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### Bighorn-Desert View Water Agency

**Board of Directors**  
Michael McBride, President  
Judy Corl-Lorono, Vice President  
David Larson, Director  
Terry Burkhart, Director  
J. Dennis Staley, Director



**Agency Office**  
622 S. Jemez Trail  
Yucca Valley, CA 92284-1440

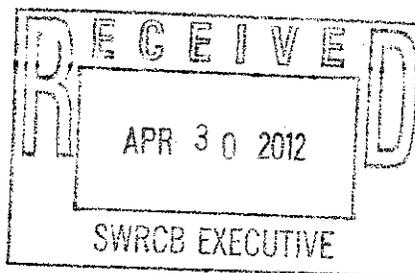


Marina D West, P.G., General Manager

A Public Agency

April 25, 2012

Mr. Charles R. Hoppin, Chair  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Mr. Hoppin,

Enclosed please find two certified copies of Resolution Nos. 12R-19 and 12R-20 unanimously passed by the Bighorn-Desert View Water Agency Board of Directors at their April 24, 2012 regular meeting. Please forward them to the appropriate staff for inclusion in the official record.

Resolution No. 12R-19 Opposes Section 7.8 of the Final Draft "Water Quality Control Policy for Siting, Design, Operation and Maintenance of On-site Wastewater Treatment Systems", of the State Water Resources Control Board.

Resolution No. 12R-20 Opposes the elimination of the California Regional Water Quality Control Board Colorado River Region #7.

Having just received word of these two issues directly affecting our constituents late last week, the Board of Directors while sympathetic to the need for state budget cuts as well as the need for the State Board to implement policies protective of water resources we find these proposals unacceptable as they both place more burdens on local agencies. Furthermore, our local constituency is certainly unaware of the financial implications of the Final Draft OWTS Policy which will certainly create further economic hardships especially in this disadvantaged community solely reliant on septic systems.

Lastly, it is our position that the OWTS Policy is inconsistent with the Salt and Nutrient Management Plan requirement, a collaborative, science based assessment of impacts to water quality being undertaken on behalf of the region by the Mojave Water Agency.

Sincerely,  
  
Marina D. West, PG  
General Manager

CC: Robert Perdue, EO Regional Water Quality Control Board – Colorado River Region #7  
enclosures

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RESOLUTION NO. 12R-19

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY OPPOSING SECTION 7.8 OF THE FINAL DRAFT "WATER QUALITY CONTROL POLICY FOR SITING, DESIGN, OPERATION AND MAINTENANCE OF ON-SITE WASTERWATER TREATMENT SYSTEMS", OF THE STATE WATER RESOURCES CONTROL BOARD**

WHEREAS, on March 20, 2012 the State Water Resources Control Board (SWRCB) released the Final Draft *Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems* ("Policy"); and

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WHEREAS, the entire population within the service territory of the Agency live in dwelling units served by onsite wastewater treatment systems ("septic systems"); and

WHEREAS, the Agency is located within the territory of the Mojave Water Agency (MWA) and approximately half of the population within the MWA boundaries also rely on septic systems; and

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WHEREAS, under current regulations property owners within the Agency and MWA boundaries have enjoyed the ability, or potential, to develop land at a density of up to one dwelling unit per 0.5 acres, for properties relying on septic systems; and

WHEREAS, under Tier 1 of the Policy the maximum density allowed for properties relying on septic systems would be restricted to one dwelling unit per 2.5 acres (Section 7.8 of the Policy). This portion of the Policy has the potential to negatively impact property owners within both the Agency's and MWA's service territories; and

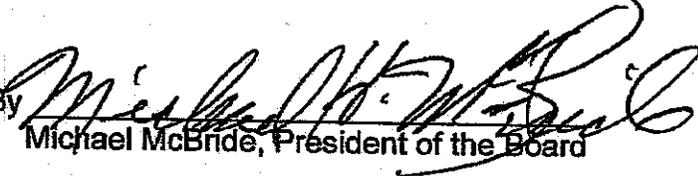
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WHEREAS, a 1993 report by the United States Geological Survey (USGS Water-Resources Investigations Report 93-4137) indicates that in the Mojave River Basin "current on-site domestic-wastewater disposal practices pose little immediate threat to the local ground-water resource". The report further indicates septic systems contribute substantial return flows to groundwater and slow the decline of groundwater levels. This is a significant benefit to the region's water resources.

WHEREAS, Septic return flows contribute significantly to the water balance for the *Ames/Reche Spreading Grounds and Recovery Program and Management Agreement* recently executed by the Agency. Proposed changes in state policy could negatively impact the groundwater resources of the Agency in the future but lowering baseline production allocations.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Bighorn-Desert View Water Agency opposes Section 7.8 of the Final Draft Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors to Bighorn-Desert View Water Agency this 24<sup>th</sup> day of April 2012.

By   
Michael McBride, President of the Board

ATTEST:

  
David Larson, Secretary of the Board

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**RESOLUTION NO. 12R-20**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BIGHORN-DESERT VIEW WATER AGENCY  
OPPOSING THE ELIMINATION OF THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER REGION #7**

**WHEREAS**, the Bighorn-Desert View Water Agency (Agency) is a retail water provider and special district serving the communities of Flamingo Heights, Johnson Valley and portions of Landers, CA, approximately 40 miles north of Palm Springs; and

**WHEREAS**, the Agency is within the State Water Resources Board, Regional Water Quality Control Board – Colorado River Region 7, which encompasses a large and unique geographic region including the Salton Sea, Imperial Valley, Coachella Valley, Morongo Basin, Twentynine Palms Marine Base and whose mission it is to protect water quality, preserving water resources and preventing pollution nuisance, contamination, and degradation of the quality of water; and

**WHEREAS**, the Governor's proposal to is to eliminate the Regional Board 7 and combine the Morongo Basin with the Lahontan Region; thereby requiring the Agency to travel further for local representation (by as much as 9 hours), thereby, increasing local costs; and

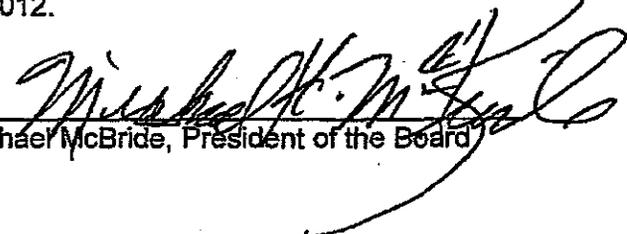
**WHEREAS**, there is not sufficient evidence to warrant this increase of burden and costs to the local agencies and community members; and

**WHEREAS**, the Agency believes it necessary to retain adequate representation on regulatory matters affecting water quality both within the Agency's service area and the entire Morongo Basin region;

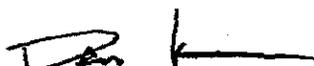
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Bighorn-Desert View Water Agency:

1. To oppose the elimination of the California Regional Water Quality Control Board – Colorado River Region 7.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors to Bighorn-Desert View Water Agency this 24<sup>th</sup> day of April 2012.

By   
Michael McBride, President of the Board

ATTEST:

  
David Larson, Secretary of the Board

**COPY**