

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL COMMITTEE MEETING

September 9, 2021

The Agricultural Pool Committee meeting was held via Zoom (conference call and web meeting) on September 9, 2021.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON CALL

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

WATERMASTER BOARD MEMBERS PRESENT ON CALL

Mike Gardner	Western Municipal Water District
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WATERMASTER STAFF PRESENT ON CALL

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Anna Nelson	Executive Services Director
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT ON CALL

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost
Garrett Rapp	West Yost

OTHERS PRESENT ON CALL

Ruben Llamas	Crops
Tracy Egoscue	Egoscue Law Group, Inc.
Richard Rees	Wood plc

CALL TO ORDER

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

ROLL CALL

(0:00:44) Ms. Aldaz conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

(0:04:40) Vice-Chair Pierson stated that he had a question regarding Consent Calendar Item I.E. Ms. Egoscue suggested pulling Item I.E. from the Consent Calendar and voting on it separately after they returned from confidential session. Vice-Chair Pierson agreed.

The Agricultural Pool Committee took Confidential Session directly 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 Committee Meeting held July 8, 2021
2. Minutes of the Agricultural Pool Committee Special Meeting held August 12, 2021

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of June 2021
2. Watermaster VISA Check Detail for the month of June 2021
3. Combining Schedule for the Period July 1, 2020 through June 30, 2021
4. Treasurer's Report of Financial Affairs for the Period June 1, 2021 through June 30, 2021
5. Budget vs. Actual Report for the Period July 1, 2020 through June 30, 2021
6. Cash Disbursements for the month of July 2021
7. Watermaster VISA Check Detail for the month of July 2021
8. Combining Schedule for the Period July 1, 2021 through July 31, 2021
9. Treasurer's Report of Financial Affairs for the Period July 1, 2021 through July 31, 2021
10. Budget vs. Actual Report for the Period July 1, 2021 through July 31, 2021
11. Cash Disbursements for August 2021 (Information Only)

C. APPLICATION: WATER TRANSACTION

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

The purchase of 140 acre-feet of water from City of Upland by Golden State Water Company. This purchase is made from City of Upland's Annual Production Right.

D. APPLICATION: WATER TRANSACTION

Provide advice and assistance to the Advisory Committee 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 Annual Production Right. Golden State Water Company is utilizing this transaction to produce its West End Consolidated Water Company shares.

E. APPLICATION: WATER TRANSACTION

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

The purchase of 708.3 acre-feet of water from West End Consolidated Water Company by City of Upland. This purchase is made from West End Consolidated Water Company's Excess Carry Over Storage Account. City of Upland is utilizing this transaction to produce its West End Consolidated Water Company shares.

This item was pulled for separate discussion.

F. OBMP SEMI-ANNUAL STATUS REPORT 2021-1

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the Semi-Annual OBMP Status Report 2021-1, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(0:05:43) A roll call vote was taken.

Motion by Vice-Chair Pierson, 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. through I.D. and I.F. as presented.

(0:11:48) A roll call vote was taken on Consent Calendar Item I.E. following Confidential Session.

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

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

II. BUSINESS ITEMS

A. WELLHEAD TAX ASSESSMENTS

There is no recommendation by Watermaster staff.

(0:13:37) Mr. Hall thanked Watermaster staff, specifically Mr. Yoo, for his effort and attentiveness regarding the Requests for Information that the State submitted regarding this item. A discussion ensued. No action was taken on this item.

B. CONSIDER DIRECTING WATERMASTER TO IMMEDIATELY WITHHOLD EARLY TRANSFER OF WATER TO APPROPRIATIVE POOL (POSSIBLE ACTION)

(0:19:11) A roll call vote was taken.

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

Moved to defer this item to the October Agricultural Pool Committee meeting.

C. DISCUSSION OF LAND USE CONVERSIONS

(0:21:35) A roll call vote was taken.

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

Moved to defer this item to the October Agricultural Pool Committee meeting.

D. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. October 8, 2021 Hearing
3. Rules & Regulations Update
4. Evergreen Storage Agreements
5. Kaiser Permanente Lawsuit

(0:23:02) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. Model Update and Required Demonstrations Report
2. Schedule: Safe Yield Court Order Implementation
3. Schedule: Ground-Level Monitoring Committee

(0:33:46) The Pool requested to hear only the presentation for Item III.B.1. Mr. Malone introduced Mr. Rapp who gave the presentation. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. Water Activity Report
2. Storage Management Q&A
3. Other

(1:09:46) Mr. Kavounas gave a report on Items 1 and 2. A discussion ensued.

(1:17:07) Mr. Kavounas also reported that Watermaster received a letter from the Regional Water Quality Control Board requesting that IEUA and Watermaster to update the 2005 mitigation plan for the temporary loss of hydraulic control created as part of the maximum benefit commitment. This will require some engineering work and West Yost is already working on a proposed budget. The letter also stated that the CDA reporting will be streamlined and relaxed from quarterly to annually and wrapped in with the maximum benefit annual report.

(1:19:40) Mr. Kavounas gave a report on the process that was initiated by the state to draft strategies and principles for managing wells during the drought. Watermaster followed the initial public comment meetings and sent a letter on behalf of Chino Basin expressing that Chino Basin wells are managed under the Judgment and do not need additional strategies and principles suggested by the state. Draft strategies and principles have now been issued by the state and Watermaster plans to attend the public comment session and after a review of the draft strategies and principles, Watermaster may submit additional comments, if warranted. We have worked with the California Groundwater Coalition (CGC), and they are aware and evaluating statewide.

(0:20:40) Mr. Kavounas showed the banner on Watermaster's website regarding the press release which showcases the Judge's approval on the Local Storage Limitation Solution.

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 1:45 p.m. to discuss the following:

1. October 8, 2021 Hearing
2. Status of Settlement Discussion with AP

The Pool also discussed Consent Calendar Item I.E. in Confidential Session and provided reportable action in open session as shown above.

(0:09:09) Confidential session concluded at 2:51 p.m. with no reportable action.

ADJOURNMENT

The Agricultural Pool Committee meeting adjourned at 4:12 p.m.

Secretary: _____

Approved: _____ October 14, 2021

Attachments:

1. 20210909 Roll Call Vote Outcome for Consent Calendar Items I.A. through I.D and I.F., Consent Calendar Item I.E., and Business Items II.B & II.C.

Attachment 1 to 20210909 Agricultural Pool Committee Meeting Minutes

September 9, 2021 Agricultural Pool Committee Meeting Roll Call Vote Outcome

Member	Alternate	Consent Calendar Items I.A.-I.D. & I.F.	Consent Calendar Item I.E.	Business Items II.B.	Business Items II.C.
LaBrucherie, Jr., Ron					
	Hofer, Paul				
Pierson, Jeff, Vice-Chair		yes		yes	yes
deBoom, Nathan		yes	yes	yes	yes
DeHaan, Henry		yes	yes	yes	yes
Huitsing, John		yes	yes	yes	yes
Pietersma, Ron		yes	yes		
Vanden Heuvel, Geoffrey		yes	yes	yes	yes
Raughley, Steven		yes	yes	yes	yes
Boyd, Carol					
	Cain, Larry		yes	yes	yes
Hall, Pete		yes	yes	yes	yes
Medrano, Jimmy		yes	yes	yes	yes
Feenstra, Bob, Chair		yes	yes	yes	yes
	OUTCOME:	Passed Unanimously by those present	Passed Unanimously by those present	Passed Unanimously by those present	Passed Unanimously by those present