

**Minutes**  
**CHINO BASIN WATERMASTER**  
**ADVISORY COMMITTEE MEETING**  
*December 16, 2010*

The Advisory Committee meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga CA, on December 16, 2010 at 9:00 a.m.

**ADVISORY COMMITTEE MEMBERS PRESENT WHO SIGNED IN**

Appropriative Pool

Robert DeLoach, Chair	Cucamonga Valley Water District
Mark Kinsey	Monte Vista Water District
Dave Crosley	City of Chino
Raul Garibay	City of Pomona
Bill Kruger	City of Chino Hills
Anthony La	City of Upland
Mohamed El-Amamy	City of Ontario
Robert Young	Fontana Water Company
Ron Craig	City of Chino Hills
Tom Harder	Jurupa Community Services District

Agricultural Pool

Jeff Pierson	Ag Pool – Crops
Jennifer Novak	State of California Dept. of Justice

Non-Agricultural Pool

Ken Jeske	California Steel Industries
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**ADVISORY COMMITTEE MEMBERS PRESENT WHO DID NOT SIGN IN**

Non-Agricultural Pool

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

Michael Camacho	Inland Empire Utilities Agency
Ken Willis	City of Upland

**Watermaster Staff Present**

Ken Manning	Chief Executive Officer
Joe Joswiak	Chief Financial Officer
Danielle Maurizio	Senior Engineer
Ben Pak	Senior Project Engineer
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

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

**Others Present Who Signed In**

Marty Zvirbulis	Cucamonga Valley Water District
Steven Lee	Reid & Hellyer
Jolynne Russo-Pereyra	Cucamonga Valley Water District
Terry Catlin	Inland Empire Utilities Agency
Ryan Shaw	Inland Empire Utilities Agency
Sheri Rojo	Consultant for Fontana Water Company

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

**AGENDA - ADDITIONS/REORDER**

There were no additions or reorders made to the agenda.

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Advisory Committee Meeting held November 18, 2010

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of October 2010
2. Watermaster Visa Check Detail for the month of October 2010
3. Combining Schedule for the Period October 1, 2009 through October 31, 2010
4. Treasurer's Report of Financial Affairs for the Period October 1, 2010 through October 31, 2010
5. Budget vs. Actual July 2010 through October 2010

**C. APPLICATION FOR RECHARGE**

1. Notice of Application for Recharge – San Antonio Water Company Has Submitted Form 2 Application for Recharge to Percolate 300.000 acre-feet of Water from Six Basins into the Upland Basin as Local Supplemental Storage

*Motion by Kinsey, second by La, and by unanimous vote*

***Moved to approve Consent Calendar items A through C, as presented***

**II. BUSINESS ITEMS**

**A. CHINO BASIN WATERMASTER REAPPOINTMENT OF THE NINE-MEMBER BOARD**

Mr. Manning stated the Appropriative and Agricultural Pool moved to approve the reappointment of the Watermaster nine-member Board and the Non-Agricultural Pool took no action.

*Motion by Pierson, second by Young, and by unanimous vote – Non-Agricultural Pool abstained*

***Moved to approve the Chino Basin Watermaster reappointment of the nine-member Board for another five years, as presented***

**III. REPORTS/UPDATES**

**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**

1. Paragraph 31 Appeal

Counsel Fife stated on the back table there are copies of the four settlement conference statements that were filed. Counsel Fife stated there is an order from the Court of Appeals setting the date for the settlement conference for January 26, 2011. The procedural issue for the Pools and for Watermaster is that the court has ordered the decision body of every party to personally attend the settlement conference unless an application is made and those parties are excused. Counsel Fife stated there is also a second order interpretation of that by some of the attorneys involved as to whether it means the decision making bodies of each of those entities have to attend. Counsel Fife stated since Watermaster and the Pools are going to ask to be excused from this requirement, this will probably become a non-issue. Counsel Fife stated to obtain this excuse there has to be a written delegation from that decision making body to an individual, who will actually appear, giving that individual full decision making and settlement authority in the matter. Counsel Fife stated this will be discussed with the Watermaster Board today in closed session and this will be something the Pools will need to address as well. A discussion regarding the delegation process ensued.

2. Resolution 2010-04  
Counsel Fife stated the January 21, 2011 hearing is on calendar and the Watermaster nine-member Board extension will be presented at that hearing as the term of the nine-member Board expires on February 10, 2011. Counsel Fife noted originally the January 21<sup>st</sup> hearing was scheduled was to get court approval on Resolution 2010-04; however, that item is still being worked on.
3. January 21, 2011 Hearing  
This item was discussed under the Resolution 2010-04. No further comments were made.
4. Draft Restated Watermaster Judgment  
Counsel Fife stated all three Pools moved to hold this item for review of contents and for work on the party lists and will not be presented, as originally planned, at the January 21, 2011 hearing.

#### **B. ENGINEERING REPORT**

1. Watermaster Review of CDA Proposed Chino Creek Well Field Wells  
Mr. Wildermuth stated Wildermuth Environmental has been doing several tasks for Watermaster this year. Mr. Wildermuth commented on the tasks being worked on presently and during this past year.
2. Managed Aquifer Recharge Symposium – Jan 25-26, 2011 at the Atrium Hotel Orange County  
Mr. Wildermuth stated he was asked to make a presentation and have a poster session on the Recharge Master Plan on January 25-26, 2011 at the symposium. Mr. Wildermuth noted this is being handled financially through Wildermuth Environmental and is not a Watermaster expense.

#### **C. CEO/STAFF REPORT**

1. Legislative Update  
Mr. Manning stated there is nothing new to report on since the Pool meetings.
2. Recharge Update  
Mr. Manning stated it appears with these rainy storms that have occurred and about to occur, we will be capturing a good amount of storm water; the facilities are ready.
3. Riverside County Flood Control District  
Mr. Manning stated Watermaster is working with Riverside County, who want to participate with Watermaster in the implementation of the Recharge Master Plan projects that affect them. Mr. Manning stated the first meeting has been scheduled for early January to discuss some of those options.
4. MOU for Ontario Airport Data Gathering Reimbursement Agreement  
Mr. Manning stated this item is regarding the data gathering agreement; a term sheet is being reviewed. Mr. Manning stated that in discussions at the last Water Quality Committee meeting it was made known to have enough money in the next budget for Watermaster to replicate and/or expand the amount of data gathering to equal what the ABGL Group has done. The ABGL Group is not sharing their data at this point in time, and if it comes to Watermaster having to duplicate this effort it will need to be in the budget for next year. Mr. Manning stated if that exact data is not available then it puts Watermaster at a disadvantage; however, the City of Upland, Inland Empire Utilities Agency, and the City of Ontario have stated they are interested in pre-funding the obligation which would allow Watermaster to obtain that data sooner rather than later.

## Added Comment:

Mr. Manning noted normally the Volume Vote would be on this agenda; however, this item was held over because the Appropriative Pool held their Volume Vote over for another month for further review and will be on the January agenda.

**D. INLAND EMPIRE UTILITIES AGENCY**1. MWD Update

Mr. Shaw stated Brian Thomas who is the CFO of Metropolitan Water District (MWD) announced he will be retiring. Mr. Shaw offered comment on MWD's Water Amendment Program. A discussion regarding this program ensued. Mr. Rossi offered comment on the shortage of allocation.

2. DYY Update

Mr. Shaw stated the Dry Year Program is close to being zeroed out in that account.

3. CDA Expansion Update

Mr. Rossi stated in working with MWD there are some real struggles on their position of trying to tie the DYY together with the CDA LRP agreement. Meetings regarding this matter are taking place.

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. IEUA Monthly Water Newsletter

No comment was made regarding this item.

**E. OTHER METROPOLITAN MEMBER AGENCY REPORTS**

Mr. Rossi offered comment on the funding of the Desalters.

## Added Comment:

Counsel Fife stated recently the Fish and Wildlife Service made a decision on the Critical Habitat Designation for the Santa Ana River and it included all the areas that they hoped would not be included. This means the lower portion of the Santa Ana River will be affected by this decision and several parties are discussing how to approach the situation as they all have different agreements with the Fish and Wildlife. Counsel Fife stated counsel is coordinating with the attorneys of the parties and Watermaster will then follow their lead because they are the seriously impacted parties. Counsel Fife noted he will provide updates as needed at future meetings.

**IV. INFORMATION**1. Cash Disbursements for November 2010

No comment was made regarding this item.

2. 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**

Thursday, December 16, 2010	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, December 16, 2010	9:00 a.m.	Advisory Committee Mtg. @ CBWM – <b>Board Room</b>
<b>**Thursday, December 16, 2010</b>	<b>9:30 a.m.</b>	<b>Confidential Session for the Watermaster Board Meeting @ CBWM – Auxiliary Room</b>
<b>* Thursday, December 16, 2010</b>	<b>11:00 a.m.</b>	<b>Watermaster Board Meeting @ CBWM – Board Room</b>
Thursday, January 6, 2011	1:00 p.m.	Annual Appropriative Pool Meeting @ CBWM
Thursday, January 6, 2011	2:30 p.m.	Annual Non-Agricultural Pool Meeting @ CBWM
Thursday, January 13, 2011	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
Tuesday, January 18, 2011	9:00 a.m.	GRCC Committee Meeting @ CBWM
Thursday, January 20, 2011	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, January 20, 2011	9:00 a.m.	Annual Advisory Committee Meeting @ CBWM
Friday, January 21, 2011	10:30 a.m.	CBWM Court Hearing @ Chino Courthouse
Thursday, January 27, 2011	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM

**\* Note: Date changes due to holiday schedules**

**\*\* Added confidential session for the Watermaster Board Members to hear the ABGL presentation**

The Advisory Committee meeting was dismissed by Chair DeLoach at 9:24 a.m.

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

Minutes Approved: January 20, 2011