

Minutes
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

March 25, 2010

The Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on March 25, 2010 at 11:00 a.m.

WATERMASTER BOARD MEMBERS PRESENT

Ken Willis, Chair
Michael Camacho
Charles Field
Bob Kuhn
Michael Whitehead
Bob Bowcock
Tom Haughey
Geoffrey Vanden Heuvel
Paul Hofer

West End Consolidated Water Company
Inland Empire Utilities Agency
Western Municipal Water District
Three Valleys Municipal Water District
Fontana Water Company
Vulcan Materials Company
City of Chino
Agricultural Pool
Agricultural Pool

Watermaster Staff Present

Kenneth R. Manning
Ben Pak
Danielle Maurizio
Sherri Lynne Molino

Chief Executive Officer
Senior Project Engineer
Senior Engineer
Recording Secretary

Watermaster Consultants Present

Scott Slater
Michael Fife
Mark Wildermuth

Brownstein, Hyatt, Farber & Schreck
Brownstein, Hyatt, Farber & Schreck
Wildermuth Environmental, Inc.

Others Present Who Signed In

Terry Catlin
Ryan Shaw
Brian Geye
Bob Wagner
David Lounsbury
Eunice Ulloa
Marty Zvirbulis
Mark Kinsey
David DeJesus
Rick Hansen
Steve Kennedy
Karen Johnson
Josh Swift
Robert Young
Steven G. Lee
Jeff Pierson
Bob Feenstra
Pete Hall
Tom Harder
Ken Jeske
Mohamed El-Amamy

Inland Empire Utilities Agency
Inland Empire Utilities Agency
Auto Club Speedway
Chino Basin Water Conservation District
Chino Basin Water Conservation District
Chino Basin Water Conservation District
Cucamonga Valley Water District
Monte Vista Water District
Three Valleys Municipal Water District
Three Valleys Municipal Water District
Three Valleys Municipal Water District
Water Resources Planning
Fontana Water Company
Fontana Union Water Company
Reid & Hellyer for the Agricultural Pool
Ag Pool – Crops
Dairy
State of California – CIM
Jurupa Community Services District
City of Ontario
City of Ontario

Raul Garibay
Brian Geye
Dave Crosley
Ben Lewis

City of Pomona
Auto Club Speedway
City of Chino
Golden State Water Company

Chair Willis called the Watermaster Board meeting to order at 11:00 a.m.

PLEDGE OF ALLEGIANCE

AGENDA - ADDITIONS/REORDER

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Watermaster Board meeting held February 25, 2010

Motion by Vanden Heuvel, second by Kuhn and by unanimous vote

Moved to table February 25, 2010 minutes to the April agenda, as presented

Motion by Vanden Heuvel, second by Bowcock and by majority vote – Field voted no

Moved to add changing the format of the minutes to title and motion only, as presented

Motion by Vanden Heuvel, second by Bowcock and by unanimous vote

Moved to prepare minutes with motions only, as presented

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of January 2010

Motion by Camacho, second by Field and by unanimous vote

Moved to approve Item B1 as presented

2. Watermaster Visa Check Detail for the month of January 2010

Motion by Kuhn, second by Camacho and by unanimous vote

Moved to approve Item B2 as presented

3. Combining Schedule for the Period July 1, 2009 through January 31, 2010

Motion by Kuhn, second by Camacho and by majority vote – Bowcock voted no

Moved to approve Item B3 as presented

4. Treasurer's Report of Financial Affairs for the Period January 1, 2010 through January 31, 2010

Motion by Kuhn, second by Field and by majority vote – Bowcock voted no

Moved to approve Item B4 as presented

5. Budget vs. Actual July 2009 through January 2010

Motion by Field, second by Kuhn and by unanimous vote

Moved to approve Item B5 as presented

C. INTERVENTION INTO THE AGRICULTURAL POOL

Intervention of Rafael Treto into the Agricultural Pool

Motion by Kuhn, second by Bowcock and by unanimous vote

Moved to approve Intervention of Rafael Treto into the Agricultural Pool, as presented

II. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Peace II SEIR
Report was given by Counsel Slater
2. Non-Agricultural Pool Information Requests Status
Report was given by Counsel Slater
3. Database and Record Management
Report was given by Counsel Slater

Motion by Vanden Heuvel, second by Whitehead and by majority vote – Kuhn voted no

Moved to approve releasing redacted invoices to the Overlying Non-Agricultural Pool representatives, as presented.

It was noted for the record that Mr. Bob Bowcock does not appreciate them being redacted.

Motion by Vanden Heuvel, second by Kuhn and by unanimous vote

Moved to approve that the Watermaster Board agrees with and supports the recommendation of legal counsel which is a recognition that we have taken internal steps to preserve the electronic communications and that is sufficient from our prospective to meeting this request and therefore most specifically, no outside consultant will be hired at this time with expertise in electronic preservation, as presented

It was noted for the record that Charles Field wanted the record to reflect that in supporting the vote, he does not agree this because it would mean we are in fact subject to the Public Records Act. He believes that we are not. He believes we are not a public agency. He believes we are an arm of the court as a special master and the Public Records Act does not apply to us and we are perfectly within our legal rights, should we choose to do so, to refuse to disclose any of these kinds of information or even to respond to these information requests without a direct order of the court.

B. ENGINEERING REPORT

1. 2010 Basin Plan Amendment
Report was given by Mr. Wildermuth
2. Recharge Master Plan Update
Report was given by Mr. Wildermuth

C. CEO/STAFF REPORT

1. Legislative Update
Report was given by Mr. Manning
2. Recharge Update
Report was given by Mr. Manning

3. ALCOA Monitoring Wells
Report was given by Mr. Manning
4. Turner Basins/Guasti Park Task Force
Report was given by Mr. Pak

III. INFORMATION

1. Newspaper Articles

IV. BOARD MEMBER COMMENTS

V. OTHER BUSINESS

The regular open Watermaster Board meeting was convened to hold its confidential session at 12:12 p.m.

VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to Article 2.6 of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster committee meeting for the purpose of discussion and possible action.

1. Non-Agricultural Pool Paragraph 31 Motion

The confidential session was convened at 12:55 p.m.

Counsel Slater gave the following action items from the confidential session:

1. Watermaster Board instructed counsel to file an ex parte motion requesting a case management order regarding the Paragraph 31 Non-Agricultural Filing

A roll call vote was requested.

VII. FUTURE MEETINGS

Thursday, March 25, 2010	9:30 a.m.	Special Appropriative Pool Confidential Session Meeting @ CBWM
Thursday, March 25, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM
Thursday, March 25, 2010	1:00 p.m.	Recharge Master Plan Workshop @ CBWM
Thursday, April 8, 2010	9:00 a.m.	Agricultural Pool Meeting @ IEUA
* Thursday, April 8, 2010	1:00 p.m.	Appropriative Meeting @ CBWM
* Thursday, April 8, 2010	2:30 p.m.	Non-Agricultural Pool Meeting @ CBWM
Thursday, April 15, 2010	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, April 15, 2010	9:00 a.m.	Advisory Committee Meeting @ CBWM
Wednesday April 21, 2010	9:00 a.m.	RMP Half Day Workshop @ Rancho Central Park
Thursday, April 22, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM

* Notes a different day than the regularly scheduled 1st Thursday of every month meeting and will return to the normal schedule on May 6, 2010

The Watermaster Board meeting was dismissed by Chair Willis at 12:56 p.m.

Minutes Watermaster Board Meeting

March 25, 2010

Secretary: _____

Minutes Approved: April 22, 2010