

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD MEETING**

August 25, 2020

The Watermaster Board meeting was held via GoToMeeting (conference call and web meeting) on August 25, 2020.

**WATERMASTER BOARD MEMBERS PRESENT ON CALL**

Jeff Pierson, Chair	Agricultural Pool – Crops
James Curatalo, Vice-Chair	Fontana Union Water Company
Bob Kuhn, Secretary/Treasurer	Three Valleys Municipal Water District
Bob Bowcock	CalMat Co.
Steve Elie	Inland Empire Utilities Agency
Don Galleano	Western Municipal Water District
Paul Hofer	Agricultural Pool – Crops
Victor Preciado	City of Pomona
Peter Rogers	City of Chino Hills

**WATERMASTER STAFF PRESENT AT WATERMASTER**

Peter Kavounas	General Manager
Janine Wilson	Senior Accountant
Vanessa Aldaz	Administrative Assistant

**WATERMASTER STAFF PRESENT ON CALL**

Joseph Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. and Planning Dir.
Anna Nelson	Executive Services Director/Board Clerk
Justin Nakano	Water Resources Technical Manager

**WATERMASTER CONSULTANTS PRESENT ON CALL**

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Mark Wildermuth	Wildermuth Environmental, Inc.
Andy Malone	Wildermuth Environmental, Inc.

**OTHERS PRESENT ON CALL**

Ron Craig	City of Chino Hills
Betty Anderson	Jurupa Community Services District
Chris Diggs	City of Pomona
David De Jesus	Three Valleys Municipal Water District
Gino Filippi	Agricultural Pool – Crops
Pete Hall	Agricultural Pool – State of CA – CIM/CDCR
Brian Geye	California Speedway Corporation
Christiana Daisy	Inland Empire Utilities Agency
Bob Feenstra	Agricultural Pool – Dairy
Marilyn Levin	Agricultural Pool – State of CA – DOJ
Courtney Jones	City of Ontario
Dave Crosley	City of Chino
Eunice Ulloa	City of Chino
Joshua Aguilar	Inland Empire Utilities Agency
Richard Rees	Wood plc
Tracy Egoscue	Egoscue Law Group, Inc.
Amanda Coker	City of Chino
John Bosler	Cucamonga Valley Water District
Praseetha Krishnan	Cucamonga Valley Water District

Steven Ledbetter  
Steven Ledbetter  
Scott Burton  
Robert DiPrimio

City of Upland  
West End Consolidated Water Company  
City of Ontario  
San Gabriel Valley Water Company

**CALL TO ORDER**

Chair Pierson called the Watermaster Board meeting to order at 11:00 a.m.

(0:02:22) Ms. Nelson conducted the roll call and announced that all nine Board members were present.

**PUBLIC COMMENTS**

None

**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 Watermaster Board Meeting held July 23, 2020
2. Minutes of the Watermaster Board Special Meeting held August 4, 2020

**B. FINANCIAL REPORTS**

Receive and file as presented:

1. Cash Disbursements for the month of June 2020
2. Watermaster VISA Check Detail for the month of June 2020
3. Combining Schedule for the Period July 1, 2019 through June 30, 2020
4. Treasurer's Report of Financial Affairs for the Period June 1, 2020 through June 30, 2020
5. Budget vs. Actual Report for the Period July 1, 2019 through June 30, 2020
6. Cash Disbursements for July 2020 (Information Only)

**C. APPLICATION: WATER TRANSACTION**

Approve the proposed transaction:

The permanent transfer of 464.240 acre-feet of Safe Yield rights from Carlsberg Mobile Home Properties, LTD '73 to Hamner Park Associates, LP based on transfer of land ownership by Grant Deed dated September 30, 1987. This transfer is contingent on Hamner Park Associates, LP's successful intervention into the Overlying (Non-Agricultural) Pool.

**D. APPLICATION: WATER TRANSACTION**

Approve the proposed transaction:

The purchase of 708.3 acre-feet of water from West End Consolidated Water Company by the City of Upland. This purchase is made from West End Consolidated Water Company's Annual Production Right. The City of Upland is utilizing this transaction to produce its West End Consolidated Water Company shares. Date of application: June 18, 2020.

**E. APPLICATION: WATER TRANSACTION**

Approve the proposed transaction:

The permanent transfer of Safe Yield Rights from Nicholson Trust to Nicholson Family Trust – Exempt Marital Trust. Date of application: June 8, 2020.

**F. APPLICATION: RECHARGE**

Approve Cucamonga Valley Water District's Application for Recharge and direct Watermaster staff to account for this supplemental water recharged in Cucamonga Valley Water District's existing Local Supplemental Storage account.

**G. APPLICATION: RECHARGE**

Approve Fontana Water Company's Application for Recharge (up to 300 acre-feet to be recharged into the Vulcan Basin) and direct Watermaster staff to account for this supplemental water recharged in Fontana Water Company's existing Local Supplemental Storage account.

**H. APPLICATION: RECHARGE**

Approve Fontana Water Company's Application for Recharge (up to 100 acre-feet to be recharged into the vineyard located along the south side of Beech Avenue and east of Cherry Avenue in the City of Fontana (MAR project)) and direct Watermaster staff to account for this supplemental water recharged in Fontana Water Company's existing Local Supplemental Storage account.

**I. APPLICATION: RECHARGE**

Approve San Antonio Water Company's Application for Recharge and direct Watermaster staff to account for this supplemental water recharged in San Antonio Water Company's existing Local Supplemental Storage account.

(0:05:25) A motion was introduced by Mr. Kuhn and seconded by Mr. Rogers.

(0:06:25) A roll call vote was taken.

*Motion by Mr. Bob Kuhn, seconded by Mr. Peter Rogers, and by unanimous roll call vote as attached to these minutes*

***Moved to approve the Consent Calendar as presented.***

**II. BUSINESS ITEMS****A. OAP LEGAL EXPENSE INCREASE**

Direct staff to issue invoices to the Appropriative Pool Parties for the \$167,000 unreimbursed increase, allocated on the basis of the "Ag Pool Reallocation".

(0:07:40) Mr. Kavounas gave a report. A discussion ensued.

(0:10:19) A motion was introduced by Mr. Bowcock and seconded by Mr. Galleano.

(0:11:50) A roll call vote was taken.

*Motion by Mr. Bob Bowcock, seconded by Mr. Don Galleano, and by majority roll call vote as attached to these minutes*

***Moved to direct Watermaster staff to issue invoices in accordance with the court order.***

***Mr. Preciado, representing the City of Pomona, voted against the motion.***

**B. 2020 OBMP CEQA – INCREASED SCOPE OF WORK (DISCUSSION ONLY)**

No recommendation at this time.

(0:13:40) Mr. Tellez Foster gave a report. A discussion ensued.

**C. THIRD SUPPLEMENT TO THE OBMPU STATUS REPORT**

Direct Legal Counsel to file the 3rd Supplement to the OBMP Status Report.

(0:24:27) Mr. Kavounas gave a report.

(0:26:09) A motion was introduced by Mr. Hofer and seconded by Mr. Bowcock.

(0:26:32) A roll call vote was taken.

*Motion by Mr. Paul Hofer, seconded by Mr. Bob Bowcock, and by unanimous roll call vote as attached to these minutes*

***Moved to direct Legal Counsel to file the Third Supplement to the OBMPU Status Report with the court.***

### **III. REPORTS/UPDATES**

#### **A. LEGAL COUNSEL REPORT**

1. San Bernardino County Superior Court Emergency Order
2. July 10, 2020 Hearing
3. September 25, 2020 Hearing
4. Ely 3 Basin Update

(0:27:42) Mr. Slater gave a report.

#### **B. ENGINEER REPORT**

1. Ground-Level Monitoring Committee – Meeting Summary
2. OCWD Monitoring Wells in Prado Basin
3. 97-005 Study Results

(0:33:15) Mr. Malone gave a report. A discussion ensued.

#### **C. CFO REPORT**

None

#### **D. GM REPORT**

1. Data and Modeling Review of the Chino Valley Model
2. Procedure and Fee Schedule for Requesting Information and Documents Related to the Chino Valley Model
3. Consideration of the 2020 Optimum Basin Management Program Update
4. Fiscal Year 2019/20 Budget Transfer (Form T-20-06-01)
5. Status report: OAP Contest
6. Watermaster Business Plan
7. Other

(0:40:10) Mr. Kavounas gave a report. A discussion ensued.

### **IV. INFORMATION**

None

### **V. BOARD MEMBER COMMENTS**

None

### **VI. OTHER BUSINESS**

None

### **VII. CONFIDENTIAL SESSION - POSSIBLE ACTION**

Pursuant to Article 2.6 of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

Chair Pierson called for a confidential session at 11:53 a.m. to discuss the following:

1. Conference with Legal Counsel – Anticipated Litigation: One Case

(0:52:55) Ms. Nelson conducted the roll call following confidential session for purposes of quorum and announced that a quorum was present.

Confidential Session concluded at 12:21 p.m. with the following reportable action:

(0:54:32) The members of the Board met today in closed session to consider pending potential litigation and a pending claim that has been filed with Watermaster by Kaiser. After considering the matter in closed session the Board has determined to deny the pending claim.

**ADJOURNMENT**

Chair Pierson adjourned the Watermaster Board meeting at 12:24 p.m.

Secretary: \_\_\_\_\_

Approved: September 24, 2020

Attachments:

1. 20200825 Roll Call Vote Outcome for Consent Calendar
2. 20200825 Roll Call Vote Outcome for Business Item II.A.
3. 20200825 Roll Call Vote Outcome for Business Item II.C.

August 25, 2020 Watermaster Board Meeting Roll Call Vote for  
Consent Calendar Items I.A.-I.I.

Member	Alternate	I.A. - I.I.
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>

Attachment 2 to 20200825 Watermaster Board Minutes  
Business Item II.A. - OAP Legal Expense Increase

August 25, 2020 Watermaster Board Meeting Roll Call Vote for  
Business Item II.A. - OAP Legal Expense Increase

Member	Alternate	II.A.
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		no
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
	<b>OUTCOME:</b>	<b>Passed by Majority</b>

Attachment 3 to 20200825 Watermaster Board Minutes  
Business Item II.C. - Third Supplement to the OBMPU Status Report

August 25, 2020 Watermaster Board Meeting Roll Call Vote for  
Business Item II.C. - Third Supplement to the OBMPU Status Report

Member	Alternate	II.C.
Bowcock, Bob		yes
Curatalo, James, Vice-Chair		yes
Elie, Steve		yes
Galleano, Don		yes
Hofer, Paul		yes
Kuhn, Bob, Secretary/Treasurer		yes
Preciado, Victor		yes
Rogers, Peter		yes
Pierson, Jeff, Chair		yes
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>