

**MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL COMMITTEE MEETING**

February 9, 2023

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 February 9, 2023.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Gino Filippi for Ron LaBrucherie, Jr.	Crops
Ruben Llamas	Crops
Steven Raughley	County of San Bernardino
Leon Kazandjian	State of California – CDCR
Jimmy Medrano	State of California – CIM

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Nathan deBoom	Dairy
Henry DeHaan	Dairy
John Huitsing	Dairy
Carol Boyd for Tariq Awan	State of California – DOJ

WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Mike Gardner	Western Municipal Water District
Paul Hofer	Agricultural Pool – Crops

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.
Alexandria Moore	Executive Assistant I/Board Clerk
Ruby Favela	Administrative Analyst
Adaisel Rosales	Administrative Assistant
David Huynh	Senior Field Operations Specialist
Alonso Jurado	Senior Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Laura Yraceburu	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost
Andy Malone	West Yost

OTHERS PRESENT AT WATERMASTER

Tracy Egoscue	Egoscue Law Group, Inc.
Rich Reese	WSP USA

OTHERS PRESENT ON ZOOM

Diana Frederick	State of California – CIM
Marilyn Levin	State of California – DOJ

CALL TO ORDER

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

ROLL CALL

(0:01:24) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

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 Annual Agricultural Pool Committee Meeting held on January 12, 2023

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of December 2022
2. Watermaster VISA Check Detail for the month of December 2022
3. Combining Schedule for the Period July 1, 2022 through December 31, 2022
4. Treasurer's Report of Financial Affairs for the Period December 1, 2022 through December 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through December 31, 2022
6. Cash Disbursements for January 2023 (Information Only)

C. APPLICATION: WATER TRANSACTION – CITY OF CHINO TO NIAGARA BOTTLING, LLC

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

The purchase of 4,000 acre-feet of water from City of Chino by Niagara Bottling, LLC. This purchase is made from City of Chino's Excess Carryover Account.

Vice-Chair Pierson inquired as to whether the annual meeting minutes from January as drafted were satisfactory to counsel. Ms. Egoscue replied affirmatively.

(0:04:55)

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

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. BUDGET AMENDMENT TO THE EXISTING SAFE YIELD COURT ORDER IMPLEMENTATION PLAN

Recommend Advisory Committee approval.

(0:07:14) Mr. Kavounas invited Mr. Rapp to give a presentation. A discussion ensued.

(0:27:37)

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

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

B. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) IMPLEMENTATION PLAN UPDATE

Provide advice and assistance to the Advisory Committee on whether to retain a facilitator to assist with an update of the OBMP Implementation Plan.

(0:29:40) Mr. Kavounas gave a report. A discussion ensued. The Pool indicated its support to move forward with this effort.

C. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) UPDATE ESSENTIAL MANAGEMENT ACTIONS

Provide advice and assistance.

(0:38:42) Mr. Kavounas gave a presentation. A discussion ensued.

D. OLD BUSINESS

None

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. January 20, 2023 Hearing
2. March 17, 2023 Hearing
3. Court of Appeal Case No. E079052
4. Court of Appeal Case No. E080457
5. Court of Appeal Case No. E080533
6. Kaiser Permanente Lawsuit
7. Rules and Regulations Update

(1:04:09) Ms. Yraceburu gave a report on behalf of Mr. Herrema who was absent.

B. ENGINEER

1. Ground-Level Monitoring Committee

(1:07:19) Mr. Malone gave a report.

C. CHIEF FINANCIAL OFFICER

1. Fiscal Year 2023/24 Budget Schedule

Chair Feenstra handed control of the meeting to Vice-Chair Pierson and left the meeting.

(1:10:23) Mr. Joswiak gave a report.

D. GENERAL MANAGER

1. Other

(1:12:50) Mr. Kavounas gave a report and showed the email he received from Mr. Deshmukh of IEUA regarding the OBMP Project Description (PD). IEUA is requesting that if Parties have any language they would like considered for the PD to submit it by February 20, 2023.

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.

The Pool convened into Confidential Session at 2:50 p.m. to discuss the following:

1. Appeal Update
2. Strategic Plan for 2023

Confidential Session concluded at 2:58 p.m. with no reportable action.

ADJOURNMENT

There being no reportable action, Vice-Chair Pierson adjourned the Agricultural Pool committee meeting at 2:58 p.m. as provided in the attachment by Pool Counsel.

Secretary: 

Approved: March 9, 2023

Attachments:

1. 20230209 Agricultural Pool Meeting (Roll Call Vote Outcome for Consent Calendar)
2. 20230209 Agricultural Pool Meeting (Roll Call Vote Outcome for Business Item II.A.)
3. 20230209 Agricultural Pool Meeting (Adjournment Time as Provided by Pool Counsel)

ATTACHMENT 1

20230209 Roll Call Vote Outcome

Member	Alternate	Consent Calendar
Gino Fillipi for LaBrucherie, Jr., Ron	Yes	
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Llamas, Ruben		Yes
Raughley, Steven		Yes
Carol Boyd for Awan, Tariq*	Yes	
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously by those present

*Participated via Zoom

ATTACHMENT 2

20230209 Roll Call Vote Outcome

Member	Alternate	II.A.
Gino Fillipi for LaBrucherie, Jr., Ron	Yes	
Pierson, Jeff, Vice-Chair		Yes
deBoom, Nathan		Yes
DeHaan, Henry *		Yes
Huitsing, John		Yes
Pietersma, Ron		Absent
Llamas, Ruben		Yes
Raughley, Steven		Yes
Carol Boyd for Awan, Tariq*	Yes	
Kazandjian, Leon		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously by those present

*Participated via Zoom

ATTACHMENT 3

From: [Tracy Egoscue](#)
To: [Alexandria Moore](#); [Anna Nelson](#); [Peter Kavounas](#); [Bob Feenstra](#); [Jeff Pierson](#)
Subject: Ag Pool Closed Session 2/9/23
Date: Thursday, February 9, 2023 3:00:20 PM

The Ag Pool adjourned the closed session at 2:58pm with no reportable action.

No need to reconvene the public meeting. Thank you.

Tracy J. Egoscue
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www.egoscuelaw.com

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