



# CHINO BASIN WATERMASTER



## NOTICE OF MEETINGS

**Thursday, December 16, 2010**

9:30 a.m. – Watermaster Board Confidential Session Meeting  
(This meeting will be held in the Chino Basin Watermaster Auxiliary Room)

11:00 a.m. – Watermaster Board Meeting  
(This meeting will be held in the Chino Basin Watermaster Board Room)

***(A Special Holiday Lunch Will Be Served)***

***AT THE CHINO BASIN WATERMASTER OFFICES***

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



# **CHINO BASIN WATERMASTER**

**Thursday, December 16, 2010**

9:30 a.m. – Watermaster Board Confidential Session Mtg.

11:00 a.m. – Watermaster Board Meeting

## **AGENDA PACKAGE**



**CHINO BASIN WATERMASTER  
WATERMASTER BOARD MEETING**

**9:30 a.m. – December 16, 2010 Closed Session CBWM – Auxiliary Room**

**11:00 a.m. – December 16, 2010 CBWM – Board Room**

*WITH*

*Mr. Ken Willis, Chair, Appropriative Pool*

*Mr. Michael Camacho, Vice-Chair, Municipals*

**At The Offices Of**

**Chino Basin Watermaster**

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

**AGENDA**

**CALL TO ORDER FOR CONFIDENTIAL SESSION**

1. Presentation of the ABGL Group for Ontario Plume

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

**REPORT ON CLOSED SESSION**

**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 Watermaster Board Meeting held November 16, 2010 (*Page 1*)

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of October 2010 (*Page 9*)
2. Watermaster Visa Check Detail for the month of October 2010 (*Page 23*)
3. Combining Schedule for the Period October 1, 2009 through October 31, 2010 (*Page 27*)
4. Treasurer's Report of Financial Affairs for the Period October 1, 2010 through October 31, 2010 (*Page 31*)
5. Budget vs. Actual July 2010 through October 2010 (*Page 35*)

**C. APPLICATION FOR RECHARGE**

1. Notice of Application for Recharge – San Antonio Water Company Has Submitted Form 2 Application for Recharge to Percolate 300,000 acre-feet of Water from Six Basins into the Upland Basin as Local Supplemental Storage (*Page 39*)

**II. BUSINESS ITEMS**

**A. CHINO BASIN WATERMASTER REAPPOINTMENT OF THE NINE-MEMBER BOARD**

Recommendation to the Watermaster Board to Approve the Reappointment of the Nine-Member Board (*Page 47*)

**III. REPORTS/UPDATES**

**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**

1. Paragraph 31 Appeal
2. Resolution 2010-04
3. January 21, 2011 Hearing
4. Draft Restated Watermaster Judgment - *(Draft Restated Judgment Under Separate Cover on ftp site with the meeting package) - (Page 53)*

**B. ENGINEERING REPORT**

1. Watermaster Review of CDA Proposed Chino Creek Well Field Wells
2. Managed Aquifer Recharge Symposium – January 25-26, 2011 at the Atrium Hotel Orange County

**C. CEO/STAFF REPORT**

1. Legislative Update
2. Recharge Update
3. Riverside County Flood Control District
4. MOU for Ontario Airport Data Gathering Reimbursement Agreement – *handout*
5. Watershed Action Plan Presentation Given by Matt Yeager from San Bernardino County Flood Control District

**IV. INFORMATION**

1. Cash Disbursements for November 2010 *(Page 55)*
2. Newspaper Articles *(Page 65)*

**V. BOARD MEMBER COMMENTS**

**VI. OTHER BUSINESS**

**VII. CONFIDENTIAL SESSION - POSSIBLE ACTION**

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

1. Paragraph 31 Motion – Discussion of Appeals Court Order

**VIII. FUTURE MEETINGS**

<b>**Thursday, December 16, 2010</b>	<b>9:30 a.m.</b>	<b>Confidential Session for the Watermaster Board Meeting @ CBWM – Auxiliary Room</b>
<b>* Thursday, December 16, 2010</b>	<b>11:00 a.m.</b>	<b>Watermaster Board Meeting @ CBWM – Board Room</b>
Thursday, January 6, 2011	1:00 p.m.	Annual Appropriative Pool Meeting @ CBWM
Thursday, January 6, 2011	2:30 p.m.	Annual Non-Agricultural Pool Meeting @ CBWM
Thursday, January 13, 2011	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
Tuesday, January 18, 2011	9:00 a.m.	GRCC Committee Meeting @ CBWM
Thursday, January 20, 2011	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, January 20, 2011	9:00 a.m.	Annual Advisory Committee Meeting @ CBWM
Friday, January 21, 2011	10:30 a.m.	CBWM Court Hearing @ Chino Courthouse
Thursday, January 27, 2011	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM

**\* Note: Date changes due to holiday schedules**

**\*\* Added confidential session for the Watermaster Board Members to hear the ABGL presentation**

**Meeting Adjourn**



# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### A. MINUTES

1. Watermaster Board Meeting held on November 18, 2010



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

*November 18, 2010*

The Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on November 18, 2010 at 11:00 a.m.

**WATERMASTER BOARD MEMBERS PRESENT**

Michael Camacho, Chair  
Bob Kuhn  
Robert Young  
Kevin Sage  
Tom Haughey  
Geoffrey Vanden Heuvel  
Jeff Pierson

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

**WATERMASTER BOARD MEMBERS ABSENT**

Ken Willis  
Charles Field  
Michael Whitehead  
Bob Bowcock  
Paul Hofer

West End Consolidated Water Company  
Western Municipal Water District  
Fontana Water Company  
Vulcan Materials Company  
Agricultural Pool

**Watermaster Staff Present**

Kenneth R. Manning  
Joe Joswiak  
Danielle Maurizio  
Ben Pak  
Sherri Lynne Molino

Chief Executive Officer  
Chief Financial Officer  
Senior Engineer  
Senior Project Engineer  
Recording Secretary

**Watermaster Consultants Present**

Scott Slater  
Andy Malone

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

**Others Present Who Signed In**

Marty Zvirbulis  
David DeJesus  
Josh Swift  
Mark Kinsey  
Dave Crosley  
Mohamed El-Amamy  
Ben Lewis  
Steven G. Lee  
Raul Garibay  
Eunice Ulloa  
Sheri Rojo

Cucamonga Valley Water District  
Three Valleys Municipal Water District  
Fontana Union Water Company  
Monte Vista Water District  
City of Chino  
City of Ontario  
Golden State Water Company  
Reid & Hellyer for the Agricultural Pool  
City of Pomona  
Chino Basin Water Conservation District  
Visitor for Fontana Water Company

Chair Camacho called the Watermaster Board meeting to order at 11:01 a.m.

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

No Public Comments

**AGENDA - ADDITIONS/REORDER**

There were no additions or reorders made to the agenda.

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Watermaster Board Meeting held October 28, 2010

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of September 2010
2. Watermaster Visa Check Detail for the month of September 2010
3. Combining Schedule for the Period September 1, 2009 through September 30, 2010
4. Treasurer's Report of Financial Affairs for the Period September 1, 2010 through September 30, 2010
5. Budget vs. Actual July 2010 through September 2010

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

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

**II. BUSINESS ITEMS**

**A. CHINO BASIN WATERMASTER ANNUAL AUDIT FY 2009/2010 – JUNE 30, 2010**

Counsel Slater stated this is a yearly item for Watermaster's annual audit which is performed by an outside auditing firm, Mayer Hoffman McCann. Mr. Ken Al-Imam, the representative from the auditing firm Mayer Hoffman McCann, gave a presentation for the Watermaster Audit for Fiscal Years 2009/2010 ending June 30, 2010. Mr. Al-Imam described in detail the objectives and the procedures of the audit, noting that there are some limitations to the audit process. The auditing firm's opinion that the financial statements are fairly stated has been issued. Mr. Al-Imam concluded his presentation, asking if there were any questions. Mr. Kuhn asked for clarification on certain points made during the presentation. Clarification was provided by Mr. Al-Imam and Mr. Manning.

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

***Moved to receive and file the Chino Basin Watermaster Annual Audit FY 2009/2010 – June 30, 2010, as presented***

**B. FINANCIAL ANALYSIS**

Mr. Manning commented that over the past 12 months certain issues have come up for Watermaster that have caused parties to request more detail than in the past on the financial accounting. Watermaster has developed a detailed process of reporting on specific projects as it relates to the budget, providing a quarterly report to the parties. Mr. Joswiak presented the July 1, 2010 through September 30, 2010 report. Mr. Joswiak stated that previous reports that were provided compared the year-to-date numbers to the year-end budget, looking at 25% actual compared to 100% of the budget, making it difficult to determine where Watermaster would be at year-end. Mr. Joswiak presented a three section report, comparing 25% of the year-to-date actual to 25% of the year-to-date budget and commenting that projections will be more accurate as to where Watermaster will be at year end. Mr. Joswiak explained the budget numbers in detail. Mr. Manning commented that Watermaster is not requesting any changes to the budget, waiting for the second quarter to develop before making any adjustments. Mr. Kuhn commented on the Chino Airport Plume being over budget; inquiring if that is something that needs to be dealt with at the Board level and increased. Mr. Manning noted that this will be coming back in February with the second quarter of this report more detail will be provided on

the categories needed to be adjusted. Mr. Pierson stated that providing this level of detail is a step in the right direction and provided comment on possible additions to the report.

*Motion by Vanden Heuvel, second by Haughey, and by unanimous vote*

***Moved to receive and file the First Quarter Actual vs. Budget Report for the period July 1 2010 through September 30, 2010, as presented***

#### **C. LAND SUBSIDENCE COMMITTEE**

Mr. Manning stated Watermaster has been working for many years with the MZ1 Technical Committee and during the course of work in that zone, that committee has expanded the knowledge base of the Chino Basin Watermaster; giving all a better understanding of what might be occurring in other parts of the basin as well. Mr. Manning stated the MZ1 Technical Committee is not comfortable in talking about developing strategies because they have basin wide implications. The MZ1 Committee strongly believes that other basin partners need to be involved in the decision making process and have now requested the MZ1 Technical Committee be broadened to a basin wide committee and be open to all parties. Mr. Manning stated Mr. Malone is here today to discuss or explain any questions since he is the lead engineer on the MZ1 Technical Committee. Mr. Manning stated all Pools and the Advisory Committee have approved this item unanimously. Mr. Vanden Heuvel inquired about when the subsidence issue first emerged as a point of concern amongst the parties. Mr. Vanden Heuvel stated he recalls that the City of Chino took some kind of legal action against Chino Hills, and inquired if that legal action has been terminated or is there still something happening with this case. Counsel Slater stated there was a general overlay of no material physical injury which was contained in the Peace Agreement. There is also a specific reservation of rights and remedies under the Judgment that pertains to each individual producer's right to chase another in the event they don't like something related to an operation of a well. The Chino lawsuit arose in connection with an effort by the City of Chino Hills to expand its production facilities and then to secure an easement from the City of Chino to connect the production facility within its property. The City of Chino brought an action under the Judgment and requested the court to provide relief. That was held in abeyance while there was the formation of the MZ1 Committee and that action has never been fully dismissed or terminated. Mr. Vanden Heuvel stated the MZ1 group and Watermaster are one of our finest pieces of work. Mr. Vanden Heuvel offered comment and concerns regarding this matter. Mr. Manning stated this is a proposal from the MZ1 Technical Committee and offered comments on the benefits from some committee members. Mr. Malone stated he does not believe there will be any dilution of effort in MZ1; there is a written plan and an ongoing program. The discussions at the MZ1 meetings have included a great deal of subsidence education and the stakeholders in this committee now are well educated on the process, the monitoring technologies, and the solutions. They explicitly want to share that information with others that might have similar problems that are a threat, or that might be occurring in the near future. Mr. Malone stated he felt that by opening this committee up to everyone, the committee is committed to helping other partners in the basin to address this potential problem in the future. Mr. Malone noted all parties fund the land subsidence monitoring program so having this committee meet in a more open forum is a good idea so that all can have input on the expenses and projects. Mr. Manning offered closing comments.

*Motion by Vanden Heuvel, second by Haughey and by unanimous vote*

***Moved to rename the MZ1 Committee to the Land Subsidence Committee and open the meetings to all Watermaster parties, as presented***

#### **D. LOCATION OF WELL I-17**

Mr. Manning stated as part of the process for working with the CDA parties and the expansion parties Watermaster is committed to working with them as a partnership as they move through the decision making process about where well sites are going to be located and whether those locations meet the requirement to address hydraulic control. Mr. Manning stated as sites are being proposed, Watermaster is providing them with a Material Physical Injury analysis for those wells; well locations for I-16 and I-18 were previously approved through the Watermaster



process. Mr. Manning stated well I-16 have been dug, I-18 will be worked on shortly, and well I-17 has been identified. Watermaster, through Wildermuth Environmental, has done a material physical injury analysis; well I-17 shows no material physical injury as long as it is pumped through the upper zone. Mr. Manning stated there are three additional wells that are being reviewed which are I-19, I-20, and I-21 and those run right along Kimball and staff is working with the county using airport land for those; these three wells will also go through the Watermaster process probably in the next few months. Mr. Manning stated staff is asking for the approval of the well location for I-17 and noted this is coming to this committee with all Pool and Advisory Committee unanimous approval. Mr. Manning stated the motions were conditioned upon subject to screening in accordance with Watermaster criteria which is the shallow zone. Mr. Vanden Heuvel noted that he does not recall every approving a well location and it is not a good precedent; the motion should be to approve a resolution that if you put the well in this spot it meets the criteria. Mr. Vanden Heuvel stated the approval of an actual well location is one step too far. There is autonomy of the members of the Judgment with regards to their authority and ultimate responsibility with regards to where they decide to put wells; Watermaster has its responsibility to insure there is no material physical injury. In this case, one of the criteria that is important to Watermaster is to make sure there is no material physical injury by pumping from the shallow aquifer and then because other policy objectives with regards to Hydraulic Control, staff has offered up some relief from replenishment if they are put in certain locations and I don't have any problem stating that this location would meet the criteria that has been laid out; however, actually approving a well location is a dangerous precedent for Watermaster. Mr. Manning stated this Board had this discussion for wells I-16 and I-18 when they came up through the process. Mr. Manning noted this not a normal course of action taken by Watermaster in the past; however, with the extending set of circumstances with this refined look at the Chino Creek Well Field and its establishment of Hydraulic Control, understanding it's not the requirement of the Desalter Authority to create Hydraulic Control – only create Hydraulic Control if they are going to take advantage of the 400,000 acre-feet. They want to make sure they are working hand-in-hand with Watermaster in this development of a program so they don't make a decision that is contrary to our ability; this has been thoroughly discussed as part of the resolution development. Counsel Slater stated Watermaster has no general permitting authority under the Judgment; the specific locations of the wells are left to the producers who then have individual remedies against each other in the event that the operation of the wells creates problems. There are overarching responsibilities of Watermaster that devolve from the Peace Agreement which sits under the umbrella of the Judgment. When the approval of the Resolution was done there was verbatim reference to this item that was carried forward on the Resolution because there is somewhat a concern that Watermaster's approval was an intent to renegotiate an item that was under the Peace Agreement. It was noted that the Watermaster Board members and Watermaster staff stated that we are not renegotiating, we are going to do exactly what we agreed to do under the Peace Agreement and carry it forward. The obligation under the Peace II Agreement is pertinent to the court sign-off; the court has made 400,000 acre-feet available for a specific purpose, Watermaster is supposed to approve a project that is reasonably calculated to achieve a result. That was one purpose of the location. This is different from Watermaster's direct obligation. Counsel Slater read verbatim the provision of the Peace II Agreement that pertains to the Desalters. Counsel Slater stated he reads this to say a broad area has been identified within Peace II; you locate the wells there such that it would be reasonably calculated to achieve the objectives and that the specific location, they select, and then the Watermaster Board approves it – and that is what is being asked to do here. The design and construction shall be in accordance with the OBMP and subject to Watermaster approval; your approval should not be unreasonably withheld and should ensure the operation of the Desalters will implement the OBMP and not result in material physical injury to any party to the Judgment or the basin. This has been an item of lengthy discussion with the CDA. Counsel Slater stated with what has been stated he believes it is the Board's obligation to approve but did not select, they selected, and you are concluding that the selection of the location is consistent with your responsibilities under the Peace Agreement and nothing more. Mr. Vanden Heuvel stated he would move approval of this item; however, there is a discussion point. Mr. Vanden Heuvel requested Counsel Slater's colloquy be placed verbatim in the

minutes. Mr. Vanden Heuvel requested counsel to clarify that the approval of these wells is specifically called for in the Peace Agreement and is not precedent setting for any other well that any of our parties may wish to drill or site in the future. Counsel Slater stated it is the specific obligation devolves for with regard to only the Desalter wells as defined in the Peace Agreement and it does not set precedent for any other producer or well operation anywhere else in the basin. Chair Camacho acknowledged we are choosing a well location; we are merely approving the location that has already been chosen. Counsel Slater stated that is correct.

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

***Moved to approve the CDA location of well I-17 subject to screening in accordance with Watermaster criteria, as presented***

### III. REPORTS/UPDATES

#### A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

##### 1. Paragraph 31 Appeal

Counsel Slater stated there was a handout on the back table with regard to this item. Counsel Slater gave a summary of the handout document and offered history regarding this item. Counsel Slater noted staff is seeking a motion to support the paperwork filed with the court because it was time sensitive.

*Motion by Kuhn, second by Vanden Heuvel, and by majority vote – Non-Agricultural Pool abstained*

***Moved to ratify the action taken, as presented***

##### 2. Resolution 2010-04

Counsel Slater stated Resolution 2010-04 was approved knowing there were further actions to be taken; 1) by the CDA to approve a suite of documents, and 2) regarding Metropolitan Municipal Water District (MWD) with regard to the LRP or other associated subsidy for the Desalters. Counsel Slater stated with regard to the CDA action; all of the underlying documents are in a scintilla of completion. The MWD is also requested that the CDA take that action as a predicate to its action the requested subsidy. MWD staff appears poised to support it and they are set on the \$139 price.

##### 3. Judgment Update

Counsel Slater stated the discussion of a single unit document has taken place during several meetings; staff and counsel were in the process of creating this document when the court said it wanted a restated Judgment filed. The courts view concurs with our own and staff and counsel are in the process of doing this task. Counsel Slater stated something will be available in December to go through the Watermaster process and for presentation to the court in January. A lengthy discussion regarding this matter ensued.

#### B. CEO/STAFF REPORT

##### 1. Legislative Update

Mr. Manning stated there is a legislative handout on the back table which covers many of the current legislative issues in greater detail and does a good job of highlighting the issues. Mr. Manning reviewed a portion of the handout and discussed the budget which needs to be further reduced.

##### 2. Recharge Update

Mr. Manning stated the most recent recharge update handout is available on the back table. Mr. Manning reviewed the spreadsheet in detail.

##### 3. Cumulative Unmet Replenishment Obligation Update

Mr. Manning stated there has been a request that Watermaster include the CURO as part of its continued financial reports. Staff is working on that and it has not yet been decided where the best place is to put this information. The current CURO is 8,839.085 acre-feet

and that is after it has been reduced by almost 12,064 acre-feet. A discussion regarding this item ensued.

4. Re-approval of the Chino Basin Watermaster Nine Member Board  
Mr. Manning stated Watermaster staff has been approached by several Appropriators independently who have said, we are in favor of extending the nine member board the way it is. Mr. Manning referenced the draft pleading that is being handed out and stated this is a request for an extension of this board as it is today for another five years and with this board's concurrence, staff will put this through the Watermaster process for approval in December. This will come to this board on December 16, 2010, so that it will be included for the January 21, 2010, hearing date.
  
5. Agricultural Pool Request for Presentation of the ABGL Group on the Ontario Plume  
Mr. Manning stated the Agricultural Pool took action in its recent Pool meeting during its closed session that the ABGL give a presentation regarding the Ontario Airport plume issue to the Watermaster Board during a closed session at the December 16, 2010 meeting. Once the times are set, staff will send out a notice for this special closed session. Mr. Vanden Heuvel stated the Agricultural Pool Board members were instructed by the Agricultural Pool to formally request a confidential session of the Watermaster Board for the purposes of receiving information with regards to the Ontario plume. Mr. Vanden Heuvel stated he hereby is making that formal request. Mr. Vanden Heuvel noted this information that is going to be provided is going to be valuable for the Watermaster Board to be exposed to and to digest; this will allow this Board to give better direction to our staff on how to deal with the future.

**IV. INFORMATION**

1. Cash Disbursements for October 2010  
No comment was made regarding this item.
  
2. Newspaper Articles  
No comment was made regarding this item.

**V. BOARD MEMBER COMMENTS**

Mr. Camacho made some inquiries as to Watermaster showing any actual full credit card numbers on financial reports/statements. Mr. Joswiak stated any and all credit card account numbers, if they are showing up on any documents, they will be promptly removed.

**VI. OTHER BUSINESS**

No comment was made regarding this item.

**VII. FUTURE MEETINGS**

<b>* Thursday, November 18, 2010</b>	<b>11:00 a.m.</b>	<b>Watermaster Board Meeting @ CBWM</b>
Thursday, December 2, 2010	1:00 p.m.	Appropriative Pool Meeting @ CBWM
Thursday, December 2, 2010	2:30 p.m.	Non-Agricultural Pool Conference Call Meeting
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Thursday, January 27, 2011	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM

**\* Note: Date changes due to holiday schedules**

The Watermaster Board meeting was dismissed by Chair Camacho 12:23 p.m.

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

Minutes Approved: \_\_\_\_\_

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# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### B. FINANCIAL REPORTS

1. Cash Disbursements for the month of October 2010
2. Watermaster Check Detail for the month of October 2010
3. Combining Schedule for the Period October 1, 2010 through October 31, 2010
4. Treasurer's Report of Financial Affairs for the Period October 1, 2010 through October 31, 2010
5. Budget vs. Actual July 2010 through October 2010





# CHINO BASIN WATERMASTER

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

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**KENNETH R. MANNING**  
Chief Executive Officer

## STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** Cash Disbursement Report – Financial Report B1

### SUMMARY

**Issue** – Record of cash disbursements for the month of October 2010.

**Recommendation** – Staff recommends the Cash Disbursements for October 2010 be received and filed as presented.

**Fiscal Impact** – Funds disbursed were included in the FY 2010-2011 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 October 2010 were \$489,020.94. The most significant expenditures during the month were Inland Empire Utilities Agency in the amount of \$173,527.31 (check number 14621 dated October 26, 2010), Brownstein Hyatt Farber Schreck in the amount of \$61,803.45 (check number 14594 dated October 19, 2010) and Wildermuth Environmental, Inc. in the amount of \$58,425.37 (check number 14626 dated October 26, 2010).

### Actions:

December 2, 2010 Appropriative Pool – Approved unanimously  
December 2, 2010 Non-Agricultural Pool – Approved unanimously  
December 9, 2010 Agricultural Pool – Approved unanimously  
December 16, 2010 Advisory Committee –  
December 16, 2010 Watermaster Board –

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CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
October 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
General Journal	10/02/2010	10/02/2010	Payroll and Taxes for 09/19/10-10/02/10	Payroll Taxes for 09/19/10-10/02/10	1012 - Bank of America Gen'l Ckg	7,749.92
				Direct Debits/Checks for 09/19/10-10/02/10	1012 - Bank of America Gen'l Ckg	26,589.31
TOTAL						34,319.23
Bill Pmt -Check	10/06/2010	14553	GRAINGER		1012 - Bank of America Gen'l Ckg	
Bill	09/28/2010	9358550722		9358550722	7103.6 - Grdwtr Qual-Supplies	55.57
Bill	09/30/2010	9357276634		9357276634	7103.6 - Grdwtr Qual-Supplies	62.90
Bill	09/30/2010	9357276642		9357276642	7103.6 - Grdwtr Qual-Supplies	7.18
TOTAL						125.65
Bill Pmt -Check	10/06/2010	14554	APPLIED COMPUTER TECHNOLOGIES		1012 - Bank of America Gen'l Ckg	
Bill	09/30/2010	1979		1979	6052.2 - Applied Computer Technol	2,394.75
TOTAL						2,394.75
Bill Pmt -Check	10/06/2010	14555	COMPUTER NETWORK		1012 - Bank of America Gen'l Ckg	
Bill	09/30/2010	79461		79461	6055 - Computer Hardware	271.88
TOTAL						271.88
Bill Pmt -Check	10/06/2010	14556	GREAT AMERICA LEASING CORP.		1012 - Bank of America Gen'l Ckg	
Bill	09/30/2010	10134602		10134602	6043.1 - Ricoh Lease Fee	2,814.41
				Invoice minus 2 months insurance premiums	6043.2 - Ricoh Usage & Maintenance Fee	89.50
				Documentation Fee (One-Time Charge)	6043.2 - Ricoh Usage & Maintenance Fee	417.80
				Usage for Black Copies	6043.2 - Ricoh Usage & Maintenance Fee	522.51
				Usage for Color Copies		3,844.22
TOTAL						3,844.22
Bill Pmt -Check	10/06/2010	14557	HSBC BUSINESS SOLUTIONS		1012 - Bank of America Gen'l Ckg	
Bill	09/30/2010	7003730910002744		7003730910002744	6031.7 - Other Office Supplies	478.57
TOTAL						478.57
Bill Pmt -Check	10/06/2010	14558	INLAND EMPIRE UTILITIES AGENCY		1012 - Bank of America Gen'l Ckg	
Bill	10/05/2010			Oct. 21, 2010 Leadership Breakfast Reg.	6909.1 - OBMP Meetings	20.00
TOTAL						20.00
Bill Pmt -Check	10/06/2010	14559	JAMES JOHNSTON		1012 - Bank of America Gen'l Ckg	
Bill	09/30/2010	209		209	6052.3 - Website Consulting	810.00
TOTAL						810.00
Bill Pmt -Check	10/06/2010	14560	MATHIS CONSULTING GROUP		1012 - Bank of America Gen'l Ckg	
Bill	09/30/2010	153003		153003	6013 - Human Resources Services	562.50
				preparation for workshop		

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
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Type	Date	Num	Name	Memo	Account	Paid Amount
TOTAL						562.50
Bill Pmt -Check	10/06/2010	14561	MAYER HOFFMAN MC CANN P.C.	30040	1012 - Bank of America Gen'l Ckg	4,075.00
Bill	09/27/2010	30040		first billing in connection with annual audit	6062 - Audit Services	4,075.00
TOTAL						4,075.00
Bill Pmt -Check	10/06/2010	14562	MILJAC ALARM	289729	1012 - Bank of America Gen'l Ckg	141.00
Bill	10/01/2010	289729		commercial monitoring 10/01/10-12/31/10	6026 - Security services	141.00
TOTAL						141.00
Bill Pmt -Check	10/06/2010	14563	PARK PLACE COMPUTER SOLUTIONS, INC.	443	1012 - Bank of America Gen'l Ckg	4,275.00
Bill	09/30/2010	443		September 2010 - IT Services	6052.1 - Park Place Comp Solutn	4,275.00
TOTAL						4,275.00
Bill Pmt -Check	10/06/2010	14564	PRINTING RESOURCES	55367	1012 - Bank of America Gen'l Ckg	497.00
Bill	09/30/2010	55367		Imprinted pens - Strategic Planning Conference	6193.1 - Strategic Planning Conference	497.00
TOTAL						497.00
Bill Pmt -Check	10/06/2010	14565	PUMP CHECK	3960	1012 - Bank of America Gen'l Ckg	950.00
Bill	09/30/2010	3960		3960 - In-Line Meter-Callb & Test	7102.8 - In-line Meter-Callb & Test	950.00
TOTAL						950.00
Bill Pmt -Check	10/06/2010	14566	PURCHASE POWER	8000909000168851	1012 - Bank of America Gen'l Ckg	55.56
Bill	09/28/2010	8000909000168851		3 shipments - Non Ag Pool Meeting tape	6042 - Postage - General	55.56
TOTAL						55.56
Bill Pmt -Check	10/06/2010	14567	R&D PEST SERVICES	0136553	1012 - Bank of America Gen'l Ckg	85.00
Bill	09/30/2010	0136553		Continuing treatment for ant and pest control	6024 - Building Repair & Maintenance	85.00
TOTAL						85.00
Bill Pmt -Check	10/06/2010	14568	UNION 76	300-732-989	1012 - Bank of America Gen'l Ckg	169.07
Bill	09/30/2010	300732989		September 2010 - Fuel for trucks	6175 - Vehicle Fuel	169.07
TOTAL						169.07
Bill Pmt -Check	10/06/2010	14569	YUKON DISPOSAL SERVICE	08-K2 213849	1012 - Bank of America Gen'l Ckg	142.88
Bill	10/05/2010	08-K2 213849		Service for Oct 2010	6024 - Building Repair & Maintenance	142.88
TOTAL						142.88
Bill Pmt -Check	10/07/2010	14570	BOWCOCK, ROBERT	9/23/10 Board Meeting	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/23 Board Meeting		9/23/10 Board Meeting	6311 - Board Member Compensation	125.00
TOTAL						125.00

Type	Date	Num	Name	Memo	Account	Paid Amount
<b>Bill Pmt -Check</b>	<b>10/07/2010</b>	<b>14571</b>	<b>CAMACHO, MICHAEL</b>			
Bill	09/30/2010	9/09 Ag Pool Meeting		9/09/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/14 Peace II Wkshp		9/14/10 Peace II Resolution Workshop	6311 - Board Member Compensation	125.00
Bill	09/30/2010	9/16 Adm'n Meeting		9/16/10 Adm'n Meeting	6311 - Board Member Compensation	125.00
Bill	09/30/2010	9/23 Board Meeting		9/23/10 Board Meeting	6311 - Board Member Compensation	125.00
<b>TOTAL</b>						<b>500.00</b>
<b>Bill Pmt -Check</b>	<b>10/07/2010</b>	<b>14572</b>	<b>DE BOOM, NATHAN</b>			
Bill	09/30/2010	7/08 Ag Pool Meeting		7/08/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	25.00
Bill	09/30/2010	7/08 Ag Pool Meeting		AG Pool Member Meeting Compensation	8411 - Compensation	100.00
Bill	09/30/2010	8/12 Ag Pool Meeting		8/12/10 Ag Pool Meeting	8411 - Compensation	25.00
Bill	09/30/2010	9/09 Ag Pool Meeting		AG Pool Member Meeting Compensation	8470 - Ag Meeting Attend -Special	100.00
Bill	09/30/2010	9/09 Ag Pool Meeting		AG Pool Member Meeting Compensation	8411 - Compensation	25.00
Bill	09/30/2010	9/09 Ag Pool Meeting		AG Pool Member Meeting Compensation	8470 - Ag Meeting Attend -Special	100.00
<b>TOTAL</b>						<b>375.00</b>
<b>Bill Pmt -Check</b>	<b>10/07/2010</b>	<b>14573</b>	<b>DURBRINGTON, GLEN</b>			
Bill	09/30/2010	7/08 Ag Pool Meeting		7/08/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	25.00
Bill	09/30/2010	7/08 Ag Pool Meeting		AG Pool Member Meeting Compensation	8411 - Compensation	100.00
Bill	09/30/2010	8/12 Ag Pool Meeting		8/12/10 Ag Pool Meeting	8411 - Compensation	25.00
Bill	09/30/2010	9/09 Ag Pool Meeting		AG Pool Member Meeting Compensation	8470 - Ag Meeting Attend -Special	100.00
Bill	09/30/2010	9/09 Ag Pool Meeting		AG Pool Member Meeting Compensation	8411 - Compensation	25.00
Bill	09/30/2010	9/09 Ag Pool Meeting		AG Pool Member Meeting Compensation	8470 - Ag Meeting Attend -Special	100.00
<b>TOTAL</b>						<b>375.00</b>
<b>Bill Pmt -Check</b>	<b>10/07/2010</b>	<b>14574</b>	<b>FEENSTRA, BOB</b>			
Bill	09/30/2010	7/08 Ag Pool Meeting		7/08/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	7/22 Board Meeting		7/22/10 Board Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	8/12 Ag Pool Meeting		8/12/10 Ag Pool Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	8/19 Advisory Comm		8/19/10 Advisory Committee Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	8/26 Board Meeting		8/26/10 Board Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	9/09 Ag Pool Meeting		9/09/10 Ag Pool Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	9/16 Advisory Comm		9/16/10 Advisory Committee Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	9/23 Board Meeting		9/23/10 Board Meeting-alternate-Vanden Huevel	6311 - Board Member Compensation	125.00
<b>TOTAL</b>						<b>1,000.00</b>
<b>Bill Pmt -Check</b>	<b>10/07/2010</b>	<b>14575</b>	<b>HAUGHEY, TOM</b>			
Bill	09/30/2010	9/23 Board Meeting		9/23/10 Board Meeting	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/23 Board Meeting		9/23/10 Board Meeting	6311 - Board Member Compensation	125.00
<b>TOTAL</b>						<b>250.00</b>

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Cash Disbursements For The Month of  
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Type	Date	Numn	Name	Memo	Account	Paid Amount
Bill Pmt -Check	10/07/2010	14576	HUTSING, JOHN	7/08/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	25.00
Bill	09/30/2010	7/08		Ag Pool Member Compensation	8411 - Compensation	100.00
Bill	09/30/2010	8/12		Ag Pool Member Compensation	8470 - Ag Meeting Attend -Special	25.00
Bill	09/30/2010	9/09		Ag Pool Member Compensation	8470 - Ag Meeting Attend -Special	25.00
Bill	09/30/2010	9/09		Ag Pool Member Compensation	8411 - Compensation	25.00
TOTAL						375.00
Bill Pmt -Check	10/07/2010	14577	KOOPMAN, GENE	9/09/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	25.00
Bill	09/30/2010	9/09		Ag Pool Member Meeting Compensation	8470 - Ag Meeting Attend -Special	100.00
TOTAL						125.00
Bill Pmt -Check	10/07/2010	14578	KUHN, BOB	9/14/10 Peace II Workshop	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/14		Peace II Vkskshp	6311 - Board Member Compensation	125.00
TOTAL						249.98
Bill Pmt -Check	10/07/2010	14579	PAYCHEX	3010093000	1012 - Bank of America Gen'l Ckg	249.98
Bill	09/30/2010	2010093000		September 2010 Payroll Services	6012 - Payroll Services	249.98
TOTAL						1,000.00
Bill Pmt -Check	10/07/2010	14580	PIERSON, JEFFREY	7/08/10 Ag Pool Meeting	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	7/08		7/15/10 Advisory Committee Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	7/22		7/22/10 Board Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	8/12		8/12/10 Ag Pool Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	8/19		8/19/10 Advisory Committee Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	8/26		8/26/10 Board Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	9/16		9/16/10 Advisory Committee Meeting	8470 - Ag Meeting Attend -Special	125.00
Bill	09/30/2010	9/09		9/09/10 Ag Pool Meeting	8470 - Ag Meeting Attend -Special	125.00
TOTAL						1,000.00
Bill Pmt -Check	10/07/2010	14581	REID & HELLYER	171923	1012 - Bank of America Gen'l Ckg	12,803.00
Bill	09/30/2010	171923		171923 - Ag Pool Legal Services	8467 - Ag Legal & Technical Services	907.50
TOTAL						13,710.50
Bill Pmt -Check	10/07/2010	14582	THE STANDARD INSURANCE COMPANY	160-513170-0006	1012 - Bank of America Gen'l Ckg	313.12
Bill	10/06/2010	16051317100006		November 2010 - Dental Premium	60182.2 - Dental & Vision Ins	313.12
TOTAL						313.12

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	10/07/2010	14583	UNITED PARCEL SERVICE	2x81x0	1012 · Bank of America Gen'l Ckg	115.86
Bill	09/30/2010	2x81x0		WM bible to Tom Burn, misc. correspondence	6042 · Postage - General	115.66
TOTAL						
Bill Pmt -Check	10/07/2010	14584	VANDEN HEUVEL, GEOFFREY	6311	1012 · Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/14 Peace II Wkshp		9/14/10 Peace II Resolution Workshop	6311 · Board Member Compensation	125.00
Bill	09/30/2010	9/17 CDA Mtg		9/17/10 CDA Meeting	6311 · Board Member Compensation	125.00
TOTAL						250.00
Bill Pmt -Check	10/07/2010	14585	VANDEN HEUVEL, ROB	8/12/10 Ag Pool Meeting	1012 · Bank of America Gen'l Ckg	25.00
Bill	09/30/2010	8/12 Ag Pool Meeting		Ag Pool Member Compensation	8411 · Compensation	100.00
Bill	09/30/2010	9/09 Ag Pool Meeting		Ag Pool Member Compensation	8411 · Compensation	25.00
Bill	09/30/2010	9/09 Ag Pool Meeting		Ag Pool Member Compensation	8470 · Ag Meeting Attend -Special	100.00
TOTAL						250.00
Bill Pmt -Check	10/07/2010	14586	VERIZON	012519116950792103	1012 · Bank of America Gen'l Ckg	429.80
Bill	09/30/2010	012519116950792103		Monthly Telephone Service	6022 · Telephone	429.80
TOTAL						
Bill Pmt -Check	10/07/2010	14587	WILLIS, KENNETH	9/14/10 Peace II Resolution Workshop	1012 · Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/14 Peace II Wkshp		9/23/10 Board Meeting	6311 · Board Member Compensation	125.00
Bill	09/30/2010	9/23 Board Meeting				250.00
TOTAL						
Bill Pmt -Check	10/07/2010	14588	YOUNG, ROBERT	9/14/10 Peace II Workshop	1012 · Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/14 Peace II Wkshp		9/23/10 Board Meeting	6311 · Board Member Compensation	125.00
Bill	09/30/2010	9/23 Board Meeting				250.00
TOTAL						
General Journal	10/16/2010	1016/2010	Payroll and Taxes for 10/03/10-10/16/10	Payroll and Taxes for 10/03/10-10/16/10	1012 · Bank of America Gen'l Ckg	7,476.55
				Payroll Taxes for 10/03/10-10/16/10	1012 · Bank of America Gen'l Ckg	17.96
				Payroll Taxes for 10/03/10-10/16/10	1012 · Bank of America Gen'l Ckg	25,533.46
				Direct Deposit/Checks for 10/03/10-10/16/10	1012 · Bank of America Gen'l Ckg	373.01
				Direct Deposit/Checks for 10/03/10-10/16/10	1012 · Bank of America Gen'l Ckg	33,400.98
TOTAL						
Bill Pmt -Check	10/19/2010	14589	VOID		1012 · Bank of America Gen'l Ckg	0.00
Bill Pmt -Check	10/19/2010	14590	A&R BRIDGESTONE FIRESTONE AUTO CARE	033816	1012 · Bank of America Gen'l Ckg	

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Type	Date	Num	Name	Memo	Account	Paid Amount
Bill	10/14/2010	033616		field truck maintenance	6177 - Vehicle Repairs & Maintenance	828.76
TOTAL						828.76
Bill Pmt -Check	10/19/2010	14591	ACWA SERVICES CORPORATION	00198	1012 - Bank of America Gen'l Ckg	114.29
Bill	10/14/2010	00198		Prepayment - November 2010	1409 - Prepaid Life, BAD&D & LTD	118.70
				October Insurance Premiums	60191 - Life & Disab/Ins Benefits	232.99
TOTAL						232.99
Bill Pmt -Check	10/19/2010	14592	BANC OF AMERICA LEASING	011657903	1012 - Bank of America Gen'l Ckg	3,215.74
Bill	10/14/2010	011657903		Mirolla lease - billing period 10/01/10-10/31/10	6043.1 - Ricoh Lease Fee	3,215.74
TOTAL						3,215.74
Bill Pmt -Check	10/19/2010	14593	BOWCOCK, ROBERT	Release of Lost Check 14306	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	6/16 Personnel Comm		6/16/2010 Personnel Committee Meeting	6311 - Board Member Compensation	125.00
Bill	09/30/2010	6/03 Dr. Mathis Mig		6/03/2010 Dr. Mathis Meeting	6311 - Board Member Compensation	125.00
TOTAL						250.00
Bill Pmt -Check	10/19/2010	14594	BROWNSTEIN HYATT FARBER SCHRECK	436605 - Wm Legal Counsel	1012 - Bank of America Gen'l Ckg	16,354.23
Bill	09/30/2010	436605		436605 - Purchase & Sale Agreement NOI	6907.3 - Wm Legal Counsel	1,094.40
				436605 - Desaller Negotiations	6907.33 - Purchase & Sale Agreement NOI	3,043.80
				436606 - Santa Ana River	6907.34 - Desaller Negotiations	3,795.84
				436607 - Ontario Airport Plume	6907.31 - Ontario Airport Plume	719.10
				436608 - Chino Airport Plume	6907.32 - Chino Airport Plume	4,340.00
				436609 - Desaller Negotiations	6907.33 - Desaller Negotiations	29,374.65
				436910 - Purchase & Sale Agreement NOI	6907.35 - Purchase & Sale Agreement NOI	3,141.43
TOTAL						61,803.45
Bill Pmt -Check	10/19/2010	14595	CALPERS	1741	1012 - Bank of America Gen'l Ckg	4,611.49
Bill	10/18/2010	1741		Employee Medical Premiums	60182.1 - Medical Insurance	4,611.49
TOTAL						4,611.49
Bill Pmt -Check	10/19/2010	14596	CAMACHO, MICHAEL	9/10/2010 CDA Ad Hoc Conference Call	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/10 CDA Ad Hoc Call		9/10/2010 CDA Ad Hoc Conference Call	6311 - Board Member Compensation	125.00
TOTAL						125.00
Bill Pmt -Check	10/19/2010	14597	CITISTREET	Payroll and Taxes for 09/19/10-10/02/10	1012 - Bank of America Gen'l Ckg	1,774.25
General Journal	10/02/2010	10/02/2010	CITISTREET	Employee 457 Deductions	2000 - Accounts Payable	1,774.25
TOTAL						1,774.25
Bill Pmt -Check	10/19/2010	14598	COMPUTER NETWORK		1012 - Bank of America Gen'l Ckg	

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Type	Date	Num	Name	Memo	Account	Paid Amount
Bill	10/18/2010	79636		10 flash drives	6055 · Computer-Hardware	260.00
				adobe acrobat software	6054 · Computer-Software	672.20
Bill	10/18/2010	79572		flash drive	6055 · Computer-Hardware	38.06
TOTAL						960.26
Bill Pmt -Check	10/18/2010	14599	CUCAMONGA VALLEY WATER DISTRICT	Lease Due Nov.1, 2010	1012 · Bank of America Gen'l Ckg	5,944.00
Bill	10/18/2010			Lease Due November 1, 2010	1422 · Prepaid Rent	5,844.00
TOTAL						11,788.00
Bill Pmt -Check	10/19/2010	14600	FIRST AMERICAN REAL ESTATE SOLUTIONS	12962708	1012 · Bank of America Gen'l Ckg	62.50
Bill	09/30/2010	12962708		12962708 Grdwtr Qual - Computer Service	7103.7 · Grdwtr Qual-Computer Svc	62.50
TOTAL						125.00
Bill Pmt -Check	10/19/2010	14601	GUARANTEED JANITORIAL SERVICE, INC.	28177	1012 · Bank of America Gen'l Ckg	865.00
Bill	10/14/2010	28177		Service - October 2010	6024 · Building Repair & Maintenance	865.00
TOTAL						865.00
Bill Pmt -Check	10/19/2010	14602	PETTY CASH	2300-2316	1012 · Bank of America Gen'l Ckg	18.21
Bill	10/18/2010			supplies for 9/30 Assessment Workshop	6141.1 · Meeting Supplies	55.03
				supplies for 2 office birthdays	6141.3 · Adm'n Meetings	33.00
				mileage reimbursement-Molino-Ag Pool Mtgs	6173 · Mileage Reimbursements	116.00
				AAA reimbursements for service for field trucks	6177 · Vehicle Repairs & Maintenance	9.63
				supplies for 9/16 Advisory Committee Meeting	6212 · Meeting Expense	13.77
				supplies for Water Auction Subcommittee Mtg	6909.1 · OBWP Meetings	32.64
				supplies for water quality testing	7103.6 · Grdwtr Qual-Supplies	50.95
				groundwater level monitoring supplies	7104.6 · Grdwtr Level-Supplies	66.40
				supplies for CDA/Desalter Resolution Meetings	7305 · PE3&5-Supplies	24.69
				supplies for 9/22 DYY/CUP Meeting	7604 · PE8&9-Supplies	6.79
				supplies for 9/27 Recharge Meeting	7204 · Comp Recharge-Supplies	427.11
TOTAL						1,118.02
Bill Pmt -Check	10/19/2010	14603	PITNEY BOWES CREDIT CORPORATION		1012 · Bank of America Gen'l Ckg	551.37
Bill	10/14/2010	6684246		Lease period Oct 30, 2010 - Jan. 30, 2011	6044 · Postage Meter Lease	27.85
Bill	10/14/2010	6684246		equipment tax and filing fees	6044 · Postage Meter Lease	579.22
TOTAL						1,158.44
Bill Pmt -Check	10/19/2010	14604	PRE-PAID LEGAL SERVICES, INC.	111802	1012 · Bank of America Gen'l Ckg	77.70
Bill	10/18/2010	111802		October 2010	60194 · Other Employee Insurance	77.70
TOTAL						77.70

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Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	10/19/2010	14605	PREMIERE GLOBAL SERVICES	04148268	1012 - Bank of America Gen'l Ckg	14.95
Bill	09/30/2010	04148268		monthly moderator charge	6022 - Telephone	
				9/02 Strategic Planning Conference planning call	6193.1 - Strategic Planning Conference	273.00
				CDA calls-8/27,9/1,9/3,9/8,9/10,9/13,9/17,9/22	7305 - PE3&5-Supplies	1,156.73
TOTAL						1,444.68
Bill Pmt -Check	10/19/2010	14606	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	Payor #9493	1012 - Bank of America Gen'l Ckg	6,679.87
General Journal	10/02/2010	1002/2010	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	CAIPEERS for 09/19/10-10/02/10	2000 - Accounts Payable	
TOTAL						6,679.87
Bill Pmt -Check	10/19/2010	14607	SAFEGUARD DENTAL & VISION	3351237	1012 - Bank of America Gen'l Ckg	7.91
Bill	10/14/2010	3351237		October 2010 Dental Premium	60182.2 - Dental & Vision Ins	
TOTAL						7.91
Bill Pmt -Check	10/19/2010	14608	STAPLES BUSINESS ADVANTAGE		1012 - Bank of America Gen'l Ckg	217.45
Bill	10/14/2010	8016720732		cannot camera - replace broken Ops camera	6031.7 - Other Office Supplies	
Bill	10/14/2010	8016647073		markers, binder clips, paper	6031.7 - Other Office Supplies	124.40
TOTAL						341.85
Bill Pmt -Check	10/19/2010	14609	STAULA, MARY L		1012 - Bank of America Gen'l Ckg	136.61
Bill	10/31/2010			Retiree Medical Premium	60182.4 - Retiree Medical	
TOTAL						136.61
Bill Pmt -Check	10/19/2010	14610	INLAND EMPIRE UTILITIES AGENCY	1800001768	1012 - Bank of America Gen'l Ckg	2,842.25
Bill	10/14/2010	1800001768		Filing Fee	6907.30 - Peace II - CEQA	
TOTAL						2,842.25
Bill Pmt -Check	10/19/2010	14611	VANDEN HEUVEL, GEOFFREY	6311	1012 - Bank of America Gen'l Ckg	125.00
Bill	09/30/2010	9/10 CDA Ad Hoc Call		9/10/2010 CDA Ad Hoc Conference Call	6311 - Board Member Compensation	
Bill	09/30/2010	9/09 Ag Closed Mtg		9/09/10 Ag Pool Closed Session	6311 - Board Member Compensation	125.00
TOTAL						250.00
Bill Pmt -Check	10/19/2010	14612	VERIZON WIRELESS	0911935177	1012 - Bank of America Gen'l Ckg	563.17
Bill	10/14/2010	0911935177		monthly service	6022 - Telephone	
TOTAL						563.17
Bill Pmt -Check	10/19/2010	14613	W.C. DISCOUNT MOBILE AUTO DETAILING		1012 - Bank of America Gen'l Ckg	100.00
Bill	10/14/2010			Truck washing service	6177 - Vehicle Repairs & Maintenance	
TOTAL						100.00
Bill Pmt -Check	10/19/2010	14614	INLAND EMPIRE UTILITIES AGENCY	90006445	1012 - Bank of America Gen'l Ckg	100.00



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Type	Date	Num	Name	Memo	Account	Paid Amount
Bill	09/30/2010	90006445		90006445	8456 · IEUA Readyness To Serve	400.98
TOTAL						400.98
Bill Pmt -Check	10/19/2010	14615	WESTERN DENTAL SERVICES, INC.	002483	1012 · Bank of America Gen'l Ckg	28.06
Bill	10/14/2010	002483		November 2010 Dental Premium	60182.2 · Dental & Vision Ins	28.06
TOTAL						28.06
Bill Pmt -Check	10/21/2010	14616	BANK OF AMERICA		1012 · Bank of America Gen'l Ckg	343.40
Bill	09/30/2010			air fare-K. Manning-attend Utility Exec. Conf.	6191 · Conferences - General	76.00
	09/30/2010			to purchase gloves for gw quality monitoring	7103.6 · Grdwtr Qual-Supplies	418.69
	09/30/2010			lunch for 9/27 WMA Board Meeting	6312 · Meeting Expenses	635.00
	10/20/2010			registration-K. Manning-ACWVA 2010 Fall Conf.	6191 · Conferences - General	1,473.09
TOTAL						1,473.09
Bill Pmt -Check	10/21/2010	14617	COUNTY OF ORANGE		1012 · Bank of America Gen'l Ckg	100.00
Bill	10/20/2010			Flood Entrenchment Permit Fee	7103.6 · Grdwtr Qual-Supplies	100.00
TOTAL						100.00
Bill Pmt -Check	10/21/2010	14618	GRAINGER		1012 · Bank of America Gen'l Ckg	77.22
Bill	10/20/2010	9367089662		Supplies for field staff	7103.6 · Grdwtr Qual-Supplies	77.22
TOTAL						77.22
Bill Pmt -Check	10/26/2010	14619	CITISTREET		1012 · Bank of America Gen'l Ckg	1,774.25
General Journal	10/16/2010	10/16/2010	CITISTREET	Payroll and Taxes for 10/03/10-10/16/10	2000 · Accounts Payable	1,774.25
TOTAL						1,774.25
Bill Pmt -Check	10/26/2010	14620	CUCAMONGA VALLEY IAAP		1012 · Bank of America Gen'l Ckg	50.00
Bill	10/26/2010			October 27, 2010 Cucamonga Valley IAAP	6192 · Training & Seminars	50.00
TOTAL						50.00
Bill Pmt -Check	10/26/2010	14621	INLAND EMPIRE UTILITIES AGENCY		1012 · Bank of America Gen'l Ckg	173,527.31
Bill	10/26/2010	90006497		90006497	7206 · Comp Recharge-O&M	173,527.31
TOTAL						173,527.31
Bill Pmt -Check	10/26/2010	14622	JOHN J. SCHATZ		1012 · Bank of America Gen'l Ckg	8,974.60
Bill	09/30/2010			Approp. Pool Legal Services	8367 · Legal Service	8,974.60
TOTAL						8,974.60
Bill Pmt -Check	10/26/2010	14623	PUBLIC EMPLOYEES' RETIREMENT SYSTEM		1012 · Bank of America Gen'l Ckg	6,607.46
General Journal	10/16/2010	10/16/2010	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	Payor #3483	2000 · Accounts Payable	6,607.46
TOTAL						6,607.46

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
October 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	10/26/2010	14624	STANDARD INSURANCE CO.	Policy # 00-640888-0009	1012 - Bank of America Gentl Ckg	509.05
Bill	10/22/2010	640888-0009		Life and Disability Premiums	60191 - Life & Disab, Ins Benefits	509.05
TOTAL						509.05
Bill Pmt -Check	10/26/2010	14625	STATE COMPENSATION INSURANCE FUND	1615535-10	1012 - Bank of America Gentl Ckg	1,044.04
Bill	10/22/2010	1615535-10		Workers Comp Premium	60183 - Worker's Comp Insurance	1,044.04
TOTAL						1,044.04
Bill Pmt -Check	10/26/2010	14626	WILDERMUTH ENVIRONMENTAL INC		1012 - Bank of America Gentl Ckg	3,284.35
Bill	09/30/2010	2010572		2010572 - OBMP Engineering Services	6906 - OBMP Engineering Services	3,284.35
Bill	09/30/2010	2010573		2010573 - OBMP Engineering Services	6906 - OBMP Engineering Services	4,463.25
Bill	09/30/2010	2010575		2010575 - OBMP Engineering Services	6908 - OBMP Engineering Services	600.00
Bill	09/30/2010	2010576		2010576 - OBMP Engineering Services	6908 - OBMP Engineering Services	2,877.50
Bill	09/30/2010	2010577		2010577 - OBMP Engineering Services	6906 - OBMP Engineering Services	765.00
Bill	09/30/2010	2010578		2010578 - OBMP Engineering Services	6906 - OBMP Engineering Services	4,230.00
Bill	09/30/2010	2010579		2010579 - OBMP Engineering Services	6906 - OBMP Engineering Services	1,175.00
Bill	09/30/2010	2010582		2010582 - GrdWtr Qual-Engineering	7103.3 - GrdWtr Qual-Engineering	1,308.73
Bill	09/30/2010	2010583		2010583 - GrdWtr Qual-Engineering	7103.3 - GrdWtr Qual-Engineering	1,614.45
Bill	09/30/2010	2010585		2010585 - GrdWtr Qual-Engineering	7103.3 - GrdWtr Qual-Engineering	125.00
Bill	09/30/2010	2010588		2010588 - GrdWtr Level-Engineering	7104.3 - GrdWtr Level-Engineering	487.50
Bill	09/30/2010	2010591		2010591 - GrdWtr Level-Engineering	7104.3 - GrdWtr Level-Engineering	4,420.80
Bill	09/30/2010	2010597		2010597 - Grd Level-Engineering	7107.2 - Grd Level-Engineering	300.00
Bill	09/30/2010	2010601		2010601 - Grd Level-Engineering	7107.2 - Grd Level-Engineering	1,176.58
Bill	09/30/2010	2010604		2010604 - Grd Level-Contract Svcs	7107.6 - Grd Level-Contract Svcs	600.00
Bill	09/30/2010	2010605		2010605 - Grd Level-Engineering	7107.2 - Grd Level-Engineering	8,880.55
Bill	09/30/2010	2010607		2010607 - Grd Level-Engineering	7107.2 - Grd Level-Engineering	75.00
Bill	09/30/2010	2010609		2010609 - Hydraulic Control-Engineering	7108.3 - Hydraulic Control-Engineering	637.50
Bill	09/30/2010	2010609		2010610 - Hydraulic Control-Engineering	7108.3 - Hydraulic Control-Engineering	7,394.40
Bill	09/30/2010	2010610		2010613 - Hydraulic Control-Engineering	7108.3 - Hydraulic Control-Engineering	312.50
Bill	09/30/2010	2010613		2010615 - Hydraulic Control-Engineering	7108.3 - Hydraulic Control-Engineering	712.50
Bill	09/30/2010	2010616		2010616 - Hydraulic Control-Engineering	7108.3 - Hydraulic Control-Engineering	4,651.46
Bill	09/30/2010	2010624		2010624 - Hydraulic Control-Engineering	7108.3 - Hydraulic Control-Engineering	93.75
Bill	09/30/2010	2010625		2010625 - Recharge & Well - Engineering	7109.3 - Recharge & Well - Engineering	2,230.00
Bill	09/30/2010	2010628		2010628 - PE3&5-Engineering	7303 - PE3&5-Engineering	472.50
Bill	09/30/2010	2010631		2010631 - PE4-Engineering	7402 - PE4-Engineering	400.00
Bill	09/30/2010	2010634		2010634 - PE6&7-Engineering	7502 - PE6&7-Engineering	1,571.25
Bill	09/30/2010	2010635		2010635 - PE6&7-Engineering	7502 - PE6&7-Engineering	3,164.80
TOTAL						58,425.37

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
October 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	10/28/2010	14627	EL TORITO	Lunch-10/28/2010 Watermaster Board Mtg	1012 - Bank of America Gen'l Ckg	397.74
Bill	10/28/2010			Lunch-10/28/2010 Watermaster Board Meeting	6312 - Meeting Expenses	397.74
TOTAL						
General Journal	10/30/2010	10/30/10	Payroll and Taxes for 10/17/10-10/30/10	Payroll and Taxes for 10/17/10-10/30/10	1012 - Bank of America Gen'l Ckg	7,702.03
				Payroll Taxes for 10/17/10-10/30/10	1012 - Bank of America Gen'l Ckg	25,115.85
				Direct Deposit/Checks for 10/17/10-10/30/10	1012 - Bank of America Gen'l Ckg	32,817.88
TOTAL						
General Journal	10/31/2010	10/31/10	Wage Works Direct Debits	Wage Works Direct Debit - 10/12/10	1012 - Bank of America Gen'l Ckg	1,039.24
				Flexible Spending 125-employee - 10/12/10	1012 - Bank of America Gen'l Ckg	1,039.24
				Flexible Spending 125-employee - 10/25/10	1012 - Bank of America Gen'l Ckg	86.75
				Administrative Fee - 10/18/10	1012 - Bank of America Gen'l Ckg	2,165.23
TOTAL						
Total Disbursements:						489,020.94

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# CHINO BASIN WATERMASTER

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**KENNETH R. MANNING**  
Chief Executive Officer

## STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** VISA Check Detail Report – Financial Report B2

### SUMMARY

**Issue** – Record of VISA credit card payment disbursed for the month of October 2010.

**Recommendation** – Staff recommends the VISA Check Detail Report for October 2010 be received and filed as presented.

**Fiscal Impact** – Funds disbursed were included in the FY 2010-2011 Watermaster Budget.

### BACKGROUND

A monthly VISA Check Detail report is provided to keep all members apprised of Watermaster expenditures charged against the CEO and/or CFO's Bank of America VISA card.

### DISCUSSION

Total cash disbursement during the month of October 2010 was \$1,473.09. The monthly charges for October 2010 were for routine and customary expenditures and properly documented with receipts.

### Actions:

December 2, 2010 Appropriative Pool – Approved unanimously  
December 2, 2010 Non-Agricultural Pool – Approved unanimously  
December 9, 2010 Agricultural Pool – Approved unanimously  
December 16, 2010 Advisory Committee –  
December 16, 2010 Watermaster Board –

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CHINO BASIN WATERMASTER  
 VISA Check Detail Report  
 October 2010

Type	Num	Date	Name	Memo	Account	Paid Amount
Bill Pmt -Check	14616	10/21/2010	BANK OF AMERICA	XXXX-XXXX-XXXX-9341	1012 - Bank of America Gen'l Ckg	
Bill	XXXX-XXXX-XXXX-934	09/30/2010		air fare for K. Manning to attend the Utility Executives Conference Oct. 12-15, 2010 to purchase gloves for gw quality monitoring	6191 - Conferences - General	343.40
Bill	XXXX-XXXX-XXXX-934	10/20/2010		lunch for 9/27 WM Board Meeting registration for K. Manning to attend the ACIWA 2010 Fall Conference	7103.6 - Grdwtr Qual-Supplies 6312 - Meeting Expenses 6191 - Conferences - General	76.00 418.69 635.00
TOTAL						1,473.09

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**KENNETH R. MANNING**  
Chief Executive Officer

## STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2010 through October 31, 2010 - Financial Report B3

### SUMMARY

**Issue** – Record of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2010 through October 31, 2010.

**Recommendation** – Staff recommends the Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2010 through October 31, 2010 be received and filed as presented.

**Fiscal Impact** – Funds disbursed were included in the FY 2010-2011 Watermaster Budget.

### BACKGROUND

A Combining Schedule of Revenue, Expenses and Changes in Working Capital for the period July 1, 2010 through October 31, 2010 is provided to keep all members apprised of the FY 2010/2011 cumulative Watermaster revenues, expenditures and changes in working capital for the period listed.

### DISCUSSION

The Combining Schedule of Revenue, Expenses and Changes in Working Capital has been created from various financial reports and statements created from QuickBooks Enterprise Solutions 9.0, the Watermaster accounting system. The Combining Schedule provided balances to the supporting documentation in the Watermaster accounting system as presented.

### Actions:

December 2, 2010 Appropriative Pool – Approved unanimously  
December 2, 2010 Non-Agricultural Pool – Approved unanimously  
December 9, 2010 Agricultural Pool – Approved unanimously  
December 16, 2010 Advisory Committee –  
December 16, 2010 Watermaster Board –

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CHINO BASIN WATERMASTER  
 COMBINING SCHEDULE OF REVENUE, EXPENSES AND CHANGES IN WORKING CAPITAL  
 FOR THE PERIOD JULY 1, 2010 THROUGH OCTOBER 31, 2010

	WATERMASTER ADMINISTRATION	OPTIMUM BASIN MANAGEMENT	POOL ADMINISTRATION & SPECIAL PROJECTS		GROUNDWATER OPERATIONS		EDUCATION FUNDS	GRAND TOTALS	BUDGET 2010-2011
			APPROPRIATIVE POOL	AG POOL	NON-AG POOL	GROUNDWATER REPLENISHMENT			
Administrative Revenues:									
Administrative Assessments			7,606	609	306		1		\$6,508,070
Interest Revenue								8,522	175,010
Mutual Agency Project Revenue									148,410
Grant Income									0
Miscellaneous Income	111,000							111,000	0
Total Revenues	111,000		7,606	609	306		1	119,522	6,831,490
Administrative & Project Expenditures:									
Watermaster Administration	160,210							160,210	512,546
Watermaster Board-Advisory Committee	21,974							21,974	73,073
Pool Administration		633,767	19,540	62,914	44,884			127,339	474,856
Optimum Basin Mgmt Administration		1,044,556						633,767	1,350,390
OBMP Project Costs		637,198						1,044,556	3,772,619
Debt Service								637,198	700,964
Education Funds Use									375
Mutual Agency Project Costs									10,000
Total Administrative/OBMP Expenses	182,185	2,315,521	19,540	62,914	44,884			2,625,045	6,894,823
Net Administrative/OBMP Expenses	(71,185)	(2,315,521)							
Allocate Net Admin Expenses To Pools	71,185		48,950	19,805	2,430				
Allocate Net OBMP Expenses To Pools		1,678,324	1,154,101	466,939	57,284				
Allocate Debt Service to App Pool		637,198	637,198						
Agricultural Expense Transfer*		549,658	(549,658)						
Total Expenses	2,409,447		609	104,597	(104,291)			2,625,045	6,894,823
Net Administrative Income	(2,401,841)						1	(2,505,523)	(63,333)
Other Income/(Expense)									0
Replenishment Water Assessments				1,792				1,792	0
Interest Revenue									0
Water Purchases									0
Balance Adjustment									0
Other Water Purchases									0
Groundwater Replenishment						(183,732)		(183,732)	0
Net Other Income						(181,939)		(181,939)	0
Net Transfers To/(From) Reserves	(2,687,462)		609	(104,291)		(181,939)	1	(2,687,462)	(63,333)
Working Capital, July 1, 2010	6,219,006		473,483	256,632		1,369,991	1,001	8,478,365	
Working Capital, End Of Period	3,817,165		474,092	152,341		1,188,052	1,002	5,790,903	5,790,903
09/10 Assessable Production	78,733,238		31,854,766	3,907,911				114,495,915	
09/10 Production Percentages	68.765%		27.822%	3.413%				100.000%	

\*Fund balance transfer as agreed to in the Peace Agreement.

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## CHINO BASIN WATERMASTER

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KENNETH R. MANNING  
Chief Executive Officer

### STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** Treasurer's Report of Financial Affairs for the Period September 1, 2010 through October 31, 2010 - Financial Report B4

#### SUMMARY

**Issue** – Record of increases or decreases in the cash position, assets and liabilities of Watermaster for the Period of October 1, 2010 through October 31, 2010.

**Recommendation** – Staff recommends the Treasurer's Report of Financial Affairs for the Period October 1, 2010 through October 31, 2010 be received and filed as presented.

**Fiscal Impact** – Funds disbursed were included in the FY 2010-2011 Watermaster Budget.

#### BACKGROUND

A Treasurer's Report of Financial Affairs for the Period October 1, 2010 through October 31, 2010 is provided to keep all members apprised of the total cash in banks (Bank of America and LAIF) and on hand at the Watermaster office (petty cash) at the end of the period stated. The Treasurer's Report details the change (increase or decrease) in the overall cash position of Watermaster, as well as the changes (increase or decrease) to the assets and liabilities section of the balance sheet. The report also provides a detailed listing of all deposits and/or withdrawals in the California State Treasurer's Local Agency Investment Fund (LAIF), the most current effective yield as of the last quarter, and the ending balance in LAIF as of the reporting date.

## **DISCUSSION**

The Treasurer's Report of Financial Affairs has been created from various financial reports and statements created from QuickBooks Enterprise Solutions 9.0, the Watermaster accounting system. The Treasurer's Report provided, balances to the supporting documentation in the Watermaster accounting system, as well as the supporting bank statements.

### **Actions:**

December 2, 2010 Appropriative Pool – Approved unanimously  
December 2, 2010 Non-Agricultural Pool – Approved unanimously  
December 9, 2010 Agricultural Pool – Approved unanimously  
December 16, 2010 Advisory Committee –  
December 16, 2010 Watermaster Board –

**CHINO BASIN WATERMASTER  
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD  
OCTOBER 1 THROUGH OCTOBER 31, 2010**

<b>DEPOSITORIES:</b>			
Cash on Hand - Petty Cash	\$	500	
Bank of America			
Governmental Checking-Demand Deposits	\$	222,692	
Zero Balance Account - Payroll	\$	-	
Local Agency Investment Fund - Sacramento			
<b>TOTAL CASH IN BANKS AND ON HAND</b>			10/31/2010
<b>TOTAL CASH IN BANKS AND ON HAND</b>			9/30/2010
<b>PERIOD INCREASE (DECREASE)</b>			
	\$	<u>(478,905)</u>	

**CHANGE IN CASH POSITION DUE TO:**

Decrease/(Increase) in Assets:		
Accounts Receivable	\$	10,314
Assessments Receivable		-
Prepaid Expenses, Deposits & Other Current Assets		(14,011)
(Decrease)/Increase in Liabilities		140,072
Accounts Payable		(57,945)
Accrued Payroll, Payroll Taxes & Other Current Liabilities		(557,336)
Transfer to/(from) Reserves		
<b>PERIOD INCREASE (DECREASE)</b>	\$	<u>(478,905)</u>

**SUMMARY OF FINANCIAL TRANSACTIONS:**

	Petty Cash	Gov't'l Checking Demand	Zero Balance Account Payroll	Local Agency Investment Funds	Totals
Balances as of 9/30/2010	\$ 500	\$ 161,911	\$ -	\$ 6,544,588	\$ 6,706,999
Deposits	-	552,689	-	10,314	563,003
Transfers	-	(67,347)	67,347	(550,000)	(550,000)
Withdrawals/Checks	-	(424,561)	(67,347)	-	(491,908)
Balances as of 10/31/2010	\$ 500	\$ 222,692	\$ -	\$ 6,004,902	\$ 6,228,094
<b>PERIOD INCREASE OR (DECREASE)</b>	\$ -	\$ 60,781	\$ -	\$ (539,686)	\$ (478,905)

**CHINO BASIN WATERMASTER  
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD  
OCTOBER 1 THROUGH OCTOBER 31, 2010**

**INVESTMENT TRANSACTIONS**

Effective Date	Transaction	Depository	Activity	Redeemed	Days to Maturity	Interest Rate(*)	Maturity Yield
10/15/2010	Interest	L.A.I.F.	\$ 10,314				
10/28/2010	Withdrawal	L.A.I.F.	\$ (550,000)				
<b>TOTAL INVESTMENT TRANSACTIONS</b>			<b>\$ (539,686)</b>				

\* The earnings rate for L.A.I.F. is a daily variable rate; 0.51% was the effective yield rate at the Quarter ended September 30, 2010.

**INVESTMENT STATUS  
October 31, 2010**

Financial Institution	Principal Amount	Number of Days	Interest Rate	Maturity Date
Local Agency Investment Fund	\$ 6,004,902			
<b>TOTAL INVESTMENTS</b>	<b>\$ 6,004,902</b>			

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,

Joseph S. Joswiak  
Chief Financial Officer  
Chino Basin Watermaster





## CHINO BASIN WATERMASTER

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KENNETH R. MANNING  
Chief Executive Officer

### STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** Budget vs. Actual Report for the Period July 1, 2010 through October 31, 2010 - Financial Report - B5

#### SUMMARY

**Issue** – Record of revenues and expenses of Watermaster for the Period of July 1, 2010 through October 31, 2010.

**Recommendation** – Staff recommends the Budget vs. Actual Report for the Period July 1, 2010 through October 31, 2010 be received and filed as presented.

**Fiscal Impact** – Funds disbursed were included in the FY 2010-2011 Watermaster Budget.

#### BACKGROUND

A Budget vs. Actual Report for the period July 1, 2010 through October 31, 2010 is provided to keep all members apprised of the total revenues and expenses for the current fiscal year. The expense section is categorized into four distinct sections. Those sections are: General and Administrative Expenses; Optimal Basin Management Program Expenses; Project Expenses; and Other Income/Expenses.

#### DISCUSSION

The Budget vs. Actual report has been created from QuickBooks Enterprise Solutions 9.0, the Watermaster accounting system. The Budget vs. Actual report provided, balances to the supporting documentation in the Watermaster accounting system, as well as the supporting bank statements.

Year-To-Date (YTD) for the four month period ending October 31, 2010 of the fiscal year, all categories were at or below the projected budget with the exception of category 6900 (Optimum Basin Mgmt Plan). Within the 6900 category is the regional board fine in the amount of \$62,675 which was posted to account 6909 (OBMP Other Expenses). If you recall, this item was not included as part of the fiscal year 2010/2011 budget. Also recorded within this category are the Watermaster's legal expenses. Currently, the legal expenses are above the Y-T-D budget as a direct result of the ongoing Desalter Negotiations of \$125,643, the Santa Ana River Water Rights Application of \$654, the Chino Airport Plume of \$47,529, Santa Ana River Critical Habitat of \$7,097, and the Paragraph 31 Motion activity of \$42,067. Several individual legal projects were below budget for the Y-T-D period. These were the Peace II (\$12,649), Ontario Airport Plume (\$3,858), Water Auction (\$12,149), Regional Water Quality Control Board of (\$1,409), Recharge Master Plan (\$9,608) and General Administrative Legal Costs (Pool, Advisory and Board meetings) of (\$8,802). The budgeted amount for legal expenses for the entire fiscal year of \$450,000 was allocated at \$37,500 per month. For the four month period, the cumulative Y-T-D budget was \$150,000 and actual legal expenses totaled \$324,515 which resulted in an over budget variance of \$174,515. To date, the legal contingency of \$145,000 has not been used.

		Jul - Oct 10	Budget	\$ Over Budget	% of Budget
<b>Expense</b>					
6907 · OBMP Legal Fees					
6907.3 · WM Legal Counsel					
	6907.30 · Peace II - CEQA	4,018	16,667	-12,649	24%
	6907.31 · Ontario Airport Plume	1,142	5,000	-3,858	23%
	6907.32 · Chino Airport Plume	52,529	5,000	47,529	1,051%
	6907.33 · Desalter Negotiations	125,643	0	125,643	100%
	6907.34 · Santa Ana River Water Rights	8,987	8,333	654	108%
	6907.35 · Paragraph 31 Motion	42,067	0	42,067	100%
	6907.36 · Santa Ana River Habitat	7,097	0	7,097	100%
	6907.37 · Water Auction	1,184	13,333	-12,149	9%
	6907.38 · Reg. Water Quality Cntrl Board	3,591	5,000	-1,409	72%
	6907.39 · Recharge Master Plan	3,725	13,333	-9,608	28%
	6907.3 · WM Legal Counsel - Other	74,532	83,334	-8,802	89%
	<b>Total 6907.3 · WM Legal Counsel</b>	<b>324,515</b>	<b>150,000</b>	<b>174,515</b>	<b>216%</b>
	<b>Total 6907 · OBMP Legal Fees</b>	<b>324,515</b>	<b>150,000</b>	<b>174,515</b>	<b>216%</b>

**Actions:**

- December 2, 2010 Appropriative Pool – Approved unanimously
- December 2, 2010 Non-Agricultural Pool – Approved unanimously
- December 9, 2010 Agricultural Pool – Approved unanimously
- December 16, 2010 Advisory Committee –
- December 16, 2010 Watermaster Board –

1/12th of the Total Budget For The Month of September 2010 3/12th (25%) of the Total Budget Year-To-Date as of September 30, 2010 100% of the Total Budget Fiscal Year End as of June 30, 2011

	1/12th of the Total Budget For The Month of September 2010			3/12th (25%) of the Total Budget Year-To-Date as of September 30, 2010			100% of the Total Budget Fiscal Year End as of June 30, 2011		
	Actual	Budget	% of Budget	Actual	Budget	% of Budget	Projected	Budget	% of Budget
<b>Income</b>									
4010 - Local Agency Subsidies	0.00	0.00	0.0%	111,000.00	148,410.00	74.79%	148,410.00	148,410.00	100.0%
4110 - Admin Asmnts-Approp Pool	0.00	0.00	0.0%	0.00	0.00	0.0%	6,153,087.00	6,153,087.00	100.0%
4120 - Admin Asmnts-Non-Agrl Pool	0.00	0.00	0.0%	0.00	0.00	0.0%	355,003.00	355,003.00	100.0%
4700 - Non Operating Revenues	8,521.80	35,002.00	24.35%	8,521.80	35,002.00	24.35%	175,010.00	175,010.00	100.0%
4800 - Miscellaneous Income	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Total Income	8,521.80	35,002.00	24.35%	119,521.80	183,412.00	65.17%	6,831,490.00	6,831,490.00	100.0%
Gross Profit	8,521.80	35,002.00	24.35%	119,521.80	183,412.00	65.17%	6,831,490.00	6,831,490.00	100.0%
<b>Expense</b>									
6010 - Salary Costs	42,969.85	38,286.00	112.23%	115,083.76	115,860.00	99.33%	484,944.00	484,944.00	100.0%
6020 - Office Building Expense	8,721.41	9,599.67	101.42%	23,569.76	25,799.00	91.32%	103,196.00	103,196.00	100.0%
6030 - Office Supplies & Equip.	1,485.83	3,125.00	47.55%	4,417.72	9,375.00	47.12%	37,500.00	37,500.00	100.0%
6040 - Postage & Printing Costs	7,824.55	8,166.66	95.81%	18,838.78	20,366.66	92.5%	78,300.00	78,300.00	100.0%
6050 - Information Services	10,811.88	8,766.66	123.33%	32,577.59	35,550.00	91.64%	142,200.00	142,200.00	100.0%
6060 - Contract Services	6,842.50	5,000.00	136.85%	6,842.50	21,000.00	32.58%	75,000.00	75,000.00	100.0%
6080 - Insurance	256.00	0.00	100.0%	15,863.00	17,575.00	90.26%	17,575.00	17,575.00	100.0%
6110 - Dues and Subscriptions	0.00	0.00	0.0%	20,131.63	20,250.00	99.42%	21,000.00	21,000.00	100.0%
6140 - Wm Admin Expenses	47.05	250.00	18.82%	47.05	750.00	6.27%	3,000.00	3,000.00	100.0%
6150 - Field Supplies	-15.66	0.00	100.0%	-15.66	200.00	-7.83%	1,800.00	1,800.00	100.0%
6170 - Travel & Transportation	2,714.20	2,730.00	99.42%	6,849.39	8,280.00	82.62%	33,160.00	33,160.00	100.0%
6180 - Conferences & Seminars	4,717.12	4,000.00	117.93%	9,058.76	10,250.00	88.38%	23,000.00	23,000.00	100.0%
6200 - Advisory Comm - Wm Board	935.69	1,872.50	49.97%	4,011.11	5,617.50	71.4%	22,470.00	22,470.00	100.0%
6300 - Watermaster Board Expenses	4,288.66	4,216.92	101.7%	12,582.91	12,650.75	99.31%	50,603.00	50,603.00	100.0%
8300 - Appr Pl-WM & Pool Admin	10,628.08	7,982.84	133.14%	17,760.19	18,192.50	97.62%	90,043.00	90,043.00	100.0%
8400 - Agrl Pool-WM & Pool Admin	2,783.93	2,345.59	118.69%	6,693.27	7,036.75	95.12%	28,147.00	28,147.00	100.0%
8467 - Ag Legat & Technical Services	13,710.50	9,833.33	139.43%	34,529.50	29,500.00	117.05%	118,000.00	118,000.00	100.0%
8470 - Ag Meeting Attend -Special	3,075.00	1,000.00	307.5%	3,075.00	3,000.00	102.5%	12,000.00	12,000.00	100.0%
8471 - Ag Pool Expense	0.00	16,250.00	0.0%	0.00	16,250.00	0.0%	65,000.00	65,000.00	100.0%
8500 - Non-Ag Pl-WM & Pool Admin	15,458.82	13,472.17	114.73%	34,707.32	40,416.50	85.87%	161,666.00	161,666.00	100.0%
8500 - Education Funds Use Expense	0.00	0.00	0.0%	0.00	375.00	0.0%	375.00	375.00	100.0%
9400 - Depreciation Expense	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
9500 - Allocated G&A Expenditures	-38,278.48	-40,677.42	2,398.94	-115,707.68	-122,032.25	6,324.67	-488,129.00	-488,129.00	100.0%
6900 - Optimum Basin Mgmt Plan	116,559.98	109,690.99	6,908.99	478,319.41	282,517.00	195,802.41	1,197,734.00	1,197,734.00	100.0%
6950 - Mutual Agency Projects	0.00	0.00	0.0%	0.00	0.00	0.0%	10,000.00	10,000.00	100.0%
9501 - G&A Expenses Allocated-OBMP	7,971.19	11,888.00	-3,916.81	29,602.47	35,664.00	-6,061.53	142,666.00	142,666.00	100.0%
7101 - Production Monitoring	4,648.18	5,879.31	-1,230.13	26,355.72	28,054.75	-1,699.03	104,219.00	104,219.00	100.0%
7102 - In-line Meter Installation	1,203.47	5,566.59	-4,363.12	3,399.71	16,669.75	-13,270.04	66,679.00	66,679.00	100.0%
7103 - Gdrwtr Quality Monitoring	21,666.22	16,916.34	4,749.88	43,639.59	50,749.00	-6,909.01	202,966.00	202,966.00	100.0%
7104 - Gdrwtr Level Monitoring	11,913.53	25,863.08	-13,949.55	39,872.39	84,070.50	-44,198.11	336,282.00	336,282.00	100.0%
7105 - Sur Wtr Qual Monitoring	0.00	315.00	-315.00	0.00	1,070.00	-1,070.00	4,280.00	4,280.00	100.0%
7107 - Ground Level Monitoring	11,032.13	83,801.67	-72,769.54	119,264.74	203,905.00	-84,640.26	815,620.00	815,620.00	100.0%
7108 - Hydraulic Control Monitoring	17,141.25	41,141.67	-24,000.42	57,480.37	123,425.00	-65,944.63	493,700.00	493,700.00	100.0%
7109 - Recharge & Well Monitoring Prog	472.50	0.00	472.50	5,670.00	8,440.00	-2,770.00	8,440.00	8,440.00	100.0%

33

100% of the Total Budget

	Fiscal Year End as of June 30, 2011			% of Budget
	Projected	Budget	\$ Over(Under)	
7200 · PE2- Comp Recharge Pgm	1,017,022.00	1,017,022.00	0.00	100.0%
7300 · PE3&5-Water Supply/Desalite	72,111.00	72,111.00	0.00	100.0%
7400 · PE4- Mgmt Plan	91,955.00	91,955.00	0.00	100.0%
7500 · PE6&7-CoopEfforts/SaltMgmt	154,180.00	154,180.00	0.00	100.0%
7600 · PE8&9-StorageMgmt/Conj Use	68,250.00	68,250.00	0.00	100.0%
7690 · Recharge Improvement Debt Pymt	700,964.00	700,964.00	0.00	100.0%
7700 · Inactive Well Protection Prgm	1,412.00	1,412.00	0.00	100.0%
9502 · G&A Expenses Allocated-Projects	345,473.00	345,473.00	0.00	100.0%
Total Expense	6,894,823.00	6,894,823.00	0.00	100.0%
Net Ordinary Income	-63,333.00	-63,333.00	0.00	100.0%

3/12th (25%) of the Total Budget

	Year-To-Date as of September 30, 2010			% of Budget
	Actual	Budget	\$ Over(Under)	
7200 · PE2- Comp Recharge Pgm	205,136.67	254,255.50	-49,118.83	80.69%
7300 · PE3&5-Water Supply/Desalite	51,748.96	53,907.75	-2,158.79	96.0%
7400 · PE4- Mgmt Plan	2,367.26	22,988.75	-20,621.49	10.3%
7500 · PE6&7-CoopEfforts/SaltMgmt	20,430.10	36,545.00	-18,114.90	53.0%
7600 · PE8&9-StorageMgmt/Conj Use	10,032.07	17,062.50	-7,030.43	58.8%
7690 · Recharge Improvement Debt Pymt	637,197.50	700,964.00	-63,766.50	90.9%
7700 · Inactive Well Protection Prgm	0.00	353.00	-353.00	0.0%
9502 · G&A Expenses Allocated-Projects	86,105.11	86,368.25	-263.14	99.7%
Total Expense	2,067,708.47	2,305,282.16	-237,573.69	89.69%
Net Ordinary Income	-1,948,186.67	-2,121,870.16	173,683.49	91.82%

1/12th of the Total Budget

	For The Month of September 2010			% of Budget
	Actual	Budget	\$ Over(Under)	
7200 · PE2- Comp Recharge Pgm	7,144.28	24,335.16	-17,190.88	29.36%
7300 · PE3&5-Water Supply/Desalite	10,320.48	13,982.58	-3,662.10	73.81%
7400 · PE4- Mgmt Plan	777.46	7,572.92	-6,795.46	10.27%
7500 · PE6&7-CoopEfforts/SaltMgmt	4,736.05	12,848.34	-8,112.29	36.86%
7600 · PE8&9-StorageMgmt/Conj Use	1,504.35	5,658.33	-4,153.98	26.59%
7690 · Recharge Improvement Debt Pymt	0.00	0.00	0.00	0.0%
7700 · Inactive Well Protection Prgm	0.00	0.00	0.00	0.0%
9502 · G&A Expenses Allocated-Projects	30,307.29	28,789.42	1,517.87	105.27%
Total Expense	346,414.29	489,459.32	-143,045.03	70.78%
Net Ordinary Income	-337,892.49	-454,457.32	116,564.83	74.35%

Other Income				
4225 · Interest Income	1,792.25	0.00	1,792.25	100.0%
4210 · Approp Pool-Replenishment	0.00	0.00	0.00	0.0%
4220 · Non-Ag Pool-Replenishment	0.00	0.00	0.00	0.0%
4600 · Groundwater Sales	0.00	0.00	0.00	0.0%
Total Other Income	1,792.25	0.00	1,792.25	100.0%
Other Expense				
5010 · Groundwater Replenishment	183,000.00	0.00	183,000.00	100.0%
5100 · Other Water Purchases	0.00	0.00	0.00	0.0%
9999 · Tol/(From) Reserves	-519,100.24	-64,642.92	-583,743.16	114.22%
Total Other Expense	-336,100.24	-64,642.92	-271,457.32	73.96%
Net Other Income	337,892.49	454,457.32	-116,564.83	74.35%
Net Income	0.00	0.00	0.00	0.0%



# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### C. APPLICATION FOR RECHARGE

1. Notice of Application for Recharge – San Antonio Water Company Has Submitted Form 2 Application for Recharge to Percolate 300.000 acre-feet of Water from Six Basins into the Upland Basin as Local Supplemental Storage



***CHINO BASIN WATERMASTER***

**NOTICE**

**OF**

**APPLICATION(S)**

**RECEIVED FOR**

**RECHARGE**

Date of Notice:

October 29, 2010

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

**NOTICE OF APPLICATION(S) RECEIVED**

Date of Application: **October 28, 2010**      Date of this notice: **October 29, 2010**

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

- Notice of Application for Recharge – San Antonio Water Company has submitted Form 2 Application for Recharge to percolate 300.000 acre-feet of water from Six Basins into the Upland Basin as Local Supplemental Storage.

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

Appropriative Pool:                      November 4, 2010

Non-Agricultural Pool:                      November 4, 2010

Agricultural Pool:                              November 4, 2010

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

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

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

Watermaster address:

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

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

# **CHINO BASIN WATERMASTER**

## **NOTICE OF APPLICATION FOR RECHARGE**

Notification Dated: October 29, 2010

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



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# CHINO BASIN WATERMASTER

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

---

**KENNETH R. MANNING**  
**CHIEF EXECUTIVE OFFICER**

**DATE:** October 29, 2010  
**TO:** Watermaster Interested Parties  
**SUBJECT:** Summary and Analysis of Application for Recharge

**Summary –**

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

**Issue –**

- Notice of Application for Recharge – San Antonio Water Company has submitted Form 2 Application for Recharge to percolate 300.000 acre-feet of water from Six Basins into the Upland Basin as Local Supplemental Storage.

**Recommendation –**

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

**Fiscal Impact –**

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

**Background**

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

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

The following Application for Recharge is attached with the notice of application.

- Notice of Application for Recharge – San Antonio Water Company has submitted Form 2 Application for Recharge to percolate 300.000 acre-feet of water from Six Basins into the Upland Basin as Local Supplemental Storage.

Notice of the Application identified above was mailed on October 29, 2010 along with the materials submitted by the requestors.

#### **DISCUSSION**

There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water quality, water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed application will cause material physical injury to a party or to the Basin.

APPLICATION  
FOR  
RECHARGE

APPLICANT

SAN ANTONIO WATER CO.  
Name of Party

10-28-10  
Date Requested

\_\_\_\_\_  
Date Approved

139 N. EUCLID AVE.  
Street Address

300 Acre-feet  
Amount Requested

\_\_\_\_\_  
Amount Approved

UPLAND CA 91786  
City State Zip Code

1,131 GPM  
Projected Rate of Recharge

11-1-10 / 12-31-10  
Projected Duration of Recharge

Telephone: 909.982.4107

Facsimile: 909.920.3047

SOURCE OF SUPPLY

Water from:

- State Water Project
- Colorado River
- Local Supplemental
- Recycled Water
- Other, explain

Source: SIX BASINS

METHOD OF RECHARGE

- PERCOLATION
- INJECTION
- EXCHANGE

Basin Name UPLAND BASIN

Location ARROW RTE. & MONTE VISTA AVE.

Well Number \_\_\_\_\_

Location (attach map) \_\_\_\_\_

Facility Name \_\_\_\_\_

Share of Safe Yield \_\_\_\_\_

Carry Over Right \_\_\_\_\_

Water in Storage \_\_\_\_\_

Pumping Capacity (cfs) \_\_\_\_\_

WATER QUALITY AND WATER LEVELS

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

DISCHARGE OF POTABLE WATER. AFFECT ON WATER LEVELS ARE NEGLIGIBLE.

**MATERIAL PHYSICAL INJURY**

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

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

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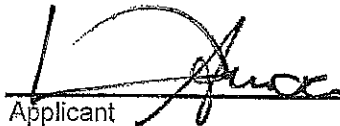
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ADDITIONAL INFORMATION ATTACHED

Yes [ ] No [X]

  
Applicant

**TO BE COMPLETED BY WATERMASTER:**

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_

HEARING DATE, IF ANY: \_\_\_\_\_

DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_ Agreement # \_\_\_\_\_



# CHINO BASIN WATERMASTER

## II. BUSINESS ITEM

### A. CHINO BASIN WATERMASTER REAPPOINTMENT OF THE NINE- MEMBER BOARD





# CHINO BASIN WATERMASTER

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

---

KENNETH R. MANNING  
Chief Executive Officer

## STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** Reappointment of the Nine-Member Board

### SUMMARY

**Recommendation** – Staff recommends that the Board direct Watermaster counsel to file the Motion requesting reappointment of the nine-member Board for a further five-year term.

### Background

On February 19, 1998, the Court appointed a nine-member Board to serve as the Chino Basin Watermaster ("Watermaster"). On September 28, 2000, the Court re-appointed the nine-member Board for a five-year terms ending on September 28, 2005. By Order dated September 22, 2005, this appointment was extended to February 9, 2006. On February 9, 2006, the Court re-appointed the nine-member Board for a further five-year term ending on February 10, 2011.

Attached to this staff report is a proposed draft pleading prepared by Watermaster counsel requesting the Court to reappoint the nine-member Board for a further five-year term.

In its 2006 Order, the Court did not articulate any standards that would be used to determine whether the nine-member Board should or should not be reappointed. The 2006 Order did however discuss various issues of concern to the Court. The proposed Motion addresses these issues and represents to the Court that Watermaster counsel knows of no objection to a further reappointment.

**Actions:**

- December 2, 2010 Appropriative Pool – Approved unanimously
- December 2, 2010 Non-Agricultural Pool – No Action During the Pending Litigation
- December 9, 2010 Agricultural Pool – Approved unanimously
- December 16, 2010 Advisory Committee –
- December 16, 2010 Watermaster Board –



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21 East Carrillo Street  
Santa Barbara, CA 93101

1 SCOTT S. SLATER (State Bar No. 117317)  
MICHAEL T. FIFE (State Bar No. 203025)  
2 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
21 East Carrillo Street  
3 Santa Barbara, CA 93101  
Telephone No: (805) 963-7000  
4 Facsimile No: (805) 965-4333

 DRAFT

5 Attorneys For  
CHINO BASIN WATERMASTER  
6

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

10 CHINO BASIN MUNICIPAL WATER  
11 DISTRICT  
12 Plaintiff,  
13 vs.  
14 CITY OF CHINO, ET AL.  
15 Defendant.

Case No. RCV 51010  
[Assigned for All Purposes to the  
Honorable STANFORD E. REICHERT]  
**MOTION TO RE-APPOINT NINE-  
MEMBER WATERMASTER BOARD FOR  
A FURTHER 5-YEAR TERM**  
Hearing Date: January 21, 2011  
Time: 10:30 a.m.  
Dept: C-1 (Chino)

16  
17  
18  
19 TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

20 PLEASE TAKE NOTICE that on January 21, 2010, 10:30 a.m., or as soon thereafter as the  
21 Court may hear the matter, the Chino Basin Watermaster will ask the Court to reappoint the nine-  
22 member Watermaster Board for a further five year term. This motion will be based on this Notice,  
23 the attached Points and Authorities and any evidence presented at the hearing.

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**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. Introduction**

On February 19, 1998, the Court appointed a nine-member Board to serve as the Chino Basin Watermaster ("Watermaster"). On September 28, 2000, the Court re-appointed the nine-member Board for a five-year terms ending on September 28, 2005. By Order dated September 22, 2005, this appointment was extended to February 9, 2006. On February 9, 2006, the Court re-appointed the nine-member Board for a further five-year term ending on February 10, 2011.

By this Motion, Watermaster requests the Court to re-appoint the nine-member Board for a further five-year terms ending on February 10, 2016. Watermaster knows of no opposition to this Motion.

**II. Standard of Review**

In its Order of September 28, 2000, the Court articulated several criteria by which it would evaluate whether to re-appoint the nine-member Board. In its January 11, 2006 Motion, Watermaster articulated the ways in which all of these criteria had been satisfied. In its February 9, 2006 Order, the Court did not establish any further criteria that would be used to judge whether to re-appoint the nine-member Board, but it did describe general "concerns" for Watermaster's continued progress.

The first "concern" related to progress on the desalter element of the Optimum Basin Management Program ("OBMP"). (February 9, 2006 Order, 3:20-22.) The Court expressed concern that there was no plan in place to fully implement this element of the OBMP and ordered a workshop to address this issue.

Since 2006, Watermaster and the parties have worked diligently to bring the final phase of the desalter project to fruition. In October 2010, the Board approved Watermaster Resolution 2010-04 which set in place the final elements of an agreement to allow this project to move forward to completion. Watermaster intends to submit this Resolution to the Court for approval once certain conditions have been satisfied and will be prepared at the January 21, 2011 hearing to provide a

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San Jose, CA 95101

1 briefing to the Court on the elements of the Resolution and the manner of completion of this element  
2 of the OBMP.

3 The other concerns related to establishing a clear reconciliation between pumping and  
4 recharge to the Basin, and ensuring that projected recharge needs and availability of water were fully  
5 addressed. (February 9, 2006 Order 3:25-27.) These concerns were later articulated more fully  
6 during the Peace II approval process and became the basis for the Court's December 21, 2007 Order  
7 to prepare an updated Recharge Master Plan. Watermaster prepared such a Recharge Master Plan  
8 which addressed the Court's 2006 concerns and requested the Court approve the plan. This request  
9 was unopposed. On October 8, 2010, this Court approved the updated Recharge Master Plan.

10 **III. Request to Re-appoint Board for a Further Five-Year Term**

11 While the Court did not establish criteria for re-appointment in 2006, Watermaster has  
12 successfully all of the concerns raised by the Court in its 2006 Order. Watermaster knows of no  
13 objection to the re-appointment of the nine-member Board for a further five-year term. On this basis,  
14 Watermaster respectfully requests the Court to re-appoint the nine-member Board until February 10,  
15 2016.

18 Dated: December \_\_\_\_\_, 2010

BROWNSTEIN HYATT FARBER SCHRECK, LLP

21 By: \_\_\_\_\_  
22 SCOTT S. SLATER  
23 MICHAEL T. FIFE  
24 Attorneys for  
25 CHINO BASIN WATERMASTER

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# CHINO BASIN WATERMASTER

## III. REPORTS/UPDATES

### A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

4. Draft Restated Water Judgment





# CHINO BASIN WATERMASTER

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**KENNETH R. MANNING**  
Chief Executive Officer

## STAFF REPORT

**DATE:** December 16, 2010  
**TO:** Board Members  
**SUBJECT:** Restated Watermaster Judgment

### SUMMARY

**Recommendation** – Staff recommends the Board to direct counsel to file the restated Judgment with the Court in advance of the January 21, 2011 hearing, either for approval or for the purpose of providing the Court with a status update as the circumstances warrant at the time of filing.

### Background

At the October 8, 2010 hearing, the Court directed Watermaster to prepare a restated Judgment that includes all Judgment amendments in one document.

Watermaster is in the process of preparing the restated Judgment according to the Court's request and has made the current version available to the parties for their review and comment as part of the December Pool Committee meetings.

Watermaster has completed incorporating the substantive amendments to the Judgment that have occurred since 1978. The changes are shown in blackline format along with any deleted text for ease of reference. Blackline, rather than redline, was chosen as the format for the changes so that they would be easy to view in black and white documents. Footnotes have been provided in order to explain context for each of the changes.

In July and August of this year, staff brought to the parties' attention the fact that the party lists for each of the pools are out of date and there are historical issues that need resolution. Staff continues to work on these issues, and thus the exhibits to the Judgment that pertain to pool committee membership remain uncompleted. In order to fully resolve these issues it will be necessary to implement a number of

interventions and dismissals from the Judgment. It may be appropriate therefore to delay filing the restated Judgment with the Court until these issues have been resolved. While the Court has set a January 21, 2011 hearing date for approval of the restated Judgment, it also noted at the time of setting this hearing that it has no set timeline for completion of this project.

Staff requests the Pools and Pool members review the draft restated Judgment and provide comments as to substance and format.

**NOTE:** Draft Restated Judgment on ftp site @ [www.cbwm.org/ftp](http://www.cbwm.org/ftp) in the *Meeting Packets and Agendas Folder*

**Actions:**

December 2, 2010 Appropriative Pool – Hold for January

December 2, 2010 Non-Agricultural Pool – Hold for January



# CHINO BASIN WATERMASTER

## IV. INFORMATION

1. Cash Disbursements for November 2010





CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
November 1, 2010 - November 24, 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	11/03/2010	14628	ACWA	643	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	643		2011 Agency Dues-Jan/Jun 2011 Agency Dues-Jul/Dec	1433 · Prepaid Membership Dues 1433 · Prepaid Membership Dues	7,010.00 7,010.00 14,020.00
TOTAL						
Bill Pmt -Check	11/03/2010	14629	APPLIED COMPUTER TECHNOLOGIES	1984	1012 · Bank of America Gen'l Ckg	
Bill	10/31/2010	1984		Database Services - October 2010	6052.2 · Applied Computer Technol	3,171.00 3,171.00
TOTAL						
Bill Pmt -Check	11/03/2010	14630	ARROWHEAD MOUNTAIN SPRING WATER	0023230253	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	0023230253		Office Water Service - October 2010	6031.7 · Other Office Supplies	17.48 17.48
TOTAL						
Bill Pmt -Check	11/03/2010	14631	BOWCOCK, ROBERT	10/28/2010 Watermaster Board Meeting	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	10/28 Board Meeting		10/28/2010 Watermaster Board Meeting	6311 · Board Member Compensation	125.00 125.00
TOTAL						
Bill Pmt -Check	11/03/2010	14632	CAMACHO, MICHAEL	10/01/2010 CDA Conference Call	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	10/01 CDA Call		10/14/2010 Ag Pool Meeting	6311 · Board Member Compensation	125.00
Bill	10/28/2010	10/19 CDA Call		10/19/2010 CDA Conference Call	6311 · Board Member Compensation	125.00
Bill	10/28/2010	10/20 Admin Mtg		10/20/2010 Admin. Meeting at Watermaster	6311 · Board Member Compensation	125.00
Bill	10/28/2010	10/21 Advisory Comm		10/21/2010 Advisory Committee Meeting	6311 · Board Member Compensation	125.00
Bill	10/28/2010	10/22 CDA Call		10/22/2010 CDA Conference Call	6311 · Board Member Compensation	125.00
Bill	10/28/2010	10/28 Board Meeting		10/28/2010 Watermaster Board Meeting	6311 · Board Member Compensation	125.00 875.00
TOTAL						
Bill Pmt -Check	11/03/2010	14633	DAILY BULLETIN	18069340	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	18069340		11/17/10-10/19/11	6112 · Subscriptions/Publications	221.00 221.00
TOTAL						
Bill Pmt -Check	11/03/2010	14634	DIRECTV	019447404	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	019447404		Service 10/19/10-11/18/10	6031.7 · Other Office Supplies	83.99 83.99
TOTAL						
Bill Pmt -Check	11/03/2010	14635	HAUGHEY, TOM	10/28/10 Board Meeting	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	10/28 Board Meeting			6311 · Board Member Compensation	125.00 125.00
TOTAL						
Bill Pmt -Check	11/03/2010	14636	HOGAN LOVELLS	1930564	1012 · Bank of America Gen'l Ckg	
Bill	10/28/2010	1930564		1930564 - Non-Ag Legal Services	8567 · Non-Ag Legal Service	8,882.65 8,882.65
TOTAL						

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
November 1, 2010 - November 24, 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	11/03/2010	14637	JAMES JOHNSTON	212	1012 - Bank of America Gen'l Ckg	855.00
Bill	10/31/2010	212		Website Services - October 2010	6052.3 - Website Consulting	855.00
TOTAL						
Bill Pmt -Check	11/03/2010	14638	KUHN, BOB		1012 - Bank of America Gen'l Ckg	125.00
Bill	10/28/2010	10/04 SPC		10/04/2010 Strategic Planning Conference	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/05 SPC		10/05/2010 Strategic Planning Conference	6311 - Board Member Compensation	250.00
TOTAL						
Bill Pmt -Check	11/03/2010	14639	PARK PLACE COMPUTER SOLUTIONS, INC.	444	1012 - Bank of America Gen'l Ckg	3,225.00
Bill	10/31/2010	444		IT Services - October 2010	6052.1 - Park Place Comp Solutin	3,225.00
TOTAL						
Bill Pmt -Check	11/03/2010	14640	PAYCHEX		1012 - Bank of America Gen'l Ckg	329.08
Bill	10/31/2010	2010102800		October 2010	6012 - Payroll Services	329.08
TOTAL						
Bill Pmt -Check	11/03/2010	14641	PURCHASE POWER	8000909000168851	1012 - Bank of America Gen'l Ckg	18.61
Bill	10/28/2010	8000909000168851		Ag Pool Mig taps fm 10/14/10 to Michael Fife	6042 - Postage - General	18.61
TOTAL						
Bill Pmt -Check	11/03/2010	14642	STAPLES BUSINESS ADVANTAGE	8016833467	1012 - Bank of America Gen'l Ckg	347.48
Bill	10/28/2010	8016833467		copy paper, color paper for meeting packages	6031.1 - Copy Paper	347.48
TOTAL						
Bill Pmt -Check	11/03/2010	14643	VANDEN HEUVEL, GEOFFREY	6311	1012 - Bank of America Gen'l Ckg	125.00
Bill	10/28/2010	10/01 CDA Call		10/01/2010 CDA Conference Call	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/08 CDA Call		10/08/2010 CDA Conference Call	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/19 CDA Call		10/19/2010 CDA Conference Call	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/28 Board Mtg		10/28/2010 Watermaster Board Meeting	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/29 CDA Call		10/29/2010 CDA Conference Call	6311 - Board Member Compensation	625.00
TOTAL						
Bill Pmt -Check	11/03/2010	14644	VERIZON	012561121521714508	1012 - Bank of America Gen'l Ckg	150.60
Bill	10/28/2010	012561121521714508		012561121521714508	7405 - PE4-Other Expense	150.60
Bill	10/28/2010	012519116950792103		012519116950792103	6022 - Telephone	408.01
TOTAL						
Bill Pmt -Check	11/03/2010	14645	VISION SERVICE PLAN	00-101789-0001	1012 - Bank of America Gen'l Ckg	28.83
Bill	10/28/2010	001017890001		Vision Ins. Premium - November 2010	60182.2 - Dental & Vision Ins	28.83
TOTAL						

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
November 1, 2010 - November 24, 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	11/03/2010	14646	W.C. DISCOUNT MOBILE AUTO DETAILING	Truck washing service	1012 - Bank of America Gen'l Ckg	100.00
Bill	10/28/2010			truck washing 4 trucks	6177 - Vehicle Repairs & Maintenance	100.00
TOTAL						
Bill Pmt -Check	11/03/2010	14647	WHITEHEAD, MICHAEL	10/28/10 Board Meeting	1012 - Bank of America Gen'l Ckg	125.00
Bill	10/28/2010	10/28 Board Meeting		10/28/10 Board Meeting	6311 - Board Member Compensation	125.00
TOTAL						
Bill Pmt -Check	11/03/2010	14648	WILLIS, KENNETH	10/26/10 Admin. Meeting at Watermaster	1012 - Bank of America Gen'l Ckg	125.00
Bill	10/28/2010	10/26 Admin Mtg		10/28/2010 Watermaster Board Meeting	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/04 SPC		10/04/2010 Strategic Planning Conference	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/05 SPC		10/05/2010 Strategic Planning Conference	6311 - Board Member Compensation	125.00
TOTAL						500.00
Bill Pmt -Check	11/03/2010	14649	YOUNG, ROBERT		1012 - Bank of America Gen'l Ckg	125.00
Bill	10/28/2010	10/14 SPC		10/04/2010 Strategic Planning Conference	6311 - Board Member Compensation	125.00
Bill	10/28/2010	10/05 SPC		10/05/2010 Strategic Planning Conference	6311 - Board Member Compensation	250.00
TOTAL						
Bill Pmt -Check	11/03/2010	14650	YUKON DISPOSAL SERVICE	08-K2 213849	1012 - Bank of America Gen'l Ckg	142.88
Bill	10/28/2010	08-K2 213849		Disposal Service for Nov. 2010	6024 - Building Repair & Maintenance	142.88
TOTAL						
Bill Pmt -Check	11/03/2010	14651	CORELOGIC INFORMATION SOLUTIONS	12938173	1012 - Bank of America Gen'l Ckg	62.50
Bill	10/28/2010	12938173		12938173	7103.7 - Gdwt Qual-Computer Svc	62.50
Bill	10/28/2010	12938173		12938173	7101.4 - Prod Monitor-Computer	125.00
TOTAL						
Bill Pmt -Check	11/05/2010	14652	HSEC BUSINESS SOLUTIONS	7003730910002744	1012 - Bank of America Gen'l Ckg	211.18
Bill	10/31/2010	7003730910002744		misc. office supplies-meeting supplies-cookies, crackers, granola bars-drinks, tylenol	6031.7 - Other Office Supplies	211.18
TOTAL						
Bill Pmt -Check	11/05/2010	14653	REID & HELLNER	172325	1012 - Bank of America Gen'l Ckg	15,370.00
Bill	10/31/2010	172325		172325 - Ag Pool Legal Services	8467 - Ag Legal & Technical Services	1,192.50
Bill	10/31/2010	172325		172325 - Ag Pool Legal Services	8467.1 - Frank B. & Associates	16,552.50
TOTAL						
Bill Pmt -Check	11/05/2010	14654	SAN BERNARDINO COUNTY FLOOD CONTROL I FC 166/10	reimb. of annual lease per Agreement with SCE	1012 - Bank of America Gen'l Ckg	5,000.00
Bill	10/31/2010	FC 166/10			7205 - Comp Recharge-Other Expense	5,000.00
TOTAL						
Bill Pmt -Check	11/05/2010	14655	UNION 76	300-732-989	1012 - Bank of America Gen'l Ckg	
Bill	11/05/2010	14655				
TOTAL						

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
November 1, 2010 - November 24, 2010

Type	Date	Nrmm	Name	Memo	Account	Paid Amount
Bill	10/31/2010	300732989		Fuel expense for October 2010	6175 - Vehicle Fuel	281.51
<b>TOTAL</b>						<b>281.51</b>
Bill Pmt -Check	11/09/2010	14656	MWH LABORATORIES		1012 - Bank of America Gen'l Ckg	
Bill	10/31/2010	L0041374		L0041374 - Grdwtr Qual-Lab Svcs	7103.5 - Grdwtr Qual-Lab Svcs	1,778.00
Bill	10/31/2010	L0041963		L0041963 - Grdwtr Qual-Lab Svcs	7103.5 - Grdwtr Qual-Lab Svcs	2,557.00
Bill	10/31/2010	L0041008		L0041008 - Grdwtr Qual-Lab Svcs	7103.5 - Grdwtr Qual-Lab Svcs	2,059.00
Bill	10/31/2010	L0040759		L0040759 - Grdwtr Qual-Lab Svcs	7103.5 - Grdwtr Qual-Lab Svcs	2,059.00
Bill	10/31/2010	L0040693		L0040693 - Grdwtr Qual-Lab Svcs	7103.5 - Grdwtr Qual-Lab Svcs	1,446.00
Bill	10/31/2010	L0040993		L0040993 - Grdwtr Qual-Lab Svcs	7103.5 - Grdwtr Qual-Lab Svcs	1,269.00
<b>TOTAL</b>						<b>11,168.00</b>
Bill Pmt -Check	11/09/2010	14657	VILLEGAS, VICTORIA E.	10/08/10 Hearing Transcript	1012 - Bank of America Gen'l Ckg	
Bill	10/31/2010			10/08/10 Hearing Transcript	6909.4 - Printing	1,560.00
<b>TOTAL</b>						<b>1,560.00</b>
General Journal	11/13/2010	11/13/10	Payroll and Taxes 10/31/10-11/13/10	Payroll and Taxes 10/31/10-11/13/10	1012 - Bank of America Gen'l Ckg	
				Payroll Taxes 10/31/10-11/13/10	1012 - Bank of America Gen'l Ckg	7,829.51
				Direct Deposit/Checks 10/31/10-11/13/10	1012 - Bank of America Gen'l Ckg	25,266.91
<b>TOTAL</b>						<b>33,096.42</b>
Bill Pmt -Check	11/16/2010	14658	ACWA SERVICES CORPORATION	00198	1012 - Bank of America Gen'l Ckg	
Bill	11/09/2010	00198		Prepayment - December 2010	1409 - Prepaid Life, BAD&D & LTD	156.78
				November Insurance	60191 - Life & Disab.Ins Benefits	128.19
<b>TOTAL</b>						<b>284.97</b>
Bill Pmt -Check	11/16/2010	14659	BANC OF AMERICA LEASING	011689768	1012 - Bank of America Gen'l Ckg	
Bill	11/15/2010	011689768		Minolta lease - billing period 11/01/10-11/30/10	6045.1 - Ricoh Lease Fee	3,215.74
<b>TOTAL</b>						<b>3,215.74</b>
Bill Pmt -Check	11/16/2010	14660	CITISTREET	Payroll and Taxes for 10/17/10-10/30/10	1012 - Bank of America Gen'l Ckg	
General Journal	10/30/2010	11/10/08	CITISTREET	Employee 457 Deduction-10/17/10-10/30/10	2000 - Accounts Payable	1,720.80
<b>TOTAL</b>						<b>1,720.80</b>
Bill Pmt -Check	11/16/2010	14661	COMPUTER NETWORK	79708	1012 - Bank of America Gen'l Ckg	
Bill	10/31/2010	79708		external hard drives for backup	6055 - Computer Hardware	1,033.13
<b>TOTAL</b>						<b>1,033.13</b>
Bill Pmt -Check	11/16/2010	14662	CORELOGIC INFORMATION SOLUTIONS	12987219	1012 - Bank of America Gen'l Ckg	
Bill	10/31/2010	12987219		12987219	7103.7 - Grdwtr Qual-Computer Svc	62.50
				12987219	7101.4 - Prod Monitor-Computer	62.50
<b>TOTAL</b>						<b>125.00</b>

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
November 1, 2010 - November 24, 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	11/16/2010	14663	CUCAMONGA VALLEY WATER DISTRICT	Lease Due Dec.1, 2010	1012 - Bank of America Gen'l Ckg	5,844.00
Bill	11/15/2010			Lease Due December 1, 2010	1422 - Prepaid Rent	5,844.00
TOTAL						
Bill Pmt -Check	11/16/2010	14664	DEPT OF FISH AND GAME	Petition for Extension of Time Permit 20753	1012 - Bank of America Gen'l Ckg	850.00
Bill	11/16/2010			Fee-Petition for Extension of time for Permit	6909 - OBMP Other Expenses	850.00
TOTAL						
Bill Pmt -Check	11/16/2010	14665	GUARANTEED JANITORIAL SERVICE, INC.	28234	1012 - Bank of America Gen'l Ckg	865.00
Bill	11/09/2010	28234		Janitorial Service - November 2010	6024 - Building Repair & Maintenance	865.00
TOTAL						
Bill Pmt -Check	11/16/2010	14666	IAAP	93902097	1012 - Bank of America Gen'l Ckg	128.00
Bill	11/09/2010	93902097		annual dues for J. Wilson IAAP membership	6111 - Membership Dues	128.00
TOTAL						
Bill Pmt -Check	11/16/2010	14667	MATHIS CONSULTING GROUP	183027	1012 - Bank of America Gen'l Ckg	750.00
Bill	10/31/2010	153027		training meeting	6013 - Human Resources Services	750.00
TOTAL						
Bill Pmt -Check	11/16/2010	14668	OFFICE DEPOT	539072760001	1012 - Bank of America Gen'l Ckg	445.60
Bill	10/31/2010	539072760001		copy paper	6031.1 - Copy Paper	445.60
TOTAL						
Bill Pmt -Check	11/16/2010	14669	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	Payor #3493	1012 - Bank of America Gen'l Ckg	6,607.46
General Journal	10/16/2010	11/10/03	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	CalPERS Payment-10/03/10-10/16/10	2000 - Accounts Payable	6,607.46
TOTAL						
Bill Pmt -Check	11/16/2010	14670	SAFEGUARD DENTAL & VISION	3399443	1012 - Bank of America Gen'l Ckg	7.91
Bill	11/09/2010	3399443		Dental Ins. For November 2010	60182.2 - Dental & Vision Ins	7.91
TOTAL						
Bill Pmt -Check	11/16/2010	14671	STAPLES BUSINESS ADVANTAGE	8016964072	1012 - Bank of America Gen'l Ckg	119.58
Bill	11/15/2010	8016964072		misc.office supplies - rulers, scissors, mailing labels, markers, batteries	6031.7 - Other Office Supplies	119.58
TOTAL						
Bill Pmt -Check	11/16/2010	14672	STATE WATER RESOURCES CONTROL BD	Petition for Extension of Time Permit 20753	1012 - Bank of America Gen'l Ckg	1,000.00
Bill	11/16/2010			Petition for Extension of Time Permit 20753	6909 - OBMP Other Expenses	1,000.00
TOTAL						
Bill Pmt -Check	11/16/2010	14673	STAULA, MARY L	Retiree Medical Premium-EE portion	1012 - Bank of America Gen'l Ckg	136.61
Bill	11/30/2010				60182.4 - Retiree Medical	136.61
TOTAL						

CHINO BASIN WATERMASTER  
Cash Disbursements For The Month of  
November 1, 2010 - November 24, 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill Pmt -Check	11/16/2010	14674	THE STANDARD INSURANCE COMPANY	160-513170-00006	1012 - Bank of America Gen'l Ckg	313.12
Bill	11/09/2010	16051317000006		Dental ins. - December 2010	60182.2 - Dental & Vision Ins	313.12
TOTAL						
Bill Pmt -Check	11/16/2010	14675	UNITED PARCEL SERVICE	2x81x0	1012 - Bank of America Gen'l Ckg	78.92
Bill	10/30/2010	2x81x0		meeting tape, miscellaneous correspondence	6042 - Postage - General	78.92
TOTAL						
Bill Pmt -Check	11/16/2010	14676	VERIZON WIRELESS	0920855669	1012 - Bank of America Gen'l Ckg	563.77
Bill	11/15/2010	0920855669		monthly service	6022 - Telephone	563.77
TOTAL						
Bill Pmt -Check	11/16/2010	14677	W.C. DISCOUNT MOBILE AUTO DETAILING	Truck washing service	1012 - Bank of America Gen'l Ckg	100.00
Bill	11/15/2010			truck washing 4 trucks	6177 - Vehicle Repairs & Maintenance	100.00
TOTAL						
Bill Pmt -Check	11/16/2010	14678	WESTERN DENTAL SERVICES, INC.	002483	1012 - Bank of America Gen'l Ckg	28.06
Bill	11/09/2010	002483		Dental ins. - December 2010	60182.2 - Dental & Vision Ins	28.06
TOTAL						
Bill Pmt -Check	11/16/2010	14679	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	Payor #3493	1012 - Bank of America Gen'l Ckg	6,534.13
General Journal	10/30/2010	11/10/07		CalPERS payment for 10/17/10-10/30/10	2000 - Accounts Payable	6,534.13
TOTAL						
Bill Pmt -Check	11/17/2010	14680	BANK OF AMERICA	XXXX-XXXX-XXXX-9341	1012 - Bank of America Gen'l Ckg	30.00
Bill	10/31/2010	XXXX-XXXX-XXXX-9341		FastTrak Replenishment	6174 - Transportation	30.00
				property tags for WM assets	6031.7 - Other Office Supplies	242.40
				travel expenses for K. Manning to attend the October 6191 - Conferences - General	6174 - Transportation	1,229.76
				MetroLink to meeting w/WMWD	6031.7 - Other Office Supplies	19.50
				Christmas Cards for office		462.77
TOTAL						1,984.43
Bill Pmt -Check	11/17/2010	14681	GRAINGER	9385951612	1012 - Bank of America Gen'l Ckg	16.85
Bill	11/16/2010	9385951612		9388181522	7103.6 - Grdwtr Qual-Supplies	16.85
Bill	11/16/2010	9388181522			7103.6 - Grdwtr Qual-Supplies	40.11
TOTAL						56.96
Bill Pmt -Check	11/17/2010	14682	INLAND EMPIRE UTILITIES AGENCY	90006605	1012 - Bank of America Gen'l Ckg	400.98
Bill	10/31/2010	90006605			8456 - IEUA Readyness To Serve	400.98
TOTAL						
Bill Pmt -Check	11/17/2010	14683	ONTARIO, CITY OF	Fee for Enroachment Permit	1012 - Bank of America Gen'l Ckg	400.98

CHINO BASIN WATERMASTER  
 Cash Disbursements For The Month of  
 November 1, 2010 - November 24, 2010

Type	Date	Num	Name	Memo	Account	Paid Amount
Bill	11/16/2010			Fee for Enroachment Permit	7103.6 - Grdwtr Qual-Supplies	85.00
TOTAL						85.00
Bill Pmt -Check	11/17/2010	14684	PUMP CHECK	4026	1012 - Bank of America Gen'l Ckg	225.00
Bill	10/31/2010	4026		4026	7103.4 - Grdwtr Qual-Contract Svc	225.00
TOTAL						225.00
General Journal	11/19/2010	11/19/10	Payroll and Taxes-11/19/10	Payroll and Taxes-11/19/10	1012 - Bank of America Gen'l Ckg	3,031.95
				Payroll Taxes - 11/19/10	1012 - Bank of America Gen'l Ckg	14,737.47
				Direct Deposit/Checks - 11/19/10	1012 - Bank of America Gen'l Ckg	17,769.42
TOTAL					Total Disbursements:	154,144.81

CHINO BASIN WATERMASTER  
 COMBINING SCHEDULE OF REVENUE, EXPENSES AND CHANGES IN WORKING CAPITAL  
 FOR THE PERIOD JULY 1, 2010 THROUGH OCTOBER 31, 2010

	WATERMASTER ADMINISTRATION	OPTIMUM BASIN MANAGEMENT	POOL ADMINISTRATION & SPECIAL PROJECTS		GROUNDWATER OPERATIONS		EDUCATION FUNDS	GRAND TOTALS	BUDGET 2010-2011
			APPROPRIATIVE POOL	AG POOL	NON-AG POOL	GROUNDWATER REPLENISHMENT			
Administrative Revenues:									
Administrative Assessments			7,606	609	306		1		\$6,508,070
Interest Revenue								8,522	175,010
Mutual Agency Project Revenue									148,410
Grant Income									0
Miscellaneous Income									0
Total Revenues	111,000	-	7,606	609	306		1	111,000	6,831,490
	111,000		7,606	609	306		1	119,522	6,831,490
Administrative & Project Expenditures:									
Watermaster Administration	160,210							160,210	512,546
Watermaster Board-Advisory Committee	21,974							21,974	73,073
Pool Administration		633,767	19,540	62,914	44,884			127,339	474,856
Optimum Basin Mgmt Administration		1,044,556						633,767	1,350,390
OBMP Project Costs		637,198						1,044,556	3,772,619
Debt Service								637,198	700,964
Education Funds Use									375
Mutual Agency Project Costs									10,000
Total Administrative/OBMP Expenses	182,185	2,315,521	19,540	62,914	44,884			2,625,045	6,894,823
Net Administrative/OBMP Expenses	(71,185)	(2,315,521)							
Allocate Net Admin Expenses To Pools		1,678,324	48,950	19,805	2,430				
Allocate Net OBMP Expenses To Pools		637,198	1,154,101	466,939	57,284				
Allocate Debt Service to App Pool			637,198						
Agricultural Expense Transfer*		549,658	(549,658)						
Total Expenses	2,409,447	104,597	609	(104,291)				2,625,045	6,894,823
Net Administrative Income	(2,401,841)						1	(2,505,523)	(63,333)
Other Income/(Expense)									
Replenishment Water Assessments						1,792		1,792	0
Interest Revenue									0
Water Purchases									0
Balance Adjustment									0
Other Water Purchases									0
Groundwater Replenishment						(183,732)		(183,732)	0
Net Other Income						(181,939)		(181,939)	0
Net Transfers To/(From) Reserves	(2,687,462)		609	(104,291)		(181,939)	1	(2,687,462)	(63,333)
Working Capital, July 1, 2010	6,219,006		473,483	256,632	158,251		1,001	8,478,365	
Working Capital, End Of Period	3,817,165		474,092	152,341	158,251		1,002	5,790,903	5,790,903
<b>09/10 Assessable Production</b>	78,733,238		31,854,766	3,907,911				114,495,915	
<b>09/10 Production Percentages</b>	68.765%		27.822%	3.413%				100.000%	

\*Fund balance transfer as agreed to in the Peace Agreement.

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**CHINO BASIN WATERMASTER  
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD  
OCTOBER 1 THROUGH OCTOBER 31, 2010**

<b>DEPOSITORIES:</b>			
Cash on Hand - Petty Cash	\$	500	
Bank of America			
Governmental Checking-Demand Deposits	\$	222,692	
Zero Balance Account - Payroll	\$	-	
Local Agency Investment Fund - Sacramento			
<b>TOTAL CASH IN BANKS AND ON HAND</b>			10/31/2010
<b>TOTAL CASH IN BANKS AND ON HAND</b>			9/30/2010
<b>PERIOD INCREASE (DECREASE)</b>			
	\$	<b>(478,905)</b>	

**CHANGE IN CASH POSITION DUE TO:**

Decrease/(Increase) in Assets: Accounts Receivable	\$	10,314
Assessments Receivable	-	
Prepaid Expenses, Deposits & Other Current Assets	(14,011)	
Accounts Payable	140,072	
Accrued Payroll, Payroll Taxes & Other Current Liabilities	(57,945)	
Transfer to/(from) Reserves	(557,336)	
<b>PERIOD INCREASE (DECREASE)</b>	\$	<b>(478,905)</b>

**SUMMARY OF FINANCIAL TRANSACTIONS:**

Balances as of 9/30/2010								
Deposits	\$	500	\$	161,911	\$	6,544,588	\$	6,706,999
Transfers	-	-	-	552,689	-	10,314	563,003	
Withdrawals/Checks	-	-	(67,347)	(67,347)	67,347	(550,000)	(550,000)	
	-	-	(424,561)	(67,347)	(67,347)	-	(491,908)	
Balances as of 10/31/2010	\$	500	\$	222,692	\$	-	\$	6,004,902
<b>PERIOD INCREASE OR (DECREASE)</b>	\$	-	\$	60,781	\$	-	\$	<b>(478,905)</b>

**CHINO BASIN WATERMASTER  
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD  
OCTOBER 1 THROUGH OCTOBER 31, 2010**

**INVESTMENT TRANSACTIONS**

Effective Date	Transaction	Depository	Activity	Redeemed	Days to Maturity	Interest Rate(*)	Maturity Yield
10/15/2010	Interest	L.A.I.F.	\$ 10,314				
10/28/2010	Withdrawal	L.A.I.F.	\$ (550,000)				
<b>TOTAL INVESTMENT TRANSACTIONS</b>			<b>\$ (539,686)</b>				

\* The earnings rate for L.A.I.F. is a daily variable rate; 0.51% was the effective yield rate at the Quarter ended September 30, 2010.

**INVESTMENT STATUS  
October 31, 2010**

Financial Institution	Principal Amount	Number of Days	Interest Rate	Maturity Date
Local Agency Investment Fund	\$ 6,004,902			
<b>TOTAL INVESTMENTS</b>	<b>\$ 6,004,902</b>			

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,

Joseph S. Joswiak  
Chief Financial Officer  
Chino Basin Watermaster



# CHINO BASIN WATERMASTER

## IV. INFORMATION

### 2. Newspaper Articles



THE ORANGE COUNTY  
**REGISTER**

## Disney receives award for saving water

By SARAH TULLY

2010-11-02 07:22:43



The [Disneyland Resort](#) is set to receive an award for its programs to reduce storm-water runoff during a ceremony Tuesday (today).

The [California Stormwater Quality Association](#) plans to honor Disney during its sixth-annual awards luncheon in Rancho Mirage. Disney is among five recipients of the award and the only one from Orange County.

The resort created a program to cut down on the amount of water dumped into storm drains and the ocean.

Disney is recognized mostly for using a type of porous asphalt that allows rainwater to seep into the water table, instead of going into the ocean.

The concrete surfaces have spaces and holes, almost like a sponge, which allow water to seep into the ground, said Jill Bicknell, awards committee chair. That prevents the water from running off, picking up pollutants and carrying them into the ocean.

Crews used water-friendly practices for the construction of a new central bakery, a parking lot on Harbor Boulevard, four back office buildings, as well as the Grand Californian Hotel expansion, said Betsy Sanchez, a Disneyland Resort spokesman. [Read a story and see a video about Disney's environmentally friendly bakery.](#)

"As we grow and expand, one of the ways we continue to build on this legacy is by investing in new technologies, systems and processes that improve water quality," said Frank Dela Vara, director of environmental affairs at the Disneyland Resort, in a prepared statement. "We are honored to receive this award and look forward to continuing to develop innovative practices that help sustain our environment and support our core business values, because it is the right thing to do."

Last year, Disney received another environmental award for different water program and sustainable practices: Governor's Environmental and Economic Leadership Award. [See a story about the Disney environmental award.](#)

In that water-saving technique, Disney's parks siphoned water from two large waterways to recycling facilities, instead of dumping the water into storm drains. Most of Disney's water seeped into groundwater for future use.

Starting in 2008, Disney siphoned 16 millions gallons of water out of [Paradise Bay in Disney California Adventure](#) while crews constructed equipment for the "World of Color" show. [See a story about Disney's bay draining, including a graphic.](#)

In January, crews emptied 6 million gallons of water from the [Rivers of America in Disneyland](#) to renovate attractions around Tom Sawyer Island. [See a story about Disneyland's Rivers of America draining, including a graphic.](#)

See this post [in its original form](#), and read more on [Around Disney](#).

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THE ORANGE COUNTY  
**REGISTER**

## State panel approves H.B. desalination facility

By [JAIMEE LYNN FLETCHER](#)

2010-10-28 12:19:34



HUNTINGTON BEACH – [Poseidon Resources Inc.](#) is one step away from getting its final approval before starting construction on its \$350 million desalination facility.

The [State Lands Commission](#) on Friday gave Poseidon the green light for the facility at Pacific Coast Highway and Newland Street. The company will now have to take its project before the Coastal Commission for final approvals.

The desalination facility would turn out 50 million gallons of fresh water a day, which is expected to account for about 8 percent of the county's water supply and help combat the excessive drought plaguing the county.

Company officials say the project would create jobs, generate tax revenue for Huntington Beach and provide \$1.9 million in improvements near the desalination facility or along the pipeline route and another \$2 million for citywide improvements.

[Project opponents](#) say the desalination facility would [harm sea life](#) and use up too much energy. They also say desalinated water would be too expensive for tax payers.

Despite those concerns, city officials approved an environmental report that said there would not be significant impacts on the environment that would require halting the project.

[Poseidon first gained approvals from the city in 2006 but had to come back after the company tweaked its plans.](#) The desalination facility is planned to be built adjacent to the AES power plant, which has an intake pipe in the ocean it uses to suck in sea water and cool its equipment.

The State Water Resource Control Board plans to require AES to reduce its salt water intake by 2020, which means Poseidon will have to operate independently of the power plant. Poseidon would use AES discharge water until the state policy takes effect, company officials said.

The new proposal would allow Poseidon to either take discharged seawater from the Huntington Beach Generating Station or the facility would pump its own ocean water using the generating station's pipeline, according to city reports.

[City Council members in September approved the project with Councilwoman Jill Hardy casting the dissenting vote saying she thought the project was "full of holes" and she wanted to further explore the possibilities of desalination.](#)

The project is anticipated to go before the Coastal Commission in mid-2011.

Contact the writer: 714-796-7953 or [jfletcher@ocregister.com](mailto:jfletcher@ocregister.com)

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## Groups Urge Inclusion of Water in Proposed Infrastructure Bank

By Patrick Crow, Washington Correspondent

The American Water Works Association (AWWA) has urged that water systems be eligible for funding through a federal infrastructure bank proposed by President Barack Obama.

Congress is not expected to pass such legislation during the planned Lame Duck session this year.

Although President Obama's message focused on transportation spending, AWWA Executive Director David LaFrance said, "There are more than one million miles of water mains buried beneath our roads, stretching 20 times the length of our interstate highways. Much of our water infrastructure was constructed between 80 and 100 years ago and is nearing the end of its functional lifespan.

"While transportation funding is important, our water systems, although out of sight, cannot be overlooked. These systems are critical for the public health protection, fire protection, economic prosperity and our overall quality of life."

AMWA said the bank would borrow money through the U.S. Treasury at low rates and provide low-cost loans for water projects. It said, "Because the bank would issue loans -- not grants -- it would have minimal impact on the federal budget and would require no new taxes. It's a fresh, sustainable approach to financing our nation's aging water infrastructure problem that strikes just the right balance between federal assistance and local responsibility."

The association later urged leaders of the Senate Banking, Housing, and Urban Affairs Committee not to overlook the water sector in discussions of the proposed bank.

AWWA noted that the Drinking Water State Revolving Fund program is primarily targeted at providing assistance to small water systems, leaving many metropolitan utilities with little funding assistance.

Meanwhile, the National Association of Clean Water Agencies (NACWA) urged President Obama to include clean water funding in a possible \$50 billion economic stimulus bill.

NACWA observed that EPA has estimated the nation needs nearly \$300 billion for wastewater and stormwater projects over the next 20 years to comply with the Clean Water Act. Also, there is a \$500 billion gap between current investment and projected needs in water infrastructure needs over the next 20 years.

### Lead Rules

Key senators have introduced a bill toughening rules against lead in drinking water.

Senators Barbara Boxer (D-Calif.), chairman of the Environment and Public Works Committee, Dianne Feinstein (D-Calif.), Amy Klobuchar (D-Minn.), Benjamin Cardin (D-Md.), Bernard Sanders (I-Vt.), and Kirsten Gillibrand (D-N.Y.) filed the bill.

In the House of Representatives, Anna Eshoo (D-Calif.) previously introduced a similar bill that became part of the Assistance, Quality, and Affordability Act (H.R. 5320), which was passed July 29.

The senators said lead is a toxic contaminant that can harm the human nervous system and brain development. Federal law allows plumbing fixtures that carry drinking water to contain up to 8% lead. Under the Senate bill, the wetted surface of such plumbing cannot contain more than a weighted average of 0.25%.

Sen. Boxer said, "The bottom line is that there is no safe level of lead -- a toxic heavy metal -- in our drinking water."



Sen. Cardin noted that industry now is able to make plumbing products containing less lead. Sen. Sanders said Vermont has already enacted a strong standard against lead in drinking water.

### Fresh Water Study

The Obama Administration has received a study detailing the challenges in providing fresh water.

The White House Council on Environmental Quality accepted the document prepared by the Johnson Foundation at Wingspread, of Racine, WI. The Water Environment Federation (WEF) was among various groups supporting its conclusions.

Sponsors said the study, "Charting New Waters: A Call to Action to Address U.S. Freshwater Challenges," is believed to be the first comprehensive, cross-sector examination of its kind.

The report identified problems such as pollution and scarcity; competing urban, rural and ecosystem water needs; climate change; environmental and public health impacts; and a variety of economic implications. It offered actions to confront those threats and a plan to ensure that freshwater resources would be adequate.

It recommended coordinated regulations by federal, state and local jurisdictions. It also said the freshwater regulatory framework, which was developed in the 1970s to deal with the environmental issues of that era, should be modernized.

WEF President Paul Freedman said, "With aging infrastructure, growing populations and climate change, water will become the defining societal and environmental challenge of the twenty-first century. We need to rethink our twentieth century approaches to find sustainable solutions. The Freshwater Call to Action not only identifies key challenges but presents important recommendations that will move us towards these solutions."

In other Washington news:

- The House of Representatives has passed a bill to make it easier for communities to establish pharmaceutical take-back programs, which could reduce the amount of unused drugs flushed in toilets. The Senate has approved a similar bill.
- EPA has awarded Topeka, Kan., \$485,000 toward \$3.2 million in projects. A drinking water project would install 9,500 feet of 18-inch line and 925 feet of 24-inch line. A sanitary sewer project will include 3,375 feet of 18-inch pipe and 2,100 feet of 15-inch pipe.
- The agency cited the Montgomery, Ala., Water Works and Sanitary Sewer Board and the Hendersonville, Tenn., Utility District, for allowing unauthorized discharges of sewage in August.
- EPA has begun to award grants under the administration's Great Lakes Restoration Initiative, which targeted the most significant environmental problems in the region. The Great Lakes provide 30 million Americans with drinking water.
- Majority Leader Harry Reid (D-Nev.) has decided the Senate will debate climate change and energy legislation this year. The bill would include provisions to help water and wastewater systems adapt to climate change.
- EPA is drafting a rule to reduce mercury waste from dental offices. Dental amalgams, or fillings containing mercury, account for 3.7 tons of mercury discharged each year. EPA expects to propose a rule next year and finalize it in 2012.
- The Department of Agriculture has granted \$445.3 million for 89 water and wastewater infrastructure projects in small communities under the American Recovery and Reinvestment Act.
- EPA has asked nine oil industry service companies to provide data on the hydraulic fracturing of natural gas wells. Congress has ordered the agency to determine if the practice has affected drinking water and public health. **WW**

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<http://www.waterworld.com/WaterWorld/en-us/index/display/article-display.articles.waterworld.drinking-water.infrastructure.groups-urge-inclusion-of-water-in-proposed-infrastructure-bank.html>



## Made in IBM Labs: California State Water Control Board Partners with IBM to Improve Water Quality

By IBM

Thursday, November 4, 2010

San Jose, California - 04 Nov 2010: A new application that enables iPhone users to help monitor water quality and alert authorities to problems, is now available in Apple's App Store. The first state to partner with IBM (NYSE: [IBM](#)) to use this data to monitor the thousands of miles of creeks and streams in their jurisdiction is California's State Water Control Board.

Developed by IBM Research and available for free at Apple's App Store, Creek Watch is an easy-to-use application that allows community members to snap a photo of a creek or stream and answer three simple questions about the particular waterway. The data is uploaded in real-time to a central database, accessible by water authorities responsible for monitoring local water supplies.

According to the United Nations, contaminated water kills more people than all wars, crimes and terrorism combined; every 20 seconds, an infant dies from polluted water. While most agree that water is among our most precious resources, what many do not realize is that we walk over and drive past our drinking water everyday, making valuable observations about the water's condition as we do so. Creek Watch makes it easy to capture these observations, providing water resource managers with additional insight and data to better ensure a sustainable water supply.

Creek Watch uses a combination of the iPhone's built-in location sensor and user contributed data to provide information that is valuable for water management analysis – e.g., at what times of the year specific creeks begin to run dry or when the water levels are at capacity.

Contributing water data with IBM's Creek Watch app requires just four easy steps:

- Use the iPhone's built-in camera to snap a photo of a waterway
- Specify the Water Level: Dry, Some or Full
- Specify the Flow Rate: Still, Slow or Fast
- Specify the Trash Level: None, Some or A lot

"Creek Watch lets the average citizen contribute to the health of their water supply – without PhDs, chemistry kits and a lot of time," said Christine Robson, IBM Research. "Harnessing the crowdsourced data movement for a cause people care about is a win-win-win for citizens, local water boards and IBM's desire to solve big data challenges."

In many cases the organizations charged with monitoring local water conditions are over-extended and unable to physically monitor creeks and streams on their own due to the sheer volume of waterways.

"With about 800 miles of creeks in Santa Clara County alone, we need innovative technologies like this one to empower the community to help us continuously improve our water quality and the environment," said Carol Boland, Watershed Biologist for the City of San Jose. "An amazing characteristic of IBM's Creek Watch app is that it's accessible to anyone that has an iPhone and doesn't require a huge commitment to do something that will really benefit the creeks."

Capitalizing on the phenomenon of crowdsourcing for data collection, IBM researchers hope that this and other applications will launch a new sense of environmental awareness within the community.

See a demonstration of the app here. For more information about how IBM is using technology to create a smarter planet, visit: [ibm.com/smarterplanet](http://ibm.com/smarterplanet).

Registered journalists and bloggers can view and download VNR and photos on the iPhone Creek app here. All materials are available in standard definition broadcast and streaming quality. [registration is available online]

### [SOURCE](#)

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## NORCO: More wells will speed Wyle cleanup

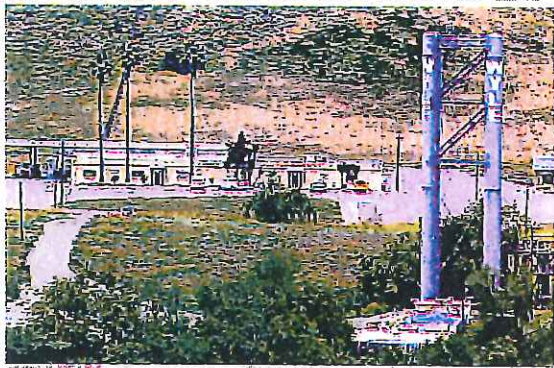
10:00 PM PDT on Wednesday, November 3, 2010

By BRIAN ROKOS  
The Press-Enterprise

Installation is expected to begin before the end of the year on six additional extraction wells that could accelerate the removal of the contaminants at the site of the former Wyle Laboratories in Norco.

Rafat Abbasi, project manager for the state Department of Toxic Substances, which is overseeing the cleanup, updated the Norco City Council on the effort's progress Wednesday night. In an earlier interview, he said there is no timetable for its completion but, "We are essentially in the latter stages of the game."

Wyle tested defense and aerospace products at the 429-acre Hillside Avenue site from 1957 to 2004. Residents began questioning the safety of the site in 2001. Tests of soil and groundwater found suspected and known cancer-causing chemicals, predominantly trichloroethylene, or TCE.



2003 / The Press-Enterprise  
Interim measures to clean up the former Wyle Labs site include wells that can extract contaminants, with the actual cleanup to begin next year. Six more wells are expected to be under construction by the end of the year.

Story continues below

The Department of Toxic Substances has overseen what are being described as interim measures before the actual cleanup begins next year. Wyle is paying for the cleanup.

Abbasi said it should take him two weeks to review the plans for the new wells, and installation could be completed eight to 10 weeks after the review is finished. It would be about six weeks before the department would learn the effectiveness of the wells, he said.

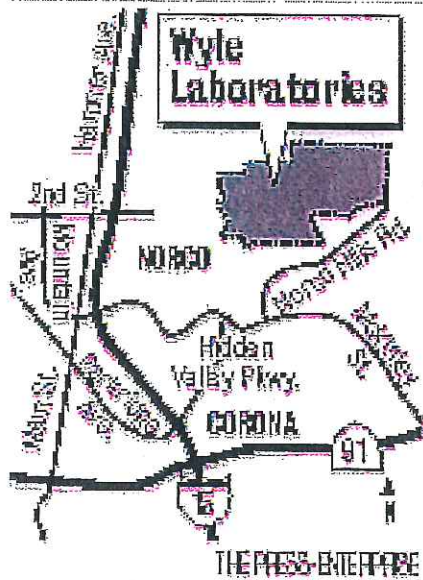
The underground contaminants have been moving downhill from where the wells will be located, Abbasi said. Placing the wells at the source should stop that migration.

Four wells will be placed on the land and two will be installed along Golden West Lane. Contaminated water will be extracted into carbon into an absorption system, and the carbon will be disposed of.

The installation will require digging up part of Golden West Lane, Abbasi said. Residents on the road should receive notice of the work next week, he said.

The new wells will bring the number on the site to 11.

Story continues below



The initial cleanup plan -- injecting sodium permanganate into the ground water -- was rejected because that oxidant can react with the steel injection wells and generate hexavalent chromium, a known carcinogen, Abbasi said.

The new cleanup plan, which must be approved, could include several strategies, Abbasi said. They could include vaporizing the TCE and then sucking the vapor into wells where it will be treated; planting trees to naturally clean the soil; and pumping out groundwater, treating it and recycling it through the wells.

Cleanup of 212 acres on the eastern half of the property, known as the Upper Basin, was completed in April 2009.

The site does not pose any danger, Abbasi said. He said neighborhood residents are not threatened because they do not drink the groundwater.

"You can have a picnic on the property, no problem," he said.

Abbasi said he expects to hold a meeting to update residents in early 2011.

The city early this year rejected the idea of buying the land to maintain it as open space. The group Friends of Norco Hills still hopes to buy the site, said Pat Overstreet, a member.

Reach Brian Rokos at 951-368-9660 or [brokos@PE.com](mailto:brokos@PE.com)

## REGION: Inland leaders explore remedies for uncertain water supplies

08:44 PM PST on Sunday, November 7, 2010

By DAVID DANIELSKI  
The Press-Enterprise



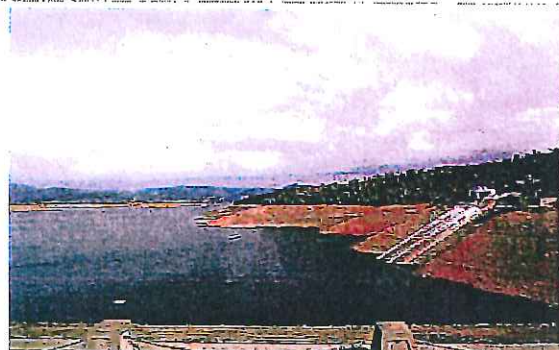
Photo Gallery: Sacramento Delta water tour

Twenty-eight years ago, Northern California voters killed a bond issue that would have paid for a canal to carry water from the big rivers in the north to fast-growing Southern California.

The Peripheral Canal, as it was called, is still being debated, and now officials are talking instead about building tunnels to carry the water more than 40 miles underground at a cost that could top \$14 billion. The tunnels would carry supplies under the Sacramento-San Joaquin Delta to the pumps that feed the California Aqueduct.

The Delta may be hundreds of miles from Inland water taps, but its aging levees, declining fish populations and water pumping limitations have Southern California water purveyors again looking for a big fix.

[Story continues below](#)



Silvia Flores / The Press-Enterprise  
The State Water Project gets water from the Oroville Dam north of Sacramento. Proponents of a tunnel system, an idea that surfaced last year, say it would offer many benefits, such as allowing water providers easier access to water stored at the dam.

The goal is to bypass the environmentally sensitive and troubled Delta and ensure reliable deliveries to Southern California customers and to farmers and residents in the Central Valley and San Jose area.

Metropolitan Water District of Southern California provides wholesale supplies to many agencies, including Eastern and Western municipal water districts in Riverside County. The wholesaler obtains about 50 percent of its water from the Delta, a system of sloughs and wetlands fed by the Sacramento and San Joaquin rivers.

On a recent tour for Southern California leaders, Curt Schmutte, a Metropolitan engineer, described some of the problems -- aging levees, sinking earth and the potential for earthquakes and seawater intrusion -- that jeopardize water supplies flowing through the Delta.

Schmutte stood on a Delta levee along the San Joaquin River

and gestured toward cornfields growing on an island 30 feet below the river.

Fields in the Sacramento-San Joaquin River Delta are sinking, Schmutte said.

"As these islands continue to go down, the impact of an earthquake is going to be greater. ... If we have an earthquake, these levees would liquefy," Schmutte told a group of Inland officials who were on last month's tour.

Sea water from the San Francisco Bay would flood the Delta. Supplies pumped from the Delta into State Water Project aqueducts would become too salty for human consumption. A temporary fix to shore up a patchwork of levees would take at least six months; he said.

"It's a ticking time bomb," said Tom Grady of the Lake Elsinore Valley Chamber of Commerce as he rode the tour bus. "Eventually, we are going to have a crisis."

Metropolitan officials are promoting the idea of building a tunnel system that would ferry fresh water from the Sacramento River some 43 miles under the Delta to pumping stations that feed that State Water Project aqueducts and reservoirs.

The tunnel idea surfaced last year from an interagency planning endeavor set up by the state Department of Water Resources. It calls for an 8-mile intake tunnel that would lead to two parallel tunnels, each 33 feet wide and 35 miles long, running some 150 feet below the Delta.

Metropolitan officials say the \$10 billion to \$14 billion project would solve several problems.

Sophisticated screening systems would separate imperiled Delta smelt and other fish from the water that's bound for taps, eliminating the current practice of slowing down the pumping when protected fish arrive in spring to spawn.

It also would allow the water providers to more quickly and reliably convey water stored at the Oroville Dam to the State Water Project aqueducts.

The Delta now acts as a bottleneck that slows deliveries; pumping too much alters the water flows in ways that harm fish populations, explained Roger Patterson, Metropolitan's assistant general manager.

The tunnels also would eliminate what Schmutte described as a growing threat of levee failures from earthquakes and heavy water flows from storms and melting snow.

## CHALLENGES

Yet the tunnel idea faces political and financial challenges.

An earlier plan to route Sacramento River water around the Delta failed in 1982 when voters turned down a bond issue to fund the Peripheral Canal.

Opposition to the tunnel and canal are entrenched. Regardless of how the water is carried south, many Delta area residents don't trust Metropolitan and other agencies not to take too much.

When the touring Inland officials stopped for hamburgers and club sandwiches at the Black Bear Diner in the Delta town of **Oakley**, a bumper sticker saying "Stop the Canal" was displayed in the restaurant window. The same message was on yard signs displayed throughout the area.

Bill Wells, executive director of the California Delta Chambers & Visitor's Bureau, said the project -- tunnels or canal -- is solidly opposed by Delta area farmers and businesses because it would divert too much high-quality water out of the Delta, leaving behind water that is salty from tidal flows and unsuitable for agriculture and wildlife.

"Delta farmers have everything to lose," he said.

## RELATED

The Press-Enterprise's special project on the water situation

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California

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MWD website on the delta

The tunnel, he said, could take as much as three-fourths of the water that flows down the Sacramento River.

"They say they are only going to take X amount, but they could take it all," Wells said.

Story continues below



Los Angeles County Board of Supervisors field inspector Dickie Simmons checks out the Banks Pumping Plant at the start of the California Aqueduct during an inspection trip of The State Water Project.

He dismissed as "blasted propoganda" concerns that an earthquake could cause hundreds of miles of levees to fail at once.

"They are overstating something that has never happened," Wells said.

When a levee has failed in the past, it has been repaired, and life in the Delta returned to normal, he said

Jack Boatwright, a Bay Area-based geophysicist for the U.S. Geological Survey, said the levees are more than 100 years old. They could fail with a small amount of shaking, for example, from a major earthquake centered more than 50 miles away in the Bay Area, he said.

Precise predictions are impossible, Boatwright said, but researchers believe the Bay Area has a 63 percent chance of a magnitude 6.7 or greater earthquake in the next 20 years.

In response to claims that they will take too much water from the Sacramento River, Metropolitan officials countered that the district can take only the water it is entitled to in State Water Project allocation contracts.

They also say that the tunnel idea comes out of a planning process that puts just as much as emphasis on restoring Delta habitat to help declining populations of smelt and salmon. The U.S. [Fish and Wildlife Service](#), among other agencies, would require water allocations to protect the fish and other species.

### HIGH COSTS

Kathy Cole, Metropolitan's legislative representative, told the Inland group that Delta habitat restoration would be covered through an \$11.14 billion water bond expected to go to California voters in 2012; the bond also would fund several other water programs.

The tunnels' cost would be borne by those who use the water, including San Joaquin Valley farmers and residents of the Silicon Valley, San Luis Obispo area, Kern County and those who use water provided by the Metropolitan Water District.

A tunnel would do less harm to the environment than the surface canal envisioned decades ago, Cole said during a presentation at Metropolitan's Sacramento offices.

Metropolitan's cost share would be \$3 billion -- a fourth of the project's cost, said Bob Muir, a district spokesman. If financed over 30 years, the tunnels would cost the average residents roughly \$5 a month, he said.

Wells said a better alternative is for Southern California to conserve more water.



Demands for more water, he added, could be met by building desalination plants along the coast and pumping the water from the plant to the aqueducts.

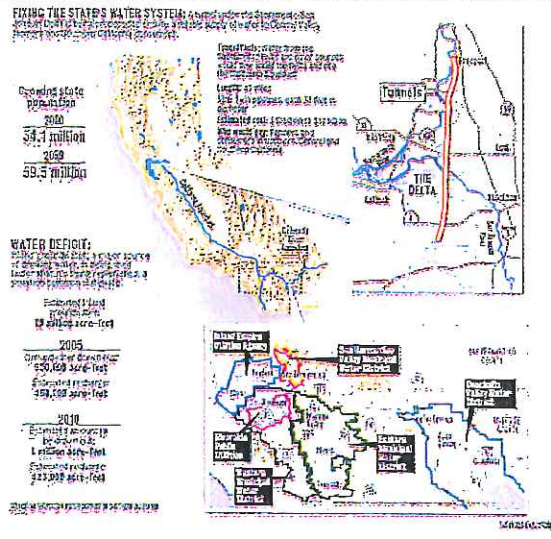
**SINKING ISLANDS**

Schmutte, the water district engineer, said a Delta fix will be needed sooner or later.

Each year, farm fields on the Delta's 56 islands sink lower as carbon in the ancient peat soils combines with oxygen and escapes into atmosphere in the form of carbon dioxide gas. This sinking land puts more pressure on levees, some built 150 years ago.

A major earthquake is inevitable, Schmutte said. And to make things worse, sea levels are expected to rise as the Earth warms, putting even more pressure on the levees.

[Story continues below](#)



Beyond visits to the levees at risk, the contingent of Inland and Los Angeles County officials and business leaders also traveled to Oroville Dam and, in the Delta area, a water-channel control station, a fish diversion and capture facility, and the giant Harvey O. Banks pumping station that lifts water from the Delta about 1,000 feet uphill to the waiting aqueducts.

Participants said they found the information invaluable toward understanding the complex systems that takes water from the Sierra Nevada range to taps in Southern California.

"When you experience the thing up close and personal, it really makes a difference," said Riverside County Superior Court Judge Paul Zellerbach, the county's district attorney-elect. Still, he said he is not ready to endorse spending more than \$10 billion on water tunnels.

"I first need to hear from all sides," he said. "We heard from just one side."

Riverside City Councilman **Paul Davis**, whose city ward receives state water, said he, too, is not ready to support a multibillion-dollar tunnel system. He wants to learn more about alternatives, such as building desalination plants.

More debate will come next year when the state Department of Water Resources and federal **Bureau of Reclamation** are expected to jointly release a draft environmental impact study on the tunnel project. Once the document is released, water providers and other agencies are expected to take official positions on the tunnels, said Patterson, Metropolitan's assistant general manager.

Luis Juarez, a board member of the Three Valleys Metropolitan Water District serving the Pomona-Claremont areas, said he worries about what will happen to Southern California's water supply if the Delta levees fail.

"It's like a dark cloud over our heads," he said.

*Reach David Danelski at 951-368-9471 or [ddanelski@PE.com](mailto:ddanelski@PE.com)*

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## Hinkley water tainted by chromium 6 spreading

Peter Fimrite, Chronicle Staff Writer

Monday, November 8, 2010



The creeping plume of chemically laced drinking water that plagued the Mojave Desert town of Hinkley and led to a major motion picture about the scandal has continued to spread despite a long-standing order for Pacific Gas and Electric Co. to clean up the mess.

Higher than normal levels of cancer-causing hexavalent chromium, or chromium 6, have been detected over the past year in groundwater more than a half-mile beyond the previous boundary of contamination in the San Bernardino County farming community, water quality regulators revealed last week.

The toxic spillage at a PG&E facility southeast of Hinkley was first exposed by Erin Brockovich, a paralegal at a Southern California firm whose court battle on behalf of sickened residents against the giant utility was recounted in a 2000 movie starring Julia Roberts.

Representatives of PG&E said the levels of chromium 6 in the new location were never above California's safe drinking water standard and have recently been reduced to natural background levels. Still, many farmers and ranchers in the area are angry that the tainted water remains a threat two decades after PG&E stopped discharging the chemical.

"The plume is migrating, and this is a violation of the cleanup order," said Carmela Gonzalez, one of many residents of Hinkley who is demanding action. "It is outrageous that this has been allowed to continue. People are fed up."

Hexavalent chromium was used by PG&E between 1952 and 1966 to fight corrosion in the cooling towers at a compressor station about 12 miles west of Barstow. The wastewater from the cooling towers was discharged into unlined ponds. Some of the contaminated runoff percolated into the groundwater, polluting a 2-mile-long, nearly mile-wide portion of the aquifer.

## Reports of illness

Dozens of townsfolk reported falling sick, and some allegedly died from exposure to the carcinogen. Breast cancer, Hodgkin's disease, lung, brain and gastrointestinal cancers, miscarriages, and kidney and ovarian tumors were blamed on the poisoned water.

The utility was ordered to clean up the water after a legal battle spearheaded by Brockovich. The film "Erin Brockovich" focused on a 1996 case that ended with a \$333 million settlement on behalf of more than 600 Hinkley residents.

Other lawsuits involving 1,100 people exposed to chromium 6 from PG&E facilities in Kings, Riverside and San Bernardino counties were also settled, the last one for \$20 million in 2008.

At that time, the utility appeared to have controlled the spread of the chromium 6 in Hinkley. Then a local farmer with water rights north of the PG&E facility began a pumping operation that experts believe sucked the plume northward.

The Lahontan Regional Water Quality Control Board, which oversees the Hinkley area, issued a cleanup and abatement order in August 2008, instructing PG&E to stop the expansion of the underground chromium plume by Dec. 31 of that year.

The plume nevertheless continued spreading. It is now 2.6 miles long and 1.3 miles wide and extends 0.6 miles farther northeast than it did two years ago, said Lisa Dernbach, the senior engineering geologist for the water board.

Dernbach said increased levels of chromium have recently been detected in about 12 domestic drinking water wells. That's in addition to the dozens of wells previously affected. Not only that, Dernbach said, but chromium has also been found in what she called "the lower aquifer," an area of groundwater separated from the upper aquifer by a layer of clay.

## Domestic wells

"This is important," she said, "because the pollution originally affected only the upper aquifer, and a lot of the domestic wells were tapped into the lower aquifer because it was believed to be uncontaminated."

Reports of sick and dying residents continue, including the deaths of three people who Gonzalez said once lived in a house that PG&E purchased and demolished - two died from cancer - but there is no direct evidence of a link between the reported health problems and chromium 6.

Lahontan officials have not slapped PG&E with a notice of violation, a common enforcement tool.

"In this case the enforcement committee decided that a verbal enforcement action to Pacific Gas and Electric Co. was appropriate in part because PG&E was cooperative and working to develop a

plan to address the violation, which they have since implemented," said Chuck Curtis, the supervising engineer for the water quality control board.

Bob Doss, PG&E's principal engineer for gas transmission and distribution remediation, said the chromium plume has been expanding and contracting for years, but is, for the most part, corralled.

The trick now, he said, is to move forward with a PG&E action plan that was recently submitted to the Lahontan board. The proposal is to reduce chromium levels to naturally occurring background levels of less than 3.2 parts per billion.

A series of hydraulic and biological methods are being used, Doss said, including the injection of ethanol into the groundwater, a process that converts hexavalent chromium into trivalent chromium, which is not harmful.

PG&E is also growing feed crops like alfalfa using contaminated water, a process that essentially filters out the chromium 6, at a utility-owned dairy.

"The goal, quite simply put, is to continue to use our agricultural treatment in the one area and expand that into other areas," Doss said. "It's a natural beneficial use that makes a lot of sense. It dilutes the plume."

The highest concentration of chromium found in a resident's well over the past year has been about 14 parts per billion, according to Dernbach. The state drinking water standard for chromium is 50 parts per billion. The most toxic area, at the source of the plume, has a concentration of 9,030 parts per billion of total chromium, Dernbach said.

### **Many forms of chromium**

One issue is that the standards do not specifically single out chromium 6, which is one of many forms of chromium. The California Department of Public Health does not currently have a standard for chromium 6 in drinking water, but last year the Office of Environmental Health Hazard Assessment proposed a ceiling of 0.06 parts per billion.

That standard, if it eventually gets approved, would mean that virtually all of the well water in the Hinkley Valley is unsafe to drink.

"Here you have a community that is suffering because their wells have been contaminated, and PG&E hasn't even received a violation," Gonzalez said. "California needs to know that this plume is growing. Erin Brockovich didn't fix it, and Hinkley residents aren't getting justice."

Brockovich, whose law firm said she was out of the country, did not respond to an e-mail about the expanding chromium plume.

E-mail Peter Fimrite at [pfimrite@sfgchronicle.com](mailto:pfimrite@sfgchronicle.com).

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## Sludge suit sent to pasture -- for now

By JAMES BURGER and GRETCHEN WENNER, Californian staff writers [jburger@bakersfield.com](mailto:jburger@bakersfield.com), [gwenner@bakersfield.com](mailto:gwenner@bakersfield.com) | Tuesday, Nov 09 2010 02:48 PM

Last Updated Tuesday, Nov 09 2010 07:37 PM

Kern County on Tuesday won a 4-year-old federal court battle with the city of Los Angeles over the dumping of southland sewage sludge on local fields.

But Los Angeles is already gearing up to start a new battle over Kern County's Measure E sludge ban.

U.S. District Court Judge Gary Feess dismissed what was left of a 2006 federal case on Tuesday, leaving the city of Los Angeles and other plaintiffs with the option of filing a new lawsuit in state court.

"The city of Los Angeles is evaluating its options in light of today's ruling," said John Franklin, spokesman for the Los Angeles City Attorney's Office. "The city looks forward to working with Kern County in a constructive manner to assess the next steps in the legal proceedings, taking into account the interests of all affected parties."

Kern County Counsel Theresa Goldner said Los Angeles attorneys have already informed county attorneys they will sue in state court.

Still, local officials enjoyed their victory Tuesday.

"This ruling means Los Angeles and other sanitation districts cannot challenge Kern County's ordinance under federal law," Goldner said in a statement.

She said Kern County has the legal right to begin enforcing Measure E immediately. But it is likely Kern will wait before stopping the procession of trucks that drives into Kern County each day.

Measure E gave Los Angeles and Orange County a six-month grace period in which to end the land application of sludge. When Feess stopped enforcement of Measure E in November 2006, Goldner said, there were still roughly two months left in that grace period.



Kern County staff will likely let those two months expire before asking the Board of Supervisors whether to enforce Measure E, Goldner said.

When asked if Los Angeles had another place to dispose of its sludge if Kern County starts enforcing the ban, Franklin said: "I don't think we have another place to take biosolids at this time."

Southern California's sludge lawsuit was filed in response to Measure E, Kern County's voter-approved ban on the land application of treated human and industrial sewage sludge. Voters here overwhelmingly approved the measure in June 2006, with more than 83 percent voting "yes."

Feess had originally ruled in favor of Los Angeles on some matters, but the Ninth Circuit Court of Appeals overturned those rulings last year and sent the case back to Feess. This summer, the U.S. Supreme Court refused to hear the case.

On Tuesday, over the protests of Los Angeles attorneys, Feess said Los Angeles' two remaining legal arguments -- that Kern County overstepped its police powers and violated the intentions of the California Integrated Waste Management Act -- do not belong in federal court. His order dismissed the federal case against Measure E.

Kern had already been in sludge-related legal battles for years after establishing rules in the 1990s saying only the most highly treated sewage sludge could be spread on county land.

After Measure E passed, the city of Los Angeles, along with sanitation districts in Los Angeles and Orange counties and other industry interests, filed a federal suit against Kern in August 2006.

State Sen. Dean Florez, the Shafter Democrat who spearheaded Measure E, said Tuesday's dismissal "makes it clear leaders in Los Angeles need to do the right thing and stop dumping sludge in Kern County.

"It's a vindication that the people of Kern County had it right when they overwhelmingly voted in favor of Measure E," Florez said in an e-mail.

Kern County has long been the final destination for sewage sludge -- also called by the industry-coined term "biosolids" -- trucked in from Los Angeles, Orange County and other locales. Land application of sludge became popular after ocean dumping was outlawed and landfill disposal proved more expensive.

Proponents equate land application with beneficial recycling of organic matter and say sludge makes excellent fertilizer.

Critics say pathogens, heavy metals, pharmaceuticals, household chemicals and varying contents of industrial waste streams aren't completely eradicated by treatment, making sludge a threat to soil, groundwater and potentially to human health.

Some soil scientists have also expressed concern over the sheer quantity spread over and over again on the same spots at sludge farms like the ones in Kern County.

The city of Los Angeles owns and operates its Green Acres farm south of Bakersfield, where most of that city's sewage sludge continues to be trucked on a daily basis. Farmer Shaen Magan owns a private operation

in northern Kern that takes sludge from Orange and Los Angeles counties as well as Valencia, Goleta and Ventura, county records show.

Kern's ban only applies to property in unincorporated areas of the county. Entities can and do land apply treated sludge in cities within Kern.

The city of Bakersfield applies its treated sludge to city-owned land. The county's Kern Sanitation Authority treats its sewage sludge to the "exceptional quality" standard and sends it to a composting facility.

There are other independently operated sanitation districts in the county.

### 9 Comments

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**gcrab605** 18 hours ago

We have long been a dumping ground for all other types of waste, human and otherwise, so may I suggest that Los Angeles find another place? Say the Los Angeles mayor's office, the governor's door step or I wonder if the Delta Smelt would find it appetizing.

6 people liked this.



**DavidPriceIII** 17 hours ago

This well deserved decision marks a tremendous victory for the citizens of Kern County as well as county staff and its litigation team. It is ironic that it comes on the day that Assistant County Counsel Steve Schuett was to be honored by the Board of Supervisors for his many positive contributions to Kern County, the success of this litigation being one of them. For those of us that have been involved with this issue since its very beginning in Kern County, this is a very welcome achievement.

7 people liked this.



**Santiago** 17 hours ago

About effing time. That place smells worse than the Borba Dairies.



**chickenhead** 15 hours ago

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## PG&E ordered to probe Hinkley's new water woes

Peter Fimrite, Chronicle Staff Writer

Wednesday, November 10, 2010

Pacific Gas and Electric Co. was ordered by regulators this week to find out why toxic chemicals from a cooling tower spill have leached even deeper into the water supply of the Mojave Desert town of Hinkley.

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The order, by the Lahontan Regional Water Quality Control Board, requires the San Francisco utility to dig monitoring wells and determine how cancer-causing hexavalent chromium got into the lower aquifer, where many residents get their drinking water.

"It's a serious issue," Lauri Kemper, the assistant executive officer for the Lahontan board, said Tuesday. "It is a formal investigative order, but it is not necessarily considered punitive. If PG&E were to fail to meet the deadline then they would be subject to penalties."

The four-page order was issued the same day The Chronicle revealed that the plume of contaminated water underneath this San Bernardino County farming community was still expanding two years after the utility had promised to contain it.

The creeping plume of hexavalent chromium, also known as chromium 6, was first exposed by Erin Brockovich, a paralegal at a Southern California law firm whose court battle on behalf of sickened residents against PG&E was recounted in a 2000 movie starring Julia Roberts.

Most people thought the issue had been resolved after a series of multimillion-dollar settlements, but higher than normal levels of the compound were detected over the past year in groundwater more than a half-mile beyond the previous boundary. In August, levels well above background levels were found in the lower aquifer, which until then had been considered clean.

"I am furious. I am fit to be tied," said Roberta Walker, the original plaintiff in the 1992 lawsuit that was settled in 1996 on behalf of 600 Hinkley residents for \$333 million. The film "Erin Brockovich" focused on that case.

"PG&E said they started to clean it up, but they stopped and it has continued to move," said Walker, who had to move her family out of their house in the middle of the plume. The family moved 7 miles away. "The plume is now about a mile and a half away from us, heading our way again."

Hexavalent chromium was used by PG&E between 1952 and 1966 to fight corrosion in the cooling towers at a compressor station about 12 miles west of Barstow. The wastewater from the cooling towers was discharged into unlined ponds and the contaminated runoff percolated into the groundwater.

Dozens of townsfolk reported falling sick, and some allegedly died from exposure to the carcinogen. Breast cancer, Hodgkin's disease, lung, brain and gastrointestinal cancers, miscarriages, and kidney and ovarian tumors were blamed on the poisoned water.

PG&E allegedly tried to cover up the mess and its effects, leading to the court battle.

The plume has grown to 2.6 miles long and 1.3 miles wide and extends 0.6 of a mile farther northeast than it did two years ago. Regulators said increased levels of chromium have recently been detected in a dozen more domestic drinking water wells and in the lower aquifer, an area of groundwater separated from the upper aquifer by a layer of clay.

Representatives of PG&E said the levels of chromium 6 in the new locations were never above California's safe drinking water standard.

The goal, however, is to reduce chromium levels to naturally occurring background levels. "These concentrations exceed background concentrations and show an increasing trend over time," wrote Kemper, in support of the control board's investigative order.

Jeff Smith, a spokesman for PG&E, said the utility staff intends to comply with the order.

Meanwhile, anger among the locals continues to grow amid reports of sick residents.

E-mail Peter Fimrite at [pfimrite@sfgchronicle.com](mailto:pfimrite@sfgchronicle.com).

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/11/10/BA4A1G9H7V.DTL>

This article appeared on page **C - 1** of the San Francisco Chronicle

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## Northern California cries "Foul!" on BDCP

by Dan Bacher

Tuesday Nov 9th, 2010 5:38 PM

The November 8 edition of Restore the Delta's "Delta Flows" newsletter discusses how last week 43 cities, counties, water districts, and associations from throughout Northern California sent a letter to Karen Scarborough, Undersecretary of the Natural Resources Agency, expressing concerns about the lack of Due Process in consideration of the Bay Delta Conservation Plan (BDCP) document scheduled for release November 18. The BDCP was concocted by Governor Arnold Schwarzenegger and his cronies to fast-track the construction of a peripheral canal to export more Delta water to corporate agribusiness and southern California.

Here is the complete newsletter from Barbara Barrigan-Parrilla, campaign director of Restore the Delta, with lots of great information about the latest events in the battle to save the imperiled Sacramento-San Joaquin River Delta.

November 8, 2010

"I can be pushed just so far."

-Harry Leon Wilson

Northern California cries "Foul!"

Last week 43 cities, counties, water districts, and associations from all parts of Northern California sent a letter to Karen Scarborough, Undersecretary of the Natural Resources Agency, expressing concerns about the lack of Due Process in consideration of the BDCP plan document scheduled for release November 18.

They expressed "foundational concerns" about water rights and Delta flows, and about funding. They noted that "The November 18th document should describe in detail the benefit that the PREs [potentially regulated entities] will receive, as well as any benefits that the public is expected to receive and pay for."

Attached to this letter was another to sent to Scarborough on September 3 by Stuart L. Somach, General Counsel of Glenn Colusa Irrigation District (GCID) expressing concerns about the "ranges of operations" being considered by the BDCP.

Said Somach, "GCID supports efforts to achieve the coequal goals set forth in SB 7x 1, but remains concerned that the obligations for meeting these goals will fall upon parties not responsible for the Delta's existing conditions and who will not benefit from the activities contemplated by SB 7x 1."

According to Somach, long-standing principles of California water law would be violated if upstream senior diverters were expected to forego diversions in order for BDCP to meet its goals. Area of

origin statutes protect Northern California water supplies from injury by export projects.

Secretary of the Interior Kenneth Salazar got a copy of this letter. He needs to study it carefully before getting together with the PREs this week to talk about federal support for the BDCP.

We'll take just water, please. Hold the selenium.

Petitions have been filed asking the State Water Resources Control board to reconsider its October resolution approving a Basin Plan for the Sacramento and San Joaquin river basins that did not adequately address selenium control in the San Joaquin river basin.

Petitions have been filed by the California Sportfishing Protection Alliance, the California Water Impact Network, AquAlliance, and a group of Environmental Advocates consisting of the Southern California Watershed Alliance, the North Coast Rivers Alliance, the Planning and Conservation League, Friends of the Trinity River, the Pacific Coast Federation of Fishermen's Associations, Sierra Club California, and Friends of the River.

Says the petition by Environmental Advocates, "Resolution 2010-0046 refuses to effectively address partially regulated and the unregulated discharges of pollutants from adjacent and north Westside upslope areas into the Grasslands Watershed."

Grasslands drainers have a joint powers agreement with the San Luis Delta Mendota Water Authority allowing groundwater to be pumped to the surface and discharged in the San Joaquin river via the federal San Luis Drain and Mud Slough.

The discharged water contains a number of chemicals, including selenium, that have been identified by EPA as pollutants. The petitions assert that selenium occurs at levels toxic to fish, wildlife, and humans who rely on the San Joaquin River for a domestic water supply.

Byron Buck, Executive Director of the State and Federal Contractors Water Agency, thinks we're overly emotional when we describe selenium-loaded irrigation drainage water as "toxic."

So let's just say that anyone ingesting selenium - an essential micronutrient - should be doing it only by choice. Because too much selenium can make fish, birds, and people very, very, very sick.

Another detour around the BDCP process

The Sacramento Bee's Matt Weiser announced that State officials have reached an agreement that will provide an estimated \$188 million over 10 years to restore habitat for imperiled fish in the Sacramento-San Joaquin Delta.

DWR and DFG will undertake certain restoration activities to satisfy state and federal environmental laws. State water contractors will pay for those projects.

Weiser writes that, "In the agreement, finalized last week, DWR also commits to restoring a total of 8,000 acres of habitat for fish including salmon, sturgeon, Delta smelt and Sacramento splittail. This may involve acquiring additional Delta properties."

"The deal is intended to satisfy state and federal endangered species acts, as well as the terms of a forthcoming Bay Delta Conservation Plan."

Now, excuse us for being confused, but the BDCP still doesn't have a clear plan, let alone a plan that

has been through environmental review. So how can state agencies start in on restoration activities to satisfy the terms of the BDCP?

Is this a way to bypass consideration of the environmental impact of the whole BDCP project? But CEQA doesn't permit a public agency to subdivide a single project into smaller sub-projects in order to avoid considering the environmental impact of the whole project.

On the other hand, if there are restoration activities that DWR and DFG can legitimately undertake, a naïve person might wonder what they have been waiting for.

#### Highlights of the October meeting of the Delta Stewardship Council

The Delta Stewardship Council met October 28-29 with a full agenda and a weighty packet of supporting documents. Following are some highlights.

According to an Agreement Listing provided in the meeting packet, Ongoing grants for the Delta Science Program (with start dates ranging from 2005 to 2010 and end dates ranging from 2010 to 2012) total over \$14 million.

Delta Science Program contracts total over \$9 million more, including \$50,000 each to the nine Delta Science Board members for 15-month contracts.

Executive Office contracts account for almost \$3 million more, with \$1.5 million for legal services alone (in a contract with the Department of Justice).

These costs are offset by Receivables from agencies including the Bureau of Reclamation, the USGS, DWR, USF&G, and NOAA.

So a lot of money is changing hands in this process that does nothing to, for example, reinforce Delta levees. But it does provide employment in one sector of the economy.

The DSC had a preliminary discussion of proposed Early Actions, which will be considered by a committee this week. Early actions included stockpiling rock for levee repairs, and there was a lot of discussion about which counties or other entities had already stockpiled rock, whether it was there for maintenance or to protect water supply, and how the costs should be shared. Chair Isenberg said it would be a "modest victory" if they could work this issue out.

#### How to implement that BDCP, but not what to implement

The DSC worked through lunch to hear from Richard Roos-Collins about an item that wasn't even on the original agenda: the proposed plan for implementing the BDCP. This involves a BDCP Implementation Office (IO). Thus yet another layer of Delta governance was slipped in while most of the audience was out to lunch.

The BDCP appears to be on schedule to release a public viewing draft on November 18, according to ARCADIS, the independent consultant brought on by the DSC to report on the BDCP. A draft for public review including the draft EIR/EIS is scheduled for release in spring or early summer of 2011.

ARCADIS insists that just because their matrix lists unresolved issues, that doesn't mean that the issues aren't being addressed. Nevertheless, here are some issues still "pending" in the matrix:

There is still no evaluation of alternatives that will reduce exports.



The BDCP project description still needs to be determined. (They can't say exactly what it is, but they know how they want to handle governance.)

Information requests are pending regarding flow criteria, not just amount of flows but timing and levels of contaminant reduction. The Water Board has scheduled discussion on this subject for mid-December.

There is insufficient information to evaluate turbidity effects on fish movement and survival.

There still isn't enough information on the effect of Sacramento River diversions on water quality, fish, and aquatic habitat in the central and south Delta.

Science tries not to trip on policy

The DSC heard from Dr. Richard Norgaard, the new Delta Independent Science Board Chair. Dr. Norgaard showed an inclination to be . . . well, independent. He told the DSC that the charge to the Board is immense and expressed concern with the time frame for reviewing White Papers. He commented on the conflict with the BDCP process and declined to rank stressors.

DSC Chair Isenberg told him that the DSC will push the Science Board, and Norgaard agreed that the DSC could make unreasonable demands but implied that they wouldn't necessarily be met.

The DSC heard presentations on White Papers on the Delta Ecosystem and Delta Flood Risk. They also received a Preliminary Notice of Preparation (NOP), the first step in the California Environmental Quality Act (CEQA) process. In a cover memo, DSC Executive Officer Joe Grindstaff noted that a key issue in the NOP that "might be controversial" is the secondary planning area which could cover most of the state.

(The Primary Planning Area is within the Delta. The Secondary Planning area is the Delta watershed and areas that use Delta water.)

The presentation on the Delta Ecosystem White Paper included a PowerPoint with a chart indicating that Delta water use has remained stable for decades while export water use has increased. The presenter said that he had been asked to mention that changes in cropping patterns in the Delta had hardened demand - a gratuitous observation under the circumstances, and one which even the DSC members seemed to find inappropriate.

It prompted council members Fiorini and Nottoli to request a White Paper on Delta Agriculture.

In public comments, Restore the Delta pointed out that water demand has hardened statewide and suggested that the DSC consider any changes in Delta cropping patterns in that context. The DSC will have to look into this because they are required to promote sustainable use of water in the Secondary Planning Area - which is just about everywhere in California.

On the subject of Flood Risk, someone noted that how we handle flood protection depends on what we would like the Delta to look like in the future. Restore the Delta notes that not all "we's" have the same future in mind.

For more information, go to <http://www.restorethedelta.org>.

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latimes.com/news/local/la-me-hinkley-chromium-20101115,0,4878497.story

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## Tainted PG&E groundwater plume again threatens residents of Hinkley, Calif.

The border of the plume has shifted 1,800 feet beyond a containment boundary set up by Pacific Gas & Electric Co. in 2008, spreading higher levels of a cancer-causing heavy metal isotope, state officials say.

By Louis Sahagun, Los Angeles Times

November 15, 2010

Reporting from Hinkley, Calif.

A plume of chromium-tainted groundwater is once again bearing down on residents of Hinkley, Calif., where more than a decade ago an underdog battle with Pacific Gas & Electric Co. spawned a multimillion-dollar settlement and the Oscar-winning film "Erin Brockovich."

### FOR THE RECORD:

Water contamination: An article in the Nov. 15 Section A about groundwater contamination in Hinkley in San Bernardino County referred to the substance involved, hexavalent chromium, as a heavy-metal isotope. Hexavalent chromium is not an isotope of chromium but a form of the element whose atoms are missing six electrons. It is found in a number of chemical compounds used for industrial purposes. —

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The border of the plume has shifted 1,800 feet beyond a containment boundary set by PG&E in 2008, spreading higher levels of hexavalent chromium, a cancer-causing heavy metal isotope linked to stomach cancers and other health hazards, according to state water officials. The isotope also has been discovered in a lower aquifer that, until recently, PG&E believed was protected from contaminated groundwater above it by a thick layer of clay, the officials added.

In 1997, PG&E paid 660 Hinkley residents \$333 million to settle lawsuits alleging injuries including intestinal tumors and breast cancer from chromium-laced waste water that had seeped from the utility's disposal ponds between 1951 and 1966, winding its way into the community's drinking wells.

PG&E's handling and reporting of the migrating plume is under investigation by the Lahontan Regional Water Quality Control Board, the state regulatory agency responsible for protecting the area's water.

"We definitely know there are violations, and that what PG&E is doing right now to contain the plume is not enough," said Lauri Kemper, assistant executive officer for the water board. "We have the authority to impose fines of up to \$5,000 per day for each day the plume exists outside of the boundary set in 2008."

Kemper said the water board has retained a state water attorney to help prepare a legal case against the utility, a process that could take six months.

Utility officials acknowledge that parts of the plume have spread but say it is being controlled by ongoing cleanup efforts. They deny that its spread has violated any legal agreements and said more scientific research is needed to determine whether spikes in concentrations of hexavalent chromium, also known as chromium 6, detected in many local wells could be linked to the plume or to natural occurrences.

"These concentrations remain within the realms of naturally occurring background concentrations," said Robert C. Doss, PG&E principal engineer. "There is no way to determine whether our plume is having an impact or not."

A hearing on the matter has been scheduled for May 2011.

Doss said he understands that the situation "represents a worry about the health of Hinkley families and their investments." But he also suggested that critics have exaggerated the health hazards posed by contamination in the plume's outer edges and have mistakenly interpreted its constantly changing shape as "overall growth."

The amoeba-like plume is about 2 1/2 miles long and a mile wide, and advancing west and northwest at a rate of about a foot a day, officials said.

"In some places the plume grows and then shrinks, in others it might sprout a lobe as it responds to hydrological pressures," Doss said.

As for PG&E's remediation efforts in Hinkley, Doss said, "It's fair to say what we are doing now needs to be supplemented to bring it up to a final cleanup. But we take exception to any assertions that the measures we've taken have not had a positive effect on the problem."

Many property owners in this dusty agricultural town about five miles west of Barstow in San Bernardino County are frustrated with PG&E's efforts to contain the plume and the water board's apparent hesitation to charge the utility with civil violations.

"Obviously, the community would be happy to see us file civil liability complaints against the company," Kemper said. "We are considering that internally. But we haven't yet because we are busy every day trying to stay on top of the situation to ensure they are continuing to clean up this plume."

"They've had 23 years to fix this problem," said Carmela Gonzalez, 44, a lifelong resident who was not part of the original Hinkley lawsuit. "Instead, they've allowed the contamination plume to grow and put fear in the hearts of Hinkley residents that they are still not safe and that their property is worthless."

Added Gonzalez: "People around here no longer trust the water board to do right by Hinkley. PG&E should be helping residents get out of here if they want to by giving them reasonable compensation for their losses."

Some of the hundreds of plaintiffs in the earlier case are exploring their options, given that they signed agreements barring them from discussing details of their settlements. Some residents, who were not involved in that case, talk of launching another class-action lawsuit.

Lillie Stone and her husband, Jim, who is disabled, live on fixed incomes and want PG&E to buy their property at a reasonable price, or pay to help them relocate. Neither received any settlement money from the original Hinkley case.

"There is no wholesale plan to buy out the people living in Hinkley," Doss said. "If, however, a property sits on top of our plume, we will certainly entertain responsible and good-faith offers to buy those homes."

The cozy two-story house the Stones built in 1987 sits a few miles north of where the utility for years collected chromium-tainted water used as an anti-corrosive in a pumping plant's cooling towers. Unaware of the leaking contamination, residents drank tap water, bathed in it and watched their children splash in chromium-laced swimming pools on hot summer days.

Gazing out a kitchen window at outdoor bird baths filled with water from the family well, Lillie Stone, 66, shook her head in dismay and said, "It's happening again, and it's scaring the daylights out of us."

"Tests showed that levels of hexavalent chromium in our well water have risen to 2.9 parts per billion, or more than 700% over the past three years," Stone said. "But a PG&E representative sat right here at my table and said he wouldn't even consider buying us out until we reach 4 parts per billion. I'm so heartbroken and anxious about the future that I've stopped tending to my garden and citrus orchard."

"We just want to get the heck out of Hinkley," she added. "But if PG&E doesn't buy us out..."

"We'll stay and suffer even more than we're suffering now," her husband interjected.

Rob Gerner, 54, who lives a mile west of the Stones, is still waiting for a response to what he described as "a demand letter" his attorney delivered to PG&E more than three weeks ago. "Tests of water samples from my wells in July came up with 3.8 parts per billion of chromium 6, which is above normal background levels," he said. "We've put a lot of hard work and money into this house over the past 21 years. Now, I'm not sure it would ever sell. We want to be made whole."

PG&E continues to pump water from the edges of the plume and apply it to alfalfa fields with a subterranean drip system, to avoid having chromium 6 surface residues kicked up by desert winds. PG&E officials said the chromium 6 is not absorbed by the alfalfa, which is used as cattle feed.

In addition, 115,200 gallons of fresh water is injected daily along the western boundary of the plume to block contaminants from migrating closer to Hinkley Elementary School's wells, about 2,100 feet away.

The utility also injects ethanol into the center of the plume, where concentrations of chromium 6 exceed levels of 50 parts per billion, in an effort to spur the growth of bacteria that can transform the toxic substance into harmless compounds.

There is no drinking water standard for chromium 6 in the United States. In California, the state Office of Environmental Health Hazard Assessment has proposed setting a public health goal of 0.06 parts per billion. About 18% of the public drinking water sources in California have chromium 6 levels above 1 part per billion.

On Friday, PG&E officials notified several homeowners along Summerset Avenue in Hinkley that elevated levels of chromium 6 made them eligible for free bottled water.

The plume has been swelling in the general direction of a hillside home owned by Roberta Walker. She was a lead plaintiff in the lawsuit that gave birth to the 2000 film and Oscar for actress Julia Roberts, who played Brockovich, the legal researcher and mother of three who developed the case.

Walkers' suspicions about PG&E began in 1987 when it suddenly began supplying her and her neighbors with bottled water. "They said our well water didn't quite meet standards for drinking," she recalled. Five years later, she said, "They said they wanted to buy our property. I gave them an offer they could not possibly honor — \$250,000. They agreed. That's when I realized something was very wrong."

Her legal challenge was taken up by Brockovich. Together, they uncovered the cause of the pollution in Hinkley's groundwater and went on to mount the class-action case.

Walker said she bought her current home with her portion of the lawsuit settlement — slightly less than \$1 million — believing that "I was several miles away from the contamination and out of harm's way. At our new home, the well water tested pure, good, clear and clean."

"Now, there is a poisonous plume moving towards me, like a plague," Walker said. "I'm talking to attorneys about what it will take to force PG&E to buy us out. We can't wait on this. I want out. The water agency says it will do something about this stuff but, hey, I've heard that before. Actions speak louder than words."

Walker also is conferring with Brockovich. "Erin told me not to worry," Walker said. "She said she'll take care of me."

In a telephone interview, Brockovich said, "Once again, this is a community of sitting ducks. I'll be out there soon to help encourage people to get the word out, to start knocking on doors and examining water and soil test results. Then we'll decide how to proceed."

Brockovich said further litigation shouldn't be necessary, adding, "PG&E should step up to the plate, take responsibility and act on it. But I'm not holding my breath."

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# Running Dry? California Water Supply at Risk

November 10, 2010, 1:04 pm • Posted by Gretchen Weber



View of Lake Mead on 9/9/10 (Original image courtesy of the Image Science & Analysis Laboratory, NASA Johnson Space Center. This version produced by Tom Yulsman of CEJournal)

Lake Mead is the largest reservoir in the country. It's located on the Colorado River, which provides water for about 27 million people in seven states, including [millions of Californians](#). In fact, California gets [more than a trillion gallons](#) of water from the Colorado River each year, directly from Lake Mead via the Colorado River Aqueduct which snakes across the desert. Eighteen million people in Southern California are dependent on the Colorado for 40% of their water. And for some agricultural operations, that percentage is more like 100. Needless to say, it's a critical source of water.

The thing is, after 11 years of dry conditions in the region, Lake Mead dropped to its [lowest level ever](#) in October. And so far, it's stayed there. Since Hoover Dam was completed in the 1937 the water level has never been so low. As of today, it's at 38% of [capacity](#). And it's not just Lake Mead that's low. The whole [Colorado River storage system](#) is at just 55% of capacity, so forget just filling it up with water from upstream. Of course, winter's on it's way, and with that, precipitation, so the lake shouldn't stay quite so low for long. And, thanks to a wet year, Northern California's [reservoirs are doing well](#).

But when you think about this water shortage in terms of population trends and the changing climate, the future for water in the Southwest [looks grim](#). Population areas supplied by the Colorado River are some of the [fastest growing](#) in the country. So demand is going up. At the same time, scientists and water managers say the supply will go down. The region is expected to get warmer and drier in the coming decades, which means less precipitation, and more specifically, less snow. Which means that of the precipitation that does come, more will come as rain, which is harder to capture and store for use throughout the dry summer months.

In fact, studies show that the river's flow is likely to decrease 10-15% in coming decades due to climate change, according to the Bureau of Land Management's [Terry Fulp](#), and, he said, the demand is already outpacing the supply.

"The supply and demand curves have crossed," he [told me last May](#).

The question of just how long the Colorado River can continue meet the needs of seven states with growing populations, depends on how quickly those supply and demand curves are diverging. [Scientists have given varying estimates of when Lake Mead will go dry](#), but recent studies estimate a 50-50 chance that it could happen before 2057. ([Earlier studies](#) had estimated it as soon as 2021.) The state's population is expected to increase by half, to [nearly 60 million](#), by 2050.

So, Californians, what happens then? And what should we be doing now to prepare? It might be worth thinking about. In 2060, taking shorter showers and turning off the water when you brush your teeth might not be enough.

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## Delta plan churns up concerns

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In a glassy conference room alongside a Sacramento River levee, a committee of 25 people struggled Thursday to do what Californians have never been able to do before: reach agreement on how to drink from the Delta without killing it.

After meeting for four years and spending \$140 million, the committee drafting the Bay Delta Conservation Plan aimed Thursday to complete a "Nov. 18 draft" of its progress so far. This odd name for the document reflects the enormous stakes in crafting a plan that meets two goals: restoring the Sacramento-San Joaquin Delta ecosystem and building a pair of tunnels or canal to ferry its water elsewhere.

It is not the final draft that water agencies and the Schwarzenegger administration wanted by this date, nor even the "working draft" they were prepared to settle for. It is enough of a draft, however, to keep environmental groups and Delta residents in the room.

"It is a snapshot in time on where we've gotten to date," said Karen Scarborough, undersecretary of the state's Natural Resources Agency and chair of the steering committee. "We are not at the top yet, but we are at a very broad, stable ledge."

The multibillion-dollar plan may be teetering on the brink of that ledge, however, after developments over the last two weeks.

At a meeting last week in Washington, D.C., representatives of the Westlands Water District, a huge irrigation agency in the San Joaquin Valley, reportedly stormed out of a meeting with David Hayes, an Interior Department undersecretary. Other meeting participants told The Bee the trigger was a discussion that the plan may include reduced water deliveries.

And at a meeting in Los Banos on Wednesday, a number of federal water contractors were ready to withdraw funding to continue the conservation plan, said Brett Baker, a lobbyist for the Central Delta Water Agency who was there. The group plans to consider the motion again next week, he said.

"It's just, in my opinion, not going very well," Jason Peltier, a Westlands representative, told an Assembly oversight hearing on the Delta on Tuesday.

"There's going to need to be some kind of a reset - some kind of a come to Jesus - about how all our interests can be met, or not met, and tell people they're not going to get what they had been hoping for," he said.

The plan's goal is to protect freshwater exports while also restoring Delta habitat. Seven fish species in the Delta, the West's largest estuary, have been driven to the brink of extinction by demand for its water, which serves 25 million Californians and 3 million acres of farmland. Invasive species, water pollution and habitat loss have also contributed.



The centerpiece of the conservation plan is a tunnel system or canal to divert Sacramento River water out of the estuary and deliver it directly to export canals near Tracy. In addition, more than 115,000 acres of restored habitat would help wildlife rebound.

The project is unprecedented in California and perhaps the nation. The tunnels option would cost \$12.7 billion, while the canal would cost \$8.4 billion.

Habitat projects would add about \$4 billion more to either option.

Completion of the Nov. 18 draft marks an important milestone. But numerous political and economic obstacles loom, and the question now is whether the project is on a path to construction or veering toward a bureaucratic dustbin.

It came under attack by some committee members who objected to calling the draft "finished," as Scarborough's agency did in a press release on Tuesday.

That's because, while the draft is the most complete so far, it leaves enormous holes. One is a lack of substantive analysis of how water diversions into a new canal or tunnels will affect the Delta's aquatic environment.

Either design is large enough to divert the Sacramento River's entire flow under some conditions, and environmentalists and Delta residents are still waiting for language that would guarantee adequate river flows to protect habitat and water quality.

"I'm not feeling well," said Deanna Sereno, a committee member representing the Contra Costa Water District, which often finds itself allied with environmental groups because it draws drinking water directly from the Delta. "I'm really nervous about what we're finalizing here."

The committee plans to complete an official draft of the plan by July and an environmental impact study by October. Final approval is expected in late 2012 or early 2013. The plan would then have to be approved by state and federal wildlife agencies.

Whether all of this happens depends largely on two things: Gov.-elect Jerry Brown and economics.

Brown asserted in his campaign that he intends to see the plan through to completion of the environmental review process.

Money may be a bigger concern, and it is amplified by a growing realization that water agencies may not get as much Delta water from the project as they hoped. If deliveries are reduced, the economics make even less sense.

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