

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, MARCH 4, 2010***

CALL TO ORDER

President Fashempour called the Open Session to order at 1:00 PM. Those in attendance included Director Eminger, Director Suhay, Director Smith, Director Murphy, District Counsel Wayne Lemieux (via Skype), General Manager Scott Heule, and Board Secretary Vicki Sheppard.

REPORTS

General Manager Scott Heule reported the Lake level is the same as it was this time last year; 5.46 feet from full today compared to 5.45 feet a year ago. He stated the difference is the amount of snow still on the ground now compared to last year when the lake reached 4.85 feet from full by mid April. He stated that the District received direction from the Santa Ana Regional Water Quality Control Board to move forward with the design and installation of the ground water remediation collection trench at Big Bear Marina. He added that consultants have been notified to move forward and he will report more as it becomes available. Mr. Heule reported that seasonal hiring is still moving forward and the second round of testing for ramp attendants will be finishing up tomorrow. He explained that the new Launch Ramp Supervisor will be involved in the balance of the ramp attendant hiring process. He added that the maintenance position effort included testing a second group of applicants this morning since the first set of applicants did not generate a sufficient number of qualified individuals that Lake Manager, Mike Stephenson, thought he could select from. Mr. Heule commented on a recent article in the Sun newspaper that reported on the recent Fish & Game lawsuit and environmental document outcome. He reported that essentially they are being prohibited from stocking rainbow trout in water bodies tributary to steelhead habitat. He explained that steelhead trout (*Oncorhynchus mykiss*) is a rainbow trout that has spent a part of its life in the sea adding that there are no significant differences between rainbow trout and steelhead trout; however, the nature of their differing lifestyles has resulted in subtle differences in color, shape, and general appearance. He reported that because of the Seven Oaks Dam, Bear Creek is isolated from any steelhead habitat and therefore, the ruling will not adversely impact stocking of rainbow trout in the Lake. He added that in fact Lake Manager, Mike Stephenson, reports that we could receive an additional 15% allotment of Fish & Game stocked fish for 2010. Mr. Heule commented that the Directors should take a look at the office remodel before you leave today adding that it all has been done in-house so far. He added that Carrie Shirreffs will be ready to move out of her office into the new office probably next week. He reported that Mr. Stephenson is out sick with the flu. He asked Lake Operations Supervisor Travis Carroll to introduce the new Ramp Attendant Supervisor. Mr. Carroll introduced Tyler Cockrell highlighting some of his work experience and

adding that Tyler has been with the District for two years as a seasonal Lake Patrol Officer. Mr. Cockrell commented that he is very happy to be in his new position.

Director Murphy asked the difference in flows at Rathbun Creek versus Grout Creek commenting that Grout Creek seems to be flowing very fast. Mr. Heule stated that he does not have that information at this time. Director Smith stated that the news from Fish & Game is very good reporting that he had some comments from fishermen last year that the catch was poor. Mr. Heule explained that feeder fish were not planted last year and therefore the catch this year might not be much improved but the following year it should be much better. President Fashempour asked if there is a trout hatchery at Big Bear Lake. Mr. Heule stated that there is not one for trout.

District Counsel Wayne Lemieux reported that at the last closed session no action was taken.

APPROVAL OF CONSENT CALENDAR

Upon a motion by Director Suhay, seconded by Director Smith, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of February 18, 2010
- Warrant List Dated February 26, 2010 for \$34,994.99

CONSIDER A CHANGE ORDER REQUEST FROM MWH FOR SOIL CHARACTERIZATION FOR THE BIG BEAR MARINA DREDGE PROJECT

Mr. Heule reported that MWH Americas has been retained by the District to sample soils in the proposed Marina dredge area to investigate potential gasoline contamination from the adjacent old gasoline line leak and to develop soil characteristics for the future dredging contractor. He explained that Staff has provided MWH with a large amount of data collected in two phases of the ACOE geotechnical investigations of the lake and MWH collaborated with Moffatt & Nichol Engineers (the dredge designer) to identify where samples should be collected in each of the proposed dredge areas for testing of engineering properties. He reported that MWH has also had prospective drilling contractors visit the site to review access and capabilities of the District work pontoon for use as a floating drilling platform. Mr. Heule explained that MWH has been asked by Staff to conduct a thorough review of the ACOE materials in order to better identify specific sampling locations within the proposed dredge footprint and further evaluate the suitability of dredge material reuse on the site. He added that this review task is a considerable effort because of the reports' size, including four, four-inch binders to contain each document. He reported that the original proposal that was authorized for this work did not anticipate the volume of basic data that was already available and would need to be reviewed and evaluated as part of this work. He explained that results of the soil sampling studies need to be compiled, plotted on maps of the proposed project, and evaluated for comparison to current land surface reuse standards adding that the additional work also requires potentially more comprehensive consultations with regulators with further assistance from the Districts' TMDL consultant Tim Moore. Mr. Heule stated that the Watershed/Lake Improvement Committee recommends approval of this change order request. Director Smith commented that the ACOE has mounds of data to go through.

Director Smith moved approval of a change order request from MWH for Soil Characterization for the Big Bear Marina Dredge Project. Director Suhay seconded the motion and it was unanimously approved.

CONSIDER POSTPONING THE CONTRACT AWARD FOR BIG BEAR MARINA DREDGE PROJECT CEQA PROPOSAL

Mr. Heule reported that in response to the Districts' request for proposals, three were received for the Big Bear Marina Dredge project CEQA work associated with the proposed dredge project. He explained that the proposals were reviewed by the Watershed/Lake Improvement Committee and Staff adding that Lilburn Corporation from San Bernardino proposed with a cost of \$71,405, Tom Dodson and Associates proposed with a cost of \$84,600 and MWH proposed with a cost of \$140,000. Mr. Heule reported that during their review of the Army Corps of Engineers (ACOE) geotechnical data associated with their other contract, MWH identified concerns that, if substantiated, might impact the dredged soil land reuse portion of the work. He explained that neither Lilburn Corporation or Tom Dodson and Associates provided as thorough an analysis as MWH and their proposed project staffing did not include scientists with the expertise needed to analyze and evaluate the ACOE data. Based on these findings, the Committee recommends that Lilburn Corporation and Tom Dodson and Associates be informed that their proposals were not selected. Mr. Heule stated that the Committee recommends that until further analysis of the ACOE data is completed by MWH all CEQA work should be placed on hold adding that the Committee further recommends that after the soil sampling and analysis work by MWH is completed Staff should negotiate a contract with MWH for the necessary CEQA document preparation.

Director Suhay moved approval to postpone award of any marina dredge project CEQA work until additional soil investigation work has been completed and to authorize staff to notify Lilburn Corporation and Tom Dodson & Associates that their proposals were not selected and that a contract for CEQA work will be negotiated with MWH at a later date. Director Eminger seconded the motion and it was unanimously approved.

PUBLIC FORUM

Mr. Steve PonTell, Pine Knot Landing, addressed the Board concerning commercial operations on the lake. He requested that the District enter into arbitration (with the marinas who wish to participate) and further asked for a delay in finalizing boat permit language until the issue is resolved. District Counsel, Wayne Lemieux, replied that if this is a formal request by the marinas, they would need to make their request in writing. Mr. PonTell stated that it is a formal request and they would make it in writing. Mr. Loren Hafen, Holloways Marina and North Shore Landing, stated that they would also be participating. President Fashempour asked District Counsel if the marinas could put their request in one letter. Mr. Lemieux advised that they could put their request in one letter listing the participating marinas.

ANNOUNCEMENTS

Mr. Heule reported that the Budget & Finance Committee will begin the FY 2010-11 budget process next week advising that if the Directors have comments to please submit them as soon as possible. He suggested the Directors take a look at the new book that they will be taking to Washington DC. He reported that the ramps will be opening in less than four weeks.

DIRECTOR COMMENTS

No comments were made

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:24 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, March 18, 2010
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)