

*Minutes*  
**CHINO BASIN WATERMASTER**  
**AGRICULTURAL POOL MEETING**  
August 17, 2004

The Agricultural Pool Meeting was held at the offices of the Inland Empire Utilities Agency, 6075 Kimball Avenue, Chino, CA, on August 17 2004 at 9:00 a.m.

**Agricultural Pool Members Present**

Nathan deBoom, Chair	Milk Producers Council
Gene Koopman	Milk Producers Council
Bob Feenstra	Milk Producers Council
Glen Durrington	Crops
John Huitsing	Dairy
Pete Hettinga	Dairy
Pete Hall	State of California, California Institute for Men

**Watermaster Staff Present**

Sheri Rojo	Chief of Watermaster/Finance Manager
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

Michael Fife	Hatch & Parent
Andy Malone	Wildermuth Environmental Inc.

**Others Present**

Steve Lee	Space Center Mira Loma
Rick Rees	Geomatrix for CIM
Cindy Miller	RBF Consulting
Allison Burns	SYCR

Chair deBoom called the Agricultural Pool meeting to order at 9:06 a.m.

**AGENDA - ADDITIONS/REORDER**

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Joint Appropriative and Non-Agricultural meeting held July 20, 2004

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of July 2004
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2003 through June 30, 2004
3. Treasurer's Report of Financial Affairs for the Period May 1 through June 30, 2004
4. Profit & Loss Budget vs. Actual July 2003 through June 2004

**C. STATUS REPORT #11**

Consider Authorization to File Status Report 11 with Court and Authorize Staff and Counsel to Make Minor Edits as Necessary

*Motion by Durrington, second by Feenstra, and by unanimous vote*  
***Moved to approve Consent Calendar Item C, as presented***

II. **BUSINESS ITEMS**

A. **CONSIDER IEUA FUNDING REQUEST**

Ms. Rojo noted that IEUA was requesting money to contribute to a research to look into Potential and Pitfalls for Sustainable Underground Storage of Recoverable Water. Ms. Rojo stated the basis of this project is to put together a team of 15 volunteers and compile data and the contribution is to help disseminate that data; the end data will help focus research needs and recommendations for federal funding. Mr. Malone commented that by contributing to this party's research we could quite possibly gain a seat on the committee. The question was presented if the seat would be for sure and Mr. Malone answered that while someone from Watermaster being appointed to the team would be of great benefit there is no guarantee of a seat with or without a contribution. Mr. Malone noted it has been suggested that Mark Wildermuth volunteer for a position on the team and that he thought that would be a good choice. A brief discussion ensued with regards to the work that would be performed by the volunteers and with the contributed funds.

*Motion by Koopman, second by Feenstra, and by unanimous vote*

***Moved to approve the IEUA funding request and strongly encourage Watermaster to name Mark Wildermuth to represent the Chino Basin on the committee task force, as presented***

B. **CONSIDER AGREEMENT TO FORM A TASK FORCE**

Ms. Rojo commented this item has been budgeted for and was looked at in detail while putting the current budget together. Ms. Rojo stated there is a large cooperative effort with several agencies and those who are participating are listed on page 75 of the packet. The question was presented to staff on how this item differs from Item C was presented. Ms. Rojo noted this item is to form the task force and to contribute the \$18,500 that was to help form the task force; the next item is to actually perform the monitoring program. Ms. Rojo stated several people in the Basin are coming together to do this study this year and it has to be done this year and it will be done again in another three years. The question of whether there will be an accounting of the monies spent was presented. Mr. Malone commented that SAWPA is in control of the funds and that an account of spent funds will be available. Mr. Malone stated that Wildermuth will be the consultant doing the work.

*Motion by Feenstra, second by Koopman, and by unanimous vote*

***Moved to approve the Agreement to form a task force, as presented***

C. **CONSIDER AGREEMENT TO CONDUCT A NITROGEN LOSS MONITORING PROGRAM**

Mr. Malone stated that part of the Maximum Benefit obligation was that anybody who discharges into the Santa Ana River must participate in a one-time only Nitrogen loss investigation noting we are only anticipating this to be a one-time only program. Most of the necessary monitoring has been accomplished. Mr. Malone noted there is not a real significant cost to Watermaster and the reason Watermaster is involved in this is due to the cooperative agreement for monitoring between Watermaster and Inland Empire Utilities Agency. All the other parties that are funding nitrogen loss investigations have agreed to this program and what is being presented is SAWPA's invoice and the sending out of agreements. A question regarding nitrogen and nitrate loss was presented to staff. A brief discussion ensued regarding the conversion from nitrogen from the surface to groundwater. The question if this study would have an impact on the Chino Basin was presented. Mr. Malone acknowledged that this study will have an impact on regulations for dischargers. Mr. Malone states what we are presenting here for consideration is an every three year obligation that was agreed to do under the Maximum Benefit while the second item is the nitrogen loss which is anticipated to be a one-time only charge. Ms. Rojo commented that on the second page of the staff report under discussion item number three is testing that is a requirement for us to perform under the

Hydraulic Control Monitoring Program and by consolidating the efforts and scheduling the tests at the same time there is going to be a costs savings greater than what we are spending on this item because of the cost sharing.

*Motion by Koopman, second by Huitsing, and by unanimous vote*

***Moved to approve the Agreement to conduct a nitrogen loss monitoring program, as presented***

**D. DATA REQUEST FOR OWNER, LOCATION, AND PRODUCTION INFORMATION FOR PRIVATE WELLS**

Mr. Love stated that IEUA has entered into a contract with MWH Americas, Inc. to update the Regional Recycled Water Implementation Plan. This plan includes a hydraulic model, which will predict the operation of the recycled water system in the near-term and future. To establish these conditions, the Agency has coordinated with all member agencies to establish potential recycled water commercial and industrial customers. Since irrigation is one of the primary uses of recycled water, IEUA and member agencies have identified agricultural users on wells as potential recycled water customers. Therefore, this information will be used to project potential recycled water demands to size regional facilities (i.e. pump stations, pipelines and reservoirs). A discussion ensued with regard to the number of dairies that have left the Inland Empire along with the forecast for more dairies leaving in the near future. The question of how the release of information would pass on to the owners and Counsel Fife stated that in the past the postcard method was utilized. The question if a “general release” would suffice in this situation was presented and Counsel Fife commented that the postcard method was used because that was the direction of the Pool, although, any method the Committee members see fit to use would be fine. A discussion regarding water quality versus water usage took place. It was decided the general release method would work best for this information release. Committee members inquired what can the Ag Pool do to assist in this endeavor and Mr. Atwater commented that writing letters of support regarding recycled water to the senate would be most appreciated. Mr. Atwater gave a brief recap of things that IEUA is doing to assist with the use of recycled water. It was asked that Mr. Atwater be available for the Ag Pool meetings to give a brief update to the committee members on how this project is proceeding and Mr. Atwater commented that he would provide the committee with monthly updates.

*Motion by Koopman, second by Feenstra, and by unanimous vote*

***Moved to approve a general release form for the release of information for location and production information for private wells***

**E. DISCUSS ISSUES CONCERNING AGRICULTURAL POOL CREDIT AND TRANSFERS**

Mr. Brommenschenkel commented that he had Mr. Malone prepare a map for users of recycled water and to be able to look at where the opportunities are for the use of recycled water in the future. Mr. Brommenschenkel stated a lot of work is being done to implement the use of recycled water in the dairy industry and is gaining interest daily. The demand for recycled water could be great and would require a separate rate and this special rate will have to be investigated. Mr. Brommenschenkel passed out a special handout titled “Recycled Water Plan – Ag Pool Proposal” which gave background information, a proposal for deal points, and potential new uses and amounts of recycled water in the Ag Pool and noted this item and handout was added to the revised agenda. Chair deBoom noted there were three main areas that would be focused on for this special transfer fee to take place. It was noted that this would allow for water to be less expensive and to generate money for the Agricultural pool. A discussion ensued on how the special transfer fee will be applied. Mr. Atwater commented that it would be appropriate that a special meeting take place to review all the facts and to make sure all parties are on the same page. A discussion ensued with regard to “new water”. Mr. Feenstra affirmed how can this committee promote the use of recycled water when we have no monies available other than coming up with some innovative idea and the idea of a special transfer fee is an innovative way; it will be putting money received to good use.

*Motion by Feenstra, second by Koopman, and by unanimous vote*

***Moved to approve to go forward on the process of applying 10% transfer fee***

The question of whether or not the Ag Pool needs to go through the Pool, Advisory, and Board process was presented. Counsel Fife discussed the processes and commented he was not clear on the motion and since the proposal was distributed for the first time at the meeting, he had not considered appropriate process for it. Mr. Koopman stated this was an Ag Pool issue only and that the 10% transfer fee was to be put into a fund to do good things that otherwise they would not have the available funds. Counsel Fife asked for confirmation that the Pool was not instructing staff to place the proposal on the other Pool agendas for approval, and that the motion by the Agricultural Pool was not to recommend approval of the proposal to the Advisory Committee and Board. Mr. Atwater stated that it was a proposal and that there was dialog regarding this at the recent attorney/manager meetings and felt a workgroup to discuss this in more detail should take place. Ms. Rojo inquired if the motion should be modified. It was decided that this item should be presented for discussion purposes only to the Advisory Committee and the Watermaster Board in September and the motion should be modified to state it is to adopt a proposal to implement a special transfer fee.

*Motion by Koopman, second by Feenstra, and by majority vote*

***Moved to approve the proposal to implement a special transfer fee and to bring this item to the Advisory Committee and the Watermaster Board in September for discussion***

Representatives from CIM abstained because the proposal was not on the agenda.

Due to time constraints Tom O'Neil from Jurupa Community Services was asked to give the update regarding the draft Chino I and Chino II Desalter Projects Groundwater Monitoring and Mitigation Plan.

3. Update on the Draft Chino I and Chino II Desalter Projects Groundwater Monitoring and Mitigation Plan

Mr. O'Neil gave a brief update and noted that the CDA was waiting for other studies to be completed and there were no significant changes from his last report a few months ago. Mr. O'Neil was anticipating the actual Mitigation Plan to be on the agenda in the September/October time frame when all tests and paperwork were completed. A discussion ensued with regard to well pumping and if there was a timeline for the work. Mr. O'Neil commented the target date was December, however, that Watermaster had to have a plan submitted and approved by that time. Mr. O'Neil stated he had met with Mr. Wildermuth to work on some of the details. Mr. Atwater commented that IEUA was in the process of coming up with over production numbers and felt there was a lot of opportunity and was working on the details.

### III. REPORTS/UPDATES

#### A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Attorney/Manager Meetings

Counsel Fife commented that the Attorney/Manager meetings are continuing and the next one scheduled for next Wednesday, August 18 at 2:00 p.m. is being held at the Chino Basin Watermaster office. Counsel Fife noted that there has been a request that attorneys not attend the meeting, although, Watermaster legal counsel will be present as a scribe to write down what is said.

2. Santa Ana River Application Process

Counsel Fife reminded the Committee members about the recent EIR that was put out by Orange County Water District (OCWD). Recently the State Water Resources Control Board (SWRCB) commented on that EIR and a copy of that comment letter is available on

the back table. Counsel Fife reviewed some of the statements in that comment letter and stating in summary the SWRCB has concluded that none of the OCWD's operations are authorized which means if they do not come out of this process with a solid permit in hand they have to stop everything – no more diversions from the Santa Ana River.

Added Item:

Counsel Fife added comments for the MZ1 process stating the hearing on the Chino's Paragraph 15 motion concerning subsidence was scheduled for this Thursday. The parties both Chino and Chino Hills have signed for the subsidence forbearance program for another year so yesterday Chino filed for a continuance of that motion and it has now been put on until September 1 of 2005.

The question regarding a presentation with the courts referee was presented. Counsel Fife commented the original presentation was scheduled for last fall, and at that time the amount of collected data was not sufficient and not a lot to do at the workshop, so that was put off. The MZ1 technical group has expressed in recent meetings that they feel there is enough data now to schedule this workshop with the referee in approximately the fall time frame. Counsel Fife noted that the MZ1 technical group will bring back a summary to the Committee, although, noted there are no concrete plans to date for this to take place.

**B. STAFF REPORT**

- 1. Phase VII Bid Results  
Ms. Rojo noted this was an informational item only and that the bid process is moving forward and the recharge project is going forward as well.
- 2. Groundwater Modeling Update/Interim Results  
No comment was made regarding this item.
- 3. Update on the Draft Chino I and Chino II Desalter Projects Groundwater Monitoring and Mitigation Plan  
This item was taken out of order due to time constraints and was heard prior to the General Legal Counsel Report section.

**IV. INFORMATION**

- 1. Chino Basin Desalter Authority – Chino I Expansion and Chino II Desalter Project – Progress Report  
Ms. Rojo noted Watermaster had received the Chino Basin Authority progress report which is included for the Committee members to review.

**V. POOL MEMBER COMMENTS**

The question of whether or not staff or legal counsel and an update to brief the committee members on regarding the cease and desist order was presented. Counsel Fife commented there was no update at this time.

Counsel Fife added comment regarding the handout which was a draft letter written to Senator Nell Soto with regards to Perchlorate contamination and the need for the maintenance of communication with the local parties.

**VI. OTHER BUSINESS**

No comment was made regarding this item.

**VIII. FUTURE MEETINGS**

August 9, 2004	9:00 a.m.	CBFIP/GRCC Meeting
August 12, 2004	9:00 a.m.	Joint Appropriative & Non-Agricultural Pool Meeting
August 17, 2004	9:00 a.m.	Agricultural Pool Meeting @ IEUA
August 25, 2004	9:00 a.m.	MZ1 Technical Committee Meeting
August 26, 2004	9:00 a.m.	Advisory Committee Meeting
August 26, 2004	11:00 a.m.	Watermaster Board Meeting

The Agricultural Meeting Adjourned at 9:50 a.m.

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

Minutes Approved: September 21, 2004