

***MINUTES OF A REGULAR MEETING OF  
BIG BEAR MUNICIPAL WATER DISTRICT  
HELD ON THURSDAY, JANUARY 15, 2009***

**CALL TO ORDER**

President Smith called the Open Session to order at 1:02 PM. Those in attendance included Director Eminger, Director Suhay, Director Murphy, Director Fashempour, District Counsel Scott Nave, General Manager Scott Heule, Lake Manager Mike Stephenson, and Board Secretary Vicki Sheppard.

**APPROVAL OF CONSENT CALENDAR**

Upon a motion by Director Murphy, seconded by Director Eminger, with Director Suhay abstaining, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of December 18, 2008
- Warrant list dated January 9, 2009 for \$97,210.18
- Notice of Completion for Rathbun Creek Sediment Basin Cleanout Project

**REPORTS**

President Smith gave his review of 2008 summarizing the following accomplishments: Redistricting; upgraded SCADA; preparation of plans for the new East Ramp office building; and the Quagga mussel prevention program. He stated that he is very proud of Staff and thanked them for their quick response to the Quagga mussel threat stating that they were working in "uncharted waters".

**ADMINISTER OATHS OF OFFICE TO JOHN EMINGER, DIVISION 4; AND VINCE SMITH, DIVISION 5**

In the November election, John Eminger and Vince Smith were appointed in lieu of election by the San Bernardino County Registrar of Voters as Directors for Division 4 and Division 5. Board Secretary, Vicki Sheppard administered the oath of office to the two Directors who then took their seats on the dais.

**APPOINTMENT OF BOARD OFFICERS FOR CALENDAR YEAR 2009**

President Smith stated that at the first meeting of each year Board Officers are appointed. The District's Administrative Code determines the selection of the Board Officers as follows:

"The office of President shall be rotated from Division to Division annually on a numerical basis. If a Director declines the office, or has served less than one year, the Director serving the next numerical Division shall be President. The office of Vice President shall be rotated from Division to Division annually on a numerical basis to the Director whose Division is scheduled as the following year's President. If the Director declines the office, or has served less than one year, the Director serving the next numerical Division shall be Vice President"

President Smith, who is Division 5 Director, explained that Director Murphy, Division 1, automatically rotates to the office of Board President for calendar year 2009 and Director Fashempour of Division 2 automatically rotates to Vice President. Director Smith passed the gavel and President Murphy took his place on the dais.

## **PUBLIC HEARING - COMMERCIAL, PRIVATE AND ASSOCIATION LAUNCH RAMP REGULATIONS**

Mr. Heule reported that now that we have worked through one full season of responding to the threat of the Quagga Mussel, a couple potential weaknesses in our program have been identified. He explained that the District recognizes that boats that reside in Big Bear Valley year round and never leave the valley pose no Quagga threat and we don't want to unnecessarily control their access to the lake. He added that on the other hand many Big Bear boats and personal watercraft travel to and from infected water bodies once or more during the summer and boats and personal watercraft brought to the lake by visitors also threaten the lake. Mr. Heule explained that keeping the public launch ramps closed when no District staff was present last year was an effective means of control at those two locations. He added that commercial marinas and private association launch ramps, with some exceptions, and private personal launch ramps are generally less well controlled. He reported that the District is considering how to refine the regulation of these ramp operations and balance adequate Quagga Mussel protection for the lake with an acceptable level of business/personal operational choice. He explained that the objective of this public hearing is to solicit comments from the public that will augment options identified by District staff. He stated that the Directors can then consider all input before making decisions about summer 2009 launch ramp regulation. In regards to commercial, association and personal private launch ramps, Mr. Heule reported that Staff has discussed a number of possible launch ramp regulations with the Operations Committee. He explained that prohibiting all launching except at the public ramps was quickly determined to be too heavy handed while allowing operation like summer 2008 was deemed inadequate. He added that commercial launch ramps are a convenient service for the public and help reduce crowding at the public ramps. He reported that they also provide a means for retrieval and launching of boats for maintenance and repair. He added that two association ramps on the lake, Eagles Knoll Estates and Eagle Point Estates, have facilities for use by their homeowners only. He reported that there are about 15 personal private launch ramps on the lake. He stated that with only a couple notable exceptions, these are only used by their owners. Mr. Heule reported on new launch ramp regulation possibilities reporting that Staff has discussed the following range of possibilities for regulating launch and retrieval of boats on Big Bear Lake:

1. Personal private launch ramps
  - a. Total prohibition of boat launching by placing a physical barrier at the high water line.
  - b. Requiring an onsite inspection of the ramp and face to face meeting with the ramp owner to educate and inform him/her of their responsibility and liabilities (state law) associated with the ramp.
  - c. Requiring or requesting that the ramp owner install a locked gate or chain that would prevent trespass use of the ramp.
  - d. Prohibit the use of personal ramps except by their owners.
  - e. Prohibit the use of a personal ramp by owner scofflaws by placing a physical barrier at the high water line.
2. Commercial Marinas/Association launch ramps
  - a. Total prohibition of boat launching by placing a District lock and chain across the launch ramp.
  - b. Prohibit any use of the ramp unless a District certified inspector is physically present at the ramp.
  - c. Prohibit any use of the ramp except for retrieval and launching associated with onsite boat maintenance and/or repair.

- d. Prohibit any use of the ramp except for first of season local boat launching and end of season boat retrieval.

Mr. Heule explained that District Ordinance 42 related to Invasive Species Prevention and adopted by the District on May 1, 2008 grants broad authority to regulate and prohibit lake activities that threaten the lake with invasive species including the Quagga Mussel. He reported that the ordinance reads in part "No person shall place a vessel on Big Bear Lake unless the General Manager, or designee, determines the vessel, trailer, and other launching equipment ("associated equipment") is free of invasive species." He reported on the meeting yesterday with the private marinas and some of their ideas and responses to the issue. He also read some of the responses that the District received from private launch ramp owners.

President Murphy opened the Public Hearing at 1:22 pm.

The following comments were made:

- Brent Tregaskis, Big Bear Chamber of Commerce, reported that the Chamber is very concerned about the Quagga threat to Big Bear's tourist based economy and will help in any way possible.
- Jim Hayes, Holloways Marina, stated that he is concerned about hand carried vessels and inflatable's being launched from shore.
- Dick Kun, Big Bear Mountain Resorts, reported on the threat the mussel has to their snowmaking equipment.
- Alan Sharp, Big Bear Marina, stated that they feel all ramps should be closed unless monitored by an inspector and will support the Districts measures to control the mussels.
- John Saunders, Captain John's Fawn Harbor, states that he supports all the Districts measures to control the mussel.

No other comments were made and President Murphy closed the Public Hearing at 1:35 pm.

#### **APPOINTMENT OF COMMITTEE MEMBERS FOR CALENDAR YEAR 2009 AND PRESIDENT'S GOALS**

President Murphy explained that each year, at the first meeting in January, the new Board President announces the Committee Members and distributes the committee descriptions for the upcoming year. He stated that he has added two new committees and made some changes to others explaining that one of the new committees will be the Executive Committee that will be responsible for meeting monthly to keep abreast of longer term issues and follow progress and goals for the District reporting that the committee is comprised of the Board President and Vice President. He added that the other new committee will be the Quagga Initiative Committee explaining that this committee will be responsible for reviewing and recommending all issues related to District response and management of the Quagga Mussel. He stated that representation on this Committee is comprised of a member of the Administrative Committee and Operations Committee. President Murphy reported that the Watershed and Lake Improvement committees will be combined explaining that the obligations associated with TMDL and Proposition 13 Grants are greatly diminished and he does not believe there is still a need for two separate committees to handle these issues. He explained that the Watermaster Committee assignment will go to the Board Vice President and the next Vice President. He announced the other committee descriptions remain unchanged. President Murphy announced the committee members for the 2009 year will be as follows:

***ADMINISTRATIVE COMMITTEE***

John Eminger  
Vince Smith

Alternate: Skip Suhay

***BUDGET AND FINANCE COMMITTEE***

Todd Murphy  
Vince Smith

Alternate: Paula Fashempour

***EXECUTIVE COMMITTEE***

Todd Murphy  
Paula Fashempour

Alternate: Skip Suhay

***FACILITIES COMMITTEE***

Vince Smith  
Paula Fashempour

Alternate: John Eminger

***OPERATIONS COMMITTEE***

Skip Suhay  
Todd Murphy

Alternate: John Eminger

***QUAGGA INITIATIVE COMMITTEE***

John Eminger  
Skip Suhay

Alternate: Vince Smith

***STANFIELD MARSH COMMITTEE***

John Eminger  
Paula Fashempour

Alternate: Vince Smith

***WATER/WATERMASTER COMMITTEE***

Paula Fashempour  
Skip Suhay

Alternate: John Eminger

***WATERSHED/LAKE IMPROVEMENT COMMITTEE***

John Eminger  
Skip Suhay

Alternate: Todd Murphy

President Murphy thanked Director Smith for a good year and also thanked all the Directors and staff for their ongoing support. He explained that he will be continuing Director Eminger's Shoreline Cleanup program, the Quagga Mussel efforts, the TroutFest and Carp Roundup events, and would also like to continue to work closely with the Chamber of Commerce and other community groups for additional tourist based activities.

**APPOINTMENT OF THE DISTRICT'S JPIA REPRESENTATIVE FOR CALENDAR YEAR 2009**

President Murphy reported that the District utilizes the services of the Joint Powers Insurance Authority (JPIA) for its property and liability insurance requirements. He explained that JPIA meetings are held for two days, twice a year in conjunction with the Association of California Water Agencies' (ACWA) conferences. He added that the District's representative attends these

meetings to keep the District informed about insurance issues and that there may also be other occasional insurance meetings that would require attendance. He announced that Director Eminger will be the District's JPIA representative for calendar year 2009.

Mr. Heule asked President Murphy if the presentation by Tim Moore could be made prior to the pedestrian walkway presentation. President Murphy agreed.

**PRESENTATION BY TIM MOORE, RISK SCIENCES, OF THE MERCURY TMDL, 3D LAKE MODEL, AND LAKE MANAGEMENT PLAN**

Mr. Moore reported that the Regional Water Quality Control Board will be voting Friday to remove Big Bear Lake from the 303d list of impaired waters for copper and siltation. He stated that the District is still working with the Regional Board regarding Mercury. He explained the clean water act and how it requires the District to control algae. He discussed the advantages of the in-lieu agreement with San Bernardino Valley Municipal Water District on water levels in Big Bear Lake. He explained the historic drawdown (1934 - 1979). Mr. Moore also discussed what, in addition to the in-lieu water agreement, the District can do to protect the lake. He explained the alum pilot project that the District participated in, the aerator system, the herbicide treatments, and the siltation basins. He stated that it is the District's position that the lake is in better condition than ever and even better than it was in its natural state. Mr. Moore showed examples of the 3D maps explaining how they work and the many benefits of the maps to the District. He reported that as one piece of the TMDL process and in conjunction with the bathymetric survey of the lake bottom, a 3D electronic model of the lake was prepared by ReMetrix. He explained that the lake was sectioned into layers of cells measuring 100 meters by 100 meters by 1 foot. He added that the 3D mapping tool was developed to better enable the quantification, analysis and visualization of impacts resulting from various lake management activities. He explained that no actual data layers were added to the model because the work was done only to demonstrate its usefulness. He reported that as the District and the TMDL Task Force moves into this next phase of work a model that is populated with layers of information will be a valuable tool to help describe the value on lake levels and wetted habitat areas of the Exchange Agreement among other things. Mr. Moore further explained that the model would hold annual aquatic weed surveys, weed management activities, marina operational areas, and lake areas set aside for special purposes.

**CONSIDER APPROVAL OF REMETRIX PROPOSAL TO COMPLETE 3D BENEFICIAL USE MAP**

Mr. Heule reported on the scope and cost proposal from ReMetrix describing in more detail the additional real world attributes that will be able to be displayed by the model in a three dimensional fashion. He explained that the model will aid in quantifying progress towards meeting TMDL goals and identifying quantitatively the TMDL related benefits of various lake management activities (weed control, carp removal, dredging, lake level etc). He added that completion of this beneficial use mapping is also a requirement from another section of the Regional Water Quality Control Board that issues permits for dredging. He explained that they want to see a map that identifies likely future dredge areas before they are willing to consider new dredge projects. Mr. Heule stated that the cost for this scope of work is \$47,784 and the Committee is recommending that the Board approve the contract with an internal cost authorization not to exceed \$50,000. He explained that being able to utilize this tool in public meetings and presentations to the Regional Water Quality Control Board will require a powerful and portable computing system. He added that further enhancements in the tool's value can be

achieved when it is tied directly to a real time GIS instrument on the water. He reported that Mike Stephenson and Tim Moore will be researching the necessary hardware (field portable laptop) and software/licenses that are necessary for remote operations, and after the information is gathered the Committee will evaluate its value and make another recommendation to the Board. Director Smith asked if this tool then becomes the property of the District. Mr. Moore explained that the "guts" of the tool will belong to the District and they can make changes to it and the District will be dependent on ReMetrix for only the most sophisticated changes.

Director Eminger moved approval of the proposal from ReMetrix to complete the 3D Beneficial Use Map for an amount not to exceed \$50,000. Director Suhay seconded the motion and it was unanimously approved.

#### **UPDATE AND REVIEW OF PRELIMINARY DRAWINGS FOR REPLACEMENT OF PEDESTRIAN WALKWAY ON DAM**

Mr. Heule explained that this presentation review is for information only and no action is required. He made a Powerpoint presentation updating the Board on the replacement of the pedestrian walkway on the dam. He explained that Simon Wong Engineering presented the Advance Planning Study for the pedestrian bridge that is to be supported on the existing Bear Valley Dam structure. He stated that the estimated total project cost is \$1,114,000, increasing from the preliminary study to account for ADA and maintenance vehicle access and the profile modifications necessary to reach the planned Caltrans highway improvements. He explained that in addition, the clear width of the bridge has been increased to 10 feet to better accommodate the width of a maintenance vehicle. Mr. Heule reported that the District also requested that Simon Wong include a cost estimate as an appendix for the bridge structure with concrete railings that are similar in appearance to those of the existing highway structure. He stated that the estimated cost of \$1,691,000 accounts for the more expensive concrete railings as well as associated structure differences for the support spans. He explained that CalTrans has discretionary approval for up to \$1,000,000 without going to Sacramento. Director Fashempour asked if there is a less expensive concrete substance that could be used. Mr. Heule explained that the Facilities Committee will meet on the dam pedestrian bridge issue next week and inquire into alternatives.

#### **PUBLIC FORUM**

No comments were made

#### **ANNOUNCEMENTS**

Mr. Heule reported on the proposed 2009 Ramp hours explaining that in order to continue providing protection against the Quagga mussel threat and expand the availability of free public launch ramps, the Operations and Budget and Finance Committees established new hours of operation for both the West and East Public Launch Ramps for summer 2009. He commented that unlike last season both ramps will open on April 1. He stated that the West Ramp will also be open seven days a week instead of five and improvements will be made that will permit exiting the parking area after hours the same as at the East Ramp. He reported that the East Ramp hours will be from 6 AM to 6 PM, and until 7 PM on Fridays and Saturdays through September 16. He added that from September 17 through November 30 the hours will be from 7 AM until 4 PM. Mr. Heule stated that the East Ramp will close for the season on December 1. He reported that at the West Ramp the hours will be from 6 AM until 2 PM through April 15, and from April 16 through September 16 the ramp will be open from 6 AM until 6 PM. He stated from September 17 through October 4 the ramp will open at 6 AM and close at 2 PM. He reported that the West Ramp will close for the season on October 5. Mr. Heule reported on

summer help explaining that the District is currently recruiting for seasonal lake patrol officers and recruitment for summer maintenance and ramp attendants will begin at the end of the month. He added that there are four lake patrol officer positions, three maintenance positions, and seven ramp attendant positions. He explained that this summer all ramp attendants will also do the duty of inspectors (they will all be trained to do hot water decontamination work). Mr. Heule reported that so far this season water purchased for snowmaking has been 207 acre feet. He explained that income this fiscal year from this sale will be \$346,453. He stated that the Budget and Finance Committee will be bringing a proposal for changes to rates and fees to the Board meeting on February 5 for discussion followed up on February 19 with a public hearing and possible adoption. He explained that an increase in the cost of both annual boat permits and daily boat permits is being considered, and additionally a surcharge for all boat permits to cover Quagga expenses will be presented. He added that the Committee believes that property taxes should not be subsidizing the purely recreational activities on the lake. Mr. Heule explained that the Mercury TMDL will be the topic at an RWQCB Board workshop in March or April. He added that it might be worthwhile to attend when the time comes.

Mr. Stephenson reported on an ice training session that occurred this week between multiple valley agencies.

#### **DIRECTOR COMMENTS**

Director Smith commented on the Watermaster meeting he attended adding that the in-lieu water agreement was the main topic of discussion. Director Eminger wished President Murphy good luck. President Murphy thanked Director Smith for his contribution as president last year. President Murphy also reported on a President's Special Recognition Award that the District received from JPIA for achieving a low ratio of paid claims and case reserves to deposit premiums.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:03 P.M.

#### **NEXT MEETING**

Open Session at 1:00 P.M.  
Thursday, February 5, 2009  
Big Bear Municipal Water District  
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard  
Secretary to the Board  
Big Bear Municipal Water District

(SEAL)