

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
August 25, 2010
1:30 P.M.

President Clare Henry Day 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 Day.

ROLL CALL:

BOARD MEMBERS PRESENT:

Clare Henry Day, President
Melody McDonald, Vice President
Arnold Wright, Director
John Longville, Director (1:45 p.m.)
Richard Corneille, Director
David E. Raley, Director

BOARD MEMBERS ABSENT:

Manuel Aranda, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Claud Seal, Assistant General Manager/District Engineer
Shanae Smith, Executive Assistant II

GUESTS PRESENT:

Charles Roberts, Highland Community News

1. PUBLIC PARTICIPATION

President Clare Day announced this as the time for any persons present, who so desire, to make an oral presentation to the Board of Directors.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions/deletions to the agenda.

3. CONSENT CALENDAR

Approval of the Board Minutes from August 11, 2010

It was moved by Director Corneille and seconded by Director McDonald to approve the minutes from the August 11, 2010 meeting. The motion carried 4-0, with Directors Longville and Aranda noted absent from the vote, and Director Wright abstaining due to his absence from the meeting.

Executive Assistant II, Shanae Smith provided a brief report on the un-audited financial reports for July, 2010.

It was moved by Director Corneille and seconded by Director McDonald to approve the un-audited Financials and Check Register for July, 2010. The motion carried 5-0, with Directors Longville and Aranda noted absent from the vote.

4. INFORMATION ITEMS:

A. Board Committee Reports

There were no Board Committee Reports for this meeting.

B. Assistant General Manager's Report

Assistant General Manager/District Engineer, Claud Seal briefed the Board on the following ongoing District activities:

1. The Seven Oaks Dam (SOD) discharge is flow-through of natural stream water. Flow varies when the water quality is better. The District is diverting about 13 cfs of the total 36 cfs being released.
2. On Thursday, August 22nd, Jacinto Construction cleaned the rock and organic material away from the inlet structure in the four hour time frame that the dam flow releases were stopped.
3. After the Cuttle Weir and Inlet Gates were cleared, District staff began downstream testing of the river channel percolation capacities. We started with

100 cfs, and worked up to 300 cfs in 50 cfs and finally in 100 cfs increments. We stopped the flows for one day, then resumed. During the second week of testing we stepped up stream flow to 180 cfs and that seems to be the optimum discharge that the native stream bed can infiltrate via percolation. San Bernardino Valley Municipal Water District (SBVMWD) is still analyzing the data and a final report will be issued in 1 to 2 weeks. Riverside Water Department has issued their report. Hard copies and electronic copies are available. The main participants in the testing were City of Riverside (Max Rasouli) and SBVMWD (Bob Tincher), and the District. Along with finding areas of river channel with better and limited percolation capacities, we were able to bracket the capacities of the channel to percolate water, between the Cuttle Weir and the E. Street Gauge, near the area where the Santa Ana Sucker habitat exists. Parties that were included in the ongoing email communications were the United States Army Corp of Engineers (USACE), San Bernardino County Flood Control District (SBCFCD), Orange County Flood Control District (OCFCD), US Fish and Wildlife Service (USFWS) and others periodically.

4. The downstream test information will be used to develop a long term plan for a combination of diverting water simultaneously allowing water to flow downstream to inflow downstream users. Mr. Seal stated the subject will be discussed at the next Basin Technical Advisory Committee (BTAC) meeting, and the preceding TOOLS committee meeting. The District needs to decide how its water rights can be protected and still work with the rest of the San Ana River (SAR) basin water users to be able to spread water in other basin locations.
5. Santa Ana Watershed Project Authority (SAWPA) has ranked 297 projects that have requested funding from the state's Proposition 84 funding. Mr. Seal stated the District has submitted two projects: the Borrow Pit Wetlands project, ranked number 26, (\$1 million-Study Funding) and the Upper SAR Watershed Alluvial Sagebrush Habitat Restoration project, ranked 67th (\$130,000-Study and activities).
6. The digging tooth equipped bucket for the District's Case 570 LXT Front End Loader is near completion. Total cost will be \$2,600. The teeth are replaceable and can be removed and reinstalled by the District's field crew.
7. Mr. Seal recommended that field personnel attend future Board meetings and provide reports to the Board on District and field activities for continued planning and documentation efforts.

After the AGM report, Mr. Seal gave a PowerPoint presentation on lessons learned from the SOD release tests and the affects to the District's facilities. Mr. Seal recommended that flow gauges and digital meters be installed at the USGS structure on top of the inlet structure, as well as the entrance of the Cuttle Weir and the Sand Box inlet structure at the northwest end. After the presentation, Mr. Seal answered questions from the Board.

C. Wash Plan Update

David Cosgrove reported that a meeting is scheduled with the Wash Plan Project Manager Randy Scott, Biologist Larry Lapre with the Bureau of Land Management (BLM), Ken Corey and Nancy Ferguson of USFWS on the topic of the Environmental Impact Statement (EIS) informal consultation. The meeting will be held in Carlsbad on September 9th, at 1:30 pm. Mr. Cosgrove stated staff is looking for commitments from USFWS relative to the EIS for the Wash Plan and direct feedback on the draft Habitat Conservation Plan (HCP). A report will be brought back to the Board.

D. Other Reports from Staff

This item was taken out of order earlier in the meeting.

E. Future Agenda Items

- Schedule Administrative and Resources Committees meetings before the September 8th regular Board meeting.
- Status update on the District's current projects and activities.

5. ACTION ITEMS/NEW BUSINESS

A. FY 2009-2010 Audit Presentation

Matt Wilson, Tim Horn and Ryan Carter, Certified Public Accountants of Rogers, Anderson, Malody & Scott, LLP reviewed the audit report of the financial statements for the year ended June 30, 2010 and answered questions from the Board.

It was moved by Director Longville and seconded by Director Raley to, "Authorize Assistant General Manager to Sign Letter of Opinion with Respect to Information provided in the 2009-2010 Audit Report." The motion carried 6-0, with Director Aranda noted absent from the meeting.

It was moved by Director Longville and seconded by Director Wright to, "Authorize Assistant General Manager in Connection with General Counsel to Review and Approve Adjusting Journal Entries for the 2009-2010 Audit Report and Bring Back to the Board for Final Approval." The motion carried 6-0, with Director Aranda noted absent from the meeting.

It was moved by Director Longville and seconded by Director Wright to, "Authorize Assistant General Manager in Connection with General Counsel to Prepare Recommendations to Come Back to the Board for Response

and Approval of the Statement on Auditing Standards No. 115 Letter.” The motion carried 6-0, with Director Aranda noted absent from the meeting.

6. Monthly Activity Reports and/or Comments by Board Members

Director Corneille distributed materials for the Board’s review. He reported attending the San Bernardino County Water Conference at the Ontario Convention Center on August 12th. Director Corneille stated the meeting was hosted by the BIA Baldy View Chapter on the topic of the recent legislation cutting edge water techniques. He recommended the District explore opportunities with regard to solar farming.

Director Raley reported attending the Administrative Committee meeting and District Board meeting.

Director Longville reported attending a regular Board meeting.

Director McDonald reported attending an Association of California Water Agencies’ (ACWA) State Legislative meeting; a SBVMWD regular Board meeting; and the SBX76 workshop and tour at Western Municipal Water District’s (WMWD) new training facility in Riverside.

7. UPCOMING EVENTS

There was no discussion on the upcoming events.

8. CLOSED SESSION

At 3:45 p.m., it was moved by Director Corneille and seconded by Director Longville to adjourn to Closed Session, under the authority of Government Code Section 54957(b), regarding a personnel matter; under Government Code Section 54956.9(c), consider whether to initiate litigation; under Government Code Section 54956.9(b)(3)(a), and Section 54956.9(c), and Section 54956.9(b)(1), confer with legal counsel regarding significant exposure to litigation in one case. The motion carried unanimously.

At 4:50 p.m., the meeting reconvened into Open Session, with no reportable action under Government Code 54957.

9. ADJOURN MEETING

At 4:50 p.m., the meeting adjourned to the regular Board meeting scheduled for September 8, 2010, at 1:30 p.m., at 1630 W. Redlands Blvd., Redlands, CA.

Claud Seal
Assistant General Manager/District Engineer