

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL COMMITTEE MEETING

May 13, 2021

The Agricultural Pool Committee meeting was held via Zoom (conference call and web meeting) on May 13, 2021.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON CALL

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Ruben Llamas for Ron LaBrucherie, Jr.	Crops
Nathan deBoom	Dairy
Henry DeHaan	Dairy
John Huitsing	Dairy
Geoffrey Vanden Heuvel	Dairy
Steven Raughley	County of San Bernardino
Carol Boyd	State of California – CIM
Pete Hall	State of California – CIM
Jimmy Medrano	State of California – CIM

WATERMASTER STAFF PRESENT ON CALL

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Executive Services Director
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Water Resources Senior Associate
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT ON CALL

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost
Emily McCord	West Yost

OTHERS PRESENT ON CALL

Gino Filippi	Crops
Paul Hofer	Crops
Tracy Egoscue	Egoscue Law Group, Inc.
Jerry Burke	Inland Empire Utilities Agency
Joel Ignacio	Inland Empire Utilities Agency
Gregor Larabee	State of California – DOJ
Marilyn Levin	State of California – DOJ
Richard Rees	Wood plc

CALL TO ORDER

Chair Feenstra called the Agricultural Pool Committee meeting to order at 1:34 p.m.

ROLL CALL

(0:00:55) Ms. Nelson conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

(0:02:13) Chair Feenstra informed the pool that they would be going into Confidential Session directly following 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 Committee Meeting held April 8, 2021

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of March 2021
2. Watermaster VISA Check Detail for the month of March 2021
3. Combining Schedule for the Period July 1, 2020 through March 31, 2021
4. Treasurer's Report of Financial Affairs for the Period March 1, 2021 through March 31, 2021
5. Budget vs. Actual Report for the Period July 1, 2020 through March 31, 2021
6. Cash Disbursements for April 2021 (Information Only)

C. APPLICATION: WATER TRANSACTION

Provide advice and assistance to the Advisory Committee on the proposed transaction:

The transfer of 500 acre-feet of water from the City of Chino to Monte Vista Water District.

D. APPLICATION: RECHARGE – CUCAMONGA VALLEY WATER DISTRICT

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

E. APPLICATION: LOCAL STORAGE AGREEMENT (ONAP)

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve the proposed agreements on the condition that Watermaster's approval of Storage Agreements authorizing storage in excess of 500,000 acre-feet Safe Storage Capacity beyond June 30, 2021 are subject to Watermaster's further exercise of discretion to limit and reduce storage in accordance with the Peace Agreement.

(0:04:23) Mr. Vanden Heuvel requested that Consent Calendar Item I.E. be pulled for separate discussion.

(0:04:39) Mr. Raughley requested that Consent Calendar Item I.B. be pulled for separate discussion.

(0:05:33) A motion was made by Mr. DeHaan and seconded by Mr. deBoom to approve Consent Calendar Items I.A., I.C., and I.D.

(0:06:12) A discussion ensued regarding Consent Calendar Item I.E., Application: Local Storage Agreement (ONAP).

(0:08:55) A discussion ensued regarding Consent Calendar Item I.B., the Financial Reports. The discussion will be continued later in the agenda during agenda Item II.C., Reports/Updates, Chief Financial Officer.

(0:13:40) A roll call vote was taken.

Motion by Mr. Henry DeHaan, seconded by Mr. Nathan deBoom, and passed by unanimous roll call vote as attached to these minutes

Moved to approve Consent Calendar Items I.A., I.C. and I.D. as presented.

(0:15:55) Ms. Levin requested that Consent Calendar Item I.E. is considered during Confidential Session.

The Pool went into Confidential Session following the Consent Calendar.

(0:19:26) Ms. Nelson conducted roll call following Confidential Session and announced that a quorum was present.

(0:21:03) A motion was made by Mr. Vanden Heuvel and seconded by Vice-Chair Pierson to approve Consent Calendar Item I.E.

(0:21:33) A roll call vote was taken.

Motion by Mr. Geoffrey Vanden Heuvel, seconded by Vice-Chair Jeff Pierson, and passed by unanimous roll call vote as attached to these minutes

Moved to approve Consent Calendar Item I.E. as presented.

II. BUSINESS ITEMS

A. FIRST AMENDMENT TO TASK ORDER NO. 9

Recommend Advisory Committee approval to amend Task Order No. 9 to increase the total budgeted cost.

(0:23:25) Mr. Kavounas introduced the item and offered to show a presentation. The Pool opted to skip the presentation. No action was taken.

B. LOCAL STORAGE LIMITATION SOLUTION

Offer advice to the Advisory Committee on the Watermaster Board's consideration and potential adoption of a Watermaster Board Resolution recommending that a proposed order be filed with and adopted by the Court regarding the management and administration of volumes of stored water exceeding 500,000 acre-feet up to a maximum of 700,000 acre-feet.

(0:24:34) Mr. Kavounas gave a report. A discussion ensued.

C. FISCAL YEAR 2021/22 PROPOSED BUDGET

Recommend Advisory Committee approval of the Fiscal Year 2021/22 Proposed Budget as presented.

(0:36:00) Mr. Joswiak gave a report. A discussion ensued. No action was taken.

D. OLD BUSINESS

- Comparison of historical and projected pumping for FY 2019 and FY 2020
- Data used in Semi-Annual Plume Report

(0:41:53) Mr. Malone gave a report. A discussion ensued.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. April 30, 2021 Hearing
3. May 28, 2021 Hearing
4. Kaiser Permanente Lawsuit

(0:47:30) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. 2020 State of the Basin: Groundwater Levels

(0:51:45) Mr. Kavounas introduced the item and handed off to Ms. McCord (West Yost staff) who gave a presentation. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

1. AP Request for Pool 1 and 3 Budget, Reserves, and Watermaster Admin Reserve Accounting Detail

(1:01:22) Mr. Kavounas prefaced the item and invited Mr. Joswiak to give a presentation. A discussion ensued.

(1:36:07) A motion was made by Mr. Raughley and seconded by Vice-Chair Pierson to approve Consent Calendar Item I.B.

(1:37:04) A roll call vote was taken.

Motion by Mr. Steven Raughley, seconded by Vice-Chair Jeff Pierson, and passed by unanimous roll call vote as attached to these minutes

Moved to approve Consent Calendar Item I.B. as presented.

D. GENERAL MANAGER

1. OAP Expenses Paid by ONAP
2. Other

(1:39:08) Mr. Kavounas gave a report. A discussion ensued.

IV. POOL DISCUSSION

1. Chairman's Update
2. Pool Member Comments

None

V. OTHER BUSINESS

(1:41:30) A discussion ensued regarding resuming in-person meetings.

(1:42:24) Vice-Chair Pierson raised a question regarding penalties/interest on late payments pursuant to the Judgment. A discussion ensued.

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 1:54 p.m. to discuss the following:

1. April 30, and May 28, 2021 Hearings
2. AP and CBWM Storage Proposals
3. Ag Wellhead Tax

(0:20:42) Confidential session concluded at 3:49 p.m. with no reportable action.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool Committee meeting at 5:25 p.m.

Secretary: _____

Approved: _____ June 10, 2021

Attachments:

1. 20210513 Roll Call Vote Outcome

Attachment 1 to 20210513 Agricultural Pool Committee Meeting Minutes

May 13, 2021 Agricultural Pool Meeting Roll Call Vote Outcome - Consent Calendar
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Member	Alternate	Consent Calendar Items I.A., I.C., & I.D.	Consent Calendar Item I.E.	Consent Calendar Item I.B.
LaBrucherie, Jr., Ron				
	Llamas, Ruben	yes	yes	yes
Pierson, Jeff, Vice-Chair		yes	yes	yes
deBoom, Nathan		yes	yes	yes
DeHaan, Henry		yes	yes	
Huitsing, John		yes		
Pietersma, Ron		yes	yes	
Vanden Heuvel, Geoffrey		yes	yes	
Raughley, Steven		yes	yes	yes
Boyd, Carol		yes	yes	yes
Hall, Pete		yes	yes	yes
Medrano, Jimmy		yes	yes	
	Levin, Marilyn			yes
Feenstra, Bob, Chair		yes	yes	yes
	OUTCOME:	Passed Unanimously by those present	Passed Unanimously by those present	Passed Unanimously by those present