



CHINO BASIN WATERMASTER



NOTICE OF MEETINGS

Thursday, February 14, 2008

10:00 a.m. – Joint Appropriative and Non-Agricultural Pool Meeting

AT THE CHINO BASIN WATERMASTER OFFICES

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

Tuesday, February 19, 2008

9:00 a.m. – Agricultural Pool Meeting

AT THE INLAND EMPIRE UTILITIES AGENCY OFFICES

6075 Kimball Ave. Bldg. A Board Room
Chino, CA 91710
(909) 993-1600



CHINO BASIN WATERMASTER

Thursday, February 14, 2008

10:00 a.m. – Joint Appropriative & Non-Ag Pool Meeting

Tuesday, February 19, 2008

9:00 a.m. – Agricultural Pool Meeting

AGENDA PACKAGE



CHINO BASIN WATERMASTER
JOINT APPROPRIATIVE & NON-AGRICULTURAL POOL MEETING

10:00 a.m. – February 14, 2008

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 Annual Non-Agricultural Pool Election Meeting held January 10, 2008
(Page 1)
2. Minutes of the Joint Annual Appropriative and Non-Agricultural Pool Meeting held January 10, 2008 (Page 3)

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of January 2008 (Page 15)
2. Watermaster Visa Check Detail (Page 19)
3. Combining Schedule for the Period July 1, 2007 through December 31, 2007 (Page 21)
4. Treasurer's Report of Financial Affairs for the Period December 1, 2007 through December 31, 2007 (Page 23)
5. Budget vs. Actual July 2007 through December 2007 (Page 25)

II. BUSINESS ITEMS

A. BUDGET AMENDMENT, BUDGET TRANSFER, AND PURCHASING POLICIES

Consider Approval for the Budget Amendment and Budget Transfer, and Purchasing Policies (Page 27)

B. CAROLLO ENGINEERS CONTRACT

Consider Approval for the Extension to the Contract with Corollo Engineers for Gary Meyerhofer's Services and Budget Amendment (Page 37)

C. WILDERMUTH ENVIRONMENTAL INC. CONTRACT

Consider Approval for the Contract between Chino Basin Watermaster and Wildermuth Environmental Inc. (Page 43)

D. BUDGET AMENDMENT/TRANSFER ACTION ITEMS

Consider Approval for the Proposed Budget Transfer Request (Page 63)

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Temporary Urgency Application to SWRCB Regarding Santa Ana River from San Bernardino Valley Municipal Water District and Western Municipal Water District
2. Chino Basin Water Supply Assessment Committee

B. ENGINEERING UPDATES

1. Regional Board Letter
2. Monitoring Status to Date
3. March 1, 2008 Conditions Subsequent

C. FINANCIAL REPORT

1. Financial Updates

D. CEO/STAFF REPORT

1. Legislative Update
2. Recharge Update
3. Semi-Annual Status Report (*Page 67*)
4. Personnel Committee Update
5. Prop 218 Opinion

IV. INFORMATION

1. Newspaper Articles (*Page 73*)

V. POOL MEMBER COMMENTS

VI. OTHER BUSINESS

VII. FUTURE MEETINGS

February 12, 2008	9:00 a.m.	Water Quality Committee Meeting
February 14, 2008	8:00 a.m.	MZ1 Technical Committee Meeting
February 14, 2008	10:00 a.m.	Joint Appropriative & Non-Agricultural Pool Meeting
February 19, 2008	9:00 a.m.	Agricultural Pool Meeting @ IEUA
February 28, 2007	9:00 a.m.	Advisory Committee Meeting
February 28, 2007	11:00 a.m.	Watermaster Board Meeting

Meeting Adjourn

**CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING
9:00 a.m. – February 19, 2008
At The Offices Of
Inland Empire Utilities Agency
6075 Kimball Ave., Bldg. A, Board Room
Chino, CA 91710**

AGENDA

CALL TO ORDER

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Consider Approval for the Budget Amendment and Budget Transfer, and Purchasing Policies *(Page 27)*

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Consider Approval for the Contract between Chino Basin Watermaster and Wildermuth Environmental Inc. *(Page 43)*

D. BUDGET TRANSFER REQUEST

Consider Approval for the Proposed Budget Transfer Request *(Page 63)*

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1. Regional Board Letter
2. Monitoring Status to Date
3. March 1, 2008 Conditions Subsequent

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1. Financial Updates

D. CEO/STAFF REPORT

1. Legislative Update
2. Recharge Update
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February 28, 2007	9:00 a.m.	Advisory Committee Meeting
February 28, 2007	11:00 a.m.	Watermaster Board Meeting

Meeting Adjourn



CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

A. MINUTES

1. Annual Non-Agricultural Pool Election Meeting – January 10, 2008
2. Joint Annual Appropriative & Non-Agricultural Pool Meeting – January 10, 2008



C. Calendar-Year 2008 Advisory Committee Officers

Based on the rotation sequence established among the pools, the members of the Non-Agricultural Pool will be asked to appoint a designated representative, Chair of the Advisory Committee during Calendar-Year 2008. If the appointed representative is unable to attend an Advisory Committee meeting, a remaining pool officer may serve as his/her alternate.

Non-Agricultural Pool Representatives: Member: Bob Bowcock Alternate: Kevin Sage

It was noted by the Non-Agricultural Pool members that they would like to nominate Bob Bowcock as chairman with Kevin Sage as his alternate; however, they would pass as chairman of the Advisory Committee with the nomination of Robert DeLoach, Cucamonga Valley Water District as the chair for the 2008 Advisory Committee. A discussion ensued with regard to this and it was noted the Advisory Committee will be notified of the suggestion by the Non-Agricultural Pool members.

D. Calendar-Year 2008 Pool Representation on Watermaster Board

The Pool members will be asked to select one representative to serve on the Watermaster Board during Calendar-Year 2008 and one alternate representative.

Member: Bob Bowcock Alternate: Kevin Sage

The Non-Agricultural Pool election meeting was dismissed by Chair Sage at 9:35 a.m.

Secretary: _____

Minutes Approved: _____

Draft Minutes
CHINO BASIN WATERMASTER
ANNUAL APPROPRIATIVE POOL ELECTION MEETING
AND
JOINT ANNUAL APPROPRIATIVE & NON-AGRICULTURAL POOL MEETING
January 10, 2008

The Annual Appropriative Pool election meeting and the Joint Annual Appropriative and Non-Agricultural Pool Meeting were held at the offices of Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on January 10, 2008 at 10:00 a.m.

APPROPRIATIVE POOL MEMBERS PRESENT

Rosemary Hoerning, 2008 Chair	City of Upland
Raul Garibay, 2007 Chair	City of Pomona
Robert DeLoach	Cucamonga Valley Water District
Mike McGraw	Fontana Water Company
Robert Young	Fontana Union Water Company
Mark Kinsey	Monte Vista Water District
Charles Moorrees	San Antonio Water Company
Ken Jeske	City of Ontario
Dave Crosley	City of Chino
Rich Atwater	Inland Empire Utilities Agency
Robert Tock	Jurupa Community Services District
J. Arnold Rodriguez	Santa Ana River Water Company

NON-AGRICULTURAL POOL MEMBERS PRESENT

Kevin Sage	Vulcan Materials Company (Calmat Division)
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Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Sheri Rojo	CFO/Asst. General Manager
Gordon Trewcek	Project Engineer
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Michael Fife	Brownstein, Hyatt, Farber & Schreck
Mark Wildermuth	Wildermuth Environmental Inc.
Joe LeClaire	Wildermuth Environmental Inc.

Others Present

David DeJesus	Three Valleys Municipal Water District
Sandra Rose	Monte Vista Water District
Marty Zvirbulis	Cucamonga Valley Water District

Chair Garibay called the Annual Appropriative Pool election meeting and the Joint Annual Appropriative and Non-Agricultural Pool Meeting to order at 10:00 a.m.

AGENDA - ADDITIONS/REORDER

No additions or reorders were made to the agenda.

Resolution 08-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)

E. LEVYING REPLENISHMENT & ADMINISTRATIVE ASSESSMENTS

Resolution 08-03– Resolution of the Chino Basin Watermaster Levying Replenishment and Administrative Assessments for Fiscal Year 2007-2008

F. NOTICE OF INTENT

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

*Motion by DeLoach, second by McGraw, and by unanimous vote – Non-Ag concurred
Moved to approve Consent Calendar Items A, B, and D through F, as presented*

Mr. DeLoach noted he wanted to pull item C for discussion and separate motion. Mr. DeLoach stated a copy of the actual policy was not in the package and wanted to know if the policy was periodically reviewed by an investment advisory or auditor to make sure it is still in compliance with any needed changes. Ms. Rojo stated every year Watermaster is audited and the auditors review the investment policy.

*Motion by DeLoach, second by Jeske, and by unanimous vote – Non-Ag concurred
Moved to approve Consent Calendar Item C, as presented*

III. BUSINESS ITEMS

A. IEUA CONTRACT FOR TECHNICAL SERVICES FOR DRY YEAR YIELD

Mr. Manning stated this item pertains to a contract between Chino Basin Watermaster and Inland Empire Utilities Agency (IEUA) for technical services to provide the services of Wildermuth Environmental Inc. for the purposes of working on the Dry Year Yield (DYY) study. Mr. Manning stated originally this contract was going to come under the contract with Black & Veatch. However, Watermaster is working on developing a new contract with Wildermuth Environmental for Watermaster that will have some language regarding Wildermuth's relationships with other parties within the basin in order to protect Watermaster and give Wildermuth permission to give unbiased opinions to other parties. This contract as it is presented today, will allow that to occur. IEUA has taken this contract before their board and it was approved. Staff is asking for approval for this contract and to move it through the Watermaster process. Chair Hoerning inquired about the funding for this contract and Mr. Manning stated all funding is through the Metropolitan Water District's 1.5 Million DYY Study. Mr. Crosley inquired as to the handling of the amount of this contract within the Watermaster budget. Mr. Manning stated this is not in the Watermaster budget. Ms. Rojo noted she will cover this question in more detail under the financial reporting section. A discussion ensued with regard to this item and how the motion should be constructed to allow the receipt of revenue and the expenditure to Wildermuth Environmental.

*Motion by Jeske, second by DeLoach, and by unanimous vote – Non-Ag concurred
Moved to approve the contract for services for Dry Year Yield and to amend the 2007/2008 Watermaster budget for receipt of revenue from Inland Empire Utilities Agency and the expenditure of a similar amount for services by Wildermuth Environmental, Inc., as presented*

IV. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Peace II Order

Counsel Fife stated a copy of the Peace II order from the court is now available. A special Board meeting was held on December 31, 2007 to discuss the order and to address whether there were any necessary revisions that needed to be made to the Assessment Package. The order does grant Watermaster's motion with conditions subsequent.

Because of the order there was no need to revise the Assessment Package. Counsel Fife stated this is a conditional order and there are further things that must be done going forward. There is a schedule for further items that need to be submitted to the court. The first set of those are due shortly. The court is seeking an explanation of the Non-Agricultural Pool judgment amendments which was answered in the reply brief to the court; the actual submission to that request will look similar to the reply brief. A corrected initial schedule is also being asked for by the court with regard to the 400,000 acre-feet of forgiveness water. Counsel Fife stated a draft of those submissions will go to the Advisory Committee and the Watermaster Board later this month with the goal of complying with that submission by February 1, 2008. A discussion regarding Pool review ensued. It was decided a special Appropriative and Non-Agricultural Pool meeting will take place 10 or 15 minutes prior to the Advisory Committee meeting on January 24, 2008 to review the draft pleading. Chair Hoerning inquired about a project schedule being released for the parties to review. Mr. Manning stated a matrix for projects was just prepared and sent to legal counsel for review and will be made available after any changes are made. Mr. Manning noted this matrix is a two year projection schedule for projects.

2. Hanson Aggregates

Counsel Fife stated this is the item involves the incident over the Lower Day basin damages. A law suit is on file now but it has not been officially served in order to give counsel time to work with them. Hanson Aggregates has asked if staff and counsel could participate in non-binding mediation to try and resolve this matter. Counsel Fife stated that they are interested in reaching a resolution. A discussion regarding this matter ensued.

B. ENGINEERING UPDATES

Mr. Wildermuth stated Wildermuth Environmental is continuing its work on monitoring and programmatic reporting for Hydraulic Control regarding Watermaster activities. Mr. Wildermuth stated his office has prepared, in conjunction with Mr. Manning's matrix, a summary/table which describes four of the technical deliverables that are required within the next 12 months which are in compliance to the conditions subsequent. The new technical report is the most pressing deliverable from a time perspective; that report is due March 1, 2008. Mr. Wildermuth handed out a table which described the four deliverables in greater detail and he reviewed the handout.

C. FINANCIAL REPORT

1. Budget Update

Ms. Rojo passed out an accompanying handout to go with the slide presentation on the update on engineering tasks comparison of budget to actual and estimated cost at completion for fiscal year 2007/2008. Ms. Rojo stated this is the time of year that Watermaster and several other parties are starting to prepare their new budget. The budget process takes several months from start to finish and begins with working with Wildermuth staff. Ms. Rojo referenced a chart which was prepared by Wildermuth Environmental and reviewed the budget categories in detail. Ms. Rojo discussed the program elements and how they apply to each category to come up with a budget number. The chart for the summary page was reviewed in detail. Mr. Jeske commented about paying some of the over budget bills regarding the special referee and her technical assistant and a discussion ensued with regard to this matter. A discussion ensued with regard to this matter. Ms. Hoerning inquired as to how staff establishes a budget in the first place for those items. Mr. Manning stated a number of factors are taken into consideration such as what work is expected to take place in the upcoming year as well as any other upcoming issues. Discussions with vendors as to estimated costs is a start, however, the overages that we are seeing now are for things that were not anticipated, including requirements for additional work over and above what was anticipated at the time the last budget was created.

2. Draft Policy for Capital and O&M for Recharge Facilities
It was noted this item will be placed on a future agenda.

D. CEO/STAFF REPORT

1. Legislative Update

Mr. Manning stated because of this is a presidential election year Washington's normal events have pretty much come to a halt. Mr. Manning stated the ACWA Conference is coming up in February which is always interesting but with it being a presidential election year the conference will be especially interesting. At the state level the governor's budget is prepared and is almost ready to be given to the legislature and in the governor's recent speech he did talk a lot about water. Some of his speech talked about a possible reduction in staff which was confusing because most of the field agencies are running without field positions filled and it does not appear there would be much savings in doing that. Mr. Manning stated he will be going to meeting later this month that will be discussing bond measures and he will keep the parties up to date on what is going on.

2. Recharge Update

Mr. Treweek stated there is an updated supplemental and storm water recharge handout now available which summarizes the first six months of recharge. 4,000 acre-feet of recharge has been captured which is not a large number. Staff has calculated the storm in January and it appears approximately 2,000 acre-feet of storm water was captured then which is a very good number. Mr. Treweek stated he feels this high number of storm water capture is due to all the improvements made to the basins over the summer and our reactions to storms when they come in.

3. Wildermuth Contract

Mr. Manning stated Watermaster staff is working with Wildermuth staff to put together a draft contract; a copy of the first draft is now available. This will allow staff to be able to have in a formal contract for the work that is done with Wildermuth Environmental. Mr. Manning noted one of the biggest changes that will be taking place will be management of projects by task number and managing by task order that will allow staff to have greater management control over those; that will be built into this contract. The language that is still not in this draft and is being worked on is the language for working with parties within the basin and how that would be handled. All parties should have access to the expertise that Wildermuth has; however, it needs to be done in such a way that protects his unbiased opinion. A brief discussion ensued with regard to this contract and it was noted the parties want to see an attachment added to the contract with Wildermuth's billing rates and so forth.

V. INFORMATION

1. Newspaper Articles

No comment was made regarding this item.

VI. POOL MEMBER COMMENTS

Mr. Garibay thanked all the parties present for allowing him to chair this committee last year; he enjoyed the experience tremendously.

VII. OTHER BUSINESS

Mr. Manning noted an MZ1 Technical Committee meeting has now been scheduled for February 14, 2008 from 8:00 to 10:00 a.m.

Mr. Manning stated Mr. DeLoach has given notice that he no longer can chair the Water Quality Committee and for now Mr. Manning will stand in as chair until another party member takes over. A Water Quality meeting will be scheduled early to mid February.

VIII. FUTURE MEETINGS

January 10, 2008	9:30 a.m.	Annual Non-Agricultural Pool Elections
January 10, 2008	10:00 a.m.	Annual Appropriative Pool Elections
January 10, 2008	10:15 a.m.	Annual Joint Appropriative & Non-Agricultural Pool Meeting
January 15, 2008	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
January 23, 2007	9:00 a.m.	GRCC Meeting
January 24, 2007	9:00 a.m.	Annual Advisory Committee Meeting
January 24, 2007	11:00 a.m.	Annual Watermaster Board Meeting

The annual Appropriative Pool election and joint annual Appropriative and Non-Agricultural Pool meeting was dismissed by Chair Hoerning at 11:00 a.m.

Secretary: _____

Minutes Approved: _____



CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

A. MINUTES

1. Annual Agricultural Pool Meeting – January 15, 2008



Draft Minutes
CHINO BASIN WATERMASTER
ANNUAL AGRICULTURAL POOL MEETING

January 15, 2008

The Annual Agricultural Pool Meeting was held at the offices of the Inland Empire Utilities Agency, 6075 Kimball Avenue, Chino, CA, on January 15, 2008 at 9:00 a.m.

Agricultural Pool Members Present

Bob Feenstra, Chair	Dairy
Nathan deBoom	Dairy
Jeff Pierson	Crops
Glen Durrington	Crops
John Huitsing	Dairy
Pete Hettinga	Dairy
Rob Vanden Heuvel	Milk Producers Council
Pete Hall	State of California CIM
Nate Mackamul	State of California CIW

Watermaster Board Members Present

Paul Hofer	Crops
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Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Sheri Rojo	CFO/Asst. General Manager
Gordon Treweek	Project Engineer
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Michael Fife	Brownstein, Hyatt, Farber & Schreck
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Others Present

Steven Lee	Reid & Hellyer
Rick Rees	Geomatrix for CIM
Jennifer Novak	State of California

Chair Feenstra called the Agricultural Pool meeting to order at 9:10 a.m.

AGENDA - ADDITIONS/REORDER

There were no additions or reorders made to the agenda.

I. ANNUAL ELECTIONS - ACTION

A. Calendar-Year 2008 Agricultural Pool Members

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

Current Agricultural Pool Members

Crops: Glen Durrington
Jeff Pierson

Dairy: Robert Feenstra

Current Alternates:

Crops: Dan Hostetler

Dairy: Syp Vander Dussen

	Gene Koopman		
	Peter Hettinga		
	Nathan deBoom		
	John Huitsing		
	Rob Vanden Heuvel		
State:	Pete Hall	State:	Jennifer Novak
	Edward Gonsman		Henry Provencher
	Nate Mackamul		Richard Alvarado

B. Calendar Year 2008 Agricultural Pool Officers

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

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

Mr. Manning noted the Non-Agricultural Pool passed on taking the Chair position for calendar year 2008 and the Non-Agricultural Pool members recommended that Robert DeLoach be nominated for the 2008 Advisory Committee Chair position. Mr. Manning stated Robert DeLoach won the vote for the Advisory Committee chair with Mark Kinsey as his alternate.

C. Calendar Year 2008 Advisory Committee Members & Officers

The pool members will be asked to determine the ten agricultural representatives to serve on the Advisory Committee and, according to the rotation sequence established among the pools, appoint a representative to serve as Chair of the Advisory Committee during calendar year 2008

Chair	Appropriative Pool	<u>Robert DeLoach</u>
Vice-Chair	Agricultural Pool	<u>Bob Feenstra</u>
2 nd Vice-Chair	Non-Agricultural	<u>Bob Bowcock</u>

D. Calendar-Year 2008 Pool Representation on Watermaster Board

The Pool members will be asked to select two representatives to serve on the Watermaster Board during Calendar-Year 2008 and one or two alternate representatives.

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

II. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Agricultural Pool Meeting held December 18, 2007

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of December 2007
2. Watermaster Visa Check Detail
3. Combining Schedule for the Period July 1, 2007 through November 30, 2007
4. Treasurer's Report of Financial Affairs for the Period November 1, 2007 through November 30, 2007
5. Budget vs. Actual July 2007 through November 2007

C. CHINO BASIN WATERMASTER INVESTMENT POLICY

Resolution 08-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, re-authorizing the Watermaster's Investment Policy

D. LOCAL AGENCY INVESTMENT FUND

Resolution 08-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)

E. LEVYING REPLENISHMENT & ADMINISTRATIVE ASSESSMENTS

Resolution 08-03– Resolution of the Chino Basin Watermaster Levying Replenishment and Administrative Assessments for Fiscal Year 2007-2008

F. NOTICE OF INTENT

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

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

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

III. BUSINESS ITEMS**A. IEUA CONTRACT FOR TECHNICAL SERVICES FOR DRY YEAR YIELD**

Mr. Manning stated this item pertains to a contract between Chino Basin Watermaster and Inland Empire Utilities Agency (IEUA) for technical services to provide the services of Wildermuth Environmental Inc. for the purposes of working on the Dry Year Yield (DYY) study. Mr. Manning stated originally this contract was going to come under the contract with Black & Veatch. However, Watermaster is working on developing a new contract with Wildermuth Environmental that will have some language regarding Wildermuth's relationships with other parties within the basin in order to protect Watermaster and give Wildermuth permission to give unbiased opinions to other parties. This contract, as it is presented today, will allow that to occur. IEUA has taken this contract before their board and it was approved. Staff is asking for approval for this contract and to move it through the Watermaster process; however, the motion is different than the request in the staff letter because of discussions that took place at the Appropriative and Non-Agricultural pool meeting. At that meeting a motion was formulated to include the receipt of revenue from IEUA and expenditure for a similar amount for services by Wildermuth Environmental. A discussion regarding this item ensued. Mr. Pierson inquired into the statements made on page 42 of the meeting packet regarding if the project does not proceed, Metropolitan Water District requires that the funds be returned. Mr. Manning stated IEUA will be responsible for returning the funds; Watermaster has no liability in this.

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

Moved to approve the contract for services for Dry Year Yield and to amend the 2007/2008 Watermaster budget for receipt of revenue from Inland Empire Utilities Agency and the Expenditure of a similar amount for services by Wildermuth Environmental, Inc., as presented

IV. REPORTS/UPDATES**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT****1. Peace II Order**

Counsel Fife stated a copy of the Peace II order from the court is now available. A special Board meeting was held on December 31, 2007 to discuss the order and to address whether there were any necessary revisions that needed to be made to the Assessment Package. The order does grant Watermaster's motion with conditions subsequent. Because of the order there was no need to revise the Assessment Package. Counsel Fife stated this is a conditional order and there are further things that must be done going forward. There is a schedule for further items that need to be submitted to the court. The first set of those submissions are due shortly. Counsel Fife referenced a matrix which was put together by Mr. Manning for the upcoming projects. Counsel Fife reviewed the matrix. The court is seeking an explanation of the Non-Agricultural Pool judgment amendments which was answered in the reply brief to the court; the actual submission to that request will look similar to the reply brief. A corrected initial schedule is also being asked for by the court with regard to the 400,000 acre-feet of forgiveness water. Counsel Fife stated a draft

of those submissions will go to the Advisory Committee and the Watermaster Board later this month with the goal of complying with that submission by February 1, 2008. Mr. Manning noted it was decided at the Appropriative and Non-Agricultural pool meeting last week that a special Appropriative and Non-Agricultural Pool meeting will take place 10 or 15 minutes prior to the Advisory Committee meeting on January 24, 2008 to review the draft pleading. A discussion regarding the need for attendance by the Agricultural Pool members at the pre-meeting next week to review the draft brief ensued. It was noted that the Agricultural Pool members felt the Advisory Committee can take care of this since issue since there are members from this pool on the Advisory Committee.

2. Hanson Aggregates

Counsel Fife stated this item involves the incident over the Lower Day basin damages. A law suit is on file now but it has not been officially served, in order to give counsel time to work with them. Hanson Aggregates has asked if staff and counsel could participate in non-binding mediation to try and resolve this matter. Counsel Fife stated their request shows they are interested in resolution. Counsel Fife stated discussions have taken place and a settlement is attempting to be made if the dollar amount is high enough to cover all costs and lost revenue.

B. ENGINEERING UPDATES

No comment was made regarding this item.

C. FINANCIAL REPORT

1. Budget Update

Ms. Rojo distributed a handout to go with the slide presentation on the update of engineering tasks / comparison of budget to actual and estimated cost at completion for fiscal year 2007/2008. Ms. Rojo stated this is the time that Watermaster starts to prepare their new fiscal year budget. Ms. Rojo discussed the program elements and how they apply to each category to come up with a budget number. A chart was reviewed which references certain accounts that are projected to come in over budget at the end of the fiscal year.

2. Draft Policy for Capital and O&M for Recharge Facilities

It was noted this item will be placed on a future agenda.

D. CEO/STAFF REPORT

1. Legislative Update

Mr. Manning stated because of this is a presidential election year Washington's normal events have pretty much come to a halt. Mr. Manning stated the ACWA Conference is coming up in February which is always interesting but with it being a presidential election year the conference will be especially interesting. At the state level the governor's budget is prepared and is almost ready to be given to the legislature and in the governor's recent speech he did talk a lot about water. Some of his speech talked about a possible reduction in staff which was confusing because most of the field agencies are running without field positions filled and it does not appear there would be much savings in doing that. Mr. Manning stated he will be going to meeting later this month that will be discussing bond measures and he will keep the parties up to date on what is going on.

2. Recharge Update

Mr. Treweek stated there is an updated supplemental and storm water recharge handout now available which summarizes the first six months of recharge. 4,000 acre-feet of recharge has been captured which is not a large number. Staff has calculated the storm in January and it appears approximately 2,000 acre-feet of storm water was captured then which is a very good number. Mr. Treweek stated he feels this high number of storm water capture is due to all the improvements made to the basins over the summer and our reactions to storms when they come in.

3. Wildermuth Contract

Mr. Manning stated Watermaster staff is working with Wildermuth staff to put together a draft contract; a copy of the first draft is now available. This will allow staff to be able to have in a formal contract for the work that is done with Wildermuth Environmental. Mr. Manning noted one of the biggest changes that will be taking place will be management of projects by task number and managing by task order that will allow staff to have greater management control over those; that will be built into this contract. The language that is still not in this draft and is being worked on is the language for working with parties within the basin and how that would be handled. All parties should have access to the expertise that Wildermuth has; however, it needs to be done in such a way that protects his unbiased opinion.

V. INFORMATION

1. Newspaper Articles

No comment was made regarding this item.

VI. POOL MEMBER COMMENTS

No comment was made regarding this item.

VII. OTHER BUSINESS

No comment was made regarding this item.

VIII. FUTURE MEETINGS

January 10, 2008	9:30 a.m.	Annual Non-Agricultural Pool Elections
January 10, 2008	10:00 a.m.	Annual Appropriative Pool Elections
January 10, 2008	10:15 a.m.	Annual Joint Appropriative & Non-Agricultural Pool Meeting
January 15, 2008	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
January 23, 2007	9:00 a.m.	GRCC Meeting
January 24, 2007	9:00 a.m.	Annual Advisory Committee Meeting
January 24, 2007	11:00 a.m.	Annual Watermaster Board Meeting

The annual Agricultural Pool election meeting was dismissed by Chair Feenstra at 10:20 a.m.

Secretary: _____

Minutes Approved: _____

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CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of January 2008
2. Watermaster Visa Check Detail
3. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2007 through December 31, 2007
4. Treasurer's Report of Financial Affairs for the Period December 1, 2007 through December 31, 2007
5. Profit & Loss Budget vs. Actual July 2007 through December 2007





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: February 14, 2008
February 19, 2008
February 28, 2008

TO: Committee Members
Watermaster Board Members

SUBJECT: Cash Disbursement Report – January 2008

SUMMARY

Issue – Record of cash disbursements for the month of January 2008.

Recommendation – Staff recommends the Cash Disbursements for January 2008 be received and filed as presented.

Fiscal Impact – Funds disbursed were included in the FY 2007-08 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 January 2008 were \$1,358,060.56. The most significant expenditures during the month were Inland Empire Utilities Agency in the amount of \$940,000.00, Wildermuth Environmental Inc. in the amount of \$99,725.24, Brownstein, Hyatt, Farber & Schreck in the amount of \$73,551.15, and Ellison, Schneider & Harris, LLP in the amount of \$35,672.25.

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CHINO BASIN WATERMASTER
Cash Disbursement Detail Report
January 2008

Type	Date	Num	Name	Amount
Jan 08				
General Journal	1/2/2008	08/01/3	PAYROLL	-8,245.28
General Journal	1/2/2008	08/01/3	PAYROLL	-23,814.27
Bill Pmt -Check	1/9/2008	11979	APPLIED COMPUTER TECHNOLOGIES	-3,066.10
Bill Pmt -Check	1/9/2008	11980	ARROWHEAD MOUNTAIN SPRING WATER	-25.85
Bill Pmt -Check	1/9/2008	11981	BLACK & VEATCH CORPORATION	-5,082.50
Bill Pmt -Check	1/9/2008	11982	BOWCOCK, ROBERT	-125.00
Bill Pmt -Check	1/9/2008	11983	BOWMAN, JIM	-250.00
Bill Pmt -Check	1/9/2008	11984	CITISTREET	-2,862.09
Bill Pmt -Check	1/9/2008	11985	COMPUTER NETWORK	-330.17
Bill Pmt -Check	1/9/2008	11986	DE BOOM, NATHAN	-375.00
Bill Pmt -Check	1/9/2008	11987	DIRECTV	-74.98
Bill Pmt -Check	1/9/2008	11988	DURRINGTON, GLEN	-375.00
Bill Pmt -Check	1/9/2008	11989	FEENSTRA, BOB	-500.00
Bill Pmt -Check	1/9/2008	11990	HETTINGA, PETER	-375.00
Bill Pmt -Check	1/9/2008	11991	HOSTETLER, DAN	-125.00
Bill Pmt -Check	1/9/2008	11992	HUITSING, JOHN	-375.00
Bill Pmt -Check	1/9/2008	11993	INLAND EMPIRE UTILITIES AGENCY	-127.31
Bill Pmt -Check	1/9/2008	11994	JAMES JOHNSTON	-900.00
Bill Pmt -Check	1/9/2008	11995	KONICA MINOLTA BUSINESS SOLUTIONS	-429.97
Bill Pmt -Check	1/9/2008	11996	KOOPMAN, GENE	-375.00
Bill Pmt -Check	1/9/2008	11997	KUHN, BOB	-250.00
Bill Pmt -Check	1/9/2008	11998	LOS ANGELES TIMES	-44.40
Bill Pmt -Check	1/9/2008	11999	MONTE VISTA WATER DIST	-375.00
Bill Pmt -Check	1/9/2008	12000	OFFICE DEPOT	-219.75
Bill Pmt -Check	1/9/2008	12001	PAYCHEX	-183.36
Bill Pmt -Check	1/9/2008	12002	PIERSON, JEFFREY	-875.00
Bill Pmt -Check	1/9/2008	12003	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	-7,000.71
Bill Pmt -Check	1/9/2008	12004	PURCHASE POWER	-416.94
Bill Pmt -Check	1/9/2008	12005	RAUCH COMMUNICATION CONSULTANTS, LLC	-742.50
Bill Pmt -Check	1/9/2008	12006	REID & HELLYER	-7,364.68
Bill Pmt -Check	1/9/2008	12007	SAFEGUARD DENTAL & VISION	-13.32
Bill Pmt -Check	1/9/2008	12008	SAFETY CLEAN JANITORIAL SERVICES	-454.00
Bill Pmt -Check	1/9/2008	12009	STANDARD INSURANCE CO.	-565.89
Bill Pmt -Check	1/9/2008	12010	STATE COMPENSATION INSURANCE FUND	-715.65
Bill Pmt -Check	1/9/2008	12011	THE STANDARD INSURANCE COMPANY	-156.56
Bill Pmt -Check	1/9/2008	12012	THREE VALLEYS MUNICIPAL WATER DIST	-30.00
Bill Pmt -Check	1/9/2008	12013	TLC STAFFING	-1,508.87
Bill Pmt -Check	1/9/2008	12014	VANDEN HEUVEL, GEOFFREY	-500.00
Bill Pmt -Check	1/9/2008	12015	VERIZON	-386.33
Bill Pmt -Check	1/9/2008	12016	VISION SERVICE PLAN	-36.11
Bill Pmt -Check	1/9/2008	12017	W.C. DISCOUNT MOBILE AUTO DETAILING	-125.00
Bill Pmt -Check	1/9/2008	12018	WESTERN DENTAL SERVICES, INC.	-23.25
Bill Pmt -Check	1/9/2008	12019	WHEELER METER MAINTENANCE	-300.00
Bill Pmt -Check	1/9/2008	12020	WILLIS, KENNETH	-250.00
Bill Pmt -Check	1/9/2008	12021	YUKON DISPOSAL SERVICE	-142.88
Bill Pmt -Check	1/9/2008	12022	INLAND EMPIRE UTILITIES AGENCY	-190,000.00
Bill Pmt -Check	1/9/2008	12023	INLAND EMPIRE UTILITIES AGENCY	-750,000.00
Bill Pmt -Check	1/9/2008	12024	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	-7,000.71
Bill Pmt -Check	1/9/2008	12025	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	-7,000.71
Bill Pmt -Check	1/9/2008	12026	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	-5,452.01
Bill Pmt -Check	1/9/2008	12027	CAROLLO ENGINEERS	-16,977.00
General Journal	1/12/2008	08/01/5	PAYROLL	-10,679.27
General Journal	1/12/2008	08/01/5	PAYROLL	-27,276.62
Bill Pmt -Check	1/14/2008	12028	ACWA SERVICES CORPORATION	-257.27
Bill Pmt -Check	1/14/2008	12029	CALIFORNIA PUBLIC EMPL RETIREMENT SYSTEM	-336.00
Bill Pmt -Check	1/14/2008	12030	INLAND EMPIRE UTILITIES AGENCY	-40.00
Bill Pmt -Check	1/14/2008	12031	PARK PLACE COMPUTER SOLUTIONS, INC.	-3,525.00
Bill Pmt -Check	1/14/2008	12032	PREMIERE GLOBAL SERVICES	-101.38
Bill Pmt -Check	1/14/2008	12033	RICOH BUSINESS SYSTEMS-Lease	-977.84
Bill Pmt -Check	1/14/2008	12034	SOUTHERN CALIFORNIA WATER COMMITTEE	-60.00
Bill Pmt -Check	1/14/2008	12035	THREE VALLEYS MUNICIPAL WATER DIST	-15.00
Bill Pmt -Check	1/14/2008	12036	UNITED PARCEL SERVICE	-528.31
Bill Pmt -Check	1/14/2008	12037	INLAND EMPIRE UTILITIES AGENCY	-10,000.00
Bill Pmt -Check	1/22/2008	12038	A & R TIRE	-71.54
Bill Pmt -Check	1/22/2008	12039	BANC OF AMERICA LEASING	-3,186.17
Bill Pmt -Check	1/22/2008	12040	CALIFORNIA PUBLIC EMPL RETIREMENT SYSTEM	-200.00
Bill Pmt -Check	1/22/2008	12041	COMPUTER NETWORK	-644.35
Bill Pmt -Check	1/22/2008	12042	CUCAMONGA VALLEY WATER DISTRICT	-5,495.00

CHINO BASIN WATERMASTER
Cash Disbursement Detail Report
January 2008

Type	Date	Num	Name	Amount
Bill Pmt -Check	1/22/2008	12043	ELLISON, SCHNEIDER & HARRIS, LLP	-35,672.25
Bill Pmt -Check	1/22/2008	12044	FIRST AMERICAN REAL ESTATE SOLUTIONS	-125.00
Bill Pmt -Check	1/22/2008	12045	MCI	-1,169.95
Bill Pmt -Check	1/22/2008	12046	PETTY CASH	-490.09
Bill Pmt -Check	1/22/2008	12047	PIERSON, JEFFREY	-125.00
Bill Pmt -Check	1/22/2008	12048	PITNEY BOWES CREDIT CORPORATION	-468.72
Bill Pmt -Check	1/22/2008	12049	PRE-PAID LEGAL SERVICES, INC.	-103.60
Bill Pmt -Check	1/22/2008	12050	PUMP CHECK	-1,587.50
Bill Pmt -Check	1/22/2008	12051	STAULA, MARY L	-136.61
Bill Pmt -Check	1/22/2008	12052	TLC STAFFING	-131.20
Bill Pmt -Check	1/22/2008	12053	UNION 76	-179.15
Bill Pmt -Check	1/22/2008	12054	VANDEN HEUVEL, GEOFFREY	-125.00
Bill Pmt -Check	1/22/2008	12055	VERIZON WIRELESS	-445.66
Bill Pmt -Check	1/22/2008	12056	BANK OF AMERICA	-1,698.36
Bill Pmt -Check	1/22/2008	12057	CUCAMONGA VALLEY WATER DISTRICT	-25.00
Bill Pmt -Check	1/24/2008	12058	BROWNSTEIN HYATT FARBER SCHRECK	0.00
Bill Pmt -Check	1/24/2008	12059	CALPERS	-3,243.09
Bill Pmt -Check	1/24/2008	12060	GEOTECHNICAL SERVICES	-37.72
Bill Pmt -Check	1/24/2008	12061	KONICA MINOLTA BUSINESS SOLUTIONS	-314.07
Bill Pmt -Check	1/24/2008	12062	OFFICE DEPOT	-169.53
Bill Pmt -Check	1/24/2008	12063	STANDARD INSURANCE CO.	-565.89
Bill Pmt -Check	1/24/2008	12064	THE FURMAN GROUP, INC.	-2,500.00
Bill Pmt -Check	1/24/2008	12065	VANDEN HEUVEL, ROB	-125.00
Bill Pmt -Check	1/24/2008	12066	WILDERMUTH ENVIRONMENTAL INC	-99,725.24
Bill Pmt -Check	1/24/2008	12067	BROWNSTEIN HYATT FARBER SCHRECK	-73,551.15
General Journal	1/26/2008	08/01/7	PAYROLL	-5,207.87
General Journal	1/26/2008	08/01/7	PAYROLL	-19,800.01
Jan 08				-1,358,060.56

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CHINO BASIN WATERMASTER
Check Detail
January 2008

Type	Num	Date	Name	Account	Paid Amount
Bill Pmt -Check	12056	1/22/2008	BANK OF AMERICA	1012 · Bank of America Gen'l Ckg	
Bill	4024420...	12/31/2007		6141.3 · Admin Meetings	-318.82
				6312 · Meeting Expenses	-174.96
				6212 · Meeting Expense	-174.96
				6024 · Building Repair & Maintenance	-65.02
				6191 · Conferences	-515.00
				6191 · Conferences	-449.60
TOTAL					-1,698.36

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CHINO BASIN WATERMASTER
 COMBINING SCHEDULE OF REVENUE, EXPENSES AND CHANGES IN WORKING CAPITAL
 FOR THE
 PERIOD JULY 1, 2007 THROUGH DECEMBER 31, 2007

	WATERMASTER ADMINISTRATION	OPTIMUM BASIN MANAGEMENT	POOL APPROPRIATIVE	POOL ADMINISTRATION AND SPECIAL PROJECTS AGRICULTURAL NON-AGRIC.	POOL REPLENISHMENT	GROUNDWATER OPERATIONS SB222	EDUCATION FUNDS	GRAND TOTALS	BUDGET 2007-2008
Administrative Revenues									
Administrative Assessments			5,139,446		61,606			5,201,052	\$7,540,370
Interest Revenue			86,118	12,090	2,469		40	100,717	181,500
Mutual Agency Project Revenue		41,667						41,667	145,500
Grant Income								-	0
Miscellaneous Income								-	0
Total Revenues	-	41,667	5,225,564	12,090	64,075	-	40	5,343,436	7,867,370
Administrative & Project Expenditures									
Watermaster Administration	242,606							242,606	627,797
Watermaster Board-Advisory Committee	31,610							31,610	60,645
Pool Administration			8,909	79,763	3,298			91,970	127,333
Optimum Basin Mgmt Administration		1,710,744						1,710,744	1,857,337
OBMP Project Costs		1,850,429						1,850,429	5,183,883
Education Funds Use							375	375	
Mutual Agency Project Costs								-	10,000
Total Administrative/OBMP Expenses	274,216	3,561,173	8,909	79,763	3,298		375	3,927,734	7,867,370
Net Administrative/OBMP Income	(274,216)	(3,519,506)						-	-
Allocate Net Admin Income To Pools			211,418	57,652	5,146			-	-
Allocate Net OBMP Income To Pools			2,713,504	739,955	66,047			-	-
Agricultural Expense Transfer			869,412	(869,412)				-	-
Total Expenses	3,803,242		7,959		74,491		375	3,927,734	7,867,370
Net Administrative Income	1,422,322		4,131	(10,416)			(335)	1,415,702	-
Other Income/(Expense)									
Replenishment Water Purchases								-	0
MZ1 Supplemental Water Assessments								-	0
Water Purchases								-	0
MZ1 Imported Water Purchase								-	0
Groundwater Replenishment						(2,328,727)		(2,328,727)	0
Net Other Income						(2,328,727)		(2,328,727)	0
Net Transfers To/(From) Reserves			1,422,322	4,131	(10,416)		(335)	(913,025)	-
Working Capital, July 1, 2007			4,222,727	475,604	156,552	294,397	1,655	5,309,186	
Working Capital, End Of Period			5,645,049	479,735	146,136	(2,034,330)	1,320	4,396,161	

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**CHINO BASIN WATERMASTER
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD
DECEMBER 1 THROUGH DECEMBER 31, 2007**

DEPOSITORIES:

Cash on Hand - Petty Cash	\$	500
Bank of America		
Governmental Checking-Demand Deposits	\$	124,262
Zero Balance Account - Payroll		-
Local Agency Investment Fund - Sacramento		3,748,401
		124,262
		3,748,401
TOTAL CASH IN BANKS AND ON HAND		12/31/2007
TOTAL CASH IN BANKS AND ON HAND		11/30/2007
	\$	3,873,163
		4,384,506
PERIOD INCREASE (DECREASE)	\$	(511,343)

CHANGE IN CASH POSITION DUE TO:

Decrease/(Increase) in Assets:		
Accounts Receivable		
Assessments Receivable	\$	(12,457)
Prepaid Expenses, Deposits & Other Current Assets		(20,885)
Accounts Payable		(187,050)
Accrued Payroll, Payroll Taxes & Other Current Liabilities		(760)
Transfer to/(from) Reserves		(290,191)
	\$	(511,343)

SUMMARY OF FINANCIAL TRANSACTIONS:

	Petty Cash	Gov'tl Checking Demand	Zero Balance Account Payroll	Local Agency Investment Funds	Totals
Balances as of 11/30/2007	\$ 500	\$ 129,735	\$ -	\$ 4,254,271	\$ 4,384,506
Deposits	-	-	-	44,130	44,130
Transfers	-	489,573	60,427	(550,000)	-
Withdrawals/Checks	-	(495,046)	(60,427)	-	(555,473)
Balances as of 12/31/2007	\$ 500	\$ 124,262	\$ -	\$ 3,748,401	\$ 3,873,163
PERIOD INCREASE OR (DECREASE)	\$ -	\$ (5,473)	\$ -	\$ (505,870)	\$ (511,343)

**CHINO BASIN WATERMASTER
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD
DECEMBER 1 THROUGH DECEMBER 31, 2007**

INVESTMENT TRANSACTIONS

Effective Date	Transaction	Depository	Activity	Redeemed	Days to Maturity	Interest Rate(*)	Maturity Yield
12/18/2007	Withdrawal	L.A.I.F.	\$ 550,000				
TOTAL INVESTMENT TRANSACTIONS			\$ 550,000	-			

* The earnings rate for L.A.I.F. is a daily variable rate; 4.96% was the effective yield rate at the Quarter ended December 31, 2007

**INVESTMENT STATUS
December 31, 2007**

Financial Institution	Principal Amount	Number of Days	Interest Rate	Maturity Date
Local Agency Investment Fund	\$ 3,748,401			
TOTAL INVESTMENTS	\$ 3,748,401			

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
Budget vs. Actual
July through December 2007

	<u>Jul - Dec 07</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4010 · Local Agency Subsidies	41,667	145,500	-103,833	28.64%
4100 · Administrative Assessments	5,201,052	0	5,201,052	100.0%
4110 · Admin Asmnts-Approp Pool	0	7,423,878	-7,423,878	0.0%
4120 · Admin Asmnts-Non-Agri Pool	0	116,492	-116,492	0.0%
4700 · Non Operating Revenues	100,716	181,500	-80,784	55.49%
Total Income	<u>5,343,435</u>	<u>7,867,370</u>	<u>-2,523,935</u>	<u>67.92%</u>
Gross Profit	5,343,435	7,867,370	-2,523,935	67.92%
Expense				
6010 · Salary Costs	244,691	477,247	-232,556	51.27%
6020 · Office Building Expense	48,074	101,580	-53,506	47.33%
6030 · Office Supplies & Equip.	14,636	46,500	-31,864	31.48%
6040 · Postage & Printing Costs	48,670	83,000	-34,330	58.64%
6050 · Information Services	75,448	132,000	-56,552	57.16%
6060 · Contract Services	39,608	117,500	-77,892	33.71%
6080 · Insurance	4,160	18,210	-14,050	22.85%
6110 · Dues and Subscriptions	12,734	16,750	-4,016	76.03%
6140 · WM Admin Expenses	1,177	4,650	-3,473	25.32%
6150 · Field Supplies	116	2,500	-2,384	4.63%
6170 · Travel & Transportation	7,131	25,000	-17,869	28.52%
6190 · Conferences & Seminars	9,272	22,500	-13,228	41.21%
6200 · Advisory Comm - WM Board	9,108	18,931	-9,823	48.11%
6300 · Watermaster Board Expenses	22,502	41,714	-19,212	53.94%
8300 · Appr PI-WM & Pool Admin	8,909	24,001	-15,092	37.12%
8400 · Agri Pool-WM & Pool Admin	10,074	24,004	-13,930	41.97%
8467 · Ag Legal & Techninical Services	61,730	60,000	1,730	102.88%
8470 · Ag Meeting Attend -Special	7,959	12,000	-4,041	66.33%
8500 · Non-Ag PI-WM & Pool Admin	3,298	7,328	-4,030	45.0%
6500 · Education Funds Use Expens	375	375		100.0%
9500 · Allocated G&A Expenditures	-263,111	-419,640	156,529	62.7%
	<u>366,560</u>	<u>816,150</u>	<u>-449,590</u>	<u>44.91%</u>
6900 · Optimum Basin Mgmt Plan	1,605,296	1,716,138	-110,842	93.54%
6950 · Mutual Agency Projects	0	10,000	-10,000	0.0%
9501 · G&A Expenses Allocated-OBMP	105,449	141,199	-35,750	74.68%
	<u>1,710,744</u>	<u>1,867,337</u>	<u>-156,593</u>	<u>91.61%</u>
7101 · Production Monitoring	47,963	116,709	-68,746	41.1%
7102 · In-line Meter Installation	6,628	37,791	-31,163	17.54%
7103 · Grdwtr Quality Monitoring	42,950	162,104	-119,154	26.5%
7104 · Gdwtr Level Monitoring	84,077	212,667	-128,590	39.53%
7105 · Sur Wtr Qual Monitoring	5,524	40,553	-35,029	13.62%
7107 · Ground Level Monitoring	101,281	425,465	-324,184	23.81%
7108 · Hydraulic Control Monitoring	88,725	369,232	-280,507	24.03%
7109 · Recharge & Well Monitoring Prog	16,363	182,827	-166,464	8.95%
7200 · PE2- Comp Recharge Pgm	421,883	1,255,827	-833,944	33.59%

CHINO BASIN WATERMASTER
Budget vs. Actual
July through December 2007

	<u>Jul - Dec 07</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
7300 · PE3&5-Water Supply/Desalite	72,831	159,509	-86,678	45.66%
7400 · PE4- Mgmt Plan	94,355	159,674	-65,319	59.09%
7500 · PE6&7-CoopEfforts/SaltMgmt	68,180	308,533	-240,353	22.1%
7600 · PE8&9-StorageMgmt/Conj Use	30,419	92,660	-62,241	32.83%
7690 · Recharge Improvement Debt Pymt	618,373	1,377,552	-759,179	44.89%
7700 · Inactive Well Protection Prgm	0	4,339	-4,339	0.0%
9502 · G&A Expenses Allocated-Projects	150,877	278,441	-127,564	54.19%
	<u>1,850,429</u>	<u>5,183,883</u>	<u>-3,333,454</u>	<u>35.7%</u>
Total Expense	<u>3,927,734</u>	<u>7,867,370</u>	<u>-3,939,637</u>	<u>49.92%</u>
Net Ordinary Income	1,415,702		1,415,702	100.0%
Other Income/Expense				
Other Expense				
5010 · Groundwater Replenishment	2,328,727			
9999 · To/(From) Reserves	-913,025			
Total Other Expense	<u>1,415,702</u>			
Net Other Income	<u>-1,415,702</u>			
Net Income	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>



CHINO BASIN WATERMASTER

II. BUSINESS ITEMS

A. BUDGET AMENDMENT, BUDGET TRANSFER, AND PURCHASING POLICIES





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: February 14, 2008
February 19, 2008
February 28, 2008

TO: Committee Members
Watermaster Board Members

SUBJECT: Proposed Budgeting and Purchasing Policies

SUMMARY

Recommendation – Staff recommends approval the proposed Budgeting and Purchasing Policies

DISCUSSION:

In an effort to maintain prudent fiscal oversight, Staff is requesting approval of the proposed Budget and Purchasing Policies and related procedures that identify, control and address budget expenditures and adjustments.

Currently, Watermaster Staff generates a monthly Budget vs. Actual Report and distributes the report to the Pools, Advisory Committee, and Board for approval. Following the completion of fiscal year 2006/2007, the Budget vs. Actual report noted that several different categories had budget overages. Watermaster does not currently have an adopted Budget Monitoring or Purchasing Policy. Therefore, Staff recommends the development of a policy and related procedures using guidance from Paragraph 30 of the Judgment and Paragraph 2.20 of the Rules and Regulations:

“... The administrative budget shall set forth budgeted items in sufficient detail as necessary to make a proper allocation of the expense among the several pools, together with Watermaster's proposed allocation. The budget shall contain such additional comparative information or explanation as the Pools, Advisory Committee, and/or Board may recommend from time to time. Expenditures within budgeted items may thereafter be made by Watermaster in the exercise of powers herein granted, as a matter of course. Any budget transfer in excess of 20% of a budget category during any budget year or modification of such administrative budget during any year shall be first submitted to the Pools, Advisory Committee, and Board for review and recommendation.”

ATTACHMENTS:

1. Proposed Budget Transfers and Amendments Policy and Procedures
 - 1a. Budget Transfer
 - 1b. Amendment form

2. Proposed Purchasing Policy
 - 2a. Purchase Order form



CHINO BASIN WATERMASTER

Date: February, 2008

SUBJECT: BUDGET TRANSFERS AND AMENDMENT POLICY AND PROCEDURES

I. PURPOSE

This document defines the policies and procedures for budget transfers and amendments for the Chino Basin Watermaster.

The Chino Basin Watermaster budget has four main budget categories:

- General & Administrative Expenses
- Optimal Basin Management Program Expenses
- Project Expenditures
- Other Income/Expenses

II. BUDGET TRANSFERS AND AMENDMENT POLICIES AND GUIDELINES

Transfers:

The CEO has authority to transfer funds within the main budget categories up to \$25,000 without Board approval. However, to allow for full transparency in the process, the Pools, Advisory Committee, and the Board will be informed of all budget transfers less than \$25,000.

Budget transfers greater than \$25,000 *within the same categories* must be formally approved by the Pools, the Advisory Committee, and then by the Board.

If there are in sufficient funds within same category, the CEO may propose a transfer from one main category to another. All budget transfers from one main category to another, regardless of the amount, require approval by the Pools, the Advisory Committee, and then by the Board.

Amendments:

If there are no budgeted funds available to transfer to the line item, the CEO will submit a Budget Amendment request to the Pools, Advisory Committee, and then to the Board for approval.

III. TRANSFER AND AMENDMENT PROCEDURES

Budget Transfers (Attachment 1a):

A Budget Transfer form for transfers under \$25,000, within the same category, will be completed and presented to the Pools, Advisory Committee, and the Board for informational purposes.

A Budget Transfer form for transfers greater than \$25,000, within the same category, will be completed by staff and approved by the CEO. The transfer is then presented to the Pools, Advisory Committee, and the Board for formal approval.

Budget transfers from one main category to another, regardless of the amount, will be approved by the CEO and then presented to the Pools, Advisory Committee, and the Board for formal approval.

All budget transfers are processed in and recorded in the accounting system.

Budget Amendments (Attachment 1b):

All budget amendments will be presented to the Pools, Advisory Committee, and the Board for formal approval. The budget amendment should indicate the anticipated source of funding for the approved increase.

All budget amendments are processed in and recorded in the accounting system.



**CHINO BASIN WATERMASTER
BUDGET TRANSFERS**

Fiscal Year _____
Trans # _____

To: **All Parties**

From: _____ Date: _____

Describe reason for the transfer between budget categories here:

Budgetary account reduction		
<i>Line Item Description</i>	<i>Account Number</i>	<i>Amount</i>

Budgetary account addition		
		\$ -

Should be zero

Transfer Procedure	Finance Use Only
<p>1. Staff brings the transfer request to the Appropriate Pool for information purposes if the transfer is under \$25,000. Transfers over \$25,000 within the same budget category require Pools, Advisory Committee and Board approval. Transfers between budget categories, regardless of amount must be approved by the Pools, Advisory Committee and Board</p> <p>2. Once the form has been completed by the CFO, and approved by the board if required, the Chief Financial Officer will prepare and process the budget transfer in the accounting system.</p> <p>3. A log will be maintained by the CFO detailing the transfer.</p> <p>4. A fiscal year file will also be kept to hold all budget amendment forms for auditor review.</p>	<p>Date Board Approved _____</p> <p>Finance Log # _____</p> <p>Date Posted _____</p> <p>Posted By _____</p> <p>Approved by _____</p> <p>Date approved _____</p>



CHINO BASIN WATERMASTER BUDGET AMENDMENT

To: **All Parties**

Fiscal Year 2007-08

From : _____ Date: _____

Describe reason for the budget amendment here:

Expenditure Amendment		
<i>Line Item Description</i>	<i>Account Number</i>	<i>Amount</i>
TOTAL:		\$ -

Revenue Source		
<i>Line Item Description</i>	<i>Account Number</i>	<i>Amount</i>
TOTAL:		\$ -

<p style="text-align: center; margin: 0;">Amendment Procedure</p> <ol style="list-style-type: none"> 1. Staff takes amendment requests to the Pools, Advisory Committee & Board for approval. 2. The Chief Financial Officer will prepare and process the budget entry. 4. A log will be maintained by the Finance Department detailing the adjustment. 5. A fiscal year file will also be kept to hold all budget amendment forms for auditor review. 	<p style="text-align: center; margin: 0;">Finance Use Only</p> <p>Date Board Approved _____</p> <p>Entered into System By _____</p> <p>Finance Log # _____</p> <p>Date Posted _____</p> <p>Approved By _____</p> <p>Date Approved _____</p>
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CHINO BASIN WATERMASTER

Date: February, 2008

SUBJECT: PURCHASING POLICY AND PROCEDURES

I. PURPOSE

This document defines the policies and procedures for the procurement of supplies, equipment, and services for the Chino Basin Watermaster.

II. PURCHASING POLICIES AND GUIDELINES

The basic purchasing policy of the Chino Basin Watermaster is to obtain quality supplies, services, vehicles and equipment needed for the proper operation of its various operations at the lowest possible cost. This will be accomplished through the use of quotes and competitive bidding when feasible. Purchasing functions are to be conducted by the appropriate staff member, or as designated by the CEO, except as provided for herein. The purchasing function shall be supervised by the Chief Financial Officer.

A. Ethics and Standards of Behavior

All purchasing functions will be conducted with absolute integrity. The very highest ethical standards will be maintained in all material activities and the CFO will remain constantly aware of the responsibilities in spending public funds.

B. Purchasing Authority

There are three levels of authority for normal purchases: supervising staff, CEO, and the Board. Generally, authority is established by the dollar amount of the purchase.

Except as permitted by Section 3 regarding "Exceptions," a formal purchase order, signed by the requesting staff and the Chief Financial Officer, is required for all purchases where any single item exceeds \$1,000. For purchases exceeding \$1,000, but where no single item exceeds \$1,000, a formal purchase order is not required. However, purchase orders may be issued regardless of amount when

required by the vendor, or when the complexity of the contract demands a formal document for clarity.

1. **CEO Award: up to \$10,000.**

When seeking goods or services exceed \$1,000, the requesting supervisor will complete the purchase requisition form and submit it, including specifications, quotes and other supporting data, to the finance department for review. Upon approval by the CFO and CEO, a purchase order will be issued.

Purchases up to \$10,000 must be approved by the CEO prior to issuance of a purchase order.

2. **Board Award: over \$10,000.**

The board will approve purchases, contracts, or agreements of more than \$10,000 as follows:

a. Specifications and other relative data shall be sent to the CEO, or his authorized representative, for approval. When possible, a formal bid process is to be used for these purchases.

3. **Exceptions to Standard Purchasing Procedures**

a. *Emergency Conditions*

An emergency is defined as a breakdown in machinery, equipment, or facilities resulting in the interruption of an essential service, or a distinct threat to public health, safety, or welfare. In the case of an emergency requiring the immediate purchase of supplies, materials, equipment or contractual services, the CEO may authorize the Chief Financial Officer or his designee to secure in the open market, at the lowest obtainable price, any supplies, materials, equipment, or contractual services required, regardless of the amount of the expenditure.

During an emergency condition, supplies, materials, equipment, or contractual services may be purchased. After the CEO or designee has concluded that the purchase is essential to prevent delays which may affect the life, health, or safety of citizens. As soon as possible, the supervisor will provide a completed purchase requisition to the Chief Financial Officer or designee, as well as a full written explanation of the circumstances. In the case of a disaster or for civil defense, nothing contained in this document shall limit the authority of the CFO and/or the CEO to make purchases and take such other emergency steps as are, or may be, authorized by the Board.

C. Record Keeping

The Finance Department is responsible for the maintenance of purchasing records. During the course of a Contract Watermaster will maintain supporting documentation and records. At the conclusion of the Contract, the original bids, specifications, and other pertinent data will be forwarded, along with the request for final payment, to the Finance Department.

III. PURCHASING PROCEDURES

A. Requisition

When a purchase order is required, the request shall be presented to the Finance Department in written form (Attachment 2a). The requisition must contain sufficient information to insure acquisition of the correct item(s). Requests that will put an account over-budget must be accompanied by a Budget Transfers form (Attachment 1a) if there is to be a budget transfer of funds from other accounts within the same classification. If there are no funds available for transfer, a Budget Amendment form (Attachment 1a) must be approved by the Pools, Advisory Committee, and the Board. Original quotes or bids, specifications, and other documentation are to accompany the request.

B. Open Purchase Order

Open purchase orders are entered into with vendors that are expected to supply products or services to the Watermaster on an ongoing and/or regular basis throughout the year. Open purchase orders are closed at the conclusion of each fiscal year.

C. Receiving of Goods/Equipment

1. **Acceptance**

When goods have been received or a project has been completed to the satisfaction of the staff ordering or overseeing the project or product, the packing slip and/or other completion documentation shall be signed-off by the receiver.

PURCHASE ORDER

ATTACHMENT 1b, page 1

Chino Basin Watermaster
 9641 San Bernardino Road
 Rancho Cucamonga, CA 91730
 Tel: (909) 484-3888 Fax: (909) 484-3890

DATE:	WHEN NEEDED (DATE)?
-------	---------------------

REQUESTED BY: _____

Check the appropriate box below

- | | |
|--------------------------|-----------------------|
| <input type="checkbox"/> | Credit card request |
| <input type="checkbox"/> | Check request |
| <input type="checkbox"/> | Reimbursement |
| <input type="checkbox"/> | Vendor will send bill |

RECOMMENDED VENDOR:

PURCHASE JUSTIFICATION:

LINE	ITEM DESCRIPTION	TO BE USED FOR	BUDGET CODE	QUANTITY	ITEM COST	TOTAL COST
1						\$0.00
2						\$0.00
3						\$0.00
4						\$0.00
5						\$0.00
6						\$0.00
7						\$0.00
8						\$0.00
9						\$0.00
10						\$0.00
11						\$0.00
12						\$0.00
TOTAL						\$0.00

 REQUISITIONER SIGNATURE

 DATE

 CFO SIGNATURE

 DATE

 CEO SIGNATURE

 DATE

Requisitioner must complete all the above information, except for total cost, please include a line for estimated shipping and sales tax if applicable



CHINO BASIN WATERMASTER

II. BUSINESS ITEMS

B. CAROLLO ENGINEERING CONTRACT





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: February 14, 2008
February 19, 2008
February 28, 2008

TO: Committee Members
Watermaster Board Members

SUBJECT: Extension of Contract for Project Facilitator for Chino Basin Desalters

SUMMARY

Issue – Extend the contract for the Project Facilitator to coordinate tasks relating to the implementation of the next increment of desalter capacity.

Recommendation – Approve extension of contract with Carollo Engineers to provide professional services at competitive rates for an amount not to exceed \$50,000.00, and approve Budget Amendment #A-08-02-01.

Fiscal Impact – No fiscal impact on the Watermaster Budget. All costs are being reimbursed by Western MWD.

Background

In April, the Board approved a contract with Carollo Engineers to provide the services of Gary Meyerhofer to act as the Project Facilitator for the expansion of the Chino Basin Desalters. That original agreement was for an amount not to exceed \$75,000 and Watermaster will be reimbursed for that same amount by IEUA, Western MWD and Three Valley's MWD. Those funds will be fully utilized by the end of February but the work is not yet complete.

Western MWD has approached Watermaster about extending the contract with Carollo for an additional \$50,000 with Western committing to reimburse Watermaster for that same amount. It is anticipated that when the Chino Desalter Authority (CDA) votes to include Western MWD into the JPA, that the contract with Carollo will be shifted to the CDA to administer.

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Engineers...Working Wonders With Water™



February 5, 2008
7757A.00

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

Attention: Mr. Ken Manning

Subject: Amendment No. 1 for Project Facilitation of Chino Basin Desalters

Dear Mr. Manning:

This letter serves as an amendment to our existing contract to provide Project Facilitation services for the Chino Desalters. This contract amendment of \$50,000 would cover approximately twenty-five percent of my time over the next four to five months.

If this amendment meets your approval, please sign below and return a copy for our files. Please call me if you have any questions.

Sincerely,

CAROLLO ENGINEERS, P.C.

Gary Meyerhofer, P.E.

GM:tba

Approved

Date

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CHINO BASIN WATERMASTER

II. BUSINESS ITEMS

- C. WILDERMUTH ENVIRONMENTAL
INC. CONTRACT





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: February 14, 2008
February 19, 2008
February 28, 2008

TO: Committee Members
Watermaster Board Members

SUBJECT: Technical Services Contract with Wildermuth Environmental, Inc.

SUMMARY

Recommendation – Approve the proposed technical services contract

Fiscal Impact – None. Adoption of the contract merely describes the terms under which Wildermuth Environmental, Inc. will perform its existing budgeted services for Watermaster. The contract does not increase the level of service.

BACKGROUND

Wildermuth Environmental, Inc. (“WEI”) performs a wide variety of hydrological services for Chino Basin Watermaster. These services are provided on an as-needed basis and heretofore there has been no contract with Watermaster that described the terms under which those services were to be provided.

Watermaster staff initiated discussions with WEI on this subject and the two parties have developed the subject contract.

The contract describes the terms for the performance of services by WEI, specifying such matters as the acceptability of the work product from WEI and logistical matters such as insurance coverage. Of particular note, the contract describes the terms under which WEI may perform services for parties in the Chino Basin other than Watermaster.

Under paragraph 8 of the contract, WEI will advise Watermaster of any services that it proposes to perform for other parties to the Chino Basin Judgment and shall receive written consent from the Watermaster CEO prior to engaging in such services. Any services contract between WEI and a party to the Judgment shall contain a provision providing for the termination of the services should a conflict develop between the services and the services provided by WEI to Watermaster. However, WEI will not provide services to any party to the Judgment on a matter that will later be subject to Watermaster review.

Furthermore, WEI will not provide services to the Inland Empire Utilities Agency, nor to the Three Valleys Municipal Water District and Western Municipal Water District to the extent that such services would involve matters within the Chino Basin, except through a services contract with Watermaster and those entities.

The contract also describes the extent to which the work product by WEI shall be considered proprietary. This issue is still under negotiation between WEI and Watermaster and will be the subject of further discussion at the Pool meetings. If resolution of this issue is not achieved by the time of the Pool meetings, this agenda item will be informational only with no action recommended.

**CONTRACT NUMBER 1
FOR
WATERMASTER ENGINEERING SERVICES**

THIS CONTRACT (the "Contract"), is made and entered into this 1st day of January 2008, by and between the Chino Basin Watermaster (hereinafter referred to as "Watermaster"), and, Wildermuth Environmental Incorporated, of Lake Forest, California (hereinafter referred to as "Consultant"), for professional engineering services in support the Watermaster. As this is a continuation of an earlier agreement, the terms and conditions in this Contract will control all of the services rendered during the earlier agreement and this Contract both of which shall be collectively referred to as ("Contract").

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth herein, the parties agree as follows:

1. WATERMASTER CONTRACT MANAGER ASSIGNMENT: All technical direction related to this Contract shall come from the designated Watermaster Contract Manager. Details of the Watermaster's assignment are listed below:

Watermaster Contract Manager: Kenneth R. Manning
Chief Executive Officer
Chino Basin Watermaster
Address: 9641 San Bernardino Road
Rancho Cucamonga, CA 91730
Telephone: (909) 484-3888
Facsimile: (909) 484-3890
Email: kmanning@cbwm.org

2. CONSULTANT CONTRACT MANAGER ASSIGNMENT: Special inquiries related to this Contract and the effects of this Contract shall be referred to the following:

Consultant Contract Manager: Mark J. Wildermuth
President
Wildermuth Environmental, Inc.
Address: 23692 Birtcher
Lake Forest, California 92630
Telephone: (949) 420-3030
Facsimile: (949) 420-4040
Email: mwildermuth@wildermuthenvironmental.com

3. ORDER OF PRECEDENCE: The documents referenced below represent the Contract Documents. Where any conflicts exist between the General Terms and Conditions, or addenda attached, then the governing order of precedence shall be as follows:
 1. Task Orders for specific work assignments issued pursuant to Contract No. 1.
 2. Amendments to Contract No. 1
 3. Contract Number 1, General Terms and Conditions.
4. SCOPE OF WORK, SCHEDULE AND SERVICES: Consultant Scope of Work, Schedule, and Services shall be in accordance with specific Task Orders that are issued pursuant to this Contract. Each Task Order will contain a scope of work, description of the deliverables, schedule, fee and the naming of a specific project manager for each Task Order.
5. TERM: The term of this Contract shall extend from January 1, 2008, and terminate on December 31, 2012, and will continue thereafter until one party elects to terminate with 90 days written notice.
6. COMPENSATION: Watermaster shall pay Consultant's properly executed monthly invoices, approved by the Watermaster Contract Manager, within thirty (30) days following receipt of the invoice. Payment will be withheld for any service, which does not meet Watermaster requirements or have proven unacceptable until such service is revised, resubmitted, and accepted by the Watermaster Contract Manager.

The Consultant will submit monthly invoices for each Task Order. Each invoice shall include a cost breakdown, billing message describing the work done during the monthly billing period, itemized material cost and reasonable and customary expenses, including that of other parties retained by Consultant and shall include the current monthly amount, and the cumulative amount invoiced to date. Material cost and reasonable expenses shall be submitted with receipts, and will be reimbursed at cost with no markup. Invoices shall not be submitted in advance.

In compensation for the work represented by this Contract, Watermaster shall pay Consultant's invoices up to the total fee established in each Task Order. Consultant shall not be paid for any amount exceeding the Task Order authorized fee, without an amendment to the Task Order.

Watermaster may, at any time, make changes to the scope of work in a Task Order, including additions, reductions, and changes to any or all of the work, as directed in writing by the Watermaster. Such changes shall be

- made by a written amendment to the Task Order. The Task Order authorized fee and schedule shall be equitably adjusted to account for such changes, and shall be set forth in the written amendment.
7. CONTROL OF THE WORK: Consultant shall perform the work described in each Task Order. If performance of the work falls behind schedule, the Consultant shall use best efforts to accelerate the work to comply with the schedule in the Task Order. If the Consultant is unable to accelerate the work, the Consultant shall promptly notify the Watermaster Contract Manger of the delay, the causes of the delay, and submit a proposed revised completion schedule.
8. SERVICES FOR OTHER PARTIES: Consultant shall advise the Watermaster CEO of any services that Consultant proposes to perform for other parties to the Chino Basin Judgment and shall receive written consent from the Watermaster CEO prior to engaging in such services. Any services contract between Consultant and a party to the Judgment shall contain a provision providing for the termination of the services should a conflict develop between the services and the services provided by Consultant to Watermaster. Notwithstanding the foregoing, Consultant shall not provide services to any party to the Judgment on a matter that will later be subject to Watermaster review. Furthermore, Consultant shall not provide services to the Inland Empire Utilities Agency, nor to the Three Valleys Municipal Water District and Western Municipal Water District to the extent that such services would involve matters within the Chino Basin, except through a services contract with Watermaster and those entities.
9. FITNESS FOR DUTY:
- A. Fitness: Consultant shall institute steps to attempt to make certain that Consultant's personnel on the Jobsite:
1. shall report for work in a manner fit to do their job;
 2. shall not be under the influence of or in possession of any alcoholic beverages or of any controlled substance (except a controlled substance as prescribed by a physician so long as the performance or safety of the Work is not affected thereby); and

3. shall not have been convicted of any serious criminal offense which, by its nature, may have a discernible adverse impact on the business or reputation of Watermaster.
10. INSURANCE: During the term of this Contract, the Consultant shall maintain at Consultant's sole expense, the following insurance.
- A. Minimum Scope of Insurance:
 1. General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location, or the general aggregate limit shall be twice the required occurrence limit.
 2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
 3. Workers' Compensation and Employers Liability: Workers' compensation limits as required by the Labor Code of the State of California and employers Liability limits of \$1,000,000 per accident.
 4. Professional Liability insurance in the amount of \$1,000,000 per occurrence with a \$2,000,000 policy aggregate.
 - B. Deductibles and Self-Insured Retention: Any deductibles or self-insured retention, different from those generally available at reasonable cost, must be declared to and approved by the Watermaster.
 - C. Other Insurance Provisions: The policies are to contain, or be endorsed to contain, the following provisions:
 1. General Liability and Automobile Liability Coverage
 - a. The Watermaster, its officers, officials, employees and volunteers are to be covered as insureds, endorsements as respects: liability arising out of activities performed by or on behalf of the Consultant, products and completed operations of the Consultant, premises owned, occupied or used by the Consultant, or automobiles owned, leased, hired or borrowed by

the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the Watermaster, its officers, officials, employees or volunteers.

- b. The Consultant's insurance coverage shall be primary insurance as respects the Watermaster, its officer, officials, employees and volunteers. Any insurance or self-insurance maintained by the Watermaster, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
- c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Watermaster, its officers, officials, employees or volunteers.
- d. The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- e. The Consultant may satisfy the limit requirements in a single policy or multiple policies. Any such additional policies written as excess insurance shall not provide any less coverage than that provided by the first or primary policy.

2. All Coverages

Each insurance policy required by this contract shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the Watermaster.

- D. Acceptability of Insurers: With the exception of Professional Liability Insurance, all insurance is to be placed with insurers with a Best's rating of no less than A:VII. Professional Liability Insurance is to be placed with insurers with a Best's rating of no less than B:VII.
- E. Verification of Coverage: Consultant shall furnish the Watermaster with certificates of insurance and with original endorsements effecting coverage required by the Watermaster for themselves and all

subcontractors prior to commencing work or allowing any subcontractor to commence work under any subcontract. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be approved by the Watermaster before work commences. The Watermaster reserves the right to require complete, certified copies of all required insurance policies, at any time.

- F. Submittal of Certificates: Consultant shall submit all required certificates and endorsements to the following:

Sherri Rojo
Chief Financial Officer
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

11. LEGAL RELATIONS AND RESPONSIBILITIES

- A. Professional Responsibility: The Consultant shall be responsible, to the level of competency presently maintained by other practicing professionals performing the same or similar type of work.
- B. Status of Consultant: The Consultant is retained as an independent Consultant only, for the sole purpose of rendering the services described herein, and is not an employee of the Watermaster.
- C. Observing Laws and Ordinances: The Consultant shall keep itself fully informed of all existing and future state and federal laws and all county and city ordinances and regulations which in any manner affect the conduct of any services or tasks performed under this Contract, and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. The Consultant shall at all times observe and comply with all such existing and future laws, ordinances, regulations, orders and decrees, and shall protect and indemnify, as required herein, the Watermaster, its officers, employees and agents against any claim or liability arising from or based on the violation of any such law, ordinance, regulation, order or decree, whether by the Consultant or its employees.
- D. Subcontract Services: Any subcontracts for the performance of any services under this Contract shall be subject to the written approval of the Watermaster Contract Manager.
- E. Indemnification: The Consultant agrees to protect, defend, indemnify and hold harmless the Watermaster, its officers, directors, agents, employees, servants, and volunteers free and harmless from liability, claims, judgments, costs and demands, including demands arising from injuries or death of persons (including employees of the Watermaster and the Consultant) and damage to property, directly or indirectly out of the obligations herein undertaken or out of the operations conducted by the Consultant, its employees, agents, representatives or subcontractors under or in connection with this Contract, to the extent due to Consultant's negligence or willful misconduct. The Consultant further agrees to investigate, handle, respond to, provide defense for and defend any such claims, demands or suit at the sole expense of the Consultant.

The Watermaster agrees to protect, defend, indemnify and hold harmless the Consultant, its officers, directors, agents, employees,

servants, and volunteers free and harmless from liability, claims, judgments, costs and demands, including demands arising from injuries or death of persons (including employees of the Watermaster and the Consultant) and damage to property, directly or indirectly out of the obligations herein undertaken or out of the operations conducted by the Watermaster, its employees, agents, representatives or subcontractors under or in connection with this Contract, to the extent due to the Watermaster's negligence or willful misconduct. The Watermaster further agrees to investigate, handle, respond to, provide defense for and defend any such claims, demands or suit at the sole expense of the Watermaster.

Notwithstanding anything to the contrary in this Contract, any suit, arbitration, claim, demand, indemnification, or any other remedy against the Consultant shall be limited to the scope of the insurance coverage and limits currently in force for the Consultant. Such insurance shall be only the workers compensation and employers liability, general liability, and errors and omissions insurance. The scope of the insurance coverage and limits in such policies may change over time with changes by the insurance companies or the Consultant and such changed policies shall become the available insurance currently in force for the Consultant; and, the Consultant shall not be required to provide notice of any such changes after the earlier of final payment, the completion of services performed by the Consultant under this Contract, or the termination of the Contract. In no event shall any employee, agent, officer, director or shareholder of Consultant have any individual liability.

Notwithstanding anything to the contrary in this Contract, any suit, arbitration, claim, demand, indemnification, or any other remedy against the Watermaster shall be limited to the scope of the insurance coverage and limits currently in force for the Watermaster. Such insurance shall be only the workers compensation and employers liability, general liability, and errors and omissions insurance. The scope of the insurance coverage and limits in such policies may change over time with changes by the insurance companies or the Watermaster and such changed policies shall become the available insurance currently in force for the Watermaster. In no event shall any employee, agent, officer, director or member of Watermaster have any individual liability.

- F. Conflict of Interest: No official of the Watermaster who is authorized in such capacity and on behalf of the Watermaster to negotiate, make, accept or approve, or to take part in negotiating, making, accepting or approving this Contract, or any subcontract relating to services or tasks to be performed pursuant to this Contract, shall become directly or indirectly personally interested in this Contract.
- G. Equal Opportunity: During the performance of this Contract, the Consultant shall not unlawfully discriminate against any employee or employment applicant because of race, color, religion, sex, age, marital status, ancestry, physical or mental disability, sexual orientation, veteran status or national origin.
- H. Non-Conforming Work and Warranty: Consultant represents and warrants that the deliverables provided in each Task Order shall be adequate to serve the purposes described in each Task Order issued pursuant to the Contract. For a period of only one (1) year after completion of a Task Order, Consultant shall, at no additional cost to Watermaster, correct any and all errors in the deliverable. Upon request of Watermaster, Consultant shall correct any such error deemed important by Watermaster in its sole discretion to Watermaster's continued use of the Task Order deliverable pursuant to a schedule jointly agreed to by the Watermaster and the Consultant. The Consultant will use best efforts to correct all errors in a timely manner.
- I. Disputes:
1. All disputes arising out of or in relation to this Contract shall be determined in accordance with this section. The Consultant shall pursue the work to completion in accordance with the instruction of the Watermaster's Project Manager notwithstanding the existence of dispute. By entering into this Contract, both parties are obligated, and hereby agree, to submit all disputes arising under or relating to the Contract which remain unresolved after the exhaustion of the procedures provided herein, to independent arbitration. Except as otherwise provided herein, arbitration shall be conducted under California Code of Civil Procedure Sections 1280, et. seq, or their successor. Both Watermaster and Consultant waive trial by jury and any appeal except as the appeal is provided below.

2. In the event of arbitration, the parties hereto agree that there shall be a single neutral Arbitrator who shall be selected in the following manner:
 - a. The Demand for Arbitration shall include a list of five names of persons acceptable to the Consultant to be appointed as Arbitrator. The Watermaster shall determine if any of the names submitted by Consultant are acceptable and, if so, such person will be designated as Arbitrator. The Watermaster shall have seven (7) calendar days in which to determine if one such person is acceptable.
 - b. In the event that none of the names submitted by Consultant are acceptable to Watermaster, or if for any reason the Arbitrator selected in Step (a) is unable to serve, the Watermaster shall submit to Consultant a list of five names of persons acceptable to the Watermaster for appointment as Arbitrator. The Consultant shall, in turn, have seven (7) calendar days in which to determine if one such person is acceptable.
 - c. If after Steps (a) and (b), the parties are unable to mutually agree upon a neutral Arbitrator, the matter of selection of an Arbitrator shall be submitted to the San Bernardino County Superior Court pursuant to Code of Civil Procedure Section 1281.6, or its successor. The costs of arbitration, including but not limited to reasonable attorneys' fees, shall be recoverable by the party prevailing in the arbitration. If this arbitration is appealed to a court pursuant to the procedure under California Code of Civil Procedure Section 1294, et. seq., or their successor, the costs of arbitration shall also include court costs associated with such appeals, including but not limited to reasonable attorneys' fees which shall be recoverable by the prevailing party. If either Watermaster or Consultant desires to appeal the ruling of the arbitrator, then it may utilize this procedure to have a retired appellate judge to decide those issues being appealed in which case the party appealing shall pay the fees and costs of the arbitrator hearing the appeal and each party shall pay its own attorneys fees and costs for the appeal.

4. Joinder in Mediation/Arbitration: The Watermaster may join the Consultant in mediation or arbitration commenced by a contractor on the Project pursuant to Public Contracts Code Sections 20104 et seq. Such joinder shall be initiated by written notice from the Watermaster's representative to the Consultant.
- J. Attorneys' Fees: In the event an action is commenced by a party to this Contract against the other to enforce its rights or obligations arising from this Contract, the prevailing party in such action, in addition to any other relief and recovery ordered by the court or arbitration, shall be entitled to recover all statutory costs, plus reasonable attorneys' fees.
12. OWNERSHIP OF MATERIALS AND DOCUMENTS/CONFIDENTIALITY: The Watermaster retains ownership of any and all partial or complete reports, drawings, plans, notes, computations, lists, and/or other materials, documents, information, or data prepared by the Consultant and/or the Consultant's subcontractor(s) pertaining to this Contract except as described in Schedule "A". Schedule "A" to this Contract includes a list of items that are and will remain the property of a related company, Aqua Synergies, LLC, regardless of whether they are in the physical possession of the Consultant or the Watermaster.
13. PUBLIC RECORDS POLICY: The Watermaster shall use its best efforts to notify Consultant of any requests for disclosure of any documents pertaining to Consultant.

In the event of litigation concerning disclosure of information Consultant considers exempt from disclosure; (e.g., Trade Secret, Confidential, or Proprietary) Watermaster shall act as a stakeholder only, holding the information until otherwise ordered by a court or other legal process. If Watermaster is required to defend an action arising out of a Public Records Act request for any of the information Consultant has marked "Confidential," "Proprietary," or "Trade Secret," Consultant shall, if it decides to pursue such exemption from disclosure, defend and indemnify Watermaster from all liability, damages, costs, and expenses, including attorneys' fees, in any action or proceeding arising under the Public Records Act.

14. TITLE AND RISK OF LOSS:

- A. Documentation: Unless listed in Schedule "A" or stated otherwise in each Task Order, title to the Documentation (Work Products) created in a Task Order shall pass to Watermaster when prepared; however, a copy may be retained by Consultant for its records and internal use.

The Work Products shall not be changed or used for purposes other than those set forth in the Task Order without the prior written approval of Consultant. If Watermaster releases the Work Products to a third party without Consultant's prior written consent, or changes or uses the Work Products other than as intended hereunder, Watermaster shall do so at its sole risk and discretion, and Watermaster shall indemnify the Consultant against any and all claims and/or damages resulting from or connected with the release of or any third party's use of the Work Products.

- B. Material: Unless listed in Schedule "A" or stated otherwise in each Task Order, title to all Material, field or research equipment, and laboratory models, procured or fabricated under the Contract shall pass to Watermaster when procured or fabricated, and such title shall be free and clear of any and all encumbrances. Consultant shall have risk of loss of any Material or Watermaster-owned equipment of which it has custody. Watermaster shall indemnify the Consultant against any and all claims and/or damages resulting from or connected with the use of all Material, field or research equipment, and laboratory models, procured or fabricated under the Contract that are subsequently used by the Watermaster or by third parties.
- C. Disposition: Consultant shall dispose of items to which Watermaster has title as directed in writing by the Watermaster Contract Manager.

15. NOTICES: Any notice may be served upon either party by delivering it in person, or by depositing it in a United States Mail deposit box with the postage thereon fully prepaid, and addressed to the party at the address set forth below:

Watermaster: Sherri Rojo,
Chief Financial Officer
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Consultant: Dr. Joseph LeClaire
Chief Operating Officer
Wildermuth Environmental, Inc.
23692 Birtcher
Lake Forest, California 92630

- Any notice given hereunder shall be deemed effective in the case of personal delivery, upon receipt thereof, or, in the case of mailing, at the moment of deposit in the course of transmission with the United States Postal Service.
16. SUCCESSORS AND ASSIGNS: All of the terms, conditions and provisions of this Contract shall inure to the benefit of and be binding upon the Watermaster, the Consultant, and their respective successors and assigns. Notwithstanding the foregoing, no assignment of the duties or benefits of the Consultant under this Contract may be assigned, transferred or otherwise disposed of without the prior written consent of the Watermaster; except that it may be assigned without such consent to a related entity, an affiliate or wholly owned subsidiary of Consultant; and, any such purported or attempted assignment, transfer or disposal without the prior written consent of the Watermaster shall be null, void and of no legal effect whatsoever.
17. RIGHT TO AUDIT: The Watermaster reserves the right to review and/or audit all Consultant's records related to the Work. The option to review and/or audit may be exercised during the term of the Contract, upon termination, upon completion of the Contract, or at any time thereafter up to twelve (12) months after final payment has been made to Consultant. The Consultant shall make all records and related documentation available at the place of business of Consultant within three (3) working days after said records are requested by the Watermaster. Notwithstanding the foregoing, an adjustment may only be requested and a claim made during the term of each Task Order and for one year following its final payment. Following the termination of the claim period then Consultant may destroy its records for such Task Order.
18. INTEGRATION: The Contract Documents represent the entire Contract of the Watermaster and the Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered by the Contract Documents. This Contract may not be modified, altered or amended except by written mutual agreement by the Watermaster and the Consultant.

SCHEDULE "A"

ITEMS TO REMAIN IN THE OWNERSHIP AND CONTROL OF WILDERMUTH ENVIRONMENTAL, INC., AND AQUA SYNERGIES, LLC

This SCHEDULE "A" (the "Schedule"), is incorporated into the Contract made and entered into this 1st day of January 2008, by and between the Chino Basin Watermaster (hereinafter referred to as "Watermaster"), and, Wildermuth Environmental, Incorporated, of Lake Forest, California (hereinafter referred to as "Consultant"), for professional engineering services in of support the Watermaster.

The intellectual property listed below, whether registered or unregistered, including the related goodwill, copyrights, trademarks, service marks and patents, including, any modifications, extensions or additions to such intellectual property, is owned by Aqua Synergies, LLC, a company related to the Consultant. It has been licensed by Consultant for the uses contemplated in this Agreement and following the termination of this Agreement, cannot be used further and must be returned to Aqua Synergies, LLC, without any copies made or retained in any format. Schedule A may be updated periodically understanding that even if it is not updated any further intellectual property will be owned by Aqua Synergies, LLC. The intellectual property included in this Schedule is listed below:

1. All digital files created prior to January 1, 2008 and licensed from Aqua Synergies, LLC and used in past and current work for the Watermaster that are listed in Table A1.
2. All digital files acquired and or created after December 31, 2007 and licensed from Aqua Synergies, LLC.
3. All software acquired and or created after December 31, 2007 and licensed from Aqua Synergies, LLC.
4. The relational database called "Database and Visual Explanation" also known as "DaVE" and its supporting software, including the DaVE graphic user interface (GUI), the database structure (tables and relationships), the DaVE web services, and related software tools. The Chino Basin data stored within the database structure belongs to Watermaster and generally includes well location and well ownership information, water level data, and water quality data. A detailed list of the data fields belonging to Watermaster is provided in Table A2.
5. The "R4" model also known as "Rainfall-Runoff, Router and Root Zone Model" and its supporting software and software tools and licensed from Aqua Synergies.

This Schedule may be modified from time to time based on the work required and specifically described in a Task Order. If this occurs then the Task Order will describe the item and a revised Schedule "A" will be prepared, attached to the Task Order and become the effective Schedule "A" when the Task Order is approved by Watermaster and the Consultant.

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DUE TO THE LARGE SIZE OF TABLE A1 (932 pages), BOTH TABLE A1 AND A2 OF SCHEDULE "A" OF CONTRACT NUMBER 1 FOR WATERMASTER ENGINEERING SERVICES ARE AVAILABLE ON WATERMASTER'S FTP SITE:

WWW.CBWM.ORG/FTP

LOOK IN THE WILDERMUTH ENVIORNMENTAL CONTRACT TABLES A1 AND A2 FOLDER.

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CHINO BASIN WATERMASTER

II. BUSINESS ITEMS

D. BUDGET AMENDMENT/TRANSFER ACTION ITEMS





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: February 14, 2008
February 19, 2008
February 28, 2008

TO: Committee Members
Watermaster Board Members

SUBJECT: Proposed Budget Transfer Request

SUMMARY

Recommendation - Staff recommends that the Pools, Advisory Committee, and Board approve the proposed Budget Transfer request.

DISCUSSION:

The adopted budget for the Optimum Basin Management Program (OBMP) included funds to be spent on non-program specific engineering costs such as support of the Peace II process, preparation, and attendance at Pool, Advisory Committee and Watermaster meetings, miscellaneous data and staff requests, development, and maintenance of the Groundwater Model, report preparation, and court ordered work. Also included in the OBMP category budget are costs related to Watermaster General Counsel and the Special Referee and her Technical Assistant. At the time of the budget preparation, it was assumed that Peace II would be resolved before or shortly into the new fiscal year and therefore, the budget reflected an expected decrease in anticipated costs. Peace II took longer to reach a resolution – with significantly more time than was originally budgeted. In addition to increased expenses relating to the Peace II process, Watermaster also incurred unbudgeted costs relating to the Santa Ana River water rights application process. In addition to engineering and legal costs exceeding budget in the OBMP category, the Agricultural Pool's special counsel and technical consultant are exceeding their annual budget amount.

As a result of the unforeseen costs relative to the aforementioned categories, staff recommends the transfer of budgeted funds from accounts listed on the attached Budget Transfer request which are anticipated to come from accounts where expenditures will be deferred to cover the anticipated budget shortfalls.

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**CHINO BASIN WATERMASTER
BUDGET TRANSFERS**

Fiscal Year 2007-2008
T-08-02-01

To: **All Parties**

From: Sheri Rojo Date: February, 2008

Describe reason for the transfer between budget categories here: To transfer funds to cover expected cost overages in accounts referenced below.

Budgetary account reduction

<i>Line Item Description</i>	<i>Account Number</i>	<i>Amount</i>
Production Monitoring	7101	\$ (15,000)
In-Line Meter Installation	7102	\$ (20,000)
Groundwater Water Quality Monitoring	7103	\$ (45,000)
Groundwater Level Monitoring	7104	\$ (30,000)
Surface Water Quality Monitoring	7105	\$ (25,000)
Ground Level Monitoring	7107	\$ (155,000)
Hydraulic Control Monitoring	7108	\$ (170,000)
Recharge & Well Monitoring Program	7109	\$ (80,000)
Comp Recharge Program	7200	\$ (310,000)
Coop Efforts/Salt Management	7500	\$ (170,000)
Storage Management/Conj Use	7600	\$ (10,000)

Budgetary account addition

Ag Legal & Technical	8467	\$ 50,000
Optimum Basin Mgmt Plan	6900	\$ 980,000
		\$ -

Should be zero

Transfer Procedure

1. Staff brings the transfer request to the Appropriate Pool for information purposes if the transfer is under \$25,000. Transfers over \$25,000 within the same budget category require Pools, Advisory Committee and Board approval. Transfers between budget categories, regardless of amount must be approved by the Pools, Advisory Committee and Board
2. Once the form has been completed by the CFO, and approved by the board if required, the Chief Financial Officer will prepare and process the budget transfer in the accounting system.
3. A log will be maintained by the CFO detailing the transfer.
4. A fiscal year file will also be kept to hold all budget amendment forms for auditor review.

Finance Use Only

Date Board Approved _____
Date Posted _____
Posted By _____
Approved by _____
Date approved _____

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CHINO BASIN WATERMASTER

III. REPORTS/UPDATES

D. CEO/STAFF REPORT

3. Semi-Annual Status Report



Optimum Basin Management Program Status Report 2007-2: July to December 2007

Introduction

This status report covers the period July 1, 2007 through December 31, 2007. The bulk of this report describes the activities that occurred and status of the work conducted for each program element of the Optimum Basin Management Program (OBMP). However, there are additional significant efforts that occurred during the reporting period to include:

The Wildermuth final report entitled "Optimum Basin Management Program State of the Basin Report – 2006," dated July 2007 was accepted. This annual report documents groundwater production, recharge, quality, and level within the Chino Basin.

- The Wildermuth final report entitled "2007 CBWM Groundwater Model Documentation and Evaluation of the Peace II Project Description," dated November 2007, was accepted. It evaluated the state of hydraulic control and the amount of Re-Operation water required to achieve and maintain hydraulic control. The report also provided a material physical injury analysis for the implementation measures.
- Watermaster received and evaluated the Special Referee's "Preliminary Comments and Recommendations on Motion for Approval of Peace II Documents," dated November 29, 2007. This document recommended that Watermaster conduct further technical analysis and modeling on a range of technical issues, and address certain legal issues related to Peace II implementation.
- Watermaster legal counsel prepared "Watermaster Response to Special Referee's Preliminary Comments and Recommendations on Motion for Approval of Peace II Documents," dated December 14, 2007. This document provided further technical and legal discussion of the issues raised in the Special Referee's preliminary comments and recommendations.
- Watermaster received and evaluated the Special Referee's "Final Report and Recommendations on Motion for Approval of Peace II Documents," dated December 20, 2007. This report recommended that Watermaster submit to the court the Hydraulic Control technical reports, the Recharge Master Plan update and assurances, the Hydraulic Control evaluation standard, the safe yield analysis, and the new equilibrium assurances by the dates specified.
- Watermaster received and accepted the Superior Court's "Order Concerning Motion for Approval of Peace II Documents," dated December 21, 2007. This order adopted the recommendations made in the Special Referee's Final Report, and provided dates certain when Watermaster is to submit various technical reports and legal briefs.

Program Element 1: Develop and Implement a Comprehensive Monitoring Program

Groundwater Level Monitoring

Watermaster has three active groundwater level monitoring programs operating in the Chino Basin: 1) A semiannual basin-wide well monitoring program, 2) A key well monitoring program associated with the Chino I/II Desalter well fields and the Hydraulic Control Monitoring Program (HCMP), and 3) A piezometric monitoring program associated with land subsidence and ground fissuring in Management Zone 1 (MZ-1). The frequency of groundwater level monitoring varies with each program, depending on the needs of the data analyst. These groundwater level monitoring programs also rely on municipal producers, other government agencies, and private entities to supply their groundwater level measurements on a cooperative basis. Watermaster digitizes all these measurements and combines them into a relational database for general usage. During this period, Watermaster purchased and installed pressure



transducers/data loggers at key wells; principally in the northern portions of Chino Basin where more detailed groundwater level data are needed.

Groundwater Quality Monitoring

During this reporting period no additional wells were sampled. Watermaster continues a comprehensive data collection program whereby water quality data from other sources are routinely collected, QA/QC'd, and loaded into Watermaster's database.

Watermaster and the Inland Empire Utilities Agency (IEUA) are working closely with the Appropriative Pool members and their state-certified laboratories to obtain water quality data as an electronic data deliverable (EDD), which can be entered directly into Watermaster's relational database.

Groundwater-Production Monitoring

All active wells (except for minimum user wells) are now metered. Watermaster reads the agricultural production data from the meters on a quarterly basis and enters these data into Watermaster's relational database.

Surface Water Monitoring

Water Quality and Quantity in Recharge Basins. Watermaster measures the quantity and quality of storm and supplemental water entering the recharge basins. Pressure transducers or staff gauges are used to measure water levels during recharge operations. In addition to these quantity measurements, imported water quality values for State Water Project water are obtained from the Metropolitan Water District of Southern California (MWDSC) and recycled water quality values for the RP1 and RP4 treatment plant effluents are obtained from IEUA. Watermaster monitors the storm water quality in the eight major channels (San Antonio, West Cucamonga, Cucamonga, Deer Creek, Day Creek, San Sevaire, West Fontana, and DeClez) usually after each major storm event. Combining the measured flow data with the respective water qualities enables the calculation of the blended water quality in each recharge basin, the "new yield" to the Chino Basin, and the adequate dilution of recycled water.

Surface Water Monitoring in Santa Ana River (SAR). Watermaster measures the discharge of the river and selected water quality parameters to determine those reaches of the SAR that are gaining flow from Chino Basin and/or, conversely, those reaches that are losing flow into the Chino Basin. These bi-weekly flow and water quality measurements are combined with discharge data from permanent USGS and Orange County Water District (OCWD) stream gauges and discharge data from publicly owned treatment works (POTWs). These data are used in groundwater modeling to assess the extent of hydraulic control.

HCMP Annual Report

In January 2004, the RWQCB amended the Water Quality Control Plan (Basin Plan) for the Santa Ana River Basin to incorporate an updated total dissolved solids (TDS) and nitrogen (N) management plan. The Basin Plan Amendment includes both "antidegradation" and "maximum benefit" objectives for TDS and nitrate-nitrogen for the Chino and Cucamonga groundwater management zones. The application of the "maximum benefit" objectives relies on Watermaster and the IEUA's implementation of a specific program of projects and requirements, which are an integral part of the OBMP. On April 15, 2005, the RWQCB adopted resolution R8-2005-0064; thus approving the Surface Water Monitoring Program and Groundwater Monitoring Program in support of maximum benefit commitments in the Chino and Cucamonga Basins. Watermaster and the IEUA completed the 2006 Annual Report, which summarizes the results for those two programs, and submitted it to the RWQCB on April 16, 2007 in partial fulfillment of maximum benefit commitments.

Chino Basin Groundwater Recharge Program

The IEUA, Watermaster, Chino Basin Water Conservation District, and the San Bernardino County Flood Control District jointly sponsor the Chino Basin Groundwater Recharge Program. This is a comprehensive water supply program to enhance water supply reliability and improve the groundwater quality in local drinking water wells throughout the Chino Groundwater Basin by increasing the recharge of storm water, imported water, and recycled water. The recharge program is regulated under RWQCB Order No. R8-2005-0033 and Monitoring and Reporting Program No. R8-2005-0033.



Recharge Activities. On-going recycled water recharge occurred in the, Hickory Basin during this reporting period, and a six month recycled water test recharge program began at the 7th and 8th Street basins in September 2007.

Monitoring Activities. Watermaster and the IEUA collect weekly and bi-weekly water quality samples from basins that are actively recharging recycled water and from lysimeters installed within those basins. During this reporting period, approximately 493 basin and lysimeter samples were collected. Monitoring wells located down gradient of the recharge basins were sampled every two weeks during the reporting period for a total of about 82 samples.

Construction Activities. Lysimeters and monitoring wells associated with the 7th and 8th Street Basins were installed in fiscal year (FY) 2007/08.

Reporting. Watermaster and the IEUA completed the following required reports concerning the recharge program during the reporting period:

- Recycled Water Groundwater Recharge Program Phase I and Phase II Recharge Projects: Operation, Maintenance & Monitoring Plan, August 2007
- Recycled Water Groundwater Recharge Program Phase I and Phase II Recharge Projects: Diluent Water Monitoring Plan, October 2007
- 3Q07 Quarterly Report – November 2007

Land Surface Monitoring

Watermaster developed a multifaceted land surface monitoring program to develop data for a long-term management plan for land subsidence in Management Zone 1 (MZ-1). The monitoring program consisted of three main elements:

- An aquifer system monitoring facility consisting of multiple depth piezometers and a dual bore extensometer.
- The application of synthetic aperture radar interferometry (InSAR) to measure historical land surface deformation.
- Benchmark surveys to measure land surface deformation, “ground truth” the InSAR data, and evaluate effectiveness of the long term management plan.

Following two years of data collection and analysis, Watermaster submitted the MZ-1 Summary Report in October 2005, which contained Guidance Criteria to minimize subsidence and fissuring. The Guidance Criteria included a listing of Managed Wells and their owners subject to the criteria, a map of the so-called Managed Area, an initial threshold water level (Guidance Level) of 245 feet below the top of the PA-7 well casing, and a plan for ongoing monitoring and notification. Since October 2005, the MZ-1 Summary Report and the Guidance Criteria contained therein have been discussed extensively by the parties involved, and were adopted by the Watermaster Board at its May 2006 Meeting. The final MZ-1 Subsidence Management Plan was adopted by the Watermaster Board at its June 2007 Meeting.

The MZ-1 monitoring program continues unabated. Water level monitoring expanded to the central regions of MZ-1 with the installation of transducers/data loggers at selected wells owned by the City of Chino, the Monte Vista Water District, and the City of Pomona. This expansion of the water level monitoring program is the initial effort to better understand the mechanisms behind ongoing land subsidence in Central MZ-1. Watermaster also monitors vertical ground-surface deformation via ground level surveying and InSAR to understand the extent, rate, and spatial distribution of land subsidence in Central MZ-1. Watermaster uses electronic distance measurement (EDM) to monitor horizontal ground surface displacement across the zone of potential ground fissuring near the intersection of Central Avenue and Philadelphia Street.

All the data collected and analyzed during the Interim Monitoring Program (IMP) indicate very little permanent subsidence in the Southeast Area (east of Ayala Park) since the 1990s. However Watermaster monitors vertical ground-surface deformation via ground level surveying and InSAR techniques as part of the same program for the Managed Area. In addition, Watermaster installed pressure transducers/data loggers in 16 existing production and/or monitoring wells to record water levels every 15 minutes.

The data collected and analyzed during the IMP indicate minor but persistent permanent subsidence in the Northeast Area since the early 1990s. Consequently, Watermaster monitors ground-surface deformation via ground level surveying and InSAR techniques as part of the same program conducted in the Managed Area.



During FY 2007/08, Watermaster and the MZ-1 Technical Committee will further evaluate the contribution of pumping in the central and northern portions of MZ-1 on groundwater conditions, continue testing and monitoring to refine the Guidance Criteria, and work with Chino Hills to evaluate their options for producing groundwater from MZ-1. By the end of March 2008, the MZ-1 Technical Committee will have prepared specific scopes of work and detailed cost estimates for the above activities for inclusion in the FY 2008/09 budget.

Program Element 2: Develop and Implement a Comprehensive Recharge Program

Construction on the Chino Basin Facilities Improvement Project (CBFIP) Phase I was completed by December 31, 2005 at a cost of \$38M; 50% from a SWRCB Proposition 13 Grant, and 25% each from Watermaster and the IEUA. A CBFIP Phase II list of projects was developed by Watermaster and the IEUA, including monitoring wells, lysimeters, recycled water connections, SCADA system expansions, three MWDSC turnouts, and berm heightening and hardening. At a cost of approximately \$12M, these Phase II facilities will be financed through a 50% Grant from DWR and 25% each from Watermaster and the IEUA.

In FY 2005/06, the CBFIP Phase I facilities were able to recharge 49,000 AF of storm and supplemental water. With the completion of the Phase II facilities in FY 2007/08, the total recharge capacity will be about 91,000 AF. By the start of FY 2009/10, most of the basins will be able to operate on a 12 months-per-year basis with combinations of storm, imported, and recycled water, with occasional downtime for silt and organic growth removal. Operations and basin planning are coordinated through the Groundwater Recharge Coordinating Committee (GRCC), which met monthly during this reporting period.

Because of the drought and Delta water quality issues, MWDSC has been unable to provide replenishment water to southern California since May 1, 2007. This greatly restricts Watermaster's ability to recharge recycled water, since the California Department of Public Health requires that two parts of diluent water (imported or storm water) be blended with each part of recycled water. For this reporting period, only 4,000 AF of storm and recycled water have been recharged.

Program Element 3: Develop and Implement Water Supply Plan for the Impaired Areas of the Basin; and

Program Element 5: Develop and Implement Regional Supplemental Water Program

Construction on the Chino I Desalter Expansion and the Chino II Desalter facilities was completed in February 2006 and an application has been made for \$1.6 M in Proposition 50 funds to add 8 MGD of ion exchange capacity to the Chino II Desalter. As currently configured, the Chino I Desalter provides 2.6 MGD of treated (air stripping for VOC removal) water from Wells Nos. 1-4, 4.9 MGD of treated (ion exchange for nitrate removal) water from Wells Nos. 5-15, and 6.7 MGD of treated (reverse osmosis for nitrate and TDS removal) water from Wells Nos. 5-15 for a total of 14.2 MGD (16,000 AFY). The Chino II Desalter provides 4.0 MGD of ion exchange treated water and 6.0 MGD of reverse osmosis treated water from 8 additional wells for a total of 10.0 MGD (11,000 AFY).

Negotiations are currently underway between the Chino Desalter Authority and Western Municipal Water District to allow WMWD to join the CDA and to expand the Chino II Desalter by 10.5 mgd (10,600 AFY). Raw water will be drawn from existing CDA II wells, and possible additional new wells if needed. In addition, a new Chino Creek Well Field, required for hydraulic control, will provide additional raw water to the Chino I Desalter, enabling existing Well Nos. 13, 14, and 15 to shift production to the expanded Chino II Desalter facility if needed.

Program Element 4: Develop and Implement a Comprehensive Groundwater Management Plan for Management Zone 1

In October 2005, Watermaster completed the MZ-1 Summary Report, including the Guidance Criteria. Since then the impacted parties have had numerous meetings to transform the Summary Report into a Long-term Management Plan. The Summary Report and the Guidance Criteria were adopted by the Watermaster Board in May 2006, and the Long-term Management Plan was adopted in June 2007.



Program Element 6: Develop and Implement Cooperative Programs with the Regional Water Quality Control Board, Santa Ana Region (Regional Board) and Other Agencies to Improve Basin Management; and

Program Element 7: Develop and Implement a Salt Management Program

A Water Quality Committee meeting was held on July 19, 2007 to discuss the status of the investigations of the three major water quality plumes (Chino Airport, Ontario Airport, and Stringfellow Hazardous Waste site) in the Basin. For the Chino Airport, the consulting engineer for the San Bernardino County Department of Airports has successfully characterized the horizontal extent of TCE contamination, and submitted a work plan on December 10, 2007 to determine the vertical extent of contamination. Their work plan calls for installing 3 wells up to 300' in depth along the plume axis; to be followed by two wells ranging in depth from 100'-200' in order to sample the highest TCE concentrations. The SBCDA proposes to construct the wells in April 2008.

For the Ontario International Airport (OIA) plume, the Potentially Responsible Parties (PRPs) have been working with Watermaster to quantify the depth and extent of the TCE plume. The PRPs submitted a Work Plan in May 2007 for installing and sampling four groundwater monitoring wells, with two wells down gradient of the OIA and two wells down gradient of the Milliken Landfill. Watermaster and the RWQCB approved the Work plan; and the PRPs propose to begin drilling their monitoring wells in March 2008.

At the Stringfellow site, the consultants to the Department of Toxic Substances Control have been investigating whether the perchlorate plume from the site adds to the existing perchlorate levels in the Santa Ana River, or whether the perchlorate plume is diverted towards the Chino II Desalter well field. The results of their investigation, together with further discussion of the Chino Airport and OIA plumes will be the key topics of the Water Quality Committee meeting on February 12, 2008. Lastly, Watermaster continues to monitor the activities of General Electric's (GE) remediation at the Flat Iron facility and their efforts to develop a new location for recharge of their treated effluent.

MZ-3 Monitoring Program

The former Kaiser plume has been incorporated into an overall monitoring program for the MZ-3 area. The MZ-3 monitoring program is also assessing the groundwater quality impairment from total dissolved solids (TDS), nitrate, and perchlorate. The perchlorate may have originated from the Mid-Valley Landfill (in Rialto Basin, across the Rialto-Colton fault) or it may be a non-point source that resulted from the historical application of Chilean fertilizer. Four rounds of quarterly samples have been collected from 22 wells, including former Kaiser wells that Watermaster previously renovated: MP2 and KOFS. The MP2 cluster of wells (four depths) was in the heart of the Kaiser plume when the well was constructed; while KOFS was just beyond the leading edge of the plume. MP2 continues to show an impact from the Kaiser plume and the KOFS well is now impacted. Based on the analytical results, two new monitoring wells were constructed and two quarterly samples taken. Results from the entire monitoring program for MZ-3 will be presented in the final report, to be completed in FY 2007/08.

TDS and Nitrogen Monitoring Pursuant to the 2004 Basin Plan Amendment

Pursuant to the 2004 Basin Plan Amendment and the Watermaster/IEUA permit to recharge recycled water, Watermaster and the IEUA have conducted groundwater and surface water monitoring programs. Quarterly HCMP reports that summarize data collection efforts were submitted to the RWQCB in July and October of 2007. An annual HCMP report for 2007 will be submitted to the RWQCB in April 2008.

Program Element 8: Develop and Implement a Groundwater Storage Management Program; and

Program Element 9: Develop and Implement a Storage and Recovery Program

The existing Watermaster/IEUA/Metropolitan Dry Year Yield (DYY) program continued during the reporting period. As of December 31, 2007, about 88,434 acre-ft had been stored in the Basin in Metropolitan's DYY account. The construction statuses of local facilities included in the DYY program for the participating parties are as follows:



- City of Ontario – Wellhead treatment facility: final design received in October 2007. DYY Wells: Bids received for equipping Well No's 44 and 52; but were rejected in September 2007. New bid opening scheduled for 1Q 2008.
- Cucamonga Valley Water District – Five new wells (Nos. 39-42, and 43): construction completed for Well Nos. 39-42 and contract issued for wellhead equipment and transmission main for Well No. 43.
- City of Upland – New IX treatment facility constructed and online.
- City of Pomona – Expansion of existing IX treatment facility is 95% complete, and a permit to operate has been requested.
- City of Chino Hills – Refurbish Pellisier well and construct new treatment facility: design underway
- Monte Vista Water District – Well No. 31: well construction completed July 2006 and well equipping is scheduled for completion in August 2008. Well No. 32 is substantially complete. Well No. 33 and treatment facility (joint MVWD/Chino project): Well construction is complete and treatment facility construction is underway, with completion scheduled for July 2008.
- Jurupa Community Services District – Expansion of the Teagarden IX facility completed and online.





CHINO BASIN WATERMASTER

VII. INFORMATION

1. Newspaper Articles





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- 1. In-N-Out cancels beef contract
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5. Driver of stolen truck killed in CHP chase
6. Jury exonerates Webb in taped shooting of airman after chase
7. Ambulance collision
8. Laborer faces rape, carjacking charges
9. Cage fighter held in beating of son
10. 7:01 p.m.: Claremont affordable housing project in jeopardy

Water sustainability to be priority

Article Created: 01/31/2008 08:25:25 PM PST

RANCHO CUCAMONGA - The Cucamonga Valley Water District doesn't want to scare its customers, but with a drought this severe, it is calling on residents to change the way they think about their water usage.

At Wednesday evening's workshop on the state's water crisis - the first of three this year - district officials identified the problems of depending on imported water and discussed ways to be sustainable.

"We have to think about a new way of life," said Jim Curatalo, district board president.

About half the district's water supply comes from the Sacramento-San Joaquin Bay Delta, which is not only drying up, but susceptible to a number of environmental, political and infrastructural impacts.

This past summer, a judge ruled that the imported supply has to be cut in order to save the delta smelt, a small endangered fish found only in the delta.

Earthquakes, flooding or other natural disasters could also cripple the distribution system that brings water to half of the area's supply.

"If the delta fails," said Robert DeLoach, district general manager, "it will make Hurricane Katrina look like a small event."

Water agency officials don't want to be alarmists, but they know that asking customers to just turn off the water while brushing their teeth might not be enough.

Southern California is not only coming out of a record dry spell, but also experiencing a population growth that continues to tax natural

resources.

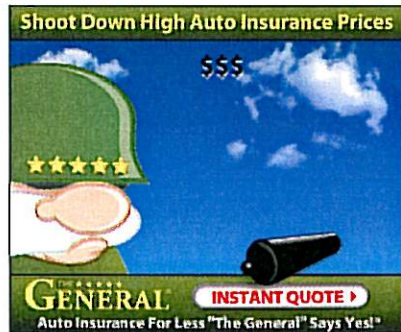
This year, Orange County began purifying sewage water to make it safe for drinking. DeLoach said it is not inconceivable that a similar reclamation project could make its way to the Inland Valley.

"Unless something significant is done to secure the delta, we'll probably have to look at something like that," DeLoach said.

Local water agencies are also hoping to use more recycled water.

The Inland Empire Utilities Agency is planning to invest \$120 million in new infrastructure to utilize recycled water by 2011. Recycled water, characterized by pipes painted purple, is typically used for landscape irrigation and industrial processes.

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DeLoach said he hopes saving water will eventually be as widely accepted as recycling.

"This generation doesn't even think twice about separating their trash," he said. "It's the same thing. We have to retrain people's thinking."

The district offers a number of rebates for residents who make water-saving changes to their homes such as installing low-flush toilets or synthetic turf.

For information about the rebate programs or the April and July workshops, visit online at www.cvwwater.com or www.bewaterwise.com.

wendy.leung@dailybulletin.com

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Staying informed

To find out about future Cucamonga Valley Water District meetings, call (909) 987-2591

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People blamed for water woes in West

Associated Press

By ERICA WERNER, Associated Press Writer

2 hours, 55 minutes ago

Human activity such as driving and powering air conditioners is responsible for up to 60 percent of changes contributing to dwindling water supplies in the arid and growing West, a new study finds.

Those changes are likely to accelerate, says the study published Thursday in Science magazine, portending "a coming crisis in water supply for the western United States."

The study is likely to add to urgent calls for action already coming from Western states competing for the precious resource to irrigate farms and quench the thirst of growing populations. Devastating wildfires, avalanches and drought have also underscored the need.

Researchers led by climate expert Tim P. Barnett at the Scripps Institution of Oceanography at the University of California, San Diego, studied climate changes in the West between 1950-1999. They noted that winter precipitation falls increasingly as rain rather than snow, snow melts faster, river flows decrease in summer months, and overall warming is exacerbating dry summer conditions.

The researchers used statistical modeling to compare climate changes that would have happened with natural fluctuations over time, to climate changes with the addition of human-caused greenhouse gases and other emissions from vehicles, power plants and other sources.

They found that most changes in river flow, temperature and snow pack between 1950 and 1999 can be attributed to human activities, such as driving, that release emissions including carbon dioxide and other greenhouse gases into the atmosphere.

The changes they observed differed significantly from trends that could be attributed to natural fluctuations between wet and dry periods over time, they said.

"The climate's changing in the West. We've known that. The question is why, and no one's really addressed that," Barnett said in an interview. According to his study, "The answer is it is us."

"The picture painted is quite grim so it's time to collectively sit down and get our act together," Barnett added, suggesting the need for conservation, more water storage, and a slowdown on development in the desert Southwest.

"The building is just going crazy, so it would be a pretty good idea to put a curb on that unless they can figure out how to get more water," he said.

The study also included researchers from Lawrence Livermore National Laboratory, the University of Washington, Seattle, and the National Institute for Environmental Studies in Japan.

"Our results are not good news for those living in the western United States," they conclude. The research "foretells of water shortages, lack of storage capability to meet seasonally changing river flow, transfers of water from agricultural to urban uses and other critical impacts."

On the Net: <http://www.sciencemag.org/scienceexpress/recent.dtl>

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Rialto perchlorate case parties agree to delay

Jason Pesick, Staff Writer

Article Launched: 01/29/2008 08:35:49 PM PST

A messy battle over efforts to clean up Rialto's drinking water continued Tuesday as suspected polluters and government agencies agreed to push past a court-imposed deadline.

A Los Angeles County Superior Court judge was scheduled to hear arguments Tuesday regarding whether state cleanup hearings held by the State Water Resources Control Board can go forward.

But state officials working for the Riverside-based Santa Ana Regional Water Quality Control Board and three suspected polluters wanted 60 more days to continue negotiating a settlement to the contamination dispute instead of going through hearings before the state board.

"The parties want some additional time to continue the talks," said Kurt Berchtold, assistant executive officer of the regional board.

In case those two-month-old talks unravel, the parties are also trying to agree on a schedule to resolve the court dispute over whether the state hearings can even take place. In November, the parties also decided to push off a court hearing on the fairness of the state hearings so they could begin the settlement talks.

Rialto's water is contaminated with perchlorate, a chemical used to produce explosives, and trichloroethylene, an industrial cleaning product.

The courts got involved shortly before the state hearings were supposed to begin in August. Three suspected polluters - Black & Decker, Goodrich and Pyro Spectaculars - sued in Los Angeles County Superior Court, claiming the state hearing process was so flawed that it could not go forward.

Judge Dzintra Janavs, who recently announced plans to retire, halted the state hearings in August until she could resolve whether the state hearings were fair and could go forward.

The state regulatory agencies have tried to force three suspected polluters to clean up much of the contamination for years.

On separate fronts, Rialto has filed a federal lawsuit against dozens of suspected polluters. The case is scheduled for trial in October. Most recently, the U.S. Environmental Protection Agency has become involved in Rialto and may declare one of the source areas a Superfund site.

Rialto and many of the local water agencies are upset with the regional board's negotiations with the three suspected polluters.

"We need to move ahead one way or the other. If we were allowed to be in the secret meetings with the water board, I'd be much more comfortable extending the court hearings

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tomorrow," Rialto Councilman Ed Scott a member of the city's perchlorate subcommittee, said Monday.

Michael Whitehead, president of the San Gabriel Valley Water Co., which owns the Fontana Water Co., said he does not have confidence that a possible settlement will even lead to a solution that meets the public's needs and restores the water supply.

"All the major affected parties should be at the table," he said.

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Pipeline work to resume on Feb. 4

By Wendy Leung, Staff Writer

Article Created: 01/28/2008 10:37:10 PM PST

With the area still drenched from recent rains, it shouldn't be much of a sacrifice to cut down water use during the upcoming shutdown of the Rialto Feeder pipeline. But local water agencies are asking customers to be ready to conserve.

The second phase of a three-phase pipeline improvement project is set to begin, and residents from La Verne to Fontana are being asked to reduce water consumption from Feb. 4-10. The project involves installing isolation valves on the 40-year-old Rialto Feeder pipeline, which brings imported water to the Inland Valley.

"It's probably not a problem considering the rain we've been getting," said Kristeen Buxton, spokeswoman for the Cucamonga Valley Water District.

The shutdown will affect the cities served by the Inland Empire Utilities Agency and a section of the Three Valleys Municipal Water District: La Verne, Claremont, Chino, Chino Hills, Montclair, Upland, Ontario, Rancho Cucamonga and Fontana.

Last February, service wasn't affected during a similar shutdown. Buxton said the district's customers cut consumption by

about 40 percent during the previous seven-day shutdown.

Water agencies are asking customers to refrain from unnecessary water consumption, especially outdoors. Tips for reducing water consumption include:

Turn off automatic sprinklers.

Do not fill swimming pools.

Do not wash cars.

Keep shower time to a minimum.

If running the washing machine or dishwasher is necessary, run full loads.

wendy.leung@dailybulletin.com


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No single answer to water woes

Article Created: 01/28/2008 05:27:50 PM PST

OUR VIEW: Don't be fooled by recent rains - there are still serious threats to water availability.

It might seem almost funny.

A local congresswoman is holding a hearing today in Washington about addressing the uncertainty in Southern California water supplies.

And a local water district is holding a workshop Wednesday to discuss the state's water shortage.

Meanwhile, we're still trying to dry out after getting soaked by rainstorms all weekend.

But it's not funny. Even though we've had some impressive storms this winter and our rainfall totals are looking good for this year, there are underlying problems that threaten Southern California's water supply in both the short and long terms.

With the eight-year drought in the Colorado River Basin cutting water imports from that river, and a court ruling threatening supplies from the Sacramento-San Joaquin River Delta, there is a great deal of uncertainty in our water future.

Rep. Grace Napolitano, D-Santa Fe Springs, is

holding a hearing today to examine what can be done to decrease our dependency on the Delta. A federal judge's decision that Delta water exports might have to be cut by as much as a third to protect a threatened fish makes finding alternatives a must. Some 18 million Southern Californians, as well as Central Valley agriculture, can expect a significant reduction in water availability.

Among the panelists at the hearing will be Rich Atwater, CEO and general manager of the local Inland Empire Utilities Agency, and Jeff Kightlinger, general manager of Metropolitan Water District, which provides imported water for most Southern California water agencies.

Inland Empire Utilities Agency has set a good example by promoting water recycling through its own projects and on the part of its member cities. MWD takes credit for reducing regional water demands by about 15 percent through encouragement of conservation.

Another hearing participant will be Rick Frank, a member of the governor's Delta Vision Blue Ribbon Task Force. That panel's important report recommends a dual focus on protecting the Delta's ecosystem and the state's water delivery, and leans toward a "dual conveyance" system that would divert some water into the State Water Project before it reaches the Delta.

The task force is a many-pronged approach that includes better storage facilities for surface water and groundwater along with conservation

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and reuse.

That's right. There's no silver bullet to secure California's water supply. It's going to require a number of partial solutions and a lot of cooperation among groups with different needs and goals.

That's why we're glad to see Napolitano bring together water managers, farmers, the Delta study group, the federal Bureau of Reclamation and the state Department of Water Resources.

We're also glad to see the Cucamonga Water District put on a series of workshops to make consumers more conscious of their water use.

Even if we're still drying out from the rain.

Disagree? We'd like to hear from you. Write us at letters@dailybulletin.com.

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City plans for water unclear

Owen led aggressive legal effort

Jason Pesick, Staff Write

Article Created: 01/27/2008 09:52:51 PM PST

RIALTO - City Attorney Bob Owen was the quarterback of the city's high-profile battle to pursue the parties charged with contaminating the city's drinking water.

But last week, the City Council fired him. What's not clear is if they want to send his cleanup strategy out the door with him.

The water supply is contaminated with perchlorate, an ingredient in explosives, and the cleaning solvent trichloroethylene. Although an audit the council requested on the cost of the city's efforts has not yet been made public, the best estimate is that \$20 million has been spent trying to hold dozens of suspected polluters responsible.

Only \$3 million has been spent on treatment.

"I think we have to take a look at the strategy, what it's going to cost," Councilman Joe Baca Jr. said when asked if he wants to nix the specialized lawyers Owen brought in.

Baca, Mayor Grace Vargas and Councilman Ed Scott, a member of the council's perchlorate subcommittee, voted to give Owen 30 days' notice. Owen's contract states the city will have to pay \$500,000 to end his contract early. Councilwoman Deborah Robertson and Councilwoman Winnie Hanson, the other member of the subcommittee, wanted to keep him.

"I'm hoping that this is not detrimental to our court case," Hanson said. A massive federal lawsuit to determine responsibility for the contamination is set to begin this year.

As costs have mounted and state regulators have failed to initiate a widespread cleanup, the City Council reversed a long-held view and invited the U.S. Environmental Protection Agency to town to declare part of the source of the contamination a Superfund site.

The council decided to pursue the suspected polluters in court long ago, Robertson said.

"We did it with the understanding that we would pursue litigation and seek to recover as much as we can," she said.

She said she has noticed gradual changes in strategy as of late. The city has tried to reach settlements with the suspected polluters and has sought state and federal money.

"These exit strategies don't appear to do anything to return anything to the ratepayers," she said.

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The ratepayers are the customers of Rialto's water department, which serves about half the city. The customers have funded the bulk of the city's efforts through a surcharge on their water bills.

Baca said residents should not pay a surcharge that funds lawyers and experts.

"It should go to treatment," he said.

Scott said the city can't eliminate the surcharge while the litigation continues.

But he said any money from a settlement or court order should reimburse ratepayers before going to the city.

He said he hopes the litigation can end soon.

"In fact, the olive branch is out there to settle the lawsuit," he said.

He also said the lawyers working on the case remain in place.

"Currently, we're steadfast on the existing strategy," said Scott. "There's been no change by the council on the lawsuit. That's not to say there won't be at some point."

jason.pesick@sbsun.com

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Water district plans workshop

Wendy Leung, Staff Writer

Article Created: 01/27/2008 09:51:43 PM PST

RANCHO CUCAMONGA - Lawns might be soaked and streets flooded, but this week's storm in the midst of a serious water crisis is just a drop in the bucket.

Following a record-dry year, the possibility of water rationing continues to loom, and the Cucamonga Valley Water District is hosting a series of informational meetings to discuss the state's water shortage.

"California's Water Crisis: A Local Issue," the first of three workshops, will be held 6 p.m. Wednesday in Central Park.

"We're not in 'crisis mode,' but we're asking people to be prepared," said Kristeen Buxton, spokeswoman for the water district. "We want to put the issue on everyone's mind and make them more conscious of their water use."

Two more workshops are planned for April 24 and July 17.

The water supply from Northern California is drying up, and cutbacks are likely. Buxton said the Metropolitan Water District hasn't given a timeline on when cutbacks could begin but has

called for conservation of up to 30 percent.

The water district - which serves Rancho Cucamonga and portions of Upland, Fontana and Ontario - relies on Northern California for about half of its supply. Buxton said the water district doesn't rely on Northern California as much as surrounding communities because it has nearby canyon sources and a reliable groundwater supply.

Registration for the meeting is encouraged. Call (909) 987-2591, ext. 7491, or visit .

wendy.leung@dailybulletin.com

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TURN DOWN THE TAP

The Cucamonga Valley Water District is asking its customers to conserve water while repairs are done on the Rialto Feeder pipeline Feb. 4-10. Customers are asked to reduce nonessential water use.



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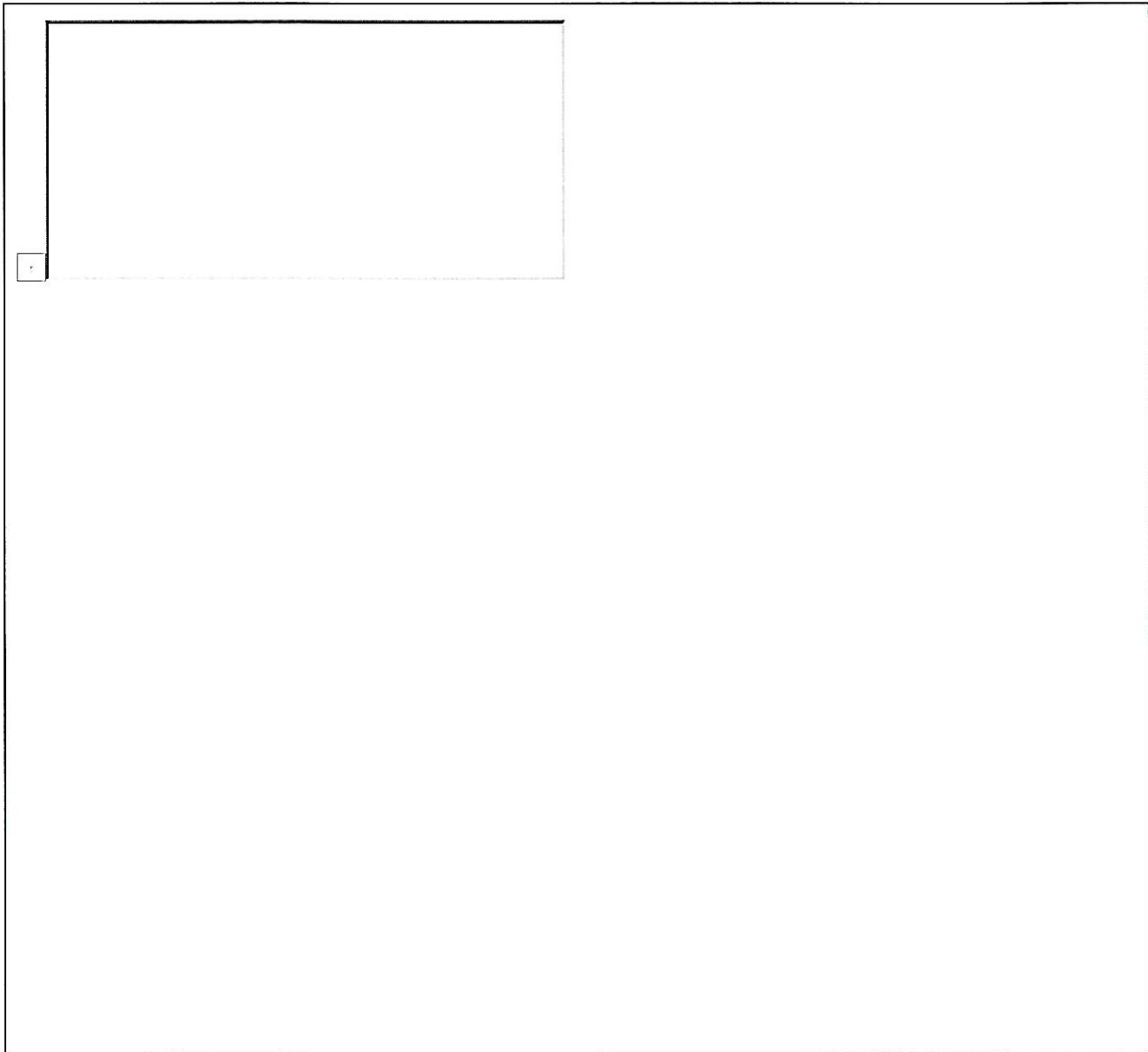
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Tuesday, January 22, 2008

Sewer-water system begins filling aquifer

Purified wastewater is being sent to settling ponds in Anaheim.

By **PAT BRENNAN**

THE ORANGE COUNTY REGISTER

A system that converts sewer water into drinking water has begun channeling its product into settling ponds in Anaheim, where it will sink into the county's deep aquifer, an important local source of drinking water.

On Friday, the Orange County Sanitation District began sending purified wastewater through a pipeline to the two Anaheim settling basins. Earlier this month, the Groundwater Replenishment System began piping water into an underground barrier that prevents seawater from seeping into the aquifer. But the agency had to wait for final state approval before sending water to the settling ponds.

Although state health officials required that the water receive an extra level of treatment – being filtered through sand and rock on its way down to the aquifer – experts say that last step is probably unnecessary.

The \$480 million system uses high-powered, reverse osmosis filters to treat the water, which arrives from the Orange County Sanitation District, adjacent to the water district in Fountain Valley, after pre-treatment to remove contaminants.

The water is then exposed to hydrogen peroxide and ultraviolet light to destroy any remaining organic material.

It will produce up to 70 million gallons per day, half for the seawater intrusion barrier and half for the county's drinking-water supply. But most of the seawater-barrier water also eventually becomes part of the drinking-water supply, said Orange County Water District spokesman Ron Wildermuth.

When the Groundwater Replenishment System hits the 70 million gallons per day, which it is working up to, it will produce an estimated 10 percent of all the water used countywide.

The treated water will mingle with other water in the deep aquifer, and it will likely be six months to a year before any of it is

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pumped out and consumed, said Orange County Water District spokesman Ron Wildermuth.

Only north and central Orange County receive water from the aquifer; South County relies almost entirely on imported supplies.

Contact the writer: 714-796-7865 or pbrennan@ocregister.com .

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Los Angeles Times



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 From the Los Angeles Times

Drought plan opens rifts over fairness

Foes say the Metropolitan Water District proposal slights small, older cities with less clout. Backers say it spreads the pain.
 By Deborah Schoch
 Los Angeles Times Staff Writer

January 20, 2008

With a key vote just weeks away, cities and water agencies across the region are scrambling to figure out the ramifications of a first-ever shortage allocation plan that would govern water deliveries to communities stretching from the Santa Monica Mountains to the Inland Empire and south to the Mexican border.

Deep rifts are developing among some of the 26 member agencies of the Metropolitan Water District over allotments under the plan, which will kick in if current water shortages necessitate rationing, possibly as early as spring.

The MWD imports water from Northern California and the Colorado River and sells it to its member agencies to supplement local supplies, such as groundwater.

Some critics say the plan, devised by MWD staff, heavily favors Los Angeles and growing communities while penalizing smaller, less affluent, built-out cities with less clout. Some worry that steep penalties could drive up water bills at a time when the MWD already says it will probably have to raise rates 20% to 30% by 2011.

Under the plan's complex formula, more water would flow to cities and agencies that depend heavily on MWD water as well as those that abruptly lose local supplies, are in growing areas or have installed certain water-conserving devices such as low-flow toilets.

Los Angeles would benefit from the "loss of local supply" feature if a drought sharply reduced the water it imports from the Eastern Sierra through the Los Angeles Aqueduct. San Diego, which gets most of its water from the MWD, would also receive assistance, since it has virtually no groundwater.

The formula would be the first of its kind adopted by the MWD, which cut supplies across the board in the droughts of the late 1970s and early '90s.

The plan drew criticism almost as soon as it was unveiled. More than 80 officials from cities along the 710 and 605 freeway corridors crowded into a Commerce meeting room Jan. 9. Some attacked the plan as disproportionately hurting lower-income, largely minority communities. Cerritos, Downey, Norwalk, Paramount and other cities have written letters asking for more time to study the proposal.

Kevin Wattier, the Long Beach Water Department general manager, said Friday that his agency may sue to block the plan if the MWD board approves it as expected Feb. 12. He believes that the proposal fails to account for how the sheer size of Los Angeles' water consumption could severely squeeze smaller cities' supplies in a major drought.

Last year, for example, low flows in its aqueduct from the Sierra forced the Los Angeles Department of Water and Power, which supplies water to city residents, to buy 253,000 acre-feet more water from the MWD than it had the previous year.

Los Angeles, Pasadena and several other cities in the region have voiced support for the proposal, calling it a significant move toward equity in a region of cities with vastly different water supplies and needs.

Cities that back the plan say it will "spread the pain" of a shortage.

"We realize if we're all going to go into our corners and fight for our little issue, we're not going to get a solution," said Shan Kwan, director of the Pasadena water services division. "Everyone is going to have to make some sacrifice, some compromise, to make this work for the region."

MWD General Manager Jeff Kightlinger said the proposal gives communities time to plan for possible cuts.

"Once people get past complaining or looking at what they may or may not be cut, they'll say, 'OK, I can start planning,'" Kightlinger said. "That's the goal here, to give people information so that they can go out and do what they can locally."

Others call the plan anything but fair.

"We think it favors big users, like L.A. and San Diego. It subsidizes agricultural water when we are going to be paying very high prices. We're concerned for our ratepayers," said Vince Brar, senior assistant city manager for Cerritos.

"It certainly favors the newer areas over the more established ones," said Jim Glancy, director of water resources for Lakewood.

Peter E. Rodriguez of the Upper San Gabriel Valley Municipal Water District, which delivers water to communities from South Pasadena to

Covina, offered this scenario: "Suddenly, the need based on growth is higher in the Inland Empire -- and suddenly, that means that in some older communities, the water allocation is reduced. That could mean higher rates, higher penalties."

Some older cities are disturbed by what they see as the loss of their preferential rights. Those rights favor the first members of the MWD, which was created in 1928 when local cities banded together to finance the construction of the Colorado River Aqueduct. In return, those cities, including Los Angeles, Pasadena, Compton and Long Beach, were to be first in line in times of shortage.

The new formula would not give the same preferential rights to early MWD members during years of water shortages.

That angers Long Beach water officials, who say their customers will pay more as a result.

Their counterparts in Los Angeles have a different take.

"We're happy with the formula, even though on paper it would look better for Los Angeles with preferential rights," said James McDaniel, chief operating officer for water at the DWP. "We feel you'd have a real disconnect if you went down that road. There would be a lot of inequity among the systems."

Others say lower-income residents would fare poorly under the plan. Those consumers are already "paying very high rates and conserving the most that they can," said Miriam Torres of the Environmental Justice Coalition for Water.

Residents in low-income areas may live in homes with older, inefficient appliances that neither they nor their water district can afford to replace, said Heather Cooley, senior research associate at the Pacific Institute, a nonprofit think tank based in Oakland.

"I would urge the Metropolitan Water District to consider providing additional funding for water conservation to these communities so that they can meet the water allocation budget," Cooley wrote in an e-mail.

Even if the plan is approved next month, MWD officials say they may not have to use the allocation this year, or at all. That depends on a number of variables: how much snow falls in the Sierra, how much longer an eight-year drought continues in the Colorado River Basin and how a federal judge rules in a case brought by environmental groups to protect Central Valley salmon.

Critics said that barring an upset, they expect the plan to win approval. The chairwoman of the key committee that will review it Feb. 11 is Nancy Sutley, Los Angeles' deputy mayor for energy and the environment, and the vice chairman is Jim Barrett, director of the San Diego Water Department.

Representation on the 37-member board is determined not by population, but by the assessed property valuations of specific member cities and agencies.

Los Angeles, San Diego and Orange County each have four votes, and the Central Basin Municipal Water District, which covers many of the southeast L.A. County cities concerned about the plan, has two. Most other cities and agencies each have one. Then, each vote is weighted according to valuation.

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Where the water comes from

The MWD imports water from the north via a state aqueduct and from the east via its own aqueduct, selling it to cities and districts serving 18 million people. L.A. gets Eastern Sierra water from a third aqueduct now at a historic low, forcing heavy purchases from the MWD.



Sources of water (projected 2007-08 fiscal year)*

	Imported by MWD	Ground-water	Other
Anaheim	22%	78%	
Burbank	50	50	
Long Beach	50	50	
Los Angeles	70	13	17%**
Pasadena	60	40	
Santa Ana	18	82	
Santa Monica	88	12	

*Does not take into account the allocation proposal

**From the L.A. Aqueduct, which normally supplies 45% to 50% of the city's water

Sources: California Department of Water Resources, Metropolitan Water District, local cities and water agencies
Graphics reporting by DEBORAH SCHUCH

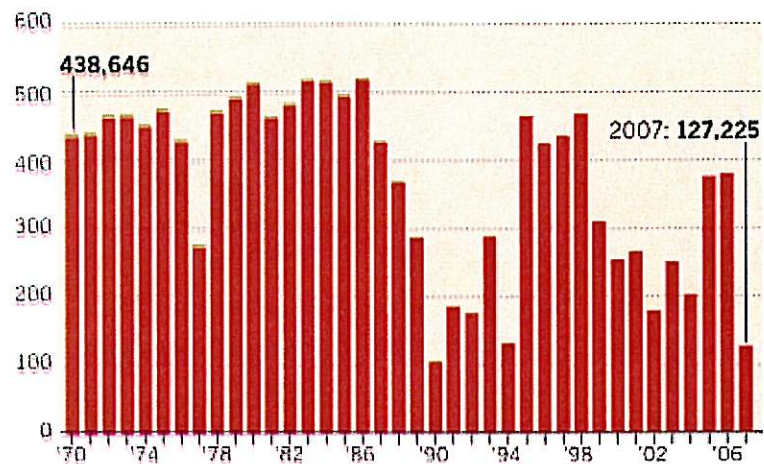
Los Angeles Times

Water from the Eastern Sierra

A diminishing snowpack and environmental concerns in recent years have led to less water being delivered to Los Angeles.

Annual deliveries from the Los Angeles aqueducts, in acre-feet of water

(Scale in thousands)



Source: Los Angeles Department of Water and Power

Los Angeles Times

Water utility offers rebate

Inland Empire Utilities Agency's Water-Wise Residential Landscape Program offers a mini-grant of \$2 per square foot up to a \$2,000 maximum per residential site to convert turf to what the agency calls "California Friendly" landscaping.

A minimum of 400 square feet of turf needs to be removed per residence to qualify for the rebate.

In addition, the property owner must commit to maintaining California Friendly landscape for a minimum of five years.

For information, visit IEUA's website at www.ieua.org, look for the rebate icon and scroll down to the Water Wise Residential Landscape Program.

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FOR IMMEDIATE RELEASE

La Habra City Councilman Steve Anderson appointed as Vice Chairman to Metropolitan Water District Board

Fountain Valley, CA (January 10, 2008) – The Municipal Water District of Orange County (MWDOC) announced today that of Steve Anderson, La Habra councilmember and long-time leader in the Orange County water/wastewater industry, was appointed as Vice Chairman of the Metropolitan Water District of Southern California board of directors.

Anderson was appointed to the Metropolitan board of directors as the Municipal Water District of Orange County's (MWDOC) fourth district-appointed representative on the 37-member Metropolitan board in January of 2007. Metropolitan Chairman Tim Brick appointed Anderson as Vice Chairman with a focus on water recycling and water desalination efforts. Orange County has been an industry leader in both of these water resource efforts. Director Anderson represents MWDOC on the Metropolitan board with directors Ergun Bakall, Larry D. Dick, and John V. Foley.

MWDOC is the regional water resource-management agency, serving nearly 2.3 million Orange County residents through 29 water providers. The agency, headquartered in Fountain Valley, is the third largest Metropolitan member agency. Metropolitan is a consortium of 26 water districts providing drinking water to 18 million people in six Southern California counties.

-- more --

**Anderson Named to MWD Board
2-2-2-2**

“Orange County has spearheaded the development of new water resources such as the work of the Orange County Sanitation District and the Orange County Water District in developing the Ground Water Replenishment System and the South Coast Dana Point Desalination project, at a time when water supply in Southern California is critical,” said Susan Hinman, MWDOC president. “Steve’s background, knowledge, experience and regional perspective on the Metropolitan board are essential to pursuing new sources of water which will ultimately ensure that Orange County continues to receive its fair share of water at a reasonable rate.”

Anderson has held numerous positions in the Orange County utility-construction industry with Cal Domestic Water Company and the cities of La Habra and Anaheim. He was elected to the La Habra City Council in 1992 and served as mayor in 1995, 1999 and 2005.

Anderson was appointed to the Orange County Sanitation District board of directors in 1994, and served as vice chair in 2002 and chair in 2005. He is a sanitation district representative on the Groundwater Replenishment System Steering Committee.

Anderson was the recipient of the Santa Ana Watershed Project Authority 2005 Leadership Award and is the general manager of Midway City Sanitary District in Westminster.



Steve Anderson

#

The Municipal Water District of Orange County is a water resource management and planning agency, ensuring system and supply reliability to nearly 2.3 million Orange County residents through 29 cities and water agencies.

Los Angeles Times



roll over. wake up.

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<http://www.latimes.com/news/local/la-me-skechers14jan14,1,307066.story>
From the Los Angeles Times

Water laws may throttle growth

Statutes force a district near Lake Perris to assess whether supply will be available for huge warehouse project, which is now on hold.

By Deborah Schoch
Los Angeles Times Staff Writer

January 14, 2008

The planned distribution center for the footwear firm Skechers USA would rise on 1.7 million square feet in the Inland Empire, making it one of the largest warehouses in the United States. It would anchor a new community called Rancho Belago, a variation of the Italian for "beautiful lake," after nearby Lake Perris reservoir.

Now, in a sign of growing water anxieties, the Skechers warehouse and six other large projects in western Riverside County are on hold until March or later because the local water agency could not promise to deliver water to serve them.

The dilemma shows what can happen when construction and global trade, key drivers of the regional economy, are reined in by a potential lack of water.

"Just looking at the raw numbers, we kept coming up short," said David J. Slawson, president of the board of directors of the Perris-based Eastern Municipal Water District, one of the largest districts in the state.

Slawson explains that his own livelihood as a land surveyor depends on growth, that no one on the board wants to hobble the economy. Still, he said, the restriction is "something we feel is necessary until we have some better numbers and we see some action statewide."

He says he's surprised that other water districts have not paused to review their own supplies.

This winter is posing the first significant test of two little-known state laws passed in 2001 that link large development to the availability of water.

The Eastern district may be the first in the region to cite water as the reason for delaying approval of a large project because of the laws.

Developers and water officials worry that more agencies may do the same, further weakening a building market already crippled by the sub-prime mortgage crisis. Although Inland Empire business leaders hope Eastern will ease its restrictions as early as March, the district is offering no guarantees.

"No water. No construction. It's a bad combination," said Borre Winckel, executive director of the Riverside County Building Industry Assn., which has seen a dramatic decrease in requests for building permits.

But state Sen. Sheila Kuehl (D-Santa Monica), sponsor of one of the two laws, says it is working the way it should, by requiring cities to be realistic about how ambitious developments can strain water supplies to the limit.

The twin laws require local water agencies statewide to assess the needs of large projects and assure that water supplies are there for both existing and new customers for the next 20 years. The Kuehl law focuses on residential growth of 500 units or more, while a related one sponsored by a former state senator, now Rep. Jim Costa (D-Fresno), requires supply studies for all large projects.

Since then, Eastern water district officials approved 82 studies, called water supply assessments, for new projects in the fast-growing region.

Each time, they looked at whether the projects would strain water supplies. Each time, they found that the water was there. That changed last year, amid what some are calling "the perfect drought," a confluence of natural problems sharply decreasing water deliveries to the area: a record-low snowpack in the Sierra Nevada, an eight-year drought in the Colorado River Basin, record-dry weather at home.

The final blow came in late summer with a federal court decision protecting the endangered Delta smelt by limiting water deliveries from the Sacramento-San Joaquin Bay Delta, linchpin of the state Water Project that distributes water statewide. The federal order, made final in December, will reduce deliveries to Southern California by an estimated 22% to 30%, state officials say.

"What triggered things was the cutback on the state Water Project," said Peter Odencrans, spokesman for Eastern. "That made us think that until we work things out and get some security, we'd better be a little more cautious, and make sure that the data we come up with we do stand behind 100%."

The Eastern Municipal Water District distributes water to a 550-square-mile area from Moreno Valley to Temecula and Hemet nearly to Lake Elsinore. The area's population is now 660,000, but that is expected to soar eventually to 1.5 million, district officials said.

"We estimate that there may be requests for 120,000 new homes in our service area by 2030," Odencrans said. The current construction slowdown may offer some time for district water officials to study projected growth statistics and finish a projected \$1 billion in capital improvements planned within five years.

Economist John Husing, who has studied the Inland Empire extensively, worries that other water agencies will be forced to follow Eastern's lead, squeezed by the twin water laws and the federal smelt ruling.

"I expect that you're going to see it in every edge area of Southern California. That's Palmdale/Lancaster, out in the Imperial Valley," Husing said.

Eastern gets 80% of its water from the Los Angeles-based Metropolitan Water District, the water wholesaler that sells to 26 member cities and agencies. The MWD, in turn, gets its water from Northern California and the Colorado River Basin, and current shortages may force cutbacks to its members as early as May.

The MWD board could approve a formula as early as February that could benefit the Inland Empire by allotting more water to growing areas that are heavily dependent on MWD water -- exactly the sort of area served by Eastern. Some older, built-out cities in the Los Angeles area are criticizing that formula, saying it would force low-income customers to subsidize growth elsewhere.

In the meantime, Eastern officials are conducting a full-scale study of how much water they have already approved for other projects, since some of those may be on hold or canceled because of the building slowdown.

"We're going to look at the numbers all anew, sort of like zero-based budgeting. It's a zero-based urban management water project," Slawson said.

The developer of the Skechers distribution center said he understood the approach.

"They made a statement indicating that the purpose of their evaluation is certainly not to limit growth, but to find an approach to better manage their resources," said Iddo Benzeevi, chief executive of Highland Fairview Properties in Moreno Valley, which is developing the project.

Construction is slated for the second half of this year, and Benzeevi said he was optimistic that the schedule would be met.

"We're confident, to a point, that this is not a long-term thing," added Mark Gross, senior planner for the Moreno Valley planning department. "We're hoping that something will get resolved in March."

Slawson, who owns a civil engineering and land surveying company in Moreno Valley, said he was constantly being questioned about the district's delay by owners and representatives of businesses in the area.

Some business leaders ask him why Eastern decided to start deferring approvals. He tells them that the two 2001 state laws gave water districts new responsibilities in assessing growth.

"I do get questions: Why haven't other water districts done this?" says Slawson, who hears that others are still issuing water supply assessments.

"All I can say is that the water industry is not inclined to act as land planners," he said. "But nonetheless, when they revised the water code to require us to issue these assessments, they changed the rules."

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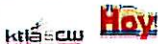
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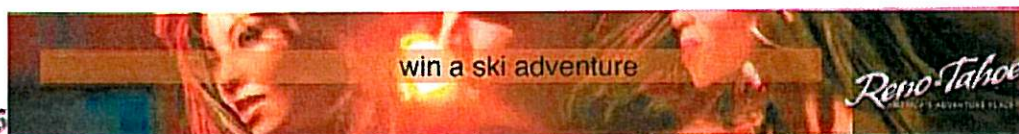
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From the Los Angeles Times

Storm-damaged wetlands restored

The project near Prado Dam will improve water quality for millions of Orange County users living downstream.

By David Reyes

Los Angeles Times Staff Writer

Robert Johnson steered his pickup carefully along an earthen levee ringing the newly renovated wetlands behind Prado Dam, which straddles the Riverside-Orange county border.

He braked to watch a red-tailed hawk soar overhead and pointed proudly to young plants already sprouting where earthmovers had recently tracked. "People ask whether we have to plant those bulrushes and cattails out there, and we tell them no. They grow alarmingly fast. By spring this area will look overgrown."

More than two years ago, the wetlands, constructed by the Orange County Water District in 1996, were wiped out when the Santa Ana River -- which feeds into the dam's vast reservoir -- changed course due to near-record rainfall, said Johnson, the district's director of wetlands operations.

Earthmovers and bulldozers brought in by the water district have finished restoring more than 460 acres into a battery of large ponds, regarded as the largest man-made wetlands in Southern California.

The wetlands will act as nature's filtration system, removing nitrates and improving water quality for millions of downstream users in Orange County.

Prado is hardly a household name in Southern California, where more high-profile wetlands -- Ballona, south of Marina del Rey; Bolsa Chica, in Huntington Beach; and, in San Diego County, Batiquitos Lagoon in Carlsbad -- historically have grabbed headlines.

But Prado is well-known among birders and environmentalists in the Inland Empire because of its size and importance in an area where new housing developments sprout on former farms and other open land.

"We used to have the agricultural land in Chino, and birds and other wildlife would go there and into Prado's reservoir," said Terry Wold, a conservation coordinator for the Sierra Club's San Gorgonio chapter. "But, slowly, we've been taking their habitat away."

Birders have seen great egrets, herons and ducks on tours, and the area is also habitat for the endangered least Bell's vireo and Southwestern willow flycatcher.

Drew Feldmann, president of the San Bernardino Valley Audubon Society, said birds don't know about property lines. "To them, it's one large area, so we welcome whatever wetlands protection and restoration can be done."

The wetlands project includes diverting half the Santa Ana's flow into the pond system and subsequently into Chino Creek, where the water will rejoin the river. But recent rains have delayed the diversion until at least next month, district officials said.

"You have to understand that we're in a flood plain here, and everything is dynamic," said Bonnie Nash, the water district's habitat restoration manager. "That means things out here are temporary, because if it storms, water can rush through here and wipe things out."

Nash's greatest fear, however, isn't rain. It's *Arundo donax*, an invasive cane that grows up to 20 feet, hogs water and chokes out native plant life along the Santa Ana.

"It's worthless," said Nash, who relies on a network of contractors and volunteers to keep the non-native plant in check. Arundo, she and Johnson said, clogged the Santa Ana and was partly responsible for the diversion that swept into the district's wetlands.

That same year, more than 2,000 residents in Riverside and Orange counties living below the dam were evacuated after engineers detected seepage from the earthen structure, which at the time was holding back near-record levels of water.

They were allowed back into their homes after emergency repairs were made to the dam.

Prado, which is being raised more than 28 feet, is a crucial part of a mammoth flood-control system that protects more than 3 million people in San Bernardino, Riverside and Orange counties.

The raising of Prado is the last major piece of the flood protection plan that is part of the long-awaited Santa Ana Flood Control Project, a \$1.3-billion effort to protect Orange County homes from major flooding. Federal officials have described the flood plain in the Huntington Beach and Fountain Valley area as potentially the most vulnerable west of the Mississippi.

The U.S. Army Corps of Engineers has raised the dam's embankment and constructed new outlets, but still must build dikes, raise the spillway and put in a new operations tower. Completion of the project was expected by 2010, but that date has been pushed back by at least another year,

said Greg Fuderer, a Corps spokesman.

"We're behind our original schedule because of the flooding two years ago," he said.

When the project is finished, the storage capacity of the dam will be increased at least 50%, reducing the need to release water into the Santa Ana River. Although the river's flow is usually a trickle during the summer, the Santa Ana can turn destructively wild in the rainy season, and releases from the dam aggravate the problem.

Officials said the river is overdue for a great 100-year flood, which could cause \$15 billion in damage to downstream communities.

One such flood occurred in the late 19th century, when settlers wrote of rowing boats from Newport Beach to Santa Ana. Another massive flood in 1938 knocked out nearly every bridge in the county, submerged large parts of Garden Grove, Westminster and Santa Ana, and killed dozens of people.

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Water officials tell Rialto that perchlorate levels are safe

By Jason Pesick, Staff Writer

Article Created: 01/11/2008 10:22:20 PM PST

RIALTO - The water here is safe to drink. That was the message city officials pushed at a town-hall meeting at Frisbie Middle School.

The meeting this week focused on the chemical perchlorate, which is contaminating local drinking water.

Rialto and West Valley Water District officials - which together serve water to the vast majority of Rialto - told residents they don't have to worry about the water coming out of their tap.

"We run the systems until there's no detectable perchlorate," Bill Hunt, an engineering consultant for Rialto, said of the treatment systems at the Thursday meeting.

Perchlorate, a chemical used to produce explosives like rocket fuel and fireworks, is flowing through Rialto from an industrial site north of the 210 Freeway that dates back to World War II.

The panel at the meeting included City Council members Winnie Hanson and Ed Scott, who make

up the perchlorate subcommittee, as well as medical, engineering and environmental consultants. For the first hour, the experts made presentations that at times confused people in attendance with talk of "resins" and "lag vessels."

Perchlorate can block the thyroid gland's access to iodine and cause an underactive thyroid, said Mary McDaniel, a doctor and lawyer with the firm McDaniel Lambert Inc. who reviewed a number of recent studies.

"So some of these studies make you worry a little bit more, some of them make you worry a little less. That's science," she said.

The thyroid is necessary for metabolism and brain development. It is not well understood how perchlorate affects sensitive populations like pregnant women and children.

McDaniel also pointed out that bottled-water companies do not have to test for perchlorate. If the U.S. Environmental Protection Agency sets a standard for perchlorate in drinking water, the U. S. Food and Drug Administration might set a perchlorate standard for bottled water, according to the FDA's Web site.

The second half of the meeting was set aside for residents to ask questions.

People with relatives who have birth defects and thyroid conditions wanted to know if perchlorate could have caused them.

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Kit Satre, who lives in Yucaipa but worked in Rialto starting in 1985, said she has two children with such serious birth defects that they have had 50 surgeries between them.

But McDaniel said she was not aware of perchlorate causing birth defects, and West Valley Water District board President Earl Tillman said his customers have never been exposed to high levels of perchlorate.

Thursday's meeting had a very different tone than past meetings, which city officials have used to attack San Bernardino County for its role in some of the contamination, as well as to question the safety of West Valley's water.

Scott on Thursday heaped praise on other elected officials, including Rep. Joe Baca, D-San Bernardino, and welcomed West Valley representatives.

"We're not serving any perchlorate," said Tillman, the president of West Valley's board.

If West Valley detects perchlorate in one of its wells, it takes the well offline or installs a treatment system, said General Manager Anthony "Butch" Araiza.

A West Valley well with a perchlorate level of 2 parts per billion is no longer online, he said.

Rialto officials say they do not serve water from wells if they detect perchlorate in the wells.

Fontana Water Co., the other big water agency in Rialto and a division of the San Gabriel Valley Water Co., does not serve water contaminated with perchlorate beyond the state's maximum level of 6 ppb, said Robert Young, assistant general manager.

Scott also told residents not to buy personal water treatment systems to clean out the perchlorate because the people selling them may be trying to scam residents.

He also encouraged people to write Marshall Larsen, the chairman, president and CEO of Goodrich, one of the companies Rialto says is responsible for the contamination. Scott said they should tell him to stop fighting Rialto.

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Water cleanup eyed

State department says a treatment plan is viable

By Liset Marquez, Staff Writer

Article Created: 12/18/2007 08:10:23 PM PST

NORCO - Officials with the State Department of Toxic Substances Control say they may have found a method to best treat the levels of trichloroethylene in the groundwater plume of Wyle Laboratories.

Since March, the agency has been conducting a sodium permanganate study. The process involves injecting sodium permanganate into the ground where it oxidizes and breaks down the levels of trichloroethylene, or TCE, said Rafat Abbasi, project manager for the Department of Toxic Substances Control.

"Based on the data, it is pretty successful in knocking down the TCE levels in the groundwater," said Abbasi in a monthly update on the cleanup.

Located on 400-plus acres to the east of Norco High School, Wyle was the site of munitions testing for the federal government in the 1950s and '60s.

Tests have shown that some chemicals in the groundwater may have moved from the Wyle site

to under nearby residential neighborhoods. The chemicals include trichloroethylene, vinyl chloride and perchlorate.

In October, the state's Department of Toxic Substances Control confirmed that Wyle Laboratories is not the source of airborne chemicals found in Norco High School's science building.

Abbasi said the agency also has completed fieldwork. Next year it expects to move into the cleanup phase. Wyle Laboratories then will begin a feasibility study that will look at the best way to clean up the site, he said.

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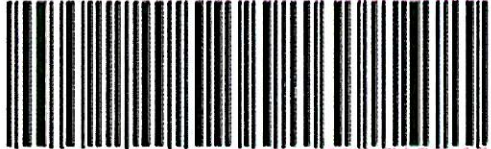
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Baca sets sights on water usage

Article Created: 12/16/2007 06:32:40 PM PST

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Rep. Joe Baca pitched legislation last week to try to help lessen the state's growing fears of a water shortage.

Baca, D-San Bernardino, introduced H.R. 4571, or the Household Water Conservation Challenge Act of 2007, which would provide families with an individual tax credit of \$150 if their households show a 40 percent decrease in water consumption over a year.

"Right now, Americans use more water per day than anyone else in the world," Baca said in a news release. "With record levels of drought in 2007 in Southern California and throughout the nation, we must act now. By taking a few simple steps to conserve water, families can do their part to make sure we have enough water for every American."

The average American household uses nearly 1,300 gallons of water each day.

"Taking a few minutes less in the shower every morning and turning off the water when you brush your teeth can save tens of thousands of gallons of water throughout the year," Baca said. "By extending a tax credit to those households that are proactive in conserving water, we are rewarding Americans who are working to create a better tomorrow."

H.R. 4571 has been referred to the House Committee on Ways and Means.

Last Monday, the Big Bear Lake City Council elected Rick Herrick as mayor for 2008.

"I will continue to work on mounting an effective effort with partner agencies during storm events to keep Highway 18 open," Herrick said

in a news release. "I will also concentrate on long-range planning efforts that maintain the quality of life we cherish in our beautiful alpine environment."

The council also chose Bill Jahn, who served as mayor this year, as mayor pro tem. Liz Harris was appointed as chairwoman of the Improvement Agency, with Herrick serving as vice chairman. Michael Karp will serve as chairman of the Fire Protection District Board and Jahn as the board's vice chairman.

Herrick was first elected to the council in November 2006.

The San Bernardino County Board of Supervisors last week agreed to work with Apple Valley and Victorville to build a new bridge over the Mojave River.

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"East-west travel is one of the most pressing issues in the Victor Valley," said Brad Mitzelfelt, the 1st District supervisor who represents the High Desert, in a news release. "It's great that the county, Apple Valley and Victorville can pool their resources to get this important project moving."

The bridge at Yucca Loma Road will span the Mojave River, while also realigning and extending Green Tree Boulevard east of Hesperia Road to Yates Road, and widening Yates Road north of Spring Valley Lake.

The project will link Green Tree Boulevard in Victorville with Yates Road and Yucca Loma Road in Apple Valley.

Total cost of the planning and environmental review, which will take up to three years, is expected to be \$3.1 million. The federal government has provided \$2.8 million. The county will contribute \$87,000, Apple Valley \$210,000, and Victorville \$63,000.

Officials hope to complete the entire project within five years.

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address our growing budget deficit is to reduce spending. I will continue to stand firm against tax increases, because taxpayers should not be forced to pay for Sacramento's fiscal mismanagement."

- Assemblyman Anthony Adams, R-Claremont.

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Water woes worry Los Angeles councilman

By Kerry Cavanaugh, Staff Writer Article Last Updated: 01/03/2008 12:21:33 AM PST

With water supplies getting tighter, one Los Angeles leader has said the city needs to consider blocking new residential development until L.A. adopts regulations to limit water use in new projects.

West San Fernando Valley Councilman Dennis Zine said he called for the mandatory water conservation in new development after Mayor Antonio Villaraigosa's plea for voluntary water saving was largely ignored by Angelenos.

"It's a drastic step but we need to start discussing this," Zine said. "The more we build, the more water is consumed. The slower we are to act on it, the worse the consequences.

"How are we going to put some teeth in our water conservation?"

In a motion submitted last month, Zine asked city departments to consider a land-use policy that would require all new residential development to occupy a water-use "footprint" of 10percent less than the previous usage of the property.

The Department of Water and Power and the Department of Building and Safety said they are looking at Zine's proposal.

Under state law, developers of more than 500 units must prove there is enough water for future residents, and so far the DWP has never rejected a project based on water shortfalls.

If the Metropolitan Water District of Southern California - which sells water to the DWP and other utilities - were to ration or dramatically cut supplies, then the DWP would reconsider its ability to provide for new customers, DWP



LOS ANGELES - DECEMBER 23: Los Angeles City Council member and... (David Livingston/Getty Images)

spokesman Joe Ramallo said.

"Over the last 20 years we have continued to meet water needs - despite a population increase of 1million people - through strong conservation measures," Ramallo said.

Still, Los Angeles' water supply is getting tighter. Under environmental agreements, the DWP cannot take as much water from the Eastern Sierra. And pumping water from Northern California has slowed in order to protect fragile fish.

Deputy Mayor Nancy Sutley questioned whether the city would need to stop new development, as Zine has suggested.

"We're just at the beginning of the winter," she said.

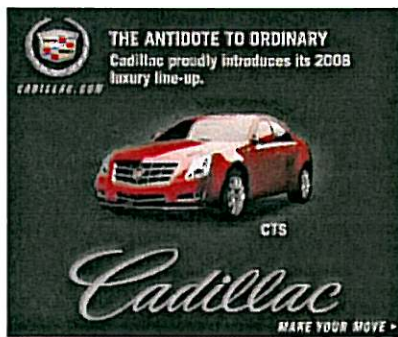
But Sutley did agree that L.A. needs a more comprehensive water-conservation plan, and she pointed to the city's "green building" program that is aimed at saving water through building codes, landscaping requirements and water reuse.

"There are more options than just saying you must use less water," Sutley said. "We spend a lot of money putting potable water on our lawns. In some cases, it makes as much sense to do your landscaping with recycled water than not using water at all."

Holly Schroeder of the Building Industry Association's Greater L.A. and Ventura Chapter said new developments generally include the most water-efficient toilets, washing machines and appliances that older homes do not have.

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And many new projects now incorporate drought-tolerant landscaping.

"We also have to remember we have a housing shortage," Schroeder said. "Are there better strategies for water conservation other than holding building permits, especially when you've made all these strides in development?"

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 From the Los Angeles Times

MWD may cut water to area cities

Facing shortages, the agency is reviewing a new allocation formula, which some contend penalizes older areas.

By Deborah Schoch
 Los Angeles Times Staff Writer

January 7, 2008

The Metropolitan Water District is considering a contingency plan to cut water deliveries to its member cities using a new formula that critics contend favors faster-growing areas while penalizing older, poor communities.

The district's staff is recommending the plan in case the agency, which serves 18 million people in six counties, is forced to slash water deliveries this spring in the event of continuing shortages.

This weekend's heavy rainfall will do little to ease those shortages because Southern California depends heavily on imported water that has been reduced by prolonged drought and court-ordered cutbacks, water officials said Sunday.

The current discussion signals growing worries that the region's water supplies cannot meet demand, due to last year's record dry weather, an eight-year drought in the Colorado River Basin and a federal court order last month that sharply reduces water deliveries from Northern California.

The MWD is also considering rate hikes of 10% to 20% for next year, in part to buy more water to shore up supplies.

The new formula for water allocations will be publicly discussed this afternoon in Los Angeles by a panel of the MWD board of directors. A final vote by the full board is not expected until February or March, MWD officials said.

The plan could be activated as early as May, although that is unlikely, the officials said.

The formula recommended by the MWD staff would be the first adopted by the 80-year-old district, which manages the delivery of water to cities from Ventura County to the Mexican border. It acts as a water wholesaler, importing water from Northern California and the Colorado River and selling it to its 26 member cities and water districts.

The agency did not use a formula during the droughts of the late 1970s and early 1990s, instead cutting deliveries by a set percentage across the board.

The proposed formula would determine how much water is allotted to cities and water agencies. Most MWD water is sold to cities at \$508 per acre-foot. If a city or agency exceeds its allotment by up to 10%, it would be charged a penalty fee of \$1,347 per acre-foot. If it uses even more water, the penalty would be higher. An acre-foot is the amount of water that would cover an acre of land, one foot deep.

The costs would ultimately be borne by ratepayers. All cities and districts would see supplies cut, although details for individual cities were not available last week.

"No one is going to be shielded from this," said MWD spokesman Bob Muir.

Some critics are focusing on several parts of the plan, including its shift away from historic water rights, credits for conservation efforts and the potential effect on low-income residents.

The formula has been debated privately since last summer by MWD staff and officials from water districts throughout the region.

The staff's written recommendation takes into account retail customers and the economy, population growth, losses in local water supplies, conservation efforts and other issues.

For instance, cities might receive more water if a large portion of their supply comes from MWD, if population in their county is growing, or if a large number of low-flow toilets and other water-saving devices have been installed.

MWD was founded in 1928 by a consortium of cities to finance the building of the Colorado River Aqueduct that helped develop Southern California. In return, the act creating the agency granted preferential water rights to the early member cities that paid for the district's infrastructure.

Those cities include Los Angeles, Long Beach, Burbank, Compton, Pasadena and Santa Monica.

Preferential rights would be trumped by the new formula, critics say.

The proposal does not eliminate any preferential rights, MWD officials said in an e-mail Sunday night.

"The purpose in developing this proposal was to determine if there was a more equitable manner to distribute water under today's circumstances."

Los Angeles Deputy Mayor Nancy Sutley, an MWD board member, also said Friday that the formula does not require cities to give up their rights.

"We're better off trying to figure this out cooperatively than going back to the way things were before we were born," said Sutley, who is chairwoman of the board's Water Planning and Stewardship Committee.

"I think we all realize that life has changed since then," added the panel's vice chairman, James M. Barrett, San Diego's water director.

But officials in other cities aren't convinced the proposal encourages cooperation or is an improvement. Long Beach and other southeastern L.A. County cities estimate that they would lose 20% more water under the formula than if water was divvied up by preferential rights.

Some say the MWD plan would force lower-income communities to subsidize water use in growing areas.

"We're completely the losers in this current situation," said Joone Lopez, deputy general manager of the City of Commerce-based Central Basin Municipal Water District, which buys water from MWD to serve 2 million people in southern Los Angeles County. About 47% of residents in the Central Basin district are low income, she said.

MWD spokesman Muir, in response to the criticism, said: "The foundation of this plan is equity, and not whether one area is growing and another is built out."

No conservation credits are granted for cities in which residents have heeded calls to use their sprinklers less and added drought-resistant landscaping -- changes that water experts say can save far more water than low-flow toilets and shower heads.

An estimated 40% to 70% of water in the region is used for landscape irrigation.

Long Beach, for instance, has adopted a mandatory plan that achieved 10-year lows in water consumption. Los Angeles residents, by contrast, used slightly more water after Mayor Antonio Villaraigosa's call for a voluntary 10% cut.

Cities with successful conservation records in recent dry years could actually lose out, because the MWD staff plans to use the years 2004 to 2006 as the base for making cuts, said Art Aguilar, general manager at the Central Basin district, which, he said, has invested heavily in conservation measures.

"The better water policy you practice, the worse you're going to be under the new allocation plan," Aguilar said. "If we knew this was coming, we could have just used the water, not used any conservation, and been better off."

MWD General Manager Jeff Kightlinger said that his staff sought to measure local conservation with "clear measurable steps" such as low-flow toilets and other devices.

The effects of reduced lawn sprinkling and new drought-resistant landscapes are more difficult to gauge, he said.

Some municipal officials in Los Angeles County say they feel steamrolled by the process.

They say that the formula would penalize low-income minority residents who could be hit twice, by penalty charges and then by proposed 2009 rate increases.

The formula is designed in a way that those cities could be affected more severely than growing cities in the Inland Empire or big cities such as Los Angeles and San Diego, and so would likely pay proportionately more in penalties, they said.

The Southeast Water Coalition, a regional authority that includes Cerritos, Downey, Whittier and eight other cities, has written MWD to ask for more time to review the plan.

The Long Beach Board of Water Commissioners will also send a letter, criticizing key points of the plan and asking for more review.

Kightlinger said that MWD has not been able to confirm that the plan would disproportionately hurt lower income, largely minority cities.

"We haven't been able to verify that that's necessarily correct. There are parts of Riverside County that are very poor," Kightlinger said.

Much of southeastern Los Angeles County are not areas of high growth, meaning that cuts there would have less effect on the economy, he added.

"It's a very complicated social issue, and it's something that we're trying to work through."

L.A. Deputy Mayor Sutley said that she supports creating a plan now, before serious shortages occur.

As for lower-income cities, she said: "We really feel for them, and Los Angeles is in the same position. We have a lot of DWP customers that

live below the poverty line."

The plan will be discussed today at 1:30 p.m. at MWD headquarters, Room 2-456, 700 N. Alameda St., Los Angeles.

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Fight widens over Delta

Stripers heat up the battle

By Matt Weiser - mweiser@sacbee.com

Published 12:44 am PST Wednesday, February 6, 2008

The big, tasty and hard-fighting striped bass is a top prize for fishermen in the Sacramento-San Joaquin Delta.

For everybody else who depends on the Delta's limited water, the racy chrome fish has become a flash point in California's next water war.

Farmers in arid Kern County last week sued the state for protecting the striper as a sportfish. They allege the nonnative striper has been allowed to damage the Delta, preying on endangered native fish, including salmon and the ghostly Delta smelt.

The legal action came like a Taser strike to the state's vocal angling community. And several water law experts say the case may stand as the first blast in what's expected to be a protracted battle over California's most precious resource.

The new lawsuit shows that this war's front has moved beyond the traditional realm of environmentalists versus government. Rhetoric has also hardened between interest groups that have spent the past 10 years trying to cooperate on water issues.

"They're executioners," Roger Mammon said, bluntly labeling water exporters.

Mammon is a board member of the West Delta Chapter of the California Striped Bass Association. "They don't care about the Delta except that it's water and money in their pocket. I think they're full of it."

Anglers call the striped bass innocent. Yes, it's a predator, but they say it successfully coexisted historically with salmon and smelt, and all thrived.

Instead, they blame water exporters – including the Kern farmers – for a bottomless thirst that has pumped Delta water to millions of homes and farm fields at a record pace over the past seven years.

"What's new is that the crisis is upon us," said Dante Nomellini Sr., a longtime water lawyer in Stockton. "This thing's going to heat up a lot more than what we've got right now."

The Sacramento-San Joaquin Delta is the largest estuary on the West Coast. It naturally collects about two-thirds of the state's runoff and funnels it to the sea via San Francisco Bay,

along the way providing vital habitat for an array of fish and other wildlife.

But it's also the hub of California's complex water distribution system. The 740,000-acre estuary is the diversion point for state and federal water projects serving 25 million people and more than 2 million acres of rich farmland. Those diversions, at separate pumping facilities near Tracy, reverse natural water flows, alter habitat and kill millions of fish each year.

A recent truce in California's water wars began in 1994 with creation of the CalFed Bay-Delta Program. This collaboration between government agencies, water consumers and environmentalists sought to protect the Delta and improve water deliveries.

But CalFed did not have the money and authority to meet all its goals and is now being reformulated, leaving most participants feeling shortchanged.

Since 2001, water exports from the Delta have neared record levels while numerous fish populations sank – including the threatened smelt, now near extinction.

This combination made litigation seem inevitable.

"A number of folks feel, for whatever reason, they are reduced to pursuing litigation as the last available option to vindicate their interests," said Richard Frank, director of the Environmental Law and Policy Center at UC Berkeley.

The truce may have ended last August, when a federal judge in Fresno ordered Delta water exports reduced to protect the smelt. That case was brought by environmental groups.

The striped bass case can be considered return fire.

That's according to Michael Boccadoro, spokesman for the plaintiffs. Calling themselves the Coalition for a Sustainable Delta, they include the Belridge, Berrenda Mesa, Lost Hills and Wheeler Ridge-Maricopa water districts. All are in Kern County and depend on Delta water.

Boccadoro said water exports get too much blame for the Delta's collapse, while other threats are ignored. The coalition fears this narrow focus will further harm fish, followed by more water cutbacks, creating a vicious cycle that will only hurt farmers.

Other threats they cite are poor water quality from upstream farm and urban runoff, and thousands of unchecked farm water diversions in the Delta itself.

The coalition will "absolutely" act on such issues, he said.

"They won't all be legal actions," Boccadoro said. "But there will be actions on each of the issues we believe are causing decline of the estuary."

Frank found it ironic that a farm group brought legal action over the Delta, when it is farmers who often decry court meddling in the Delta.

But he said this signifies the new battle at hand.

"It looks like at least some of them have decided the best defense is a good offense," he said.

Nomellini agrees. He represents the Central Delta Water Agency – farmers who cultivate the Delta's rich soil.

On Delta issues, these farmers have different interests from those in Kern County. Generally, they seek to preserve the Delta to avoid disrupting farm communities, and oppose excessive water exports which often make Delta waters too salty for their crops.

Yet they have a kinship with their farm brethren in the south.

That may be eroding.

"Our farmers view the other guys as breaching faith," said Nomellini. "They're part of the water grab. I don't know what we can do now other than just fight."

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Deal creates shared facilities near Seven Oaks Dam, more water stored

06:53 AM PST on Thursday, February 7, 2008

By JENNIFER BOWLES
The Press-Enterprise

Efforts to capture more water from the Santa Ana River took a step forward Wednesday when Inland agencies agreed to share recharge basins below the Seven Oaks Dam near Highland to allow them to store more water underground.

The deal is part of a larger effort to drought-proof the Inland region and make it less dependent on imported supplies that are gripped by drought and legal restrictions. Santa Ana River water can then be sent to homes and businesses for drinking and other purposes.

Under the agreement, 65 acres of recharge basins -- ponds that collect water that then percolates into aquifers -- owned and operated by Redlands-based San Bernardino Valley Water Conservation District would be used by the San Bernardino Valley Water Municipal Water District and Riverside-based Western Municipal Water District, which serves the western half of Western Riverside County.

The deal, however, hinges on the State Water Resources Control Board approving rights of the two water agencies for the additional water that would collect behind the dam. Spokeswoman Kathie Smith said the board should vote on those permits by June. The permit process started in 1991.

Environmental groups had also asked the board to consider saving some river water for the endangered species that live below the dam and require occasional flooding to maintain their habitat. The Santa Ana sucker that lives farther downstream also would benefit.

"That was something the state board was wrestling with ... how to ensure that the resources were not shortchanged or impacted by" the water districts' request, said Ileene Anderson, ecologist with the Center for Biological Diversity.

Under the agreement signed Wednesday in San Bernardino, the two water agencies would pay the conservation district for operation and maintenance costs when water is percolated for them, said Marv Shaw, general manager of the conservation district.

John Rossi, general manager of Western Municipal, said eventually more recharge basins would be constructed, but this agreement allows the water-savings to start sooner.

Rossi said the agencies wanted to come to an agreement to show the state water board that they have the ability to do something with the water.

"We'd rather store it for another day than see it go out to the ocean," Rossi said.

Reach Jennifer Bowles at 951-368-9548 or jbowles@PE.com, or view her blog at www.PE.com/blogs/environment