

**MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL MEETING**

September 10, 2020

The Agricultural Pool meeting was held by GoToMeeting (conference call and web meeting) on September 10, 2020.

AGRICULTURAL POOL MEMBERS PRESENT ON CALL

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Geoffrey Vanden Heuvel	Dairy
Nathan deBoom	Dairy
Ron Pietersma	Dairy
Marilyn Levin for Carol Boyd	State of California – DOJ
Pete Hall	State of California – CIM
Gino Filippi for Ron LaBrucherie, Jr.	Crops
Henry DeHaan	Dairy
Bob Page	County of San Bernardino

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
Frank Yoo	Water Resources Senior Associate

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

CALL TO ORDER

Chair Feenstra called the meeting to order at 1:38 p.m.

ROLL CALL

(0:02:10) Ms. Nelson conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

(0:09:28) 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 Special Meeting held on August 3, 2020
2. Minutes of the Agricultural Pool Special Meeting held on August 6, 2020
3. Minutes of the Agricultural Pool Meeting held on August 13, 2020

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of July 2020
2. Watermaster VISA Check Detail for the month of July 2020
3. Combining Schedule for the Period July 1, 2020 through July 31, 2020
4. Treasurer's Report of Financial Affairs for the Period July 1, 2020 through July 31, 2020
5. Budget vs. Actual Report for the Period July 1, 2020 through July 31, 2020
6. Cash Disbursements for August 2020 (Information Only)

C. OBMP SEMI-ANNUAL STATUS REPORT 2020-1

Recommend to the Advisory Committee to recommend Watermaster Board adoption of the Semi-Annual OBMP Status Report 2020-1, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(0:03:56) Mr. Kavounas remarked on the changes that have been made to Consent Calendar Item I.C. The title of the report has been changed from "2019-2: July to December 2019" to "2020-1 January to June 2020" and on page nine, the word "completed" was corrected to "initiated" in referring to the status of well II-12.

(0:05:35) A motion was made by Mr. Henry DeHaan and seconded by Vice-Chair Pierson to approve the Consent Calendar as presented.

(0:06:44) A roll call vote was taken.

Motion by Mr. Henry DeHaan, seconded by Vice-Chair Pierson, and by unanimous roll call vote as attached to these minutes

Moved to approve the Consent Calendar with changes noted for I.C. as presented.

II. BUSINESS ITEMS

A. 2020 OBMP CEQA – INCREASED SCOPE OF WORK

Recommend Advisory Committee to support the corresponding budget amendment for: a) effort necessary to implement a Local Storage Limitation Solution first, or b) effort necessary for a revision and recirculation of the 2020 OBMP SEIR.

(0:13:07) Mr. Tellez Foster gave a presentation. A discussion ensued. See reportable action provided under Confidential Session below.

B. CONSIDERATION OF THE 2020 OPTIMUM BASIN MANAGEMENT PROGRAM UPDATE

Provide advice and assistance to the Watermaster Board.

(0:21:19) Mr. Tellez Foster gave a presentation. A discussion ensued.

C. FISCAL YEAR 2020/21 BUDGET INCREASE (DISCUSSION ONLY)

There is no recommendation related to this item.

(0:32:32) Mr. Kavounas gave a report. A discussion ensued.

D. OAP COMMITTEE REVISED RULES AND REGULATIONS

Consider approval of the updates to the OAP Rules and Regulations.

(0:38:45) Mr. Kavounas prefaced the item.

(0:39:10) A motion was made by Vice-Chair Pierson and seconded by Mr. Page to approve Business Item II.D.

(0:40:01) A roll call vote was taken.

Motion by Vice-Chair Pierson, seconded by Mr. Bob Page, and by unanimous roll call vote as attached to these minutes

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

E. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

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

(0:41:23) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER REPORT

1. Water Rights Permit 21225
2. Plume Reports
3. GLMC Annual Report

(0:45:14) Mr. Malone gave a report. A discussion ensued.

C. CFO REPORT

1. FY 2019/20 Audit Schedule
2. AP Special Assessment for \$165,694.75

(0:53:30) Mr. Joswiak gave a report. A discussion ensued.

D. GM REPORT

1. Status Report: OAP Contest
2. Stored Water Account Balances (June 30, 2020 Preliminary Numbers)
3. San Sevaine Project Award
4. Water Activity Report Tracker
5. Other

(0:59:32) Mr. Kavounas gave a report and also noted that the AP's Local Supplemental storage agreements which the AP and ONAP approved in December 2019 are not the subject of the OAP Contest, and therefore would be moving to the Advisory Committee and Watermaster Board meetings for approval in September. He also commented that Watermaster has been working on updating its website and hopes to have something more tangible to share with parties in the future. A discussion ensued.

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 1:48 p.m. to discuss the following:

- 1. September 25, 2020 Hearing
- 2. Contest
- 3. OBMPU Status

(0:09:39) Ms. Nelson conducted the roll call following confidential session for purposes of quorum and announced that a quorum was present.

(0:11:29) Confidential session concluded at 2:33 p.m. with the following reportable actions:

(0:11:37)

Motion by Mr. Bob Page, seconded by Ms. Marilyn Levin, and passed as shown in the attachment provided by Pool Counsel and attached to these minutes

The Agricultural Pool recommends that the Advisory Committee support an effort necessary to implement a Local Storage Limitation Solution first. The Agricultural Pool support is conditioned upon a storage implementation plan and amendment to the Peace Agreement that addresses the Pool's concerns regarding inadequate storage management. These concerns regarding storage have been consistently expressed since 2014 and are the subject of the pending contest.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool meeting at 3:42 p.m.

Secretary: _____

Approved: _____ October 8, 2020

Attachments:

- 1. 20200910 Roll Call Vote Outcome for Consent Calendar Items I.A.- I.C.
- 2. 20200910 Roll Call Vote Outcome for Business Item II.D.
- 3. 20200910 Reportable Action Following Confidential Session for Business Item II.A. (as provided by Pool Counsel)

Attachment 1 to 20200910 OAP Minutes

**September 10, 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
DeHaan, Henry		yes
Pietersma, Ron		yes
Boyd, Carol		
	Levin, Marilyn	yes
Hall, Pete		yes
Medrano, Jimmy		yes
	OUTCOME:	Passed Unanimously

Attachment 2 to 20200910 OAP Minutes

September 10, 2020 Agricultural Pool Meeting Roll Call Vote for Business Item II.D. - OAP Committee Revised Rules and Regulations
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Member	Alternate	II.D.
Feenstra, Robert, Chair		yes
Pierson, Jeff, Vice-Chair		yes
LaBrucherie, Jr., Ron		
	Filippi, Gino	yes
Vanden Heuvel, Geoffrey		yes
deBoom, Nathan		yes
DeHaan, Henry		yes
Pietersma, Ron		yes
Boyd, Carol		
	Levin, Marilyn	yes
Hall, Pete		yes
Medrano, Jimmy		yes
	OUTCOME:	Passed Unanimously

**Attachment 3 to 20200910 Agricultural Pool Minutes
Business Item II.A. - 2020 OBMP CEQA - Increased Scope of Work**

Ag Pool 091020 Closed Session Reportable Action/Motion

Business Item II A

Motion by Bob Page

Second by DAG Marilyn Levin

The Agricultural Pool recommends that the Advisory Committee support an effort necessary to implement a Local Storage Limitation Solution first. The Agricultural Pool support is conditioned upon a storage implementation plan and amendment to the Peace Agreement that addresses the Pool's concerns regarding inadequate storage management. These concerns regarding storage have been consistently expressed since 2014 and are the subject of the pending contest.

Motion passed unanimously