

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF July 12, 2017
1:30 P.M.

President Corneille 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 Corneille.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President
Melody McDonald, Vice President
David E. Raley, Director
T. Milford Harrison, Director (Arrival 1:40 p.m.)
John Longville, Director (Arrival 1:40 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Athena Monge, Administrative Services Specialist

GUESTS PRESENT:

Charles Roberts, Highland Community News
Socorro Pantaleon, Representative of Assemblyman Marc Steinorth
Julie Gilbert, Jericho Systems
Shay Lawry, Jericho Systems
Todd White, Jericho Systems
Tom Thornsley, City of Highland

1. PUBLIC PARTICIPATION

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

2. ADDITIONS/DELETIONS TO AGENDA

There were none.

3. CONSENT CALENDAR

It was moved by Vice President McDonald and seconded by President Corneille to approve Consent Calendar Item A: Strategic Planning Workshop Minutes, June 7, 2017; Item B: Board Minutes, June 14, 2017; Item C: Expenditure Report, June 2017; and Item D: Resolution No. 554 Board Policy Manual Revisions. The motion carried 3-0 with all Directors present voting in the affirmative and Director Longville and Harrison noted absent from the vote.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Absent
Director Raley: Yes
Director Harrison: Absent

4. COMMITTEE REPORTS/ACTION ITEMS

A. UNAUDITED FINANCIAL REPORTS, JUNE 2017

Mr. Cozad introduced this item for discussion. He noted that this report is the last cash-based financial report the Board will see for fiscal year 2016-2017. Staff will begin accruals to prepare for audit shortly. President Corneille expressed his appreciation to the Board for coming in below budget for Director Expenses. This item was received and filed.

B. MITIGATED NEGATIVE DECLARATION FOR MILL CREEK

Mr. Beehler introduced this item for discussion. He presented a PowerPoint presentation on the Mill Creek Diversion structure noting specific issues that the District is working to improve. These issues and alternatives are outlined within the memo and project charter on package pages 30 to 33. Vice President McDonald asked if there was an opportunity for the District to increase habitat for the SBKR, including translocation and mitigation credits. Mr. Beehler indicated that there is not at this time, but this may be revisited in the future. Discussion ensued. Mr. Beehler said that the basis for staff's request for funding COE staff efforts is to expedite the process for obtaining a 408 permit which is required to move forward with the Mill Creek Diversion Improvement project. He provided a handout on AB-52 requirements which lists the tribes that were notified, responses received and consultation status. The project site has been disturbed by prior Corps of Engineers levee construction so it is unlikely that any artifacts or remains would be found within the area. However, if there were artifacts discovered, project construction would cease and the standard notification protocol would be followed. Mr. Beehler will also consult with the Gabrieleño Band of Mission Indians even though their request was received after the comment period closed. Director Longville clarified that although the letter was received beyond the comment period, the Board intends to fully address any and all questions or concerns expressed by any of the tribes. Mr. Cosgrove stated that the Mitigated Negative Declaration is available at www.sbvwd.org and at the District Office located at 1630 W. Redlands Blvd, Suite, Redlands, CA 92373, and that the custodian for administrator of record is Daniel Cozad. No comments were received by staff and no comments were presented by anyone in attendance.

It was moved by Vice President McDonald and seconded by President Corneille to adopt the Mitigated Negative Declaration for the Mill Creek Diversion Improvements Project including response to comments in Appendix 5. A late comment letter received from the Gabrieleño Band of Mission Indians will not be specifically responded to in the document, but the District will consult with the tribe and adopt a mitigation monitoring program that has been provided to the Board as a handout. The motion carried 5-0 with all Directors present voting in the affirmative and roll call vote as indicated below.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Harrison: Yes

It was moved by President Corneille and seconded by Director Raley to authorize the General Manager to execute reimbursement to and other agreements with San Bernardino County Flood Control District for an amount not to exceed \$25,000 for required Federal permits. The motion carried 5-0 with all Directors present voting in the affirmative and roll call vote as indicated below.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Harrison: Yes

It was moved by Vice President McDonald and seconded by Director Longville to direct staff to file all required applications and notices, including a Notice of Determination with the State Clearinghouse. The motion carried 5-0 with all Directors present voting in the affirmative and roll call vote as indicated below.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Harrison: Yes

C. ACWA CALL FOR CANDIDATES

President Corneille introduced this item for discussion. Mr. Cozad said that this is an opportunity for the Board to nominate a member of the Board for the open position on the ACWA Board of Directors for 2018-2019 term for Vice President or President. This item was received and filed with no other action taken.

5. INFORMATION ITEMS

A. AD HOC TRAILS COMMITTEE VERBAL UPDATE

The Ad Hoc Trails Committee provided feedback at the Strategic Planning session in May. Mr. Cozad provided a handout of the Trails Map to the Board and briefly reviewed the trails locations with the Board. Director Raley attended the Santa Ana River Conservancy Program meeting and expressed interest in the possibility of obtaining grant funding, primarily for Cone Camp Trail. He suggested bi-monthly meetings for the Ad Hoc Trails Committee; however, President Corneille recommended the committee meet when staff has new information for the committee. Mr. Beehler said that the State Coastal Conservancy hosted its meeting on June 27. San Bernardino County Public Works is lead agency on SAR Trail. Vice President McDonald asked how the District and/or partner agencies can obtain funding. Mr. Beehler said that roughly \$40 million (Prop 84) was allocated to three counties (San Bernardino, Riverside and Orange) for the construction of the SAR Trail.

Mr. Cozad introduced Tom Thornseley, Associate Planner from the City of Highland, who spoke on the trails that are being constructed by the City and provided a handout for discussion. He gave a brief overview of the trail near the Santa Ana River in Highland. Mr. Thornseley indicated that the city utilized the District's Trails Master Plan (Plan) from the District when developing the Orange Trail. He is supportive of the District's Trails Plan, which cities can decide how to implement. It was suggested that the trails will have informational panels that will provide information about the history of the area and the water recharge function of the District. He thanked staff for support of the project. The current status of trails will be discussed in more detail at the City of Highland Trails Committee meeting which is held the second Thursday of every month at 5:00 p.m.

B. WASH PLAN REPORT

Mr. Beehler indicated that the Wash Plan Report is included on package page 40. He stated that HR 497 (Land Exchange Bill) passed through the House unanimously and is scheduled for the Senate later this summer. Appendix 5, Response to Comments was provided to the Board as a handout. This item was received and filed.

C. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report is included in the Board Package on pages 42-44. He noted that the Ad Hoc Audit Committee will hold its initial meeting to discuss the audit process and schedule immediately following today's Board meeting. Mr. Cozad included an opposition letter on AB 1479 and it is included on package pages 45 and 46. This item was received and filed.

D. 2017 BOARD PRIORITIES UPDATE

Mr. Cozad introduced this item for discussion. Included on package page 48 is the updated SBVWCD Board Priorities for 2017. President Corneille asked if Plunge Creek was covered under the Wash Plan EIR/EIS. Mr. Beehler indicated that it is; however, it may require additional permitting and possibly a Mitigated Negative Declaration to cover the habitat loss. This item was received and filed.

E. GROUNDWATER COUNCIL VERBAL UPDATE

Mr. Cozad stated that a draft agreement has been sent out to participants of the Groundwater Council (GC). He noted that all references to the Groundwater Sustainability Act have been removed from the agreement. The Rialto-Colton Basin will not be a participant in the GC. Mr. Cosgrove noted that any action taken by the GC has to be approved by a two-thirds vote. He discussed the equitable allocation model and stated that Valley Municipal will collect funding for imported water and the Conservation District will collect facility charges. The next meeting to review draft agreement will be held on August 14. This item was received and filed.

F. FUTURE AGENDA ITEMS & STAFF TASKS

Director Raley requested that the education program for employees be reviewed at the Finance & Administration Committee. Also, he requested to review Appendix C of the Board Policy Manual to identify whether or not the Conservation Trust can be added as a paid meeting. Director Raley asked for an update on the IERCD outreach programs.

6. MONTHLY BOARD MEMBER COMMITTEE ACTIVITY REPORTS, AND/OR COMMENTS BY BOARD MEMBERS

Vice President McDonald attended Valley Municipal's Board Workshop on July 11, the ASBCSD dinner meeting on June 19, and the Dollars for Dogs event on June 28, as well as the June 26 and June 27 JPIA meetings. She also attended Valley Municipal's Board of Directors meeting on June 20.

President Corneille made no report.

Director Harrison attended the ASBCSD dinner meeting on June 19, Valley Municipal's Board Workshop on July 11 and Valley Municipal's Board of Directors meeting on June 20. He also attended SBACC Meeting on June 28 and the July 5 Koffee Klatch.

Director Raley attended the SAR Meeting hosted by State Coastal Conservancy on June 27. He attended Valley Municipal's Legislative & Policy Committee meeting on July 5 and its Debt Service Fund Budget Workshop on July 10. He also attended the BBWM Meeting on July 11.

Director Longville attended the SB Generation Now meeting on July 6.

7. UPCOMING MEETINGS

President Corneille said that September 14 is the Advisory Commission on Water Policy meeting.

8. CLOSED SESSION

It was moved by Vice President McDonald and seconded by President Corneille to adjourn to Closed Session. The motion carried 5-0 with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Harrison: Yes**

General Counsel announced that the meeting would adjourn to closed session under all items posted on the published agenda.

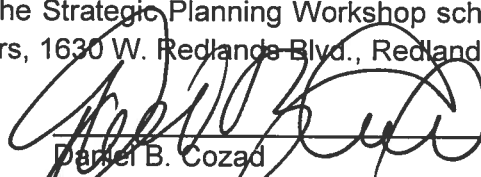
At 3:42 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

9. ADJOURN MEETING

It was moved by Vice President McDonald and seconded by President Corneille to adjourn. The motion carried 5-0 with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Harrison: Yes**

At 3:43 p.m. the meeting adjourned to the Strategic Planning Workshop scheduled for July 18, 2017 at 1:30 p.m. at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.


Daniel B. Cozad
General Manager