



Yucaipa Valley Water District

Notice and Agenda of a Board Workshop

Tuesday, July 26, 2016 at 4:00 p.m.

MEETING LOCATION: District Administration Building
12770 Second Street, Yucaipa

MEMBERS OF THE BOARD: Director Ken Munoz, Division 1
Director Bruce Granlund, Division 2
Director Jay Bogh, Division 3
Director Lonni Granlund, Division 4
Director Tom Shalhoub, Division 5

I. Call to Order

II. Public Comments At this time, members of the public may address the Board of Directors on matters within its jurisdiction; however, no action or significant discussion may take place on any item not on the meeting agenda.

III. Staff Report

IV. Presentations

- A. Overview of the California Drought and Yucaipa Valley Water District's Action Plan Related to the State Water Resources Control Board Water Conservation Restrictions [[Workshop Memorandum No. 16-110 - Page 5 of 112](#)]
- B. Overview of a Proposed Consolidated Process Water Purification and Pretreatment Enterprise for Commercial and Industrial Customers [[Workshop Memorandum No. 16-111 - Page 29 of 112](#)]
- C. Overview of a Refined Methodology for the Collection of Water Facility Capacity Charges for Dual-Plumbed Homes [[Workshop Memorandum No. 16-112 - Page 31 of 112](#)]

V. Operational Updates

- A. Status Reports on the Operation of the Recycled Water Desalination Facility and Yucaipa Valley Regional Brineline [[Workshop Memorandum No. 16-113 - Page 33 of 112](#)]

VI. Capital Improvement Projects

- A. Status Report on the Construction of a 6.0 Million Gallon Drinking Water Reservoir R-12.4 - Calimesa [[Workshop Memorandum No. 16-114 - Page 52 of 112](#)]
 - B. Status Report on the Construction of Interim Recycled Water Booster Station RWB - 12.4 [[Workshop Memorandum No. 16-115 - Page 55 of 112](#)]
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Any person with a disability who requires accommodation in order to participate in this meeting should telephone Erin Anton at (909) 797-5117, at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

Materials related to an item on this agenda submitted to the Board of Directors after distribution of the workshop packet are available for public inspection during normal business hours at the District office located at 12770 Second Street, Yucaipa. Meeting material is also be available on the District's website at www.yvwd.dst.ca.us

VII. Policy Issues

- A. Consideration of Changing the Regular Meeting Dates for Yucaipa Valley Water District Board Meetings and Workshops [[Workshop Memorandum No. 16-116 - Page 59 of 112](#)]
- B. Consideration of a Policy Regarding the Pre-Approval of Travel and Lodging Expenses by the Board of Directors [[Workshop Memorandum No. 16-117 - Page 60 of 112](#)]
- C. Overview of Guidelines and the Role of Board Members [[Workshop Memorandum No. 16-118 - Page 68 of 112](#)]

VIII. Administrative Issues

- A. Purchase of a Water Truck for Routine Use by the Public Works Department [[Workshop Memorandum No. 16-119 - Page 86 of 112](#)]
- B. Purchase of a Dump Truck for Routine Use by the Public Works Department [[Workshop Memorandum No. 16-120 - Page 87 of 112](#)]
- C. Review of Claims for Damage – James Jones [[Workshop Memorandum No. 16-121 - Page 88 of 112](#)]

IX. Director Comments**X. Adjournment**

Staff Report



Yucaipa Valley Water District

Presentations



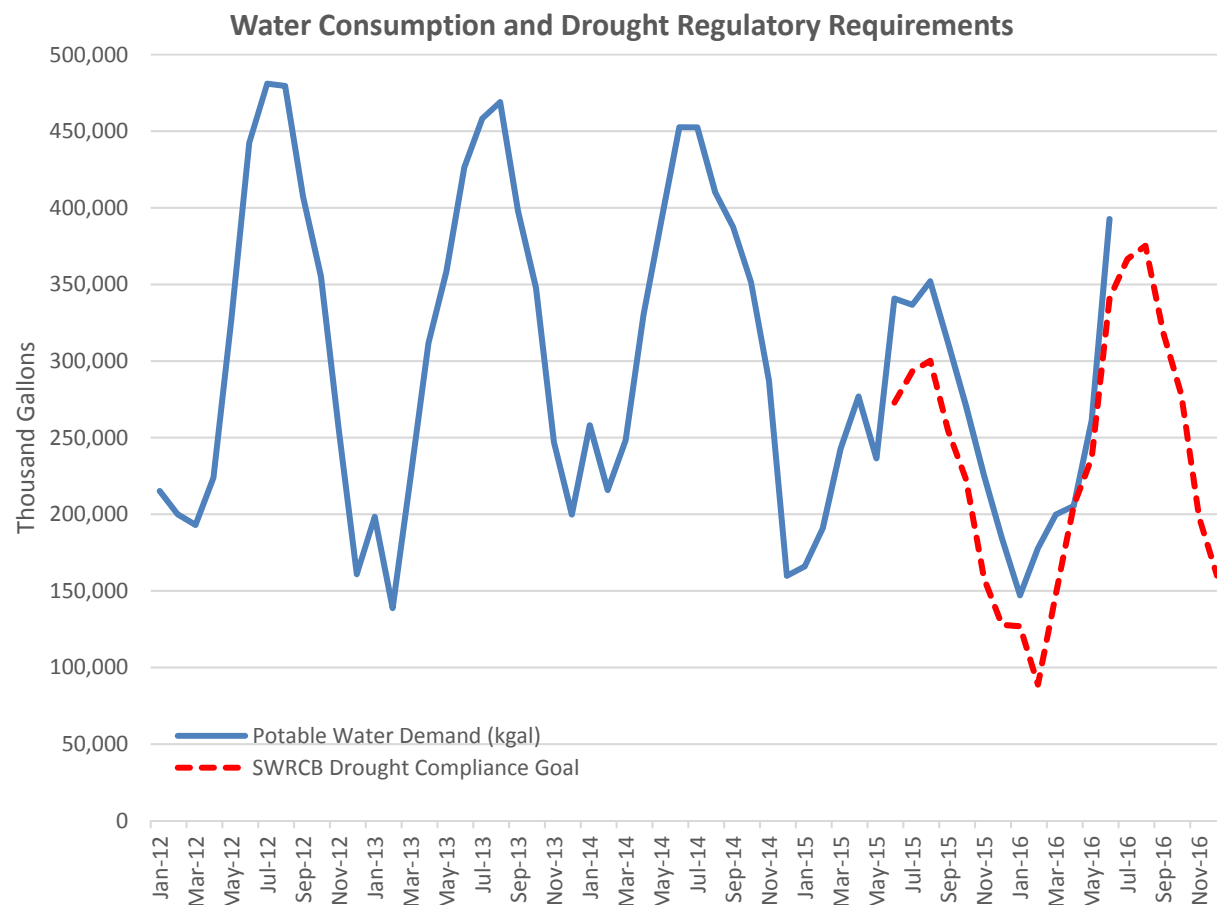
Yucaipa Valley Water District



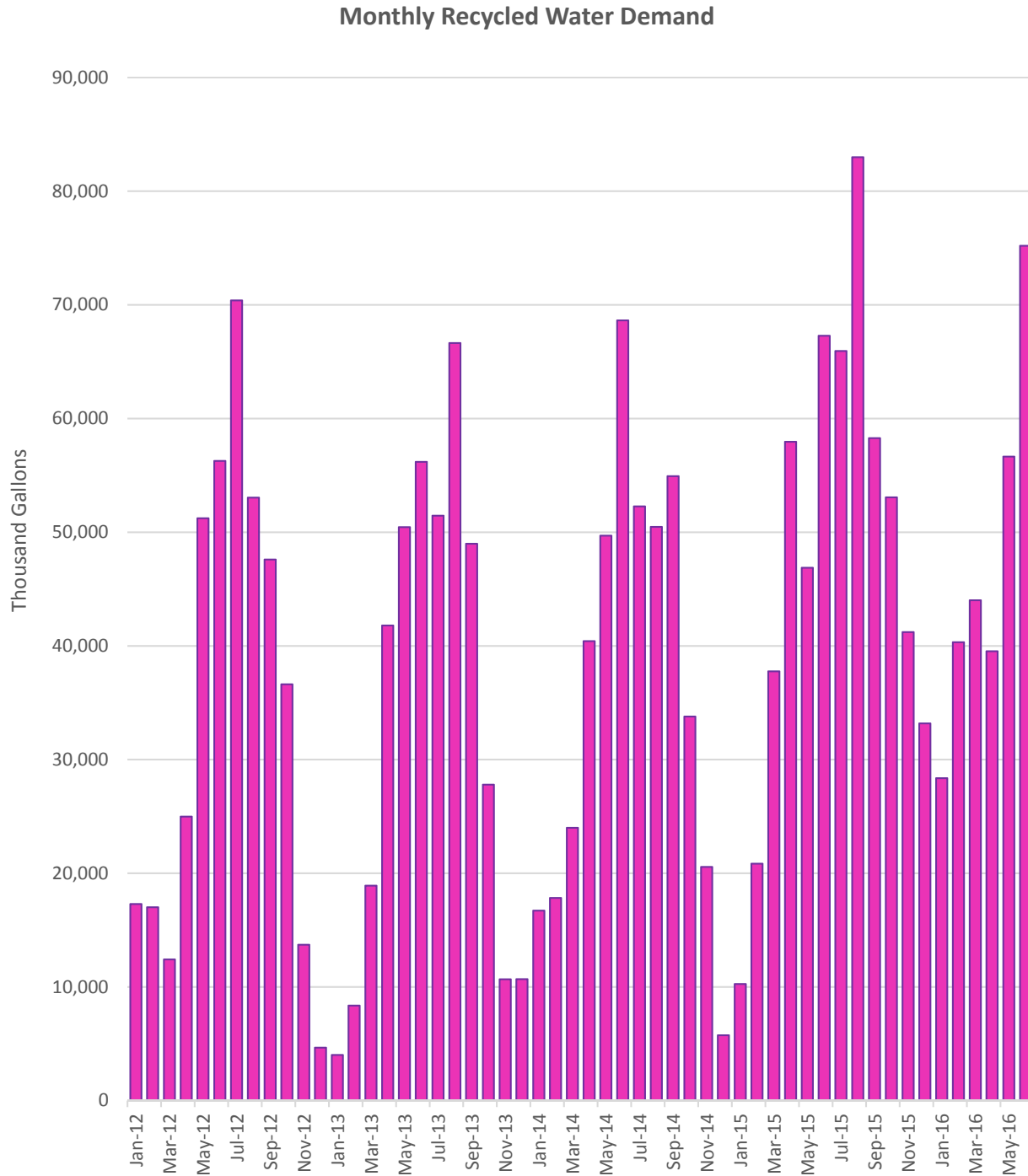
Date: July 26, 2016

Subject: Overview of the California Drought and Yucaipa Valley Water District's Action Plan Related to the State Water Resources Control Board Water Conservation Restrictions

On May 5, 2015, the State Water Resources Control Board ("SWRCB") adopted emergency regulations to achieve a 25% statewide reduction in potable urban water use. These stringent water use regulations required the Yucaipa Valley Water District to achieve a 36% reduction from the amount of drinking water produced in 2013. In March 2016, the SWRCB modified the emergency water conservation requirements for Yucaipa Valley Water District to a 34% reduction from the amount of drinking water produced in 2013. In June 2016, the District self-certified a water conservation reduction of 20%. Each level of water conservation reduction is illustrated in the chart below.

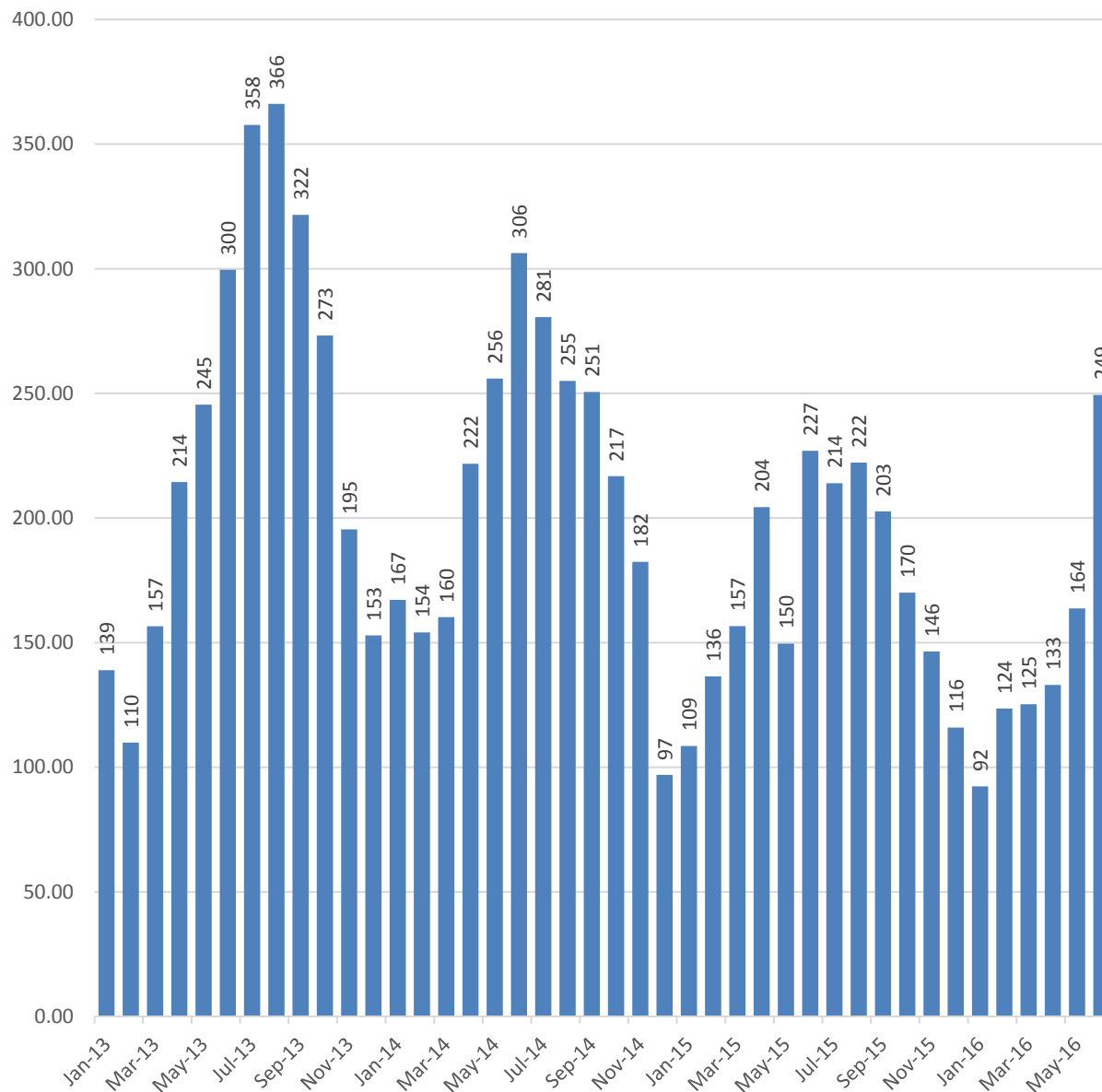


During the current drought, the Yucaipa Valley Water District has been able to increase the amount of recycled water delivered throughout our service area. The chart below shows the monthly delivery quantity to District customers.



The customers of the Yucaipa Valley Water District responded accordingly and significantly reduced the amount of drinking water consumed per person. As shown below, the per capita drinking water consumption dropped significantly from 366 R-GPCD¹ in August 2013 to 222 R-GPCD in August 2015, representing a decrease of 39%. However, due to the hot weather in June 2016 and the eased water conservation requirements statewide, the R-GPCD jumped significantly from the prior month, significantly altering the prior trends.

Monthly Water Consumption Residential Gallons per Capita per Day



¹ R-GPCD - Residential gallons per capita per day.



36 Month Urban Water Supply Now Basis For Local Emergency Water Conservation Efforts

On May 18, the State Water Resources Control Board adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized “stress test” approach – that mandates urban water suppliers act now to ensure at least a three year supply of water to their customers under drought conditions.

The adopted emergency regulation followed improved water supply conditions around most of the state and recognition that urban water suppliers are in a better position to plan for, and accommodate, local drought impacts to their water supply, following their experiences conserving upwards of 24 percent of their water use these past 10 months.

The adopted regulation establishes standards with locally developed conservation standards based upon each agency’s specific circumstances. The regulation now requires individual urban water suppliers to self-certify the level of available water supplies they have assuming three additional dry years, and the level of conservation necessary to assure adequate supply over that time.

This self-certification would include information provided by regional water distribution agencies (wholesale suppliers) about how regional supplies would fare during three additional dry years. Both urban water suppliers and wholesale suppliers are required to report the underlying basis for their assertions, and urban water suppliers are required to continue reporting their conservation levels.

Urban water suppliers are now required to reduce potable water use in a percentage equal to their projected shortfall in the event of three more dry years. In other words, if an individual water district projects it would, under the specified assumptions, have a 10 percent shortfall after the next three years at the current rate of use, their mandatory conservation standard would be 10 percent.

The regulation keeps in place the monthly reporting requirements and specific prohibitions against certain water uses. Those prohibitions include watering down a sidewalk with a hose instead of using a broom or a brush, or overwatering a landscape to where water is running off the lawn, over a sidewalk and into the gutter. Prohibitions directed to the hospitality industry also remain in place. Prohibitions against home owners associations taking action against homeowners during a declared drought remain as well. As directed by Governor Brown’s [Executive Order B-37-16](#), the Board will separately take action to make some of these requirements and prohibitions permanent.



The adopted regulation is the result of review of many meetings, written and oral comments from a public workshop on [April 20](#) to receive input on conservation needs through the summer and fall, and lessons learned since the Water Board first adopted drought emergency water conservation regulations.

The new conservation standards will take effect in June and remain in effect until the end of January 2017.

Improved Water Supply and Conditions; and Conservation – Reason for Change

Winter 2016 saw improved hydrologic conditions in parts of California. More rain and snow fell in Northern California as compared to Central and Southern California; yet, due to California's water storage and conveyance systems, concerns over supply reliability have eased compared to last year throughout urban California. Consequently, the unprecedented mandatory state-driven conservation standards in place over the last ten months must transition to conservation standards based on supply reliability considerations at the local level. However, conservation standards are still needed in case this winter was a short reprieve in a longer drought.

The Board has been monitoring state hydrology, water supply conditions, including local supply reliability, and the conservation levels achieved by the State's 411 urban water suppliers. Hydrologic conditions in parts of California – particularly northern California – have markedly improved relative to 2014 and 2015. Many reservoirs are above historic averages for late spring, and water allocations are up in most cases for the State Water Project.

In addition, the water production reports submitted to the State Water Board have shown that the majority of urban water suppliers have successfully responded to mandatory conservation expectations over the last 20 months. Public awareness of drought conditions and the public's extraordinary response this past ten months should lead to continuing conservation.

Should severe drought conditions return, the Board stands ready to return to stronger conservation mandates to ensure urban water suppliers can meet local water needs in the long term.

The adopted drought emergency water conservation regulation allows suppliers to define an individualized conservation standard on their specific water supply and demand conditions. Each water supplier is required to evaluate its supply portfolio and self-certify the accuracy of its information while also providing the underlying information and assumptions; the State Water Board would assign each supplier a mandatory conservation standard equal to the percentage deficiency the supplier identifies in its supply under specified assumptions. Additionally, certain statewide requirements on small suppliers and businesses would be lifted.



Governor and Board Actions Achieved Historic Conservation Statewide

In his April 1, 2015 [Executive Order](#), Governor Brown mandated a 25 percent water use reduction by users of urban water supplies across California.

In May 2015, the State Water Board adopted an emergency regulation requiring a cumulative 25 percent reduction in overall potable urban water use over the following 9 months. The [May 2015 Emergency Regulation](#) used a sliding scale for setting conservation standards, so that communities that have already reduced their residential gallons per capita per day (R-GPCD) through past conservation had lower mandates than those that had not made such gains since the last major drought. Conservation tiers for urban water suppliers were set between eight percent and 36 percent, based on residential per capita water use for the months of July - September 2014.

During this time, statewide water conservation was [unprecedented](#). In the last 10 months alone, the state realized nearly a 24 percent savings in water use as compared to same period 2013, resulting in some 1.30 million acre-feet of water conserved throughout California, enough to supply 6.5 million people with water for an entire year.

On Feb. 2, 2016, based on Governor Brown's [November 2015 Executive Order](#), the State Water Board approved an updated and extended emergency regulation that continued mandatory reductions through October.

The [February 2016 Emergency Regulation](#) responded to calls for continuing the conservation structure that has spurred savings, while providing greater consideration of some localized factors that influence water needs around the state: climate differences, population growth and significant investments in new local, drought-resilient water supplies such as potable wastewater reuse and desalination. The February Emergency Regulation is longer in effect. Under the new reporting structure adopted by the Board May 18, water districts will continue to [report water use](#), but their conservation standard will be based on any shortfall in projected supply over three drought years.

On May 9, Governor Brown [issued an Executive Order](#) directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency for the years and decades ahead. The Executive Order, in part, directed the State Water Board to extend the emergency regulations for urban water conservation through the end of January 2017. As called for in his Executive Order, it is anticipated the State Water Board will be working closely with the Department of Water Resources and other agencies to define and establish water efficiency standards for the state to ensure a more reliable water supply and to make state water users more resilient and prepared over the long-term.

(This fact sheet was last updated May 18, 2016)



State Water Board Adopts ‘Stress Test’ Approach to Water Conservation Regulation

For Immediate Release
May 18, 2016

Contact: George Kostyrko
gstyrko@waterboards.ca.gov

SACRAMENTO – The State Water Resources Control Board today adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized “stress test” approach that mandates urban water suppliers act now to ensure at least a three year supply of water to their customers under drought conditions.

Recognizing persistent yet less severe drought conditions throughout California, the newly adopted [emergency regulation](#) will replace the Feb. 2 emergency water conservation regulation that set specific water conservation benchmarks at the state level for each urban water supplier. Today’s adopted regulation, which will be in effect through January 2017, requires locally developed conservation standards based upon each agency’s specific circumstances.

These standards require local water agencies to ensure a three-year supply assuming three more dry years like the ones the state experienced from 2012 to 2015. Water agencies that would face shortages under three additional dry years will be required to meet a conservation standard equal to the amount of shortage. For example, if a water agency projects it would have a 10 percent supply shortfall, their mandatory conservation standard would be 10 percent.

“Drought conditions are far from over, but have improved enough that we can step back from our unprecedented top-down target setting,” said State Water Board Chair Felicia Marcus. “We’ve moved to a ‘show us the water’ approach, that allows local agencies to demonstrate that they are prepared for three more lousy water years. This reporting will show us what agencies plan to do, and how they do, throughout the year. Trust, but verify. In the meantime, we’ll be watching and prepared to come back with the 25 percent state mandate early next year if necessary, which we hope it won’t be.”

All of the projections and calculations used to determine the new conservation standards will be disclosed publicly. They will include information provided by regional water distribution agencies (wholesale suppliers) about how regional supplies (including imported water, recycled water, groundwater, storm water, and desalinated water) would fare during three





additional dry years. The regulation requires urban water supplier to continue their monthly conservation reporting.

The adopted regulation also keeps in place the specific prohibitions against certain water uses. Those prohibitions include watering down a sidewalk with a hose instead of using a broom or a brush, or overwatering a landscape to where water is running off the lawn, over a sidewalk and into the gutter. Prohibitions directed to the hospitality industry also remain in place. Prohibitions against [home owners associations](#) taking action against homeowners during a declared drought remain as well.

The adopted regulation is the result of feedback from urban water suppliers, a public workshop on [April 20](#) to receive input on conservation needs through the summer and fall, and lessons learned since the Water Board first adopted drought emergency water conservation regulations.

"El Nino didn't save us, but this winter gave us some relief," said Chair Marcus. "It's a reprieve though, not a hall pass, for much if not all of California. We need to keep conserving, and work on more efficient practices, like keeping lawns on a water diet or transitioning away from them. We don't want to cry wolf, but we can't put our heads in the sand either."

As directed by Governor Edmund G. Brown Jr. in [Executive Order B-37-16](#), the Board will separately take action to make some of the requirements of the regulation permanent. The new emergency conservation standards take effect in June and remain in effect until the end of January 2017. More information on the Board action today can be found [here](#).

Background

In his April 1, 2015 [Executive Order](#), Gov. Brown mandated a 25 percent water use reduction by users of urban water supplies across California. In May 2015, the State Water Board adopted an emergency regulation requiring an immediate 25 percent reduction in overall potable urban water use. The regulation used a sliding scale for setting conservation standards, so that communities that had already reduced their R-GPCD through past conservation had lower mandates than those that had not made such gains since the last major drought.

On Feb. 2, 2016, based on Gov. Brown's [November 2015 Executive Order](#), the State Water Board approved an updated and extended emergency regulation to continue mandatory reductions through October, unless revised as they were today. The extended regulation took into account some factors that influence water use: climate, population growth and significant investments in new local, drought-resilient water supplies such as wastewater reuse and desalination. The February Board action reduced the maximum conservation standard to below 25 percent, but above 20 percent, depending on how credits were applied.

Since July 2014, the State Water Board has been tracking water conservation for each of the state's larger urban water suppliers (those with more than 3,000 connections) on a monthly basis. Compliance with individual water supplier conservation requirements is based on



cumulative savings. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. Under the new reporting structure, water districts will continue to [report water use](#), but their conservation standard will be based on any shortfall in projected supply over three drought years.

With nearly 1.3 million acre-feet of water conserved from June 2015 through March 2016, the state saved an impressive amount of water during the worst of the drought months. Statewide cumulative savings from June 2015 to March 2016 totaled 23.9 percent compared with the same months in 2013. During the last month of reporting, statewide average water use was 66 residential gallons per capita per day (R-GPCD) for March 2016.

On May 9, Governor Brown [issued an Executive Order](#) directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency for the years and decades ahead. The Executive Order, in part, directed the State Water Board to extend the emergency regulations for urban water conservation through the end of January 2017.

California has been dealing with the effects of an unprecedented drought. To learn about all the actions the state has taken to manage our water system and cope with the impacts of the drought, visit [Drought.CA.Gov](#). Every Californian should take steps to conserve water. Find out how at [SaveOurWater.com](#). While saving water, it is important to properly water trees. Find out how at [www.saveourwater.com/trees](#). In addition to many effective local programs, state-funded turf removal and toilet replacement rebates are also available. Information and rebate applications can be found at: [www.saveourwaterrebates.com/](#).

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Making Water Conservation a California Way of Life

On May 9, 2016, Governor Edmund G. Brown Jr. issued Executive Order B-37-16. The press release stated “Moving to bolster California’s climate and drought resilience, Governor Edmund G. Brown Jr. today issued an executive order that builds on temporary statewide emergency water restrictions to establish longer-term water conservation measures, including permanent monthly water use reporting, new permanent water use standards in California communities and bans on clearly wasteful practices such as hosing off sidewalks, driveways, and other hardscapes.”

This Executive Order (EO) builds on the conservation accomplished during the drought and implementation of the Governor’s California Water Action Plan. The full text of the EO can be found online on the Department of Water Resources (DWR) website at <http://www.water.ca.gov/wateruseefficiency/conservation/>. The directives of the EO actions are summarized below.

Included with each section of this information sheet are questions to help focus and guide the discussion during the listening sessions. Please read and consider these questions as well as other input in preparation for the listening sessions.

Use Water More Wisely

DWR and the State Water Resources Control Board (Water Board) will require monthly reporting by urban water suppliers on a permanent basis. This includes information regarding water use, conservation and enforcement. Through a public process and working with partners such as urban water suppliers, local governments, and environmental groups, DWR and the Water Board will develop new water use efficiency targets as part of a long-term conservation framework for urban water agencies. These targets go beyond the 20 percent reduction in per capita urban water use by 2020 that was embodied in SB X7-7 of 2009, and will be customized to fit the unique conditions of each urban water supplier.

Deliverables: DWR and the Water Board will publicly release a draft long-term conservation framework by January 10, 2017. This framework will include new water use targets based on strengthened standards for indoor residential water use, outdoor irrigation, CII water use, and distribution system water loss. The EO requires that these new targets are customized for each urban water supplier.

Questions for Listening Sessions

1. What factors should be considered in developing the new standard based water use targets and customizing them for each urban water supplier?
2. How should the four standards listed in the EO be used to identify and determine those new water use targets and how urban water suppliers would implement them?
3. How should existing SBX 2020 targets, be considered in determining new targets?

Eliminate Water Waste

The EO directs the Water Board to prohibit a number of practices that waste potable water, and directs the Water Board and DWR to minimize system leaks, accelerate data collection, improve system management, and prioritize capital projects that reduce water waste. The California Energy Commission (CEC) and California Public Utilities Commission (CPUC) also have EO roles in eliminating water waste.

Deliverables: The Water Board and DWR will take actions to minimize water system leaks across the state that continue to waste large amounts of water. The CPUC will take actions to minimize leaks, and CEC will certify innovative water conservation and water loss detection technologies.

Questions for Listening Sessions

4. What actions should the State and/or urban water suppliers take to accelerate leak detection and repair?
5. How can the State Agencies contribute or support local efforts to identify leaks and reduce related potable water loss through leaks?
6. What key data should urban water suppliers be responsible to develop, and what data should the State provide?

Strengthen Local Drought Resilience

In consultation with urban water suppliers, local governments, environmental groups, and other partners, DWR will strengthen standards for local Water Shortage Contingency Plans, which are part of the Urban Water Management Plans that water districts must submit every five years. Under new strengthened standards, districts must plan for droughts lasting at least five years, as well as more frequent and severe periods of drought. These plans must be actionable, so that districts can turn to them to guide their drought response.

Deliverables: DWR shall publicly release the updated draft requirements by January 10, 2017. For areas not covered by the Water Shortage Contingency Plan, DWR will work with counties to improve drought planning for small water suppliers and rural communities.

Questions for Listening Sessions

7. After five years of drought conditions, how can water shortage contingency plans requirements be improved and strengthened to make the plans a more effective tool for urban water suppliers to respond to future droughts?
8. Which elements of a water shortage contingency plan requirements are conducive for developing uniform statewide standards, and which requirements should be more flexible to account for local conditions?
9. How can small supplier and rural community drought planning be improved and strengthened?

Improve Agricultural Water Use Efficiency and Drought Planning

DWR, working with the California Department of Food and Agriculture (CDFA), will update existing requirements for Agricultural Water Management Plans so that irrigation districts quantify their customers' water use efficiency and plan for water supply shortages.

Current law requires agricultural water districts serving 25,000 acres or more to file such plans. The EO increases the number of irrigation districts who must file water management plans by lowering the threshold to irrigation districts serving 10,000 acres or more. DWR will check the plans to ensure they quantify conservation efforts and adequately plan for water shortages.

Deliverables: The Water Board and DWR will work with water suppliers to accelerate data collection, improve water system management, and prioritize capital projects to reduce water waste. DWR and CDFA will seek public input on the updated standards, and release a public draft of proposed changes by January 10, 2017.

Questions for Listening Sessions

10. How could the Agricultural Water Management Planning requirements (AWMPs) better identify local measures and practices to improve water use efficiency?
11. How could the AWMP better quantify improvements in water use efficiency?
12. The Sustainable Groundwater Management Act requires local Groundwater Sustainable Agencies to complete a water balance for the groundwater basin. Should water balances be part of AWMPs?
13. Are there ways the AWMP reporting requirements can be streamlined with other reporting requirements including SGMA and the Irrigated Lands Program?

Compliance Methods

To ensure compliance with the provisions of the EO, DWR, Water Board, and CPUC will work together to develop methods which could include technical and financial assistance, regulatory oversight and enforcement mechanisms.

Stakeholder Engagement Process and Schedule

DWR, Water Board, CDFA, CPUC, and CEC as members of a State Agency Team are working together to carry out the EO and will convene venues to engage stakeholders in the process including urban water suppliers, agricultural water suppliers, environmental organizations, local governments, tribes, and other partners. The State Agency Team is convening public Listening Session on June 3, 6, and 7, 2016 to describe the Executive Order and receive initial public comments on its implementation.

The State Agency Team will engage stakeholders to inform the development of the deliverables listed above. The stakeholder engagement process and schedule are being developed and will be posted online at: <http://www.water.ca.gov/wateruseefficiency/conservation/>

The questions listed above focus on specific EO actions for which the State Agencies are seeking feedback; comments or input on items not specified may be discussed at the Listening Sessions or submitted to: WUE@water.ca.gov.



State of California Office of Administrative Law

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 863, 864, 864.5, 865, 866

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6; Water Code Section 1050.5**

OAL Matter Number: 2016-0520-01


OAL Matter Type: Emergency Readopt (EE)

The State Water Resources Control Board (Board) submitted this emergency action to adopt section 864.5 and to readopt and further amend sections 863, 864, 865, and 866 in title 23 of the California Code of Regulations, which pertain to drought emergency water conservation. The proposed action implements Governor Brown's most recent executive order regarding water conservation (B-37-16; issued May 9, 2016) requiring continued statewide water conservation measures through the end of January 2017 due to ongoing drought conditions in California, but directing the Board to make adjustments to the water conservation regulations to reflect differing water supply conditions across the state.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code and section 1058.5 of the Water Code.

This emergency regulatory action is effective on 5/31/2016 and will expire on 2/28/2017. The Certificate of Compliance for this action is due no later than 2/27/2017.

Date: May 31, 2016



Richard L. Smith
Senior Attorney

For: Debra M. Cornez
Director

Original: Thomas Howard

Copy: David Rose

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW		EMERGENCY (Use instructions on reverse)		For use by Secretary of State only	
NOTICE PUBLICATION/REGULATIONS SUBMISSION					
STD. 400 (REV. 01-2013)					
OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER		
	Z-		2016-0520-01EE		
For use by Office of Administrative Law (OAL) only				ENDORSED - FILED in the office of the Secretary of State of the State of California	
2016 MAY 20 A 11: 26 OFFICE OF ADMINISTRATIVE LAW				MAY 31 2016 3:17 PM	
NOTICE		REGULATIONS			
AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board				AGENCY FILE NUMBER (if any) Resolution No. 2016-0029	
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)					
1. SUBJECT OF NOTICE		TITLE(S)		2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	
				FAX NUMBER (Optional)	
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER		PUBLICATION DATE	
B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)					
1a. SUBJECT OF REGULATION(S) Drought Emergency Water Conservation			1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) OAL File Nos. 2016-0203-01EE; 2015-0506-02EE; 2015-0320-01EE; 2014-0718-01E		
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)					
SECTION(S) AFFECTED (List all section number(s) Individually. Attach additional sheet if needed.) TITLE(S) 23			ADOPT 863, 864, 864.5, 865, 866 AMEND REPEAL		
3. TYPE OF FILING					
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)		<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.		<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11349.3, 11349.4)		<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)		<input type="checkbox"/> File & Print	
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))				<input checked="" type="checkbox"/> Other (Specify) Emerg. Readopt (Wat. Code 1058.5(c))	
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)					
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)					
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))		<input checked="" type="checkbox"/> Effective on filing with Secretary of State		<input type="checkbox"/> \$100 Changes Without Regulatory Effect	
				<input type="checkbox"/> Effective other (Specify)	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY					
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)		<input type="checkbox"/> Fair Political Practices Commission		<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify)					
7. CONTACT PERSON David Rose		TELEPHONE NUMBER 916-341-5196		FAX NUMBER (Optional) 916-341-5199	
				E-MAIL ADDRESS (Optional) david.rose@waterboards.ca.gov	
8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.				For use by Office of Administrative Law (OAL) only	
SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Thomas Howard</i>				ENDORSED APPROVED	
DATE 5/19/16				MAY 31 2016	
TYPED NAME AND TITLE OF SIGNATORY Thomas Howard, Executive Director, State Water Resources Control Board				Office of Administrative Law	

ADOPTED TEXT OF EMERGENCY REGULATION

Article 22.5. Drought Emergency Water Conservation.

Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) On November 13, 2015, the Governor issued an Executive Order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable usage;

(5) On May 9, 2016, the Governor issued an Executive Order that directs the State Board to adjust and extend its emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions for many communities;

(56) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and

(67) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(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) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks;

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians; and

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) ~~Immediately upon~~Upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 864.5 or 865 of this article, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Target potable water use reductions commensurate with those required of the nearest urban water supplier under section 864.5 or, if applicable, section 865. Where this option is chosen, these properties shall implement the reductions on or before July 1, 2016.

~~—(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through October 2016 as compared to the amount used from these sources for the same months in 2013.~~

(d) The taking of any action prohibited in subdivision (a) or (e), or the failure to take any action required in subdivision (b) or (c), 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.

(e)(1) To prevent the waste and unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

(A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivision (a) of the Civil Code; or

(B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code.

(2) As used in this subdivision:

(A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.

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

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

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

(E) "Governing documents" has the same meaning as in section 4150 of the Civil Code.

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

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (e)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864.5. Self-Certification of Supply Reliability for Three Additional Years of Drought.

(a) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's May 9, 2016 Executive Order, each urban water supplier shall:

(1) Identify and report no later than June 22, 2016, on a form provided by the Board, the conservation standard that the supplier will be required to meet under this section;

(2) Identify and report no later than June 22, 2016, on a form provided by the Board, the data and underlying analysis relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision including, but not limited to, identification of each source of supply the supplier intends to rely on and the quantity of water available under that source of supply given the assumptions of this section;

(3) Certify, no later than June 22, 2016, that the conservation standard reported pursuant to this subdivision is based on the information and assumptions identified in this section;

(4) Post, within two weeks of submittal to the board, the data and underlying analysis relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision to a publicly-accessible webpage; and

(5) Beginning June 1, 2016, reduce its total potable water production by the percentage identified as its conservation standard in this section each month, compared to the amount used in the same month in 2013.

(b) Each urban water supplier's conservation standard pursuant to this section shall be the percentage by which the supplier's total potable water supply is insufficient to meet the total potable water demand in the third year after this section takes effect under the following assumptions:

(1) The next three years' precipitation is the same as it was in water years 2013-2015;

(2) No temporary change orders that increase the availability of water to any urban water supplier are issued in the next three years;

(3) The supplier's total potable water demand for each of the next three years will be the supplier's average annual total potable water production for the years 2013 and 2014;

(4) The supplier's total potable water supply shall include only water sources of supply available to the supplier that could be used for potable drinking water purposes;

(5) Each urban water supplier's conservation standard shall be calculated as a percentage and rounded to the nearest whole percentage point.

(c) The Board will reject conservation standards that do not meet the requirements of this section.

(d) Beginning June 1, 2016, each urban water supplier shall comply with the conservation standard it identifies and reports pursuant to this section.

(e) Compliance with the conservation standard reported pursuant to this section shall be measured monthly and assessed on a cumulative basis through January 2017.

(f) If a wholesaler and all of its urban water supplier customers agree, in a legally-binding document, those suppliers and wholesaler may submit to the board, in lieu of the individualized self-certified conservation standard applicable pursuant to section 864.5 or section 865, an aggregated conservation standard, with all supporting documentation required for individualized self-certified conservation standards by section 864.5.

(g) Each urban water wholesaler shall calculate, to the best of its ability, and no later than June 15, 2016, the volume of water that it expects it would deliver to each urban water supplier in each of the next three years under the assumptions identified in subdivision (b), and post that calculation, and the underlying analysis, to a publicly-accessible webpage.

(h) Submitting any information pursuant to this section that the person who submits the information knows or should have known is materially false is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(i) Any urban water supplier that does not comply with this section shall comply with the applicable conservation standard identified in section 865.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this ~~section~~article:

(1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) "R-GPCD" means residential gallons per capita per day.

(3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.

(4) "Urban water supplier" means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(5) "Urban water wholesaler" means a wholesaler of water to more than one urban water supplier.

(6) "Water year" means the period from October 1 through the following September 30. Where a water year is designated by year number, the designation is by the calendar year number in which the water year ends.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's ~~November 13, 2015~~May 9, 2016 Executive Order, each urban water supplier that fails to identify a conservation standard as required under section 864.5, or that has a conservation standard rejected by the Board under section

864.5, shall reduce its total potable water production by the percentage identified as its conservation standard in this ~~subdivision~~section. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

~~(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available, may submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.~~

(32) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(43) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(54) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(65) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(76) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(87) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(98) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(109) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier that does not submit a self-certification in compliance with section 864.5 shall comply with the conservation standard specified in subdivision (c), with any modifications to the conservation standard pursuant to subdivision (f) applying beginning March 1, 2016.

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis through ~~October 2016~~January 2017.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its

potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) In consideration of the differences in climate affecting different parts of the state, growth experienced by urban areas and significant investments that have been made by some suppliers towards creating new, local, drought-resilient sources of potable water supply, an urban water supplier's conservation standard identified in subdivision (c) shall be reduced by an amount, not to exceed eight (8) percentage points total, as follows:

(1) For an urban water supplier whose service area evapotranspiration (ETo) for the months of July through September exceeds the statewide average evapotranspiration, as determined by the Board, for the same months by five (5) percent or more, the supplier's conservation standard identified in subdivision (c) shall be reduced:

(A) By two (2) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by five (5) percent or more but less than ten (10) percent;

(B) By three (3) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by ten (10) percent or more but less than twenty (20) percent;

(C) By four (4) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by twenty (20) percent or more.

(D) Statewide average evapotranspiration is calculated as the arithmetic mean of all urban water suppliers' service area default evapotranspiration values for the months of July through September. Default service area evapotranspiration will be based on the California Irrigation Management System (CIMIS) ETo Zones Map zone for which the supplier's service area has the greatest area of overlap. In lieu of applying its default service area evapotranspiration, a supplier may use specific data from CIMIS stations within its service area that have at least a five-year period of record, or a three year continuous period of record, to identify a more specifically-applicable evapotranspiration

for its service area. If no CIMIS station exists within the supplier's service area, a weather station of comparable accuracy, meeting the preceding period of record requirements, may be used. To qualify for the in-lieu climate adjustment, the supplier shall submit the following data to the Board by March 15, 2016 for each station: station ID; station location; and monthly average evapotranspiration, in inches per month, for July, August, and September for either the five-year period of record or the three-year continuous period of record.

(2) To account for water efficient growth experienced in the state since 2013, urban water suppliers' conservation standards shall be reduced by the product of the percentage change in potable water production since 2013 and the percentage reduction in potable water use required pursuant to subdivision (c), rounded to the nearest whole percentage point. Change in potable water production since 2013 shall be calculated as the sum of the following:

(A) The number of additional permanent residents served since January 1, 2013, multiplied by the average residential water use per person for that supplier's service area during the months of February through October, 2015, in gallons; and

(B) The number of new commercial, industrial and institutional connections since January 1, 2013, multiplied by the average commercial, industrial and institutional water use per connection for that supplier's service area during the months of February through October, 2015, in gallons.

(C) To qualify for the growth credit the supplier shall submit to the Board the following data by March 15, 2016: the number of additional permanent residents served since January 1, 2013 and the number of new commercial, industrial and institutional connections since January 1, 2013.

(3) For an urban water supplier that supplies, contracts for, or otherwise financially invests in, water from a new local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, the conservation standard identified in subdivision (c) shall be reduced:

(A) By one (1) percentage point if the supplier's qualifying source of supply is one (1) percent or more but less than two (2) percent of the supplier's total potable water production;

(B) By two (2) percentage points if the supplier's qualifying source of supply is two (2) percent or more but less than three (3) percent of the supplier's total potable water production;

(C) By three (3) percentage points if the supplier's qualifying source of supply is three (3) percent or more but less than four (4) percent of the supplier's total potable water production;

(D) By four (4) percentage points if the supplier's qualifying source of supply is four (4) percent or more but less than five (5) percent of the supplier's total potable water production;

(E) By five (5) percentage points if the supplier's qualifying source of supply is five (5) percent or more but less than six (6) percent of the supplier's total potable water production;

(F) By six (6) percentage points if the supplier's qualifying source of supply is six (6) percent or more but less than seven (7) percent of the supplier's total potable water production;

(G) By seven (7) percentage points if the supplier's qualifying source of supply is seven (7) percent or more but less than eight (8) percent of the supplier's total potable water production;

(H) By eight (8) percentage points if the supplier's qualifying source of supply is eight (8) percent or more of the supplier's total potable water production.

(I) To qualify for this reduction the supplier must certify, and provide documentation to the Board upon request demonstrating, the percent of its total potable water production that comes from a local, drought-resilient source of supply developed after 2013, the supplier's investment in that local, drought-resilient source of supply, and that the use of that supply does not reduce the water available to another legal user of water or the environment. To qualify for this reduction an urban water supplier shall submit the required certification to the Board by March 15, 2016.

(J) Certifications that do not meet the requirements of subdivision (f)(3)(I), including certifications for which documentation does not support that the source of supply is a local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, will be rejected. Submitting a certification or supporting documentation pursuant to subdivision (f)(3)(I) that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(4) No urban water supplier's conservation standard pursuant to this section shall drop below eight (8) percent as a consequence of the reductions identified in this subdivision. ~~No reduction pursuant to this subdivision shall be applied to any urban water supplier whose conservation standard is four (4) percent based on subdivision (e)(2).~~

~~(g)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:~~

~~(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control; and~~

~~—— (A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or~~

~~—— (B) Reduce by 25 percent its total potable water production relative to the amount produced in 2013.~~

~~(2) Each distributor of a public water supply that is not an urban water supplier shall submit~~ Submit a report by ~~September~~ December 15, 2016, on a form provided by the Board, that ~~either confirms compliance with subdivision (g)(1)(A) or identifies total~~ potable water production, by month, from December, 2015 through ~~August~~ November, 2016, ~~and total potable water production, by month, for the same months in 2013, and~~ any actions taken by the supplier to encourage or require its customers to conserve water.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 864.5 or section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article 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.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 864.5 or 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

(c) Orders issued under previous versions of this ~~subdivision~~section shall remain in effect and shall be enforceable as if adopted under this version. Changes in the requirements of this article do not operate to void or excuse noncompliance with orders issued before those requirements were changed.

Authority: Section 1058.5, Water Code.

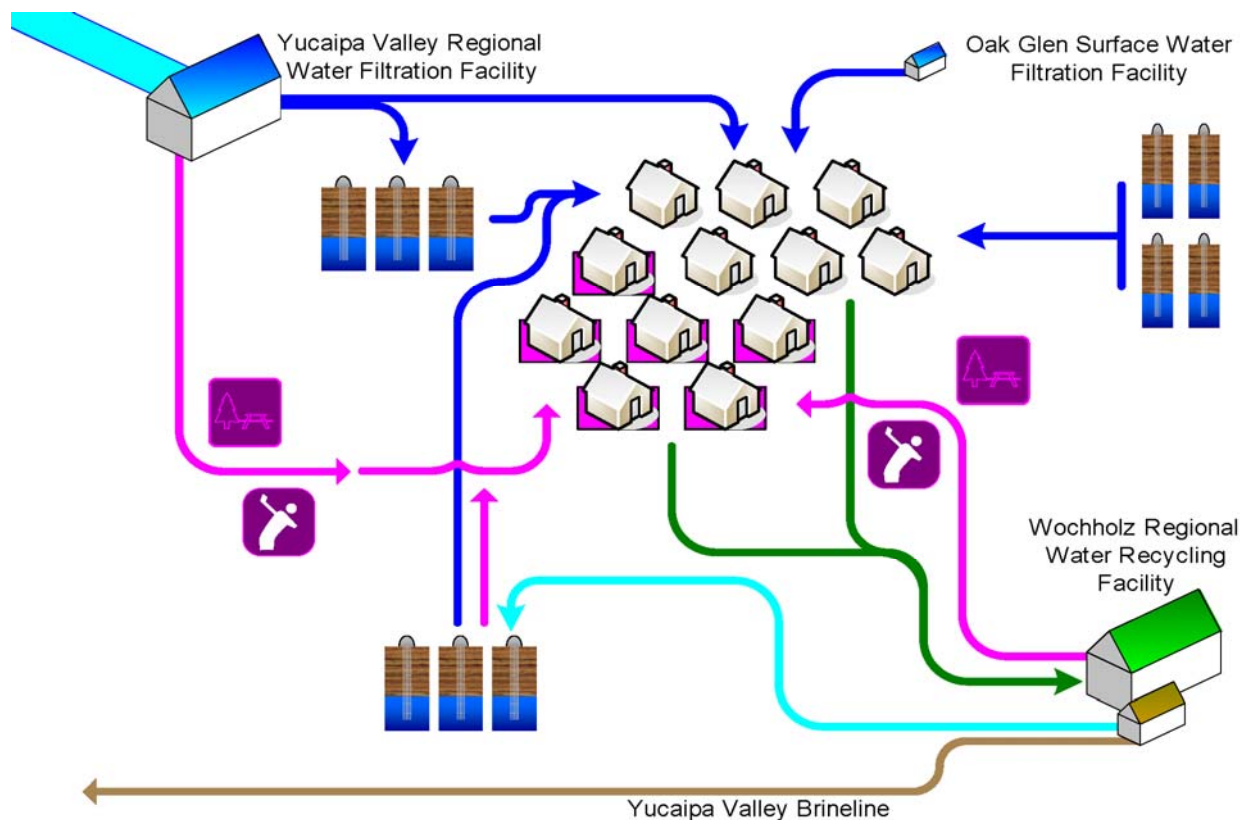
References: Article X, Section 2, California Constitution; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.



Date: July 26, 2016

Subject: Overview of a Proposed Consolidated Process Water Purification and Pretreatment Enterprise for Commercial and Industrial Customers

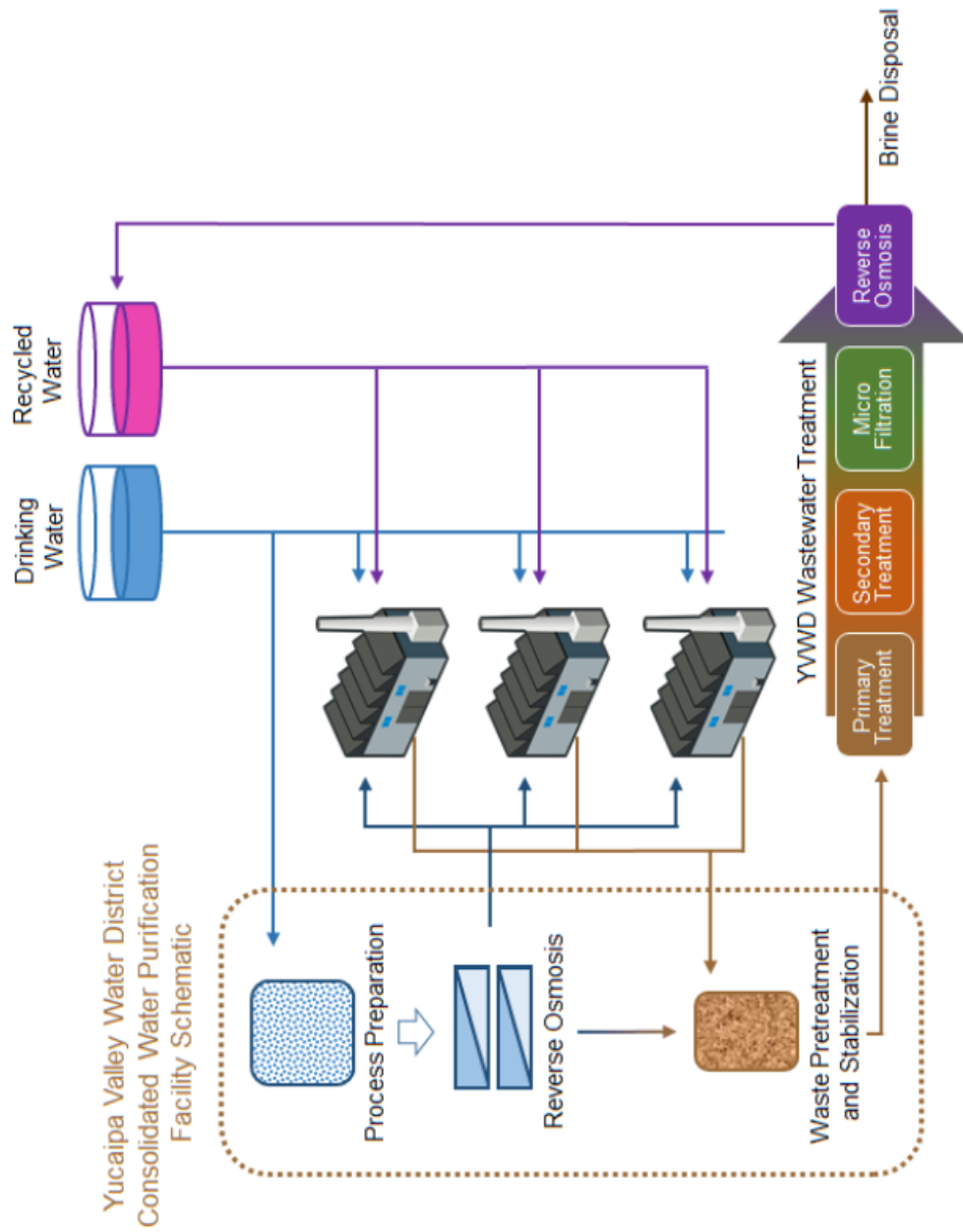
The Yucaipa Valley Water District provides drinking water, sewer, recycled water, and brine disposal services to our community. The operation of our fully-integrated systems provide reliable service and exceptionally high quality drinking water and recycled water.



Using the existing drinking water, sewer and recycled water infrastructure, the District staff has been evaluating the implementation of sub-regional treatment processes capable of delivering extremely pure process water to meet the needs of specific manufacturing companies.

The following schematic provides a basic overview of the proposed service. The specific details of the program will be discussed at the board workshop to receive input from the public and the members of the Board of Directors.

Consolidated Process Water Purification & Pretreatment Enterprise



Benefits of the YVWD Consolidated Water Purification & Pretreatment Facility

- Assessment District Financing for Capital Improvements
- Pooled Overhead and Operational Costs Shared by Customers
- Quantity and Strength-Based Pretreatment and Regulatory Cost Allocation
- Integrated and Skilled Water Purification / Pretreatment Staff



Yucaipa Valley Water District



Date: July 26, 2016

Subject: Overview of a Refined Methodology for the Collection of Water Facility Capacity Charges for Dual-Plumbed Homes

The Yucaipa Valley Water District collects Facility Capacity Charges for new homes and businesses to pay for the capital costs associated with drinking water, sewer, recycled water, and brine disposal services.

In the near future, the District will be collecting reduced Facility Capacity Charges for homes that are dual-plumbed with both drinking water and recycled water. With the implementation of the new programs, the District staff has developed a refined methodology to insure the amount paid for capital infrastructure matches the level of service provided by the District.

The purpose of this workshop item is to discussed the proposed refinements to the District business process.

Operational Updates



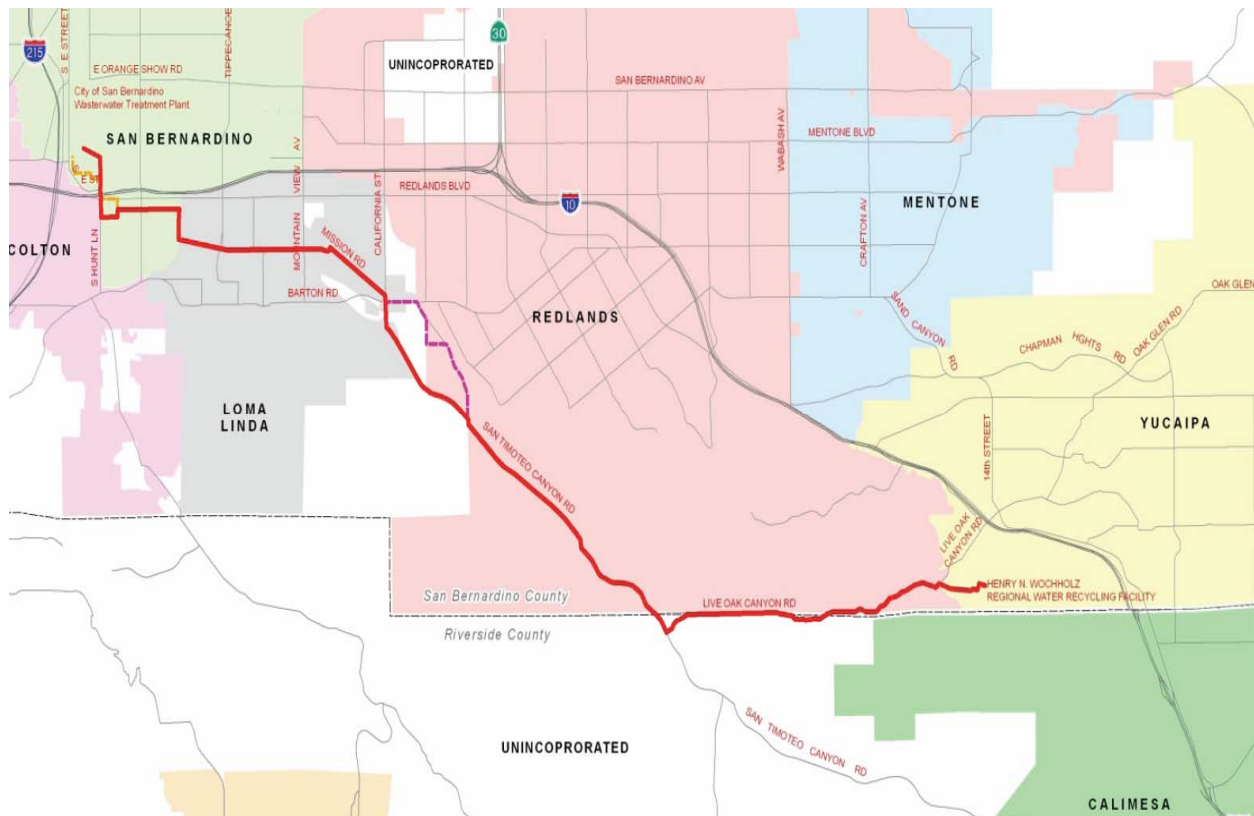
Yucaipa Valley Water District



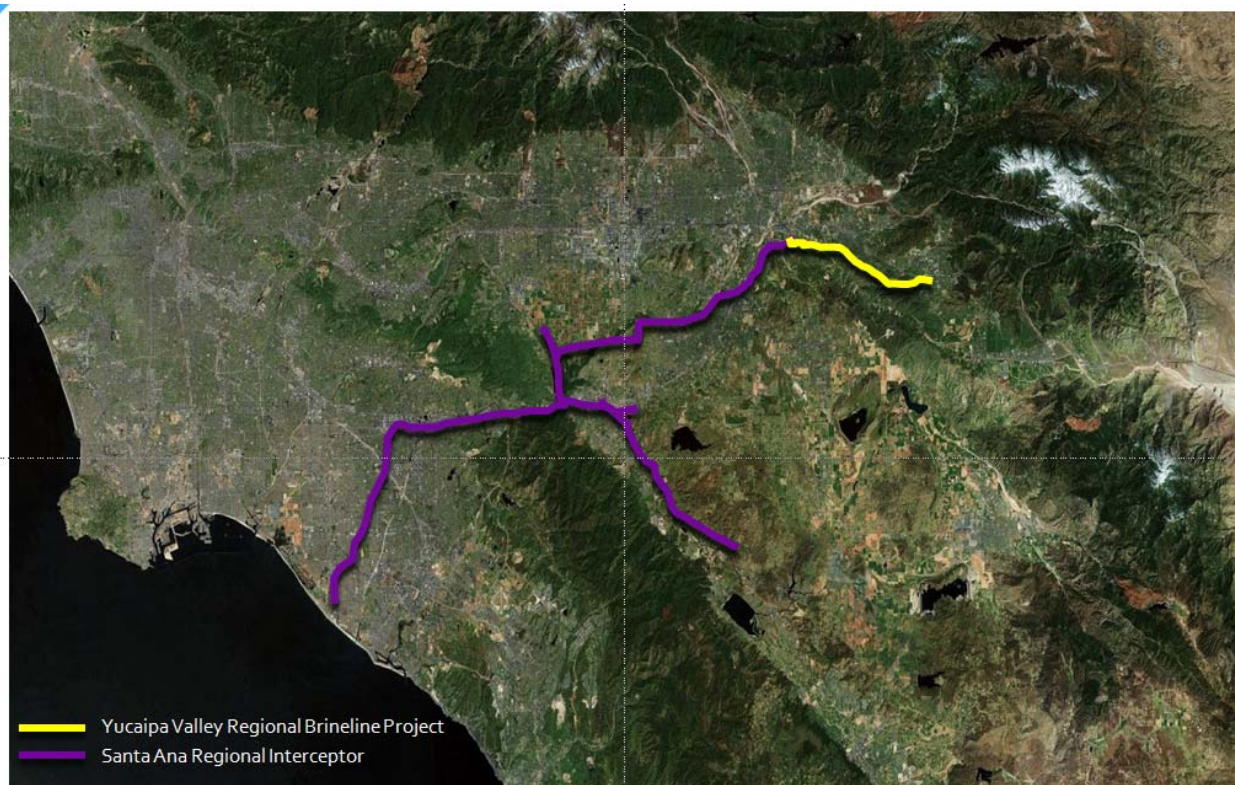
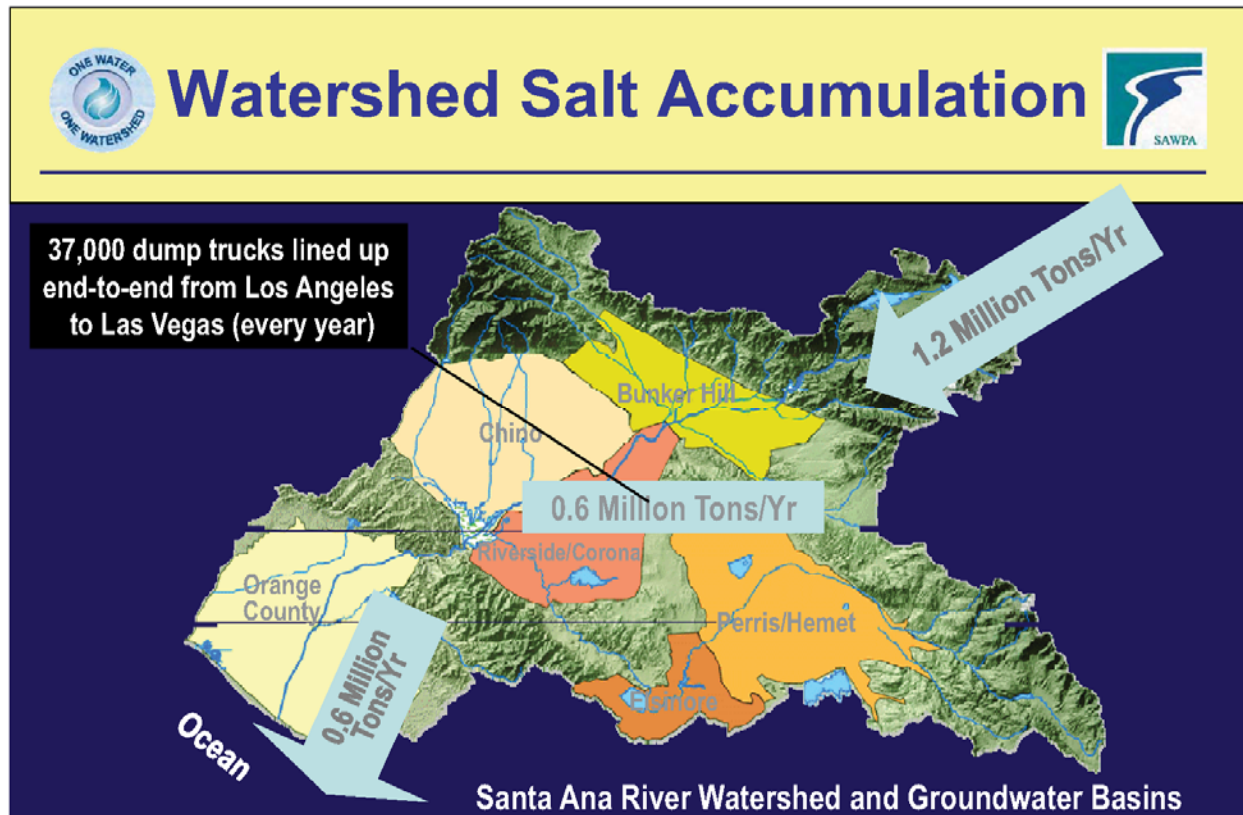
Date: July 26, 2016

Subject: Status Reports on the Operation of the Recycled Water Desalination Facility and Yucaipa Valley Regional Brineline

In 2013, the Yucaipa Valley Water District completed the construction of the Yucaipa Valley Regional Brineline which extends the Inland Empire Brineline from San Bernardino to the Wochholz Regional Water Recycling Facility.



The Yucaipa Valley Regional Brineline is a critical component of the reverse osmosis treatment process at the Wochholz Regional Water Recycling Facility. The brineline is needed to comply with the water quality objectives set by the Santa Ana Regional Water Quality Control Board for the use of recycled water in Yucaipa and Calimesa. The reverse osmosis treatment process enables the District to remove salts and minerals from the recycled water supply which results in an exceptionally pure quality recycled water source. The non-reclaimable waste produced from the reverse osmosis system, referred to as brine or reverse osmosis concentrate, must be conveyed in a pipeline to lower portions of the Santa Ana Watershed for treatment so it does not degrade fresh water resources throughout the watershed.

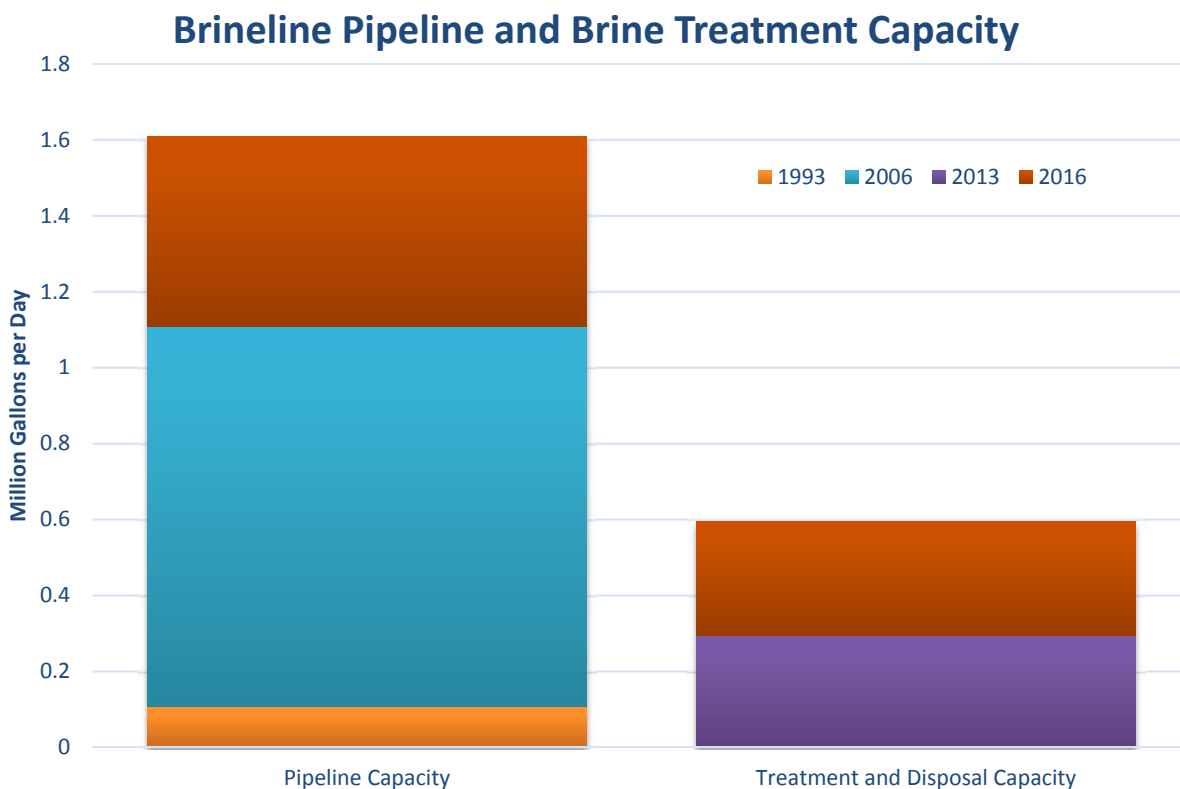


Yucaipa Valley Regional Water Supply Renewal Project

The Yucaipa Valley Water District maintains the following brine enterprise related assets:

- **Yucaipa Valley Regional Brineline** – The District owns and operates a 17-mile brine pipeline that extends from the Wochholz Regional Water Recycling Facility in Yucaipa to the Inland Empire Brineline connection in San Bernardino.
- **Santa Ana Watershed Project Authority Inland Empire Brineline** - 1.608 million gallons per day of pipeline capacity. The pipeline capacity is expected to be sufficient to meet the long-term needs of the District.
- **Orange County Sanitation District Treatment** – 0.595 million gallons per day of treatment capacity. Additional treatment capacity will be purchased in the future as needed.

Since 1993, the Yucaipa Valley Water District has actively purchased brine pipeline and brine treatment capacity as it became available.



On July 20, 2016, the Yucaipa Valley Water District received our Brineline Wastewater Discharge Permit from the Santa Ana Watershed Project Authority (attached). With this permit, the District will make the entire reverse osmosis system and brineline fully operational.

SANTA ANA WATERSHED
PROJECT AUTHORITY



**PERMIT FACT SHEET
FOR PERMIT NO. D1090-2.1**

Date: July 19, 2016

Permit Issuance Date: June 10, 2016
Permit Effective Date: June 12, 2016
Permit Expiration Date: June 11, 2018
Permit Amendment Date: July 19, 2016

A. GENERAL INFORMATION

1. **Name:** Yucaipa Valley Water District - Henry Wochholz Regional Water Recycling Facility (Wochholz Regional Water Recycling Facility)
- Site Address:** 880 W. County Line Lane
Calimesa, CA 92320
- Mailing Address:** P.O. Box 730
Yucaipa, CA 92399
- Authorized Representative:** Joseph Zoba, General Manager
- Contact Phone:** (909) 797-5119
- Contact Email:** jzoba@yvwd.dst.ca.us
- Delegated Authority:** John Worbel, Regulatory & E.C. Manager
- Contact Phone:** (909) 797-5117
- Contact Email:** jwrobel@yvwd.dst.ca.us
- Site Contact:** Kevin King, Operations Manager
- Contact Phone:** (909) 795-2491
- Contact Email:** kking@yvwd.dst.ca.us
- NAICS:** 221320 – Sewage treatment Facilities
221310 – Water Treatment and Distribution

2. Brief Description of Type of Industry and Product(s) Produced

This facility is a 2.5 MGD Reverse Osmosis Facility (RO Facility) at the Henry Wochholz Regional Water Recycling Facility (WRWRF ROF) owned and operated by the Yucaipa Valley Water District (YVWD) to improve the quality of existing Title 22 quality reclaimed water (produced with microfiltration). The reject brine waste produced from the Reverse Osmosis (RO) process at the RO Facility will be discharged to the Brine Line.

The RO concentrate is estimated to have TDS in the range of 2,600 to 3,600 mg/L, Hardness from 780 to 1,300 mg/L and Conductivity from 369 to 3,999 umhos/cm (ranges

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from pilot testing report; February and March 2013 lab reports by Clinical Laboratory of San Bernardino; on file). The RO Facility is scheduled to operate 7 days a week and 24 hours a day.

A facility overview plot plan or aerial map is provided in Attachment G.1.

3. User Classification

The R.O. Facility is classified as a Significant Industrial User based on the average discharge volume of 440,000 gallons per day (gpd). This SIU permit is being issued for a period of 2 years.

4. Processes

The RO Facility consists of a membrane RO treatment system that is located and part of the WRWRF ROF (wastewater treatment plant). The addition, the RO Facility will lower the TDS of the WRWRF ROF effluent to allow for reclamation/recycling.

Description

The feed water to the RO Facility will have undergone a traditional wastewater primary and secondary treatment process at the WRWRF ROF consisting of screening, grit removal, primary sedimentation, primary equalization, anoxic treatment, aeration/activated sludge treatment, clarification, and secondary equalization. The final step is Pall microfiltration (MF). The effluent from the Pall MF header will be directed to the RO Facility. Prior to reaching the RO Facility, the feed water will be disinfected by chloramines (alternatively ammonia and chlorine can be used as shown in the facility schematic; Attachment 5), lowered in pH by acid addition and dosed with threshold inhibitor to prevent the precipitation of scale. Water is then directed to the RO membrane treatment trains where the effluent is generated and the byproduct is concentrated brine to the Brine Line for discharge. The final steps in the water treatment process include pH adjustment (sodium hydroxide), corrosion inhibitor, UV disinfection and final storage in a reservoir prior to pumping to the reclaim water reservoir E-2. Sodium hypochlorite is added to provide adequate residual chlorine as required for a non-potable water system. Alternatively, and prior to chlorination, reclaimed water may be discharged to San Timoteo Creek (or after using sodium bisulfate to remove chlorine). See Attachment 4 for a schematic of the WRWRF ROF wastewater treatment process. A full description of the WRWRF ROF wastewater treatment plant provided with the permit application and the O&M Manual is also on file with SAWPA. The WRWRF ROF has a treatment capacity of 6.6 MGD, peak flow of 10.0 MGD and can be expanded to 12.0 MGD. Average flows are around 4.0 MGD.

The influent and effluent data from the WRWRF ROF for the months of October, November, and December 2015 were reviewed as part of the initial permitting assessment. These reports are submitted on a regular basis to the Santa Ana RWQCB as part of the WRWRF ROF's NPDES permit (Order No. R8-2007-0012, CA0105619). The effluent data includes the typical wastewater treatment plant parameters: BOD, TSS, ammonia, nitrate, TDS, hardness, cyanide, chronic toxicity, Bis (2-ethylhexyl) phthalate, turbidity, pH, chlorine residual. Some pollutants are tested daily including Coliform. Flow is logged daily.

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Noteworthy is the high TDS in both the influent and effluent. For example it measured 540 mg/L for the influent and 453 mg/L in the effluent in September 2013. The range of TDS for the three months reviewed was 450-540 mg/L for the WRWRF ROF. Effluent TDS ranged from 448 to 453 mg/L making the effluent a good candidate for reclamation by RO and the Brine Line a reliable disposal method for salts from the watershed. No other pollutants of concern were noted for discharge to the Brine Line from the concentrated reject produced by the RO Facility from the treated WRWRF ROF effluent.

The concentrated brine from the RO is the only wastewater discharged to the Brine Line. No sludge from the WRWRF ROF may be discharged to the Brine Line unless YVWD receives prior approval from SAWPA.

RO Facility

Effluent data is available from pilot testing during the treatability studies (on file). The lab reports from Clinical Laboratories of San Bernardino, Inc. are for samples collected Feb. 2 and March 12, 2013 were reviewed as part of the permitting assessment. The analyses were performed as part of the treatment feasibility analysis and include RO Feed water and RO Concentrate as well as samples from other intermediate treatment plant stages. The samples collected were intended to review the removal and performance of the pilot system. The data has a limited number of analytes most of which do not correspond directly to the wastewater discharge permit local limits. The data does show that ions such as K, Na and some metals (Mn, Mg) are concentrated in the RO reject at a ratio range of 6-7 times the influent levels.

The RO Facility consists of several treatment steps to maximize the effectiveness of the membrane filtration system.

Sulfuric acid is added to the RO system feed water for scale control with a byproduct being carbon dioxide. The carbon dioxide reacts with lime and/or caustic to form bicarbonate, which also increases the TDS. A degasification step is used to remove carbon dioxide (typically from 40 to 8 mg/L) to reduce the final TDS and increases the pH. Many facilities use the carbon dioxide degasification to maximize facility capacity. Lime or caustic addition is necessary to stabilize the final product that is now lower in TDS and has a lower pH. Typical lime or caustic used is NaOH. Corrosion inhibitors are also generally used (series of phosphate compounds).

A Clean-in-Place (CIP) process for the RO membranes is part of routine plant operations. A CIP System operating procedure is contained in Chapter 10 of the O&M Manual (358 pages) that is part of the RO facility's operating manual. The O&M manual is on file with SAWPA. The procedure clearly states that the CIP process does not generate any waste or wastewater that will be discharged to the Brine Line. The CIP waste is directed to an 800,000 gallon holding basin after neutralization and combined with other wastewater treatment effluents (belt press filtrate and MF backwash) that are returned to the headworks. It directs the operators not to discharge any of the wastewater to the Brine Line (or SARI). See Attachment 5 for a process flow diagram for the RO Facility

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a. Process Flows

PROCESS	FLOW est.
Reclaimed Wastewater Treatment	2.5 MGD

b. Wastewater Flows

WASTEWATER	FLOW est.
RO brine reject (est avg.)	440,000 GPD
RO brine reject (est. max.)	595,000 GPD

5. Pretreatment/Other

a. Pretreatment (equipment, pH control etc.)

No formal pretreatment system is required or applicable at this water treatment facility (RO Facility). The RO Facility is equipped with an online pH probe connected to a controller and the SCADA system. Two set points for pH alarms are in place for each of the two limits. High pH alarms are set at: 8.5 and 9.0; and the low pH alarms are set at 6.6 and 6.0.

b. Flow measurement (type of effluent flow meter – who owns/who calibrates)

Brine Line Connection flow measurement will be with a flow meter installed per SAWPA's specifications. YVWD owns the flow meter installed at the RO Facility and is solely responsible for the calibration and maintenance of the flow meter. Flow meter calibration shall be performed as often as necessary, but no less frequent than annually. The initial flow meter calibration will be required within 30 days of permit issuance. The last calibration was performed in Sept. 2012.

c. Stormwater Management

Stormwater is not discharged directly to the Brine Line from this facility. Any stormwater that is collected within the WRWRF ROF is directed to a downstream detention basin for percolation and evaporation.

d. Spill Containment

All chemical storage has secondary containment and there is not risk of spills being introduced to the Brine Line.

e. Reclaimable Wastewater

No reclaimable wastewater is discharged to the Brine Line. The RO facility and WRWRF ROF are in place to maximize reclaimable wastewater in the watershed and protect water quality in the receiving waters by managing salt content.

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f. Wastewater from Outside SAWPA Services Area

See the historical description in Section F below. The WRWRF ROF influent originates in part from outside the SAWPA service area but is within the Santa Ana Watershed. The WRWRF ROF and RO Facility are located within the SAWPA service area. Therefore, there is an indirect relationship to the outside service area requirements.

6. Brine Line Connection(s)

The discharge from the RO Facility connects to the 13 mile Brine Line Yucaipa Extension. The Yucaipa Extension is a 20 inch HDPE pipe that connects to the SAWPA Brine Line discharge line located at 1713 South E Street, San Bernardino CA behind the E Street Storage facility at 1723 South E Street San Bernardino, CA on the south side of the block wall. See Attachment 3.

7. Contracted Treatment and Disposal Capacity (If Applicable)

Contracted Treatment & Disposal Capacity	0.595 MGD
Additional BOD/TSS Capacity	291 lbs BOD/day
	286 lbs TSS/day

Reference: Treatment and Disposal Rights Agreement between San Bernardino Valley Municipal Water District and Yucaipa Valley Water District.

B. DISCHARGE LIMITATION REQUIREMENTS AND MONITORING REQUIREMENTS

1. Discharge Limitation/Monitoring Requirements Basis

The influent and effluent data from the WRWRF ROF for the months of June, August and September 2013 were reviewed as part of the initial permitting assessment. These reports are submitted on a regular basis to the Santa Ana RWQCB as part of the WRWRF ROF's NPDES permit (Order No. R8-2007-0012, CA0105619). The effluent data includes the typical wastewater treatment plant parameters: BOD, TSS, ammonia, nitrate, TDS, hardness, cyanide, chronic toxicity, Bis(2-ethylhexyl) phthalate, turbidity, pH, chlorine residual. Some pollutants are tested daily including Coliform. Flow is logged daily.

a. Constituents Monitored and Basis

Initially all local limits constituents will be analyzed weekly to establish a baseline and identify any concerns. Monitoring for PCBs, TTOs, Cyanide (T and A), oil and grease (mineral/pet and FOG), and Pesticides will be limited to one round of testing during the initial phase as they are not expected to be present.

Monitoring long term will take place for: pH, metals, TTOs, TSS, VSS, BOD, Hardness, Sulfides (Total and Dissolved), and TDS. See B.3 below for frequency information.

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b. Brine Line Investigatory Sampling

In addition, the Control Authority may collect and analyze samples for special studies and may include the following constituents:

Calcium (total and dissolved), Alkalinity, and Orthophosphate. The sample type is a composite sample.

c. Constituents Not Monitored and Basis

The constituents not anticipated in long-term monitoring and excluded in the self-monitoring plan for long-term reporting are: Cyanide (total and amenable) PCBs, pesticides, FOG, Oil and Grease, Pesticides, PCBs and TTOs. This list is subject to change based on the initial phase of self-monitoring conducted during the short-term, six week monitoring period.

d. BMP Applicability

None anticipated at this time.

e. Special Sampling protocols (If Applicable)

Not applicable.

2. Monitoring Location(s)

Monitoring Location 001 – is the two spigots located on the southwest side of the RO system, on the discharge line. See Attachment 3.

3. Monitoring Frequency

The short-term, weekly self-monitoring will be in effect for six (6) weeks and will require analytical results submitted for all local limit constituents within fourteen (14) calendar days of sample collection. Only one round of sampling will be required during collection of the first sample for Pesticides, PCBs, TTOs, and Cyanide (T &A). Sampling will be 24-hour composites except where grabs are required (e.g. pH, oil/grease). Delegated Control Authority (SAWPA) monitoring will take place weekly for the first four (4) weeks to supplement short-term self-monitoring. Copies of sample results will be presented to OCSD.

Long-term monitoring has been included in the Permit based on Best Professional Judgment (BPJ) as noted above in Section B.1.C. The self-monitoring constituents and/or frequencies may be adjusted based on the results of the short-term monitoring described above. A revised self-monitoring requirements table would be prepared and issued through an amendment if required, otherwise, the long-term self-monitoring requirements have been included in the permit. Long-term self-monitoring will be conducted quarterly/semi-annually and Control Authority monitoring will be conducted semi-annually.

TTO will be performed annually if detected during initial sampling. If ND, further monitoring is only required during permit renewal (pre-permit inspection and monitoring).

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4. Additional Monitoring Information

a. Sample Collection

Based on a review of RO reject sample data, time proportional composite sampling has been determined to be representative of the Permittee's wastewater discharged to the Brine Line and is authorized by SAWPA.

Self-Monitoring samples are collected by the Permittee. YVWD has submitted a sampling SOP to SAWPA and it is on file.

Delegated Control Authority samples are the responsibility of SAWPA and will be collected by SAWPA or SAWPA's contract laboratory. During the initial discharge period sampling is anticipated to be performed at a higher frequency as noted above.

C. REPORTS

1. Self-Monitoring Reports

As noted above short-term self-monitoring reports will be due within seven (7) calendar days of sampling for the first six (6) weeks of discharge. Long-term self-monitoring will be conducted on a quarterly/semiannual basis and due by the 7th of month following the end of each sampling period.

2. Flow Reports

Flow reporting will be documented as part of the self-monitoring reports.

3. Special Reports

No special reports are required at this time, other than as noted above for self-monitoring.

D. FACILITY WASTE MANAGEMENT PLAN

1. Toxic Organic Management Plan (TOMP) – Not required
2. Slug Discharge Prevention Control Plan (SDPCP)- Not required
3. Pretreatment Systems Operations and Maintenance Manual – Required and on file
4. Hazardous Materials and Hazardous Waste Management Plan – Required
5. Waste Minimization/Pollution Prevention Plan (WM/PPP) – Not required
6. Emergency Contact List and Contingency Plan – Required

E. SPECIAL CONSIDERATIONS/REQUIREMENTS

1. Area Search/Upstream Discharger Inventory

YVWD shall perform an annual or more frequent area search, based on a monthly review of commercial utility turn-ons,, to ensure all dischargers needing a permit have been identified and permitted pursuant to 40 CFR 403.8. SAWPA to review the area search activities, and provide feedback as necessary to YVWD. Annual inventory shall be

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provided by June 30th each year.

2. Wochholz Service Area

YVWD shall provide SAWPA with a map of their current sewer system which discharges to the Wochholz treatment plant on an annual basis. This information will be provided by SAWPA to OCSD upon request. The map must provide enough detail to conduct the area search activities noted in paragraph E.1. Map shall be provided by June 30th each year.

3. SAWPA Service Area Information

- The Wochholz facility is inside the SAWPA Service Area
- In 2016, 44% of the influent flow to Wochholz comes from outside the SAWPA Service Area; this flow does originate within the Santa Ana River watershed however.
- In a letter dated April 1, 2014 OCSD's General Manager gave approval for the out of SAWPA Service Area wastewater flows into Wochholz.
- Current map of the Permittee's service area is documented in Attachment 2.
- Discharges from extra-regional areas outside the Permittee's service area are prohibited unless approved in writing by SAWPA.

4. Termination of Flows from Select Dischargers

Upon written notice, OCSD may require that the Permittee discharge be terminated or other measures be implemented due to the need to protect OCSD facilities and effluent quality, in accordance with Section 1.A of the 1991 MOU between OCSD and SAWPA and Section C. 11 of the 1996 Wastewater Treatment and Disposal Agreement between OCSD and SAWPA. OCSD does not expect that this will be needed, but provides OCSD with ability to correct a problem or provide the protection needed should an issue arise. This provision is not intended to preclude the discharge of wastewater brine.

F. HISTORICAL INFORMATION/COMPLIANCE HISTORY

The WRWRF ROF is owned and operated by the YVWD and located within the SAWPA service area and within the San Bernardino Valley Municipal Water District (a Member Agency of SAWPA). The wastewater collected and treated by the WRWRF ROF includes sources both within and outside the SAWPA service area. All WRWRF ROF wastewater sources are within the Santa Ana River Watershed. The main sources are within the Yucaipa Valley Water District Service area, the Yucaipa Valley Regional Water Filtration Facility, and industrial users (a schematic is provided in Attachment 2). Approximately 56% of the YVWD's service area is located within the SBVMWD boundary with the remainder from the area south of the Riverside-San Bernardino county border. Figures illustrating the service areas are provided in Attachments 1 and 2. The purpose and goal of the WRWRF ROF and the RO Facility align with the Santa Ana Regional Water Quality Control Board (Regional Board) adopted Resolution R8-2004-0001 dated January 22, 2004 amending the Basin Plan and incorporating updated TDS and Nitrogen management for the Santa Ana Region through waste load allocations. The goal is for a TDS level of less than 320 mg/L for groundwater basin protection. In addition, the YVWD's improvements to wastewater treatment and management at the WRWRF ROF are in agreement with the California State Water Resources Control Board (SWRCB) Recycled Water Policy of February 3, 2009. Additional

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information on the association of the RO Facility with Regional Board and SWRCB resolutions and policies can be found in the YVWD letter on file with SAWPA.

The influent to the WRWRF ROF is primarily domestic wastewater (approx. 96%), commercial/institutional (approx. 2%) and industrial (approx. 0.1%). The majority of the wastewater to the WRWRF ROF is from domestic sources.

The WRWRF ROF service area includes two industrial Permittees: 1) Sorensen Engineering with Permit No. CP-001-03, Class I – CIU per 40 CFR 433.17(a) PSNS Metal Finishing issued by the YVWD for a maximum flow of 20,000 gallons per day. It should be noted that in most cases the YVWD local limits are more stringent than the categorical limits, especially for metals and cyanide. Self-monitoring requirements are specified by pollutant on a semi-annual basis. The Sorensen permit clearly denotes the most stringent limits that apply. 2) Skat-Trak Performance Products with Permit No. CP-003-03, Class II – Non-Significant CIU per 40 CFR 464.15, Subpart A, PSES for Aluminum Casting and 40 CFR 464.35, Subpart C, PSES for Ferrous Casting issued by YVWD as a zero discharge permit. The no discharge requirement is clearly noted in the permit and the applicable categorical limit tables are provided in the permit as informational items.

G. ATTACHMENTS

1. Aerial Photo-Location and Yucaipa Brine Line Figure
2. Service Area figures
3. Sample Point Photos
4. WRWRF ROF Wastewater Treatment Process Diagram
5. RO Facility Treatment Process

Originator: Michael Plasencia
SAWPA Senior Pretreatment Program Specialist

Date: 4/14/2016

Reviewer: Lucas Gilbert
SAWPA Manager of Permitting and Pretreatment

Date: 4/15/2016

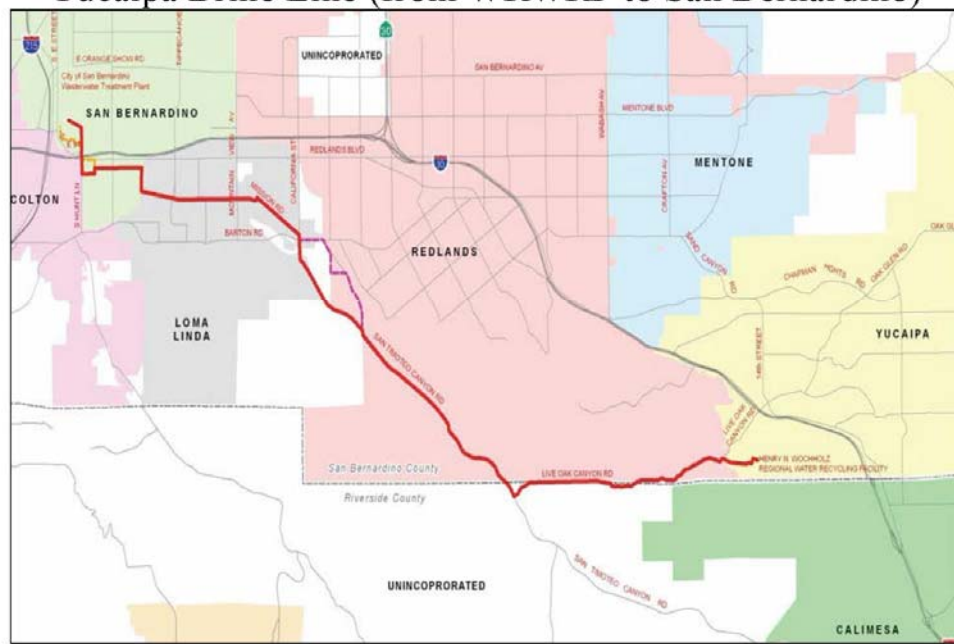
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Attachment G.1

Aerial Photo



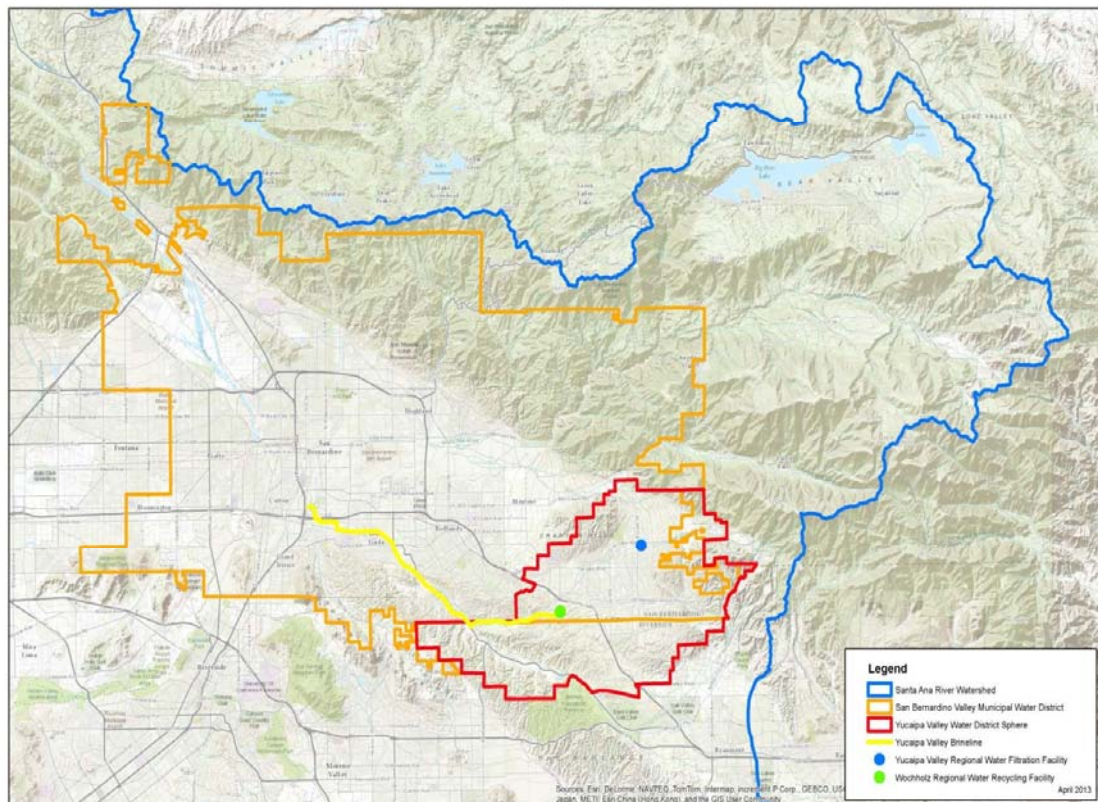
Yucaipa Brine Line (from WRWRF to San Bernardino)



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Attachment G.2

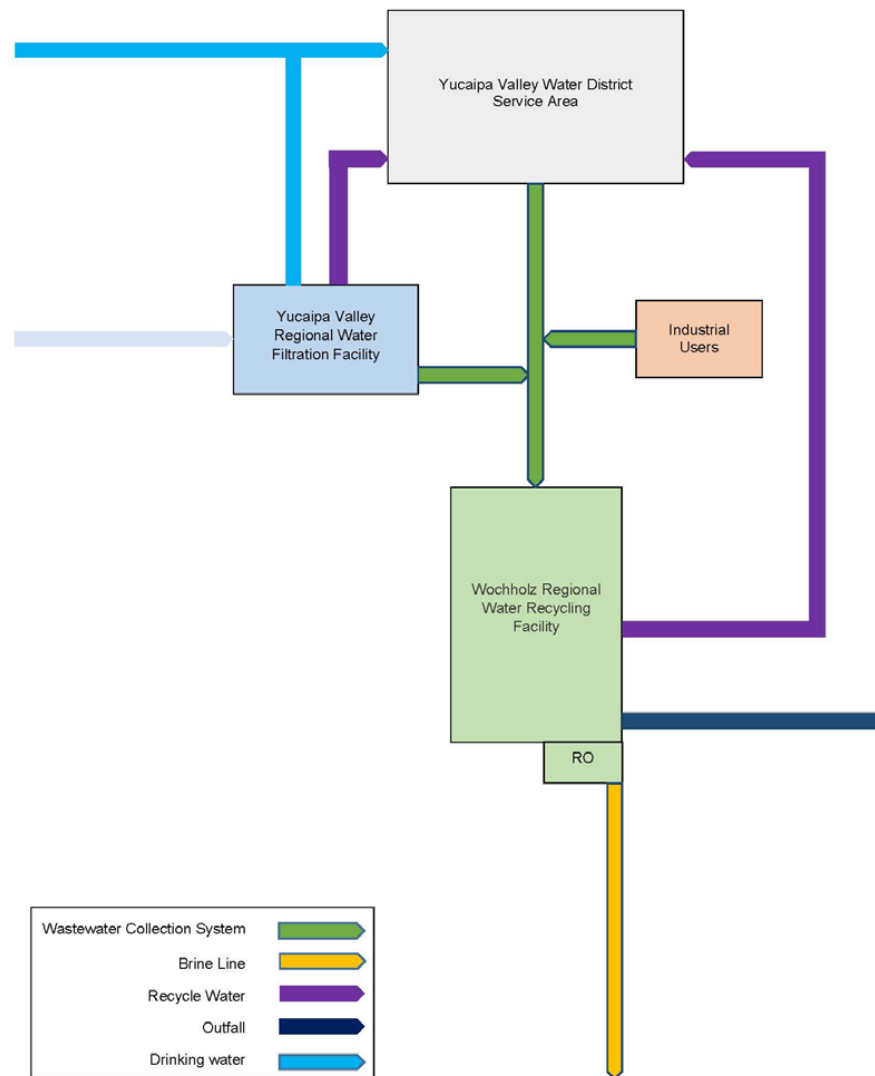
Wochholz Regional Water Recycling Facility Service Area



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Attachment G.2 (Continued)

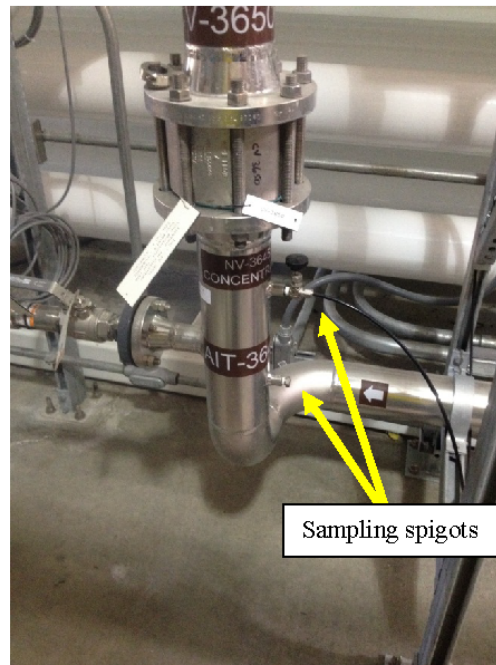
Service Area Schematic



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Attachment G.3

Monitoring Point No. 001
The Spigots located on the southwest side of the RO system, on the
discharge line



Yucaipa Brine Line Connection (to Main Brine Line)
Future Sample Point (for billing purposes only, not a compliance
point)

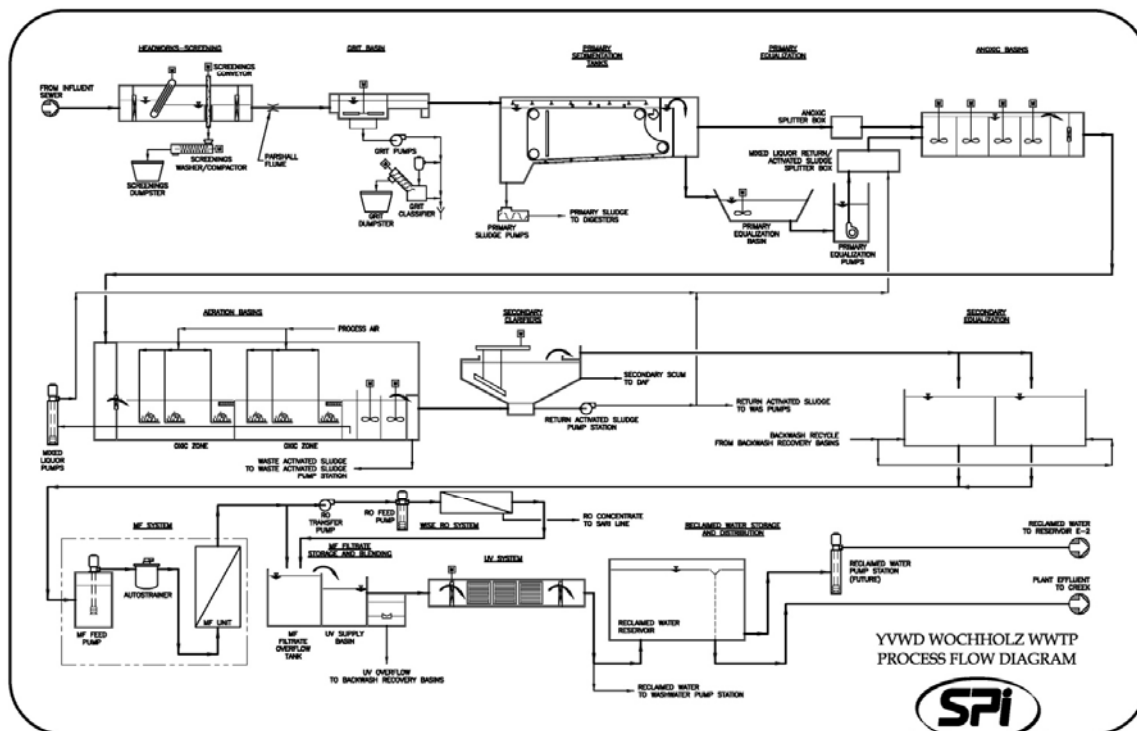


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Attachment G.4

Process Diagram

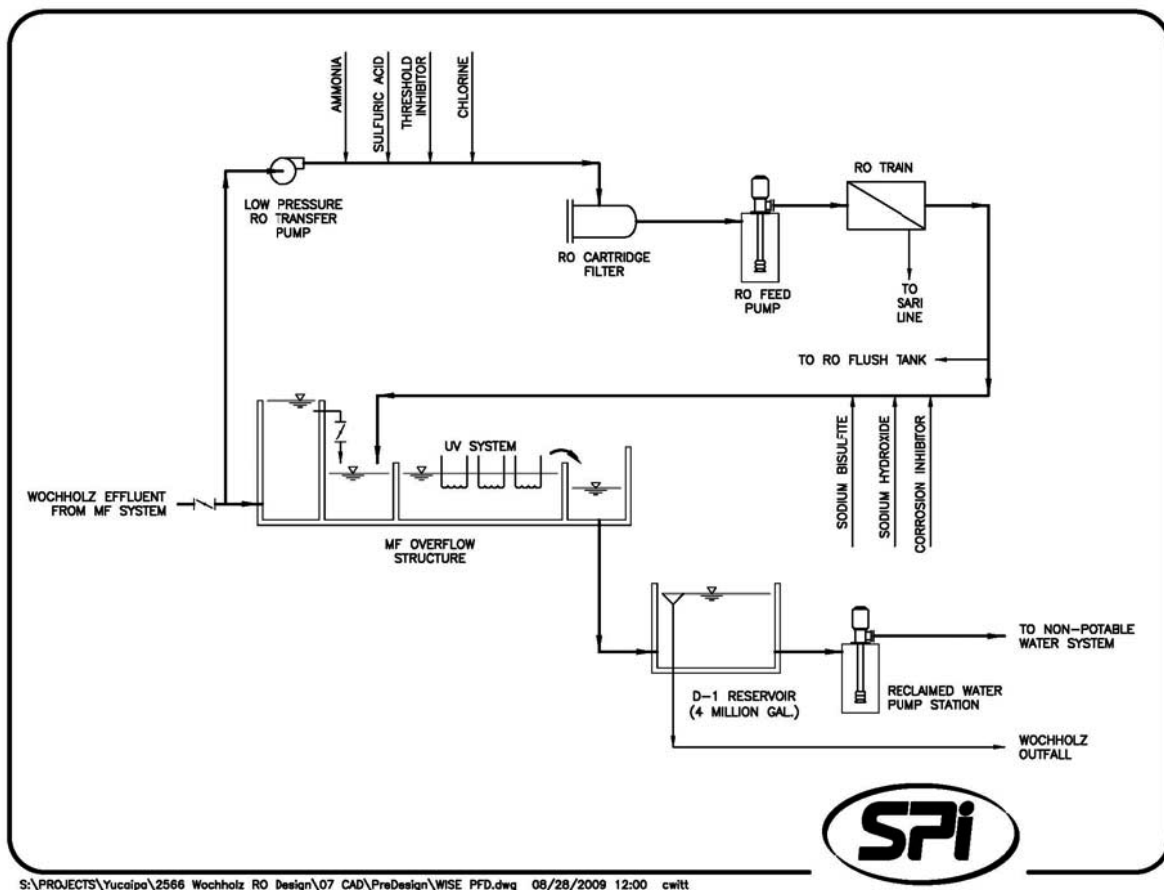
Wochholz Regional Water Recycling Facility Wastewater Treatment



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Attachment G.5

RO Facility



Capital Improvement Projects



Yucaipa Valley Water District



Date: July 26, 2016

Subject: Status Report on the Construction of a 6.0 Million Gallon Drinking Water Reservoir R-12.4 - Calimesa

At the regular meeting on July 16, 2014, the Board authorized the solicitation of bids for the construction of a 6.0 Million Gallon R-12.4 Reservoir located on Singleton Road in Calimesa [Director Memorandum No. 14-060]. On November 19, 2014, the Board of Directors awarded the construction contract for the reservoir facility to Gateway Pacific Contractors [Director Memorandum No. 14-091].



The purpose of this agenda item is to provide an update on the progress of the reservoir construction project.



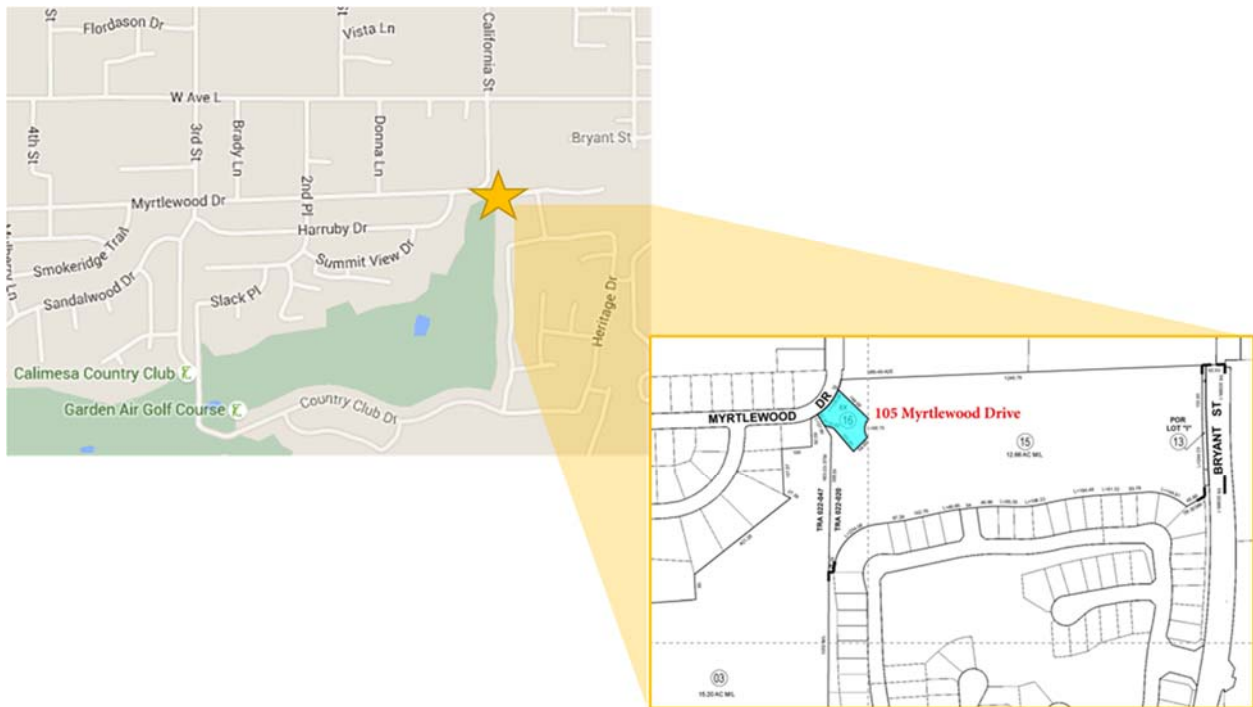




Date: July 26, 2016

Subject: Status Report on the Construction of Interim Recycled Water Booster Station RWB - 12.4

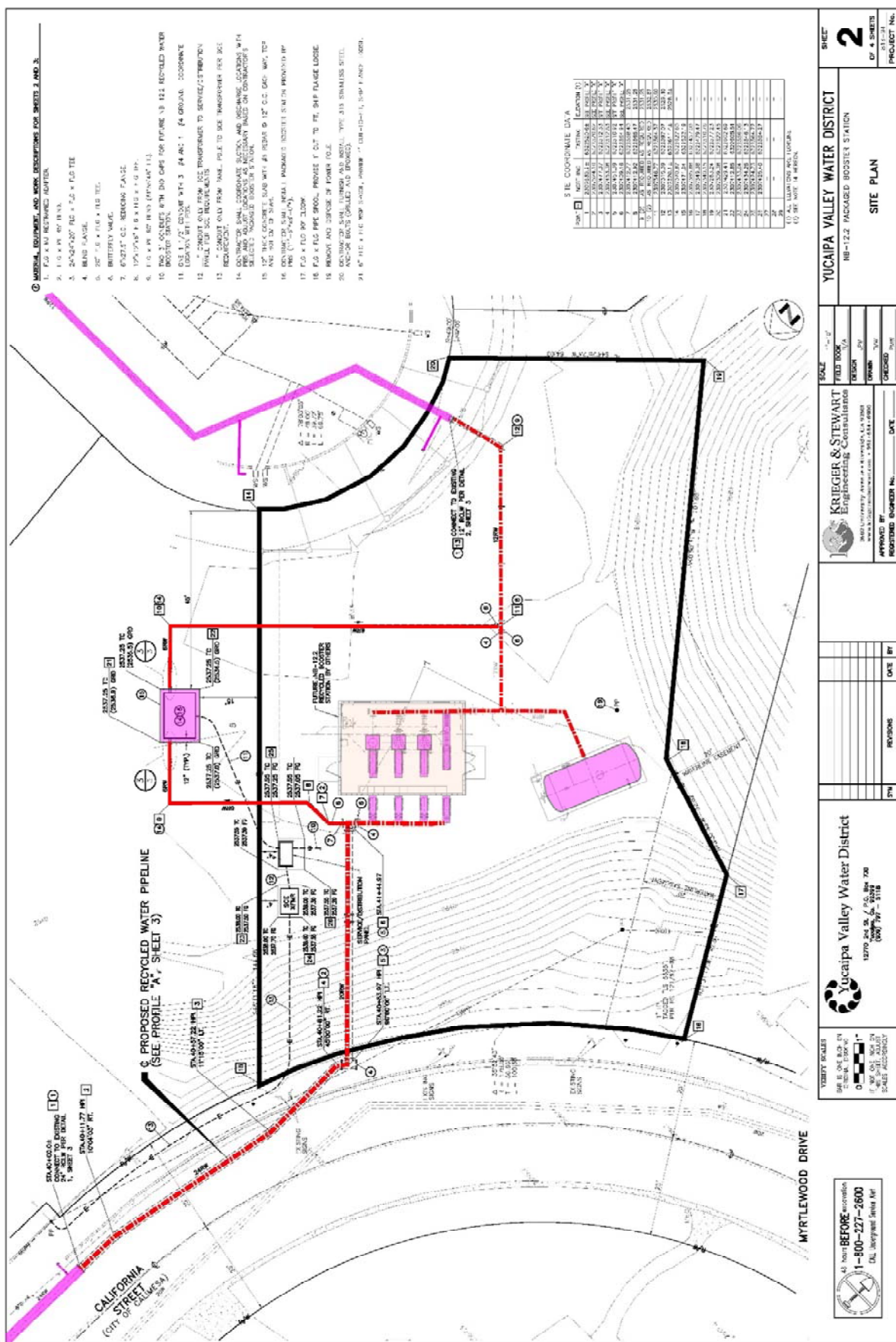
On August 5, 2015, the Board of Directors authorized the District staff to solicit bids for the construction of an interim recycled water booster station at the intersection of Myrtlewood Drive and California Street. The project includes the construction of a 300 gallon per minute pre-packaged booster station, approximately 200 linear feet of 24", 20" and 12" piping and electrical work.

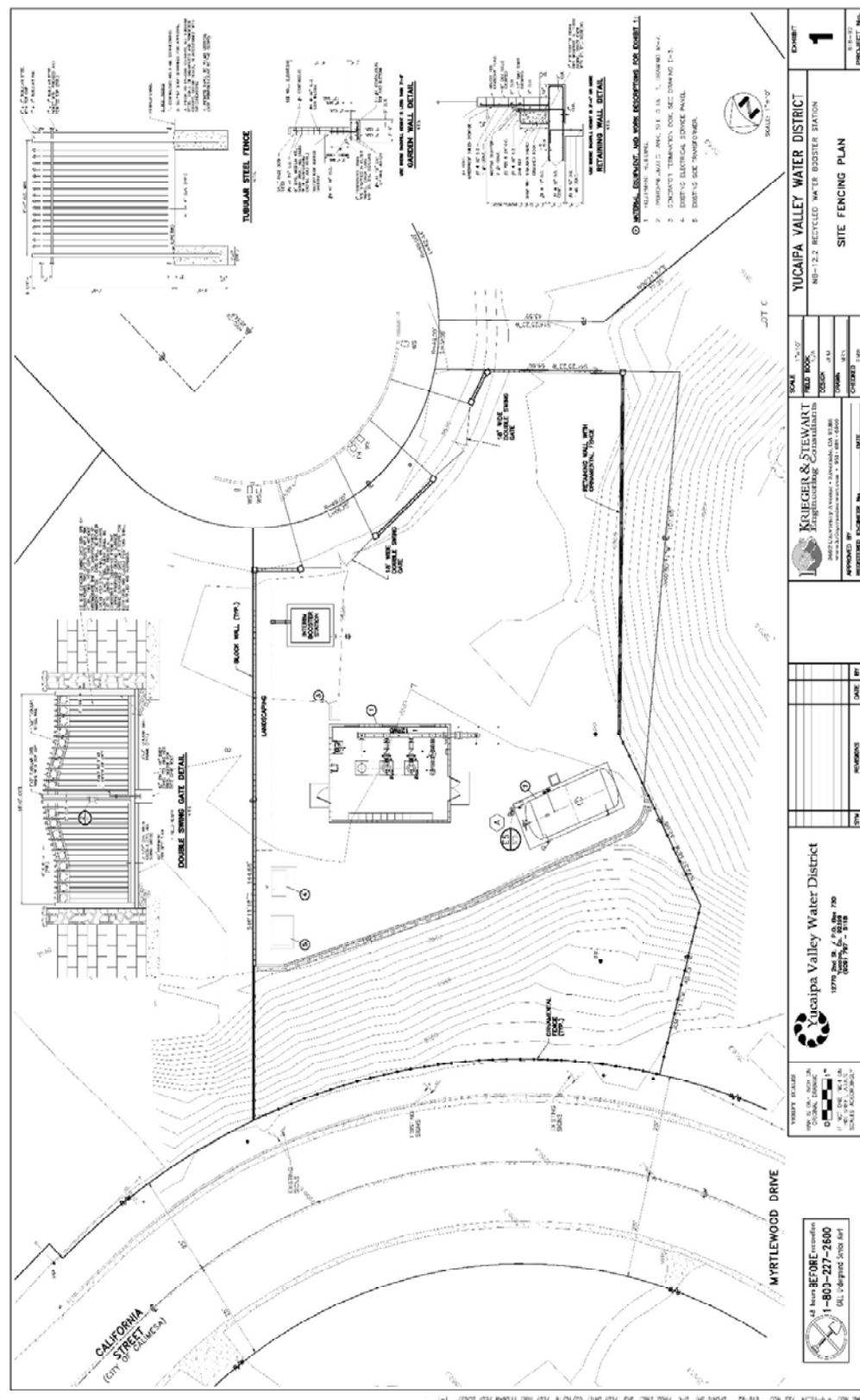


On October 7, 2015, the Board of Directors approved a contract with Weka, Inc. to construct the facility for a sum not to exceed \$317,772.

On May 18, 2016, the Board of Directors authorized the solicitation of bids for security fencing around the site [Director Memorandum No. 16-046].

The purpose of this agenda item is to provide an update on the status of this project.





Policy Issues



Yucaipa Valley Water District



Date: July 26, 2016

Subject: Consideration of Changing the Regular Meeting Dates for Yucaipa Valley Water District Board Meetings and Workshops

At the July 20, 2016 regular board meeting, the District staff was asked to schedule a workshop agenda item to discuss the current schedule for board meetings and board workshops. Currently, the District conducts regular board meetings on the first and third Wednesday of every month and workshops on the second and last Tuesday of every month.

If the Board of Directors would like to conduct the board meetings and workshops on the same day of the week, the District staff would suggest scheduling board meetings and workshops on Tuesdays.

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SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26	27	28	29	30	1	2 8:00 AM Recycled Water Fill Station
3	4	5 8:00 AM Recycled Water Fill Station	6 6:00 PM Board Meeting	7 8:00 AM Recycled Water Fill Station	8	9 8:00 AM Recycled Water Fill Station
10	11	12 8:00 AM Recycled Water Fill Station 4:00 PM Board Workshop - Cancelled	13	14 8:00 AM Recycled Water Fill Station	15	16 8:00 AM Recycled Water Fill Station
17	18	19 8:00 AM Recycled Water Fill Station	20 6:00 PM Board Meeting	21 8:00 AM Recycled Water Fill Station	22	23 8:00 AM Recycled Water Fill Station
24	25	26 8:00 AM Recycled Water Fill Station 4:00 PM Board Workshop	27 5:00 PM San Geronimo Pass Regional Water Alliance	28 8:00 AM Recycled Water Fill Station	29	30 8:00 AM Recycled Water Fill Station
31	1	2	3	4	5	6



Date: July 26, 2016

Subject: Consideration of a Policy Regarding the Pre-Approval of Travel and Lodging Expenses by the Board of Directors

Each year the Board of Directors review the *Reimbursement Policy and Compensation Paid to Members of the Board of Directors Pursuant to Assembly Bill No. 1234*. This year, this memorandum was presented on January 6, 2016 as Director Memorandum No. 16-003.

At the July 20, 2016 regular board meeting, the District staff was asked to suggest a draft policy related to the pre-approval of travel and lodging expenses for board members. Based on the request at the board meeting, the following change can be made to Resolution No. 10-2007 to provide the Board of Directors with the pre-approval of travel expenses incurred by members of the Board of Directors.

2. Reimbursable Expenses of Board Members. As authorized by Government Code, Section 53232.2 the following actual and necessary expenses incurred by Board members in the performance of their official duties shall be reimbursed by the District:

(a) Mileage at the rate established by the Internal Revenue Service to and from all Meetings as defined by the District's Ordinance No. 53-2007 and this Resolution;

(b) ~~Other actual, necessary and reasonable travel and~~ Travel and lodging expenses that have been approved by the Board of Directors prior to the date the meeting, seminar or event.

(c) Meal expenses incurred by a board member in attending such meetings with detailed receipts;

(d) ~~(e)~~ Lodging costs, in connection with a conference or organized educational activity conducted in compliance with the Brown Act, including but not limited to the ethics training in Section 4 below, shall not exceed the maximum group rate published by the conference or activity sponsor or if no group rate is provided then the lodging cost shall not exceed the government and group rates offered by a provider of transportation or lodging services for travel and lodging when available.

This item is provided as a policy decision for discussion by the Board of Directors.



Yucaipa Valley Water District

Director Memorandum 16-003

Date: January 6, 2016

Prepared By: Joseph Zoba, General Manager

Subject: Reimbursement Policy and Compensation Paid to Members of the Board of Directors Pursuant to Assembly Bill No. 1234

Recommendation: That the Board either: (1) takes no action which would provide for a five percent increase; or (2) adopts the Resolution No. 2016-03 to defer increased compensation in accordance with Ordinance No. 53-2007.

On March 21, 2007, the Board adopted Resolution No. 10-2007 and Ordinance No. 53-2007. These actions updated the policy of reimbursement and compensation paid to the members of the Board of Directors in a manner consistent with Assembly Bill No. 1234. Both the resolution and ordinance are attached for your review.

In January of each year, District staff presents Ordinance No. 53-2007 and Resolution No. 10-2007 to determine if any changes are required.

Pursuant to the attached Ordinance and Resolution, the Board is requested to make a decision regarding the rate of compensation received by board members for attending District related meetings and functions. Based on the reimbursement and compensation policy, the Board has two alternatives to address the rate of compensation.

Alternative 1 – No Director Fee Increase. Attached is Resolution No. 2016-03 which, if adopted by the Board of Directors, would maintain the rate of compensation paid to board members at the current rate of \$134.02 per day for each day's attendance at meetings as defined in Section 1(d) of Ordinance No. 53-2007. This daily rate is not to exceed ten days per month.

Alternative 2 – Automatic Director Fee Increase. By not taking action (procedurally this is accomplished by no motion for action being made at the board meeting, or by Resolution No. 2016-03 failing to be approved), the provision in Section 2 of Ordinance No. 53-2007 will apply which states, "...each calendar year following the adoption of this Ordinance, the compensation which may be received by members of the Board of Directors shall automatically be increased by 5% per calendar year beginning in January 2008, unless the Board of Directors by resolution elects not to receive an increase. Action by the Board of Directors to make such an election not to receive an increase in any one year will not affect the automatic increase the following calendar year". Therefore, by taking no action compensation paid to board members will be increased from \$134.02 to \$140.72 per day for each day's attendance at meetings as defined in Section 1(d) of Ordinance No. 53-2007.

Financial Implications

On average, a board member typically seeks reimbursement for four to five meeting-days per month out of the maximum of ten permitted meeting days per month.

Based on attending an average of five meetings per month, the cost per board member at the current rate of \$134.02 per meeting-day is \$670.10 per board member per month, or \$8,041.20 per board member per year. The maximum annual meeting reimbursement amount at ten meeting-days per month would be \$16,082.40 per board member.

If the automatic increase takes effect, the current rate of \$134.02 would be increased to \$140.72 per day for each day's attendance at meetings. Based on attending five meetings per month, the cost per board member at a rate of \$140.72 per meeting-day is \$703.60 per board member per month, or \$8,443.20 per board member per year. The maximum annual meeting reimbursement amount at ten meeting-days per month would be \$16,886.40 per board member.

RESOLUTION NO. 10-2007**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
YUCAIPA VALLEY WATER DISTRICT
UPDATING THE POLICY FOR REIMBURSEMENT OF ACTUAL
AND NECESSARY EXPENSES OF THE BOARD OF DIRECTORS**

WHEREAS, the Yucaipa Valley Water District (the "District") is a public agency of the State of California organized and existing pursuant to the County Water District Law of this State (Section 30000, et seq., of the Water Code); and

WHEREAS, as authorized by Water Code, Sections 30507 and 71255 the District has previously authorized reimbursement to its Board members of their actual, necessary and reasonable expenses incurred in the performance of their official duties in attending Board meetings, committee meetings, workshops, educational special district workshops and related occurrences; and

WHEREAS, the Legislature has enacted effective January 1, 2006, AB 1234 amending existing statutes and adding additional statutes requiring that local public agencies adopt a written policy concerning the District's reimbursement of the actual and necessary expenses of Board members in the performance of their official duties for the District; and

WHEREAS, AB 1234 also requires a written policy for the payment of per day compensation to Board members for meetings other than those of the Board, its Board workshop, Board committees, an advisory body of the Board and conferences and educational activities; and

WHEREAS, AB 1234 also requires that any Board member who receives any form of compensation from the District is required to attend at least two (2) hours of ethics training every two (2) years.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Yucaipa Valley Water District as follows:

1. Additional Compensable Meetings. As permitted by Government Code, Section 53232.1(d) the per day compensation authorized by Ordinance No. 53-2007 shall also be paid for a Board member's attendance at a meeting of South Mesa Mutual Water Company or Western Heights Mutual Water Company, an association or organization related to the services provided by the District, any meeting or hearing of any joint powers authority, local, state or federal agency or any board, commission, committee or department thereof, and any tours, field trips or informal business meetings with District staff in the performance of the official duties of the Board of Directors; provided, however, that the total number of compensable days in any calendar month for all meetings attended by a Board member shall not exceed the maximum set forth in the District's Ordinance No. 53-2007.

2. Reimbursable Expenses of Board Members. As authorized by Government Code, Section 53232.2 the following actual and necessary expenses incurred by Board members in the performance of their official duties shall be reimbursed by the District:

(a) Mileage at the rate established by the Internal Revenue Service to and from all Meetings as defined by the District's Ordinance No. 53-2007 and this Resolution;

(b) Other actual, necessary and reasonable travel and meal expenses incurred by a Board member in attending such Meetings with detailed receipts;

(c) Lodging costs, in connection with a conference or organized educational activity conducted in compliance with the Brown Act, including but not limited to the ethics training in Section 4 below, shall not exceed the maximum group rate published by the conference or activity sponsor or if no group rate is provided then the lodging cost shall not exceed the government and group rates offered by a provider of transportation or lodging services for travel and lodging when available.

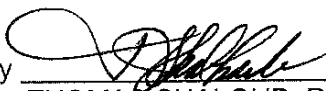
3. Expense Report Requirements. The District shall provide written expense report forms to be filed by the District's Board members for reimbursement of actual and necessary expenses incurred on behalf of the District in performance of official duties. Such filings shall include all receipts for such expenses. Reimbursable expenses to be reported shall include, but not be limited to, mileage, meals, lodging and other travel-related expenses. All such expense reports shall constitute public records under the California Public Records Act. The District Board member shall provide brief oral reports on meetings attended at the expense of the District at the next regular meeting of the District's Board of Directors.

4. Ethics Training. Pursuant to Government Code, Section 53234 each Board member shall attend at least two (2) hours of ethics training every two (2) years at the expense of the District. Such ethics training must be approved or authorized by the California Attorney General's Office and the Fair Political Practices Commission. Written proof of such ethics training must be filed by each Board member with the District and the District shall retain records of such ethics training for at least five (5) years after the Board member receives such training.

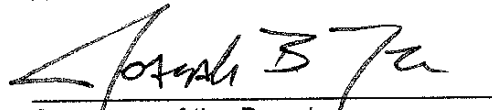
5. Effective Date. This Resolution shall be effective March 21, 2007, and hereby supersedes Resolution No. 36-2005.

Adopted this 21st day of March 2007.

YUCAIPA VALLEY WATER DISTRICT

By 
THOMAS SHALOUB, President of the
Board of Directors

ATTESTED:


Secretary of the Board

ORDINANCE NO. 53-2007**AN ORDINANCE OF THE YUCAIPA VALLEY WATER DISTRICT
UPDATING THE REIMBURSEMENT POLICY AND COMPENSATION PAID
TO MEMBERS OF THE BOARD OF DIRECTORS PER ASSEMBLY BILL 1234**

WHEREAS, Yucaipa Valley Water District (the "District") is a public agency of the State of California organized and existing pursuant to the County Water District Law of this State (Section 30000 et seq. of the Water Code); and

WHEREAS, by Resolution No. 3-1978 adopted on January 25, 1978, the Board of Directors authorized compensation to be paid to each Director of the Board of Directors for each day's attendance at meetings of the Board of Directors and for each day's service rendered as a Director at the request of the Board of Directors; and

WHEREAS, by minute action on June 23, 1982, consistent with Water Code, Section 30507, the Board of Directors increased that per day compensation to \$100.00 per day; and

WHEREAS, as authorized by Water Code, Sections 30507 and 71255 the District has previously authorized reimbursement to its Board members of their actual, necessary and reasonable expenses incurred in the performance of their official duties in attending Board meetings, committee meetings, workshops, educational special district workshops and related occurrences; and

WHEREAS, by Ordinance No. 51-2005 adopted on December 21, 2005, the Board of Directors increased the per day compensation for each of the Directors to \$105.00 per day and also updated the reimbursement and compensation policy consistent with AB 1234 enacted effective January 1, 2006; and

WHEREAS, the Board of Directors desires to increase the per day compensation by 5% to \$110.25 and to provide for automatic annual compensation increases of no more than 5% per year beginning in January of each year following the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Yucaipa Valley Water District, as follows:

Section 1. Definitions:

(a) "Day's attendance" shall mean attendance at any Meeting as defined in Section 1(d) below.

(b) "Day's service" shall mean service rendered by a Director without regard to the length of time of such service.

(c) "Expenses" shall mean those actual and necessary out-of-pocket expenses incurred by a Director incident to or arising from a day's attendance at meetings or a day's service rendered.

(d) "Meeting" shall mean a meeting of the Board of Directors, including Board workshops and Board-created Committee meetings, advisory body or a conference or


organized educational activity all of which are authorized "meetings" under Government Code, Section 53232.1(a), and any other meeting or occurrence authorized by a written resolution adopted by the Board of Directors in a public meeting.

Section 2. Compensation and Annual Increases: Each Director shall receive compensation in the amount of \$110.25 per day for each day's attendance at Meetings as defined in Section 1(d) above not to exceed a total of ten (10) days in any calendar month, together with any expenses authorized by a resolution establishing the policy for the reimbursement of such actual and necessary expenses incurred in the performance of the official duties of the Board of Directors. Each calendar year following the adoption of this Ordinance, the compensation which may be received by members of the Board of Directors shall automatically be increased by 5% per calendar year beginning in January 2008, unless the Board of Directors by resolution elects not to receive such an increase. Action by the Board of Directors to make such an election not to receive an increase in any one year will not affect the automatic increase the following calendar year.

Section 3. Effective Date: In accordance with Section 20204 of the Water Code, this Ordinance shall become effective sixty (60) days from the date of its passage. This Ordinance hereby supersedes Ordinance No. 51-2005.

Adopted and enacted this 21st day of March, 2007.

YUCAIPA VALLEY WATER DISTRICT

By 
THOMAS SHALOUB, President of the
Board of Directors

ATTESTED:


Secretary of the Board

RESOLUTION NO. 2016-03**RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
ELECTING NOT TO INCREASE THE COMPENSATION
FOR THE BOARD OF DIRECTORS IN CALENDAR YEAR 2016**

WHEREAS, on March 21, 2007, the Board of Directors adopted Ordinance No. 53, 2007 which updated the reimbursement policy and compensation paid to members of the Board of Directors pursuant to Assembly Bill No. 1234; and

WHEREAS, each member of the Board of Directors is currently compensated at a rate of \$134.02 per day for each day's attendance at meetings as defined in Section 1(d) of Ordinance No. 53-2007.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED, that the Board of Directors of the Yucaipa Valley Water District does hereby determine that the rate of compensation shall remain at \$134.02 per day for each day's attendance at meetings for calendar year 2016.

PASSED, APPROVED and ADOPTED this 6th day of January 2016.

YUCAIPA VALLEY WATER DISTRICT

ATTEST:

Lonni Granlund, President Board of Directors

Joseph B. Zoba, General Manager



Date: July 26, 2014

Subject: Overview of Guidelines and the Role of Board Members

On July 2, 2014, the Board of Directors adopted Resolution No. 2014-07 (attached) establishing guidelines for members of the Board of Directors.

On November 17, 2014, the District staff received and distributed the attached memorandum produced by District Legal Counsel outlining the role of an elected official.

The purpose of this agenda item is to review and discuss the attached documents and determine if any changes or modifications are required in advance of the ethics training session to be conducted in January 2017.

RESOLUTION NO 2014-07**A RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
ADOPTING GUIDELINES FOR MEMBERS OF THE BOARD OF DIRECTORS**

WHEREAS, the Yucaipa Valley Water District ("District") desires to ensure its customers, residents, employees, and those who conduct business with the District, that the District emphasizes values in public service, leadership, and decision-making by adopting these Guidelines; and

WHEREAS, in order to document the District's Board of Director's commitment to ethical behavior in performance of the District's business, the Board desires to adopt these Guidelines.

WHEREAS, the District's Board of Directors adopted Resolution No 52-1978 on September 27, 1978, which includes, among other things, procedures, agenda requirements, public participation requirements and related matters, all of which have been superseded or preempted by State law including the Ralph M. Brown Act, the California Public Records Act, and the provisions of State law governing conflicts of interests and, therefore, it is the desire of the Board to repeal and supersede Resolution No 52-1978.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District that the following Guidelines are hereby adopted:

Section 1. Purpose

The purpose of the Guidelines is to: (a) provide guidance for dealing with ethical issues; (b) heighten awareness of ethics and values as critical elements in a Director's conduct; and (c) improve ethical decision-making.

Members of the Board of Directors ("Directors") are subject to the provisions of these Guidelines in addition to other District policies, state laws and regulations. Such laws govern, but are not limited to: disclosure of personal economic interests, receipt of loans, gifts, travel payments and honoraria, campaign contributions, conflicts of interest, dual office-holding and incompatible offices, and criminal and civil misconduct in office. If a Director has a question regarding interpretation or compliance with these Guidelines, or state laws and regulations, the Director shall refer the matter to the General Manager who shall provide the Director with information or may refer the matter to Legal Counsel for further guidance.

While the laws are expansive, the core ethical requirements can be summarized as follows:

- (a) Public office cannot be used for personal financial gain.
- (b) Holding public office does not entitle anyone to personal advantage or benefits.
- (c) The public's business must be conducted openly.
- (d) Fair processes and merit-based decision-making create an environment of good governance and service to the public.

Section 2. Key Principles

- (a) Integrity – A Director must not place himself or herself under any financial or other obligation to any individual or organization that might reasonably be thought to influence the Director's performance of his or her duties.
- (b) Leadership – A Director has a duty to promote and support the key principles by leadership and example and to maintain and strengthen the public's trust and confidence in the integrity of the District.
- (c) Selflessness – A Director has a duty to make decisions solely in the public interest. A Director must not act in order to gain financial or other benefits for himself or herself, his or her family, friends or business interests. This means making decisions because they benefit the District, not because they benefit the Director.
- (d) Objectivity – A Director must make decisions solely on merit and in accordance with the Director's statutory obligations when carrying out public business.
- (e) Accountability – A Director is accountable to the public for his or her decisions and actions.
- (f) Transparency – A Director has a duty to be as open and transparent as possible about his or her decisions and actions and give reasons for decisions.
- (g) Honesty – A Director has a duty to act honestly. A Director must declare any private interests relating to his or her public duties and take steps to resolve any conflicts arising in such a way that protects the public interest or recuse or disqualify himself or herself from taking any action which would constitute a conflict of interest.
- (h) Respect – A Director must treat others with respect at all times and observe the rights of other people. A Director must treat fellow Directors, officials, staff, customers, and the public, with courtesy and civility.

Section 3. Conduct of Directors

- (a) Ethics Training – Directors shall complete two (2) hours of state-mandated ethics training for local agency officials to meet the specific requirements of state law. State law also mandates two (2) hours of training within one (1) year of initially taking office.
- (b) Relationship Between Board Members – Directors shall strive to work collaboratively and assist each other in conducting the affairs of the District. Directors shall function as a part of a whole. Directors should bring all issues to the attention of the Board as a whole, rather than to select individual Directors.
- (c) Relationship With The Public And Other Public Agencies – Directors shall refer all complaints from customers, residents, and members of the public, to the General Manager. A Director shall not make representations or promises to any member of the public regarding the future action of the District or of the Board, unless such

representation or promise has been duly authorized by the Board. When making public statements a Director shall make it clear whether he or she is authorized to speak on behalf of the Board, or whether he or she is presenting their own views. When representing the Board, a Director's comments should reflect approved Board policies. In areas where no policy has yet been developed, the Director's comments shall make this fact clear.

- (d) Presentation And Appearance To The Public – In order to present a positive image to the public, customers and residents, Directors should strive to maintain a professional appearance while performing their duties as Directors.

- (e) Relationship With General Manager And Staff

- (i) The Board sets the policy of the District. The General Manager is responsible for implementing the policy as formulated by the Board. Directors shall not engage in actions which would constitute day-to-day management. The General Manager is the highest-ranking nonelected officer of the District. The General Manager is appointed by and serves at the pleasure of the Board and performs such duties as may be imposed by the Board. Therefore, the Board will provide policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during a duly convened Board meeting. Directors will deal with matters within the authority of the General Manager through the General Manager, and not through other District employees.

- (ii) A Director will not make requests directly to other District staff to undertake analyses, perform other work assignments, or change the priority of work assignments. A Director's contact with District staff should be kept to a minimum and should be made only when direct personal contact is required. A Director, when approached by District personnel concerning specific District policy, shall direct inquiries to the General Manager.

- (f) Proper Use And Safeguarding Of Director Property And Resources – A Director will not ask a District employee to perform services for the personal benefit or profit of a Director. Each Director must protect and properly use any District asset within his or her control. Directors will safeguard District property, equipment, monies, and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust. The District may not reimburse the traveling and incidental expenses incurred by or for the spouse of a Director who attends a conference, tour or event on official District business (See 75 Ops. Cal. Atty. Gen. 20).

- (g) Use of Confidential Information – Under the Brown Act, all meetings of the Board are open to the public except as prescribed by law. The Brown Act sets forth provisions that require public officials to maintain the confidentiality of certain information disclosed or discussed in a duly convened closed session. A Director is not authorized, without the approval of the Board, to disclose information that qualifies as confidential information under the applicable provisions of law to a

person not authorized to receive it, that: (i) has been received for, or during, a closed session meeting of the Board; (ii) is protected from disclosure under the attorney-client or other evidentiary privilege; or (iii) is not required to be disclosed under the California Public Records Act. A Director shall not waive the attorney-client privilege of the District by disclosing the legal opinions or advice of Legal Counsel to a third party.

- (h) Information Requests – A Director shall request all publicly available documents through the General Manager. All requested public documents shall be provided to the Director making the request within a reasonable period of time. All other Directors will be notified of the requests and said documents shall be made available to them upon request. A Director shall not request copies of documents for the use of any member of the public in order to avoid the payment of copy fees outlined in the Public Records Act.

Section 4. Resolution No 52-1978 is hereby repealed and superseded by this resolution.

PASSED AND ADOPTED this 2nd day of July 2014.



David L. Wysocki

Joseph S. Aklufi
RetiredTELEPHONE
(909) 748-7700
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MEMORANDUM

TO: PUBLIC OFFICIALS

SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

Elected officials frequently ask two questions:

1. What are my duties and responsibilities as an elected official?
2. What are my liabilities?

Legal Duties and Responsibilities**1. General Responsibilities**

Your agency's legislative body, and each elected official on it, has two overall responsibilities:

- a. To represent constituents; and
- b. To reasonably conduct the agency's affairs.

Your legislative body's authority is derived from agency rules and regulations, and from California statutory law, such as the Government Code, and the Public Contract Code. The legislative body acts as a body. Your membership on the legislative body gives you the authority to act only as part of the group. Being an elected official gives you no special privileges. Together as a legislative body the elected officials serve as trustees for all the constituents in the agency.

Elected officials must carefully balance the authority given them by law with the responsibility to act with good judgment. In fact, whether or not good judgment is used is usually the basis for a lawsuit reviewing the legality of a legislative body's action or your conduct.

2. Specific Legal Responsibilities

Your legal duties and responsibilities are:

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TO: PUBLIC OFFICIALS
FROM: LEGAL COUNSEL
SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

a. Legal Responsibility for Your Decisions

You are legally responsible, both as part of a legislative body and as an individual, to exercise good faith, undivided loyalty, reasonable care and complete integrity as you perform your duties.

Actions of your legislative body must conform to all federal and state laws. Your legislative body's actions must also be consistent with agency contracts and agreements, and the agency's own rules and regulations.

Elected officials as a legislative body are required to make frequent decisions and the elected officials are legally accountable for those decisions. Your decisions are governed by the "business judgment rule", which requires that the following elements be present in every one of your decisions:

- (1) That each decision be made in **good faith**;
- (2) That each decision demonstrates **undivided loyalty** to the agency;
- (3) That each decision be made with **complete integrity**; and
- (4) That each decision be made with **reasonable care**.

b. Legal Responsibility to be Informed

Elected officials need to understand and be well informed about the agency's goals, physical facilities, policies and programs. Become thoroughly familiar with the agency's departments and their respective areas of responsibility. This is necessary because it is the legislative body's responsibility to protect the assets of the agency.

c. Legal Responsibility to Implement Goals for the Agency

In order to lead the agency, you and your legislative body needs to establish long- and short-range goals and objectives. Goals and objectives for the legislative body include:

- (1) Developing and maintaining a sound financial footing for the agency;
- (2) Attracting and keeping good employees: compensate them in accordance with their abilities and give them opportunities for advancement;

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TO: PUBLIC OFFICIALS
 FROM: LEGAL COUNSEL
 SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

- (3) Operating and maintaining the most efficient public services;
- (4) Establishing a long-range management plans program that takes into account (for example) natural and manmade disasters, power failures and other catastrophes;
- (5) Encouraging constituents to make wise use of agency services and resources;
- (6) Developing plans and programs that increase the efficiency and delivery of public services;
- (7) Setting rates, fees and charges in an amount that will ensure sufficient revenue meet the legislative body's obligation to deliver services to the agency's constituents as needed and in appropriate quantities.

d. Legal Responsibility to Avoid Conflicts Of Interest

Deciding whether you have a conflict of interest regarding a particular item of business on the legislative body's agenda is a very difficult question, and is the subject of a huge body of complicated statutory and regulatory law. Oftentimes, the determination of whether you have a conflict of interest can be readily resolved by common sense. If common sense doesn't work, however, then it is the role of legal counsel to assist you in making the determination.

There is a well-recognized "seven-step" test that elected officials can use for analyzing a potential for a conflict of interest:

- (1) Will you be making, participating in making, or using your official position to influence a governmental decision?
- (2) What are your economic interests?
- (3) For each economic interest, determine whether that interest will be directly or indirectly involved in your decision.
- (4) Determine the applicable materiality standard for each economic interest.
- (5) Determine whether it is reasonably foreseeable that your decision will have a material financial effect on the public official's economic interests.

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TO: PUBLIC OFFICIALS
FROM: LEGAL COUNSEL
SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

(6) Determine if the financial effect on you is distinguishable from the effect on the public generally.

(7) Determine if your participation is legally required.

Generally speaking, there is no conflict of interest if you participate in making a legislative body decision that benefits you and the public generally (such as authorizing the replacement of a pipeline or bike path that serves not only your property but dozens of other neighboring properties). But, if the legislative body makes a decision to extend a pipeline to a particular elected official's property then that will constitute a conflict of interest which will disqualify the affected elected official from participating in the decision. The penalties for violating the conflict of interest rules are extreme and substantial; therefore, if there is any doubt the affected elected official should abstain and/or consult legal counsel.

e. The Legal Duty to Comply With the Brown Act

The Brown Act is found in the Government Code. The Brown Act governs all meetings conducted by public legislative bodies and their Standing Committees and its purpose is to curb misuse of the democratic process by secret discussions between two or more public officials.

However, the Act also contains specific exceptions from the open meeting requirements if the legislative body has a demonstrated need for confidentiality. These exceptions have been construed narrowly; thus, if a specific statutory exception authorizing a closed session cannot be found, the matter must be conducted in public regardless of its sensitivity.

Unless a "closed session" exception specifically applies all of the deliberative processes of the legislative body, including discussion, debate and the acquisition of information, must be made only in a public meeting of the legislative body.

To facilitate public access to the business of the legislative body, the Brown Act requires:

- (1) That times and dates of all meetings be noticed and that an agenda be prepared providing a general description (about 20 words in length) of all matters to be discussed or considered at the meeting. The purpose of providing a general description of each item on the agenda is to give every member of the public enough information to decide whether to come to the meeting that night or not.

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TO: PUBLIC OFFICIALS
 FROM: LEGAL COUNSEL
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- (2) Members of the public may make video or audio recordings of the meetings;
- (3) As a general rule, information given to the legislative body members must be equally available to the public.
- (4) Before or during consideration of each agenda item, the public must be given an opportunity to comment on the item.

f. Summary Of Key Brown Act Requirements

- (1) The Brown Act applies to all legislative bodies, and all of their Standing Committees. A Standing Committee is one that is created by a legislative body for long-term and varied purposes, and each such Committee must comply with the Brown Act even though it may have less than a quorum of the full legislative body members. By contrast, ad hoc committees (that is, those established for a single purpose and for a very limited period of time, such as two or three months) are not subject to the Brown Act.
- (2) The Act applies to any gathering of a quorum (three or more members) of the legislative body. Serial meetings are prohibited. Serial meetings are those that occur one-on-one, privately, between elected officials or officials and the Manager. This includes e-mail.
- (3) The Brown Act does not apply to members attending conferences and other gatherings which are open to the public so long as legislative body members do not discuss among themselves any item of agency business. The Brown Act also does not apply to members attending social or ceremonial events where no business of the agency is discussed.
- (4) The Act requires that officials conduct their meetings within the boundaries of the agency except when meeting with legal counsel or elected representatives in Sacramento or Washington D.C.
- (5) The public's rights include:
 - (a) Public Testimony: the public may comment on any agenda items before or during consideration by the legislative body. Time must also be set aside for the public to comment on any matters under the legislative body's jurisdiction.

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TO: PUBLIC OFFICIALS
FROM: LEGAL COUNSEL
SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

- (b) Free and Ready Access: meetings may not be conducted in a facility that excludes persons on the basis of race, religion, color, national origin, ancestry, sex or that inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase.
- (c) Tape Recording: the public has the right to obtain a copy, at cost, of an existing tape recording made by the Board at its public meetings, and to listen to or view an original tape on a tape recording or viewing device provided by the agency.
- (d) Witnessing Voting: all votes of the members, except for those cast in a permissible closed session, must be cast in public. No secret ballots are permitted.
- (e) Access to Written Materials: materials provided to a majority of the legislative body which are not exempt from disclosure under the Public Records Act must be provided, upon request, to members of the public.

g. Required Notices and Agendas

- (1) Regular Meetings of the Legislative Body: an agenda containing a general description (approximately 20 words in length) of each matter to be considered or discussed must be posted at least 72 hours prior to a regular meeting.
- (2) Special Meetings of the Legislative Body: 24-hour notice must be provided to members of the legislative body and to the media, including a general description of the matters to be considered or discussed at the special meeting.
- (3) Emergency Meetings of the Legislative Body: one hour notice in case of work stoppage or other crippling activity. No notice is required in the case of a dire emergency.
- (4) Closed Session Agendas: all items to be considered in closed session must be described in the agenda for the meeting. Prior to each closed session, there must be an oral announcement regarding a subject matter of the closed session.

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 SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

- (5) Agenda Exception: normally, only items on the agenda can be acted upon. However, special procedures permit the legislative body to proceed without an item being on an agenda in the case of an emergency, or where a need for immediate action came to the attention of the legislative body after posting of the agenda.
- (6) Closed-Session Meetings: Only These Closed Session Meetings are Permitted by Law:
 - (a) Personnel: a legislative body may conduct a closed session to consider the appointment, employment, evaluation of performance, discipline or dismissal of an employee. If complaints or charges against an employee are to be discussed, the employee must be notified, at least 24 hours in advance, of his/her right to have the hearing conducted in public.
 - (b) Public Security: a legislative body may meet with law enforcement or security personnel, or the agency's legal counsel, concerning the security of agency facilities.
 - (c) Litigation: a legislative body may meet in closed session to receive advice from its legal counsel concerning existing and threatened litigation.
 - (d) Labor Negotiations: a legislative body may meet in closed session with its negotiator to consider labor negotiations with represented and unrepresented employees.
 - (e) Real Property Negotiations: a legislative body may meet in closed session with its negotiator to consider the price and terms of the purchase, sale, exchange or lease of real property.

3. Your Personal Liability

Members of a legislative body may be held personally liable in a number of situations, including:

- a. Violation of the Brown Act: you may be liable either civilly or criminally. In the case of a civil action, attorneys' fees will be awarded to the prevailing plaintiff.

The District Attorney may also seek criminal penalties against a member of a legislative body who attends a meeting or who takes action in violation of the

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TO: PUBLIC OFFICIALS
 FROM: LEGAL COUNSEL
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Brown Act, or if a member deprives the public of information the public was entitled to receive.

- b. Violation of the Fair Political Practices Act (Conflict of Interest): like the Brown Act, this Act also provides for civil and criminal penalties. The financial impacts can be harsh, as illustrated by an elected official who tried to sell his real property to his agency. The official not only suffered the penalty of losing his land to his agency in the transaction, but could not keep the money his agency paid him. The agency got the land for free. He also was banned from holding office for the rest of his life.
- c. Violation of California Libel and Slander Laws: you are obligated to treat members of the public respectfully. Accusing a member of the public, for example, of criminal conduct, could result in substantial punitive penalties.
- d. Violation of Your Obligation to Comply with the "Business Judgment" Rule: making decisions without the benefit of supporting information, documenting studies and the advice of professionals will subject you to personal liability, particularly if a decision results in a waste of public funds. You are generally immune from personal liability if you make a decision in reliance on information, reports or statements, including financial statements and other financial data, presented by any of the following:
 - (1) Officers or employees of the agency whom you reasonably believe to be reliable and competent;
 - (2) Counsel, independent accountants or other persons as to matters which you reasonably believe to be within such person's professional or expert competence;
 - (3) A Committee of the legislative body upon which you do not serve, but which Committee you believe merits confidence.
- e. You also become personally liable if you assume the duties of the agency's Manager. In the case of a special district,

"The General Manager shall:

 - (a) Have full charge and control of the maintenance, operation, and construction of the water works or water-works system of the District.

MEMORANDUM

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TO: PUBLIC OFFICIALS
 FROM: LEGAL COUNSEL
 SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

- (b) Have full power and authority to employ and discharge all employees and assistants at pleasure.
- (c) Prescribe the duties of employees and assistants;
- (d) Fix and alter compensation of employees and assistants subject to approval by the Board."

Numerous legal cases have held that members of a legislative body are personally liable for involving themselves in the day-to-day activities of the agency. Rather, it is the responsibility of the legislative body (and that of each member) to guide the direction of the agency by means of policies established during the course of its public meetings. Those policies are then carried out by the Manager. The Orange County Board of Supervisors narrowly escaped criminal prosecution when they went beyond their obligation to set policy and became personally involved in specific decisions regarding County investments. Setting investment policy is the obligation of the legislative body; carrying out the specifics of the policy is the obligation of staff, and members of the legislative body become civilly and criminally liable for crossing that line.

Your Ethical Duties and Responsibilities

You also have these ethical obligations:

1. Fostering a Teamwork Relationship With Management

Teamwork is the key. While top management employees must respect the legislative body and its authority, at the same time, the legislative body must respect and show full confidence in top management by giving its sincere backing, along with the delegated authority to carry out policies of the legislative body.

If teamwork is uppermost in the minds of the legislative body and management and is strengthened at every opportunity, harmonious operations will result.

With well-established policies as guidelines, management can proceed with day-to-day functions in a smooth and orderly manner without trying to assume the legislative body's authority or responsibilities.

So that the agency's operations can be carried out efficiently and with the least possible tension, communication between the legislative body and management must never break down. To stimulate healthy, individual and productive thinking, differences of opinion should be respected and openly discussed. However, once an issue is settled by a

MEMORANDUM

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TO: PUBLIC OFFICIALS
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majority vote of the legislative body, it becomes a unanimous rule for the legislative body-management team.

If a constituent or employee comes to you with a complaint or request for action, you should listen with a friendly attitude without committing yourself or the agency. You should then refer the matter to the Manager who can handle it if it is a matter already covered by agency policy. If it requires action by the legislative body, then the Manager will bring it to the attention of the legislative body by including it on the agenda.

2. **Relations with Employees**

It is highly important that you maintain a proper relationship with employees. Members of a legislative body do not have direct authority over employees; that is the responsibility of the Manager.

You must be attentive to constituents' complaints about employees, but should refrain from snap judgments. Report such complaints to the Manager for action.

In conversations with constituents, you should not be critical of fellow members of the legislative body, staff or employees. If each respects and supports the other, it will enhance the public image of the agency.

In carrying out responsibilities of the legislative body to employees, members of the legislative body should:

- a. Provide satisfactory working conditions and adequate equipment;
- b. Pay sufficient wages that produce a continuing and efficient labor force;
- c. Pay compliments and tell management staff when a job is well done;
- d. Back the Manager's authority;
- e. Encourage good working relationships between management and its employees.

3. **Relations with Agency Customers**

The relationship between you and constituents is one of great importance and trust. You, as an elected official, are a member of a **team** that collectively establishes the agency's **policies** in the best interest of all the people.

MEMORANDUM

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TO: PUBLIC OFFICIALS
FROM: LEGAL COUNSEL
SUBJECT: THE PROPER ROLE OF ELECTED OFFICIALS

When a constituent brings a problem to you, you should know enough about the agency's services, departments, facilities and policies to explain most matters on the spot. If your explanation of agency procedures doesn't satisfy the constituent, refer the constituent to the Manager.

4. **Relations with Other Public Agencies**

No individual or agency functions without outside influence and without affecting others. Therefore, you and the other members of your legislative body should cooperate, and encourage management to cooperate, with other agencies and offer assistance to them whenever possible.

5. **Pitfalls to Avoid**

Most members of the public have more to say about what makes an ineffective public official than an effective official. Often the opposite of what makes a person an effective public official, these qualities are important to consider:

- a. Focusing on minutiae and never seeing or getting to the "big picture";
- b. Attacking or criticizing staff in an open meeting;
- c. Attacking other agency members during the meeting;
- d. Bringing in a personal agenda;
- e. Not being a team player;
- f. Stating problems without solutions;
- g. Having to have things their own way;
- h. Practicing back door politics;
- i. Not moving on when a decision is opposite from their vote;
- j. Not learning the art of compromise;
- k. Acting as if theirs is the only honest opinion;
- l. Speaking when they have nothing to say;

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TO: PUBLIC OFFICIALS
FROM: LEGAL COUNSEL
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- m. Thinking they are more important than they truly are;
- n. Not having set policies, principles or philosophy so other agency members never know which direction they are going to take;
- o. Not remaining active in community events once they are elected;
- p. Not balancing a personal life with life on the legislative body and other employment.

Administrative Issues



Yucaipa Valley Water District



Date: July 26, 2014

Subject: Purchase of a Water Truck for Routine Use by the Public Works Department

Each year the District staff reviews the operating condition, cost and maintenance of fleet vehicles and equipment to evaluate the overall maintenance and replacement needs. This year the District staff has identified the need to replace the 1989 Ford Water Truck. The Public Works Department uses the current water truck for routine maintenance of the drinking water, recycled water and sewer facilities.

The 1989 F-800 water truck does not meet the California Clean Air Regulations and cannot be rebuilt to comply.

With approval from the Board of Directors, the District staff would pursue the purchase of a 2017 cab and chassis equipped with a 2,000-gallon water tank using the following purchase procedure:

- The solicitation of bids from various dealers for the purchase of desired vehicle; and/or
- Utilization of the State of California Vehicle Contract Leveraged Procurement Agreement to purchase the desired vehicle.



Yucaipa Valley Water District 1989 Ford F-800

Financial Considerations:

Funding for this project will be from Water Division, Depreciation Reserves.



Date: July 26, 2014

Subject: Purchase of a Dump Truck for Routine Use by the Public Works Department

Each year the District staff reviews the operating condition, cost and maintenance of fleet vehicles and equipment to evaluate the overall maintenance and replacement needs. This year the District staff has identified the need to purchase a 2017 cab and chassis equipped with a 15 foot, 10 to 12-yard square dump.



The Public Works Department would use this truck for routine maintenance of the drinking water, recycled water, sewer facilities and to transport large equipment to job sites. Currently the District does not have a truck that can transport equipment for routine maintenance or emergency situations.

With approval from the Board of Directors, the District staff would pursue the purchase of a 2017 cab and chassis equipped with a 15 foot, 10 to 12-yard square dump using the following purchase procedure:

- The solicitation of bids from various dealers for the purchase of desired vehicle; and/or
- Utilization of the State of California Vehicle Contract Leveraged Procurement Agreement to purchase the desired vehicle.

Financial Considerations:

Funding for this project will be from Water Division, Depreciation Reserves.



Date: July 26, 2014

Subject: Review of Claims for Damage – James Jones

The Yucaipa Valley Water District has received the following claims for damage. Both claims will be presented at the first meeting in August for your consideration and possible action.



Yucaipa Valley Water District

Director Memorandum 16-0xx

Date: August 3, 2016

Prepared By: Jack Nelson, Assistant General Manager

Subject: Denial of Claim Related to Construction Work on YVWD Property - State Compensation Insurance Fund ref. James Jones

Recommendation: That the Board Denies of Claim Related to Construction Work on YVWD Property - State Compensation Insurance Fund

On July 19, 2016, the Yucaipa Valley Water District received a claim via email from State Compensation Insurance Fund, reference James Jones for personal injuries suffered on January 18, 2016 while working for J. Colon Coating on a construction repair project location at the Yucaipa Valley Regional Water Filtration Facility.

Upon recommendation from District Legal Counsel, staff recommends denial of the claim and referral to the District's property insurance company.

Attachments

Yucaipa Valley Water District
Attn: Board Secretary
12770 Second Street
Yucaipa Ca, 92399



Yucaipa Valley Water District

12770 Second Street • P.O. Box 458 • Yucaipa, CA 92399 • (714) 797-5117

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages relating to any other cause of action must be filed not later than 1 year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim before filing.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.
7. Claim must be filed with Board Secretary.

James Jones

Name of Claimant

3049 N. F Street San Bernardino CA 92405

Home Address of Claimant

City and State

909 521-6347

Home Telephone Number

909-989-6507

Business Telephone Number

J. Colon Contingents 6047 Carol Ave / Alta Loma CA 91701

Business Address of Claimant

City and State

State Compensation Insurance Fund
PO Box 65005 Fresno CA 93650

Give address to which you desire notices or communications to be sent regarding this claim:

Claim # 06163472

1/18/16
When did DAMAGE or INJURY occur?

Date:

Time:

MR Jones Fell into Pit at 35477 Oak Glen Road

How did DAMAGE or INJURY occur? Give full particulars.

35477 Oak Glen Road Yucaipa CA 92399

Where did DAMAGE or INJURY occur? Describe fully, and locate on diagram on reverse side of this sheet. Where appropriate, give street names and addresses and measurements from landmarks:

Called and put water district on Notice on 1/18/16 by leaving message for Jack Nelson on his voice mail.

R. Ochoa

What particular ACT or OMISSION do you claim caused the injury or damage? Give names of District employees causing the injury or damage, if known:

Unknown

What DAMAGE or INJURIES do you claim resulted? Give full extent of injuries or damages claimed:

Unknown

What AMOUNT do you claim on account of each item of injury or damage as of the date of presentation of this claim, giving basis of computation:

Unknown

Give ESTIMATED AMOUNT as far as known, that you claim on account of each item of prospective injury or damage, giving basis of computation:

Name and address of Witnesses, Doctors and Hospitals

READ CAREFULLY

For all accident claims place on following diagram names of streets, including North, East, South, and West: indicate place of accident by "X" and by showing house numbers of distances to street corners. If District Vehicle was involved, designate by letter "A" location of District vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw District vehicle; location of District vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X".

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.

FOR AUTOMOBILE ACCIDENTS			

Signature of Claimant or person filing on his behalf giving relationship to Claimant: <u>Richard Delrich, State Compensation Insurance Fund</u>	714-479-1517 Insurance Company	Typed Name <u>Richard Delrich</u>	Date <u>7/19/16</u>
---	-----------------------------------	--------------------------------------	------------------------

NOTE: Presentation of a false claim is a felony (Cal. Pen. Code Sec. 72)



Yucaipa Valley Water District

Director Memorandum 16-0xx

Date: August 3, 2016

Prepared By: Jack Nelson, Assistant General Manager

Subject: Denial of Claim Related to Construction Work on YVWD Property - James Jones

Recommendation: That the Board Denies of Claim Related to Construction Work on YVWD Property - James Jones

On July 19, 2016, the Yucaipa Valley Water District received a claim from Perona, Langer, Beck, Serbin, Mendoza, and Harrison, Consumer Litigation Attorneys, on behalf of James Jones for personal injuries suffered on January 18, 2016 while working for J. Colon Coating on a construction repair project location at the Yucaipa Valley Regional Water Filtration Facility.

Upon recommendation from District Legal Counsel, staff recommends denial of the claim and referral to the District's property insurance company.

Attachments

P · L · B · S · M · H

PERONA LANGER BECK SERBIN MENDOZA HARRISON

Consumer Litigation Attorneys

* MAJOR A. LANGER
 RONALD BECK
 * ELLEN R. SERBIN
 † JOHN A. MENDOZA
 TODD H. HARRISON
 ALVIN CHANG
 JONATHAN P. BRIAN
 BRENNAN S. KAHN
 ERIC N. SCHWARTZ
 JERRY C. CHANG
 JENNIE H. KIM
 CODY LUND
 WILLIAM CARR
 PATRICK M. HAWKINS
 † MITCHELL P. BECK
 ALEXIS M. LANGER
 LEONARD RETTER
 JON DODART
 RAQUEL CRUZ

* ALSO MEMBER NEW YORK BAR
 ** ALSO MEMBER ARIZONA BAR
 † OF COUNSEL

JAMES T. PERONA
 RETIRED

STEPHANIE GRANT
 ADMINISTRATOR

Refer to File No.

CERTIFIED RETURN RECEIPT REQUESTED

July 15, 2016

YUCAIPA VALLEY WATER DISTRICT
 12770 Second Street
 Yucaipa, CA 92399

Re: Claim of James Jones

To the Yucaipa Valley Water District

RECEIVED**JUL 19 2016****YUCAIPA VALLEY
 WATER DISTRICT**

Enclosed please find a government claim for damages ("Claims") on behalf of our client James Jones. Our client's deadline to file tort Claims is Monday, July 18, 2016, based on the date of loss of January 18, 2016.

Please file the enclosed Claim and return a stamped copy of the first page (one is enclosed, along with a self-addressed stamped envelope, for your convenience) as proof of date of filing,

Thank you for your courtesy and cooperation in this matter.

Sincerely

Karina Telles

KARINA TELLECHEA
 Senior Serious Injury Specialist

/kt
 Encls.

300 East San Antonio Drive • Long Beach, California 90807
 562.426.6155 telephone • 562.490.9823 facsimile • www.plbsm.com

1 MAJOR A. LANGER, State Bar No. 41440

(Space Below for Filing Stamp Only)

2 ALVIN CHANG, State Bar No. 222620

3 **PERONA, LANGER, BECK, SERBIN, MENDOZA & HARRISON**

4 A Professional Corporation

5 300 E. San Antonio Drive

6 Long Beach, CA 90807

7 (562) 426-6155

8 (562) 490-9823 (Fax)

9 Attorneys for Claimant

10 CLAIM FOR DAMAGES

11 IN THE MATTER OF THE CLAIM OF:

12 JAMES JONES, an individual

13 Claimant,

14 vs.

15 YUCAIPA VALLEY WATER DISTRICT

16 Respondent.

**CLAIM FOR DAMAGES TO
GOVERNMENTAL/PUBLIC ENTITY
PURSUANT TO GOVERNMENT CODE**

[Government Code § 910]

17 TO: YUCAIPA VALLEY WATER DISTRICT

18 12770 Second Street

19 Yucaipa, CA 92399

20 Pursuant to the provisions Government Code section 905, 910, et seq. demand is
21 hereby made by claimant JAMES JONES against respondent YUCAIPA VALLEY WATER
22 DISTRICT, a public entity, at 12770 Second Street, Yucaipa, CA 92399, in an amount in
23 excess of the jurisdictional limits of the Superior Court of the State of California. In support
24 of said claim, the following information is submitted:

25 1. **Claimant:** JAMES JONES, an individual (hereinafter "Claimant JONES").

26 2. **Address to Which Claimant Wished Correspondence to Be Mailed:**

27 Perona, Langer, Beck, Serbin, Mendoza & Harrison, 300 E. San Antonio Drive, Long

28 Beach, CA 90807; (562) 426-6155.

F:\Users\1610389.1\Pleadings\Claim.wpd

-1-

CLAIM FOR DAMAGES TO GOVERNMENTAL/PUBLIC ENTITY PURSUANT TO GOVERNMENT CODE § 910

1 3. **Nature of Injuries:** Claimant JONES suffered serious permanent injuries
2 which include, but are not limited to, L1 vertebral body compression/burst fracture involving
3 the anterior and posterior cortices of the superior endplate, as well as severe
4 psychological/emotional injuries.

5 Claimant JONES has suffered, and will suffer: substantial medical costs, both past
6 and future; loss of earnings and/or loss of earning capacity, both past and future; and
7 general damages, both past and future.

8 4. **Amount of Claimed Damages:** The amount of claimed damages is in
9 excess of the jurisdictional limits of the Superior Court and believed to be in excess of two
10 million. The exact amount of said losses will be stated according to proof, pursuant to
11 Code of Civil Procedure section 425.10.

12 5. **Date Damages Occurred:** January 18, 2016.

13 6. **Place Where Damages Occurred:** At the Yucaipa Valley Water District
14 filtration plant, located at 35477 Oak Glen Road, Yucaipa, CA 92399.

15 7. **Governmental Entities Alleged to Be at Fault:** Respondent YUCAIPA
16 VALLEY WATER DISTRICT and its employees, agents, servants, and independent
17 contractors, and each of them.

18 8. **Names of Witnesses:**

19 a. Johnny Vasquez, Supervisor for J. Colon Coating;
20 b. David (last name unknown), Safety Inspector for Harper Inspections;
21 c. Sam Colon, Supervisor for J. Colon Coating;
22 d. Cindy Colon, Safety Inspector for J. Colon Coating;
23 e. Jamie Prader, Foreman for J. Colon Coating;
24 f. Chris Smith, Worker for J. Colon Coating;
25 g. As-yet unidentified medical personnel, including but not limited to
26 those at Kaiser Permanente Fontana Medical Center, 9961 Sierra Avenue, Fontana, CA
27 92335.

28 9. **Nature of the Case:** Liability for dangerous condition of public property,

1 pursuant to Government Code Section 835, et seq.; liability for negligence or reckless acts
2 of employees, agents, or independent contractors, pursuant to Government Code sections
3 815.2, 815.4, 820, 840.2, et seq.

4 On January 18, 2016, at approximately 8:30 a.m., Claimant JONES reported to work
5 for J. Colon Coating at Respondent 35477 Oak Glen Road, Yucaipa, CA 92399. Crystal
6 Creek Water Treatment Plant also known as the Filtration Plant, located at 35477 Oak
7 Glen Road, Yucaipa, CA 92399. Claimant Jones was an employee of J. Colon Coating
8 who had been contracted by YUCAIPA VALLEY WATER DISTRICT to perform
9 sandblasting/plastering work in one of their underground tunnels. It was Claimant's
10 JONES first day reporting to work at the job site. In order to reach the location where work
11 was being performed Claimant JONES was required to descend six feet from a manhole
12 into the underground tunnel. The underground tunnel was very dark and there was no
13 lighting inside. The only light was the natural outdoor lighting coming from the manhole.
14 After descending from the manhole Claimant JONES was walking inside the dark tunnel
15 when he fell approximately ten feet (or more) through an unlit, unprotected and unmarked
16 opening on the ground (hereinafter "SUBJECT OPENING"). Claimant Jones could not see
17 the SUBJECT OPENING due to the dark conditions. As a result, when Claimant Jones
18 attempted to walk he fell through the SUBJECT OPENING approximately 10 feet (or more)
19 to a bunker below, suffering severe and permanent injuries as a result. (The facts in the
20 preceding paragraphs are referred hereinafter collectively as the "SUBJECT INCIDENT.")

21 **10. Action of Public Employee(s) That Caused Injury, Damages, and Loss:**

22 Claimant JONES is informed and believes, and thereon alleges, that Respondent
23 YUCAIPA VALLEY WATER DISTRICT, owned, built, drafted, engineered, designed,
24 inspected, regulated, modified, directed, supervised, planned, contracted, maintained, and
25 controlled the property where the SUBJECT INCIDENT occurred, including the SUBJECT
26 OPENING.

27 At the time of the SUBJECT INCIDENT, at the location of the public property located
28 at 35477 Oak Glen Road, Yucaipa, CA 92399, there existed various dangerous

1 condition(s) on said property that created a substantial risk of injury when such property
2 was used with due care in a manner in which it is and was reasonably foreseeable that it
3 would be used, including, but not limited to, in the following respects:

4 a. The SUBJECT OPENING lacks any, or has insufficient and/or
5 defective barriers, lighting, warning signs or signals, or other forms of warning to protect
6 persons such as Claimant JONES, from the unreasonable risk or harm posed by the
7 SUBJECT OPENING.

8 b. The SUBJECT OPENING included the existence of various features,
9 including, but not limited to, the unprotected, unmarked SUBJECT OPENING, which pose
10 an unreasonable risk of harm to persons, such as Claimant JONES.

11 c. The SUBJECT OPENING in its totality is improperly and dangerously
12 designed, created and/or aggravating a confusing and inherently dangerous condition, by
13 virtue of, but not limited to, the presence of the unprotected, unmarked SUBJECT
14 OPENING, that is flushed with the ground, thereby creating a concealed trap.

15 d. The SUBJECT OPENING lacks a reasonable line of sight.
16 Specifically, person's walking near the SUBJECT OPENING, do not have a reasonable
17 line of sight to see the hazards of the SUBJECT OPENING, including the unprotected,
18 unmarked SUBJECT OPENING, thereby creating a concealed trap:

19 i. The SUBJECT OPENING is flushed with the ground thereby
20 creating a trap;

21 ii. The SUBJECT OPENING itself is unlit, the surrounding area is
22 unlit, unmarked, and unprotected in any way, thereby creating a concealed trap.

23 e. The SUBJECT OPENING lacks any, or has insufficient, warning signs,
24 either temporary or permanent, that would provide warning to persons near to SUBJECT
25 OPENING about the dangerous condition described herein.

26 f. Any existing warning signs, either temporary or permanent, that would
27 provide warning to persons encountering the dangerous condition of the SUBJECT
28 OPENING, were defective, inadequate, and/or not properly functioning.

1 h. Respondent YUCAIPA VALLEY WATER DISTRICT failed to maintain
2 SUBJECT OPENING and related signage and devices, so as to create a concealed trap.

3 i. Respondent YUCAIPA VALLEY WATER DISTRICT failed to provide
4 any, or failed to maintain adequate, lighting, barriers, safety devices to protected persons
5 on their property from the risk of falling a large distance through the SUBJECT OPENING,
6 despite this risk being foreseeable.

7 j. All of the above-referenced conditions, and each of them, created a
8 dangerous condition to foreseeable users of the SUBJECT OPENING, including Claimant
9 JONES.

10 Claimant JONES further is informed and believes that Respondent YUCAIPA
11 VALLEY WATER DISTRICT caused, created, and/or allowed to exist, and allowed to
12 continue to exist, said dangerous condition(s) with respect to the SUBJECT OPENING.
13 Claimant JONES is further informed and believes, and thereon alleges, that Respondent
14 YUCAIPA VALLEY WATER DISTRICT misconduct in causing, creating, allowing to exist,
15 and allowed to continue to exist, said dangerous condition(s) with respect to the SUBJECT
16 OPENING, created a reasonably foreseeable risk of injury to persons.

17 Based upon the aforementioned facts, said property, including the SUBJECT
18 OPENING, constituted a dangerous condition of public property at the time of the
19 SUBJECT INCIDENT for many reasons.

20 Claimant JONES is informed and believes, and thereon alleges, that Respondent
21 YUCAIPA VALLEY WATER DISTRICT had, within the meaning of Government Code
22 section 835.2, actual and constructive knowledge of the said dangerous condition and
23 defective conditions of the SUBJECT OPENING, for a sufficient period of time prior to the
24 SUBJECT INCIDENT to have taken measures to prevent such incidents.

25 Claimant JONES is informed and believes, and thereon alleges, that said dangerous
26 condition(s) were not, nor would have been, reasonably apparent and were not, nor would
27 not have been anticipated by, persons exercising due care, such as Claimant JONES. For
28 those reasons and others stated above the SUBJECT OPENING, constituted a trap for


1 those exercising due care and acting in a foreseeable manner, including Claimant JONES.

2 Claimant JONES further alleges that Respondent YUCAIPA VALLEY WATER
3 DISTRICT and its employees, agents, servants, and independent contractors are liable for
4 Claimant JONES's damages pursuant to Government Code sections 815.2, 815.4, 820,
5 840.2, et. seq., for negligently, carelessly, and/or recklessly owning, designing, maintaining,
6 allowing, permitting, regulating, controlling, servicing, inspecting, repairing, modifying,
7 altering, improving, constructing, warning or failing to warn, and/or supervising the
8 SUBJECT OPENING, and said negligent, careless, and reckless acts, or failure to act,
9 created said dangerous and defective condition(s) of said property, which legally caused
10 the SUBJECT INCIDENT and the injuries and damages to Claimant JONES, as herein
11 alleged.

12 Claimant JONES is further informed and believes, and thereon alleges, that said
13 dangerous condition(s) were the legal, direct, and proximate cause of the injury and
14 damages suffered by Claimant JONES.

15 11. Reservation of Rights to Amend and/or Supplement Claim: Claimant JONES
16 reserves the right to amend and/or supplement this claim for damages, including asserting
17 new theories of liability or causes of action, upon discovery of new additional information or
18 facts.

19
20 DATED: July 15, 2016.

21
22 
23 MAJOR A. LANGER
24 ALVIN CHANG, Members of
25 PERONA, LANGER, BECK, SERBIN, MENDOZA &
26 HARRISON
27 A Professional Corporation
28 Attorneys for Claimant

PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California in the offices of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action; my business address is 300 San Antonio Drive, Long Beach, California 90807-0948. On the date given, I served the following documents:

CLAIM FOR DAMAGES TO GOVERNMENTAL/PUBLIC ENTITY

on the interested parties through their attorneys of record by placing true and correct copies thereof addressed as shown on the attached list, as designated below:

- () **BY FIRST CLASS MAIL (C.C.P. §§ 1013a, et seq.):** I caused said document(s) to be deposited in the United States Mail in a sealed envelope with postage fully prepaid at Long Beach, California, following the ordinary practice at my place of business of collection and processing of mail on the same day as shown on this declaration.
- () **BY HAND DELIVERY/PERSONAL SERVICE (C.C.P. §§ 1011, et seq.):** I caused said document(s) to be personally delivered by a courier to each addressee.
- () **BY TELECOPY/FACSIMILE (C.C.P. §§ 1012.5, et seq.):** I caused said document(s) to be telecopied to each addressee's telecopier ("Fax") number.
- () **BY EXPRESS MAIL (C.C.P. §§ 1013(c)(d), et seq.):** I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.
- (X) **BY REGISTERED MAIL (C.C.P. §§ 1020, et seq.):** I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by addressee that said documents were received.

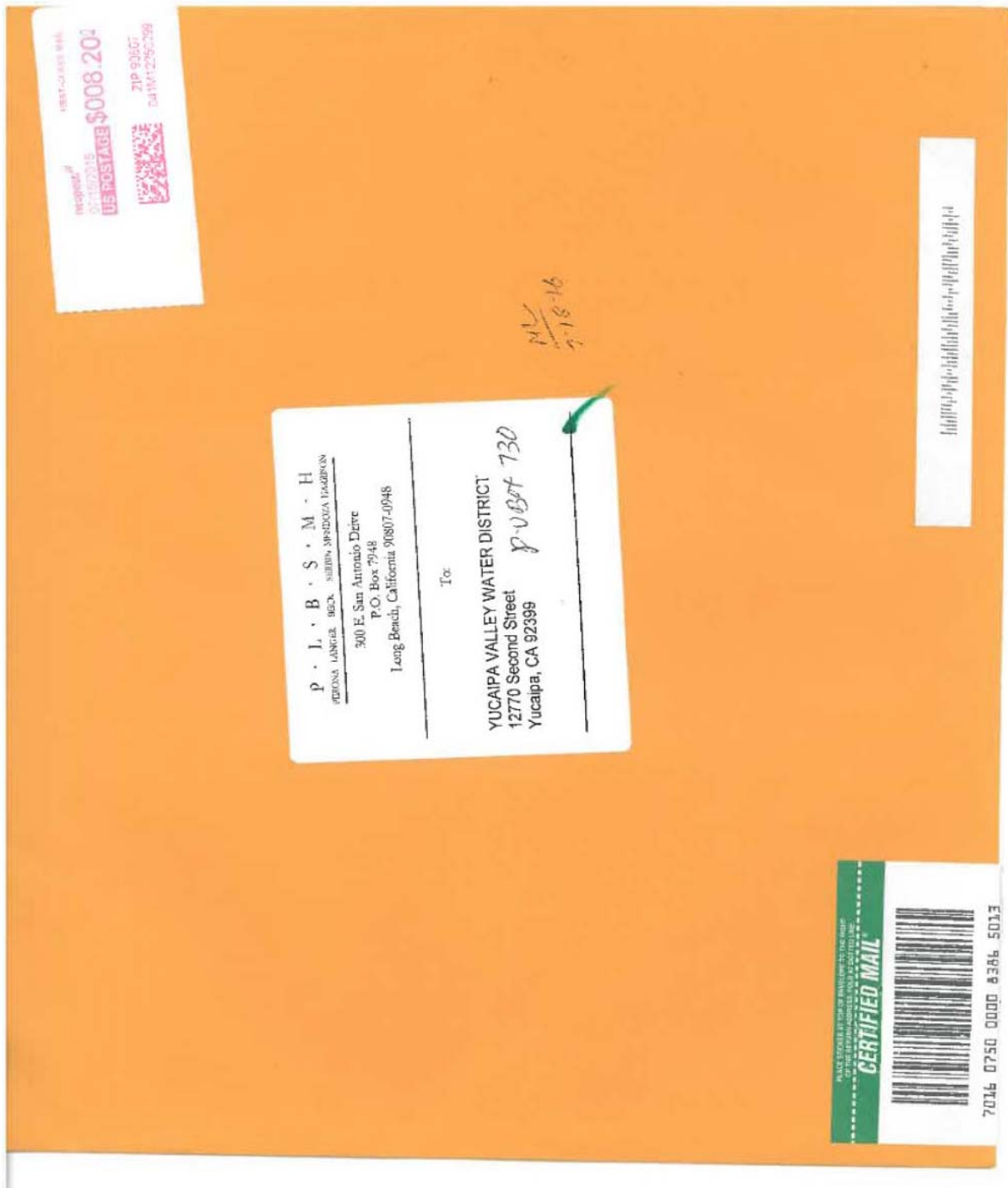
I declare under penalty of perjury under the laws of the State of California and of the United States of America that the above is true and correct.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service is made.

DATED: July 15, 2016.



Karina Tellechea



Director Comments



Yucaipa Valley Water District

Adjournment



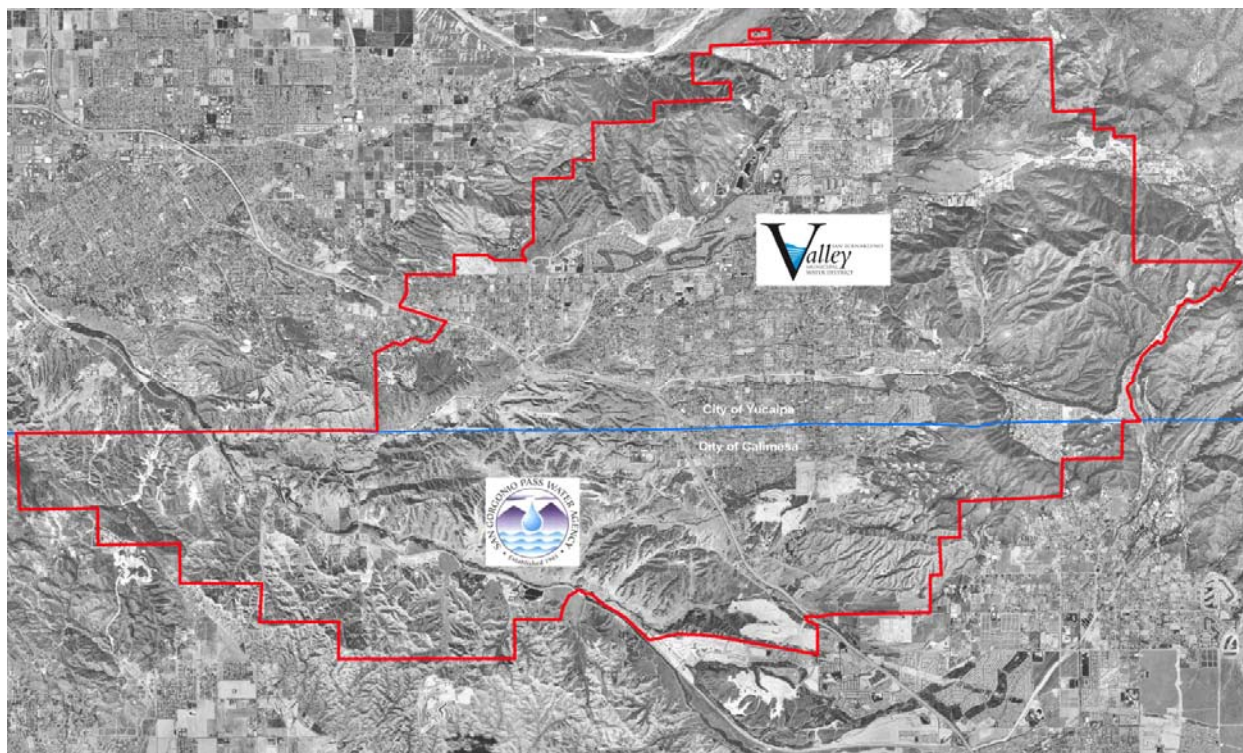
Yucaipa Valley Water District



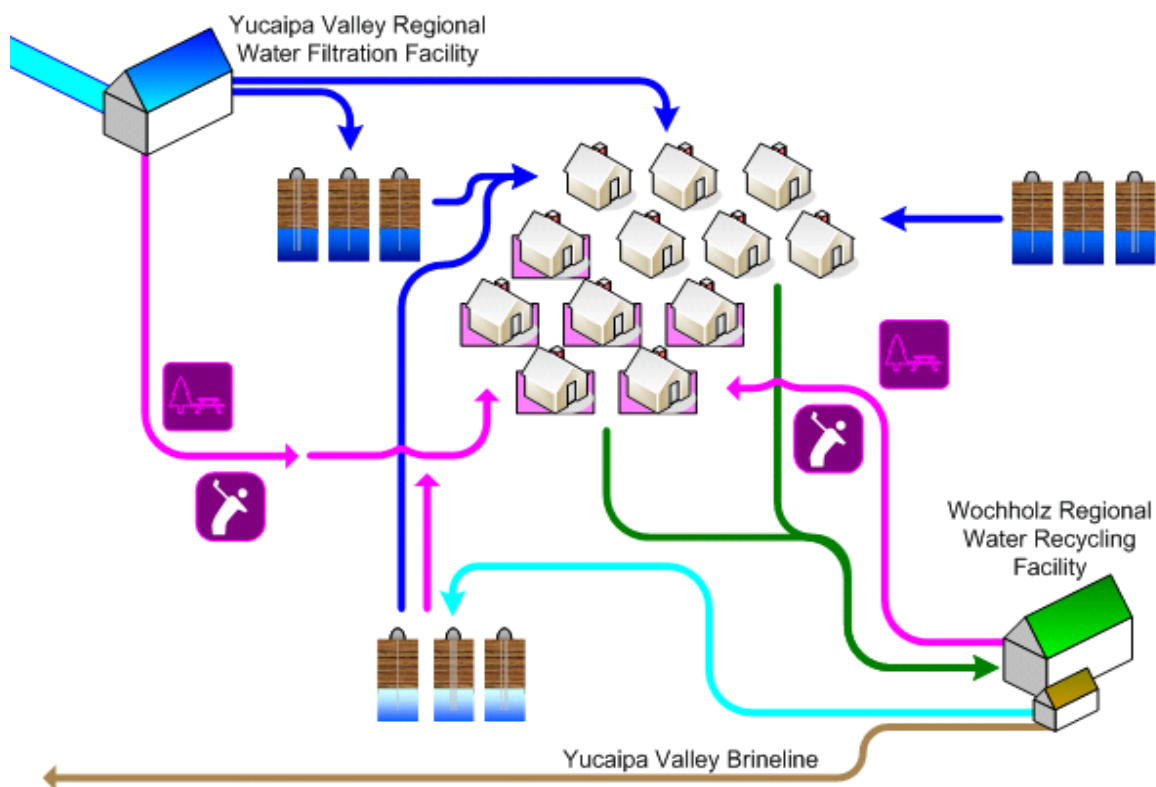
FACTS ABOUT THE YUCAIPA VALLEY WATER DISTRICT

Service Area Size:	40 square miles (sphere of influence is 68 square miles)
Elevation Change:	3,140 foot elevation change (from 2,044 to 5,184 feet)
Number of Employees:	5 elected board members 62 full time employees
Operating Budget:	Water Division - \$13,397,500 Sewer Division - \$11,820,000 Recycled Water Division - \$537,250 Total Annual Budget - \$25,754,750
Number of Services:	12,434 water connections serving 17,179 units 13,559 sewer connections serving 20,519 units 64 recycled water connections
Water System:	215 miles of drinking water pipelines 27 reservoirs - 34 million gallons of storage capacity 18 pressure zones 12,000 ac-ft annual water demand (3.9 billion gallons) Two water filtration facilities: <ul style="list-style-type: none"> - 1 mgd at Oak Glen Surface Water Filtration Facility - 12 mgd at Yucaipa Valley Regional Water Filtration Facility
Sewer System:	8.0 million gallon treatment capacity - current flow at 4.0 mgd 205 miles of sewer mainlines 5 sewer lift stations 4,500 ac-ft annual recycled water prod. (1.46 billion gallons)
Recycled Water:	22 miles of recycled water pipelines 5 reservoirs - 12 million gallons of storage 1,200 ac-ft annual recycled demand (0.4 billion gallons)
Brine Disposal:	2.2 million gallon desalination facility at sewer treatment plant 1.108 million gallons of Inland Empire Brine Line capacity 0.295 million gallons of treatment capacity in Orange County

State Water Contractors: San Bernardino Valley Municipal Water District
San Geronio Pass Water Agency



Sustainability Plan: A Strategic Plan for a Sustainable Future: The Integration and Preservation of Resources, adopted on August 20, 2008.





THE MEASUREMENT OF WATER PURITY

One part per hundred is generally represented by the percent (%).
This is equivalent to about fifteen minutes out of one day.

One part per thousand denotes one part per 1000 parts.
This is equivalent to about one and a half minutes out of one day.

One part per million (ppm) denotes one part per 1,000,000 parts.
This is equivalent to about 32 seconds out of a year.

One part per billion (ppb) denotes one part per 1,000,000,000 parts.
This is equivalent to about three seconds out of a century.

One part per trillion (ppt) denotes one part per 1,000,000,000,000 parts.
This is equivalent to about three seconds out of every hundred thousand years.

One part per quadrillion (ppq) denotes one part per 1,000,000,000,000,000 parts.
This is equivalent to about two and a half minutes out of the age of the Earth (4.5 billion years).





GLOSSARY OF COMMONLY USED TERMS

Every profession has specialized terms which generally evolve to facilitate communication between individuals. The routine use of these terms tends to exclude those who are unfamiliar with the particular specialized language of the group. Sometimes jargon can create communication cause difficulties where professionals in related fields use different terms for the same phenomena.

Below are commonly used water terms and abbreviations with commonly used definitions. If there is any discrepancy in definitions, the District's Regulations Governing Water Service is the final and binding definition.

Acre Foot of Water - The volume of water (325,850 gallons, or 43,560 cubic feet) that would cover an area of one acre to a depth of 1 foot.

Activated Sludge Process – A secondary biological sewer treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen, and consume dissolved nutrients in the wastewater.

Annual Water Quality Report - The document is prepared annually and provides information on water quality, constituents in the water, compliance with drinking water standards and educational material on tap water. It is also referred to as a Consumer Confidence Report (CCR).

Aquifer - The natural underground area with layers of porous, water-bearing materials (sand, gravel) capable of yielding a supply of water; see Groundwater basin.

Backflow - The reversal of water's normal direction of flow. When water passes through a water meter into a home or business it should not reverse flow back into the water mainline.

Best Management Practices (BMPs) - Methods or techniques found to be the most effective and practical means in achieving an objective. Often used in the context of water conservation.

Biochemical Oxygen Demand (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

Biosolids – Biosolids are nutrient rich organic and highly treated solid materials produced by the sewer treatment process. This high-quality product can be used as a soil amendment on farm land or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

Catch Basin – A chamber usually built at the curb line of a street, which conveys surface water for discharge into a storm sewer.

Capital Improvement Program (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

Collector Sewer – The first element of a wastewater collection system used to collect and carry wastewater from one or more building sewer laterals to a main sewer.

Coliform Bacteria – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere and is generally used as an indicator of sewage pollution.

Combined Sewer Overflow – The portion of flow from a combined sewer system, which discharges into a water body from an outfall located upstream of a wastewater treatment plant, usually during wet weather conditions.

Combined Sewer System– Generally older sewer systems designed to convey both sewage and storm water into one pipe to a wastewater treatment plant.

Conjunctive Use - The coordinated management of surface water and groundwater supplies to maximize the yield of the overall water resource. Active conjunctive use uses artificial recharge, where surface water is intentionally percolated or injected into aquifers for later use. Passive conjunctive use is to simply rely on surface water in wet years and use groundwater in dry years.

Consumer Confidence Report (CCR) - see Annual Water Quality Report.

Cross-Connection - The actual or potential connection between a potable water supply and a non-potable source, where it is possible for a contaminant to enter the drinking water supply.

Disinfection By-Products (DBPs) - The category of compounds formed when disinfectants in water systems react with natural organic matter present in the source water supplies. Different disinfectants produce different types or amounts of disinfection byproducts. Disinfection byproducts for which regulations have been established have been identified in drinking water, including trihalomethanes, haloacetic acids, bromate, and chlorite

Drought - a period of below average rainfall causing water supply shortages.

Dry Weather Flow – Flow in a sanitary sewer during periods of dry weather in which the sanitary sewer is under minimum influence of inflow and infiltration.

Fire Flow - The ability to have a sufficient quantity of water available to the distribution system to be delivered through fire hydrants or private fire sprinkler systems.

Gallons per Capita per Day (GPCD) - A measurement of the average number of gallons of water use by the number of people served each day in a water system. The calculation is made by dividing the total gallons of water used each day by the total number of people using the water system.

Groundwater Basin - An underground body of water or aquifer defined by physical boundaries.

Groundwater Recharge - The process of placing water in an aquifer. Can be a naturally occurring process or artificially enhanced.

Hard Water - Water having a high concentration of minerals, typically calcium and magnesium ions.

Hydrologic Cycle - The process of evaporation of water into the air and its return to earth in the form of precipitation (rain or snow). This process also includes transpiration from plants, percolation into the ground, groundwater movement, and runoff into rivers, streams and the ocean; see Water cycle.

Infiltration – Water other than sewage that enters a sewer system and/or building laterals from the ground through defective pipes, pipe joints, connections, or manholes. Infiltration does not include inflow. See *Inflow*.

Inflow - Water other than sewage that enters a sewer system and building sewer from sources such as roof vents, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm drains and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include infiltration. See *Infiltration*.

Inflow / Infiltration (I/I) – The total quantity of water from both inflow and infiltration.

Mains, Distribution - A network of pipelines that delivers water (drinking water or recycled water) from transmission mains to residential and commercial properties, usually pipe diameters of 4" to 16".

Mains, Transmission - A system of pipelines that deliver water (drinking water or recycled water) from a source of supply to the distribution mains, usually pipe diameters of greater than 16".

Meter - A device capable of measuring, in either gallons or cubic feet, a quantity of water delivered by the District to a service connection.

Overdraft - The pumping of water from a groundwater basin or aquifer in excess of the supply flowing into the basin. This pumping results in a depletion of the groundwater in the basin which has a net effect of lowering the levels of water in the aquifer.

Peak Flow – The maximum flow that occurs over a specific length of time (e.g., daily, hourly, instantaneously).

Pipeline - Connected piping that carries water, oil or other liquids. See Mains, Distribution and Mains, Transmission.

Point of Responsibility, Metered Service - The connection point at the outlet side of a water meter where a landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.

Potable Water - Water that is used for human consumption and regulated by the California Department of Public Health.

Pressure Reducing Valve - A device used to reduce the pressure in a domestic water system when the water pressure exceeds desirable levels.

Pump Station - A drinking water or recycled water facility where pumps are used to push water up to a higher elevation or different location.

Reservoir - A water storage facility where water is stored to be used at a later time for peak demands or emergencies such as fire suppression. Drinking water and recycled water systems will typically use concrete or steel reservoirs. The State Water Project system considers lakes, such as Shasta Lake and Folsom Lake to be water storage reservoirs.

Runoff - Water that travels downward over the earth's surface due to the force of gravity. It includes water running in streams as well as over land.

Sanitary Sewer System - Sewer collection system designed to carry sewage, consisting of domestic, commercial, and industrial wastewater. This type of system is not designed nor intended to carry water from rainfall, snowmelt, or groundwater sources. See *Combined Sewer System*.

Sanitary Sewer Overflow – Overflow from a sanitary sewer system caused when total wastewater flow exceeds the capacity of the system. See *Combined Sewer Overflow*.

Santa Ana River Interceptor (SARI) Line – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the sewer treatment plant operated by Orange County Sanitation District.

Secondary Treatment – Biological sewer treatment, particularly the activated-sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

Supervisory Control and Data Acquisition (SCADA) - A computerized system which provides the ability to remotely monitor and control water system facilities such as reservoirs, pumps and other elements of water delivery.

Service Connection - The water piping system connecting a customer's system with a District water main beginning at the outlet side of the point of responsibility, including all plumbing and equipment located on a parcel required for the District's provision of water service to that parcel.

Sludge – Untreated solid material created by the treatment of sewage.

Smart Irrigation Controller - A device that automatically adjusts the time and frequency which water is applied to landscaping based on real-time weather such as rainfall, wind, temperature and humidity.

Special District - A political subdivision of a state established to provide a public services, such as water supply or sanitation, within a specific geographic area.

Surface Water - Water found in lakes, streams, rivers, oceans or reservoirs behind dams.

Total Suspended Solids (TSS) – The amount of solids floating and in suspension in water or sewage.

Transpiration - The process by which water vapor is released into the atmosphere by living plants.

Trickling Filter – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in primary treated sewage as it trickles over them.

Underground Service Alert (USA) - A free service that notifies utilities such as water, telephone, cable and sewer companies of pending excavations within the area (dial 8-1-1 at least 2 working days before you dig).

Urban Runoff - Water from city streets and domestic properties that typically carries pollutants into the storm drains, rivers, lakes, and oceans.

Valve - A device that regulates, directs or controls the flow of water by opening, closing or partially obstructing various passageways.

Wastewater – Any water that enters the sanitary sewer.

Water Banking - The practice of actively storing or exchanging in-lieu surface water supplies in available groundwater basin storage space for later extraction and use by the storing party or for sale or exchange to a third party. Water may be banked as an independent operation or as part of a conjunctive use program.

Water cycle - The continuous movement water from the earth's surface to the atmosphere and back again; see Hydrologic cycle.

Water Pressure - Pressure created by the weight and elevation of water and/or generated by pumps that deliver water to the tap.

Water Service Line - The pipeline that delivers potable water to a residence or business from the District's water system. Typically the water service line is a 1" to 1½" diameter pipe for residential properties.

Watershed - A region or land area that contributes to the drainage or catchment area above a specific point on a stream or river.

Water Table - The upper surface of the zone of saturation of groundwater in an unconfined aquifer.

Water Transfer - A transaction, in which a holder of a water right or entitlement voluntarily sells/exchanges to a willing buyer the right to use all or a portion of the water under that water right or entitlement.

Water Well - A hole drilled into the ground to tap an underground water aquifer.

Wetlands - Lands which are fully saturated or under water at least part of the year, like seasonal vernal pools or swamps.

Wet Weather Flow – Dry weather flow combined with stormwater introduced into a combined sewer system, and dry weather flow combined with infiltration/inflow into a separate sewer system.





COMMONLY USED ABBREVIATIONS

AQMD	Air Quality Management District
BOD	Biochemical Oxygen Demand
CARB	California Air Resources Board
CCTV	Closed Circuit Television
CWA	Clean Water Act
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
FOG	Fats, Oils, and Grease
GPD	Gallons per day
MGD	Million gallons per day
O & M	Operations and Maintenance
OSHA	Occupational Safety and Health Administration
POTW	Publicly Owned Treatment Works
PPM	Parts per million
RWQCB	Regional Water Quality Control Board
SARI	Santa Ana River Inceptor
SAWPA	Santa Ana Watershed Project Authority
SBVMWD	San Bernardino Valley Municipal Water District
SCADA	Supervisory Control and Data Acquisition system
SSMP	Sanitary Sewer Management Plan
SSO	Sanitary Sewer Overflow
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
WDR	Waste Discharge Requirements
YVWD	Yucaipa Valley Water District