

MINUTES
CHINO BASIN WATERMASTER
AGRICULTURAL POOL COMMITTEE MEETING

February 8, 2024

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 8, 2024.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Bob Feenstra, Chair	Dairy
Ruben Llamas	Crops
Christen Miller	County of San Bernardino
Imelda Cadigal	State of California - CDCR
Jimmy Medrano	State of California - CDCR
Tariq Awan	State of California - CDCR

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Jeff Pierson, Vice-Chair	Crops
Ron LaBrucherie	Crops
Nathan deBoom	Dairy
Henry DeHaan	Dairy
John Huitsing	Dairy

WATERMASTER STAFF PRESENT

Edgar Tellez Foster	Acting General Manager
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Daniela Uriarte	Senior Accountant
Alexandria Moore	Executive Assistant I/Board Clerk
Alonso Jurado	Senior Field Operations Specialist
Ruby Favela	Administrative Assistant
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist
Rudy Nunez	Office Specialist/Receptionist

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
Scott Nelsen	Eide Bailly, LLP
Garret Rapp	West Yost

OTHERS PRESENT AT WATERMASTER

Gino Filippi	Crops
Paul Hofer	Crops
Tracy Egoscue	Egoscue Law Group, Inc.
Richard Rees	WSP USA

OTHERS PRESENT ON ZOOM

Diana Frederick	State of California – CDCR
Lewis Callahan	State of California – CDCR
Carol Boyd	State of California – DOJ
Marilyn Levin	State of California – DOJ

CALL TO ORDER

Chair Feenstra called the Agricultural Pool committee meeting to order at 1:30 p.m.

ROLL CALL

(0:0:40) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

(0:02:50) Vice-Chair Jeff Pierson requested to pull Consent Calendar Item I.A. for separate discussion. Ms. Egoscue provided the Pool with a redline version of the minutes including the suggested changes of the revision as shown in Attachment 2 below.

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 11, 2024

B. FINANCIAL REPORTS

Receive and file as presented:

Monthly Financial Report for the Reporting Period Ended December 31, 2023.

(0:08:36)

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 the Consent Calendar with the modifications to the January 11, 2024 meeting minutes as shown in Attachment 2.

II. BUSINESS ITEMS

A. PEACE AGREEMENT TIMELINE (INFORMATION ONLY)

(0:25:00) Mr. Tellez Foster gave a presentation. A discussion ensued.

B. OLD BUSINESS

None

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. February 2, 2024 Court Hearing (Watermaster Board Reappointment and GLMP Annual Report)
2. May 31, 2024 Court Hearing (Watermaster 46th Annual Report)
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

(0:42:34) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. Ground-Level Monitoring Program
2. Water Quality Committee
3. 2025 Safe Yield Reevaluation

(0:48:59) Mr. Malone gave a report on items 1 and 2, and Mr. Rapp gave a report on item 3.

C. GENERAL MANAGER

1. Reliability Study
2. Diversion Permits Reporting
3. San Sevaine Drone Footage
4. Other

(1:02:15) Mr. Tellez Foster gave an update on items 1 and 2 and invited Mr. Nakano to give a report on item 3. Under item 4, Mr. Tellez Foster reported that the Minor Representatives appointed San Antonio Water Company as Minor 1 and Santa Ana River Water Company as Minor 2 on the calendar year 2024 Advisory Committee.

IV. POOL DISCUSSION

1. Chairman's Update
2. Pool Member Comments

(1:07:18) Mr. Gino Filippi gifted Watermaster historic pictures from a flood that occurred fifty years ago.

(1:17:02) Vice-Chair Pierson honored Mr. Bob Deberard, former Agricultural Pool Chairman for implanting a storm basin in West Riverside area.

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 2:48 p.m. to discuss the following:

1. Administrative Issues
2. Peace Agreement Timeline
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Strategic Planning

Confidential Session concluded at 3:39 p.m. with no reportable action.

ADJOURNMENT

Chair Feenstra did not wish to reconvene into open session, and the Agricultural Pool Committee meeting was adjourned at 3:39 p.m. as provided by Pool counsel via email as shown in Attachment 3.

Secretary: _____ 

Approved: _____ March 14, 2024

Attachments:

1. 20240208 Roll Call Vote Outcome for Consent Calendar
2. 20240208 Revised Redline January 11, 2024 Agricultural Pool Meeting Minutes
3. Adjournment (Email from Legal Counsel)

ATTACHMENT 1

20240208 Roll Call Vote Outcome

Member	Alternate	Consent Calendar
LaBrucherie, Jr., Ron*		Yes
Pierson, Jeff, Vice-Chair*		Yes
deBoom, Nathan*		Yes
DeHaan, Henry*		Yes
Huitsing, John*		Yes
Pietersma, Ron		Absent
Llamas, Ruben		Yes
Miller, Christen		Yes
Awan, Tariq		Yes
Cadigal, Imelda		Yes
Medrano, Jimmy		Yes
Feenstra, Bob - Chair		Yes
	OUTCOME:	Passed Unanimously

*Participated via Zoom

DRAFT MINUTES
CHINO BASIN WATERMASTER
ANNUAL AGRICULTURAL POOL COMMITTEE MEETING

January 11, 2024

The annual 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 January 11, 2024.

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Bob Feenstra, Chair	Dairy
Jeff Pierson, Vice-Chair	Crops
Ruben Llamas	Crops
Gino Filippi for Ron Pietersma	Crops
Christen Mitchell	County of San Bernardino
John Huitsing	Dairy
Tariq Awan	State of California – CDCR
Imelda Cadigal	State of California – CDCR
Jimmy Medrano	State of California – CDCR

AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Nathan deBoom	Dairy
Henry DeHaan	Dairy
Geoffrey Vanden Heuvel	Dairy

AGRICULTURAL POOL LEGAL COUNSEL PRESENT AT WATERMASTER

Tracy Egoscue	Egoscue Law Group, Inc.
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WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

Mike Gardner	Western Municipal Water District
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WATERMASTER STAFF PRESENT

Edgar Tellez Foster	Acting General Manager
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Daniela Uriarte	Senior Accountant
Alexandria Moore	Executive Assistant I/Board Clerk
Ruby Favela Quintero	Administrative Assistant
Rudy Nunez	Office Specialist/Receptionist
Alonso Jurado	Water Resources Associate
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Andy Malone	West Yost
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WATERMASTER CONSULTANTS PRESENT ON ZOOM

Laura Yraceburu for Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost
Scott Nelsen	Eide Bailly, LLP

OTHERS PRESENT AT WATERMASTER

Paul Hofer	Crops
Richard Rees	WSP USA
Steven Raughley	County of San Bernardino

OTHERS PRESENT ON ZOOM

Hye Jin Lee	City of Chino
Carol Boyd	State of California – DOJ
Lewis Callahan	State of California - CDCR
Diana Frederick	State of California – CDCR
Marilyn Levin	State of California – DOJ

CALL TO ORDER

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

ROLL CALL

(0:01:07) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA – ADDITIONS/REORDER

None

I. ANNUAL ELECTIONS (ACTION)

A. CALENDAR YEAR 2024 AGRICULTURAL POOL MEMBERS

According to the Overlying (Agricultural) Pool Rules and Regulations the Agricultural Pool membership shall consist of not less than nine (9) representatives selected at large by members of the Pool. Pool members will be asked to make any necessary changes to the following list to establish pool membership and alternates during Calendar Year 2024:

(0:04:25) Mr. Feenstra turned the meeting over to Ms. Egoscue, the Agricultural Pool Committee’s counsel, to run the annual elections. The 2024 representatives and alternates for Dairy, State, and County are approved as shown below.

2023 Agricultural Pool Members

Dairy: Robert Feenstra
 Nathan deBoom
 Henry De Haan
 John Huitsing
 Ron Pietersma

Crops: Jeff Pierson
 Ron LaBrucherie, Jr.
 Ruben Llamas

State: Tariq Awan
 Leon “Kaz” Kazandjian
 Jimmy Medrano

County: Steven Raughley

2024 Agricultural Pool Members

Dairy: Robert Feenstra
Nathan deBoom
Henry De Haan
John Huitsing
Ron Pietersma

Crops Jeff Pierson
Ron LaBrucherie, Jr.
Ruben Llamas

State: Tariq Awan
Imelda Cadigal
Jimmy Medrano

County: Christen Mitchell

2023 Alternates

Crops: Paul Hofer
Gino Filippi
Ruben Llamas

State: Carol Boyd
Diana Frederick
Noah Golden-Krasner

Marilyn Levin
Gregor Larabee

2024 Alternates

Crops: Gino Filippi
Paul Hofer
Geoffrey Vanden Heuvel

State: Carol Boyd
Lewis Callahan
Diana Frederick
Noah Golden-Krasner
Marilyn Levin
Gregor Larabee

County: Bradley Jensen

County: Trevor Leja

(0:06:01)

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 the 2024 Agricultural Pool Committee membership and alternates, as shown above in I.A.

(1:03:52)

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

Moved to approve the reconsideration of adding Mr. Paul Hofer as an Alternate Member, as shown above in I.A.

(1:06:11)

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 to add Mr. Paul Hofer as an Alternate Member, as shown above in I.A.

B. ANNUAL ELECTIONS

Elect the following Calendar Year 2024 Officers of the Pool: Chair, Vice-Chair, Secretary, Treasurer, and Assistant Secretaries and Treasurers as may be appropriate.

Chair	<u>Bob Feenstra</u>
Vice-Chair	<u>Jeff Pierson</u>
Secretary	<u>Watermaster General Manager</u>
Treasurer	<u>John Huitsing</u>

(0:07:46) Ms. Egoscue, the Agricultural Pool Committee's counsel conducted the annual election of officers.

(0:08:49)

Motion by Mr. John Huitsing, seconded by Mr. Henry De Haan, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2024 appointment of Agricultural Pool Committee Chair, Vice-Chair, Secretary, and Treasurer as shown above in I.B.

C. ELECTION OF CALENDAR YEAR 2024 ADVISORY COMMITTEE MEMBERS

According to the Agricultural Pool Pooling Plan, the Pool shall designate up to 10 members of the Pool Committee, and their alternates, to serve on the Advisory Committee.

(0:18:31)

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

Moved to approve the Calendar Year 2024 appointment of the Agricultural Pool Committee members and their alternates to serve on the 2024 Advisory Committee. There are 10 members and 10 alternates who may serve in the place of any member.

Members are as follows:

***Chair Feenstra
Vice Chair Pierson
Ruben Llamas
Nathan DeBoom
Henry DeHaan
John Huitsing
Ron Pietersma
Tariq Awan
Jimmy Medrano
Imelda Cadigal***

Alternates are as follows:

***Gino Filippi
Paul Hofer
Geoffrey Vanden Heuvel
Ron LaBrucherie, Jr.
Carol Boyd
Lewis Callahan
Diana Frederick
Noah Golden-Krasner
Marilyn Levin
Gregor Larabee***

The County representatives waived their seats on Advisory.

D. CALENDAR YEAR 2024 AGRICULTURAL POOL MEMBER APPOINTED TO SERVE AS ADVISORY COMMITTEE OFFICER

Appoint a designated representative to serve as an officer of the Advisory Committee during Calendar Year 2024. According to the rotation sequence established among the Pools, the Agricultural Pool appointee will be filling the position of Chair.

Agricultural Pool Officer (Chair) Appointment to the Advisory Committee:

Jeff Pierson

(0:21:35)

Motion by Mr. Bob Feenstra, seconded by Mr. Jimmy Medrano, and by unanimous roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2024 Agricultural Pool Committee member appointed to serve as the Advisory Committee Officer as shown above in I.D.

E. APPOINTMENT OF CALENDAR YEAR 2024 POOL REPRESENTATION ON WATERMASTER BOARD

According to the Board rotation schedule filed with the Court in 2000 and updated on November 17, 2015, for calendar year 2024, the Agricultural Pool is to appoint two (2) representatives and alternate(s), one State and one Dairy seat, to serve on the Board for the Calendar Year.

Member: Jeff Pierson Alternate: Robert Feenstra/Ron Pietersma

Member: Jimmy Medrano Alternate: Lewis Callahan

Diana Frederick

(0:37:45)

Motion by Vice-Chair Jeff Pierson, seconded by Mr. Henry De Haan, and by majority roll call vote as attached to these minutes.

Moved to approve the Calendar Year 2024 Agricultural Pool Committee members and alternates appointed to serve on the Watermaster Board as shown above in I.E. Vice Chair Motion "Allow the alternates for the two positions on the Board in case of an absence and an alternate not being able to fill their obligation, any one of the alternates that we have identified from the Ag Pool can fill that position." Restated by General Counsel before the vote: "All of the alternates may serve for either position as needed."

II. CONSENT CALENDAR

A. MINUTES

Approve as presented:

1. Minutes of the Agricultural Pool Committee Meeting held November 9, 2023
2. Minutes of the Agricultural Pool Committee Special Meeting held December 14, 2023

B. FINANCIAL REPORTS

Receive and file as presented:

Monthly Financial Reports for the Reporting Periods Ended October and November 2023

C. CHINO BASIN WATERMASTER 2024 INVESTMENT POLICY – RESOLUTION NO. 2024-01

Provide advice and assistance on the Watermaster investment policy and corresponding Resolution 2024-01.

D. CHINO BASIN WATERMASTER 46TH ANNUAL REPORT (FISCAL YEAR 2022/23)

Recommend to the Advisory Committee to recommend to the Watermaster Board to adopt the 46th Annual Report, along with filing a copy with the Court, subject to any necessary non-substantive changes.

E. APPLICATION: WATER TRANSACTION – CITY OF ONTARIO TO CUCAMONGA VALLEY WATER DISTRICT

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

F. APPLICATION: RECHARGE – CITY OF POMONA

Recommend to the Advisory Committee to recommend to the Board to approve The City of Pomona's application for recharge and direct staff to account for the same.

(01:09:00)

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 the Consent Calendar as presented.

III. BUSINESS ITEMS

None

IV. REPORTS/UPDATES

A. LEGAL COUNSEL

1. December 1, 2023 Court Hearing (OBMP Semi-Annual Status Report and 2023 Recharge Master Plan Update)
2. February 2, 2024 Court Hearing (Watermaster Board Reappointment and GLMP Annual Report)
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

(01:10:27) Ms. Yraceburu gave a report on behalf of Mr. Herrema.

B. ENGINEER

1. Safe Yield Court Order Implementation
2. Storage and Recovery Master Plan
3. Water Quality Committee
4. Updated Schedules on Watermaster Website

(01:18:45) Mr. Rapp gave a report on items 1 and 2. Mr. Malone gave a report on items 2 and 3.

D. GENERAL MANAGER

1. Fiscal Year 2023/24 Exhibit "G" Physical Solution Transfers
2. Calendar Year 2024 Letters of CBWM Representation
3. Calendar Year 2024 Hearing Officer Panel
4. DYY Deliveries
5. OBMP Update CEQA
6. Other

(01:26:51) Mr. Tellez Foster introduced Mr. Yoo to give a report on item 1, and Ms. Moore for items 2 and 3. Under item 4, he gave an update indicating that DYY deliveries will stop in January.

On item 5, he mentioned that IEUA has received all comments for the OBMP Update CEQA, and the IEUA Board will bring this item for certification in February. He reported that Watermaster has discontinued its fax line as a cost savings due to low usage.

V. POOL MEMBER COMMENTS

(01:36:33) Mr. Filippi commented that the late Mr. Don Galleano would be happy to hear about the recharge in the basin.

VI. OTHER BUSINESS

None

VII. 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 3:10 p.m. to discuss the following:

1. Strategic Planning

Confidential Session concluded at 4:04 p.m. with no reportable action.

ADJOURNMENT

Chair Feenstra did not wish to reconvene into open session, and the annual Agricultural Pool Committee meeting was adjourned at 4:04 p.m. as provided by Pool counsel via email as attached to these minutes.

Secretary: _____

Approved: _____

Attachments:

1. 20240111 Roll Call Vote Outcome for Annual Elections I.A.
2. 20240111 Roll Call Vote Outcome for Annual Elections I.A. (Reconsideration to reopen Item I.A. to add Mr. Hofer as an Alternate Member)
3. 20240111 Roll Call Vote Outcome for Annual Elections I.A. (Sub Motion to add Mr. Hofer as an Alternate Member)
4. 20240111 Roll Call Vote Outcome for Annual Elections I.B.
5. 20240111 Roll Call Vote Outcome for Annual Elections I.C.
6. 20240111 Roll Call Vote Outcome for Annual Elections I.D.
7. 20240111 Roll Call Vote Outcome for Annual Elections I.E.
8. 20240111 Roll Call Vote Outcome for Consent Calendar II.A.-H.
9. Adjournment (Email from Legal Counsel)

ATTACHMENT 3

From: [Tracy Egoscue](#)
To: [Alexandria Moore](#); [Edgar Tellez Foster](#); [Herrema, Brad](#)
Cc: [Bob Feenstra](#); [Jeff Pierson](#)
Subject: Ag Pool Closed Session
Date: Thursday, February 8, 2024 3:40:36 PM

The Agricultural Pool closed session ended at 3:39pm with no reportable action.

Tracy J. Egoscue (she/her)
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