



BIGHORN-DESERT VIEW WATER AGENCY
A PUBLIC AGENCY

**REGULAR MEETING AGENDA
OF THE PLANNING/LEGISLATIVE/ENGINEERING
GRANT & SECURITY COMMITTEE
WITH BOARD OF DIRECTORS***

**BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CA 92285**

**DECEMBER 17, 2009
THURSDAY
8:45 A.M.**

*The BDVWA Planning / Legislative / Engineering / Grant & Security Committee meeting is announced as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act. Members of the Board not assigned to this Committee who attend will participate only as observers at the meeting.

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL**
- **APPROVAL OF THE AGENDA**

PUBLIC PARTICIPATION - Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment, please state your name and have your information prepared. Due to time constraints, a three minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

- 1. CONFERENCE CALL WITH MOJAVE WATER AGENCY'S LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE** - Committee to participate via teleconference for an update on State Advocate and Issues at the State Level and update on Federal Advocate and Issues at the Federal Level.
- 2. PUBLIC PARTICIPATION** - Any person may address the Committee on any matter within the District's jurisdiction on items not appearing on this agenda.
- 3. CONSENT ITEMS** - The following is expected to be routine and non-controversial and will be acted on by the Committee members at one time without discussion, unless a member

of the Public or a Committee member requests that an item be held for discussion or further action.

- a. Committee Report from the June 18, 2009 Meeting
- b. Committee Report from the August 26, 2009 Meeting

- 4. **STANDING COMMITTEE PROJECT LIST**
- 5. **COMMITTEE MEMBERS' COMMENTS/REPORTS**
- 6. **GENERAL MANAGER'S REPORT**
- 7. **ITEMS FOR NEXT AGENDA**
- 8. **ADJOURNMENT**

Materials related to an item on this Agenda submitted to the Committee Members after distribution of the agenda packet are available for public inspection during normal business hours at the Bighorn-Desert View Water Agency office located at 622 S. Jemez Tr., Yucca Valley, CA.



LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE MEETING

AGENDA

Mojave Water Agency
Board Room
22450 Headquarters Drive
Apple Valley, CA 92307

December 17, 2009
9:00 a.m.

NO ACTION WILL BE TAKEN – STUDY SESSION ONLY

1. Approval of Agenda
2. Adopt Actions from the Legal/Legislative and Public Information Committee Meeting of November 18, 2009
3. Update on Federal Advocate and Issues at the Federal Level (teleconference)
4. Public Information Update (oral report)
5. General Manager's Report (oral report)
6. Public Participation
7. Comments/Discussion Items for Next or Future Agendas
8. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7008 at least 24 hours prior to said meeting.



LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE MEETING

COMMITTEE ACTIONS NOVEMBER 18, 2009

CALL TO ORDER:

Chairperson Art Bishop called the meeting to order at 9:00 a.m.

ATTENDANCE:

- ✦ Committee - Chairperson Art Bishop, Director Beverly Lowry, and Director Doug Shumway
- ✦ Absent - None
- ✦ Staff - General Manager Kirby Brill; Community Liaison Officer Michael Stevens; Water Resources Planning Analyst 1 Tim Gobler; and Senior Administrative Assistant, Public Information Gloria Golike
- ✦ Consultants - Aaron Knox & Kristine Scott, TMG Communications; State Advocate Ed Manning, KP Public Affairs; and Federal Advocates Letitia White & Heather Hennessey, Innovative Federal Strategies, LLC joined by teleconference
- ✦ Others - Five visitors were in the audience and seven entities joined the meeting online

1. **Approval of Agenda**

Action: The agenda was approved as presented.

2. **Adopt Actions from the Legal/Legislative and Public Information Committee Meeting of October 29, 2009**

Action: The actions of the October 29, 2009 meeting were adopted as submitted.

3. **Update on State Advocate and Issues at the State Level**

Mr. Manning gave a brief overview on the comprehensive water package that was passed, and reviewed the water bills in the package, including the water bond and some of the dollar figures. He also mentioned how this water package can provide a "pathway" to a Delta Conveyance. He concluded with answering questions of the Committee.

Action: Informational purposes only. No action taken.

4. **Update on Federal Advocate and Issues at the Federal Level**

Ms. Hennessey and Ms. White gave an update on the activities that have been happening in Washington, D.C. They mentioned that the healthcare debate is still consuming most of the time and energy, so few Appropriation Bills are being passed.

Action: Informational purposes only. No action taken.

5. **Public Information Update**

Mr. Stevens reported on recent events and activities of the Agency. Mr. Knox and Ms. Scott from TMG Communications (TMG) presented a PowerPoint briefly listing the communications and publications that TMG has made on the Agency's behalf, with regards to the Regional Recharge and Recovery project. Mr. Gobler gave a brief update on the Agency's Facebook page, which is another method of communicating to the public. Mr. Stevens then showed the DVD of Congressman Lewis' greeting created for the Special District's Dinner on November 16.

6. **General Manager's Report**

No report.

7. **Public Participation**

None noted.

8. **Comments/Discussion Items for Next or Future Agenda**

None noted.

9. **Adjournment**

Chairperson Bishop adjourned the meeting at 10:35 a.m.

Submitted by: _____

Gloria Golike
Senior Administrative Assistant,
Public Information

Attachments on-file:

Item No. 3 – 2009 Comprehensive Water Package

Item No. 5 – TMG Communications, Inc. R³ Community Outreach Update

Sign-in sheet

**Audio recording of this meeting available upon request.*

MEMORANDUM

To: Kirby Brill, Mike Stevens and Kathy Cortner,
Mojave Water Agency

From: Letitia White, Alex Shockey and Heather Hennessey

Date: December 1, 2009

Re: November Monthly Legislative Update

Congress remained focused on healthcare legislation during the month of November with both the House and Senate taking some action on massive reform packages. Between the continued healthcare debate and two weeks of recess for the Veteran's Day and Thanksgiving holidays, not much legislative work was accomplished and very little progress was made on the Fiscal Year 2010 appropriations bills.

IFS continued to monitor legislation on your behalf during November and updated everyone during the LLPI call. We also notified you about the upcoming deadline on the House side for the Water Resources Development Act, and we fully supported your decision not to pursue a WRDA request at this time. It was our pleasure to help get the DVD from Congress Lewis to play at the dinner earlier this month, and it thrilled us that the video was well-received. As the year comes to a close, it is time to turn our attention to Fiscal Year 2011 priorities. We will need to decide what our appropriations requests will be for next year's cycle and refine our white papers in December.

Appropriations Update

November provided a frustrating lack of action on the remaining FY 2010 appropriations bills. Because the government is currently operating under a continuing resolution (CR) that does not expire until December 18th, there was little pressure on legislators to move the remaining seven appropriations bills this month. Only five of the twelve annual appropriations bills have actually been signed into law by President Obama; they are Homeland Security, Agriculture, Energy and Water, Interior and Legislative Branch. Four - - Military Construction-VA, Defense, Transportation-HUD and Commerce-Justice-Science - - have passed both chambers and are pending in House-Senate conference committees where differences in the versions will be resolved.

At this point, due to the intense focus on healthcare legislation in the Senate, it is sure that an omnibus bill will be necessary to complete the remaining seven bills before the current continuing resolution expires. An omnibus bill is likely to contain other "must pass" priorities of the House and Senate leadership as well. One such item under discussion is raising the debt limit. The federal debt has been hovering just below the \$12 trillion mark for most of November, and unless the current debt ceiling of \$12.104 trillion is raised in December, the federal government will be prohibited from making the required interest and other payments at

the end of the month. Although earlier this year the House passed a \$925 billion debt limit increase, leaders would prefer to enact a larger increase so that their caucus won't have to consider another increase next year before the November elections.

Transportation Authorization Legislation

As a part of the continuing resolution mentioned above, Congress extended the current surface transportation authorization until December 18th. Conflicts between House and Senate leadership about how to treat further extensions are intensifying as more legislators want another "economic stimulus" or jobs creation bill. They see the potential that increased transportation funding has for creating jobs at a time when unemployment continues to rise. Some legislators would like a "front loaded", multi-year highway bill to create as many jobs as possible early on but, in an effort to calm public concern over growing deficits, pay for the legislation over a longer period of time.

Longer extensions of the current surface transportation law are favored by the Senate and White House and are seen as providing critical contract authority to localities, enabling them to start big-dollar projects and hire the workers to carry them out. But House Transportation and Infrastructure Committee Chairman James Oberstar (D-MN) remains wedded to the strategy he has pursued all year - - short term extensions of the existing law to keep the issue on Congress' front burner. The next round of this debate will play out during December; we will certainly see another extension, probably as part of the appropriations omnibus bill, but the length of the extension is still in question.

Health Care Legislation

Late at night on Saturday, November 7th, the House passed the Affordable Health Care for America Act. With a price tag of \$1.05 trillion, the bill was approved by a narrow vote after a very contentious debate focusing on federal funding for abortions. On Saturday, November 21st, two weeks after the House vote, the Senate voted 60-39 to move forward with debate on its version of the bill. With that procedural hurdle crossed, the Senate is now able to begin work on their \$848 billion bill.

But this debate will be contentious and is expected to take most of December. Republicans unanimously oppose the bill. The four members of the Democratic Caucus - - Ben Nelson (D-NE), Blanche Lincoln (D-AK), Mary Landrieu (D-LA) and Joseph Lieberman (I-CT) - - who voted to begin consideration told leadership that they will likely oppose the bill unless the "public option" is removed or significantly altered. In addition, the thorny issue of abortion will have to be addressed, as anti-abortion groups and Senators have expressed concern over funding restrictions in the Senate bill that are less stringent than those included in the House-passed version. And, last but not least, the bill's financing and costs will be a major issue of debate.

Again, both versions of the healthcare bill are extremely long and complicated. If you have questions about any specific provisions, please let us know and we are happy to research them for you and provide you with a report.

We hope that you had a wonderful Thanksgiving holiday and will keep you posted on the news from Washington!



BIGHORN-DESERT VIEW WATER AGENCY
A PUBLIC AGENCY

**THE PLANNING/LEGISLATIVE/ENGINEERING
GRANT & SECURITY COMMITTEE REPORT**

BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CA 92285

June 18, 2009
Thursday
8:45 A.M.

- **CALL TO ORDER**

Meeting convened by Director Burkhart at 8:45 A.M.

- **PLEDGE OF ALLEGIANCE**

Led by Larry Coulombe

- **ROLL CALL**

Directors Present: Terry Burkhart, Director
Warren Strodel, Director

Staff Present: Marina West, General Manager
Joanne Keiter, Board Secretary

Public Present: 3 noted

1. **PUBLIC PARTICIPATION -**

Director Burkhart asked if there were any comments and hearing NONE, continued onto the next agenda item.

Next, GM West mentioned that due to unforeseen scheduling conflicts, this meeting will adjourn immediately following completion of agenda item #2 (Teleconference call with Mojave Water Agency's Legislative Committee). She then asked if there was a date and time for reconvening that suited the members' calendars. After a brief discussion, it was suggested that June 23, 2009 at 3 PM be considered.

In preparation for the conference call that followed, GM West gave a brief introduction to the Committee members about some key topics that would be discussed during this session by the State Lobbyist (i.e. the "possible" Suspension of Prop 1A funds) and the Federal Lobbyist (i.e. appropriations).

**2. TELECONFERENCE WITH MOJAVE WATER AGENCY'S
LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE -
INFORMATION AND DISCUSSION ONLY - NO COMMITTEE ACTION TAKEN**

**MS. PILAR ONATE-QUINTANA GAVE AN UPDATE ON ISSUES AT THE
STATE LEVEL:**

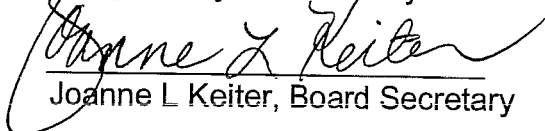
- Recent legislative activities:
 - Legislature has not yet voted on the Suspension of Prop 1A
- State budget status:
 - Budget has yet to pass
 - Formula unknown (could be 8% or vary by District)
- Overview of "Alliance for a 21st Century Water System"
 - A campaign component in support of building a peripheral canal as a comprehensive solution to the State's water crisis
- Other "key" legislation:
 - Water Conservation bills:
 - SB 621, SB 460 and AB 49
 - Delta-related bills
 - Water bonds
 - Other bills

**NEXT, MS. HEATHER MCNATT MADE A PRESENTATION ON ISSUES AT
THE FEDERAL LEVEL:**

- Stimulus funding with the Bureau of Reclamation (under Title XVI)

3. ADJOURNMENT - Director Burkhart adjourned the meeting @ 9:58 A.M.

Respectfully Submitted by:


Joanne L Keiter, Board Secretary



BIGHORN-DESERT VIEW WATER AGENCY
A PUBLIC AGENCY

**THE PLANNING/LEGISLATIVE/ENGINEERING
GRANT & SECURITY COMMITTEE REPORT**

BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CA 92285

August 26, 2009
Wednesday
8:45 A.M.

- **CALL TO ORDER**
Meeting convened by Director Burkhart at 8:45 A.M.
- **PLEDGE OF ALLEGIANCE**
Led by Director Strodel
- **ROLL CALL**
Directors Present: Terry Burkhart, Director
Warren Strodel, Director

Staff Present: Marina West, General Manager
Joanne Keiter, Board Secretary

Public Present: None

1. PUBLIC PARTICIPATION - NONE

Prior to this conference call, GM West reviewed the two letters that were distributed to the committee members earlier (one addressed to several State Legislators pertaining to the Sacramento-San Joaquin Delta crisis; the second authored by Governor Schwarzenegger, encouraging the legislators to "act now" with regards to a comprehensive water plan.)

**2. TELECONFERENCE WITH MOJAVE WATER AGENCY'S
LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE -**

INFORMATION AND DISCUSSION ONLY - NO COMMITTEE ACTION TAKEN

**MS. PILAR ONATE-QUINTANA GAVE AN UPDATE ON ISSUES AT THE
STATE LEVEL INCLUDING:**

- Several bills of concern for water agencies (released after legislative recess):
 - Water Conservation Bills: SB 261, AB 49
 - Delta-related Bills: AB 39, SB 458 and SB 229

- Reviewed several different components of the Delta Package:
 - Funding
 - Water supply reliability
 - Bay Delta Conservation Plan

Kirby Brill, General Manager of Mojave Water Agency, made some concluding remarks about the "impact" of the letters (referenced previously) adding that we all can help fix the Delta situation and ultimately reap the rewards.

NO REPORT GIVEN AT THE FEDERAL LEVEL

NEXT MICHAEL STEVENS GAVE A PUBLIC INFORMATION UPDATE

- Several articles in the press were mentioned regarding:
 - Stimulus funds
 - San Bernardino Association of Governments (SANDBAG)
 - Graywater and water conservation practices
 - Arsenic removal
 - July 10th Legislative Training
- Public Outreach Efforts:
 - Pipeline Video Tour (25 minutes long)
 - November 4th Mini Tour
 - November 16th Special Districts Dinner with Congressman Jerry Lewis
 - Hosting Regional Meeting, "Green Jobs Initiative"

The Conference Call concluded at 10:12 AM; Director Burkhart continued to the next Agenda Item.

3. STANDING COMMITTEE PROJECT LIST

- EPA Grant:
 - MOU for financial participation with Mojave Water Agency was approved by the Directors at the last Board meeting.
 - Sending to MWA for their Board approval
- Integrated Regional Wastewater Management Plan Meeting:
 - Looking for consensus as to a date and time for next meeting
- SEMS - Standardized Emergency Management System
 - Consider integrating SEMS into Agency Emergency Response Plan
- Proposed Marine Corps Base Expansion
 - No updates (project moved outside of BDVWA boundaries)
- Bulk Hauling Rates and Fees
 - Both Bulk and Construction Water Rates pending FPREP Committee Review

GM West then asked if the Committee members had anything to add to the project list. (Nothing was added).

4. **DIRECTORS' COMMENTS/REPORTS - NONE**

5. **ITEMS FOR NEXT AGENDA -**

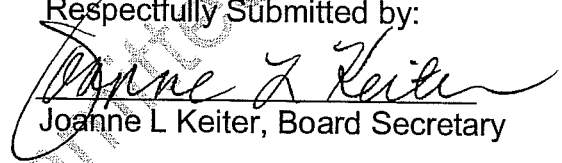
GM West opened a brief discussion pertaining to the Ames Agreement and the false assumptions being communicated to the public (i.e. that pursuing the Recharge project would break the Ames Agreement).

Thus, for the next scheduled agenda (October 15, 2009):

- Update on the Ames Agreement
- Update to the Standing Committee Project List

6. **ADJOURNMENT -** Director Burkhart adjourned the meeting @ 10:28 A.M.

Respectfully Submitted by:



Joanne L Keiter, Board Secretary

Draft - Pending Committee Approval

PLANNING/ENGINEERING/LEGISLATIVE/GRANT/SECURITY
STANDING COMMITTEE PROJECT LIST

PROJECTS UNDERWAY	STATUS	COMMENTS
EPA Grant	ongoing	EPA Workplan revision approved extending Grant expiration date to November 30, 2010.
****CEQA/NEPA Document		On-site Archeological/Paleontological survey completed in December. Continued progress on Administrative Draft. Distribution to public planned for early March 2010.
****Project Management		Professional Services Contract issued to Todd Engineers for Project Management, Permitting, Hydrogeologic Feasibility study and Groundwater Management Plan.
Legislative Alliance	ongoing	Continue participation in conference call with MWA lobbyists. Committee to consider integrating SEMS into our Emergency Response Plan. In-house training on "Introduction to ICS/SEMS/NIMS" completed 12/12/2008. Consultant is reviewing existing Emergency Action Plan for conformance to ICS/SEMS/NIMS protocol. Mutual aid agreements need to be finalized.
Standardized Emergency Management System (SEMS)	ongoing	
Standardized Emergency Management System/National Incident Management System (SEMS/NIMS)	ongoing	Board approved NIMS Resolution.
Construction Water Rates and Fees	ongoing	Board to consider new construction water rates and fees.
PROJECTS COMPLETED		
Marine Corps. Ground Combat Center Proposed Base Expansion	Completed	Letter outlining concerns relating to the proposed Twenty-nine Palms Base Expansion was submitted on time.

Integrated Regional Wastewater Management Plan	Completed	Resolution has been forwarded to HDWD
Ames Valley Groundwater Management Plan "Strawman" Proposal/Conceptual Guidance Document	Completed	Board approved the Conceptual Document. General Manager directed to pursue financial partnerships.
Request for Billing Relief APN: 629-405-01	Completed	Board approved partial relief of billing and payment arrangements
Bulk Hauling Rates and Fees	Completed	Bulk hauling rates are now consistent across Agency.

for December 17, 2009 Committee Meeting