

*Minutes*  
**CHINO BASIN WATERMASTER  
ANNUAL MEETING  
NON-AGRICULTURAL POOL  
January 15, 2004**

The Annual Non-Agricultural Pool Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on January 15, 2004 at 10:00 a.m.

**Non-Agricultural Pool Members Present**

Steve Arbelbide	California Steel Industries, Inc.
Vic Barrion	Reliant Energy, Etiwanda LLC
James Jenkins	San Bernardino County, Dept. of Airports
Bob Bowcock	Vulcan Materials Company
Michael Thies	Space Center Mira Loma

**Watermaster Staff Present**

John Rossi	Chief Executive Officer
Sheri Rojo	Finance Manager
Danielle Maurizio	Senior Engineer
Gordon Treweek	Project Engineer
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

Michael Fife	Hatch & Parent
Mark Wildermuth	Wildermuth Environmental, Inc.

**Others Present**

Kevin Sage	Vulcan Materials Company
Estella Valderrama	City of Pomona Utilities
Josephine Johnson	Monte Vista Water District
Wayne Davison	California Institute for Women
Barbara Swanson	California Institute for Women
Abayomi Sonuyi	California Institute for Women

The Non-Agricultural Pool meeting was called to order at 10:10 a.m.

**AGENDA - ADDITIONS/REORDER**

None

**RECOGNITION OF SERVICE**

Vic Barrion, Reliant Energy, Etiwanda LLC

Staff and the Pool expressed appreciation to Mr. Barrion for dedicating so much time and effort to Watermaster activities. Mr. Barrion served concurrently on the Non-Agricultural Pool, Advisory Committee, Watermaster Board, and various committees/ sub-committees.

**I. ANNUAL ELECTIONS – Action**

**A. Calendar-Year 2004 Non-Agricultural Pool Officers**

Nominations were heard for Pool Chair, followed by nominations for Pool Vice-Chair, to serve during Calendar-Year 2004.

<b>Chair</b>	<u>Bob Bowcock, Vulcan Materials Company</u>
<b>Vice-Chair</b>	<u>Vic Barrion, Reliant Energy, Etiwanda LLC</u>
<b>Secretary/Treasurer</b>	<u>John V. Rossi Watermaster Chief Executive</u>
<b>Officer</b>	

*Motion by Arbelbide, second by Bowcock, and by unanimous vote*

**The previous Chair, Vic Barrion turned over the meeting to the new Chair, Bob Bowcock**

**B. Calendar-Year 2004 Advisory Committee Members**

Pool member(s) will be asked to elect representatives and alternates to serve on the Advisory Committee during Calendar-Year 2004.

Member: Bob Bowcock, Vulcan Materials Co. Alternate: Kevin Sage, Vulcan Materials Co.  
 Member: Vic Barrion, Reliant Energy Alternate: \_\_\_\_\_  
 Member: Mike Thies, Space Center Mira Loma Alternate: \_\_\_\_\_

*Motion by Arbelbide, second by Barrion, and by unanimous vote*

**C. Calendar-Year 2004 Advisory Committee Officers**

Based on the rotation sequence established among the pools, the members of the Non-Agricultural Pool were asked to appoint a designated representative, as 2<sup>nd</sup> Vice-Chair of the Advisory Committee during Calendar-Year 2004. If the appointed representative is unable to attend an Advisory Committee meeting, a remaining pool officer may serve as his/her alternate.

Appropriative Pool	Chair	_____
Agricultural Pool	Vice-Chair	_____
<b>Non-Agricultural Pool</b>	<b>2<sup>nd</sup> Vice-Chair</b>	<u>Bob Bowcock</u>

*Motion by Thies, second by Barrion, and by unanimous vote*

**D. Calendar-Year 2004 Pool Representation on Watermaster Board**

The Pool members will be asked to select one representative to serve on the Watermaster Board during Calendar-Year 2004 and one alternate representative.

Member: Bob Bowcock Alternate: Vic Barrion

*Motion by Thies, second by Barrion, and by unanimous vote*

**II. CONSENT CALENDAR**

**A. MINUTES**

- Minutes of the Agricultural & Non-Agricultural Pool meeting held November 13, 2003
- Minutes of the of the Non-Agricultural Pool meeting held December 15, 2003

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of November 2003
  2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2003 through October 31, 2003
  3. Treasurer's Report of Financial Affairs for the Period October 1, 2003 through October 31, 2003
  4. Profit & Loss Budget vs. Actual July 2003 through October 2003
  5. Cash Disbursements for the month of December 2003
  
  6. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2003 through November 30, 2003
  7. Treasurer's Report of Financial Affairs for the Period November 1, 2003 through November 30, 2003
  8. Profit & Loss Budget vs. Actual July 2003 through November 2003
- C. INDEPENDENT AUDITOR'S REPORT ON FINANCIAL STATEMENTS FOR YEAR ENDED**  
Consider Receiving and Filing the Annual Audited Financial Statements for Year Ended June 30, 2003
- D. CHINO BASIN WATERMASTER INVESTMENT POLICY**  
Resolution 04-01 - Resolution of the Chino Basin Watermaster, San Bernardino County, California, re-authorizing the Watermaster's Investment Policy
- E. WATER TRANSACTION**  
Consider Approval for Transaction of Notice of Sale or Transfer from West San Bernardino County Water District to Cucamonga County Water District in the Amount of 500 acre-feet
- F. NOTICE OF INTENT**  
Annual Filing of Notice of Intent Regarding the Determination of Operating Safe Yield
- G. ANNUAL REPORT**  
Consider Authorization to File the Annual Report for Fiscal Year 2003 with Court, and Authorize Staff to Make Minor Edits as Necessary
- H. STATUS REPORT #9**  
Consider Authorization to File Status Report 9 with Court and Authorize Staff and Counsel to Make Minor Edits as Necessary
- I. ALLOCATION OF VOLUME VOTE**  
Overlying (Non-Agricultural) Pool Allocation of Volume Vote effective Calendar Year 2004

*Motion by Barrion, second by Arbelbide, and by unanimous vote*

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

**III. BUSINESS ITEMS**

**A. APPLICATION TO DWR – MZ3 INVESTIGATION**

Mr. Rossi expressed the desire to proceed with the filing of the grant application to DWR for the reasons that more monitoring wells need to be installed, further studies are required for the MZ3 area, and substantial information was presented last year to warrant grant funding. Since Watermaster can not file grant applications, Inland Empire Utilities Agency will file on our behalf. Staff recommends we move forward on this grant application, which is to be filed by January 28, 2004.

*Motion by Arbelbide, second by Barrion, and by unanimous vote*

***Moved, to approve the filing of the application to DRW by means of Inland Empire Utilities Agency filing on our behalf***

**B. DISCUSS ASSISTANCE TO REGIONAL WATER QUALITY CONTROL BOARD ON WATER QUALITY ANOMOLY SOUTH OF ONTARIO AIRPORT**

Mr. Rossi identified two questions that were presented during the Committee and Watermaster Board meetings in November 2003. The first question addressed was the cost to situate consulting assistance at the Regional Board's office to prepare Draft Clean Up and Abatement orders to potential responsible parties. Mr. Rossi referred to page 108 of the agenda packet for information in regards to the potential responsible parties identified from RWQCB files.

Mr. Rossi proposes that \$20,000 - \$25,000 would cover the cost to Wildermuth Environmental, Inc. to provide staff to work with the Regional Board in this regard. The second question addressed was the cost after the orders were issued to the potential responsible parties. Mr. Rossi stated that this second question could not be answered for the reason that we could not foresee the outcome from the potential responsible parties. Mr. Rossi reiterated that the consultant would work at the direction of the Regional Board and stated the Regional Board has all the authority and responsibility to complete this task; labor assistance would be the resource only. Staffing assistance would be provided by Wildermuth Environmental, Inc. and would include preparation of draft abatement orders for the Regional Board. Staff recommends we move forward on providing the assistance/resource the Regional Board desires.

*Motion by Barrion, second by Arbelbide, and by unanimous vote*

***Moved, to approve Wildermuth Environmental, Inc. to provide assistance/resource to the Regional Board***

**IV. REPORTS/UPDATES**

**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**

1. Wilson v. Watermaster

Counsel Fife addressed this new lawsuit as a small lawsuit between an automobile (Watermaster staff) and a bicycle (Mr. Wilson) and felt that this case would come to a fairly quick resolution. Counsel Fife commented that this case may not have been filed timely which may exceeds the Statue of Limitations Law and that no hearing as been set to date.

2. Chino Land & Water v. Watermaster

Counsel Fife referred to this case as "a long one" and informed the Committee the case had actually been dismissed 4 – 5 months ago, and added that Chino Land & Water did file an appeal, which has also been dismissed. The Judge told Chino Land & Water they had no case and actually dismissed this case with an appellate decision leaving no opening for another case to be filed. Counsel Fife noted the official report was available at the back table for all interested parties to review.

3. DYY Storage Agreement

Counsel Fife reported on the approval of the Metropolitan Water District deal which was a long procedure for the Article 10 application. Counsel Fife stated he is in the process of preparing the draft Dry Year Yield Storage Agreement that will be brought back to the Committee Members and the Watermaster Board in February.

**B. CEO/STAFF REPORT**

1. Mark Wildermuth Will Make a Presentation Regarding OBMP Progress through December 31, 2003

Mr. Rossi requested that item 1 be last on the CEO/STAFF REPORT section due to the time constraints and the length of the presentation.

2. Presentation Regarding Storm Damage to Construction at Victoria Basin

Mr. Rossi reported on the damage incurred on Christmas day during a rain storm (1/2 inch) due to construction in the basin at the time of the storm which led into Mr. Treweek's presentation. Mr. Treweek detailed the damage of this storm which lies North of the 210 freeway near the 15 freeway interchange. Mr. Treweek noted the San Sevaire Channel and Etiwanda Channel share a wall that separates the two channels at this location of construction that received the most significant damage. Mr. Rossi added comment to this presentation calling the storm, "a perfect storm" because of the combination of events that played into the storm damage, specifically the additional run-off from the fire burn areas. Mr. Rossi noted that there was no loss of equipment, although about \$20,000 worth of work was destroyed and about \$300,000 of clean up work had already been completed. It will cost an estimated \$1,000,000 to \$1,500,000 for total clean up and damage repair. Staff will be working with IEUA and the Flood Control District to determine who is responsible. FEMA funding will be pursued as well. Mr. Rossi and Mr. Treweek met with representatives from the Flood Control District on Tuesday and felt it was a positive meeting and will keep the Committee apprised to the outcome of further meetings.

3. Status Update on Recharge Project

Mr. Rossi commented that Inland Empire Utilities Agency worked with the final plan for bid package #7 and is currently working on finalizing the plans for commitments. Mr. Rossi stated this process was going well and would be brought back to the Committees in March.

**(Note item 1 taken out of order at the request of Mr. Rossi)**

1. Mark Wildermuth Will Make a Presentation Regarding OBMP Progress through December 31, 2003

Mr. Rossi requested Black & Veach and Wildermuth Environmental, Inc. prepare a presentation on the work that has been done relative to the OBMP Program elements since July 2000. Mr. Rossi invited Mark Wildermuth, over the next several months, to provide portions of that presentation at the Committee and Watermaster Board meetings, which will provide current statuses. Mr. Wildermuth discussed and reviewed slides on two major topics for the first section of the presentation on Maximum Benefit and Hydraulic Control. Mr. Wildermuth broke down these two topics, which are all related to the OMBP and the Peace Agreement. Future topics will include Desalters, Chino Basin Facilities Improvement Program, Storage & Recovery, Ground Water Monitoring, Water Quality Committee, MZ1 Management Plan, and Analysis of Balance of Recharge and Discharge. Mr. Wildermuth added that Watermaster has put in a first class monitoring system to measure and record subsidence. Lastly, Mr. Wildermuth commented on the potential consequences for failure to meet our commitments, which again are all OBMP commitments.

**V. INFORMATION**

**A. MONTE VISTA WATER DISTRICT**

Mr. Rossi addressed the December 11, 2003 letter concerning the 2003/2004 Assessment Package from Monte Vista Water District that highlighted three questions which were; 1) How to reallocate funds, 2) Desalter production, and 3) New yield. Mr. Rossi stated Chino Basin Watermaster would be preparing a letter to Monte Vista Water District to address these three questions.

Mr. Rossi noted there were two new letters by Monte Vista Water District dated January 15, 2004 provided on the back table for all interested parties regarding Maximum Beneficial Use Proposal and Salt Credit Allocation Pursuant to the Provisions of the Peace Agreement. Additionally, Mr. Kinsey would be addressing these two letters at the Appropriative Pool meeting later that afternoon.

**B. METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

Mr. Rossi reviewed the December 11, 2003 letter by Metropolitan Water District of Southern California in regard to an update of availability of replenishment deliveries for winter. Mr. Rossi stated there is a need for recharge water and until new turnouts are built, we will be behind the OBMP Recharge Master Plan. Some water will be transferred from the cyclic account to meet replenishment obligations.

**C. JURUPA COMMUNITY SERVICES DISTRICT**

Mr. Rossi reviewed the November 19, 2003 letter by Jurupa Community Services District concerning groundwater quality investigation activities and the related proposed OBMP scope of work in regards to the Kaiser plume's potential impact of JCSD's existing and future wells, and Chino desalters' wells. Mr. Rossi felt that the concerns for the Kaiser plume will be in part addressed by the AB303 Grant which will help us design a work plan for the MZ3 group.

**VI. POOL MEMBER COMMENTS**

None

**VII. OTHER BUSINESS**

None

**VIII. FUTURE MEETINGS**

January 12, 2004	1:30 p.m.	AGWA Meeting
January 14, 2004	9:00 a.m.	MZ1 Technical Group Meeting
January 29, 2004	10:00 a.m.	Advisory Committee Annual Meeting
	1:00 p.m.	Watermaster Board Annual Meeting
February 5, 2004	2:00 p.m.	Water Quality Meeting
February 12, 2004	1:00 p.m.	Agricultural Annual Pool Meeting
	3:00 p.m.	Joint Appropriative & Non-Ag Pool Meeting
February 26, 2004	10:00 a.m.	Advisory Committee Meeting
March 1, 2004	1:00 p.m.	Watermaster Board Meeting

The Annual Non-Agricultural Meeting Adjourned at 11:30 a.m.

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

Minutes Approved: February 12, 2004