

**Record of the Minutes of the
Beaumont Basin Committee Meeting of the
Beaumont Basin Watermaster
Special Meeting
Thursday, February 18, 2021**

Meeting Location:

*There was no public physical meeting location due to the coronavirus pandemic.
Meeting held via video teleconference pursuant to:
California Government Code Section 54950 et. seq. and
California Governor's Executive Orders N-29-20 and N-33-20*

I. Call to Order

Chairman Arturo Vela called the meeting to order at 10:00 a.m.

II. Roll Call

<i>City of Banning</i>	<i>Arturo Vela</i>	<i>Present</i>
<i>City of Beaumont</i>	<i>Jeff Hart</i>	<i>Present</i>
<i>Beaumont-Cherry Valley Water District</i>	<i>Daniel Jagers</i>	<i>Present</i>
<i>South Mesa Water Company</i>	<i>Dave Armstrong</i>	<i>Present</i>
<i>Yucaipa Valley Water District</i>	<i>Joseph Zoba</i>	<i>Present</i>

Thierry Montoya was present representing legal counsel for the Beaumont Basin Watermaster (BBWM). Hannibal Blandon was present as engineer for the BBWM.

Members of the public who registered and / or attended:

*Lance Eckhart, San Geronio Pass Water Agency
Mark Swanson, Beaumont-Cherry Valley Water District
Erica Gonzales, Beaumont-Cherry Valley Water District
Jennifer Ares, Yucaipa Valley Water District
Robert Vestal, City of Beaumont
Bryan Brown
Greg Newmark
Logan Largent
Madeline Blua
Mike Kastelecky
Thaxton Van Belle, City of Beaumont*

III. Pledge of Allegiance

Chair Vela led the pledge.

IV. Public Comments:

None.

V. Consent Calendar

1. Meeting Minutes for February 3, 2021

BBWM Secretary Dan Jagers reported that comments on the minutes were received and recommended continuance of this item to the next meeting. The item was continued to the next meeting.

VI. Reports

- A. Report from Engineering Consultant – Hannibal Blandon, ALDA Engineering

Mr. Blandon reported that the water level probes at YVWD No. 34 and Banning M9 were replaced as discussed at the last meeting and are now working fine.

- B. Report from Hydrogeological Consultant – Thomas Harder, Thomas Harder & Co.

No report.

- C. Report from Legal Counsel – Thierry Montoya / Keith McCollough - Alvarado Smith

Mr. Montoya reported that he provided an opinion to Mr. Jagers to ensure that requirements of the Brown Act are being met regarding documents available to the public.

VII. Discussion Items

- A. 2019 Revised Draft of the Beaumont Basin Watermaster Annual Report – Presentation of Comments

Recommendation: That the Watermaster Committee approve the Revised Draft of the 2019 Annual Report

Member Jagers pointed to the report section on Comments by the YVWD, and expressed concern that some of the referenced attachments to Mr. Zoba's February 1, 2021 letter were not available to the public on the website. Member Zoba indicated the draft minutes are available in the meeting packets and are posted to the website once approved. He noted that in addition to YVWD, other agencies provided comments which were summarized by Mr. Blandon in Memorandum 21-12.

Mr. Blandon clarified that the attachments represented 168 pages and made the file too large to email, hence the reference to the BBWM website. Member Jaggars stated for the record that the August 27, 2020 draft special meeting minutes and the October 7, 2020 draft meeting minutes are attached to the December 2, 2020 agenda packet; and the December 2, 2020 draft meeting minutes are attached to the February 3, 2021 packet.

In response to Mr. Jaggars, Member Zoba indicated that he was confident that accurate draft minutes were included in the packets and were provided to the public. Mr. Montoya stated that if the documents are publicly available, the Brown Act requirements have been met. He advised that the YVWD comments and letter in entirety is part of the record. He suggested using a BBWM DropBox account and providing a link and recommended full and complete attachments as part of the meeting materials. Mr. Zoba suggested attaching all agencies' comments to the annual report to build an administrative record. Mr. Jaggars indicated he was satisfied that the Brown Act requirements have been met and Counsel Montoya concurred. Engineer Blandon advised that he will now include relevant pages related to comments received.

Mr. Blandon provided an overview of documentation and concerns about the transfer of the Oak Valley Partners, L.P. (OVP) 183.5 acre-feet of overlying water rights to YVWD in 2018 and 2019 as addressed in the Revised Draft Report dated December 12, 2020. He noted that the OVP transfer to YVWD available for 2019 remained as initially documented in the initial draft.

Comments were received on the Revised Draft, Blandon noted, and were categorized as related or unrelated to Annual Report Section 3.4.2. He highlighted the comments unrelated which were storage issues, the Basin southern boundary, and changes in production numbers for Banning C4 and BCVWD deliveries allocated to Banning in 2018 and 2019.

Blandon reviewed Production Tables and pointed out a discrepancy of less than 1 acre-foot between the numbers submitted by BCVWD and Banning, which will be addressed in the next few days. The changes affect storage balances, he explained, and reviewed the Storage Summary for 2019.

Mr. Blandon detailed comments related to Section 3.4.2 provided by the City of Beaumont, City of Banning, BCVWD and YVWD and explained the edited Report. Transfers of overlying rights from OVP to YVWD available for 2019 remained as initially documented in the initial draft at a combined total of 183.05 acre-feet, he stated. All meeting minutes for 2019 plus a copy of the Form 5 will be included in the Report, Blandon noted.

Mr. Blandon summarized comments submitted by Member Zoba (YVWD) and detailed ALDA's responses. He opined that consistent with the approval of the 2018 Annual Report, the Watermaster Committee should consider approving the 2019 Annual Report based on the documentation of 183.05 acre-feet of overlying rights transferred from OVP to YVWD during 2018 and early 2019. He noted that the discussion of YVWD's submittal of the Form 5 and the transfer of all OVP's rights to YVWD is yet to be resolved, and suggested that upon resolution, adjustments may be made to the 2018 and 2019 annual reports if needed.

Blandon explained there are two competing and mutually exclusive positions and requested guidance from the Committee to complete the report.

Member Zoba pointed to Rule 7.1, the submission of Form 5, and the documentation from OVP indicating forbearance of the production of the water and suggested the Annual Report allocates the overlying water that was acquired by YVWD to a category of unused overlying water rights that is not in the judgment. He suggested ALDA take a fresh look despite ongoing discussion, and indicated concern that documentation is not being followed and action is inconsistent with the Rules and Regulations. Zoba advised that he believes it is wrong that the Watermaster would consider a report that does not adequately transfer the water rights from OVP to YVWD when YVWD has followed all rules but is held up by ongoing discussion of the Watermaster Committee.

Mr. Blandon reminded the Committee of discussion related to the approval of the 2018 Annual Report. He noted that there is disagreement between the parties and that guidance, and the approval of the Report must be provided by the Committee.

Member Jagers opined that the 2019 Annual Report is consistent with the Rules and Regulations of the Beaumont groundwater basin and with Resolution 2017-02, and the activities of 2019 are fairly and accurately represented other than the minor discrepancy between the production reporting between BCVWD and the City of Banning.

Chair Vela acknowledged that Engineer Blandon is caught in the middle and that he has done a good job of revising the Annual Report per direction received from the Committee. There has been extensive discussion and it will continue until the issue is worked out, he said, and concurred that the 2019 Annual Report is accurate.

Member Armstrong indicated that Counsel Montoya's advice has been followed and agreed with moving forward.

It was moved by Member Jagers and seconded by Member Armstrong to approve the 2019 Revised Draft of the Beaumont Basin Watermaster Annual Report with de minimus changes related to the storage accounts of the Beaumont-Cherry Valley Water District and the City of Banning. The motion was approved by the following roll-call vote:

AYES:	Hart, Jagers, Armstrong, Vela
NOES:	Zoba
ABSTAIN:	None.
ABSENT:	None.
STATUS:	Motion Approved 4-1

VIII. Topics for Future Meetings

- a. Development of a methodology and policy to account for groundwater storage losses in the basin resulting from the artificial recharge of water resources.
- b. Development of a methodology and policy to account for recycled water recharge.
- c. Amendment to the Rules and Regulations for addition of a policy and procedure for adding agenda items
- d. Addition of one monitoring well south of the Basin, and one north of the Basin as part of water loss monitoring

IX. Comments from the Watermaster Committee Members

Member Hart requested a list of open contracts and a project accounting.

Member Hart asked about filing of the Annual Report. Mr. Blandon explained that the report had been significantly delayed due to COVID-19 issues. Copies are submitted to all members and to legal counsel, and it is filed with the Riverside County Court. A report consisting of total Basin production, total amount of imported water, and change in storage is filed with the Department of Water Resources.

In response to Member Hart, Member Zoba explained that financial records are maintained by YVWD and BVCWD has copies of the contracts. He said he would provide a report at the next meeting.

X. Announcements

- a. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, April 7, 2021 at 10:00 a.m.

b. Future Meeting Dates:

- i. Wednesday, June 2, 2021 at 10:00 a.m.
- ii. Wednesday, August 4, 2021 at 10:00 a.m.
- iii. Wednesday, October 6, 2021 at 10:00 a.m.
- iv. Wednesday, December 1, 2021 at 10:00 a.m.

XI. Adjournment

Chairman Vela adjourned the meeting at 11:06 a.m.

Attest:


Daniel Jagers, Secretary
Beaumont Basin Watermaster