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LAFCO
San Bernardino County

MANDATORY FIVE YEAR
SPHERE OF INFLUENCE UPDATE

3148

INTRODUCTION: The questions on this form are designed to obtain data about the entity's existing sphere of influence to allow the Commission and its staff to begin to assess the mandated sphere update process. You are encouraged to include any additional information that you believe is pertinent to the process. Use additional sheets where necessary and/or include any relevant documents.

1. NAME OF AGENCY: *Bighorn Desert View Water Agency*
2. Provide an identification of the entities that provide service to your agency. Please indicate whether they are public or private entities and include subsidiary districts in this description. Please include a description of City or District-governed agencies (i.e., redevelopment agency, development corporations, joint powers authorities, improvement districts, etc.):

The San Bernardino County Registrar of Voters conducts the Agency elections.

The Mojave Water Agency (MWA), is a special act district organized to purchase water from the State Water Project for use within its service area. MWA provides water and funding for the Agency's needs, and provides planning and technical support for the proposed regional water storage and recovery program in the Ames Basin, located within the Agency's sphere of Influence. Additional recharge facilities are envisioned within the Agency service area in the future and MWA will be a participant in those projects as well. The Agency's objectives are included in the Mojave Water Agency 2004 Regional Water Management Plan. Mojave Water Agency also provides professional guidance and services to BDVWA in areas such as GIS, hydrogeology, engineering, and finance. In addition, residents of BDVWA contribute to three separate bond debts issued for the construction of the Morongo Basin Pipeline. Mojave Water Agency also advises on and provides technical support towards project grant applications. MWA has pledged a minimum of \$1 M towards the completion of the Ames/Means Reche Recharge Facility. A project identified and prioritized in the MWA Integrated Regional Water Management Plan (Water Code Appendix 97-1.5 et seq.).

The Agency is a member of the Special District Risk Management Authority (SDRMA), a Joint Powers Authority, which provides employee medical benefits, property and liability insurance (including E&O for Board of Directors) and Workers' Compensation insurance to the Agency as well as safety and loss prevention services.

The Agency is a member of the Association of California Water Agencies (ACWA), a state-wide non-profit Joint Powers Insurance Authority with a mission to assist members in the areas of leadership, advocacy and information. In addition, ACWA-HBA (Health Benefits Authority) provides dental, vision and life insurance benefits to all Agency employees.

The Agency is a partner, through MOU, in the Morongo Basin Alliance for Water Awareness and Conservation (MB-AWAC). The mission of AWAC is to promote the efficient use of water and increase the communities' awareness of conservation as an important tool to help ensure an adequate water supply.

The District Attorney, Fair Political Practice Commission and CalAware provide oversight of Agency activities as they relate to The Brown Act, the Public Records Act, and possible criminal investigations.

The County of San Bernardino provides fire protection to the Agency service area utilizing fire hydrants and water system infrastructure operated and maintained by the Agency.

The United States Post Office in Landers provides mail services to the Agency and a large portion of the Agency service area.

The County of San Bernardino provides road maintenance, solid waste management, vector control, environmental health services and television communications to property owners within the Agency which services are paid for through property tax collection.

Morongo Basin Unified School District has facilities within the Agency's jurisdiction. The Agency interacts with the school district and provides water education and conservation awareness to students of the Landers Elementary School.

3. Provide a narrative description of anticipated alterations in the agency's current sphere of influence that should be considered in this review. This identification should include any potential development that would require a sphere of influence amendment for implementation, etc. (If additional room for response is necessary, please attach additional sheets to this form.)

A. A landowner who owns land within the Agency's Sphere of Influence located in most or all of Section 35 of Township 2N, Range 5E, has requested water service from the Agency as part of an overall development plan for his landholdings. Upon the County's approval of a land use plan, the landowner will need to petition LAFCO to amend the Agency's boundaries to bring the property into the Agency's boundaries. In terms of long term planning the Agency envisions the construction of an additional artificial recharge facility in Section 35.

B. Another landowner owns 80 Acres on the southeastern portion of Section 19 of Township 2N, Range 6E. This property is not within the Agency's current Sphere of Influence. The landowner has requested service from the Agency and has inquired about annexation into the Agency's service area.

C. By agreement with the County, the Agency serves approximately 17 properties in CSA 70 (W-1) which is currently outside of the Agency's Sphere of Influence. Were LAFCO to modify the Agency's Sphere of Influence to include that territory: conduct a reorganization, detaching those properties from CSA 70 and annexing them to the

Agency. Those landowners who were reorganized into the Agency would be able to vote in Agency elections and enjoy more direct representation on the Agency's Board. In addition, the Agency would obtain the benefit of adding these parcels to its tax base, and be able to allocate any cost savings to all of the customers. The CSA-70/W-1 production wells would remain in a portion of the de-annexed territory of BDVWA.

D. The Reche Recharge Facility is located in the Pipes Wash area of Section 24 which is within BDVWA Sphere of Influence. BDVWA would like to discuss annexing Section 24 into the Agency boundaries.

4. **CITIES:** Provide an outline of negotiations with the County of San Bernardino related to any sphere change anticipated. Please include an outline of agreements on boundaries, development standards, zoning requirements, if any. This is required pursuant to Government Code Section 56425(b).

The documents regarding the agreement with County of San Bernardino to serve the CSA-70/W-1 properties is included.

5. **CITIES:** Provide an outline of the dates for adoption and plans for update, if any, for:

General Plan _____	
Elements if adopted separately	
NAME	DATE OF ADOPTION/UPDATE PLANS
_____	_____
_____	_____
_____	_____
_____	_____

Not applicable.

6. **CITIES/SPECIAL DISTRICTS:** For the services provided by the agency identify the appropriate document below and provide an outline of the date of adoption, schedule for update, copy of the document and copy of environmental document, if applicable:

Master Plan for Water Utility

A copy of the "Bighorn-Desert View Water Agency Master Plan", dated March 14, 2007 and approved by Agency Board of Directors on April 24, 2007 is attached. No update is planned. CEQA in process covering the first five years of system reliability, security and infrastructure improvements designed for infill development and increased fire flow capacity in the system.

Master Plan for Sewer Utility _____

BDVWA is the logical entity to provide sewer utility service because it is a state requirement. Planning has yet to begin except for the Annexation for the Section 35 project which will require sewer treatment.

Master Plan for Fire Service _____

Agency maintains approximately 635 fire hydrants for use by the fire authorities. System Master Plan includes projects that upgrade hydrants and pipeline dimensions to improve fire flow capacity. Original system met fire flow conditions but requirements have since increased beyond the capacity that the original pipeline diameters can supply.

Master Plan for Park Service _____

Not applicable. Agency does not provide this service.

Urban Water Management Plan

(with copy of certification from Department of Water Resources)

As Agency only has approximately 1,900 connections, Agency is not required to prepare an Urban Water Management Plan and has chosen not to do so.

Other (Please name):

Integrated Regional Water Management Plan: The Agency is included in this comprehensive water management plan prepared by Mojave Water Agency.

Basin Conceptual Model and Assessment of Water Supply and Demand for the Ames Valley, Johnson Valley, and Means Valley Groundwater Basins, April 2007. The Agency has completed a comprehensive report using AB303 grant funding. This comprehensive report is the basis for selecting artificial recharge sites and exploring additional potable water supplies and documenting current basin conditions. These projects are envisioned to plan for growth and buildout of the Agency as well as to explore revenue streams related to utilization of natural resources such as storage capacity (Ames Reche Recharge Project) and potable water supplies currently being wasted due to underutilization. These revenue streams would be used by the Agency to offset costs other Capital Improvement costs which would otherwise have to be borne by the residential customer base.

On November 17, 2009, the Board of Directors will consider awarding a professional services contract to complete the Reche Groundwater Subbasin Feasibility Study and Groundwater Management Plan for conjunctive use and for groundwater storage.

CEQA/NEPA documentation is being prepared for circulation in early 2010. The study (draft attached) will cover multiple projects outlined in the Agency Water Master Plan.

7. **SPECIAL DISTRICTS:** Provide an outline of the following items related to the services provided by the District. This response is specifically required by Government Code Section 56425(i) et seq.

a) Provide a written statement specifying the functions and/or classes of service provided by your District.

Bighorn Desert View Water Agency acquires, constructs, owns and operates water production, treatment, storage and distribution facilities and provides water to retail customers and bulk water haulers.

- b) Provide a written description of the nature, location and extent of the functions and/or classes of service outlined above. Where the service area is less than the boundaries of the District provide a map depiction of the location.

The Agency is located in the southern portion of San Bernardino County near the towns of Yucca Valley and Landers in an unincorporated area generally known as Flamingo Heights, Johnson Valley and Landers. Hi-Desert Water District serves the area to the south and County Service Area 70 serves the area to the east of the Agency. The Agency encompasses over a 45 square mile service area.

The Agency provides water service via pipeline to about 1,900 metered connections, most of which are residential consumers. The area served in this manner is approximately 18,720 acres. It excludes an area known as Johnson Valley.

The entire area known as Johnson Valley (generally APNs 454-) does not have a pressurized water system. Johnson Valley has a stand alone water hauling station supplied by a single groundwater well and a 10,000 gallon storage reservoir. This site serves approximately 30 residential hauling customers and approximately 3 commercial water hauling customers who deliver water to an unknown number of customers. The Agency does not know the exact boundaries of the area known as Johnson Valley but has provided a map of the area served which lacks a pressurized water system.

There are three additional water hauling stations on the Agency's existing pipeline system. These hauling stations are located at points which were formally the terminus of pipeline systems in earlier years. Approximately 40 residential hauling customers and approximately 3 commercial water hauling customers who deliver water to an unknown number of clients rely on these hauling stations.

- c) Provide a brief outline of master plans adopted for each of the services listed above including a summary of their findings and the date of their adoption. If master plans are required to be filed with a County, State or Federal agency please note the date of their acceptance. Provide a copy of the master plans with this document if not previously provided to the LAFCO staff office including a copy of the environmental determination associated with the document.

A copy of the "Bighorn-Desert View Water Agency Master Plan", dated March 14, 2007, approved by Agency Board of Directors on April 24, 2007 is attached. Project was exempt from CEQA.

8. Provide a response to the four factors outlined in Government Code Section 56425 required for a sphere of influence review outlined as follows:
- a) The present and planned land uses in the area, including agricultural and open-space lands.

Present land uses within the Agency are a combination of large (2.5 to 5 acre) residential lots and open space land owned by the Bureau of Land Management. No change in land use is expected. The customer base has been increasing slowly, with annual increases in the last 10 years ranging from 33 to 0.

b) The present and probable need for public facilities and services in the area.

The area has no unmet needs for water service. The population that can affordably be served by pipeline is being served that way. The Agency has no current plans to extend pipeline service to the Johnson Valley area. Population densities are so low that the customers could not afford the per-connection charge. Should areas within the Agency's current Sphere of Influence develop, then the Agency would need to provide water service.

No public entity is providing wastewater services in the area; all the properties are on septic systems. If, as, and when the Regional Water Quality Control Board requires the community to install a sewer system to handle wastewater, the Agency would be best suited to provide that service. The Agency would ask that LAFCO authorize the Agency to activate its latent power to collect and treat wastewater.

c) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Adequate capacity exists to provide water service to the current and future customers of the Agency within Agency's boundaries as well as to those properties in its Sphere of Influence, consistent with the California Department of Public Health's applicable regulations.

- d) The existence of any social or economic communities of interest in the area.

*There are no special social or economic communities of interest in the area.
There are three distinct "neighborhoods," but those communities are actively interconnected socially.*

CERTIFICATION

I hereby certify that the statements furnished above and in the attached supplements, exhibits, and documents present the date and information required for this mandatory review to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE: 11/10/2009

Marina D West

Signature of Official

MARINA DEE WEST

Printed Name

GENERAL MANAGER

Title