



## The meeting teleconference will begin shortly

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**PASSCODE: 3802020**

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Please use the chat feature in the Zoom toolbar to let the moderator know that you would like to make a comment during the meeting or use the digital “raise hand”  function in Zoom.



Please mute your microphone during the meeting to reduce background noise. Click on the microphone icon to unmute your microphone if needed.



# NOTICE REGARDING (COVID-19)

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Before we begin, the record will reflect that pursuant to the provisions of Executive Order N-29-20 issued by Governor Gavin Newsom on March 19, 2020, this meeting will be conducted by teleconference only.

Please note that all actions taken by the Board during today's meeting will be conducted by a roll call vote.



# Call to Order

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Regular Meeting of the Board of Directors  
Tuesday, November 17, 2020

# Pledge of Allegiance

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# Roll Call

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**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



**Susan  
Longville**  
Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director



# Public Comment

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Any person may address the Board on matters within its jurisdiction.

*\* Please use the chat feature on the Zoom toolbar or digitally raise your hand to let the moderator know you would like to make a comment.*



November 13, 2020

Board of Directors  
San Bernardino Valley Municipal Water District  
380 E Vanderbilt Way  
San Bernardino, CA 92408

Submitted via email  
Re: Delta Conveyance Project

Dear Board of Directors:

On behalf of Sierra Club California and our more than 500,000 members and supporters statewide, we write to urge you not to fund this next phase of the Delta Conveyance (aka the Delta Tunnel) project.

Our members, supporters, and staff are well-versed in California's efforts to develop and implement smart, equitable water policies that support our communities and economy while also protecting the state's precious environment. And with this knowledge and experience, we routinely participate in the necessary public processes and forums that can yield resilient and sustainable water management policies for all Californians.

The Delta Tunnel project is estimated to cost \$16 billion, before inflation, and up to \$40 billion. Ratepayers will see higher water bills and property taxes with no guarantee of a sustainable water supply. The proposed expenditure request from the Department of Water Resources (DWR) is made at a time when the state is struggling with the pandemic and economic recession. It also comes at a time when climate change suggests that dependence on imported water is less viable and less sustainable than ever.

**Instead of supporting the tunnel, we urge you to push the Department of Water Resources to help develop plans for meeting California's water demand without the tunnel.** Those projects would include improvements made to existing infrastructure around the state, and investments in local, sustainable water sourcing through conservation, groundwater remediation and recharge, water recycling, stormwater capture, and inland brackish water desalination. These improvements will make the need for the tunnel obsolete while creating local jobs and continuing to reduce water demand.

Thank you for your consideration. We are happy to work with you in this process.

Sincerely,

Brandon Dawson  
Policy Advocate  
Sierra Club California

Charming Evelyn  
Sierra Club California Water Committee Co-Chair

**Sent:** Tuesday, November 17, 2020 8:54 AM  
**To:** comments <[comments@sbrmwd.com](mailto:comments@sbrmwd.com)>  
**Subject:** Agenda Item 3.1 Public Comments

Hello all,

My name is James Albert and I am a rank-and-file member of the National Postal Mail Handlers Union, Branch 303. Since 2017, I have worked graveyard shifts on and off at the San Bernardino P&DC. In recognition of today's nationwide day of action to celebrate the efforts of postal workers in defending our (elusive) democracy, I would like to share with you a few of our legislative priorities to strengthen the United States Postal Service and by extension our communities in which we serve:

1. Provide at least \$25 billion in immediate support for the Postal Service
2. Stop & reverse the mail slowdown policies introduced by Postmaster General DeJoy
3. Expand the role of the Post Office to provide vital services in every community, like postal banking.
4. Pass the bipartisan [USPS Fairness Act](#) which would remove the unprecedented barrier known as the pre-funding mandate which requires us to prefund our retiree health benefits 75 years in advance.

In addition, I wanted to thank this board for supporting Prop 15, especially President Harrison, Susan Longville, and Gil Navarro. Although we were defeated this election cycle, we will come back stronger and more cohesive in order to prioritize our schools and communities rather than politics as usual.

As a Sierra Club member, I wanted to express my thoughts in regards to Agenda item 3.1 :

I urge the board to vote against funding the next phase of Delta Conveyance planning. The board should push the Department of Water Resources for a scenario that does NOT include a tunnel, but does include investment in local and regional projects that will result in less dependence on Bay-Delta water. Those projects would include improvements made to existing infrastructure around the state, and investments in local, sustainable water sourcing-like conservation, groundwater remediation, and recharge through water recycling, stormwater capture, and brackish water desalination.

The Delta Tunnel project is estimated to cost \$16 billion (pre-inflation), and up to \$40 billion. Ratepayers will see higher water bills and property taxes with no guarantee for a sustainable water supply. The proposed expenditure request from the DWR is made at a time when the state and district is struggling with the pandemic and economic recession. It also comes at a time when climate change suggests that dependence on imported water is less viable and sustainable than ever.

Like Prop 15, I am willing to have a lobby visit with board members and staff along with fellow Sierra Club members to discuss this item further. Thank you for your time and consideration of my comments.

Sincerely,

James Albert





# Approval of Minutes (Pg. 3)

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Regular Board Meeting – October 20, 2020

## Board Motion & Roll Call Vote

### Staff Recommendation

To approve the minutes of the October 20, 2020,  
Regular Meeting of the Board of Directors as  
presented.



**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



**Susan  
Longville**  
Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director

# Discussion Item 3.1 (Pg. 10)

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**Bob Tincher, PE, MS** – Chief Water Resources Officer/Deputy General Manager

## Consider Continued Participation in the Delta Conveyance Project

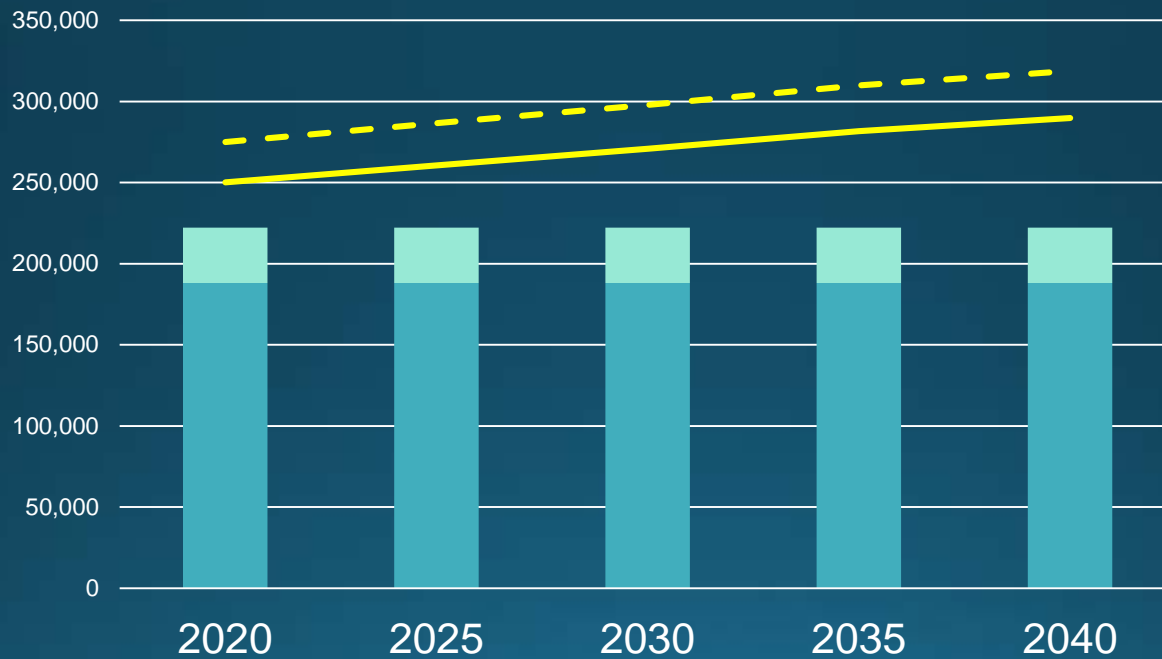
### Staff Recommendation

Staff recommends the following actions:

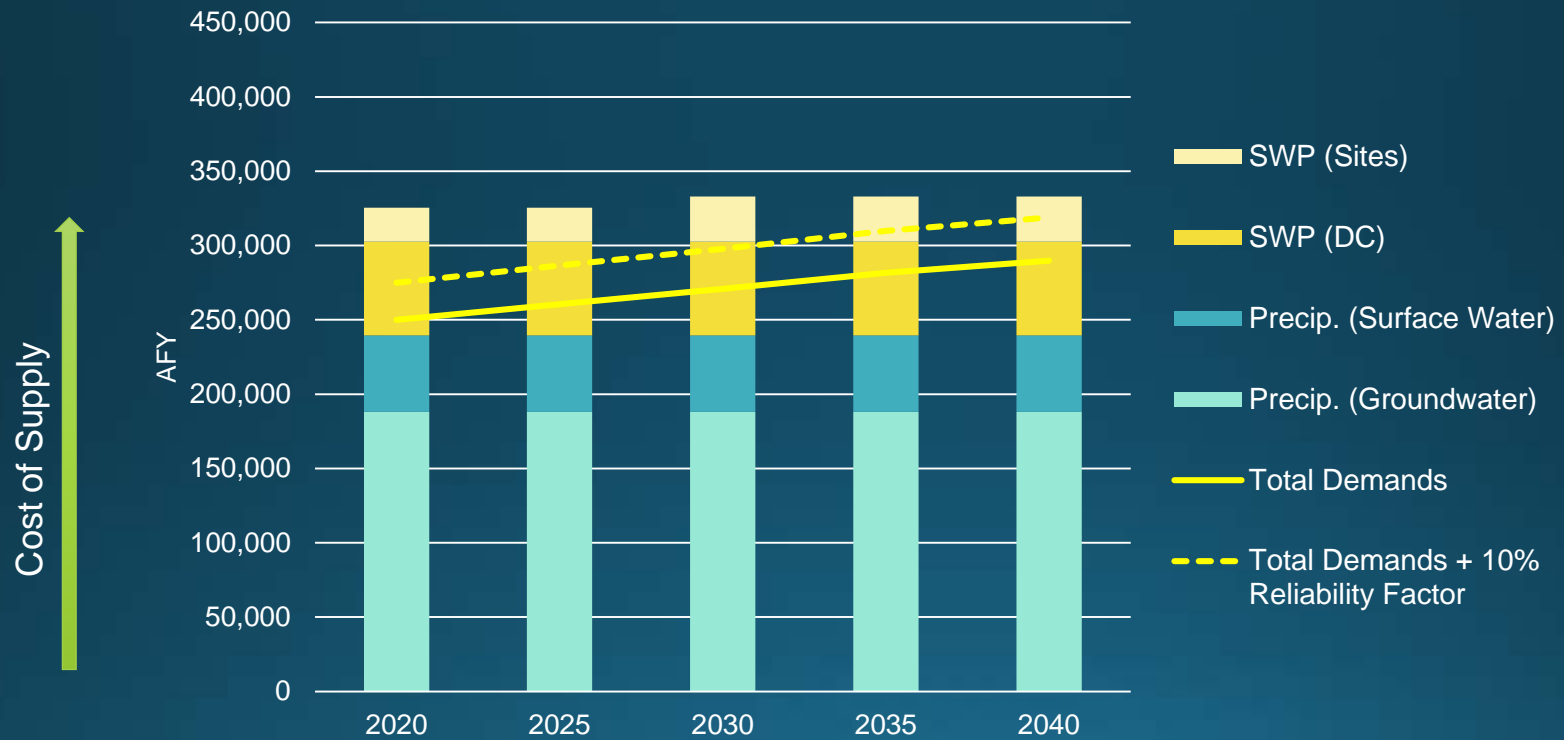
1. Establish Valley District's participation level at 2.8% of the total
2. Approve the funding agreement for Valley District's portion of the planning and engineering costs
3. Authorize staff to apply unspent funds
4. Approve Notice of Exemption

# Local Rainfall is Not Enough

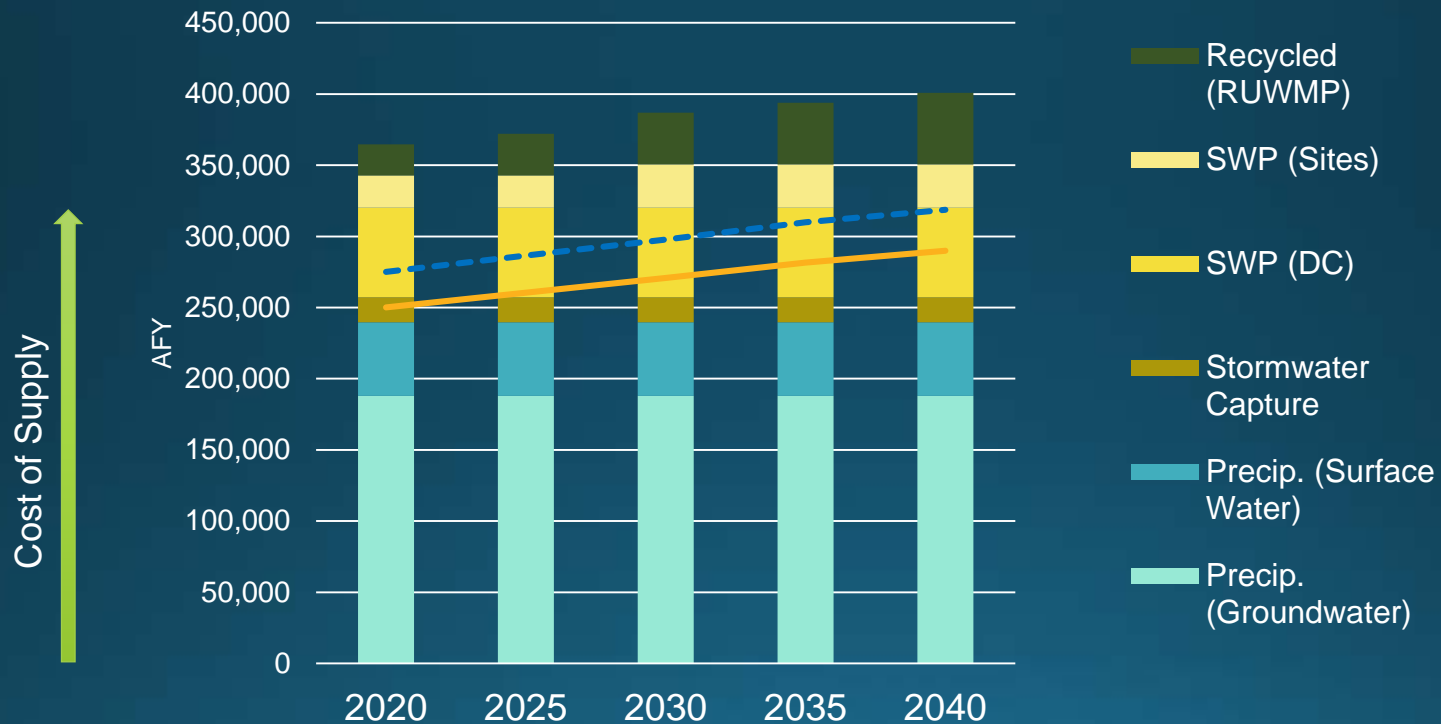
(Average Year, RUWMP)



# Local Rainfall + SWP

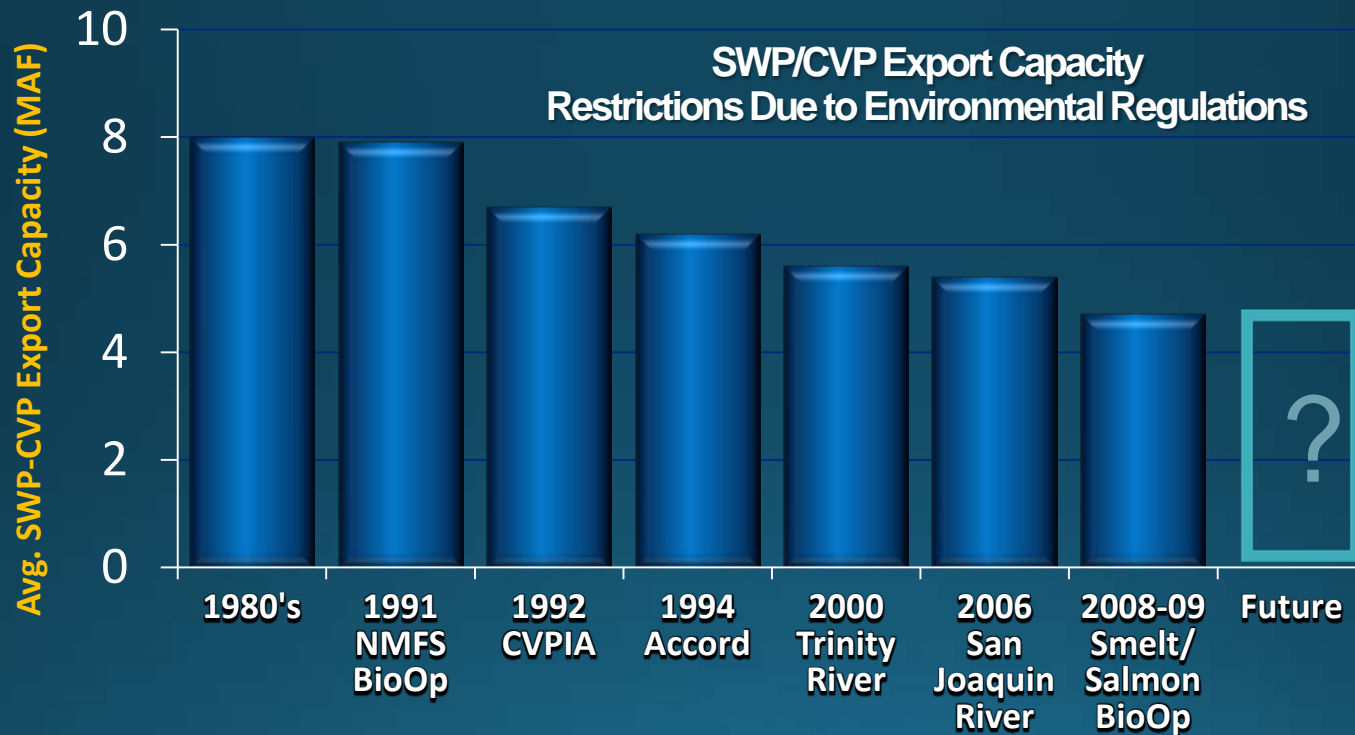


# Local Rainfall + SWP + Stormwater + Recycled



# Return on \$1 Billion Investment in SWP

## History of Regulatory Restrictions





**Subsidence**



**Fishery Declines**



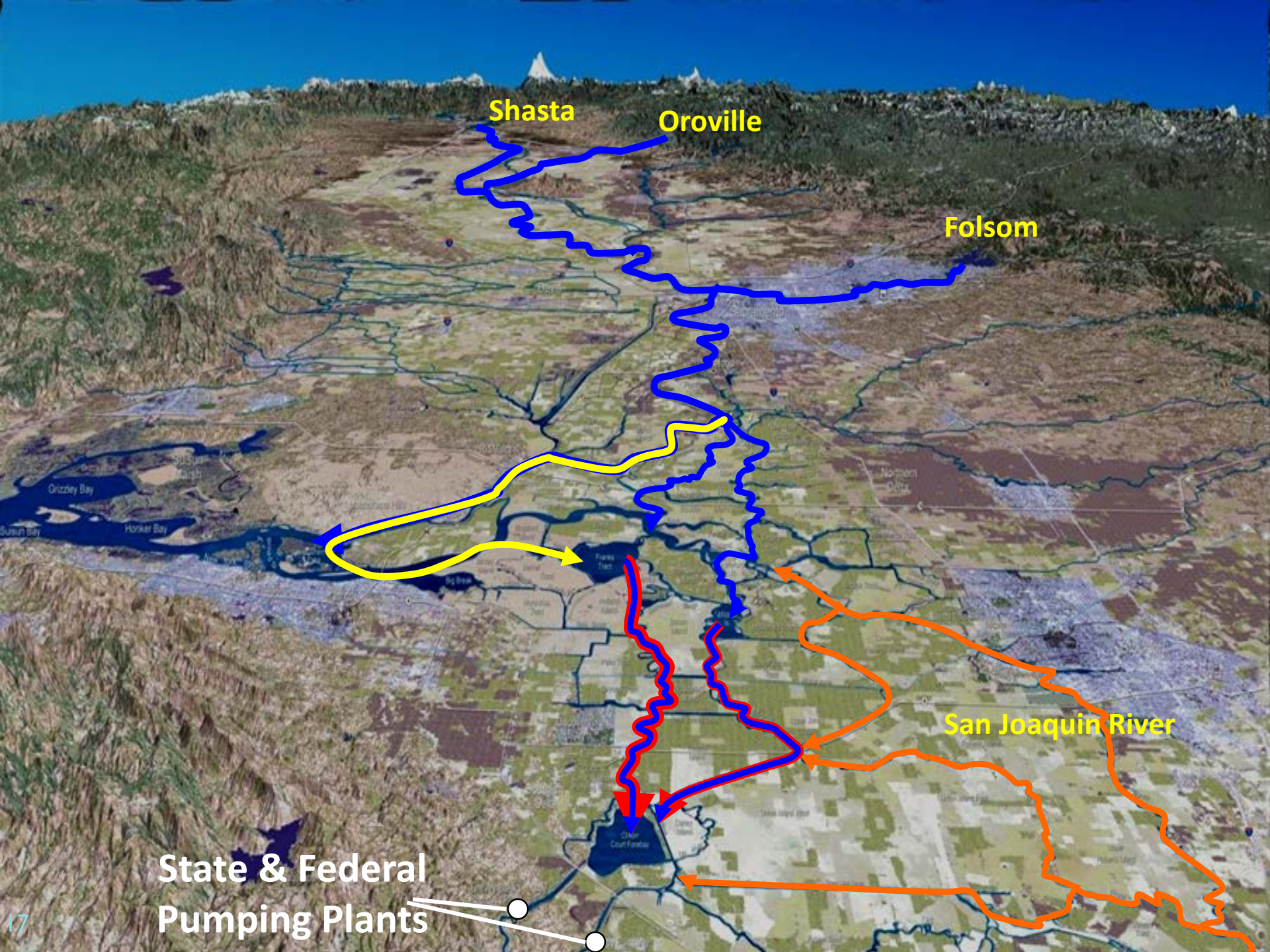
**Seismic**

**Delta Risks**



**Sea Level Rise**





Shasta

Oroville

Folsom

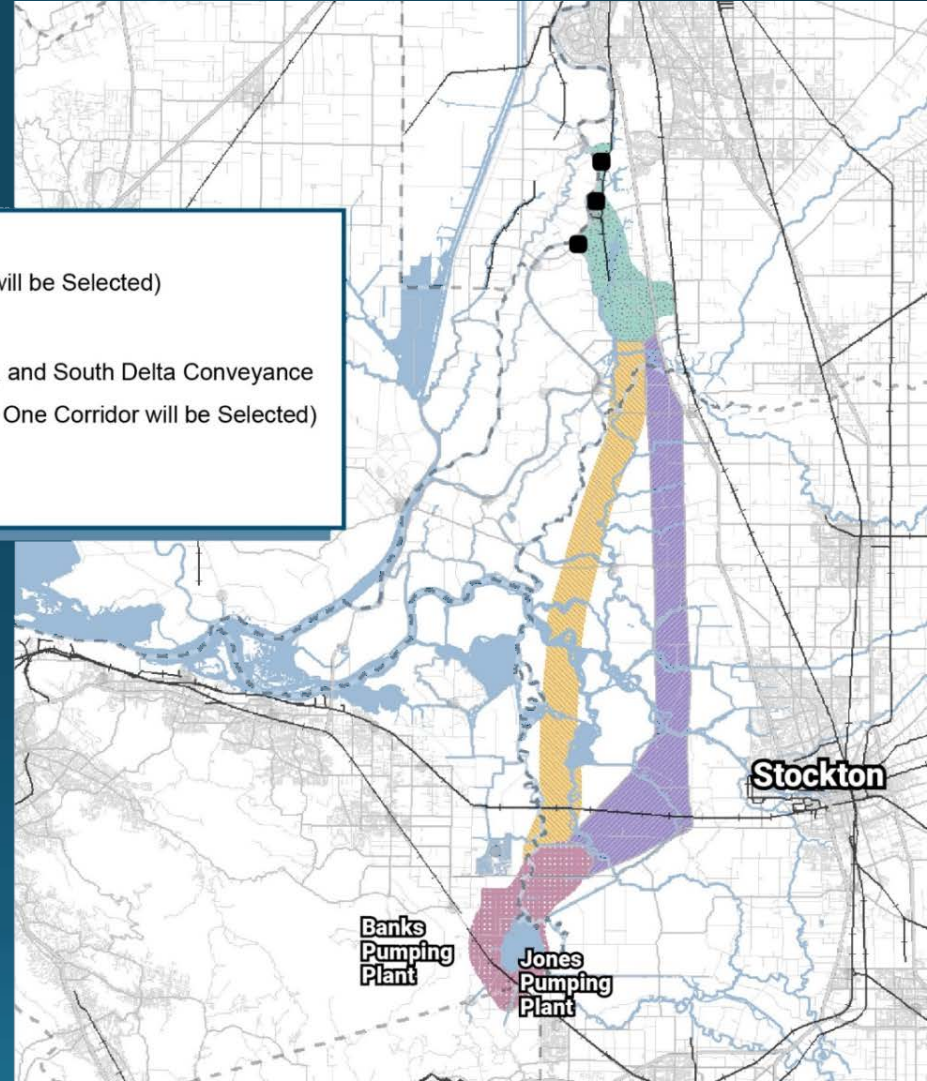
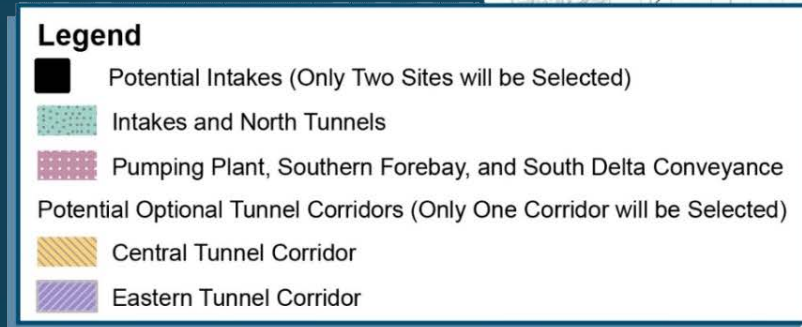
San Joaquin River

State & Federal  
Pumping Plants

# Delta Conveyance – Notice of Preparation

## New Facilities

*Essentially provides a northern intake*



# Previous Board Actions

**2008**

\$1.85 million

- Valley District's share of for planning and pre-design

**2012**

\$1.25 million

- Environmental and design

**2018**

\$10 million gap funding

- Share: 2.5%
- 2 Tunnels (9,000 cfs)
- About \$1.8 million spent and will be reimbursed. Remainder can be applied toward this round of funding

# Recent Developments

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<b>FEB 2019</b>	Governor Newsom State of the State	<ul style="list-style-type: none"><li>• Announced he did not support CA WaterFix as configured, but did support a single tunnel</li></ul>
<b>JAN 2020</b>	Department of Water Resources (DWR)	<ul style="list-style-type: none"><li>• Released Delta Conveyance NOP</li><li>• Single Tunnel (6,000 cfs)</li></ul>
<b>APR 2020</b>	Department of Water Resources (DWR)	<ul style="list-style-type: none"><li>• Completes DCF AIP negotiations except for contractor participation amounts (part of today's requested action)</li></ul>

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# Delta Conveyance – Notice of Preparation

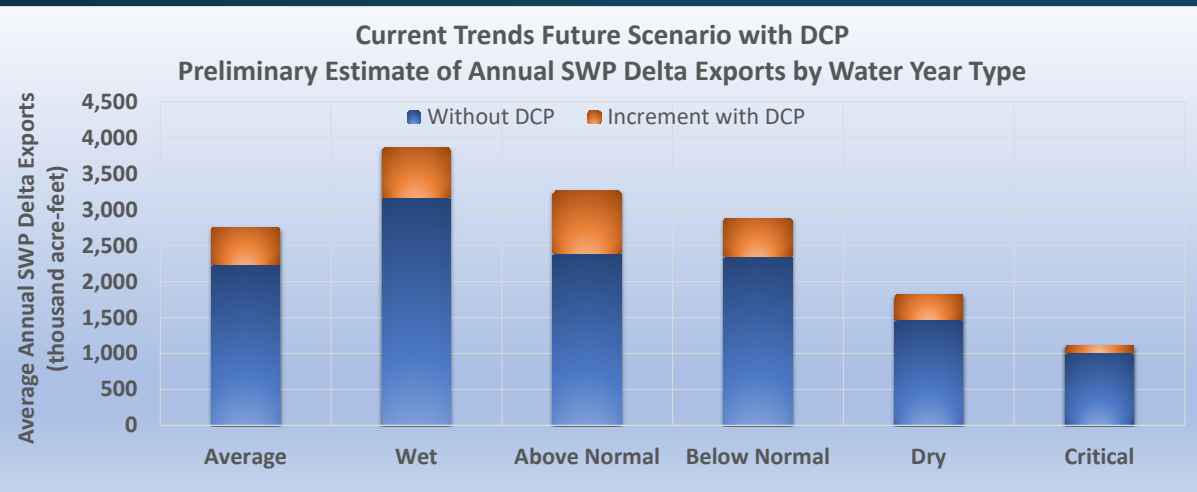
## Alternatives:

- **Proposed Project: Single tunnel up to 6,000 cfs**
- DWR considering alternatives
  - Capacities ranging from 3,000 to 7,500 cfs
  - Varying degrees of involvement of the CVP, including no involvement
- Final choice of potentially feasible alternatives for Draft EIR in process

# DCP Estimated Benefits

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# DCP Provides Benefits in All Year Types

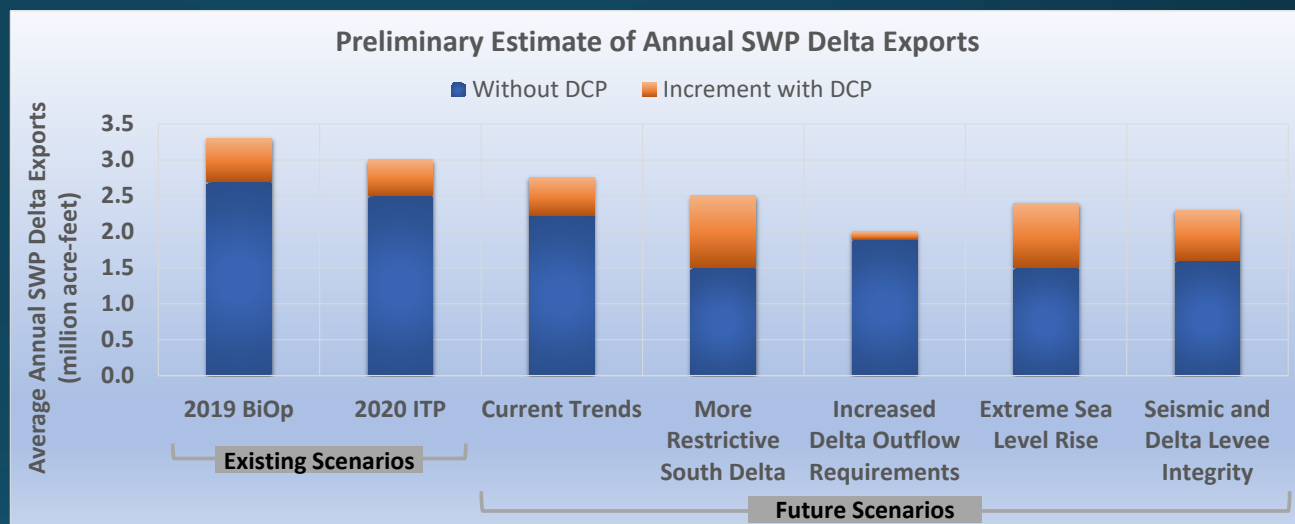


\*TAFY: thousand acre-feet per year on average

- Assumes:
  - Current Delta regulations
  - Projected climate change and sea level rise around year 2040
  - WaterFix operations for DCP
- SWP export improvement with DCP of ~500 TAFY
- Most of the export improvement in wetter years
- As DCP Proposed Project is further defined and modeling is refined, water supply estimates may change

# DCP Provides Benefits in All Possible Scenarios

- DCP shows potential to alleviate reductions under many plausible future risk scenarios
  - ~100 TAFY to 1 MAFY under greater regulatory restrictions
  - ~700 TAFY under seismic risks and delta island flooding
  - ~900 TAFY under extreme sea level rise
- Exact future unknown



\*TAFY: thousand acre-feet per year on average



# DCP Preliminary Costs and Cost Allocation

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# Timeline of Cost Estimates

May 2019 CWF  
Project Withdrawn

Delta Habitat Conservation and  
Conveyance (DHCCP) Cost Estimate

CA WaterFix Project Cost Estimate

DCA Cost  
Information

2013	2014	2015	2016	2017	2018	2019	2020
------	------	------	------	------	------	------	------

## DHCCP Cost Estimate (2012 dollars)

- 2 Tunnels
- \$24.78 Billion
- SWP share \$10.03 Billion

## CA WaterFix Cost Estimate (2017 dollars)

- 2 Tunnels
- \$16.73 Billion



## CA WaterFix Cost Share (2017 dollars)

- 67% SWP
- 33% Unsubscribed (MWD funding)
- SWP Share \$11.086 Billion

## DCA Cost Estimate August 2020

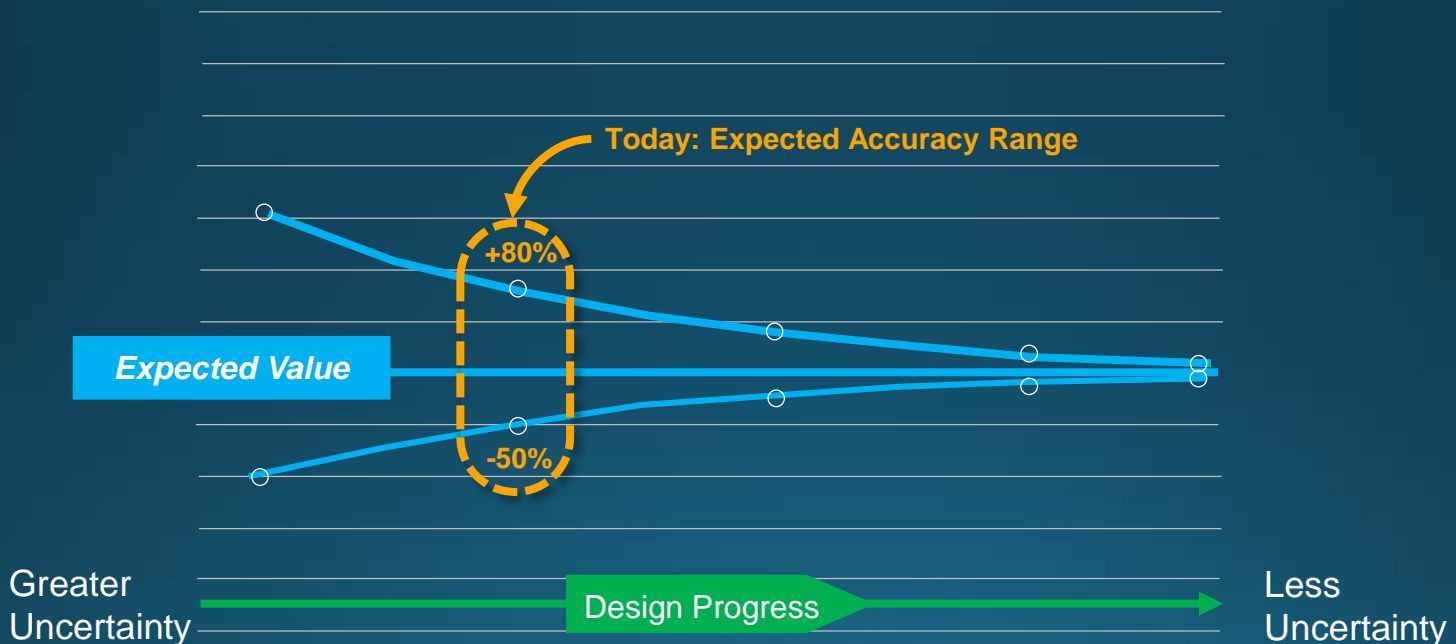
**1 Tunnel**  
**\$15.9 billion**

Project had completed Planning Phase, Conceptual Engineering Report (CER), Final Environmental Impact Report (EIR), and Permits

Planning  
Phase

# DCA Cost Assessment – Refinement Over Time

Confidence Interval Accuracy Range for most probable construction cost of \$12.1 billion  
DCA Cost Assessment \$15.9 billion (non discounted dollars)



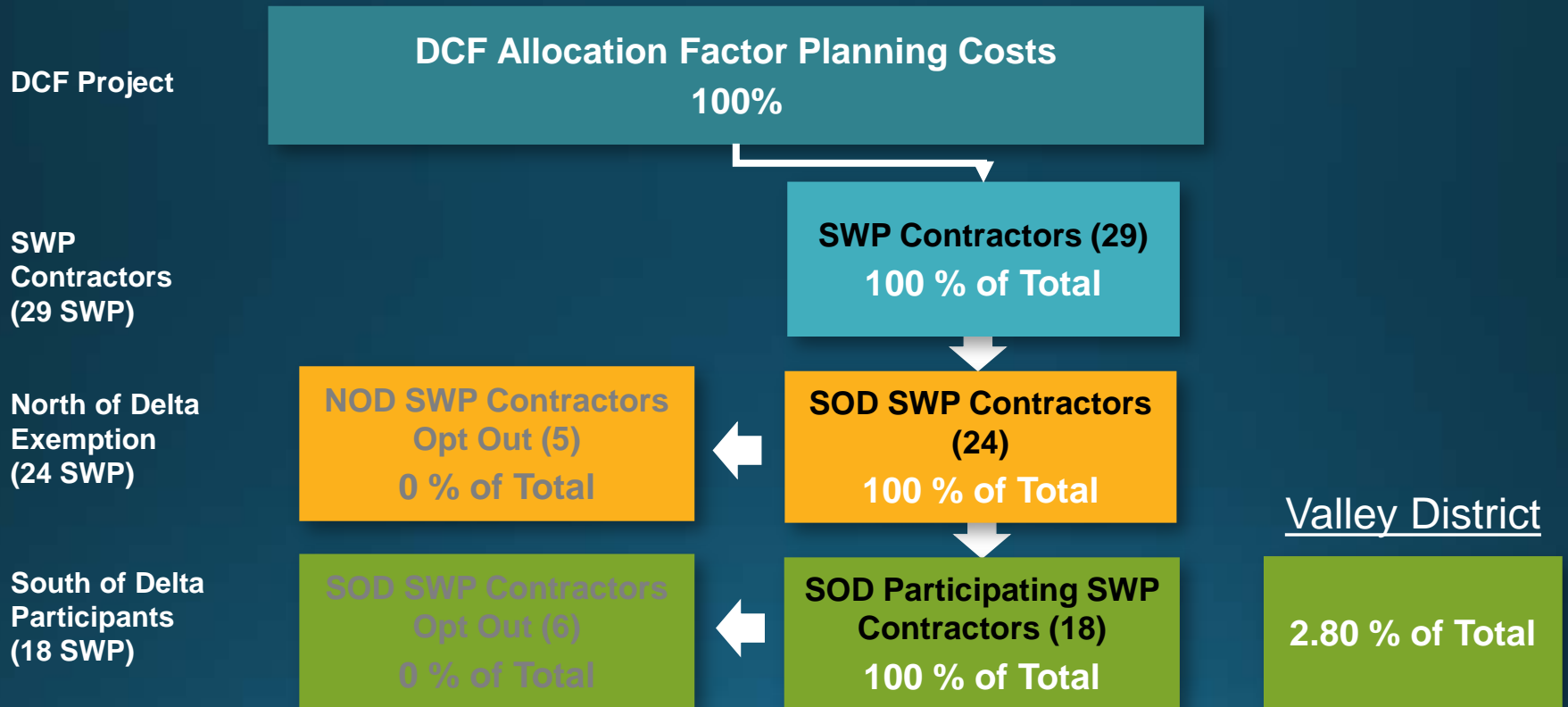
# Valley District's Estimated Cost and Benefit

- Estimated water supply benefit: 15,000 AFY
- Estimated cost: \$445 million

$$\frac{\$445 \text{ million}}{15,000 \text{ AF} \times 55 \text{ years}} = \$540/\text{AF}$$

Loss due to environmental restrictions: (18%)  
Estimated amount restored: 15%

# DCF Allocation Factor (%) – Planning Costs



# SWP Contractors

By Region

## South of Delta Participating Agencies



Region	SWP Contractors by Region
	<b>South of Delta</b>
South Bay	Alameda County FC&WCD Zone 7 Alameda County WD Santa Clara Valley WD
San Joaquin Valley	Dudley Ridge WD Kern County WA
Central Coastal	San Luis Obispo County FC&WCD
Southern California	Antelope Valley-East Kern WA Coachella Valley WD Crestline Lake Arrowhead WA Desert Water Agency Metropolitan Water District Mojave Water Agency Palmdale Water District San Bernardino Valley MWD San Gabriel Valley MWD San Geronio Pass WA Santa Clarita Valley WA Ventura County WPD


● 18 Public Water Agencies participating

# Delta Conveyance Project Planning Budget

Calendar Year	Original Budget <sup>1</sup> (\$ millions)	Total Planning (Reduced Budget) (\$ millions)	Total Savings Estimates (\$ millions)
2021	\$80.7	\$63.2	\$17.5
2022	\$87.7	\$61.7	\$26.0
2023	\$112.8	\$102.8	\$10.0
2024	\$113.1	\$113.1	—
<b>Total</b>	<b>\$394.2</b>	<b>\$340.7</b>	<b>\$53.5</b>

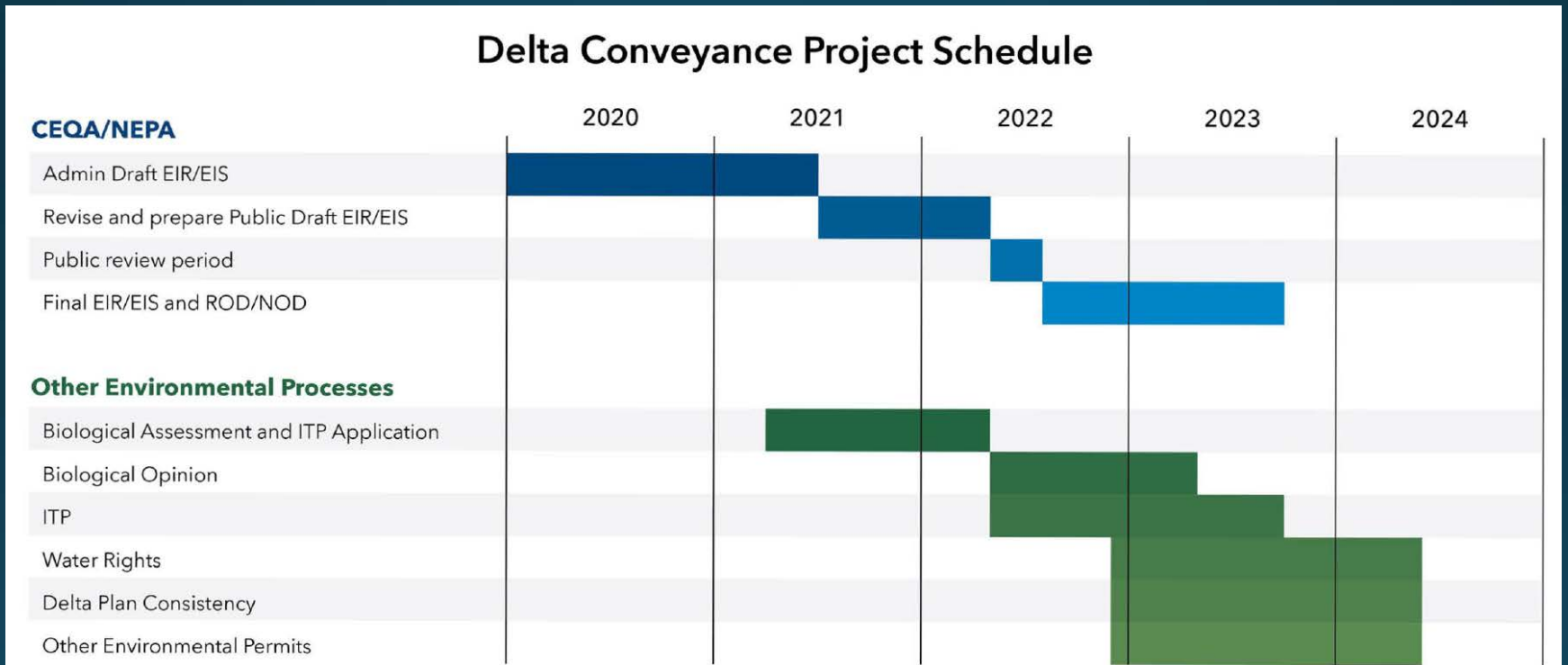
<sup>1</sup>This budget includes funds that were contributed as part of the California WaterFix funding by subset of SWP Contractors.

# Valley District Portion of the Current DCF Planning Funds

\$10,000,000	Gap funding paid by Valley District
<b>(\$1,805,663)</b>	Gap funds spent (to be reimbursed)
<hr/>	
\$8,194,337	Valley District Balance of Gap funds
	
<b>(\$9,540,991)</b>	Valley District's Share (2.8%) of DCF Planning Funds
<hr/>	
\$8,194,337	
<hr/>	
<b>(\$1,346,654)</b>	Remainder owed over the next 4 years



# Tasks and Schedule



# Delta Conveyance

## SWP Public Water Agency Board Consideration/Action

Agency	Date (Planned)
Ventura County Watershed Protection District	Nov (TBD)
Palmdale Water District	Nov 9
San Gabriel Valley Municipal Water District	Nov 9
Dudley Ridge Water District	Nov 11
Alameda County Water District	Nov 12
Mojave Water Agency	Nov 12
San Geronio Pass Water Agency	Nov 16
<b>San Bernardino Valley Municipal Water District</b>	<b>Nov 17</b>
Desert Water Agency	Nov 17
San Luis Obispo County FC&WCD	Nov 17
Santa Clara Valley Water District	Nov 17
Santa Clarita Valley Water Agency	Nov 17
Alameda County Flood Control & Water Conservation District Zone 7	Nov 18
Kern County Water Agency	Nov 19
Antelope Valley-East Kern Water Agency	Nov 24
Coachella Valley Water District	Nov 24
Crestline-Lake Arrowhead Water Agency	Dec 3
Metropolitan Water District	Dec 8



## Staff Recommendation

Staff recommends the following actions:

1. Establish Valley District's participation level at 2.8% of the total
2. Approve the funding agreement for Valley District's portion of the planning and engineering costs
3. Authorize staff to apply unspent funds
4. Approve Notice of Exemption

## Board Motion & Roll Call Vote



**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



**Susan  
Longville**  
Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director

# Discussion Item 3.2 (Pg. 44)

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**Bob Tincher, PE, MS** – Chief Water Resources Officer/Deputy General Manager

Consider Amendments to the Delta Conveyance Design and Construction Joint Powers Authority Agreement and Related Memorandum of Understanding with the "Class 8" State Water Contractors

## **Staff Recommendation**

Approve the Amended and Restated Joint Powers Agreement Forming The Delta Conveyance Design and Construction Joint Powers Authority and the Memorandum of Understanding, Class 8 Member Agencies Election Procedures for Delta Conveyance Authority Board of Directors.

# DCA Role

## Valley District Construction Project

## Delta Conveyance Project

### Authority

Board  
Authorizes Project

18 Boards  
Authorize Project

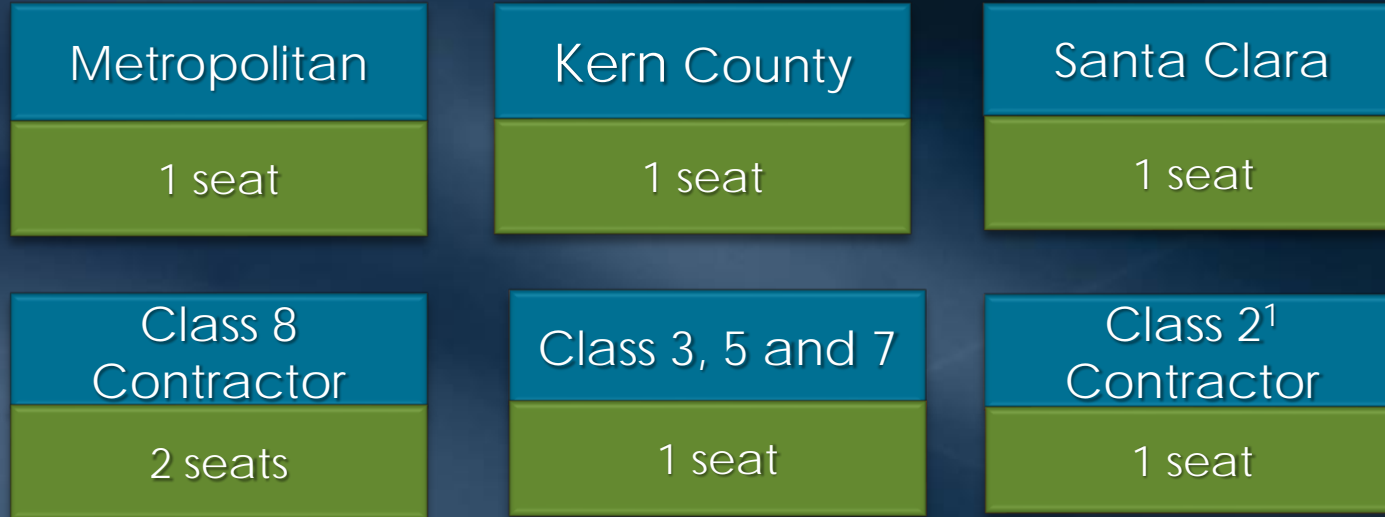
### Project Management

Staff  
Design/Construction  
Oversight

DCA "Board"  
Design/Constructio  
n Oversight

# Proposed DCA Board of Directors

## Seven Member Board



<sup>1</sup>Does not include Santa Clara Valley Water District

- Reconsideration of items
  - Approval or modification of annual budget
  - Construction and service contract level thresholds
  - Other financial expenses<sup>2</sup>
- Reconsidered items require 70 percent of the Contracted Proportionate Share votes or the original action is approved

<sup>2</sup>Expenses including, but not limited to, the issuance of notes or other forms of indebtedness, entering into leases for real property or equipment.

# MOU to Select Class 8 At Large Members and Alternates

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Date

# Overview

- Generally modeled after process used for State Water Contractors “Board”
- General Qualifications: design, construction, financing, large project construction
  - 2 Directors and 2 Alternates
  - Positions may be filled by staff or elected officials
  - At least 2 of 4 must be staff
- Nomination “pool” by December 15, 2020 and September 30 for subsequent years
  - Each agency may nominate up to 2 people
  - Voting by Class 8 State Water Contractor representative
  - Top two vote totals – Director
  - Vote for Alternates from remaining candidates
- Term: alternating 2 year



## Board Motion & Roll Call Vote

### Staff Recommendation

Approve the Amended and Restated Joint Powers Agreement Forming The Delta Conveyance Design and Construction Joint Powers Authority and the Memorandum of Understanding, Class 8 Member Agencies Election Procedures for Delta Conveyance Authority Board of Directors.



**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



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Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director

# Discussion Item 3.3 (Pg. 73)

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**Tom Holcombe – Operations Manager**

Consider Unloading Services for Rhomboids with Casey Equipment Rental

## **Staff Recommendation**

Staff recommends that the Board of Directors authorize the CEO/General Manager to contract with Casey Equipment Rental for the unloading services up to a lumpsum total of \$45,000.

# Background

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- Approximately 35 loads remain to be delivered
- COVID-19 pandemic requires new method of unloading to minimize risk to District operations staff
- Casey Equipment Rentals have unloaded 4 deliveries in October/November without incident



# Fiscal Impact & Recommendation

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## **Fiscal Impact**

- Estimated \$1,200 per load (35 loads) = \$42,000
- Maximum amount not to exceed \$45,000 to account for any unforeseen issues
- SGPWA share = \$10,710
- Total cost of unloading services to Valley District = \$34,290

## **Recommendation**

Staff recommends that the Board of Directors authorize the CEO/General Manager to contract with Casey Equipment Rental for the unloading services up to a lumpsum total of \$45,000.

## Board Motion & Roll Call Vote

### Staff Recommendation

Staff recommends that the Board of Directors authorize the CEO/General Manager to contract with Casey Equipment Rental for the unloading services up to a lumpsum total of \$45,000.



**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



**Susan  
Longville**  
Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director

# Reports Item 4.1

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## Director's Primary Representative and Activity Report



**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



**Susan  
Longville**  
Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director



# Reports Item 4.2 (Pg. 76)

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Operations Report – October 2020



# Reports Item 4.3 (Pg. 82)

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Treasurer's Report – October 2020





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**SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT  
TREASURER'S REPORT  
FOR THE MONTH OF OCTOBER 2020**

**RECOMMENDATION:**

APPROVE THE EXPENSES FOR THE MONTH OF OCTOBER 2020  
FOR THE FOLLOWING FUNDS:

STATE WATER CONTRACT FUND	\$	2,739,773.34
DEVIL CANYON / CASTAIC FUND	\$	104,370.00
GENERAL FUND	\$	5,179,957.13

APPROVED:

\_\_\_\_\_  
*TREASURER*

\_\_\_\_\_  
*DATE*

## Board Motion & Roll Call Vote

## Staff Recommendation

Staff recommends the Board approve the expenses for the month of October 2020.



**T. Milford  
Harrison**  
President



**Paul  
Kielhold**  
Vice President



**Susan  
Longville**  
Treasurer



**June  
Hayes**  
Director



**Gil  
Navarro**  
Director



# Reports Item 4.4 (Pg. 94)

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Directors' Fees and Expenses for October 2020



# Announcements Item 5.1 (Pg. 100)

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- A. November 17, 2020, 2 p.m. – Regular Board Meeting by Teleconference
- B. November 18, 2020, 1:30 p.m. – San Bernardino Valley Water Conservation District Board of Directors Meeting
- C. November 26-27, 2020 – District Closed – Thanksgiving Holiday
- D. December 1, 2020, 9:30 a.m. – Santa Ana Watershed Project Authority (SAWPA) Commission Meeting
- E. December 1, 2020, 2 p.m. – Regular Board Meeting by Teleconference
- F. December 2 – 3, 2020 – Association of California Water Agencies (ACWA) Virtual Conference
- G. December 3, 2020, 2 p.m. – Board Workshop – Resources by Teleconference
- H. December 8, 2020, 2 p.m. – Board Workshop – Engineering by Teleconference
- I. December 10, 2020, 2 p.m. – Board Workshop – Policy by Teleconference
- J. December 15, 2020, 9:30 a.m. - Santa Ana Watershed Project Authority (SAWPA) Commission Meeting
- K. December 15, 2020, 2 p.m. – Regular Board Meeting by Teleconference



# CLOSED SESSION 6.1

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**CONFERENCE WITH LEGAL COUNSEL** - Existing Litigation pursuant to Govt Code Section 54956.9(d)(1): San Bernardino Valley Municipal Water District v. California Department of Water Resources (Fresno County Superior Court, filed May 28, 2020).



# Adjournment

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