

**Minutes**  
**CHINO BASIN WATERMASTER**  
**ADVISORY COMMITTEE MEETING**

*July 28, 2005*

The Advisory Committee meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California, on July 28, 2005 at 9:00 a.m.

**ADVISORY COMMITTEE MEMBERS PRESENT**

Appropriative Pool

Nathan deBoom, Chair

Rita Kurth

Rich Atwater

Gerald J. Black

Mike McGraw

Ray Wellington

Mike Maestas

Bill Stafford

Raul Garibay

Dave Crosley

Agricultural Pool

John Huitsing

Non-Agricultural Pool

Bob Bowcock

Milk Producers Counsel

Cucamonga Valley Water District

Inland Empire Utilities Agency

Fontana Union Water Company

Fontana Water Company

San Antonio Water Company

City of Chino Hills

Marygold Mutual Water Company

City of Pomona

City of Chino

Dairy

Vulcan Materials Company (Calmat Division)

**Watermaster Board Members Present**

John Anderson

Inland Empire Utilities Agency

**Watermaster Staff Present**

Kenneth R. Manning

Sheri Rojo

Gordon Treweek

Sherri Lynne Molino

Chief Executive Officer

Finance Manager

Project Engineer

Recording Secretary

**Watermaster Consultants Present**

Michael Fife

Mark Wildermuth

Hatch & Parent

Wildermuth Environmental Inc.

**Others Present**

Tom Love

Martha Davis

Teri Layton

Inland Empire Utilities Agency

Inland Empire Utilities Agency

San Antonio Water Company

The Advisory Committee meeting was called to order by Chair Jeske at 9:05 a.m.

**AGENDA - ADDITIONS/REORDER**

There were no additions or reorders made to the agenda. It was noted that at the July 19, 2005 Agricultural Pool meeting there was not a quorum and Nathan deBoom would be voting by proxy at the Advisory Committee meeting for the Agricultural Pool votes.

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Advisory Committee Meeting held June 23, 2005

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of June 2005
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2004 through May 30, 2005
3. Treasurer's Report of Financial Affairs for the Period May 1, 2005 through May 31, 2005
4. Profit & Loss Budget vs. Actual July 2004 through May 2005

**C. WATER TRANSACTION**

1. **Consider Approval for Transaction of Notice of Sale or Transfer** – The City of Ontario Has Agreed to Purchase From the City of Chino a Portion of Chino's Water in Storage In the Amount of 5,350 acre-feet; Date of Application: April 20, 2005
2. **Consider Approval for Transaction of Notice of Sale or Transfer** – Cucamonga Valley Water District Has Agreed to Purchase 500 acre-feet of West San Bernardino County Water District's Stored Chino Basin Groundwater; Date of Application: February 24, 2005

**D. NOTICE OF CONRAD & ASSOCIATES, LLP TO PERFORM FISCAL YEAR 2004-05 FINANCIAL STATEMENTS AUDIT**

The Conrad & Associates Fee Will Not Exceed \$6,850.00

*Motion by McGraw, second by Bowcock, and by unanimous vote – and the Agricultural Pool concurred*

***Moved to approve Consent Calendar Items A through D, as presented***

**II. BUSINESS ITEMS****A. DRY YEAR YIELD CONTRACT**

Mr. Manning stated that the Dry Year Yield contract which has been incorporated into the Chino Basin has some limits attached to that agreement. There is a 100,000 acre-foot total limit, a 25,000 acre-foot limit to go into the ground within any one year, and a 33,000 acre-foot storage extraction within any one year, which are all built into the agreement. Due to this unusually wet year, Metropolitan has asked Watermaster to raise the cap on the 25,000 acre-foot, to allow Watermaster to be able to place more acre-feet into the ground. Metropolitan is not sure how much over the 25,000 acre-feet will be placed into the ground, only that it will be greater than 25,000 acre-feet. Metropolitan is asking the Board and the Watermaster process to approve the extension allowing the 25,000 acre-foot limit to be raised. Mr. Manning stated that in looking over the one year waiver there are no negatives for Watermaster and that Metropolitan has been told verbally that Watermaster is going to be exercising a 6% loss factor on water within the Storage Agreement. Mr. Manning noted when this item was presented to the Appropriative and Non-Agricultural Pool; the Appropriative Pool did not pass this request due to the interest in wanting Watermaster to speak with Metropolitan about obtaining a fee or payment for the water received above the 25,000 acre-feet. A discussion took place with Metropolitan, Rich Atwater, Deborah Mann, and Sheri Rojo, it was noted that Metropolitan is not interested in opening discussions regarding any type of compensation for the overage. The reasoning behind not wanting to discuss this option is that there are two districts interested in paying for additional storage and then the 6% loss factor which was recently presented to them. Staff is asking the Advisory Committee to make a motion to pass this item and then this item will be presented back to the Appropriative Pool offering the same information that was given at this meeting for their approval. A question regarding whether or not replenishment water would be being placed into the ground first prior to the 25,000 plus water, in order to meet the replenishment obligations was presented. Mr. Manning stated that Metropolitan will be able to meet our replenishment delivery obligation first. Mr. Atwater offered some insight into Metropolitan's rules regarding certification. A question regarding how high of a cap will be administered was presented. Mr. Atwater stated that there is no reason at this time to place an arbitrary cap on this water. Mr. Manning stated that staff is asking for a raise in the 25,000 acre-foot cap with no limit as long as there are no problems with replenishment. A lengthy discussion regarding the cap and replenishment ensued. A question regarding in lieu deliveries

and the yearly Operations Plans was presented. Mr. Atwater stated that the Annual Operating Plans are exactly that, a plan and/or estimate, and nobody will be held to that if more or less water is taken. A question regarding the 6% loss factor and if that applies after the fiscal year is completed was presented. Mr. Wildermuth noted that he has done those calculations theoretically in the past, as to how it would be applied, and it is assumed that it is occurring throughout the year. Mr. Atwater commented that all parties involved might want to meet and discuss this issue with the Orange County Water District to see how they are working with their loss calculations. A discussion ensued with regard to these calculations. Ms. Rojo stated that replenishment water has a higher priority than water to be delivered to a storage account, but appropriators just order their in lieu water like regular deliveries and do not certify that it was a delivery to the storage accounts until six months after the fact. In essence, participation in the Dry Year Yield Program has the opportunity to impact replenishment water deliveries. The question of how Watermaster is applying losses to Metropolitan's account was presented. Mr. Manning and Ms. Rojo stated that there is no loss factor right now; the contract states that the losses start getting applied this year. Counsel Fife restated what took place at the Appropriative Pool meeting and commented on the meeting which took place with MET regarding the 6% loss. Mr. Atwater reviewed the wording in the contract regarding the 6% loss factor. A question regarding Watermaster's drop dead date to obtaining a rule to facilitate the open-ended contract was presented. Counsel Fife stated that the Rules & Regulations state that Watermaster may begin assessing losses to all storage accounts in 2005. Counsel Fife stated that the lifting of the cap and the 6% loss are two completely different issues and the item which is being presented today is only the lifting of the 25,000 acre-foot put cap. A discussion ensued with regard to the Hydraulic Control Program and technical information affecting the 6% losses. With no other questions or comments chair deBoom asked for a motion.

*Motion by Bowcock, second by Crosley, and by unanimous vote –and the Agricultural Pool concurred*

***Moved to approve the one year waiver of the 25,000 acre-foot put cap for 2006, as presented***

### III. REPORTS/UPDATES

#### A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

##### 1. Attorney-Manager

Counsel Fife stated a technical meeting was held last week, and noted the meeting went very well. At that technical meeting Dave Argo presented a schematic plan for the next increment of desalter capacity. That plan was given to Mark Wildermuth for review to see if that plan will meet the Hydraulic Control needs; staff is waiting to hear back from Wildermuth on that analysis. Counsel is looking for comments on the paper which was distributed called the "Consensus Proposal"; all comments need to be submitted as soon as possible.

##### 2. Court Filings

Counsel Fife noted there are going to be several court filings to be filed with the court in the month of August. Once all the paperwork is complete the pleadings will be processed and copies will be distributed to the parties.

##### 3. North Gualala Amicus

Counsel Fife stated that the North Gualala Water Company filed its opening applet brief and copies of that brief are available on the back table for review. Initial drafts of this brief were reviewed by counsel and counsel encouraged them to address some of the issues that are of a concern to Watermaster and Chino Basin. The issue which is causing this case to go on appeal is the trial court said in their case that if groundwater pumping impacts a surface stream, then it is State Board Jurisdictional. Counsel asked them to address that policy issue; it is only mentioned in a few words in the brief, they stayed

focused on specific factual circumstances to their case. Counsel stated that the brief did not address the question, "what happens if there is groundwater pumping of percolating groundwater that actually diminishes the flow of a surface stream" which is the important issue for the Chino Basin. Based on this information staff is recommending counsel file an amicus brief which would be brought through the pool process, hopefully as early as September, for approval to file.

## **B. CEO/STAFF REPORT**

### **1. Wet Basin Rehabilitation Program Update**

Mr. Manning stated information was previously brought to this committee regarding a Wet Basin Rehabilitation Program which was done in conjunction with Scuba Duba. Scuba Duba was introduced to Watermaster by Geoffrey Vanden Heuvel who had done some prior work with them. Scuba Duba felt they had technology that could be applied to our basins which could help clean the basins while they are wet. A five day test was done with Scuba Duba in the Turner 2 basin and revealed some success, enough success to start the thought process about what other opportunities might be available for this process. A sub-committee has been formed for this task which includes staff from Inland Empire Utilities Agency, Orange County and others. One of the things that is evident from the discussions is that whatever method is used it is going to take some financial investment. Mr. Manning noted that staff's plan is to bring back draft information through the Watermaster process in September on wet basin alternative programs that might be available, including some cost factors that will be attributed to those alternatives.

### **2. Progress on College Heights Test**

Mr. Manning stated that a number of months ago a recommendation, which was brought through the Watermaster process, was made to halt using the College Basins until more was understood about the Upland Basin and how it was going to operate given the new storm drain connection that the City Upland installed. With this last rainy season a lot of information was gathered which provided enough information on how the basin was going to operate. It was originally thought it could possibly take a few years to gather this information but with this rainy season it was gathered more rapidly. Also with the additional water that was coming down the channel from San Antonio, staff decided to start a test in the College Heights Basin to get an idea of how the College Heights Basin would operate in conjunction with the Upland Basin. Mr. Treweek stated that during the winter, the monitoring well network was completed. With the network in place staff decided to run a simple test of bringing in 4 cfs off the San Antonio Channel and diverting it into the College Heights West; this has been taking place since July 1, 2005. The idea was to monitor what was occurring in the wells and observing whether the recharge water daylighted in the reconfigured Upland Basin. Mr. Treweek reviewed several charts on the overhead to review the migration of water into the basins and well findings. We are approximately four weeks into the program and so far staff has seen what has been expected. A question regarding possible treatment to the southern end of College Heights slide slopes was presented. Mr. Treweek stated observations have taken place to see if any water was daylighting. Mr. Wildermuth added comment that the question which was presented was to inquire if there have been any impermeable barriers placed around the slide slopes to stop seepage around the Upland Basin. Mr. Treweek noted that URS came in and helped with a study and the idea of putting in a barrier was discussed and considered. Mr. Manning noted that the connecting pipe which was approved last month is now under construction and should be completed within a week or two. This will connect the rubber dam structure over to the pipe that the City of Upland installed which will allow water to be directly recharged into the Upland Basin.

### **3. Basin Recharge Report**

Mr. Manning commented this is a report which staff has been trying to provide each month to keep parties apprised of the basin recharge activities. Mr. Manning stated that the final

calculations from the storm season have been finalized which also incorporates the numbers from the snow melt. Mr. Treweek noted there is a handout on the back table that recaps all twelve storm events (no. 12 is the snow melt number) for review. An additional 2,000 acre-feet was added to this year's storm event numbers from snow melt. A total of 17,642 acre-feet of stormwater was captured this storm season and then with the historical average of 5,600 acre-feet subtracted out that left a new yield of 12,042 acre-feet. Mr. Manning stated that one of the things that were discovered during this last storm season is that it is felt that the same amount of water with a considerably less amount of rainfall can be captured due to the recent improvements to the basins.

4. Report Updates

Mr. Manning noted this item is a heads up section and/or informational section on some items that are now available or will be available soon. The State of the Basin Report is currently available on the Watermaster and Wildermuth web sites; substantial changes have been made to the draft that came out to address some of the comments that were made including storage and salt removal sections.

The Material Physical Injury Analysis for Recharge for Recycled Water in the draft form will be available in early August and will go through the Watermaster process for approval.

The Recharge Operations Procedures Manual, which is a very important document because the Flood Control District stated they would be much more flexible on how we operate our basins if they have two things in place, 1) the Operations Manual, and 2) the SCADA system up and working properly.

The Biannual Analysis of Recharge & Discharge Report will be completed shortly and will be placed on both Watermaster and Wildermuth web sites. Although the Forbearance Agreement for the MZ1 allows for production for any well from July 1 to September 30, the City of Chino Hills has voluntarily continued not to pump in the deep production wells in order for Watermaster staff to gather additional data.

Mr. Manning stated that activity on land conversion and voluntary assessments still need to be completed by several parties. This year Watermaster will be separating the water activity reporting from the assessment process and if those reports are going to be out on time, staff must have this information concluded by mid August.

Added Comment:

Mr. Manning commented on the three adorable babies whose pictures and stats are posted on the entry door to the board room and noted that Danni Maurizio gave birth to a baby boy a few months ago, Scott Slater's wife gave birth to a baby boy last week, Sherri Lynne's daughter gave birth to a baby girl this week, and Ken's daughter gave birth to a baby girl last week. Lots and lots of babies for the Watermaster staff and Mr. Manning congratulated all parents and grandparents.

**C. INLAND EMPIRE UTILITIES AGENCY**

1. MWD Status Report – Richard Atwater

Mr. Atwater stated this fall there will be a lot of discussions between the member agencies regarding the rate structure and an update will be given as soon as there is information to release. Rick Hansen, John Rossi, and Rich Atwater sent a letter to Metropolitan and are starting dialog on how to get the Chino Desalters additional funding. As part of those discussions, Inland Empire Utilities Agency (IEUA) has initiated discussions about the potential for expanding their agreement for 100,000 dollars; other parties have expressed interest in this. It was thought that, as in the past, Metropolitan might put more financial backing into the financing of the engineering studies which Wildermuth Environmental will

then need to perform additional analysis if IEUA increases their storage account. The agreement that was drafted in 2001 stated that Metropolitan would put up the money and as long as the CEQA compliance documentation was completed, we would not be subject to any reimbursement. Staff is working on trying to put together the same type of agreement this year. Mr. Atwater stated that he and his staff are actively meeting with Metropolitan every week on replenishment deliveries. As a part of the meetings and discussions with Metropolitan, Jurupa Community Services and Western Municipal Water District are inquiring about a potential new connection that would serve the Chino Basin (that would be from the Mills Plant) be installed. Mr. Atwater noted that inquiries have been voiced to re-energize the baseline feeder project; meetings have been scheduled to open discussions on this topic.

2. Recycled Water Report – Tom Love

Phase II Title 22 Status

Mr. Love reviewed the Phase II Chino Basin Recycled Water Recharge; Title 22 Engineering Report dated August 2005. In December 2003, a public hearing was held for the Phase I Recharge permit for putting recycled water into the groundwater basin through the recharge facilities and on April 15, 2005 the hearing documents went to the Regional Board for approval. Now that staff is moving forward with the Phase II Report, that report has been made available on the IEUA web site and additional disks of that report have been brought to this meeting today for review. The Phase II Report process is a much more aggressive process than the Phase I was. Mr. Love reviewed the Phase I Basins which were permitted on April 15, 2005 and reviewed the Phase II Basins. The permit schedule should follow as outlined, 1) Draft Title 22 Report – July 2005, 2) DHS Public Hearing – October 2005, 3) DHS Findings – November 2005, and 4) Regional Water Quality Control Board Permit – January 2006. Staff feels this schedule can be met so that recycled water can be put into the basins as the facilities are built. A discussion ensued with regard to the Title 22 report.

3. State Water Plan (B160) – Martha Davis

Ms. Davis noted that in late spring the California Resources released its updated California Water Plan. Ms. Davis was able to sit on the Advisory Committee which helped to prepare this plan along with attending the public workshops regarding this plan. Since the plan and workshops were very long, the executive briefing, which has an extremely condensed version of this plan, is what is being presented at today's meeting. The Key changes that the Department of Water Resources made in coming up with this plan is to have an open and transparent public process, to seek collaborative recommendations, and to prepare a strategic plan. Newly configured charts such as water portfolios were modified using actual data which is much more useful data than before. The new feature "Multiple Future Scenarios" which uses plausible yet different base conditions to plan for uncertainties and risks was added. Tools for water managers and resource planners to reduce water demand, improve operational efficiency and transfers, increase water supply, improve water quality, and practice resource stewardship was added as a new feature titled "25 Resource Management Strategies". Ms. Davis reviewed the Framework for Action – Sustainable & Reliable Water in 2030 chart. Ms. Davis noted that when reviewing the scenarios, demand changes by region for California, when you play with population; you play with some of the levels of economic development. The Range of Water Supply Benefits chart was reviewed in detail. The Core Recommendation in this plan include, a) Provide effective State leadership, oversight & assistance, b) Clarify State, federal and local roles & responsibilities, c) Develop funding strategies & clarify role of public investments, d) Increase tribal participation and access to funding, e) Ensure Environmental Justice across all communities, f) Adapt for global climate change impacts, g) Invest in new water technology, g) Improve water data management and analysis, and h) Increase scientific understanding. Key comments which were given on this plan were examined. It was recommended that the next revision incorporate information from the 2005 Urban Water Management Plans. Praise for the new approach and structure of the plan was given.

- 4. Water Resources Report (handout)  
No comment was made regarding this item.
- 5. State/Federal Legislation Reports  
No comment was made regarding this item.
- 6. Community Outreach/Public Relations Report  
No comment was made regarding this item.

**D. OTHER METROPOLITAN MEMBER AGENCY REPORTS**

No comment was made regarding this item.

**IV. INFORMATION**

- 1. Newspaper Articles  
No comment was made regarding this item.

**V. COMMITTEE MEMBER COMMENTS**

No comment was made regarding this item.

**VI. OTHER BUSINESS**

No comment was made regarding this item.

**VII. FUTURE MEETINGS**

July 28, 2005	9:00 a.m.	Advisory Committee Meeting
July 28, 2005	11:00 a.m.	Watermaster Board Meeting
August 11, 2005	9:00 a.m.	Joint Appropriative & Non Agricultural Pool Meeting
August 16, 2005	11:00 a.m.	Agricultural Pool Meeting @ IEUA
August 25, 2005	9:00 a.m.	Advisory Committee Meeting
August 25, 2005	11:00 a.m.	Watermaster Board Meeting

The Advisory Committee Meeting Adjourned at 10:22 a.m.

Secretary: \_\_\_\_\_

Minutes Approved: August 25, 2005