

**MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING**

February 13, 2020

The Agricultural Pool meeting was held at the offices of Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA on February 13, 2020.

AGRICULTURAL POOL MEMBERS PRESENT

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Pete Hall	State of California – CIM
Geoffrey Vanden Heuvel	Dairy
Bob Page	County of San Bernardino
Carol Boyd	State of California – CIM
Nathan deBoom	Dairy
John Huitsing	Dairy
Ron Pietersma	Dairy
Jimmy Medrano	State of California – CIM
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
Justin Nakano	Water Resources Senior Associate
Janine Wilson	Senior Accountant

WATERMASTER CONSULTANTS PRESENT

Chris Guillen	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	Wildermuth Environmental, Inc.
Veva Weamer	Wildermuth Environmental, Inc.

OTHERS PRESENT AT WATERMASTER

Tracy Egoscue	Egoscue Law Group, Inc.
Terry Bettencourt	State of California – CDCR
Larry Cain	State of California – CDCR
Richard Rees	Wood plc
Gino Filippi	Crops
Tamer Ahmed	State of California – CDCR

CALL TO ORDER

Chair Feenstra called the Agricultural Pool meeting to order at 1:31 p.m.

AGENDA – ADDITIONS/REORDER

(0:00:26) Chair Feenstra called for confidential session at 1:31 p.m. The reportable action is shown in sequence below.

(0:03:03) Chair Feenstra pulled Consent Calendar item I.F. for separate discussion.

I. **CONSENT CALENDAR**

Note: All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. **MINUTES**

Approve as presented:

1. Minutes of the Annual Agricultural Pool Meeting held on January 9, 2020

B. **FINANCIAL REPORTS**

Receive and file as presented:

1. Cash Disbursements for the month of December 2019
2. Watermaster VISA Check Detail for the month of December 2019
3. Combining Schedule for the Period July 1, 2019 through December 31, 2019
4. Treasurer's Report of Financial Affairs for the Period December 1, 2019 through December 31, 2019
5. Budget vs. Actual Report for the Period July 1, 2019 through December 31, 2019

C. **ANG II OVERLYING (NON-AGRICULTURAL) POOL INTERVENTION REQUEST**

Recommend to the Advisory Committee to recommend Watermaster filing the request for intervention with the Court.

D. **APPLICATION: WATER TRANSACTION**

Provide advice and assistance to the Watermaster Board on the proposed transaction:

The permanent transfer of 24.0 acre-feet of water from Southern Service Company dba Blue Seal Linen to ANG II (Multi) LLC. This is a permanent transfer based on transfer of land ownership by Grant Deed dated March 25, 2010. This transfer is contingent on ANG II (Multi) LLC's successful intervention into the Overlying (Non-Agricultural) Pool. Date of Application: January 2, 2020.

E. **APPLICATION: WATER TRANSACTION**

Provide advice and assistance to the Watermaster Board on the proposed transaction:

The transfer of 24.0 acre-feet of Operating Safe Yield from ANG II (Multi) LLC to 9W Halo Western Opco, L.P. This transfer is contingent on ANG II (Multi) LLC's successful intervention into the Overlying (Non-Agricultural) Pool. Date of application: January 2, 2020.

(0:03:17)

Motion by Mr. Nathan deBoom, seconded by Mr. Ron Pietersma, and by unanimous vote

Moved to approve Consent Calendar items I.A. – I.E., and excluding Item II.F.

F. **APPLICATION: WATER TRANSACTION**

Provide advice and assistance to the Watermaster Board on the proposed transaction:

The transfer of 3,500.0 acre-feet of water from the City of Chino to Fontana Water Company. This transfer is made from the City of Chino's Excess Carryover Account. Date of application: January 16, 2020.

(0:03:44) Chair Feenstra stated that the Pool would not be supporting item I.F. A discussion ensued.

(0:04:42)

Motion by Mr. Nathan deBoom, seconded by Mr. Ron LaBrucherie, Jr., and by unanimous vote

Moved to recommend representatives to oppose item I.F. at the Advisory Committee meeting.

(0:05:25)

*Motion by Mr. Nathan deBoom, seconded by Mr. Ron LaBrucherie, Jr., and by unanimous vote
**Moved to direct counsel to amend the storage contest to include the water transaction
in I.F. above.***

II. **BUSINESS ITEMS**

A. **OBMP IMPLEMENTATION PLAN UPDATE (INFORMATION ONLY)**

(0:07:18) Mr. Kavounas prefaced the item. The Pool opted for an abbreviated version of the presentation.

Vice-Chair Pierson left the meeting at 2:50 p.m. following the Confidential Session and re-joined the meeting at 2:57 p.m.

(0:09:32) Mr. Kavounas and Ms. Adams gave a presentation. A discussion ensued.

B. **OLD BUSINESS**

- Costs Related to 1,2,3-TCP Treatment

This item was postponed to the next Agricultural Pool meeting.

III. **REPORTS/UPDATES**

A. **LEGAL COUNSEL REPORT**

1. Watermaster's Motion for Court to Receive and File Annual Report
2. March 20, 2020 Hearing

(0:47:44) Mr. Guillen gave a report. A discussion ensued.

B. **ENGINEER REPORT**

1. 2020 Safe Yield Recalculation
2. PFAS Monitoring and Results
3. PBHSP Scope and Budget Process
4. GLMC Scope and Budget Process

(0:51:54) Mr. Malone gave a report. A discussion ensued.

(0:53:51) Mr. Kavounas stated that staff has a prepared a presentation on item III.B.2., however, given the lateness of the hour, the presentation could be postponed; the presentation will be uploaded to Watermaster's website should Pool members be interested. The Pool agreed to defer the presentation.

(0:55:13) Mr. Malone gave a report on the remainder of the Engineer Report. A discussion ensued.

C. **CFO REPORT**

1. Fiscal Year 2019/20 Mid-Year Review
2. Fiscal Year 2020/21 Budget Schedule

(01:02:42) Mr. Joswiak gave a report and presentation on the Fiscal Year 2020/21 budget schedule.

D. **GM REPORT**

1. OAP Contest
2. Exhibit G Process
3. Other

(01:08:12) Mr. Kavounas gave a report.

IV. INFORMATION

- 1. Cash Disbursements for January 2020

V. POOL DISCUSSION

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

None

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

A Confidential Session may be held during the Pool Committee meeting for the purpose of discussion and possible action.

Chair Feenstra called for a confidential session at 1:31 p.m. to discuss the following:

- 1. Watermaster's Motion for Court to Receive and File Annual Report
- 2. March 20, 2020 Hearing Meet and Confer
- 3. Storage Contest Hearing Officer
- 4. Safe Yield Reset
- 5. OBMP Update

Confidential session concluded at 2:49 p.m. with the following reportable action:

(0:01:35)

Relevant to the opposition to the Ag Pool Pooling Plan motion, attorneys for Monte Vista, Ontario, Chino and the Appropriative Pool requested a meet and confer with the attorney for the Ag Pool. On February 3, 2020 during the meet and confer teleconference, these attorneys for parties of the Appropriative Pool requested a meeting of principals only without attorneys present. The Ag Pool attorney brought this request to the Pool and after consideration of the request, by motion of Deputy Attorney General Carol Boyd -- seconded by Bob Page, the Ag Pool declines the request for a meeting of the principals without attorneys present. Motion passed unanimously and the Ag Pool counsel is directed to inform the attorneys for these Appropriative Pool parties.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool meeting at 4:04 p.m.

Secretary: _____

Approved: _____ March 12, 2020