

ORDINANCE NO. 25-259

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE TITLE 7, CHAPTER 1, SECTION 7-1-6 TO UPDATE THE CROSS CONNECTION CONTROL PROGRAM TO PROTECT THE PUBLIC WATER SYSTEM

The Board of Directors for the Bear Valley Community Services District does ordain as follows:

SECTION 1. Findings. The Board of Directors finds as follows:

- A. On December 19, 2023, the State Water Board adopted the Cross-Connection Control Policy Handbook (CCCPH). The CCCPH replaces Title 17 regulations on cross-connection control and backflow prevention. The effective date of the CCCPH is July 1, 2024.
- B. A cross-connection control plan (CCC Plan) that meets the CCCPH requirements must be adopted no later than July 1, 2025.
- C. The Board desires to amend Section 7-1-6 of the District Code to be in compliance with the CCCPH.

SECTION 2. Amendment to District Code Section 7-1-6(G). Section 7-1-6(G)(1) of Chapter 1 of Title 7 of the Bear Valley Community Services District Code is amended in its entirety to read as follows:

G. Cross Connections:

- 1. Purpose: The purpose of this ordinance is to protect the public water system from contamination due to potential and actual cross connections. This shall be accomplished by the establishment of a Cross Connection Control Program (CCCP) as required by the State of California regulations. This ordinance is adopted pursuant to Section 3.1.3 of the Cross Connection Control Policy Handbook (CCCPH).
- 2. Responsibility: A Cross Connection Control Specialist will be designated with certifications as set forth by the California Nevada American Water Works Association. The Cross Connection Control Specialist (CCCS) shall be responsible for implementing and managing the Cross Connection Control Program. An approved backflow prevention assembly shall be installed by a pre-approved person or party at the expense of the water user at each service connection requiring a backflow prevention assembly to prevent backflow from a water users premises to the public water system.

3. Cross Connection Control Protection Requirements: The type of protection that shall be provided to prevent backflow into the public water system shall be correspond with the degree of hazard, actual or potential, that exists on the water user's premises. Unprotected cross connections with the public water system are prohibited. The type of backflow prevention assembly that may be required (listed in decreasing level of protection) includes: Air Gap separation (AG), Reduced Pressure principle backflow prevention assembly (RP), and a Double Check valve assembly (DC). The water user may choose a higher level of protection than required.

4. Backflow Prevention Assemblies: Only backflow prevention assemblies which have been approved by the Foundation for Cross Connection Control and Hydraulic Research dated April 1, 2025, shall be installed. Location of the installation will be as close the meter or service connection as practical. The District will have final authority in determining the required location of the backflow prevention assembly. Testing of backflow prevention assemblies shall be conducted only by certified testers and testing will be the responsibility of the water user. Backflow prevention assemblies must be tested annually and immediately after installation, relocation, or repair. All backflow prevention assemblies shall be serviced, overhauled, or replaced whenever they are found to be defective and all costs of testing, repair, and maintenance shall be borne by the water user. Approval must be obtained from the district prior to installing, removing, relocating, or replacing a backflow prevention assembly.

5. User Supervision: The district may require the water user to designate a supervisor responsible for monitoring compliance with this chapter when water is supplied to property owned or occupied by several residents. If a supervisor is required, the supervisor shall be the responsible agent of the water user with respect to compliance with this subsection.

6. Administration: The cross connection control program shall be administered by the cross connection control specialist. The District and/or the cross connection control specialist shall conduct necessary surveys of the water user's premises to evaluate the degree of potential health hazards. The cross connection control specialist will notify the District and the water user in writing when an assembly is scheduled for testing. The notice shall contain the date when the test must be completed.

7. Water Termination: When the District encounters water uses that represent a clear and immediate hazard to the public water system that cannot be immediately abated, the procedure for terminating water service shall be instituted. Conditions of water uses that create a basis for water service termination shall include, but not be limited to the following:

- Refusal to install or test a backflow prevention assembly, or to repair or replace a faulty backflow prevention assembly (Condition 1).

- Direct or indirect connection between the public water system and a sewer line (Condition 2).
 - Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants (Condition 3).
 - Unprotected direct or indirect connection between the public water system and an auxiliary water system (Condition 4).
- a. Notification of Termination: If the district determines that a violation of this subsection exists, and that such violation poses an immediate threat to the public health, the district shall attempt to notify the water user of the district's intention to terminate service. The district shall make every effort to provide the water user with 24-hour prior notice of termination. However, service shall be terminated whether the notice is successful or not.
- b. Violations: If the district determines that this subsection has been violated but the violation does not constitute an immediate threat to the public health, service shall be terminated in accordance with district procedures dealing with other types of violations of the district's water rules and regulations. The water service shall remain inactive until correction of violations has been approved by the District.
8. Compliance with State and Federal Laws: The customer must comply with the state and federal laws governing the separation for dual water systems or installation of backflow protection devices to protect the public water supply from the danger of cross connections.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held to be invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. Environmental Quality Act. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines and is not a project which has the potential for causing a significant effect on the environment. The approval of the code amendments in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical change in the environment. Any specific development projects that may result from these changes will be subject to environmental review. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these District code amendments are exempt from review under CEQA and no further environmental review is necessary.

SECTION 5. Effective Date. The Secretary of the Board of Directors is directed to cause this ordinance to be published in the manner required by law. This Ordinance shall take effect and be enforced 30 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Bear Valley Community Services District on the 11 day of September 2025, by the following vote:

AYES: Lewis, Tabor, Hernandez, Paparella, Frevert
NOES: None
ABSENT: None
ABSTAIN: None

Geva Frevert, Board President

ATTEST:

BY: _____
Denise Jelleschitz, Secretary of the Board of Directors

APPROVED AS TO FORM:

BY: _____
Palmer Hilton, District Counsel