

**Record of the Minutes of the
Beaumont Basin Committee Meeting of the
Beaumont Basin Watermaster
Regular Meeting
Wednesday, October 4, 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 11:06 a.m.

II. Roll Call

<i>City of Banning</i>	<i>Art Vela</i>	<i>Present</i>
<i>City of Beaumont</i>		<i>Absent</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
Erin Anton, Yucaipa Valley Water District
Allison Edmisten, Yucaipa Valley Water District
Joyce McIntire, Yucaipa Valley Water District
Madeline Blua, Yucaipa Valley Water District
Mark Swanson, Beaumont-Cherry Valley Water District
Lance Eckhart, San Geronio Pass Water Agency
Matt Howard, San Geronio Pass Water Agency
Robert Ybarra, San Geronio Pass Water Agency
Larry Smith, San Geronio Pass Water Agency
Robert Rasha, Beaumont-Cherry Valley Water District
Lynda Kerney, Beaumont-Cherry Valley Water District
Kendall Lovell, Fennemore Law
Thaxton Van Belle, City of Beaumont
Matthew Palavido, Dudek
Matt Ford
Jim Vandewater
Emily Swagart

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

IV. Public Comments: None.

V. Consent Calendar

A. Meeting Minutes

August 2, 2023 Regular Meeting

B. Status Report on Water Level Monitoring throughout the Beaumont Basin through September 20, 2023

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

D. Financial Status Report

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

It was moved by Member Zoba and seconded by Member Armstrong to approve Consent Calendar items A through E.

AYES:	Armstrong, Jagers, Vela, Zoba
NOES:	None
ABSTAIN:	None
ABSENT:	City of Beaumont
STATUS:	Motion Approved

VI. Reports

A. Report from Engineering Consultant

Mr. Anibal Blandon of ALDA Engineering advised that the 2022 final Annual Report is complete and has been posted on the website.

Mr. Blandon reported vandalism at a Well at the Noble Creek spreading grounds. A new communications cable needs to be ordered.

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

No report.

- C. Report from Administrative Consultant – Steve Stuart, Dudek

Mr. Stuart provided an update on the well survey project. Results are expected in the next month or so. He is working with agencies to collect and compile information.

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

No report.

VII. Discussion Items

- A. Letter of Support for the Brookside West Recharge Facility WaterSMART Planning and Design Grant

Recommendation: Approve the Letter in Support of SGPWA’s Brookside West Recharge Facility WaterSMART Planning and Design Grant from the Bureau of Reclamation and Authorize the Committee Chairperson to execute and submit the letter

BBWM Secretary Dan Jagers advised of a request from the San Gorgonio Pass Water Agency (SGPWA) for a letter of support.

SGPWA General Manager Lance Eckhart described the 62-acre Brookside West priority project and noted the expansion of the SGPWA water supply portfolio. He explained the need for more recharge facilities and requested support.

It was moved by Member Jagers and seconded by Member Zoba to approve the Letter in Support of SGPWA’s Brookside West Recharge Facility WaterSMART Planning and Design Grant from the Bureau of Reclamation and authorized the Committee Chairperson to execute and submit the letter by the following vote:

AYES:	Armstrong, Jagers, Vela, Zoba
NOES:	None
ABSTAIN:	None
ABSENT:	City of Beaumont
STATUS:	Motion Approved

B. Discussion on Process for Documenting the Transfer of the Overlying Water Rights of Oak Valley Partners to Yucaipa Valley Water District

Recommendation: No recommendation

Based on requests from the BBWM Committee, YVWD prepared a series of letters covering calendar years 2018 through 2022, which include data for each lot for the water actually served within the area identified on Resolution 2017-2, Member Zoba advised.

Member Jagers indicated he had reviewed the data and said the tracking and annual report out seems appropriate. He noted concern about the effects of the AB 1668 and SB 606 legislation and said this methodology seems a good approach.

Chair Vela clarified the water rights transferred, but would potentially be adjusted in the future based on the redetermination of the Basin safe yield. Mr. Zoba added that the column of overlying rights becomes a subcategory, as theoretically, all of the overlying water rights were transferred to all of the appropriators, there would then be zero safe yield. He confirmed it would change every 10 years based on the safe yield.

C. Transfer of Overlying Water Rights from Oak Valley Partners to Yucaipa Valley Water District for Calendar Years 2018, 2019, 2020, 2021, and 2022

Recommendation: Receive and file the transfer of Overlying Water Rights from Oak Valley Partners to Yucaipa Valley Water District for Calendar Years 2018-2022 and update the appropriate records in the 2023 Annual Report to reflect the transfers

Member Jagers said the data sets show the same lots each year, such as the school site, and the water use is reported out. He discussed finding equilibrium related to the legislation and said it is a good way to maintain the health of the Basin. He noted that BCVWD is providing emergency service to two parcels. The existing well was not in the District, and the transfer of water rights will be brought forward in a similar manner.

The accounting seems appropriate and reasonable, and the process can be refined moving forward, Jagers stated.

In response to Member Armstrong's question asking if Mr. Montoya was comfortable with the process of documenting water served, Legal Counsel Thierry Montoya indicated he was comfortable with the process, and said it is well thought out, well documented, and supersedes the original Form 5 that was submitted years ago. It is helpful, as there is now current parcel ID numbers, he added.

Mr. Stuart suggested that if this is to be used as the case to demonstrate how to properly document the transfer of overlier rights to appropriators, the Rules and Regulations can now be amended to reflect documentation in the same fashion moving forward.

Member Jaggars noted that figures on Item V-C: A Comparison of Production Rights vs. Production through August 2023 would need to be adjusted.

It was moved by Member Jaggars and seconded by Member Zoba to receive and file the transfer of Overlying Water Rights from Oak Valley Partners to Yucaipa Valley Water District for Calendar Years 2018-2022 and update the appropriate records in the 2023 Annual Report to reflect the transfers by the following vote:

AYES:	Armstrong, Jaggars, Vela, Zoba
NOES:	None
ABSTAIN:	None
ABSENT:	City of Beaumont
STATUS:	Motion Approved

D. Discussion on Calculating Appropriator's Production Right and Storage Accounting

Recommendation: No recommendation

Mr. Hanibal Blandon explained that he and Mr. Stuart spoke at length about the Consolidation of Appropriator Production and Storage Accounts, and revision of Table 3-8 in the Annual Report. Given prior discussion about future shortfalls when an appropriator in any given year produces and from which bucket the overage would be taken, he presented a revised Table 3-8 reflecting a second and third bucket. He discussed options.

Member Zoba suggested a third bucket: overlying water rights. He reminded about discussion with legal counsel and an opinion that overlying water rights not put to beneficial use are lost. He recommended making it clear via the Rules and Regulations or an agreed-upon process that the water served is being tracked, accounted for, and utilized for beneficial use.

Mr. Blandon suggested further discussion and an opinion from legal counsel.

Member Jagers recapped using an example of transfer of Oak Valley to YVWD. Member Zoba noted that the temporary surplus water may also have a time frame attached, and should be accounted for. He recommended an order of operation of water used.

Mr. Blandon said he would look at the numbers in preparation for the next meeting, with the idea that the temporary surplus water is used first, then calculate the balances. Chair Vela clarified that all water used would be calculated and whatever is left in the storage account would be the imported water.

An analysis of each appropriator might be an individual discussion in preparation for the next meeting, Jagers suggested. Blandon will prepare and send out the data.

Chair Vela said he would like to avoid an artificial burden on the Watermaster if an agency wanted to pay the Watermaster rather than tap into the storage account.

Member Jagers indicated he would rather the Watermaster not be the primary contracting agent with entities such as SGPWA until there is a point at which water cannot be brought down and there needs to be alternative. Reporting to the SGPWA allows that agency to be current on the landscape. He suggested next discussion on SGPWA as a vehicle for the Watermaster, and to have a system of acquiring money and how that system is managed responsibly.

Mr. Zoba suggested adding to a future agenda what to do when a producer goes negative.

E. Update on Safe Yield Reset of the Beaumont Basin

Recommendation: No recommendation.

Mr. Tom Harder reminded that the original Safe Yield in 2003 was 8,650 acre-feet, and was later reduced to 6,700 in 2013. This is the next reset process for the 2023 to 2034 time frame.

Harder discussed in detail the groundwater flow model being updated to be used to determine a stable Basin storage over a long period of time. This is an update to the model developed in 2013. The safe yield will be determined based on the forecast of pumping and recharge conditions for the next 10 years. The demand estimates are based on Urban Water

Management Plan data and adjustments have been made for climate change, Harder explained. Future pumping was maximized at the maximum rate recorded in the past.

Chair Vela noted that a change in safe yield will impact the projected imported water need, a moving target that will adapt to conditions on the ground, currently at 14,448 af, and increasing to 19,000 af per year in 2033. Mr. Jagers added that the required reduction in water use by 2025 as delineated in the Making Conservation a Way of Life legislation may also affect the projection.

Harder recommended achieving the best estimate of how to manage the Basin moving forward and adjusting as necessary in the future.

Mr. Jagers stated it appears that uncertainties are being projected forward and recommended a general discussion on ideas such as augmentation of the west side of the basin and recharge near Cabazon. An uncertainty analysis will be presented as part of the process, Harder advised.

Mr. Harder discussed recharge operations and advised that YVWD would be installing injection wells for 2,000 af per year. Mr. Armstrong asked about impact on water quality. Mr. Zoba assured the recycled water injected would be indirect potable reuse.

Mr. Harder indicated that preliminary results will be presented at the next workshop with final safe yield estimate presented at the regular December meeting.

In response to Chair Vela's question about the physical split of the Basin into two sections, Mr. Harder discussed the physical bifurcation of the Basin. A zone analysis will be done, he said, to determine safe yield on the west side vs. east side as an information item, which will be helpful for planning purposes. In response to Member Zoba's question as to the purpose of determining the safe yield of the west and east sides of the Basin, Harder further explained, and noted that the safe yield is based on the Basin. This amplifies the point that all the spreading basin activity is on the east side, which is already known. Harder suggested the purpose of the data could be to determine what kind of projects are needed on the west to balance. Zoba asked if YVWD would be able to drill a well on the east side. Harder indicated trade may be possible. Zoba indicated he did not want this to lead to awkward, poor policies. The exercise has value from a planning perspective, Vela noted. Harder suggested the information be kept in a hip pocket.

In response to Member Jagers, Harder explained the state of the science has changed to forward projection (forecasted safe yield), and

provided some detail on factors being addressed such as climate change.

Chair Vela invited public comment.

SGPWA General Manager Lance Eckhart discussed the uncertainty and the complicated process leading to a point in time for planning purposes and "what ifs" for support of capital improvement plans.

F. Discussion Regarding Structure of the Watermaster Committee and Inclusion of Elected Representatives as Primary Members, and Process for Nomination of Members by Participating Agencies

Recommendation: No recommendation.

Mr. Stuart highlighted the discussion of Committee membership in the judgment. He outlined questions related to establishment of a process for nomination of members. Mr. Zoba requested that a precursor be included in the consent calendar as an information item on whom was presented to the Court for consideration as a member to the Committee.

Following discussion, consensus of the Committee was to leave the structure as is.

G. Consideration to Incorporate Notification and Documentation Requirements for New Wells in the Watermaster Rules and Regulations

Recommendation: That the Watermaster Committee consider engaging Dudek to revise the Rules and Regulations to include specific well construction requirements and documentation of new wells and alterations to existing wells

It was moved by Member Zoba and seconded by Member Jagers to table Item G. Approved by the following vote:

AYES:	Armstrong, Jagers, Vela, Zoba
NOES:	None
ABSTAIN:	None
ABSENT:	City of Beaumont
STATUS:	Motion Approved

H. Update on Development of Data Management System

Recommendation: No recommendation.

Mr. Matthew Palavido stated that the database and interface are in progress. He presented preliminary maps and asked members to think about any reference layers desired to be included in the system. He provided an overview and demonstrated system capabilities and data.

In response to Chair Vela, Mr. Palavido indicated the system is about 50 percent complete.

I. Consideration of Professional Administrative and Technical Support Services to the Beaumont Basin Watermaster for Calendar Year 2024

Recommendation: That the Watermaster Committee extend the contract with Dudek for Professional Administrative and Technical Support Services for the 2024 calendar year for a sum of \$79,878 and send invoices to each Watermaster Committee member for 20% of the approved amount

The Watermaster has been working with Dudek for one year, and it seems to be working well, Member Zoba stated. He recommended extension of the contract.

In response to Member Jaggars, Member Zoba indicated that the current contract was 91 percent complete, per the Financial Report.

In response to Chair Vela, Member Zoba explained there will be a separate, standalone Task Order for 2024.

Jaggars stated it seems appropriate from a total number perspective to keep the progress moving forward. Mr. Jaggars noted that the fee for 2024 is slightly less than this year's fee.

It was moved by Chair Vela and seconded by Member Zoba to extend the contract with Dudek for Professional Administrative and Technical Support Services for the 2024 calendar year for a sum of \$79,878 and send invoices to each Watermaster Committee member for 20% of the approved amount. Approved by the following vote:

AYES: Armstrong, Jagers, Vela, Zoba
NOES: None
ABSTAIN: None
ABSENT: City of Beaumont
STATUS: Motion Approved

J. Consideration of Thomas Harder & Co. Task Order No. 3 for Preparation and Attendance at Special Committee Meetings

Recommendation: That the Watermaster Committee approve Task Order No. 3 for a sum not to exceed \$17,100.00

Member Zoba presented the proposal and noted that Tom Harder has done a great job of informing and educating the Committee on the issues. He recommended the motion include the cost split.

Member Jagers commented that the work is needed to support the workshops.

It was moved by Member Jagers and seconded by Member Armstrong to approve Task Order No. 3 for a sum not to exceed \$17,100.00 and send invoices to each Watermaster Committee member for 20% of the approved amount. Approved by the following vote:

AYES: Armstrong, Jagers, Vela, Zoba
NOES: None
ABSTAIN: None
ABSENT: City of Beaumont
STATUS: Motion Approved

K. Discussion of Agenda Items and Special Meeting Date(s) for Proposed Workshops

Mr. Stuart reviewed topics and open format for the workshops.

The Committee set the following Special Meeting schedule:

- Wednesday, November 1, at 11 a.m.
- Wednesday, January 10, 2024 at 11 a.m.
- Wednesday, March 6, 2024 at 11 a.m.

It was moved by Member Zoba and seconded by Chair Vela to approve the above schedule. Approved by the following vote:

AYES: Armstrong, Jagers, Vela, Zoba
 NOES: None
 ABSTAIN: None
 ABSENT: City of Beaumont
 STATUS: Motion Approved

- L. Notice of Planned Well Drilling in the Beaumont Basin from Beaumont-Cherry Valley Water District

Recommendation: Receive and File

Member Jagers presented the letter as formal notification to memorialize BCVWD's plans, as outlined in the Rules and Regulations.

VIII. Topics for Future Meetings

	Item	Date Listed
A	Development of a Recycled Water Policy	3/27/2019
B	Development of a return flow accounting policy	3/27/2019
C	Development of a methodology and policy to account for groundwater storage losses in the basin / groundwater management	3/27/2019
D	Procurement Policy including thresholds for RFP process	8/17/2021
E	Incidental discharge	10/6/2021
F	Evaluation of Storage Issues in the Basin	Tabled from 12/2/2021 meeting
G	Monitoring of future west side well sites and methodologies, and potential collaboration with USGS	10/5/2022
H	Direction for use of different types of storage accounts	8/2/2023
I	Revision of Rules and Regulations: <ul style="list-style-type: none"> i. Mechanism for BBWM to collect funds if storage account is in deficit (Development of a rate for overproduction of right) ii. General modernization of rules and regulations iii. Clarification of overlier transfers process iv. Proposal from Dudek for this work 	8/2/2023

J	Process and categorization of water production for the annual report	8/2/2023
K	Discussion on what to do when an Appropriator goes negative	10/4/2023

IX. Comments from the Watermaster Committee Members

Member Jagers expressed hope for another wet year.

Chair Vela announced drilling of a new well, City of Banning C8, within the Atwell project off Highland Home Road and Wilson Street.

X. Announcements

- A. The next meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, November 1, 2023, at 11:00 a.m.
- B. Future Meeting Dates:
 - December 6, 2023 at 11:00 a.m.
 - January 10, 2024 at 11:00 a.m.
 - February 7, 2024 at 11:00 a.m.
 - March 6, 2024 at 11:00 a.m.
 - April 3, 2024 at 11:00 a.m.

XI. Adjournment

Chair Vela adjourned the meeting at 12:53 p.m.

Attest:

Daniel Jagers, Secretary
Beaumont Basin Watermaster