

## Justification for Proposal and Preliminary Environmental Description Form

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the proposed project site to allow the Commission, its staff and others to adequately assess the project. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your project. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: LAFCO 3084 - Hi-Desert Water District Expansion of Services Under Its Authorized Sewer Function to Include Collection, Treatment, Reclamation and Disposal
  
2. NAME OF APPLICANT: Hi-Desert Water District  
MAILING ADDRESS: 55439 Twentynine Palms Highway  
Yucca Valley, CA 92284-2503  
  
PHONE: (760) 365-8333  
FAX: (760) 365-0599  
E-MAIL ADDRESS: patg@hdwd.com
  
3. GENERAL LOCATION OF PROPOSAL: The proposal would encompass the entire Hi-Desert Water District (HDWD) service area, which totals approximately 56 square miles (+/- 35,800 acres). HDWD is located approximately 70 miles east of the City of San Bernardino and 30 miles north of the City of Palms Springs. It includes primarily the Town of Yucca Valley and the southern portion of the Homestead Valley Community Plan area, which includes the Yucca Mesa area. HDWD is generally west of the Joshua Tree Community Plan area and the Joshua Tree Water District, north of the Joshua Tree National Park, northeast of the Morongo Valley Community Plan area and the Morongo Valley CSD, east of Pioneertown area, and generally south of Flamingo Heights and Landers areas.
  
4. Does the application possess 100% written consent of each landowner in the subject territory?  
YES  NO  If YES, provide written authorization for change.
  
5. Indicate the reasons that the proposed action has been requested. Currently, HDWD's sewer powers only include engineering and planning. The District is requesting that its sewer power be expanded to include collection, treatment, reclamation and disposal. In 1976, at the time that Special District representation was seated on LAFCO, the active authorized services of the District were identified as water, sewer, and park and recreation. The 1976 determination limited the sewer function to planning and engineering in preparation to eventually providing the actual service in the future. Since then, the District has been planning and has now completed its

Wastewater Collection and Treatment Master Plan, including a Sewer Standards Guideline. (see attached documents)

- 6. Would the proposal create a totally or substantially surrounded island of unincorporated territory? YES \_\_\_ NO **XX** If YES, please provide a written justification for the proposed boundary configuration.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**LAND USE AND DEVELOPMENT POTENTIAL**

- 1. Total land area (defined in acres): +/- 35,800 acres
- 2. Current dwelling units in area: +/-9,129 units
- 3. Approximate current population in area: +/-19,220
- 4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):

**Town of Yucca Valley - R-HR (Hillside Reserve, 1 du/20ac), RL (Rural Living, 1 du/1, 2.5, 5, 10 & 20ac), R-S (Residential, Single Family), R-M (Residential, Multi-Family), C-MU (Mixed Use Commercial), C-S (Service Commercial), C-N (Neighborhood Commercial), C-G (General Commercial), C-C (Community Commercial), C-O (Office Commercial), C-RR (Resort Rec. Commercial), I (Industrial), P/QP (Public/Quasi Public), O-S (Open Space)**

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):

**County Land Use Designation - RL-5 (Rural Living, 5 ac. min. lot size), RC (Resource Conservation, 40 ac. min. lot size)**

**Homestead Valley Community Plan – HV/RS-14M (Single Residential, 14,000 sq. ft. min. lot size), HV/RS-1 (1 ac. min. lot size), HV/RL (Rural Living, 2.5 ac. min. lot size), HV/RL-5 (5 ac. min. lot size), HV/RL-10 (10 ac. min. lot size), HV/CN (Neighborhood Commercial), HV/I (Industrial), HV/RC (Resource Conservation)**

- 5. Describe any special land use concerns expressed in the above plans. None  
 \_\_\_\_\_
- 6. Indicate the existing land use. Mostly vacant land with scattered residential development.  
 \_\_\_\_\_

What is the proposed land use? Not Applicable

7. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following: Not Applicable

- a. Has pre-zoning been completed? YES \_\_\_ NO \_\_\_
- b. If the response to "a" is NO, is the area in the process of pre-zoning? YES \_\_\_ NO \_\_\_

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process. Not Applicable

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- Agricultural Land Uses
- Williamson Act Contract
- Any other unusual features of the area or permits required: \_\_\_\_\_
- Agricultural Preserve Designation
- Area where Special Permits are Required

9. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract. Not Applicable

10. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES \_\_\_ NO XX If YES, please explain.

**ENVIRONMENTAL INFORMATION**

1. Provide general description of topography. The area is within the valley portion of the high desert defined by a ridge along its southern boundary and a series of ridges along its western and northwestern boundary. The area slopes generally in an easterly direction.

2. Describe any existing improvements on the site as % of total area.

Residential	<u>32%</u>	Agricultural	<u>1%</u>
Commercial	<u>1%</u>	Vacant	<u>64%</u>
Industrial	<u>1%</u>	Other	<u>1%</u>

3. Describe the surrounding land uses:

NORTH mostly vacant with scattered residential development (portion of Homestead Valley Community)

EAST mostly vacant with scattered residential development (Joshua Tree Community)

SOUTH Joshua Tree National Park

WEST mostly vacant with scattered residential development (Morongo Valley Community)

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (Installation of water facilities, sewer facilities, grading, flow channelization, etc.).

Installation of sewer infrastructure (sewer mains and laterals) and the construction of its sewage treatment facility. See the District's Sewer Standard Guidelines for details.

5. Will service extensions accomplished by this proposal induce growth on this site? YES \_\_\_ NO \_\_\_ Adjacent sites? YES \_\_\_ NO \_\_\_ Unincorporated \_\_\_ Incorporated \_\_\_

6. Is this project a part of a larger project or series of projects? YES \_\_\_ NO XX If YES, please explain.

**NOTICES**

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**CERTIFICATION**

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief. I understand that if this proposal is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

DATE 9-28-09

Edward Muzik  
SIGNATURE OF APPLICANT

Edward Muzik  
PRINTED NAME OF APPLICANT

General Manager  
TITLE

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- CITY INCORPORATION SUPPLEMENT
- FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ACTIVATION OF LATENT POWERS SUPPLEMENT

APPLICATION TO BE SUBMITTED TO:

LOCAL AGENCY FORMATION COMMISSION  
215 NORTH D STREET, SUITE 204  
SAN BERNARDINO, CA 92415-0490  
PHONE: (909)383-9900 • FAX: (909) 383-9901  
E-MAIL ADDRESS: lafco@lafco.sbcounty.gov



As proposed, for Phase 1, \$ 121 Million, for the Phase 1 collection system, Wastewater Treatment System and Water Reclamation Facility.

2. The estimated cost of the new or different function or service to existing customers within the district's jurisdictional boundaries. (The cost can be identified by customer class).

As proposed, for Phase 1, \$ 121 Million, for the Phase 1 collection system, Wastewater Treatment System and Water Reclamation Facility, for all user classes (Single family residential, multi family residential, mobile home residential, Low Strength Commercial, Medium Strength Commercial and High Strength Commercial).

2. An identification of existing providers, if any, of the function(s)/service(s) and the potential fiscal impact of this activation to the customers of those providers.

There are no current providers of a Publically or Privately Owned Treatment Works (POTW).

4. A plan for financing the establishment of the new or different function/service within the district's jurisdictional boundaries. A discussion about the sufficiency of revenues to fund the anticipated ongoing maintenance and operation of the service is also required. This plan should include:

- a. An indication of whether territory is or will be proposed for inclusion within a proposed improvement zone/district, assessment district, or community facilities district to fund the service.

The Hi-Desert Water District Board of Directors have adopted Phase 1, Phase 2 and Phase 3 boundaries, for the provision of a Publically Owned Treatment Works system. The current proposal, for ultimately capacity of 2 Million Gallons per Day, is Phase 1. The boundaries of the adopted service areas are shown in Figure 1: Wastewater Service Phase Boundaries.

- b. If retail water service is proposed to be activated through this action, provide a description of the timely availability of water for projected needs within the area. (The response should be patterned after the factors identified in Government Code Section 65352.5 related to an Urban Water Management Plan.)

No change in the approved provision of water service is proposed with this action.

5. A discussion of the alternatives to the establishment of the new or different service within the District's boundaries/service area.

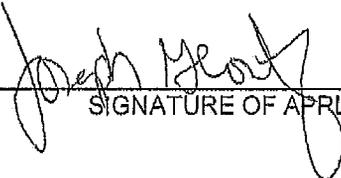
The District, in the development of the 2009 Sewer Master Plan and 2009 Pre-Design report developed multiple phasing scenarios for the project, Phase 1 through 3. The ultimate phase boundaries were an optimization of flow, user characteristics, land use density, and overlay of the production well footprint of the Warren Basin. The ability to serve and meeting the purpose and need of the project, was an necessary component. The purpose and need of the project, is to protect the groundwater aquifer by minimizing the unregulated discharge of wastewater, utilizing on site septic systems.

This plan shall, at a minimum, respond to each of the items identified above and shall be signed and certified as to its completeness and accuracy by an official of the requesting agency.

**CERTIFICATION**

I hereby certify that the statements furnished above and in any attachments and exhibits hereto present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief. I understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

DATE 29 AUGUST 2009

  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

Joseph Glowitz, PE, PMP

PRINTED NAME

District Engineer  
TITLE

Attachments:

1. Adopted Wastewater Phase 1, Phase 2, Phase 3 Boundaries
2. 2009 Sewer Master Plan, Montgomery Watson Harza
3. 2009 Pre Design Report – Water Reclamation Facility

/krm 3/20/2002

**Hi Desert Water District  
Wastewater Treatment Plant & Water Reclamation Facility  
Financing Plan  
December 2009**

**RECEIVED**  
JAN 05 2010

**LAFCO**  
San Bernardino County

**United States Bureau of Reclamation  
\$ 20 Million authorization**

The District has secured a \$ 20 Million authorization for funding from the United States Bureau of Reclamation, Energy & Water Appropriations Bill. That authorization is contained in Title XVI of Public Law 105-575.

This grant requires an annual appropriation from the US Congress, which is not guaranteed.

To date, approximately 2.5 Million of this has been programmed and obligated. This grant requires a local/federal cost share of 75% / 25%, which cannot be waived.

**United States Environmental Protection Agency  
\$ 692,000 STAG Grant**

The District received additional funding from the Consolidated Appropriations Act, 2008 from the State & Trial Assistant Grants (STAG) funding. The total amount obligated is \$ 692,000.

This grant requires a local/federal cost share of 55% / 45%. The District applied for a local match waiver in November 2009 and is waiting for a decision from the US EPA.

**California Proposition 84 Bonds**

<b>Expedited Round (Colorado Region)</b>	<b>\$ 4. Million</b>
<b>Total Funding (Colorado Region)</b>	<b>\$ 36. Million</b>

The District is a customer of the Mojave Water Agency, who is the regional wholesaler for water. As such, the Hi-Desert Water District is a component of the Integrated Regional Water Management Plan (IRWMP) for Mojave Water Agency. In order to be considered for funding, the lead agency must have an adopted IRWMP. The Mojave Water Agency is in two watershed management areas, the Lohotan and Colorado River. The Hi-Desert Water District is in the Colorado River basin, and there is a total of \$ 36 Million dollars allocated for this region in Proposition 84 funding. It is anticipated that this funding may become available during 2010, pending the sale of Proposition 84 bonds by the State of California.

**Loan from Hi-Desert Water District Water Enterprise Fund  
\$ 2.0 Million**

The Hi-Desert Water District Water Fund has loaned the Waste Water Fund \$ 2.0 Million for the pre-construction activities for the Wastewater Treatment project. These monies will need to be re-paid to the Water Fund, once the wastewater fund is funded.

**U.S. EPA State Revolving Fund**

(Administered by California State Water Resources Control Board)

The District is on the Project Priority List for the State Revolving Fund. This fund is a low interest loan program which allows up to \$ 50 Million per project per year. The District is completing the federal NEPA environmental clearance and final Project Engineer’s report, that will be submitted to complete the funding application process.

7 5295-110 Hi Desert Water District Wastewater Treatment Plant and Collection System	50,000,000	100,000,000
7 4663-110 Hi-Desert Water District TREATMENT & RECLAMATION FACILITY	21,000,000	21,000,000
7 4663-210 Hi-Desert Water District TRUNK SEWERS	34,000,000	34,000,000

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/docs/cwsrf/fy09\\_10\\_cwsrf\\_ppl.pdf](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/cwsrf/fy09_10_cwsrf_ppl.pdf)

**Assessment District Formation**

The Hi-Desert Water District is in the process of evaluating and forming an Assessment District, pursuant to Proposition 218 and the 1913-1915 Assessment Act. During 2010, the District will complete the evaluation and decide whether to move forward on the Assessment District formation. The assessment District formation will guarantee the repayment of the State Revolving Fund monies.

**Summary of Project Funding: Collection System, Wastewater Treatment Plant, & Water Reclamation Facility**

SOURCE	STATUS	TOTAL	REMAINDING
United States Bureau of Reclamation	Requires yearly appropriation	20,000,000.	17,500,500.
U.S. EPA Grant	Waiting on Waiver Request	692,000.	692,000.
Loan from Town of Yucca Valley	To be paid back to Water Fund	350,000.	0.
Loan from HDWD Water Fund	To be paid back to Town	2,000,000.	0.
<b>TOTAL FUNDS</b>		<b>23,042,000.</b>	<b>18,192,500.</b>
California Proposition 84 Grant Funding	Colorado River Region potential funds \$ 36 Million		
U.S. EPA State Revolving Fund	Balance of Project Funding, secured by Assessment District		
HDWD Assessment District	PENDING – Required Proposition 218 process		