

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF March 14, 2018  
1:30 p.m.

President Corneille called the 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 (Arrived 1:33 p.m.)  
David E. Raley, Director (Departed 3:44 p.m.)  
T. Milford Harrison, Director  
John Longville, Director (Arrived at 1:51 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager  
Jeff Beehler, Land Resource Manager  
Athena Monge, Administrative Services Specialist  
Katelyn Scholte, Assistant Engineer

GUESTS PRESENT:

James Folmer, Highland Community News  
David Smith, East Valley Water District  
John Mura, East Valley Water District  
Chet Anderson, City of Redlands resident  
Clayton Larkins, Tetra Tech

1. PUBLIC PARTICIPATION

President Corneille announced that any persons present, who so desired, may 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 Director Raley and seconded by Director Harrison to approve the Consent Calendar: Item A: Board Minutes, February 14, 2018; Expenditure Report, February 2018; and Item C: Groundwater Assessment Report for July 1, 2017 to December 31, 2017. The motion carried 3-0 with all Directors present voting in the affirmative and Vice President McDonald and Director Longville noted absent from the vote.

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

4. COMMITTEE REPORTS/ACTION ITEMS

A. UNAUDITED FINANCIAL REPORTS, FEBRUARY 2018

It was moved by Director Raley and seconded by Director Harrison to approve the Unaudited Financials for February 2018. The motion carried 4-0 with all Directors present voting in the affirmative and Director Longville noted absent from the vote.

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

B. GROUNDWATER LATE PAYER, NON-RESPONDENTS, AND INVESTIGATION LIST FOR GWA #49

Mr. Cozad introduced this item for discussion noting the investigation list shown on package page 41. There are two wells for which staff needs to identify the current owner and operator. Staff is asking for the Board to authorize a field investigation to determine use and ownership of the two wells.

It was moved by Director Raley and seconded by Vice President McDonald to authorize staff to perform a field investigation on two wells. The motion carried 4-0 with all Directors present voting in the affirmative and Director Longville noted absent from the vote.

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

### C. FINAL ENGINEERING INVESTIGATION AND DRAFT GROUNDWATER RESOLUTION

Ms. Scholte presented a PowerPoint presentation on the Final Engineering Investigation Report. She reviewed the recent data received and the minor revisions to report. Mr. Cosgrove reviewed in detail the revisions he is recommending to the Draft Groundwater Resolution. The primary changes are due to the California Supreme Court decision in the *City of San Buenaventura v. United Water Conservation District* case. The case established that the District is not regulated by Proposition 218, but must adhere to provisions of Proposition 26. Mr. Cosgrove explained that the fees that are collected for the services the District provides could not exceed the actual cost of the services it provides. It is referenced in the notice that the District held a workshop on March 1, 2018, to notify groundwater producers of changes. President Corneille asked if the District would continue to separate agricultural and non-agricultural water use. Mr. Cozad explained that the rate is unitary and once the three year agricultural phase-out is finished the District will have no need to track production by use. Mr. Cosgrove continued review of the Draft Groundwater Resolution. Provisions have been added in Section 6 (b) which explains how the groundwater charge and new Groundwater Council work together. President Corneille suggested adding more specific sources about water recharge under Section 7 (e). There is no action requested on the resolution at this time.

**It was moved by Director Raley and seconded by Longville to approve the Engineering Investigation Report. 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**

### D. PRECONSTRUCTION AND PROCUREMENT EFFORTS FOR PLUNGE CREEK AND WASH PLAN PROJECTS

This item was taken out of order.

Mr. Beehler presented on this item. The CEQA obligations on both of these items have been fulfilled. The AB-52 consultations are also complete. Mr. Beehler said that Mill Creek Diversion Project requires a USACOE Section 408 permit; this process was authorized by the Board and is ongoing. The COE estimated that there is an estimated two-year wait for 408 permitting. The other regulatory permits will likely take six months. The District is paying to expedite the 408 process, but the timeline for completion has not been determined. Mr. Beehler reviewed the Plunge Creek permitting progress. The Plunge Creek project consists of two phases: 1) installing diversion structure (splitter mounds) in the channel of Plunge Creek and 2) constructing two pilot channels which the District will use to spread the streamflow and restore habitat. . President Corneille requested additional information on the procurement process; which will be discussed at the Operations Committee. This item was received and filed.

E. **CONSIDER SUPPORT FOR LAFCO POWER ACTIVATION FOR EAST VALLEY WATER DISTRICT**

This item was taken out of order.

Mr. Cozad introduced this item for discussion. He provided a handout of the draft support letter for East Valley Water District (EVWD). Mr. Cozad said that the action would be to authorize the General Manager to send a letter of support for EVWD's request to activate latent powers related to the Sterling Natural Resources Center Project. EVWD General Manager John Mura spoke briefly on the Sterling Project and thanked the Board for its support. He indicated that the request would go before LAFCO in April. Vice President McDonald asked when the Sterling Project will be underway. Mr. Mura reviewed the next steps and indicated that it is a three-year project and they hope to begin construction in summer of 2018.

**It was moved by Vice President McDonald and seconded by President Corneille to support the LAFCO latent powers activation request from East Valley Water District. 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**

5. **INFORMATION ITEMS**

A. **WASH PLAN UPDATE**

Mr. Beehler introduced this item for discussion noting the inclusion of his written report on package page 52. The EIR/EIS is complete, and the District and BLM have completed their review. The Fish and Wildlife Service's review is ongoing. Director Raley requested that staff hold a Task Force meeting to give the partners a status update when it was appropriate. This item was received and filed.

B. **GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT**

Mr. Cozad indicated that the written General Manager's Report was included in the Board Package on pages 54 to 58. The Monthly Recharge Report was included on package page 59. This item was received and filed.

C. **FINAL GROUNDWATER COUNCIL REPORT**

Mr. Cozad provided a handout of the Groundwater Council Report. It held its first meeting on March 12. The Groundwater Council has appointed a Budget Committee. The Board congratulated staff and Groundwater Council members on completing and finalizing the GC formation and agreement. This item was received and filed.

D. FUTURE AGENDA ITEMS AND STAFF TASKS

President Corneille requested an update on the Brand Discovery meeting. The Outreach and Communication Committee will discuss this at its meeting tomorrow.

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

Director Longville attended the State of the County meeting on March 13, Valley Municipal's Board meeting on February 20 and the Association of San Bernardino County Special Districts Dinner meeting on February 26.

Director Raley attended the EBX Ribbon Cutting Ceremony on February 22, EVWD Board meeting on February 28, and Redlands Rise N Shine on March 2. He also attended the Big Bear Watermaster Committee meeting on March 9, CSDA Audit Committee webinar on March 12 and Valley Municipal Board workshop on March 13.

Vice President McDonald attended Valley Municipal Board workshop on March 13, Strategic Analysis/Plan Committee workshop on March 8, Valley Municipal Board of Directors meeting on March 6 and EBX ribbon-cutting ceremony on February 22. She also attended the Highland Area Chamber of Commerce Luncheon on February 27, ASBCSD dinner meeting on February 26, and Valley Municipal Board of Directors meeting on February 20.

President Corneille made a presentation to the City of Redlands on February 20 to promote Valley Municipal's Advisory Commission and attended the ASBCSD dinner meeting on February 26. He also attended the HACC Luncheon on February 27 and EBX ribbon-cutting ceremony on February 22.

Director Harrison attended the Loma Linda Chamber of Commerce meeting on March 7, Valley Municipal Board of Directors meeting on March 6 and ASBCSD dinner meeting on February 26. He also attended the SBACC meeting on February 21, Valley Municipal Board of Directors meeting on February 20 and met with the Interim General Manager at West Valley Water District.

President Corneille indicated that there are two travel requests for the Association of California Water Agencies Spring Conference; one for President Corneille and one for Director Harrison. These are included on package pages 60 and 61.

**It was moved by Director Raley and seconded by Vice President McDonald to approve both travel requests. 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**

7. UPCOMING MEETINGS

President Corneille noted the Advisory Commission on Water Policy is on March 15.

8. CLOSED SESSION

**It was moved by Vice President McDonald and seconded by Director Longville 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.

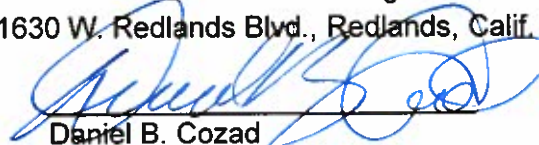
At 3:53 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

9. ADJOURN MEETING

**It was moved by Director Harrison 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 3:54 p.m., the meeting adjourned to the Board of Directors meeting scheduled for 1:30 p.m. April 11, 2018, at District Headquarters, 1630 W. Redlands Blvd., Redlands, Calif.

  
Daniel B. Cozad  
General Manager