

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING

April 14, 2022

The Appropriative 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 April 14, 2022.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT

Chris Diggs, Vice-Chair	City of Pomona
Dave Crosley	City of Chino
Amanda Coker for Eduardo Espinoza	Cucamonga Valley Water District
Chris Quach	City of Ontario
Josh Swift	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Chris Berch	Jurupa Community Services District
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
Cris Fealy	Nicholson Family Trust
Brian Lee	San Antonio Water Company
John Lopez	Santa Ana River Water Company

WATERMASTER BOARD MEMBERS PRESENT

Bob Kuhn	Three Valleys Municipal Water District
Mike Gardner	Western Municipal Water District
Pete Hall	State of California

WATERMASTER STAFF PRESENT

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & 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
Ruby Favela	Administrative Assistant

WATERMASTER CONSULTANTS PRESENT

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

OTHERS PRESENT

Steve Anderson	Best Best & Krieger
Alexis Mascarinas	City of Ontario
Nicole deMoet	City of Upland
Rob Hills	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
Tarren Alicia Torres	Egoscue Law Group, Inc.
Joshua Aguilar	Inland Empire Utilities Agency
Manny Martinez	Monte Vista Water District
Jeff Davis	Provost & Pritchard Consulting
Marilyn Levin	Ag Pool – State of California

David De Jesus
Mallory Gandara

Three Valleys Municipal Water District
Western Municipal Water District

CALL TO ORDER

Vice-Chair Diggs, on behalf of Chair Espinoza who was absent, called the Appropriative Pool committee meeting to order at 9:00 a.m.

ROLL CALL

(0:00:19) Ms. Wilson conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

None

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 Appropriative Pool Special Meeting held February 17, 2022
2. Minutes of the Appropriative Pool Special Meeting held February 24, 2022
3. Minutes of the Appropriative Pool Meeting held March 10, 2022
4. Minutes of the Appropriative Pool Special Meeting held March 17, 2022
5. Minutes of the Appropriative Pool Special Meeting held March 22, 2022

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of February 2022
2. Watermaster VISA Check Detail for the month of February 2022
3. Combining Schedule for the Period July 1, 2021 through February 28, 2022
4. Treasurer's Report of Financial Affairs for the Period February 1, 2022 through February 28, 2022
5. Budget vs. Actual Report for the Period July 1, 2021 through February 28, 2022
6. Cash Disbursements for March 2022 (Information Only)

C. APPLICATION: WATER TRANSACTION

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

The Purchase of 7,500 acre-feet of water from Cucamonga Valley Water District by Fontana Water Company. This purchase is made from Cucamonga Valley Water District's Annual Production Rights. Date of Application: April 4, 2022.

(0:03:09) *Motion by Mr. Chris Berch, seconded by Mr. Justin Scott-Coe, passed unanimously*
Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. POTENTIAL UPDATE TO STANDARD LOCAL STORAGE AGREEMENTS

Recommend Advisory Committee approval of the changes to the existing Form 8, Standard Local Storage Agreement.

(0:03:28) Mr. Kavounas gave a report. A discussion ensued.

B. FISCAL YEAR 2022/23 DRAFT BUDGET (DISCUSSION ONLY)

The Fiscal Year 2022/23 Draft Budget review is for discussion only. No action is required.

(0:18:39) Mr. Joswiak gave a report and invited Mr. Rapp to present the purpose and scope of the budget line item 6906.26 titled "Support development of 2020 OBMP CEQA Documentation, Implementation Plan, and Peace Agreement Amendment". A discussion ensued.

III. REPORTS/UPDATES

A. LEGAL COUNSEL

1. San Bernardino Superior Court Emergency Order
2. Ag Pool Appeal of November 5, 2021 Order
3. April 8, 2022 Hearing
4. Governor's Executive Order N-7-22
5. Kaiser Permanente Lawsuit

(0:51:04) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER

1. Safe Yield Data Collection and Evaluation Update
2. Status Report on the Update of the Chino Basin Maximum Benefit SNMP

(1:01:11) Mr. Rapp gave a report. A discussion ensued.

C. CHIEF FINANCIAL OFFICER

None

D. GENERAL MANAGER

1. Regional Water Supply/Drought Update
2. Watermaster Board Workshop
3. Other

(1:04:58) Mr. Kavounas gave a report and asked Mr. Aguilar of IEUA to report on Item 1. Mr. Kavounas reported on Item 2 and also announced that MWD approved a 5% rate increase instead of the contemplated 8% increase, and that there would be a special MWD Board Workshop on April 26, 2022 to discuss further.

IV. INFORMATION

1. Ground-Level Monitoring Committee Semi-Annual Status Report
2. Chino Airport and South Archibald Plumes Semi-Annual Status Reports

V. POOL MEMBER COMMENTS

(1:09:14) Vice-Chair Diggs welcomed everyone back in person after a few years meeting over Zoom due to the pandemic.

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.

Vice-Chair Diggs called for a confidential session at 10:10 a.m. to discuss the following:

1. Agricultural Pool Legal Expense, Appropriative Pool Administrative Matters, and Strategic Planning

Confidential session concluded at 11:30 a.m. with no reportable action.

ADJOURNMENT

Vice-Chair Diggs adjourned the Appropriative Pool Committee meeting at 11:30 a.m.

Secretary: 

Approved: May 12, 2022