

CHINO BASIN WATERMASTER



NOTICE OF MEETINGS

Thursday, September 22, 2005

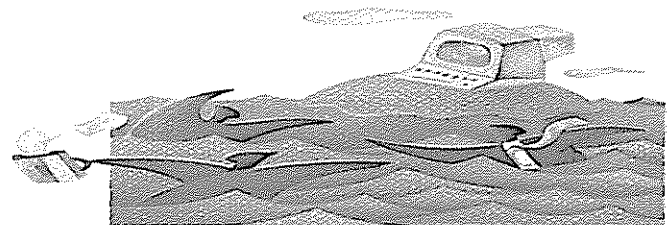
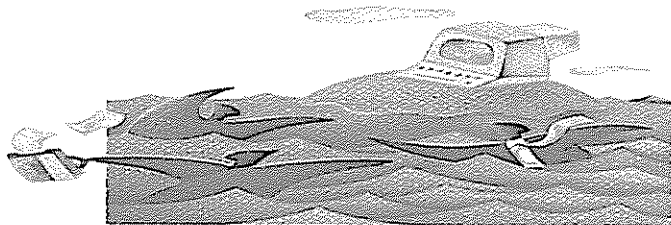
9:00 a.m. – Advisory Committee Meeting

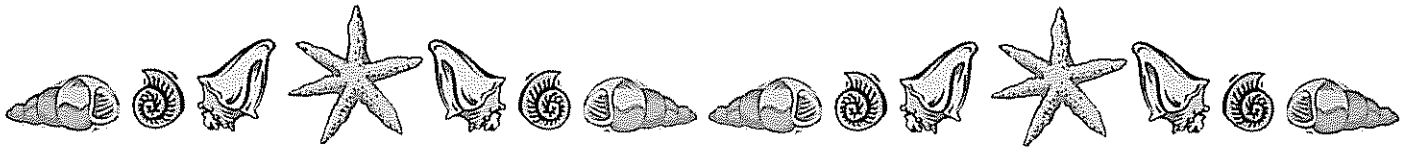
11:00 a.m. – Watermaster Board Meeting

(Lunch Will Be Served)

AT THE CHINO BASIN WATERMASTER OFFICES

*9641 San Bernardino Road
Rancho Cucamonga, CA 91730
(909) 484-3888*





CHINO BASIN WATERMASTER

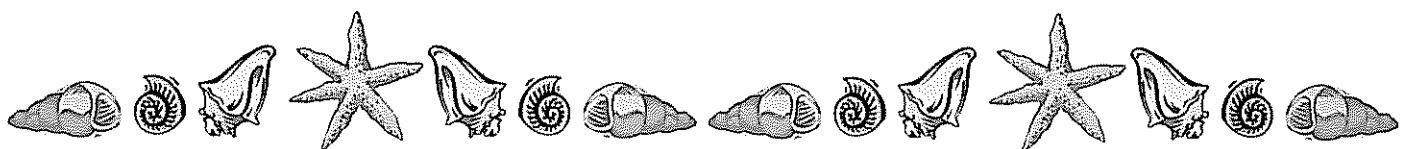
September 22, 2005

9:00 a.m. – Advisory Committee Meeting

11:00 a.m. – Watermaster Board Meeting

(Lunch Will Be Served)

AGENDA PACKAGE



**CHINO BASIN WATERMASTER
ADVISORY COMMITTEE MEETING**

9:00 a.m. – September 22, 2005

At The Offices Of

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

AGENDA

CALL TO ORDER

AGENDA - ADDITIONS/REORDER

I. CONSENT CALENDAR

Note: All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. MINUTES

1. Minutes of the Advisory Committee meeting held August 25, 2005 *(Page 1)*

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of August 2005 *(Page 15)*
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2005 through July 31, 2005 *(Page 15)*
3. Treasurer's Report of Financial Affairs for the Period July 1, 2005 through July 31, 2005 *(Page 19)*
4. Profit & Loss Budget vs. Actual July 2005 *(Page 22)*

C. WATER TRANSACTION

1. **Consider Approval for Transaction of Notice of Sale or Transfer** – The City of Upland has agreed to purchase from the West End Consolidated Water Company water in storage in the amount of 14,425 acre-feet; Date of Application: August 1, 2005 *(Page 25)*
2. **Consider Approval for Transaction of Notice of Sale or Transfer** – The transfer of Monte Vista Irrigation Company's FY 2005-06 Annual Production Rights to the Monte Vista Water District. The total quantity of water to be transferred is estimated at 1,050 acre-feet; Date of Application: July 20, 2005 *(Page 35)*
3. **Consider Approval for Transaction of Notice of Sale or Transfer** – The City of Ontario has agreed to purchase from the City of Upland a portion of Upland's water in storage in the amount of 16,000 acre-feet; Date of Application: August 1, 2005 *(Page 47)*
4. **Consider Approval for Transaction of Notice of Sale or Transfer** – Fontana Water Company has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2,500 acre-feet ; Date of Application: May 27, 2005 *(Page 61)*

II. BUSINESS ITEMS

A. PRELIMINARY ANALYSIS OF MATERIAL PHYSICAL INJURY

Consider Approval for the IEUA Application to Implement Phase II Chino Basin Recycled Water Recharge Project *(Page 75)*

B. MOTION TO SCHEDULE HEARING TO RE-APPOINT BOARD

Recommend Filing Motion Requesting Court to Set a Hearing Date to Consider Re-appointment of the Watermaster Board *(Page 87)*

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Attorney-Manager

B. CEO/STAFF REPORT

1. Wet Basin Maintenance Presentation
2. Water Quality Update
3. Legislative Update
4. Water Activity Report/Assessment Calendar
5. Status of MZ1 Supplemental Water Deliveries

C. INLAND EMPIRE UTILITIES AGENCY

1. MWD Status Report – Richard Atwater
2. Urban Water Management Plan – Martha Davis
3. Legislative Highlights – Martha Davis
4. Salinity Reduction
5. FY 2004/05 Water Production Report *(Page 95)*
6. FY 2004/05 Water Conservation Activities Report *(Page 117)*
7. State/Federal Legislation Reports *(Page 121)*
8. Community Outreach/Public Relations Report *(Page 145)*

D. OTHER METROPOLITAN MEMBER AGENCY REPORTS

IV. INFORMATION

1. Newspaper Articles *(Page 147)*

V. COMMITTEE MEMBER COMMENTS

VI. OTHER BUSINESS

VII. FUTURE MEETINGS

September 20, 2005	9:00 a.m.	GRCC Meeting
September 22, 2005	9:00 a.m.	Advisory Committee Meeting
September 22, 2005	11:00 a.m.	Watermaster Board Meeting
October 13, 2005	9:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
October 18, 2005	9:00 a.m.	Agricultural Pool Meeting @ IEUA
October 27, 2005	9:00 a.m.	Advisory Committee Meeting
October 27, 2005	11:00 a.m.	Watermaster Board Meeting

Meeting Adjourn

**CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING**

11:00 a.m. – September 22, 2005

At The Offices Of

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

AGENDA - ADDITIONS/REORDER

I. CONSENT CALENDAR

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A. MINUTES

1. Minutes of the Watermaster Board meeting held August 25, 2005 *(Page 7)*
2. Minutes of the Special Closed Watermaster Board meeting held September 14, 2005 *(Page 13)*

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of August 2005 *(Page 15)*
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2005 through July 31, 2005 *(Page 19)*
3. Treasurer's Report of Financial Affairs for the Period July 1, 2005 through July 31, 2005 *(Page 21)*
4. Profit & Loss Budget vs. Actual July 2005 *(Page 23)*

C. WATER TRANSACTION

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Consider Approval for the IEUA Application to Implement Phase II Chino Basin Recycled Water Recharge Project *(Page 75)*

B. MOTION TO SCHEDULE HEARING TO RE-APPOINT BOARD

Recommend Filing Motion Requesting Court to Set a Hearing Date to Consider Re-appointment of the Watermaster Board *(Page 87)*

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

- 1. Attorney-Manager (to be discussed in closed session)

B. CEO/STAFF REPORT

- 1. Wet Basin Maintenance Presentation
- 2. Water Quality Update
- 3. Legislative Update
- 4. Strategic Planning Retreat

IV. INFORMATION

- 1. Newspaper Articles *(Page 147)*

V. BOARD MEMBER COMMENTS

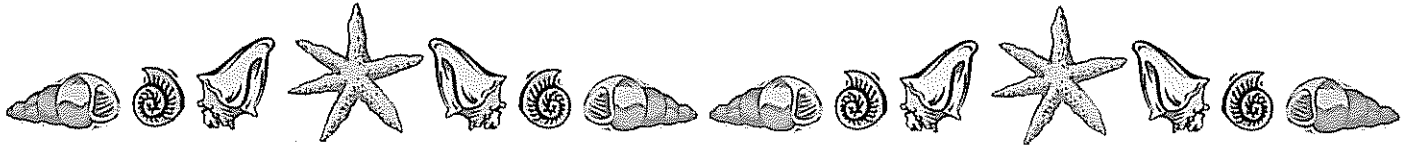
VI. OTHER BUSINESS

VII. CONFIDENTIAL SESSION

VIII. FUTURE MEETINGS

September 20, 2005	9:00 a.m.	GRCC Meeting
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Meeting Adjourn

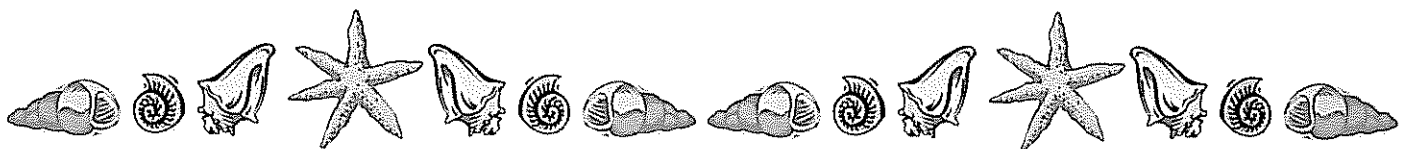


CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

A. MINUTES

1. Advisory Committee Meeting –
August 25, 2005



4. Profit & Loss Budget vs. Actual July 2004 through June 2005

C. WATER TRANSACTION

1. **Consider Approval for Transaction of Notice of Sale or Transfer** – Fontana Water Company has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2,500 acre-feet; Date of Application: June 8, 2005
2. **Consider Approval for Transaction of Notice of Sale or Transfer** – The Fontana Water Company has agreed to purchase from West Valley Water District water in storage in the amount of 1,000 acre-feet; Date of Application: June 8, 2005
3. **Consider Approval for Transaction of Notice of Sale or Transfer** – Fontana Water Company has agreed to purchase from Nicholson Trust water in storage in the amount of 5.458 acre-feet; Date of Application: July 5, 2005

D. STATUS REPORT NO. 15

Consider Authorization to File OBMP Status Report No. 15 with Court and Authorize Staff and Counsel to Make Minor Edits as Necessary

Motion by DeLoach, second by Kinsey, and by unanimous vote

Moved to approve Consent Calendar Items A through D, as presented

II. BUSINESS ITEMS

A. NORTH GUALALA AMICUS

Mr. Manning noted that Counsel Fife has been giving monthly update reports on the progress of the North Gualala law suit and at this point staff and legal counsel feel it is a good opportunity to provide some input that could possibly result in a favorable outcome for the Chino Basin. Counsel Fife stated that staff is looking for an approval and motion to direct counsel to file an amicus brief. There is a revised copy of the brief available on the back table that is much more substantive than the one provided in the meeting packet. The brief is still in the draft stage and there has been discussions regarding the timing of the filing. Counsel Fife noted that two amicus briefs were filed yesterday regarding this case. Counsel Fife offered insight as to timing of filing amicus briefs. It was noted that ACWA and the Chino Basin Watermaster will be waiting to file their amicus briefs until the State Board's brief is distributed and reviewed. Even though the brief is still in draft form staff is asking for approval to file if for some reason the timing issue turns out that the brief needs to be filed promptly. Counsel Fife stated that counsel's intent is to not finish the brief until the end of next month. It would be helpful to have the approval in place so that if a timing issue presents itself that filing of the brief has been approved. A brief discussion ensued with regard to the State Board filing their brief. Counsel Fife stated that the draft brief that is presented on the back table will be completely consistent with the final brief that will be filed with the court; no new arguments will be made other than what is presented in the draft.

Motion by DeLoach, second by Kinsey, and by unanimous vote

Moved to approve the completed amicus brief for filing, as presented

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Attorney-Manager

Counsel Fife stated the Attorney-Manager process is moving forward and the next meeting is scheduled for next Thursday; a revised copy of the Consensus will hopefully be made available well in advance of that meeting.

2. Board Re-Appointment

Counsel Fife stated that at the last Watermaster Board meeting the board directed counsel to prepare a draft pleading concerning the need to extend the nine member board for another five year term. A pleading has been drafted and a copy has been provided in the meeting packet. Counsel Fife noted that this is the same draft that was presented to the Pools a few weeks ago. This item is being presented under Legal Counsel Reports because it is being distributed for the purposes of discussion and not action. Counsel Fife

stated that staff and legal counsel represent the board and if there is going to be a discussion about a response by the Advisory Committee or any kind of strategic discussion that the committee wants to have, it would be appropriate to ask staff and counsel to leave the room for that discussion. Mr. Manning noted that there are two letters which have been received from Cucamonga Valley Water District (CVWD) and Western Municipal Water District (WMWD). The letter from CVWD, paraphrased, simply states that they would prefer this discussion not take place until the appropriate time and WMWD letter was in support of the nine member board as it is currently comprised. Both of those letters are on record and copies are available on the back table for review. Chair Bowcock inquired to the wishes of the committee members whether it will be discussed or be received as a legal counsel report only. A question if this report would ultimately be filed with the court was presented. Counsel Fife stated there is a timing question because the term of the board does expire September 30, 2005, which does allow for another board meeting to convene. Counsel has been informed by the Special Referee and by the court that the Special Referee will be on vacation for most of September. If this motion is filed in August, the court would not be prepared to deal with this matter before the end September; at some level there is going to be a need for some kind of extension. Chair Bowcock stated that it was his belief that come September, if no action was taken we would be considered delinquent and inquired if that statement was correct. Counsel Fife stated it is unclear because the Judgment does not state what happens if there is no extension at the end of a five year period; the court, most likely will give an explicit extension. Counsel Fife stated that it is felt that by the end of September there will be some type of explicit treatment of the problem. No further discussion took place.

B. CEO/STAFF REPORT

1. Rialto Pipeline Availability

Mr. Manning stated this item is being brought today because of the events that have occurred over the last six weeks and is a place to kick off future discussions. On July 14, 2005 the Metropolitan Water District (MWD), on the Rialto Pipeline, shut all of our access to replenishment water and because of problems within the system, MWD diverted water from the Rialto Pipeline to other uses. Mr. Manning referred to the cartoon handout which is from MWD that shows the system within its service area and our issue has to do with getting water down into what is called their central pool. Normally, that water is fed to them by the Jensen Plant, but because of the high temperatures and some ozone work on the actual plant, in order to get water to their central pool MWD diverted water from the Rialto Pipeline down to Diemer and then from Diemer to the central pool. Chino Basin is capable of taking in 100 cfs a day into all of our recharge basins, but we are only getting approximately 7 cfs. Earlier this week, 60 cfs is now being released into a variety of our basins. Mr. Manning stated that the Chino Basin is relying on MWD and based upon the scenario presented, Chino Basin gets slighted. As Watermaster begins looking at strategies for supplying water to this basin for recharge, areas other than the Rialto Pipeline need to be considered and reviewed. There are discussions taking place with MWD regarding increasing some of the turnouts on the Rialto Pipeline. This is a heads up item for future discussions as staff begins to strategize about how we are going to meet demands for 2025. Mr. Kinsey offered comment regarding replenishment deliveries and noted that he recently attended a Three Valleys board meeting which MWD also attended and gave a presentation on their 2025 Capital Improvement Plan and Funding Plan. Mr. Kinsey stated that at that presentation it was noted that within MWD's whole system, at 2025 the only area that does not have a redundant means of moving water into it is the Chino Basin area. Mr. Kinsey noted that the Chino Basin needs to have the same redundancy in water supply from MWD. A brief discussion ensued with regard to redundancy efforts. Mr. Manning acknowledged that it is incumbent upon us to look within our own existing system and at ways we can make our system work better if we are going to meet our demands. This item will be discussed further at future meetings.

2. Ontario Airport Clean Up & Abatement Update

Mr. Manning stated that the Regional Board has mailed out clean up and abatement orders on July 27, 2005. In the clean up and abatement orders there was a letter that

accompanied the orders which called for those organizations to meet on August 30, 2005 at the Regional Board office wherein a technical briefing would be held. A number of topics will be discussed at that briefing such as efforts that have already been undertaken, an overview of future work, discussions of various scenarios, discussions relating to the legal and administrative steps, and options for early settlement. Watermaster staff will have a large part in directing that meeting. At the Water Quality Committee meeting on August 22, this topic was discussed and that committee will be reviewing some of the technical presentations that will be given at the Regional Board technical briefing on August 30, 2005.

3. Basin Maintenance Update

Mr. Treweek stated this is a report on the Basin Maintenance Program that is on-going during the summer which will provide an update on some of the basin activities and restorations. Mr. Treweek referred to the handout titled; "Recharge / Maintenance Schedule" dated August 12, 2005. Mr. Treweek noted that since the 14th of July, MWD has shut off our water supply and due to that shut off; staff has accelerated the maintenance for the Montclair Basin and on the Ely Basin for restoration completion. This will leave the Turner Basins as the major basins requiring maintenance. We couldn't get water to put into the Turner Basins even if they were cleaned up because the City of Rancho Cucamonga is rebuilding the Haven Avenue storm drain. That storm drain is what carries the water from the MWD turnout down to the Turner Basins. The City of Rancho Cucamonga has informed Watermaster that the rebuilding of the Haven Avenue storm drain will not be completed until mid October; at that point the Turner Basins will be back up and able to receive water. As soon as MWD can release water again to our basins they are capable to receive approximately 100,000 cfs or about 6,000 acre-feet a month as Mr. Manning stated in an earlier report. A discussion ensued with regard to the work being done on the basins.

4. Water Activity Report Update

Mr. Manning stated that part of his goals and objectives is to bifurcate the assessment package, the budget package, and the water activity report so that they all work together but independently. Mr. Manning noted that Ms. Rojo has done a tremendous amount of work on this project; this project is coming together well. Mr. Manning stated that Ms. Rojo will be using the City of Ontario as a case in point to provide an illustration as to what this water reporting report would look like. Ms. Rojo stated that part of Watermaster's responsibilities involve requiring each agency to report to Watermaster various types of water activity including: land use conversions, assignments, production, transfers and sales/leases. That information is forwarded to Watermaster through various documents and then compiled. This report presented on the screen and as a handout recaps the water activities. This is the first time this document is being presented to the parties and everyone is encouraged to offer comments and suggestions on how to improve the format or titling. Ms. Rojo reviewed in detail the 2003-2004 Water Production report for the City of Ontario. Ms. Rojo noted that this report will be mailed out to each agency. It will be asked that it be reviewed, signed, and either mailed or faxed back to Chino Basin Watermaster.

C. INLAND EMPIRE UTILITIES AGENCY

1. MWD Status Report – Richard Atwater

Mr. Atwater stated that he and other staff members have continued to attend meetings on rate structure issues, growth charge, and replenishment rates. Mr. Atwater noted that he is available to meet with parties regarding the Rialto Pipeline and reliability in the System Overview Study. Mr. Atwater gave a brief update on the recent meeting with DHS.

2. State Water Plan (B160) – Martha Davis

No comment was made regarding this item.

3. Planning and Water Resources Quarterly Report

No comment was made regarding this item.

- 4. State/Federal Legislation Reports
No comment was made regarding this item.
- 5. Community Outreach/Public Relations Report
No comment was made regarding this item.

D. OTHER MWDROPOLITAN MEMBER AGENCY REPORTS

Mr. Rossi reported on the task which was given by the new chair out of Orange County to develop some consensus on his fourteen bullet points that have not been dealt with over the last twenty years. The general managers have now MWD twice and have pared that list down to seven items and noted that the primary issue is growth charge and treated water peaking charge. There is a possibility of a board workshop being scheduled for mid September to discuss these and other issues off that list. Mr. Rossi reviewed several of the areas that are experiencing immense growths and some of the concepts being discussed by parties regarding growth charges. A brief discussion ensued with regard to growth concepts and economics.

IV. INFORMATION

- 1. Quarterly Status Report No. 14
No comment was made regarding this item.
- 2. Newspaper Articles
No comment was made regarding this item.

V. COMMITTEE MEMBER COMMENTS

Mr. Kinsey inquired about being finished with the 6500 acre-feet recharge under the Peace Agreement and if the 32,500 acre-feet have been MWD. Ms. Rojo stated that we were short the previous year and that had to be tacked on to last year and that Watermaster staff would look into this inquiry and get back with him.

VI. OTHER BUSINESS

No comment was made regarding this item.

VII. FUTURE MEETINGS

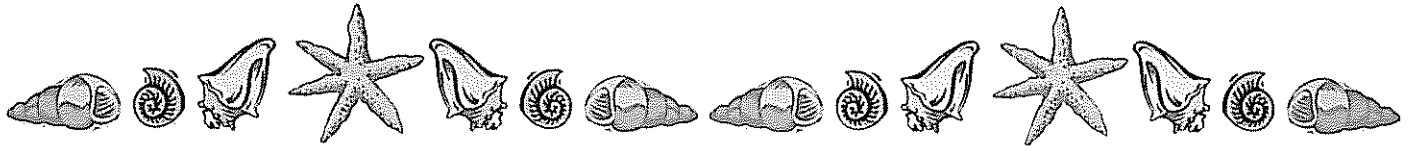
August 22, 2005	1:00 p.m.	Water Quality Meeting
August 23, 2005	9:00 a.m.	GRCC Meeting
August 25, 2005	9:00 a.m.	Advisory Committee Meeting
August 25, 2005	11:00 a.m.	Watermaster Board Meeting
September 8, 2005	9:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
September 20, 2005	9:00 a.m.	Agricultural Pool Meeting @ IEUA
September 22, 2005	9:00 a.m.	Advisory Committee Meeting
September 22, 2005	11:00 a.m.	Watermaster Board Meeting

The Advisory Committee Meeting Adjourned at 9:51 a.m.

Secretary: _____

Minutes Approved: _____

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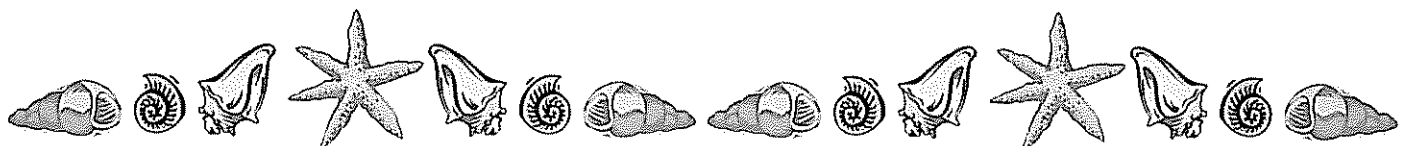


CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

A. MINUTES

1. Watermaster Board Meeting –
August 25, 2005
2. Special Closed Watermaster Board
Conference Call – September 14, 2005



Draft Minutes
CHINO BASIN WATERMASTER
BOARD MEETING
August 25, 2005

The Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California, on August 25, 2005 at 11:00 a.m.

WATERMASTER BOARD MEMBERS PRESENT

Robert Neufeld, Chair	Fontana Union Water Company
Terry Catlin	Inland Empire Utilities Agency
Paul Hamrick	Jurupa Community Services District
Al Lopez	Western Municipal Water District
Bob Kuhn	Three Valleys Municipal Water District
Bob Bowcock	Vulcan Materials Company
Paul Hofer	Agricultural Pool, Crops
Bill Kruger	City of Chino Hills
Geoffrey Vanden Heuvel	Agricultural Pool, Dairy

Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Sheri Rojo	Finance Manager
Gordon Treweek	Project Engineer
Sheri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Scott Slater	Hatch & Parent
Michael Fife	Hatch & Parent
Mark Wildermuth	Wildermuth Environmental Inc.

Others Present

Henry Pepper	City of Pomona
Mark Kinsey	Monte Vista Water District
Charles Moorrees	San Antonio Water Company
Kevin Sin	City of Pomona

The Watermaster Board Meeting was called to order by Chair Neufeld at 11:01 a.m.

PLEDGE OF ALLEGIANCE

AGENDA - ADDITIONS/REORDER

There were no additions or reorders made to the agenda.

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Watermaster Board Meeting held July 28, 2005

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of July 2005
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2004 through June 30, 2005
3. Treasurer's Report of Financial Affairs for the Period June 1, 2005 through June 30, 2005
4. Profit & Loss Budget vs. Actual July 2004 through June 2005

C. WATER TRANSACTION

1. **Consider Approval for Transaction of Notice of Sale or Transfer** – Fontana Water Company has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2,500 acre-feet; Date of Application: June 8, 2005
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3. **Consider Approval for Transaction of Notice of Sale or Transfer** – Fontana Water Company has agreed to purchase from Nicholson Trust water in storage in the amount of 5.458 acre-feet; Date of Application: July 5, 2005

D. STATUS REPORT NO. 15

Consider Authorization to File OBMP Status Report No. 15 with Court and Authorize Staff and Counsel to Make Minor Edits as Necessary

*Motion by Lopez, second by Bowcock, and by majority vote – Mr. Catlin abstained from the vote
Moved to approve Consent Calendar Items A through D, as presented*

II. BUSINESS ITEMS**A. NORTH GUALALA AMICUS**

Counsel Fife stated that this item has been discussed for several months regarding an issue that has risen up in Northern California on the North Gualala River. The State Board has asserted jurisdiction over groundwater pumping by the North Gualala Water Company; litigation ensued. The trial court decision raises concerns for the Chino Basin because it appeared to apply what is called an Impacts Test to groundwater pumping. It stated that North Gualala's pumping could have an impact on the North Gualala River (a surface stream) and because of that, the State Board's jurisdiction extends to that groundwater pumping. Counsel Fife noted that it has been suggested over the past few months to file an amicus brief. A timing issue has come up with the filing of the amicus brief. The brief that is in the packet is an outline and there is a first draft of the brief available on the back table for review. There are several amicus briefs being filed against this case. Counsel has been in discussions with Tom Bunn, who is writing the amicus brief for ACWA, and is in the opinion that it is the State Board's position that we are going to be concerned with and responding to. The State Board is not going to file their brief until the middle to end of next month. The timing issue is that other parties want to file right away; however, Watermaster plans to wait until the State Board has issued theirs. This has been brought to the agenda for approval and the approval is to authorize to file when the time comes even though the brief has not been finished. It is anticipated that the completed item will be brought back to the parties for review. If the approval to file was given now, the freedom would be there in case a timing issue actually came up counsel would be able to respond properly. The Pools and Advisory Committee unanimously approved this as presented. The question regarding filing now and then filing again after the review of the State Board's amicus brief was presented. Counsel Fife stated that an amicus brief really states that you have read all the amicus briefs and in filing ours would state that we have something significant to add; noting the answer to the presented question would be no. A brief discussion ensued with regard to the amicus briefs being filed.

*Motion by Catlin, second by Vanden Heuvel, and by unanimous vote
Moved to approve the completed amicus brief for filing at the appropriate time, as presented*

B. ACWA – REGION 9 ELECTION FOR 2004-2005 TERM

Mr. Manning stated that the full description of this election is in the meeting packet. ACWA has its meeting on September 15, 2005 in Dana Point and the election of the Region 9 officers can be done by either certifying this and faxing it or by delivering it to that scheduled meeting. As an agency we can concur with Region 9 nominating committee (the slate that has been presented) or we can select agencies individual members and only elect certain people. An authorizing voting delegate needs to take place today and then get the board president signature. The fist

action that needs to take place is appointing a voting delegate and the second is to support the slate or look at the people individually and lastly will be the board president signature. A lengthy discussion took place regarding this item and the people represented on the nomination list and it was decided to:

Delegate: Ken Manning, CEO Chino Basin Watermaster

Vote: To vote at the meeting in the best interest of the Chino Basin

Motion by Hamrick, second by Bowcock, and by unanimous vote

Moved to approve Ken Manning as the Chino Basin Watermaster delegate and to authorize Ken Manning to vote at that meeting in the best interest of the Chino Basin, as presented

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Attorney-Manager

Counsel Slater stated that staff and counsel continue to meet with the stakeholder groups and both staff and counsel feel a conclusion is extremely close. The substantive disagreements are so modest now that it appears a final agreement could be reached by the end of September. Counsel Slater noted that it is his anticipation that a term sheet will be presented at the September board meeting.

2. Board Re-Appointment

Counsel Slater stated that a draft pleading was prepared at the Board's instruction and was distributed through the Pool process for review and comment. No comments from the Pools or Advisory Committee have been received and counsel is not yet in the position to file the pleading. It is anticipated that this item will be brought back at the September Board meeting before we proceed to the next step which would be filing the document. Mr. Lopez noted that there is a resolution from Western Municipal Water District on the back table supporting the nine member board as structured now. Mr. Manning noted there is also a letter received by the Cucamonga Valley Water District that stated there is an appropriate time and place for the discussion on the merits of the nine member board and right now was neither the time nor the place and suggest that discussion be held off.

B. CEO/STAFF REPORT

1. Rialto Pipeline Availability

Mr. Manning stated this item is being brought today to this pool because of the events that have occurred over the last six weeks and is a place to kick off future discussions. On July 14, 2005 the Metropolitan Water District (MWD), on the Rialto Pipeline, shut all of our access to replenishment water and because of problems within the system, MWD diverted water from the Rialto Pipeline to other uses. Mr. Manning referred to the cartoon handout which is from MWD that shows the system within its service area and issue has to do with getting water down into what is called their central pool. Normally that water is fed to them by the Jensen Plant, but because of the high temperatures and some ozone work on the actual plant, in order to get water to their central pool MWD diverted water from the Rialto Pipeline down to Diemer and then from Diemer to the central pool. The Chino Basin is now capable of taking in 100 cfs a day into all of our recharge basins, if we were to use them all, and are now only getting approximately 7 cfs. Earlier this week 60 cfs is now being released into a variety of our basins. Mr. Manning stated that the Chino Basin is relying on MWD and based upon the scenario presented, the Chino Basin gets slighted. As Watermaster begins looking at strategies for supplying water to this basin for recharge, areas other than the Rialto Pipeline need to be considered and reviewed. There are discussions taking place with MWD regarding increasing some of the turnouts on the Rialto Pipeline. This is a heads up item for future discussions as staff begins to strategize about how we are going to meet the demands for 2025. Mr. Manning acknowledged that it is incumbent upon us to look at within our own existing system at ways we can make our system work better if we are going to meet our demands. This item will be discussed further at future meetings.

2. Ontario Airport Clean Up & Abatement Update

Mr. Manning stated that the Regional Board has mailed out clean up and abatement orders on July 27, 2005. In the clean up and abatement order there was a letter that accompanied the orders which called for those organizations to meet on August 30, 2005 at the Regional Board office wherein a technical briefing would be held. A number of topics will be discussed at that briefing such as efforts that have already been undertaken, an overview of future work, discussions of various scenarios, discussions relating to the legal and administrative steps, and options for early settlement. Watermaster staff will have a large part in directing that meeting. At the Water Quality Committee meeting on August 22, this topic was discussed and that committee will be reviewing some of the technical presentations that will be given at the Regional Board technical briefing on August 30, 2005.

3. Basin Maintenance Update

Mr. Treweek stated this is a report on the Basin Maintenance Program that is on-going during the summer which will provide an update on some of the basin activities and restorations. Mr. Treweek referred to the handout titled; "Recharge / Maintenance Schedule" dated August 12, 2005. Mr. Treweek noted that since the 14th of July, MWD has shut off our water supply and due to that shut off; staff has accelerated the maintenance for the Montclair Basin and on the Ely Basin for restoration completion. This will leave the Turner Basins as the major basins requiring maintenance. We couldn't get water to put into the Turner Basins even if they were cleaned up because the City of Rancho Cucamonga is rebuilding the Haven Avenue storm drain. That storm drain is what carries the water from the MWD turnout down to the Turner Basins. The City of Rancho Cucamonga has informed Watermaster that the rebuilding of the Haven Avenue storm drain will not be completed until mid October; at that point the Turner Basins will be back up and able to receive water. As soon as MWD can release water again to our basins they are capable to receive approximately 100,000 cfs or about 6,000 acre-feet a month.

4. Water Activity Report Update

Mr. Manning stated that part of his goals and objectives is to bifurcate the assessment package, the budget package, and the water activity report so that these all work together but independently. Mr. Manning noted that Ms. Rojo has done a tremendous amount of work on this project; this project is coming together well. Mr. Manning stated that Ms. Rojo will be using the City of Ontario as a case in point to provide an illustration as to what this water reporting report would look like. Ms. Rojo stated that part of Watermaster's responsibilities involve requiring each agency to report to Watermaster various types of water activity, including: land use conversions, assignments, production on a quarterly basis, transfers and sales/leases. That information is forwarded to Watermaster through various documents and then compiled. This report presented on the screen and as a handout recaps the water activities. This is the first time this document is being presented to the parties and everyone is encouraged to offer comments and suggestions on how to improve the format or titling. Ms. Rojo reviewed in detail the 2003-2004 Water Production report for the City of Ontario. Ms. Rojo noted that this report will be mailed out to each agency and it will be asked that it be reviewed, signed, and either mailed or faxed back to Chino Basin Watermaster. Mr. Vanden Heuvel asked that the 85/15 rule be explained. This would mean that the appropriators who are participants in the 85/15 program and are over producers (have a replenishment obligation) only pay for 85% of their replenishment obligation and everybody else who participates in the 85/15 shares 15% of their burden. Mr. Kinsey offered comments from discussions and the decision for the 85/15 rule. A lengthy discussion ensued with regard to the 85/15 rule and how that rule applies to the hand out/presentation. Counsel Slater noted that the genesis is in the Judgment in Exhibit H relates to different adjustments for whether or not you were using water in the basin solely or whether you were exporting. It is a market mechanism to discourage but not prohibit export so it gives in basin users an advantage. The market incentive is to facilitate transactions among the parties to the basin. Ms. Rojo noted that some feedback was given at the Advisory Committee on this format and those suggestions will be taken into

consideration before the final copy is distributed. Mr. Manning stated this report is intended to separate the water activity that goes on within this basin from the dollars associated with that water activity which was never done prior to this report.

IV. INFORMATION

- 1. Quarterly Status Report No. 14
No comment was made regarding this item.
- 2. Newspaper Articles
No comment was made regarding this item.

V. BOARD MEMBER COMMENTS

No comment was made regarding this item.

VI. OTHER BUSINESS

No comment was made regarding this item.

At 11:55 a.m. the open Watermaster Board meeting was adjourned and the confidential session convened.

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

At 12:35 p.m. the confidential session was adjourned and the Watermaster Board meeting convened.

- 1. Personnel Matters
Staff will adopt the document dated 7-20-05 pertaining to personnel matters.
- 2. C.E.O. Performance Review
Approval was given to the presentation regarding the C.E.O. performance including a salary increase starting September 1, 2005 and the reimbursement of all hard expenses. The guidelines for the next review of the C.E.O.'s goals and objectives will be submitted and reviewed prior to July 1st.

VIII. FUTURE MEETINGS

August 22, 2005	1:00 p.m.	Water Quality Meeting
August 23, 2005	9:00 a.m.	GRCC Meeting
August 25, 2005	9:00 a.m.	Advisory Committee Meeting
August 25, 2005	11:00 a.m.	Watermaster Board Meeting
September 8, 2005	9:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
September 20, 2005	9:00 a.m.	Agricultural Pool Meeting @ IEUA
September 22, 2005	9:00 a.m.	Advisory Committee Meeting
September 22, 2005	11:00 a.m.	Watermaster Board Meeting

The Watermaster Board Meeting Adjourned at 12:40 p.m.

Secretary: _____

Minutes Approved: _____

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Draft Minutes
CHINO BASIN WATERMASTER
SPECIAL CLOSED BOARD MEETING
September 14, 2005

The Special Closed Watermaster Board Meeting via a conference call, on September 14, 2005 at 8:00 a.m.

WATERMASTER BOARD MEMBERS PRESENT

Robert Neufeld, Chair	Fontana Union Water Company
Paul Hamrick	Jurupa Community Services District
Al Lopez	Western Municipal Water District
Bob Bowcock	Vulcan Materials Company
Paul Hofer	Agricultural Pool, Crops
Bill Kruger	City of Chino Hills
Geoffrey Vanden Heuvel	Agricultural Pool, Dairy

Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
--------------------	-------------------------

The Special Closed Watermaster Board Meeting conference call started at 8:05 a.m.

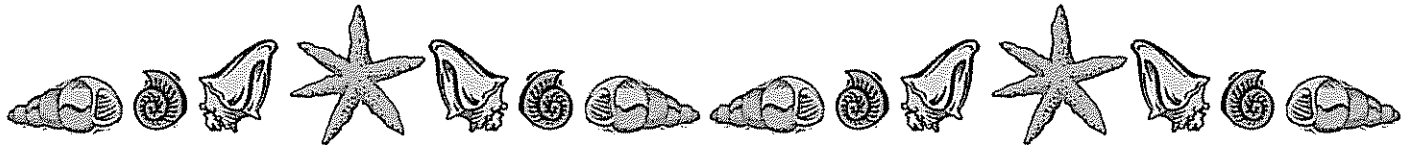
On September 14, 2005 the Board met in a special closed session to consider a request by the Appropriative Pool and the Non-Agricultural Pool to direct counsel to request the Court to set a hearing for February 9, 2005 to consider the re-appointment of the Board, and to request the Court to extend the term of the Board from September 30, 2005 until the date of the hearing. The Board adopted this recommendation and directed that all discussions of the issue of Board re-appointment shall take place in open meetings in order to allow for full participation by all parties.

The Special Closed Watermaster Board Meeting conference call ended at 8:19 a.m.

Secretary: _____

Minutes Approved: _____

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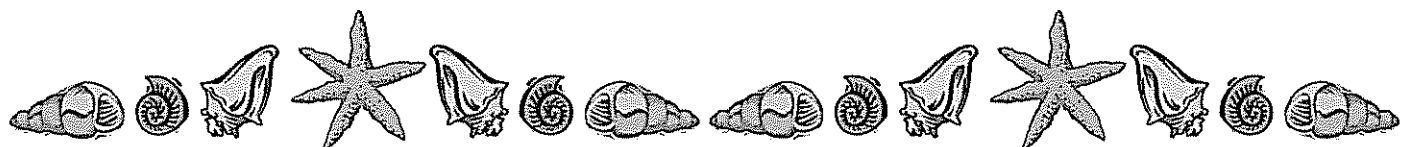


CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

B. FINANCIAL REPORTS

1. Cash Disbursements August 2005
2. Combining Schedule of Revenue, Expenses and changes in Working Capital for the Period July 1, 2005 through July 31, 2005
3. Treasurer's for the Period July 1, 2005 through July 31, 2005
4. Profit & Loss Budget vs. Actual July 2005





CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

KENNETH R. MANNING
Chief Executive Officer

STAFF REPORT

DATE: September 8, 2005
September 20, 2005
September 22, 2005

TO: Committee Members
Watermaster Board Members

SUBJECT: Cash Disbursement Report – August 2005

SUMMARY

Issue – Record of cash disbursements for the month of August 2005.

Recommendation – Staff recommends the Cash Disbursements for August 2005 be received and filed as presented.

Fiscal Impact – All funds disbursed were included in the FY 2005-06 Watermaster Budget.

BACKGROUND

A monthly cash disbursement report is provided to keep all members apprised of Watermaster expenditures.

DISCUSSION

Total cash disbursements during the month of August 2005 were \$624,655.91. The most significant expenditures during the month were Inland Empire Utilities Agency in the amount of \$368,124.70 and Hatch & Parent in the amount of \$54,547.34.

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CHINO BASIN WATERMASTER
Cash Disbursement Detail Report
August 2005

Type	Date	Num	Name	Amount
Aug 05				
General Journal	8/1/2005	05/08/2	PAYROLL	-5,131.66
General Journal	8/1/2005	05/08/2	PAYROLL	-20,195.60
Bill Pmt -Check	8/5/2005	9793	A & R TIRE	-11.00
Bill Pmt -Check	8/5/2005	9794	ANDERSON, JOHN	-125.00
Bill Pmt -Check	8/5/2005	9795	APPLIED COMPUTER TECHNOLOGIES	-1,240.15
Bill Pmt -Check	8/5/2005	9796	AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA	-46.00
Bill Pmt -Check	8/5/2005	9797	BOWCOCK, ROBERT	-250.00
Bill Pmt -Check	8/5/2005	9798	HAMRICK, PAUL	-125.00
Bill Pmt -Check	8/5/2005	9799	HSBC BUSINESS SOLUTIONS	-589.24
Bill Pmt -Check	8/5/2005	9800	IDEAL GRAPHICS	-105.60
Bill Pmt -Check	8/5/2005	9801	JAMES JOHNSTON	-795.00
Bill Pmt -Check	8/5/2005	9802	KRUGER, W. C. "BILL"	-250.00
Bill Pmt -Check	8/5/2005	9803	KUHN, BOB	-250.00
Bill Pmt -Check	8/5/2005	9804	LOS ANGELES TIMES	-42.00
Bill Pmt -Check	8/5/2005	9805	MARK IV COMMUNICATIONS, INC.	-232.55
Bill Pmt -Check	8/5/2005	9806	NEUFELD, ROBERT	-500.00
Bill Pmt -Check	8/5/2005	9807	PARK PLACE COMPUTER SOLUTIONS, INC.	-2,915.00
Bill Pmt -Check	8/5/2005	9808	PAYCHEX	-180.38
Bill Pmt -Check	8/5/2005	9809	REID & HELLYER	-5,108.72
Bill Pmt -Check	8/5/2005	9810	SOURCE 1 PRINTING, PACKAGING & MEDIA	-6,152.10
Bill Pmt -Check	8/5/2005	9811	THE FURMAN GROUP, INC.	-2,675.00
Bill Pmt -Check	8/5/2005	9812	UNITED STATES PLASTIC CORP	-236.06
Bill Pmt -Check	8/5/2005	9813	UNITEK TECHNOLOGY INC.	-48.49
Bill Pmt -Check	8/5/2005	9814	VANDEN HEUVEL, GEOFFREY	-125.00
Bill Pmt -Check	8/5/2005	9815	VELASQUEZ JANITORIAL	-1,200.00
Bill Pmt -Check	8/5/2005	9816	VERIZON	-464.18
Bill Pmt -Check	8/5/2005	9817	YUKON DISPOSAL SERVICE	-123.90
Bill Pmt -Check	8/10/2005	9818	PRECISION PCS, LLC	-2,000.00
Bill Pmt -Check	8/12/2005	9819	ACWA SERVICES CORPORATION	-222.68
Bill Pmt -Check	8/12/2005	9820	CHEVRON	-112.45
Bill Pmt -Check	8/12/2005	9821	CITISTREET	-1,200.00
Bill Pmt -Check	8/12/2005	9822	CNA SURETY	-208.80
Bill Pmt -Check	8/12/2005	9823	HATCH AND PARENT	-54,547.34
Bill Pmt -Check	8/12/2005	9824	MARINE BIOCHEMISTS	-2,860.00
Bill Pmt -Check	8/12/2005	9825	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	-4,253.79
Bill Pmt -Check	8/12/2005	9826	SAVIN CORPORATION dba RICOH BUSINESS	-705.50
Bill Pmt -Check	8/12/2005	9827	STANDARD INSURANCE CO.	-555.45
Bill Pmt -Check	8/12/2005	9828	STATE COMPENSATION INSURANCE FUND	-915.51
Bill Pmt -Check	8/12/2005	9829	UNITED PARCEL SERVICE	-418.27
Bill Pmt -Check	8/12/2005	9830	UNITEK TECHNOLOGY INC.	-673.44
General Journal	8/15/2005	05/08/5	PAYROLL	-4,778.28
General Journal	8/15/2005	05/08/5	PAYROLL	-19,000.28
Bill Pmt -Check	8/24/2005	9831	AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA	-45.00
Bill Pmt -Check	8/24/2005	9832	BANK OF AMERICA	-734.34
Bill Pmt -Check	8/24/2005	9833	CALPERS	-2,431.68
Bill Pmt -Check	8/24/2005	9834	CITIZENS CONFERENCING	-108.68
Bill Pmt -Check	8/24/2005	9835	COMPUSA, INC.	-211.76
Bill Pmt -Check	8/24/2005	9836	CUCAMONGA VALLEY WATER DISTRICT	-4,900.00
Bill Pmt -Check	8/24/2005	9837	ELLISON, SCHNEIDER & HARRIS, LLP	-3,766.30
Bill Pmt -Check	8/24/2005	9838	FIRST AMERICAN REAL ESTATE SOLUTIONS	-125.00
Bill Pmt -Check	8/24/2005	9839	INLAND EMPIRE UTILITIES AGENCY	-368,124.70
Bill Pmt -Check	8/24/2005	9840	MCI	-909.55
Bill Pmt -Check	8/24/2005	9841	NORDBAK'S PROMOTIONAL PRODUCTS	-134.95
Bill Pmt -Check	8/24/2005	9842	OFFICE DEPOT	-369.80
Bill Pmt -Check	8/24/2005	9843	PRE-PAID LEGAL SERVICES, INC.	-129.50
Bill Pmt -Check	8/24/2005	9844	QUILL	-625.38
Bill Pmt -Check	8/24/2005	9845	RICOH BUSINESS SYSTEMS-Lease	-3,591.31
Bill Pmt -Check	8/24/2005	9846	SAVIN CORPORATION dba RICOH BUSINESS	-36.00
Bill Pmt -Check	8/24/2005	9847	STANDARD INSURANCE CO.	-555.45
Bill Pmt -Check	8/24/2005	9848	STAULA, MARY L	-136.61
Bill Pmt -Check	8/24/2005	9849	TETTEMER & ASSOCIATES	-1,800.00
Bill Pmt -Check	8/24/2005	9850	UNITEK TECHNOLOGY INC.	-9,891.45
Bill Pmt -Check	8/24/2005	9851	WHEELER METER MAINTENANCE	-1,350.00
Bill Pmt -Check	8/24/2005	9852	INLAND EMPIRE UTILITIES AGENCY	-47,531.50
Bill Pmt -Check	8/24/2005	9853	VIP AUTO DETAILING	-354.45
Bill Pmt -Check	8/25/2005	9854	ROUTE 66 SUBS	-124.16
Bill Pmt -Check	8/25/2005	9855	NEXTEL COMMUNICATIONS	-1,025.08
Bill Pmt -Check	8/31/2005	9856	PETTY CASH	-444.50

CHINO BASIN WATERMASTER
Cash Disbursement Detail Report
August 2005

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Bill Pmt -Check	8/31/2005	9857	APPLIED COMPUTER TECHNOLOGIES	-2,152.95
Bill Pmt -Check	8/31/2005	9858	ARROWHEAD MOUNTAIN SPRING WATER	-87.55
Bill Pmt -Check	8/31/2005	9859	BLACK & VEATCH CORPORATION	-15,665.00
Bill Pmt -Check	8/31/2005	9860	BOWCOCK, ROBERT	-250.00
Bill Pmt -Check	8/31/2005	9861	DIRECTV	-74.98
Bill Pmt -Check	8/31/2005	9862	EXCEL LANDSCAPE	-10,129.00
Bill Pmt -Check	8/31/2005	9863	GROOMAN'S PUMP & WELL DRILLING, INC.	-273.30
Bill Pmt -Check	8/31/2005	9864	HAMRICK, PAUL	-125.00
Bill Pmt -Check	8/31/2005	9865	IDEAL GRAPHICS	-247.83
Bill Pmt -Check	8/31/2005	9866	INLAND COUNTIES INSURANCE SERVICES, INC.	-238.57
Bill Pmt -Check	8/31/2005	9867	KRUGER, W. C. "BILL"	-250.00
Bill Pmt -Check	8/31/2005	9868	KUHN, BOB	-250.00
Bill Pmt -Check	8/31/2005	9869	MEDIA JIM	-795.00
Bill Pmt -Check	8/31/2005	9870	NEUFELD, ROBERT	-500.00
Bill Pmt -Check	8/31/2005	9871	PURCHASE POWER	-2,051.99
Bill Pmt -Check	8/31/2005	9872	UNION 76	-246.15
Bill Pmt -Check	8/31/2005	9873	VANDEN HEUVEL, GEOFFREY	-125.00
Bill Pmt -Check	8/31/2005	9874	VERIZON	-43.12
Bill Pmt -Check	8/31/2005	9875	YUKON DISPOSAL SERVICE	-123.90
Aug 05				-624,655.91

CHINO BASIN WATERMASTER
 COMBINING SCHEDULE OF REVENUE, EXPENSES AND CHANGES IN WORKING CAPITAL
 FOR THE
 PERIOD JULY 1, 2005 THROUGH JULY 31, 2005

	WATERMASTER ADMINISTRATION	OPTIMUM BASIN MANAGEMENT	POOL ADMINISTRATION AND SPECIAL PROJECTS APPROPRIATIVE POOL	AGRICULTURAL POOL	NON-AGRIC. POOL	GROUNDWATER OPERATIONS GROUNDWATER REPLENISHMENT	SB222 FUNDS	EDUCATION FUNDS	GRAND TOTALS	BUDGET 2004-05
Administrative Revenues										
Administrative Assessments			369,248						369,248	\$3,984,888
Interest Revenue				1,052					1,052	78,330
Mutual Agency Project Revenue									-	0
Grant Income									-	0
Miscellaneous Income									-	0
Total Revenues	-	-	369,248	1,052	-	-	-	-	370,300	4,063,218
Administrative & Project Expenditures										
Watermaster Administration	64,866								64,866	621,784
Watermaster Board-Advisory Committee	4,558								4,558	37,018
Pool Administration			973	3,228	390				4,591	91,153
Optimum Basin Mgmt Administration		132,601							132,601	1,019,183
OBMP Project Costs		178,005							178,005	3,733,694
Education Funds Use								-	-	375
Mutual Agency Project Costs	2,675								2,675	80,004
Total Administrative/OBMP Expenses	72,099	310,606	973	3,228	390			-	387,296	5,583,211
Net Administrative/OBMP Income	(72,099)	(310,606)								
Allocate Net Admin Income To Pools	72,099		54,284	16,658	1,157				-	0
Allocate Net OBMP Income To Pools		310,606	233,859	71,764	4,983				-	0
Agricultural Expense Transfer			91,650	(91,650)					-	0
Total Expenses	380,766		380,766	-	6,530				387,296	5,583,211
Net Administrative Income			(11,518)	1,052	(6,530)				(16,996)	(1,519,993)
Other Income/(Expense)										
Replenishment Water Purchases									-	0
MZ1 Supplemental Water Assessments									-	2,179,500
Water Purchases									-	0
MZ1 Imported Water Purchase									-	(2,278,500)
Groundwater Replenishment						(370,826)			(370,826)	0
Net Other Income						(370,826)			(370,826)	(99,000)
Net Transfers To/(From) Reserves			(11,518)	1,052	(6,530)	(370,826)			(387,822)	(1,618,993)

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**CHINO BASIN WATERMASTER
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD
JULY 1 THROUGH JULY 31, 2005**

DEPOSITORIES:

Cash on Hand - Petty Cash		\$	500
Bank of America			
Governmental Checking-Demand Deposits	\$	122,702	
Savings Deposits		9,660	
Zero Balance Account - Payroll		-	132,362
Vineyard Bank CD - Agricultural Pool			408,127
Local Agency Investment Fund - Sacramento			<u>7,690,695</u>
TOTAL CASH IN BANKS AND ON HAND	7/31/2005		\$ 8,231,684
TOTAL CASH IN BANKS AND ON HAND	6/30/2005		8,795,321
PERIOD INCREASE (DECREASE)			<u>\$ (563,637)</u>

CHANGE IN CASH POSITION DUE TO:

Decrease/(Increase) in Assets: Accounts Receivable	\$	72,293
Assessments Receivable		(1,148)
Prepaid Expenses, Deposits & Other Current Assets		-
(Decrease)/Increase in Liabilities: Accounts Payable		(254,826)
Accrued Payroll, Payroll Taxes & Other Current Liabilities		7,866
Transfer to/(from) Reserves		<u>(387,822)</u>
PERIOD INCREASE (DECREASE)		<u>\$ (563,637)</u>

<u>SUMMARY OF FINANCIAL TRANSACTIONS:</u>	Petty Cash	Gov't'l Checking Demand	Zero Balance Account Payroll	Savings	Vineyard Bank	Local Agency Investment Funds	Totals
Balances as of 6/30/2005	\$ 500	\$ 105,819	\$ -	\$ 9,660	\$ 407,075	\$ 9,272,267	\$ 9,795,321
Deposits	-	373,539	-	-	1,052	68,428	443,019
Transfers	-	601,012	48,988	-	-	(650,000)	-
Withdrawals/Checks	-	(957,668)	(48,988)	-	-	-	(1,006,656)
Balances as of 7/31/2005	\$ 500	\$ 122,702	\$ -	\$ 9,660	\$ 408,127	\$ 8,690,695	\$ 9,231,684
PERIOD INCREASE OR (DECREASE)	\$ -	\$ 16,883	\$ -	\$ -	\$ 1,052	\$ (581,572)	\$ (563,637)

**CHINO BASIN WATERMASTER
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD
JULY 1 THROUGH JULY 31, 2005**

INVESTMENT TRANSACTIONS

Effective Date	Transaction	Depository	Activity	Redeemed	Days to Maturity	Interest Rate(*)	Maturity Yield
7/15/2005	Deposit-Interest	L.A.I.F.	\$ 68,428				
7/20/2005	Withdrawal	L.A.I.F.	(650,000)				
TOTAL INVESTMENT TRANSACTIONS			\$ (581,572)	-			

* The earnings rate for L.A.I.F. is a daily variable rate; 2.85% was the effective yield rate at the Quarter ended June 30, 2005

**INVESTMENT STATUS
July 31, 2005**

<u>Financial Institution</u>	<u>Principal Amount</u>	<u>Number of Days</u>	<u>Interest Rate</u>	<u>Maturity Date</u>
Local Agency Investment Fund	\$ 8,690,695			
TOTAL INVESTMENTS	\$ 8,690,695			

Funds on hand are sufficient to meet all foreseen and planned Administrative and project expenditures during the next six months.

All investment transactions have been executed in accordance with the criteria stated in Chino Basin Watermaster's Investment Policy.

Respectfully submitted,



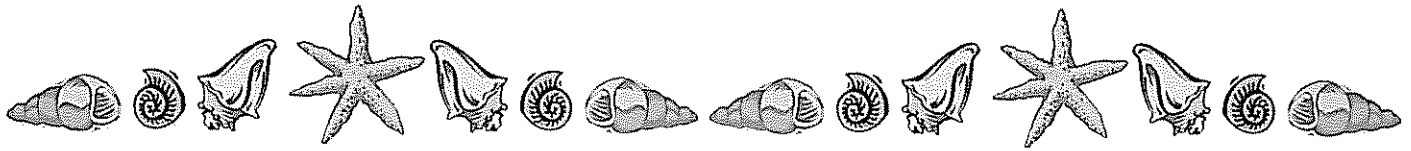
Sheri M. Rojo, CPA
Chief Financial Officer & Assistant General Manager
Chino Basin Watermaster

CHINO BASIN WATERMASTER
Profit & Loss Budget vs. Actual
July 2005

	<u>Jul 05</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4010 · Local Agency Subsidies	0.00	132,000.00	-132,000.00	0.0%
4110 · Admin Asmnts-Approp Pool	369,248.00	4,804,121.00	-4,434,873.00	7.69%
4120 · Admin Asmnts-Non-Agri Pool	0.00	73,425.00	-73,425.00	0.0%
4700 · Non Operating Revenues	1,052.46	78,330.00	-77,277.54	1.34%
Total Income	<u>370,300.46</u>	<u>5,087,876.00</u>	<u>-4,717,575.54</u>	<u>7.28%</u>
Gross Profit	370,300.46	5,087,876.00	-4,717,575.54	7.28%
Expense				
6010 · Salary Costs	31,855.04	404,153.00	-372,297.96	7.88%
6020 · Office Building Expense	5,367.08	97,850.00	-92,482.92	5.49%
6030 · Office Supplies & Equip.	3,155.98	47,500.00	-44,344.02	6.64%
6040 · Postage & Printing Costs	8,318.64	75,700.00	-67,381.36	10.99%
6050 · Information Services	5,998.83	103,500.00	-97,501.17	5.8%
6060 · Contract Services	0.00	130,500.00	-130,500.00	0.0%
6080 · Insurance	0.00	24,210.00	-24,210.00	0.0%
6110 · Dues and Subscriptions	1,088.00	14,000.00	-12,912.00	7.77%
6140 · WM Admin Expenses	426.83	6,500.00	-6,073.17	6.57%
6150 · Field Supplies	53.77	4,050.00	-3,996.23	1.33%
6170 · Travel & Transportation	36,553.66	45,200.00	-8,646.34	80.87%
6190 · Conferences & Seminars	307.82	17,500.00	-17,192.18	1.76%
6200 · Advisory Comm - WM Board	1,304.12	14,082.00	-12,777.88	9.26%
6300 · Watermaster Board Expenses	3,253.91	29,782.00	-26,528.09	10.93%
8300 · Appr PI-WM & Pool Admin	973.14	15,347.00	-14,373.86	6.34%
8400 · Agri Pool-WM & Pool Admin	1,239.26	18,756.00	-17,516.74	6.61%
8467 · Agri-Pool Legal Services	1,988.72	45,000.00	-43,011.28	4.42%
8470 · Ag Meeting Attend -Special	0.00	10,000.00	-10,000.00	0.0%
8500 · Non-Ag PI-WM & Pool Admin	390.17	7,423.00	-7,032.83	5.26%
6500 · Education Funds Use Expens	0.00	375.00	-375.00	0.0%
9500 · Allocated G&A Expenditures	-28,259.41	-378,284.00	350,024.59	7.47%
Subtotal G&A Expenditures	<u>74,015.56</u>	<u>733,144.00</u>	<u>-659,128.44</u>	<u>10.1%</u>
6900 · Optimum Basin Mgmt Plan	125,772.97	996,767.00	-870,994.03	12.62%
6950 · Mutual Agency Projects	2,675.00	75,000.00	-72,325.00	3.57%
9501 · G&A Expenses Allocated-OBMP	6,828.12	109,541.00	-102,712.88	6.23%
Subtotal OBMP Expenditures	<u>135,276.09</u>	<u>1,181,308.00</u>	<u>-1,046,031.91</u>	<u>11.45%</u>
7101 · Production Monitoring	4,289.72	68,755.00	-64,465.28	6.24%
7102 · In-line Meter Installation	4,805.46	97,954.00	-93,148.54	4.91%
7103 · Grdwtr Quality Monitoring	8,645.54	66,503.00	-57,857.46	13.0%
7104 · Gdwtr Level Monitoring	10,494.96	184,812.00	-174,317.04	5.68%
7105 · Sur Wtr Qual Monitoring	236.06	90,223.00	-89,986.94	0.26%
7106 · Wtr Level Sensors Install	0.00	5,734.00	-5,734.00	0.0%
7107 · Ground Level Monitoring	13,166.75	554,825.00	-541,658.25	2.37%
7108 · Hydraulic Control Monitoring	21,212.90	495,368.00	-474,155.10	4.28%
7109 · Recharge & Well Monitoring Prog	46,057.10	133,061.00	-87,003.90	34.61%
7200 · PE2- Comp Recharge Pgm	37,927.72	759,105.00	-721,177.28	5.0%

CHINO BASIN WATERMASTER
Profit & Loss Budget vs. Actual
July 2005

	<u>Jul 05</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
7300 · PE3&5-Water Supply/Desalte	0.00	12,548.00	-12,548.00	0.0%
7400 · PE4- Mgmt Plan	2,749.86	1,081,014.00	-1,078,264.14	0.25%
7500 · PE6&7-CoopEfforts/SaltMgmt	3,181.63	255,769.00	-252,587.37	1.24%
7600 · PE8&9-StorageMgmt/Conj Use	3,805.88	77,268.00	-73,462.12	4.93%
7690 · Recharge Improvement Debt Pymt	0.00	300,000.00	-300,000.00	0.0%
7700 · Inactive Well Protection Prgm	0.00	12,128.00	-12,128.00	0.0%
9502 · G&A Expenses Allocated-Projects	21,431.29	268,742.00	-247,310.71	7.98%
Subtotal Special Project Expenditures	<u>178,004.87</u>	<u>4,463,809.00</u>	<u>-4,285,804.13</u>	<u>3.99%</u>
Total Expense	<u>387,296.52</u>	<u>6,378,261.00</u>	<u>-5,990,964.48</u>	<u>6.07%</u>
Net Ordinary Income	-16,996.06	-1,290,385.00	1,273,388.94	1.32%
Other Income/Expense				
Other Income				
4231 · MZ1 Assigned Water Sales	0.00	600,000.00	-600,000.00	0.0%
Total Other Income	0.00	600,000.00	-600,000.00	0.0%
Other Expense				
5010 · Groundwater Replenishment	370,826.00	699,000.00	-328,174.00	53.05%
9999 · To/(From) Reserves	-387,822.06	-1,389,385.00	1,001,562.94	27.91%
Total Other Expense	<u>-16,996.06</u>	<u>-690,385.00</u>	<u>673,388.94</u>	<u>2.46%</u>
Net Other Income	<u>16,996.06</u>	<u>1,290,385.00</u>	<u>-1,273,388.94</u>	<u>1.32%</u>
Net Income	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>

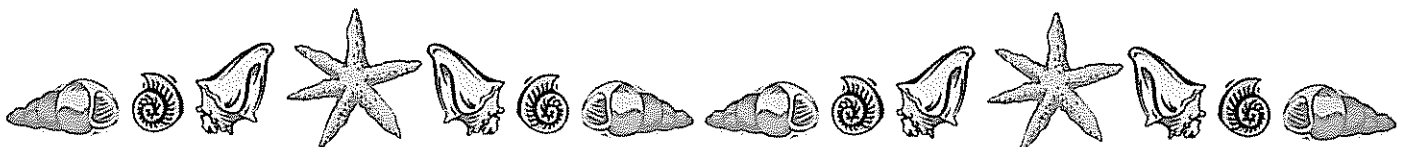


CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

C. WATER TRANSACTIONS

1. Notice of Sale or Transfer – The City of Upland has agreed to purchase from the West End Consolidated Water Company water in storage in the amount of 14,425 acre-feet
2. Notice of Sale or Transfer – The transfer of Monte Vista Irrigation Company's FY 2005-2006 Annual Production Rights to the Monte Vista Water District. The total quantity of water to be transferred is estimated at 1,050 acre-feet
3. Notice of Sale or Transfer – The City of Ontario has agreed to purchase from the City of Upland a portion of Upland's water in storage in the amount of 16,000 acre-feet
4. Notice of Sale or Transfer – Fontana Water Company has agreed to purchase from Cucamonga Valley Water district water in storage in the amount of 2,500 acre-feet



CHINO BASIN WATERMASTER

NOTICE

OF

APPLICATION(S)

RECEIVED FOR

WATER TRANSACTIONS – ACTIVITIES

Date of Notice:

August 5, 2005

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

NOTICE OF APPLICATION(S) RECEIVED

Date of Application: August 1, 2005

Date of this notice: August 5, 2005

Please take notice that the following Application has been received by Watermaster:

- A. Notice of Sale or Transfer – The City of Upland has agreed to purchase from the West End Consolidated Water Company water in storage in the amount of 14,425 acre feet.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool: August 11, 2005

Non-Agricultural Pool: August 11, 2005

Agricultural Pool: August 16, 2005

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888
Fax: (909) 484-3890

CHINO BASIN WATERMASTER

NOTICE OF TRANSFER OF WATER

Notification Dated: August 5, 2005

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).

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CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

C0

KENNETH R. MANNING
CHIEF EXECUTIVE OFFICER

DATE: August 5, 2005
TO: Watermaster Interested Parties
SUBJECT: Summary and Analysis of Application for Water Transaction

Summary -

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

Issue -

- Notice of Sale or Transfer – The City of Upland has agreed to purchase from the West End Consolidated Water Company a portion of West End's water in storage in the amount of 14,425 acre feet.

Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

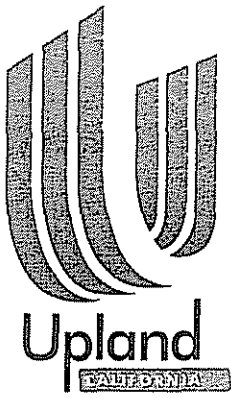
The following application for water transaction is attached with the notice of application.

- Notice of Sale or Transfer – The City of Upland has agreed to purchase from the West End Consolidated Water Company a portion of West End's water in storage in the amount of 14,425 acre feet.

Notice of the water transaction identified above was mailed on August 3, 2005 along with the materials submitted by the requestors.

DISCUSSION

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.



August 1, 2005

Mr. Kenneth R. Manning, CEO
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, California 91730

Subject: PURCHASE OF WATER IN STORAGE
CHINO BASIN – FY 2005-2006

Dear Mr. Manning:

Please take notice that the City of Upland (Upland) has agreed to purchase from the West End Consolidated Water Company (West End) a portion of West End's water in storage in the amount of 14,425 acre feet.

Enclosed is executed application for sale or transfer of right to produce water from storage for consideration by Watermaster. A recapture plan has not been completed as Upland intends to immediately sell 16,000 acre feet of water in storage to the City of Ontario (Ontario). Please place the proposed purchase on the agenda for the September meetings.

If you have any questions or require additional information concerning this matter, please call me at 931-4231. Thank you.

Sincerely,

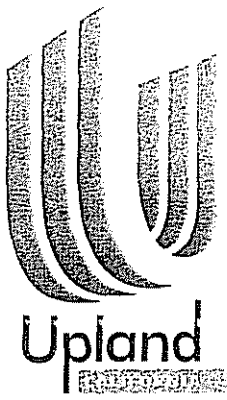
A handwritten signature in black ink that reads 'Rob Turner'.

Rob Turner
Public Works Director

CITY OF UPLAND

460 North Euclid Avenue, Upland, CA 91786-4732 • (909) 931-4100 • FAX (909) 931-9923 • TDD (800) 735-2929 • www.ci.upland.ca.us

Mayor John "JP" Pomierski • Mayor Pro Tem Kenneth W. Willis • Council Members: Brendan Brandt, Ray Musser, Tom Thomas • City Manager Robb Quincey



July 29, 2005

Mark Wiley, Water Operations Manager
West End Consolidated Water Company
1370 N. Benson Avenue,
Upland, California 91785

Subject: PURCHASE OF STORED WATER IN THE CHINO BASIN – FY 2005-2006

Dear Mr. Wiley:

This letter confirms our oral agreement offer between the City of Upland and West End Consolidated Water Company for the one-time purchase of 14,425 acre-feet of stored water from West End's local storage account to the City of Upland. Upland will pay West End 100% of the agreed upon sale price with no reliance upon the 85/15 rule.

If the terms of this agreement are acceptable, please indicate by signing below. Return one of the two documents to me and retain the other document for your files.

Upland will make the payment within 30 days of Watermaster approval of this transaction. Should you have any questions, please call me at 931-4231. Thank you.

Sincerely,

Rob Turner
Public Works Director
City of Upland

Mark Wiley
Water Operations Manager
West End Consolidated Water Company

cc: Chino Basin Watermaster

CITY OF UPLAND

460 North Euclid Avenue, Upland, CA 91786-4732 • (909) 931-4100 • FAX (909) 931-9923 • TDD (800) 735-2929 • www.ci.upland.ca.us

Mayor John "JP" Pomierski • Mayor Pro Tem Kenneth W. Willis • Council Members: Brendan Brandt, Ray Musser, Tom Thomas • City Manager Robb Quincey

APPLICATION FOR
SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE

TRANSFER FROM LOCAL STORAGE AGREEMENT # _____

West End Consolidated Water Company

Name of Party	<u>8/1/2005</u>	_____
	Date Requested	Date Approved
<u>1370 N. Benson</u>	<u>14,425</u> Acre-feet	_____ Acre-feet
Street Address	Amount Requested	Amount Approved
<u>Upland</u>	<u>CA</u>	<u>91785</u>
City	State	Zip Code
Telephone: <u>909-931-4245</u>	Facsimile: <u>909-931-4274</u>	


Applicant (Mark Wiley, Water Operations Manager)

TRANSFER TO:

City of Upland Attach Recapture Form 4
Name of Party

1370 N. Benson Avenue
Street Address

<u>Upland</u>	<u>CA</u>	<u>91785</u>
City	State	Zip Code
Telephone: <u>909-931-4231</u>	Facsimile: <u>909-931-4274</u>	

Have any other transfers been approved by Watermaster
between these parties covering the same fiscal year? Yes [] No [X]

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected?

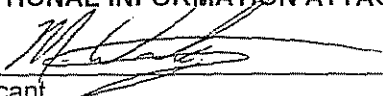
MATERIAL PHYSICAL INJURY

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that
may be caused by the action covered by the application? Yes [] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the
action does not result in Material Physical Injury to a party to the Judgment or the Basin?

ADDITIONAL INFORMATION ATTACHED

Yes [] No [X]


Applicant

TO BE COMPLETED BY WATERMASTER:

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____ Agreement # _____

CHINO BASIN WATERMASTER

NOTICE

OF

APPLICATION(S)

RECEIVED FOR

WATER TRANSACTIONS – ACTIVITIES

Date of Notice:

August 5, 2005

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

NOTICE OF APPLICATION(S) RECEIVED

Date of Application: **July 20, 2005**

Date of this notice: **August 5, 2005**

Please take notice that the following Application has been received by Watermaster:

- A. Notice of Sale or Transfer – The transfer of Monte Vista Irrigation Company’s FY 2005-06 Annual Production Rights to the Monte Vista Water District. The total quantity of water to be transferred is estimated at 1,050 acre-feet.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool: August 11, 2005

Non-Agricultural Pool: August 11, 2005

Agricultural Pool: August 16, 2005

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888
Fax: (909) 484-3890

CHINO BASIN WATERMASTER

NOTICE OF TRANSFER OF WATER

Notification Dated: August 5, 2005

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).

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CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

KENNETH R. MANNING
CHIEF EXECUTIVE OFFICER

DATE: August 5, 2005
TO: Watermaster Interested Parties
SUBJECT: Summary and Analysis of Application for Water Transaction

Summary -

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

Issue -

- Notice of Sale or Transfer – The transfer of Monte Vista Irrigation Company's FY 2005-06 Annual Production Rights to the Monte Vista Water District. The total quantity of water to be transferred is estimated at 1,050 acre-feet.

Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for water transaction is attached with the notice of application.

- The transfer of Monte Vista Irrigation Company's FY 2005-06 Annual Production Rights to the Monte Vista Water District. The total quantity of water to be transferred is estimated at 1,050 acre-feet.

Notice of the water transaction identified above was mailed on August 3, 2005 along with the materials submitted by the requestors.

DISCUSSION

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

KM, SK, BV

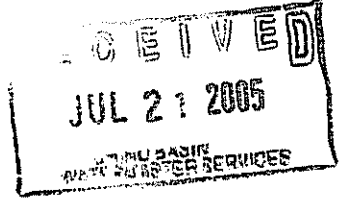
Monte Vista

Dedicated to Quality,

Service and Innovation

Mark N. Kinsey
GENERAL MANAGER

July 20, 2005



Mr. Ken Manning, Chief Executive Officer
CHINO BASIN WATERMASTER
9641 San Bernardino Road
Rancho Cucamonga, California 91730

MVWD/MVIC Water Transactions

Dear Mr. Manning: *Ken*

Attached are the necessary forms to complete the transfer of Monte Vista Irrigation Company Fiscal Year 2005-06 annual production rights in the Chino Basin to the Monte Vista Water District. The total quantity of water to be transferred is estimated at 1,050 acre-feet.

This transfer will be utilized by the District to offset a portion of its projected Fiscal Year 2005-06 replenishment obligation within the Chino Basin. The recapture plan for production of the transferred water rights by the District and a map showing the location of District production wells are attached for consideration by Watermaster.

The actual location of, and rate of capture, could change due to unplanned production system problems or from abnormally wet or dry weather conditions.

Thank you for your assistance in this matter. Should you have any questions, please contact the District at your convenience.

Sincerely,

Monte Vista Water District

Mark N. Kinsey
General Manager

Attachments

Water District

10575 Central Avenue, Post Office Box 71 • Montclair, California 91763 • (909) 624-0035 • FAX (909) 624-4725

Robb D. Quincey
PRESIDENT

Sandra S. Rose
VICE PRESIDENT

Josephine M. Johnson
DIRECTOR

Maynard B. Lenhart
DIRECTOR

Tony Lopez
DIRECTOR

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APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD

Fiscal Year 2005-06

Commencing on July 1, 2005 and terminating on June 30, 2006, Monte Vista Irrigation Company ("Transferor") hereby transfers to Monte Vista Water District ("Transferee") the quantity of 1,050 acre-feet of corresponding Annual Production Right (Appropriative Pool) or Safe Yield (Non-Agricultural Pool) adjudicated to Transferor or its predecessor in interest in the Judgment rendered in the Case of "CHINO BASIN MUNICIPAL WATER DISTRICT vs. CITY OF CHINO, et al.," RCV 51010 (formerly Case No. SCV 164327).

Said Transfer shall be conditioned upon:

- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment and the Peace Agreement and for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must intervene and become a party to the Judgment.

TO BE EXECUTED by both Transferor and Transferee, and to be accompanied by a general description of the area where the Transferred water was to be Produced and used prior to the Transfer, and where it will be Produced and used after the Transfer. This general description can be in the form of a map.

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected?

Dynamic water levels at District wells range from 538' to 596' below ground level with average drawdown of 40'. Static water levels range from 504' to 533' below ground level. Nitrate concentrations for District wells range between 19-70 ppm.

MATERIAL PHYSICAL INJURY

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes [] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

No mitigation is required.

ADDITIONAL INFORMATION ATTACHED Yes [X] No []

Mark N. Kinsey
Monte Vista Irrigation Company

Transferor

Mark N. Kinsey
Monte Vista Water District

Transferee

TO BE COMPLETED BY WATERMASTER:

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____ Agreement # _____

MONTE VISTA WATER DISTRICT

Recapture Plan

This recapture plan pertains to the transfer of an estimated 1,050 acre-feet of Fiscal Year 2005-06 Monte Vista Irrigation Company annual production rights to the Monte Vista Water District. Location of where the recaptured water will be extracted by the District is within Management Zone 1 of the Chino Basin and will be accomplished by any or all of the 11 wells owned and operated by the District. The approximate daily production capacity of these wells is noted below.

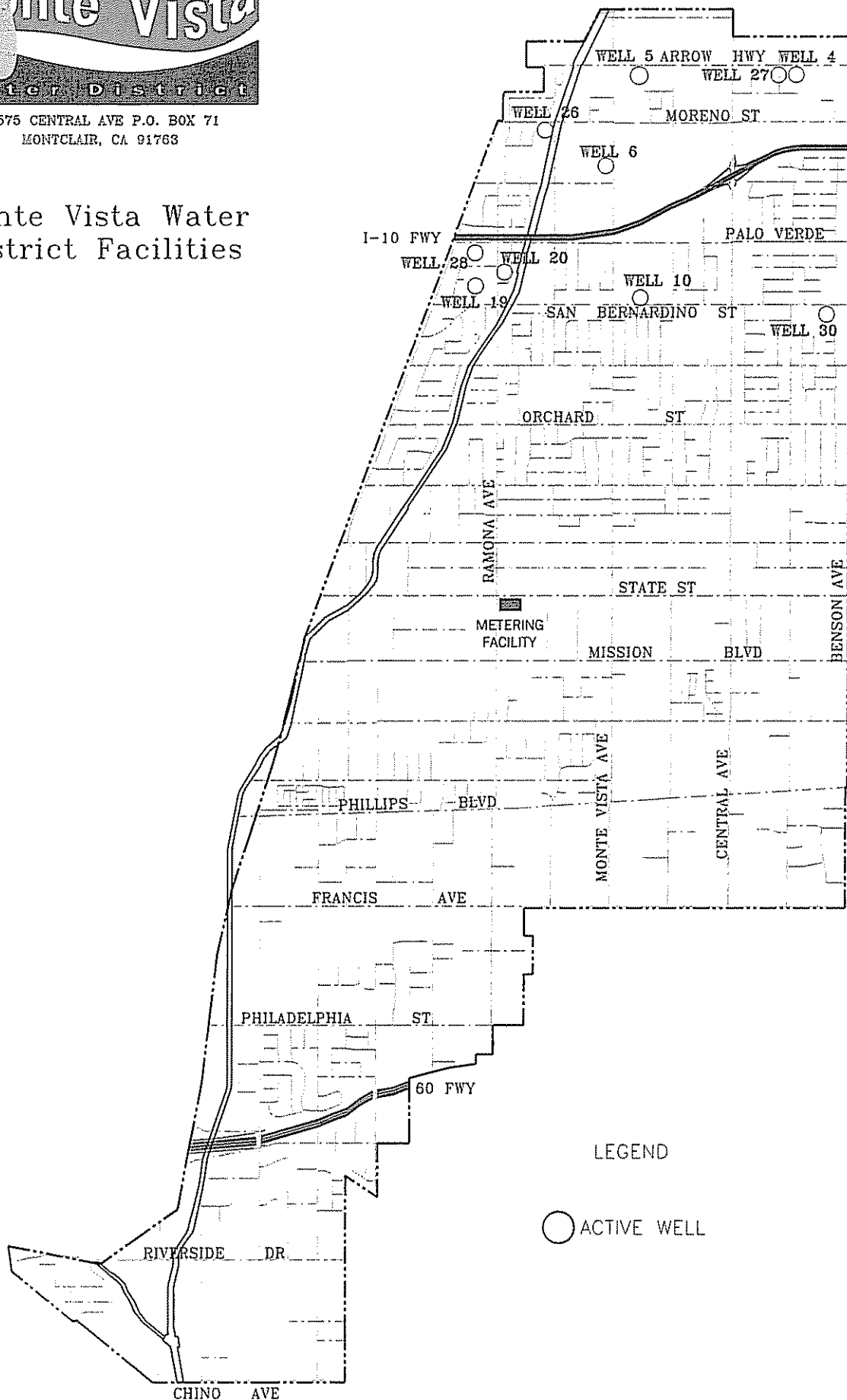
<u>Well</u>	<u>Production Acre-Feet/Day</u>
4	4.2
5	6.1
6	5.2
10	5.2
11	2.7
19	9.0
20	5.8
26	9.0
27	9.0
28	9.0
30	9.0
<hr/>	
Daily Total	74.2

A map showing the location of these wells is attached. The rate of extraction can vary significantly, depending upon system demand and seasonal changes.



10575 CENTRAL AVE P.O. BOX 71
MONTCLAIR, CA 91763

Monte Vista Water District Facilities



LEGEND
○ ACTIVE WELL



NOT TO SCALE

CHINO BASIN WATERMASTER

NOTICE

OF

APPLICATION(S)

RECEIVED FOR

WATER TRANSACTIONS – ACTIVITIES

Date of Notice:

August 5, 2005

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

NOTICE OF APPLICATION(S) RECEIVED

Date of Application: **August 1, 2005**

Date of this notice: **August 5, 2005**

Please take notice that the following Application has been received by Watermaster:

- A. Notice of Sale or Transfer – The City of Ontario has agreed to purchase from the City of Upland a portion of Upland’s water in storage in the amount of 16,000 acre feet.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool: August 11, 2005

Non-Agricultural Pool: August 11, 2005

Agricultural Pool: August 16, 2005

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888
Fax: (909) 484-3890

CHINO BASIN WATERMASTER

NOTICE OF TRANSFER OF WATER

Notification Dated: August 5, 2005

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).

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CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

KENNETH R. MANNING
CHIEF EXECUTIVE OFFICER

DATE: August 5, 2005
TO: Watermaster Interested Parties
SUBJECT: Summary and Analysis of Application for Water Transaction

Summary -

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

Issue -

- Notice of Sale or Transfer – The City of Ontario has agreed to purchase from the City of Upland a portion of Upland's water in storage in the amount of 16,000 acre feet.

Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for water transaction is attached with the notice of application.

- Notice of Sale or Transfer – The City of Ontario has agreed to purchase from the City of Upland a portion of Upland's water in storage in the amount of 16,000 acre feet.

Notice of the water transaction identified above was mailed on August 3, 2005 along with the materials submitted by the requestors.

DISCUSSION

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

CITY OF



ONTARIO

PUBLIC WORKS AND
COMMUNITY SERVICES AGENCY

ONTARIO MUNICIPAL SERVICES CENTER

PAUL S. LEON
MAYOR

ALAN D. WAPNER
MAYOR PRO TEM

GERALD A. DuBOIS
JASON ANDERSON
SHEILA MAUTZ
COUNCIL MEMBERS

August 1, 2005

GREGORY C. DEVEREAUX
CITY MANAGER

KENNETH L. JESKE
PUBLIC WORKS / COMMUNITY
SERVICES DIRECTOR

MARY E. WIRTES, MMC
CITY CLERK

JAMES R. MILHISER
TREASURER

Mr. Kenneth R. Manning, CEO
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, California 91730

Subject: PURCHASE OF WATER IN STORAGE
CHINO BASIN – FY 2005-2006

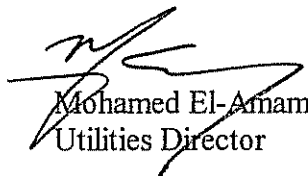
Dear Mr. Manning:

Please take notice that the City of Ontario (Ontario) has agreed to purchase from the City of Upland (Upland) a portion of Upland's water in storage in the amount of 16,000 acre feet to satisfy a portion of the Ontario's anticipated Chino Basin replenishment obligation for FY 2005-2006.

Enclosed is executed application for sale or transfer of right to produce water from storage and a recapture plan for consideration by Watermaster. Please agendaize the proposed purchase for the September meetings.

If you have any questions or require additional information concerning this matter, please call me at 395-2681. Thank you.

Sincerely,


Mohamed El-Amamy
Utilities Director

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APPLICATION FOR
SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE

TRANSFER FROM LOCAL STORAGE AGREEMENT # _____

City of Upland

Name of Party

8/1/2005

Date Requested

Date Approved

1370 N. Benson

Street Address

16,000 Acre-feet

Amount Requested

_____ Acre-feet

Amount Approved

Upland

City

CA

State

91785

Zip Code

Telephone: 909-931-4231

Facsimile: 909-931-4274

Rob Turner

Applicant (Rob Turner, Director of Public Works)

TRANSFER TO:

City of Ontario

Name of Party

Attach Recapture Form 4

1425 S. Bon View

Street Address

Ontario

City

CA

State

91761

Zip Code

Telephone: 909-395-2681

Facsimile: 909-395-2601

Have any other transfers been approved by Watermaster
between these parties covering the same fiscal year? Yes [] No [X]

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected?

MATERIAL PHYSICAL INJURY

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that
may be caused by the action covered by the application? Yes [] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the
action does not result in Material Physical Injury to a party to the Judgment or the Basin?

ADDITIONAL INFORMATION ATTACHED

Yes [] No [X]

Rob Tu
Applicant

TO BE COMPLETED BY WATERMASTER:

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____ Agreement # _____



APPLICATION OR AMENDMENT TO APPLICATION
TO
RECAPTURE WATER IN STORAGE

APPLICANT

<u>City Of Ontario</u>		<u>August 1, 2005</u>	_____
Name of Party		Date Requested	Date Approved
<u>1425 S. Bon View Avenue</u>		<u>16,000</u> Acre-feet	_____ Acre-feet
Street Address		Amount Requested	Amount Approved
<u>Ontario</u>	<u>CA</u>	<u>Varies</u>	<u>July 1, 2005 - June 30, 2006</u>
City	State	Projected Rate of Recapture	Projected Duration of Recapture
Telephone: <u>909-395-2600</u>		Facsimile: <u>909-395-2601</u>	

IS THIS AN AMENDMENT TO A PREVIOUSLY APPROVED APPLICATION? [] YES [X] NO
IF YES, ATTACH APPLICATION TO BE AMENDED

IDENTITY OF PERSON THAT STORED THE WATER: _____

PURPOSE OF RECAPTURE

- [] Pump when other sources of supply are curtailed
- [X] Pump to meet current or future demand over and above production right
- [] Pump as necessary to stabilize future assessment amounts
- [] Other, explain _____

METHOD OF RECAPTURE (if by other than pumping) (e.g. exchange)

N/A

PLACE OF USE OF WATER TO BE RECAPTURED

Management zones 2 and 3

N/A

LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES).

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected?

Recapture by Ontario will be accomplished by pumping 22 wells. Static level varies from 272 feet to 524 feet. Of the wells routinely pumped, nitrate levels vary form less than 5 to 40 mg/L.

MATERIAL PHYSICAL INJURY

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes [] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

ADDITIONAL INFORMATION ATTACHED

Yes [X] No []



Mohamed El-Amamy, Utilities Director

TO BE COMPLETED BY WATERMASTER

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

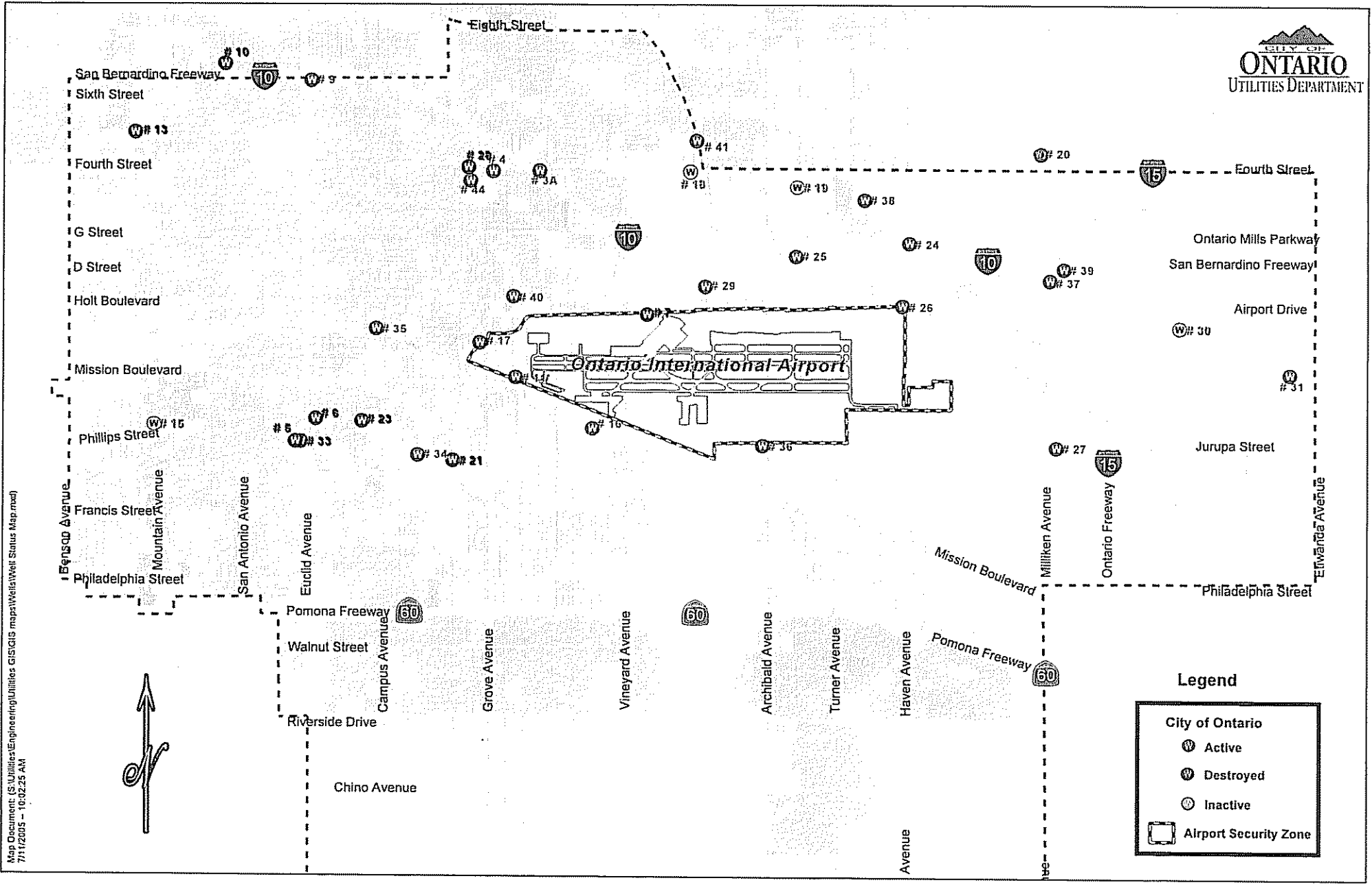
DATE OF BOARD APPROVAL: _____ Agreement # _____

CITY OF ONTARIO
Recapture Plan

The subject water is a transfer of stored groundwater from the City of Upland located within Management Zones 2 and 3 to the City of Ontario in the amount of 16,000 acre-feet to satisfy a portion of the City's replenishment obligation for FY 2005-2006. Recapture of the stored water is accomplished by the production of any or all of the 22 wells owned and operated by the City with Management Zones 2 or 3 of the Chino Groundwater Basin. The approximate daily production capacity of these wells is as follows.

<u>Well No.</u>	<u>Capacity acre-feet/day</u>
9	7.8
11	5.7
16	3.2
17	7.2
18	5.3
19	2.5
20	3.4
24	8.4
25	6.2
26	5.7
27	4.9
29	11.2
30	14.1
31	13.1
35	8.6
36	8.3
37	13.4
38	11.4
39	8.6
40	13.4
41	11.0
<hr/>	
173.5	

A map showing the locations of these wells is attached. The rate of extraction can vary significantly, depending upon system demand and seasonal changes.



Map Document: (S:\Utilities\Engineering\Utilities GIS\GIS maps\Water\Water Status Map.mxd)
7/11/2015 - 10:02:25 AM

Legend

- City of Ontario
- W# Active
- D# Destroyed
- I# Inactive
- Airport Security Zone

CHINO BASIN WATERMASTER

NOTICE

OF

APPLICATION(S)

RECEIVED FOR

WATER TRANSACTIONS – ACTIVITIES

Date of Notice:

June 8, 2005

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

NOTICE OF APPLICATION(S) RECEIVED

Date of Application: **May 27, 2005**

Date of this notice: **June 8, 2005**

Please take notice that the following Application has been received by Watermaster:

- A. Notice of Sale or Transfer – Fontana Water Company has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2500 acre-feet.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool:	July 14, 2005
Non-Agricultural Pool:	July 14, 2005
Agricultural Pool:	July 19, 2005

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888
Fax: (909) 484-3890

CHINO BASIN WATERMASTER

NOTICE OF TRANSFER OF WATER

Notification Dated: June 8, 2005

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).

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CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

KENNETH R. MANNING
CHIEF EXECUTIVE OFFICER

DATE: June 8, 2005
TO: Watermaster Interested Parties
SUBJECT: Summary and Analysis of Application for Water Transaction

Summary -

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

Issue -

- Notice of Sale or Transfer – Fontana Water Company has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2500 acre-feet.

Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

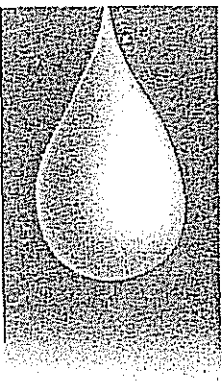
The following application for water transaction is attached with the notice of application.

- Notice of Sale or Transfer – Fontana Water Company has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2500 acre-feet.

Notice of the water transaction identified above was mailed on June 8, 2005 along with the materials submitted by the requestors.

DISCUSSION

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

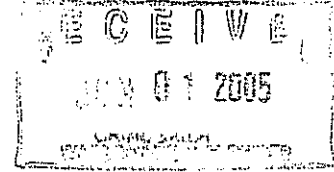


FONTANA WATER COMPANY

A DIVISION OF SAN GABRIEL VALLEY WATER COMPANY

8440 NUEVO AVENUE • P.O. BOX 987, FONTANA, CALIFORNIA 92334 • (909) 822-2201

May 27, 2005



Mr. Kenneth R. Manning, Chief Executive Officer
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, California 91730

Subject: Purchase of Water in Storage
Chino Basin-Fiscal Year 2004/2005

Dear Mr. Manning:

Please take notice that Fontana Water Company ("Company") has agreed to purchase from Cucamonga Valley Water District water in storage in the amount of 2,500 acre-feet to satisfy a portion of the Company's anticipated Chino Basin replenishment obligation for Fiscal Year 2004/2005.

Enclosed are fully executed Chino Basin Watermaster Forms No. 3 and 4, along with the company's Recapture Plan for consideration by Watermaster. Please agendize this proposed transfer at the earliest possible opportunity.

If you should have any question or require additional information concerning this matter, please call me.

Very truly yours,

Michael J. McGraw
General Manager

MJM:bf
Enclosures

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APPLICATION FOR SALE OR TRANSFER OR RIGHT TO PRODUCE WATER FROM STORAGE

TRANSFER FROM LOCAL STORAGE AGREEMENT # _____

Cucamonga Valley Water District Name of Party May 17, 2005 Date Requested _____ Date Approved _____

10440 Ashford Street Street Address 2,500 Acre-feet Amount Requested _____ Acre-feet Amount Approved _____

Rancho Cucamonga CA 91729 City State Zip Code

Telephone: (909) 987-2591 Facsimile: (909) 476-8032

Robert A. DeLoach, General Manager Cucamonga Valley Water District

TRANSFER TO:

Fontana Water Company Name of Party Attach Recapture Form 4

8440 Nuevo Avenue Street Address

Fontana CA 92334 City State Zip Code

Telephone: (909) 822-2201 Facsimile: (909) 823-5046

Have any other transfers been approved by Watermaster between these parties covering the same fiscal year? Yes [] No [X]

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected?

Recapture by Fontana Water Company accomplished by pumping of 15 wells-static water levels vary from 375' to 684'. Of the wells routinely pumped, nitrate levels vary from a low of 8 mg/l to a high of 33 mg/l.

MATERIAL PHYSICAL INJURY

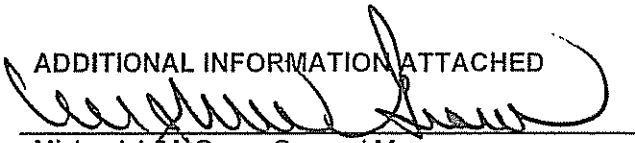
Is the Applicant aware of any Material Physical Injury to a party to the judgment or the Basin that may be caused by the action covered by the application? Yes [] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

N/A

ADDITIONAL INFORMATION ATTACHED

Yes [] No [X]


Michael J. McGraw, General Manager
Fontana Water Company

TO BE COMPLETED BY WATERMASTER:

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____


DATE OF BOARD APPROVAL: _____ Agreement # _____

MATERIAL PHYSICAL INJURY

Is the Applicant aware of any Material Physical Injury to a party to the judgment or the Basin that may be caused by the action covered by the application? Yes [] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

ADDITIONAL INFORMATION ATTACHED Yes [] No [X]


Applicant

TO BE COMPLETED BY WATERMASTER:

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

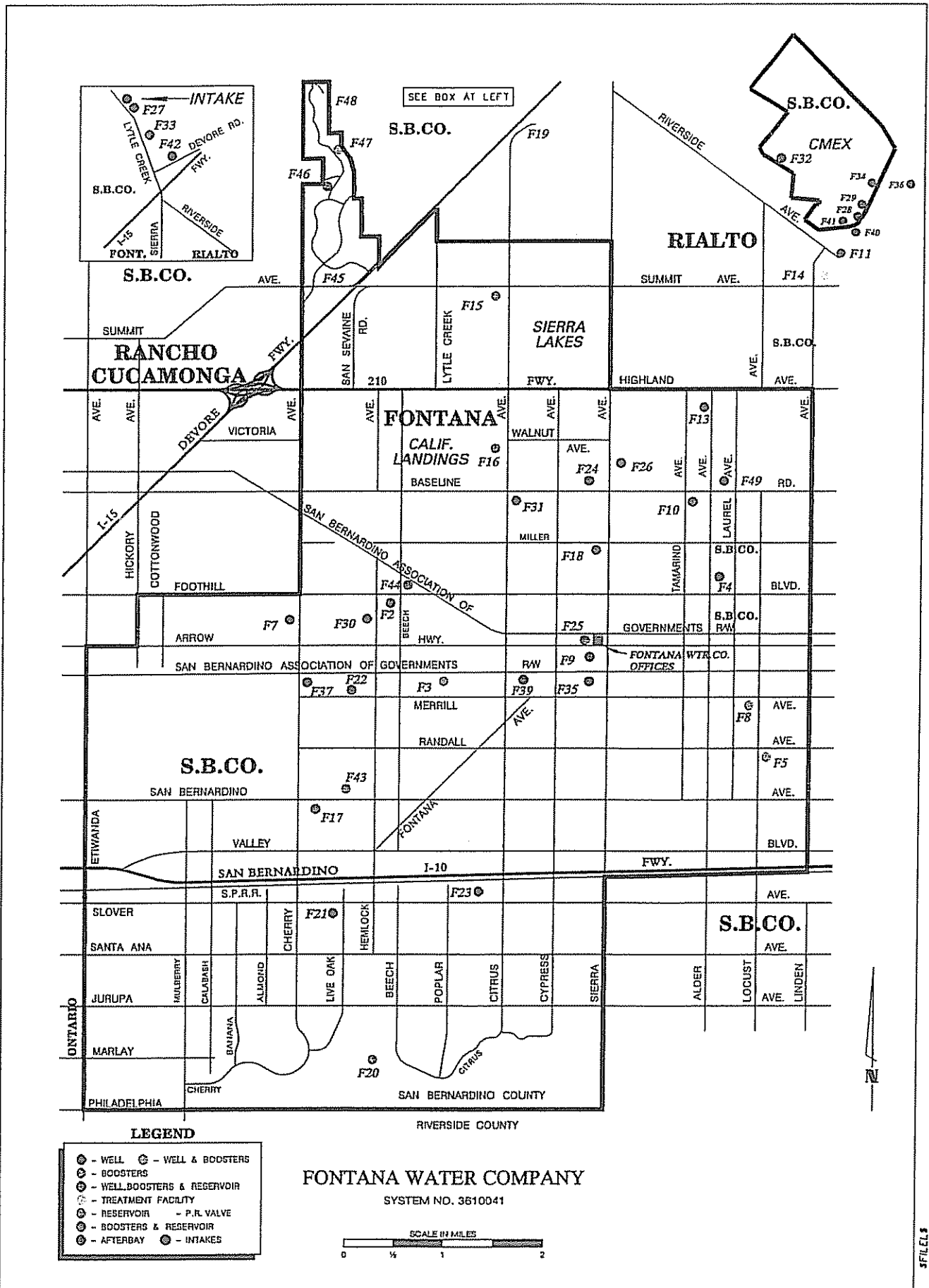
DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____ Agreement # _____



- LEGEND**
- ⊙ - WELL
 - ⊙ - WELL & BOOSTERS
 - ⊙ - BOOSTERS
 - ⊙ - WELL, BOOSTERS & RESERVOIR
 - ⊙ - TREATMENT FACILITY
 - ⊙ - RESERVOIR - P.R. VALVE
 - ⊙ - BOOSTERS & RESERVOIR
 - ⊙ - AFTERBAY
 - ⊙ - INTAKES

FONTANA WATER COMPANY
SYSTEM NO. 3610041

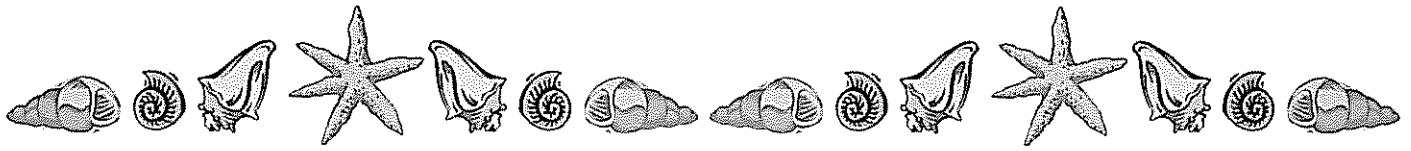


FONTANA WATER COMPANY
Recapture Plan

The subject water is a transfer of stored groundwater from Cucamonga Valley Water District to Fontana Water Company (FWC) of 2,500 acre-feet to satisfy a portion of FWC's replenishment obligation for FY 2004/2005. Recapture of the stored water is accomplished by the production of any or all of the 15 wells owned and operated by FWC within Management Zone 3 of the Chino Groundwater Basin. The approximate daily production capacity of these wells is as follows:

<u>Well</u>	-	<u>Production Acre-Feet/Day</u>
F23A	-	10.6
F21A	-	5.7
F37A	-	5.7
F7A	-	11.0
F22A	-	8.2
F24A	-	8.4
F26A	-	8.6
F31A	-	7.3
F2A	-	10.6
F30A	-	5.1
F44A	-	11.0
F44B	-	10.6
F44C	-	10.6
F17B		5.7
F17C		7.1
Daily Total		<u>126.2</u>

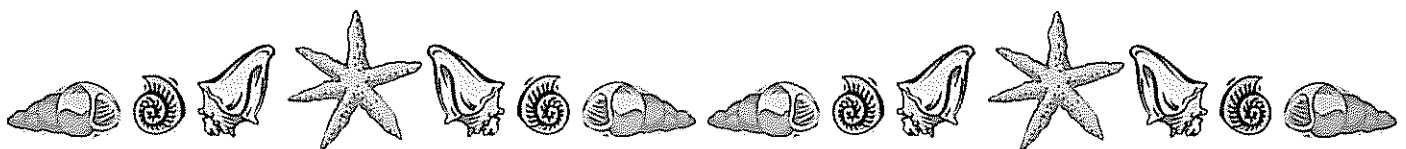
The attached map shows the location of these wells within FWC's service area. Prior to 1992, water produced from the majority of these wells was pumped within Management Zone 3 by Fontana Union Water Company with safe yield rights in the Chino Groundwater Basin. However, as a result of a bankruptcy settlement agreement dated February 7, 1992 all of Fontana Union's Chino Groundwater Basin water, including overlying (agricultural) pool reallocation, is annually transferred to Cucamonga Valley Water District's storage account. A separate agreement between Cucamonga Valley Water District and FWC provides for Cucamonga Valley Water District to sell to FWC, Chino Basin stored water to cover a portion of FWC's production. Pursuant to the same 1992 bankruptcy settlement agreement, Fontana Water Company acquired Fontana Union's water production wells and continues to produce water from Management Zone 3, in the same manner and for the same purpose as had been done prior to 1992.



CHINO BASIN WATERMASTER

II. BUSINESS ITEMS

A. PRELIMINARY ANALYSIS OF MATERIAL PHYSICAL INJURY





CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

KENNETH R. MANNING
Chief Executive Officer

DATE: September 8, 2005
September 20, 2005
September 22, 2005

TO: Committee Members
Watermaster Board Members

SUBJECT: Preliminary Analysis of Material Physical Injury – IEUA Application to Implement Phase II Chino Basin Recycled Water Recharge Project

SUMMARY

Issue – On November 2, 2004, Inland Empire Utilities Agency (IEUA) sent a letter to Watermaster requesting an analysis of Material Physical Injury, pursuant to the Peace Agreement and Watermaster's Rules and Regulations, for IEUA's proposed Phase II Chino Basin Recycled Water Recharge Project – hereafter the Phase II Recharge Project. Watermaster directed staff to complete the analysis of Material Physical Injury using the Department of Health Services (DHS) proposed regulations for planned recharge projects, requirements listed in the Peace Agreement, balance of recharge and discharge in every area and subarea, maintenance of hydraulic control, and other criteria that may become appropriate to Watermaster. Wildermuth Environmental Inc. (WEI) completed this analysis and their results are summarized below and in a report entitled *Title 22 Engineering Report, Phase II Chino Basin Recycled Water Recharge Project* (DDBE, 2005) – hereafter the *Title 22 Report*. The DHS is currently reviewing the Title 22 Report and will provide IEUA with comments. The Phase II Recharge Project may be changed slightly based on these discussions. Watermaster staff will keep the Watermaster informed on the progress of the DHS review of the Title 22 Report. The Phase II Recharge Project description may change based on IEUA discussions with the DHS. Watermaster staff will provide a final definitive report on the material physical injury for the Phase II Recharge Project in the upcoming months after DHS and IEUA have reached agreement on the precise project description. Watermaster will defer issuing final findings regarding material physical injury pending acceptance of the Title 22 Report by DHS and the Regional Water Quality Control Board (RWQCB), and Watermaster staff's subsequent review.

Recommendation – Receive and file.

BACKGROUND

IEUA proposes to implement Phase II of the Chino Basin Recycled Water Groundwater Recharge Project. The Chino Basin Recycled Water Groundwater Recharge Program is a comprehensive water supply enhancement project that will be implemented in two phases. The recharge basins and their proposed recharge mix are shown in Table 1. The location of these basins is shown in Figure 1. The Phase I Recharge Project began recharge of recycled water into Banana Basin in July 2005. The Phase II Recharge Project will: (1) add 11 more recharge basins, and (2) expand the conveyance system to increase the recharge capacity up to about 134,000 acre-ft/yr. The blended supply will consist of approximately 26,000 acre-ft/yr of recycled water, 20,600 acre-ft/yr of storm water, and 87,400 acre-ft/yr of imported water. Facilities' planning for the Phase II Recharge Project has been completed. The next steps involve analysis of Material Physical Injury per Article X of the Watermaster's Rules and Regulations, permitting and regulatory compliance. Preparation of the Title 22 Engineering Report was complete in July 2005 and the report was submitted to DHS for their review.

IEUA Application to Implement Phase II Chino Basin Recycled Water Recharge Project

IEUA requested that Watermaster staff complete an analysis of Material Physical Injury pursuant to Article X of Watermaster's Rules and Regulations. Specifically, IEUA requested that Watermaster consider their recharge application using the same criteria Watermaster adopted in June 2002 when the Phase I Recharge Project was proposed. These criteria include:

- IEUA Certification of Program Environmental Report for the Wastewater Facilities Master Plan, Recycled Water Master Plan, Organics Management Master Plan SCH No. 200211116; and
- The preparation of the detailed engineering reports as described in the proposed DHS regulations for planned recharge projects, acceptance of those reports by the DHS and RWQCB and Watermaster's independent review and acceptance of the reports.

The first criterion has been satisfied for the entire recycled water recharge program. Watermaster staff conducted its own independent analysis for the Phase II Recharge Project using the requirements described in the proposed DHS regulations for planned recharge projects. Watermaster staff also estimated the volume-weighted total dissolved solids (TDS) and total nitrogen (TN) and compared these estimates to the requirements specified in the Basin Plan.

DISCUSSION

Article 10 of Watermaster Rules and Regulations (paragraph 10.10) requires that:

"...Watermaster prepare a written summary and analysis (which will include an analysis of the potential for material physical injury) of the Application and provide the Parties with a copy of the written summary and advanced notice of the date of Watermaster's scheduled consideration and possible action on any pending Applications."

Per the Peace Agreement, material physical injury is defined as:

"material injury that is attributable to Recharge, Transfer, storage and recovery, management, movement or Production of water or implementation of the OBMP, including, but not limited to, degradation of water quality, liquefaction, land subsidence, increases in pump lift and adverse impacts associated with rising groundwater." (Peace Agreement, page 8)

Impacts to the Chino Basin and Individual Parties. Watermaster staff used the following criteria to test for material physical injury:

- Minimum distance to nearest down-gradient well
- Underground retention time
- Recycled water contribution at the nearest down-gradient well
- Groundwater level impacts
- TDS and TN composite concentration in recharge water
- These criteria to test for material physical injury are discussed below.

Minimum Distance to Nearest Down-Gradient Municipal or Domestic Wells. The DHS requires a minimum 500-foot distance between the recharge basin and the nearest down-gradient municipal or domestic well. Watermaster staff reviewed the locations of the proposed Phase II recharge basins and the nearest wells in the Chino Basin and found that there was always a separation greater than 500 feet between the recharge basins and the nearest wells. Furthermore IEUA has committed to enacting an ordinance that would prohibit the construction of new wells in a 500-foot buffer zone around each basin that will receive recycled water.

Underground Retention Time. This section presents underground retention time estimates for recharged recycled water in the aquifer from basin recharge to time of potential extraction in the nearest

municipal water well. These estimates were developed for each Phase II recharge basin using a groundwater model (hereafter the groundwater model) of the Chino Basin developed by IEUA and Watermaster in 2003. A detailed description of the groundwater model can be found in *Chino Basin Dry-Year Yield Program, Modeling Report* (WEI, 2003). The methodology, underground retention time estimates, and conclusions regarding compliance with the draft regulations are presented below.

The underground retention time of recycled water was estimated as the sum of the travel time through the vadose zone and the travel time in the saturated zone from beneath the recharge basin to the nearest down gradient domestic or municipal well. Travel time estimates in the vadose zone are based on the application of Darcy's equation using the aquifer properties used in the groundwater model. Travel times in the saturated zone are based on groundwater model predictions using the recharge plans defined herein and the best estimates of future basin management plans currently being promulgated by the Chino Basin pumpers as described by Black and Veatch (2005). In all cases the travel time in the vadose zone is small, on the order of 10 to 20 days. The travel time in the saturated zone is on the order of hundreds to thousands of days.

Several models were used in combination to estimate the travel time of recycled water recharged into the Chino Basin. MODFLOW and MT3D were used to estimate the groundwater flow velocity and transport of recycled water, respectively. Other models and codes were used to support MODFLOW and MT3D. Groundwater Vistas (Version 3) was the modeling design system, and was used as a graphical design and analysis system for MODFLOW and MT3D. ArcMAP 8.2 was used as a pre- and post-processing tool to manipulate input data and output results.

The Chino Basin is represented as a three-layer aquifer system. The model grid cells are a uniform 200 feet in both directions. The model consists of 324,274 cells in each layer with a total of 406,337 active cells. The *Chino Basin Dry-Year Yield Program, Modeling Report* (WEI, 2003a) provides a detailed description of the model and aquifer properties.

For MT3DMS, it was assumed no soil adsorption and reactivity of recycled water occurs in the percolation and migration process (a conservative assumption). Longitudinal dispersivity was set to 100 feet and the transverse dispersivity was set to be one-third of the longitudinal dispersivity. The dispersivity value used herein is based on a measured solute breakthrough curve in an adjacent groundwater basin.

The modeling strategy that was used to estimate travel time in the saturated zone from the recharge basin to the nearest down gradient wells is as follows:

- Using MODFLOW, estimate the groundwater hydraulic response to future groundwater management plans including the recharge plan for both Phase I and Phase II recharge basins.
- Using MT3DMS, estimate the transport time of recycled water in the saturated zone. Assume recycled water has a normalized concentration of 100 and that all other inflows and the initial concentration of groundwater have a concentration of zero. The resulting time history of concentration in each model cell is the cumulative recycled water contribution from all recycled water recharge projects in the model domain. The recycled water contribution at each well can be estimated from the recycled water contribution at each cell given well construction information for each well. The travel time in the saturated zone is estimated to be the elapsed time between when recharge started and the arrival of the recycled water plume at a well as determined when the recycled water contribution at the well exceeds 0.002 or 0.2 percent (the value at which numerical dispersion is minimized).

The DHS December 2004 proposed draft regulations for groundwater recharge projects that use recycled water states (Section 60320.010 (c)):

"For a surface spreading project, all the recycled water shall be retained underground for a minimum of six months prior to extraction for use as a drinking water supply, and shall not be extracted within 500 feet of any groundwater recharge reuse project surface spreading area."

The 500-foot criterion has been demonstrated to have been met (see above and Section 7-2 of Title 22 Report). The underground retention time of recycled water was estimated as the sum of the time of travel time through the vadose zone and the travel time in the saturated zone from beneath the recharge basin to the nearest down gradient domestic and municipal wells. Travel time estimates in the vadose zone are based on the application of Darcy's equation using aquifer properties from the groundwater model. Travel time estimates in the vadose zone can be estimated from the thickness of vadose zone and the vertical velocity, which relates to vertical hydraulic conductivity and effective porosity. The vadose zone thickness beneath a recharge basin was estimated from the difference between ground surface elevation at each recharge basins and the simulated groundwater table elevation at six months and five years after the proposed Phase II recharge has begun. Table 2 summarizes the estimation of travel time in the vadose zone approximately six months after the start of recharge. The average travel time in the vadose zone is about 14 days and is projected to range from a low of 6 days (Brooks Street Basin) to a high of 18 days (Etiwanda Spreading Basins).

Travel time in the saturated zone is based on groundwater model predictions using best estimates of future basin management plans currently being promulgated by Watermaster and Basin pumpers. The travel time in the saturated zone is estimated to be the elapsed time between when recharge started and the arrival of the recycled water plume at a well as determined when the recycled water contribution at the well exceeds 0.002 or 0.2 percent. The extent of groundwater impacts resulting from the Phase I Recharge Project and the proposed Phase II Recharge Project at six months and five years after the proposed Phase II recharge has begun is illustrated in Figures 2 and 3, respectively. Table 2 summarizes the travel time in the saturated zone from each Phase II basin to the nearest down gradient municipal wells and the cumulative underground retention time. In all cases the underground retention time exceeds six months or 180 days. With one exception the underground retention times exceed one year, the exception being the underground retention time of about 220 days between the Brooks Street Basin and City of Pomona well No. 10.

Recycled Water Contribution. Time histories of recycled water contribution at the nearest down gradient wells are presented graphically in Appendix C of the Title 22 Report and are summarized in Table 2 herein. With the exception of three City of Pomona wells located west of the Brooks Street Basins, the recycled water contribution at the nearest down-gradient wells is less than or equal to 20 percent of water produced at these wells five years after the start up of recharge. For City of Pomona wells 4, 10 and 34 the recycled water contribution ranges between 50 to 60 percent at five years. The average recycled water contribution in the entire City of Pomona well field located west of the Brooks Street Basin is about 20 percent at five years.

The recycled water contribution at any level does not constitute a material physical injury. The recycled water contribution is used by DHS to establish the total organic carbon concentration that will be allowed in recycled water used for recharge – the greater the recycled water contribution the lower the TOC concentration. IEUA's goal for the Phase I and II recycled water recharge program was to have a volume-weighted recycled water contribution of 20 percent at each recharge basin. Table 1 shows the recycled water contribution for each basin and the volume-weighted contribution for the Ely Basins, Phase I Basins, Phase II Basins, and the total for Chino Basin. With the exception of the Ely and Brooks Street Basins the recycled water contribution is about 20 percent or less. The recycled water contribution in the Ely and Brooks Street Basins is about 70 percent. For the Chino Basin as a whole, the recycled water contribution recharged at spreading basins will be about 19 percent.

Groundwater Level Impacts (liquefaction, land subsidence and increases in pump lift). In the Phase II Recharge Project, recycled water recharge replaces some imported water recharge and there are no other operational changes in Watermaster's supplemental water. Under current and proposed Phase II recharge Project operations, Watermaster will use its discretion to determine the actual plan of recharge for the Chino Basin and IEUA will supply recycled water to a basin for recharge pursuant to Watermaster's direction. Therefore there will be no liquefaction, land subsidence or increases in pump lift associated with the Phase II Recharge Project.

Balance of Recharge and Discharge. Watermaster prepares an assessment of the recharge and discharge in the Chino basin and develops supplemental recharge plans based on achieving a balance of recharge and discharge and other management goals of the OBMP and the Peace Agreement.

Watermaster will use its discretion to determine the actual plan of recharge for the Chino Basin and IEUA will supply recycled water to a basin for recharge pursuant to Watermaster's direction.

TDS and TN Composite Concentration in Recharge Water. The 2004 Regional Water Quality Control Plan (Basin Plan) for the Santa Ana Watershed has TDS and TN objectives in the Chino North Management Zone of 430 mg/L and 5 mg/L, respectively. Watermaster and IEUA have agreed to manage the recharge in spreading basins in the Chino Basin so that the five-year, volume-weighted average for TDS and TN in this recharge will not exceed the Basin Plan objectives. Table 1 shows the volume-weighted TDS and TN concentrations for each recharge basin and the volume-weighted recharge in spreading basins for the Chino Basin, the later being the compliance metric for the Basin Plan. The volume-weighted average TDS and TN for the Chino Basin is about 280 mg/L and 2.4 mg/L, respectively, and are well below the compliance metrics. In order to continue to meet the compliance metric for TDS and TN, Watermaster and IEUA will have to plan their recharge very carefully to achieve compliance on a rolling five-year basis.

CONCLUSION

The project as proposed by IEUA will not result in a material physical injury to the Chino Basin or other party provided that IEUA follows the permit conditions required by the DHS and the RWQCB; and that Watermaster and IEUA plan their recharge very carefully to achieve the goals of the OBMP, the Peace Agreement and Basin Plan compliance.

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Table 1

Source Water Recharge Plan for the Chino Basin Recycled Water Groundwater Recharge Program ¹

Basin Name	Potential Basin Recharge (acre-ft/yr)			Total Recharge Capacity	Recycled Water Contribution	Composite Concentration ⁴	
	Storm Water	Imported Water	Recycled Water			TDS	Total N
Pre-Existing Recharge Basins							
Ely Basins ²	1,000	0	2,300	3,300	70%	411	6.3
Phase I Recharge Project Basins							
Banana Basin	800	3,400	1,000	5,200	19%	283	2.4
Decluz Basin	300	1,600	500	2,400	21%	293	2.5
Etiwanda Conservation Ponds	1,100	5,300	1,600	8,000	20%	288	2.4
Hickory Basin	900	4,200	1,300	6,400	20%	288	2.5
Jurupa Basin ³	0	0	0	0			
RP-3 Basins	1,700	7,900	2,400	12,000	20%	287	2.5
Turner Basin No. 1 and 2	900	1,300	500	2,700	19%	252	2.6
Turner Basin Nos. 3 and 4	1,800	3,800	1,400	7,000	20%	269	2.6
Subtotal Phase I Basins:	<u>7,500</u>	<u>27,500</u>	<u>8,700</u>	<u>43,700</u>	<u>20%</u>	<u>282</u>	<u>2.5</u>
Phase II Recharge Project Basins							
7 th and 8 th Street Basins	1,600	2,600	1,100	5,300	21%	264	2.7
Etiwanda Spreading Basins	1,700	7,900	2,400	12,000	20%	287	2.5
Lower Day Basin	500	3,700	1,000	5,200	19%	292	2.3
MZ-1 "Cluster" Basins	<u>5,100</u>	<u>26,500</u>	<u>5,000</u>	<u>36,600</u>	<u>14%</u>	<u>269</u>	<u>2.0</u>
Brooks Street Basin	1,900	0	5,000	6,900	72%	423	6.4
College Heights Basins	100	7,900	0	8,000	0%	248	0.8
Montclair Basins Nos. 1-4	2,100	9,900	0	12,000	0%	222	1.1
Upland Basin	1,000	8,700	0	9,700	0%	234	1.0
San Sevaine Nos. 1, 2 and 3	1,700	7,700	2,300	11,700	20%	286	2.4
San Sevaine Nos. 4 and 5	500	6,800	1,800	9,100	20%	301	2.3
Victoria Basin	1,000	4,700	1,400	7,100	20%	287	2.4
Subtotal Phase II Basins:	<u>12,100</u>	<u>59,900</u>	<u>15,000</u>	<u>87,000</u>	<u>17%</u>	<u>279</u>	<u>2.3</u>
Total All Program Basins:	<u>20,600</u>	<u>87,400</u>	<u>26,000</u>	<u>134,000</u>	<u>19%</u>	<u>284</u>	<u>2.4</u>

1. Adapted from Table 8-9 of Title 22 Report

2. Up to approximately 2,300 acre-ft/yr of recycled water from RP-1 is currently recharged at the Ely Basins. The Ely Basins were in operation prior to the Phase I Recharge Project.

3. The Jurupa Basin, through geotechnical testing (Reference 22), is believed to have minimal percolation benefits. As such, the Jurupa Basin is used as a holding basin for water sources pumped to the RP3 Basins for groundwater recharge.

4. The TDS concentrations assumed for imported, storm and recycled waters are 250 mg/L, 100 mg/L and 550 mg/L, respectively. The total nitrogen concentrations assumed for imported, storm and recycled waters are 0.8 mg/L, 2.3,mg/L, and 8 mg/L, respectively.

Table 2

Retention Time Underground and Recycled Water Contribution for the Nearest Down-Gradient Wells for the Phase II Recharge Project Basins¹

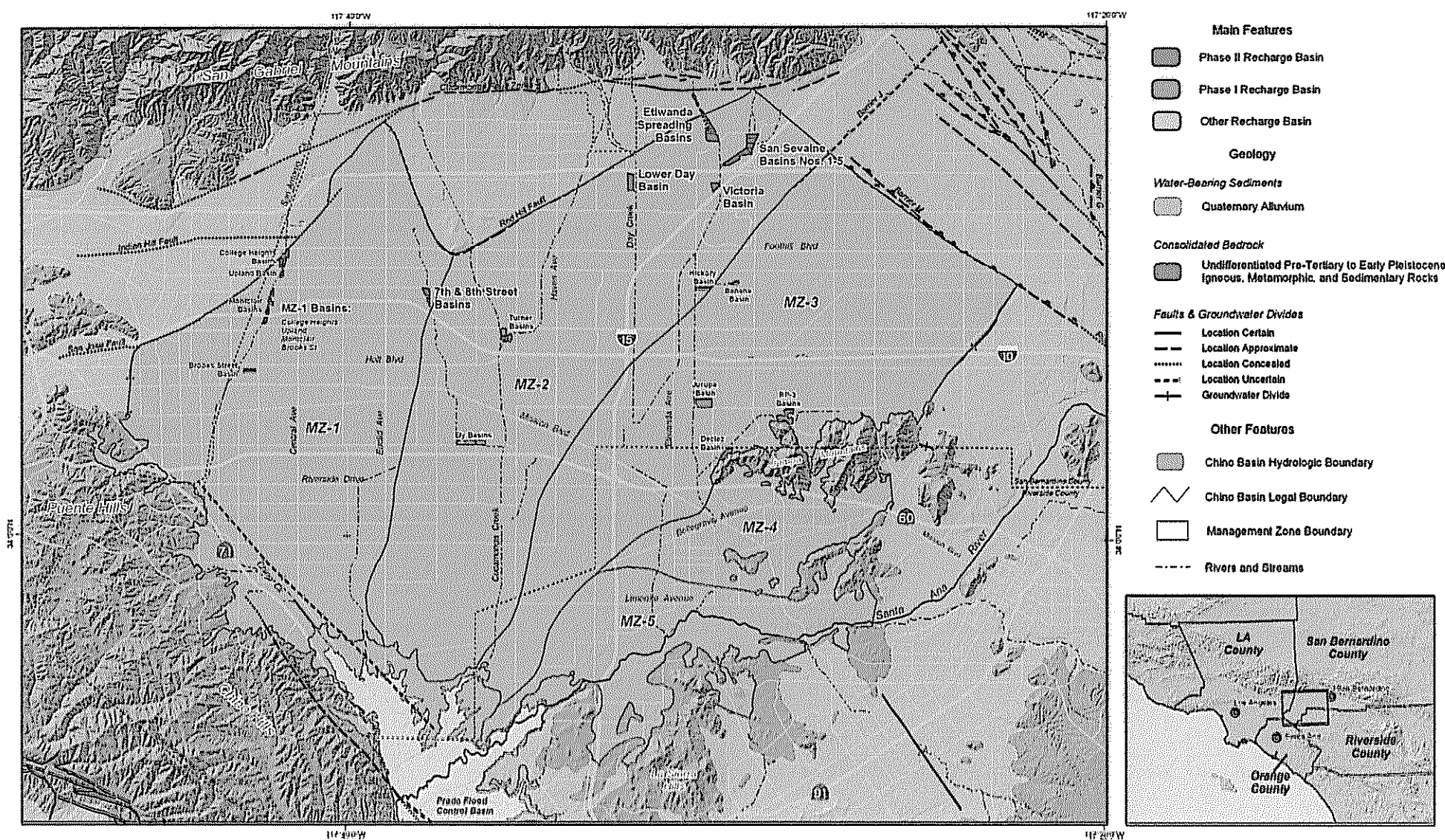
Basin	Nearest Down Gradient Wells	Distance to Nearest Down Gradient Well (feet)	Estimated Travel Time in the Saturated Zone (days)	Travel Time from Ground Surface to the Water Table (days)	Underground Retention Time (days)	Recycled Water Contribution ³ (%)	
						Six Months	Five Years
7 th and 8 th Street Basins	San Antonio Water Company No. 12	740	464	12	476	0	20
Etiwanda Spreading Basins	Cucamonga Valley Water District No. 39	10,693	1,797	18	1,815	0	9
Lower Day Basin	Cucamonga Valley Water District No. CB-5	18,900	>9,125	13	>9,125	0	0
MZ-1 "Cluster" Basins							
Brooks Street Basin	City of Pomona No. 10	1,982	257	6	263	0	56
	City of Pomona No. 30	2,191	642	6	648	0	17
	City of Pomona No. 34	2,277	642	6	648	0	57
	City of Pomona No. 4	2,578	365	6	371	0	46
	City of Pomona No. 17	4,580	1,981	6	1,987	0	20
	City of Pomona No. 12	5,118	2,153	6	2,159	0	8
	City of Pomona No. 11	5,666	2,527	6	2,533	0	1
	City of Pomona No. 15	5,678	4,722	6	4,728	0	0
	City of Pomona No. 18	5,845	3,745	6	3,751	0	0
	City of Pomona No. 14	6,231	5,936	6	5,942	0	0
College Heights Basins ²	na	na	na	na	na	na	na
Montclair Basins Nos. 1-4 ²	na	na	na	na	na	na	na
Upland Basin ²	na	na	na	na	na	na	na
San Sevaine No. 1-5	Cucamonga Valley Water District No. 39	13,170	1,797	16	1,813	0	9
Victoria Basin	Cucamonga Valley Water District No. 39	4,200	1,797	13	1,810	0	9
Statistical Summary							
Average					2,067	0	17
Median					1,814	0	9
Max					5,942	0	57
Min					263	0	0

na -- not applicable

1. Adapted from Table B-11 of Title 22 Report

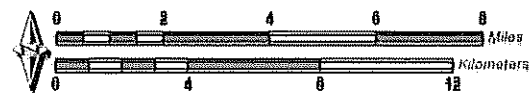
2. These basins will recharge storm and SWP water only.

3. Based on interpretation of recycled water contribution time histories in Appendix c in Title 22 Report

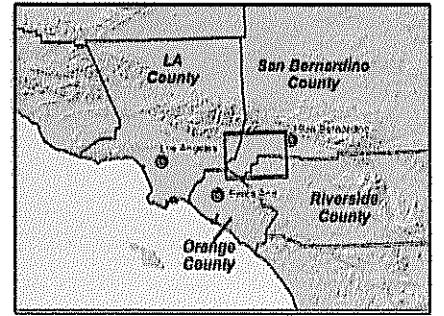


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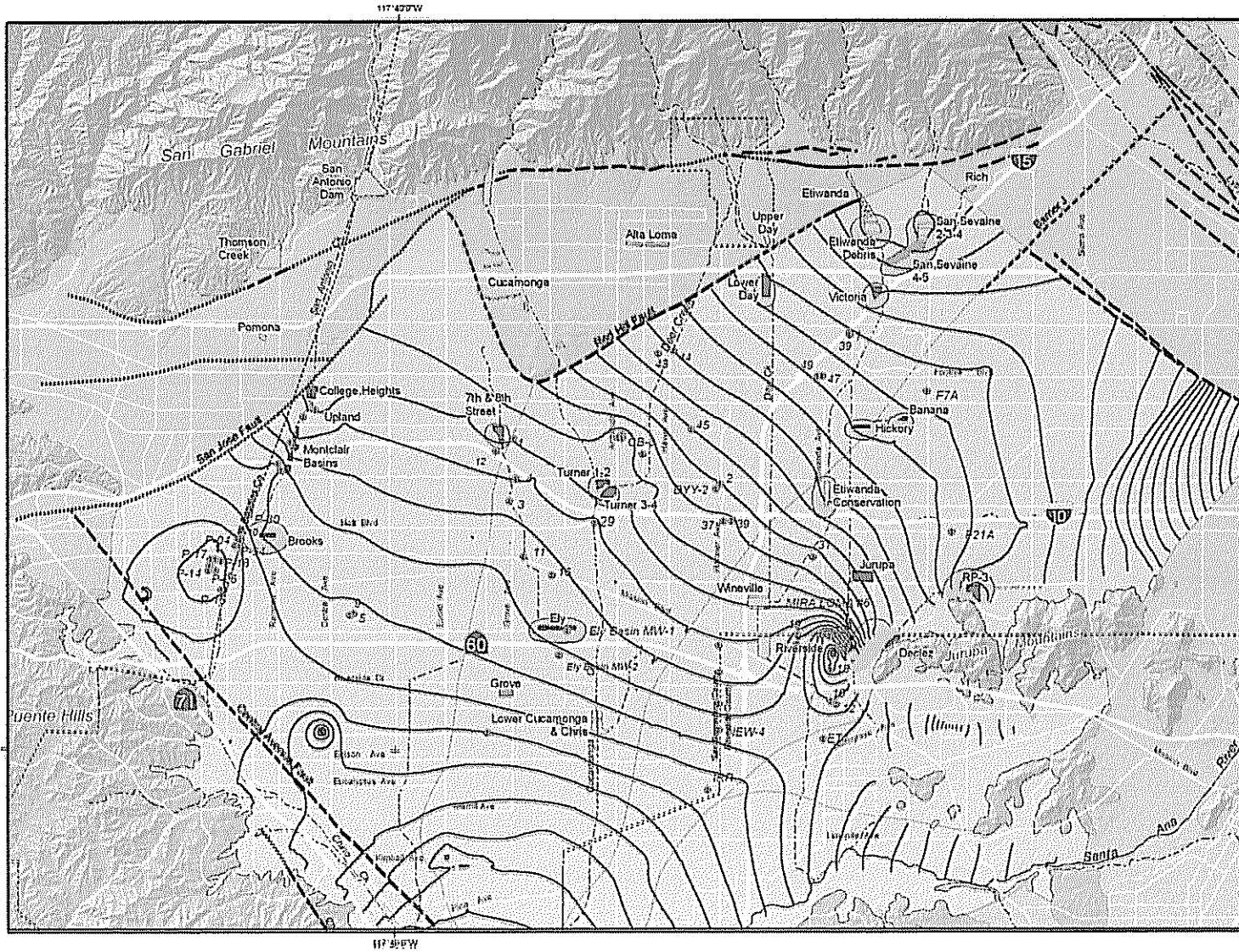
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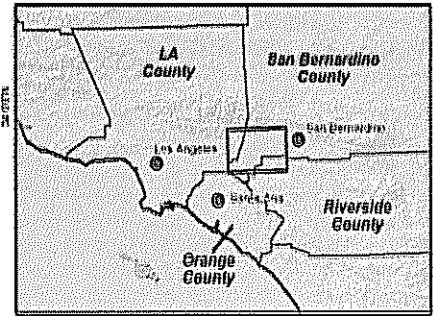
Inland Empire
 METRO WATER AGENCY
 Phase II Recycled Water
 Groundwater Recharge Program



**Chino Basin Recycled Water
 Groundwater Recharge Program
 Recycled Water Recharge Basins**
 Figure 1

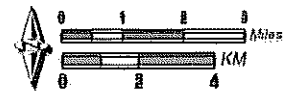


- Recharge Basins (Symbolized by Improvements)**
- Chino Basin Facilities Improvement Program
 - Improvement By Others
 - No Improvements
- Main Features**
- Monitoring Well
 - Water Elevation
 - Area Impacted by Recycled Water
- Other Features**
- Rivers, Creeks, and Flood Control Channels
 - Chino Basin
- Geology**
- Unconsolidated Water-Bearing Sediments
 - Consolidated Bedrock
- Faults**
- Location Certain
 - Location Approximate
 - Location Concealed
 - Location Uncertain



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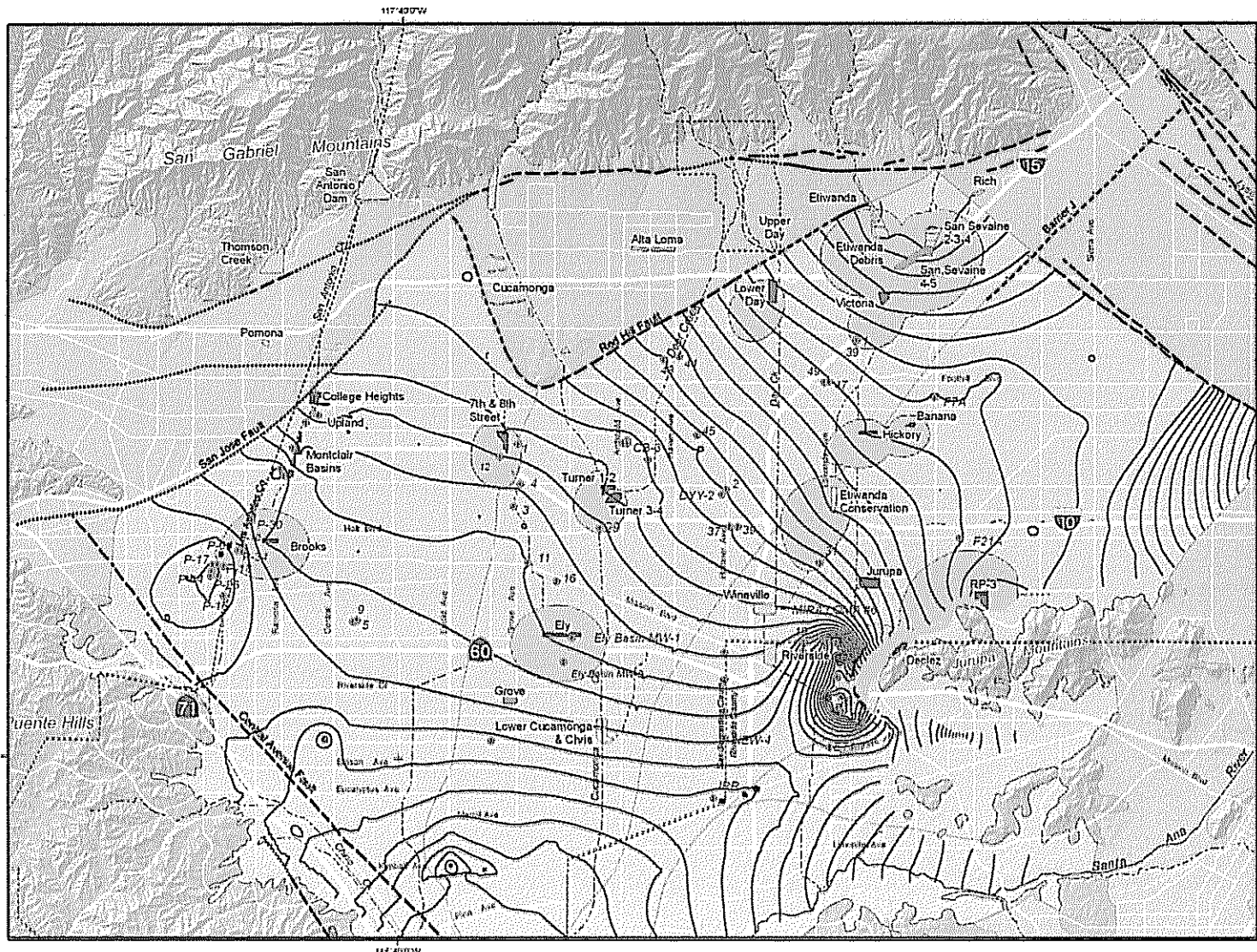
Author: PEM, WMM
 Date: 03/06/05
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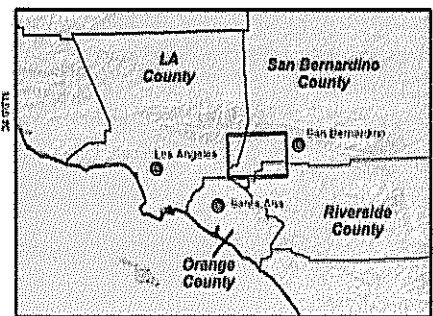
Inland Empire
 Phase II Recycled Water
 Groundwater Recharge Project

Projected Recycled Water Migration at Selected Wells After Six Months of Phase I & II Recycled Water Recharge

Figure 2

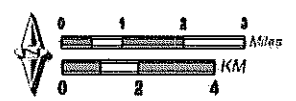


- Recharge Basins (Symbolized by Improvements)**
- Chino Basin Facilities Improvement Program
 - Improvement By Others
 - No Improvements
- Main Features**
- Monitoring Well
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- Geology**
- Unconsolidated Water-Bearing Sediments
 - Consolidated Bedrock
- Faults**
- Location Certain
 - Location Approximate
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 - Location Uncertain



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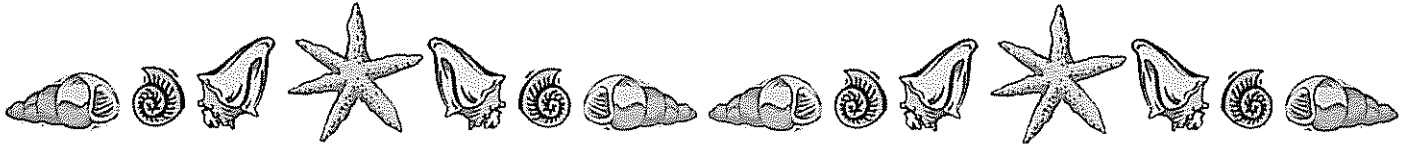
Inland Empire
 OF WATER
Phase II Recycled Water
 Groundwater Recharge Project

Projected Recycled Water Migration at Selected Wells After Five Years of Phase I & II Recycled Water Recharge

Figure 3

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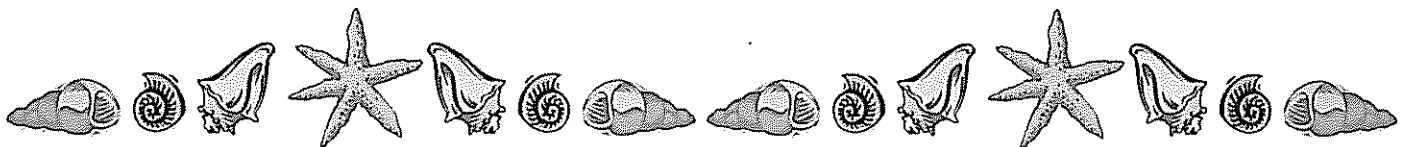
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CHINO BASIN WATERMASTER

II. BUSINESS ITEMS

B. MOTION TO SCHEDULE HEARING TO RE-APPOINT BOARD





CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

KENNETH R. MANNING
Chief Executive Officer

STAFF REPORT

DATE: Advisory Committee
Watermaster Board

TO: Committee Members
Watermaster Board Members

SUBJECT: Motion to set hearing date regarding reappointment of Board and request to extend term of current board until the hearing date

Summary

Recommendation – To approve filing the enclosed Motion to Schedule Board reappointment Hearing and to Extend Term of the Board Until Hearing Date.

At the July 28, 2005 Board meeting, the Board directed counsel to draft a Motion to extend the term of the Nine-Member Board for a further five-year term.

This draft Motion was presented to the parties for comment in the month of August, and presented for action in September. At the September 8, 2005 Pool meetings, the Appropriative Pool, with the concurrence of the Overlying (Non-Agricultural) Pool, took action to request the Board to direct counsel to draft a different Motion which would ask the Court to schedule a hearing date at a later point in time and extend the term of the Board until that time, with rotation of Board members to occur as scheduled at the end of the year.

On September 14, 2005, the Board held a special meeting to consider this request. At that meeting the Board directed counsel to draft a pleading consistent with the Appropriative Pool request. A draft of this pleading is included in the agenda package with this staff report.

Staff and counsel recommend authorizing counsel to file the Motion with the Court.

PLEASE TAKE NOTE: The Court has set an ex parte hearing at 1:30 pm on September 22, 2005 (following the Board meeting), in order to consider the Motion.

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5 **Attorneys For**
6 **CHINO BASIN WATERMASTER**

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

10 CHINO BASIN MUNICIPAL DISTRICT

11 Plaintiff,

12 vs.

13 CITY OF CHINO, ET AL.

14 Defendant.

Case No. RCV 51010

[Assigned for All Purposes to the Honorable
MICHAEL GUNN]

**MOTION TO SCHEDULE BOARD
REAPPOINTMENT HEARING AND TO
EXTEND TERM OF BOARD UNTIL
HEARING DATE**

Hearing Date: September 22, 2005
Time: 1:30 pm

15
16
17
18
19 On September 28, 2005, the Court issued an Order extending the term of the Watermaster
20 Board for a five-year period to expire on September 30, 2005. This re-appointment was based upon
21 successful completion of the Peace Agreement, which allowed implementation of the OBMP to
22 commence.
23

24 The Peace Agreement contained a number of issues that were not ripe for resolution in 2000,
25 and so were set for renegotiation by the end of 2005. The parties have been actively negotiating
26 these issues over the past year and have made good progress in these negotiations.
27
28

1 At its July 28, 2005 meeting, the Board directed Watermaster counsel to draft a Motion
2 requesting re-appointment of the nine-member Board for another five-year term. This Motion was
3 distributed to the parties for comment in the month of August, and brought to the Pools for approval
4 in September.

5
6 At the September 8, 2005 Appropriative Pool meeting, the members of the Appropriative
7 Pool considered the draft Motion to Re-Appoint the Watermaster Board for Another Five Year
8 Term. At that time, various Pool members commented that the renegotiation of the milestone issues
9 under the Peace Agreement was still in process and that the members of the Pool had agreed
10 amongst themselves to refrain from addressing the issue of the re-appointment of the Board until
11 completion of those negotiations. (See Declaration of Michael T. Fife attached to this pleading as
12 Exhibit "A.")

13
14 The Pool took action to recommend that the Board inform the Court that the parties are
15 confident in their ability to come to the Court with a consensus concerning the milestone issues
16 under the Peace Agreement as well as the issue of Board re-appointment, but that additional time is
17 necessary in order to reach this consensus. The Pool requested that the Board direct counsel to ask
18 the Court to set a hearing date for reappointment of the Board at a date that will allow sufficient time
19 to complete the negotiations and that the term of the Board be extended until this hearing date. This
20 action received the concurrence of the Overlying (Non-Agricultural) Pool.

21
22 On September 14, 2005, the Board held a special Board meeting and directed counsel to draft
23 a Motion informing the Court of the action by the Appropriative Pool and requesting the Court to:

- 24 (1) Set a hearing for February 9, 2006 to consider re-appointment of the Board;
25 (2) Order an interim re-appointment of the nine-member Board until the February 9, 2006
26 hearing, with rotation of the Board members to occur according to the existing rotation
27 schedule.
28

1 Watermaster counsel drafted this request and agendized it for consideration by the Advisory
2 Committee and Board on September 22, 2005.

3
4 Dated: _____, 2005

5 By: _____
6 HATCH & PARENT
7 Scott S. Slater
8 Michael T. Fife
9 Attorneys for Chino Basin Watermaster
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EXHIBIT "A"

DECLARATION OF MICHAEL T. FIFE IN SUPPORT OF MOTION

1. My name is Michael T. Fife and I am an attorney with the law firm of Hatch & Parent licensed to practice law in the State of California.

2. Hatch & Parent acts as General Counsel to the Chino Basin Watermaster.

3. On September 8, 2005 I was in attendance at the joint meeting of the Appropriative Pool and the Overlying (Non-Agricultural) Pool and am able to report the substance of the discussion that took place on the record at that time concerning the agenda item of the Motion to Re-Appoint the Board.

4. At the September 8, 2005 meeting, members of the Appropriative Pool stated that negotiations concerning certain 5-year milestone issues under the Peace Agreement were continuing and that progress was being made on those issues.

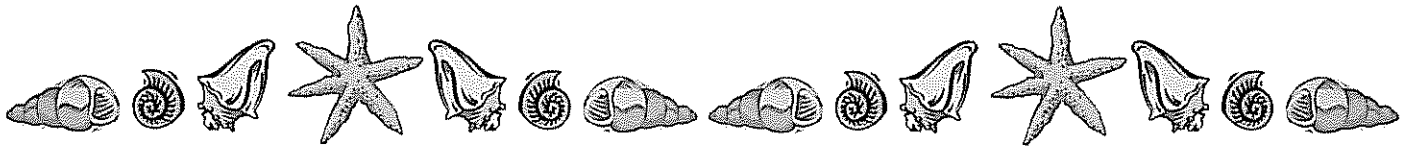
5. These members of the Appropriative Pool indicated that they have agreed amongst themselves not to discuss issues associated with the re-appointment of the Board until the other negotiations concerning the Peace Agreement issues are complete.

6. These members of the Appropriative Pool further indicated that they would like more time to continue their negotiations in order to make a good faith attempt to reach consensus on all issues.

7. The Appropriative Pool took action to request the Board to direct counsel to request the Court set a hearing date for re-appointment of the Board and to extend the term of the Board until that time. The members of the Pool asked that their comments be reported to the Board and to the Court for its consideration.

8. I swear under penalty of perjury that the foregoing is a true and correct account made to the best of my abilities.

Michael T. Fife

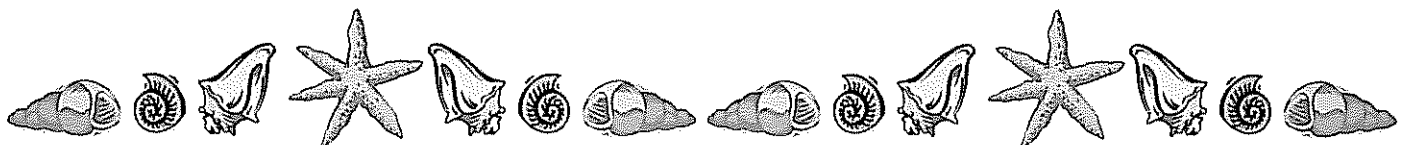


CHINO BASIN WATERMASTER

III. REPORTS/UPDATES

C. INLAND EMPIRE UTILITIES AGENCY WATER MANAGERS REPORT

5. FY 2004/05 Water Production Report
6. FY 2004/05 Water Conservation Activities Report
7. State/Federal Legislation Reports
8. Community Outreach/Public Relations Report



**CHINO BASIN WATERMASTER
ADVISORY COMMITTEE
September 22, 2005**

AGENDA

INTER-AGENCY WATER MANAGERS' REP ORT

**Chino Basin Watermaster
9641 San Bernardino Rd.
Rancho Cucamonga, CA 91730**

20 – 30 Minutes

Discussion Items:

- MWD Status Report – Richard Atwater
- Urban Water Management Plan – Martha Davis
- Legislative Highlights – Martha Davis
- Salinity Reduction

Written Monthly Updates:

- FY 2004/05 Water Production Report
- FY2004/05 Water Conservation Activities Report
- State/Federal Legislation Reports
- Community Outreach/Public Relations Report

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Inland Empire
UTILITIES AGENCY

Annual Water Production Summary
Report for IEUA Service Area

FY 2004-05
Retail Agency
Monthly Water Production and
Five-Year History

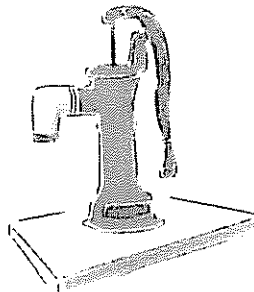


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City of Chino Hills Historic Annual and FY 2004-05 Monthly Water Use.....	4 - 5
City of Ontario Historic Annual and FY 2004-05 Monthly Water Use.....	6 - 7
City of Upland Historic Annual and FY 2004-05 Monthly Water Use.....	8 - 9
Cucamonga Valley Water District Historic Annual and FY 2004-05 Monthly Water Use.....	10 - 11
Fontana Water Company Historic Annual and FY 2004-05 Monthly Water Use.....	12 - 13
Monte Vista Water District Historic Annual and FY 2004-05 Monthly Water Use.....	14 - 15
San Antonio Water Company Historic Annual and FY 2004-05 Monthly Water Use.....	16 - 17
IEUA Service Area 10 - Year Historical Water Production.....	18
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Preface
2004-2005 Production Report

The Annual Water Production Summary Report provides an overview of the total water supplies produced within IEUA's service area to meet urban (residential, commercial, industrial and institutional) water demand.

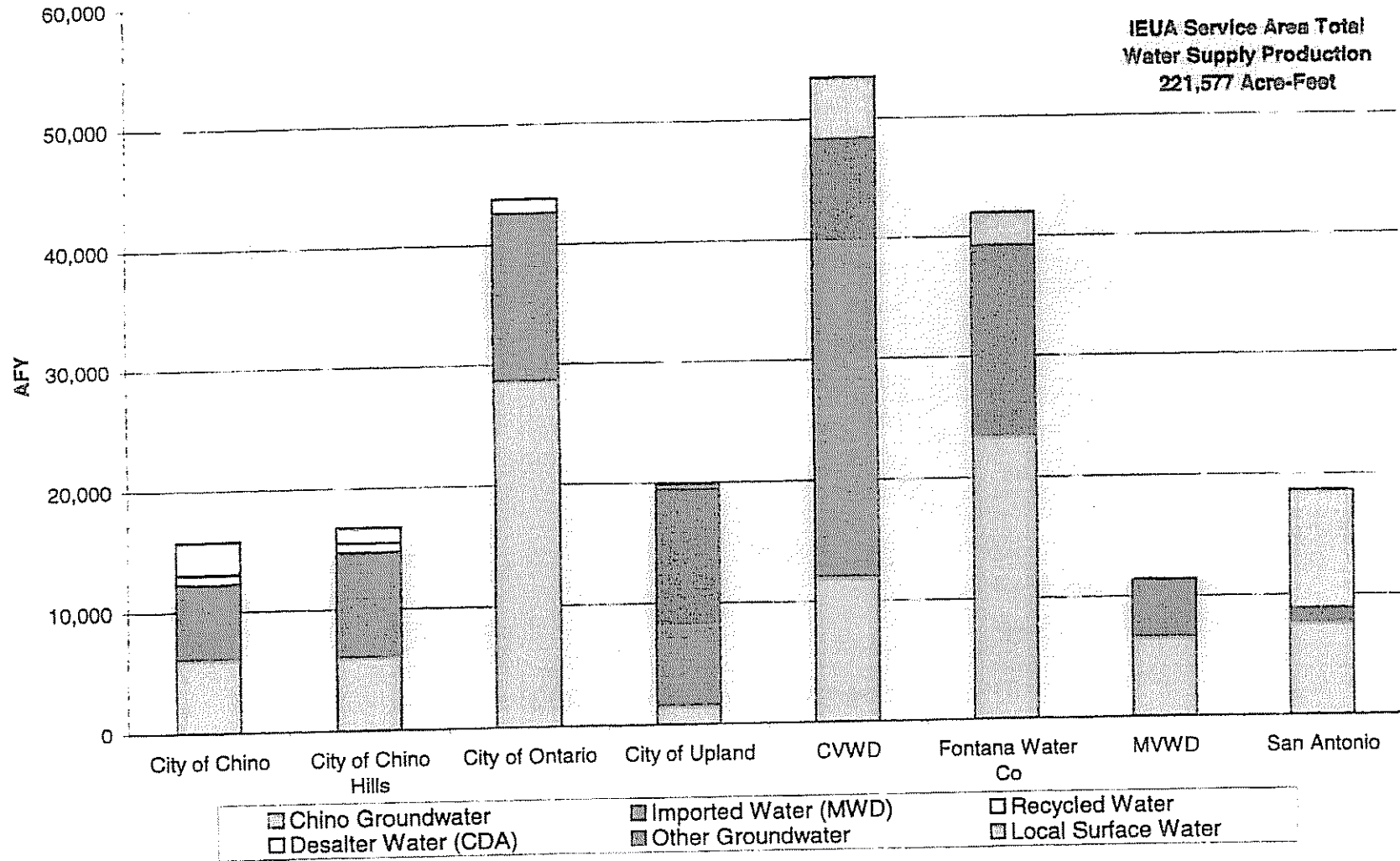
In FY 2004-2005, the total water produced to meet urban water demand was approximately 222,000 acre-feet, down from 240,000 acre-feet in FY 2003-2004. The area experienced the second highest rainfall recorded in Southern California in the last 100 years, especially for outdoor irrigation, during the fiscal year. Water use was reduced by 8 percent even though the IEUA service area population has grown by 80,000 people during the same time period. Water use in general has not increased during the past five years. The expansion of the regional water conservation programs over the last five years are also helping to keep water use as low as possible while the region is growing.

The mix of water supplies produced within the Agency's service area has diversified over the past five years, with the Chino Basin desalter projects and recycled water representing a significant new supply for the area. The development of these local sources of supply has helped retail agencies to stay within the Tier 1 imported water purchases in 2004 and likely in 2005.

IEUA would like to thank the cities, retail water agencies and Chino Basin Watermaster for their assistance in compiling the data contained in this production report.

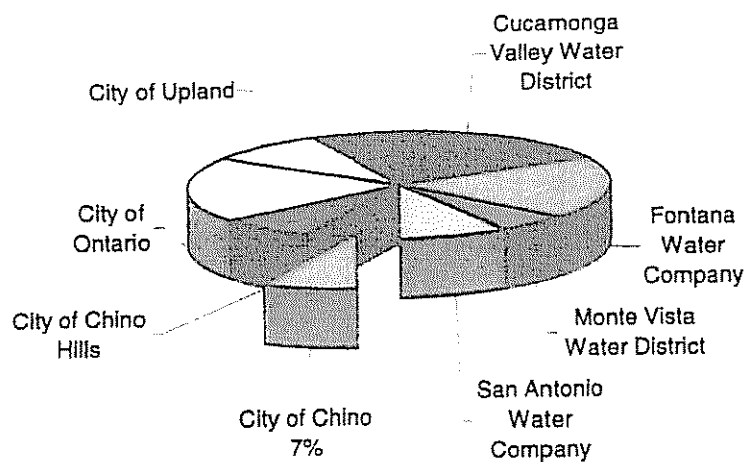
Richard W. Atwater
CEO/General Manager
Inland Empire Utilities Agency

Total IEUA Service Area Water Production for FY 2004-05



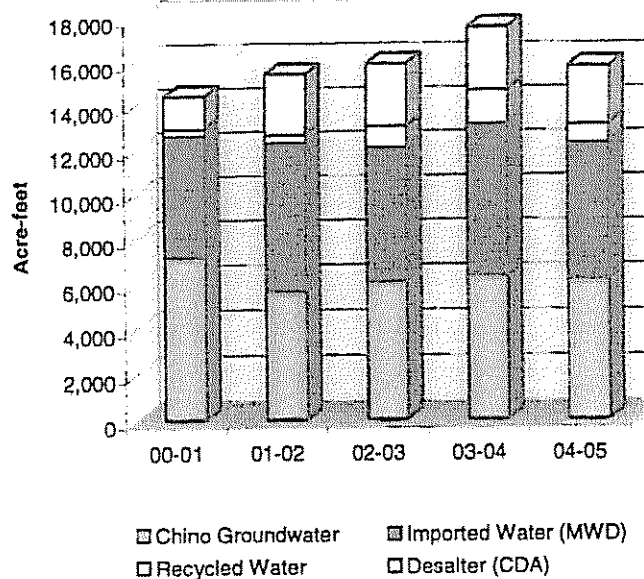
City of Chino FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

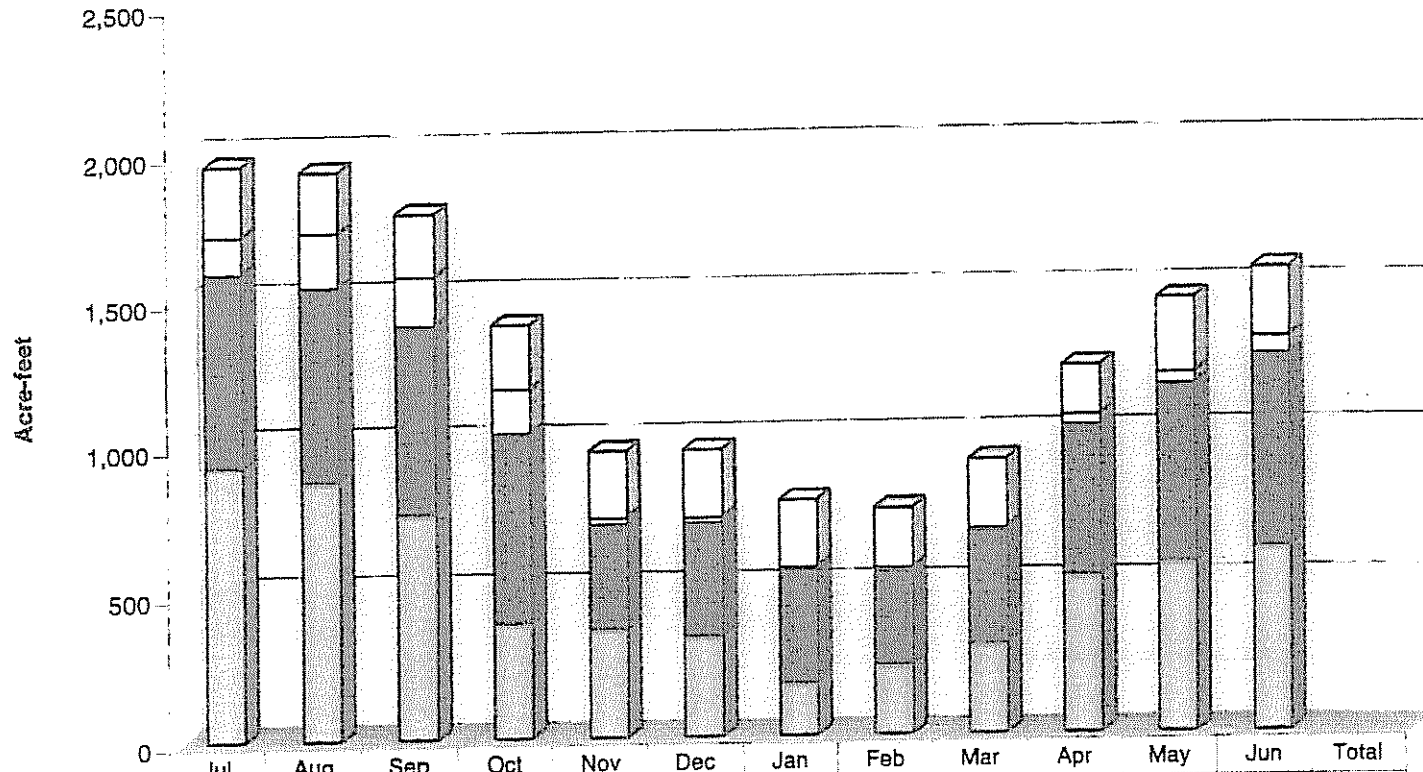


The City of Chino is 7 percent (15,510 acre-feet) out of a total production of 221,577 acre-feet in the IEUA service area.

5 Year Water Production



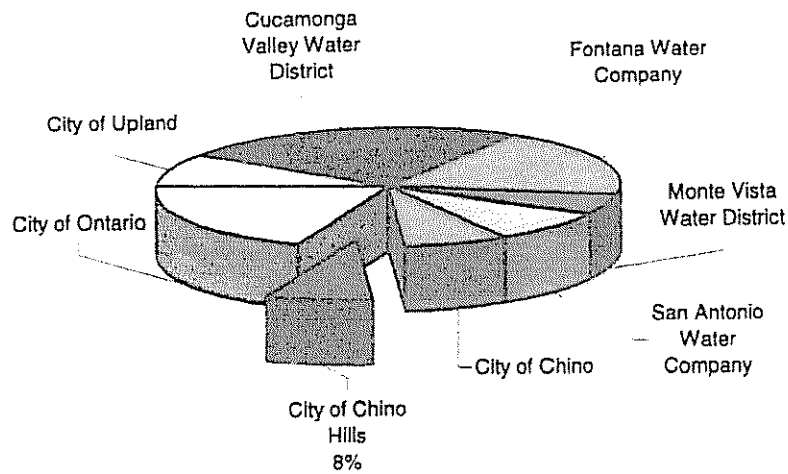
City of Chino FY 2004-05 Monthly Water Production Report



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Total	1,957.0	1,933.7	1,787.7	1,401.8	964.7	966.2	793.9	763.6	921.3	1,236.1	1,465.3	1,567.6	15,758.8
□ Desalter Water (CDA)	238.7	207.0	216.2	221.9	223.0	226.5	225.4	200.7	228.6	168.7	258.5	238.5	2,653.7
□ Recycled Water	125.7	187.4	167.8	152.5	21.0	16.5	7.5	12.0	8.3	32.9	37.7	60.3	829.5
■ Imported Water (MWD)	666.6	665.3	642.7	637.4	354.7	383.2	383.0	315.9	381.4	504.3	597.1	648.5	6,180.1
□ Chino Groundwater	926.0	874.0	761.0	390.0	366.0	340.0	178.0	235.0	303.0	530.2	572.0	620.3	6,095.5

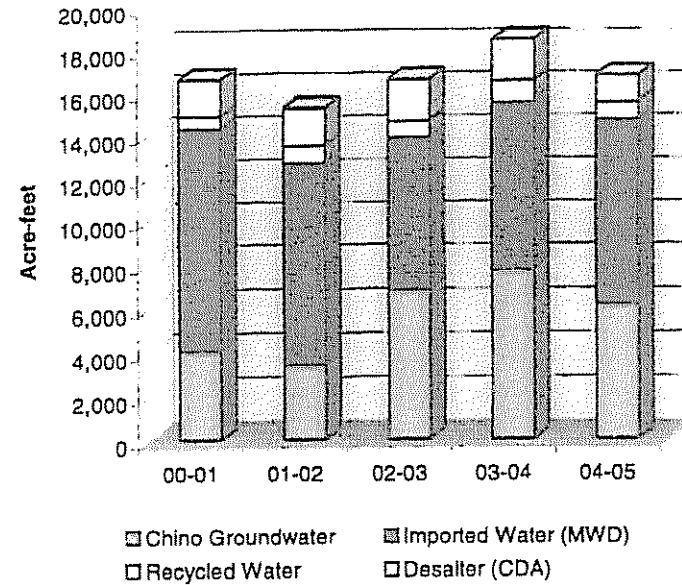
City of Chino Hills FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

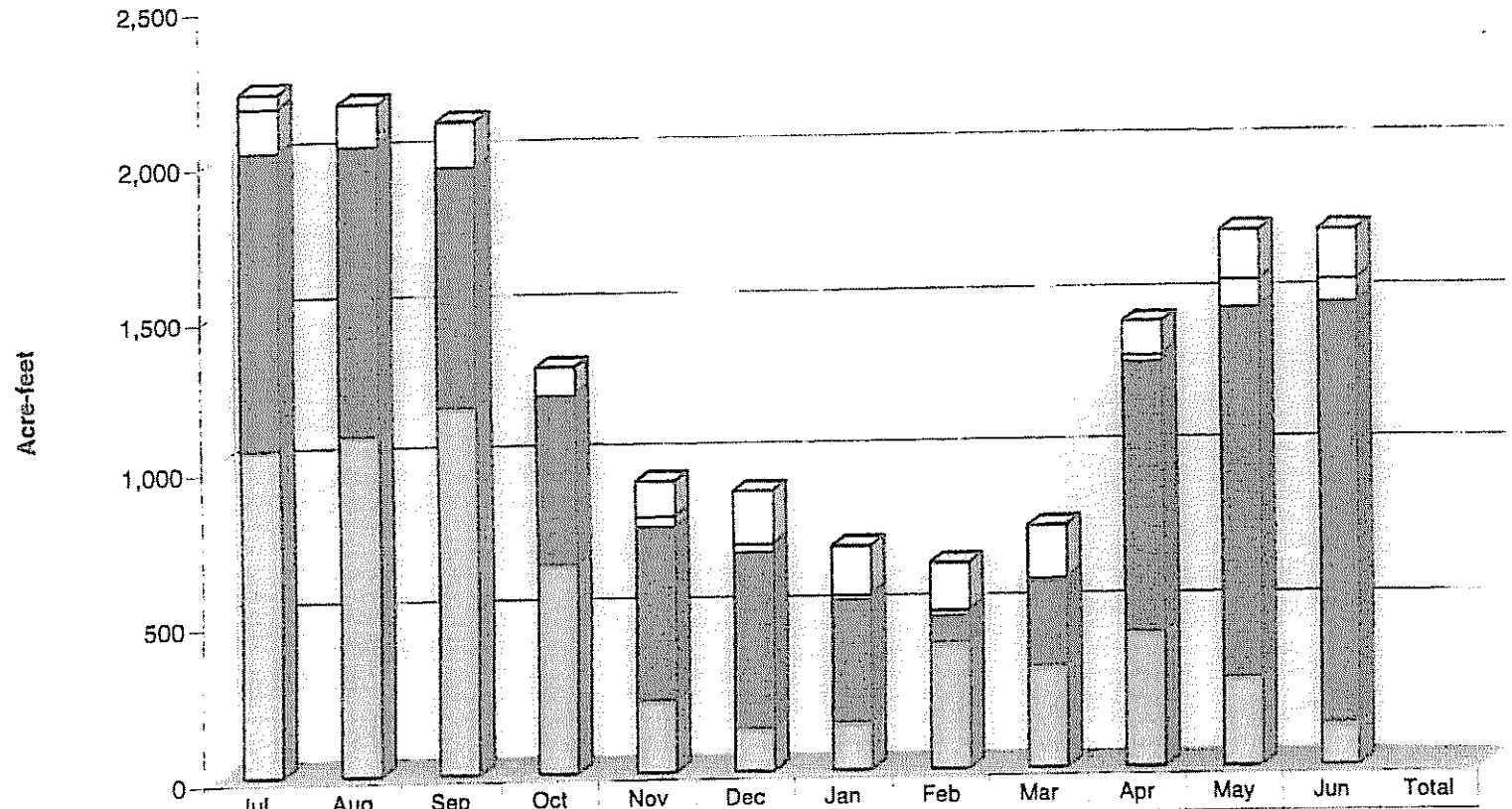


The City of Chino Hills is 8 percent (17,726 acre-feet) out of a total production of 221,577 acre-feet in the IEUA service area.

5 Year Water Production



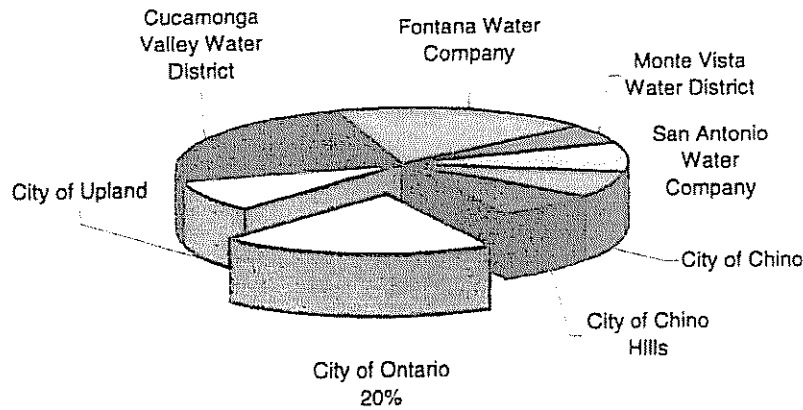
City of Chino Hills FY 2004-05 Monthly Water Production Report



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Total	2,216.0	2,179.3	2,119.0	1,318.6	934.3	898.8	716.6	659.0	774.4	1,441.2	1,734.2	1,735.1	16,726.5
□ Desalter Water (CDA)	47.6	0.0	0.0	0.0	114.2	173.2	157.3	152.1	170.2	112.4	160.8	162.0	1,249.8
□ Recycled Water	142.2	139.1	147.6	93.9	34.1	25.1	15.1	16.7	13.4	22.0	91.0	74.9	815.1
■ Imported Water (MWD)	974.8	943.8	783.3	555.1	555.0	561.7	391.0	86.7	264.6	874.0	1,198.4	1,364.8	8,553.2
□ Chino Groundwater	1,051.4	1,096.4	1,188.1	669.6	231.0	138.8	153.2	403.5	326.2	432.8	284.0	133.4	6,108.4

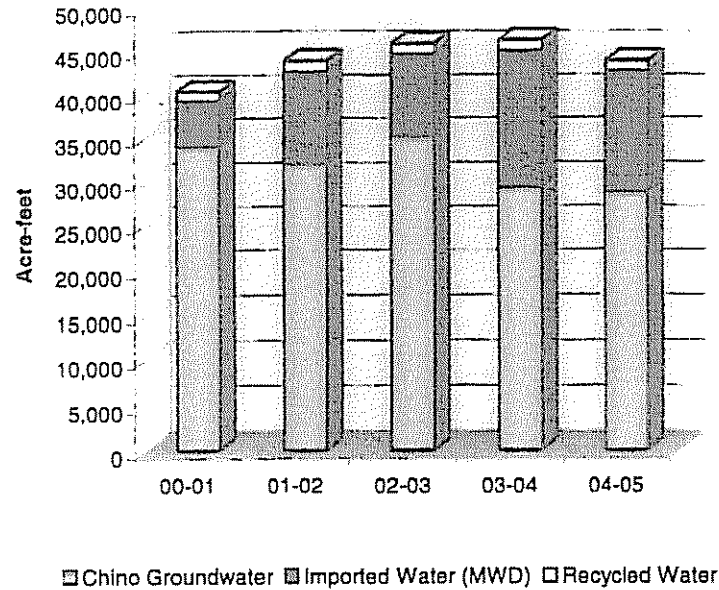
City of Ontario FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

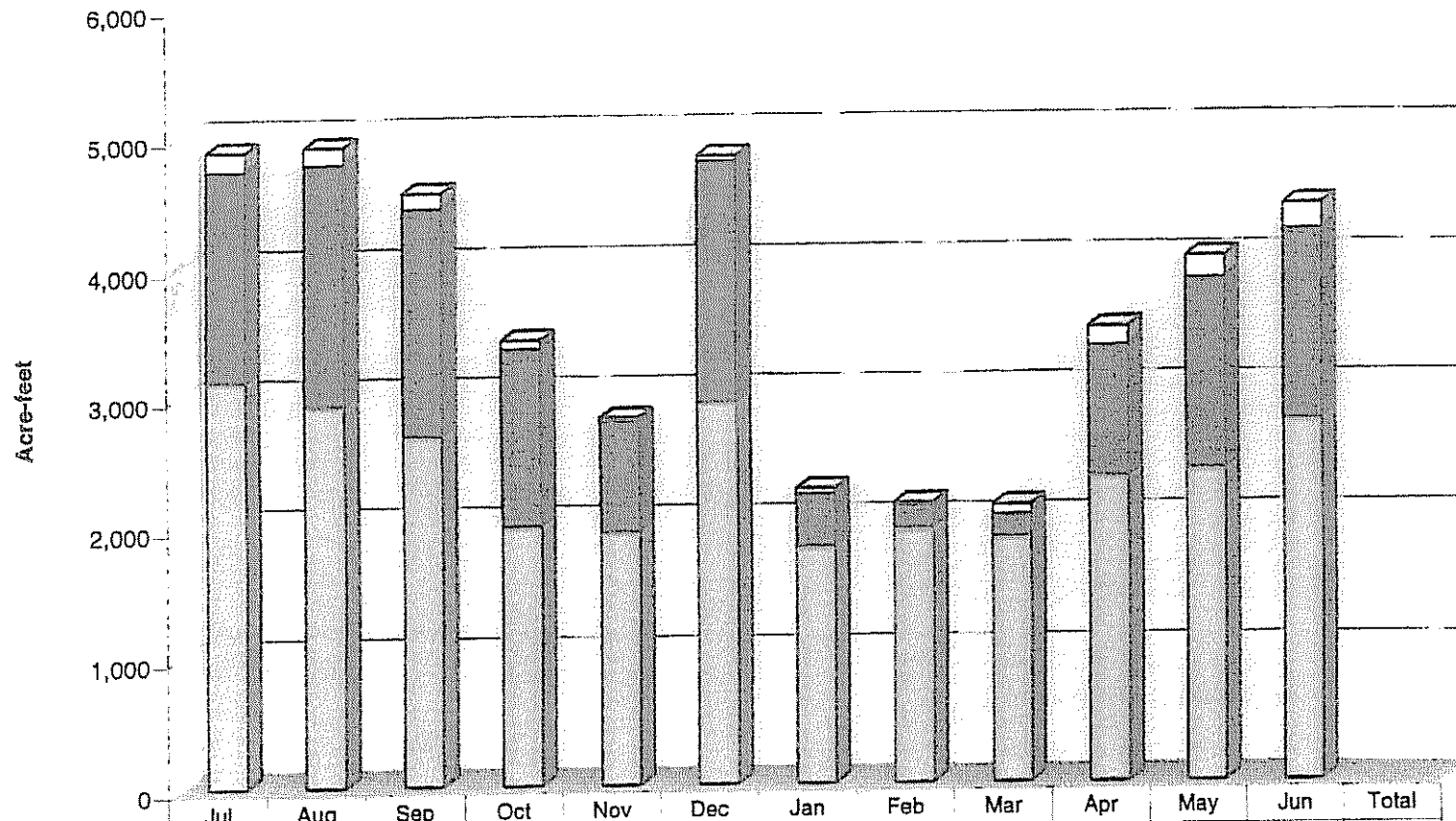


The City of Ontario is 20 percent (44,315 acre-feet) out of a total production of 221,577 acre-feet in the IEUA service area.

5 Year Water Production



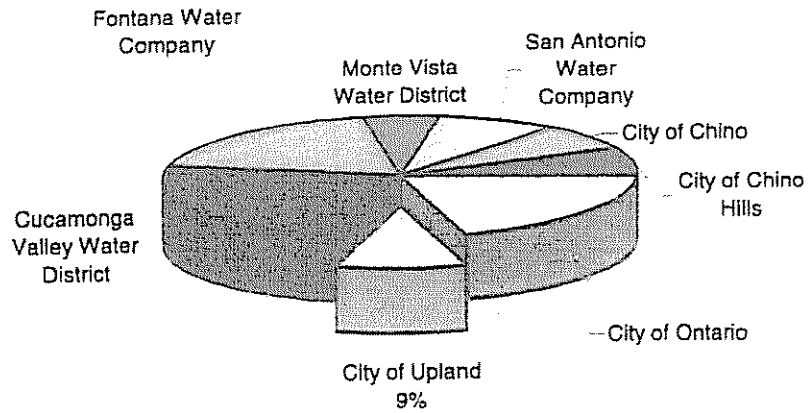
**City of Ontario
FY 2004-05 Monthly Water Production Report**



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Total	4,882.7	4,911.2	4,556.8	3,412.7	2,809.5	4,817.2	2,249.8	2,134.6	2,113.1	3,475.8	4,018.6	4,419.6	43,801.6
□ Recycled Water	143.4	131.7	116.8	64.9	33.2	37.7	40.5	20.3	69.0	143.5	170.0	198.2	1,169.2
■ Imported Water (MWD)	1,624.9	1,860.1	1,763.8	1,370.7	842.0	1,860.1	400.6	172.8	172.8	1,006.8	1,471.2	1,466.3	14,012.1
□ Chino Groundwater	3,114.4	2,919.4	2,676.2	1,977.1	1,934.3	2,919.4	1,808.7	1,941.5	1,871.3	2,325.5	2,377.4	2,755.1	28,620.3

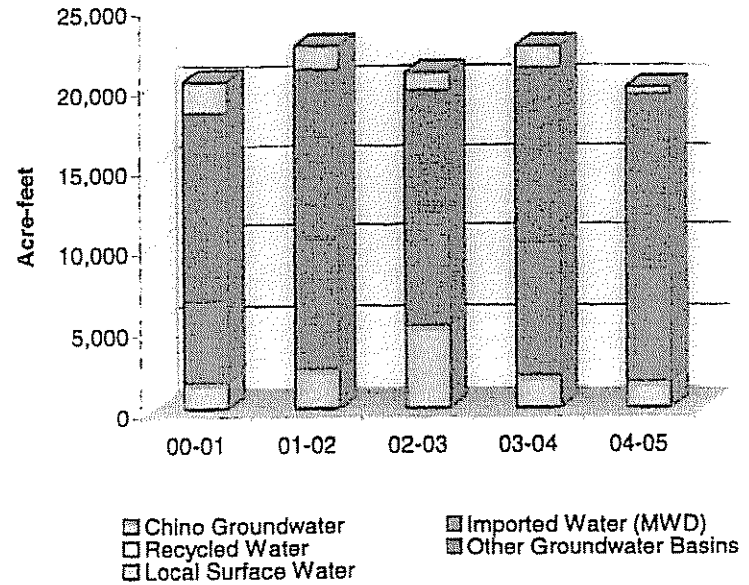
City of Upland FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

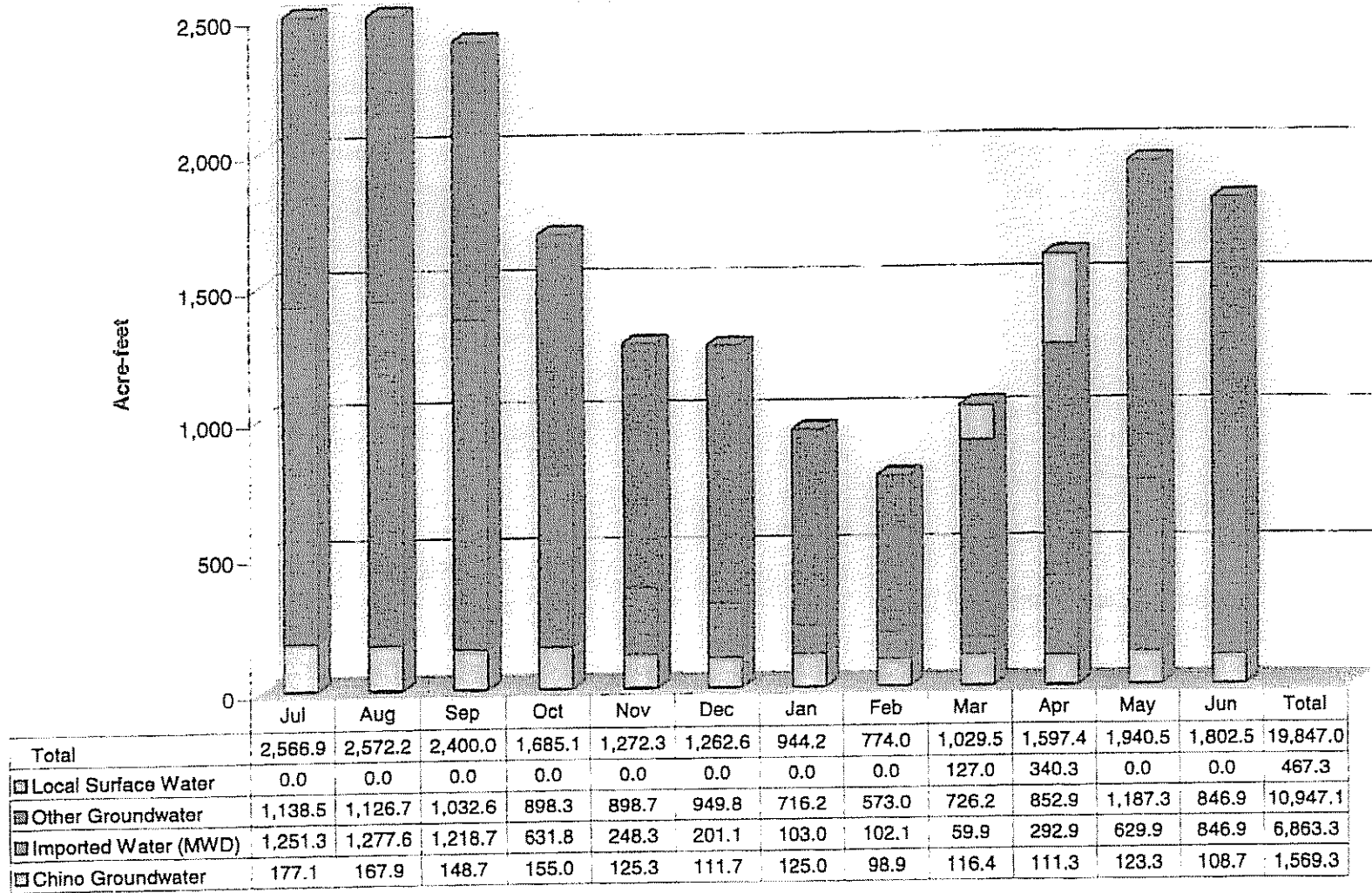


The City of Upland is 9-percent (19,942 acre-feet) out of a total production of 221,577 acre-feet in the IEUA service area.

5 Year Water Production

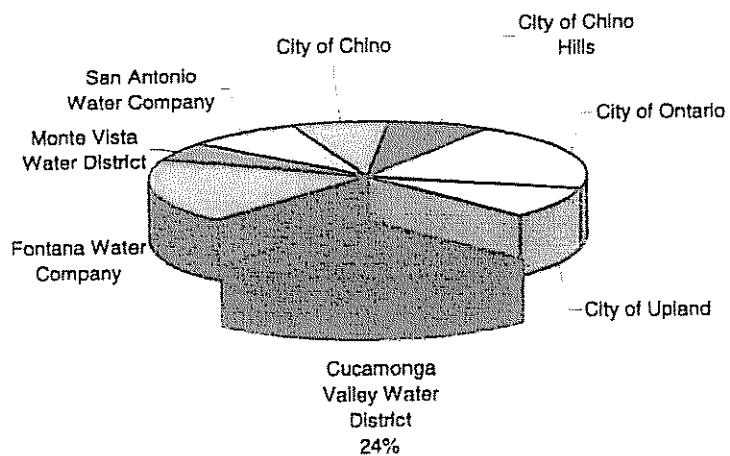


City of Upland FY 2004-05 Monthly Water Production Report



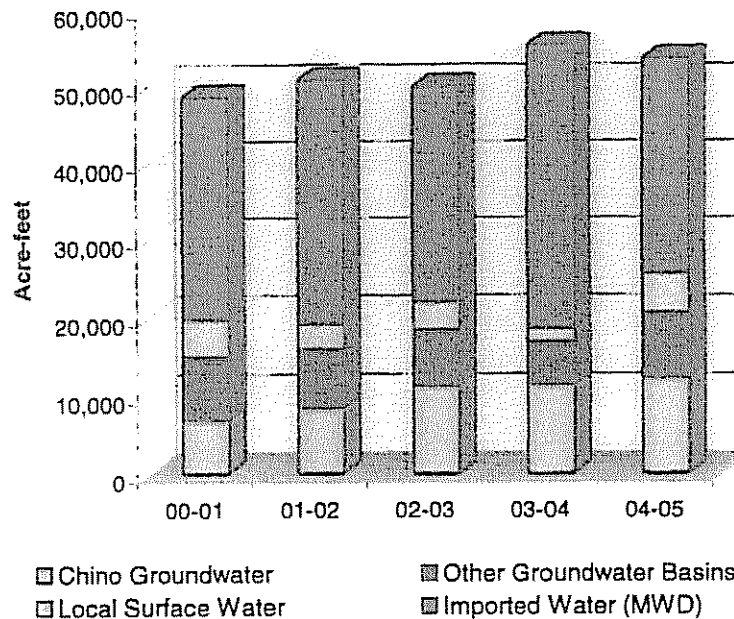
Cucamonga Valley Water District FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

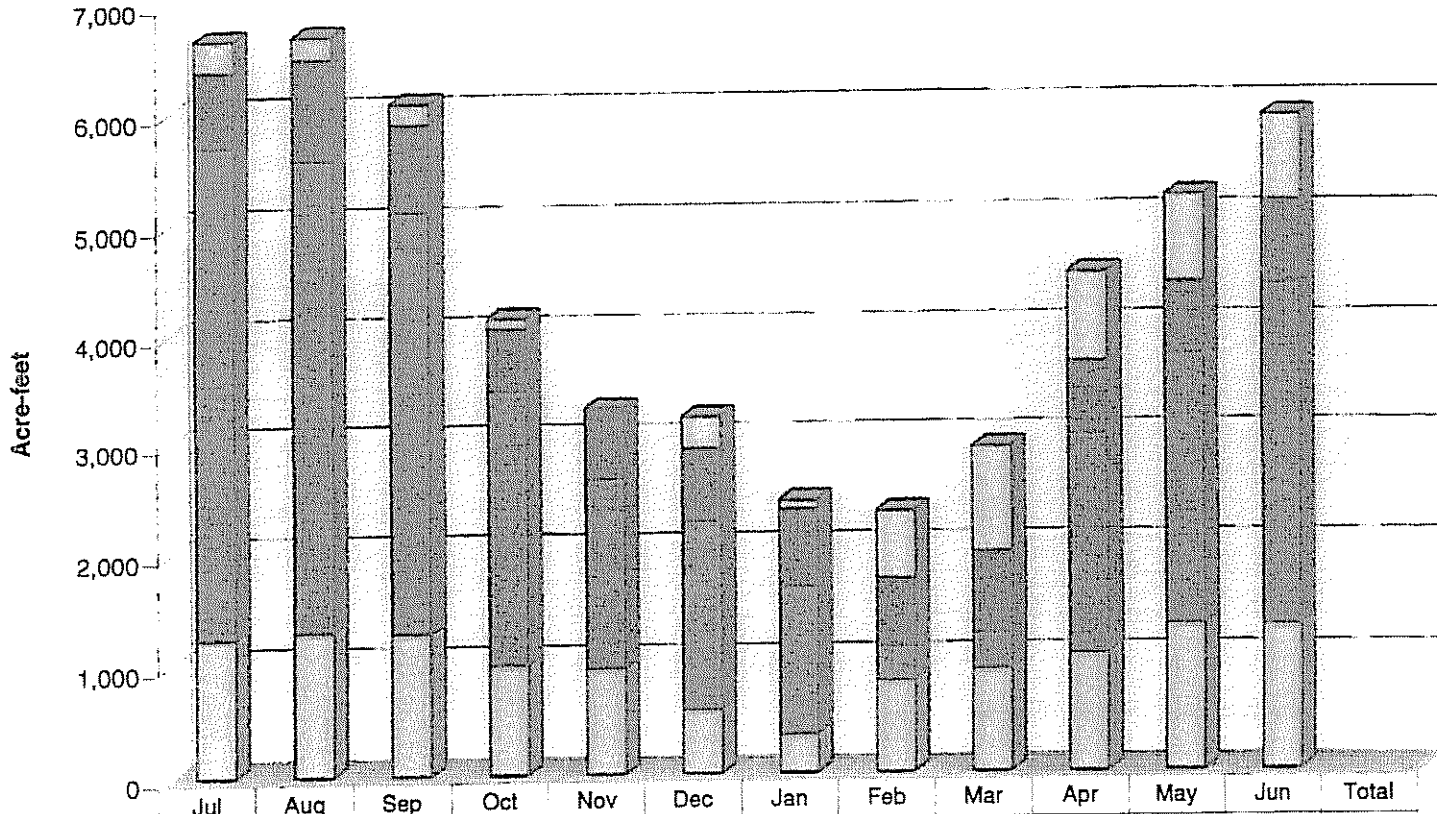


The Cucamonga Valley Water District is 24 percent (53,178 acre-feet) out of a total production of 221,577 acre-feet in the IEUA service area.

5 Year Water Production



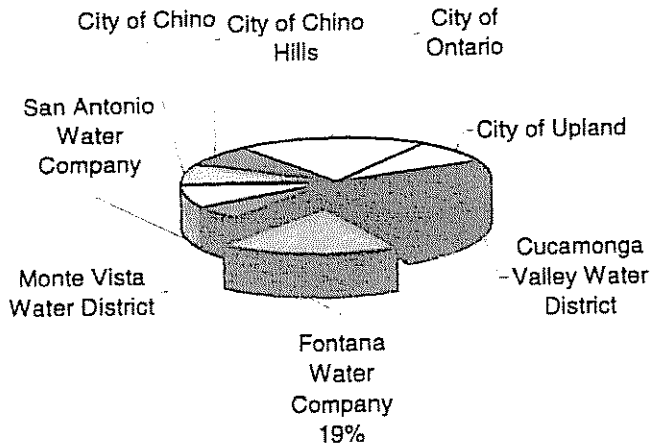
Cucamonga Valley Water District FY 2004-05 Monthly Water Production Report



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Total	6,665.8	6,695.8	6,081.1	4,132.3	3,299.6	3,214.4	2,447.8	2,344.4	2,916.1	4,508.4	5,200.6	5,918.8	53,425.1
Local Surface Water	278.4	205.8	191.7	99.6	15.6	292.6	83.9	607.8	947.6	810.6	781.0	772.2	5,086.8
Other Groundwater	680.9	906.3	777.0	569.6	631.3	653.6	699.6	607.8	724.5	678.7	664.9	756.6	8,350.8
Imported Water (MWD)	4,470.6	4,294.7	3,841.4	2,485.4	1,701.4	1,695.5	1,317.2	307.6	325.7	1,965.4	2,440.8	3,091.2	27,936.9
Chino Groundwater	1,235.9	1,289.0	1,271.0	977.7	951.3	572.7	347.1	821.2	918.3	1,053.7	1,313.9	1,298.9	12,050.7

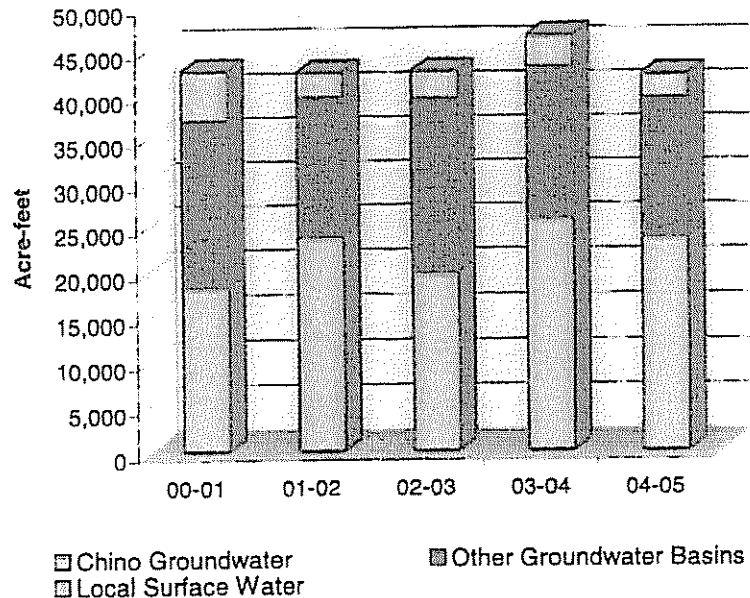
Fontana Water Company FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

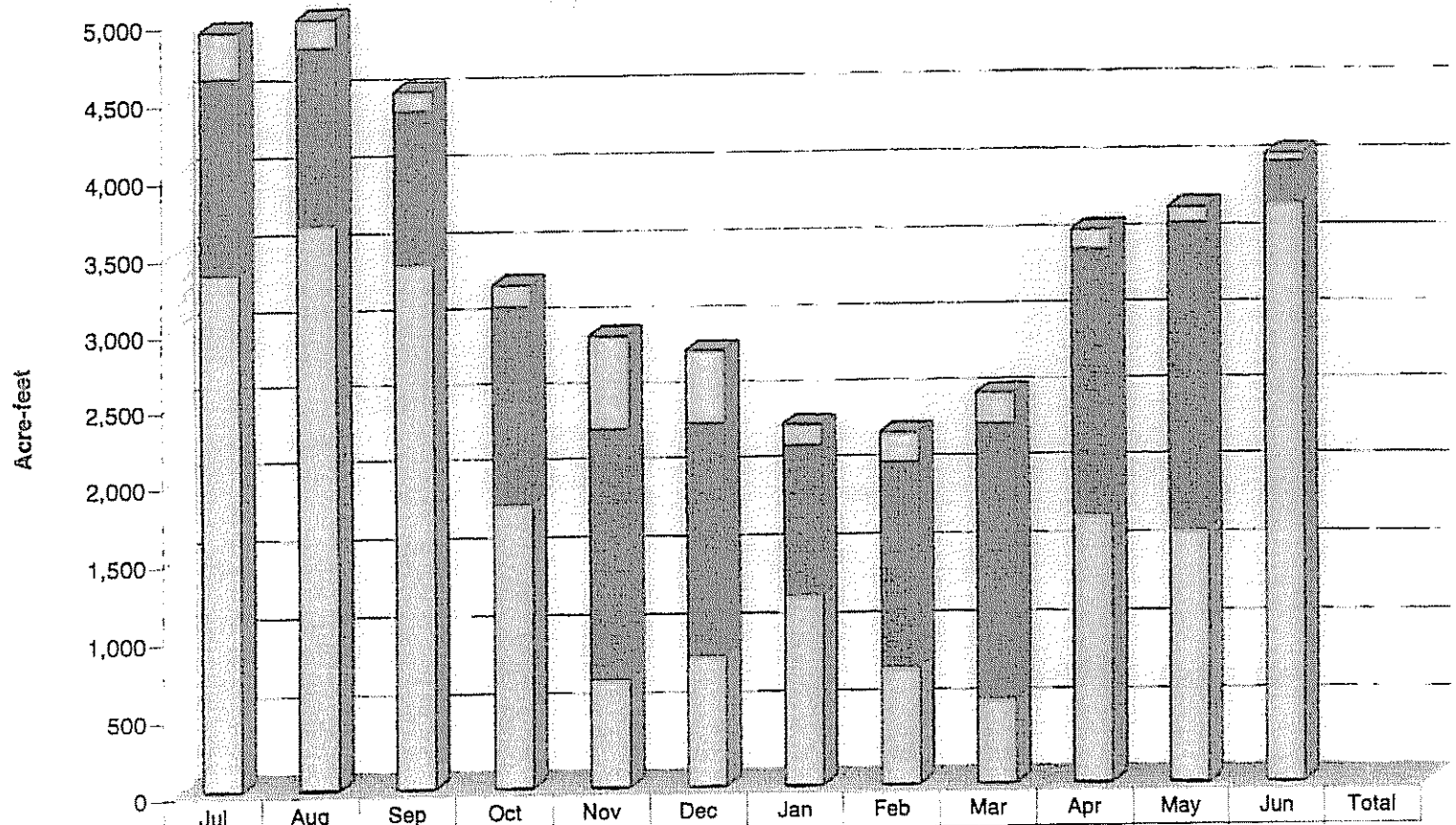


The Fontana Water Company is 19 percent (42,100 acre-feet) out of a total 221,577 acre-feet in the IEUA service area.

5 Year Water Production



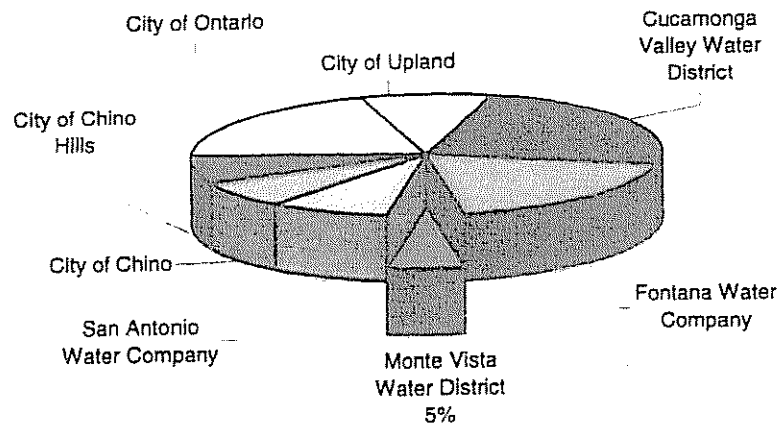
Fontana Water Company FY 2004-05 Monthly Water Production Report



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Total	4,927.9	5,056.1	4,525.5	3,261.1	2,923.1	2,817.6	2,319.4	2,262.2	2,516.2	3,585.6	3,727.0	4,067.0	41,988.8
Local Surface Water	301.8	239.4	130.5	138.5	618.7	483.5	137.6	196.7	207.0	128.5	104.5	55.4	2,742.0
Other Groundwater	1,268.3	1,144.8	988.9	1,297.0	1,603.4	1,487.9	956.6	1,303.5	1,759.7	1,734.5	2,001.5	265.2	15,811.2
Chino Groundwater	3,357.8	3,672.0	3,406.2	1,825.5	701.0	846.2	1,225.2	762.0	549.6	1,722.6	1,621.0	3,746.5	23,435.6

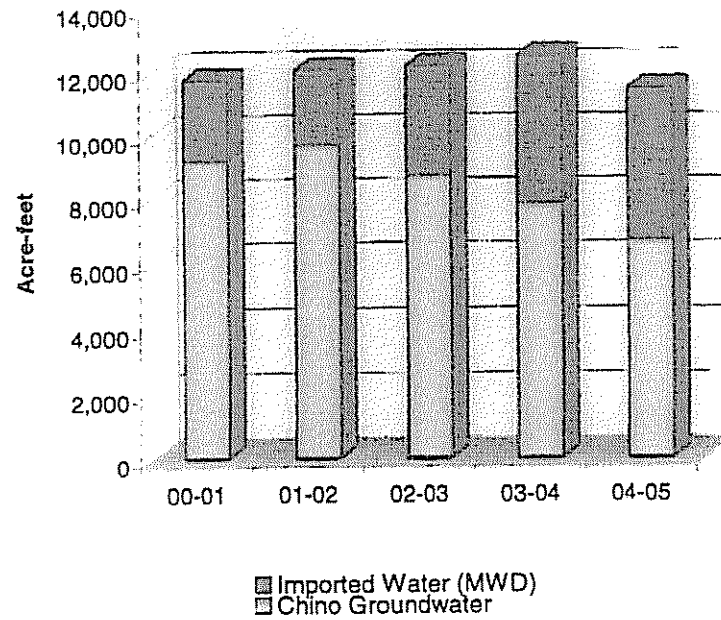
Monte Vista Water District FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

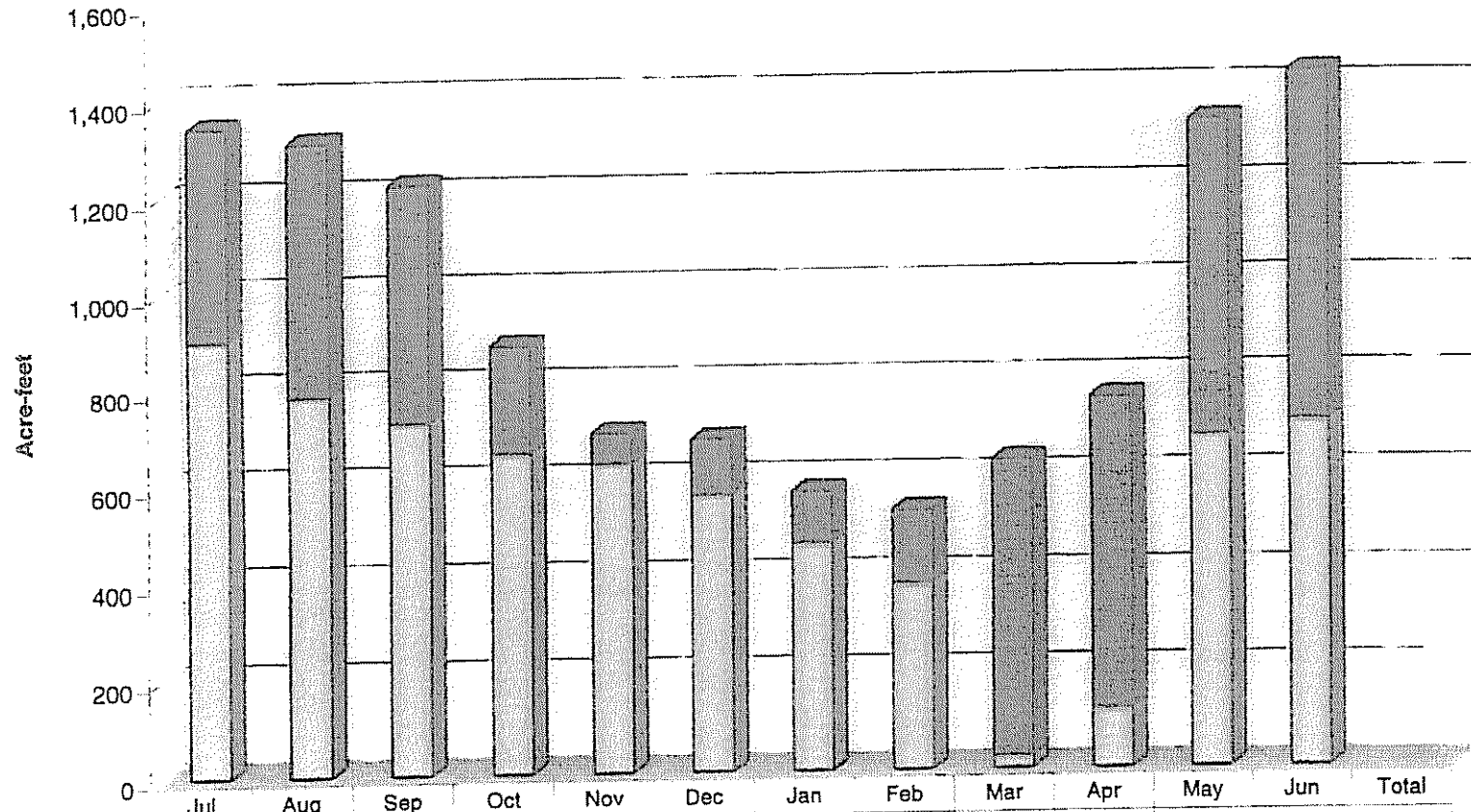


The Monte Vista Water District is 5 percent (11,079 acre-feet) out of a total production of 221,577 acre-feet in the IEUA service area.

5 Year Water Production



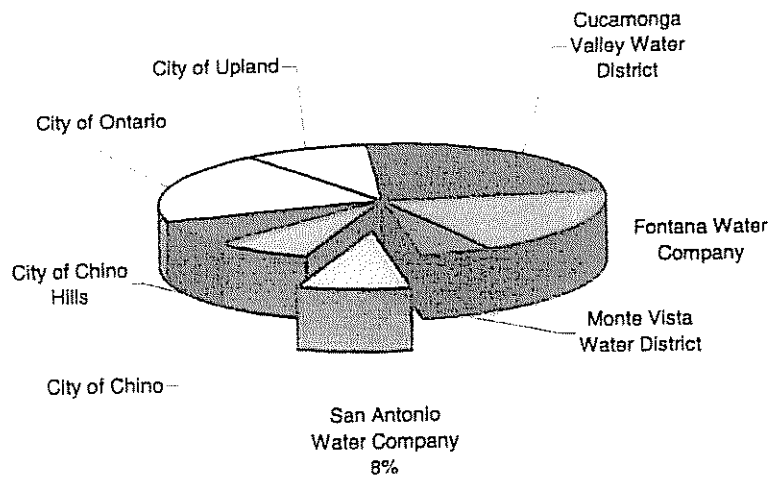
Monte Vista Water District FY 2004-05 Monthly Water Production Report



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Total	1,344.0	1,310.7	1,221.4	884.0	698.7	684.1	575.6	534.0	634.6	761.6	1,335.9	1,433.1	11,417.6
Imported Water (MWD)	442.2	528.9	496.7	225.0	62.6	114.0	106.9	148.9	609.2	639.9	653.8	721.6	4,749.6
Chino Groundwater	901.9	781.8	724.7	659.0	636.1	570.2	468.7	385.1	25.4	121.7	682.1	711.5	6,668.0

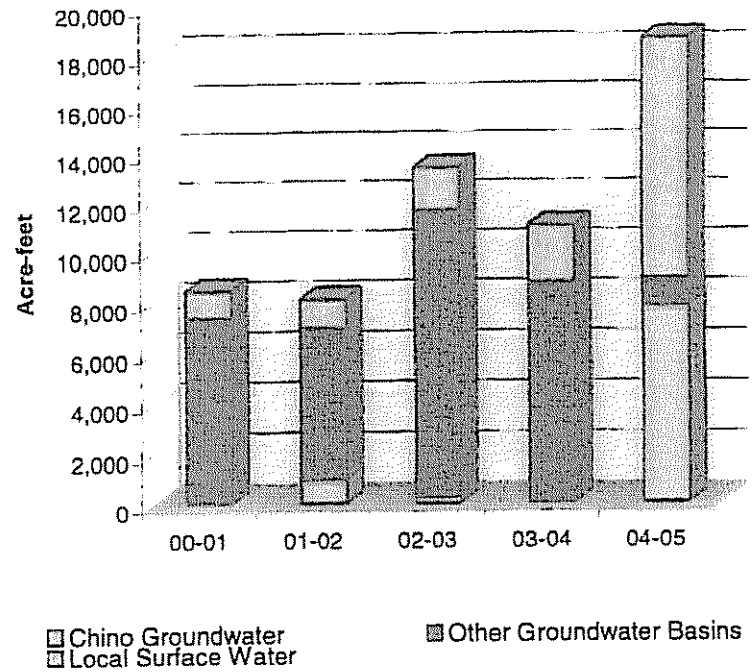
San Antonio Water Company FY 2004-05 Water Production Report

**FY 2004-05
Total Water Production**

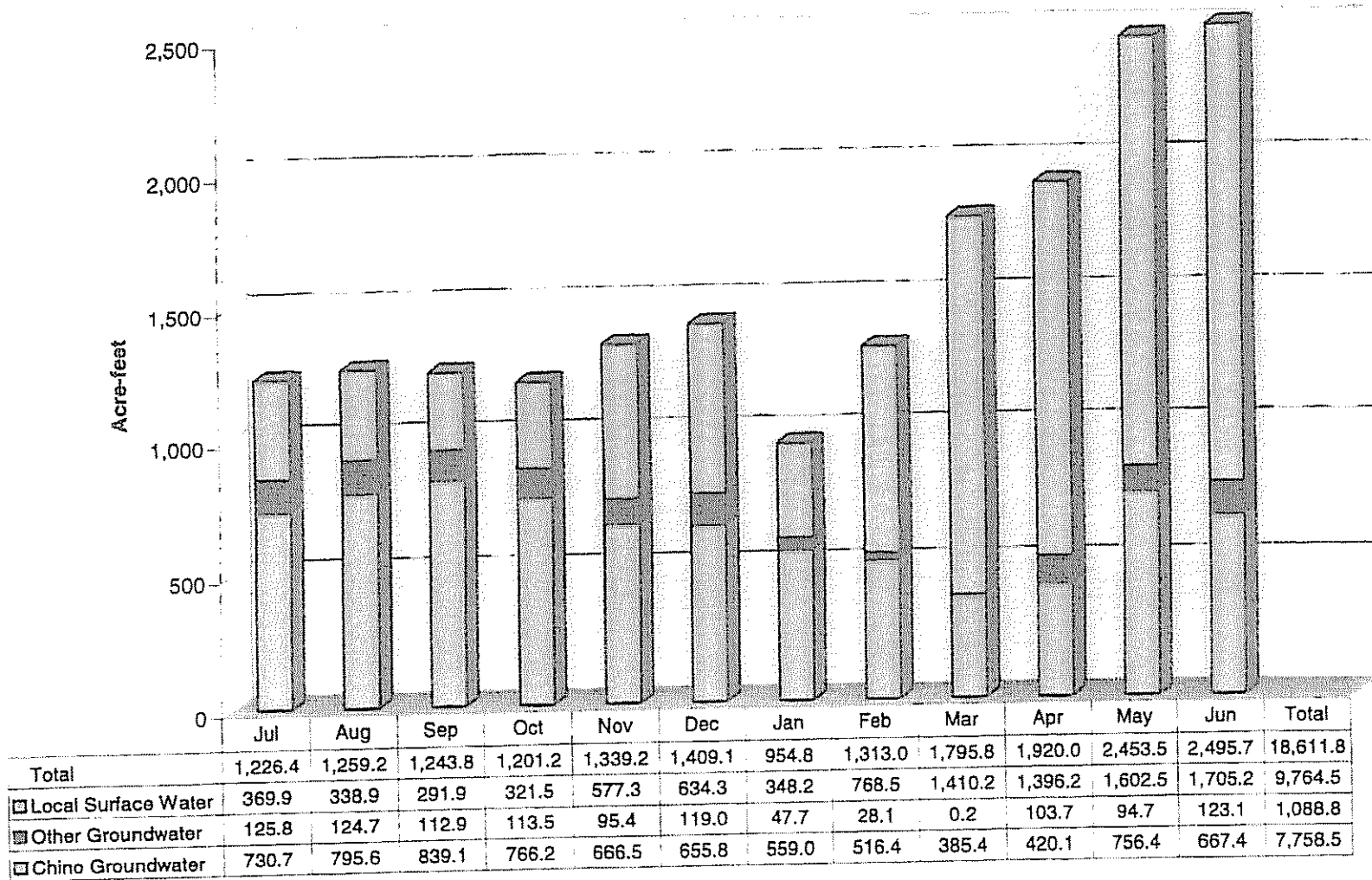


The San Antonio Water Company is 8 percent (17,726 acre-feet) out of a total production of 221,577 acre feet in the IEUA service area.

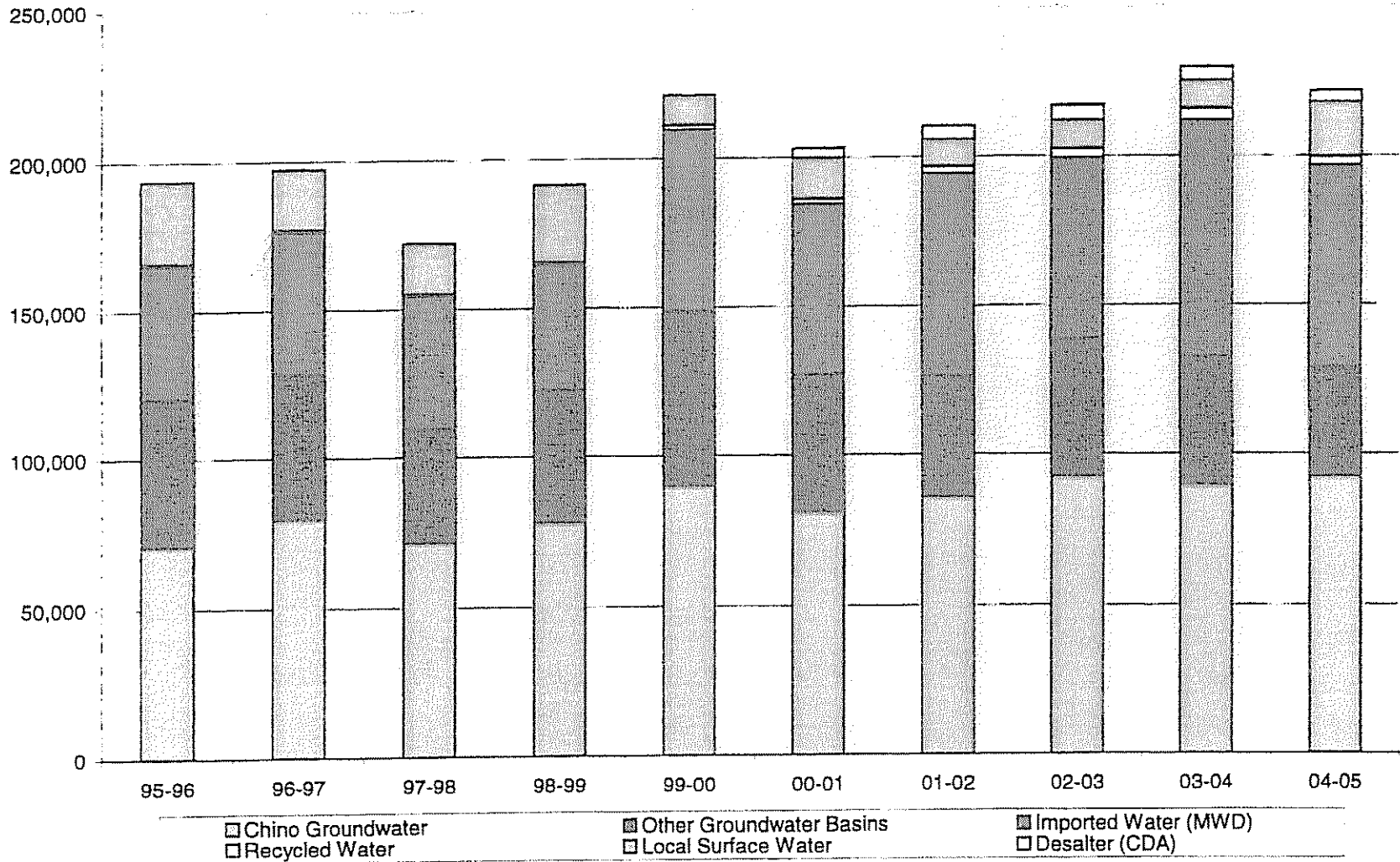
5 Year Water Production



San Antonio Water Company FY 2004-05 Monthly Water Production Report



**IEUA Service Area
10-Year Historical Water Production**



115

Definitions

Desalter Water – Means product water from Chino Desalter I. Groundwater, with high levels of TDS, is treated and distributed to several retail water agencies within the Inland Empire Utilities Agency (IEUA) service area for potable uses.

Chino Groundwater – Means water pumped from the Chino Basin aquifer and treated by retail water agencies for all potable uses within the IEUA service area.

MWD Imported Water – Means water from the State Water Project and supplied by the Metropolitan Water District of Southern California (MWD) to retail water agencies as a supplementary supply.

Recycled Water – Means high quality wastewater (meeting Title 22 standards) produced by IEUA at its water recycling plants for distribution through separate pipelines to retail water agency customers for all non-potable uses.

Surface Water – Means water collected by retail water agencies from mountain runoff and storm flows, which is collected and treated for potable use.

Water From Other Groundwater Basins – Means water produced from other local groundwater basins to retail water agencies operating within the IEUA service area. In this report, “water from other groundwater basins” is shown within the category of “other groundwater.”

Regional Water Conservation Update September 2005

2005 Draft Urban Water Management Plan – The Draft 2005 UWMP was released for review by local and regional agencies on June 23rd. The current Draft UWMP is now available on the IEUA website at www.ieua.org. Comments from local agencies were received and are being integrated into a new draft which will be released in September. According to the schedule, the UWMP will be submitted to the IEUA Board of Directors in October and will begin a 30-day public review period. The UWMP will be formally adopted by the Board in November.

MWD Incentive Rate - MWD staff met with the staff of several member agencies on August 11 (as a follow up to a June 1 meeting) to review the current water conservation incentive and determine scenarios for increasing the incentive beyond \$154 per acre foot. MWD staff developed three incentive options for discussion purposes. Options include \$250 per AF, \$194 per AF, or No Action. The MWD Board of Directors is scheduled to review the item in December.

Los Angeles County Fair Water Wise Garden – The WEWAC group has been meeting periodically at the Los Angeles County Fairgrounds to complete a makeover of the Water Wise Garden area. The theme of this year's Fair is Polynesian, so the garden has been transformed to reflect a Polynesian ambiance. Each WEWAC member agency will staff the garden site at least one time during the Fair.

Riverside County Water Symposium Results - The Riverside County Task Force and other Riverside agencies held a Water Symposium on July 27, 2005 at Lake Perris State Fairgrounds. The purpose of the symposium is to promote communication and cooperation between water and water related agencies and organizations throughout the County. IEUA staff attended this event and will report back on the results.

MWD California Friendly Landscape Forum – MWD hosted the second California Friendly Landscape forum on August 23rd. The purpose of the forum was to get feedback from landscape industry representatives on the creation of California Friendly as a brand concept and get feedback on a certification program for products and services. The forum was well attended (about 50 people). Lynn Lipinski led the meeting with Carlos Michelin making a presentation on the status model home program and Barbara Eisenstein of the Santa Ana Botanic Garden giving a presentation on their "Native Plant Educational Program." Lynn asked some very basic questions about what people thought of the California Friendly (CF) concept. She wanted to know what they thought could be given a label of CF - not including landscapes and plants (such as homes, parks, services, appliances, etc.), what are the strengths

and weaknesses of CF, what are the opportunities and threats to CF, and who could be some potential partners that MWD and the industry should consider working with to help promote the brand. The next step for MWD is to go out with an RFP this fall to market the CF brand.

Also, MWD announced the 2005 City Makeover winners through a press release and list of winners. Both of these documents are attached.

Cooling Tower Workshop – In conjunction with Metropolitan Water District and the “Save A Buck” CII rebate program, IEUA held a Cooling Tower Workshop on June 27 at the Hilton Ontario Airport from 9:30 to 11:30 am. A follow up Fall Workshop will be held on Monday, September 26 in the IEUA Event Center. IEUA and Honeywell will develop information on water quality and energy costs savings for the businesses.

ULF Toilet Programs –There are two local ULFT distributions scheduled for September; the City of Upland will distribute up to 500 toilets on September 17 and the City of Ontario will distribute up to 400 on September 24. The follow-up old toilet return dates will be in October. The City of Upland will host an additional ULF toilet distribution on October 15 for up to 500 toilets.

For the Multi-Family Direct Install project, the installation of 1,056 ULFTs at the Terracina Apartment Complex in Ontario is complete. Water Wise expects to achieve the FY 2005-06 goal by installing 3,000 by December 2005.

High Efficiency Clothes Washer Rebate Program – Approximately 100 rebates were issued during August, bringing the total for the current fiscal year to about 184 rebates. This brings the total number of rebates to approximately 5,250 since the rebate program began in 2002. Attached is the most recent breakout to date, by retail water agency, of the number of rebates issued.

“SmarTimer of Inland Empire” Weather-Based “ET” Irrigation Controller Rebate Program – This new rebate program takes advantage of the existing Proposition 13 grant program awarded to MWD. An MWD representative will be available at the September 13th workgroup meeting to discuss the program and answer any questions from the agencies. The application and reference guide will be provided at the September 13 Workgroup meeting.

Garden In Every School Program – On August 8, the Chino Basin Water Conservation District (CBWCD) Board of Directors approved a proposal to partner with IEUA on the Garden In Every School Program for FY 2005-06. The CBWCD will provide staff assistance to IEUA as we begin the application and evaluation process in the fall of 2005. Sondra Elrod and Erin Keller will report on this item at the September 13 Workgroup meeting.

Landscape Audit Program – A status report matrix has been created and sent out to each of the agency representatives along with all of the completed

survey/audit reports and a model cover letter for the agencies use. The Dudek & Associates contract has been extended through September 30 to allow for completion of the work. The status report is attached.

Large Landscape Request For Proposals (RFP) – IEUA has developed the RFP for the Phase II Large Landscape Program that will deliver 150 large landscape (commercial) audits and 50 residential audits. Staff has received comments from the agencies and has incorporated them into the document. Issuance of the RFP should occur in early September.

Residential Landscape Classes - MWD has extended its support of the "PDA" residential landscape classes through FY 2005-06. IEUA and several local agencies have already secured dates for both regional and local residential classes. IEUA will host a regional residential PDA class on October 15 at the agency's facilities on Kimball Avenue in Chino.

National Theatre for Children – Heidi Chadwick of NTC is now contacting the schools and setting up a schedule for both Fall 2005 and Spring 2006. Heidi expects to send out schedule updates weekly.

Groundwater Model – EnVison Environmental Education sent an email in mid-August warning that they are having some trouble constructing the frame the model sets in. The frame is expected to be completed by the first weekend in September and the entire unit should be shipped to IEUA by Tuesday September 6. Delivery date should be September 12 or 13.

California Urban Water Conservation Council – A steering committee meeting was held on August 10 at the offices of the Los Angeles Department of Water & Power. The next plenary session will occur on September 7 at the Irvine Ranch Water District. Major topics on the agenda include candidate nominations for CUWCC officers for 2006, a discussion of the potential for BMP conservation in California, and the recommendations of the statewide AB 2717 Task Force on Landscaping.

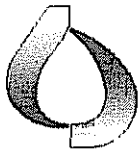
California Water Policy Conference 15 – The 15th annual California Water Policy Conference will be held at the Hollywood Renaissance Hotel on November 17th and 18th. The conference, subtitled "California Water Policy – Escaping the Constraints" is accepting award nominations for programs or projects that have helped moved California water policy forward. Nomination forms can be found at www.cawaterpolicy.org.

Solar Cup 2006

The MWD announced the schedule for the Solar Cup 2006 event. The event will occur May 19th through May 21st, 2006. Participation commitment forms are available from IEUA and need to be returned to MWD by September 16th. It appears that IEUA (as the member agency) will be represented by three schools:

Chino Hills High School and Ayala High School in Chino Hills, and Upland High School.

August 2, 2005 Workgroup Meeting Notes – The notes for the August 2 Workgroup meeting notes are attached.



Inland Empire
UTILITIES AGENCY

Date: September 21, 2005

To: Honorable Board of Directors

Through: Public, Legislative Affairs & Water Resources Committee
(9/14/05)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Martha Davis
Executive Manager of Policy Development

Subject: August Legislative Report from Dolphin Group

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Michael Boccodoro provides a monthly report on his activities on behalf of the Chino Basin/Optimum Basin Management Program Coalition.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

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Chino Basin / OBMP Coalition

Status Report – August 2005

ENERGY/REGULATORY

Southern California Edison General Rate Case – Phase II

The Administrative Law Judge in this proceeding has set the hearing schedule for Phase II of Edison's General Rate Case. Edison has requested an increase in electricity rates of 4.3%. Phase II of the proceeding allocates this increase among the various customer classes (i.e. residential vs. commercial vs. agricultural and water pumping.) The structure of all tariffs, demand charges and volumetric energy charges are also determined in Phase II. The 4.3% increase is based on a multiple assumptions by Edison on how other proceedings and issues will be decided by the Commission, and will likely decrease prior to determination of how that increase will be allocated.

Intervenors and customer representatives will file testimony in January 2006, with hearings and further discussion to continue throughout the spring. A commission decision is currently slated for August 2006.

Edison has requested that agricultural and water pumping rates be increased by 9.31%, although they stated that they believe that the true costs of serving these customers is actually 15-25% higher than current rates.

Critical Peak Pricing

On August 1, Southern California Edison filed with the CPUC to implement default critical peak pricing (CPP) on large customers in Summer 2006. Edison proposed to implement default CPP rates on all customers with demand over 200 kW. However, direct access and interruptible customers will not be subject to CPP rates.

Customers taking service in the CPP program would be charged very high on-peak energy or demand charges during times when energy reserves run low. In exchange, the customer will receive a discounted on-peak energy or demand charge during non energy-constrained days.

All customers may choose to opt out of the default CPP rates, and be placed on time-of-use rates without penalty. By contrast, Pacific Gas & Electric has suggested to the Commission that the CPP rates be "opt-in", and the default rate remain time-of-use. Various parties have indicated they prefer the opt-in system, and will likely offer testimony in support of that position later this year.

The utilities will be providing bill impact analysis for how both time-of-use and default CPP customers would be affected, as well as the specific bill components for CPP rates on September 1. DGI will provide this information to IEUA/CBC when it becomes available.

The schedule calls for an expedited proceeding, with a Commission decision due by January 2006.

Biogas Net Metering

Assembly Bill 728, Assemblywoman Gloria Negrete-McLeod's (D-Chino) legislation seeking to extend the dairy biogas net metering program continues to advance in the legislature. This measure, co-sponsored by IEUA, would extend the program through 2009 and expand the program from 15 to 50 megawatts statewide. AB 728 is awaiting final action on the Senate Floor and will then return to the State Assembly for concurrence of Senate Amendments.

The Dolphin Group is also working closely with the California Air Resources Board to create a dairy biogas taskforce to bring governmental decision-makers together from various state agencies to discuss emerging biogas issues. The groups is hoping to have its first meeting sometime in late September or early October to begin identifying and scoping issues.

OTHER LEGISLATION

The California Legislature is working hard to finish its legislative session prior to September 9th, which is the last day for legislators to send bills to the Governor for approval. Governor Schwarzenegger will have until October 9th to sign or veto the measures.

- **AB 380 (Nuñez D-Los Angeles) – Resource Adequacy Standards**

This measure would require the CPUC, in consultation with the CAL-ISO, to establish resource adequacy requirements for all load-serving entities (LSE), and that the costs of procuring that capacity would become nonbypassable from the time the commitment is made. This resource adequacy requirement would not directly apply to public utilities, but the measure would require municipal and public utilities to report to the California Energy Commission on their resource adequacy planning. The bill has also recently been amended to require that public utilities, at a minimum, meet the resource adequacy standards set by the Western Electricity Coordinating Council, a provision long-supported by public utilities. The bill is now before the full Senate for approval.

- **AB 1362 (Levine D-Van Nuys) – Renewable Portfolio Standard**

This measure mandates that utilities procure at least 20% of their energy from renewable sources by 2010. Current law mandates compliance by 2017. The measure was placed on the Senate inactive file, and will likely be revisited next year.

- **SB 107 (Simitian D-Palo Alto) – Renewables Portfolio Standard**

SB 107 has been “double-joined” with AB 1362, meaning both must be signed by the Governor for the other become effective. SB 107 expands on the Renewables Portfolio Standard acceleration, and provides clarifying details and instructions for the CPUC to implement the program. The measure recently failed to make it out of the Assembly Appropriations Committee.

- **AB 1723 (La Malfa R-Richvale) – Energy Commission Report**

This measure would require the California Energy Commission to report to the Legislature, as part of the biannual integrated energy policy report, the amount of forecasted IOU load that may be lost due to community choice aggregation or through acquisition by a local utility. The bill is now before the full Senate for approval.

- **SB 1 (Murray D-Los Angeles) – “Million Solar Homes” Initiative**

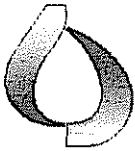
This bill is also sponsored by Governor Schwarzenegger and authored by Senators Kevin Murray (D-Los Angeles) and John Campbell (R-Irvine). The measure would create the “Million Solar Homes” initiative to invest in rooftop residential solar generation. The goal of the legislation is to produce 3,000 MW of generation by 2018. Additionally, the measure would require local public utilities to adopt a similar initiative, and report progress to the California Energy Commission.

The measure was amended to cap the total expenditures of the three major investor-owned utilities at \$1.8 billion over the life of the initiative.

Business groups continue to work with parties on this bill to ensure that larger customers will not be subsidizing the installation of solar panels for residential customers. The measure has also become a source of controversy on labor issues, as the legislation has been mired in debates related to “prevailing wage” and installer certification issues.

Republicans, including the measure’s principal co-author, John Campbell (R-Irvine) have recently dropped their support for the measure. The Governor’s office has also stated their concerns with the recent labor amendments and its fate is uncertain in the final days of the legislature.

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Inland Empire
UTILITIES AGENCY

Date: September 21, 2005

To: Honorable Board of Directors

Through: Public, Legislative Affairs & Water Resources Committee
(9/14/05)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Martha Davis
Executive Manager of Policy Development

Subject: August Legislative Report from Geyer and Associates

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Bill Geyer and Jennifer West provide a monthly report on their state activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:jbs
G:\board-rec\2005\05280 August Leg Report from Geyer

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MEMORANDUM

TO: Rich Atwater and Martha Davis
Inland Empire Utilities Agency

FROM: Jennifer West
Geyer Associates

DATE: September 6, 2005

RE: Legislative Highlights: August

Next week, after the 2005 Legislative session has finished, I will send you a full legislative report that includes the final status of all water-related bills introduced this year. This memo will serve as an interim report on some of the major legislative highlights of the past month.

Legislative Highlights

SB 820 (Kuehl) -- Support/ Assembly Floor

IEUA, along with many water districts in Southern California and environmental groups, is in full support of SB 820 by Senator Kuehl. The bill requires a more open process in the development of Urban Water Management Plans, requires the rest of the state to report its groundwater usage, as has been the practice in Southern California since 1955, and makes a number of other significant changes to the Water Code. The bill is now on the Assembly Floor and is heavily opposed by the agricultural community, primarily because of the groundwater reporting requirement. IEUA has been asking its delegation to support the measure. It may be a very close vote and the Administration has yet to signal whether the Governor intends to sign the measure once/if the measure makes it to his desk.

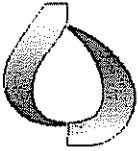
AB 1421 (Laird) – Oppose Unless Amended/Two Year Bill

In late July, Assemblyman Laird introduced a measure that was intended to help his district continue to receive replacement water as a result of perchlorate contamination. The bill is jointly sponsored by Santa Clara Water District and Environment California. Unfortunately, AB 1421 was written in such a way as to require replacement water for ANY degradation of a water supply, even if it was a very small amount of degradation as a result of recycled water use. Although IEUA was very sympathetic to Assemblyman

Laird's district problem, the agency, along with OCWD, MWD, WaterReuse and CASA, had to oppose the bill. This ad hoc coalition offered a counter proposal intended to clarify when replacement water should be provided. Unfortunately, the counter proposal was rejected and the author decided to make AB 1421 a two year bill. Staff of Assemblywoman Negrete-McCleod's said that AB 1421 did not take the right approach, but have indicated that Negrete-McCleod would like to help Assemblyman Laird in the coming year on a bill that does not harm water recycling efforts. IEUA has committed to be part of this process.

SB 686 (Machado) – California Endangered Species Act/ Two year bill

As a result of the confusion over whether DWR has obtained a "take" permit under CESA for the Delta Smelt, last week Senator Machado said he would introduce a bill that would require state agencies to obtain CESA permits. This is an objective that the regulated community fully supports and believes is current law. Unfortunately, SB 686, as proposed to be introduced, would have greatly increased mitigation requirements for state, private and local entities on any project subject to CEQA, even if a "take" permit was not necessary. This massive overreach was immediately opposed by the Resource Landowners Coalition, in which IEUA is a member. RLC also offered a counter proposal that simply stated state agencies must receive "take" permits. This was rejected. After an intensive one week lobbying effort, Senator Machado decided to make SB 686 a two year bill. He has asked us to participate in negotiations over the fall. The first order of business will be asking the Department of Fish and Game for proof that all state agencies are currently complying with CESA.



Inland Empire
UTILITIES AGENCY

Date: September 21, 2005
To: Honorable Board of Directors
Through: Public, Legislative Affairs & Water Resources Committee
(9/14/05)
From: Richard W. Atwater
Chief Executive Officer/General Manager
Submitted by: Martha Davis
Executive Manager of Policy Development
Subject: August Legislative Report from Agricultural Resources

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Dave Weiman provides a monthly report on his federal activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

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Agricultural Resources

635 Maryland Avenue, N.E.
Washington, D.C. 20002-5811
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(202) 546-4472-fax
agresources@erols.com

August 27, 2005

Legislative Report

TO: Richard W. Atwater
General Manager, Inland Empire Utility Agency

FR: David M. Weiman 
Agricultural Resources
LEGISLATIVE REPRESENTATIVE, IEUA

SU: Legislative Report, August 2005

Highlights:

- Congress to Return – Session Continues After Labor Day
- Energy and Water Development Approps – September Conference
- Oil and Energy Become Overnight Major Issues
- Miller Recycling Bill, Cleared for House Action in September
- Other Issues
- IEUA Working Partners

Congress On Recess – To Return After Labor Day. At the end of July, the Congress completed action on Energy, Transportation and Trade policy. The House and Senate then adjourned for the August recess. The session resumes on September 6, immediately after Labor Day.

Energy and Water Development Appropriations – Conference in September. As reported last month, a House-Senate Conference on the Energy and Water Development Appropriations bill will occur sometime in September, likely, late in the month – at the earliest. The House and Senate are far apart on this bill (major issues like funding and policy for Yucca

Mountain are the source of controversy). Staff are not talking. It may become a candidate for a CR (assuming there is one). Funding for the IEUA recycling program is pending and must be conferenced. It is the only "new start" in the bill.

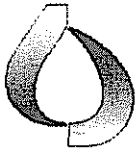
Oil, Energy – Instant Major Issues. Since Congress adjourned, oil began racing toward \$70/b and gasoline at the pump passed \$3/gal in DC. Oil and related issues have been on the front pages and on the airwaves across the country for several weeks. Hearings are anticipated. Legislation – or emergency relief – is now being discussed. No details are available yet. Implications are far-reaching. Oil and energy touches every aspect of life. For IEUA, it makes the Organic Management Program economically "more justified."

House Water and Power Subcommittee Ready to Move Rep. Gary Miller Bill, H.R. 177 in September. Previous reports have detailed the status of this bill and IEUA's interest in it. The House Resources Committee now advises that this bill will be advanced to the full House in September under a procedure that expedites certain non-controversial bills (Suspension Calendar). The Resources Committee staff for Pombo and Radanovich, and Rahall and Napolitano have worked very hard to resolve a series of technical issues with the bill and now advise that it is ready to go.

Other Issues. Pombo Announces CALFED Oversight Hearings. Resources Committee Chair, Rep. Richard Pombo announced that the Committee will hold oversight hearings in September. **WateReuse Draft Bill to be Supported by Feinstein.** New legislation for water recycling was submitted to Feinstein this month. Discussions with staff have been positive and preliminary indications, she will support it.

IEUA Continues to Work With Various Partners. On an on-going basis in Washington, IEUA continues to work with:

- a. Metropolitan Water District of Southern California (MWD)
- b. Milk Producer's Council (MPC)
- c. Santa Ana Watershed Project Authority (SAWPA)
- d. Water Environment Federation (WEF)
- e. Association of California Water Agencies (ACWA)
- f. WateReuse Association
- g. CALStart
- h. Orange County Water District (OCWD)
- i. Cucamonga Valley Water District (CVWD)
- j. Western Municipal Water District
- k. Chino Basin Watermaster



Inland Empire
UTILITIES AGENCY

Date: September 21, 2005

To: Honorable Board of Directors

Through: Public, Legislative Affairs & Water Resources Committee
(9/14/05)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Martha Davis
Executive Manager of Policy Development

Subject: August Legislative Report from Copeland and Associates

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Letitia White provides a monthly report on their federal activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:jbs
G:\board-rec\2005\05278 August Leg Report from Copeland and Associates

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Copeland Lowery Jacquez Denton & White LLC

Specializing in Government Relations

MEMORANDUM

TO: Inland Empire Utilities Agency

FROM: Letitia White, Alyssa Le Sage
Copeland Lowery Jacquez Denton & White

DATE: August 26, 2005

RE: Monthly Legislative Report

The House and Senate recess for the month of August for the summer Congressional district work period. Prior to leaving the nation's capital, Congress passed the Interior and Environment Appropriations bill, the first fiscal 2006 appropriations bill sent to the White House, which was signed into law (P.L. 109-54) on August 2, 2005.

During recess, we traveled to California to meet with Inland Empire Utilities Agency (IEUA) officials to discuss the current status of FY06 appropriations and plans for FY07 - including expanding the scope of work we perform on behalf of IEUA.

Fiscal Year 2006 Appropriations

Congress will return on September 6th after Labor Day. Since only two appropriations bills have been signed into law - - Interior Appropriations and Legislative Branch Appropriations - - the Congress has a long way to go before the fiscal year ends on September 30th. The House has passed all of the remaining bills; the Senate has passed out all of its bills except Defense Appropriations. Already passed by the House and Senate and ready for conference are three appropriations bills: Foreign Operations, Homeland Security, and Energy and Water.

The \$26.2 billion price tag on Interior-Environment programs, achieved after conference negotiators applied a 0.48 percent cut to each account at the end of the process, represented a reduction from \$27 billion spent on the same agencies last year. Overall, the measure provides \$7.7 billion for the EPA, down \$294 million from the fiscal 2005 level.

Among the bill's many provisions, the bill provides \$2.7 billion for Wildland firefighting and the National Fire Plan, an increase of \$111 million over FY2005. The Fish and Wildlife Service will receive \$1.3 billion - \$7 million above the President's budget request and \$500,000 below FY05, and the National Park Service \$2.3 billion, which is \$50 million above the budget request and \$66 million below FY05. \$236 million is allowed for Payments in Lieu of Taxes (PILT), \$36 million above the request and \$9 million above the 2005 level.

One contentious issue was spending for the Clean Water State Revolving Fund, for which the Senate provided \$1.1 billion and the House provided \$850 million. Negotiators agreed to \$900 million, a cut of nearly \$200 million from fiscal 2005.

Critics of a draft EPA regulation that would allow the agency to use data from pesticide toxicity studies on humans were pleased with language in the conference agreement. Sen. Barbara Boxer and Rep. Hilda L. Solis, both California Democrats, successfully amended the Senate and House versions of the bill with language that would place a one-year moratorium on the use of such data.

The moratorium would last until the EPA issues its final rule, but the bill would place a series of restrictions on the content of that rule. It would prohibit

Suite 800 • 525 Ninth Street, NW • Washington, DC 20004 • 202-347-5990 • Fax 202-347-5941

the EPA from allowing tests on women, infants and children (to be used), mandate that the rule adhere to standards of the National Academy of Sciences and the Nuremberg Code and establish an independent review board.

**Inland Empire Utilities Agency
Position List
September 13, 2005**

Bill	Summary	Position	Status
AB 728 (Negrete-McLeod) Net metering	Sponsored by IEUA. Extends the biogas net metering program until December 31, 2009. Authorizes up to three large biogas digesters to have a capacity of not more than 10 megawatts. Raises the statewide biogas net metering limitation from 15 to 50 megawatts. The Sierra Club removed its opposition when an amendment was included that requires facilities to install best available control technology (BACT) in order to participate in the tariff.	Support	Enrolled
SB 376 (Soto and Margett) Three Valleys	Clarifies the ability of Three Valleys MWD to implement its lawfully adopted standby charge pursuant to a schedule of adjustments that was approved prior to the enactment of Proposition 218.	Support	Chaptered 2005
SB 820 (Kuehl) Water	<p>Assemblywoman Negrete-McLeod and Assemblyman Emmerson both voted for the bill when it was heard on the Assembly Floor. IEUA might want to consider writing a letter of thanks to these members for their support of SB 820.</p> <ul style="list-style-type: none"> • Requires that DWR produce a biennial SWP reliability report. • Extends the current groundwater reporting requirements in place in Southern California to the rest of the state. • Requires public agencies, in preparing the UWMP, to coordinate with public utilities that provide electric or gas service. Requires that the UWMP quantify the amount of energy both produced by and required by existing and planned water sources. Also requires a public agency preparing the plan to hold an additional scoping meeting before the UWMP is prepared. • Requires every agricultural water supplier to prepare and adopt an "agricultural water management plan", as defined, by 2010. 	Support	Enrolled

IEUA Has Taken a Position on the Following Two-Year Bills

AB 371 (Goldberg) Water Recycling: Support

AB 1259 (Daucher): Special District Property Tax Shift: Oppose

AB 1421 (Laird) Contamination: Oppose Unless Amended

SB 153 (Chesbro) Habitat/Water Bond: Support

SB 187 (Soto): OEHHA adopting PHGs: Recommend Oppose

SB 393 (Ortiz) Special Districts: Oppose

SB 926 (Florez): Sewage Sludge: Oppose (author is pursuing a Kern County Initiative)

**Inland Empire Utilities Agency
Watch List
September 13, 2005**

Bill	Summary	Status
Special District Governance		
AB 1234 (Salinas) Local agency governance	Applies to special districts, cities and counties. Allows compensation to members of a "legislative body" for attendance at a meeting of a legislative body, a meeting of an advisory body and a conference. There is no specified rate of compensation. Requires all local agencies to adopt a written policy regarding reimbursements. Requires board members to receive ethics training. ACWA in support. Preferred "alternative" to SB 393 (Ortiz) see positions list.	Enrolled
SB 274 (Romero) Local Offices	Provides that service on a local appointed or elected governmental board, commission, committee or other body is inconsistent, incompatible, and in conflict with services on another local elected body if either of the bodies may audit, overrule, remove members of, dismiss employees of, or exercise supervisory powers over the other in any circumstances. The bill is intended to codify the common law prohibition against public officers holding incompatible offices.	Enrolled
Water Supply		
AB 1477 (Laird) Tamarisk Plant	Requires DWR to develop a program to control or eradicate tamarisk plants in the Colorado River watershed within California and establish another program to control or eradicate tamarisk plants in the watershed generally.	Enrolled
SB 1087 (Florez) Water/Sewer Connections: Low Income	<u>Current General Plan law requires that water and sewer providers give priority services to low income housing applications and agencies are required to have a policy in place explaining this.</u> There have also been numerous discussions at ACWA about whether or not this law, passed in 1991, is constitutional. SB 1087 would require on or before July 1, 2006, that water and sanitation agencies adopt written policies and procedures to ensure conformance with existing law. These policies and procedures must take into account restrictions based on water shortages and the availability of water supplies as determined in a UWMP.	Enrolled
Cal-Fed/Delta/ Flood Protection		
AB 1200 (Laird) Delta Levees	Requires the DWR to evaluate the potential impacts on water supply derived from the Delta resulting from subsidence, earthquakes, floods and climate change. Requires DWR and	Enrolled

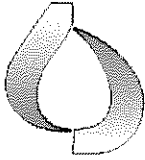
	DFG to evaluate options and present them to the Legislature by 2005.	
Special District Finances		
SB 568 (Kehoe) Hospital exemption	Exempts non-enterprise healthcare districts from the shift of property tax revenues to the ERAF in each county for the 2005-06 fiscal. Amendments were taken to state that the funds would not be shifted from other special districts. The bill will result in a one-time \$1.4 million General Fund expenditure.	Enrolled
Contaminates/Water Quality		
AB 495 (Montanez) WDR	Technical change to the definition of "effluent limitations."	Chaptered 2005
AB 1168 (Saldana) Desalination	Requires DHS, when reviewing an operating permit for a ground or ocean water desalination project, to identify potential contaminants and sources of contaminants and ensure the safety and effectiveness of treatment processes. Existing law requires DHS to issue a water system operating permit for projects providing public drinking water. DHS believes everything in the bill is already required when reviewing a permit for groundwater desalination. While it may be unnecessary, it does not appear to set a higher regulatory standard for desalinated water than for other sources of drinking water.	Enrolled
AB 672 (Klehs) Water reservoirs	Requires a public agency owning reservoirs larger than 2,500 AF to prepare and adopt watershed or recreation master plans that balance recreation and watershed protection.	Enrolled
SB 1067 (Kehoe) Arsenic	Requires OEHHA to develop a PHG for trihalomethanes (THMs) and Total Haloacetic Acids (HAA5) that takes into account the spikes and acute health effects on pregnant women and infants. Requires a public water system that has one or more detections of THMs or HAA5 at a peak, rather than an average level above the MCL, to include specific notice of the risk of certain health effects in its consumer confidence report. MWD and ACWA are opposed.	Enrolled

Two-Year Bills
Inland Empire Utilities Agency

*Bills likely to move forward in 2005

- *ACA 7 (Nation) Special District tax requirements
- *ACA 13 (Harman) Prop. 218 exemption: flood control
- *ACA 22 (McClintock) Eminent Domain Condemnation
- *AB 32 (Pavley) Green Buildings
- AB 177 (Bogh) Biomass conversion
- AB 340 (Parra) Arsenic levels
- *AB 342 (Baca) Perchlorate fee
- *AB 492 (Baca) Perchlorate reporting
- AB 501 (La Mafa) UWMP
- AB 579 (Emmerson) Groundwater
- AB 580 (Emmerson) Water transfers
- *AB 701 (Nava) State Buildings: LEED
- AB 703 (Houston) Recycled water
- AB 1146 (Huff) Exchanges of property tax
- *AB 1128 (Blakeslee) RWQCB Activities
- *AB 1244 (Wolk) CALFED Bay-Delta Program
- *AB 1245 (Wolk) CALFED Bay-Delta Program
- AB 1290 (LaMalfa) Water User Fee
- *AB 1354 (Baca) Perchlorate
- AB 1423 (Bogh) MWD
- *AB 1453 (Daucher) Groundwater: Venue of judges
- *AB 1665 (Laird) Flood Control Central Valley
- AB 1724 (Villines) Reclamation
- *AB 1727 (Aghazarian) Reorganization of SWRCB Permit Authority
- SB 31 (Florez) Water Rights Filing
- *SB 113 (Machado) Beneficiary Pay CALFED
- *SB 868 (Machado) CESA: Permit Authority
- SB 240 (Margett) Water Rights
- SB 474 (Runner) Water Quality
- SB 483 (Cedillo) Special Districts
- SB 554 (Alarcon) Surplus
- SB 623 (Aanestad) WDR
- *SB 646 (Kuehl) WDR Waivers
- *SB 729 (Lowenthal) NPDES: Increased Penalties,
- SB 773 (Cox) Groundwater Recharge
- *SB 866 (Kehoe) Water Use Measurement
- *SB 1070 (Kehoe) Waivers

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Date: September 21, 2005

To: The Honorable Board of Directors

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Sondra Elrod
Public Information Officer

Subject: Public Outreach and Communications

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Outreach/Tours

- September 1, 2005, BIA monthly meeting and tour of HQ
- October 19, 2005, Water Education Foundation Southern California Tour meeting at IEUA HQ's for breakfast and orientation plus a tour of Co-Composting facility
- October 4/5, 2005, tour of HQ to Australian architect

Calendar of Upcoming Events

- September 17, 2005, Upland ULFT Distribution
- September 23, 2005, Chino Hills Day at the LA County Fair
- September 24, 2005, Ontario ULFT Distribution
- September 24, 2005, Garden In Every School Workshop, Magnolia Elementary School, Upland
- MWD CII workshop, IEUA Event Center
- September, 28, 2005, IEUA employee picnic
- October 7, 8, 9, 2005, Rancho Cucamonga Chamber Grape Harvest Festival
- October 15, 2005, MWD Regional PDA class, IEUA Event Center
- November 3, 2005, IEUA leadership breakfast

OUTREACH/EDUCATIONAL INLAND VALLEY DAILY BULLETIN NEWSPAPER CAMPAIGN

- August 29, 2005, Garden In Every School ad
- August 31, 2005, Two-page Safety Awareness Month

- September – Two-page Think Environment Week
- September – One-page LA County Fair
- October – Two-page Literacy/Education Month
- December – One-page Health Beat Magazine

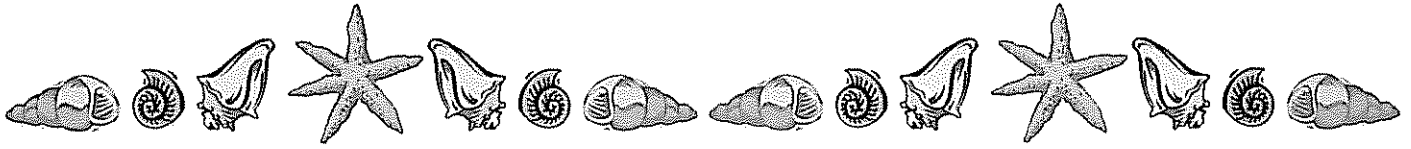
PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

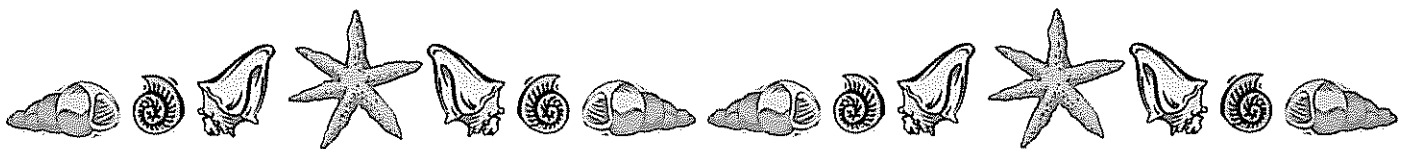
G:/Board-Rec/2005/05290 Public Outreach and Communication Update



CHINO BASIN WATERMASTER

IV. INFORMATION

1. Newspaper Articles



Inland Valley Daily Bulletin

Rancho city planner Buller retires

Sports ministries next on agenda

By Molly R. Okeon

Staff Writer

Friday, August 05, 2005 - RANCHO CUCAMONGA - After 19 years as city planner, Brad Buller is well aware of what he's leaving behind.

But, despite his intense love for his job, his co-workers and the security his position provides, Buller said he just cannot help himself.

"The world would say, "You're walking away from a certain level of security," Buller said. "I would say I'm walking in the most secure way I can. Like Eric (Liddell, a lead character) in (the 1981 movie) 'Chariots of Fire' said, "I feel God's pleasure.'"

Buller, who announced his resignation this week, will have his last day in office Sept. 1.

This is not a retirement by any means - Buller is only 51. He said he has pondered the decision for some time, and has decided to be adventurous, a trait he got from his parents.

"I'm (making) a bold move, but I'm following my heart," he said.

Above all things, Buller is a devout Christian, a man who says he always follows the will of God.

In fact, part of what Buller will dedicate the rest of his life to is sports ministries for Hillside Community Church in Rancho Cucamonga, where he and his family have attended services the past 17 years.

Buller has been involved with sports since his days Cal Poly Pomona. Recently, he said, he has coached children ages 4 through 12 in almost every major sport.

"Youth sports is a way of learning life's lessons without the harsh consequences," he said.

Buller will also establish a planning and landscape architecture consulting firm called Land Matters, and says he's going to run for the Cucamonga Valley Water District board of directors in November.

"I want to give back to this community big time, and water is a critical element of life," he said.

Born in Fresno, Buller was doing hard labor for his father's construction business by the time he was 8.

"(My father) believed in the education of hard work," he said. "Any free moment I had was spent helping out the family business."

At Cal Poly, he majored in landscape architecture, and after graduation took a job as a landscape

designer for the city of Claremont, where he would stay for almost 10 years.

Buller married Susan in September 1976, the same year he graduated from college. The couple has two children, Joy Walker, now 22, and Joshua, now 20.

In 1979, a position came open for Claremont's assistant city planner, and Buller jumped at the opportunity.

"As a landscape architect, you mostly deal with small projects," he said. "But a whole city? A designer's dream is to work for a city that is changing and wants to be better."

Buller was hired as city planner for Rancho Cucamonga in November 1985. The city, now home to about 164,000 people, had a population of 70,000 when he started.

Buller has had a hand in many of the city's major developments, including the Victoria Gardens outdoor shopping center, Central Park, the rejuvenation of Foothill Boulevard, Empire Lakes Golf Course, City Hall and the Epicenter complex, including Quakes baseball stadium.

Even with his strong work ethic, Buller said he encouraged fun within the Planning Department.

His office is filled with penguins, the unofficial "mascot" of his department. He's got stuffed penguins, statues of penguins, pictures, mugs, signs and even root beer bottles with penguins on them.

"Every good team has a mascot," he said, laughing.

Buller said he will be most sad to leave the people he has developed relationships with over the years.

"I feel extremely privileged to have worked with so many qualified people," he said.

Planning Commissioner Larry McNiel, a commissioner for more than two decades, described Buller as a man of integrity.

"When it comes time to surround yourself with the best people I've known in my life, Brad's in the top five," he said.

Molly R. Okeon can be reached by e-mail at molly.okeon@dailybulletin.com or by phone at (909) 483-9376.

Inland Valley Daily Bulletin

City may have to purchase land for flood control

Rancho discusses annexation of 37 acres of land in Colonies dispute

By Molly R. Okeon

Staff Writer

Friday, July 29, 2005 - RANCHO CUCAMONGA - The city is trying to annex the same 37 acres of land that is at the heart of a dispute between the Colonies developers and San Bernardino County, and preserve it for flood control and open space.

In addition, a lease agreement between a building-materials producer that has been mining aggregate from the land for nearly two decades is up in the air.

The parcel, known as the Day Creek Spreading Grounds, lies within 1,137 acres of land between two flood-control channels - Deer Creek Channel east of Haven Avenue, and Day Creek Channel west of Etiwanda Avenue. The site is north of the 210 Freeway, just above Los Osos High School.

In an effort to settle a legal argument with the Colonies Partners LP, the county has offered the site as a bargaining chip. The Colonies developers are suing the county for \$254 million to reimburse the company for land used for flood control at the 434-acre Colonies development in Upland, for renovations to the flood-control basin on that property.

Despite concerns by some flood-control experts that the site is unfit for development, Colonies co-managing partner Jeff Burum has said he and his associates believe the land can be developed.

But City Planner Brad Buller said the city has plans for the site. Though the land is owned by the county, Rancho Cucamonga started work toward annexing it earlier this year. In the city's general plan, Buller said, the land was pre-zoned to stay as the county has it designated -- flood-control open space.

"We're constantly looking to maintain open space," said Mayor Bill Alexander. "Everything I've heard to this point says we really need this land for maintaining protection for our community and other communities, as well."

County Supervisor Paul Biane said he thinks what happens to the land should be left up to the Rancho Cucamonga City Council.

"Ultimately, the city may have to buy the land from the county if they want to use it as open space," he said.

Biane said he does not have a preference about who gets the land. For now, he said, he is doing research to decide what is best for the flood-control district, and will discuss his findings with the City Council.

Buller said that although the city was conducting an environmental review of the spreading grounds as

a precursor to annexation, it would have to consider other options if the Colonies takes ownership of the land.

"Should we be successful in annexing the property and the settlement (between the Colonies and the county) does create a new owner on the piece of property, we would be obligated to consider any request they might have," he said. "We now know what's in the (news)paper and what's being said. We are proceeding forward to zone it as planned - for flood control, open space and conservation."

Buller was not the only city official who said most of what he's learned about the parcel's role in the Colonies' dispute with the county has been gleaned from local newspapers. City Manager Jack Lam, Alexander and Buller all said they have not been contacted by the Colonies partners or the county to discuss the land, nor have they initiated such discussions.

"The only thing we know is what we read in newspapers," Lam said. "We don't have any direct pipeline."

Ben Garrett and his family have lived for six years in a house on the corner of Whitney Court and Sierra Crest View, just below the Day Creek Spreading Grounds.

He said he doesn't think the site is a good place to build homes, both because of drainage from the mountains and because it could be preserved as open space.

"It's nice to have from Banyan Street to the foothills as undeveloped area," Garrett said. Any more development would be "just urban sprawl and growth. You don't like to see it, but that's a fact of life in California."

Future development of the site isn't the only issue on the table. The county's director of public works, Patrick J. Mead, said the county has leased much of the land to Hanson Aggregates, the world's largest producer of crushed rock, sand and gravel used in heavy-building materials, since the late 1980s or early '90s. The company's lease payments have generated several hundred thousand dollars a year for the flood-control district, he said.

The lease is up for renegotiation.

"If there's a sand and gravel operator with a lease, the term of the lease will have to run out or be bought out before any other activities could take place on that land," Mead said.

Even if the city were to annex the property, Mead said, the county would retain ownership, working with the city on potential zoning changes.

As to reports of instability on the land, which some experts say could threaten the homes and businesses below, Buller said he has confidence in professionals brought in by the city to study the area below the Day Creek Spreading Grounds.

"We would not have approved projects had we not believed the experts that testified ... to the fact that it was safe," he said. "The high school, elementary school, fire station, homes - numerous uses in that area are all based on professional input and public hearing and review."

Resident Cindy Butterweck said the thought of more homes and businesses being built on the site makes her nervous.

"I think it's stupid if it already doesn't have the capacity to handle floods," said Butterweck, who has been following the Colonies/county dispute in the newspapers. She lives on Mount Harvard Court, just south of the site. "It could make the problem worse."

Molly R. Okeon can be reached by e-mail at molly.okeon@dailybulletin.com or by phone at (909) 483-9376.

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Inland Valley Daily Bulletin

Scarce water resources must be conserved

Saturday, August 06, 2005 - Hot spells like the one holding the area in its grasp do much more than send tempers and electricity usage soaring.

For every degree the thermometer climbs there's more of a drain on the Southland's water stores. Look out your front window and see how many of your neighbors – if not yourself – have the sprinklers turned on an extra hour or so to keep all those lush lawns and thirsty plants green.

Having grown accustomed to all that high maintenance greenery, too many of us act as though water is an endless resource in Southern California. We forget that sage brush and cactuses are more native to the Southwest than the lawns we treasure so much.

California's water usage will jump 40 percent in the next 25 years, much of that precious resource going for landscaping in the dry inland areas of the state that'll see the bulk of population growth, according to a just-released study by the nonpartisan, nonprofit Public Policy Institute of California.

The study found that half of all water used by inland homeowners goes to irrigating lawns. That spells trouble since half of the state's projected population increase of 25 million will come to Sacramento, San Joaquin and western San Bernardino and Riverside counties.

Fortunately, progress is being made, both by government entities and private developers.

For example, a 2001 law requires developers and government entities to demonstrate in advance they have lined up enough water to serve projects.

As a result, developers are increasingly designing projects that are much more conservation-centered, helping to meet housing and water resource needs.

One example is Valdemosa, opened by KB Home in Temecula. It's the company's first "California Friendly" landscaped community in the state.

It includes front yards with native California and drought-tolerant plants, the latest in programmable sprinkler "smart timers" that are geared to need and climate demands and turn off when it rains. The systems use gallons per hour instead of minutes.

It is a result of the California Friendly Initiative sponsored by water districts and the U.S. Bureau of Reclamation.

Agencies like the Chino Basin Water Conservation District and Montclair Water District also deserve credit for their community conservation projects and educational programs, including those for youths. And there are many others.

Now is the time for the rest of us to pitch in, learn the latest in conservation technologies and more

wisely use this scarce resource.

Inland Valley Daily Bulletin

Study of water, sewer services OK'd

Saturday, August 06, 2005 - POMONA - City Council members approved an agreement last week with a Davis consulting firm to conduct a cost study for water and sewer services.

Foresight Consulting Services will be paid \$69,000 to do a cost-of-services study of Pomona's water and sewer systems. The study will be done using the city's 2005 water and sewer master plans, according to a city staff report.

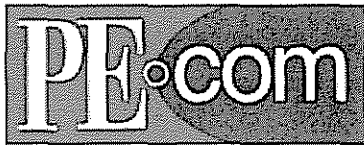
As part of the study, the firm will look at rate structures and provide recommendations on rates that will allow the city to maintain potable water, recycled water and sewer systems.

City administrators project that in the next 20 years the water system will need an investment of about \$155.2 million and the sewer system an additional \$104 million, the staff report said.

Any related rate changes will be presented to the council at a future meeting, the report said.

- *Monica Rodriguez, (909) 483-9336.*

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Stricter perchlorate limits proposed

DRINKING WATER: Laws proposed by health officials would ban higher levels of the rocket-fuel chemical.

12:21 AM PDT on Friday, August 5, 2005

By DAVID DANIELSKI / The Press-Enterprise

SAN FRANCISCO - California and Massachusetts environmental health officials vowed Wednesday to establish the nation's first laws limiting the rocket-fuel chemical perchlorate in drinking water.

The laws would make it illegal to serve water containing more perchlorate. Supplies with higher concentrations would have to be shut down or cleaned up, a process that can cost \$1 million per well or more.

The state officials appeared more aggressive than their federal counterparts in efforts to restrict the chemical that has polluted hundreds of drinking-water supplies across nation, including many in the Inland area.

Most of the perchlorate made in the United States has been used by NASA and the Department of Defense for rockets, missiles and munitions. Perchlorate contains oxygen necessary for explosive combustion.

The chemical has leached from factories, military bases and explosives bunkers into groundwater basins and the Colorado River, a major source of drinking and irrigation water. Researchers have detected perchlorate in cow milk, human breast milk and vegetables irrigated with tainted water.

In sufficient amounts, perchlorate blocks the thyroid gland's ability to absorb iodide, an essential nutrient the gland needs to make hormones that guide the development of brains and nerves in fetuses, babies and children.

The federal government hasn't yet decided whether a national law is needed to limit perchlorate in drinking water, an official with the U.S. Environmental Protection Agency told state and federal toxic-waste cleanup specialists and managers who met here Wednesday.

If the EPA does decide a law is needed, developing it probably would take longer than three years, said Kevin Mayer, the EPA's perchlorate coordinator for the Pacific Southwest region.

State laws limiting perchlorate in California and Massachusetts tap water are expected to be the subject of public hearings this fall and to be made final by next year.

In California, health officials have discovered the chemical in 529 drinking-water sources, making the contamination a top priority, said Rick Brausch, an assistant secretary for the California Environmental Protection Agency.

Water is a scarce commodity in California, he said. "Anything that threatens our water threatens our livelihood."

California set a perchlorate "health goal" -- a guideline for deciding whether drinking water is safe for all consumers, even the most vulnerable -- of 6 parts per billion last year. State health officials are about to push an enforceable limit that Brausch said must be as close to the health goal as economically and technically possible.

Contaminated water supplies in the Inland area have levels ranging from 1 to hundreds of parts per billion, although the highly contaminated water is not served to consumers. Cleanups already are under way at some polluted sites, such as an underground plume spreading toward Riverside from a defunct rocket plant in Mentone.

The EPA earlier this year set a health guideline for perchlorate that is much higher than California's. The guideline, about 24.5 parts per billion in drinking water, will be used as a basis for any future cleanup or health standards, Mayer said.

Federal rules require that national drinking-water standards have a "meaningful opportunity for health-risk reduction in public water systems," Mayer said.

Since few public water systems have perchlorate levels of 24.5 parts per billion or more, a federal perchlorate standard might not be deemed necessary, Mayer said.

Before that decision is made, however, federal officials have to determine how much perchlorate people are consuming in milk, lettuce and other food. The federal Food and Drug Administration is expected to determine the extent of contamination in food.

Massachusetts officials have concluded that only 1 part per billion in water is safe for pregnant women, babies and adults with certain thyroid disorders, said Paul Locke of the Massachusetts Department of Environmental Protection.

While drinking-water standards are debated and developed, the Department of Defense is experimenting with new chemicals that might someday replace perchlorate, said Shannon E. Cunniff, a pollution specialist for the department.

The Defense Department has spent some \$60 million on perchlorate issues, about two-thirds of it on water-treatment technology and cleanup, she said. Some new treatment methods will be unveiled in the Inland area later this month, Cunniff said.

Defense officials also are recycling old missiles in order to recover some 80 million pounds of perchlorate for new weapons or industrial use, she said.

As for finding a substitute for perchlorate, the trick is to find a chemical that has the same stability but doesn't put people's health at risk, Cunniff said.

"This is pretty far off," she said.

The department has learned a great deal from the perchlorate experience, she told the audience. "The DoD needs more coherent ways to evaluate and manage risks from chemicals it used, uses or may use."

Reach David Danelski at (951) 368-9471 or ddanelski@pe.com



Inland area's thirst growing

SYMPOSIUM: Restrictions on landscaping to meet future water needs are called inevitable.

11:11 PM PDT on Wednesday, July 27, 2005

By JENNIFER BOWLES / The Press-Enterprise

PERRIS - Cutting back on outdoor water use by planting drought-tolerant gardens at homes and businesses will have to occur on a grand scale for the Inland region to meet the water needs for a growing population, officials said Wednesday.

But water, political and planning officials at the second annual Riverside County Water Symposium stopped short of saying they would mirror other arid cities, such as Las Vegas, that use tiered water rates so water hogs have to pay more, impose fines for people who waste water or offer rebates to customers who remove grass from their lawns.

However, county Supervisor Marion Ashley said that more restrictions could come soon with outdoor water use accounting for 60 percent of a home's water use, and up to 80 percent in the Coachella Valley.

The county recently passed an ordinance calling itself a water-wise county and will tackle a landscape ordinance next, Ashley said.

"It's inevitable," he said, "these things are going to happen, they have to."

The symposium occurred as a new report estimated the state's thirst for water in its cities will increase by an average 40 percent over the next 25 years, with much of the water going for landscaping in the hot, dry Inland valleys, including Riverside and San Bernardino counties.

The two-county Inland region will see the most increase in water needs, at 62 percent, if the per capita water use remains as the population jumps from its current 3.6 million to 6.4 million by 2030, said Ellen Hanak, author of the water report released by The Public Policy Institute of California, a nonprofit group.

Ridding yards of grass, tropical and other water-hogging plants will take a major shift in culture for people to appreciate the beauty of native plants, those at the symposium said.

"We want to change the culture," said Randy Record, a San Jacinto farmer who is the chairman of the Riverside County Water Task Force. Speaking to a crowd of 500, he said if everyone does it, it will become more accepted.

Gardens

To see gardens with plants that require little water:

Visit: Western Municipal Water District, 450 Allesandro Blvd., Riverside, (951) 789-5087.

Visit: Coachella Valley Water District, 85-995 Avenue 52, Coachella, or in Palm Desert at 75-525 Hovley Lane East. Call (760) 398-2651.

Log on:

www.bewaterwise.com

"That's what sends a message," he said.

The benefits, many said, are no lawn to mow and a lower water bill.

Hanak said in Las Vegas, where the water agency pays \$1 per square foot of grass that customers remove for drought-tolerant landscaping, a mind-set has already occurred.

"People are starting to think, 'hey this looks pretty good,' and it's changing the sense of aesthetics," she said.

Some Inland water districts, including Western Municipal Water District in Riverside and the Coachella Valley Water District in Palm Desert, have demonstration gardens to show how low-water landscaping can look.

Eastern Municipal Water District in Perris, with a grant that came mostly from the U.S. Bureau of Reclamation, has started a pilot project in which it pays developers 80 cents per square foot of low-water landscaping. The Valdemosa development in Temecula by KB Home has just opened its model homes with such landscaping, said Ted Haring, the water district's conservation manager.

Reach Jennifer Bowles at (951) 368-9548 or jbowles@pe.com

Online at: http://www.pe.com/breakingnews/local/stories/PE_News_Local_D_water28.1825e402.html

San Bernardino County Sun

Anger and fear fill Arrowhead

Clarification sought of water decision

By Guy McCarthy and George Watson

Staff Writers

Friday, August 05, 2005 - LAKE ARROWHEAD - Less than 24 hours after the state clamped down on resort residents' use of an artificial lake they call their own, builders and water customers howled while embattled utility board members announced plans to appeal.

Panic gripped some people who understood the potential impact of the state Department of Water Resources' decision. Others blithely carried on Thursday in a setting they still view as paradise.

While leaders of the Lake Arrowhead Community Services District faced angry residents in their board room, a few hundred yards away a young woman in a black bikini frolicked knee-deep in placid waters on the lake's north shore.

"Recreation loves a full lake,' board President Bruce Field said over lunch after the meeting. "But consumption by definition consumes water out of the lake. There's a conflict.'

Others took a less balanced view of the situation, blaming the district board, their consultants and their lawyers for ignoring the need to solidify what they see as a right to tap the waters of Lake Arrowhead, not just play in it.

"All the problems up here, overuse of the water we have, comes directly from the fact that we are being overdeveloped without any planning,' said board member Ted Heyck, the attorney who filed motions that led to the state's ruling this week.

"The message from the state water board to this district is that 'If you don't plan, we'll do it for you,'" Heyck said during a closed session he was excluded from.

People on all sides of the water debate sounded off in this densely populated mountain resort. But everyone agreed a building stoppage imposed by the state could cut deeply into the town's real estate-driven economy.

The district board announced its intent to seek clarification of the state's moratorium on issuing new water connections. They expect an answer before Tuesday's board meeting. Builders' futures in Lake Arrowhead may hinge on the outcome.

"What's going on with this problem?' foreman Jose Serrato shouted from the rafters of an unfinished two-story home overlooking the lake's southwest shore. "We're going to be out of work. They're not going to be building up here any more.'

Contractor David Fenn, who attended the district board meeting, said he intends to wait and see.

"We'll keep working, but we won't know until Tuesday if we'll get any permits for new projects,' Fenn said. "We don't really know what's going on until they clarify what the state wants.'

Water customers overwhelmed district staff Thursday with concerns and questions about their service.

"Everybody is just absolutely panicked,' said Mike Scorziell, a Lake Arrowhead contractor who was raised in the area and has built homes there for 23 years.

Scorziell recently purchased two lots for \$175,000 and planned to begin working once he secured water meters. But now, he figures his investment could be tied up for years even if the district can find alternative sources of water.

By early Thursday afternoon, Scorziell had already called the district for information and had several conversations with colleagues in the business. He figured larger operations would look elsewhere for building opportunities. Field advised builders to complete projects they've already started, even if they haven't secured water hookups.

"If I'm hammering nails right now, I would not stop,' Field said. "Otherwise it creates a public nuisance. You finish the house, protect the property, but you have no water connection. That's what I would do.'

If a moratorium on building in Lake Arrowhead is upheld, there could be legal arguments that the stoppage amounts to taking of land and property, Field said.

"Tujunga Canyon and Lake Tahoe have dealt with temporary moratoriums that lasted longer than 25 years,' Field said. "There have been arguments that these amounted to takings. I don't know the outcome, and I don't know if this will parallel with those cases.'

A moratorium will not be in place until the state water board meets to authorize the order, said Liz Kanter, a spokeswoman with the state board. But the district suspended selling water meters Wednesday.

The San Bernardino County Planning Department is reviewing the issues, which its director, Julie Rynerson, described as complex.

"We most certainly understand there are projects out there that are being impacted,' Rynerson said. "What that is, we don't know yet. It's very complicated. Water in California typically is.'

Having the ability to use a cease-and-desist order, when it came to diverting water, to stop building is a relatively new power given to the state water board, Kanter said.

Despite what might appear to be a harsh ruling to mountain residents, "the Lake Arrowhead issue was in line with past enforcement issues,' Kanter said.

Heyck's complaint to the state board that the district was illegally diverting water initiated the state's investigation in March 2003. He defended his actions Thursday after reading comments that characterized his actions as "reckless.'

"Asking a state agency to investigate a local agency is not reckless,' Heyck said. "It's the absolute essence of democracy.'

At issue is whether pre-1914 rights require the lake's use be contained to recreation, as Heyck argued and the state board agreed, or grants the district authority to change them.

If the district fails in its efforts to overturn the state board's order, one option could be trying to get additional water from the Crestline-Lake Arrowhead Water Agency.

The Lake Arrowhead Community Services District, along with the Crestline-Lake Arrowhead Water Agency and the San Bernardino Valley Municipal Water District, entered into an agreement earlier this summer to augment Lake Arrowhead's supply with water from the State Water Project.

But that agreement, granting the water district rights to 8,000 acre-feet of water over the next 15 years, is a short-term plan.

Some residents who watch the water district meetings closely said it's time for Lake Arrowhead residents to face an uncomfortable truth. Adrian Lee, a member of Protect Lake Arrowhead Now, uses a digital videocam to record the district meetings.

"The man-in-the-woods perspective, that they've been using the lake for 80 to 90 years with no problem, is based on a false premise,' Lee said. "They've been misinformed for 80 to 90 years. They've had no legal right to the water.'

Other residents blasted the water district board during its closed session and afterward during time allotted for public comment.

"Their press release says the district could be fined \$500,000 when it's really \$182,000,' Larry Komar said. "They're lying to sway public opinion. It's typical. ... I want honesty.'

Sherwin Grossman told the board, "The state has ruled. Deal with it. Do not litigate. We're just going to spend tons of money.'

Harry Sherman agreed, advising the board to deal with facts rather than point fingers. But he advised the board to fire their attorneys.

Bill Roberts, a resident of the area since 1959, told the board it has "a fiduciary responsibility to seek a malpractice suit against all the consultants who have given you bad information' for so many years.

"It's mind-boggling this happened,' Roberts said. "They knew all about it.'

Field later dismissed the criticism. And he insisted one of the centerpiece resorts in the nation's most urbanized forest will survive.

"We're being vilified for the sins of our predecessors,' Field said. "There's no way this means the end of Lake Arrowhead as we know it. It might be a little different. But it will still be here.'

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Article Published: Wednesday, August 17, 2005 - 8:58:15 PM PST

Claremont waits for mining dispute resolve

By Edward Barrera, Staff Writer

CLAREMONT - Residents, city officials and even one rock company are waiting for someone to make the next move in connection with a proposal to mine in 433 acres in the northeast part of the city.

Holiday Rock Co. and Vulcan Materials Co., which have leased the land south of Mt. Baldy Road, want to extract crushed rock from the site. But the companies were turned down, first by Claremont's Planning Commission then by the City Council in February.

Residents opposed to the project said that they are hopeful the city's strong stance remains unchanged, but they are carefully watching how it plays out at the state level.

"We are trying to keep our noses to the ground to make sure nothing slips by," said Dr. Marla Law Abrolat, who is part of a group calling themselves Claremonters Against Strip Mining. "We are trying to keep the town alerted that it is still alive and the Vulcan and their moneyed interests are still trying to push this for financial gain."

While Holiday has stayed on the sidelines so far, Alabama-based Vulcan has aggressively tried to overturn the decision, by first filing a lawsuit in May against the city and also indicating its intent to file an appeal with the state's Mining and Geology Board. The company hasn't filed the appeal yet.

A Vulcan official could not be reached for comment, but the lawsuit claims that the city did not set clear regulations for the mining of scarce resources and deprived the company from making money off the leased land.

John Holiday, vice president of Upland-based Holiday, said the company would be amenable to discussing some of the concerns of residents and the city to try to reach some common ground.

"We are very interested in having an open-minded discussion with all of the stakeholders," he said. "I'm not interested in doing a project that does not have merit for all of the community."

Holiday pointed out that the excavation on the land would produce much needed construction materials as well as provide added capacity for water conservation.

The land is owned by the Pomona Valley Water Protection Association, the area's water supplier, which has said that the mining proposal would create large pits and is compatible with the

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water provider's goals to augment underground water supplies.

But Abroiat, a local pediatrician, said the health issues that could be caused by mining so close to residential communities should far outweigh any financial gain Vulcan or Holiday can make and that water table are already overflowing.

It's a sentiment that city officials agree with.

"The city is absolutely opposed to any mining in proximity to any of our homes," said Mayor Sandra Baldonado. "In our minds, there is no common ground."

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Inland Valley Daily Bulletin

Water company fires general manager

Tuesday, August 16, 2005 - UPLAND - The San Antonio Water Co. officially announced General Manager Ray Wellington's termination on Tuesday.

Wellington, 63, was put on paid administrative leave last month, with the Board of Directors saying it wanted to head in a different direction. They have not divulged the specific reasons for the firing.

The company, which provides water to San Antonio Heights and Upland, had first put Wellington on paid leave while its lawyer determined the exact amount of severance the general manager deserved.

Besides being paid through the end of the month, Wellington, who oversaw the company for the past 12 years, will also receive nine months of his base salary as severance, plus accrued vacation time. Charles Moorrees, who was appointed acting-general manager, declined to release the monetary value of the severance until the request was reviewed by the company's lawyer.

The board also discussed releasing the names of the company's shareholders. The company will review whether the public release of the names would violate privacy laws.

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Inland Valley Daily Bulletin

County to seek basin funding

Split vote OKs expansion

By Guy McCarthy

Staff Writer

Tuesday, August 16, 2005 - A day after two U.S. senators intensified their scrutiny of unresolved flood-control issues in Rancho Cucamonga, the county Board of Supervisors voted 3-2 to pursue federal funding to expand Deer Canyon debris basin.

The split vote Tuesday underlined years of disagreement among scientists and public agencies regarding the basin's ability to protect central Rancho Cucamonga from flooding in worst-case storms.

Supervisor Dennis Hansberger said he supports Sens. Dianne Feinstein and Barbara Boxer in their quest for answers about public safety below Deer Canyon.

But Hansberger said he voted against seeking federal funds because public works officials did not explain if the work is needed to make it safer for existing neighborhoods and businesses, or to enable development on 1,137 acres below Deer Creek basin the county is appraising for a possible legal settlement with developer Colonies Partners LP of Upland.

"I believe, at least for now, the downstream area is safe if left undeveloped," Hansberger said after the meeting. "I don't believe the (flood-control) district owes any money to the Colonies, and therefore I do not wish to provide them with any developable land for money they say is due."

Supervisor Gary Ovitt said he voted against adding the basin to the county's 2005 federal legislative platform because he didn't want other needed flood-control projects to be underfunded to pay for improving a structure public works officials maintain is adequate.

The dissension came less than 24 hours after Feinstein and Boxer called for the federal agency that designed and built the basin to re-assess threats to public safety below Deer Canyon.

Hansberger sided with Boxer and Feinstein in calling for the Army Corps of Engineers to do a public-safety assessment below the basin.

"Yes, I do join them," Hansberger said. "If the basin is not adequate, any development below should not be approved. It needs to be resolved before anything below can be sold or developed."

The Corps designed the basin in the mouth of Deer Creek Canyon and, upon its completion in 1983, transferred its ownership, operation and maintenance to the county Flood Control District.

The basin is in the district of Supervisor Paul Biane, who has been involved in settlement talks with Colonies principal Jeffrey Burum.

Before the county board's vote Tuesday, Biane's chief of staff Matt Brown said Biane would pursue federal funding to improve the Deer Canyon basin even without the other supervisors' support. Biane said he intends to visit Boxer and Feinstein next week in Washington to discuss public safety concerns below the basin.

Biane said Tuesday modifying the basin would cost "in the neighborhood of \$500,000."

Inland Valley Daily Bulletin

Questionnaire will gauge knowledge on former Aerojet land

By Mason Stockstill

Staff Writer

Wednesday, August 17, 2005 - CHINO HILLS - Residents of Chino Hills will soon be asked how much they know about the cleanup of a former weapons facility in their neighborhood.

About 12,000 questionnaires will be mailed out to homes in the city as an early step toward developing a "community education plan" regarding the Aerojet facility at the end of Woodview Road, west of the Los Serranos area of the city.

"It's asking about what level of information they would like to receive, and if they have any concerns or desires of specific information they'd like to receive in the community education plan," said Tim Murphy, director of public affairs for GenCorp, Aerojet's parent company.

The plan is part of the agreement Aerojet made with the state's Department of Toxic Substances Control regarding cleanup of the site, which closed in 1995. Until that time, Aerojet had manufactured and tested munitions and chemical weapons at the 800-acre site.

Tests of soil and water samples from the surrounding area found low levels of some contaminants, including perchlorate, a rocket-fuel component that can interfere with thyroid functioning.

Depleted uranium was also found, though according to the World Health Organization, the risks to the general public from exposure to low levels of DU are slight.

Cleanup of the site has been ongoing since 2000.

The questionnaire, accompanied by a four-page fact sheet, will be mailed to residents later this week, Murphy said.

Chino Hills officials reviewed the information before it was finalized, although the city is not involved yet in the community education plan.

"It's all governed by DTSC," said city spokeswoman Valerie McClung.

The questionnaire asks respondents if they feel "adequately informed" about the cleanup efforts, and requests their "overall impression" of the Aerojet site.

Murphy said there was no timeline yet for when the "community education plan" would actually be in place. After the questionnaires are collected, he said, the firm will again hold meetings to ask people what they want to know.

For Councilwoman Gwenn Norton-Perry, the plan is taking far too long.

"It's something they should have done beginning day one when it closed, when they began cleanup efforts," she said.

The city's main concern, though, is that the site is cleaned up sufficiently, she said.

"We continue to request that DTSC hold Aerojet's feet to the fire, so to speak, and ensure that ample remediation and sampling has been done," she said. "I don't believe that that site will ever be clean."

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Inland Valley Daily Bulletin

Supes, senators' staffs delay basin meeting

By Guy McCarthy

Staff Writer

Sunday, August 21, 2005 - Questions about San Bernardino County flood control continue to haunt local, state and federal officials, while two county supervisors prepare to meet with congressional staff members to discuss public-safety concerns related to the area below Deer Canyon in Rancho Cucamonga.

All five county supervisors said last week that they joined the senators in their call on the U.S. Army Corps of Engineers to evaluate the full range of possible threats to public safety below the Deer Canyon debris basin and recommend what remedial action to take.

"Any time we are notified of unsafe circumstances, we are immediately accountable for doing something about it," said 5th District Supervisor Josie Gonzales.

Second District Supervisor Paul Biane and 1st District Supervisor Bill Postmus were expected to fly to Washington today to confer with the staffs of Sens. Barbara Boxer and Dianne Feinstein on Capitol Hill, however the trip was delayed and is being rescheduled.

Critics of the Corps say asking the agency to again critique its own work is pointless. The Corps, which designed and built the basin, has not acted on a \$250,000 state study completed in 2002.

In Washington, staff members of the Corps' commanding general, Carl A. Strock, did not respond to messages seeking comment.

"It's ridiculous to ask the Corps about this again," said Massoud Rezakhani, a hydrology specialist who examined flood-hazard mapping below Deer Canyon for a Federal Emergency Management Agency contractor in 2000.

"Let's get serious," Rezakhani said. "Why not ask the National Academy of Sciences to look at what the Corps has done?"

At issue is the size of the Deer Canyon basin and whether it can protect neighborhoods of homes, schools and businesses, including Ontario International Airport, from a 100-year flood.

The Christmas 2003 storm that killed 16 people in areas unprotected by flood control was estimated to be a five-year to 10-year event by county hydrologist Michael Fox. Individual storms last rain season did not exceed 25-year magnitude or intensity, meteorologists said earlier this year.

Corps officials in Los Angeles have said the basin is slightly undersized, while scientists representing the state, homeowners and the airport found the capacity posed a threat to lives and property downstream.

The county acknowledged in 2004 that the basin was undersized when it sought a hazard-mitigation grant of \$330,000 to enlarge the structure.

Rezakhani is not alone in contending the Corps' review of its own work constitutes a conflict of interest. Shortly after the state completed its 2002 study of the basin, Robert Johnson, of Los Angeles World Airports, owners of Ontario International Airport, wrote to State Resources Secretary Mary Nichols.

"We are concerned that the agency responsible for the initial design (the Corps) is apparently the same agency continuing to lead the rebuttal of a growing body of contrary opinion," Johnson said. "This strikes us as an obvious conflict."

Airport officials and other scientists are frustrated that an independent study was never conducted.

In July 2000, Feinstein and Boxer wrote to U.S. Comptroller General David M. Walker requesting a comprehensive investigation and review of the design, construction and maintenance of the Deer Canyon basin.

A spokesman for Walker at the Government Accountability Office in Washington said Friday that the senators withdrew their request later that year. Senatorial staff members were unable to explain Friday why the request was withdrawn.

The county is appraising 1,137 acres below Deer Canyon for a possible settlement with Upland developers Colonies Partners LP. Biane has met with Colonies principal Jeffrey Burum and says climbing real estate values mean the land could be worth more than \$100million.

Douglas Hamilton, a consulting engineer with Exponent Failure Analysis of Irvine, worked for a homeowners association in the area for a year and continued studying Deer Canyon on his own. He has worked for the county in the past and accurately predicted debris flows in north San Bernardino after the 1997 Hemlock fire.

Hamilton concluded in 2000 that "at best, the debris basin will only provide a 20-year level of protection. It's about a third the size it needs to be."

"There's consensus between the state, the county and the other parties that a fix needs to be done," Hamilton said Friday. "I think the county and the city of Rancho Cucamonga are both knowledgeable enough to spearhead this.

"Most parties agreed with my study," Hamilton said. "They need to fix this."

Biane, a former Rancho Cucamonga councilman, has estimated a suitable basin fix will cost "in the neighborhood of \$500,000." Hamilton said cost estimates from a 2003 Santa Ana Watershed Project Authority study group ranged from \$2.5 million to \$5 million to adequately enlarge the basin.

Inland Valley Daily Bulletin

Water company problems spur interest in spots

By L.C. Greene

Staff Writer

Monday, August 15, 2005 - MIRA LOMA - The water company's recent plague of mechanical and logistical glitches appears to have prompted a heightened interest in running for public office.

Nine candidates, including two incumbents, will vie in the November election for the three seats on the Jurupa Community Services District board of directors.

The utility serves customers in Mira Loma, Eastvale, Glen Avon and Pedley.

The services district declared a water emergency in early July when two high-volume well pumps broke down while the company's water treatment plant was offline for repairs.

With water quantity and quality suddenly in question, the district imposed emergency conservation measures.

Controversy erupted when the utility experienced difficulties circulating an emergency water notice advising parents not to give tap water to infants.

While longtime board member Curtis Hummel has decided not to run again, incumbents Jack Smith and Ken McLaughlin are fighting to retain their seats.

Utility operations are immensely complicated, and his four years on the board should count for a lot, Smith said.

McLaughlin is also completing his first elected term after being appointed to fill a board vacancy in 2000.

Craig Maxwell, 52, of Mira Loma, is a civil engineer with more than 30 years' experience in public works, including the building of water plants.

Regarding the district's recent problems, "You need long-term planning to keep those things from happening," he said.

Eastvale resident Kathryn Bogart said she brings business expertise as a business manager for SBC Communications.

"The JCSD is a business and needs to be run more efficiently," she said.

Allen Wallace, also from Eastvale, is a 33-year-old mortgage company project manager. The district's recent troubles involving water pumps and communications represent only a part of the company's problems, and many issues need addressing, he said.

"The first thing that needs to happen is to get their house in order," Wallace said.

Longtime local government critic R.M. Cook Barela of Indian Hills has also thrown his hat in the ring.

Barela, 56, said he would advocate stopping all development in booming Eastvale until the utility could demonstrate it had sufficient water.

"There is no water," he said.

Also on the ballot are Edward Southerland, 76, a retired government worker from Pedley; Arthur Nelon, 61, a retired business executive, also from Pedley; and Alice Beard, a 54-year-old Indian Hills social worker.

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Inland Valley Daily Bulletin

Wise water usage focus of council woman

By L. ALEXIS YOUNG

STAFF WRITER

Thursday, August 18, 2005 - When a position opened up for a general manager at the Chino Basin Water Conservation District, a longtime councilwoman saw it as a chance to get her hands wet and make a difference.

Though her resume includes more politics than plant life, Eunice Ulloa, former Chino mayor, said her background in the political arena will assist her as she attempts to educate the public on wise water usage, and encourage people to use plants that are water friendly.

"In the involvement with the city you have to look at the infrastructure of everything that impacts the city and one of the things always on our minds is water," said Ulloa, who was re-elected to the Chino City Council in June. "So when this opportunity came I thought 'this is something that I could do.'

"Because of my background in politics I have witnessed the costs that cities pay for landscaping so I want to educate the city on ways to cut down on maintenance costs and use things that don't have to be mowed every week," Ulloa said about the lush landscapes that many cities opt for.

The board of directors at the water district are confident that Ulloa will make a smooth transition from her 20 years in politics to leader of the district that serves Montclair, Ontario, Chino and Chino Hills, Upland and Rancho Cucamonga. Ulloa began working in her new position on Aug. 1 and the directors say she is a welcome addition.

"Eunice brings to the district a wealth of experience and background in political affairs both local and regional, and her dedication to ensure a reliable sustainable water supply for the region," said director Gil Aldaco.

"We welcome her enthusiasm and motivation to further the district's water conservation and educational goals and objectives."

Ulloa will be responsible for the management and overall supervision of the activities and operations at the district, as well as the planning and direction. After only one week on the job, Ulloa had already set goals and secured partnerships with other agencies.

"One of my goals for the district is for us to set the example," Ulloa explained. "All of the landscaping here uses drought resistant or water use friendly plants, and we have a garden that shows people what they can do at home to help use water more efficiently. We are partnering with the Inland Empire Utilities Agency for their Garden in Every School program, and we're hoping to do partnerships with the colleges in the future and work with their horticulture departments."

Board member Jeff Vanden Heuvel said Ulloa's passion for water conservation efforts will aid the

district in creating a water-wise community.

"As a recent Public Policy Institute study shows, the rapid population growth in the Inland Empire will require a substantial and focused effort to use water more efficiently," Vanden Heuvel said. "Ms. Ulloa is ideally qualified to help the district tackle this challenge."

- L. Alexis Young can be reached by e-mail at alexis.young@dailybulletin.com or by phone at (909)483-9365.

San Bernardino County Sun

Basin Study

Safety foremost concern with Deer Canyon Sens.

Monday, August 22, 2005 - *Boxer and Feinstein should be demanding action not yet another study.*

Observing that public safety issues regarding county flood control have not been resolved, California's two U.S. senators, Dianne Feinstein and Barbara Boxer, have asked the U.S. Army Corps of Engineers to study the issue.

But it's a study that's already been done. And it cost taxpayers \$250,000.

Four years ago, the senators asked the state Department of Water Resources to determine whether the Deer Canyon Debris Basin in Rancho Cucamonga was built to withstand a 100-year storm.

The study found the basin, intended to protect homes, schools and businesses in the floodplains below, was too small to guarantee protection.

Thus, Boxer and Feinstein recommended that the Army Corps and the county flood control district enlarge the basin.

Four years later, that has not been done.

In frustration, the senators have asked the Army Corps, which built the basin, to vouch for its safety. But the Corps' own engineer Joseph Evelyn has said the basin offers a "fairly high level" of protection, though it's up to the county and the public to decide if that's acceptable.

Since the county doesn't appear willing or able to make that assessment, we'll make the call. And why the senators are asking the Army Corps to police itself on a project it signed off on is beyond us.

Rather than commission yet another study, at taxpayer expense, the senators need to demand that county officials read the first study, and make decisions affecting development and public safety accordingly.

The problem is, the supervisors are appraising land below the canyon for use in a possible legal settlement with the Colonies developers in Upland. It is acreage that most probably will be used for yet more homes.

Considering that the debris basin already has been deemed too small, and nothing has been done to address the situation, it would be entirely reckless to approve the land, as is, for additional development.

Then again, existing properties, including Ontario International Airport, already conceivably lie in the path of a worst-case storm without adequate flood control.

Instead of ordering up a new study, the senators should investigate why nothing has been done to address the original study's findings. And why supervisors have left existing property owners at risk by not demanding changes be made.

Public-safety warnings have gone unheeded for the sake of development revenue.

Though the Deer Canyon basin has not failed, it has not been truly tested either in a storm of 100-year, or even 50-year intensity.

With homes and property conceivably in harm's way, the basin must be brought up to capacity. It is a public-safety issue that can no longer be ignored.

Inland Valley Daily Bulletin

Conservation measures remain

Water board wants all problems fixed before lifting all of its restrictions

By L.C. Greene

Staff Writer

Monday, August 22, 2005 - MIRA LOMA - Water conservation measures affecting residents and home builders in northwest Riverside County will continue until a water treatment plant is functioning and running reliably, a utility manager said Monday.

The long-troubled treatment plant could be operational by the first week of September, after which the utility's board of directors is expected to vote on lifting restrictions, said Carole McGreevy, general manager for the Jurupa Community Services District.

"The board feels that once the plant is up and running and running efficiently, they can lift the Stage 1 alert," McGreevy said.

That alert, in place since early July when two well pumps broke down, imposes a ban on all water used for home construction and a voluntary 50 percent cutback for residential water use.

With water supplies plentiful, district administrators had considered asking the utility's board to end the restrictions Monday, district operations manager Charlie Smith said last week.

However, board members have opted to wait until all its equipment is operational, McGreevy said.

The troubles with the treatment plant date back to June 2004, when the facility was first placed in operation.

For the first 30 days, the treatment plant performed as designed. But then, portions of the facility began to come apart because of poor workmanship, Smith said.

The plant was taken off line in October of last year to correct problems and was expected to be up and running by June.

However, after the plant was disinfected, bacterial tests came back positive. Engineers were forced to repeat the cleaning process.

When the two water wells broke down in July, and with the treatment plant off line, the district was forced to impose the Stage 1 alert and conservation measures July 8.

The district purchased water from neighboring water systems to maintain adequate supplies.

The utility provides water to residents and businesses in the western Jurupa Valley, including Mira Loma, Eastvale, Glen Avon and Pedley.

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