



**PROJECT AGREEMENT 24 COMMITTEE**  
Inland Empire Brine Line  
**REGULAR MEETING MINUTES**  
**December 3, 2024**

**COMMITTEE MEMBERS PRESENT**

Gil Botello, San Bernardino Valley Municipal Water District Governing Board  
Mike Gardner, Vice Chair, Western Municipal Water District Governing Board  
David Slawson, Alternate, Eastern Municipal Water District Governing Board  
Jasmin A. Hall, Inland Empire Utilities Agency Governing Board [via - zoom]

**COMMITTEE MEMBERS ABSENT**

None.

**ALTERNATE COMMITTEE MEMBERS PRESENT [Non-Voting]**

T. Milford Harrison, Chair, San Bernardino Valley Municipal Water District Governing Board [via - zoom]  
Joe Mouawad, Eastern Municipal Water District General Manager [via - zoom]

**STAFF PRESENT**

Jeff Mosher, Karen Williams, David Ruhl, Dean Unger, John Leete, Rick Whetsel, Sara Villa,  
Shavonne Turner, Marie Jauregui

**OTHERS PRESENT**

Andrew D. Turner, Lagerlof, LLP; Michael Barber, Inland Empire Utilities Agency; Julio Im,  
Inland Empire Utilities Agency; Derek Kawaii, Western Municipal Water District; Bruce  
Whitaker, Orange County Water District; Jeremy Jungreis, Orange Water County District; Leo  
Ferrando, San Bernardino Valley Municipal Water District; Joe Zoba, Yucaipa Valley Water  
District; Alison

**1. CALL TO ORDER | PLEDGE OF ALLEGIANCE**

The Regular Meeting of the PA 24 Committee was called to order at 10:49 a.m. by Vice Chair Mike Gardner on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, CA 92503 and Commissioner T. Milford Harrison located at JW Marriott Desert Springs, 74-855 Country Club Drive, Room #483, Palm Desert, CA 92260

**2. ROLL CALL**

**3. PUBLIC COMMENTS**

There were no public comments; there were no public comments received via email.

**4. ITEMS TO BE ADDED OR DELETED**

There were no items to be added or deleted.

**5. CONSENT CALENDAR**

**A. APPROVAL OF MEETING MINUTES: NOVEMBER 5, 2024**

Recommendation: Approve as posted.

**MOVED**, to approve the Consent Calendar as posted.

Result:	<b>Adopted by Roll Call Vote</b>
Motion/Second:	Botello/Hall
Ayes:	Botello, Gardner, Hall, Slawson
Nays:	None
Abstentions:	None
Absent:	None

**6. COMMITTEE DISCUSSION/ACTION ITEMS**

**A. AGREEMENT TO PURCHASE TREATMENT AND DISPOSAL CAPACITY RIGHTS (PA24#2024.24)**

David Ruhl provided a presentation titled Agreement to Purchase Treatment and Disposal Capacity Rights, contained in the agenda packet on pages 11-22. The proposed agreement involves a capacity purchase arrangement between San Bernardino Valley Municipal Water District (Valley District) and SAWPA.

Orange County Sanitation District (OC San) has a treatment facility with a total capacity of 30 MGD. Currently, 17 MGD of this capacity has been purchased, based on the needs of our member agencies. Capacity is sold in 1 MGD increments, and we are required to purchase additional capacity when usage exceeds 17 MGD. The process works as follows: either a sub-agency or a member agency will request capacity from SAWPA, and we will notify OC San of the intent to purchase. This request is then brought to the PA 24 Committee, where an agreement between the member agency and SAWPA will be reviewed and approved. Additionally, the member agency will establish a separate agreement with their sub-agency to purchase the capacity.

Yucaipa Valley Water District (YVWD) dischargers RO concentrate from the Wochholz Regional Water Recycling Facility (Facility) to the Brine Line. YVWD is expanding their Facility and has requested from SAWPA through Valley District to purchase 0.505 million gallons per day (MGD) of Treatment and Disposal Capacity Right (Capacity). They are looking to purchase 0.505 MGD of capacity, with the project expected to be completed by 2026. SAWPA staff has reached out to OC San to see if they would be willing to sell capacity outside the current agreement, but they declined. OC San confirmed that additional capacity would only be available once we exceed the 17 MGD threshold, and we are currently at 12.2 MGD. As a result, we needed to develop an alternative solution to sell capacity to our member agencies.

While SAWPA has sold the 17 MGD of capacity to our member agencies, we are not consistently using all of it, which means there is unused capacity available for sale. We must maintain this capacity for our dischargers, but given that it is not being fully utilized, we have the opportunity to sell it to other agencies.

Mr. Ruhl referenced the pertinent points of the Capacity Purchase agreement as follows:

- Valley District acquires a Capacity right of 0.505 MGD at a wastewater strength of 20 mg/L Biological Oxygen Demand (BOD) and 20 mg/L of Total Suspended Solids (TSS), also expressed as 84.23 lbs./day BOD and 84.23 lbs./day TSS.
- The Calculated Purchase Price is \$4,485,896.77 and due upon execution of agreement.
- The Calculated Purchase Price is the current cost from OC San to purchase Capacity inflated to a point in time SAWPA is required to purchase Capacity from OC San.
- Inflated price is based on the historical increase in price from OC San, estimated at 1.5%.
- Estimated timeline when the Brine Line average flow will exceed SAWPA’s currently owned Capacity is 5 years and is based upon the findings in the draft Brine Line Master Plan.

- SAWPA would hold the funds, and any interest earned, in the Brine Line Reserves until such time it is required to purchase Capacity from OC San (Final Purchase Price).
- The Valley District would pay the difference in the Final Purchase Price and the Calculated Purchase Price.
- Interest earnings may be used to offset the Final Purchase Price.
- If the calculated purchase price is overestimated, interest in the overestimated amount will be returned in addition to the amount overpaid.
- SAWPA will provide an annual accounting statement to Valley detailing interest earnings in the Reserve and the 0.25% deducted annually on the balance of funds to be retained by SAWPA.

Committee member Gil Botello commended Joe Zoba and his staff of Yucaipa Valley Water District on the guardrails built into the agreement, especially the provisions for changes in cost or interest. Committee Member Milford Harrison thanked staff for the continued relationship and noted he is in full support. Leo Ferrando of Valley District noted that over the past few weeks, staff have been collaborating on developing the agreements, both the one under consideration and the one between Valley District and YVWD. Valley District will present both agreements to the board for review and approval on December 17<sup>th</sup>.

Mr. Zoba highlighted his appreciation for the collaboration with both SAWPA and Valley District.

**MOVED**, to authorize the General Manager to execute a Treatment and Disposal Capacity Purchase Agreement with San Bernardino Valley Municipal Water District (Valley District), subject to minor, non-substantive changes contingent on concurrence by legal counsel.

Result:	<b>Adopted by Roll Call Vote</b>
Motion/Second:	Botello/Hall
Ayes:	Botello, Gardner, Hall, Slawson
Nays:	None
Abstentions:	None
Absent:	None

**B. LICENSE AGREEMENT WITH AT&T (PA24#2024.25)**

Daniel Vasquez provided a presentation titled License Agreement with AT&T, contained in the agenda packet on pages 31-41. SAWPA is seeking approval to execute a license agreement with AT&T for the removal of existing telecommunications poles and the installation of a new conduit on SAWPA's fee property on Reach IV.

Mr. Vasquez noted that Phase 6 of the Santa Ana River Trail involves the construction of 1.5 miles of multi-use trail. SAWPA signed a Memorandum of Understanding (MOU) confirming participation in planning efforts, with subsequent amendments. In 2014, an Operations and Maintenance Agreement was signed between SAWPA and RivCo Parks for the construction of the Santa Ana River Trail below Prado Dam, extending to the Green River Golf Course for a 25-year period upon completion. Throughout the process, SAWPA has provided feedback in construction meetings with RivCo Parks, to ensure the preservation of the ongoing operations and maintenance of the brine line, as well as to account for any potential future construction, relocation, or replacement needs.

To accommodate the new Santa Ana River Trail railroad bridge crossing, AT&T has requested a license agreement to relocate its utilities within a strip of property we own. The new bridge will span these tracks, connecting the Green River Golf Course parking lot to the Santa Ana River Trail. AT&T proposes to remove existing poles and relocate their facilities underground to the northeast, across our fee property. Additionally, Southern California Edison has

proposed relocation of facilities, which we will present to the PA 24 Committee in a future meeting.

Mr. Vasquez noted that the license agreement is recommended to protect SAWPA’s interests in the operation and maintenance of the brine line. Unlike an easement, this agreement does not relinquish our rights. It preserves our ability to negotiate relocation of facilities in the future, maintain access to our property, and be notified when work is being performed on our fee property. The license agreement specifically limits the use of our property to the relocation and upkeep of the proposed telecommunications facilities. There was no discussion.

**MOVED**, to authorize the General Manager to execute a License Agreement with AT&T to remove existing telecommunication poles and install a new telecommunication conduit in SAWPA’s fee property on Reach IV.

Result:	<b>Adopted by Roll Call Vote</b>
Motion/Second:	Botello/Slawson
Ayes:	Botello, Gardner, Hall, Slawson
Nays:	None
Abstentions:	None
Absent:	None

**7. INFORMATIONAL REPORTS**

Recommendation: Receive and file the following oral/written reports/updates.

**A. BRINE LINE FINANCIAL REPORT – JULY 2024**

**B. FINANCIAL REPORT FOR THE INLAND EMPIRE BRINE LINE ENTERPRISE/CIP FOR THE FOURTH QUARTER ENDING JUNE 30, 2024**

Karen Williams noted that we have more revenue than anticipated, which is always positive, and the expenditure is lower than projected. A more detailed verbal presentation will be provided as we move further into the year.

**C. GENERAL MANAGER REPORT**

Jeff Mosher noted that the PA 24 Committee meeting scheduled for January 7<sup>th</sup> will be cancelled, and the next meeting will be held on February 4, 2025.

**D. COMMITTEE MEMBERS COMMENTS**

Committee Member Harrison noted that we should pay closer attention to the calendars of our partner agencies, for instance, ACWA and CSDA, to avoid conflicts like the one that is being faced today. It is becoming cumbersome, and it is challenging to accommodate everything happening at once, but we should do everything we can to minimize these conflicts moving forward.

**E. CHAIR’S COMMENTS/REPORT**

There were no comments/reports from the Chair.

**8. COMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

There were no requests for future Agenda items.

**9. CLOSED SESSION**

There was no Closed Session.

**10. ADJOURNMENT**

There being no further business for review, Committee Vice Chair Mike Gardner adjourned the Regular meeting at 11:30 a.m.

**Approved at a Regular Meeting of the Project Agreement 24 Committee on February 4, 2025.**

DocuSigned by:

*T. Milford Harrison*

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T. Milford Harrison, Chair

**Attest:**

DocuSigned by:

*Sara Villa*

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Sara Villa, Clerk of the Board