

***MINUTES OF A REGULAR MEETING OF  
BIG BEAR MUNICIPAL WATER DISTRICT  
HELD ON THURSDAY, NOVEMBER 17, 2011***

**CALL TO ORDER**

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

**REPORTS**

General Manager, Scott Heule thanked the Directors for his vacation time in Hawaii. He commented that both he and Jackie enjoyed the change of scenery greatly. He reported that Mike Stephenson is on vacation today and tomorrow explaining that after all the extra work he put in covering both his Lake Manager position and the vacant Lake Operations Supervisor responsibilities he certainly deserves some time off. He reported that yesterday Mr. Stephenson, along with Tyler Cockrell and the seasonal employees Ryan Petty and Paul Fetterhoff, hiked to Station A in Bear Creek. He explained that they worked several hours to finish clearing debris from the weir basin and then installed new monitoring equipment. He added that the equipment was secured to a very large rock adjacent to the weir and upstream in a location that appears to be more protected from falling rock and high water flows than earlier installations. He reported that now that the new equipment is installed at Station A, he will finish the annual report to the State Water Resources Control Board on fisheries releases from the dam. He added that he will be including photos of the destroyed station from this past spring along with photos of the repairs that we have made. Mr. Heule reported that Caltrans is done for the winter on finishing their demolition work at the dam. He explained that they are having internal disagreements regarding what is an "improvement" to our dam and what is merely completion of the demolition work. He commented that the Division of Safety of Dams will be informing the District that finish work at the dam abutments and access to the top of Bay No. 7 is needed in order for them to consider the demolition permit closed. He reported that any grouting at the left abutment will also be put off until the springtime. He added that we also understand that, due to the recent snowfall, permanent security fencing will not be installed until after winter. He explained that the temporary rent-a-fence is all that is keeping the public off the dam now commenting that it is not doing a very good job. He added that he has advised Caltrans that they are liable for any trespassing on the dam until a permanent fence is installed. Mr. Heule reported that one of the last projects our maintenance staff completed this fall was a block retaining wall between the RV Park and the Office. He explained that it will prevent erosion of the slope into the RV camping sites. He stated that the excavation and removal of buried wood across the street has been completed. He added that there was no soil contamination found during the process. He explained that our consultant has provided a report of the sampling results and process if anyone wishes to review it.

**APPROVAL OF CONSENT CALENDAR**

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

- Minutes of a Regular Meeting of November 3, 2011
- Warrant list dated November 14, 2011 for \$81,048.93

**CONSIDER APPROVAL OF SHOREZONE ALTERATION PERMIT NO. S2012-01  
MARINA POINT DEVELOPMENT ASSOCIATES DREDGE PROJECT**

Mr. Heule reported that the applicant, Marina Point Development Associates, submitted a shorezone alteration application to the District on September 20, 2011. He stated that during the meeting on October 20, 2011 the Board reviewed draft versions of the project description and conditions of approval for the work. He added that the Board received comments from the public, the applicant and their contractor, and then directed Staff to modify some of the language in the Conditions of Approval. He explained that these changes (the date to be completed, eagle habitat conditions, stipulation that the applicant should secure certain permits) were subsequently made and have been incorporated into the proposed final conditions of approval dated November 9, 2011. He added that the proposed project description language, also dated November 9, 2011, represents the culmination of several iterations and a lengthy telephone conference call between Tom Dodson and Associates, the applicant, and the District. Mr. Heule explained that the proposed work generally includes dredging within and around the old Cluster Pines marina, opening the marina to the Lake, and protecting exposed shoreline and jetty slopes from erosion. He commented that the Conditions of Approval have the general intent to document existing and as-built bathymetry, define the most appropriate silt curtain alignment and depth, protect Lake water quality, provide Lake access during construction, and to accurately reflect public and private property ownership. Mr. Heule reported that the permit proposed to be issued would be valid through November 30, 2012. He added that payment for mitigation fees has already been received by the District during previous rounds of permit processing for work that was not completed.

Director Smith moved approval of the Shorezone Alteration Permit for Marina Point Development Associates Dredge Project No.S2012 which includes the November 9, 2012 Project Description and Conditions of Approval. Director Fashempour seconded the motion and it was unanimously approved.

Mr. Heule stated that Mr. Stephenson will get the information together next Monday and make the necessary changes to the permit.

**RECEIVE REPORT AND CONSIDER FUNDING FOR DAM BAY 7 PERSONNEL  
ACCESS**

Mr. Heule made a PowerPoint presentation. He reported that in spite of the Districts efforts to have Caltrans provide safe personnel access to the top of Bay No. 7 from the catwalk, they have indicated it is unlikely that they will have anything for us before next spring. He explained that safe access to the top of Bay No. 7 is an essential piece of dam operations in the event of flood control releases. He commented that the Lake Manager has solicited bids for the fabrication of stairs from the catwalk to the top of the bay from three firms, two of which have responded so far. He stated that FSI Industries in Rhode Island bid \$4,148.18 for a product that District personnel would have to erect and install adding that the lead time would be five weeks and SMS Fabrications in Riverside could construct and install the stairs within about two weeks time for an estimated not to exceed cost of \$8,000. He explained that SMS proposed a site visit to measure and assist in the final design. Mr. Heule reported that the Committee agrees that access to Bay No. 7 is essential to our operations and that it needs to be installed as soon as possible. He added that they also recognize that if the District were to fund the construction of the stairs it is unlikely that Caltrans would reimburse us for the expense. He commented that the Committee would like to see bids from a couple more local steel fabricators who could build and install the stairs. He reported that they recommend that the Board authorize up to \$10,000 for the fabrication and

installation of stairs from the catwalk on the dam into the top of Bay No. 7, and that the Committee be given the authority to approve the work without further Board consideration. Mr. Heule reported that one other aspect the Committee was concerned about was security at the top of the ladder that goes down to the outlet works at the base of the dam. He explained that they want to be sure that the District secure the top of the ladder to keep the public off the ladder. Director Smith reported that, even though Caltrans created this condition after they removed the road, it is a security issue and we have to take responsibility. He commented that the District (as dam keeper) has to make sure the area is safe and secure. He explained that the committee is asking for \$10,000. He added that \$4,000 is not enough and the company who bid \$8,000 hasn't seen the project, so to give us some leeway the Committee is asking for a not-to-exceed amount of \$10,000. Director Fashempour stated that she would like to use a California company for the work explaining that the Rhode Island company proposed 5 weeks to complete the work. President Suhay commented that we have laid off our seasonal maintenance staff so it would be difficult to do the work in-house. President Suhay asked if DSOD could tell Caltrans they have to do the work. Mr. Heule explained that the permit from DSOD was issued to the District. Director Murphy asked if we could take Caltrans to small claims court. District Counsel Wayne Lemieux reported that, since Caltrans is a State agency, he isn't sure but he will look into it.

Director Smith moved approval to authorize up to \$10,000 in parts and labor for the fabrication and installation of stairs from the catwalk on the dam into Bay No. 7. Director Murphy seconded the motion and it was unanimously approved.

#### **PUBLIC FORUM**

No comments were made

#### **ANNOUNCEMENTS**

Mr. Heule reported that the December 1<sup>st</sup> Board Meeting will be adjourned due to lack of a quorum explaining that he, along with Directors Suhay and Fashempour, will be attending the ACWA conference in Anaheim. He commented that he will be on Channel 6 in the morning talking about fall and winter operations. He explained that on Monday he and Mike Stephenson will meet with the County of San Bernardino, the City of Big Bear Lake, and the resorts to discuss TMDL.

#### **DIRECTOR COMMENTS**

No comments were made

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 1:34 P.M.

#### **NEXT MEETING**

Open Session at 1:00 P.M.  
Thursday, December 1, 2011  
Big Bear Municipal Water District  
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard  
Secretary to the Board  
Big Bear Municipal Water District

(SEAL)









