

**Minutes**  
**CHINO BASIN WATERMASTER**  
**BOARD MEETING**  
*July 22, 2004*

The Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California, on July 22, at 11:00 a.m.

**WATERMASTER BOARD MEMBERS PRESENT**

Robert Neufeld, Chair	Fontana Union Water Company
Terry Catlin, Vice-Chair	Inland Empire Utilities Agency
Geoffrey Vanden Heuvel	Dairy
Bob Kuhn	Three Valleys Municipal Water District
Paul Hofer	Agricultural Pool, Crops
Bill Kruger	City of Chino Hills
John Rossi	Western Municipal Water District

**Watermaster Staff Present**

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

**Watermaster Consultants Present**

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

**Others Present**

Josephine Johnson	Monte Vista Water District
Raul Garibay	City of Pomona
Bill Hasencamp	Metropolitan Water District
Tom Love	Inland Empire Utilities Agency
Rich Atwater	Inland Empire Utilities Agency
Henry Pepper	City of Pomona

The Watermaster Board Meeting was called to order by Chair Neufeld at 11:04 a.m.

**PLEDGE OF ALLEGIANCE**

**AGENDA - ADDITIONS/REORDER**

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Watermaster Board meeting held June 24, 2004

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of June 2004
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2003 through May 31, 2004
3. Treasurer's Report of Financial Affairs for the Period May 1 through May 31, 2004
4. Profit & Loss Budget vs. Actual July 2003 through May 2004

**C. WATER TRANSACTION**

1. Consider Approval for Transaction of Notice of Sale or Transfer from Cucamonga Valley Water District to Fontana Water Company in the Amount of 2,500 acre-feet; Date of Application: April 8, 2004
2. Consider Approval for Transaction of Notice of Sale or Transfer from The Nicholson Trust to Fontana Water Company in the Amount of 6.475 acre-feet; Date of Application: April 7, 2004
3. Consider Approval for Transaction of Notice of Sale or Transfer from The City of Chino to The City of Ontario in the Amount of 5,600 acre-feet; Date of Application: April 20,2004
4. Consider Approval for Transaction of Notice of Sale or Transfer from Cucamonga Valley Water District to Fontana Water Company in the amount of 2,500 acre-feet; Date of Application: May 14, 2004
5. Consider Approval for Transaction of Notice of Sale or Transfer from Jurupa Community Services District to The City of Ontario in the Amount of 3,000 acre-feet; Date of Application: April 20, 2004
6. Consider Approval for Transaction of Notice of Sale or Transfer from Santa Ana River Water Company to Jurupa Community Services District in the amount of 1,000 acre-feet; Date of Application: May 12, 2004

*Motion by Kruger, second by Hofer, and by unanimous vote*

***Moved to approve Consent Calendar Items A through C, as presented***

**II. REPORTS/UPDATES**

**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**

1. Attorney/Manager Meetings

Counsel Slater stated the Attorney/Manager meetings have continued and we are still making healthy progress on closing the areas of difference. The Monte Vista salt credit issue has been settled. Counsel Slater acknowledged that the parties have asked that a brief respite while Watermaster staff and Wildermuth Inc. could respond to some questions that have been raised by the various parties and the answers to those questions will take approximately 30 days to develop and share. The date of September 13 for the parties to reconvene has been set, and as the facilitator of that group Counsel Slater wanted to offer confidence in a successful outcome. Counsel Slater stated it appears there are no issues that parties have presented that they are so far apart on. Counsel Slater noted it will take a few weeks to draft the documentation to implement the compromise among the parties. The question regarding any policy changes from the OBMP that are being contemplated or discussed at the Attorney/Manger meetings was presented. Counsel Slater commented the major issue which is technical and policy interwoven and relates to the subject of securing Hydraulic Control and its relationship to various basin activities. Mr. Wildermuth has presented the concept of Hydraulic Control to the Pools, the Advisory, and the Board on previous occasions and there was an extensive technical analysis that accompanied the Dry Year Yield Program which was effectively paid for by the Metropolitan Water District stated Counsel Slater. In connection with the Dry Year Yield Program Mr. Wildermuth was tasked with the responsibility of taking a long view of how the Dry Year Yield Program might impact future Watermaster activities and in summary Hydraulic Control is that we avoid the loss of water from the basin. That concept has been discussed at length, had it genesis at the OBMP, so it is not new but the precision and/or elaborate way we are looking at it is new and is intersectional with the other issues like transfers, storage, recharge, water levels, etc. and is the center piece of the discussions states Counsel Slater.

A discussion ensued regarding any deviation from the basic principles of the OBMP. Counsel Slater ended the discussion stating there will be some kind of new instruments where it may be amendments to the Peace Agreement, or Watermaster regulation, or Watermaster policy; there will be difference and those differences will be in written

instruments shared between the parties. It was noted that it is imperative that the outcome of those meetings be presented to these parties and the public process not be overlooked. Counsel Slater acknowledged these comments and noted the policies or whatever comes out of the meetings will most certainly go through the proper Watermaster process.

2. Santa Ana River Application Process

Counsel Slater informed the Committee members that this was the process initiated by Orange County Water District (OCWD) and Western Municipal Water District (Western) and San Bernardino Municipal Water District (Muni) in 1990 concerning applications to appropriate water from the Santa Ana River. Counsel Slater stated the current status of the process is that there are six applications in front of the State Water Resources Control Board for water from the Santa Ana River; Watermaster is one of those applications. Watermaster is applying for a permit to divert the storm water which we are diverting for our Recharge Master Plan. Counsel Slater affirmed that OCWD has now put out a Draft Environmental Impact Report (EIR) on their application; Watermaster did comment on this EIR and our comments are available on the back table. Counsel Slater also mentioned that in the last couple weeks San Bernardino Valley Water Conservation District has also put out an EIR on their application. Watermaster's position in the whole process is that we are finished with our CEQA compliance because of our OBMP PEIR, which was completed in the year 2000, and the Findings of Consistency that covers our Recharge Master Plan.

3. Santa Ana Sucker Update

The Sucker has been listed under the Endangered Species Act by the Fish and Wildlife Service who has been working on critical habitat; they have a draft rule designating Prado Basin as critical habitat for the Sucker. That rule will most likely be finalized and Prado will become critical habitat for the Sucker stated Counsel Slater. This ruling quite possibly will be challenged because of designations in other places on the Santa Ana River, particularly up stream; Western has a lot of concerns about some of the areas they have designated as critical habitat in the upper reaches of the Santa Ana River. Counsel Slater stated that we have started talking to Fish and Wildlife Service ourselves to make sure that nothing we are doing in the Chino Basin will be interfered by the critical habitat designation. The initial thoughts by the Fish and Wildlife were that nothing we are doing would be impacted by it, although, we are entering into initial talks just to be clear and to insure the future will also not be impacted.

4. June 24<sup>th</sup> Hearing

Counsel Slater added that the Dry Year Yield Storage Agreement, which was the final step in the 100,000 acre-foot storage program, was also approved and is now finally complete and we are going to go on with the implementation of that project.

Added Comment:

Ms. Rojo introduced Mr. Bill Hasencamp the Colorado River Aqueduct Program Manager from the Metropolitan Water District; as a result from one of the most recently held AGWA meetings there was presentation given regarding changing conditions on the Colorado River and Bill has agreed to give that presentation to us today. Chair Neufeld added comment that he had recently seen this presentation and was very impressed with its content.

Added Presentation:

Mr. Hasencamp gave his presentation titled, "Adapting to Changing Conditions on the Colorado River". Mr. Hasencamp noted that the Colorado River has been in the news quite a bit lately including a front page article in the New York Times and many other local papers all talking about the current condition and questionable future of the Colorado River. First Mr. Hasencamp gave an overview of his presentation including an overview of

Metropolitan Water District, a background on Colorado River Water Rights, California Plan (and QSA), and the Current Colorado River Issues. The California's Colorado River Water Use Plan was reviewed in detail. Mr. Hasencamp discussed the Key Transfers in the California Plan. A brief overview of the Qualification Settlement Agreement was presented. The Development of Colorado River Drought Management Plan which included how drought impacts water supply, power supply, recreation, and environment was offered. The current issues that MET is facing because of the drought was presented. Lastly, the Conclusions were reviewed which brought about a brief discussion. Chair Neufeld added comment regarding salt water intrusion that could create additional levels of nitrates. Chair Neufeld noted that we need to take steps not only at an individual agency level but Watermaster will see this as a call to action and look at a long range plan to assure that we have an adequate supply of water during these drought periods. Chair Neufeld implored the Board members and staff to move forward as quickly as possible to find other ways and methods to fill up the basin. Ms. Rojo thanked Bill again for coming out and taking time out of his busy schedule to give the Board this presentation.

## **B. STAFF REPORT**

### **1. Update on Repairs to the Piezometer**

Ms. Rojo invited Mr. Wildermuth to give a brief update on the recent repairs and issues surrounding the Piezometers. Mr. Wildermuth commented on the problems they were experiencing with the deep bore hole, stating the deepest Piezometer appears to have some leakage which allows piezometric communications amongst all the Piezometers. Mr. Wildermuth described the technical fix for this situation in detail and was pleased to inform the Committee they appear to be successful in repairing the leaks. Each of the Piezometers is now working independently. The real test will come at the end of summer because that is when the drawdown is greatest stated Mr. Wildermuth. Construction cost is slightly less than anticipated.

### **2. Update on OC-59 Water Deliveries**

Ms. Rojo explained that Watermaster had water deliveries into the College Heights Basin, as part of a demonstration project because this is the basin that was experiencing recharge difficulties due to water hitting a clay layer traveling horizontally, and then daylighting in the Upland Basin. Through cooperative efforts with Orange County they allowed us to take on water even though we did not have an exact way of measuring how much water was theirs and how much was ours. This was to be a two day test project and approximately five hours after the demonstration started MWD wanted to cut the water back water back. Since it is OCWD's connection, they are allowed first right of refusal to the water. Ms. Rojo stated through a real combined effort and numerous phone calls she was pleased to report the outcome was great in that Orange County Water District stood aside and allowed us to take in the water and finish our demonstration project. Ms. Rojo commented that Orange County was very accommodating and again this was a tremendous cooperative effort by all parties involved.

#### **Added Comment:**

Ms. Rojo stated that as a result of the College Heights testing project Tom Love from Inland Empire Utilities Agency will be giving a presentation on the Recharge project in particular as it relates to the College Heights Basin.

#### **Added Presentation:**

Mr. Love explained there were two presentations that he would be giving to the Committee today. One is on the Chino Basin Facilities Improvement Project Update and the second is on the Chino Basin Recharge Current Issues/Activities. Mr. Love reviewed the \$38.7 Million dollar budget and how the monies were allocated; while also reviewing status of Bid Package No. 1, 2, 3 (Jurupa Basin Force Main) , 4 (Jurupa Basin Pump Station & 300

feet Pipeline), 5 (SCADA Monitoring System), 6 (MWD Turnouts), 7 (Hickory and Victoria Basin), and 8 (SCADA, College Heights Leak, & Operational Design Modifications). Mr. Love reviewed the Basin Operating Plans, Future Improvements/Funding, and College Heights Basin Seepage was discussed. A discussion ensued regarding the clay layer found in the Upland Basin. The Basin Operating Plans were prepared by Chino Basin Watermaster staff in coordination with GRCC and Inland Empire Utilities Agency. Those Operating Plans will be peer reviewed by a consultant experienced in recharge operations; this particular consultant has already performed some review and has had comments on the SCADA system. Our main focus is to optimize recharge of storm water while maintaining primary flood control purposes when we bring in imported water for recycle water into the basins that can be managed, while storm water is not controllable. We want to minimize the risk of having a basin full of storm water, save it for recharge, and then have another large storm come through and cause a flooding issue. On the other hand, we could be looking at the reverse situation in that we understand a storm is to take place so we dump all the recaptured water, the storm never takes place, and we are left without the water. These are some of the challenges we face in managing the storm water operations Mr. Love stated. Future Improvements/Funding which include the DWR \$15 Million dollar funding which is coming into the region, of that \$5.2 Million has been allocated towards additional enhancements towards the recharge project. Upland Basin Improvements, SCADA Enhancements, MWD Connection for 8<sup>th</sup> Street and Ely Basins, and Monitoring Wells were all reviewed. Mr. Love highlighted the action plan for the College Heights Basin Seepage which included background, Preliminary Findings, the Action Plan, and Preliminary Alternatives. A discussion ensued regarding the Upland Basin and the need for an agreement and a more detailed description of how the Upland Basin is actually recharging. Mr. Wildermuth and Mr. Treweek offered comments on the situation with the newly found clay layers in the Upland Basin. It was noted that there were concerns about digging any deeper than 20 feet past the clay layer before it is known what is under the clay layer. The question of the project capacity for the Upland Basin for recharge for one year was presented. Mr. Wildermuth noted that he will have to look up the answer for that particular question. A solution to this situation needs to come forth was noted and a discussion ensued between Mr. Atwater, Mr. Love, and Mr. Wildermuth and the Board members.

### 3. IEUA Partnership Funding Request

Ms. Rojo asked the Committee members to turn to page 109 of the packet which is a request from IEUA for a partnership for funding. This topic was in the packet for information only; to give the Committee a chance to review, give feed back, and then it will be brought back with a staff report and recommendation next month.

Ms. Rojo noted since Mr. Atwater was present at this time if he could give a brief overview of the presented funding request and also make mention of the recently passed bills which was presented and discussed at the Advisory meeting. Mr. Atwater commented regarding the funding request we will be working with the Water Science Technology Board which is part of the National Academy and Science. Inland Empire Utilities Agency's Board agreed a month in a half ago to participate in working with John and Mark and in doing so felt it was an opportunity for Chino Basin to gather the best and the brightest in Groundwater management to look over our shoulders and compare what we are doing with other agencies through out the United States. Mr. Atwater felt this was a cost effective way to learn from others applied research. We want to manage the basin as the best we can and this will be the perfect opportunity for peer review stated Mr. Atwater. Mr. Wildermuth commented it will give us an opportunity to also direct the research and get a place at the table noting some of the things they are interested in doing, we also are interested and we can focus on those items together. Ms. Rojo mentioned to the Committee that this item will be brought back on the agenda next month for recommendation and action.

Mr. Atwater stated that he has good news and a request, as policy makers, for the Board. Mr. Atwater commented that HR 2991 cleared the House on Monday and then HR 142 with

so much support from so many legislators on our behalf also cleared the House. The special request is that all the members who are working so hard for us need to hear from us what a great job they did and then in December we want to get these to the Senate.

Mr. Atwater noted that we are working with Metropolitan, Three Valleys and IEUA regarding the Rialto Pipeline shutdown and all the details for putting in isolation valves and getting the emergency connections taken care of. Ms. Rojo thanked Mr. Atwater for being available for comments at our meetings and to be put on the spot for questions.

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

Ms. Rojo explained Tom O'Neil had a scheduling conflict and was unable to attend the meeting today.

Added Comment:

Ms. Rojo made mention that the 26<sup>th</sup> Annual Summary Report (without Appendices) was available at the back table and also in the Board's packets. Once the larger full copy is ready those will be mailed out and will also be made available here.

III. INFORMATION

1. San Diego County Water Authority Letter of Interest Regarding Water in Storage

Ms. Rojo informed the Committee members this was an informational item only for the Committee to review. Ms. Rojo noted this item is being discussed at the Attorney/Manger meetings.

IV. POOL MEMBER COMMENTS

Chair Neufeld welcomed Mr. Rossi for today's meeting. Mr. Rossi stated that Mr. Schroeder had a slip and fall accident over the weekend, he will be fine, but the doctors wanted him to stay off his feet for a few weeks. Mr. Rossi also shared that Mr. Schroeder has decided to step aside at this coming election and let others at Western run for election in his place; he will be attending the meetings until the end of this year. Mr. Rossi mentioned that people in the San Bernardino area signed the Seven Oaks Accord yesterday effectively allowing those seven agencies to support the River Rights Application and to pull their protest from the State Board and to work together. Mr. Rossi noted it was an historic day for this signing.

Mr. Hofer acknowledged as an echo to Mr. Vanden Heuvel's request that, he wants to get information as quickly as possible that transpired from the Attorney/Manger meetings and expressed the importance those findings will be to the Board for making critical decisions.

V. OTHER BUSINESS

Ms. Rojo wanted to make sure the Board members understood that a revised Agenda was sent out and that this meeting will be adjourned to another date.

VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to Article 2.6 of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action regarding Personnel Matters and/or Potential Litigation.

It was noted that the meeting will adjourn at 9:00 a.m. instead of 11:00 a.m. on July 29, 2004.

**VII. FUTURE MEETINGS**

July 20, 2004	9:00 a.m.	Agricultural Pool Meeting @ IEUA
July 21, 2004	9:00 a.m.	MZ1 Technical Committee Meeting
July 22, 2004	9:00 a.m.	Advisory Committee Meeting
	11:00 a.m.	Watermaster Board Meeting
July 29, 2004	11:00 am	Watermaster Board Meeting (Closed Session)
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 26, 2004	9:00 a.m.	Advisory Committee Meeting
	11:00 a.m.	Watermaster Board Meeting

**Meeting Adjourned to July 29, 2004 at 9:00 am to a Confidential Session to Discuss Personnel Matters.**

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

Minutes Approved: August 26, 2004