



# San Bernardino County

## Legislation Text

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**File #: 5494, Agenda Item #: 52**

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### **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION**

**February 8, 2022**

#### **FROM**

**BEAHTA R. DAVIS, Director, Regional Parks Department**

#### **SUBJECT**

Stipulation for Intervention and Submission to Judgment for Calico Regional Park

#### **RECOMMENDATION(S)**

Approve Stipulation for Intervention and Submission to Judgment in Riverside County Superior Court Case No. CIV 208568 for water production at Calico Regional Park in the Baja Subarea.

(Presenter: Beahta R. Davis, Director, 387-2340)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Governmental Agencies.**

#### **FINANCIAL IMPACT**

Approval of this item will not impact Discretionary General Funding (Net County Cost). The cost to stipulate is \$900. This amount will be covered in Regional Parks Department (Department) budget. San Bernardino County Department of Airports (Airports) has 168 acre foot of water rights in the Baja Subarea. The Department plans to annually transfer a portion of these water rights for use as long as Airports has unrestricted or unused rights. There is potential for future water costs, but those are unidentified at this time.

#### **BACKGROUND INFORMATION**

On January 10, 1996, the Superior Court of the State of California, County of Riverside, entered its judgment after trial in Case No. CIV 208568 entitled City of Barstow, et al. v. City of Adelanto, et al. San Bernardino County facilities at Calico Ghost Town Regional Park (Park) was not previously a party to the case and thus was not bound by that judgment. The judgment addresses water supply shortages in the Mojave Basin area through the creation of a physical solution based upon the allocation of responsibility for correction of annual overdraft and for maintaining historical average annual flows between five subareas of the Mojave Basin.

Upon approval of the Board of Supervisors for the stipulation for intervention and submission to judgment, the Park would agree to seek leave to intervene in this action and to submit to and be bound by the judgement. Since the Park is extracting more than 10 acre feet a year from the basin, it must stipulate to the judgement in order to transfer water rights from Daggett Airport.

Approval of this recommendation aligns with the County and Chief Executive Officer goals and objectives to

provide for the safety, health and social service needs of County residents, pursue County goals and objectives by working with other governmental agencies, and to operate in a fiscally-responsible and business-like manner by accepting base water annual production rights.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on January 5, 2022; Finance (Elias Duenas, Administrative Analyst, 387-4052) on January 13, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on January 14, 2022.