

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING

August 13, 2020

The Agricultural Pool meeting was held by GoToMeeting (conference call and web meeting) on August 13, 2020.

AGRICULTURAL POOL MEMBERS PRESENT ON CALL

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Geoffrey Vanden Heuvel	Dairy
Nathan deBoom	Dairy
John Huitsing	Dairy
Ron Pietersma	Dairy
Carol Boyd	State of California – CIM
Pete Hall	State of California – CIM
Jimmy Medrano	State of California – CIM
Gino Filippi for Ron LaBrucherie, Jr.	Crops
Henry DeHaan	Dairy

WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

WATERMASTER STAFF PRESENT ON CALL

Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. and Planning Dir.
Anna Nelson	Executive Services Director
Justin Nakano	Water Resources Technical Manager

WATERMASTER CONSULTANTS PRESENT ON CALL

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

OTHERS PRESENT ON CALL

Tracy Egoscue	Egoscue Law Group, Inc.
Richard Rees	Wood plc
Paul Hofer	Crops
Marilyn Levin	State of California – DOJ
Brian Geye	California Speedway Corporation
David De Jesus	Three Valleys Municipal Water District
Christopher Quach	City of Ontario (Non-Ag)

CALL TO ORDER

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

ROLL CALL

(0:02:16) Ms. Nelson conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

(0:06:22) The Agricultural Pool took its Confidential Session immediately following the Consent Calendar.

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 Agricultural Pool Meeting held on July 9, 2020
2. Minutes of the Agricultural Pool Special Meeting held on July 17, 2020
3. Minutes of the Agricultural Pool Special Meeting held on July 22, 2020

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of June 2020
2. Watermaster VISA Check Detail for the month of June 2020
3. Combining Schedule for the Period July 1, 2019 through June 30, 2020
4. Treasurer's Report of Financial Affairs for the Period June 1, 2020 through June 30, 2020
5. Budget vs. Actual Report for the Period July 1, 2019 through June 30, 2020
6. Cash Disbursements for July 2020 (Information Only)

C. APPLICATION: WATER TRANSACTION

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

The purchase of 66.4 acre-feet of water from West End Consolidated Water Company by Golden State Water Company. This purchase is made from West End Consolidated Water Company's Excess Carryover Account. Golden State Water Company is utilizing this transaction to produce its West End Consolidated Water Company shares. Date of application: June 18, 2020.

(0:04:54)

Motion by Mr. Geoffrey Vanden Heuvel, seconded by Mr. Gino Filippi, and by unanimous roll call vote as attached to these minutes

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS**A. OAP LEGAL EXPENSE INCREASE**

Offer advice and assistance to Watermaster on issuing invoices to the Appropriate Pool Parties for the \$167,000 unreimbursed increase, allocated on the basis of the "Ag Pool Reallocation".

(0:10:21) Mr. Kavounas gave a report.

B. FISCAL YEAR 2019/20 BUDGET TRANSFER FORM (T-20-06-01)

Recommend Advisory Committee Approve Fiscal Year 2019/20 Budget Transfer Form (T-20-06-01) as presented.

(0:12:22) Mr. Joswiak gave a report. A discussion ensued.

C. 2020 OBMP CEQA – INCREASED SCOPE OF WORK (DISCUSSION ONLY)

No recommendation at this time.

(0:22:38) Mr. Tellez Foster gave a report. A discussion ensued.

D. DATA AND MODELING REVIEW OF THE CHINO VALLEY MODEL

Offer advice and assistance toward the proposed process.

(0:33:31) Mr. Tellez Foster gave a report. A discussion ensued.

E. PROCEDURE AND FEE SCHEDULE FOR REQUESTING INFORMATION AND DOCUMENTS RELATED TO THE CHINO VALLEY MODEL

Offer advice and assistance on the proposed draft procedure.

(0:41:07) Mr. Kavounas gave a report. No advice was provided.

F. CONSIDERATION OF THE 2020 OPTIMUM BASIN MANAGEMENT PROGRAM UPDATE

Offer advice and assistance to the Watermaster Board.

(0:42:25) Mr. Tellez Foster gave a report. No advice was provided.

G. DRAFT THIRD SUPPLEMENT TO THE OBMPU STATUS REPORT

Offer advice and assistance to the Watermaster Board.

(0:45:20) Mr. Kavounas gave a report. A discussion ensued.

H. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. San Bernardino County Superior Court Emergency Order
2. July 10, 2020 Hearing
3. September 25, 2020 Hearing
4. Ely 3 Basin Update

(0:46:22) Mr. Herrema gave a report.

B. ENGINEER REPORT

1. Ground-Level Monitoring Committee – Meeting Summary
2. OCWD Monitoring Wells in Prado Basin
3. 97-005 Study Results

(0:51:38) Mr. Malone gave a report. A discussion ensued.

C. CFO REPORT

None

D. GM REPORT

1. Status report: OAP Contest
2. Watermaster Business Plan
3. Other

(1:01:44) Mr. Kavounas gave a report.

IV. POOL DISCUSSION

1. Chairman's Update
2. Pool Member Comments

None

V. OTHER BUSINESS

None

VI. 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 1:38 p.m. to discuss the following:

- 1. FY 20/21 Budget Increase
- 2. Status of Unpaid Invoices
- 3. Contest
- 4. Storage
- 5. Strategic Planning

(0:07:19) Ms. Nelson conducted the roll call following confidential session for purposes of quorum and announced that a quorum was present.

(0:08:45) Confidential session concluded at 2:55 p.m. with the following reportable actions:

(0:09:02)

Motion by Mr. Geoffrey Vanden Heuvel, seconded by Mr. Henry De Haan, and passed as shown in the attachment provided by Pool Counsel and attached to these minutes

Moved to direct the Agricultural Pool Counsel to file a motion with the Court requesting clarification regarding the March 2019 Order granting the amendment to the Appropriative Pool Pooling Plan in light of the August 6, 2020 Notice of Order from Judge Reichert denying the Agricultural Pool Motion to Amend its Pooling Plan “because the Court doesn’t find a basis on which it should exercise its discretion to amend the Judgment.”

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool meeting at 4:02 p.m.

Secretary: _____

Approved: September 10, 2020

Attachments:

- 1. 20200813 Roll Call Vote Outcome for Consent Calendar Items I.A.- I.C.
- 2. 20200813 Reportable Action Following Confidential Session (as provided by Pool Counsel)

**August 13, 2020 Agricultural Pool Meeting Roll Call Vote for
Consent Calendar Items I.A., I.B., and I.C.**

Member	Alternate	I.A., I.B., and I.C.
Feenstra, Robert, Chair		yes
Pierson, Jeff, Vice-Chair		yes
LaBrucherie, Jr., Ron		
	Filippi, Gino	yes
Vanden Heuvel, Geoffrey		yes
deBoom, Nathan		yes
Huitsing, John		yes
DeHaan, Henry		yes
Pietersma, Ron		yes
Boyd, Carol		yes
Hall, Pete		yes
Medrano, Jimmy		yes
	OUTCOME:	Passed Unanimously

**Attachment 2 20200813 Reportable Action Following
Confidential Session (as provided by Pool Counsel)**

Ag Pool 081320 Closed Session Reportable Action

Motion by Geoff Vanden Heuvel
Second by Henry DeHaan

Direct the Agricultural Pool Counsel to file a motion with the Court requesting clarification regarding the March 2019 Order granting the amendment to the Appropriative Pool Pooling Plan in light of the August 6, 2020 Notice of Order from Judge Reichert denying the Agricultural Pool Motion to Amend its Pooling Plan “because the Court doesn’t find a basis on which it should exercise its discretion to amend the Judgment.”

Motion Passed Unanimously