

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING

September 13, 2018

The Agricultural Pool meeting was held at the offices of Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA on September 13, 2018.

AGRICULTURAL POOL MEMBERS PRESENT

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Pete Hall	State of California – CIM
Lawrence Dimock	State of California – CIM
Bob Page	County of San Bernardino
Marilyn Levin for Carol Boyd	State of California – DOJ
John Huitsing	Dairy
Nathan deBoom	Dairy
Ronald Pietersma	Dairy
Ron LaBrucherie, Jr.	Crops

WATERMASTER BOARD MEMBERS PRESENT

Paul Hofer	Crops
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WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Senior Environmental Engineer
Anna Nelson	Executive Services Director/Board Clerk
Justin Nakano	Water Resources Senior Associate

WATERMASTER CONSULTANTS PRESENT

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	Wildermuth Environmental, Inc.
Carolina Sanchez	Wildermuth Environmental, Inc.

OTHERS PRESENT

Tracy Egoscue	Egoscue Law Group, Inc.
Richard Rees	Wood plc
Joshua Aguilar	Inland Empire Utilities Agency

CALL TO ORDER

Chair Feenstra called the Agricultural Pool meeting to order at 1:35 p.m.

AGENDA – ADDITIONS/REORDER

(0:00:27) Vice-Chair Pierson suggested to take Consent Calendar Item I.D. separately.

(0:00:44) Chair Feenstra pulled Consent Calendar Item I.C. to be taken separately.

I. CONSENT CALENDAR

A. MINUTES

Approve as presented:

1. Minutes of the Agricultural Pool Meeting held on August 9, 2018

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of July 2018
2. Watermaster VISA Check Detail for the month of July 2018
3. Combining Schedule for the Period July 1, 2018 through July 31, 2018
4. Treasurer's Report of Financial Affairs for the Period July 1, 2018 through July 31, 2018
5. Budget vs. Actual Report for the Period July 1, 2018 through July 31, 2018

C. OBMP SEMI-ANNUAL STATUS REPORTS 2018-1

Recommend to the Advisory Committee recommend to the Watermaster Board to adopt the Semi-Annual OBMP Status Report 2018-1, along with filing a copy with the Court, subject to any necessary non-substantive changes.

D. CONSIDERATION OF APPLICATION FOR LOCAL STORAGE AGREEMENTS – OVERLYING (NON-AGRICULTURAL) POOL

Recommend to the Advisory Committee to recommend that Watermaster Board approves the application for local storage agreements as presented.

(0:01:23)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Nathan deBoom, and by unanimous vote
Moved to approve Consent Calendar Items I.A. and I.B. as presented.

(0:02:22) Ms. Levin asked a question regarding Item I.C. concerning no mention of TCP Plume in Semi-Annual Report 2018-1. A discussion ensued.

(0:04:12) Mr. Kavounas noted that Item I.C., OBMP Semi-Annual Status Report 2018-1, has a minor wording change to refine the intended meaning of the report on page 60, third bullet-point. A discussion ensued.

(0:06:59) Ms. Levin introduced the motion that the Pool conditionally approves Item I.C. to move to the September Advisory Committee meeting if there are non-substantive changes; however, if there are substantive changes, the item will be brought back to the Pool meeting in October. Also, Mr. Kavounas will research if the Pool's request to look at the TCP Plume is relevant to be mentioned in the OBMP Semi-Annual Status Report 2018-1.

(0:07:21)

Motion by Ms. Marilyn Levin, seconded by Mr. Pete Hall, and by unanimous vote
Moved to approve Consent Calendar Item I.C. as presented, subject to the notes above.

(0:07:43) The Pool went into Confidential Session.

(0:08:02) Mr. LaBrucherie introduced a motion for Item Consent Calendar Item I.D.

(0:08:14) Mr. Kavounas reported the actions the Appropriative Pool and Non-Agricultural Pool took for Consent Calendar Item I.D.

(0:08:39) Vote Taken

Motion by Mr. Ron LaBrucherie, Jr., seconded by Mr. Nathan deBoom, and by unanimous vote
Moved bring Consent Calendar Item I.D. back to the October 2018 Pool meetings.

Abstention by Mr. Bob Page – County of San Bernardino

II. BUSINESS ITEMS

A. FISCAL YEAR 2018/19 BUDGET TRANSFER (FORM T -18-07-01)

Recommend to the Advisory Committee to approve Fiscal Year 2018/19 Budget Transfer (Form T-18-07-01).

(0:09:26) Mr. Joswiak gave a report. A discussion ensued.

(0:17:41) Motion by Mr. Pietersma, seconded by Mr. Pete Hall. Further discussion ensued.

(0:21:05) Vote Taken

Motion by Mr. Ron Pietersma, seconded by Mr. Pete Hall, and by unanimous vote

Moved to approve Business Item II.A. as presented.

B. 2018 RECHARGE MASTER PLAN UPDATE AND RESOLUTION

Recommend Advisory Committee to recommend to Watermaster Board to approve the 2018 RMPU as presented and adopt Resolution No. 2018-04.

(0:21:20) Mr. Kavounas introduced Ms. Sanchez from Wildermuth Environmental, Inc. to give a presentation. A discussion ensued.

(0:34:16)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Pete Hall, and by unanimous vote

Moved to approve Business Item II.B. as presented

C. TASK ORDER NO. 4 UNDER MASTER AGREEMENT FOR COLLABORATIVE PROJECTS: CHINO BASIN CONJUNCTIVE USE ENVIRONMENTAL WATER STORAGE/EXCHANGE PROGRAM EVALUATION AND CONCEPTUAL DESIGN SUPPORT.

Recommend to the Advisory Committee to approve Task Order No. 4 Under Master Agreement for Collaborative Projects: Chino Basin Conjunctive Use Environmental Water Storage/Exchange Program Evaluation and Conceptual Design Support.

(0:34:34) Mr. Kavounas introduced Mr. Aguilar from Inland Empire Utilities Agency to give a report. A discussion ensued.

(0:36:46)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Nathan deBoom, and by unanimous vote

Moved to approve Business Item II.C. as presented

D. SAFE YIELD RESET-RELATED AGREEMENT DISCUSSION

Discussion and possible action.

(0:37:27) Mr. Kavounas gave a report.

(0:39:38) Mr. Pietersma introduced the motion that the Agricultural Pool does not approve the proposed Safe Yield Reset-Related Agreements as presented on September 11, 2018. The Agricultural Pool respectfully requests that the parties address the Ag Pool comments requested by him on July 19, 2018, as follows:

1. Please add the effective date of the Safe Yield Reset.
2. Please include the Safe Yield process that was part of the Judge's April 28, 2017 Order.
3. The Ag Pool respectfully requests that the final version of the Safe Yield Reset-Related Agreements be brought back to the October 2018 Pool meeting for the Pool's reconsideration.

(0:41:02) Vote taken

*Motion by Mr. Ron Pietersma, seconded by Mr. Ron LaBrucherie, Jr., and by unanimous vote
Moved to approve Business Item II.D. as stated above.*

E. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. Appeal of April 28, 2017 Order
2. August 24, 2018 Hearing

(0:41:54) Mr. Herrema gave a report.

B. ENGINEER REPORT

1. Storage Framework
2. Fiscal Year 2017/18 GLMC Annual Report

(0:43:28) Mr. Malone gave a report.

C. CFO REPORT

None

(0:45:03) Chair Feenstra requested the balance of the Agricultural Pool's private fund be reported during the October 2018 Ag Pool meeting.

D. GM REPORT

1. Proposed Changes to DYY Program Operation
2. CDA Production
3. Changes to the Overlying (Non-Agricultural) Pool Pooling Plan
4. Other

(0:45:35) Mr. Kavounas gave a report, and announced that Watermaster will be sending out a "Save-The-Date" notice for the 40th Judgment Anniversary event on December 4, 2018 at 4:00 p.m. He commented on the CalDesal membership, provided an update on the upcoming Assessment Package and workshops, and the TCP Plume does not belong and will not be included in the OBMP Semi-Annual Status Report 2018-1. A discussion ensued.

IV. INFORMATION

1. Cash Disbursements for August 2018
2. Recharge Investigations and Projects Committee (RIPCom)

V. POOL DISCUSSION

1. Chairman's Update
2. Pool Member Comments

V. POOL DISCUSSION

3. Chairman's Update
4. Pool Member Comments

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Chair Feenstra called for a confidential session at 1:43 p.m. to discuss Appeal of the April 28, 2017 Order, August 17, 2018 Hearing, Storage, and Business Item II.D., Safe Yield Reset-Related Agreement. Confidential session concluded at 2:53 p.m. with the action for Business Item II.D. shown above.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool meeting at 3:44 p.m.

Secretary: _____

Approved: _____ October 11, 2018