

**Record of the Minutes of the  
Beaumont Basin Committee Meeting of the  
Beaumont Basin Watermaster  
Regular Meeting  
Wednesday, August 2, 2023**

**Meeting Location:**

Beaumont-Cherry Valley Water District  
560 Magnolia Ave., Beaumont, CA 92223

**I. Call to Order**

*Chair Art Vela called the meeting to order at 11:04 a.m.*

*Pursuant to the provisions of AB 2449, Member David Armstrong of South Mesa Water Company joined the meeting via video teleconference under Emergency Circumstances.*

**II. Roll Call**

<i>City of Banning</i>	<i>Art 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>Dan Jagers</i>	<i>Present</i>
<i>South Mesa Water Company</i>	<i>David Armstrong</i>	<i>Present</i>
<i>Yucaipa Valley Water District</i>	<i>Joe Zoba</i>	<i>Present</i>

*Hanibal Blandon and Thomas Harder were present as engineers for the Beaumont Basin Watermaster (BBWM).*

*Thierry Montoya was present as BBWM legal counsel.*

*Steve Stuart of Dudek was present as BBWM administrator.*

*Members of the public who registered and / or attended:*

Jennifer Ares, Yucaipa Valley Water District  
Nyles O’Harra, Yucaipa Valley Water District  
Erin Anton, Yucaipa Valley Water District  
Allison Edmisten, Yucaipa Valley Water District  
Joyce McIntire, Yucaipa Valley Water District  
Madeline Blua, Yucaipa Valley Water District  
Lance Eckhart, San Geronio Pass Water Agency  
Matthew Howard, San Geronio Pass Water Agency  
Emmett Campbell, San Geronio Pass Water Agency  
Ron Duncan, San Geronio Pass Water Agency  
Kevin Walton, San Geronio Pass Water Agency  
Mickey Valdivia, San Geronio Pass Water Agency  
Robert Rasha, Beaumont-Cherry Valley Water District  
Cenica Smith, Beaumont-Cherry Valley Water District  
Mark Swanson, Beaumont-Cherry Valley Water District

Brittany Lim, South Mesa Water Company  
Kendall Lovell, Fennemore Law

**III. Pledge of Allegiance:** Chair Vela led the pledge.

**IV. Public Comments:** None.

**V. Consent Calendar**

A. Meeting Minutes

June 7, 2023 Regular Meeting

July 13, 2023 Special Meeting

B. Status Report on Water Level Monitoring throughout the Beaumont Basin through July 5, 2023

C. A Comparison of Production Rights versus Production through June 2023

D. Financial Status Report

*It was moved by Member Zoba and seconded by Member Jaggars to approve Consent Calendar items A through D.*

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

**VI. Reports**

A. Report from Engineering Consultant – No Report

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

*Mr. Harder reported that he has been working on the groundwater flow model, which has been recalibrated to begin forward projections to estimate the safe yield. This will be available in the next month or so.*

C. Report from Administrative Consultant – Steve Stuart, Dudek

*Mr. Stuart reported that he has been working on a schedule to address all items for further discussion in future meeting agendas. This will be presented at the October meeting.*

D. Report from Legal Counsel – Thierry Montoya - Frost, Brown, Todd

*Nothing to report.*

**VII. Discussion Items**

A. Presentation by San Gorgonio Pass Water Agency General Manager Lance Eckhart

*Mr. Eckhart described the San Gorgonio Pass Water Agency (SGPWA) role as a State Water Contractor and shared the draft new SGPWA mission and vision statements. He noted that the agency is at the end of the line of the State Water Project (SWP) and said that the delivery of water has changed to large volumes based on climate variability.*

11:10 a.m.: Member Dave Armstrong joined the meeting.

*Mr. Eckhart continued. He pointed out there are now a few nearby Groundwater Sustainability Agencies with the adjudicated area in the center, and development is continuing. He noted that Desert Water Agency and Coachella Valley Water District receive water from the Colorado River, and that was an option for this area, but it was decided that the water quality was poorer than State Water Project. There were consequences for the region due to that decision, he noted: the SWP would be a much larger project moving through the area and down to the Coachella Valley area.*

*Reservoirs are currently full and there is still a lot of snowmelt, Eckhart indicated. People are trying to store water wherever possible, including Central Valley farmers, he noted.*

*Mr. Eckhart described the SWP facilities, provided an update on the Sites Reservoir project, and gave an overview of the SGPWA and its historic activities. Imported water is necessary, and there is effort to increase the supply when available, he assured, and showed photos of the facilities which will double the capacity for recharge.*

*The SGPWA portfolio includes carryover water in the San Luis Reservoir, water deals and transfers like a recent lease with City of Ventura for 10,000 AF from 2022-2042, and 5,075 af of Article 21 water, Eckhart noted. He reminded that 2023 is a 100 percent SWP allocation year, which it was thought would never be seen again. He advised that there will be periods of excess water for recharge, but he does not expect a series of 100 percent years. Reliability should increase with Sites Reservoir, along with the Delta Conveyance, he added.*

*About 12,000 af have been moved into the Beaumont Basin this year, with the target being 20,000 af, Eckhart explained. He described constraints along the California aqueduct and the negotiation of capacity with other agencies. He provided a brief overview of housing and economic development and assured that SGPWA is responding to the needs of stakeholders and making needed investments.*

*Major projects of the SGPWA include a backbone pipeline to the Cabazon area due to development moving east, governance and planning with two groundwater sustainability agencies (GSAs), Inflation Reduction Act funding coming through over the next few years, water main replacement, multi-benefit flood control facilities, and Brookside property stormwater capture or recycled water use, Eckhart noted. He emphasized collaboration.*

*Mr. Eckhart discussed ongoing analyses regarding water banking, recharge, and other options to maximize the ability to import water.*

*SGPWA has also been working on small systems support, disadvantaged communities, gap funding, school events, optimization of mutual resources for recycled water with the City, conservation messaging, regional water planning including alignment of urban water management plans, turf replacement programs, cloud seeding, and managing the GSA in the Cabazon / East Banning area, Eckhart explained.*

*Mr. Eckhart emphasized this is a time of resource uncertainty and change, and said it is important to band together, look at assets and mutual strengths, and try to leverage those as a group.*

*Member Zoba discussed long-term SWP reliability and average percentage of allocation. He requested SGPWA make publicly accessible via a web portal its annual deliveries and to whom in order to be able to calculate the long term delivery rates. Mr. Eckhart noted this is reported once a month at a regular Board meeting. He pointed to the long term plan and noted the data, modeling, and projections can be discussed by the general managers' group.*

*Eckhart pointed out that the Sites Reservoir is becoming more real every day and will be a game changer for this area.*

*Member Armstrong thanked Mr. Eckhart for assistance with the grant funding efforts for the Countyline Road recharge and pipeline project and noted that SMWC getting a \$10 million grant is a huge accomplishment.*

Member Armstrong confirmed that he is joining the meeting under the provisions of AB 2449.

*It was moved by Member Jagers and seconded by Member Hart to approve the remote attendance of Member Armstrong under AB 2449 by the following vote:*

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

B. 2022 Consolidated Annual Report and Engineering Report – Presentation of Comments Received on Draft Report (tabled from 6/7/2023)

Recommendation: That the Watermaster Committee Consider Approving the 2022 Annual Report after Comments Received on the Draft Report are Presented and Discussed

*Mr. Hanibal Bandon provided background on comments received and presented the revised draft report. He noted that the BBWM administrator, Steven Stuart of Dudek, indicated that the report did not discuss the production rights by appropriators, and it was agreed that should be included. Pointing to the Stipulated Judgment section I-3-B, he noted that when production rights are greater than production, water taken from storage is minimized or water is put into storage. However, when water production rights are less than production, water is taken from storage if available, or the Appropriator shall provide funds to enable the Watermaster to replace overproduction. This has not happened, but could happen in the future, he advised, and introduced a modified Table 3-8 to include a column considering the production right.*

*Member Zoba suggested that appropriators should advise regarding the category from which water is being taken rather than have an automatic process. Mr. Bandon explained the calculations and reiterated this has never been done. Mr. Zoba advocated for a more sophisticated process allowing the appropriator to declare the category from which water is taken. Bandon said he could start that inquiry in January. Mr. Zoba suggested further discussion and possible addition to the Rules and Regulations. He suggested that in the event of a deficit, there is no definition of "funds" to be deposited to the BBWM and this needs to be identified, along with for what the funds are to be used.*

*In response to Chair Vela's note that despite what category the water is taken, Mr. Zoba indicated that the category could be taken all the way back to the beginning when there was surplus water which was different than water in storage accounts. If the process is automatic, there may be unintended consequences, he noted. He said he would assume that*

*overlying rights would be used first, before the storage account. Mr. Blandon agreed that at the end of the day, it should be a wash.*

*Member Jaggars suggested a full review of the Rules and Regulations to modernize and to handle such issues, creating a road map for success. Member Jaggars would like to see a future agenda item to address the rules and regulations for how this accounting fits in. Mr. Blandon noted that the current Rules and Regulations document does not memorialize when amendments took place. Mr. Zoba indicated he would post the current copy of the Rules and Regulations upon receipt.*

*Chair Vela invited public comment. There was none.*

*Mr. Blandon assured that every issue and comment had been addressed.*

*It was moved by Member Hart and seconded by Member Jaggars to approve the 2022 Consolidated Annual and Engineering Report by the following vote:*

<b>AYES:</b>	Armstrong, Hart, Jaggars, Vela, Zoba
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None
<b>STATUS:</b>	Motion Approved

#### C. Discussion / Clarification of Overlier Transfers Process

Recommendation: No recommendation

*Mr. Jaggars reminded of prior discussion and the June 2023 notice from YVWD about overlier activities which did not appear to be following the outline of previous activities following the passage of Resolution 2017-02. He recalled his position that YVWD had processed a series of requests assigning water supply to parcels and recommendation for discussion to come to resolution to assure there is a road map, with possible review of the Rules and Regulations.*

*Mr. Stuart reminded that the discussion was about providing a supplement to the Form 5 (Resolution 2019-02) related to how an overlier receives water service from an appropriator in an equivalent amount of potable groundwater shall be earmarked up to the overlying party's right. The BBWM shall maintain an accounting, he continued, noting the Form 5 has parties signing off and agreeing to the transfer of the overlying water rights to the appropriator, including the amount of water to be transferred. He recommended a supplement to the Form 5 as a table that identifies by 2003 APN and current APN the parcels receiving water and the year of water service. He also noted that the APNs in the judgment were based on those used in 2003, but since then,*

*with development and progress, new parcels have been identified and APNs have changed.*

*Mr. Stuart responded to Chair Vela and Member Jagers indicated this is consistent with what had been done in the past and said he would like to see a draft proposal from Dudek for this work. Chair Vela requested this for the next meeting.*

**D. Discussion Regarding Structure of the Watermaster Committee and Inclusion of Elected Representatives as Primary Members**

Recommendation: No recommendation

*Administrator Steve Stuart reminded the Committee that at the conclusion of the last meeting, member Hart brought up the idea of having a discussion of the structure of the committee and whether there was benefit or desire to have elected representatives serve as primary members of the committee, particularly as policy decisions are being made. The idea was that the elected officials will serve as primary members and existing members will serve as secondary members or be members of a technical advisory committee to the primary members. Mr. Stuart reviewed the Stipulated Judgment in Section 4.4. which states:*

*The Watermaster shall consist of a committee composed of persons nominated by the City of Banning, the City of Beaumont, BCVWD, SMWC, and YVWD, each of which shall have the right to nominate one representative to the Watermaster committee who shall be an employee of or consultant to the nominating agency.*

*Member Hart pointed out that as the Committee approaches more policy decisions and management of the basin, he would like to have the thoughts of the Committee members on a structure that may include elected members for the primary Board. It has been mentioned that it may offer a clear benefit, he said.*

*Member Jagers noted that the responsibility for operations of the District is with the general manager with policy activities in the purview of the elected officials. He recommended following the outline in the judgment.*

*Legal Counsel Montoya confirmed that any change in the terms of the judgment would have to be amended and approved by the Court.*

*Member Hart suggested an advisory committee of staff and a primary committee of electeds. Member Hart noted that there is precedent with*

*elected officials serving on the committee in the past. To consider a different level of involvement other than members and alternates would require proposed language to be presented to the Court, Mr. Montoya noted.*

*If the Committee wanted to appoint representatives to serve on a committee or represent the Watermaster, the rules would not require amendment, noted Mr. Montoya.*

*Member Zoba suggested a process included in the Rules and Regulations where the Committee would vote on any member or alternate put forth by an agency.*

*Member Jagers noted this can be considered during any revision of the Rules and Regulations.*

*12:10 p.m. – Member Armstrong left the meeting.*

E. Update on Development of Data Management System

Recommendation: No recommendation

*Mr. Stuart noted the contract with the Watermaster was signed on July 14, 2023 and the online licensing with ESRI is underway. He is working on collecting well information for the Watermaster for inclusion in the database to be made available to all members. A demonstration of the preliminary version of the DMS will be presented at the October meeting.*

F. Update on Well Survey Project for Wells in the Beaumont Basin Monitoring Network

Recommendation: No recommendation.

*Mr. Stuart said he is still looking for well survey information from BCVWD and YVWD. Member Jagers said BCVWD is in the process of hiring a survey company.*

G. Discussion of Agenda Items and Special Meeting Date for Proposed September Workshop

*Mr. Stuart indicated a workshop date will be proposed later.*

*Mr. Stuart reminded the Committee about discussion begun last month including a vision and mission statement. He noted that Dudek is comparing SGMA with the adjudicated basin as had been suggested.*

*Member Jagers noted that both positive and negative feedback was received on the workshop format. He noted that eight microphones had been ordered and requested suggestions for the next meeting.*

*Roundtable discussions are more informal and provide better value of discussion, Chair Vela noted. Member Zoba suggested instead of agendizing it as a workshop to agendize it as a special meeting so action can be taken. He recommended that topics such as rules and regulations and overlying water rights if the agenda appears to be light.*

### **VIII. Topics for Future Meetings**

- A. Monitoring of future west side well sites and methodologies, and potential collaboration with USGS
- B. Procurement Policy including thresholds for RFP process
- C. Evaluation of Storage Issues in the Basin (tabled from 12/2/2021 meeting)
- D. Development of a methodology and policy to account for groundwater storage losses in the basin / groundwater management
- E. Incidental discharge
- F. Development of a Recycled Water Policy
- G. Development of a return flow accounting policy
- H. Direction for use of different types of storage accounts
- I. Discussion regarding process and categorization of water production for the annual report
- J. Revision of Rules and Regulations:
  - i. Committee participation by electeds
  - ii. Mechanism for BBWM to collect funds if storage account is in deficit (Development of a rate for overproduction of right)
  - iii. General modernization of rules and regulations

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

*None.*

## **X. Announcements**

- A. Special meeting / workshop date to be determined
- B. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, October 4, 2023, at 11:00 a.m.
- C. Future Meeting Dates:
  - December 6, 2023 at 11:00 a.m.
  - February 7, 2024 at 11:00 a.m.
  - April 3, 2024 at 11:00 a.m.

## **XI. Adjournment**

*Chair Vela adjourned the meeting at 12:29 p.m.*

Attest:



Daniel Jaggars, Secretary  
Beaumont Basin Watermaster