

Minutes
CHINO BASIN WATERMASTER
JOINT APPROPRIATIVE & NON-AGRICULTURAL POOL MEETING
February 10, 2005

The joint Appropriative and Non-Agricultural Pool Meeting was held at the offices of Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on February 10, 2005 at 9:00 a.m.

APPROPRIATIVE POOL MEMBERS PRESENT

Dave Crosley, Chair	City of Chino
Mike McGraw	Fontana Water Company
Raul Garibay	City of Pomona
Ken Jeske	City of Ontario
Robert DeLoach	Cucamonga Valley Water District
Gerald J. Black	Fontana Union Water Company
James T. Bryson	Fontana Water Company
Mark Kinsey	Monte Vista Water District
Bill Stafford	Marygold Mutual Water Company

NON-AGRICULTURAL POOL MEMBERS PRESENT

Justin Scott-Coe	Vulcan Materials Company (Calmat Division)
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Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Sheri Rojo	Finance Manager
Gordon Treweek	Project Engineer
Danielle Maurizio	Senior Engineer
Sheri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Michael Fife	Hatch & Parent
Mark Wildermuth	Wildermuth Environmental Inc.

Others Present

Mohamed El-Amamy	City of Ontario
Josephine Johnson	Monte Vista Water District
Rita Kurth	Cucamonga Valley Water District
Justin Brokaw	Marygold Mutual Water Company

Chair Crosley called the meeting to order at 9:02 a.m.

AGENDA - ADDITIONS/REORDER

There were no additions or reorders made to the agenda.

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Annual Appropriative Pool Meeting held January 13, 2005
2. Minutes of the Annual Non-Agricultural Pool Meeting held January 13, 2005

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of January 2005
2. Combining Schedule of Revenue, Expenses and Changes in Working Capital for the Period July 1, 2004 through December 31, 2004
3. Treasurer's Report of Financial Affairs for the Period December 1, 2004 through December 31, 2004
4. Profit & Loss Budget vs. Actual July 2004 through December 2004

Motion by DeLoach, second by Jeske, and by unanimous vote

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

II. BUSINESS ITEMS

A. CONSULTANT AGREEMENT WITH THE FURMAN GROUP

Mr. Manning stated this item has been under discussion for a couple weeks. A number of our agencies have a consultant in Washington DC and what Watermaster has found is that there is a need to try and coordinate those activities and messages with the Watermaster. This is not a lobbyist contract, this contract is strictly for the Furman Group to monitor and coordinate activities in Washington DC; this will keep Watermaster better informed. Mr. Manning stated a good example for this type of work that the Furman Group will be performing, is there is a delegation from Fontana, Colton, and Rialto in Washington today and the lobbyist from Three Valleys and other agencies are working with those parties and the Furman Group was asked to be involved with that endeavor in coordinating their message to make sure that the message they are presenting does not conflict with the message Watermaster will be delivering when in Washington next week. This will ensure a group effort feeling while presenting issues, also in that we are working together for the same goal and with the same mind set. This is a good example of where things are going in the future and that Watermaster needs to have a presence in Washington. The contract is \$2,500 dollars a month; which is a very low dollar amount for this type of work. Staff recommends at this time that this agreement be approved for the benefits it will provide Watermaster and the Chino Basin. A discussion ensued with regard to this contract. Mr. Manning stated what Watermaster needs is a consultant to keep track of what is happening in Washington so that Watermaster can work on behalf of member agencies to help them coordinate and craft a message that is not in conflict with others. Mr. Kinsey noted that the presented contract seemed to be missing a proof of insurance and a liability clause which should be considered when entering into any contract of this type. Mr. Manning stated this contract was asked to be kept simple and that those items being added back into the contract should not be a problem and that he will look into it immediately with the Furman Group as well as with our legal department. There was a question regarding the date of the contract because the Committee does not know when the agreement will be approved. The date on the contract will be updated to reflect the date the CEO executes the contract.

Motion by DeLoach, second by Black, and by unanimous vote

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Moved to approve consultant agreement with the Furman Group for \$2,500 dollars month with the notation that the agreement will have insurance liability added to agreement, as presented

B. APPROVAL OF STIPULATION

Mr. Manning asked Counsel Fife to take this item since counsel is more familiar with this article noting this item is the approval of stipulation with East Valley Water District in dealing with the Watermaster application filed in 2002 with the State Resource Control Board. Counsel Fife stated this is part of the ongoing Santa Ana River issue; Watermaster has filed its Santa Ana River Water Rights Application and has received four protests against it. One protest from East Valley, one from the Department of Fish and Game, one from the Forest Service, and one from Cucamonga Valley Water District. Legal counsel has a meeting with the State Board staff on March 7, 2005 and it is anticipated that at least three of the four protests will be resolved prior to that meeting. This is the agreement with East Valley who has agreed to withdraw their protest if Watermaster will affirm that none of the points of diversion are in the Santa Ana River, which is true, and that with the application Watermaster has no intention of infringing on East Valley's water rights, which is also true. Counsel Fife stated in his opinion there is no problem with signing this presented stipulation; it does not require Watermaster to do anything that Watermaster is not already doing.

Motion by Jeske, second by DeLoach, and by unanimous vote

Moved to approve stipulation between East Valley Water District and Watermaster concerning Watermaster's Santa Ana River water rights application Group, as presented

III. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Attorney-Manager Meetings

Counsel Fife stated the next meeting is set for March 15, 2005 right after the Agricultural Pool meeting at Inland Empire Utilities Agency; we are anticipating some technical work from Wildermuth prior to that meeting and counsel will also be putting out a summary of where the Attorney Manager process is so far and where the real 2005 milestone issues are. An agenda for that meeting will be sent out prior to the March 15th meeting.

2. Santa Ana River Application Process

Counsel Fife stated that legal counsel met with Mr. Manning, Scott Slater, John Rossi, and representative from Orange County Water District (OCWD) on February 9, 2005 to try to bring all the parties together into a more coordinated approach to the whole Santa Ana process. Meetings will continue and the next meeting has been scheduled for February 23, 2005. There is another meeting set for Mr. Manning, Mark Wildermuth, and myself with State Board staff on March 7, 2005; we are now officially moving on Watermaster's application and are in the process of resolving the protests. Staff is speaking to the State Board in regards to what additional information they need.

Added Item:

Counsel Fife noted that Mr. DeLoach had asked that staff address this item at this meeting. Counsel Fife stated there is a handout on the back table titled "Background On Senator Kuehl's Water Bill". Senator Sheila Kuehl is proposing to do a follow up on her great success on senate bill 221. There is no text that has been put out yet; this is only the senator's office indicating things that the senator wants to put into a bill to introduce this year. The senator's office is looking at putting out bill that is going to address what they see as three large areas, the first is water conservation policy, the second is the use and abundance of water recourses, and thirdly is planning and management. There are a lot of interesting things in this bill, one of the big things is a real emphasis on mandating conservation and putting penalties in place for not conserving water which raises

questions about how do you define conservation and how you define those penalties. Some of the other interesting high points are the topic of imposing Agricultural water management plans which would be the flip side to urban water management plans for Ag users and the reporting of groundwater use. It basically looks like this bill will undo what AB 2733 did last year and mandate everybody state wide has to report to the State Board including those people in San Bernardino, Riverside, and Los Angeles counties who last year were told that they no longer had to report the State Board that they would report to their local agencies instead. There is no draft bill out yet there are only these indications from the senator's office that something is coming. Mr. DeLoach noted that he would be addressing this at the ACWA's Legislative Committee meeting this week. Counsel Fife noted this has gone to the ACWA's Legal Affairs Committee and the senator's office has had a briefing on this that our lobbyist was at.

B. CEO/STAFF REPORT

1. Storm Report

Mr. Manning stated that at the last meeting a copy of the storm report was provided and some additional information needs to be added to that report. Mr. Treweek is going to give that update. Mr. Treweek noted that Watermaster has been capturing storm water in ten basins (available in October 2004) to fourteen basins (available in January 2005). By the end of January 2005 there were six major storm events, through these six storm events the basins have received about 32 inches of rain this year and we have captured approximately 7,000 acre-feet in the basins that are on line. Over the next month or two, Watermaster anticipates additional basins being brought on line as their construction is completed. The deadline for completion of all basins is March 31, 2005; at that point Watermaster should have all 20 basins on line and ready for storm or supplemental water. The question of how to track or measure ongoing nuisance flows which are redirected into the basins was presented. Mr. Treweek stated Watermaster is directing all nuisance flow that we can into the basins either through drop inlets or by inflating rubber dams. Presently the SCADA system is not up and running; SCADA is one of the items that is to be completed by March 31, 2005. We will also have flow meters that will measure the flow of nuisance water. In lieu of SCADA/flow meters, Watermaster is calculating the percolation in the basin. After nuisance water enters into basin storage, we measure the dropping water level of the basin and the "wetted" area of the basin. The product of the percolation rate (ft/day), the "wetted" area (acres), and the number of recharged days gives the amount of water recharge during a storm event. Mr. Manning stated Watermaster is currently performing this via site visits. Once the SCADA system is fully operational this will be done electronically and will be available on a real time basis.

2. State of the Basin

Mr. Manning stated the draft State of the Basin report in its entirety is available on the Chino Basin Watermaster web site and is also available on Wildermuth's web site. A copy of the Executive Summary was the only part of the report put into the packet because of the size of the document. Staff is requesting comments be into Wildermuth by the end of this week or next week so that report can be finalized for distribution.

IV. INFORMATION

1. Newspaper Articles

Mr. Manning noted that on the back table was a recent article which was published in the San Gabriel Valley Tribune regarding his resignation from his seat on the Upper District Water Board.

V. POOL MEMBER COMMENTS

Ms. Johnson made the suggestion for Watermaster to purchase wireless headsets for the hearing impaired due to the difficulty in hearing what parties are saying from the back of the room. Mr. Manning noted this situation will be looked into and if it is feasible a wireless headset will be made available for all who need it.

VI. OTHER BUSINESS

No comment was made regarding this item.

VII. FUTURE MEETINGS

February 10, 2005	9:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
February 15, 2005	9:00 a.m.	Agricultural Pool Meeting @ IEUA
February 24, 2005	9:00 a.m.	Advisory Committee Meeting
February 24, 2005	11:00 a.m.	Watermaster Board Meeting
March 10, 2005	9:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
March 15, 2005	9:00 a.m.	Agricultural Pool Meeting @ IEUA
March 21, 2005	1:00 p.m.	AGWA Meeting
March 24, 2005	9:00 a.m.	Advisory Committee Meeting
March 24, 2005	11:00 a.m.	Watermaster Board Meeting

The Joint Appropriative & Non-Agricultural Pool Meeting Adjourned at 9:35 a.m.

Secretary: _____

Minutes Approved: March 10, 2005