

MINUTES OF A SPECIAL BOARD MEETING
CITY OF BIG BEAR LAKE,
DEPARTMENT OF WATER AND POWER
BOARD OF WATER AND POWER COMMISSIONERS
June 8, 2022

OPEN SESSION

A special Meeting of the City of Big Bear Lake, Department of Water and Power (DWP) Board of Commissioners was called to order at 9:00 a.m. on June 8, 2022, by Chair Bob Tarras.

BOARD MEMBERS PRESENT

Bob Tarras, Chair
Barbara Willey, Vice-Chair
Craig Hjorth, Treasurer
Joe Cylwik, Commissioner
Jim Smith, Commissioner

PLEDGE OF ALLEGIANCE

Bob Tarras, Chair

1. DISCUSSION/ACTION ITEMS

1.1 Water Shortage Contingency Plan (WSCP) Review

Treasurer Hjorth inquired into any revisions in the State's Emergency Regulations. Reggie Lamson, General Manager, responded that the adopted Emergency Regulation was provided (Exhibit B) and the main revision is that if a water agency meets the three criteria, which DWP does, then we can choose to implement WSCP Level 2 or Emergency Regulation "996 (d)". Chair Tarras asked if DWP's WSCP was amended to include the Emergency Regulations. Reggie responded in the affirmative. Treasurer Hjorth inquired into the difference between acre-feet and gallons. Reggie responded that one acre foot of water is approximately the same as 325,000 gallons of water. Commissioner Smith stated his understanding that every five years the DWP evaluates the status of the aquifers with the UWMP. Reggie responded that is correct and that within the UWMP there are evaluations of precipitation projections, water demand, and the aquifers status every five years.

Reggie shared with the Board that the DWP is eligible to implement the minimum actions outlined in Section 996 (d) because (1) DWP's annual water supply and demand assessment demonstrates an ability to maintain reliable water supply until at least September 30, 2023; (2) the DWP does not rely on the Colorado, State Water Project, or Central Valley Project and DWP pumps groundwater from a basin that is not over drafted; and (3) the DWP's average number of gallons of water used per person per day by residential customers for the year 2020 is below 55 gallons. Commissioner Smith inquired into whether it is preferred to be consistent with CSD and also declare a Shortage Level 2. Reggie responded by stating CSD has been at a Shortage Level two, ever since they lost a major producing well, which compromised their supply. For the DWP, implementation of Section 996 (d) will minimize the number of changes that the DWP customers will need to adjust to.

Commissioner Cylwik inquired into the last sentence in paragraph two on page 18 and specifically the process to amend the WSCP. Reggie responded the California Water Code requires at least a 60-day notice to the City, the County, and local water agencies prior to holding a public hearing to adopt amendments to the WSCP. Chair Tarras inquired into whether reference to "may consider State mandates" should be revised to "will consider State mandates" (first sentence in paragraph three on page 18). Reggie responded the use of the word "may" is purposeful to ensure the DWP has flexibility to best comply with State regulations, while still considering local issues. Chair Tarras stated his understanding that every water agencies Shortage Level 2 can be different. Reggie agreed and stated that the amendments to the WSCP are based on the intended water savings at each shortage level, and the DWP will continue to comply with State regulations.

Commissioner Cylwik questioned the last sentence in paragraph two on page 20 and specifically inquired into DWP's average afy use. Reggie responded that DWP's average afy use is about 2,154 and that we will add the

average afy to Section 2.0 Water Supply Reliability Analysis. Commissioner Smith asked if the use of gallons, rather than afy, was more appropriate for the public. Dani McGee, Chief Financial Officer, responded the WSCP is a State document, and the State requires the use of afy as the metric. Commissioner Cylwik asked if there is a concern with how often the aquifers are assessed. Reggie responded that in response to the Groundwater Sustainability Act, in 2019, the Department of Water Resources (DWR) provided hydrologists with a rulebook for the development of Groundwater Sustainability Plans (GSP). Chair Tarras stated that he has years of experience in the snow farming business and from that experience, it is very challenging to forecast the weather.

Commissioner Cylwik inquired into the use of "California Drought Monitor" in the list of Evaluation Criteria on page 23 and asked if the reference should be the United States Drought Monitor. Dani responded the California Drought Monitor was struck under Key Data and Methodologies on page 22. It was agreed, the reference to California Drought Monitor would be revised to U.S. Drought Monitor, California under Evaluation Criteria on page 23.. Chair Tarras questioned the striking out of Water Shortage Level 7. Reggie responded the State requires six Shortage Levels and as such, we modified the WSCP to agree with State requirements. Commissioner Cylwik requested normal conditions be defined in the Section on Shortage Levels. Reggie stated that we agreed to add normal conditions in the Section on Water Supply Reliability Analysis, and we can also add normal conditions under the Section on Shortage Levels. Treasurer Hjorth stated that it is his understanding that we should always function as if we are under a Shortage Level and require customers to take conservation measures. Dani stated that the DWP achieves this by implementing the Water Conservation Policy.

Treasurer Hjorth inquired if Water Shortage Level 1 is the same as our Water Conservation Policy. Dani responded that the Permanent Restrictions listed on page 26 are consistent with the Water Conservation Policy and that Shortage Level 1 is more restrictive. Commissioner Smith inquired if the DWP and CSD pull water from the same aquifers. Reggie responded yes, that DWP and CSD produce water from the same aquifers. Commissioner Smith inquired if CSD's emergency affects the DWP. Reggie responded that CSD's emergency water supply issue does not affect the DWP because we are not overdrafting any basins and CSD has drilled a new well that will produce 400-500 gpm when it is equipped. With regard to Hydrant Use listed in the Permanent Restrictions table, Commissioner Smith inquired whether the DWP approves construction projects. Reggie responded the DWP issues construction meters and dictates where the contractors may place the construction meters to ensure no negative impact to the community. Dani added that contractors are required to apply for a hydrant meter permit for the use of construction water. It was agreed to add "permit" to Hydrant Use in the Permanent Restrictions table.

Commissioner Cylwik asked if any of the regulations apply to private wells. Dani responded the DWP cannot regulate private wells. Chair Tarras stated the DWP can regulate water use on the golf course. Reggie agreed and stated the DWP cannot regulate residential use by private wells. Commissioner Cylwik asked if private well operators comply with State rules. Reggie responded that private well operators do not typically have meters and if they have De minimis use, they are exempt from the new regulations. Chair Tarras stated that the DWP used to require private well owners to surrender water rights. Reggie responded that it has been determined that is the previous practice is not legal and we have removed it from our regulations. Commissioner Smith inquired into whether there are any potable water supplier companies in the Bear Valley. Reggie responded there is one water hauler who owns his own well. Dani added that some homes in Baldwin Lake use water tanks and require the water hauler to refill the tanks.

With regards to Shortage Level 1 and specifically Restaurants, Commissioner Cylwik suggested we modified "Mandatory" to "Voluntary". Vice-Chair Willey responded that a majority of the local restaurants have tent cards on the tables regarding water being served upon request. Treasurer Hjorth stated that he thought it was a State requirement for restaurants. Reggie responded that we will verify State requirements. In regard to

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lodging, Vice-Chair Willey stated that most hotels encourage the reuse of towels. Chair Tarras asked if the lodging requirement applies to private home rentals. Dani responded that we provided the information to the private home rental agencies. Chair Tarras suggested we remove "Spas" for the first two "Pools/Spas" listed within the restrictions in the Shortage Level 1 Table because the restriction only refers to pools. Treasurer Hjorth stated that he researched whether restaurants are required to only serve water upon request and found it has been a State requirement since 2015. As such, it was agreed to leave "Mandatory" for restaurants in the Shortage Level 1 Table.

Chair Tarras requested the following language be added above Shortage Level 1 Table "In addition to the actions listed in the Permanent Water Conservation Restrictions, The water conservation requirements in Table 3 shall apply during a declared Shortage Level 2." With regards to the Permanent Restrictions table, Commissioner Smith requested "Local" be revised to "State" for Fixtures. With regards to Shortage Level 2 Table, Treasurer Hjorth asked why the restriction under Pools/Spas was struck out. Reggie responded the restriction was moved to Shortage Level 3 because there are a limited number of pools in the Bear Valley. In regard to the Shortage Level 3 Table, Commissioner Cylwik asked for examples of Industrial and Commercial. Chair Tarras responded the requirement is a catch-all for water agencies. Commissioner Cylwik requested "encouraged" be struck because the reduction of water use by Industrial and Commercial is mandatory.

With regards to Shortage Level 4 Table, Commissioner Cylwik inquired into the restriction against recreation and specifically asked about the Alpine Slide. Chair Tarras responded the Alpine Slide does not use potable water for snowmaking. With regard to Shortage Level 6 Table, Commissioner Cylwik inquired if we can continue to water trees. Reggie responded that Shortage Level 6 is considered a Catastrophic Water Shortage and as such, no outdoor watering is allowed including trees. With regards to Table 10 Other Actions, Dani suggested level 7 be struck and the reference to BBCCSD be moved to level 6. Commissioner Cylwik requested the second paragraph under Section 5.3 Shortage Response Action Effectiveness be struck. Dani responded that staff will confirm the statement is not required. Commissioner Cylwik also requested "Non-English-speaking populations be struck under Section 6.0 Communication Protocols key audiences because it is covered under Section 6.5 Public Notice Procedures.

Commissioner Smith inquired into Section 7.0 Compliance and Enforcement and asked how the DWP detects noncompliance with the WSCP. Reggie responded the DWP uses radio-read meters, sends letters to those violating the requirements, and can shut-off offenders' water service if the violation warrants a shut-off. Commissioner Cylwik requested the third sentence under Section 9.0 Financial Consequences of WSCP be struck. Chair Tarras requested first sentence of the second paragraph under Section 9.0 Financial Consequences of WSCP be revised to remove "postponement of capital improvements" to "expenditures". Commissioner Cylwik agreed and stated the DWP does this annually. Reggie added that most costs within DWP water rate structure are fixed. Chair Tarras inquired if the DWP's WSCP was compared with BBCCSD's WSCP. Reggie responded the consultant performed a comparison of Plans.

Reggie discussed the Emergency Regulations with the Board and stated that DWP's existing WSCP Shortage Level 2 restricts the use of construction water for soil compaction or dust control. Reggie further stated that he discussed with our attorneys that the amended WSCP is not scheduled to be adopted until early July. The attorneys confirmed that the DWP must operate under the existing WSCP until the amendments are adopted. For this reason, Reggie recommended the Board implement the actions outlined in Section 996 (d) on June 10, 2022 which limits landscape irrigation to no more than two days per week until the amended WSCP is adopted in early July. Reggie added that two of DWP small water systems do not qualify for the minimum actions outlined in Section 996 (d) because the average number of gallons of water used per person per day by residential customers for the year 2020 is greater than 55 gallons. Those two water systems are Lake William and Big Bear Shores RV Park. It is recommended that for these two small water systems, Shortage Level 2 be

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implemented. Chair Tarras inquired into the use of water at the Big Bear Shores RV Park. Dani responded the Park has common area turf used for recreational purposes and a pool.

Chair Tarras inquired how the regulations will be communicated to the customers. Reggie responded that we have already published the emergency regulations in the Big Bear Grizzly which stated landscape irrigation is limited to no more than two days per week. Dani added the DWP will perform additional outreach including a press release. Treasurer Hjorth inquired if any outreach has been performed yet. Dani responded only the article in the Big Bear Grizzly. Lianne asked the Board of their availability for a Special Meeting on July 6, 2022 to hold a public hearing and adopt amendments to DWP's WSCP. Chair Tarras inquired into whether the Board is required to consider public comments. Reggie responded that it is at the pleasure of the Board to consider or not consider public comments. Commissioner Smith thank the staff for modifying the WSCP to better reflect the DWP's current operational situation.

ADJOURNMENT

No additional business came before the Board. At 9:59 a.m., Chair Tarras adjourned the meeting.



Lianne Eagleson, Management Analyst/Board Secretary

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