

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL COMMITTEE MEETING

September 8, 2022

The Agricultural Pool committee meeting was held at the Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on September 8, 2022.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Gino Filippi	Crops
Ruben Llamas	Crops
Steven Raughley	County of San Bernardino

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Ron LaBrucherie, Jr.	Crops
Nathan deBoom	Dairy
John Huitsing	Dairy
Geoffrey Vanden Heuvel	Dairy
Pete Hall	State of California – CIM
Jimmy Medrano	State of California – CIM

WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Bob Kuhn	Three Valley Municipal Water District
Mike Gardner	Western Municipal Water District

WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
Joe Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. and Planning Dir.
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Janine Wilson	Senior Accountant
Denise Morales	Executive Assistant II/Board Clerk
Ruby Favela	Administrative Assistant
David Huynh	Senior Field Operations Specialist
Alonso Jurado	Senior Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Andy Malone	West Yost
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WATERMASTER CONSULTANTS PRESENT ON ZOOM

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

OTHERS PRESENT AT WATERMASTER

Tracy Egoscue	Egoscue Law Group, Inc.
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OTHERS PRESENT ON ZOOM

Paul Hofer	Crops
Diana Frederick	State of California – CIM
Carol Boyd	State of California – DOJ
Richard Rees	Wood plc

CALL TO ORDER

Chair Feenstra called the Agricultural Pool committee meeting to order at 1:33 p.m.

ROLL CALL

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

AGENDA - ADDITIONS/REORDER

None

I. CONSENT CALENDAR

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 August 11, 2022

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of July 2022
2. Watermaster VISA Check Detail for the month of July 2022
3. Combining Schedule for the Period July 1, 2022 through July 31, 2022
4. Treasurer's Report of Financial Affairs for the Period July 1, 2022 through July 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through July 31, 2022
6. Cash Disbursements for August 2022 (Information Only)

C. OBMP SEMI-ANNUAL STATUS REPORT 2022-1

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the Semi-Annual OBMP Status Report 2022-1, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(0:04:06)

Motion by Mr. Jeff Pierson, seconded by Mr. Steven Raughley, and passed unanimously.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. SAFE YIELD RESET METHODOLOGY UPDATE

Provide advice and assistance.

(0:06:44) Mr. Kavounas prefaced the item and introduced Mr. Rapp of West Yost who gave a presentation. A discussion ensued. The Pool did not take any action on this item.

B. OLD BUSINESS

None

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino County Superior Court Emergency Order
2. September 30, 2022 Hearing
3. Motion Challenging Watermaster's Budget Action To Fund Unauthorized CEQA Review
4. Governor's Executive Order N-7-22

5. Kaiser Permanente Lawsuit
6. Rules and Regulations Update

(0:31:56) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. Ground-Level Monitoring Committee Update

(0:39:06) Mr. Malone gave a report. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. 2020 OBMP
2. SNMP Presentation Date – October 27, 2022 at 9:30am
3. Workshop IV
4. Supplemental Water Flowchart
5. 2023 RMPU
6. Water Activity Reports
7. Other

(0:47:45) Mr. Kavounas reported on Item 1 and mentioned that pursuant to the Board's request to explore the interest of the parties to the Judgment in Watermaster's facilitation of OBMP project level implementation and that he is currently in the midst of doing so and will report back at a later date. Mr. Kavounas continued to report on Items 2-7 and informed the committee that Watermaster has experienced an increase in workload for administrative staff in light of the uncertainty of payments and increasing litigation from some parties. As a result, he is contemplating additional resources to support the increased workload and will keep stakeholders apprised. A discussion ensued.

IV. POOL DISCUSSION

1. Chairman's Update
2. Pool Member Comments

(1:07:43) Mr. Geoffrey Vanden Heuvel gave an update on Agriculture in the Central Valley and spoke about the Governor's actions related to the drought. A discussion ensued.

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 2:46 p.m. to discuss the following:

1. Complete Review of Ag Pool Finances and AP Payments
2. Current Pool Budget
 - a. Expenses to Date
 - b. Remaining Funds
3. Strategic Planning

Confidential Session concluded at 3:23 p.m. with the following reportable action:

*Motion by Vice Chair Pierson
Second by Committee Member LaBrucherie*

The Agricultural Pool approves a budget for legal services of \$250,000.00 for the current fiscal year.

Motion passed unanimously.

ADJOURNMENT

Chair Feenstra adjourned the Agricultural Pool committee meeting at 3:23 p.m. (See adjournment time as provided by Pool Counsel)

Secretary: 

Approved: October 13, 2022

Attachments:

1. 20220908 Agricultural Pool Meeting (Roll Call Vote Outcome for Consent Calendar)
2. 20220908 Agricultural Pool Meeting (Reportable Action and Adjournment as Provided by Pool Counsel)

ATTACHMENT 1

20220908 Roll Call Vote Outcome

Member	Alternate	Consent Calendar
LaBrucherie, Jr., Ron*		Yes
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan**		See below
DeHaan, Henry		Absent
Huitsing, John*		Yes
Pietersma, Ron*		Yes
Vanden Heuvel, Geoffrey*		Yes
Raughley, Steven		Yes
Awan, Tariq		Absent
Hall, Pete*		Yes
Medrano, Jimmy*		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously by those present

*Participated via Zoom

**Nathan deBoom was having audio problems and did not vote.

ATTACHMENT 2

From: [Tracy Egoscue](#)
To: [Denise Morales](#)
Cc: [Peter Kavounas](#); [Herrema, Brad](#); bobfeenstra@gmail.com; [Jeffrey L. Pierson](#); [Tracy Egoscue](#)
Subject: Ag Pool 9/8/22 Closed Session Reportable Action
Date: Thursday, September 8, 2022 3:23:36 PM
Attachments: [image001.png](#)

The Ag Pool Closed Session concluded at 3:23pm with the following reportable action:

Motion by Vice Chair Pierson
Second by Committee Member LaBrucherie

The Agricultural Pool approves a budget for legal services of \$250,000.00 for the current fiscal year.

Motion passed unanimously.

No need to reopen the public meeting.

Thank you.

Tracy J. Egoscue
562.988.5978 office
562.981.4866 cell
tracy@egoscuelaw.com



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