

TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council Date: May 26, 2015

From: John Brown, Town Attorney Item No: 17
Best, Best & Krieger

Subject: CONSULTANTS AND EXPERTS FOR POTENTIAL APPLE VALLEY
RANCHOS WATER COMPANY ACQUISITION

T.M. Approval: _____ Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

That the Town Council:

- A. Authorize the Town Attorney to contract with an environmental and planning firm in an amount not-to-exceed \$80,000.00 for preparation of the necessary environmental documentation to study the Town's potential acquisition and operation of the Apple Valley Ranchos Water Company system.
- B. Appropriate \$80,000.00 for purposes of retaining an environmental and planning firm for preparation of the necessary environmental documentation to study the Town's potential acquisition and operation of the Apple Valley Ranchos Water Company system (General Fund).

ALTERNATIVE TO STAFF RECOMMENDATION:

In addition to the staff recommendation, there is the following alternative:

- C. Continue the item and request additional action be taken by Town Staff or additional information be provided.

19250 Red Feather Road
Apple Valley, CA 92307

July 7, 2015

Town of Apple Valley
Attn: Lori Lamson, Assistant Town Manager
14955 Dale Evans Parkway
Apple Valley, CA 92307

RE: Initial Study – TOAV – Apple Valley Ranchos Water System Acquisition Project

At 7:30 a.m. today, I came to Town Hall requesting a copy of the Initial Study Document and was told that there was **no document available**, but that I needed to submit a Public Records Act Request which would take 10 days. I told L. Pearson, Town Clerk and others that this was unacceptable since the meeting to discuss this document was tonight. As I understand, F. Robinson, Town Manager said on a phone call to him that there was no document. I sent an e-mail to John Brown, Town Attorney, at about 10: a.m. notifying him of this lack of timely response DEFECT – (he had sent me an e-mail yesterday) to notify him of any problems.

I told Ms. Pearson that I would go to Apple Valley Ranchos Water Company and determine if I could obtain a copy. They gave me a copy of the document they received recently of the 40+page June, 2015 Initial Study document and the 3-page Cover signed by Lori Lamson with date of 6-24-15.

I am appalled, but not really surprised on several TOAV Noticing Defects in this document, which I have observed frequently in the last 4 or so years and addressed before the Town officials. This document should have been made available immediately **following “approval” and not hidden from their Public with the time clock running toward the 30-day July 27, 2015 Comment deadline .**

Additionally, the meeting tonight is to allow the Public to provide comments and this fact has not been communicated in the appropriate – perhaps, Unlawful - manner **so that the Public can legitimately participate in the critical future of THEIR Water System**. The Town’s staff departed on Thursday evening with a 4-day weekend to report on Tuesday morning for a Public meeting tonight.

My limited comments prepared in this extremely short notice time-period today are:

Critical **Defective Notice of Initial Study 30-day Comment Period AND NO TOAV Notice of Public Meeting** on July 7, 2015 at 5:00 p.m. as identified above when approval was signed 10 days ago which reduces the Public Comment period to only 20 days. The Town Hall Bulletin Board does not even have any Posting and the L. Pearson, Town Clerk says her office is not involved.

Critical Initial Study **Defect with NO inclusion of Yermo Water System** which is an Apple Valley Ranchos Water Asset (in accord with CPUC Section 240).

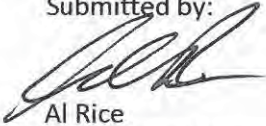
Initial Study is Defective in that the TOAV Scoping Plans for future of the AVR Acquisition Assets is Pure Vision Speculation and lacks **hard factual foundation evidence** involving several critical issues which are key for any success including:
- Management of all assets and operations. This will require the hiring/contracting, but the most important - and CRITICAL - Real-time Management over the 24/7 REQUIRED Operational Processes of WATER DISTRIBUTION. This Document is vague and essential requirements have not been addressed in a necessary clear, concise and unambiguous manner and language is too general to be considered as significant in its thought and conceptual expressions.

Exhibit B

Therefore, for the above reasons and statements included in attached document, **I REJECT the contents of this Initial Study IN TOTAL** and would not have signed it had it come to me for any final signature. I have been responsible for producing POTABLE WATER and **would not allow the TOAV to be involved in any way** based on my experience as a Resident, Taxpayer and attendee of numerous Council and Planning Commission Meetings for several years. I have observed once again the errors and omissions of the TOAV Planning staff in this study document which may negatively impact on the Public and AVR customers.

I hereby request to be included on the list of interested persons to be notified of and receive the recirculated Notice of Preparation and Initial Study, as well as all future notices and correspondence related to this project.

Submitted by:



Al Rice
Apple Valley taxpayer
760 242 7861

Exhibit B

SUBJECT: INITIAL STUDY FOR ACQUISITION OF APPLE VALLEY RANCHOS (AVR) BY TOWN OF APPLE VALLEY (TOAV)

Date: July 7, 2015

Issue A: Defects in Noticing Public of Initial Study 30-day Comment Period

The 3-page Cover Letter of the NOTICE OF PREPARATION OF AN ENVIRONMENT IMPACT REPORT FOR THE PROPOSED APPLE VALLEY RANCHOS WATER SYSTEM ACQUISITION PROJECT EIR has the signature of Lori Lamson, Assistant Town Manager and date of 6-24-15.

Directly above the signature states: "Thirty-Day Comment Period: Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than "30 day after receipt of this notice. The Notice of Preparation/Initial Study comment period begins on June 26, and ends on July 27, 2015." **TODAY is Tuesday, July 7, 2015, TEN (10) days later.**

Issue B: Defects in Noticing Public of Initial Study Meeting, Tuesday, July 7, 2015, Town Hall 5:00 p.m.

Local High Desert Newspaper, Daily Press, issue of Friday, July 3, 2015 reported in a small article that this Meeting would be held. This publication **is NOT the commonly used newspaper of public notice/record for TOAV.**

The TOAV uses the Apple Valley News, which has a weekly USPS mailing only subscriber base of 300 within the Apple Valley population of 60,000+, as its chosen publication and this **factual Noticing defect** has been communicated on at least 3 separate occasions in Public Comments to the Town Council.

In addition, in a Letter of Demand to Cease and Desist and Cure was presented to: the Managing Partner of BBK, Town Manager, Mayor - with copies to Town Attorney and Council Members. Six months has passed since this letter was submitted. To date, no written response has been received from anyone.

Town Manager Robinson and Council Member Nassif stated from the dais during a Public Meeting several weeks after this mailing – in the absence of the Town Attorney John Brown - that the Town would "Continue to use the Apple Valley News."

TOAV website homepage **maintains an Event News section** for on-going information matters including topics regarding Acquisition of AVR and specifically a logo hot-button for H2o – related issues. **NO REPORT has been announced regarding this meeting** which follows by one day the Town's 4-day weekend and NO information regarding where to obtain ANY copy of the Initial Study is provided to the critical Public and AVR customers.

On Tuesday, the date of the meeting, only Lori Lamson knows what information is to be provided - if any - prior to the meeting and this is over 10 days since the start of comment period commencement date.

This website contain Letters and notifications from the TOWN Manager Robinson **which they want to publish immediately - including several regarding Water and AVR issues. Why is this meeting and report not even mentioned???**

The above **facts are considered Notification Defects of the State's Mandated 30-days**, but reinforce the TOAV's continued strategic efforts to CONTROL, and reduce significantly – or - to possibly eliminate – any - Public Notice, thereby resulting in very limited participation and important public dialogue.

The Town has frequently demonstrated that it does not want or solicit ANY Public Participation and their record of this fact is very Historically Significant in their Meetings which can be viewed on videotapes accessible for several years.

The TOWN's Municipal Development Notification Code has been commonly discussed as being DEFECTIVE - by the public - and more importantly, by members of the Planning Commission (appointed

Exhibit B

by Town Council Members) who have voiced their concerns regarding defects to Lori Lamson, to cure and present changes to the Town Council. The Town Council has common knowledge of these Notification Defects which are their responsibility and has chosen to IGNORE even to the detriment of their designees and Town Staff and not even agendize this important legal responsibility.

The Planning Staff, under Lori Lamson, have made numerous errors and omissions – and - constructive suggestions which have been communicated during Public Comments and the Planning Commission are, in all appearances, ignored, frequently NOT even acknowledged – and often, public questions and observations are never answered.

This is a Common TOAV strategy to let the Public make a statement and have Town Staff fumble with words and opinions, but then the Chair quickly moves to the next issue. Fact: Very few (less than 10) members of the Public attend any of the bi-monthly Town Council and Planning Commission Meetings and only 1 or 2 are willing to make any comments. Public is not attending meetings and many have “TRUST” issues.

Regarding the above stated facts and DEFECTS, the 30-day Notification Process should commence AGAIN and contain proper notice to AVR’s 22,200 customers and 60,000 TOAV public citizens who are negatively impacted.

Issue C: Project Initial Study Report contains DEFECT with no inclusion in study of Yermo Water System; which is an AVR Asset (under CPUC Section 240 defining assets)

It is common knowledge that Apple Valley Ranchos (AVR) Water Company purchased the deficient Yermo Water System which was approved by the CPUC and recently by the San Bernardino County Superior Court for \$ 300,000. However, the 40+page Initial Study is DEFECTIVE as it does not include ANY mention of this AVR asset in the Town of Apple Valley (TOAV) Project Acquisition Initial Study subject.

YERMO Water Company has 300+ customers, (?) miles of pipelines and **parent AVR has made plans for Capital Improvements for new pipelines and numerous mechanical additions which are required** to bring this newly-acquired system up to regulatory standards requiring millions of dollars.

A recent TOAV News website article authored by Town Manager Robinson states that “The CPUC authorized \$732,000 in initial repairs with an expected \$ 7. Million in additional short-term upgrades.”

Even though the CPUC ruled that no CEQA was needed in the initial purchase, now several years later and follow-on actions have been taken with the AVR ownership.

This **Initial Study is considered to be DEFECTIVE and INCOMPLETE if the CEQA work is not accomplished and done regarding the YERMO asset within the Proposed AVR Acquisition Project.**

Issue D: Project Initial Study Report contains DEFECT in that the TOAV Scoping Plans for future of the AVR Acquisition Assets is Pure Speculation and without a hard factual foundation “EVIDENCE” involving several critically key issues to insure that the Water System is operationally reliable for its Public Mandates.

Providing Water is process-oriented requiring 24/7 diligence and emphasis on reliability and compliance with regulatory standards. This document does not even address and provide a small level of confidence that the Town of Apple has the capability nor understanding of what ownership necessitates to possess and have any level of success in providing this most critical of Public services: WATER!

MORE TO COME, BUT I ONLY HAD A DOCUMENT COPY FOR A FEW HOURS FROM ANOTHER SOURCE, THAN TOWN OF APPLE VALLEY - WHO SAID THAT THEY DON'T HAVE A COPY FOR THE PUBLIC – MAYBE IN 10 DAYS.

Exhibit B

Re: TOAV NOP Bulletin and Distribution

John Brown (John.Brown@bbklaw.com)

Fri 7/17/15 8:00 AM

ALVIN RICE (owlrice@msn.com)

Charity Schiller (Charity.Schiller@bbklaw.com)

Good morning. As always good to hear from you. The time and effort you put into these suggestions is appreciated. We will of course take them under advisement. John brown

Sent from my iPhone

On Jul 17, 2015, at 6:04 AM, ALVIN RICE < > wrote:

Good morning Mr. Brown and others.

I appreciate receipt of the TOAV Bulletin announcing the August 4, 2015 meeting. I believe that it needs to be amended with additional Action-type words of: "Please Post" or "Approved for Posting" or other similar words at the top and bottom, otherwise based on my experience or opinion, it will be only be limited to circulation and would not result in a larger, but very necessary more-continued exposure impact.

Second: I have rec'd several calls that the Town's Homepage Hyperlink Hot Bottom of "View Initial Study Documents" is very small and difficult to determine on the 1st attempt. I suggest that the font be enlarged a couple of sizes so that folks will be quickly enabled to access the important documents currently under consideration. People become very frustrated when they fail to gain access and become emotional, negatively.

Third: I have concluded that the Distribution List which was used is insufficient for the Critical Outreach deemed appropriate for this important project study. I suggest and provide several different groups which I believe need to be contained on the Notice distribution in order to go beyond just the basic Legal Notice threshold. Additionally, at the Initial Study Meeting, many attendees wanted to review the list as they want to see some recipients that they believe should be included just by looking at this list. (Face Validity?)

These groupings are considered as a minimum by members of the public, etc. and there may be more to be recommended in the next several days:

Town of Apple Valley:

Each Town Council Member

Each Planning Commissioner

Board of Directors
Mojave Desert Air Quality Management District

Board of Directors
Mohave Water Agency

City of Hesperia
Water / Public Works Dept

San Bernardino County Library (This is a temporary relocation)
c/o Victor Valley Museum
Apple Valley Road

Commanding Officer (They need to be aware as a potential user of the Yermo Water)
Marine Corps Logistics Base

I know that there are some other recipients and will make effort to provide these to you in the next several days.

Thank you in advance for your timely assistance.

Al Rice
Apple Valley
760 242 7861

Exhibit C

AG
QA REVIEW
70 WEST 3RD ST., SUITE 140
N BERNARDINO, CA 92410

SANTA ANA REGIONAL WATER QUALITY
CONTROL BOARD
3737 MAIN ST., SUITE 500
RIVERSIDE, CA 92501

CAL RECYCLE
P.O. BOX 4025
SACRAMENTO, CA 95814

AG - EIR CLEARING HOUSE
8 W. 7TH STREET 12TH FLOOR
S ANGELES, CA 90017

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814

COUNTY OF SAN BERNARDINO LAND USE
SERVICES DEPARTMENT
385 N. ARROWHEAD AVE.
SAN BERNARDINO, CA 92415

LTRANS - DISTRICT 8
4 W. 4TH ST., 6TH FLOOR, MS619
N BERNARDINO, CA 92401

CALEPA
1001 I STREET
SACRAMENTO, CA 95812

CURRENT PLANNING DIVISION
15456 W. SAGE ST.
VICTORVILLE, CA 92395

LM SPRINGS FISH AND WILDLIFE OFFICE
7 E. TAHQUITZ CANYON WAY, SUITE 208
LM SPRINGS, CA 92262

CITY OF VICTORVILLE
PLANNING DEPARTMENT
14343 CIVIC DRIVE, PO BOX 5001
VICTORVILLE, CA 92393

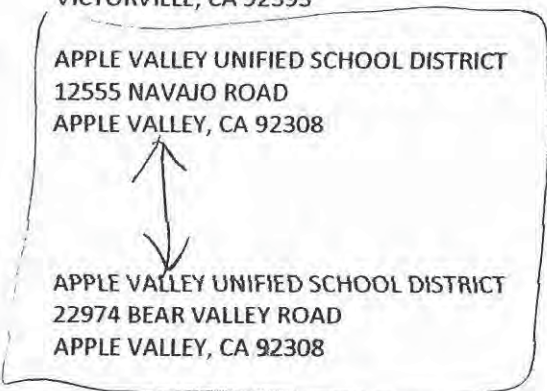
CITY OF SAN BERNARDINO PLANNING
DIVISION
300 NORTH D ST.
SAN BERNARDINO, CA 91786

DEPARTMENT OF CONSERVATION STATE
PLANNING AND GEOLOGY BOARD
111 K STREET, SUITE 2015
SACRAMENTO, CA 95814

APPLE VALLEY UNIFIED SCHOOL DISTRICT
12555 NAVAJO ROAD
APPLE VALLEY, CA 92308

APPLE VALLEY FIRE PROTECTION DISTRICT
22400 HEADQUARTERS DRIVE
APPLE VALLEY, CA 92307

CALIFORNIA AIR RESOURCES BOARD ATT:
GENERAL COUNCIL P.O. BOX 2815
SACRAMENTO, CA 95814



Victorville
WESTERN VALLEY COMMUNITY COLLEGE
DISTRICT
18422 BEAR VALLEY ROAD
VICTORVILLE, CA 92395

CITY OF HESPERIA PLANNING DEPARTMENT
JEFFREY RENO, PRINCIPAL PLANNER
100 SEVENTH AVE.
HESPERIA, CA 92345

TOWN OF APPLE VALLEY
POLICE DEPARTMENT
SAN BERNARDINO COUNTY SHERIFF
14931 DALE EVANS PKWY.
APPLE VALLEY, CA 92307

APPLE VALLEY RANCHOS WATER COMPANY
21760 OTTOWA ROAD
APPLE VALLEY, CA 92308

CITY OF HESPERIA PLANNING DEPARTMENT
176 MAIN ST
HESPERIA, CA 92345

MOJAVE DESERT AIR QUALITY MANAGEMENT
DISTRICT
14306 PARK AVE.
VICTORVILLE, CA 92392

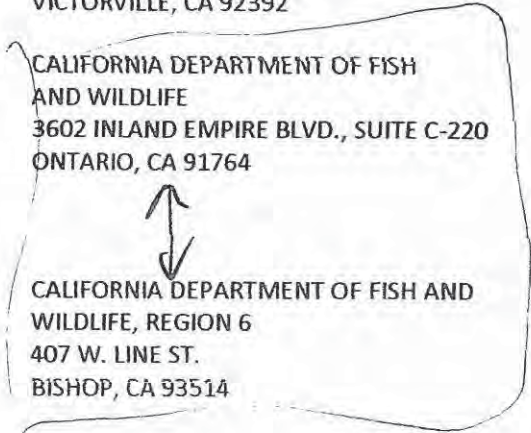
APPLE VALLEY RANCHOS WATER COMPANY
P.O. BOX 7005
APPLE VALLEY, CA 92307

CITY OF BARSTOW PLANNING COMMISSION
111 E MOUNTAIN VIEW ST., SUITE A
BARSTOW, CA 92311

CALIFORNIA DEPARTMENT OF FISH
AND WILDLIFE
3602 INLAND EMPIRE BLVD., SUITE C-220
ONTARIO, CA 91764

SOUTHERN CALIFORNIA GAS COMPANY
P.O. BOX 3150
SAN DIMAS, CA 91773

CALIFORNIA PUBLIC UTILITIES
COMMISSION
JOSE MUNOZ
111 W. 4TH ST., SUITE 500
LOS ANGELES, CA 90013



VICTOR VALLEY TRANSPORTATION
AUTHORITY
17150 SMOKETREE ST.
HESPERIA, CA 92345

Exhibit D *30*

D

TOR VALLEY TRANSIT AUTHORITY
741 E. SANTA FE AVE. E.
SPERIA, CA 92345

BEST BEST & KRIEGER LLP
ATTN: CHARITY SCHILLER
3390 UNIVERSITY AVE., SUITE 125
RIVERSIDE, CA 92501

APPLE VALLEY SWEET WATER COMPANY
20162 HIGHWAY 18
APPLE VALLEY, CA 92307

ATE OF CALIFORNIA DEPARTMENT OF
ATER RESOURCES SOUTHERN DISTRICT
O FAIRMONT AVE., #102
.ENDALE, CA 91203

CA STATE CLEARINGHOUSE
OFFICE OF PLANNING & RESEARCH
P.O. BOX 3044
SACRAMENTO, CA 95812

APPLE VALLEY VIEW MUTUAL WATER
COMPANY
24288 SHOSHONE RD.
APPLE VALLEY, CA 92307



LDEN STATE WATER COMPANY
'PLE VALLEY CSA
608 HITT ROAD
'PLE VALLEY, CA 92308

LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY
215 NORTH D ST., SUITE 204
SAN BERNARDINO, CA 92415

APPLE VALLEY VIEW MUTUAL WATER
COMPANY
P.O. BOX 3680
APPLE VALLEY, CA 92307

INBERG WILSON
RE PREVENTION ENGINEERING ASSISTANT II
30 SOUTH PARK AVENUE
OMONA CA 91766

SAN BERNARDINO COUNTY SHERIFF'S
DEPARTMENT
655 EAST THIRD ST.
SAN BERNARDINO, CA 92415

ARMY CORPS OF ENGINEERS, PLANNING
DIVISION
300 N. LOS ANGELES ST.
LOS ANGELES, CA 90012

APPLE VALLEY CHAMBER OF COMMERCE
5010 APPLE VALLEY ROAD
APPLE VALLEY, CA 92307

SAN BERNARDINO COUNTY CLERK
385 N. ARROWHEAD AVE.
2ND FLOOR
SAN BERNARDINO, CA 92415

ATCHISON, TOPEKA & SANTE FE RAILWAY CO
740 EAST CARNAGIE DRIVVE
SAN BERNARDINO, CA 92408-3571

ETROPOLITAN WATER DISTRICT
NVIRONMENTAL PLANNING TEAM
EBECA DE LEON
00 N. ALAMEDA ST., US3-230
OS ANGELES, CA 90012

VICTOR VALLEY WASTEWATER RECLAMATION
AGENCY
20111 SHAY ROAD
VICTORVILLE, CA 92394

BUILDING INDUSTRY ASSOCIATION - BALDY
VIEW CHAPTER
MR. CARLOS RODRIQUEZ
8711 MONROE COURT, SUITE B
RANCHO CUCAMONGA, CA 91730

SOUTHERN CALIFORNIA EDISON LOCAL
GOVERNMENT AFFAIRS LAND
USE/ENVIRONMENTAL COORDINATOR
244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770

CALIFORNIA STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100-SOUTH
SACRAMENTO, CA 95825

BUREAU OF LAND MANAGEMENT
2601 BARSTOW ROAD
BARSTOW, CA 92311

SOUTHERN CALIFORNIA EDISON
12353 HESPERIA RD.
VICTORVILLE, CA 92392

APPLE VALLEY FOOTHILL COUNTY WATER
COMPANY
22545 DEL ORO ROAD
APPLE VALLEY, CA 92307



BURLINGTON NORTHERN
BOB BRENDZA / MATT GRAHAM
740 E. CARNegie DRIVE
SAN BERNARDINO, CA 92408

SOUTHERN CALIFORNIA EDISON
287 TENNESSEE AVE.
REDLANDS, CA 92373

APPLE VALLEY FOOTHILL COUNTY WATER
COMPANY
P.O. BOX 914
APPLE VALLEY, CA 92307

BURRTEC WASTE, BILL ARLINGTON
17080 STODDARD WELLS ROAD
VICTORVILLE, CA 92392

SAN BERNARDINO COUNTY FIRE DEPT
157 W. 5TH ST., 2ND FLOOR
SAN BERNARDINO CA 92415

APPLE VALLEY HEIGHTS COUNTY WATER
DISTRICT
9430 CERRO VISTA
APPLE VALLEY, CA 92307

CA STATE REGIONAL WATER QUALITY
CONTROL BOARD -
LAHONTAN REGION
14440 CIVIC DRIVE, SUITE 200
VICTORVILLE, CA 92392

Exhibit D 302

CITY OF ADELANTO
600 AIR EXPRESSWAY
ADELANTO, CA 92301

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
3 HUTTON CENTRE DR.
SANTA ANA, CA 92707

MOJAVE DESERT RESOURCE CONSERVATION
DISTRICT
17330 BEAR VALLEY ROAD, #106
VICTORVILLE, CA 92392

CITY OF BOARD OF SUPERVISORS
15 N. ARROWHEAD AVE., 2ND FLR.
SAN BERNARDINO, CA 92415

DEPARTMENT OF PARKS AND REC. CA OFFICE
OF HISTORIC PRESERVATION
P.O. BOX 249896
SACRAMENTO, CA 94296

MOJAVE WATER AGENCY
22450 HEADQUARTERS DRIVE
APPLE VALLEY, CA 92307

COUNTY OF SAN BERNARDINO -
TRANSPORTATION AND FLOOD CONTROL -
VI BALCOM
125 E. THIRD STREET
SAN BERNARDINO, CA 92415

DEPARTMENT OF SOCIAL SERVICES
COMMUNITY CARE LICENSING
3737 MAIN ST., SU. 600
RIVERSIDE, CA 92501

MORONGO BAND OF MISSION INDIANS
245 N. MURRAY STREET, SUITE C
BANNING, CA 92220

COUNTY OF SAN BERNARDINO
DEPARTMENT OF AIRPORTS
325 EAST THIRD STREET, ROOM 203
SAN BERNARDINO, CA 92415-0831

DEPARTMENT OF TRANSPORTATION -
DISTRICT 8
464 W. 4TH ST. 6TH FLR
SAN BERNARDINO, CA 92401-1400

RANCHERITOS MUTUAL WATER COMPANY
21832 VIENTO RD.
APPLE VALLEY, CA 92307

COUNTY OF SAN BERNARDINO PUBLIC
HEALTH DEPT.
51 MOUNTAIN VIEW AVE.
SAN BERNARDINO, CA 92401

DEPT OF TRANSPORTATION - FORECASTING/
IGR-CEQA REVIEW
LINDA GRIMES MS726
464W. 4TH ST., 6TH FLR.
SAN BERNARDINO, CA 92401-1400

RANCHERITOS MUTUAL WATER COMPANY
P.O. BOX 348
APPLE VALLEY, CA 92307

COUNTY OF SAN BERNARDINO
TRANSPORTATION/ FLOOD CONTROL DEPT.
MICHAEL BABICO
125 E. 3RD ST.
SAN BERNARDINO, CA 92415

DEPT. OF WATER RESOURCES DIV. OF LAND &
RIGHT OF WAY PROP. MGMT. BRANCH
464 W. 4TH ST. 6TH FLR
SAN BERNARDINO, CA 92401-1400

SAN BDNO. COUNTY OF MUSEUM
ARCHEOLOGICAL INFO. CENTER
ROBIN LASKA
2024 ORANGE TREE LANE
REDLANDS, CA 92374

COUNTY OF SAN BERNARDINO
TRANSPORTATION/ FLOOD CONTROL DEPT.
MICHAEL FOX
125 E. 3RD STREET
SAN BERNARDINO, CA 92415

F.E.M.A. REGION 9 BLDG. #105
NATURAL TECHNOLOGICAL AND HAZARDS DIV.
PRESIDO OF SAN FRANCISCO
SAN FRANCISCO, CA. 94129

SAN BERNARDINO ASSOCIATED
GOVERNMENTS EIR CLEARINGHOUSE
1170 W. 3RD STREET, 2ND FLOOR
SAN BERNARDINO, CA 91410-1715

COUNTY WATER AND SANITATION DIVISION
SERVICE AREA 64
P.O. BOX 5004
VICTORVILLE, CA 92393-5004

FEDERAL HIGHWAY ADMINISTRATION - EIR
OFFICER DIVISION ADMINISTRATOR
980 9TH STREET, SUITE 400
SACRAMENTO, CA 95814

SAN BERNARDINO COUNTY LIBRARY
14901 DALE EVANS PARKWAY
APPLE VALLEY, CA 92307

DEPARTMENT OF ENVIRONMENTAL HEALTH
SERVICES
135 N. ARROWHEAD AVE.
SAN BERNARDINO, CA 92415

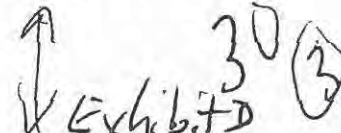
JUNIPER RIVIERA COUNTY WATER DISTRICT
25715 SANTA ROSA
APPLE VALLEY, CA 92308

SAN FERNANDO BAND OF MISSION INDIANS
JOHN VALENZUELA
P.O. BOX 221838
NEWHALL, CA 91322

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
1515 W. OLYMPIC BLVD.
LOS ANGELES, CA 90015

MARIANA RANCHOS WATER COMPANY
9600 MANZANITA STREET
APPLE VALLEY, CA 92308

SAN MANUEL BAND OF MISSION INDIANS -
BERNADETTE BRIERTY
P.O. BOX 266
PATTON, CA 92369





MANUEL BAND OF MISSION INDIANS -
ERON MARQUEZ
P.O. BOX 266
ATTON, CA 92369

SERRANO BAND OF MISSION INDIANS -
GOLDIE WALKER
6588 VALERIA DRIVE
HIGHLAND, CA 92346

SOUTHWEST GAS COMPANY
13471 MARIPOSA ROAD
VICTORVILLE, CA 92392

STATE DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT
800 THIRD STREET
SACRAMENTO, CA 94252-2051

STATE DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT
P.O. BOX 952051
SACRAMENTO, CA 94252-2051

STATE GEOLOGIST DIVISION OF MINES AND
GEOLOGY
185 BERRY STREET STE. 3600
SAN FRANCISCO, CA 94107

STATE GEOLOGIST DIVISION OF MINES AND
GEOLOGY
Q1 "K" STREET MS 12-30
SACRAMENTO, CA 95814-3531

THUNDERBIRD WATER DISTRICT
24737 STANDING ROCK
APPLE VALLEY, CA 92307

UNITED STATES POSTMASTER
22099 HIGHWAY 18
APPLE VALLEY, CA 92307

NERIZON
6071 MOJAVE DRIVE
VICTORVILLE, CA 92392

VICTOR VALLEY COLLEGE
18422 BEAR VALLEY ROAD
VICTORVILLE CA. 92392

VICTOR VALLEY WATER DISTRICT
P.O. BOX 1808
VICTORVILLE CA 92393-1808

CHRIS SCHILLING
CHIEF EXECUTIVE OFFICER
PARK WATER COMPANY
9750 WASHBURN ROAD
DOWNEY, CA 90241

103

13 (4)

Exhibit D

QUESTION 1: YOU SAID THAT YOU ARE GOING TO "ANALYZE MORE" 7 AREAS. IT HAS NOW BEEN 6 WEEKS SINCE JUNE 16TH. WHAT HAVE YOU LEARNED MORE IN YOUR ANALYSIS REGARDING EACH OF THESE 7 CEQA AREAS???

QUESTION 2: WE KNOW THAT THE TOWN OF APPLE VALLEY HAS ENGAGED BBK ATTORNEYS TO PROTEST AND ARGUE AGAINST AV RANCHOS CAPITAL IMPROVEMENTS WITH THE CPUC ON SEVERAL OCCASIONS, SPECIFICALLY IN REGARD TO DISTRIBUTION SYSTEM UPGRADES AND NECESSARY IMPROVEMENTS THAT ARE NEEDED. THE DISTRIBUTION SYSTEM CONTAINS PIPES, ETC. WHICH ARE MANY YEARS OF AGE. WHY HAVE YOU NOT INCLUDED ANY RECOGNITION OF NEED FOR CAPITAL IMPROVEMENTS WHICH ARE REQUIRED AND THE CEQA IMPACTS?

Exhibit E