

DRAFT
Record of the Minutes of the
Beaumont Basin Committee Meeting of the
Beaumont Basin Watermaster
Regular Meeting
Wednesday, April 7, 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>George Jorritsma</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 and Thomas Harder were present as engineers 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
Dave Armstrong, South Mesa Water Company
Lonni Granlund, Yucaipa Valley Water District
Logan Largent
Joyce McIntire
Allison Edmisten, Yucaipa Valley Water District
John Covington, Beaumont-Cherry Valley Water District / Morongo Band of Mission Indians
Kyle Warsinski, City of Beaumont
James Bean, Beaumont-Cherry Valley Water District
Michele Staples

III. Pledge of Allegiance

Chair Vela led the pledge.

IV. Public Comments:

None.

V. Consent Calendar

1. Meeting Minutes for October 7, 2020
2. Meeting Minutes for February 3, 2021
3. Meeting Minutes for February 18, 2021

It was moved by Member Zoba and seconded by Member Hart to approve the Meeting Minutes.

AYES:	Hart, Jagggers, Jorritsma, Vela, Zoba
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.
STATUS:	Motion Approved

VI. Reports

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

Mr. Blandon reported that the 2019 Annual Report was approved at the last meeting, and differences between the water transfer from BCVWD to the City of Banning has been addressed and the final report will be submitted to Mr. Zoba for uploading to the BBWM website by this Friday.

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

Mr. Harder said he will be providing an update later in the meeting.

- C. Report from Legal Counsel – Thierry Montoya, Alvarado Smith

Mr. Montoya advised of a conversation with Michele Staples related to the parcel gifted to the Beaumont-Cherry Valley Recreation and Parks District, and whether its well could be used to provide water for grading on the adjacent parcel. Generally speaking, entities can lease their water rights to another party, he said, and noted that he asked Ms. Staples to put the request in writing.

In response to Chair Vela, Mr. Montoya indicated this may not be something in which the Watermaster would need to be involved since it

is not a water transfer. Mr. Jagers pointed out that an overlier leasing rights to a non-overlier / non-appropriator parcel may have ramifications.

VII. Discussion Items

A. Certification of Groundwater Production and Imported Water Use during Calendar Year 2020

Recommendation: That the Watermaster Committee certify groundwater production, imported water spreading, and change in storage in the Beaumont Groundwater Basin during Calendar Year 2021.

Engineer Hannibal Blandon reminded the Committee that the Final Groundwater Production and Imported Water and Water Use for 2020 is required to be filed with the State by April 1. Because that is not possible, a letter has been written documenting the groundwater production of 18,600, 14 acre-feet of which is unmetered, and a total of 11,469 acre-feet (af) imported in 2020. Total water use in the Basin was 18,636 af and a negative change in storage of 5,577 af, he noted.

Member Jagers confirmed that the report was uploaded to the State on April 1. A copy of the final annual report must be certified and submitted later in the year, Blandon advised.

It was moved by Member Jagers and seconded by Member Jorritsma to certify groundwater production, imported water spreading, and change in storage in the Beaumont Groundwater Basin during Calendar Year 2021 and approved by the following vote:

AYES:	Hart, Jagers, Jorritsma, Vela, Zoba
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.
STATUS:	Motion Approved

B. Presentation of the 2020 Consolidated Annual Report and Engineering Report

Recommendation: That the Watermaster Committee consider approving the Draft Report depending on the nature of the comments.

Mr. Blandon reviewed the report. No resolutions were adopted in 2020, he noted. He described historical precipitation in the Basin with an

average of 13.97 inches per year between 1996 and 2020, compared to the hundred-year average of 17.04. Blandon compared annual production in 2020 to the 2016-2020 average for each appropriator, noting total production was 17.2 percent higher than the five-year average and was the highest on record.

Blandon noted that overlayers produced 138 af less than the average between 2016-2020 and there is a continued downward trend. The overlayers have been producing on average 30.6 percent of the overlying right. None of the overlayers are close to producing 100 percent of their right, and their 2020 production was the lowest on record, he said.

The City of Banning, BCVWD and SGPWA imported 11,469 af in 2020, for an overall running total in excess of 126,000 af since 2003, Blandon reported.

Recycled water recharge from the City of Beaumont Wastewater Treatment Plant shows a continued increase to an annual total of 4,305 af, Blandon explained. All discharge has been to Coopers Canyon.

In 2020, Blandon continued, there were no transfers of water between appropriators. Allocated conversion of underproduction to 2020 from 2015 was 4,614 af, he noted. Under Resolution 17-02, the conversion of Oak Valley Partners LP (OVP) overlying right to YVWD started in 2018, continued in 2019, but there are no conversions for 2020 at this point, Blandon said.

A total of 183.05 af have been transferred from OVP to YVWD, Blandon stated, and cited Section 3.4.2, the stipulated judgment, Resolution 17-02, CY 2020 meeting minutes and the Form 5 submitted on Nov. 19, 2019 by YVWD.

Blandon reviewed the 2020 production vs allowable extractions and noted that total production exceeded the amount of storage by 673 af. Member Zoba clarified that on a calendar year basis YVWD had not produced more than allowed. He suggested adding a row to the table to indicate storage account balances.

Blandon presented the 2020 storage balance and noted that overall, the storage decreased by 458 af. Chair Vela pointed out differing numbers for the City of Banning; Mr. Blandon indicated it is a rounding issue – probably about 1/10th acre-foot. Overall, water in storage accounts equals 40.5 percent of total potential storage, he said. In 2020, 4,606 af of unused overlying water rights were distributed among the agencies from 2015 according to the percentages provided in the judgment, Blandon reported.

Engineer Thomas Harder gave a presentation on the operating safe yield including flow patterns and changes in groundwater levels. He estimated that overall, the basin lost about 5,577 af of storage from 2019-2020, which is the largest drop in storage on a year over year basis. The effects of the dry period are being felt in the basin, he added. Member Jaggars pointed out that BCVWD pumping affects the groundwater levels.

Mr. Harder stated that this basin is by no means in overdraft. These are temporary changes in groundwater levels; the long-term trend is still relatively stable, he said, but the effects of drought are being seen. He explained the calculation of the 2020 estimated operating safe yield of 1,590 af which is the lowest seen in the last 10 years, primarily due to the relatively large negative change in storage.

Mr. Blandon reviewed the water quality evaluation, noting that no primary standards were exceeded. He recommended the Committee develop a policy to account for groundwater storage losses, new yield, and recycled water recharge, develop a protocol to increase accuracy and consistency of data reporting, and file the annual reports with the Court.

Member Zoba noted that the customers within the adjudicated area of the overlying water rights of OVP have now exceeded the 183 af as referenced in the report and has climbed to 215. He said he anticipates this will continue to climb, and asked how Blandon anticipates incorporating that data from 2020 into the report. Blandon noted he had not before heard this information, and said that based on Resolution 17-02, OVP has transferred 183.05 and that the issue of the Form 5 continues to be debated, he would have to say that it is 183.05. Zoba said he would provide written documentation for consideration.

Chair Vela asked that if the transfer had been exceeded, would the overage not come from another source of supply. Zoba said it is an issue of OVP not producing any water but is now being made up by appropriate use over those same parcels.

Jaggars said there have been submittals in the past from new tracts developing and transfer of those overlying rights, and suggested clarification of the actual production in the previously transferred areas more than was transferred, or whether there are new areas that are also in the overall consumption area. Zoba said the consumption is all within the parcels of the consolidated overlying water rights and consistent with Form 5.

In response to a question from Jaggars, Zoba assured the Committee that the Form 5 has been filed to document all of the overlying water rights, so it includes the area consistent with the Watermaster regulation for the transfer and use of overlying water rights. Chair Vela

reminded that the Watermaster received a couple of letters specifically that identified certain tract numbers and a certain amount of water that was going to be transferred (the 183.05). He noted the question of whether there are now additional tracts and asked if the consumption in excess of the 183.05 also includes recycled water. Zoba said it is both potable and recycled water. It is in addition to the original tracts received by the Watermaster, he noted, but superseded with the filing of the Form 5.

Mr. Jagers acknowledged and referenced the Form 5 transfer, stating he continues to reference Resolution 17-02 as the format. He recommended documentation to be provided to Mr. Blandon and said that if the water is being used, he is supportive of that as it converts over. Zoba said he would send his notes to Blandon, and Blandon advised he would coordinate with legal counsel as to how the data is to be presented in the report.

Mr. Jagers acknowledged the concerns of YVWD and suggested the approval of the 2020 Consolidated Annual Report and Engineering Report be continued. He pointed out some potential terminology clarification. Chair Vela agreed and indicated need for fine-tuning the 2020 numbers. Jagers proposed that the Committee show transfers with a bi-monthly report.

Mr. Blandon indicated he would delay submitting the final 2019 report until numbers had been finalized between BCVWD and the City of Banning. Chair Vela indicated he would respond.

Chair Vela continued the 2020 Consolidated Annual Report and Engineering Report to the meeting on June 2, 2021 at 10 a.m.

C. A Comparison of Production and Allowable Extractions through February 2021

Recommendation: No recommendation; informational only

Mr. Blandon shared the table of Production vs. Allowable Extractions through February 2021 and pointed out a total of 4,763 af of overlying rights transferred from 2016, the transfer of overlying rights of OVP to YVWD of 183 and imported 479 af totaling 5,425. Production was 46.2 percent of the 5,425 resulting in a positive storage impact, he said.

Blandon presented alternate ways to look at storage as an informational item, resulting in water in storage at 117,533 af. Production is not even touching the unused overlying production, he noted. Overall, extractions from the Beaumont Basin could continue for another seven years before the water in storage was exhausted, he noted.

Member Zoba pointed out that unused overlying water right transfers remain a big issue. It is not supplemental water as identified in the judgment; it was a creation of this group, he said, and that is problematic. Representing that there is a lot of water, inconsistent with the judgment, Zoba said, indicates a problem that needs to be tended to immediately. Member Jagers pointed out that the judgment identifies that once the overlier rights are satisfied in a particular year, the remainder gets redistributed or is available to the appropriators as outlined. BCVWD's takeaway is that each year, the first water pumped is allocated back to the District, and everything else is a balance of storage vs. usage. During any particular year, if the overlies' needs are met, the rest of the water becomes available to the appropriators at the percentage outlined in Table C of the judgement, Jagers stated, and said he is interested in resolving the issue. Blandon pointed out that there is no distinction as to which water is to be used first.

Jagers requested a future agenda item on the issue.

D. Status Report on Water Level Monitoring throughout the Beaumont Basin through March 21, 2021

Recommendation: Presentation - No recommendation

Mr. Blandon presented a report and noted anomalies with the level monitoring at YVWD Well 34. He reported a jump of 0.7 feet in water level seven hours prior to a March 12 earthquake, and a jump of 0.8 feet seven hours after a March 18 earthquake. Member Zoba indicated that all equipment has been restored to the Well.

In response to Member Jagers, Mr. Harder assured that data is examined and outliers are weeded out to make sense of the information in a larger context. Mr. Blandon indicated he would continue to dig into the data.

Mr. Blandon explained he is investigating fluctuating levels at Banning Well M9 and said there are no equipment needs at this time.

E. Financial Status Report

Recommendation: Presentation Only - No recommendation

Member Zoba reminded the Committee that this overview was requested at the last meeting. He detailed the process for invoicing and payments and noted that the bank account balance is slightly below

\$200,000. He noted that information on operating expenses is included in the agenda packet. Administrative expenses such as legal are not billed out but there are enough funds to cover those expenses for the time being and for next year, Zoba reported.

Per consensus, this report will be added to the consent calendar monthly.

F. Independent Accountant's Financial Report of Agreed-Upon Procedures for the Beaumont Basin Watermaster

Recommendation: That the Watermaster Committee receive and file the Independent Accountant's Financial Report for the period ending June 30, 2020.

Member Zoba presented the report showing long term trends and reminded the Committee that the public had originally asked for this tally of the operation's expenditures. He noted that everything appears to be in order and said that auditor Rogers, Anderson, Malody and Scott will be coming in again this year.

It was moved by Member Jaggars and seconded by Member Jorritsma to receive and file the Independent Accountant's Financial Report for the period ending June 30, 2020. The motion was approved by the following vote:

AYES:	Hart, Jaggars, Jorritsma, Vela, Zoba
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.
STATUS:	Motion Approved

G. Consideration of the Watermaster Budget for Fiscal Year 2021-2022

Recommendation: That the Watermaster approve the budget for Fiscal Year 2021-2022.

Member Zoba advised that invoices are sent out as each task order is approved and through each agency's financial departments Watermaster year-to-year spending trends can be followed. Administration is working to ensure that expenses do not cross over the fiscal year, he explained.

Zoba explained the proposed budget of \$246,700.

It was moved by Chair Vela and seconded by Member Hart to approve the budget for Fiscal Year 2021-2022. The motion was approved by the following vote:

AYES: Hart, Jagers, Jorritsma, Vela, Zoba
NOES: None.
ABSTAIN: None.
ABSENT: None.
STATUS: Motion Approved

H. Discussion Regarding Proposed Revisions to Section 2.2 of the Rules and Regulations

Member Jagers advised that the proposal to bolster Section 2.2 was prompted by receipt of a request from an overlying party for a special Committee meeting over the Christmas holidays. In trying to resolve the request, Jagers determined that the process was not clearly defined.

The proposal is for a process on how to approach getting an item on the agenda while assuring there is enough time for preparation of the agenda packet without burden of a last-minute request, Jagers explained.

Member Zoba indicated concern related to the Brown Act and suggested a companion document that would allow addition of agenda items freely based on the needs of the particular agency. Any one of the managers should have the ability to add items to the agenda, he noted.

Member Jagers assured that the proposal is merely to clarify a process. Legal Counsel Montoya acknowledged the potential Brown Act issue and said he favors Member Zoba's approach.

Chair Vela said it would be helpful to have the process defined a little more in Section 2.2. Zoba suggested working together to define one document for the Board to consider. Member Hart advocated for inclusion of timing for submittals to be agendized.

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. Discussion of changes in storage accounts vs. production.

IX. Comments from the Watermaster Committee Members

None.

X. Announcements

- a. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, June 2, 2021 at 10:00 a.m.
- b. Future Meeting Dates:
 - i. Wednesday, August 4, 2021 at 10:00 a.m.
 - ii. Wednesday, October 6, 2021 at 10:00 a.m.
 - iii. Wednesday, December 1, 2021 at 10:00 a.m.

XI. Adjournment

Chairman Vela adjourned the meeting at 11:54 p.m.

Attest:

DRAFT UNTIL APPROVED

Daniel Jagers, Secretary
Beaumont Basin Watermaster