



JOSHUA BASIN WATER DISTRICT

County Initiative: Joshua Tree Septic-to-Sewer

Frequently Asked Questions - Special Meeting, September 28, 2026

This FAQ summarizes the Director questions submitted to San Bernardino County and the Regional Water Quality Control Board (RWQCB), rather than reproducing each question verbatim. Responses will be updated as additional information becomes available.

This FAQ incorporates the County responses received on September 28, 2026. Responses added or materially revised from the September 24 version are identified with “UPDATED 9/28/26.” Additional substantive responses received after publication may be posted on JBWD.com as supplemental agenda materials.

September 28 updates are based on San Bernardino County Supervisor Dawn Rowe’s September 28, 2026 response to JBWD’s initial four questions. County statements are identified as County responses; unanswered details remain noted as pending.

The FAQ is intended to provide factual information and non-privileged legal information relevant to the Special Meeting. Attorney-client privileged communications and legal or risk analysis are maintained separately and are not included in this public document.

County Initiative and Board Decision

Q: What is the County asking JBWD to decide?

A: UPDATED 9/28/26 - San Bernardino County reiterated that it is asking one narrow question: whether a majority of the JBWD Board supports or opposes continuing Phase I planning and feasibility work. The County states that support would not approve a sewer system, commit JBWD to ownership or operation, approve a project boundary, or authorize future JBWD expenditures. The County further states that JBWD is not being asked to approve a final project, commit District funds, surrender its independent authority, or endorse a future phase.

Q: What would support for continued planning mean legally?

A: District counsel advises that, by its terms, support for continued County planning would not approve a future sewer system; commit JBWD to build, fund, own, or operate a system; activate broader LAFCO sewer authority; or waive JBWD’s later authority over water-service and current package-treatment-plant decisions. It would support the County completing feasibility and information-gathering work.

Q: Is JBWD legally required to support the County initiative?

A: No. District counsel advises that JBWD has no legal duty to support a County initiative. The consequences identified by the County for opposition are practical rather than legal sanctions, including the County’s stated position regarding continuation of County resources and availability of federal planning funds.

Q: What does “constructive agency partner” mean?

A: District counsel advises that this is an undefined County term. In context, it appears to mean good-faith cooperation with the feasibility process, such as providing information and participating in planning, while governance, boundaries, cost, operator, and other substantive decisions remain open.

Q: What procedural choices are available to the Board?

A: District counsel advises that the Board may support continued planning, adopt qualified support that expressly reserves future District decisions, oppose continued planning, or defer action while additional questions or information are pursued.

Q: If JBWD supports Phase I planning, does the District retain independent oversight and the ability to disagree later?

A: This remains a question for the County to confirm. President Doolittle has asked whether JBWD may continue to request information, raise concerns, propose changes, disagree with recommendations, and later take positions inconsistent with Phase I work without being treated as opposed to the project or jeopardizing continued County work or funding.

Q: If JBWD does not adopt the requested resolution, what specifically happens?

A: UPDATED 9/28/26 - The County states that it does not believe taxpayer dollars and staff resources should continue to be committed if a majority of the JBWD Board does not support the planning process. The County describes the requested resolution as a means of establishing the Board majority's institutional position so the County can determine whether continued expenditure of public resources is warranted. The County's September 28 response did not identify a specific funding-loss date or provide a detailed list of work that would stop or funding that would be redirected.

Q: Is the County open to alternative resolution language?

A: Pending. President Doolittle has asked whether, if JBWD is not comfortable with the resolution as drafted, the County would consider alternative language or another approach that allows Phase I to continue while preserving JBWD concerns and future discretion.

Q: Who has decision-making authority over the County project and the August 20 request?

A: UPDATED 9/28/26 - The County states that the County is the project sponsor and recipient of federal planning funds, Supervisor Rowe's office supported securing funding for the study, and the appropriate County departments are responsible for administration. The Department of Public Works is identified as the responsible department, with Noel Mondragon, Project Management Division Manager, identified as the Project Management contact. The response does not identify a separate Board of Supervisors action specifically authorizing the August 20 request.

Q: What are the actual County and federal funding deadlines?

A: UPDATED 9/28/26 - The County states that the Board of Supervisors approved \$6.3 million for project planning and development through a broader Third District funding package and that the County is the project sponsor and recipient of federal planning funds. The September 28 response did not identify a specific deadline by which JBWD must act, an EPA award/obligation/expenditure deadline, or a federal document establishing such a deadline. Those specific questions therefore remain outstanding.

Q: What happens to County funding if it is not used for this project?

A: UPDATED 9/28/26 - The County states that the \$6.3 million was approved through a broader Third District funding package and that County departments are responsible for administering the funds for this potential project or another EPA-approved project. The response does not specify whether unused County funds would lapse, revert, remain available to the Third District, be reallocated to another project, or potentially be made available to JBWD. Those details remain outstanding.

JBWD Wastewater Authority and Capacity Charges

Q: What is JBWD's current authority regarding sewer service?

A: District counsel advises that JBWD presently does not have authority to construct a broader sewer collection or treatment system beyond its current package-treatment-plant authority. Activation of broader latent sewer authority would require LAFCO action.

Q: Do the wastewater capacity charges require JBWD to build a wastewater system?

A: No. District counsel advises that Government Code section 66013 governs wastewater capacity charges and that collecting such charges does not, by itself, create a legal obligation or commitment to construct a future wastewater collection or treatment system.

Q: How much is currently held in restricted Wastewater Capacity Charge funds?

A: \$3,212,265.07 as of June 30, 2026.

Q: What fiscal requirements apply to these funds?

A: Counsel advises that the revenues must be maintained in a separate capital facilities fund, used solely for the purposes for which the charges were collected, with interest retained in the fund, and subject to the annual disclosures required by Government Code section 66013. Counsel further advises that section 66013 does not impose a construction deadline or refund trigger solely because funds remain unexpended.

Q: What happened with the 2020 Wastewater Treatment Strategy update?

A: Dudek & Associates prepared an update in 2020, and the District used \$60,711 in Wastewater Capacity Charge funds for that effort. The update was never adopted by the Board, so it may provide technical and planning background but should not be characterized as adopted District policy. The 2009 Strategy remains the Board-adopted historical strategy unless and until the Board takes further action.

Q: Does the County project financial plan assume use of JBWD Wastewater Capacity Charge funds?

A: UPDATED 9/28/26 - The County's response states that JBWD is not being asked to commit District funds. It also notes that JBWD's Wastewater Capacity Charge reflects prior planning for a potential future centralized wastewater system. The response does not state that the County's current project financial plan assumes a JBWD contribution and does not identify a JBWD commitment of those restricted funds.

Groundwater, Nitrate and Well 10

Q: What is known about nitrate conditions at Well 10?

A: Operations reports that nitrate levels increased somewhat around 2024-2025 and recommends more frequent monitoring than the current annual sampling practice. A 2006 USGS investigation found evidence of septic-system influence in groundwater entering the upper portion of Well 10, but it did not identify the particular septic source responsible and does not establish the source of current nitrate increases.

Q: Is water from Wells 10, 14 and 15 “blended”?

A: The wells feed the same distribution zone and their water mixes within the distribution system. Operations has clarified that this is not controlled blending before water enters the distribution system. Customers nearer Well 10 may therefore receive a greater proportion of Well 10 water.

Q: What options are being considered for Well 10?

A: Operational concepts identified for further evaluation include increased nitrate sampling; sampling inactive Wells 2 and 11 and/or future monitoring wells; profiling Well 10 to identify nitrate-bearing intervals and possible temporary isolation; nitrate-specific treatment; and longer-term replacement-well planning. These are evaluation concepts, not final mitigation recommendations.

Q: How old is Well 10, and why does that matter?

A: Well 10 was drilled in 1968 and is approximately 58 years old, with its original steel casing and sanitary seal. Its age and condition are relevant when considering whether to invest in treatment or rehabilitation at the existing well, pursue replacement-well planning, or use a combination of near-term and long-term measures.

Q: Would the Chromium-6 treatment currently being considered also remove nitrate?

A: Operations advises that the Strong Base Anion technology currently being considered for Chromium-6 uses different resin/media from nitrate treatment and, as presently contemplated, would not remove both constituents in a single treatment process.

Q: How will groundwater and regulatory criteria affect the proposed project boundaries?

A: UPDATED 9/28/26 - The County states that the Phase I RFP scope is intended to collect and evaluate current groundwater data, including nitrate and other relevant water-quality information, and identify applicable or anticipated regulatory requirements and timelines. The County states that Joshua Tree is not presently subject to an immediate mandate to construct a sewer system and that no conclusion has been predetermined. How the resulting groundwater and regulatory findings will affect future project boundaries remains a Phase I question.

Q: What is the Regional Water Quality Control Board's current assessment of Joshua Tree wastewater and groundwater conditions?

A: Pending. Staff has requested the Regional Water Quality Control Board's current assessment of septic-system and nitrate impacts, applicable Basin Plan provisions, and whether additional groundwater assessment, monitoring, coordination, or regional wastewater planning is recommended.

Questions Pending - Regional Water Quality Control Board

Q: What is the Regional Water Quality Control Board's current assessment of wastewater and groundwater-quality conditions in the Joshua Tree area?

A: Pending RWQCB response. Staff has asked the Regional Water Board to address current wastewater and groundwater-quality conditions in Joshua Tree, particularly with respect to nitrate impacts from onsite wastewater treatment systems.

Q: Does the Regional Water Board recommend additional groundwater assessment, monitoring, coordination, or regional wastewater planning?

A: Pending RWQCB response. The question asks whether, in light of current development activity, including the proposed Lovemore Ranch package wastewater treatment plant, and the County's developing Septic-to-Sewer Initiative, additional assessment, monitoring, interagency coordination, or regional wastewater planning is warranted before JBWD makes longer-term decisions regarding potential wastewater collection, treatment, ownership, or operation.

Q: Are there existing or anticipated Basin Plan requirements, regulatory actions, studies, or other RWQCB initiatives that JBWD and the County should consider now?

A: Pending RWQCB response. Staff has requested identification of any current or anticipated regulatory requirements, actions, studies, or initiatives relevant to planning for Joshua Tree's future wastewater needs.

Q: Are the Yucca Valley OWTS prohibition and related compliance dates applicable to Joshua Tree?

A: This distinction should be confirmed in the RWQCB response. The Basin Plan provisions previously reviewed identify the cited 2028/2031 OWTS prohibition as applying to Yucca Valley. Joshua Tree is separately identified as an unsewered community with high septic density for investigation and possible prioritization for sewerage. The FAQ should not characterize Joshua Tree as currently subject to the Yucca Valley prohibition unless the Regional Water Board identifies an applicable requirement.

Future Wastewater System and Development

Q: Who would own, finance and operate a future wastewater system?

A: UPDATED 9/28/26 - The County states that no determination has been made regarding ownership, operation, governance, financing, or final boundaries of a future system. The consultant evaluation under the planned RFP is intended to help define potential County and JBWD roles and evaluate property-owner/ratepayer costs, affordability, and available funding. No rates, assessments, or property-owner costs have been established. Separate public/non-privileged counsel information indicates that any ultimate governance structure would also depend on applicable LAFCO authority and approvals.

Q: Is a County/JBWD Joint Powers Authority currently proposed?

A: No. JBWD staff identified a County/JBWD Joint Powers Authority as one concept for future exploration. Counsel confirms that a joint powers agency could be among the possible governance structures. It is not a current proposal or commitment.

Q: How does Lovemore Ranch relate to this discussion?

A: The Lovemore Ranch proposal includes a package wastewater treatment plant and is undergoing District plan check. The 2009 Strategy contemplated developer-related localized/package treatment facilities that could potentially relate to or transition toward larger future wastewater infrastructure. Review of a private package-treatment proposal should remain distinct from any future policy decision for JBWD to own or operate a community wastewater system.

Q: What Phase I work has been completed by the County, and what are the remaining deliverables?

A: UPDATED 9/28/26 - The County reports that no substantive project work has commenced since the April 1 presentation. Limited internal administrative work has occurred; no consultants have been retained; and no planning, design, or construction contracts have been awarded. Current expenditures are reported at \$4,525, with \$6,295,475 remaining. No wastewater system or project boundaries have been approved. The County states that the previously provided schedule remains unchanged and that substantive scope/boundary evaluation will begin after an engineering consultant is selected.

Q: What must occur before the project moves from Phase I to Phase II?

A: Pending. The County has been asked to identify the required decision points, whether there will be a formal public review before Phase II, and the specific opportunities and dates for JBWD and community review of boundaries, governance, funding, project management, affordability, and other Phase I issues.

Q: How can the public track the County project?

A: UPDATED 9/28/26 - The County identifies the project as WBSE 30.30.0214, the Department of Public Works as the responsible County department, and Noel Mondragon, Project Management Division Manager, as the Project Management contact. The County states that funding information, documents, and status updates can be made available as the evaluation proceeds, but the appropriate public-facing website or tracking mechanism remains to be determined.

Q: What is the status of any County RFP or consultant procurement?

A: UPDATED 9/28/26 - The County reports that no RFP has yet been issued. An RFP for a consultant to help facilitate Phase I is being drafted, and the solicitation, evaluation, and contract-award process is anticipated to take approximately three to four months. No consultant has been retained to date.

Q: What happened to the collaborative process described by the County in April?

A: Pending. President Doolittle has asked why the level of County engagement since April has differed from the regular updates and collaborative process previously described, whether the County will commit to regular communication going forward, and how the County can engage with JBWD and its Water & Growth Committee earlier in Phase I.

Q: Would the County support a District-led wastewater project if JBWD pursued one?

A: Pending. President Doolittle has asked whether the County would act as a constructive partner if JBWD pursued a District-owned and managed sewer project, including potential County financial support and assistance securing additional funding.

Q: When and how will affordability impacts be evaluated?

A: UPDATED 9/28/26 - The County states that the consultant evaluation to be completed under the planned RFP is intended to evaluate potential costs to property owners and ratepayers, affordability considerations, and available funding. No rates, assessments, or property-owner costs have been established. More specific timing and opportunities for JBWD/community review remain to be developed through Phase I.

Information Still Being Developed

Q: What information is still outstanding?

A: UPDATED 9/28/26 - The County has now provided information regarding current project status, expenditures and remaining County funds, the responsible department/project contact, the status of the Phase I RFP, and the intended scope of future groundwater, regulatory, governance, cost, affordability, and funding evaluation. Items still requiring clarification include specific County and federal funding deadlines and reallocation rules; whether the Board of Supervisors separately authorized the August 20 request;

Phase I deliverables and the Phase I-to-Phase II decision process; specific JBWD/community review opportunities; the final public project-tracking mechanism; assumptions regarding JBWD capacity-charge funds; how future groundwater findings will affect project boundaries; RWQCB responses; and future County-JBWD collaboration.

Q: Will the Special Meeting necessarily result in a final resolution?

A: The current staff recommendation is to receive information, discuss the County initiative and requested resolution, identify additional information needed, and provide direction. The preliminary staff report contemplates that any final support/opposition resolution may be brought back at a subsequent regular Board meeting.