

**A REGULAR MEETING  
OF THE  
SAN GABRIEL BASIN WATER QUALITY AUTHORITY  
FEBRUARY 22, 2012 at 12:00 P.M.**

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<b>CALL TO ORDER</b>	The Chairman called the regular meeting of the San Gabriel Basin Water Quality Authority to order and reviewed the actions anticipated on the agenda for the meeting.
<b>ROLL CALL OF BOARD MEMBERS</b>	Greg Nordbak, Louie Aguiñaga, Jim Byerrum, Bob Kuhn, Ed Chavez and John Leung
<b>BOARD MEMBERS ABSENT</b>	Mike Whitehead
<b>STAFF MEMBERS PRESENT</b>	Ken Manning, Executive Director; Randy Schoellerman, Assistant Executive Director/Senior Engineer; Stephanie Moreno, Admin/IS Assistant; Michelle Sanchez, Admin/Accounting Assistant; Dan Colby, Project Resource Manager; Mary Saenz, Director of Finance; Art Kidman, Legal Counsel
<b>MEMBERS OF THE PUBLIC PRESENT</b>	Dan Horan, Three Valleys MWD; Mariana Lake, Valley County Water District; Brian Urias, Upper San Gabriel Valley MWD
<b>ITEMS TOO LATE TO BE AGENDIZED</b>	None.
<b>PUBLIC COMMENT</b>	None.
<b>CONSENT CALENDAR</b>	Mr. Byerrum moved to approve the consent calendar as presented. Mr. Chavez seconded the motion and it was approved with the following abstention: Mr. Byerrum abstained from project demand No. 3457.
<b>COMMITTEE REPORTS</b>	
<i>Administrative/Finance Committee Report</i>	Mr. Manning reported that the minutes for the meeting held on February 14, 2012 were enclosed for review.
<i>San Gabriel Basin Groundwater Quality Management and Remediation Plan "§406 Plan"</i>	Mr. Leung enters the meeting.  Mr. Manning reported that the committee discussed the draft plan in detail and made some suggested changes. He also indicated that the committee recommended that the draft plan be released for a 15-day public comment period.
<i>Open 15-day Public Comment Period</i>	After brief discussion, Mr. Aguiñaga moved to release the draft §406 Plan for a 15-day Public comment period. Mr. Chavez seconded the

motion and it was unanimously approved.

***Engineering Committee  
Report***

Mr. Manning reported that the minutes for the meeting held on February 14, 2012 were enclosed for review.

*Discussion/Action  
Regarding Policy Change  
for Discharge Permit*

Mr. Manning reminded the Board of the work that was being done to obtain a discharge permit for the San Gabriel Basin (Basin). He reported that staff had initially planned for WQA to obtain a special permit from the Los Angeles Regional Water Quality Control Board that would cover all the intended discharges within the Basin. However, it became clear that it would be necessary to create the new permit as a general permit through the Regional Board. He indicated that WQA would no longer hold a permit on behalf of Basin purveyors and that the permit would be also available to parties outside the Basin. He noted that this modified plan would eliminate concerns related to liability under the original plan.

After general discussion, Mr. Kuhn moved to approve the policy change for the discharge permit. Mr. Byerrum seconded the motion and it was unanimously approved.

*Discussion/Action  
Regarding Task Order for  
Stetson Engineers*

Mr. Manning reminded the Board that to assist with the process of obtaining a discharge permit, the process would require the use of a consultant such as Stetson Engineers, Inc. He noted that on December 21, 2011 the WQA Board approved a \$150,000 line item transfer to account for the estimated cost associated with acquiring a discharge permit for the Basin. This total amount included an amount for engaging Stetson to assist with the development of the permit.

After general discussion, Mr. Kuhn moved to approve a task order to Stetson Engineers for the research and development of a discharge permit in an amount not to exceed \$35,000. Mr. Byerrum seconded the motion and it was unanimously approved.

***Legislative/Public  
Information Committee  
Report***

Mr. Manning reported that the minutes for the meeting held on February 15, 2012 were enclosed for review.

Mr. Manning reported that AB 467 (Eng) was gaining acceptance in the Senate.

**OTHER ACTION ITEMS**

***Discussion/Action  
Regarding Committee and  
Board Meetings in May  
2012***

Mr. Manning reported that due to the ACWA conference that is scheduled for May 8<sup>th</sup> – 11<sup>th</sup>, the committees have discussed moving their meeting dates to the following week with the Administrative/Finance Committee to be held on May 15<sup>th</sup> at 12pm, the Engineering Committee to be held on May 15<sup>th</sup> at 1pm, and the Legislative/Public Information Committee to be held on May 16<sup>th</sup> at 12pm.

After general discussion, Mr. Chavez moved to change the regular Board meeting date in the month of May to Wednesday, May 23, 2012 at 11:30am. Mr. Leung seconded the motion and it was unanimously

approved.

***Discussion/Action  
Regarding Upper San  
Gabriel River and Rio  
Hondo Integrated Regional  
Water Management  
Plan(IRWMP) Sub-  
Regional Steering  
Committee Representation***

Mr. Manning reported that the previous WQA Executive Director was the delegate to the IRWMP and Mr. Schoellerman was the alternate. He reported that he would assume the delegate position and Mr. Schoellerman would remain as the alternate.

**ENGINEER'S REPORT**

Mr. Schoellerman reported that the special joint meeting with the City of El Monte was scheduled for February 28, 2012 and there would be two action items on the agenda for that night: 1) to adopt the mitigated negative declaration 2) to approve the project. He also reported that the Prop 84 proposed project list was out.

**ATTORNEY'S  
COMMENTS**

Mr. Kidman reported that he wanted to address some questions that were asked of him at the last Board meeting regarding the recent issues regarding redevelopment agencies. One question that was asked was "is the WQA a special district?" and would the WQA funds be vulnerable to a raid. He reported that since the WQA does not levy a property tax then the WQA would not be considered a "special district" and therefore for purposes of Proposition 1A and Proposition 13 the WQA is not a special district, for others yes. The next question is the WQA funds vulnerable to the State of California. He reported that according to the legislative council the state cannot reach in and take reserve funds or any other funds. This is because the WQA was created to raise funds and would be protected under the doctrine of the gift of public funds, and therefore the money that the WQA has raised for a specific purpose must be used for that specific purpose.

**EXECUTIVE  
DIRECTOR'S REPORT**

Mr. Manning reported on his trip to Washington, DC the previous week.

Mr. Kuhn commented that the maps they took with them to their meetings in Washington, DC made a difference.

Mr. Manning also reported the Clair Hill Award submissions were due next week and staff was working on completing the WQA's submission for this award.

**FUTURE AGENDA  
ITEMS**

None.

**FUTURE BOARD AND  
COMMITTEE  
MEETINGS**

A Special Board Meeting with the City of El Monte was scheduled for Tuesday, February 28, 2012 at 7:00 P.M. at the City of El Monte.

The next Administrative/Finance Committee meeting was scheduled for Tuesday, March 13, 2012 at 12:00 P.M.

The next Engineering Committee meeting was scheduled for Tuesday, March 13, 11 2012 at 1:00 P.M.

The next Legislative/Public Information Committee meeting was scheduled for Wednesday, March 14, 2012 at 12:00 P.M.

The next WQA Board meeting was scheduled for Wednesday, March 21, 2012 at 12:00 P.M.

**BOARD MEMBERS'  
COMMENTS/  
REPORTS**

Mr. Leung commented that the San Gabriel Valley MWD was working on a water summit and hoped the WQA would participate.

Mr. Kuhn reported on his meetings in Washington, D.C. and commented that during their discussions with Congresswomen Napolitano and Royball-Allard they discussed setting a hearing date and wanted to know if staff has heard if a date had been set.

Mr. Manning responded that he was not aware of a date set yet.


Mr. Nordbak thanked Mr. Kuhn for his leadership at the WQA and congratulated him on his Chairmanship at the Chino Basin Watermaster.

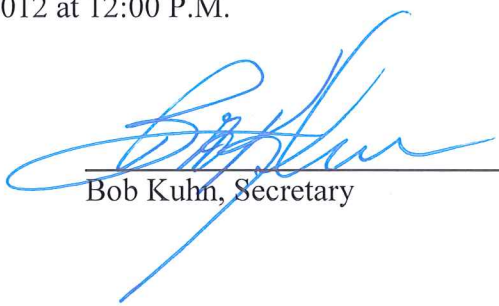
**CLOSED SESSION**

A closed session was held. The Chairman reported that both items discussed in closed session would be carried over to the next meeting of the Board on March 21, 2012.

**ADJOURNMENT**

The Chairman asked if there were any other items of business to come before the Board. There being none, the Board meeting was adjourned to March 21, 2012 at 12:00 P.M.

  
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J. Greg Nordbak, Chairman

  
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Bob Kuhn, Secretary