

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING

November 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 November 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
John Huitsing	Dairy
Nathan deBoom	Dairy
Carol Boyd	State of California – CIM
Bob Page	County of San Bernardino
Ronald Pietersma	Dairy
Ron LaBrucherie, Jr.	Crops

WATERMASTER BOARD MEMBER 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
Frank Yoo	Water Resources Senior Associate

WATERMASTER CONSULTANTS PRESENT

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

OTHERS PRESENT

Tracy Egoscue	Egoscue Law Group, Inc.
Richard Rees	Wood plc
Craig Stewart	Wood plc

CALL TO ORDER

Chair Feenstra called the Agricultural Pool meeting to order at 1:09 p.m.

AGENDA – ADDITIONS/REORDER

(0:00:13) Chair Feenstra congratulated Mr. Hofer on his reelection and announced that the Pool will take Business Item II.E. after confidential session.

I. CONSENT CALENDAR

A. MINUTES

Approve as presented:

1. Minutes of the Agricultural Pool Meeting held on October 11, 2018

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of September 2018
2. Watermaster VISA Check Detail for the month of September 2018

3. Combining Schedule for the Period July 1, 2018 through September 30, 2018
4. Treasurer's Report of Financial Affairs for the Period July 1, 2018 through September 30, 2018
5. Budget vs. Actual Report for the Period July 1, 2018 through September 30, 2018

C. APPLICATION FOR RECHARGE

Recommend Advisory Committee to recommend to the Watermaster Board to approve Fontana Water Company's Application for Recharge and direct Watermaster staff to account for this supplemental water recharged in Fontana Water Company's existing Local Supplemental Storage account.

(0:01:32)

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

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. FISCAL YEAR 2018/19 ASSESSMENT PACKAGE

Recommend Advisory Committee approval of the Fiscal Year 2018/19 Assessment Package indicating the preferred version, including no credit for Stormwater New Yield, and postponing the assessment of Desalter Replenishment Obligation.

(0:02:12) Mr. Kavounas prefaced Business Item II.A. and introduced Mr. Yoo to give a presentation. A discussion ensued.

(0:09:21)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. John Huitsing, and by unanimous vote

Moved to approve Business Item II.A. as presented, using a single decimal point regarding the volumes of water.

B. RESOLUTION TO LEVY REPLENISHMENT AND ADMINISTRATIVE ASSESSMENTS FOR FISCAL YEAR 2018/19

Review Resolution 2018-05 as presented, and offer advice to Watermaster.

(0:10:03) Mr. Kavounas gave a report.

(0:10:27)

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

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

C. WATERMASTER REAPPOINTMENT

Recommend future Watermaster appointment to the Advisory Committee.

(0:10:43) Mr. Kavounas gave a report.

(0:12:15) Chair Feenstra announced that the Pool supports the five-year reappointment of the nine-member Watermaster Board.

(0:12:42)

Motion by Ms. Carol Boyd, seconded by Vice-Chair Jeff Pierson, and by unanimous vote

Moved to recommend reappointing the Watermaster nine-member Board for a five-year term.

D. FISCAL YEAR 2017/18 ANNUAL REPORT OF THE GROUND-LEVEL MONITORING COMMITTEE

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve the 2017/18 Annual Report of the Ground-Level Monitoring Committee, along with filing a copy with the Court.

(0:13:19) Mr. Malone gave a report.

(0:14:22)

*Motion by Mr. Pete Hall, seconded by Mr. Nathan deBoom, and by unanimous vote
Moved to approve Business Item II.D. as presented.*

E. SAFE YIELD RESET-RELATED AGREEMENT (DISCUSSION AND POTENTIAL ACTION)

Business Item II.E. was taken after confidential session with no action to report.

F. AMENDMENT OF POOLING PLAN FOR THE OVERLYING (NON-AGRICULTURAL) POOL

Consider the proposed amendment to the NAP Pooling Plan and take appropriate action.

(0:14:46) Mr. Kavounas gave a report.

(0:15:40)

*Motion by Vice-Chair Jeff Pierson, seconded by Mr. Pete Hall, and by unanimous vote
Moved to approve Business Item II.F. as presented.*

G. FISCAL YEAR 2018/19 EXHIBIT "G" PHYSICAL SOLUTION TRANSFER RATE SUBSTITUTION

Consider approval of the Non-Agricultural Pool's proposed FY 2018/19 substitute Physical Solution Transfer rate of \$655.00 per acre-foot based on three conditions: (a) the Court does not enter an order on or prior to December 31, 2018 authorizing the Non-Agricultural Pool Committee to establish the price in connection with its now pending motion to amend the Non-Agricultural Pool Pooling Plan; (b) the Appropiative Pool Committee agrees to such price on or prior to November 15, 2018; and (c) the Court enters an order approving such price as a negotiated price for the current 2018/2019 fiscal year, and, recommend Advisory Committee approval, and approve Watermaster legal counsel's filing of motion for Court approval of the same.

(0:16:00) Mr. Kavounas gave a report. A discussion ensued.

(0:16:48) Mr. LaBrucherie, Jr. joined the meeting.

(0:17:43)

*Motion by Mr. Nathan deBoom, seconded by Vice-Chair Jeff Pierson, and by unanimous vote
Moved to approve Business Item II.G. as presented.*

H. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. December 28, 2018 Hearing

(0:18:16) Mr. Herrema gave a report and an update on the Safe Yield Reset appeal. A discussion ensued.

B. ENGINEER REPORT

1. Salinity Management Update
2. Impact Analysis of Chino Airport Plume Remedy on Groundwater Levels

(0:20:56) Mr. Malone gave a report. A discussion ensued.

C. CFO REPORT

1. Fiscal Year 2018/19 Assessment Invoicing

(0:29:36) Mr. Joswiak gave a report. A discussion ensued.

D. GM REPORT

- 1. Annual Finding of Substantial Compliance with the Recharge Master Plan
- 2. Watermaster Board Meeting Frequency
- 3. 40th Judgment Anniversary Commemoration
- 4. CY 2019 Volume Votes
- 5. December Meeting Schedule
- 6. Other

(0:31:02) Mr. Kavounas gave a report. A discussion ensued.

IV. INFORMATION

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

V. POOL DISCUSSION

- 1. Chairman's Update
- 2. Pool Member Comments

None

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Chair Feenstra called for a Confidential Cession at 2:15 p.m. to discuss Appeal of April 28, 2017 Order, December 28, 2018 Hearing, Non-Ag Pool Filing, Storage, and Ag Pool Rules and Regulations. Ms. Egoscue announced that Confidential Session concluded at 3:17 p.m. with no reportable action.

Mr. Page left the meeting during Confidential Session at 3:15 p.m.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool meeting at 3:19 p.m.

Secretary: _____

Approved: _____ January 10, 2019