

**Minutes**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD MEETING**

*March 26, 2009*

The Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on March 26, 2009 at 11:00 a.m.

**WATERMASTER BOARD MEMBERS PRESENT**

Ken Willis, Chair	City of Upland
Bob Kuhn	Three Valleys Municipal Water District
Charles Field	Western Municipal Water District
Jim Curatalo	Cucamonga Valley Water District
Michael Whitehead	Fontana Water Company
Michael Camacho	Inland Empire Utilities Agency
Kevin Sage	Vulcan Materials Company
Jeff Pierson	Agricultural Pool
Geoffrey Vanden Heuvel	Agricultural Pool

**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**

Scott Slater	Brownstein, Hyatt, Farber & Schreck
Michael Fife	Brownstein, Hyatt, Farber & Schreck
Mark Wildermuth	Wildermuth Environmental Inc.
Tom McCarthy	Wildermuth Environmental Inc.

**Others Present**

Robert DeLoach	Cucamonga Valley Water District
Marty Zvirbulis	Cucamonga Valley Water District
Mark Kinsey	Monte Vista Water District
Anthony La	City of Upland
Dave Crosley	City of Chino
Raul Garibay	City of Pomona
Robert Tock	Jurupa Community Services District
Bill Kruger	City of Chino Hills
Mohamad El-Amamy	City of Ontario
Gordon Thrupp	Geosyntec
Rick Hansen	Three Valleys Municipal Water District
David DeJesus	Three Valleys Municipal Water District
Robert Young	Fontana Union Water Company
Jennifer Novak	State of California Dept. of Justice, CIM
Jack Safely	Western Municipal Water District
Tom Crowley	Western Municipal Water District
Sandra Rose	Monte Vista Water District
Steven Lee	Reid & Hellyer
Eunice Ulloa	Chino Basin Water Conservation District
Martha Davis	Inland Empire Utilities Agency
Rich Atwater	Inland Empire Utilities Agency

Terry Catlin  
Marv Shaw  
Ben Adlin  
Andrew Lazenby

Inland Empire Utilities Agency  
Inland Empire Utilities Agency  
Coro/Chino Basin Watermaster  
Black & Veatch

The Watermaster Board Meeting was called to order by Chair Willis at 11:00 a.m.

### **PLEDGE OF ALLEGIANCE**

### **AGENDA - ADDITIONS/REORDER**

Mr. Manning stated Business item A. Public Employee Retirement Plan is going to be removed from the agenda as an action item and will be brought back on the April agenda for action.

Mr. Manning introduced Ben Adlin from the Coro Foundation and noted he would be performing an internship for approximately 5 weeks at Watermaster. During the time spent at Watermaster Mr. Adlin will be creating a new Chino Basin Watermaster power point presentation for the Watermaster website.

### **PUBLIC HEARING**

No comments were made regarding this item.

## **I. CONSENT CALENDAR**

### **A. MINUTES**

1. Minutes of the Watermaster Board Meeting held February 26, 2009

### **B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of February 2009
2. Watermaster Visa Check Detail
3. Combining Schedule for the Period July 1, 2008 through January 31, 2009
4. Treasurer's Report of Financial Affairs for the Period January 1, 2009 through January 31, 2009
5. Budget vs. Actual July 2008 through January 2009

*Motion by Kuhn, second by Field, and by unanimous vote*

***Moved to approve Consent Calendar A through B, as presented***

## **II. BUSINESS ITEM**

### **A. PUBLIC EMPLOYEE RETIREMENT PLAN**

This business item was removed from the Watermaster Board agenda.

## **III. REPORTS/UPDATES**

### **A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**

#### **1. Court Hearing Update**

Counsel Slater stated the Chino Basin Watermaster hearing has now been rescheduled to Monday, April 27, 2009 at 9:30 a.m. Counsel Slater stated meetings regarding testimony and such necessary for this upcoming hearing will be scheduled early in April by Mr. Fife.

#### **2. Auction Price Floor Agreement & Storage & Recovery Agreement**

Counsel Slater stated the Auction Price Floor Agreement was discussed last month and have contacted Watermaster and some Board comments were received on this matter. It was noted at the last Board meeting that this issue is still being worked through the process. Counsel Slater stated meetings with several of the Appropriators have taken place to receive further direction. Counsel Slater refreshed the Board members on this Storage & Recovery matter and noted this item must go through the process and be approved by the Board and then ultimately approved by the court. Parties interested in securing a portion of the water held in storage there are about twelve interested parties. Watermaster staff and counsel expect to come back to the Appropriative Pool next month with a proposal in the

form of a potential Storage & Recovery Agreement and a proposal as to how to address material physical harm, and a proposal made as to how to use the revenues received in the event that the auction is pursued. The members of the Appropriative Pool are entitled to compensation from a Storage & Recovery Agreement; Watermaster will be bringing back a proposal that satisfies the broad benefit test. Mr. Vanden Heuvel distributed a document and offered comment on the handout that distributed at the March Agricultural Pool meeting during closed session. Mr. Vanden Heuvel read the document and then reviewed the document in detail. A lengthy discussion with regard to Mr. Vanden Heuvel's document ensued. Counsel Slater stated additional policy questions raised in Mr. Vanden Heuvel's document. Counsel Slater stated staff and counsel recognizes it is our responsibility to prepare a detailed staff report and supporting materials that will ultimately work their way through the process to respond to questions and comments. Mr. Whitehead inquired about a loan to purchase this water and a discussion regarding a possible loan ensued. A lengthy discussion ensued.

3. Peace II CEQA Notice of Preparation

Counsel Slater stated in the Peace II Agreement there was commitment to do a CEQA analysis and Mr. Dodson has been hired to perform that work. Inland Empire Utilities Agency (IEUA) is acting as the lead agency and this is in process. The CEQA document is going to review the Peace II agreements and also will be an update to the original PEIR that was done in 2000. A notice of preparation did go out on February 25, 2009 which began the 30 day comment period which expired yesterday.

**A. ENGINEERING REPORT**

1. Recharge Master Plan Progress Report

Mr. Wildermuth stated the work on the Recharge Master Plan is proceeding on schedule and Watermaster recently held a technical consultant meeting. The production optimization work is currently underway and is on schedule. Supplemental water recharge requirements and facilities availability have been completed. Safe yield methodology description is complete and staff is wrapping up the planning criteria. There are four task memorandums that are going to be made available next week on our web site. Those four documents will be the content for the March 26, 2009 Workshop.

2. Storage Loss Calculation Update

Mr. Wildermuth stated the calculations for the storage losses are complete and an initial set of loss rate computations will be produced shortly and we will present these findings at the next Advisory Committee meeting. Wildermuth is preparing a technical memorandum for staff to review in the near future.

3. Budget Schedule Update

Mr. Wildermuth stated the quarterly report that is prepared for Watermaster on a quarterly basis and summarizes Wildermuth tasks and budget status is now available. The report reads by task order for all the work that is done within a week or two. Mr. Wildermuth stated the most recent ECAC spreadsheet is available on the back table and if there are any questions on the report call himself, Joe LeClaire, or Sheri Rojo.

**C. FINANCIAL REPORT**

1. Dry Year Yield Financial Update

Ms. Rojo stated the Dry Year Yield Program that was entered into between Chino Basin Watermaster, Metropolitan Water District, with Inland Empire Utilities Agency acting as the lead agency started last fiscal year 2007-2008. MWD agreed to reimburse Watermaster \$400,000 and some of that has already been received and the balance will be received this fiscal year. The project was completed in December, 2008, and staff is now anticipating receiving the final reimbursements between Watermaster and IEUA.

**D. CEO/STAFF REPORT**1. Legislative Update

Mr. Manning stated there are a number of bills being introduced in Sacramento and the deadline for introduction was two weeks ago. There were about a third less bills introduced this year than in previous years. In Washington there are a lot of bills going through congress and the senate under a variety of different names; mostly stimulus kinds of activities. IEUA sends out a detailed list of current legislation status which is always very informative.

2. Recharge Update

Mr. Manning stated the most recent recharge update spreadsheet is on the back table. Mr. Manning noted there was over 3,000 acre-feet of storm water capture in the month of February which was a very good month based on the storms we had. Mr. Manning stated the Watermaster, Inland Empire Utilities Agency, San Bernardino County, and the Chino Basin Conservation District were very aggressive in their efforts to capture all the water possible from the storms in the month of February. There were 5,200 acre-feet of recycled water accumulated on top of the 3,000 acre-feet of storm water which again made for a very good month.

3. Watermaster Consolidated Schedule of Reporting Due Dates

No comment was made regarding this item.

**III. INFORMATION**1. Newspaper Articles

No comment was made regarding this item.

**IV. BOARD MEMBER COMMENTS**

No comment was made regarding this item.

**V. OTHER BUSINESS**

No comment was made regarding this item.

The regular open Watermaster Board meeting was convened to hold its confidential session at 11:45 a.m.

**VI. CONFIDENTIAL SESSION - POSSIBLE ACTION**

Counsel Slater stated the action taken by the Watermaster Board was to accept the settlement agreement with Hanson Aggregates.

The closed session was convened at 12:04 p.m.

**VII. FUTURE MEETINGS**

March 26, 2009	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
March 26, 2009	9:00 a.m.	Advisory Committee Meeting
March 26, 2009	11:00 a.m.	Watermaster Board Meeting
March 26, 2009	1:00 p.m.	Wildermuth Environmental Workshop
April 14, 2009	10:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
April 21, 2009	9:00 a.m.	Agricultural Pool Meeting @ IEUA
April 23, 2009	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
April 23, 2009	9:00 a.m.	Advisory Committee Meeting
April 23, 2009	11:00 a.m.	Watermaster Board Meeting
April 27, 2009	9:30 a.m.	Chino Basin Watermaster Hearing, San Bernardino Court

The Watermaster Board meeting was dismissed by Chair Willis at 12:07 p.m.

Minutes Watermaster Board Meeting

March 26, 2009

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

Minutes Approved: April 23, 2009