

**MINUTES OF THE
ASSOCIATION OF GROUND WATER AGENCIES (AGWA)
BOARD OF DIRECTORS MEETING
MONDAY, MARCH 26, 2007
AT MAIN SAN GABRIEL BASIN WATERMASTER**

Chairman John Rossi called the meeting to order.

Directors/Alternates present:

Mario Garcia	Water Replenishment District of Southern California
Rick Iger, Vice Chair	Kern County Water Agency (by conference call)
John Kennedy	Orange County Water District
Ken Manning	Chino Basin Watermaster
Behrooz Mortazavi	Eastern Municipal Water District
John Rossi, Chairman	Western Municipal Water District (by conference call)
Carol Williams, Secty/CFO	Main San Gabriel Basin Watermaster
Tony Zampielo	Raymond Basin Management Board

Affiliates present:

Kathy Kunysz	Metropolitan Water District of Southern California
Ron Schnabel	Bookman-Edmonston

Others present:

Donna DiLaura	Main San Gabriel Basin Watermaster
Tom Field	Three Valleys Municipal Water District
Fred Fudacz	Nossaman Guthner Knox & Elliott LLP
Joe LeClaire	Wildermuth Environmental Inc.
Keith Lyon	Municipal Water District of Orange County

MINUTES/FINANCIAL STATEMENTS

On a motion by Director Manning, seconded by Director Zampielo, and unanimously carried, the minutes of the September 18, 2006, November 20, 2006 and January 8, 2007 meetings were approved. The Chairman also stated that Financial Statements through February 28, 2007 were available for review, and then he ordered the Financial Statements to be received and filed.

DISCUSSION AND ACTIONS

Presentation: "Perchlorate Testing in Chino Basin" – Mr. Joe Le Claire of Wildermuth Environmental Inc. presented a detailed report on the results of perchlorate isotope testing in the Chino Basin. He reviewed the types and potential sources of perchlorate, including synthetic and natural. He also discussed the presence of perchlorate in Chilean fertilizer, which was used to fertilize orchard crops in the Inland Empire in the first half of the 1900's. He then reviewed land use and detections of various constituents in the Chino Basin, and discussed the process used to identify the source of Chino Basin perchlorate, involving the identification and classification of chlorine and oxygen isotopes. He noted that the study concluded that much of the Basin's perchlorate appears to originate from Chilean fertilizer, based on the isotope evaluation. He also noted two major VOC plumes, near the Chino and

Ontario airports. Mr. Le Claire stated that he would provide electronic copies of his presentation via email.

Update on CRWQCB Santa Ana Region Proposed WDR's for Injection/Percolation of Imported Water- Chairman Rossi reported on the progress of the workgroup formed to develop an alternative to the Santa Ana Regional Water Quality Control Board's proposed Waste Discharge Requirements on imported water recharge. He reported that all parties are finalizing language for an agreement that would be circulated to all parties who would be part of the cooperative plan. Regarding constituents to be included in monitoring plans, Chairman Rossi stated that the Regional Board has agreed that emerging contaminants will not be included in the monitoring program at this time.

Update on GAMA program implementation/results in AGWA member areas – Chairman Rossi reported that he has reviewed the report prepared by the USGS for the Temecula area GAMA study. One of the graphics in the report showed that seventy to eighty percent of the wells had detections of contaminants or constituents in water, but the report does not list the actual levels. It is not clear whether or not the detections are at ultra low detection levels. Of concern is the potential for public relations issues once the report is available to the public. Chairman Rossi suggested that a workgroup be formed to work on such issues, and perhaps prepare a fact sheet explaining the key points of the interpretive report. The report needs to be written in such a way that the general public can easily read and understand it.

Status of MWD Groundwater Basin Assessments - Ms. Kathy Kunysz reported that Metropolitan Water District staff is planning to present a final draft of the Groundwater Basin Assessment to the MWD Board of Directors in April, for their review. She indicated that MWD staff is working to provide a complete draft on compact disk to the groundwater agencies, MWD member agencies and MWD board committees in April as well. A formal review period of sixty days will begin once the report is distributed. Ms. Kunysz also reported that portions of the report are available for viewing on the MWD website. Lastly, Director Manning stated that he has reviewed the draft portion of the report relating to the Chino Basin, and noted that MWD did a good job reflecting the progress of the Chino Basin.

Consider AGWA Role as administrator for the California Groundwater Coalition – Chairman Rossi reported, in regard to ongoing joint advocacy efforts between AGWA, the Groundwater Resources Association and the American Groundwater Trust, the need for an administrator for the soon-to-be-established California Groundwater Coalition. The coalition will focus on educating legislators and their staff on groundwater issues, including benefits of groundwater storage, and also advocate for funding for groundwater programs. Chairman Rossi stated that the initial target contribution goal for lobbying efforts is \$80-\$90,000. As administrator of the coalition, AGWA would be responsible for collecting contributions from other CGC participants and issuing payment to the lobbyist. If AGWA agrees to be the administrator, the commitment period is one year, at which time the AGWA members will reconsider continuing as administrator. Chairman Rossi stated that the contribution goal from AGWA and/or its various members is \$40,000. In response to a question by Director Manning, Chairman Rossi stated that he does not anticipate problems raising the necessary funds once the coalition is in place. Director Williams stated that she supported the concept, as long as all lobbying payment and reporting activities were handled in accordance with state law. Mr. Fudacz stated that he believed the effort would be acceptable for AGWA to administer, as long as the efforts of the coalition relate to supporting groundwater issues. On

a motion by Director Manning, seconded by Director Iger, and unanimously carried, it was agreed that AGWA could serve as the administrator of the California Groundwater Coalition, for at least a one year period.

Chairman Rossi then requested that the board approve a \$10,000 contribution to the CGC to help fund its lobbying and education effort. Director Manning moved to approve the \$10,000 contribution and Director Williams seconded it. All those present (in person and by phone -- 8 directors) voted in favor of the motion; however, because a 2/3 majority or 10 votes is required for financial transactions, staff was directed to seek votes from the members who were not present to complete the vote.

COMMITTEE REPORTS

MWD Liaison Committee – Chairman Rossi reported that the Local Resources Program workgroup had reached consensus on proposed changes to the LRP program, and the revised program should be released soon to member agencies.

Additionally, the Chairman noted the recent court ruling that the state Department of Water Resources does not have the necessary environmental permits from the Department of Fish and Game to operate the pumps at the Delta which supply water to the State Water Project. The court has granted a 60-day stay in requiring DWR to cease operations, and MWD is working closely with DWR to resolve the matter.

Communications Committee – Director Manning reported that the AGWA/AGWT groundwater conference on February 5, 2007, at the Ontario Convention Center was a success. AGWA fulfilled its contractual obligations with AGWT and has received payment of \$3,570 for 119 participants. Plans are underway for the 2008 conference, including discussions regarding location and scheduling. One suggestion is to have the conference on a Friday in order to make it more convenient for legislators and others to attend; another suggestion is to attempt to avoid conflicts with other conferences when scheduling the date of the event. Additionally, Director Manning noted that he has received requests from vendors that would like to have booths at the next conference. Director Iger asked if those who did not attend the conference could receive CDs of the program, and Director Manning stated that he would make 12 additional copies for those AGWA members who are interested.

With regard to the ongoing website upgrades, Director Manning reported that he has not spoken with the website designer lately but will follow up with him soon, since the website will be important to AGWA's upcoming joint education efforts.

Legislative/Regulatory Committee – Director Williams reported that of the many legislative matters being introduced, SB 59 (Cogdill) and SB 178 (Steinberg) would be of interest to AGWA members. SB 59, the Reliable Water Supply Bond Act of 2008, primarily deals with surface storage but also includes \$500 million for conjunctive use and groundwater storage projects. SB 178 relating to Groundwater Monitoring contains the same provision for a statewide water level monitoring program that was contained in last year's SB 1640 (which was subsequently vetoed by the governor). Additionally, SB 27 (Simitian) proposes a bond measure to pay for improvements to the Bay-Delta system.

AGENCY REPORTS

Director Zampielo reported that the Raymond Basin Management Board is continuing to work jointly with water agencies in the Main San Gabriel Basin, Chino Basin, Six Basins and other foothill areas to obtain federal funding for the proposed Foothill Communities Water Supply Reliability Program. Director Zampielo also reported that a nine person delegation, including local elected officials, met with the staff members of Reps. Dreier, Schiff, Napolitano and Solis, in Washington D.C. on March 6-8, 2006 in support of projects that have been included for funding in the proposed Water Resources Development Act currently under consideration in Congress. He also reported that the RBMB is currently reviewing the administrative draft of the Environmental Impact Report for the Pasadena Groundwater Storage Program and the findings of a recently completed Perchlorate isotope study conducted by NASA/JPL in portions of the Raymond Basin.

Director Williams reported that the Baldwin Park Operable Unit cooperative cleanup project will soon be completing additional construction to provide treatment for the 1,2,3-TCP discovered at one site. The liquid-phase granular activated carbon treatment system installation at that facility is expected to be completed and online soon. Additionally, she reported on the BPOU project brine issue. A new deadline of October 16, 2009 has been set for ceasing perchlorate laden brine discharge without pretreatment, establishing a new schedule for the Cooperating Respondents to conduct studies and determine a viable and cost effective alternative for brine management. She also reported that the parties have discussed replacing the ISEP units at two of the sites with single pass ion exchange units. An ISEP unit may remain at VCWD for use in nitrate removal, in addition to a single pass ion exchange unit for perchlorate removal.

Director Mortazavi reported that Eastern Municipal Water District is moving ahead with the development of 35 acres of recharge facilities for the San Jacinto River. Additionally, the district is conducting a pilot study to reduce brine concentrations in discharge, and is working on maximum benefit basin plan objectives for the San Jacinto River.

Mr. Garcia reported that in the Central and West Basins, the potential for a separate Replenishment Assessment for the two basins has become a controversial issue. He explained that the Southeast Water Coalition sponsored a study of replenishment costs for the two basins and determined that the high cost to sustain seawater barriers in West Basin would not be passed on to Central Basin water producers if the two basins' replenishment costs were calculated separately; however, the costs would presumably be passed on only to West Basin pumpers and would increase the Replenishment Assessment for those parties tremendously. Assembly Member De La Torre is currently carrying a bill, AB 640, to amend the Water Replenishment District Act to require separate Replenishment Assessments for the two basins.

Mr. Tom Field reported on behalf of Six Basins that beginning April 16, 2007 the Metropolitan Water District will shut down its Rialto Feeder for critical emergency repairs. The Rialto Feeder supplies untreated MWD water to various Inland Empire water agencies. The shutdown is expected to last for nine (9) days. Mr. Field reported that the 96-inch-diameter Rialto pipeline was inspected earlier this year as part of efforts to install upgrades along the water line. The inspection results revealed a weakened pipeline section needing immediate attention.

Director Manning again reported that the State Water Resources Control Board has scheduled three days for hearings in May on the water rights applications that are pending for the Santa Ana River. He noted that the SWRCB originally anticipated a six week hearing, but many of the various parties' objections have not been resolved, and the hearing is expected to go smoothly. Art Baggett of the SWRCB will conduct the hearing. Director Manning also reported on the review of the Peace Agreement and additional studies being done to evaluate the benefits of basin operations to individual parties.

Mr. Fudacz reported that ACWA, the San Gabriel Basin Water Quality Authority, the Main San Gabriel Basin Watermaster and other concerned water agencies are jointly filing an amicus brief in the Supreme Court review of *United States v. Atlantic Research Corporation*. Mr. Fudacz reported that the case is significant because the decision under review would preclude parties such as water purveyors from seeking compensation or recovering cleanup costs if responsible parties can show that the purveyors contributed in any way (including pumping) to the contamination problem.

NEXT MEETING

The next regular meeting of AGWA is scheduled for **Monday, May 21, 2007, at 1:30 p.m.** at the offices of the Main San Gabriel Basin Watermaster, located at 725 N. Azusa Avenue, Azusa, CA 91702.

Carol Williams, Secretary/CFO

ATTEST:

John Rossi, Chairman