THIS 29th day of October, 1990.



Roland A. Russell, President

ATTEST:



C. J. Butcher, Secretary

CERTIFICATION FOR DISTRICT SECRETARY

I, C. J. Butcher, Secretary of the Beaumont-Cherry Valley Water District do hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the District at a regular meeting held on October 29, 1990; that the foregoing is a true and accurate copy thereof; and that such Resolution has not been repealed or amended.

DATED: November 16, 1990



C. J. Butcher, Secretary

EXHIBIT 'A'

LAFCO 89-31-3

ANNEXATION TO BEAUMONT -
CHERRY VALLEY WATER DISTRICT

L E G A L D E S C R I P T I O N
O F P R O P E R T Y

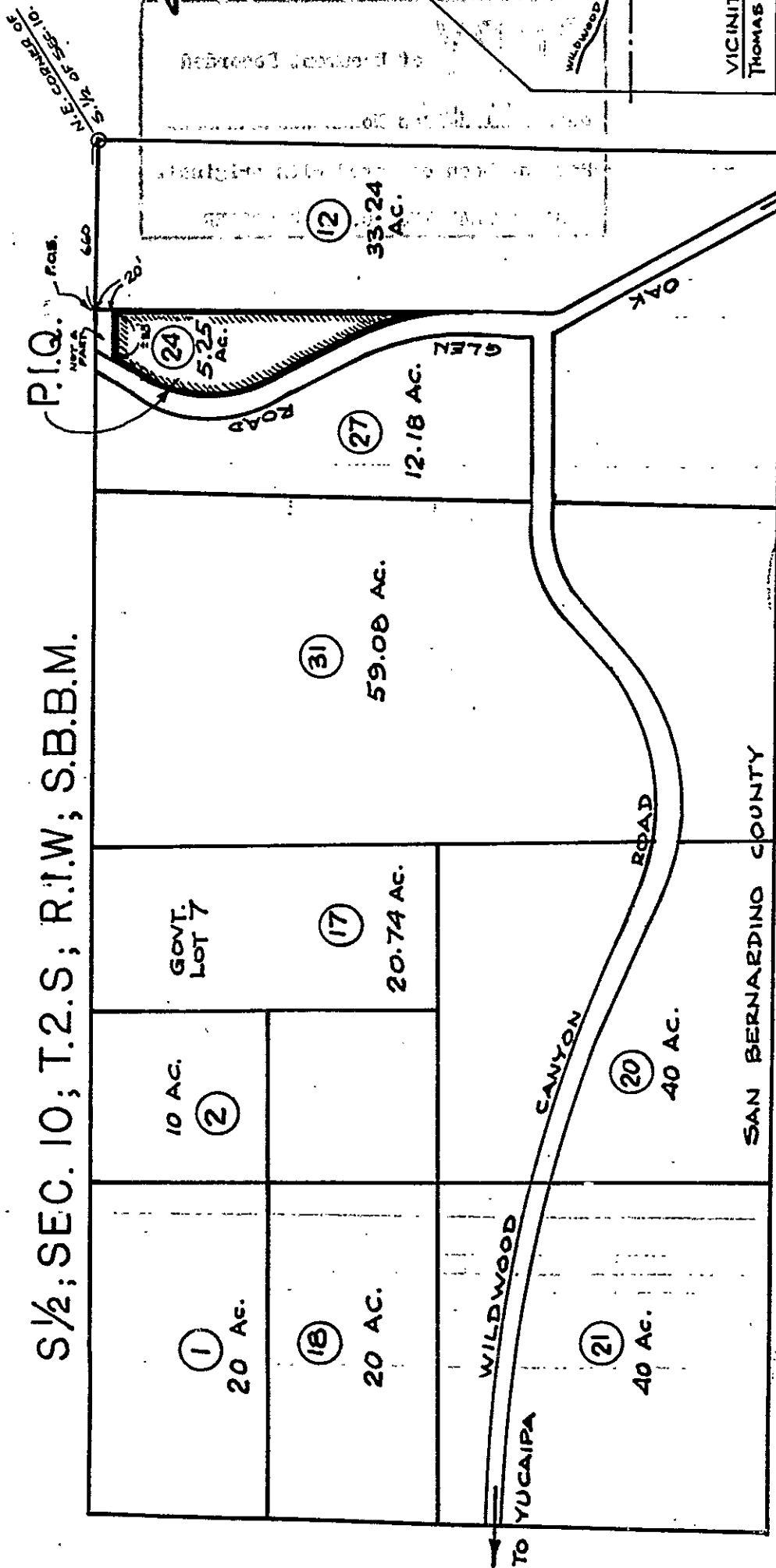
THAT PORTION OF THE NORTH HALF OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, DATED SEPTEMBER 7, 1918, LYING EASTERLY OF THE EAST LINE OF THE RIGHT OF WAY OF OAK GLEN-BEAUMONT ROAD, AS CONVEYED TO THE COUNTY OF SAN BERNARDINO, BY DEED RECORDED AUGUST 30, 1940 IN BOOK 1431, PAGE 107, OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE ALONG THE NORTH LINE THEREOF, WEST 64.13 FEET, MORE OR LESS, TO ABOVE MENTIONED SOUTHEASTERLY LINE OF THE PRESENT OAK GLEN-BEAUMONT ROAD; THENCE ALONG SAID LINE SOUTHWESTERLY 27.63 FEET, MORE OR LESS, TO A POINT WHICH IS AT RIGHT ANGLES SOUTH 20 FEET FROM AFORESAID NORTH LINE OF WEST HALF OF EAST HALF OF SOUTHEAST QUARTER OF SECTION 10; THENCE PARALLEL WITH SAID LINE, EAST 83.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID WEST HALF OF EAST HALF OF SOUTHEAST QUARTER OF SECTION 10; THENCE ALONG SAID LINE, NORTHERLY 20 FEET TO THE POINT OF BEGINNING NOW KNOWN AS PARCEL NO. 2 OF PARCEL MAP 1629 RECORDED IN BOOK 15, PAGES 66 AND 67 OF PARCEL MAPS, RECORDS OF SAID COUNTY. (5.25 ACRES)

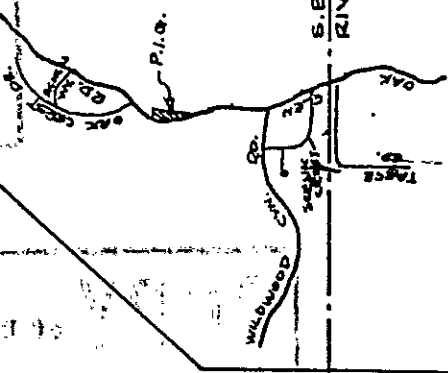


THIS LEGAL DESCRIPTION APPROVED
June 7, 1989
BY RIVERSIDE COUNTY SURVEYOR
BY *D. W. Beers*

S 1/2 SEC. 10; T.2.S; R.1.W; S.B.B.M.



SCALE 1" = 600'



VICINITY MAP
THOMAS F. 47.

REGISTERED PROFESSIONAL ENGINEER
H. A. BAQAI
No. C24544
7.1.1989
APPROVED 12-21-89
CIVIL
STATE OF CALIFORNIA

THIS MAP APPROVED
BY RIVERSIDE COUNTY SURVEYOR
BY *D.W. Bessett*

ANNEXATION TO BEAUMONT-CHERRY VALLEY WATER DISTRICT

P.M. 1629 BOOK 15 - PAGES 66/67

SECTION 10: TOWNSHIP 2S; RANGE 1W.

PREPARED BY: HISAM A. BAQAI
Lic. C-24544

DATE: MAY 20, 1988

LAFCO No. 89-31-3

REQUEST FOR ANNEXATION TO:—
BEAUMONT-CHERRY VALLEY
WATER DISTRICT.
HISAM A BAQAI, P.E.

COPY of Document Recorded
on NOV 26 1990 as No. 428393
has not been compared with
original.
WILLIAM E. CONERLY
County Recorder
RIVERSIDE COUNTY CALIFORNIA

COPY of Document Recorded
on JAN 07 1991 as No. 91005273
Has not been compared with original.
SAN BERNARDINO COUNTY RECORDER

SAN BERNARDINO
NATIONAL FOREST

SAN BERNARDINO
NATIONAL FOREST

LAFCO 89-31-3
ANNEXATION TO BEAUMONT -
CHERRY VALLEY WATER DISTRICT

Wildwood

Canyon

CANYON

RD
578600

OAK

Little

CHERRY VALLEY LID

Wallace

DINO COUNTY
RSIDE COUNTY

SAN BERNARDINO
NATIONAL
FOREST

ADMINISTRATIVE
OFFICE
1559 JUN -8 AM 11:12
COUNTY OF RIVERSIDE



December 18, 1990

San Bernardino Local Agency
Formation Commission
175 West Fifth Street
Second Floor
San Bernardino, California 92415-0490

Attn: Kathleen Rollings-McDonald

Subject: LAFCO 89-31-3--Annexation to Beaumont-Cherry Valley Water
District (Hisam A. Baqai--Parcel Map 1629)

Dear Kathleen:

Enclosed please find an original plus nine copies of the certificate of completion for the above-listed proposal. The proposal was recorded through the Riverside County Recorder's Office on November 26, 1990. As you will recall, the territory is located within the County of San Bernardino. Please record all materials through the San Bernardino County Recorder's Office. Keep one copy for your records and forward all other copies including the original certificate of completion to Riverside LAFCO for distribution.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me. Let me take this opportunity to wish you and yours the very best of holidays.

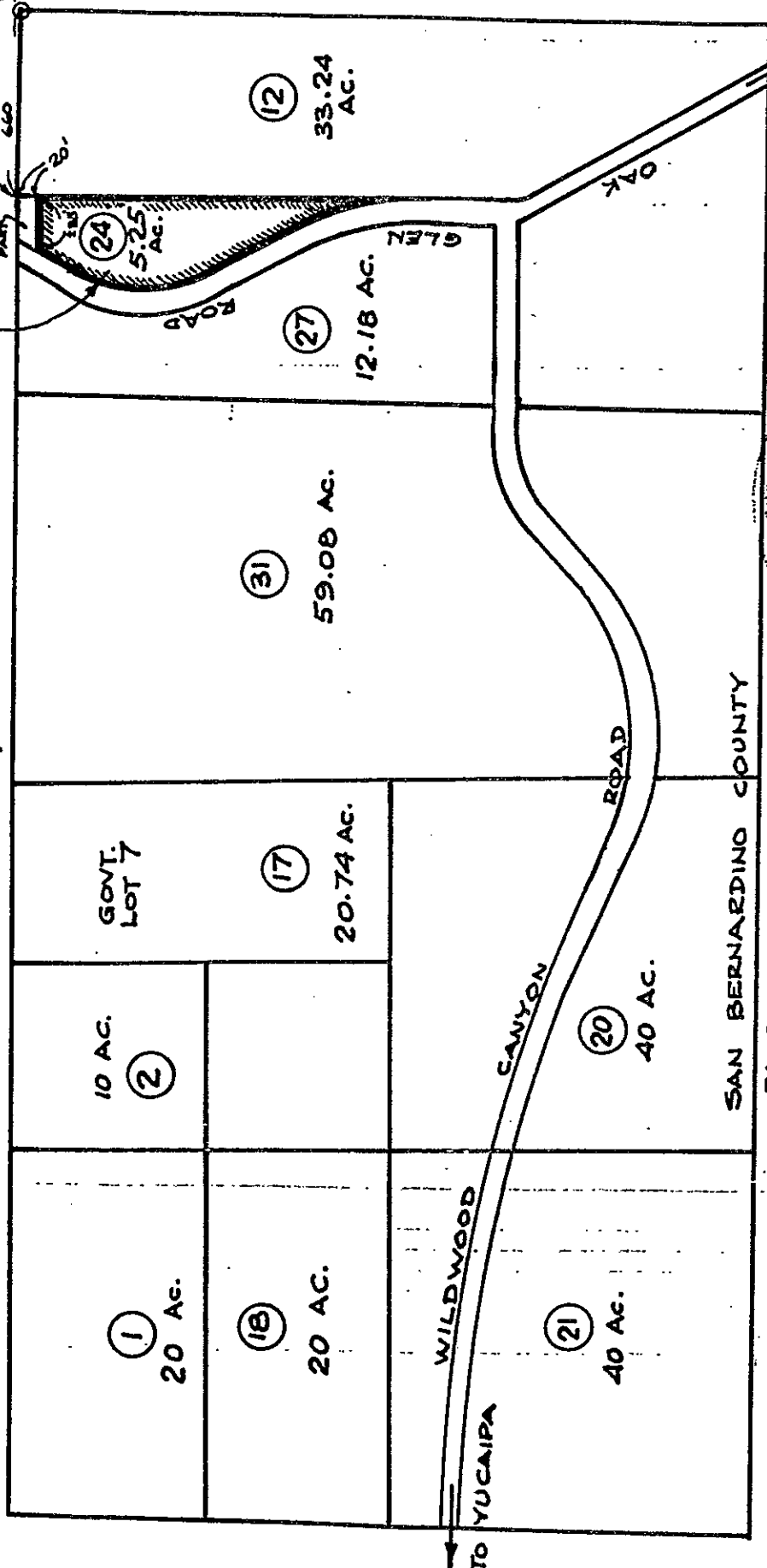
Sincerely,

Barbara Ann Beegle

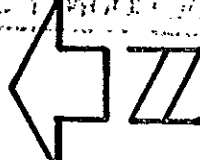
Barbara Ann Beegle
Secretary

Enclosures as noted

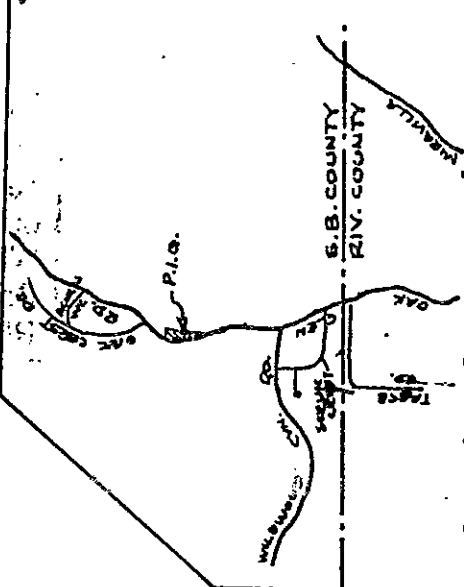
S 1/2; SEC. 10; T.2.S; R.1.W; S.B.B.M.



N.E. CORNER OF S 1/4 OF SEC. 10



SCALE 1" = 600'



VICINITY MAP.
THOMAS P. 47.

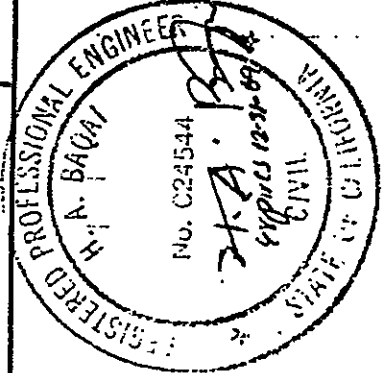
ANNEXATION TO BEAUMONT - CHERRY VALLEY WATER DISTRICT

P.M. 1629 Book 15 - PAGES 66/67

SECTION 10; TOWNSHIP 2S; RANGE 1W.

PREPARED BY: - HISAM A. BAQAI
Lic. C-24544
DATE: MAY 20, 1988

LAFCO No. 89-31-3



THIS MAP APPROVED
June 7, 1989
BY RIVERSIDE COUNTY SURVEYOR
BY: *D.W. Perry*

REQUEST FOR ANNEXATION TO :—
BEAUMONT - CHERRY VALLEY
WATER DISTRICT.
HISAM A BAQAI, P.E.

COPY of Document Recorded
on **NOV 26 1990** as No. **428393**
has not been compared with
original.
WILLIAM E. CONERLY
County Recorder
RIVERSIDE COUNTY CALIFORNIA

LAFCO

LOCAL AGENCY FORMATION COMMISSION • County of Riverside • (714) 787-2786
ROBERT T. ANDERSEN ADMINISTRATIVE CENTER • 4080 LEMON STREET • 12TH FLOOR • RIVERSIDE, CALIFORNIA 92501-3651

May 12, 1989

Mr. Hisam A. Baqai
35708 Ramada Lane
Yucaipa, California 92399

RE: LAFCO 89-31-3--Annexation to Beaumont-Cherry Valley Water District


Dear Mr. Baqai:

Enclosed are copies of the map and legal description for the above referenced annexation proposal.

The County Surveyor's Office has reviewed the map and legal description and requests that changes be made in accordance with the attached memorandum. Please feel free to contact Ms. McFarren, should you have any questions.

Please return all corrected copies of the map and legal description (15 copies of the map plus a reproducible, and 15 copies of the legal description) to this office for further processing of the application. As you know, this proposal will be held in abeyance pending receipt of the corrected map and legal description.

Sincerely,



Lynda Thorson
Executive Secretary

Enclosures

TO: 1030 LYNDA THORSON

MAY 10, 1989

FROM: 1080 KAREN MCFARREN, ROAD AND SURVEY DEPT

RE: ANNEXATION TO BEAUMONT-CHERRY VALLEY WATER DISTRICT
~~LAFCO-89-13-3~~
89-31-3

MAP AND LEGAL DESCRIPTION ARE BEING RETURNED FOR THE FOLLOWING REVISIONS:

MAP REVISIONS:

1. PLEASE MAKE ALL CORRECTIONS INDICATED IN RED.
2. PLEASE SHOW TOTAL ACREAGE
3. PLEASE IDENTIFY ANNEXATION BOUNDARY IN BOLD LINES
4. PLEASE USE A READILY IDENTIFIABLE P.O.C., OR P.O.B.
(ie. street intersection, section corner)
NOTE: THE STATE BOARD OF EQUILIZATION CAN NOT
READILY PLOT THE ANNEXATION WITHOUT A
IDENTIFIABLE P.O.C. OR P.O.B.
5. PLEASE USE A TITLE BLOCK
6. PLEASE SHOW A VICINITY MAP

LEGAL REVISIONS:

1. PLEASE MAKE ALL CORRECTIONS INDICATED IN RED.
2. PLEASE SHOW TOTAL ACREAGE

NOTE: PLEASE SEND COPIES OF DATA USED IN REFERENCE TO THE MAP AND LEGAL DESCRIPTION

IF YOU HAVE ANY QUESTIONS PLEASE DO NOT HESITATE TO CALL KAREN MCFARREN AT THE ROAD AND SURVEY DEPT. (714)787-6482

EXHIBIT A

LAFCO 89-31-3

ANNEXATION TO BEAUMONT -
CHERRY VALLEY WATER DISTRICT

LEGAL DESCRIPTION
OF PROPERTY

PARCEL 2 OF PM 1625
SAN BERNARDINO COUNTY

THAT PORTION OF THE NORTH HALF OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, DATED SEPTEMBER 7, 1918, LYING EASTERLY OF THE EAST LINE OF THE RIGHT OF WAY OF OAK GLEN-BEAUMONT ROAD, AS CONVEYED TO THE COUNTY OF SAN BERNARDINO, BY DEED RECORDED AUGUST 30, 1940 IN BOOK 1431, PAGE 107, OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE ALONG THE NORTH LINE THEREOF, WEST 64.13 FEET, MORE OR LESS, TO ABOVE MENTIONED SOUTHEASTERLY LINE OF THE PRESENT OAK GLEN-BEAUMONT ROAD; THENCE ALONG SAID LINE SOUTHWESTERLY 27.63 FEET, MORE OR LESS, TO A POINT WHICH IS AT RIGHT ANGLES SOUTH 20 FEET FROM AFORESAID NORTH LINE OF WEST HALF OF EAST HALF OF SOUTHEAST QUARTER OF SECTION 10; THENCE PARALLEL WITH SAID LINE, EAST 83.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID WEST HALF OF EAST HALF OF SOUTHEAST QUARTER OF SECTION 10; THENCE ALONG SAID LINE, NORTHERLY 20 FEET TO THE POINT OF BEGINNING NOW KNOWN AS PARCEL NO. 2 OF PARCEL MAP 1629 RECORDED IN BOOK 15, PAGES 66 AND 67 OF PARCEL MAPS, RECORDS OF SAID COUNTY.

PLEASE SHOW TOTAL ACRES



BCVWD Item 2 - Attachment 3



Yucaipa Valley Water District

Director Memorandum 22-082

Date: June 7, 2022

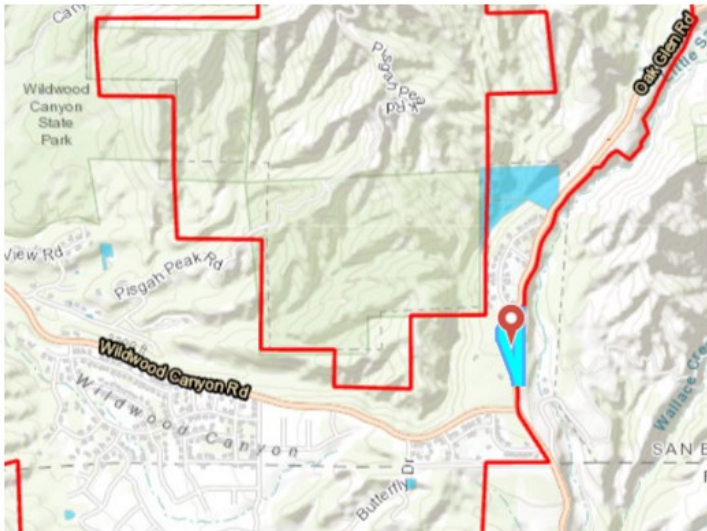
Prepared By: Joseph B. Zoba, General Manager

Subject: Consideration of Resolution No. 2022-37 Requesting the Local Agency Formation Commission Take Proceedings for the Annexation of Territory Identified as Assessor's Parcel Number 0325-111-24 in Yucaipa, California.

Recommendation: That the Board adopt Resolution No. 2022-37.

The Yucaipa Valley Water District has received a request from Mr. Hisam Baqai requesting the Board of Directors consider the attached resolution requesting the Local Agency Formation Commission consider boundary modifications involving a detachment of Assessor's Parcel Number 0325-111-24 from the Beaumont Cherry Valley Water District and annexation to the Yucaipa Valley Water District. The 5.25 acre property is located on Oak Glen Road north of Wildwood Canyon.

San Bernardino County Assessor's Parcel Number 0325-111-24



RESOLUTION NO. 2022-37**A RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TAKE
PROCEEDINGS FOR THE ANNEXATION OF TERRITORY IDENTIFIED AS
ASSESSORS PARCEL NUMBER 0325-111-24 IN YUCAIPA, CALIFORNIA**

BE IT RESOLVED, by the Board of Directors of the Yucaipa Valley Water that:

WHEREAS, the Board of Directors of the Yucaipa Valley Water District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of property to the Yucaipa Valley Water District; and,

WHEREAS, the territory proposed for annexation is set forth in Exhibit "A" attached hereto, and by this reference incorporated herein; and,

WHEREAS, the proposed annexation would involve the detachment of the subject property from Beaumont Cherry Valley Water District and annexation into the Yucaipa Valley Water District; and,

WHEREAS, the Yucaipa Valley Water District desires that the proposed annexation be subject to the following terms and conditions:

1. Drinking water service shall be provided to the subject property pursuant to the rules and regulations of the Yucaipa Valley Water District.
2. Sewer Service and recycled water service is not current available to this parcel. When said services are available they will be provided pursuant to the rules and regulations of the Yucaipa Valley Water District.
3. All standards terms and conditions imposed by the Local Agency Formation Commission.
4. The owner(s) of the property shall be responsible for all costs incurred by the Yucaipa Valley Water District and the Local Agency Formation Commission pertaining to this annexation.

NOW, THEREFORE, BE IT RESOLVED, that this resolution of Application is hereby approved and adopted by the Board of Directors of the Yucaipa Valley Water District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the annexation as described in Exhibit "A", in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 as follows:

Section 1. This Resolution of Application is hereby adopted and approved by the Board of Directors of the Yucaipa Valley Water District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the annexation of territory as described above, according to the terms and

conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 2. The Yucaipa Valley Water District acknowledges and agrees to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

Section 3. The General Manager of the Yucaipa Valley Water District is hereby directed and authorized to execute, on behalf of the District, the justification for proposal and supplemental form for the annexation which includes the preparation and certifying of the Plan for Service and Fiscal Impact Analysis, copies of which are on file in the District office.

BE IT FURTHER RESOLVED that the Secretary of the Yucaipa Valley Water District is hereby authorized and directed to transmit to the Executive Officer of the Local Agency Formation Commission a certified copy of this Resolution.

PASSED, APPROVED and ADOPTED this 7th day of June 2022.

YUCAIPA VALLEY WATER DISTRICT

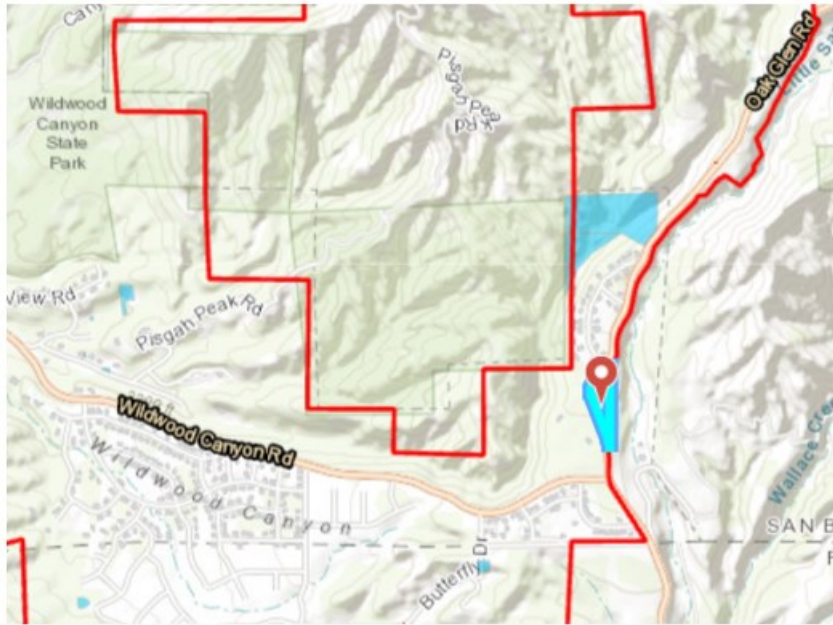
Chris Mann, President Board of Directors

ATTEST:

Joseph B. Zoba, General Manager

Exhibit "A"

San Bernardino County Assessor's Parcel Number 0325-111-24





Option A



Not to Scale 

Legend:

Pipeline 1	
Pipeline 2A	

Option B



Legend:

Pipeline 1



Pipeline 2B



Not to Scale



Option C

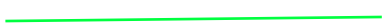


Legend:

Pipeline 1



Pipeline 2C



Not to Scale





**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 3

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: Continued Review of California Drought Conditions, District Urban Water Management Plan and Water Shortage Contingency Plan, BCVWD Resolution 2022-12 (as amended) Implementing Water Use Restrictions, and Other Drought Response

Staff Recommendation

None. Direct staff as desired.

Background

At its meeting of April 28, 2022, the Board of Directors adopted Resolution 2022-12 (amended by Resolution 2022-18), implementing water use restrictions as outlined in the Water Shortage Contingency Plan and as mandated by the State Water Resources Control Board.

News

In spite of drought, local water supplies are stable

Op-ed by Lance Eckhart, San Geronimo Pass Water Agency, and Heather Dyer, San Bernardino Valley Municipal Water District

Beaumont Record-Gazette 7/10/2022

https://www.recordgazette.net/news/in-spite-of-drought-local-water-supplies-are-stable/article_0779ef02-fe3c-11ec-83e8-bba97fabb10e.html

California's 2021-22 snowpack – prelude to a drought

How much water is your area using?

Sierra Nevada Conservancy 7/11/2022

<https://sierranevada.ca.gov/californias-2021-22-snowpack-prelude-to-a-drought/>

California Drought Reaching Catastrophic Levels

California Ag Today 7/15/2022

<https://www.aginfo.net/report/53548/California-Ag-Today/California-Drought-Reaching-Catastrophic-Levels>

Tracking the California drought

How much water is your area using?

Los Angeles Times 7/15/2022

<https://www.latimes.com/projects/california-drought-status-maps-water-usage/>



California's Idle Crop Land May Double as Water Crisis Deepens

Fallow farm fields could reach roughly 800,000 acres /The state accounts for a quarter of US food production

Bloomberg 7/15/2022

<https://www.bloomberg.com/news/articles/2022-07-16/california-s-idle-crop-land-may-double-as-water-crisis-deepens>

Gimme Shelter: Can California build millions of new homes amid drought?

Cal Matters 7/12/2022

<https://calmatters.org/housing/2022/07/california-housing-podcast-drought/>

Third year of La Nina could deepen California drought

SF Chronicle 7/15/2022

<https://www.sfchronicle.com/bayarea/article/Third-year-of-La-Ni-a-could-deepen-California-17306381.php>

Why we remember floods and forget droughts

The Atlantic 7/17/2022

<https://www.theatlantic.com/ideas/archive/2022/07/history-flood-drought-photography-climate-change/670549/>

Every Californian holds the key to drought response

Imperial Valley Press (op-ed) 7/16/2022

<https://www.theatlantic.com/ideas/archive/2022/07/history-flood-drought-photography-climate-change/670549/>

Water Restrictions

Celebrities fined for using too much water amid drought in California

CBS News 7/14/2022

<https://news.yahoo.com/celebrities-fined-using-too-much-234354206.html>

L.A. water use plunges a record 9% as unprecedented restrictions bring savings

Los Angeles Times 7/13/2022

<https://www.latimes.com/california/story/2022-07-13/ladwp-conservation-update>

'Water police' patrol drought-hit Los Angeles streets

With reservoirs and rivers at historic lows, authorities have brought in water restrictions and people to enforce them

Taipei Times 7/19/2022

<https://www.taipetimes.com/News/feat/archives/2022/07/19/2003782003>

Resources

California Drought Action

<https://drought.ca.gov/>



Save Our Water
(Social media posts, posters, etc.)
<https://saveourwater.com/en/Partner-Toolkit>

New ACWA website: Quench California
<https://quenchca.com/>

Pacific Institute – California Drought Conditions and Impacts
<https://www.californiadrought.org/>

California Water Watch – click the link and type in your zip code
<https://cww.water.ca.gov/>

CalMatters Water and Drought Tracker
<https://calmatters.org/california-drought-monitor/>

USDA Natural Resources Conservation Service
Snow maps, etc.
<https://www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/>

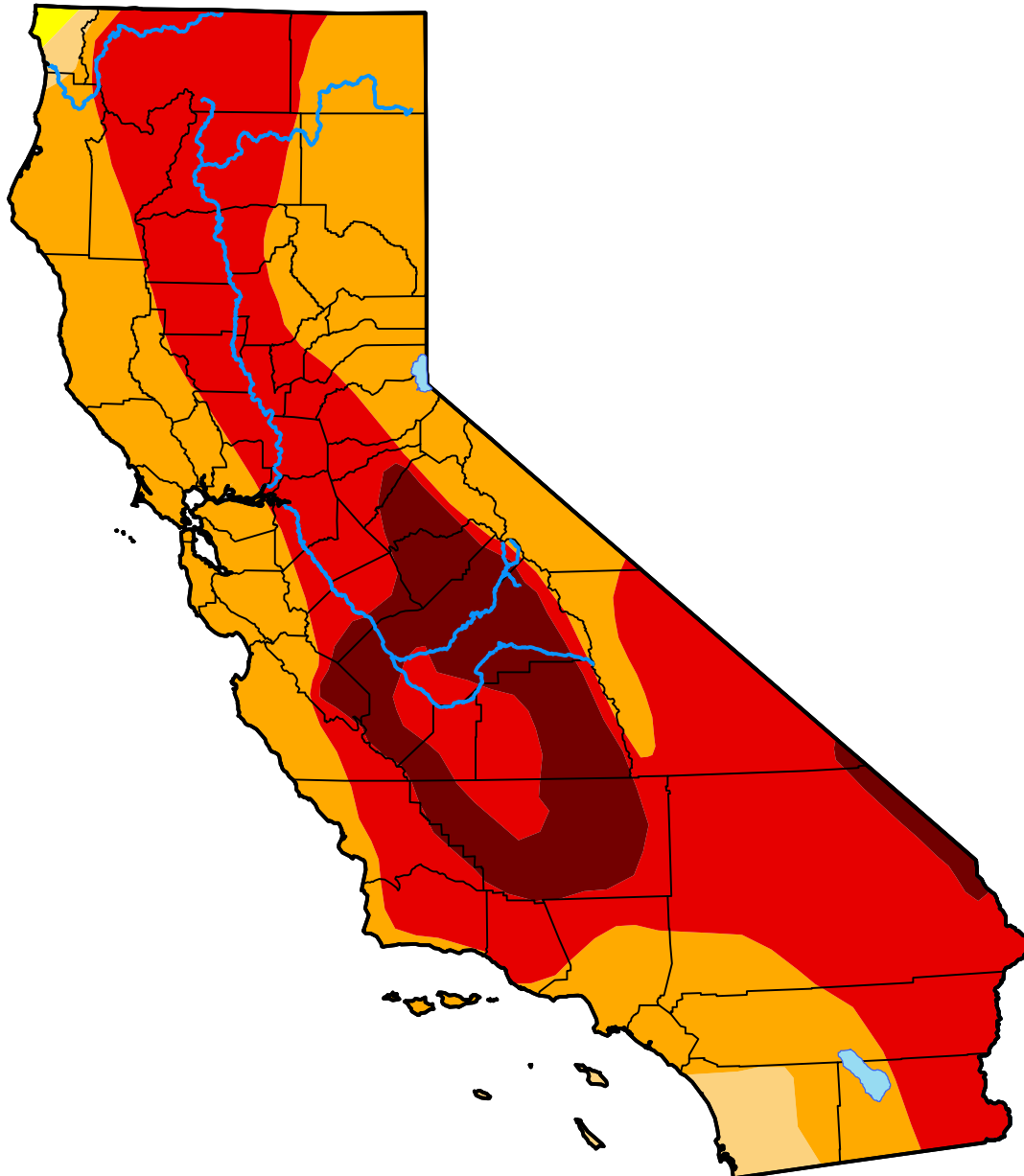
NOAA / National Integrated Drought Information System
Snow Drought: Data and maps
<https://www.drought.gov/topics/snow-drought>

Attachments

1. California Drought Monitor Map – July 21, 2022
2. Reservoir Conditions – July 18, 2022

U.S. Drought Monitor California

July 19, 2022
(Released Thursday, Jul. 21, 2022)
Valid 8 a.m. EDT



Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	99.78	97.47	59.81	12.74
Last Week <i>07-12-2022</i>	0.00	100.00	99.80	97.48	59.81	12.74
3 Months Ago <i>04-19-2022</i>	0.00	100.00	100.00	95.18	40.81	0.00
Start of Calendar Year <i>01-04-2022</i>	0.00	100.00	99.30	67.62	16.60	0.84
Start of Water Year <i>09-28-2021</i>	0.00	100.00	100.00	93.93	87.88	45.66
One Year Ago <i>07-20-2021</i>	0.00	100.00	100.00	94.75	85.75	33.42

Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Brian Fuchs
National Drought Mitigation Center



droughtmonitor.unl.edu

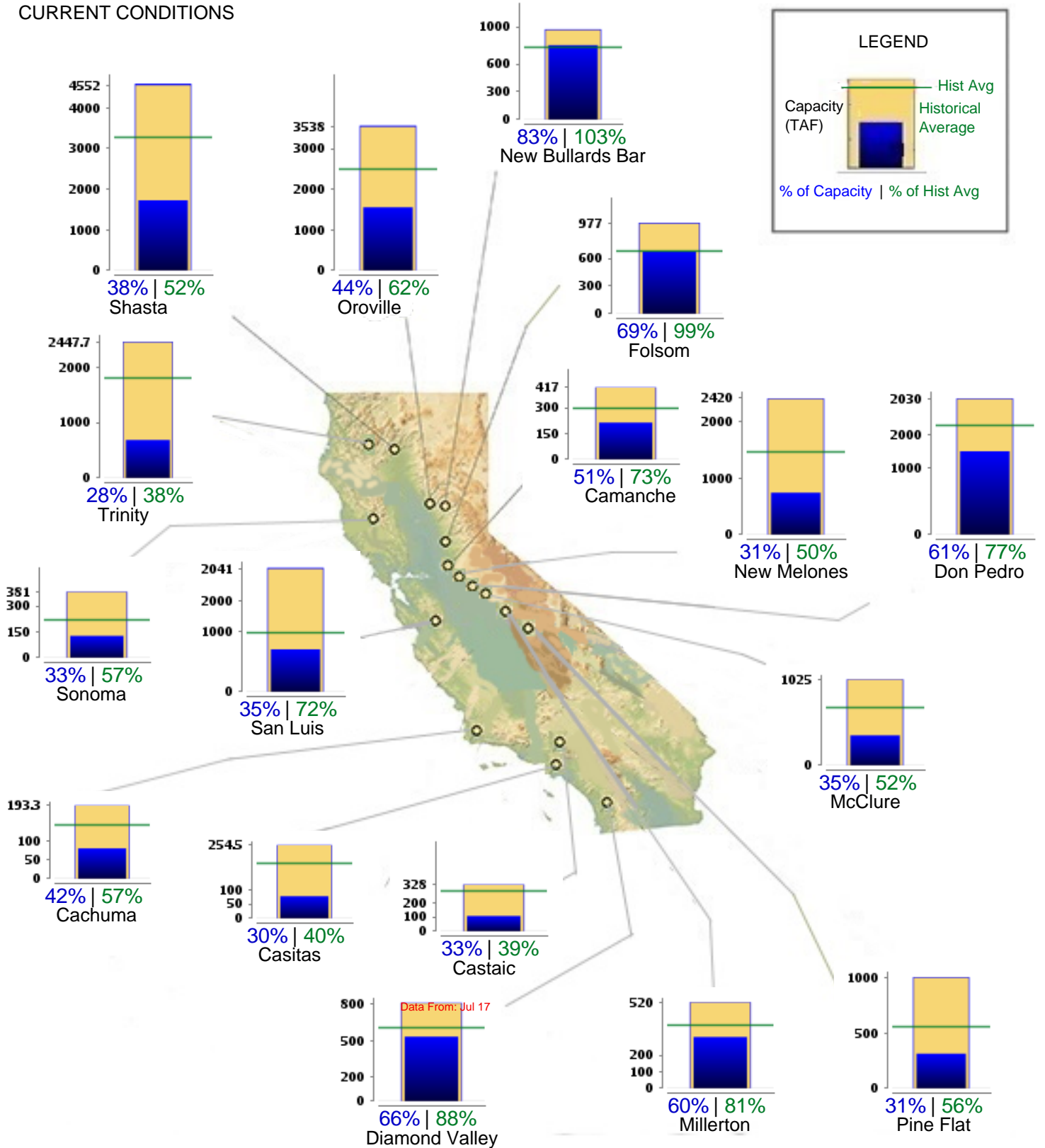


CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - July 18, 2022

CURRENT CONDITIONS



Updated 07/19/2022 01:18 PM



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 4

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Resolution 2022-__ : Amendment to Resolution 2022-12 (as amended by Resolution 2022-18) Related to Water Use Restrictions

Staff Recommendation

Adopt Resolution 2022-__ : Amendment to Exhibit A of Resolution 2022-12: Implementation of Stage 3 Water Shortage, Adopting Water Use Restrictions to Protect the Water System and the Ratepayers of the District

Background

In response to continuing serious drought conditions and Governor Gavin Newsom's Executive Order N-7-22, issued on March 28, 2022, the State Water Resources Control Board (SWRCB) adopted Resolution 2022-0018 (see Attachment 2) on May 24, 2022 establishing emergency regulations. The resolution required all urban water suppliers to:

- a. Implement the water shortage contingency plan (WSCP) by June 10, 2022 with all demand reduction actions identified under shortage level of 10 to 20 percent
- b. Prohibit the use of potable water for irrigation of non-functional turf at commercial, industrial, and institutional sites

At its meeting of April 28, 2022, the Board adopted Resolution 2022-12: Implementation of Stage 3 Water Shortage, Adopting Water Use Restrictions to Protect the Water System and the Ratepayers of the District which allowed the District to move forward with strong conservation messaging and to prepare for implementation of demand reduction measures. The Board later amended Resolution 2022-12 with Resolution 2022-18 which established a limit of eight minutes of irrigation between the hours of 8 p.m. and 8 a.m. on assigned days.

Discussion

Revision of irrigation restrictions

At the July 13, 2022 meeting, the Board of Directors heard public comment from several representatives of local homeowners associations who described their irrigation systems and requested the Board offer a more tailored approach to achieving the required conservation target.

After discussions with said ratepayers, staff further evaluated the irrigation restrictions to ensure that there is flexibility within the Resolution to allow end users the opportunity to apply an appropriate amount of water to their landscaping while remaining within the guidelines set forth by the State.



Staff has worked through an extensive process to understand the variabilities associated with landscape types and application rates; and has developed a table (See Attachment B [see separate Handout] of the Resolution) that should provide end users sufficient watering criteria to meet the requirements set forth by the State.

Attachment B identifies various components associated with irrigation activities such as time of year (monthly), irrigation application types (turf vs landscape), rates (inches per hour [in/hr] or gallons per minute [gpm]), number of cycles in a day, and minutes of a cycle. Within the table, recommended watering times can be identified based on the time of the year and the irrigation activity.

Summary

It is imperative to reduce the impact of drought on the District's Beaumont Basin storage account and prepare for continued drought conditions. The District must comply with the regulations for urban water suppliers promulgated by the SWRCB. The WSCP Shortage Level 3 (water supply shortages up to 30 percent) triggers a mandatory 20 percent demand reduction and offers certain shortage response actions which encourage said demand reduction. The "baseline" year was identified as 2020 per the July 8, 2021 Executive Order N-10-21, which the District will need to reference for calculation of demand reduction.

District staff identifies that the drought conditions in California are continually changing, and staff is closely following the decisions of the State regarding imposed restrictions and imported water availability.

Fiscal Impact

Pursuant to the adoption of water use restrictions, District staff and Raftelis Financial Consultants (Raftelis) are analyzing the potential fiscal impact to the District due to lost water sales revenue. Raftelis is reviewing the Drought Surcharges as adopted with the Water Financial Plan and Utility Rate Study (December 31, 2019) and a report will be forthcoming. District staff identifies that any implementation of Drought Surcharges would provide a makeup of revenue lost due to reduced commodity sales. Note, Drought Surcharges are not included in the restrictions set forth by the proposed Resolution implementing a Stage 3 Water Shortage Level and restrictions.

There will be costs associated with staff time, communications, educational materials, public outreach, mailing, inspection, and enforcement, estimated within the WSCP as \$25,000 per event. Staff may also recommend an allocation of funds to refresh the website and add drought messaging and conservation information for continued ratepayer education regarding drought conditions.

All potential fiscal impacts will be analyzed and presented to the Board upon results of the analysis.

Attachments

1. Resolution 2022-___: Amendment to Attachment A of Resolution 2022-12: Implementation of Water Use Restrictions and Rescinding Resolution 2016-05
2. Attachment B of Resolution 2022-___: **Handout**



3. SWRCB Resolution 2022-0018 Emergency Regulation to Reduce Water Demand and Improve Water Conservation
4. Resolution 2022-12 – Adopted April 28, 2022
5. Resolution 2022-18 – Adopted June 08, 2022

Staff Report prepared by Lynda Kerney, Administrative Assistant and Mark Swanson, Director of Engineering

RESOLUTION 2022-__

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAUMONT-CHERRY VALLEY WATER DISTRICT
AMENDING RESOLUTION 2022-12 (AS AMENDED BY
RESOLUTION 2022-18) AS RELATED TO WATER USE
RESTRICTIONS**

WHEREAS, on April 28, 2022, the Board of Directors adopted Resolution 2022-12 Authorizing the Implementation of Water Use Restrictions and Rescinding Resolution 2016-05; and

WHEREAS, on June 8, 2022, the Board of Directors adopted Resolution 2022-18 Amending Resolution 2022-12 as Related to Water Use Restrictions; and,

WHEREAS, the Board desires to amend Resolution 2022-12 pursuant to requests of the community,

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District that Attachment A of Resolution 2022-12 (as amended by Resolution 2022-18) is hereby replaced with Attachment A herewith.

ADOPTED this _____ day of _____, _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Director Lona Williams, President of the
Board of Directors of the
Beaumont-Cherry Valley Water District

Director David Hoffman, Secretary to the
Board of Directors of the
Beaumont-Cherry Valley Water District

Attachment A:
Water Shortage Level 3

Attachment B:
Irrigation Table

ATTACHMENT A
WATER SHORTAGE LEVEL 3

SECTION 1: MANDATORY PROHIBITIONS ON WATER WASTE

Under the Emergency Regulations adopted on January 4, 2022 (effective January 18, 2022), by the State Water Resources Control Board the following are prohibited:

1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
2. Use of a hose dispensing potable water for car washing without a shutoff nozzle
3. The application of potable water to sidewalks, driveways, and other impervious surface(s)
4. The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public
5. Use of potable water for decorative fountains, or the filling or topping off lakes or ponds
6. Application of water to irrigate turf and ornamental landscapes during and within 48 hours of measurable rainfall of at least one fourth of one inch of rain

SECTION 2: WATER USE RESTRICTIONS

1. Watering of residential lawns, parks, sports fields, schools, and turf that is regularly used for human recreational purposes or for civic or community events is limited to ~~eight (8) minutes~~ the watering times identified within Attachment B between the hours of 8:00 p.m. and 8:00 a.m., three (3) days per week from May through October
 - a. Monday, Wednesday, and Friday for “odd” addresses
 - b. Tuesday, Thursday, and Sunday for “even” addresses
 - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of “odd” addresses
2. Watering of residential lawns, parks, sports fields, schools, and turf that is regularly used for human recreational purposes or for civic or community events is limited to ~~eight (8) minutes~~ the watering times identified within Attachment B between the hours of 8:00 p.m. and 8:00 a.m., two (2) days per week from November through April
 - a. Monday and Friday for “odd” addresses
 - b. Tuesday and Saturday for “even” addresses
 - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of “odd” addresses
3. Watering of non-functional turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events is prohibited at commercial, industrial, and institutional sites as defined by the State Water Resources Control Board.
 - a. Notwithstanding the above, the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other potential non-turf

plantings or to the extent necessary to address an immediate health and safety need

- b. Notwithstanding the above, the District will consider and may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40 percent of reference evapotranspiration
4. Restaurants and other food service establishments may only serve water to customers upon request
5. Lodging facilities must provide guests with the option of opting out of linen services (daily laundering). Lodging facilities to display the option to opt out clearly in each room
6. Pools
 - a. No filling of new swimming pools
 - b. Topping off existing pools is permitted
 - c. Homeowners Association (HOA) and other community pools shall implement necessary protocols to minimize the draining and refilling of their respective pools
7. Issuance of construction meters shall be conditionally allowed under the following:
 - a. Activities related to rough grading of developments or parcels equal to or greater than five (5) acres shall be subject to Board Approval.
 - i. Applicant shall identify to staff grading duration, approximate quantity of water needed and conditions for which the Board of Directors is to consider.
 - b. Frequency of monitoring shall be determined on a case-by-case basis as determined by actual consumption requirements.
 - c. Activities related to rough grading of developments or parcels less than 5 (five) acres will be at the discretion of staff.

SECTION 3: PENALTIES, FEES, AND REMEDIES

The following financial penalties will be imposed a when a customer violates the mandatory restrictions set forth in Sections 1 and 2 above:

1. First Violation – Written Notice

Any notice required by this proposed Resolution may include, for example and not by way of limitation, the following information:

 - a. The water conservation stage and restrictions that are in effect
 - b. Actions required for compliance in order to prevent future violation
 - c. Penalties and enforcement actions which may be imposed for future violations
2. Second violation: A penalty will be imposed in an amount equal to 10 percent of the customer's current water bill
3. Third violation: A penalty will be imposed in an amount equal to 20 percent of the customer's current water bill

4. Fourth Violation: A penalty will be imposed in an amount equal to 30 percent of the customer's current water bill
5. Fifth Violation (and any subsequent violation): A penalty will be imposed in an amount equal to 50 percent of the customer's current water bill

In the event of any violation after the fifth violation, the Board of Directors, may determine, in its reasonable discretion, that the continued violation of restrictions set forth in the Resolution warrant the initiation of procedures for the suspension or termination of water service pursuant to Part 15 of the District's Regulations Governing Water Service.

DRAFT

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2022-0018**

**TO ADOPT AN EMERGENCY REGULATION
TO REDUCE WATER DEMAND AND IMPROVE WATER CONSERVATION**

WHEREAS:

1. On April 21, May 10, July 8, and October 19, 2021, Governor Newsom issued proclamations that a state of emergency exists statewide due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment.
2. These proclamations urge Californians to reduce their water use.
3. On March 28, 2022, Governor Newsom signed an Executive Order directing the State Water Resources Control Board (State Water Board or Board) to consider adopting emergency regulations to increase water conservation. The Executive Order includes a request that the Board require urban water suppliers to implement Level 2 of their water shortage contingency plans, establish water shortage response actions for urban water suppliers that have not submitted water shortage contingency plans, taking into consideration model actions that the Department of Water Resources, and establish a ban on the irrigation of non-functional turf by entities in the commercial, industrial, and institutional sectors.
4. Many Californians and urban water suppliers have taken bold steps over the years to reduce water use; nevertheless, the severity of the current drought requires additional conservation actions from urban water suppliers, residents, and the commercial, industrial, and institutional sectors.
5. Water conservation is the easiest, most efficient, and most cost-effective way to quickly reduce water demand and extend limited water supplies through this summer and into the next year, providing flexibility for all California communities. Water saved is water available next year, giving water suppliers added flexibility to manage their systems effectively over time. The more water that is conserved now, the less likely it is that a community will experience dire shortages that may require water rationing or other emergency actions.
6. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for irrigation of lawns and outdoor landscaping irrigation. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

7. The use of potable water to irrigate turf on commercial, industrial, or institutional properties that is not regularly used for human recreational purposes or for civic or community events can be reduced in commercial, industrial, and institutional areas to protect local water resources and enhance water resiliency.
8. Public information and awareness are critical to achieving conservation goals, and the Save Our Water campaign (SaveOurWater.com), run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response.
9. SaveWater.CA.Gov is an online tool designed to help save water in communities. This website lets anyone easily report water waste from their phone, tablet, or computer by simply selecting the type of water waste they see, typing in the address where the waste is occurring, and clicking send. These reports are filed directly with the State Water Board and relevant local water supplier.
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.
11. On March 28, 2022, the Governor suspended the environmental review required by the California Environmental Quality Act to allow State Water Board-adopted drought conservation emergency regulations and other actions to take place quickly to respond to emergency conditions.
12. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”
13. On May 13, 2022, the State Water Board issued public notice that it will consider the adoption of the regulation at the Board’s regularly scheduled May 24, 2022 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.
14. The emergency regulation exempts suppliers from enforcing connection moratoria, if their Level 2 demand management actions call for them, because new residential connections are critical to addressing the state’s housing supply shortage. However, the Board recognizes connections for other projects may not be appropriate given the shortage conditions and urges water suppliers to carefully evaluate new development projects for their water use impacts.

15. Disadvantaged communities may require assistance responding to Level 2 conservation requirements, including irrigation restrictions, temporary changes to rate structures, and prohibited water uses. State shortage contingency plans aimed at increasing water conservation, and state and local agencies should look for opportunities to provide assistance in promoting water conservation. This assistance should include but not be limited to translation of regulation text and dissemination of water conservation announcements into languages spoken by at least 10 percent of the people who reside in a water supplier's service area, such as in newspaper advertisements, bill inserts, website homepage, social media, and notices in public libraries.
16. The Board directs staff to consider the following in pursuing any enforcement of section 996, subdivision (e): before imposing monetary penalties, staff shall provide one or more warnings; monetary penalties must be based on an ability to pay determination, consider allowing a payment plan of at least 12 months, and shall not result in a tax lien; and Board enforcement shall not result in shutoff.
17. The Board encourages entities other than Board staff that consider any enforcement of this regulation to apply these same factors identified in resolved paragraph 16. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain their enforcement discretion in enforcing the regulation, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 996, as appended to this resolution as an emergency regulation that applies to urban water suppliers, as defined by Water Code section 10617.
2. State Water Board staff shall submit the regulation to the Office of Administrative Law (OAL) for final approval.
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes.

4. This regulation shall remain in effect for one year after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions or unless the State Water Board renews the regulation due to continued drought conditions, as described in Water Code section 1058.5.
5. The State Water Board directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulation.
6. The State Water Board directs staff to, by January 1, 2023, survey urban water suppliers on their experience protecting trees and tree cover during drought, with attention to disadvantaged communities. The survey shall inquire about challenges encountered, strategies used, costs, and successes in protecting trees.
7. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

CERTIFICATION

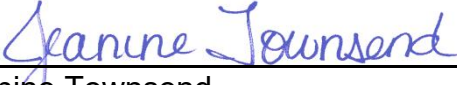
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 24, 2022.

AYE: Chair E. Joaquin Esquivel
Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone

NAY: None

ABSENT: Board Member Nichole Morgan

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

ADOPTED EMERGENCY REGULATION TEXT

Version: May 24, 2022

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 3.5. Urban Water Use Efficiency and Conservation

Article 2. Prevention of Drought Wasteful Water Uses

§ 996. Urban Drought Response Actions

(a) As used in this section:

(1) "Commercial, industrial and institutional" refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests.

(2) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(3) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(4) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(5) "Non-functional turf" means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) "Plant factor" has the same meaning as in section 491.

(7) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(8) "Turf" has the same meaning as in section 491.

(9) "Urban water supplier" has the same meaning as Water Code section 10617.

(10) "Water shortage contingency plan" means the plan required by Water Code section 10632.

(b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section

10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.

- (c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2).
- (2) Notwithstanding subdivision (c)(1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.
- (3) Notwithstanding subdivision (c)(1), an urban water supplier may implement the actions identified in subdivision (d) in lieu of implementing the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code section 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), provided the supplier meets all of the following:
- (i) The supplier's annual water supply and demand assessment submitted to the Department of Water Resources demonstrates an ability to maintain reliable supply until September 30, 2023.
- (ii) The supplier does not rely on, for any part of its supply, the Colorado River, State Water Project, or Central Valley Project, and no more than ten (10) percent of its supply comes from critically overdrafted groundwater basins as designated by the Department of Water Resources.
- (iii) The supplier's average number of gallons of water used per person per day by residential customers for the year 2020 is below 55 gallons, as reported to the Board in the Electronic Annual Report.
- (d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), implement at a minimum the following actions:
- (1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.
- (2) Implement and enforce a rule or ordinance limiting landscape irrigation with potable water to no more than two (2) days per week and prohibiting landscape irrigation with potable water between the hours of 10:00 a.m. and 6:00 p.m.
- (3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.

- (e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.
- (2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.
- (3) Notwithstanding subdivision (e)(1), an urban water supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration.
- (f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
- (g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 377, 491, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.

RESOLUTION 2022-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AUTHORIZING THE IMPLEMENTATION OF WATER USE RESTRICTIONS AND RESCINDING RESOLUTION 2016-05

WHEREAS, on October 19, 2021, California Governor Gavin Newsom extended an emergency proclamation of drought across Riverside County, and on March 28, 2022, issued Executive Order N-7-22 directing the State Water Resources Control Board (SWRCB) to consider adopting emergency drought regulations by May 25, 2022, which would be intended to safeguard urban water supplies as the drought continues, minimize the potential for waste and unreasonable use of water, and to achieve a statewide potable water usage reduction; and

WHEREAS, on January 4, 2022, the SWRCB adopted Emergency Regulations which prohibit certain uses of potable water; and

WHEREAS, the State Water Project has informed the State Water Contractors that the 2022 water supply allocation will be just 5 percent; and

WHEREAS, the Board of Directors finds that:

1. The drought conditions which formed the basis of Governor Newsom's declarations of emergency continue to exist and there is need for District customers to use water efficiently and increase conservation efforts
2. The conditions of a Water Shortage Level 3 exist as outlined in the Water Shortage Contingency Plan adopted by the Board with Resolution 2021-14 on August 26, 2021
3. Implementation of water usage restrictions is in the best interests of the District to preserve storage supplies in the Beaumont Basin

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District that:

1. Implementation of emergency water use regulations was previously adopted by the Board of Directors with Resolution 2016-05 which shall be rescinded by the adoption of this resolution.
2. A Water Shortage Level 3 of the District's Water Shortage Contingency Plan is declared.
3. The water conservation measures identified in Attachment A to this resolution are mandatory and violations are subject to penalties, fees, and remedies as described herein.
4. All persons using water provided by the Beaumont-Cherry Valley Water District shall comply with the restrictions as defined in Section 3 of Attachment A to this resolution herein, except where recycled water or other non-potable water is used.
5. The provisions of this resolution will remain in effect until rescinded by declaration of the Board of Directors

ADOPTED this 28 day of April, 2022, by the following vote:

AYES: Williams, Covington, Stawson, Hoffman

NOES:

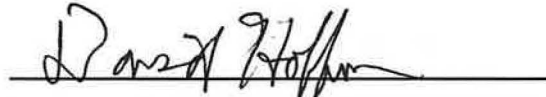
ABSTAIN: Ramirez

ABSENT:

ATTEST:



Director Lona Williams, President of the Board of Directors of the Beaumont-Cherry Valley Water District



Director David Hoffman, Secretary to the Board of Directors of the Beaumont-Cherry Valley Water District

Attachment A:
Water Shortage Level 3

ATTACHMENT A
WATER SHORTAGE LEVEL 3

SECTION 1: MANDATORY PROHIBITIONS ON WATER WASTE

Under the Emergency Regulations adopted on January 4, 2022 (effective January 18, 2022), by the State Water Resources Control Board the following are prohibited:

1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
2. Use of a hose dispensing potable water for car washing without a shutoff nozzle
3. The application of potable water to sidewalks, driveways, and other impervious surface(s)
4. The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public
5. Use of potable water for decorative fountains, or the filling or topping off lakes or ponds
6. Application of water to irrigate turf and ornamental landscapes during and within 48 hours of measurable rainfall of at least one fourth of one inch of rain

SECTION 2: WATER USE RESTRICTIONS

1. Residential lawn watering, parks, sports parks, schools, and ornamental (non-functional) turf on street median/parkway landscape watering is restricted between the hours of 8:00 p.m. and 8:00 a.m., three (3) days per week from May through October
 - a. Monday, Wednesday, and Friday for "odd" addresses
 - b. Tuesday, Thursday, and Sunday for "even" addresses
 - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of "odd" addresses
2. Residential lawn watering, parks, sports parks, schools, and ornamental (non-functional) turf on street median/parkway landscape watering is restricted between the hours of 8:00 p.m. and 8:00 a.m., two (2) days per week from November through April
 - a. Monday and Friday for "odd" addresses
 - b. Tuesday and Saturday for "even" addresses
 - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of "odd" addresses
3. Restaurants and other food service establishments may only serve water to customers upon request
4. Lodging facilities must provide guests with the option of opting out of linen services (daily laundering). Lodging facilities to display the option to opt out clearly in each room
5. Pools
 - a. No filling of new swimming pools
 - b. Topping off existing pools is permitted

- c. Homeowners Association (HOA) and other community pools shall implement necessary protocols to minimize the draining and refilling of their respective pools
6. Issuance of construction meters shall be conditionally allowed under the following:
- a. Activities related to rough grading shall be subject to Board Approval.
 - i. Applicant shall identify to staff grading duration, approximate quantity of water needed and conditions for which the Board of Directors is to consider.
 - b. Frequency of monitoring shall be determined on a case-by-case basis as determined by actual consumption requirements.

SECTION 3: PENALTIES, FEES, AND REMEDIES

The following financial penalties will be imposed a when a customer violates the mandatory restrictions set forth in Sections 1 and 2 above:

1. First Violation – Written Notice

Any notice required by this proposed Resolution may include, for example and not by way of limitation, the following information:

- a. The water conservation stage and restrictions that are in effect
 - b. Actions required for compliance in order to prevent future violation
 - c. Penalties and enforcement actions which may be imposed for future violations
2. Second violation: A penalty will be imposed in an amount equal to 10 percent of the customer's current water bill
3. Third violation: A penalty will be imposed in an amount equal to 20 percent of the customer's current water bill
4. Fourth Violation: A penalty will be imposed in an amount equal to 30 percent of the customer's current water bill
5. Fifth Violation (and any subsequent violation): A penalty will be imposed in an amount equal to 50 percent of the customer's current water bill

In the event of any violation after the fifth violation, the Board of Directors, may determine, in its reasonable discretion, that the continued violation of restrictions set forth in the Resolution warrant the initiation of procedures for the suspension or termination of water service pursuant to Part 15 of the District's Regulations Governing Water Service.

RESOLUTION 2022-18

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAUMONT-CHERRY VALLEY WATER DISTRICT
AMENDING RESOLUTION 2022-12 AS RELATED TO WATER
USE RESTRICTIONS**


WHEREAS, on April 28, 2022, the Board of Directors adopted Resolution 2022-12 Authorizing the Implementation of Water Use Restrictions and Rescinding Resolution 2016-05; and

WHEREAS, the Board desires to amend Resolution 2022-12 pursuant to regulations promulgated by the State Water Resources Control Board,

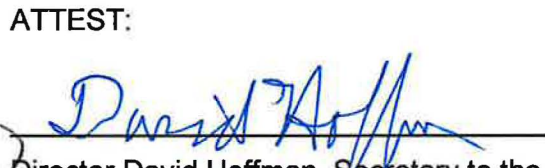
NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District that Attachment A of Resolution 2022-12 is hereby replaced with Attachment A herewith.

ADOPTED this 8th day of June, 2022, by the following vote:

AYES: Williams, Stawson, Hoffman, Ramirez
NOES:
ABSTAIN:
ABSENT: Covington



Director Kona Williams, President of the
Board of Directors of the
Beaumont-Cherry Valley Water District

ATTEST:


Director David Hoffman, Secretary to the
Board of Directors of the
Beaumont-Cherry Valley Water District

Attachment A:
Water Shortage Level 3

ATTACHMENT A
WATER SHORTAGE LEVEL 3
REVISED JUNE 8, 2022

SECTION 1: MANDATORY PROHIBITIONS ON WATER WASTE

Under the Emergency Regulations adopted on January 4, 2022 (effective January 18, 2022), by the State Water Resources Control Board the following are prohibited:

1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
2. Use of a hose dispensing potable water for car washing without a shutoff nozzle
3. The application of potable water to sidewalks, driveways, and other impervious surface(s)
4. The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public
5. Use of potable water for decorative fountains, or the filling or topping off lakes or ponds
6. Application of water to irrigate turf and ornamental landscapes during and within 48 hours of measurable rainfall of at least one fourth of one inch of rain

SECTION 2: WATER USE RESTRICTIONS

1. Watering of residential lawns, parks, sports fields, schools, and turf that is regularly used for human recreational purposes or for civic or community events is limited to eight (8) minutes between the hours of 8:00 p.m. and 8:00 a.m., three (3) days per week from May through October
 - a. Monday, Wednesday, and Friday for "odd" addresses
 - b. Tuesday, Thursday, and Sunday for "even" addresses
 - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of "odd" addresses
2. Watering of residential lawns, parks, sports fields, schools, and turf that is regularly used for human recreational purposes or for civic or community events is limited to eight (8) minutes between the hours of 8:00 p.m. and 8:00 a.m., two (2) days per week from November through April
 - a. Monday and Friday for "odd" addresses
 - b. Tuesday and Saturday for "even" addresses
 - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of "odd" addresses
3. Watering of non-functional turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events is prohibited at commercial, industrial, and institutional sites as defined by the State Water Resources Control Board.
 - a. Notwithstanding the above, the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other potential non-turf

plantings or to the extent necessary to address an immediate health and safety need

- b. Notwithstanding the above, the District will consider and may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40 percent of reference evapotranspiration
4. Restaurants and other food service establishments may only serve water to customers upon request
5. Lodging facilities must provide guests with the option of opting out of linen services (daily laundering). Lodging facilities to display the option to opt out clearly in each room
6. Pools
 - a. No filling of new swimming pools
 - b. Topping off existing pools is permitted
 - c. Homeowners Association (HOA) and other community pools shall implement necessary protocols to minimize the draining and refilling of their respective pools
7. Issuance of construction meters shall be conditionally allowed under the following:
 - a. Activities related to rough grading of developments or parcels equal to or greater than five (5) acres shall be subject to Board Approval.
 - i. Applicant shall identify to staff grading duration, approximate quantity of water needed and conditions for which the Board of Directors is to consider.
 - b. Frequency of monitoring shall be determined on a case-by-case basis as determined by actual consumption requirements.
 - c. Activities related to rough grading of developments or parcels less than 5 (five) acres will be at the discretion of staff.

SECTION 3: PENALTIES, FEES, AND REMEDIES

The following financial penalties will be imposed a when a customer violates the mandatory restrictions set forth in Sections 1 and 2 above:

1. First Violation – Written Notice

Any notice required by this proposed Resolution may include, for example and not by way of limitation, the following information:

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3. Third violation: A penalty will be imposed in an amount equal to 20 percent of the customer's current water bill

4. **Fourth Violation:** A penalty will be imposed in an amount equal to 30 percent of the customer's current water bill
5. **Fifth Violation (and any subsequent violation):** A penalty will be imposed in an amount equal to 50 percent of the customer's current water bill

In the event of any violation after the fifth violation, the Board of Directors, may determine, in its reasonable discretion, that the continued violation of restrictions set forth in the Resolution warrant the initiation of procedures for the suspension or termination of water service pursuant to Part 15 of the District's Regulations Governing Water Service.



**Beaumont-Cherry Valley Water District
Regular Meeting
July 28, 2022**

Item 5

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: Selection of Consultant(s) for On-Call Land Surveying Services and authorization of expenditure not-to-exceed \$100,000

Staff Recommendation

Authorize the General Manager to execute a professional services agreement for up to three (3) consulting firms to provide on-call land surveying services not to exceed a total of \$100,000.00, and authorize the General Manager to issue specific project work order(s) for actual required survey work.

Background

The District adopted the 2018-2027 Capital Improvement Plan (CIP) in February 2018, which identified capital expenditures for this ten (10) year period. Many of the projects identified in the CIP will be designed or supported by engineering consulting firms retained by the District based on a separate Request for Proposal (RFP) process with some of the projects being performed “in-house” by District staff. Below is a small sample of recently discussed projects that have an immediate need for land surveying services.

Project Identification	Project Title
P-2750-0056	11th Street from Beaumont Avenue to Elm Avenue
P-2750-0092	Michigan Avenue from 5th Street to 6th Street
Unidentified	5th Street from California Avenue to Michigan Avenue

On June 22, 2022, the District released an RFP regarding Land Surveying Services to facilitate the District’s surveying needs as they relate to District CIP projects and other District projects. District staff desires to issue up to **three (3)** On-Call Land Surveying Services Agreements to qualified firms to facilitate the ongoing and upcoming CIP project needs. Task Orders will later be issued for project specific assignments. The Agreement(s) will be issued to the selected firm(s) for a 3-year term. The selected Consultant(s) may be required to provide the following surveying services:

- ALTA Survey
- Topographic Design Survey
- Aerial and Topographic Surveys
- Aerial Mapping and Photography Capabilities
- Preparation of topographic maps, showing utilities, contours, spot elevations, top of curb and flow line elevations, street surface elevations, street centerlines and centerline monuments with coordinates, pavement limits, surface features, trees, valves, utility poles, right-of-way lines, etc. in AutoCAD 2018 or later in conformance with BCVWD’s layering requirements.
- Verification of “as constructed” elevations
- Utility pothole elevations. (Potholing will be done by BCVWD or others)
- Locations of property lines, boundaries, easements, and rights-of-way, prepare boundary surveys and record of survey



- Preparation of Legal Descriptions and Plats
- Final as-built surveys along with related documentation for inclusion in BCVWD's GIS
- Construction staking for various District projects including site grading, pumping stations, tanks, wells, pipelines, etc.; layout, control surveys and benchmarks for construction
- Record of Survey Mapping/ Corner Records
- Calculation of earthwork quantities in mass grading projects
- Review of Legal and Plats for Easements and/or Grant Deeds

On July 6, 2022, the District received Proposals in response to an RFP for On-Call Land Surveying Services. The following list identifies the **six (6)** consulting firms who responded to the solicitation (listed alphabetically):

1. CASC Engineering & Consulting, Inc.
2. Cozad & Fox, Inc.
3. Hernandez, Kroone & Associates, Inc.
4. Hunsaker & Associates, Inc.
5. The Prizm Group
6. TKE Engineering, Inc.

Each proposal was evaluated individually by three (3) separate District staff members based on the following criteria:

- Past performance and qualifications of the team members on similar projects.
- Familiarity with the District and geographic region
- Ability to complete the sample projects referenced in the RFP
- Sample project approach, scope, manner, and thoroughness in which it is presented in the proposal
- Firm's experience, staff availability, stability, financial responsibility and past performance on similar projects.
- Cost to complete sample projects.

District staff reviewed and evaluated the submitted proposals, and the review and selection process identified **The Prizm Group, CASC Engineering & Consulting, Inc., and Cozad & Fox, Inc.** as the highest-ranking proposals. The proposal review process included scoring of the technical merits of each proposal (80% weight in overall score) and fee proposal (20% weight in overall score).

Scores from each of the six (6) firms are summarized in Table 1, below. The "Technical Score" in the table represents the average of the scores assigned by reviewers. The "Fee Proposal" represents the average of the scores assigned by reviewers regarding the Fee Schedules provided. The "Weighted Score" shown in Table 1 was calculated using Equations (1) and (2) below.



$$(1) \left(\frac{\text{Proposal Technical Score}}{\text{Highest Proposal Technical Score}} \right) \times (\text{Technical Score Weight})$$

$$(2) \left(\frac{\text{Lowest Service Cost Total}}{\text{Service Cost Total}} \right) \times (\text{Service Cost Weight})$$

Table 1: Consultant Weighted Scores

Consultant	Technical Weighted Score (Max 80%)	Fee Proposal Weighted Score (Max 20%)	Total Weighted Score
CASC Engineering	76%	14%	90%
Cozad & Fox, Inc.	71%	16%	87%
HKA	60%	11%	71%
Hunsaker & Assoc	40%	15%	55%
The Prizm Group	80%	18%	98%
TKE	48%	20%	68%

District staff recommends the Board of Directors authorize the General Manager to execute a Professional Services Agreement, in the amount of \$100,000 with each of the **three (3)** consultants: **The Prizm Group, CASC Engineering & Consulting, Inc., and Cozad & Fox, Inc.** for a term of **three (3) years**. Staff further recommends that the Board of Directors authorize the General Manager to issue project specific work orders for actual project specific work activities.

Fiscal Impact

Upon identifying a project with a need for surveying, it is anticipated that District staff will request a proposal from one or more of the contracted consultants with a Task Order executed with the Consultant which is most capable of meeting the District's needs at the time of service. The majority of District projects are identified in the District's CIP, which is funded by Capital Replacement Reserves or Capacity Charges. Where projects are identified in the District's CIP, surveying has been estimated and budgeted for as a soft cost. In the event a project comes forward that is not identified in the CIP, District staff will bring the project forward to the Board with an estimated budget, including the cost for surveying for consideration.

Should the District reach the \$100,000.00 limit within the 3-year period, District staff will provide an update to the Board and identify the on-going projects along with upcoming projects to possibly authorize additional funds for surveying activities.

Staff Report prepared by Evan Ward, Civil Engineering Assistant



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 6

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Authorization of Expenditures not to Exceed \$676,900.00 for MDP Line 16 Water Pipeline Relocation Project for Pipelines 6A, 7, and 8 in Grand Avenue and Award Contract for Construction**

Staff Recommendation

1. Authorize the expenditure of \$676,900.00 [\$564,051.66 + \$112,848.34 (20% Contingency)] (rounded) for the construction (labor, equipment, and testing) of Pipelines 6A, 7, & 8 of the MDP line 16 Pipeline Relocation Project (includes not-to-exceed contract amount and 20% construction contingency);
and
2. Authorize the General Manager to enter a contract with MCC Equipment Rentals, Inc. to provide labor and construction equipment and testing necessary to complete the Pipeline Relocation Project for Beaumont Master Drainage Plan (MDP) Line 16 (Pipelines 6A, 7, & 8) in the amount of \$564,051.66.
and
3. Authorize the General Manager to execute a construction survey staking contract under separate agreement with On-Call Surveying Consultant in an amount not to exceed \$15,000 (estimated)

Background

At the March 24, 2022 Board Meeting, District staff notified the Board of Directors that construction for Pipelines 1 – 5 of the MDP Line 16 Pipeline Replacement Project (Project) was substantially complete. Construction began in February 2022 and was completed in April 2022. The design and construction of Pipelines 1 – 5 was coordinated with Riverside County Flood Control and Water Conservation District's (RCFC&WCD) Master Drainage Plan Project (storm drain project) along Grand Avenue eliminating conflicts between District facilities and the proposed 84" storm drain.

At a Special Meeting on April 7, 2022, District staff identified that an additional 635 linear feet of waterline needed to be relocated immediately to avoid conflict with construction activities of the storm drain project. District staff further identified that said additional waterline (Pipeline 6) was identified for replacement as P-3040-0019 in the District's 2022-2026 Capital Improvement Budget (CIB). After Board approval of additional expenditures for the project, District staff was able to procure materials and the District's contractor for the Project was able to realign the waterline to avoid the direct conflict with the storm drain alignment.

At the April 28, 2022 Board Meeting, District staff identified that the 2016 Potable Water Master Plan and 2022-2026 CIB include a pipeline replacement project identified as P-3040-0027 which is along Grand Avenue from Jonathan Avenue to Bellflower Avenue. A portion of the completed



pipeline relocation project for Pipelines 1 – 5 comprises a portion of P-3040-0027. As such, District staff identified that in order to remain ahead of pavement activities associated with the storm drain project, construction of the remainder of P-3040-0027 in Grand Avenue would be desirable; the District may have an approximate 10-week window between August 15, 2022 to October 25, 2022 to complete construction. District staff is working with RCFC&WCD to acquire an updated schedule from the storm drain contractor to further understand the construction window.

At a Special Meeting on May 5, 2022, District staff identified that construction activities and the use of heavy equipment associated with the storm drain project is creating additional areas of concern for existing waterlines in Grand Avenue. Within said areas of concern, there are three (3) existing waterlines, none of which had been fully addressed by the original Pipeline Replacement Project. The additional three (3) pipelines were identified as pipelines 6A, 7, and 8, in order to continue project naming nomenclature of the previously construct waterlines in Grand Avenue. A summary of each waterline and associated CIP budget for each is identified in Table 1 below.

**Table 1
Pipeline 6A, 7, and 8 Information**

Waterline Description	CIP Budget	Approximate Length (LF)	Location (To and From)
Pipeline 6A (P-3040-0019)	\$ 267,236.00	510	Martin Lane to 510' east of Martin Lane
Pipeline 7 (within limits of P-3040-0027)	\$ 890,400.00	2,320	Jonathan Avenue east to Bellflower Avenue
Pipeline 8	\$ 0.00	870	Noble Street east to El Monte Drive

At said Special Meeting on May 5, District staff provided the estimated material costs for the procurement of materials of Pipelines 6A, 7, and 8, and requested that the Board approve expenditure of funds for material procurement. Subsequently, the Board of Directors authorized the procurement of materials. Total approved costs for material procurement (plus 20% contingency) is included below in Table 2.

**Table 2
Pipeline Relocation Project Budget Summary (Pipelines 6A, 7, & 8)**

Waterline Description	CIP Budget	Material Cost (including 20% contingency)	Approx. Budget Remaining
Pipeline 6A (P-3040-0019)	\$ 267,236.00	\$ 46,200.00	\$ 221,036.00
Pipeline 7 (within limits of P-3040-0027)	\$ 890,400.00	\$ 281,400.00	\$ 609,000.00
Pipeline 8	\$ 0.00	\$ 86,500	-(\$ 86,500)
Total	\$ 1,157,636.00	\$ 414,100.00	\$ 743,536.00



At the June 8, 2022, Board Meeting, District staff presented its findings that the Pipeline Replacement Project for Pipelines 6A, 7, & 8 is exempt from the California Environmental Quality Act (CEQA). The Board of Directors accepted staff's findings, approved the Project, and directed staff to file the Notice of Exemption with the Riverside County Clerk.

Discussion

On July 1, 2022, District staff solicited for bids for the construction of said Pipelines 6A, 7, and 8. A pre-bid conference was held at the District office on July 7, 2022. On July 18, 2022, the District received bids from five (5) contractors. The results of the bid opening are as follows in Table 3 below.

Table 3 – Pipelines 6A, 7, & 8 Bid Results

Bidder (Contractor)	Pipelines 6A, 7, & 8 for MDP Line 16 Pipeline Relocation Project Base Bid Amount/Basis of Award	Comment
GCI Construction, Inc.	\$ 830,854.00	
MCC Equipment Rentals, Inc.	\$ 564,051.66	Recommended for Award
Merlin Johnson Construction, Inc.	\$ 907,421.00	
T.E. Roberts, Inc.	\$ 1,163,723.00	
Kirtley Construction Inc. dba TK Construction	\$ 613,080.00	

Based on the above, District staff recommends the Board consider authorizing the General Manager to enter into a contract with MCC Equipment Rentals, Inc. (MCC) to provide all labor, equipment, and testing necessary to complete construction Pipeline Replacements 6A, 7, & 8 of the MDP Line 16 Pipeline Relocation Project in the amount of **\$564,051.66**.

District staff has ordered the necessary pipeline materials and appurtenances for the project (contractor to furnish all labor for installation of pipeline materials, and all labor and materials for excavation/backfill, as well as temporary pavement replacement as required for the project). Once the District has received all the necessary pipeline materials, District staff intends to move contract documents forward, then issue a Notice to Proceed to the Contractor and construction will commence.

As previously stated, time is of the essence for the construction of this project in order to remain ahead of the construction schedule for pavement of Grand Avenue in association with the MDP Line 16 Storm Drain Project.

For the purposes of pavement repair pertaining to this project, the contractor will be required only to provide labor and materials for temporary pavement replacement. District staff intends to solicit separate bids for complete pavement repair in the locations where waterlines have been



replaced in Grand Avenue Final pavement repair will be completed under a contract separate from the Pipeline Project for which staff is seeking authorization at this time. All pavement repairs will be completed in accordance with Riverside County requirements and will need to be completed by approximately the end of October (or as appropriate once the revised construction schedule is provided).

A summary of the Project-associated costs (not including District staff labor, construction staking, and permanent pavement repair) for the Project is summarized in Table 4 below.

Table 4 – Pipelines 6A, 7 & 8 – Estimated Project Costs and Budget Remaining

MDP Line 16 Pipeline Relocation Project – Pipelines 6A, 7, & 8	
2022 Board Approved Budget (see Table 2)	\$ 1,157,636
Estimated Material Costs – Including Contingency (see Table 2)	\$ 414,100
Estimated Budget Remaining for Construction	\$743,536
Construction Contract Amount (Not-to-Exceed)	\$ 564,051.66
20% Construction Contingency	\$ 112,810
Total Expenditures Requested	\$ 676,900 (Rounded)
Estimated Budget Remaining⁽¹⁾	\$ 66,636
Funding Source	Capital Replacement Reserves

(1) Does not account, District staff labor, and construction staking and permanent pavement repair associated with the Project

Summary

Based on the above, District staff has estimated the total construction cost (labor and materials) for Pipelines 6A, 7, & 8 of the MDP Line 16 Pipeline Relocation Project to be approximately **\$1,091,000** not inclusive of District staff labor, construction staking and permanent pavement repair.



District staff is requesting an authorization of expenditures not to exceed **\$676,900**, which would account for the construction contract as well as 20% construction contingency (\$112,810).

The Board has previously authorized expenditure of funds for the procurement of materials for the project.

In order to avoid conflict with construction activities relating to the MDP Line 16 Project, District staff recognizes that the construction of Pipelines 6A, 7, & 8 of the MDP Line 16 Pipeline Relocation Project will need to occur rather quickly. Once the purchased pipeline materials are delivered, it is anticipated that the Pipeline Relocation Project will need to immediately move forward. The District will need to ensure that construction of the project (pipeline construction and final pavement repair to Riverside County Standards) does not impact the construction schedule of the MDP Line 16 Storm Drain Project.

Fiscal Impact

The fiscal impact to the District for construction (pipeline materials, pipeline installation labor, equipment, and testing) of the previously approved Pipeline Relocation Project will be an amount not to exceed **\$1,091,000**. This fiscal impact does not include any District staff labor, construction staking, and permanent pavement repair.

The fiscal impact to the District for construction survey staking contract staff proposes to execute under separate agreement with On-Call Surveying Consultant is in an amount not to exceed \$15,000 (estimated).

As discussed previously, District staff will solicit separate bids for final pavement replacement associated with the Project. At such time, District staff will provide the Board with an update of Project costs.

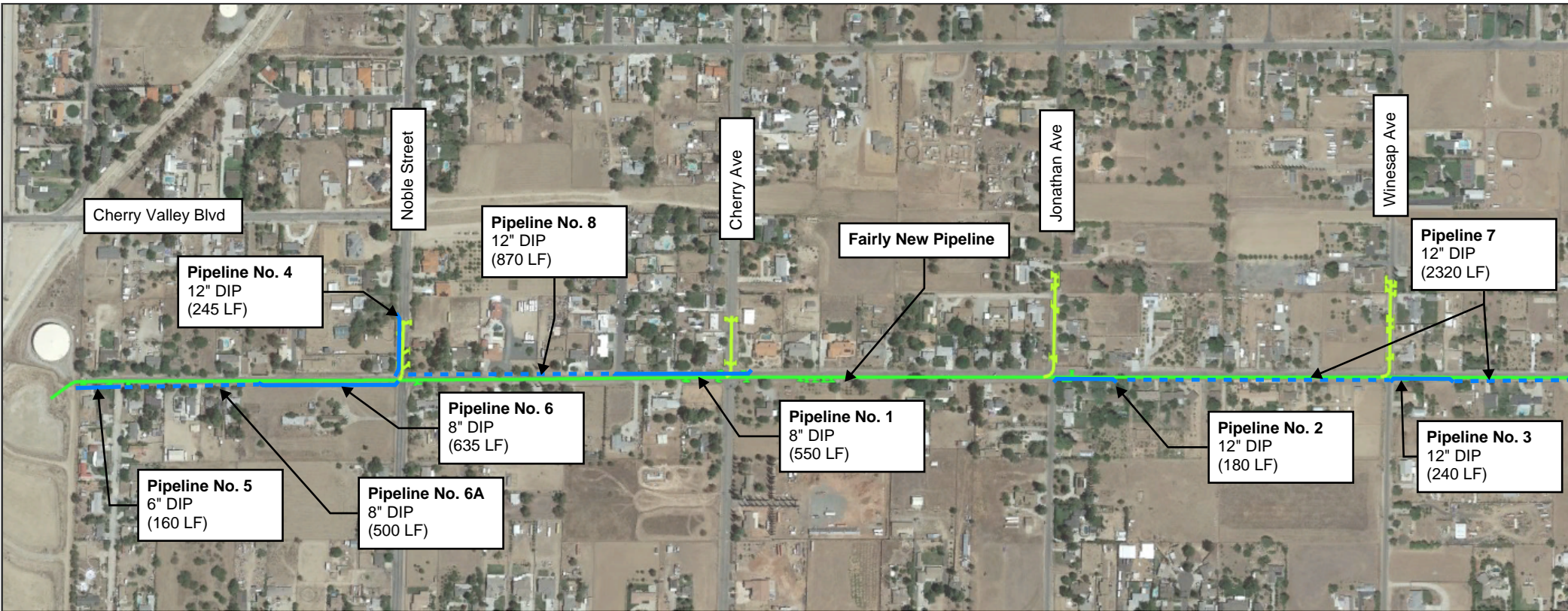
Attachments





Attachment 1 – MDP Line 16 Pipeline Relocation Project Vicinity Map


Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant



Attachment 1 - MDP Line 16 Pipeline Relocation
Project Vicinity Map



-  Existing Waterline
Waterline (Various Dia.)
-  Proposed Storm Drain
(Various Dia.)
-  Proposed Storm Drain
Lateral and Catch Basin
-  Proposed Replacement Pipeline

Not to Scale 



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 7

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: Master Drainage Plan Line 16 Storm Drain Project Update

Staff Recommendation

No recommendation. This item is for discussion purposes only.

Background

In March 2022, construction commenced for the Beaumont Master Drainage Plan (MDP) Line 16 Storm Drain (Storm Drain Project) in Cherry Valley. The Storm Drain Project consists of the construction of reinforced concrete pipe storm drain, ranging from 24" to 84" diameter. The proposed alignment is from Bellflower Avenue to Phase II of the District's Noble Creek Recharge Facility (NCRF).

Construction is estimated to be approximately 35% complete; see below for a brief summary of the tasks which are underway:

- Construction of the Storm Drain outlet structure, located in NCRF Phase II, Pond 1
- Construction of outlet structure from NCRF Phase II, Pond 1 to the Noble Creek Channel (NC-1).
- Construction of the emergency outlet structure from NCRF Phase II, Pond 4 to Noble Creek Channel (NC-2).
- Construction of catch basins along Grand Avenue, west of Cherry Avenue.

To date, the storm drain has been constructed to the west side of Cherry Avenue. It is staff's understanding that the contractor has begun repaving Noble Street and propose to pave portions of Grand Avenue where the storm drain has been installed.

Construction has been and may likely continue to be affected by extended lead times due to material shortages (mainly concrete shortages).

District staff will continue to provide periodic updates to the Board regarding the construction of the storm drain, and as requested.

Fiscal Impact

Construction costs for the storm drain are shared by Riverside County Flood Control and Water Conservation District (RCFC&WCD) and BCVWD per the terms of the Cooperative Agreement between BCVWD and RCFC&WCD, executed in August 2021 (Amendment 1 Executed October 2021).

Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 8

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Authorization of Additional Expenditures for an amount not to exceed \$395,000.00 for the Construction of the 2017 Pipeline Replacement Project Pipeline 1 (P-3620-0012) and Discussion of the 2017 Pipeline Replacement Project Pipeline 2 (P-3620-0015) and Pipeline 3 (P-2750-0069) Budget and Project Updates

Staff Recommendation

1. Authorize the additional expenditures for an amount not to exceed \$395,000.00 (rounded) for completion of the construction of Pipeline 1 (P-3620-0012) of the 2017 Pipeline Replacement Project.
and
2. Discussion of the Project status of Pipeline 2 (P-3620-0015) and Pipeline 3 (P-2750-0069) of the 2017 Pipeline Replacement Project.

Background

In June 2021, District staff finalized the improvement plans for the 2017 CIP Water Pipeline Replacement Project (Project). The project consists of three (3) separate water pipeline replacements. See **Attachment 1** for the location of each water pipeline replacement. The status of each pipeline replacement is discussed further herein.

Pipeline 1 (P-3620-0012):

Pipeline 1 consists of approximately 2,200 linear feet (LF) of cement mortar lined ductile iron pipe (DIP), plus various laterals, valves, connections, and appurtenances along Avenida Altejo Bella and Avenida Miravilla, through two (2) private properties, ultimately connecting to an existing main in Whispering Pines Road.

Due to various circumstances discussed further herein, District staff decided to separate the work for the 2017 Pipeline Replacement Project into (3) separate construction contracts.

In early 2022, after discussions with the property owners in the vicinity of Pipeline 1 and the Board of Directors, District staff ordered material for Pipeline 1. Due to frequent leaks and maintenance activities, it was District staff's desire to order material proactively to account for the longer lead times associated with material procurement. Also, through discussion with the property owners, it was determined that the window of opportunity for construction would be best during the month of August.



District staff solicited bids for the construction of Pipeline 1 on June 17, 2022. Bids were received on July 5, 2022.

At the July 13, 2022 Board meeting, District staff brought forth the results of the received bids for the construction of Pipeline 1, and the Board authorized the General Manager to enter into a contract for the construction of Pipeline 1 in an amount not-to-exceed \$371,990.00 with Merlin Johnson Construction, Inc. (Merlin Johnson). Staff has since provided a Notice of Award and associated Project contract documents to Merlin Johnson for consideration and execution. District staff expects to have all required items of the contract executed by the desired August 1, 2022 construction start date.

As discussed at the July 13th Board Meeting, District staff is in the process of procuring all necessary pipeline materials for the project (contractor to furnish all labor for installation of pipeline materials, and all labor and materials for excavation/backfill, as well as pavement replacement per Riverside County Standards as required for the project).

Also, at the July 13 Board Meeting, District staff presented a summary of the estimated project costs for Pipeline 1, and the anticipated budget remaining. Please see Table 1 below.

**Table 1 – Pipeline 1 – Estimated Project Costs and Estimated Available Budget
(as presented on July 13, 2022 Board Meeting)**

Project	P-3620-0012 ⁽¹⁾
Original Board Approved Budget (2018-2027 CIP CIB)	\$ 272,010
2022 Board Approved Budget (2022-2026 CIB) (Remaining 2022 Project Budget – (See Attachment 2))	\$ 221,700
Material Cost ⁽²⁾	\$ 53,160
Est. Budget Remaining for Construction	\$168,540
Recommended Construction Contract Amount (Not-to-exceed)	\$ 371,990

(1) Budget Identified Funding source: Capital Replacement Reserves

(2) Actual material costs invoiced to date – additional costs forthcoming

District staff identified that the initial Board approved project budget (as included in the 2018-2027 CIP) was \$272,010 in 2016 and was based on the replacement of 900 linear feet of the existing waterline.



Pipeline 2 (P-3620-0015):

Pipeline 2 consists of approximately 2,470 LF of 8” DIP, plus various laterals, valves, connections, and appurtenances along Appletree Lan and Oak Glen Road.

On June 9, 2022, District staff provided three (3) material suppliers with the approved improvement plans for Pipeline 2 and requested a material cost estimate for all pipe, fittings, and appurtenances.

Material costs were provided to the Board at the June 23, 2022 Engineering Workshop and the Board authorized expenditures of an amount not-to-exceed \$185,300.00 (includes 15% contingency) for Pipeline 2 materials. At the June 23rd Engineering Workshop staff provided a summary of all Pipeline 2 Project costs. This summary is provided in Table 2 below.

**Table 2 – Pipeline 2 – Estimated Project Costs and Estimated Available Budget
(as presented on June 23, 2022 Board Meeting)**

Project	P-3620-0015⁽¹⁾
Original Board Approved Budget (2018-2027 CIP CIB)	\$ 660,023
2022 Board Approved Budget (2022-2026 CIB) (Remaining 2022 Project Budget – See Attachment 2)	\$ 669,500
Material Cost ⁽²⁾	\$ 185,300
Est. Budget Remaining for Construction after Expenditure for Materials	\$ 484,200

(1) Budget Identified Funding source: Capital Replacement Reserves

(2) Estimated material cost based on estimates provided by material supplier not yet fully invoiced. Includes 15% contingency.

Note, the table previously provided at the June 23, 2022 Engineering Workshop (Table 2 on page 158 of 169 of the June 23, 2022 Engineering Workshop) under-estimated the budget amount available for construction after expenditure for materials. The previously provided table (at the June Engineering Workshop) deducted invoiced consultant services; to-date, there have been no costs associated with consultant services in 2022. The amount has been updated to accurately reflect the current project budget conditions.

Furthermore, once the District has received materials for Pipeline 2, staff will solicit for bids for the construction of Pipeline 2. Staff has prepared a preliminary bid package and has drafted contract documents, with the anticipation of moving forward quickly to get the pipeline constructed.



Pipeline 3 (P-2750-0069):

Pipeline 3 consists of approximately 743 LF of 8” DIP, plus various laterals, valves, connections, and appurtenances along the alley between Egan Avenue and California Avenue, from 5th Street to 7th Street.

Due to the City of Beaumont’s (City) moratorium for cuts into recently paved roads, and with California Street and 6th Street being recently repaved, work for Pipeline 3 has been postponed, and will be revisited likely around 2025 or so.

See Table 3 below for a summary of the estimated project costs and budget available for Pipeline 3.

Table 3 – Pipeline 3 – Estimated Project Costs and Estimated Available Budget

Project	P-2750-0069⁽¹⁾
Original Board Approved Budget (2018-2027 CIP CIB)	\$ 211,423
2022 Board Approved Budget (2022-2026 CIB) (Remaining 2022 Project Budget – See Attachment 2)	\$ 151,100
Material Cost ⁽²⁾	\$ -
Est. Budget Remaining for Materials and Construction	\$ 151,100

(1) Budget Identified Funding source: Capital Replacement Reserves

(2) District staff does not have an estimated cost for materials for Pipeline 3 at this time.

Discussion

District staff has completed a review of all District staff-associated labor costs for Pipelines 1, 2, and 3. Table 4 below includes the to-date (as of July 20, 2022) project costs for all pipelines. Costs include District labor, consulting services, fees related to environmental documentation, and materials.



Table 4 – 2017 Pipeline Replacement Project Budget Status

Pipeline No.	Original 2018-2027 Approved Budget	Approved 2022 CIB Budget (Project Budget Remaining)	2022 Soft Costs ⁽¹⁾	2022 Costs - Materials	Construction Costs (Labor & Equipment)	Est. 2022 Budget Remaining	Estimated Funds Needed Beyond Costs Shown ⁽³⁾	Est. Funds Needed Beyond Original Contract
Pipeline 1 (P-3620-0012)	\$272,010	\$221,700	\$1,896	\$153,845	\$371,990	(\$307,295)	\$87,653	\$394,947
Pipeline 2 (P-3620-0015)	\$660,023	\$669,500	\$853	\$185,300 ⁽⁴⁾	\$0 ⁽²⁾	\$483,347	\$40,000	\$40,000
Pipeline 3 (P-2750-0069)	\$211,423	\$151,100	\$0	\$0	\$0 ⁽²⁾	\$151,100	\$0	\$0

(1) Soft costs associated with Engineering Design and District Staff Time.

(2) Project not out for bid yet, amount unknown.

(3) **Pipeline 1** – Includes the following: Construction Contingency (20%) – \$74,398

Estimated material costs yet to be invoiced – \$3,255

Survey Construction Staking (approved as part of Consultant Professional Services Agreement – \$10,000)

Pipeline 2 – Includes estimated potential increased pavement costs for pavement replacement in Oak Glen Road and Appletree Lane (est. \$40,000).

Pipeline 3 – Unknown at this time.

(4) Includes Estimated material costs + 15% contingency, as approved at the June 23, 2022 Board Meeting.

As indicated previously, the original project budget for Pipeline 1 was determined based on the replacement of 900 LF of pipe; the current project scope identifies the replacement of approximately 2,200 LF of pipe. Extrapolation of the original budget (based on 900 LF) to the actual length identified for Pipeline 1 (2200 LF) yields a total project cost (budget) of approximately \$665,000.

Based on actual invoiced material costs, construction costs, staff time and administrative costs, total estimated cost to complete construction of Pipeline 1 will ultimately be approximately \$666,700.

Table 5 below provides a summary of additional required expenditure for which staff is seeking authorization for Pipeline 1.



Table 5 – Pipeline 1 – To-Date Project Costs and Additional Budget Required

Project	P-3620-0012
2022 Board Approved Budget (2022-2026 CIB)	\$ 221,700
2022 Pipeline 1 Project Costs, to Date (as of July 20, 2022)	\$ 157,005
Est. Construction Cost (based on low bid amount of \$371,990)	\$ 371,990
Construction Contingency (20%)	\$74,398
Estimated Additional Costs ⁽¹⁾	\$13,255
Additional funding required to complete construction (rounded)	\$ 395,000

(1) Includes: Estimated material costs yet to be invoiced – \$3,255
 Survey Construction Staking (approved as part of Consultant Professional Services Agreement – \$10,000)

Based on the above, District staff is requesting the board approve additional expenditures for Pipeline 1 (P-3620-0012) in an amount not to exceed **\$395,000**.

Summary

District staff has identified the to-date costs associated for each pipeline of the 2017 Water Pipeline Replacement Project. Based on actual costs incurred by the District to-date and the original approved budget for Pipeline 1, District staff is requesting Board authorization of additional expenditures in a not to exceed amount of \$395,000 (accounts for 20% construction contingency), requested to be funded through the Capital Replacement Reserves.

District staff has presented the total remaining 2022 budget, along with estimated material costs (District has yet to be fully invoiced for material costs) and all associated staff labor and consulting services costs for Pipeline 2 of the Project.

Staff identifies that at this time, construction for Pipeline 3 (P-2750-0069) of the Project has been deferred, and will be expected to resume around 2025 or so due to the City’s pavement cut moratorium on recently repaved streets.



Fiscal Impact

The fiscal impact to the District for the work for the previously approved 2017 Water Pipeline Replacement Project (Pipeline 1 – P-3620-0012) will be an additional amount not to exceed **\$395,000.00**.

The authorization of additional funds in the amount of \$395,000.00 is requested to come from Capital Replacement Reserves.

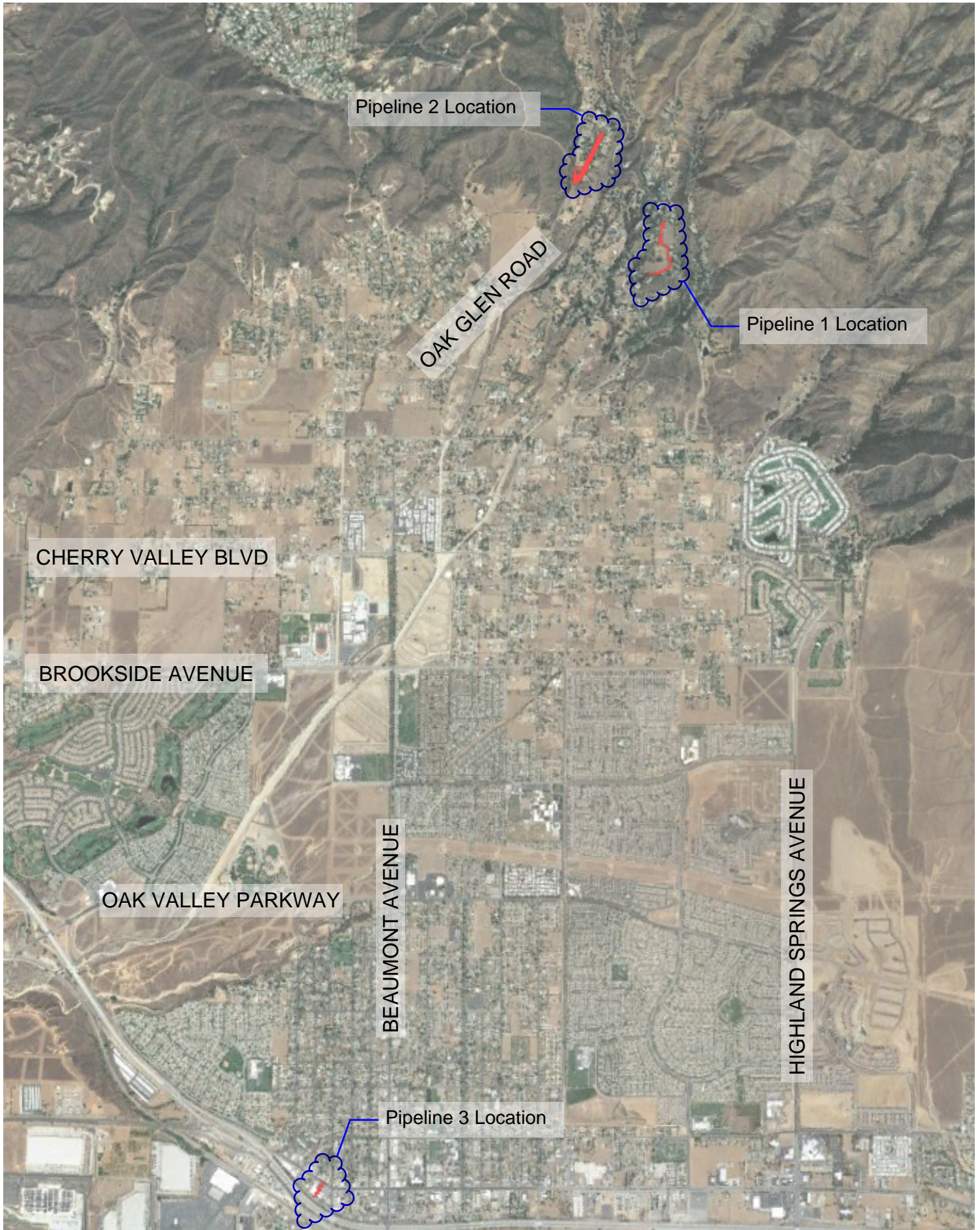
Attachments

Attachment 1 – 2017 Water Pipeline Replacement Project Location Map

Attachment 2 – Beaumont-Cherry Valley Water District 2022-2026 Capital Improvement Budget
– Appendix C

Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant

ATTACHMENT 1 - 2017 Water Pipeline Replacement Project Project Location Map



Attachment 2



Beaumont-Cherry Valley Water District 2022-2026 Capital Improvement Budget Appendix C 2022 - 2026 Capital Improvement Budget Detail

BCVWD FY 2022 Operating & 2022-2026 Capital Improvement Budget - Page 108 of 111

Engineering Project #	Footnotes	Capital Improvement Program	Estimated Carry Over 2021 Budget	2022 Budget Request	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	5-Year Budget Total
Potable Pipeline Replacements									
P-2750-0025		Maple Ave., 1st St to 3rd St	-	\$ -	64,500	268,200	-	-	332,700
P-2750-0035		Allegheny St., 6th to 8th	-	-	-	-	50,300	209,400	259,700
P-2750-0036		Michigan St., 6th to 8th	-	-	96,600	401,900	-	-	498,500
P-2750-0045		7th St., California Ave. to Beaumont Ave.	-	-	-	-	107,300	446,400	553,700
P-2750-0049		10th St., Palm Ave. to Michigan Ave.	-	-	-	-	53,400	222,300	275,700
P-2750-0050		Orange Ave., 8th St to 10th st	-	-	-	-	129,800	540,000	669,800
P-2750-0056	(3)	11th Street, Beaumont Avenue to Elm Avenue	-	275,500	1,145,800	-	-	-	1,421,300
P-2750-0057		Magnolia Ave., 7th to 8th	-	-	-	-	39,200	163,200	202,400
P-2750-0058		Wellwood Ave., B St north to end	-	-	-	-	10,700	44,700	55,400
P-2750-0064	(5)	Antonell Court, Pennsylvania Ave. to Cherry Ave.	-	-	-	-	-	-	-
P-2750-0066		Egan Ave.-Wellwood Ave. Alley, 5th to 8th St	-	-	85,800	356,700	-	-	442,500
P-2750-0067		Elm Ave.-Wellwood Ave. Alley, 7th St. to 5th St.	-	-	36,000	149,900	-	-	185,900
P-2750-0068		Elm Ave., 6th to 7th	-	-	22,700	94,300	-	-	117,000
P-2750-0069	(2)	Egan Ave-California Ave. Alley, 5th to 7th	151,000	-	-	-	-	-	151,000
P-2750-0092	(3)	Michigan Avenue, 5th Street to 6th Street	-	67,200	311,400	-	-	-	378,600
P-2750-0087		Beaumont 5th to 6th (Abandon pipeline)	-	-	-	-	44,500	-	44,500
P-3040-0007		Lincoln St. Cherry Ave to Jonathan Ave	-	-	-	-	95,100	395,500	490,600
P-3040-0010		Jonathan Ave., Brookside Ave. to Dutton St.	-	-	-	-	305,700	1,271,500	1,577,200
P-3040-0023,24,25,26									
P-3330-0003									
P-3620-0009	(6)	2020-2021 Replacement Pipelines	-	304,200	1,265,300	-	-	-	1,569,500
P-3040-0023	(6)	Bing Pl	20,700	(20,700)	-	-	-	-	-
P-3040-0024	(6)	Lambert Pl	20,700	(20,700)	-	-	-	-	-
P-3040-0025	(6)	Star Ln, Sky Ln, and View Dr	-	-	-	-	-	-	-
P-3040-0026	(6)	Utica Way, Vineland St to View Dr.	36,700	(36,700)	-	-	-	-	-
P-3040-0027		Grand Ave., Jonathon Ave. to Bellflower; Cherry Valley Blvd. Bellflower to HS Village 12 in	197,900	-	864,300	-	-	-	1,062,200
P-3330-0003	(6)	Avenida Sonrisa	102,200	(102,200)	-	-	-	-	-
P-3620-0001		"B" Line Upper Edgar to upper end of 20" DIP and from lower end 20" DIP to Balance line and Balance Line in Edgar Canyon	400,900	1,704,000	-	-	-	-	2,104,900
P-3620-0002		"A" Line Upper Edgar to split at Apple Tree Lane Tract	-	-	-	487,000	2,025,500	-	2,512,500
P-3620-0009	(6)	Ave. Miravilla, End of 12-in to Whispering Pines	30,400	(30,400)	-	-	-	-	-
P-3620-0012	(4)	Ave Altejo Bella, Ave Miravilla to end of cul-de-sac	221,700	-	-	-	-	-	221,700
P-3620-0015	(4)	Appletree Ln, B line to Oak Glen Rd	669,500	-	-	-	-	-	669,500
Total Potable Pipeline Replacements			1,851,700	2,140,200	3,892,400	1,758,000	2,861,500	3,293,000	15,796,800



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 9

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Request for *Will Serve Letter* for Proposed Single-Family Residence for Riverside County Assessor's Parcel No. (APN) 402-060-003 located on Winesap Avenue, south of Orchard Place and north of Dutton Street in the Community of Cherry Valley

Staff Recommendation

Consider the request for water service (*Will Serve Letter*) for a property located at **Riverside County Assessor's Parcel No. (APN) 402-060-003** within the community of Cherry Valley, subject to payment of all fees to the District and securing all approvals from the County of Riverside and:

- A. Approve the Application for Water Service and furnish "Will Serve Letter", or
- B. Deny the Application for Water Service

Background

The Applicant(s), Ray & Danesa Payan, have requested water service from the District for a proposed single-family residence to be constructed on an existing parcel of land located on Winesap Avenue and further identified as APN 402-060-003 located in the community of Cherry Valley.

The subject property is located on the east side of Winesap Avenue between Orchard Place and Dutton Street in the community of Cherry Valley, California (see Figure 1 attached). This parcel is currently within the District's Service Boundary and the District has confirmed there is a 4-inch Steel Pipe (STL) water main located within Winesap Avenue (fronting the property). District staff also identifies that there is an existing 4-inch STL water main that runs along the northern portion of the parcel. District Staff further identifies that while the existing 4-inch street meter main may be capable of providing domestic residential water service but may or may not provide sufficient flows and pressure for fire hydrant supply and potentially fire sprinkler system flow rates. District staff will determine which existing water main will ultimately service the property and further identifies location that the main fronting the parcel will provide service in order to provide a water meter within the existing public right-of-way.

The Applicant plans to construct a 3,038 sq. ft. single-family residence depicted in the site map provided by the Applicant (see Attachment 1 – APN 402-060-003 Site Plan). The Applicant will need to secure the necessary approvals from the County of Riverside.

The impact of this residence on the District's water supply system is minimal. The Applicant will be required to pay all applicable District fees, including capacity charges (facilities fees), a non-tract water service installation charge, and front-footage fees. The Applicant will be required to pay all actual applicable fees in effect at the time of application for service installation.

Final meter size will be determined by the Applicant. Fire Flow requirements will be determined by the County of Riverside Fire Department and said requirements will dictate actual required Fire Hydrant Fire Flows and residential fire sprinkler requirements for the residence. District staff has identified that the nearest fire hydrant is approximately 825-feet from the furthest portion of the proposed structure. County of Riverside Fire Department's Fire Hydrant Proximity Mitigation Matrix policy (see Attachment 2 – Riverside County Fire Hydrant Proximity Mitigation Matrix) identifies appropriate mitigation measures at different length intervals for sprinkler design for a new single-family development. The Applicant will be required to contact the County of Riverside Fire Department to discuss fire sprinkler requirements and mitigation measures. If the County of Riverside Fire Department requires the Applicant to install a fire hydrant for their project or the fire sprinkler system requires upgraded mainline facility, the Applicant shall construct the necessary facilities to support a fire hydrant (District minimum pipeline diameter of 8-inch) and/or the residential fire sprinkler system.

Conditions:

Prior to final project development the following conditions must be met:

1. The Applicant will be required to pay front footage fees along all property frontages where facilities are currently installed.
2. To minimize the use of potable water, the District requires the applicant conform to the City of Beaumont Landscaping Ordinances and Zoning Requirements and/or County of Riverside Landscaping Ordinances (whichever is applicable) which pertain to water efficient landscape requirements and the following:
 - a. Landscaped areas which have turf, shall have “smart irrigation controllers” which use Evapotranspiration (ET) data to automatically control the watering. Systems shall have an automatic rain sensor to prevent watering during and shortly after rainfall and automatically determine watering schedule based on weather conditions, and not require seasonal monitoring changes. Orchard areas, if any, shall have drip irrigation.
 - b. Landscaping in non-turf areas should be drought tolerant consisting of planting materials which are native to the region. Irrigation systems for these areas should be drip or bubbler type.
 - c. The Landscaping Ordinance prohibiting turf within the front yards of all residences as set forth by the County of Riverside's Landscape Ordinance shall not be modified by either the Developer and/or the Homeowner. Specifically, the District will provide service so long as no turf is installed within the front yards as set forth in said County of Riverside's Landscape Ordinance.
 - d. Conversion of drought tolerant landscaping to turf is prohibited.
3. The Applicant shall conform to all District requirements and all County of Riverside requirements.

Fiscal Impact:

None. All fees and deposits will be paid by the Applicant prior to providing service.

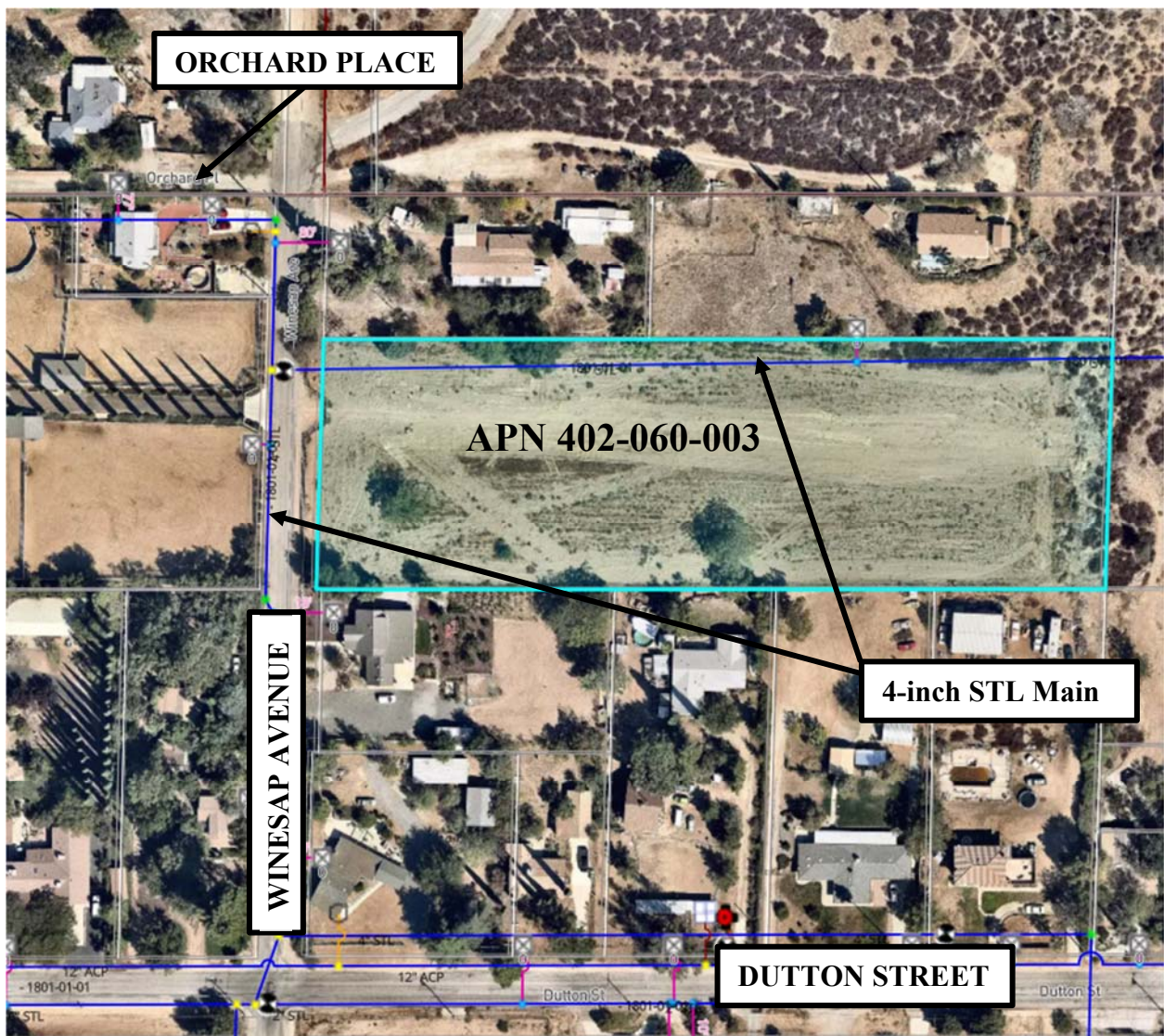
Attachments

Figure 1 – APN 402-060-003 Vicinity Map

Attachment 1 – APN 402-060-003 Site Plan
Attachment 2 – Riverside County Fire Hydrant Proximity Mitigation Matrix
Attachment 3 – Application for Water Service

Staff Report prepared by Aaron Walker, Development Services Technician

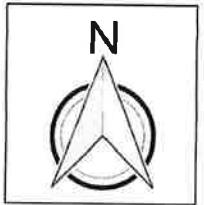
FIGURE 1 – APN 402-060-003 Vicinity Map



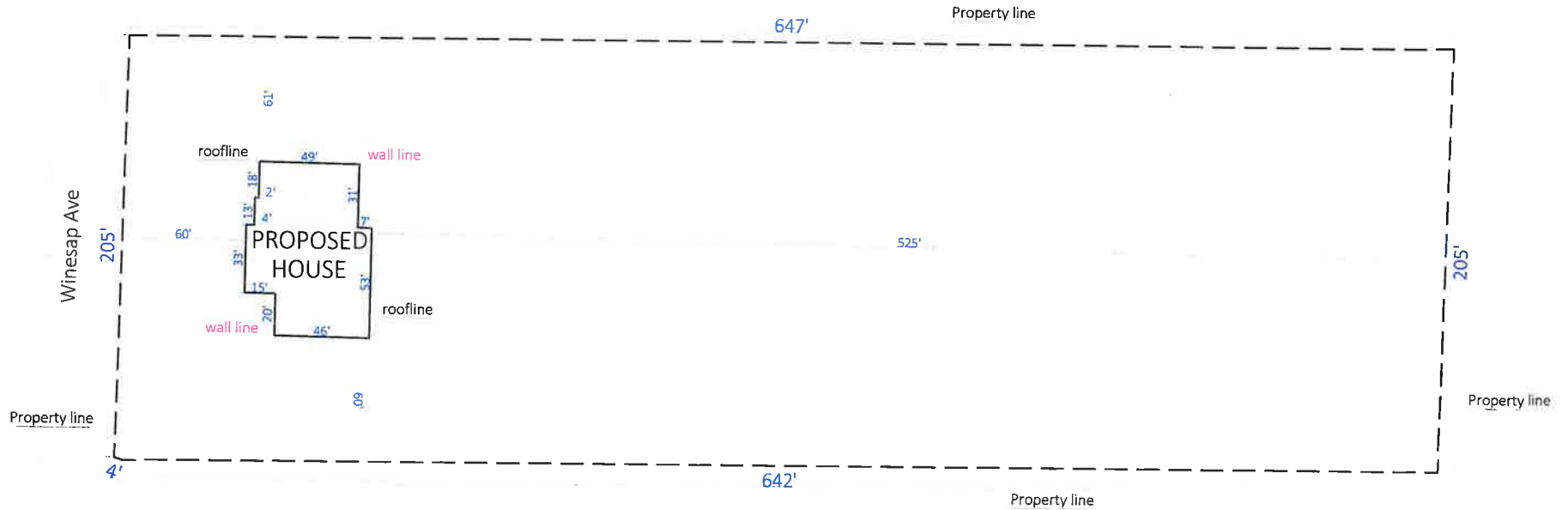
Attachment 1 - APN 402-060-003 Site Plan

SITE PLAN

Winesap Ave
Cherry valley Ca 92223
Parcel ID: 402-060-003
Lot area: 2.92 Acres
Plot Size: 11"x17"



scale 1"=60'



Created by:





Attachment 2 - Riverside County Fire Hydrant Proximity Mitigation Matrix

Riverside County Fire Department

Office of the Fire Marshal

2300 Market St., Ste. 150, Riverside, CA 92501 Ph. (951) 955-4777 Fax (951) 955-4886

Technical Policy

Title: One- and Two-Family Dwellings Fire Hydrant Proximity Mitigation Matrix		
Technical Policy: # TP 16-002	Effective Date: 08/08/2016	Revised Date: N/A
Code References: 2013 California Fire Code, Sections 1.11.2.4, 104.1, 104.9, 507, California Residential Code Section R313.2, R313.2.1 and R313.3 and NFPA 13D 2013 edition		

Purpose

The Riverside County Fire Department (RCFD) Office of the Fire Marshal (OFM) has prepared this policy to provide guidance to building officials, contractors, architects, home owners, consultants and the general public on local interpretations and practices that are considered to be in compliance with the 2013 California Fire Code (CFC). The purpose is to provide an acceptable alternative method of compliance in the event the distance from an existing fire hydrant to the furthest portion of a new one- and two-family dwelling exceeds 600 feet. The requirements of this policy shall not be construed as altering any existing code, law or regulation which may require fire protection features not covered or alluded to in these requirements, nor shall they waive any requirements of any code, law or regulation. The reader is cautioned that the guidance detailed in this policy may or may not apply to their specific situation, and that the OFM retains final authority to determine compliance.

Scope

This policy is applicable to new one- and two-family dwellings (Group R-3 occupancies) proposed on existing parcels under the jurisdiction of the Riverside County Fire Department where the minimum number of fire hydrants is 1 (one) per CFC Table C105.1. This policy is not applicable to subdivision map submittals regulated by Riverside County Ordinance No. 460 or subdivision map submittals regulated by Partner City Ordinances.

Codes and Standards

This policy is based on the 2013 California Fire Code (CFC), Chapter 1, Section 104.1, 104.9 (alternative materials and methods) and Chapter 5, Section 507.5 (fire hydrant systems). Specifically CFC Section 507.5.1 limits the maximum distance from a fire hydrant to the furthest portion of a building to no more than 600 feet when fire sprinklered in accordance with NFPA 13D or 2013 California Residential Code R313.3. However, CFC 104.9 affords for other alternative materials and methods to be proposed.

Alternative Material and Method

There are parcels where the location of an existing fire hydrant exceeds 600 feet to the furthest portion of the proposed building. As a development option, the matrix below provides specific mitigations to permit greater distances based on an alternative to the prescriptive code provision for fire sprinkler systems:

Group R-3 One and Two Family Dwellings Fire Hydrant Proximity Mitigation Matrix	
Distance from Existing Fire Hydrant to all Exterior Ground Floor Walls (X) ^a	Fire Sprinkler System Mitigation Required (2013 CRC R313.2 & R313.2.1)
X ≤ 600ft	NFPA 13D/R313.3 (2013 CFC 507.5.1 Exception)
600ft < X ≤ 900ft	NFPA 13D/R313.3 + fire sprinklers in all closets, bathrooms and covered patios/porches
900ft < X ≤ 1200ft	Same as 900ft + fire sprinklers throughout attic. Fire sprinklers not required in floor/ceiling assemblies or combustible concealed spaces without access
1200ft < X ≤ 1500ft	Same as 1200ft + three fire sprinkler head calculation

a. Measured along the access road/driveway and around the exterior of the building

Attachment 3 - Application for Water Service



BEAUMONT CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue • PO Box 2037

Beaumont, CA 92223-2258

Phone (951) 845-9581

www.bcvwd.org

Will Serve Request Water Supply Assessment (SB210)

Applicant Name: <u>RAY PAVAN</u> <u>DANESA PAVAN</u>		Contact Phone # <u>951-463-9910</u>
Mailing Address: <u>P.O. BOX 720562</u>		Fax #:
City: <u>PALM HILLS</u>		E-mail: <u>ADAMGREENDOLLAR@GMAIL.COM</u>
State & Zip: <u>CA 92372</u>		
Service Address:		
Assessor's Parcel Number (APN), Tract Map No. Parcel Map No.: <u>402060003</u>		
Project Type: <input checked="" type="checkbox"/> Single-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Minor Subdivision (5 lots or less) <input type="checkbox"/> Major subdivision (6+ lots) <input type="checkbox"/> Other		
Site Map Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

The letter should be delivered to:

Recipient: <u>RAY PAVAN</u> ★ <u>DANESA PAVAN</u> <u>ADAMGREENDOLLAR@GMAIL.COM</u>
PLEASE CHOOSE ONE: <input type="checkbox"/> Mail (above address) <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Will pick up

The District reserves the right to impose terms and conditions in Will Serve Letters and/or Water Supply Assessment Reports that take into account water availability issues, conservation issues and the District's existing facilities, all of which impact the District's ability to provide service to the subject property and maintain the District's ability to meet existing water demands.

[Signature]
Applicant's Signature

5/10/22
Date

Customer # 66339

AR# 0000725



**Beaumont-Cherry Valley Water District
Regular Board Meeting
July 28, 2022**

Item 10

Update: Legislative Action and Issues Affecting BCVWD

CHANGES MADE OR NEW SINCE LAST UPDATE	NO CHANGES MADE	
FEDERAL		

The first-ever National Special Districts Action Week is slated for August 8 - 12.

California's special districts are invited to participate in the first-ever "National Special Districts Action Week" during the second week of August. The National Special Districts Coalition (NSDC) will coordinate this weeklong event to facilitate special districts' engagement with federal lawmakers during the Congressional recess.

NSDC will equip special districts with advocacy resources and aid with coordination of meetings with Congressional offices during the week of August 8-12. The Coalition's objective is to provide members with an opportunity to directly engage with their federal representatives to raise awareness of the essential services special districts provide to their constituents, convey understanding about the differences between special districts and city/county counterparts, and share insight on specific *federal* concerns districts may face locally.

Federal update: Final appropriations will be determined when the legislature returns from recess in August. More than \$1.6 billion in funding is to be considered.

From CSDA: By Vanessa Gonzales Week of July 18, 2022. The House and Senate are in session this week.

Senator Joe Manchin (D-WV) put a stop to a larger pre-August recess reconciliation bill Friday, saying he would only consider a tax and climate provisions in September citing a desire to see the U.S. inflation numbers. On Thursday, Manchin rejected Senate Democrats' proposed energy and climate investments, as well as their goals of increasing taxes on the wealthy and large corporations. Senator Manchin did, however, say he would support a smaller package lowering prescription drug prices and extending Affordable Care Act (ACA) subsidies, two critical pieces of the Biden administration's legislative agenda. This week, Senate Majority Leader Chuck Schumer (D-NY) will move forward with the smaller reconciliation package before the August recess, potentially preventing millions of Americans from having their ACA premiums rise in January.

Senate Democratic leaders said they wouldn't be marking up any appropriation measures before recess, making it likely that Congress will need to pass a continuing resolution to keep the government open past September 30.

The House will consider a six-bill appropriations minibus following a Rules Committee meeting to set floor debate terms.

For the remainder of the week, several House and Senate committees will hold hearings, including a House Transportation and Infrastructure hearing on "**Implementing the Infrastructure Investment and Jobs Act**" The House Select Committee to Investigate the January 6th Attack on the United States Capitol will also hold a primetime hearing on Thursday.

Issue	Status	Description
HR535: Special Districts Provide Essential Services Act Senate companion bill: S. 91	1/28/21 – Introduced. Ref to Committee on Oversight and Reform, and Committee on Financial Services 7/19/22 – No change	Update: Unfortunately, elements of H.R. 535/S. 91 , the Special Districts Provide Essential Services Act, are not included in the \$1.9 trillion stimulus bill. The bill is now in the U.S. Senate, where the procedure will be governed under the Upper Chamber's reconciliation rule, which includes the ability for Senators to propose amendments on the Floor Representative John Garamendi, D-Calif., and U.S. Senator Kyrsten Sinema, D-Ariz., re-introduced landmark special districts legislation (H.R. 535 and S. 91 , the Special Districts Provide Essential Services Act) to provide special districts with certain access to future local government pandemic relief.
S 914 Drinking Water and Wastewater Infrastructure Act of 2021	3/23/21 Introduced 4/29/21 Passed Senate. 4/30/21 – Held at Desk in House 7/19/22 – No change in status	Authorizes the investment of more than \$35 billion in water infrastructure projects across the country that "focus on upgrading our aging infrastructure, addressing the threat of climate change, investing in new technologies, and providing assistance for marginalized communities." The bill includes nearly \$30 billion in funding for the Clean Water State Revolving Loan Fund (CWSRF) and the Drinking Water State Revolving Loan Fund (DWSRF) and an additional \$6 billion in grant funding over fiscal years 2022-2026
HR 2482 - "Making Imperiled Communities Resistant to Outages with Generation that is Resilient, Islandable, and Distributed" (MICROGRID) Act	4/13/21 – Introduced and ref to House Ways and Means 7/19/22 – No change in status	From CSDA: To incentivize microgrid development and rehabilitation to provide backup power to communities and essential facilities during power outages and emergencies. Special districts would be eligible for reimbursements on qualified microgrid projects. The Act is an effort to develop climate-resilient infrastructure as extreme weather events become increasingly common, and it is a response to ongoing threats of power outages and Public Safety Power Shutoff events. "The MICROGRID Act is a solution to facilitate local governments' ability to develop much-needed resources and continue providing reliable, critical services in times of PSPS events and grid unreliability," said Neil McCormick, CEO of the California Special Districts Association, in a statement provided to Panetta's office ahead of the bill's introduction. "California's special districts applaud Congressman Panetta for leading on this legislation, and for ensuring special districts are included in direct credits for developing qualified microgrids." The legislation clarifies tax credit eligibility for elements necessary for microgrid construction. Special districts would be eligible for 30 percent reimbursements in the form of direct payments for qualified projects through 2025. Credits phase out to 10 percent by 2028 and sunset in 2029. Eligible microgrids would provide as little as 4 kilowatts and as high as 50 megawatts, which would be sufficient to island critical infrastructure such as water pumps at well sites, wastewater treatment facilities, medical facilities, emergency facilities and other essential infrastructure necessary for continuity of special districts' services.
S 2520: State and Local Government Cybersecurity Act of 2021 CHAPTERED - NOW LAW	11/12/21 – Introduced 1/11/22: Passed Senate 5/16: House debate, motion failed 6/22 Passed	CSDA update: The National Special Districts Coalition (NSDC), of which CSDA is a founding member, on Monday 2/6 communicated to the House Homeland Security Committee its support for the bipartisan <i>State and Local Government Cybersecurity Act of 2021</i> . The legislation – H.R. 5960 (Neguse) and S. 2520 (Peters) – would allow the Department of Homeland Security's cybersecurity agencies to enhance communication of vital information regarding potential cyber threats, vulnerabilities, and breaches to state and local governments. The bills would also authorize federal resources to help state and local governments to prevent and recover from future cyberattacks.

CHANGES MADE OR NEW SINCE LAST UPDATE	NO CHANGES MADE	
CALIFORNIA		
<p>Budget Update: Governor Newsom signed the \$308 billion state budget on June 30.</p> <p>From the Governor’s Office: While SCOTUS is kneecapping the federal EPA’s ability to fight climate change, California is making a climate commitment on the scale of what other countries are spending. Our \$53.9 billion in new investments will better protect Californians from the extreme weather that has been impacting our bills, our livelihoods, our farms and our families. We’re investing in fire protection and drought response while forging an oil-free future away from big polluters, and more.</p> <p>California has an energy <i>plan</i>. Drought is causing lower energy production. Extreme heat is causing increased energy demand. Wildfires threaten energy infrastructure. So, we’re investing \$4.3 BILLION to help keep the lights on this summer, invest in clean and reliable energy infrastructure, help with your energy bills, accelerate our transition to clean energy and so much more.</p> <p>Railroads. Highways. Streets. We’re investing in infrastructure! This budget includes a \$14.8 BILLION transportation infrastructure investment. That means money for rail and transit projects, climate adaptation projects, walking and bicycling projects, high-speed rail, our ports, and more. AND we’re investing to speed up our transition to zero-emission vehicles.</p> <p><u>\$1.4 Billion to Help Californians Pay Past-Due Utility Bills:</u> Expanding on last year’s utility relief program, the budget provides funds to continue covering past-due electricity and water bills.</p> <p>\$53.9 Billion California Climate Commitment:</p> <p>New investments in this year’s budget bring California’s multi-year climate commitment to \$53.9 billion to protect Californians from the impacts of climate change, help forge an oil-free future and tackle pollution.</p> <p><u>Drought and Water Resilience:</u> Building on last year’s \$5.2 billion commitment to ensure water security for Californians, the budget invests another \$2.8 billion for near- and long-term actions to build water resilience, promote conservation and more.</p> <p><u>Fighting Wildfires:</u> \$2.7 billion investment to reduce the risk of catastrophic wildfires and bolster forest health. These projects include forest thinning, prescribed burns, grazing, reforestation, and fuel breaks.</p> <p>Cal Matters article on the size of the budget:</p> <p>https://calmatters.org/politics/2022/06/california-budget-surplus-explained/</p>		
<p>From ACWA News: California Water Plan Update 2023 DWR has initiated the California Water Plan Update 2023. The 2023 update will promote climate resilience across regions and water sectors with a statewide vision, clear goals, watershed planning framework and toolkit, and progress-tracking dashboard of indicators. DWR began hosting public workshops in July to inform the update including a July 11 workshop on climate change and a July 21 workshop on equity in water management. More information is available on DWR’s website at water.ca.gov.</p>		

INITIATIVE: “**Taxpayer Protection and Government Accountability Act**” – CSDA opposed. Constitutional Amendment. Limits the ability of voters and State and local governments to raise revenues for government services. CSDA description: The purported “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure to amend the California Constitution sponsored by the California Business Roundtable (“CBRT”), is the most consequential proposal to limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Proposition 218 (1996) and Proposition 26 (2010). If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs.

7/19/22 Update: Failed to qualify for the ballot

Issue	Status	Description
ACA 1 - Local government financing: affordable housing and public infrastructure: voter approval.	12/7/20 – Introduced 4/22/21 – Ref to Coms on Local Govt and Appropriations 7/19/22 No change in status	CSDA description: 55% vote threshold for special taxes. Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.
SCR 5: State of emergency: COVID-19: termination	12/22/20 – Introduced 2/2/21 – Amended in Com on Rules 2/10/21 – Ref to Com on Gov Organization	This measure, in accordance with specified law, would declare that the state of emergency proclaimed by the Governor on March 4, 2020, is at an end, thereby terminating the emergency powers granted to the Governor as a result of that proclamation. 7/14/22– No change in status.
AB 343: California Public Records Act: Ombudsperson	1/28/21 – Introduced 6/1/21 Passed Assembly. 6/22–Amended in Senate, passed Committee	CSDA Summary: Would establish the California Public Records Act Ombudsperson. The bill would require the California State Auditor to appoint the ombudsperson. The ombudsperson would receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the CPRA, and issue written opinions of its determination, as provided. The bill would require the ombudsperson to create a process and would authorize a member of the public to submit a request for review consistent with that process. Would require the ombudsperson, within 30 days from receipt of a request for review, to make a determination, as provided, and would require the state agency to provide the public record if the ombudsperson determines that it was improperly denied.

	AB 1717: Public Works: Definition	1/27/22: Introduced 2/3/22: Ref to Com on L&E 5/27/22: In Senate 6/27 Sent to suspense file	CSDA Opposed. Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defined the term "public works" to include construction, alteration, demolition, installation, or paid work done under a contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would expand the definition of "public works" to include fuel reduction work paid for in whole or in part by public funds performed part of a fire mitigation project.
	AB 1727: Public Works: fees: Small business	1/31/22 – Introduced 3/22/22: Ref to Com Failed Deadline. DEAD.	Would reduce the \$400 fee for a small business contractor to register with the Department of Industrial Relations to be qualified to bid on a public works contract.
	AB 1774: CEQA: water conveyance or storage projects: judicial review	2/3/22 – Introduced 2/10: Ref to Com on Natural Resources Failed Deadline. DEAD	Would require the Judicial Council to adopt rules applicable to proceedings brought to attack or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, or the granting of project approvals, including appeals, to be resolved to the extent feasible within 270 days of the filing.
	AB 1851: Public Works: Prevailing wage: hauling	2/8/22: Introduced 5/26/22 – Passed Assembly 5/27: In Senate. 6/22 In Com on Appropriations. Hearing postponed.	BCVWD WATCHING: This could impact District costs. CSDA description: This bill expands the definition of public works to include on hauling of materials used for paving, grading, and fill onto a public works site. Relevant existing law defines public works to include the hauling of refuse from a public works site to an outside disposal location. As applicable to off hauling, "hauling of refuse" is defined as including, but not limited to, hauling soil, sand, gravel, rocks, concrete, asphalt, excavation materials, and construction debris, and excluding the hauling of recyclable metals such as copper, steel, and aluminum that have been separated from other materials at the jobsite prior to transportation and that are to be sold at fair market value to a bona fide purchaser.
	AB 1931: Community Water systems: lead pipes	2/10/22: Introduced 5/26/22 – Passed Assembly 5/27/22 – In Senate. 6/30 – Re-ref to Com on Appropriations	CSDA opposed. Existing state and federal law and regulations have established a comprehensive structure for addressing lead in water distribution systems. These efforts exist for both the water system and customer side and amended to ensure that federal infrastructure funding can be used for replacements on the customer-owned portion of the lead service line. This bill is duplicative of some of those efforts and adds uncertainty.

Continued next page

	AB 2142 Turf Replacement initiative	2/15/22: Introduced Passed Assembly 5/26/22: In Senate. 6/15/22: Ref to Com on Appropriations, sent to suspense file	ACWA description: AB 2142, sponsored by ACWA and authored by Assembly Member Jesse Gabriel (D-Encino) would exempt turf rebates from California taxable income for tax years 2022-2026. ACWA is cosponsoring this bill with the California Water Efficiency Partnership and WaterNow Alliance. The bill had a testimony-only hearing in the Assembly Revenue and Taxation Committee on March 21 and passed out of that Committee on May 5 in a vote-only hearing, with unanimous support. ACWA is managing a broad coalition of organizations supporting the bill, including water agencies, local governments, other associations and environmental groups, and would welcome additional signatories.
	AB 2201 Groundwater Extraction Permitting	2/15/22: Introduced 5/23 Passed Assembly 5/24: In Senate. Read first time 6/1: Ref to Com on Natural Resources, and Govt and Finance 6/30 – Ref to Com on Appropriations	ACWA Description: Seeks to substantively change how applications for certain new or expanded groundwater wells in medium- or high priority groundwater basins are reviewed and approved. The bill would require groundwater sustainability agencies (GSAs) to determine if proposed wells are consistent with any sustainable groundwater management program and would decrease the likelihood of achieving any sustainability goals for the basin established in the GSA's Groundwater Sustainability Plan (GSP). GSAs would also be required to analyze whether the proposed well would likely interfere with nearby wells or cause subsidence adversely impacting nearby infrastructure. GSAs would be required to provide counties with written verification that the proposed well complies with these factors before a county could issue a groundwater well permit. As introduced, AB 2201 would have required groundwater sustainability agencies to establish a permitting process for specified groundwater extraction facilities by June 30, 2023. It was substantively amended in the Assembly Water, Parks and Wildlife Committee to align with a portion of Gov. Gavin Newsom's recently issued Executive Order (N-7-22). ACWA adopted an oppose-unless-amended position on the prior iteration of the bill, and ACWA's State Legislative Committee was scheduled to consider the recent amendments at its May 20 meeting. However, ACWA has expressed numerous concerns
	AB 2357: Surplus land	2/17/22: Introduced 5/26/22 – Passed Assembly 5/27/22: In Senate. DEAD	CSDA description: This bill makes several changes to the Surplus Lands Act (SLA) and is a follow-up to Assembly Bill 1486 (Ting, Chaptered 2019). Specifically, Assembly Bill 2357 authorizes local agencies to administratively declare specific types of "exempt surplus land" with 30 days public notice and requires local agencies to notify the Department of Housing and Community Development (HCD) 30 days prior to disposing of exempt surplus land. In addition, Assembly Bill 2357 amends the penalty provisions associated with violations of disposed surplus land making local agencies liable for a penalty that is a specified percentage of an independently appraised fair market value on the surplus land being disposed of.
	AB 2419: Environmental justice: Federal Infrastructure Investment and Jobs Act	2/17/22: Introduced 5/25/22 – Passed Assembly 6/29 Ref to Com on Appropriations	CSDA description: This bill would make the Biden Administration goal a mandate in California by codifying the establishment of a state commission to allocate to disadvantaged communities at least 40 percent of the Infrastructure Investment and Jobs Act's funding for climate, energy, transit, and water/wastewater infrastructure.

	AB 2449: Open Meetings: local agencies: teleconferences	2/17/22: Introduced 5/26: Passed Assembly 6/30 Ref to Com on Appropriations	Revises existing law to authorize members of a legislative body of a local agency to meet via teleconferencing without noticing their teleconference locations and making them publicly accessible until January 1, 2026. This bill is sponsored by Three Valleys Water District.
	AB 2953: DOT and local agencies: streets and highways	2/18/22: Introduced 3/21: Com of Transportation 5/23/22 – Passed Assembly 5/24/22: In Senate. Ref to Com on Rules 6/27 – sent to suspense file	Assembly Bill 2953 would require a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. Further, the bill would require a local agency that has jurisdiction over a street or highway, beginning January 1, 2024, apply standard specifications that allow for the use of recycled materials in streets and highways to the extent feasible and cost effective. "A local agency that has jurisdiction over a street or highway" is a phrase expressly defined in the bill to only exclude any city whose revenue is equal to or less than 0.02 percent of the total of all California city revenues, or any county whose revenue is equal to or less than 0.10 percent of the total of all California county revenues, as posted for the most recent fiscal year on the Local Government Annual Financial Data internet website or a successor internet website. By expressly defining "a local agency that has jurisdiction over a street or highway" in this manner, special districts would be required to observe these requirements and would not qualify for the exemption provided within the bill.
	SB 37: Contaminated Site Cleanup and Safety Act	12/7/20 – Introduced 5/20/21 Passed Appropriations 6/2/21 Assembly – read first time 9/8/21 – Ordered to inactive at request of author 7/14/22 – No change in status	CSDA Summary 1/13/21: Current law requires the State Department of Health Care Services to compile a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers. Current law also requires the State Water Resources Control Board to compile a list of specified information, including, but not limited to, all cease-and-desist orders and cleanup and abatement orders issued under the Water Code that concern the discharge of wastes that are hazardous materials. Current law requires these agencies to update the information as appropriate, but at least annually, and to submit the information to the Secretary of Environmental Protection. Under current law, the Secretary for Environmental Protection is required to consolidate the information provided by these state agencies and distribute the information in a timely fashion to each city and county in which sites on the lists are located and to any other person upon request. The information consolidated and made available by the Secretary for Environmental Protection is commonly known as the "Cortese List." This bill would enact the Dominic Cortese "Cortese List" Act of 2021 and would recodify the above-described provisions with certain revisions.
	SB 230: State Water Resources Control Board: Constituents of Emerging Concern	Introduced 1/19/21 5/5: Ref to Com on Environmental Safety and Toxic Materials 6/28 Ref to Com on Appropriations	Would require the SWRCB to establish a program called the Constituents of Emerging Concern in Drinking Water Program for 5 years to assess the state of information and recommend areas for further study. Requires the State to convene a Science Advisory Panel to make recommendations and provide a full report to the Legislature by June 1, 2026.

	SB 832: Water rights: measurement of Diversion	1/3/22 – Introduced Failed deadline. DEAD	Clarifies that a person diverting 10-acre feet or more of water per year is subject to water diversion, measurement, recording and reporting requirements.
	SB 890: Amend Water Code	1/13/22 Introduced 2/9/22 – Ref to Com on Natural Resources 3/8/22 – Hearing. Failed passage. Still active 7/19 – No change in status	<p>Sun-Herald 2/9/2022: State Sen. Jim Nielsen, R-Red Bluff, and Sen. Andreas Borgeas, R-Fresno, introduced a bill last week that would have a significant impact on the Sites Reservoir project in Colusa County.</p> <p>The bill, Senate Bill 890, is meant to ensure millions of acre-feet of water is stored during wet years instead of being flushed out to sea, a release from California Senate Republicans said. According to the Republican senators, SB 890 would advance the goals of Proposition 1, passed in 2014, by “making significant investments in California’s aboveground water storage and conveyance infrastructure.”</p> <p>3/8/22: From Sen. Jim Nielsen: As California’s precious water continues to be flushed out to sea, Democrats today killed Senate Bill 890, a measure Senator Jim Nielsen (R-Red Bluff) authored to secure funding to build and repair critical water infrastructure.</p> <p>“Another historic drought, billions in extra funding and legislative Democrats turn their backs on investing in critical water projects that affect the lives of all Californians? It’s absurd and irresponsible,” said Nielsen.</p> <p>SB 890, jointly authored with Senator Andreas Borgeas (R-Fresno), would have advanced the goals of Proposition 1 (2014) by making significant investments in California’s aboveground water storage and conveyance infrastructure. Specifically, SB 890 would have established the Water Storage and Conveyance Fund to provide:</p> <ul style="list-style-type: none"> • \$2.6 billion to complete the funding of Sites Reservoir in Colusa County; and • \$685 million to repair the Friant-Kern/Delta-Mendota Canals and the San Luis Field/San Joaquin Divisions of the California Aqueduct.
	SB 892: Cybersecurity preparedness: water and wastewater sector	1/31/22: Introduced 5/24: Passed Senate 5/25 In Assembly 6/27 – Ref to Com on Appropriations	<p>Would require water and wastewater system entity serving more than 3,300 people to report their risk assessments and emergency response plan required by the America’s Water Infrastructure Act of 2018 to the California Cybersecurity Integration Center, the Department of Water Resources, and the State Water Resources Control Board.</p> <p>Update: The bill specifies that its provisions do not require the water and wastewater sector to submit vulnerability assessments, emergency response plans, or other related documents to the state.</p>

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	<p>SB 938: Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation</p> <p>CHAPTERED</p>	<p>2/8/22 Introduced 4/25 Passes Senate 6/16 Passed Assembly 7/2/22 Signed by Governor and Chaptered</p>	<p>CSDA description: This bill was developed through an inclusive, thorough, multi-year working group process between CSDA, the California Association of Local Agency Formation Commissions (CALAFCO), and other stakeholders in response to recommendations by the Little Hoover Commission.</p> <p>Importantly, SB 938 creates a new voter protest threshold for LAFCO-initiated dissolutions of special districts that meet specified criteria. Special districts meeting this criteria include those that:</p> <ul style="list-style-type: none"> • have one or more documented chronic service provision deficiencies; • spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the district; • have shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws; • have failed to meet the minimum number of times required in its principal act in the prior calendar year; • have consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under California Government Code; or • have recent annual audits showing chronic issues with the district's fiscal controls <p>Special districts meeting one or more of the criteria above are entitled to a fair and procedurally-equitable process, where determinations for the proposed dissolution must be documented in a municipal services review (MSR) and presented at a public hearing. As part of this process, the affected special district will receive a one-year period to resolve the documented deficiency.</p>
	<p>SB 1020: Clean Energy, Jobs and Affordability Act of 2022</p>	<p>2/14/22 Introduced 5/26 – Passed Senate 6/28 Ref to Appropriations</p>	<p>Establishes interim targets to reach SB 100 clean energy goals and requires state agencies to purchase 100% zero carbon electricity by 2030. State Water Contractors have expressed concern over the costs of such a program, accelerated timeline to achieve the goals, and the restrictions on renewables that quality.</p>
	<p>SB 1124: Public health goal: drinking water standard: Manganese</p>	<p>2/16/22: Introduced 5/25: Passed Senate 6/28 Ref to Com on Appropriations</p>	<p>This bill would require Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for manganese, as provided. The bill would require the state board, after OEHHA publishes a public health goal for manganese, to adopt a primary drinking water standard for manganese and to establish monitoring requirements for manganese on or before July 1, 2023.</p>

	SB 1157: Indoor residential water use	2/17/22: Introduced 4/21: Passed Senate 4/21: In Assembly 6/22 – Ref to Com on Appropriations	BCVWD WATCHING. This is important to the District. ACWA description: Would codify the joint Department of Water Resources (DWR) and State Water Resources Control Board recommendations to the Legislature for an indoor residential water standard. Proposes to maintain the current standard of 55 gallons per capita daily (GPCD) until Jan. 1, 2025, when the standard would be lowered to 47 GPCD until Jan. 1, 2030, when the final standard would be reduced to 42 GPCD. ACWA has adopted an oppose-unless amended position on SB 1157, consistent with its position on the final version of AB 1434. ACWA, in coordination with other statewide associations, is seeking amendments to the bill that would delay the implementation of a 2030 indoor residential use standard and require DWR to do additional quantitative study on a cost-effective, feasible standard for 2030 and beyond. An ACWA working group continues to provide input and guidance for ACWA staff as SB 1157 moves through the process. ACWA is managing a coalition letter on this issue and would welcome additional signatories. The bill was passed off the Senate Floor along party lines, with Senator Melissa Hurtado (D-Sanger) voting with the Republicans, and Senator Susan Rubio (D-Baldwin Park) abstaining. There was robust debate on the floor, with much of it focusing other water related issues like storage. Many of the Republicans spoke on the bill expressing concerns. Several Democrats also spoke on the bill, mostly in support, with some specifically stating that while they support the bill, they expect Senator Hertzberg to work with the water community to address our concerns. The bill will next be heard in the Assembly Water, Parks, and Wildlife Committee in June.
	SB 1205: Water rights: Appropriation	2/17/22: Introduced 5/25: Passed Senate 5/26: In Assembly. Ref to Com on Water, Parks & Wildlife 6/30 – Ref to Com on Appropriations	SB 1205 by Senator Ben Allen (D-Santa Monica) would direct the State Water Board to develop and adopt regulations to provide greater specificity as to the methods and practices for determining water availability in the issuance and administration of water rights permits and licenses. The water rights permitting process does not provide a set methodology for applicants to follow when conducting a water availability analysis. This can lead to extensive back-and-forth between applicants and State Water Board staff, delaying the application process. SB 1205 would improve this process by establishing a uniform methodology for calculating water available for appropriation. When developing the regulations, the bill would require the State Water Board to consider the effects of climate change upon watershed hydrology as part of the preparation of water availability analyses. ACWA has concerns about the potential feasibility of water right applicants accurately modeling the effects of climate change. ACWA has a support-if-amended position on the bill and continues discussing potential amendments with the author.
	Governor Newsom’s Water Resilience Portfolio	https://waterresilience.ca.gov/wp-content/uploads/2020/07/Final_California-Water-Resilience-Portfolio-2020_ADA3_v2_ay11-opt.pdf	
	Delta Conveyance Project Public Engagement Outlook for 2022	https://water.ca.gov/News/Blog/2022/Feb-22/DC-Public-Engagement-Outlook-2022	

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