

***MINUTES OF A REGULAR MEETING OF  
BIG BEAR MUNICIPAL WATER DISTRICT  
HELD ON THURSDAY, MARCH 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 Scott Nave (via Skype), General Manager Scott Heule, Lake Manager Mike Stephenson, and Board Secretary Vicki Sheppard.

**REPORTS**

Mr. Heule reported that it seems that trout are everywhere except where they belong, in the Lake (he passed out a map showing the location of the fish). He explained that the unusually high lake level coupled with the snowmelt runoff has been ideal for fish spawning in essentially every natural and man-made tributary to the Lake. He added that as in past years District Staff has, at Fish and Games request printed, laminated and posted dozens of signs at tributary mouths regarding Fish and Game laws and penalties for illegally taking fish during the spawn. He stated that the District, using its licenses from Fish and Game, has also netted stranded fish from isolated ponds and returned them to the lake, again at the request of Fish and Game. He explained that there is a situation in Big Bear City south of the airport where, because of the high lake level, fish are swimming up the ditch next to the runway that is currently flooded, up a flooded dead-end dirt road, under a culvert at Fairway, along a shallow cement lined ditch on Bowles Drive, and under a culvert on West Aeroplane to an asphalt paved swale along the west and south side of the residential street. He added that water flowing in this channel is drainage from between Moonridge and Sugarloaf that flows under the highway at Pine View Drive. Mr. Heule reported that the fish in the drainage swale on Aeroplane are nearly 3/4 mile from the main body of the lake at Division Drive. He added that along this path are many dozens if not a hundred or more fish explaining that there is no telling how long the Pine View Drive stream is going to keep flowing. He reported that it is possible to net these fish and with several trips with a container in the back of a pickup truck we could relocate fish to Big Bear Marina or the West Ramp, the effort would need to continue daily or more often for many days if not weeks. Mr. Heule explained that for every fish we would rescue others would continue their journey from the lake to the airport etc. He stated that the legal authority and obligation for caring for and protecting fish in Big Bear Lake resides with the California Department of Fish and Game and while they can delegate implementation of that obligation at times, as they have to the District in the past, the District must consider how involved it is willing to get in this particular instance. He explained that we are currently a little less than two weeks away from opening the season and there is a great deal that must be done before then to prepare. He added that if the District were to take on the additional obligation of caring for spawning trout he has concerns that we may fail in our other obligations. He stated that possibly Fish and Game could coordinate a rescue operation using local volunteers or the COPs. Director Murphy asked if we could put up some nets to prevent the trout from swimming up-stream. Mr. Heule stated that they were concerned that if they did that the nets might collect debris and cause flooding. Director Murphy asked if the spawn could be successful if the trout could get back down to the lake. Mr. Stephenson explained that it would most likely not be successful. President Suhay stated that he has received offers

from people who want to volunteer to help collect/rescue the fish and he added that possibly we could relocate the fish to our fish rearing cages. He explained that when the stranded fish die they will smell. Director Smith stated that this is the first time he has seen fish coming up by Riffenburgh Lumber adding that they are very large trout. He also asked if the District could relocate them to fish cages. He explained that if they remain upstream they will become coyote or raccoon food. Mr. Heule stated that Fish and Game could solicit help from groups like COP's but we could not (Mr. Stephenson explained that the local game warden was out of town). Director Fashempour asked if the COP's would need guidance. Mr. Stephenson reported that anyone other than the District would have to have a permit from Fish and Game to collect fish or they could get a citation. President Suhay asked if the fish run upstream more in the PM. Mr. Stephenson explained that they react to sunlight (sunlight triggers spawning). Director Murphy asked if they return to the same stream year after year. Mr. Stephenson explained that is normal for certain lakes but probably not for Big Bear Lake. Director Smith asked if we could divert water so the fish would not have a channel to go up. Mr. Stephenson explained that jurisdictionally we could not. Director Fashempour asked if Fish and Game could do something with the COP's when the warden got back in town. Mr. Heule explained that would be up to him. Director Fashempour stated that the District spends a lot of money on fish and could we not take advantage by collecting some of these fish. Mr. Heule replied that we would have to hire more staff. Mr. Stephenson explained that if we just leave them alone, most of them would make it back to the lake. Director Eminger commented that we now have a full lake and therefore the fish try to swim up the creeks and tributaries adding that having a full lake is good but one thing leads to another. Mr. Heule commented that the Lake Improvement Committee will discuss it at next week's meeting. Mr. Heule reported that we have received the final topographic mapping for District owned property at the Trout Pond. He added that the maps are available for everyone to look over. He explained that the Watershed Committee meeting next week will take a closer look at the map and, weather permitting, will visit the site again in preparation for a future Board workshop on a strategic plan for the property. He reported that we have received copies of review letters from the Santa Ana Regional Water Quality Control Board concerning the submittal last August of the Big Bear Lake TMDL Action Plan. He explained that they are requiring additional submittals that provide date specific action items without reference to considerations associated with availability of funding. He stated that they want to see specific plans to implement specific tasks as described in the Action Plan. He added that they also want to see an updated Beneficial Use Map submitted no later than August 31, 2011 and a Plant Management contingency plan that addresses non-emergence of native plants and/or over proliferation of native plants also by August 31, 2011. He stated that he is sure the Task Force will be meeting to discuss these matters soon.

Lake Manager, Mike Stephenson reported on trout spawning explaining that it is a three to four week process. He added that the chance of a successful spawn in Big Bear Lake is not good and typically does not happen here. Director Fashempour asked if we could put something on our website asking people to leave the fish alone. Mr. Stephenson explained that he has a notice in his weekly fishing report on the website telling people to leave the spawning fish alone. He reported that Paul Fetterhoff and Ryan Petty (seasonal maintenance) are back to work starting today and are busy cleaning up debris. He stated that ramp attendant interviews are scheduled for next week adding that there are six candidates that were selected out of the group that tested. He reported that the Shoreline Cleanup kick off meeting is scheduled for May 7th adding that the shirts came in today.

### **APPROVAL OF CONSENT CALENDAR**

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

- Minutes of a Regular Meeting of March 3, 2011
- Warrant List Dated March 14, 2011 for \$104,123.84

### **DISCUSSION AND POSSIBLE ACTION ON REPLACEMENT BRIDGE ON DAM**

Mr. Heule reported that in a phone call from Syed Raza at Caltrans he indicated that the Flatiron bids for the replacement bridge on the dam will run on the order of \$2.4M for the 9 foot option and \$1.8M for the 6 foot option. He asked him to provide the details on the bids in an email message as soon as they have them formally submitted from the contractor. He added that considering Caltrans' offer to fund about \$600,000 worth of a replacement bridge it is apparent that an alternative must be used to build a replacement bridge. Mr. Heule explained that we have been told in the past that if we wanted to do something other than construction under a change order scenario we would need to present a ready to award bid project to the California Transportation Commission, including CEQA, to get funding. He stated that Mr. Wolfe said he was confident that he could get \$600,000 from the Commission. He reported that the Facilities Committee believes that the District should not spend any more money on trying to get a maintenance bridge on the dam. He explained that the District has done all that it can and satisfied its obligations to design a bridge with the submittal that was presented by Simon Wong Engineers to Caltrans in early February. He reported that the money that was spent secured a bid from Flatiron for a contract change order on the new highway bridge project that shows that neither a six foot wide bridge nor a nine foot wide bridge is feasible under the current Caltrans project. Mr. Heule reported that he has not received any further information from Caltrans therefore the Facilities Committee is recommending that Caltrans be told to construct a six foot wide bridge on the dam using their environmental document, designs and specifications and construction inspection services using whatever mechanism they want and they should be told that the District will not spend any more money on this effort.

Director Smith commented that the Committee spent hour upon hour working on this project and Caltrans wouldn't even work with the District a little. President Suhay stated that everything had changed from the beginning (the first meeting) and none of the original Caltrans participants remained involved. Director Fashempour stated that she wanted to make it very clear that they exhausted every possibility, even speaking to Senator Dutton's office, to try and come to a reasonable solution but received little help from anyone. Director Smith added that people don't seem to care that they won't be able to walk across the old bridge and he feels that there is no point in throwing good money after bad commenting that promises were broken and the District has been left with no choice. Director Murphy asked if Caltrans has to replace what was originally there. Mr. Heule explained that they are obligated to replace what was on the dam before the highway was built, which was a small walkway. He added that the District wants to be able to maintain access to the dam and be able to raise and lower materials with a small crane.

Director Fashempour moved approval that Caltrans be notified to construct a six foot wide bridge on the dam using their environmental document, designs, specifications, and construction inspection services using whatever mechanism they want and notify them that the District will not spend any more money on this effort. Director Murphy seconded the motion and it was unanimously approved.

**PUBLIC FORUM**

No comments were made.

**ANNOUNCEMENTS**

Mr. Heule announced that there are several committee meetings scheduled for next week. He reported that he will be off tomorrow (Friday) on a family trip adding that Mr. Stephenson will be in charge.

**DIRECTOR COMMENTS**

Director Fashempour stated that she is anxious to hear what Caltran's response will be to the District's decision.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 1:46 P.M.

**NEXT MEETING**

Open Session at 1:00 P.M.  
Thursday, April 7, 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)

