

**Minutes**  
**CHINO BASIN WATERMASTER**  
**ANNUAL ADVISORY COMMITTEE MEETING**  
*January 22, 2009*

The Annual Advisory Committee meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga CA, on January 22, 2009 at 9:00 a.m.

**ADVISORY COMMITTEE MEMBERS PRESENT**

**Agricultural Pool**

Gene Koopman, Chair	Milk Producers Counsel
Jennifer Novak	State of California Dept. of Justice, CIM
Bob Feenstra	Ag Pool – Dairy
Jeff Pierson	Ag Pool – Crops
Rob Vanden Heuvel	Milk Producers Counsel
Pete Hall	State of California, CIM

**Appropriative Pool**

Robert DeLoach	Cucamonga Valley Water District
Mark Kinsey	Monte Vista Water District
Ken Jeske	City of Ontario
Robert Tock	Jurupa Community Services District
Ron Craig	City of Chino Hills
Dave Crosley	City of Chino
Charles Moorrees	San Antonio Water Company
Raul Garibay	City of Pomona
Mike McGraw	Fontana Water Company

**Non-Agricultural Pool**

Bob Bowcock	Vulcan Materials Company (Calmat Division)
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**Watermaster Board Members Present**

Michael Camacho	Inland Empire Utilities Agency
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**Watermaster Staff Present**

Ken Manning	CEO
Sheri Rojo	CFO/Asst. General Manager
Ben Pak	Senior Project Engineer
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

Michael Fife	Brownstein, Hyatt, Farber & Schreck
Mark Wildermuth	Wildermuth Environmental, Inc.

**Others Present**

Marty Zvirbulis	Cucamonga Valley Water District
Mohamad El Amamy	City of Ontario
Jack Safely	Western Municipal Water District
Tom Crowley	Western Municipal Water District
Bill Kruger	City of Chino Hills
Terry Catlin	Inland Empire Utilities Agency
Sandra Rose	Monte Vista Water District
Rich Atwater	Inland Empire Utilities Agency
Martha Davis	Inland Empire Utilities Agency
Steven Lee	Reid & Hellyer
Eunice Ulloa	Chino Basin Water Conservation District

Chair Koopman called the annual Advisory Committee meeting to order at 9:05 a.m.

**AGENDA - ADDITIONS/REORDER**

No additions or reorders were made to the agenda.

**I. INTRODUCTIONS OF THE ADVISORY COMMITTEE OFFICERS, CALENDAR YEAR 2009**

<u>Gene Koopman</u>	Chair	(Agricultural Pool)
<u>Robert DeLoach</u>	Vice-Chair	(Appropriative Pool)
<u>Bob Bowcock</u>	Second Vice-Chair	(Non-Agricultural Pool)
<u>Ken Manning</u>	Secretary/Treasurer	(Chief Executive Officer)

**INTRODUCTIONS OF THE NEW BOARD MEMBERS, CALENDAR YEAR 2009**

**Calendar Year 2008 Pool Representation on the Watermaster Board**

Based on the Court-adopted Rotation Schedule for Representatives to the Watermaster, during calendar year 2009, the following will represent the Appropriative Pool on the Watermaster Board.

Fontana Water Company 2009-2011	New Member:	<u>Michael L. Whitehead</u>
	Alternate:	<u>Robert K. Young</u>

Returning:

Cucamonga Valley Water District 2009-2010	Member:	Jim Curatalo
	Alternate:	Kathy Tiegs

City of Upland 2009-2010	Member:	Ken Willis
	Alternate:	Tom Thomas
	Alternate:	Anthony La

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Advisory Committee Meeting held December 18, 2008

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of December 2008
2. Watermaster Visa Check Detail
3. Combining Schedule for the Period July 1, 2008 through November 30, 2008
4. Treasurer's Report of Financial Affairs for the Period October 1, 2008 through November 30, 2008
5. Budget vs. Actual July 2008 through November 2008

**C. LOCAL AGENCY INVESTMENT FUND**

Resolution 09-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)

**D. LEVYING REPLENISHMENT & ADMINISTRATIVE ASSESSMENTS**

Resolution 09-03 – Resolution of the Chino Basin Watermaster Levying Replenishment and Administrative Assessments for Fiscal Year 2008-2009

**E. NOTICE OF INTENT**

Annual Filing of Notice of Intent Regarding the Determination of Operating Safe Yield

**F. INDEPENDENT FINANCIAL AUDIT**

Mayer Hoffman McCann P.C. Independent Watermaster Financial Audit

**G. ALLOCATION OF VOLUME VOTE**

Advisory Committee Allocation of Volume Vote effective Calendar Year 2009

*Motion by Bowcock, second by Pierson, and by unanimous vote****Moved to approve Consent Calendar A through G, as presented*****II. BUSINESS ITEM****A. BUDGET TRANSFER**

Ms. Rojo stated this item pertains to a TMDL Study along the Santa Ana River and there was a request made by the Agricultural Pool to fund the farming portion of this study. This item has been through the Watermaster process and at the last Advisory Committee meeting in December, 2008, that committee requested this item be pulled from the agenda for further consideration. This item is now once again before this committee for reconsideration. Chair Koopman made a motion to approve the Budget Transfer to fund the farming portion of the TMDL Study for \$21,000. Mr. Jeske made reference to the last Advisory Committee meeting when this item was discussed at length and noted options were brought forward through the Pool process; however, they were not approved. Having these options brought forth to the parties showed there was good faith efforts put forth to negotiate this item. Mr. Jeske stated he would like to see this put off for another month to allow the Appropriative Pool try to rework and restructure some language that might assist in moving this forward. Mr. DeLoach stated the Appropriative Pool members were just notified a few days ago that the Agricultural Pool took action to decline the offer to work out this process; Mr. DeLoach noted his displeasure in the action the Agricultural Pool took. Mr. DeLoach agreed with Mr. Jeske in wanting to work on defining improved language for this broad term of Special Projects and to provide clarification on how to proceed with this type of request in the future. A lengthy discussion regarding this matter, what the TMDL study is, and what a Special Project is ensued. Mr. Bowcock stated he doesn't think the attorneys should define what special projects are. A discussion ensued with regard to this item including how this vote will be taken to the Watermaster Board meeting later today.

*Motion by Koopman, to approve the budget transfer to fund the farming portion of the TMDL study for 21,000 second by Pierson*

***Motion failed to pass by a majority no vote, the Non-Agricultural Pool concurred with a no vote, as presented*****III. REPORTS/UPDATES****A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**1. February 2, 2009 Hearing

Counsel Fife stated there is a hearing scheduled for February 2, 2009, and counsel and staff have been preparing for that hearing including meeting with witnesses and legal counsel. Notice has gone out to the attorney group about each of the sessions being held. The materials that are being developed are being distributed on a regular basis. There is a copy of the intended hearing outline on the back table. Counsel will advise the court that it is unaware of any opposition if there is none at the time of the hearing. Counsel Fife stated once the Watermaster Board has approved this outline it will be filed with the court. A brief discussion regarding this item ensued.

2. Hanson Aggregates Litigation

Counsel Fife stated a tentative settlement has taken place with Hanson Aggregates' and the final documents are still in the works. Calls have been placed to the Hanson Aggregates attorney to no avail and yesterday we were told their legal counsel that has been working on this case no longer is working for the law firm. This has set things back slightly; however, the conceptual settlement that is in place is still valid.

3. Sale/Auction of Overlying Non-Agricultural Water

Counsel Fife stated this item is moving through the process. Discussions with the Appropriative Pool have been taking place along with working on documentations with them. The hope is that the auction will take place in the spring.

**B. ENGINEERING UPDATES**

1. Progress Report on Recharge Master Plan

Mr. Wildermuth gave the presentation on the progress on the Recharge Master Plan. It was noted the start of this plan began in October, 2008, at the Strategic Planning Conference. The detailed scoping and scheduling are complete and the consultant team which includes Wildermuth Environmental, Black & Veatch, and Wagner Engineers. The technical work was started and the production optimization task was added in January, 2009. Mr. Wildermuth stated there will be eleven workshops to cover the key points and stakeholder input is necessary. Mr. Wildermuth expanded on the Content Management Website which went live in January, 2009. A discussion regarding Mr. Wildermuth's presentation ensued. Mr. Manning stated Watermaster, in the development of the Content Management Website process, made the commitment this would be an open and transparent process with the continuous scheduling of workshops. Mr. Manning noted by the end of next week the Content Management Website will be linked onto the Watermaster Website and will be titled "Recharge Master Planning." A discussion regarding the four committees that parties signed up for at the Strategic Planning Conference ensued.

2. Background and Conceptual Scoping of the Pumping Optimization Investigation

No comment was made regarding this item.

3. Oral Progress Report on other Wildermuth Environmental Activities

No comment was made regarding this item.

**C. CEO/STAFF REPORT**

1. Legislative Update

Mr. Manning stated there is a detailed legislative report provided by Inland Empire Utilities Agency starting on page 151 of the meeting packet. There is a new administration in Washington DC and it is not known how that will affect us. The economic stimulus package will be a great topic of discussion in Washington over the next several months. There will be some funds put towards infrastructure and hopefully a portion of those funds will be channeled into the Chino Basin. Mr. Manning stated thus far there is no change in the state's \$42 billion dollars debt crisis and there appears to be no legislative remedy. There is still a great deal of discussion in Sacramento regarding a Water Bond. A brief discussion regarding the legislative update ensued.

2. Recharge Update

Mr. Manning stated a copy of the recent recharge activity is on the back table. Staff did record the single largest day of storm water capture in the Chino Basin history which was slightly over 1,500 acre-feet in one day. Since that one large storm in December there have not been many more significant storms; however, there are storms predicted to hit possibly today through the weekend. The drought issue is still critical in southern California in terms of rainwater.

**D. INLAND EMPIRE UTILITIES AGENCY**

1. MWD Drought Update – Oral

Mr. Atwater stated an update on the drought was sent out to all the parties recently. Mr. Atwater summarized the update and noted the Colorado River's water level at the present time is up.

2. MWD Proposed 2010 Rate Increase – Oral  
Mr. Atwater stated there has been a lot of discussion at Metropolitan Water District (MWD) because they are considering a rate increase as they do every year but the schedule has changed slightly. The MWD board scheduled another budgeted workshop on February 24, 2009 and the rate increases will be discussed at that workshop.
3. State/ MWD Conservation Requirements for Grant Funds – Oral  
Ms. Davis stated the handout that is in the meeting package has been updated and is now on the back table. Ms. Davis stated a bill was passed about a year and half ago that required agencies and cities that were applying for any state grant or loans to be in compliance with the California Urban Water Conservation Councils Best Management Practices. That bill went into effect January 1, 2009 which means anybody who is applying for a state grant after January 1<sup>st</sup> has to be in compliance. A meeting was held to assist people in knowing what it means to be in compliance. Ms. Davis stated with regard to the economic stimulus package that is under discussion a lot of the funding that would be available for water related projects would be coming through to the state through the SRF loan program. Because of the law that is in place this means the economic stimulus dollars would be subject to these compliance requirements. A discussion regarding “in compliance” ensued. Ms. Davis stated with regard to the MWD conservation prerequisite at MWD’s January meeting they made some changes to the prerequisite. MWD is interested in having all retail agencies within their service area that want to apply for the Public Sector Grants adhere to a conservation ordinance prerequisite. MWD is looking for a more active enforcement of water efficiency measures. A brief discussion ensued with regard to Ms. Davis’s report.
4. MWD Board Letter, 2009 Water Supply Allocation Plan Status  
No comment was made regarding this item.
5. MWD Board Letter, Water Revenue Requirements, Calendar Year 2010 Rates  
No comment was made regarding this item.
6. Summary State/MWD Conservation Requirements for Grand Funds  
No comment was made regarding this item.
7. Monthly Water Conservation Programs and Imported Water Deliveries/DYY Report  
No comment was made regarding this item.
8. Recycled Water Newsletter  
No comment was made regarding this item.
9. State and Federal Legislative Report  
No comment was made regarding this item.
10. Community Outreach/Public Relations Report  
No comment was made regarding this item.
11. Peace II EIR Timeline  
No comment was made regarding this item.

**E. OTHER METROPOLITAN MEMBER AGENCY REPORTS**

Mr. Safely noted several agencies are concerned about their grant funding and their receiving monies/payments. Mr. Safely reviewed several of the grants that are approved however the delay in receiving payments will put numerous projects at risk. A discussion regarding this matter ensued.

**IV. INFORMATION**

1. Newspaper Articles

No comment was made regarding this item.

**V. COMMITTEE MEMBER COMMENTS**

Mr. Kinsey stated for the past year to year in a half the parties have been working on a potential expansion of the Dry Year Yield Program. The CEQA work is complete and there is an understanding of some of the project alternatives and configurations. It is his understanding of the MOU between Inland Empire Utilities Agency, Western Municipal Water District, and Three Valleys Municipal Water District that, there are some provisions in that document which appear to have some potential challenges that need to be worked through regarding the Peace Agreement and Peace II documents. Mr. Kinsey noted if there are changes required it would be better to work on those now rather wait until the last minute; the deadline for the agreement is September, 2009. Mr. Atwater stated a meeting can be scheduled right away to resolve some of these issues and asked that parties see him after the meeting to get that started.

**VI. OTHER BUSINESS**

No comment was made regarding this item.

**VII. FUTURE MEETINGS**

January 22, 2009	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
January 22, 2009	9:00 a.m.	Annual Advisory Committee Meeting
January 22, 2009	11:00 a.m.	Annual Watermaster Board Meeting
January 27, 2009	9:00 a.m.	GRCC Meeting
February 2 & 3, 2009		CBWM Hearing – San Bernardino Court
February 12, 2009	10:00 a.m.	Joint Appropriative & Non-Agricultural Pool Meeting
February 17, 2009	9:00 a.m.	Agricultural Pool Meeting @ IEUA
February 26, 2009	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
February 26, 2009	9:00 a.m.	Advisory Committee Meeting
February 26, 2009	11:00 a.m.	Watermaster Board Meeting

The Annual Advisory Committee meeting was dismissed by Chair Koopman at 10:16 a.m.

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

Minutes Approved: February 26, 2009