

**MINUTES OF A REGULAR MEETING OF  
THE MAIN SAN GABRIEL BASIN WATERMASTER  
AND OF ALL BASIN PRODUCERS FOR ELECTION OF  
WATERMASTER NOMINEES FOR CALENDAR YEAR 2010  
729 NORTH AZUSA AVENUE, AZUSA, CALIFORNIA  
HELD WEDNESDAY, NOVEMBER 4, 2009 AT 2:30 O'CLOCK P.M**

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A regular meeting of the Main San Gabriel Basin Watermaster was duly and regularly held in the Conference Room of the City of Azusa Light and Water Administration Facility, at 729 North Azusa Avenue, in the City of Azusa, County of Los Angeles, State of California, 91702, on Wednesday, November 4, 2009 at the hour of 2:30 p.m.

**CALL TO ORDER**

James Byerrum, Chairman, called the meeting to order and presided thereover.

**ROLL CALL OF WATERMASTER MEMBERS**

The following members of Watermaster were present on roll call:

**PRESENT:** Dan Arrighi, James Byerrum, Robert W. Bowcock, Ed Chavez, Al Contreras, Thomas Love, Pat Malloy, Michael Quinn and Charles E. Shaw.

**ABSENT:** None.

**STAFF AND OTHERS PRESENT**

Staff present at the meeting included: Carol Williams, Executive Officer; Fred Fudacz, Attorney; Stephen Johnson, Consulting Engineer; Tony Zampiello, Assistant Executive Officer; and Wendy La, Staff Engineer.

Others present included: Chet Anderson, Ron Bow, Brian Bowcock, Mark Carney, Barbara Carrera, Jon Contreras, Ken Deck, Brian Dickinson, Greg Galindo, Rick Hansen, Ken Herman, Garry Hofer, Scott Hopkins, Marianna Lake, Ben Lewis, Tom Lindros, Victor Meza, James Prior, Richard Rich, Patrick Scanlon, Mary Swink and Tom Tait.

**ELECTION OF PRODUCER NOMINEES FOR WATERMASTER FOR CALENDAR YEAR 2010**

The Chairman stated that, as part of this regular meeting and in accordance with notice given on October 1, 2009, the amended Judgment provides that a meeting of the Parties of said action will be held for the purpose of electing six Producer Representatives for Court appointment as Watermaster members for calendar year 2010, pursuant to Watermaster's petition to the Court.

The Chairman then called for the nomination of Producer Members to Watermaster for calendar year 2010. The Attorney opened the nominations. Mr. Michael Whitehead, representing San Gabriel Valley Water Company, nominated the following individuals to serve as Producer Members: Dan Arrighi, Robert Bowcock, Jim Byerrum, Pat Malloy, Michael Quinn and Charles Shaw.

There being no further nominations, the Attorney closed the nominations. The Chairman directed that a unanimous ballot be cast for those nominated, and he directed the attorney to submit the names of those nominees elected as Producer Members to the Court for appointment to Watermaster for the 2010 term.

The Executive Officer reported that the San Gabriel Valley Municipal Water District submitted a resolution certifying that its director Thomas Love was nominated as its Public Representative for Watermaster for 2010.

The Executive Officer also reported that the Upper San Gabriel Valley Municipal Water District submitted a resolution certifying that Ed Chavez and Al Contreras were nominated as its Producer Members to the Court for appointment to Watermaster for 2010.

#### **ADOPTION OF AGENDA**

The Chairman then asked if there were any changes to be made to the agenda. On motion made by Mr. Arrighi, seconded by Mr. Malloy, and unanimously carried, the agenda was adopted as presented.

#### **TIME RESERVED FOR PUBLIC COMMENT**

Mr. Patrick Scanlon, Golden State Water Company, introduced Mr. Ben Lewis as Golden State Water Company's new Foothill District Manager. Former manager Ms. Alice Shiozawa has moved on to a new position at the company. The Chairman welcomed Mr. Lewis and stated that it was a pleasure working with him in the past and he looks forward to working with him again.

Mr. Brian Bowcock, representing Three Valleys Municipal Water District, reported that the Board of Directors met earlier today and appointed Mr. Luis Juarez to fill the vacancy for Division I, for a one-year term. Mr. Bowcock noted that the Board carefully considered each of the three candidates and it was a tough decision, with the result being that the Board chose Mr. Juarez based on his knowledge of the District.

#### **CONSENT CALENDAR**

On motion made by Mr. Contreras, seconded by Mr. Arrighi, and unanimously carried, the following items were approved:

- a) Minutes of a Regular Meeting of Watermaster held October 7, 2009.
- b) Lists of Demands: Items 14102 through 14143 in the amount of \$564,182.47 on the Administrative Fund, and Items 863 through 865 in the amount of \$332,920.55 on the Replacement Water Fund.

- c) Financial Statements, October 2009

### **RECEIPT OF 37<sup>TH</sup> ANNUAL REPORT**

The Executive Officer reported that Watermaster's 37<sup>th</sup> Annual Report, describing activities of fiscal year 2008-09, was submitted to all Parties and to the Court on November 1, 2009, as required by the Judgment. Additionally, she reported that the Executive Summary, consisting of only the introductory text of the Annual Report, is also available. The Chairman then directed that the Watermaster 2008-09 Annual Report be received and filed.

### **RECEIPT OF DRAFT ANNUAL 5-YEAR WATER QUALITY AND SUPPLY PLAN**

The Consulting Engineer explained that, in accordance with Section 28 of Watermaster's Rules and Regulations, each year a Five-Year Water Quality and Supply Plan is prepared which consists of four parts: an introduction, a report of current water supply conditions, a report of current water quality conditions, and the actual water quality and supply plan.

The report of water supply conditions includes information on recent rainfall and groundwater conditions, and, in general, it gives background on determination of how much water will be produced in the Basin over the next five years. The water quality report likewise provides information on water quality issues, including concerns relative to specific contaminants and the vulnerability of Basin wells. Finally, the water quality and supply plan presents all of the different programs in which Watermaster is engaged, including the groundwater quality monitoring and groundwater elevation monitoring programs, and it ends with an update of current and future cleanup projects. He stated that this year's report is very similar to the previous year's report.

The Executive Officer also stated that it is staff's recommendation that the Five-Year Plan public comment period be set starting today, November 4, 2009, and continue through the public hearing, which would be set for the regular Watermaster meeting on January 6, 2010.

On motion made by Mr. Malloy, seconded by Mr. Contreras, and unanimously carried, Watermaster set the public comment period for the Five-Year Water Quality and Supply Plan to begin Wednesday, November 4, 2009, and continue through the public hearing, set for the regular Watermaster meeting on January 6, 2010. The Chairman then instructed staff to send notice to all Parties and to interested parties of the availability of the Plan and the date and time of the scheduled hearing.

### **DISCUSSION OF DECEMBER MEETING DATE**

The Executive Officer noted that the regular Watermaster meeting date in December conflicts with the Fall ACWA Conference, and several Watermaster members generally attend the conference. She asked if Watermaster wished to reschedule the December meeting to the following Wednesday, December 9, or to another date. On motion made by Mr. Malloy, seconded by Mr. Love, and unanimously carried, the December meeting was rescheduled to December 9, 2009.

## REPORT FROM BASIN WATER MANAGEMENT COMMITTEE

Mr. Bowcock reported that the Basin Water Management Committee met on October 14, 2009, and discussed various items, and encouraged those who are interested to read through the Board packet for more details. Mr. Bowcock noted that the items in the Committee Report are for information only and do not require Watermaster action.

### INFORMATION ITEMS

The following items listed on the agenda for information of Watermaster were noted, and ordered received and filed:

- a) Temporary assignment or lease of 39.75 AF production right from Parton Family Trust to San Gabriel Valley Water Co. for FY 2009-10
- b) Temporary assignment or lease of 26.41 AF carryover right from William L. McIntyre to Covina Irrigating Co. for FY 2009-10
- c) Temporary assignment or lease of 214.30 AF prescriptive pumping right from The Anton & Anita Garnier Family Trust to East Pasadena Water Co. for FY 2009-10 through FY 2013-14, and 195.17 AF carry-over right for FY 2009-10
- d) Notice of Change of Designee for City of La Verne to City Clerk
- e) Letter from USGVMWD dated October 21, 2009, transmitting water rates and charges effective October 1, 2009
- f) Transmittal of SGVMWD monthly report for September 2009
- g) Notice of California Water Law Conference, November 5-6, Palm Springs
- h) Various newspaper articles

### ATTORNEY'S REPORT

The Attorney reported that all financial assurances have now been received with respect to the Baldwin Park Operable Unit Project Agreement. The Chairman commended staff and the Attorney on success in collecting the full amount of required financial assurances.

The Attorney also reported on a number of disputes that have been raised by the Cooperating Respondents in the BPOU over various project-related issues. He noted that Watermaster has been named in another dispute regarding lost water. With regard to the dispute regarding various invoices, a "meet and confer" was held by phone and backup for all invoices in question has been provided. Lastly, he noted that the dispute relative to alternative water is going to arbitration.

## **ENGINEER'S REPORT**

The Consulting Engineer reported that the level of the Baldwin Park Key Well, as of October 30, was 189.7 feet. The Consulting Engineer stated that total production for FY 2008-09 is 254,000 acre-feet, the lowest in five years. Additionally, the Consulting Engineer stated that the five area landfills were inspected and no violations were found.

The Consulting Engineer provided a brief hydrologic update and stated that average rainfall for this time of year is .8 inches, and the area has received slightly above normal rainfall to date.

## **EXECUTIVE OFFICER'S REPORT**

The Executive Officer reported that the Basin Water Management Committee will meet on November 18 at 2:00 p.m.

The Executive Officer also noted that the state Legislature passed a significant water package this morning, and the package is now awaiting the Governor's signature. She also noted that staff is working on preparing a comment letter in response to the Regional Water Quality Control Board's proposed Tentative Waste Discharge Requirements for groundwater well discharges. Staff hopes to circulate a draft of the comment letter to the Basin Water Management Committee for review prior to finalizing; however, the comments are due by November 13.

## **REPORT FROM RESPONSIBLE AGENCIES**

Mr. Contreras reported that Upper District has hired Mr. Richard Garcia to assist in its search for a new General Manager. Mr. Contreras also reported that Upper District has awarded contracts for both its Rosemead Recycled Water Project and the Groundwater Reliability Improvement Program (GRIP). He noted that the GRIP project is moving along slowly but accomplishments are being made.

Mr. Love reported that San Gabriel Valley Municipal Water District is close to completing its State Water Project deliveries for the year. He also reported that the Foothill Water Coalition recently traveled to Washington D.C. and participated in several successful meetings with legislators.

## **COMMENTS FROM WATERMASTER MEMBERS**

Messrs. Arrighi, Bowcock, Byerrum, Quinn and Shaw thanked the producer members for their re-election to Watermaster.

Mr. Malloy congratulated Mr. Bowcock for his election to the ACWA Board, and thanked the producer members for his re-election to Watermaster.

## **CLOSED SESSION**

The Watermaster adjourned to a closed session.

**REGULAR MEETING RESUMES**

The Chairman reported that no action was taken in Closed Session.

**ADJOURNMENT**

The Chairman asked if there were other business to come before Watermaster, and there being none, upon motion duly made by Mr. Contreras, seconded by Mr. Arrighi, and unanimously carried, the meeting was adjourned to the next regular meeting of Watermaster on Wednesday, December 9, 2009, at 2:30 p.m. in the Conference Room of the City of Azusa Light and Water Administration Facility at 729 North Azusa Avenue, Azusa, CA 91702.

**SECRETARY'S SIGNATURE**

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DAN ARRIGHI

ATTEST:

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JAMES BYERRUM  
CHAIRMAN