

Minutes
CHINO BASIN WATERMASTER
ANNUAL AGRICULTURAL POOL MEETING
January 20, 2009

The Annual Agricultural Pool Meeting was held at the offices of the office of Inland Empire Utilities Agency, 6075 Kimball Avenue, Chino, CA, on January 20, 2009 at 9:00 a.m.

Agricultural Pool Members Present

Bob Feenstra, Chair	Dairy
Gene Koopman	Milk Producers Counsel
Rob Vanden Heuvel	Milk Producers Counsel
Nathan deBoom	Dairy
Jeff Pierson	Crops
Glen Durrington	Crops
John Huitsing	Dairy
Jennifer Novak	State of California Department of Justice for CIM
Nathan Mackamul	State of California/CIW

Watermaster Board Members Present

Paul Hofer	Crops
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Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Ben Pak	Senior Project Engineer
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Mark Wildermuth	Wildermuth Environmental Inc.
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Others Present

Steven Lee	Reid & Hellyer
Eunice Ulloa	Chino Basin Water Conservation District
Sandra Rose	Monte Vista Water District
Rick Rees	Geomatrix
Robert McCullough	Intex Properties

Chair Feenstra called the Agricultural Pool meeting to order at 9:04 a.m.

AGENDA - ADDITIONS/REORDER

It was noted a closed session will be held at the end of the meeting.

I. ANNUAL ELECTIONS - ACTION

A. Calendar-Year 2009 Agricultural Pool Members

The Agricultural Pool membership shall consist of not less than ten representatives selected at large by members of the pool. Pool members will be asked to make any necessary changes to the following list in order to establish pool membership and alternates during calendar year 2008:

Current Agricultural Pool Members

Dairy: Robert Feenstra
 Gene Koopman
 Peter Hettinga
 Nathan deBoom
 John Huitsing
 Rob Vanden Heuvel
 Crops: Glen Durrington
 Jeff Pierson
 State: Pete Hall
 Edward Gonsman
 Jennifer Novak
 Nate Mackamul

Current Alternates:

Dairy: Syp Vander Dussen
 Crops: Dan Hostetler
 State: Henry Provencher
 Richard Alvarado

The Agricultural Pool members reviewed the list of members and alternates and agreed the provided list was correct for 2009.

B. Calendar Year 2009 Agricultural Pool Officers

Nominations will be heard for Pool Chair, followed by nominations for Pool Vice-Chair.

Chair	<u>Robert Feenstra</u>
Vice-Chair	<u>Jeff Pierson</u>
Secretary/Treasurer	<u>Watermaster Chief Executive Officer</u>

C. Calendar Year 2009 Advisory Committee Members & Officers

The pool members will be asked to determine the ten agricultural representatives to serve on the Advisory Committee and, according to the rotation sequence established among the pools, appoint a representative to serve as Chair of the Advisory Committee during calendar year 2009

Chair	Agricultural Pool	<u>Gene Koopman</u>
Vice-Chair	Appropriative Pool	_____
2 nd Vice-Chair	Non-Agricultural Pool	_____

D. Calendar-Year 2009 Pool Representation on Watermaster Board

The Pool members will be asked to consider selecting two representatives to serve on the Watermaster Board during Calendar-Year 2009 and one or two alternate representatives.

Member: <u>Geoffrey Vanden Heuvel</u>	Alternate: <u>Bob Feenstra or Jeff Pierson</u>
Member: <u>Paul Hofer</u>	Alternate: <u>Bob Feenstra or Jeff Pierson</u>

II. CONSENT CALENDAR

A. MINUTES

- Minutes of the Agricultural Pool Meeting held December 16, 2008

B. FINANCIAL REPORTS

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

C. CHINO BASIN WATERMASTER INVESTMENT POLICY

Resolution 09-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, re-authorizing the Watermaster's Investment Policy

D. LOCAL AGENCY INVESTMENT FUND

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

E. LEVYING REPLENISHMENT & ADMINISTRATIVE ASSESSMENTS

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

G. NOTICE OF INTENT

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

H. INDEPENDENT FINANCIAL AUDIT

Mayer Hoffman McCann P.C. Independent Watermaster Financial Audit

A discussion regarding investment funds and the security of the Agricultural Pool's money ensued.

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

Moved to approve Consent Calendar A through H, 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 and 3, 2009 and preparations are well underway for this hearing. An outline has been distributed and counsel has received some feedback. No objections have been received on the draft outline so counsel is now in the process of preparing a final outline that will need to go to court prior to the actual hearing date. Preparation of the witnesses has been taking place and he noted a face-to-face meeting to finalize what the presentation is going to look like as well as the finalization of the outline that needs to go to court will take place tomorrow.

2. Non-Agricultural Pool Stored Water Auction

Counsel Fife stated this item is primarily for the Appropriative Pool and gave a brief overview of this matter. A discussion regarding the purchase of this water including the price of the water ensued. Mr. Manning commented on storage space for this water. A discussion regarding the Agricultural Pool storage space ensued.

3. Hanson Aggregates Litigation

Counsel Fife stated a tentative settlement has taken place with Hanson Aggregates' and the final settlement documents are in the works. A cash settlement for approximately \$450,000 was established and counsel is hoping to have more information to be provided at the Advisory Committee and Watermaster Board meeting later this month.

B. ENGINEERING UPDATES

1. Progress Report on Recharge Master Plan

Mr. Wildermuth stated data collection is still taking place on the Recharge Master Plan including analysis of pumping and replenishment. Black & Veatch is doing the supplemental recharge aspect of the plan. The gross replenishment obligations based on the work done by Inland Empire Utilities Agency with some modifications has been complete and that will be brought forward at the Advisory Committee meeting as a handout and discussion. Mr. Wildermuth discussed detailed work plans and work assignments for Wildermuth Environmental staff. Mr. Wildermuth stated he would like to schedule a series of workshops starting in February to discuss substantive issues and get feedback. All the monitoring targets were hit last month even though it was a difficult month to do monitoring due to the rain: approximately 90 wells were monitored. Work is being done on the State of

the Basin Report and updates will begin shortly on that report. Wildermuth staff continues to work with Ontario International Airport (OIA) consultants and the Regional Board on the OIA plume on monitoring well sites. With regard to HCMP monitoring Wildermuth staff has continued to have discussions with the Regional Board. For the work being done on INSAR, a progress report will be brought back in March. Mr. Wildermuth discussed the waste load allocations process which is going on in the Santa Ana River. A lengthy discussion regarding material physical injury and pumping in the basin ensued.

2. Background and Conceptual Scoping of the Pumping Optimization Investigation
This item was discussed under item number 1.
3. Oral Progress Report on other Wildermuth Environmental Activities
This item was discussed under item number 1.

C. FINANCIAL REPORT

1. Financial Update
No comment was made regarding this item.

C. CEO/STAFF REPORT

1. Legislative Update
Mr. Manning commented the deficit for the State of California continues to grow and it appears parties are having a difficult time coming up with any real solutions.
2. Recharge Update
Mr. Manning stated there were substantial storms that captured 2,300 acre-feet of recharge during the month of December. Mr. Manning reviewed the updated spreadsheet on recharge.
3. Update on Well #3600162
Mr. Pak stated following a request by the Agricultural Pool, he has compiled water quality information for well #3600162. Mr. Pak gave his presentation of the findings on Mary Parente's well. A discussion regarding water quality and possible solutions 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

It was noted the Agricultural Pool members would go into an executive closed session.

Chair Feenstra closed the open Annual Agricultural Pool meeting to go into closed session at 10:22 a.m.

A lengthy discussion regarding Special Projects and the TMDL Study was noted to the recording secretary by Counsel Fife and Mr. Manning.

*Motion #1 by Koopman, second by Vanden Heuvel, and by majority vote – one abstention by Novak
Moved to approve authorization to pay \$21,000 towards the TMDL Study from the Agricultural Pool funds if approval is not given at the next Watermaster Board meeting, as presented*

*Motion #2 by Koopman, second by Vanden Heuvel, and by majority vote – one abstention by Novak
Moved to approve the Agricultural Pool instructed legal counsel to send a 90 day notice to parties to the Judgment that they are under default under section 9.1 of the Peace Agreement if this issue is not resolved by paying the \$21,000 for the TMDL Study as a “Special Project”, as presented – copy of the 90 day notice attached*

VII. FUTURE MEETINGS

January 8, 2009	9:30 a.m.	Annual Non-Agricultural Pool Elections
January 8, 2009	9:45 a.m.	Annual Appropriative Pool Elections
January 8, 2009	10:00 a.m.	Annual Joint Appropriative & Non-Agricultural Pool Meeting
January 20, 2009	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
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

The Annual Agricultural Pool meeting was dismissed by Chair Feenstra at 11:23 a.m.

Secretary: _____

Minutes Approved: February 17, 2009