

**MINUTES OF A REGULAR MEETING OF  
THE MAIN SAN GABRIEL BASIN WATERMASTER  
729 NORTH AZUSA AVENUE, AZUSA, CALIFORNIA  
HELD WEDNESDAY, MARCH 2, 2022 AT 2:30 O'CLOCK P.M.**

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Pursuant to the provisions of Executive Order N-1-22 issued by Governor Newsom in response to the declaration of a state of emergency by the State of California in response to the COVID-19 pandemic, a regular meeting of the Main San Gabriel Basin Watermaster (Watermaster) was duly and regularly held via Zoom Meeting (web-based video conferencing) on Wednesday, March 2, 2022 at the hour of 2:30 p.m.

**CALL TO ORDER**

Mrs. Lynda Noriega, Chair, called the meeting to order and presided thereover.

**ROLL CALL OF WATERMASTER MEMBERS**

The following members of Watermaster were present on roll call:

**PRESENT:** David DeJesus, Dr. Anthony Fellow, Garry Hofer, David Michalko, Lynda Noriega, Steven Placido, Anteneh Tesfaye and Martin Zvirbulis

**ABSENT:** Charles Treviño

**STAFF AND OTHERS PRESENT**

Staff present at the meeting included: Anthony Zampielo, Executive Officer; Fred Fudacz, Attorney; Kelly Gardner, Assistant Executive Officer; Arrica Jimenez, Administration Manager; Steve Johnson, Consulting Engineer; Jenny Savron, Consulting Engineer; Ana Mata, Executive Assistant; and Lauren Augino, Water Resources Analyst.

Others present included: Anthony Alberti, Dan Arrighi, Melissa Barbosa, Brian Bowcock, Dan Colby, Tom Coleman, Ray Cordero, John Corona, Paul Cranmer, Michele McKinney, Paul DiMaggio, Cris Fealy, Roy Frausto, Greg Galindo, Richard Gonzales, Erik Hitchman, Steve Kiggins, Sylvie Lee, Benjamin Lewis, Jr., Matthew Litchfield, Jazmin Lopez, Tom Love, Chuck Lucas, Jared Macias, Victor Magana, Myra Malner, Jose Martinez, Dusty Moasio, Stephanie Moreno, David Muse, Jeffrey Pellissier, Tara Robinson, Randy Schoellerman, Sherry Shaw, Richard Torres and Paul Zampielo.

**ADOPTION OF AGENDA**

The Chair asked if there were any changes to be made to the agenda. On motion made by Vice Chair Michalko, seconded by Dr. Fellow, and unanimously carried, the agenda was adopted as presented.

**TIME RESERVED FOR PUBLIC COMMENT**

No comments were offered.

**CONSENT CALENDAR**

On motion made by Dr. Fellow, seconded by Mr. DeJesus, and unanimously carried, the following items were approved:

- a) Minutes of a Regular Meeting of Watermaster held February 2, 2022
- b) Lists of Demands: Items 19667 through 19696, and three electronic debits, in the amount of \$347,503.15 on the Administrative Fund and Items 0322-S and 0322-U in the amount of \$1,865,729.86 on the Replacement Water Fund.
- c) Financial Statements, February 2022

**REPORT FROM BASIN WATER MANAGEMENT COMMITTEE**

Vice Chair Michalko reported that the Basin Water Management Committee (BWMC), met on February 9, 2022 and referenced the Committee report included in the Board packet. He stated that the discussion included an update on imported water deliveries, Public Health Goals, update on the conditions of the Main San Gabriel Basin (Main Basin) and potential impact of the proposed listing of the Southern California Steelhead as endangered under the California Endangered Species Act.

**ATTORNEY'S REPORT**

The Attorney, Mr. Fred Fudacz provided an update related to the petition pending by California Trout to the California Fish and Game Commission (Commission) to list its Southern California Steelhead as endangered under the California Endangered Species Act. He stated that the Commission held a hearing on February 17, 2022 to consider the petition in its listing. He reported that the decision was deferred to its April 2022 meeting and that the Committee instructed staff to work with the California Department of Fish and Wildlife to consider the development of regulations that could sustain during certain activities including water conservation efforts for the Commission's consideration. Mr. Fudacz noted that representatives from the Los Angeles County (County) have been actively engaged in the development of the regulations and will keep the Watermaster Board of Directors apprised on any developments.

Additionally, he provided an update on a litigation matter related to the California River Watch vs. City of Vacaville under the Resource Conservation and Recovery Act, stating that the three-judge panel within the United States Court of Appeals for the Ninth Circuit's (Ninth Circuit) decision holding the City of Vacaville liable for transporting hexavalent chromium through its water distribution system despite not being involved in the waste disposal process that contaminated its source water. He added that an effort is underway seeking an *en banc* review of the Ninth Circuit's decision before all the judges of the Ninth Circuit, noting that there has been activity of a host of amicus briefs filed in that context; however, the Ninth Circuit has not rendered a decision as to whether an *en banc* review will be entertained.

Additionally, he provided a brief discussion on another litigation matter related to Dow v. Lassen Irrigation Company, a water rights case involving the interpretation of a water rights decree. He stated that on February 23, 2022, the California Court of Appeal's decision was that a court-appointed watermaster did not have the right to appeal a trial court's order interpreting a water decree.

Related to the Agreement among Metropolitan Water District of Southern California (MWD), Upper San Gabriel Valley Municipal Water District (USGVMWD) and Watermaster, Mr. Fudacz reported that a hearing for approval has been confirmed for May 6, 2022 before Presiding Judge, the Honorable Maureen Duffy-Lewis.

## **ENGINEER'S REPORT**

The Consulting Engineer, Mr. Steve Johnson, reported that the Baldwin Park Key Well level was 181.8 feet on February 22, 2022, noting a decrease of about 0.2 feet from the prior week; a decrease of about 0.5 feet from the prior month, and about 16.0 feet lower than one year ago. The historic low for the Key Well has been established at 169.4 feet on November 21, 2018. He also stated that it includes an estimated 129,000 acre-feet of untreated imported water in cyclic storage accounts, which represents about 16 feet of groundwater elevation at the Key Well.

Mr. Johnson then reported briefly on hydrologic conditions as of February 28, 2022, stating that total rainfall at Puddingstone Dam is about 8.41 inches, which is about 64 percent of average; and at the Los Angeles Civic Center, rainfall is about 10.65 inches, which is about 99 percent of average, for this time of year.

Additionally, Mr. Johnson stated that total combined canyon storage, as of February 22, 2022, was 40,509 acre-feet, about 49 percent of capacity. He also stated that as of February 22, 2022, the San Gabriel Reservoir inflow was 222 cubic feet per second (cfs), release was 0 cfs and the Morris Reservoir inflow was 1 cfs and release was 20 cfs.

He reported that the landfills, Azusa Land Reclamation and Peck Road, were inspected and found to be operating normally with no violations. He referred to a written report included in the Board packet that includes additional water supply and rainfall information.

Lastly, Mr. Johnson provided a general overview of the Fiscal Year (FY) 2020-21 San Gabriel River Watermaster's 58<sup>th</sup> Annual Report (Report). Electronic copies of the Report were distributed to all members of the Board. He noted that coming into FY 2020-21, the upper area (Main Basin) had an accrued credit of 220,068 acre-feet. It was determined that the lower area's annual entitlement, based on 10-year rainfall average, was 52,000 acre-feet. The amount of water the lower area received was 49,618 acre-feet of useable water. Based on these amounts, the upper area's credit decreased to approximately 217,686 acre-feet, as of September 30, 2021. He also reported that the administration and management functions of the San Gabriel River Watermaster will now be located at the offices of Stetson Engineers, Inc.

## **EXECUTIVE OFFICER'S REPORT**

The Executive Officer, Mr. Zampiello, reported that a written copy of a report on Outside Activities is included in the Board packet.

As Mr. Johnson mentioned on the transition of administrative functions, Mr. Zampiello noted that the annual accounting of the Lower and Upper Areas of the River Watermaster is a key component of the overall basin management in the Main Basin. He suggested providing a San Gabriel River Watermaster 101/Question and Answer to the BWMC at a future meeting.

Related to the Southern California Steelhead's listing as an endangered species, Mr. Zampiello reported that a meeting was held with the County on March 1, 2022 to discuss strategic options in the development and implementation of a workable plan going forward.

He reported briefly on the Los Angeles County Water Plan, stating that a workshop is scheduled to be held on March 10, 2022, where Mr. Zampiello will be presenting the region's groundwater management goals and objectives.

Mr. Zampiello stated that the San Gabriel Valley Protective Association Distribution Committee met on February 24, 2022, stating that the Los Angeles County Public Works provided a report on canyon reservoir and storage conditions.

He reported briefly on Assembly Bill 2163 San Gabriel Basin Water Quality Authority (WQA) Act, noting that the San Gabriel Valley Water Association membership will be receiving an invitation to a workshop hosted by WQA scheduled for March 9, 2022 at 9:30 a.m. via Zoom Meeting.

## **REPORT FROM RESPONSIBLE AGENCIES**

Dr. Anthony Fellow, reporting on behalf of USGVMWD, referenced a report provided by USGVMWD to Watermaster. He reported on the following items that were approved by the USGVMWD Board of Directors on February 23, 2022:

- Approved City of South Pasadena's Application for MWD's Stormwater Pilot Program Funding
- Instructed the USGVMWD staff to prepare map options related to the 2020 Census/Redistricting Plan and Map Review for the public's review and present to the USGVMWD Board for consideration.

Mr. Tom Love, General Manager, also reporting on behalf of USGVMWD, provided the following key dates:

- USGVMWD Board of Directors Meeting – March 9, 2022 at 9:00 a.m.
- Producer Meeting – March 9, 2022 at 11:00 a.m.

- USGVMWD Water Resources and Facility Management Committee – April 6, 2022 at 4:00 p.m.

Additionally, Mr. Love acknowledged and thanked the San Gabriel Valley Municipal Water District (SGVMWD) for their level of cooperation in assisting with water deliveries through their pipeline to the San Gabriel Canyon and Azusa Surface Water Treatment in January 2022.

Mr. Matthew Litchfield, General Manager, reporting on behalf of Three Valleys Municipal Water District (TVMWD), reported that at this morning's TVMWD Board of Directors meeting, the discussion included a Letter of Intent for the Big Dalton Spreading Grounds Improvements and New PM-26A Interconnection Project between TVMWD, Los Angeles County Flood Control District and the City of Glendora. He also reported that TVMWD is working with Watermaster and Stetson Engineers on a groundwater modeling proposal.

He provided an update on the Department of Water Resources snow survey at the Phillips Station and reservoir, noting that the entire state is in drought conditions.

Mr. Litchfield reported briefly on Assembly Bill 2449 (Rubio) Open meetings: local agencies: teleconferences legislation, stating that TVMWD has received a positive response. He asked should anyone be interested in supporting the Bill to please contact him. He also reported that the TVMWD Board of Directors meeting this morning, stating that the discussion included a draft Fiscal Year 2022-23 budget.

Mr. Placido, reporting on behalf of SGVMWD, reported that the SGVMWD Board of Directors met on February 14, 2022, stating that the discussion included the Dudley Ridge - SGVMWD Water Transfer and Banking Program. He also reported that the next SGVMWD Board of Directors meeting is scheduled for March 14, 2022.

Mr. Steve Kiggins, Assistant General Manager, also reporting on behalf of SGVMWD, provided an operational update, stating that TVMWD continues making water deliveries on behalf of USGVMWD and TVMWD. He noted a scheduled a 25-day outage on the pipeline for some time during the month of June 2022. He reported that also on February 14, 2022, the SGVMWD approved/signing a Letter of Intent with MWD for the Regional Recycled Water Project.

## **REPORT FROM OUTSIDE COMMITTEE LIAISONS**

The Chair reported that any Outside Committee Liaisons reports are included in the Board packet.

## **INFORMATION ITEMS**

The following items listed on the agenda for information of Watermaster were noted, and ordered received and filed:

- a) Temporary assignment or lease of 50.00 acre-feet of Production Right from Valencia Heights Water Company to Covina Irrigating Company for FY 2021-22

- b) Temporary assignment or lease of 0.57 acre-feet of Production Right from Pico Water District to Suburban Water Systems for FY 2021-22
- c) Temporary assignment or lease of 172.95 acre-feet of Production Right from Bank of America N.A. Trustee of the William Knight Living Trust UTD 05/11/2000 to California Domestic Water Company for FY 2021-22
- d) San Gabriel Valley Municipal Water District transmittal of monthly report for January 2022

### **COMMENTS FROM WATERMASTER MEMBERS**

Mr. DeJesus gave a “shout-out” of thanks and appreciation to Mr. Jared Macias, Assistant General Manager, Water Operations, City of Azusa, for all his contributions to Watermaster and the San Gabriel River Water Committee (formerly Committee of Nine) and wished him the very best in his new job.

Mr. Macias thanked everyone and stated that he will be leaving the City of Azusa effective March 10, 2022 and is looking forward to beginning a new opportunity at Walnut Valley Water District. He stated that in the interim Ms. Melissa Barbosa, Senior Water System Engineer and Mr. Richard Torres, Interim General Manager will be filling in representing the City of Azusa at the Watermaster Board of Directors meetings.

Chair Noriega congratulated Mr. Macias and wished him the very best.

Mr. Hofer congratulated Mr. Macias and wished him good luck.

### **FUTURE AGENDA ITEMS**

No agenda items were provided.

### **CLOSED SESSION**

A closed session was not held.

### **ADJOURNMENT**

The Chair asked if there were other business to come before Watermaster, and there being none, the meeting was adjourned to the next regular meeting of Watermaster on Wednesday, April 6, 2022 at 2:30 p.m. to be held via Zoom Meeting.

SECRETARY'S SIGNATURE



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MARTIN ZVIRBULIS

ATTEST:



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LYNDA NORIEGA  
CHAIR