BEAR VALLEY WATER DISTRICT (BVWD)
Proposed Tertiary Facilities Assessment District

Frequently Asked Questions

1/30/08 - Please note that this is a "living" document that will be added to as additional questions and answers are developed. Anyone who has a question regarding this topic should send it directly to the BVWD.

Q: Why are the tertiary facilities needed?

A: Since existing flows and projected increased flows cannot be contained within the District's existing facilities without risk of spilling, the District is required to hold a permit to allow seasonal discharge to nearby Bloods Creek. The permit that the District obtained requires that all treated wastewater discharged to Bloods Creek be treated to the tertiary level by October of 2008.

Q: Has the District evaluated alternatives to minimize inflow to the sewer system and reservoir to possibly avoid discharge to Bloods Creek?

A: The District has evaluated and implemented many alternatives to reduce wastewater flows, extraneous flows into the piping system, and minimize surface flows into the reservoir. Alternatives that are being implemented include; water conservation, sewer system infiltration and inflow controls, and maintenance of the diversion ditches around the reservoir to re-direct surface runoff.

Q: What other alternatives has the District reviewed to eliminate the current need for the discharge to Bloods Creek, e.g, walls around the reservoir or a roof over the facilities?

A: Shortly after the Regional Water Quality Control Board issued the Cease & Desist Order in 2001, the District evaluated alternative means to limit flow into the reservoir, including lining the reservoir, covering the reservoir, constructing additional diversions around the facilities, and increasing disposal efforts.

Q: Why do the tertiary facilities need to be sized to accommodate 250,000 gallons per day during the period when few people are in the village?

A: During the mid-snowmelt season, the flows to the wastewater treatment plant increase to above 300,000 gallons per day. Over thirty days, the average peak flow into the system is about 250,000 gallons per day. In spite of the District's efforts to reduce extraneous flows into the collection system through a program started in 2002, high flows continue to exist. These flows are more dependent upon the depth of snow and timing of snowmelt than on population or land use.

Q: Why has it been proposed that the tertiary facilities be designed to meet the California wastewater recycling criteria (Title 22)?

A: The NPDES permit invokes (in Finding No. 24) the Title 22 equivalency for tertiary treatment. When tertiary treatment facilities are designed to equivalent Title 22 requirements (oxidized, coagulated, clarified, filtered, and disinfected), the fundamental design criteria in the recycling requirements of Title 22 are used, e.g., selection of processes, systems, or packages that are or can be approved under Title 22 for recycled water use. In this case we are not proposing that some of the more stringent (and costly) requirements of Title 22 be imposed, e.g., completely redundant unit processes such as additional treatment ponds or ability to store 20-days of peak flow (the latter resulting in having 5-million gallons storage available in an off-line basin or tank). Two benefits of designing with this approach are 1) facilities design is based on established and proven criteria, and 2) If opportunities for future use for recycled arise in the valley the facilities can readily be adapted, not written off or replaced, to meet the requirements for recycled water use. This latter benefit is looking to the future for the District and allowing for alternative disposal means that do not currently exist.

Q: How did the District's current engineer become involved in this project?

A: After the spills in 1999, the District was issued a Cease & Desist Order (C&D) by the Regional Water Quality Control Board (Regional Board). At that time, the District hired a consulting engineering firm to prepare several reports required by the C&D. The reports prepared by that consultant did not adequately address the issues that the District was facing; therefore an alternative firm was selected. ECO:LOGIC Engineering was approached by the District at that time based on their reputation for successfully representing dozens of similar public agencies before the Regional Board. Since that time, District Staff, under the guidance of the District's engineer, has decisively maintained compliance with the modern stringent permit requirements.

Q: Has the District obtained peer review of the engineer's recommendations?

A: The District has solicited a proposal from a qualified engineer to review the analysis and recommendations of the District's engineer. Alternatives will be further evaluated to see if discharge to Bloods Creek can be avoided or further delayed without risk of spilling.

Q: Wouldn't water conservation alone solve the problem?

A: Water conservation will likely reduce overall flows on an annual basis, but to an unknown degree, with little impact to peak snowmelt period flows. Water conservation is being implemented as part of an overall program to reduce flows.

Q: Why are the assessments weighted the way they are?

A: According to California law, the assessments have to be based on the benefit received. The District has an established ordinance that equitably allocates capacity based on sewer fixture units (Ordinance No. 1, as amended). This ordinance defines one sewer service unit as one kitchen, bathroom, or half-bath, with a dwelling allocated a minimum of three sewer units per single family residential unit. Other uses such as commercial and multi-family residential dwellings are also covered in Ordinance No. 1.

Q: How is the assessment applied to my home?

A: The assessments are applied to individual homes based on the District's records for sewer units,. e.g., one sewer service unit per kitchen, bathroom, or half-bath, with a minimum of three units per single family residential unit. Future residential units are assumed to be at the District minimum of three sewer units.

Q: How many parcels is the assessment based on?

A: The assessment is based on 535 existing occupied parcels and connections and 167 undeveloped parcels.

Q: What happens if the assessment district doesn't pass?

A: If the assessment district does not pass and no alternative is successful at eliminating spills, the District will have to construct the first phase tertiary facilities to cover current flows. The cost of this first phase facility will be financed by existing users alone through sewer rates. If this means of financing is not successful and the facilities are not constructed, the District will be subject to a Cease & Desist Order by the Regional Water Quality Control Board as well as fines and additional legal action by the State and third parties (Sierra Club etc.). If no additional treatment capacity is created, which is allowed with the NPDES permit, then there will be a building moratorium due to insufficient disposal capacity to accommodate future development, i.e., no implementation of the Bear Valley Master Plan, no new construction on existing single-family residential lots, etc.

Q: What will happen to the hook-up fee if the assessment district passes?

A: The proposed assessment will construct tertiary capacity for current and future users. Therefore the current connection fee of $15,745 will be reduced to cover only buy-in to existing facilities and to finance the cost to make improvements to the pond and pumping system to handle the higher flows resulting from new development.

Q: Has global warming been considered into the projections?

A: Potential impacts from global warming are unknown at this time. Projections indicate that at high elevations, more rain and less snow will fall. The District is required to contain flows that occur during a 1-in-100 year precipitation season. Statistics are updated each year but no projection has been made to incorporate possible influences from global warming.

Q: Would the facilities have to be constructed using prevailing wage?

A: All construction projects undertaken by the District are subject to prevailing wage requirements.

Q: Why aren't the developers in the village paying more?

A: New development is paying based on future benefit just as existing development is. State law requires an equitable allocation based on benefit. As new development represents the majority of the total use, and therefore the majority of the benefit, they are paying a higher fraction of the total cost than current users.

Q: Why does new development have more weight?

A: New development represents more use and therefore benefit from the facilities than current users.

Q: What happens if a developer goes bankrupt?

A: If a major development goes bankrupt, the County or District can foreclose on the property including selling it to recuperate some of the cost of the assessment. (Additional input from legal counsel required)

Q: What if someone wants to annex into the District?

A: The assessment district is only for current and future users within the current District boundaries. All annexations to the District will be required to provide land for storage and disposal of effluent generated by the land annexed. Any land use annexed to the District will be required to construct or fund the construction of wastewater conveyance, treatment, storage, and disposal facilities necessary to serve that new development.

Q: What will happen to operation and maintenance costs?

A: With the higher level of treatment, additional power, chemicals, repair and replacement, and labor costs will be incurred. The District will be reviewing operating costs of the proposed facilities very closely to provide the overall lowest life-cycle cost facility (considering permit compliance, capital cost, and operation and maintenance cost). Currently the additional cost to operate the tertiary facility has not been estimated.

Q: Will the District get competitive bids for the project?

A: Since the tertiary facilities will be constructed using assessment district financing, the bidding and construction contracting are subject provisions of the California Public Contract Code including bidding. This will require the District to competitively bid the project and award construction to the responsive and experienced contractor with the lowest bid.

Q: Has the outfall project to Bloods Creek been constructed and who does that benefit?

A: The Bloods Creek Outfall project has been constructed and it will benefit current and future users as discharges are required during high snowfall years.

Q: Is expansion or modification of the Main Pump Station included in the assessment district costs?

A: No, the District will be considering modifications and/or improvements to the Main Pump Station as a separate project.

Q: How will the District fund the pump station project?

A: The main pump station project will be funded through several means including depreciation in the existing rates and connection fees.

Q: What input from the public can influence the District's direction?

A: Questions raised during the December 29th public meeting, comment letters, and e-mails sent to the District will be considered. Alternative approaches will be evaluated. The fundamental decisions made by the District will be revisited before proceeding.