# **<u>REVISED Notice and Agenda</u>** Special Meeting of the Beaumont Basin Watermaster

## January 5, 2022 at 11:00 a.m.

Meeting Location: Beaumont-Cherry Valley Water District 560 Magnolia Avenue • Beaumont, California 92223

This meeting is hereby noticed pursuant to California Government Code Section 54950 et. seq.

Members of the Watermaster Committee: City of Banning Beaumont-Cherry Valley Water District City of Beaumont South Mesa Water Company Yucaipa Valley Water District

# **COVID-19 NOTICE**

This meeting of the Watermaster Committee is not accessible in person due to the spread of COVID-19. The meeting is available via teleconference using the links below

**Online Meeting Participation Link:** 

https://us02web.zoom.us/j/81638720446?pwd=UnNZcC9TbGZzTGFuMHdhVkRMblczQT09

Telephone: (669) 900-9128 / Meeting ID: 816-3872-0446 / Passcode: 636756 One-Tap Mobile: +16699009128,,81638720446#,,,,\*636756#

For Public Comment, use the **"Raise Hand"** feature if on the video call when prompted, if dialing in, please **dial \*9 to "Raise Hand"** when prompted

Meeting materials are available on the Watermaster website: https://beaumontbasinwatermaster.org/

#### I. Call to Order

#### II. Roll Call

Committee Member Agency	Primary Representative	Alternate
City of Banning	Arturo Vela, Chair	Luis Cardenas
City of Beaumont	Jeff Hart	Robert Vestal
Beaumont-Cherry Valley Water District	Daniel Jaggers	Mark Swanson
South Mesa Water Company	George Jorritsma	Dave Armstrong
Yucaipa Valley Water District	Joseph Zoba	Jennifer Ares

#### III. Pledge of Allegiance

IV. Public Comments At this time, members of the public may address the Beaumont Basin Watermaster on matters within its jurisdiction; however, no action or discussion may take place on any item not on the agenda. To provide comments on specific agenda items, please complete a Request to Speak form and provide that form to the Secretary prior to the commencement of the meeting, or, RAISE HAND electronically or Press \*9 when prompted for public comment.

#### **ACTION ITEMS**

Action may be taken on any item on the agenda.

#### V. Action Item

A. Consideration of Resolution 2022-01: Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding Same [Memorandum No. 22-04, Page 5]

#### VI. Consent Calendar

- A. Meeting Minutes
  - 1. Meeting Minutes for October 6, 2021 [Page 8]
  - 2. Meeting Minutes for December 1, 2021 [Page 21]

#### VII. Reports

- A. Report from Engineering Consultant Hannibal Blandon, ALDA Engineering
- B. Report from Hydrogeological Consultant Thomas Harder, Thomas Harder & Co.
- C. Report from Legal Counsel Thierry Montoya/Keith McCullough, Alvarado Smith

#### VIII. Discussion Items

A. Reorganization of the Beaumont Basin Watermaster Committee – Chair, Vice Chair, Secretary and Treasurer [Memorandum No. 22-01, Page 29]

Recommendation: That the Beaumont Basin Watermaster Committee either reaffirm the existing officers or conduct nominations for the appointment of new officers of the Beaumont Basin Watermaster

B. Consideration of Special Meeting / Workshop [Memorandum No. 22-02, Page 30]

Recommendation: That the Beaumont Basin Watermaster Committee consider setting a date and agenda for a special meeting / workshop

i. Review of Mission Statement:

Watermaster's mission is to manage the yield of and storage within the Beaumont Basin to provide maximum benefit to the people dependent on it.

- ii. Topics for Discussion
- iii. Engagement of Facilitator (Request for Qualifications)
- C. Authorize Preparation and Release of Request for Proposal for annual reporting services [Memorandum No. 22-03, Page 31]

Recommendation: That the Beaumont Basin Watermaster Committee form an ad hoc committee to develop a Request for Proposal and authorize release of same

#### IX. Topics for Future Meetings

- A. Development of a methodology and policy to account for groundwater storage losses in the basin / groundwater management
- B. Scope of Work and Request for Proposal for a workshop facilitator / consultant
- C. Incidental discharge
- D. Effect of Court Ruling on Production vs. Extraction Credits
- E. Development of a Recycled Water Policy

#### X. Comments from the Watermaster Committee Members

#### XI. Announcements

- A. Special meeting / workshop date to be determined
- B. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, February 2, 2021, at 11:00 a.m.
- C. Future Meeting Dates:
  - April 6, 2022, at 11:00 am
  - June 1, 2022, at 11:00 am
  - August 3, 2022, at 11:00 am
  - October 5, 2022, at 11:00 am
  - December 7, 2022, at 11:00 am
- XII. Adjournment

#### NOTICES

**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont Basin Watermaster Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the Office of the Watermaster Secretary, at 560 Magnolia Avenue, Beaumont, California ("Office"). If such writings are distributed to members of the Committee less than 72 hours prior to the meeting, they will be available on the Committee website at the same time as they are distributed to Members: website: https://beaumontbasinwatermaster.org/.

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the Office, located at 560 Magnolia Avenue, Beaumont, California, or download from the website up to 72 hours prior to the Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The Office may be contacted by telephone at (951) 845-9581, email at <u>info@bcvwd.org</u> or in writing to the Beaumont Basin Watermaster Committee, c/o Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

#### **CERTIFICATION OF POSTING**

A copy of the foregoing notice was posted near the regular meeting place of the Beaumont Basin Watermaster Committee and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).

#### DRAFT Record of the Minutes of the Beaumont Basin Committee Meeting of the Beaumont Basin Watermaster Regular Meeting Tuesday, October 6, 2021

#### Meeting Location:

Beaumont-Cherry Valley Water District 560 Magnolia Avenue Beaumont, CA 92223

#### I. Call to Order

Chairman Arturo Vela called the meeting to order at 11:02 a.m.

#### II. Roll Call

a Present
Present
gers Present
rritsma Present
ba Present

Hannibal Blandon and Thomas Harder were present as engineers for the BBWM.

Thierry Montoya was present as BBWM legal counsel.

Members of the public who registered and / or attended: Joyce McIntire, Yucaipa Valley Water District Matt Porras, Yucaipa Valley Water District Jennifer Ares, Yucaipa Valley Water District Logan Largent, California Association of Mutual Water Companies Mark Swanson, Beaumont-Cherry Valley Water District Erica Gonzales, Beaumont-Cherry Valley Water District Lynda Kerney, Beaumont-Cherry Valley Water District Robert Rasha, Beaumont-Cherry Valley Water District Allison Edmisten, Yucaipa Valley Water District Larry Smith, San Gorgonio Pass Water Agency Lance Eckhart, San Gorgonio Pass Water Agency Todd Parton, City of Beaumont Bryan Brown Greg Newmark, Meyers Nave John Covington, Morongo Band of Mission Indians David Armstrong, South Mesa Water Company

#### III. Pledge of Allegiance

Chair Vela led the pledge.

#### IV. Public Comments:

Mr. Lance Eckhart, general manager of the San Gorgonio Pass Water Agency offered the partnership of the Agency.

#### V. Consent Calendar

- 1. Meeting Minutes for August 4, 2021
- 2. Meeting Minutes for August 17, 2021

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

AYES:	Hart, Jaggers, 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 groundwater modeling files were delivered as requested.

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

*Mr.* Harder reported on the Committee's request for the return flow from overliers. Golf courses: Total production of 1,370 acre-feet (af) of which 25 percent is assumed to be return flow (342 af annually). Others total 50 af (production assuming 50 percent of outdoor use and 25 percent indoor).

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

*Mr.* Montoya reported that on August 31, 2021, Riverside Superior Court heard arguments on the Yucaipa Valley Water District motion for an order to amend the Watermaster's 2019 annual report and adjust water rights, and companion motion to rescind Watermaster Rule 7.3. The Court denied both motions without prejudice.

BEAUMONT BASIN WATERMASTER COMMITTEE - MINUTES 2021-10-06

#### VII. Discussion Items

A. Discussion Regarding the Date and Time of Regular Meetings of the Beaumont Basin Watermaster

It was moved by Member Vela and seconded by Member Hart to change the time of the Watermaster Committee meetings to 11 a.m. and add the text of Resolution 2012-01 to the Watermaster Rules and Regulations. The motion was approved by the following vote:

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

B. Discussion Regarding the Assignment of an Ad Hoc Committee for the Development of a Procurement Policy

Recommendation: That the Watermaster Committee appoint an Ad Hoc Committee

*Mr.* Hart reminded the Committee that there is no procurement policy for the Committee and volunteered to serve on an ad hoc committee. *Mr.* Jaggers also volunteered.

It was moved by Member Zoba and seconded by Chair Vela to establish the Ad Hoc Committee on Procurement Policy. The motion was approved by the following vote:

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

C. Financial Status Report

Recommendation: Presentation only

Member Zoba presented the update. There were no questions or comments.

D. Discussion Regarding the Development and Inclusion of Items on a Meeting Agenda

Recommendation: Pending

BEAUMONT BASIN WATERMASTER COMMITTEE - MINUTES 2021-10-06

Member Zoba explained that consultants submit their memorandums approximately one week in advance of the meeting, and the agenda packet is compiled from there. He suggested making available the template for the memorandum for any member who wants to sponsor and present an item.

This allows all members to put proposals before the Committee, Zoba noted. Member Jaggers indicated that the concern was for others who may want to approach the Committee. He noted that as the Secretary for the Watermaster, the Beaumont-Cherry Valley Water District was approached during a holiday period about calling a special meeting and was unable to find an outline of a process for overliers or other agencies to place an item on the Watermaster agenda.

*Mr.* Zoba indicated willingness to follow the regular process of submission for any group. Chair Vela indicated preference for a process to assure the Committee agreed on agendizing of an item.

Chair Vela suggested the Committee Secretary and Chair collaborate to determine whether an agenda item submitted by an outside entity is appropriate. Chair Vela advocated for agility in being able to address issues, but Member Hart indicated preference for a process.

Member Jaggers will draft a potential process for Committee evaluation.

E. Status Report on Water Level Monitoring throughout the Beaumont Basin through September 22, 2021

Recommendation: No recommendation.

*Mr.* Blandon reviewed the report. He noted the potential for a monitoring well at the development above Cherry Valley Boulevard.

F. A Comparison of Production vs Extraction Credits through August 2021

Recommendation: No recommendation. Informational only.

*Mr.* Blandon explained that previous reports used the term, "allowable extractions" which was confusing. The new concept of "extraction credits" is reported for Committee consideration, he stated.

At the beginning of the year, each agency has certain credit which comes from the transfer of unused production by the overliers in the previous 5<sup>th</sup> year, i.e., credits for 2021 are from 2016, and are spread among the various appropriators based on the certain percentages in

the judgment, Blandon explained. The other initial credit comes from permanent transfer of overlying water rights. Appropriators can increase their extraction credits by spreading imported water, he added.

If production exceeds credits, the excess must be drawn from storage, and if production is less than credits, water remains in storage at the end of the year, Blandon explained.

Blandon reviewed the report and noted that imported water has been delivered only to the Beaumont-Cherry Valley Water District. Production has totaled 12,079 af and noted some agencies have exceeded their credits.

Member Zoba asked about rollover of extraction credits. Mr. Blandon assured that those overlying rights and extraction credits are accounted for and roll over at the end of the year. Mr. Zoba pointed out that the water must be used on the property. Mr. Blandon suggested an annual accounting for parcels, and Zoba requested a separate chart to clarify.

Being that the Court ruling is new, Member Jaggers suggested bringing this back as an agenda item.

G. Storage Accounting Issues – Preliminary Framework

Recommendation: No recommendation. Informational only.

*Mr.* Blandon advised that it has been brought to attention that the historic amount of water may not be commensurate with the amount of water that is in the Basin. He presented historic hydrological conditions of the Beaumont Basin.

The 2003 basin adjudication assigned production to the overliers based on the 1997 to 2001 period, he explained. There is no documentation regarding the determination of the initial safe yield of 8,650 af and water rights assigned to overliers, he said.

Overliers have been producing one-third to one-half of the amount they are allowed to produce, Blandon said. This has been documented on a monthly basis, and is the reason there is a significant amount of water being transferred to the appropriators on a five-year lag, he noted.

In response to a question from Chair Vela, Mr. Blandon explained that the concept of managed overdraft was introduced to allow the extraction of 16,000 af per year over a 10-year period. All appropriators and overliers had the right to extract a certain amount of water.

*Mr.* Harder pointed out that there is no operating safe yield defined in the judgment. The term is used to present the annualized safe yield.

The safe yield was recalculated in 2013 as 6,700 af, Blandon noted. The ten-year control of overdraft terminated in 2013 and is no longer available to appropriators. He pointed to significant production above the safe yield, and stated that figures show the western and central portions of the basin in decline, while the eastern portion is trending up.

Additions to the <u>storage accounts in the</u> Basin are the unused overlying production with a five-year lag, a temporary surplus of 16,000 af per year, contribution of imported water, and determining transfers to appropriators. On the subtraction side, there is groundwater production by appropriators. Overlying underproduction transfer by appropriators is equivalent to 5,000 to 6,000 af per year, resulting in underproduction by 69,680 af by overliers that has been transferred.

The concept of temporary surplus is defined in the judgment as the amount of groundwater that can be pumped safely annually in excess of the safe yield from the groundwater basin necessary to create enough additional storage capacity to prevent the waste of water, Blandon continued. In 2003, the idea was that the appropriators would be able to pump a certain amount of water and begin a controlled overdraft of the basin to minimize basin losses. These 16,000 af were split between the various appropriators, with Beaumont Cherry Valley Water District allocated the largest percentage at 42.15 percent. The intentOne of the objectives The intent was to create a depression into which water from the San Timoteo wash would move into the Basin (controlled overdraft).

There is no documentation regarding how the 16,000 af was determined at the time, Blandon stated.

In response to a question from Chair Vela, Mr. Blandon explained that the amount of water moved into the depression from the San Timoteo wash has never been quantified, but through groundwater modeling, there are estimates.

The annual imported water deliveries began in 2006 when 3,500 af were spread, and have continued over the years. The maximum was in 2017 when close to <u>1550</u>,000 af were spread, and cumulative, the contribution is 123,000 af with Beaumont Cherry Valley Water District having acquired and used 91 percent.

Water in storage consists of unused overlying production, surplus allocation, imported water, permanent transfers, and groundwater production, all of which have been documented, Blandon continued.

There was a significant rise in storage prior to 2013, then slowing. This is due to the controlled overdraft: whatever was not produced was stored. Although it was given to appropriators, this does not mean that water was created physically in the basin, but it gave the appropriators

the right to produce and overdraft up to that amount, Blandon explained.

The City of Banning has the largest amount in its storage account with close to 51,000 af, followed by Beaumont Cherry Valley Water District with 40,000 af, South Mesa Water Company with 10,000, and Yucaipa Valley Water District with 16,000, San Gorgonio Pass Water Agency with 500 af. The Morongo Band and the City of Beaumont also have accounts but neither have water in storage. A total of 290,000 af of storage has been allocated to the storage accounts since the inception of the judgment.

*Mr.* Thomas Harder continued the presentation. He reviewed change in groundwater levels over time and explained the hydrological conditions on the basin map.

In the fall of 2013, 10 years into the judgment, the northeast part of the Basin including the Noble Creek spreading basins show the recharge beginning in 2006. In 2003, water from the San Timoteo wash was already flowing into the west end basin, he said. The idea was to capture more of that water, Harder surmised.

The contrasted changes shown on the 2020 contour map include areas of mounding and pumping depressions, and trends of groundwater levels. Much of the decline is on the west and northwest sides, and on the east side, levels are rising while the south side is staying the same or having some drop.

The change in storage from 2003 to 2013 basin-wide was approximately negative 64,000 af. Between 2013 and 2020, it was 22,000 af to the positive, Harder noted, mainly due to managed recharge in the east part of the basin. Of the negative 42,000 af change in the basin from 2003 to 2020, all of it is occurring in the west side of the basin, Harder stated. Due to overdraft, storage space has been created on the west side, and it is time to put some water in the ground there, Harder recommended.

The overall change in storage from 2003 to 2020 was between negative 42,000 af and negative 59,000 af basin-wide, Harder continued. For comparison, he said, the total groundwater (usable amount of water) in storage in the basin is approximately 1.4 million af, which is a little higher than the previous estimate by Wildermuth.

Member Jaggers pointed to return flow and suggested that 2,500 af may be in transit to the basin. He also noted use for grading water and new development. Chair Vela noted these figures are through 2020.

Member Zoba indicated that the production of Yucaipa Valley Water District and South Mesa Water Company have not changed much over the period. He pointed to the water levels in the Well 29 area and asked if recharge was working. Mr. Harder noted that the west side is much more sensitive to precipitation trends and since 2011, may have been influenced by drought. Based on this trend, and pumping in Calimesa, the water level will decrease on the west side, Zoba posited; Mr. Harder confirmed that would be the case without recharge.

Member Zoba asked about the amount of water accessible by wells today. Mr. Harder said that based on current well settings, the 1.4 million af is not entirely accessible, and noted that pumping past the usable water at the San Timoteo formation (model layer 1) would likely create some major negative effects. Zoba requested determination of the accessible water level above the bowls; Harder said it would be possible to determine using data from the appropriators' pump settings.

Jaggers pointed out some active management activity but posited that the drought has had some significant effects. The 10-year safe yield update will inform that, Harder noted.

Harder continued detailing the physical change in storage. Supplemental recharge has been a major benefit to the basin to stabilize the storage change, he stated, but there is a balance of recharge issue. Pumping in the basin has not changed very much, still approximately 15,000 af per year. Zoba acknowledged the consistency of pumping and noted that the change in storage plummeted. Harder said that was because there was no recharge occurring between 2003 and 2006, then took a while to ramp up, and it takes a while for that water to manifest in groundwater levels.

In terms of management of the basin, and the negative change in storage at 60,000 af, Zoba noted that to return to the zero point would cost around \$20 million and there is probably not enough State Project Water. Harder agreed and indicated that the Committee must make the decision as to significance in the overdraft, i.e., are there undesirable results due to the overdraft, should the overage be partially filled, or other option. He noted that there may be legal obligations to fill the hole. He discussed options from a physical operational standpoint, and suggested there is more analysis to be done.

Jaggers pointed to a more sophisticated model to examine data such as return flows and precipitation. He discussed the basin imbalance and needs to be determined. Harder noted the language in the judgment regarding waste of water is subjective. Chair Vela added that it appears there needs to be some true up of the storage accounts related to the basin losses and previous analysis.

Harder showed a graph depicting increases in storge accounts, with physical groundwater storage decreasing. In 2013, there was

approximately 130,000 af (close to the 160,000), but by 2020 it was 180,000 af. There are additional things not being accounted for, Harder explained, such as precipitation and drought. He noted that unpumped overlier water is being added to accounts although the safe yield is lower than that would indicate, and there are losses occurring in the basin, which increase with additional recharge. Those components can be identified, then the Committee can decide what to do, he stated.

In response to Chair Vela, Mr. Harder indicated that, ideally, the storage accounts would be tied to physical water, but that is not the case. The 160,000 was more of a controlled overdraft deficit. He pointed to the comparison of the storage accounts with the physical storage, and indicated that something needs to be done about it. Jaggers described a component in the judgment that may have led to the 160,000 number.

Member Zoba pointed to the original concept of marketing the basin for water storage, a scheme that has since fallen apart. He suggested some change in the chart of Comparison of Appropriator Storage Accounts and Storage Change Estimates and said the issue pertains to management of the basin and action to maintain the status quo.

The seriousness of the issue is a judgment call, Harder noted. Impact would be felt after pumping for three or four years, he said. Zoba added that logistically, there would be no way to refill the basin.

Harder suggested workshops to a) address the balance of recharge and discharge issue, b) look at the significance and what is to be done about it, c) examine losses. Some discussion ensued and support for the workshops was expressed.

Vela pointed to geology and suggested that impacts will not be the same across the basin. Harder emphasized support of each other's projects to bring in new water and noted that water in addition to return flow will be needed to turn around the decline.

*Mr.* Blandon returned to the graph. He explained that legally the Beaumont Basin is one basin, but hydrologically, the basin behaves as two separate basins. The west side has no recharge, and the east side has benefitted from all the recharge over the years, he explained. The engineers were tasked with creating a framework and identified preliminary issues: the clearly demonstrated recharge imbalance between the eastern and western portions of the basin; the storage account balances appear in conflict with evidence of the physical storage in the basin; and the current storage accounting does not account for storage losses. These need to be addressed sooner rather than later, Blandon advised. As of now, storage accounts continue to accumulate without consideration of losses – nothing is subtracted from the account, but potentially there could be significant losses of 15 to 20 percent, Blandon stated, and pointed out that the cost of imported water is hundreds of dollars per acre-foot. There is an imbalance, and potential for additional losses which are not being accounted for at this time, he warned.

To address the imbalance, recharge facilities need to be developed on the western portion of the basin, Blandon stated. The storage account balances are paper, rather than actuals, he said. He proposed as Task No. 2 of this Task Order, to conduct a series of workshops to begin discussion regarding what can or cannot be done, and to develop a policy to account for the storage losses.

To arrest the recharge imbalance and bring water to the western side of the basin, there is some potential for enhanced stormwater capture, spreading of imported water in existing and in new basins, and use of recycled water, Blandon offered. He detailed two areas for capture that have been identified, extension of the San Gorgonio pipeline to the State Water Project, and the location of the City of Beaumont wastewater treatment plant with the potential for recycled water. Groundwater modeling will need to be done, he advised.

Blandon suggested that workshop agenda items may include further articulation of the issues, preliminary identification and discussion of potential projects and management actions to arrest the issues including needs for individual appropriators, discussion of next steps to arrest the issues which may include further concepts, and outline of an implementation plan.

Blandon advised that the initial budget of \$10,000 for this task was underestimated and current expenditures are \$16,700, with the goal to provide a complete picture to the Committee.

In response to Member Zoba and Chair Vela, Mr. Harder further discussed safe yield. Zoba posited that a potential solution in order to keep the basin in balance, is to retain storage accounts, but limit the maximum production to the operating safe yield, to not damage anyone else. He pointed out that extraction of unused water rights results in depletion of the basin.

Jaggers suggested adding wells to the east side and moving water to the western portion of the basin, turning off the wells on the west. Long term goals would be to balance and manage the basin, and determine what water is in the return flow zone, he added.

Jaggers advocated for workshops and identified that the San Gorgonio Pass Water Agency has a hydrogeologist who may be helpful. He pointed to the cumulative storage credit of 117,553 af which is the volumetric availability across the basin, but Zoba noted that if all of that were extracted, it must be subtracted from the already negative basin storage. There is no time to fill up the basin, Zoba posited. The basin will always be depleted, it needs to be determined who will be the most impacted by the dropped water levels, he noted.

The intent is to manage to keep the basin in balance to the best of the ability of the Watermaster and there will be give and take over time, Jaggers said. Who pays the price to establish the balance, Zoba continued. The transition has been made from depletion to filling to depletion, and this is a big deal, Zoba said. He reminded the Committee that this group was established as a result of lawsuits regarding getting a fair share. The intent in 2004 was not to go negative, it was to check each other to assure all have a share of the basin and keep operating.

Jaggers pointed to the Urban Water Management Plan and indicated the goal is not to deplete the basin. Zoba suggested establishing a management objective in terms of change in storage and advocated scheduling the workshops quickly. Mr. Blandon proposed the first to be held in November.

Member Hart requested further definition of the workshops to make them fruitful and to assure that allocating additional budget is necessary. Mr. Blandon provided detail on the process and emphasized that much more work is needed. Discussion ensued regarding prioritizing topics for the workshops.

*Mr. Zoba suggested a water sustainability consultant and will provide a sample RFP at the next meeting. Mr. Blandon suggested quantification of losses and impacts to storage accounts.* 

H. Consideration of Change Order No. 1 for Task Order No. 26 for the Development of a Framework to Address Storage Accounting Issues

Recommendation: That the Watermaster Committee consider approving Change Order No. 1 to Task Order No. 26 for the sum not to exceed \$20,000 and to direct the Treasurer to invoice specific Appropriators based on anticipated benefits.

*Mr.* Blandon reviewed the request for change order but noted that the workshops will delay the need for this work. The initial task was to develop a framework, which is what was presented in the last agenda item. This is to facilitate further analysis and work on the issue.

The Committee discussed needs and the potential for a workshop facilitator. Mr. Eckhart requested the ability for the San Gorgonio Pass

Water Agency to participate and offered to participate financially in the workshops. Member Jorritsma welcomed the request.

It was moved by Member Jaggers and seconded by Chair Vela to approve amendment of the budget for Task 1 of Task Order No. 26 to add \$6,700. The motion was approved by the following vote:

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

#### VIII. Topics for Future Meetings

- a. Development of a methodology and policy to account for groundwater storage losses in the basin / Groundwater management
- b. Scope of work and Request for Proposal for a workshop facilitator / consultant
- c. Incidental discharge
- d. Effect of Court ruling on Production vs Extraction Credits
- e. Development of a recycled water policy

#### IX. Comments from the Watermaster Committee Members

Chair Vela recommended establishment of a Consent Calendar on the agenda.

#### X. Announcements

- a. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, December 1, 2021 at 11:00 a.m.
- b. Future Meeting Dates:
  - i. February 2, 2022 at 11:00 a.m.
  - ii. April 6, 2022 at 11:00 a.m.
  - iii. June 1, 2022 at 11:00 a.m.

#### XI. Adjournment

Chairman Vela adjourned the meeting at 2:46 p.m.

Attest:

#### DRAFT UNTIL APPROVED

BEAUMONT BASIN WATERMASTER COMMITTEE - MINUTES 2021-10-06

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Daniel Jaggers, Secretary Beaumont Basin Watermaster

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#### DRAFT Record of the Minutes of the Beaumont Basin Committee Meeting of the Beaumont Basin Watermaster Regular Meeting Wednesday, December 1, 2021

#### Meeting Location:

Beaumont-Cherry Valley Water District 560 Magnolia Avenue Beaumont, CA 92223

#### I. Call to Order

Chairman Arturo Vela called the meeting to order at 11:02 a.m.

#### II. Roll Call

City of Banning	Arturo Vela	Present
City of Beaumont	Jeff Hart	Present
Beaumont-Cherry Valley Water District	Daniel Jaggers	Present
South Mesa Water Company	George Jorritsma	Present
Yucaipa Valley Water District	Jennifer Ares	Present

Hannibal Blandon and Thomas Harder were present as engineers for the BBWM.

Thierry Montoya was present as BBWM legal counsel.

Members of the public who registered and / or attended: Ron Duncan, San Gorgonio Pass Water Agency Cenica Smith, Beaumont-Cherry Valley Water District Mark Swanson, Beaumont-Cherry Valley Water District Robert Rasha, Beaumont-Cherry Valley Water District Joyce McIntire, Yucaipa Valley Water District Steve Anderson, Best Best & Krieger LLP John Covington, Morongo Band of Mission Indians Thaxton Van Belle, City of Beaumont Steve Stewart Logan Largent, California Association of Mutual Water Companies

#### III. Pledge of Allegiance

Chair Vela led the pledge.

#### IV. Public Comments:

None.

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#### V. Consent Calendar

- B. Status Report on Water Level Monitoring throughout the Beaumont Basin through November 17, 2021
- C. A Comparison of Production versus Extraction Credits through October 2021

It was moved by Member Jaggers and seconded by Member Jorritsma to approve items B and C.

AYES:	Hart, Jaggers, Jorritsma, Vela, Ares
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.
STATUS:	Motion Approved

A. Meeting Minutes for October 6, 2021

Member Jaggers suggested some corrections to the October 6, 2021 minutes as noted by ALDA Consultants, to be verified via the meeting recording. Ms. Ares requested that in the future, such items be checked ahead of time to avoid delay in approval of the minutes. Mr. Jaggers indicated that would be possible if comments were received in time prior to publication. The October 6, 2021 minutes were tabled to the next meeting.

#### VI. Reports

- A. Report from Engineering Consultant Hannibal Blandon, ALDA Engineering *Mr. Blandon requested early review of the meeting minutes.*
- B. Report from Hydrogeological Consultant Thomas Harder, Thomas Harder & Co. No report.
- C. Report from Legal Counsel Thierry Montoya, Alvarado Smith *Nothing to report.*

#### VII. Discussion Items

A. Storage Accounting Issues

BEAUMONT BASIN WATERMASTER COMMITTEE - MINUTES 2021-12-01

Recommendation: Information only. No recommendation.

*Mr.* Blandon reviewed issues raised and information discussed in October and reminded the Committee that storage accounts collectively contain approximately 117,000 acre-feet (af). However, Blandon continued, the change in groundwater storage that Mr. Harder investigated indicates that the change between 2003 and 2020 could be anywhere between 42,000 af and 59,000 af depending on the way that the water levels are interpreted by hand or through the flow model. Blandon stated that the study by Mr. Harder also concluded that there is approximately 1.4 million af of water in the basin, and most of the depletion (40,000 af) was on the west side of the basin.

Preliminary issues include the recharge imbalance between the eastern and western portions of the basin, the storage account balances appear to be in conflict with evidence of the physical storage of the basin, and current storage accounting does not account for losses, Blandon reminded. He said he reviewed the documentation at the time of the judgment and advised there was no documentation as to how the determination of the safe yield was made, but newly available court documents related to the August 2021 ruling (which were not available for the October meeting) provide clarification.

The tentative ruling settles the water rights and storage issues in the basin for supplemental water as well as unused surplus water; the judgment does not preclude the storage of unused surplus water; and there is nothing improper about carryover surplus water, Blandon explained. All water in the storage accounts is valid and available for use, he said, and the basin must be managed accordingly.

Temporary Surplus is defined in the judgment as, "the amount of groundwater that can be pumped annually in excess of the Safe Yield from a Groundwater Basin necessary to create enough additional storage capacity to prevent the waste of water," Blandon read. He advised that the intent was to pump up to 160,000 af from the basin to create space to bring more imported water or to produce additional water from the basin, and the judgment defines 16,000 af per year as percentages and amounts distributed to the four water agencies. Blandon pointed to the storage account amounts as of the end of 2020, totaling 117,533 af.

Blandon reviewed tables comparing the agencies' temporary surplus allocations and all extraction rights to actual 2003-2020 production. The appropriators have the right to produce another 117,533 af up to the 160,000 af initially anticipated, he stated. To be determined over the next few meetings will be how to manage the basin in a way that does not negatively affect some producers, consideration of the issues of spreading imported water on the west side of the basin, and ascertaining that appropriators can safely store and extract their production rights, he stated.

To address the recharge imbalance, Blandon recommended capture of additional stormwater, spreading of additional imported water in existing and new basins, and use of recycled water. He pointed to potential project areas and offered suggestions.

Member Jaggers noted that the results noticed are reasonable with what is set forth in the judgment for extraction. He recalled discussion at the prior meeting about precipitation and the reduced average over the last 10 years, and pointed to impact on the basin. He indicated that BCVWD could assist with basin management from an operational perspective. He said he calculated that basin losses could be in the range of 10,000 to 20,000 af, and pointed to continued drought.

Chair Vela noted that it will get to a point where agencies will have to rely on the surplus water, and basin management practices and implementation to ensure the basin is in good condition should be discussed, along with a policy on storage losses.

Member Hart suggested a workshop to identify mission, vision, and goals and how to proceed as to the best interests of the sustainability of the basin.

Chair Vela invited public comment. There was none.

B. Use of On-Call Task Order No. 8 and 25 to Provide Engineering Services related to evaluation of Storage Issues in the Beaumont Groundwater Basin

Recommendation: That the Beaumont Basin Watermaster Committee approves ALDA Inc. / TH&Co. to use available funds in On-Call Task Order No. 8 and Task Order No. 25 to continue providing technical support to Watermaster on issues related to the storage evaluation and management of the groundwater basin

*Mr.* Blandon explained that additional work was discussed at the October meeting but there is currently no budget approved for continuing activities. He shared the current budget remaining on Task Orders 8 (>\$2,000) and 25 (\$25,000). After Committee discussion of upcoming work, continuing task orders, and the Request for Proposal process, Legal counsel Thierry Montoya suggested bringing back a request for services and a specific contract. A special meeting and a workshop will be scheduled in January.

Chair Vela tabled the item.

C. Discussion Regarding Amendment of Engineering Services Contract with ALDA Inc. for Calendar Year 2022

Recommendation: That the Watermaster Committee approves the contract extension with ALDA Inc. through December 31, 2022

*Mr.* Blandon provided history of the Agreement for Engineering Services, originally signed on May 10, 2012, and extended through December 31, 2021. He shared the proposed billing rates for ALDA Inc. and Thomas Harder & Company and reminded the Committee that the rates had not changed over the last five-year period.

*Mr.* Blandon advised that most of the work for the task orders takes place in the first three months of the year as the annual report and engineering analysis of the basin is prepared. He recommended extension of the contract through December 31, 2022, at the listed 2022 rates, or a fiveyear extension with rates updated annually.

Member Hart pointed to the active task order and recommended extension of the existing contract until a procurement policy is established. In response to a question from Chair Vela, Mr. Montoya recommended determining what specific services are sought as opposed to extension of contracts and task orders remaining open.

*Mr. Jaggers pointed to production of the annual report, ongoing tasks, and need to create a vehicle to move forward and complete the 2021 work. Mr. Blandon detailed the annual report process and Mr. Jaggers added the required report submission dates.* 

Following discussion of upcoming work and the RFP process, the majority of the Committee concurred on extension of the contract. Mr. Jaggers pointed out that an amendment will be required for signature, but the document is not yet herewith. Mr. Montoya indicated that he would produce an amendment to come back for Committee approval.

It was moved by Member Ares and seconded by Chair Vela to approve the contract extension with ALDA Inc. through December 31, 2022. The motion was approved by the following vote:

AYES:	Jaggers, Jorritsma, Vela, Ares
NOES:	Hart
ABSTAIN:	None
ABSENT:	None
STATUS:	Motion Approved

D. Discussion Regarding Task Order No. 28 with ALDA Inc. for the Preparation of the 2021 Consolidated Annual Report, Estimate of the Basin Safe Yield, Update of the Groundwater Model, and Associated Consulting Services for 2022

Recommendation: That the Watermaster Committee approves Task Order No. 28 for a sum not to exceed \$103,600.00 and considers the approval of a 10 percent contingency

*Mr.* Blandon explained that this is the basic task order as provided each year to prepare the consolidated annual report for 2021, estimate the operating safe yield, and to provide general consulting services during 2022. He reviewed the costs and prior year expenditures, averaging 90 percent of the budget on this task.

The economic impact is \$20,720 for each Watermaster Committee member, Blandon noted, and addition of the recommended 10 percent contingency would result in a proportionate increase.

Member Hart recommended this item be tabled to the workshop in January; Member Jaggers concurred, but acknowledged the challenge of submitting the report by the April 1 deadline. Chair Vela pointed out the need for continuing the work.

Member Jorritsma acknowledged the work of ALDA and recommended not delaying the approval for the annual report work. It was moved by Member Hart to approve Task 2 of Task 28 and bring back the remaining items. The motion died for lack of second.

It was moved by Chair Vela and seconded by Member Jorritsma to approve Task Order No. 28 for a sum not to exceed \$103,600.00 with a 10 percent contingency. The motion was approved by the following vote:

AYES: NOES: ABSTAIN: ABSENT: STATUS: Jaggers, Jorritsma, Vela, Ares Hart None None Motion Approved

E. Discussion Regarding Task Order No. 29 with ALDA Inc, for the Installation, Maintenance, and Data Collection of Water Level Monitoring Equipment in 2022

Recommendation: That the Watermaster Committee approves Task Order No. 29 for a sum not to exceed \$24,975. *Mr.* Blandon reviewed the work and announced the availability of two additional wells. The cost represents approximately \$4,995 for each Committee member.

In response to Member Hart, Mr. Blandon explained that data is collected approximately two weeks before each Committee meeting to prepare the report. Other issues are addressed between readings such as equipment needs, he added.

It was moved by Member Jorritsma and seconded by Chair Vela to approve Task Order No. 29 for a sum not to exceed \$24,975. The motion was approved by the following vote:

AYES:	Hart, Jaggers, Jorritsma, V	ela, Zoba
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	
STATUS:	Motion Approved	

#### VIII. Topics for Future Meetings

- a. Development of a methodology and policy to account for groundwater storage losses in the basin / Groundwater management
- b. Scope of work and Request for Proposal for a workshop facilitator / consultant
- c. Incidental discharge
- d. Effect of Court ruling on Production vs Extraction Credits
- e. Development of a recycled water policy

#### IX. Comments from the Watermaster Committee Members

None.

#### X. Announcements

- a. Tentative special meeting January 5, 2022 at 11 a.m. to address the contract amendment and topics for the workshop
- b. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, February 2, 2022 at 11:00 a.m.

- c. Future Meeting Dates:
  - i. April 6, 2022 at 11:00 a.m.
  - ii. June 1, 2022 at 11:00 a.m.
  - iii. August 3, 2022 at 11:00 a.m.
  - iv. October 5, 2022 at 11:00 a.m.

#### XI. Adjournment

Chairman Vela adjourned the meeting at 12:45 p.m.

Attest:

DRAFT UNTIL APPROVED

Daniel Jaggers, Secretary Beaumont Basin Watermaster

# BEAUMONT BASIN WATERMASTER MEMORANDUM NO. 22-04

Date:	January 5, 2022
From:	Dan Jaggers, Secretary
Subject:	Consideration of Resolution No. 2022-01: Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding Same
Recommendation:	That the Watermaster Committee discuss and adopt Resolution No. 2022-01

This item has been placed on the agenda so that the Watermaster Committee can meet via teleconference pursuant to the special Brown Act requirements outlined in AB 361. These requirements give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or an in-person meeting would present imminent risks to the health and safety of attendees.

To continue to hold meetings under the special teleconferencing requirements, a legislative body of a local public agency must make two findings pursuant to Government Code Section 54953(e)(3). First, there must be a declared state of emergency and the legislative body must find that it has "reconsidered" the circumstances of such emergency. Second, the legislative body must find that such emergency continues to directly impact the ability of the legislative body must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the legislative body teleconferences for the first time under AB 361 and on a monthly basis thereafter.

The Committee may consider the following findings:

- 1. The state of emergency due to the spread of COVID-19 in California as proclaimed by Governor Gavin Newsom on March 4, 2020, is still in effect
- 2. The California Department of Public Health has issued an indoor mask mandate
- 3. Cal/OSHA has issued Emergency Temporary Standards for Requirements to Protect Workers from Coronavirus which include recommendations for social distancing
- 4. New cases of coronavirus reported on Monday, January 3, 2022 were 1, 579, which was double the number reported the previous week

### **RESOLUTION NO. 2022-01**

#### A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(E) AND MAKING FINDINGS AND DETERMINATIONS REGARDING SAME

**WHEREAS**, the Beaumont Basin Watermaster (BBWM) is committed to preserving public access and participation at its meetings which are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and observe; and

**WHEREAS**, pursuant to Assembly Bill 361 effective September 16, 2021, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence the following conditions:

- 1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- 2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- 3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**WHEREAS**, such conditions now exist in the area of jurisdiction of the Beaumont Basin Watermaster, specifically, a State of Emergency was proclaimed by California Governor Gavin Newsom on March 4, 2020 due to an outbreak of the COVID-19 respiratory illness due to a novel coronavirus; and

**WHEREAS**, the Riverside County / Riverside University Health System - Public Health has documented increasing spread of the coronavirus in the County of Riverside; and

**WHEREAS**, the California Department of Public Health has asserted that indoor settings are especially high risk for transmission, and that the COVID-19 respiratory illness continues to present imminent risk to health and safety of attendees at meetings, and issued an indoor mask mandate on December 13, 2021; and

**WHEREAS**, the Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than six feet apart from others for longer periods of time; and

**WHEREAS**, the Watermaster Committee does hereby find that given the continued proclaimed state of emergency by the Governor of the State of California, and that the sustained transmission rate of coronavirus has caused, and will continue to cause, conditions of peril to the safety of persons within the area of the Beaumont Basin; and

**WHEREAS**, the Watermaster does hereby find that the legislative bodies of the BBWM shall conduct meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, BBWM will assure the right of the public to attend public meetings and address the Committee by continuing to provide teleconferencing access to meetings to the public via an identified call-in / internet-based option, allowing a public comment opportunity at meetings as required by the Brown Act; and

**WHEREAS**, in the event of a disruption in teleconferencing capability, the Watermaster Committee will take no action on agenda items until the technology issue is resolved,

NOW, THEREFORE, BE IT RESOLVED, by the Beaumont Basin Watermaster Committee that:

- 1. <u>Recitals</u>. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
- 2. <u>Governor's Proclamation of a State of Emergency</u>. The Committee members hereby acknowledge the proclamation of State of Emergency made on March 4, 2020.
- 3. <u>Remote Teleconference Meetings</u>. The members of the Watermaster Committee are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
- 4. <u>Effective Date of Resolution</u>. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days.

PASSED AND ADOPTED th	his c	lay of	, 2022 by the following
vote:			

AYES: NOES: ABSTAIN: ABSENT:

#### BEAUMONT BASIN WATERMASTER

BY:

ART VELA, CHAIR BEAUMONT BASIN WATERMASTER

# BEAUMONT BASIN WATERMASTER MEMORANDUM NO. 22-01

Date:	January 5, 2022
From:	Dan Jaggers, Watermaster Secretary
Subject:	Reorganization of the Beaumont Basin Watermaster Committee: Chair, Vice Chair, Secretary and Treasurer
Recommendation:	That the Beaumont Basin Watermaster Committee either reaffirm the existing officers or conduct nominations for the appointment of new officers of the Beaumont Basin Watermaster

The purpose of this agenda item is to provide the Watermaster Committee members with the opportunity to reaffirm the existing officers or solicit nominations for the appointment of new officers for the organization.

The current officers are:

Chairperson	Art Vela	City of Banning
Vice Chair	George Jorritsma	South Mesa Water Company
Secretary	Dan Jaggers	Beaumont-Cherry Valley Water District
Treasurer	Joseph Zoba	Yucaipa Valley Water District

# **BEAUMONT BASIN WATERMASTER** MEMORANDUM NO. 22-02

Date:	January 5, 2022
From:	Dan Jaggers, Watermaster Secretary
Subject:	Consideration of Special Meeting / Workshop
Recommendation:	That the Beaumont Basin Watermaster Committee consider setting a date and agenda for a special meeting / workshop

During its meeting of December 1, 2021, the Watermaster Committee broached the idea of a workshop related to storage accounting issues and basin management. The Committee further set a special meeting on January 5, 2022 to address the ALDA contract amendment and determine topics for the workshop.

Attached: 2022 calendar

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# 2022

## February

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8 Mother's Day 30 Memorial Day

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#### November Su Mo Tu We Th Fr Sa 1 2 3 4 5 8 9 10 **11** 12 7 6 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

6 Daylight SavingTime Ends8 Election Day11 Veteran's Day24 Thanksgiving

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14 Flag Day 19 Father's Day 21 Summer Solstice

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5 Labor Day 11 Grandparent's Day

#### December

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21 Winter Solstice						

25 Christmas 31 New Year's Eve

#### Created at www.CalendarHome.com

23 24 25 26 27 28 29

19 20 21 22

30 **31** 

16 17 18

31 Halloween

# BEAUMONT BASIN WATERMASTER MEMORANDUM NO. 22-03

Date:	January 5, 2022
From:	Dan Jaggers, Watermaster Secretary
Subject:	Authorize Preparation and Release of Request for Proposal for annual reporting services
Recommendation:	That the Beaumont Basin Watermaster Committee form an ad hoc committee to develop a Request for Proposal and authorize release of same

At its meeting of December 1, 2021, the Watermaster Committee voted to extend the term of the current contract with ALDA Inc. for annual reporting services for a one-year term ending December 31, 2022. During discussion, the committee concurred that it is ripe for a new Request for Proposal (RFP) to be released for such services beginning with the 2023 calendar year.

The last time these services went out for bid was in 2011, and the contract with ALDA Inc. was signed on May 10, 2012. It was suggested that an ad hoc committee be formed to develop the RFP.

The process for release of this RFP will comply with the Procurement Policy as adopted by the Committee.

It is further recommended that upon completion, the RFP be released for public view and response.