

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
October 28, 2009
1:30 P.M.

President Melody McDonald called the Board Meeting of the Board of Directors to order at 1:30 p.m. All present stood for the pledge of allegiance, led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President
Cheryl Tubbs, Director
Clare Henry Day, Director
Arnold Wright, Director
Richard Corneille, Director
John Longville, Director

BOARD MEMBERS ABSENT:

Manuel Aranda, Vice President

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

R. Robert Neufeld, General Manager
Claud Seal, Assistant General Manager/District Engineer
Colleen Theuer, Admin. Mgr/Recording Secretary
Samantha Brown, Finance Supervisor
Randy Scott, Wash Plan Project Manager
Shanae Smith, Executive Assistant II

GUESTS PRESENT:

Will McMullan, McMullan & Associates
Jean Carr, ICF Jones & Stokes

1. PUBLIC PARTICIPATION

President McDonald announced this as the time for any persons present, who so desire, to make an oral presentation to the Board of Directors. Hearing none, the meeting proceeded with the published agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

No additions/deletions were made to the agenda.

3. BOARD DISCUSSION ITEMS

Director Wright reported attending the Resources Committee meeting.

Director Corneille reported attending the Resources Committee meeting and reminded the Board of the Advisory Commission on Water Policy meeting at the San Bernardino Valley Municipal Water District's (SBVMWD) office, scheduled for October 29, 2009 at 7:00 p.m. He said the City of Redlands will make a presentation, and the SBVMWD will present a slide show presentation of the proposed Storm Water Capture Program. He said the SBVMWD will also present the Request for Proposal (RFP) for Environmental Documentation and Construction Documents for Enhanced Recharge in the Santa Ana River Spreading Basins, Phase I of the improvements to the District's basins, as part of the results of the Upper Santa Ana River Recharge Optimization Study (Optimization Study). He suggested that District staff participate in the selection panel process.

Director Day reported attending the Resources Committee meeting.

President McDonald reported attending the Three Valleys breakfast in Pomona; the Cucamonga Valley Water District's (CVWD) Frontier Water Project dinner; and meetings at the offices of both Diane Feinstein and Jerry Lewis in Washington, D.C., accompanied by Robert Neufeld and David Cosgrove.

4. CONSENT CALENDAR

Minutes of the October 14, 2009, Board meeting were reviewed.

It was moved by Director Tubbs and seconded by Director Day to approve the minutes from the Board meeting of October 14, 2009. The motion carried 6-0, with Director Aranda noted absent.

5. INFORMATION ITEMS

A. Board Committee Reports

Director Day deferred the Resources Committee meeting report to Mr. Seal, as it would be discussed during the Assistant General Manager's report.

B. Wash Plan Update

Randy Scott updated the Board on the status of the EIS. He said the comment period closed on October 22, 2009, and that four comment letters were received. He said he had a conference call with URS, the consultant preparing the final impact statement to discuss the approach on various responses to comments, and a schedule to identify specific tasks for completion of the administrative final in December. He said the Bureau of Land Management (BLM) will review the EIS responses to comments for public release and there will be an additional noticing process with the Federal Register, and consultation with the State of California. He reported there will be a subsequent consistency review on their South Coast Resource Management Plan (SCRMP) changes that would affect the implementation of the land exchange for the Wash Plan. Director Tubbs asked how BLM felt about the legitimacy of the comments received that will lead to changes in the plan or the EIS. A discussion ensued.

C. Assistant General Manager's Report

Mr. Seal announced the following:

1. State Water Project (SWP) water is still being spread in the District's Santa Ana River (SAR) spreading basins, currently Pond 15. An approximate total of 1,353 acre feet (AF) of water have been spread. The current spreading rate is approximately 50 cfs per day.
2. A total of 8,456 AF of water was diverted in the SAR of the targeted amount of 10,000 AF of water. A total of 4,450 AF of the targeted 8,000 AF of water have been spread in the Mill Creek Spreading Grounds.
3. As noted at the October 14, 2009 regular Board meeting, the District's Mentone property is now vacant and will require continued ground maintenance.

Mr. Seal reported on the Resources Committee meeting from Monday, October 26, 2009. He said a recap of the current construction activities were discussed, including the intent of the SBVMWD's Request for Proposal (RFP) for Environmental Documentation and Construction Documents for Enhanced Recharge in the Santa Ana River Spreading Basins. He said the committee would make a recommendation to the Board for approval of the purchase of a JD 60D Excavator.

Mr. Seal reported that construction upgrades to the Cuttle Weir had not yet begun, and that District staff, SBVMWD and Jacinto Construction have a pre-job meeting scheduled for tomorrow, October 29, 2009, at 8:00 a.m. He announced that he will make a brief presentation to the Advisory Commission on Water Policy regarding the proposed modifications to the Cuttle Weir.

Mr. Seal stated that the SBVMWD has issued a RFP, as reported earlier by Director Corneille. He said the RFP is a follow-up to the Optimization Study and the District would be a part of the selection process, with no costs associated. Director Tubbs asked whether Mr. Seal had followed up with the Department of Water Resources (DWR) regarding their EIR for the East Branch Exchange-Phase II (EBXII) project. Mr. Neufeld stated that he called Mr. Ted Craddock, a representative of the DWR, and that he is expecting a return call to set a meeting date to discuss their EIR.

Director Tubbs asked Mr. Seal about background information regarding the equipment purchase recommended by the Resources Committee. Mr. Seal stated that it is a budgeted item needed to enhance or increase the working capabilities of the field personnel, and will be used to replace the steel plates on the Cuttle Weir.

Director Tubbs asked if the Daily Flow Report (DFR) has been sent to Michael Huffstutler, of Bear Valley Mutual Water Company (BVMWC). Mr. Seal said the DFR was sent to Mr. Huffstutler, as directed by the Board and that no comments have been received to date.

D. General Manager's Report

Mr. Neufeld reported attending the Utilities Executive Leadership Conference.

Mr. Neufeld said he met with John Rossi, from Western Municipal Water District (WMWD) and Randy Van Gelder from SBVMWD for their meeting of the General Managers. He said that a course of action will be developed to bring back to the respective Boards for discussions.

Mr. Neufeld said he was working with the U.S. Army Corp of Engineers (USACE) regarding the water quality issues behind the dam. To date, an approximate total of \$2.2 million of the \$7 million budgeted for the water quality studies have been spent. He reported Senator Feinstein's request for a copy of the final USACE study during his visit to Washington, D.C. Director Corneille said this may be an opportunity for the District to be a part of the solution and suggested that feasibility work be defined in the upcoming fiscal year budget. A discussion ensued regarding proposed legislation for the Wash Plan and development of a conceptual wetlands project design as the focal point.

6. ACTION ITEMS, NEW BUSINESS, FYI

A. CONSIDER PROPOSAL FROM CALIFORNIA STRATEGIES CONSULTING SERVICES

Mr. Neufeld said the proposed Scope of Services provided by California Strategies Consulting Services will be for \$8,000 per month, and asked if the Board preferred to

add additional services to the proposal. Mr. Neufeld said the contract is essential to the developing goals of the District's strategic planning process. A discussion ensued.

It was moved by Director Tubbs and seconded by Director Longville to Approve a Contract with California Strategies Consulting Services for \$8,000/per month for six months. The motion carried 6-0, with Director Aranda noted absent.

B. RECEIVE ADMINISTRATIVE DRAFT OF THE WASH PLAN HABITAT CONSERVATION PLAN (ADMINISTRATIVE DRAFT HCP)

Jean Carr, Project Manager for ICF Jones & Stokes presented a slide show presentation of the Administrative Draft of the Wash Plan Habitat Conservation Plan (HCP). Ms. Carr and Randy Scott answered questions from the Board.

Mr. Scott said review of the HCP with the Wash Plan Task Force will be at the meeting scheduled for Tuesday, November 3, 2009, at 10:00 a.m. He said Task Force comments would be considered, in addition to the Ad Hoc Committee comments for possible revisions, and that a final draft will be prepared and submitted to the U.S. Department of Fish and Wildlife Service, along with the application for the Incidental Take Permit. Mr. Scott said he will work with District legal counsel on application package procedures. He said he would like the Ad Hoc Committee for the HCP to make a recommendation at the November 18, 2009 Board meeting.

President McDonald appointed Director Tubbs and Director Day for the Ad Hoc Committee for the HCP and herself as the alternate. Director Tubbs suggested the committee members attend the Wash Plan Task Force meeting.

C. NWRA CALIFORNIA CAUCUS BALLOT

The Board directed the General Manager to sign and submit the NWRA California Caucus Ballot indicating the candidates selected by the Board.

7. UPCOMING EVENTS

President McDonald briefly discussed the upcoming events listed on the agenda. Director Tubbs suggested that as a means of short-term reductions to the budget, the District pass on events listed on the agenda that required Board approval until further notice. A discussion ensued regarding the dinner in which the 2009 Water Resources Institute's (WRI) Lifetime Achievement in Water Resources will be presented to Gerard J. Thibeault, and the Water Hero Award for 2009 will be presented to the former San Bernardino Mayor, William R. "Bob" Holcomb. The dinner is scheduled for November 14, 2009, and staff was directed to confirm whether the District will host a table at the event, as Board attendance was approved at the October 14, 2009 Board meeting.

8. CLOSED SESSION

There was no Closed Session for this meeting.

9. ADJOURN MEETING

At 4:16 p.m., the meeting adjourned to the Regular Board Meeting scheduled for November 18, 2009, at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.

R. Robert Neufeld
Secretary of the Board