

**Minutes**  
**CHINO BASIN WATERMASTER**  
**AGRICULTURAL POOL MEETING**  
June 21, 2005

The Agricultural Pool Meeting was held at the offices of the Inland Empire Utilities Agency, 6075 Kimball Avenue, Chino, CA, on June 21, 2005 at 9:00 a.m.

**Agricultural Pool Members Present**

Nathan deBoom, Chair	Milk Producers Council
Glen Durrington	Crops
John Huitsing	Dairy
Dan Hostetler	Cal Poly Pomona

**Watermaster Board Member Present**

Paul Hofer	Crops
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**Watermaster Staff Present**

Kenneth Manning	Chief Executive Officer
Janine Wilson	Secretary
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

Michael Fife	Hatch & Parent
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**Others Present**

Steve Lee	Reid & Hellyer
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Chair deBoom began reviewing the Agricultural Pool meeting agenda items at 9:12 a.m. Due to a lack of quorum the regularly scheduled Agricultural Pool Meeting was not called officially to order. It was decided that motions would be taken to give by proxy to Mr. John Huitsing to vote at the Advisory Committee meeting on June 23, 2005 on behalf of the Agricultural Pool Committee Members.

**AGENDA - ADDITIONS/REORDER**

There were no additions or reorders made to the agenda.

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Agricultural Pool Meeting held May 17, 2005

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of May 2005
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2004 through April 30, 2005
3. Treasurer's Report of Financial Affairs for the Period April 1, 2005 through April 30 2005
4. Profit & Loss Budget vs. Actual July 2004 through April 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. COST OF LIVING ADJUSTMENT (COLA)**

Authorize 3.8% COLA to be applied to the salary schedule as approved in the FY 2005-06 Budget, beginning July 1, 2005

**E. TWENTY-SEVENTH ANNUAL REPORT**

Chino Basin Watermaster Twenty-Seventh Annual Report – Fiscal Year 2003-04

Nathan deBoom, Glen Durrington, John Huitsing, and Dan Hostetler motioned to give by proxy to Mr. John Huitsing to vote at the Advisory Committee meeting on June 23, 2005 on behalf of the Agricultural Pool Committee Members

***Moved to forward the Consent Calendar Items A through E by proxy to be voted on at the Advisory Committee Meeting, as presented***

**II. BUSINESS ITEMS**

**A. SAN ANTONIO CHANNEL UPLAND BASIN INTERCONNECT**

Mr. Manning reminded the committee members about the College Heights discussion which took place several months ago deferring taking any action to use the College Heights Basins and pipe under Arrow Route and directly into the new Upland Basin. Staff has decided to use College Heights for some testing to get an idea at what point the water transfer into the Upland Basin and get some overall better information prior to making a final determination regarding the use of College Heights Basins. One of the ways the infrastructure can be used, which Watermaster designed and paid for, is to bring a pipe from the San Antonio channel and connect it into the storm drain channel which was installed by the City of Upland. The City of Upland has a 102" storm drain pipe that goes into the Upland Basin that drains all of the area to the north of Arrow Route into the Upland Basin. The Upland Basin is a large hole in the ground that percolates very well and every drop of water that is put into the basin will disperse in a very quick time; staff is anxious to use the Upland Basin. Staff was recently notified that water is being released out of the San Antonio Dam that Pomona Valley Protective Association (PVPA) does not want to take because they have raised the water levels in Claremont to a point where they are starting to show and day light. Our basins are taking in a lot of water that was not anticipated to receive and all of Montclair and Brooks are taking in water at this time; if we had Upland Basin available, water would be put in that basin as well. Right now the Upland Basin is not available to receive water which means staff can't dry out any of the Montclair Basins to perform any work on them, which was scheduled to have done. Staff anticipates that if this item is passed at the Watermaster Board meeting that the work should be able to be completed before the next rainy season. Watermaster staff has discussed this with the City of Upland and they are very amenable to what staff is proposing and have already installed an adapter for Watermaster to hook into with our pipe off the San Antonio channel. Staff is still looking at obtaining some easements from the Conservation District. A discussion ensued with regards to the Colonies.

Nathan deBoom, Glen Durrington, John Huitsing, and Dan Hostetler motioned to give by proxy to Mr. John Huitsing to vote at the Advisory Committee meeting on June 23, 2005 on behalf of the Agricultural Pool Committee Members

***Moved to forward the San Antonio Channel Upland Basin Interconnect item by proxy to be voted on at the Advisory Committee Meeting, as presented***

**B. RESOLUTION IN SUPPORT OF PROPOSITION 50 GRANT APPLICATION**

Mr. Manning stated this item is for support for an application; the San Gabriel Municipal Water District has been designated by Inland Empire Utilities Agency (IEUA), Three Valleys Municipal Water District (TVMWD), Foothill Municipal Water District, and the Main San Gabriel Basin Watermaster to coordinate a Prop 50 grant for an Integrated Regional Water Management

Plan. Most of the improvements along with this interconnect are going to benefit those districts including IEUA. The largest benefit to this basin is there is going to be an emergency interconnect off the Azusa Pipeline into the Chino Basin that will allow additional water on an emergency basis to come into the basin. IEUA has asked Watermaster for our support and TVMWD passed their resolution and support of this item last week. Watermaster staff is indicating by having this on our agenda and asking for encouragement, our support for their project and interconnect to the Chino Basin.

Nathan deBoom, Glen Durrington, John Huitsing, and Dan Hostetler motioned to give by proxy to Mr. John Huitsing to vote at the Advisory Committee meeting on June 23, 2005 on behalf of the Agricultural Pool Committee Members

***Moved to forward the resolution in support of Proposition 50 grant application item by proxy to be voted on at the Advisory Committee Meeting, as presented***

### III. REPORTS/UPDATES

#### A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Attorney-Manager

Counsel Fife stated that the Attorney-Manager process is moving forward. A few weeks ago a series of meetings, with smaller individual groups, took place in lieu of one large meeting. These smaller group meetings will continue for the next few weeks; it was found that these types of meetings are more valuable at this point in the discussions. Counsel is planning on meeting with the State who could not meet for the meetings last week. The one outcome of all the individual meetings is that everyone indicated a clear willingness and optimism about finishing this process by the end of the August time frame.

2. North Gualala Amicus

Counsel Fife noted this item has been on the agenda for the past few months; this is the case in Sonoma County finding that groundwater pumping fell under the State Water Resources Control Board's jurisdiction. This was placed on the agenda this month because it was felt the parties in that case thought that a briefing schedule would have been released by May. That schedule has not been released yet and this case seems to be moving very slowly; counsel is anticipating they have an update next month.

3. Legislation Update

Counsel Fife stated that there have been a few bills out that might have an impact on the Chino Basin; the large bill is AB 1453 which could create a series of water courts in California which would primarily handle groundwater adjudications. The bill has caused some concern due to where the courts will physically be set up. Under the current draft of the bill there is a good chance that the Chino Basin Watermaster adjudication court would end up in Orange County; however, the bill does appear to be stalled at this time due to a lack of support. SB 820 has also been of interest which is Sheila Kuehl's bill and then AB 371 which concerns recharge of recycled water; both of these bills have passed their respective houses. These are both very large bills with a lot in them and they are worth looking at due to their impact to the Chino Basin. AB 371 appears there might be some language developing in the bill concerning a tax on the recharging of recycled water in order to fund this program that is being created by the bill.

#### Added Comment:

Counsel Fife noted that a report has been received from the special referee concerning the MZ1 Workshop held last week. That report will be served on the parties this week by Watermaster staff. This item will be discussed in greater detail at the Advisory and Board meeting on June 23, 2005.

**B. CEO/STAFF REPORT**1. Assessment Package Workshop

Mr. Manning stated that the Assessment Package Workshop was held June 15, 2005. In keeping with one of his goals and objectives that was set up for this year, which was to try and align the budget process which includes the assessment package and the water activity reporting into a more concise document. Ms. Rojo who was unable to attend today's meeting did an excellent job in taking on this challenging job. Ms. Rojo held the workshop and used the new format for the assessment package and water activity reporting by inputting last year's numbers into this year's reporting format for review. A number of the producers in the basin were asked to come in and evaluate that process with staff and provide feedback. The reaction at the workshop was overly positive in that the new format was easily readable and easy to follow the process from start to finish.

2. Recharge Activity Update

Mr. Manning noted that at the San Antonio Channel, staff has stopped taking water from Metropolitan Water District (MET) because of the opportunity to take water from the San Antonio channel from releases out of San Antonio dam; that water is coming in at about 30-35 cfs and all the water is free. In speaking with TVMWD and PVPA the incoming water will be coming in for a number of weeks or possibly months. Watermaster may try and use some of that free water to do the test on College Heights that was mentioned in an item earlier. This would again give Montclair an opportunity to drain down which would allow some physical work to be performed in that basin. Watermaster is also taking water between 15-20 cfs into San Sevaine I; Jim Theirl and staff went in with a crew and put up a sand bag structure around the outlet structure of San Sevaine I in order for us to accumulate water in that basin with the approval of the county. In meeting yesterday with staff at the Flood Control, with MET present, Watermaster staff has asked them to take a look at CB13 which is the connection that is used to get water into San Sevaine I to see if there is any way to increase the amount of flow to that basin. The idea would be if we can get them to increase water flows that eventually water could be put into San Sevaine I and San Sevaine 5 which would create a tremendous recharge opportunity on the east side of the basin.

3. Ontario Clean Up & Abatement Orders

Mr. Manning stated that at the last Watermaster Board meeting it was approved in the budget to include some money to support the Regional Board in costs for assistance regarding the Ontario clean up and abatement orders. Mr. Thibeault was notified to start releasing the clean up and abatement orders. Staff is looking at some time around the next two weeks on the release of those orders with a scheduled date to meet with the potential responsible parties (PRP) in late August. If that is the schedule, staff will be prepared at that time, using Wildermuth Environmental staff to present to them what is thought the preferred project would be and what their alternatives would be. It was noted that six orders are going to be going out.

4. Cooperative Meetings with County Flood Control

Mr. Manning stated that he feels this is an important item to relay and that there are a number of meetings going on right now with the Flood Control, building relationships between the county, CBWM, IEUA, and the Conservation District so that we can make sure we coordinate activities. There have been a couple situations with the county in their planning that went on two and three years ago, projects that are now starting to come about that are requiring having additional work added to them like the recent sand bag structure that Mr. Theirl and crew had to construct in the San Sevaine Basin. Staff is trying to work with the county and they have agreed to meet with Watermaster. There are a couple different efforts taking place right now, one being a Rainwater Recovery Group (Orange County, Riverside, and San Bernardino agencies) working together on the Santa Ana River on a rainwater recovery program, this is being coordinated by SAWPA and the first meeting for that group met yesterday. There was a lot of good reaction during this

meeting and there was pre-unanimous support for working together for trying to coordinate rainwater recovery. Additionally, there are meetings set up for Policy and Planning with Mr. Manning and staff from IEUA in meeting with staff at Flood Control. This Policy and Planning meeting is taking place quarterly to talk about planning issues. One of the issues that was discussed recently is a gravel pit on the west Fontana channel that Flood Control is interested in purchasing and that Watermaster would be very interested in using as a recharge facility over on the east end of our basin; this would be equivalent in size to the Upland Basin on the west side. This would give Watermaster two very large facilities to recharge. Flood Control feels they can channel a two hundred year storm into that basin and not have to worry about it over flowing. The meetings have increased between agencies with our GRCC meetings which are meeting monthly to every two weeks for the next six months to coordinate some of the activities that have to do with coordinating SCADA and some of the improvements prior to the next rainy season. There are a lot of cooperation efforts with Flood Control, CBWM, IEUA, and the Conservation District.

5. Agricultural Pool Water Fee/Tax Update

Mr. Manning commented that this last item was placed on the agenda because of an issue that came up at the last Agricultural Pool meeting. This item regards the Agricultural Pool water/tax fee situation. Mr. Manning stated that he had staff pull all the minutes regarding the conversations regarding this item which took place right before he was hired into the CEO position. In review, what the minutes reflect is that the Agricultural Pool is anxious to take on this activity; however, Watermaster has no ability at this point until the Board directs staff to coordinate this kind of taxing authority. Staff would encourage the Agricultural Pool to work with the cities and/or the Agricultural members to coordinate some language that would be included into the agreement that would funnel money back to the Agricultural Pool. Watermaster could help coordinate that effort, although there is no enforcement ability at this time. All this information has been forwarded to counsel and counsel has been asked to comment on this issue. Counsel Fife stated with the absence of a quorum this item will be placed back on the agenda next month for further discussion. Counsel Fife reviewed what Watermaster's authority is and what can be done and noted this can actually be done but not without going through the entire Watermaster process. This is something that was discussed and it was noted that the Agricultural pool did not want to take this issue through the Pool, Advisory and Board process. Counsel Fife stated that without Board direction, Watermaster can not start charging or putting an assessment on recycled water usage. Whether the Agricultural Pool can go out and do it itself is another question and gets into the authority of the Agricultural Pool over its own members. Counsel Lee stated where there is an agreement set up with the members of the Agricultural Pool are notified of what the plan is going to be. Chair deBoom mentioned that it was discussed that there was some type of blanket resolution where it would be just a condition of the transfer to an appropriator. Counsel Fife stated that there are two ways to approach this; 1) approach this as an entirely voluntarily thing, where the Agricultural Pool goes out to all its members and expresses this desire for a tax to be inserted into their contract regarding recycled water usage and conclude upon a term that creates this tax, or 2) compel to the parties to add this to their contracts instead of insisting that they do it. A lengthy discussion regarding this issue ensued.

IV. INFORMATION

1. Newspaper Articles

No comment was made regarding this item.

V. POOL MEMBER COMMENTS

No comment was made regarding this item.

VI. OTHER BUSINESS

No comment was made regarding this item.

**VII. FUTURE MEETINGS**

June 9, 2005	9:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
June 9, 2005	12:00 p.m.	Attorney/Manager Meeting
June 15, 2005	9:00 a.m.	Assessment Package Workshop
June 21, 2005	9:00 a.m.	Agricultural Pool Meeting @ IEUA
June 23, 2005	9:00 a.m.	Advisory Committee Meeting
June 23, 2005	11:00 a.m.	Watermaster Board Meeting

The Agricultural Pool Meeting was dismissed at 9:46 a.m.

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

Minutes Approved: July 28, 2005