

Minutes
CHINO BASIN WATERMASTER
ADVISORY COMMITTEE MEETING

December 17, 2009

The Advisory Committee meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga CA, on December 17, 2009 at 9:00 a.m.

ADVISORY COMMITTEE MEMBERS PRESENT

Appropriative Pool

Robert DeLoach, Chair	Cucamonga Valley Water District
Ken Jeske	City of Ontario
Mark Kinsey	Monte Vista Water District
Dave Crosley	City of Chino
Bill Kruger	City of Chino Hills
Raul Garibay	City of Pomona
Charles Moorrees	San Antonio Water Company
Robert Tock	Jurupa Community Services District
Robert Young	Fontana Water Company
Josh Swift	Fontana Union Water Company

Agricultural Pool

Jeff Pierson	Ag Pool – Crops
Jennifer Novak	State of California, Dept. of Justice, CIM
Pete Hall	State of California CIM

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.
Andy Malone	Wildermuth Environmental Inc.

Others Present

John Mura	City of Chino Hills
Steve Nix	City of Chino Hills
Ron Craig	City of Chino Hills
Gil Aldaco	City of Chino
Marty Zvirbulis	Cucamonga Valley Water District
Steven Lee	Reid & Hellyer
Martha Davis	Inland Empire Utilities Agency
Ryan Shaw	Inland Empire Utilities Agency
Terry Catlin	Inland Empire Utilities Agency
Tom Harder	Jurupa Community Services District

Chair DeLoach called the Advisory Committee meeting to order at 9:00 a.m.

AGENDA - ADDITIONS/REORDER

No additions or reorders were made to the agenda.

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Advisory Committee Meeting held November 19, 2009

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of October 2009
2. Watermaster Visa Check Detail for the month of October 2009
3. Combining Schedule for the Period July 1, 2009 through October 31, 2009
4. Treasurer's Report of Financial Affairs for the Period October 1, 2009 through October 31, 2009
5. Budget vs. Actual July through October 2009

C. WATER TRANSACTION

1. **Consider Approval for Notice of Sale or Transfer** - Chino Basin Watermaster will purchase 21.215 acre-feet of water from Aqua Capital Management to offset the Assessment Year 2008-09 replenishment obligation. Watermaster will purchase the water at \$321.76 per acre-foot, which is the Assessment Year 2008-09 replenishment rate collected, plus accumulated interest. The transfer will be made from Aqua Capital Management's net under-production in Fiscal Year 2009-10.
Date of Application: September 18, 2009
2. **Consider Approval for Notice of Sale or Transfer** - Monte Vista Water District is purchasing 5.188 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio's net underproduction, if any, in Fiscal Year 2009-10, with any remainder to be recaptured from storage. Date of Application: October 8, 2009

D. VOLUME VOTE

1. Consider Approval of Volume Vote for Advisory Committee

Motion by Moorrees, second by Young, and by unanimous vote

Moved to approve consent calendar items A through D, as presented

II. BUSINESS ITEM

A. 2010 Community Outreach Campaign

Mr. Manning stated this item has been unanimously approved by the Pools. The discussions at the Pool meetings were constructive in expressing how and what should be going into the articles; however, all parties felt the campaign was beneficial. Mr. Manning noted this is the 4th year of participating in this program with a number of other parties and commented on the importance of this year's message. Mr. Manning noted this item is included in the approved 2009/2010 budget. Chair DeLoach commented on a letter sent out by ACWA recently. A brief discussion regarding the advertisement ensued.

Motion by Jeske, second by Pierson, and by unanimous vote

Moved to approve 2010 Public Outreach Campaign for \$10,000.00, as presented

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. December 11, 2009 Hearing

Counsel Fife stated a hearing on December 11, 2009 took place and noted it was framed as a status and there were no decisions made by Judge Reichert. Judge Reichert stated at that hearing, the purpose of the hearing was to introduce himself to counsel, staff, and the parties and to get an idea as to what will be coming to court over the next few months.

Counsel Fife stated the new judge appears to be very interested in our case and noted Judge Reichert was Judge Gunn's research attorney in 2000 when the Peace Agreement was being formulated which means he has a lot of knowledge about the Chino Basin Watermaster case. Counsel Fife stated there is a Recharge Master Plan hearing scheduled for Friday, September 24, 2010. Judge Reichert indicated at the December hearing that due to his calendar being mainly devoted to criminal and other cases, Friday afternoons appear to be the best day and time to schedule CBWM hearings.

Added Comment:

Counsel Fife stated there is a map of the Santa Ana Sucker Critical Habitat Re-Proposed 2009 area on the back table which proposes to expand the designation of the critical habitat for the sucker. This notice was published in the federal register on December 9, 2009, and the notice is very long so that was not printed for distribution. Counsel Fife reviewed the map in detail. Counsel Fife noted comments are due by February 8, 2010 and counsel is encouraging CBWM to comment. Counsel Fife stated he has heard there are going to be extensive comments coming from a coalition of parties who will be seriously affected by the proposed expansion area for critical habitat. A lengthy discussion regarding this matter ensued.

B. WATERMASTER FINANCIAL REPORT

1. Financial Update

Ms. Rojo stated at the last ACWA Conference which she recently attended there was an interesting presentation given about CalPERS and their status following the poor financial returns of the past year. Ms. Rojo gave the CalPERS presentation which touched on impacts attributed to payroll increases, benefit improvements, and investment returns in light of the current economy. A discussion regarding this item ensued.

C. ENGINEERING REPORT

1. State of the Basin Report

Mr. Malone stated the Final 2008 State of the Basin Report is now available on the Wildermuth Environmental and the Chino Basin Watermaster website and ftp sites. Mr. Malone noted this report is done every other year and is court ordered. The report describes the progress of OBMP programs and the physical state of the basin. Mr. Malone gave a presentation on the highlights of the final report. A discussion regarding the report ensued.

D. CEO/STAFF REPORT

1. Legislative Update

Mr. Manning commented on the upcoming bond measure and gave a detailed description of it. Mr. Manning noted there is some interesting information regarding legislative issues on the back table which was handed out at the recent ACWA conference.

2. Recharge Report

Mr. Manning stated the most current recharge report is on the back table. Mr. Manning reviewed the report in detail.

3. Scheduled Board Changes for 2010

Mr. Manning stated a copy of the court approved rotation schedule for representatives to the Watermaster is on the back table. Mr. Manning reviewed the changes that will come up in 2010.

4. Manning 4th Annual Holiday Gathering

Mr. Manning stated his annual holiday gathering is tonight and hopes all parties will be attending.

E. INLAND EMPIRE UTILITIES AGENCY

1. Recycled Water Update
Ms. Davis discussed the handout regarding recycled water.
2. Status Report on DYY and Drought Allocation Implementation
Ms. Davis discussed the Drought Allocation Plan.
3. Water Resources & Conservation Programs Monthly Report
No comment was made regarding this item.
4. Monthly Water Use Report
No comment was made regarding this item.
5. State and Federal Legislative Reports
No comment was made regarding this item.
6. Community Outreach/Public Relations Report
No comment was made regarding this item.
7. Peace II SEIR Schedule
No comment was made regarding this item.

F. 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

December 16, 2009	10:00 a.m.	Water Quality Committee Meeting @ CBWM
December 17, 2009	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
December 17, 2009	9:00 a.m.	Advisory Committee Meeting @ CBWM
December 17, 2009	11:00 a.m.	Watermaster Board Meeting @ CBWM
December 17, 2009	1:00 p.m.	Recharge Master Plan Workshop @ CBWM
January 7, 2010	1:00 p.m.	Annual Non-Agricultural Pool Elections @ CBWM
January 7, 2010	1:05 p.m.	Annual Appropriative Pool Elections @ CBWM
January 7, 2010	1:15 p.m.	Annual Joint Appropriative & Non-Ag Pool Meeting @ CBWM
January 14, 2010	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
January 21, 2010	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
January 21, 2010	9:00 a.m.	Annual Advisory Committee Meeting @ CBWM
January 26, 2010	9:00 a.m.	GRCC Meeting @ CBWM
January 28, 2010	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM

Minutes Advisory Committee Meeting

December 17, 2009

The Advisory Committee meeting was dismissed by Chair DeLoach at 9:36 a.m.

Secretary: _____

Minutes Approved: January 21, 2010