

**Record of the Minutes of the
Beaumont Basin Committee Meeting of the
Beaumont Basin Watermaster
Special Meeting
Wednesday, April 17, 2024**

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 11:01 a.m.

II. Roll Call

<i>City of Banning</i>	<i>Art Vela</i>	<i>Present</i>
<i>City of Beaumont</i>	<i>Robert Vestal</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>Joseph Zoba</i>	<i>Present</i>

Hanibal Blandon was present as engineer for the Beaumont Basin Watermaster (BBWM).

Jim van de Water was present and representing Thomas Harder as BBWM hydrogeologist

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:

Allison Edmisten, Yucaipa Valley Water District
Erin Anton, Yucaipa Valley Water District
Jennifer Ares, Yucaipa Valley Water District
Madeline Blua, Yucaipa Valley Water District
Lance Eckhart, San Gorgonio Pass Water Agency
Matt Howard, San Gorgonio Pass Water Agency
Mickey Valdivia, San Gorgonio Pass Water Agency
Brittany Lim, South Mesa Water Company
James Bean, Beaumont-Cherry Valley Water District
Evan Ward, Beaumont-Cherry Valley Water District
Khalid Sebai, Beaumont-Cherry Valley Water District
Mark Swanson, Beaumont-Cherry Valley Water District
Robert Rasha, Beaumont-Cherry Valley Water District
Lynda Kerney, Beaumont-Cherry Valley Water District

III. Pledge of Allegiance

IV. Public Comments: None.

V. Consent Calendar

- A. Meeting Minutes
 - a. February 7, 2024 Regular Meeting
 - b. March 6, 2024 Special Meeting
- B. Status Report on Water Level Monitoring throughout the Beaumont Basin through March 11, 2024
- C. A Comparison of Production Rights versus Production through February 2024

It was moved by Member Zoba and seconded by Member Jaggars to approve Consent Calendar items A, B and C.

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

VI. Reports

- A. Report from Engineering Consultant – Hannibal Blandon, ALDA Engineering
Mr. Blandon reminded about the water meter issues at the Oak Valley Golf Course wells, and said he would visit them today. In addition, there is a potential for a new observation well on the west side of the Basin.
- B. Report from Administrative Consultant – Steve Stuart, Dudek – No report
- C. Report from Legal Counsel – Thierry Montoya - Frost, Brown, Todd
Mr. Montoya reported that the Riverside Superior Court has appointed Dustin Christensen as the City of Beaumont alternate member.

VII. Discussion Items

- A. Certification of Groundwater Production and Imported Water Use during Water Year 2023

Recommendation: Certify groundwater production, imported water spreading, and change in storage in the Beaumont Groundwater Basin during Water Year 2023

Mr. Blandon reminded that groundwater production information is due to the Department of Water Resources (DWR) on April 1 each year and advised

that the information is tardy. The 2023 Consolidated Annual and Engineering Report is typically approved by the Board at the June meeting, or a subsequent meeting, and needs to be submitted along with the production report, he added.

This is the first time production is being reported on a water year basis (October 1, 2022 to September 30, 2023), but the numbers in the Annual Report are provided on a calendar year basis, Blandon noted. He reviewed the figures in the report (water year):

- Total production: 15,033 acre-feet (af)*
- State Water Project deliveries: 16,147 af*
- Total water use: 15,033 af*
- 2023 change in storage for the water year: +3,643 af*

Upon approval of the information, BCVWD staff will submit the documentation to the DWR and the Annual Report will be submitted upon final approval, Blandon noted.

Member Zoba pointed out a typo on the letter and asked about the purpose of sending out the Annual Report if the figures would be different based on water year vs. calendar year. Mr. Blandon suggested that including an explanation of the differences may suffice. Members discussed reporting figures on both the calendar year and water year basis in a new table for purposes of year-to-year comparison.

Mr. Blandon will update the letter to the State.

It was moved by Member Jagers and seconded by Member Armstrong to certify groundwater production, imported water spreading, and change in water storage in the Beaumont Groundwater Basin during WY 2023 and approved by the following vote:

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

B. Presentation of Draft 2023 Consolidated Annual and Engineering Report

Recommendation: For review and comment

Mr. Blandon presented highlights of the draft report.

- *Resolution 2023-01 recognized the transfer of 232.4 af of overlying water rights to the Beaumont-Cherry Valley Recreation and Park District*
- *Approved Budget in 2023-2024 just under \$37,000 is much lower than the final expenses in the previous two years. Mr. Blandon understands that some of the funds from 2022-23 have accumulated and will be used to fund some of the projects in 2023-2024.*
- *Historical precipitation: the 25-year 13.3 inches average is significantly lower than the 100-year average*
- *Groundwater production by Appropriators totaled 12,709 af (80.6 percent of the five year average)*
- *Groundwater production by Overliers totaled 1,518 af*
- *Imported water spreading totaled 20,393 af (highest ever)*
- *SGPWA spread 10,508 af at the Little San Gorgonio Creek Spreading Basins between 2004 and 2018*
- *City of Beaumont Wastewater Treatment Plant discharged 3,790 af (below the 5-year average) at Cooper's Canyon*
- *2018 conversion of underproduction by Overliers totaled 4,480 af*
- *Conversion of Overlying Rights to Appropriative Rights – a total of 478.25 af have been permanently transferred from Oak Valley Partners to YVWD.*
- *Total 2023 production was 4,958 af*
- *12,642 af were added to storage in the 2023 calendar year*
- *Current water in storage in the Basin totals 108,790 af*
- *2023 allocation of unused Overlying water right / underproduction to 2028 is 4,704 af*
- *Storage increased by 11,462 af from winter 2022 to winter 2023.*
- *The Operating Safe Yield for 2023 is estimated at 5,297 af*
- *No primary water quality standards were exceeded*

Discussion ensued regarding documentation of the transfers from Oak Valley Partners (OVP) to YVWD in 2023. Member Jagers suggested adding further discussion to a workshop agenda. Counsel Montoya clarified that the water has been transferred with finality. OVP has made it clear they are forgoing their rights to the water in the amounts set forth in the Form 5, granting that water to YVWD. There can be no ambiguity, he noted. The accounting of it is a different issue, but the legality of the transfer has occurred, he stated.

The development of a recycled water policy is on the to-do list for the subcommittee of Zoba and Jagers, the Committee was reminded. Member Armstrong advised caution.

Members commended the SGPWA for their water supply efforts.

Mr. Blandon requested comments on the draft by May 17 with presentation of the final Report at the June 5 meeting for approval.

C. Update on Technical Memorandum on 2023 Safe Yield Redetermination

Recommendation: No recommendation

Principal Hydrogeologist Jim Van de Water of Thomas Harder and Associates reported that a working draft is in progress with the intent to include it in the June 5 agenda packet.

D. Discussion on Developing Policy to Document and Account for Emergency Potable Water Transfers from Appropriator to Overlying Party

Recommendation: Discussion only

Steve Stuart explained that BCVWD had received a letter from the Morongo Band of Mission Indians (MBMI) (an overlier) stating that they request a temporary, one-time transfer 44 af of water in lieu of water served that was provided by BCVWD to the MBMI in July 2022.

BCVWD entered into an Emergency Potable Water Service Connection Agreement with MBMI for the purpose of providing an emergency, temporary source of water when requested by MBMI. This is a different case than the permanent transfer of water rights via a Form 5, and is a new item to address in the Rules and Regulations, Stuart explained.

He pointed to the suggested process with adjusted appropriative water right and development of a new Form 9 to document the amount of water provided and when.

Member Jagers provided detail on the emergency service request from the Tukwet Canyon Golf Club related to a well out of service. One of the elements of the agreement allowed for the transfer of overlier right to satisfy the cost of that water. BCVWD provided the water in August 2022, the agreement and the ask from the MBMI came in 2023, and it seems a Form would be a simple way to make the adjustment.

BCVWD understands the golf course is a community resource and does not want to see it blighted due to lack of water, Jagers explained. He pointed out that the Beaumont-Cherry Valley Recreation and Park District now owns the Danny Thomas Ranch with some overlier water rights. If BCVRPD were to utilize their well to self-serve they may have the same type of ask in the future.

This is not in the judgment, Stuart noted. If agreeable, Dudek would begin working this into a new section as part of the revision of the Rules and Regulations, he stated. Legal Counsel Montoya voiced concern about acting outside of the ambit of the judgment; it is problematic, the BBWM does not have the authority, and it could set precedent, he advised. He said he did not want to stray down that path at all.

If this is to be discussed, Montoya continued, do not consider adding any rule or amending anything until more information is obtained about the request. The documentation about what has been promised should be examined to see if the action is within the ambit of the BBWM authority.

Chair Vela tabled the item for future discussion.

E. Update on Revising and Modernizing the BBWM Rules and Regulations

Recommendation: Presentation only. No action required.

Mr. Stuart requested clarification and direction from the committee on:

- 1. Beaumont Basin Water Resources Management Plan, which is referred to in the Rules. Member Zoba said he believes that is the Salinity Plan under the San Timoteo Watershed Management Authority. Jagers agreed, but said it is likely outdated.*
- 2. Statement of Investment Policy: Member Zoba indicated this exists as Resolution 2004-01. He will check for any updates.*
- 3. Standard Form of Intervention, when a party not connected to the judgment asks to be a part of it, but will not receive any water rights. Mr. Montoya noted that any "intervention as a matter of right" would have to be done by law and motion and approved by the Court, not on a form. Mr. Stuart will strike the reference to it.*
- 4. Application for Recapture – submittal of a groundwater storage agreement but has no plan for recovery at the time, but later submits an application for recapture. No such form exists.*

Other terms referred to in the Rules and Regulations are:

- Salt Credits – this has not yet been used. Jagers provided examples when this might apply*
- Redetermination of Operating Yield – The term is confusing as the judgment defines it. Stuart suggested recharacterizing as "Annualized Safe Yield"*

Stuart shared a table of items that have been identified for revision.

F. Consideration of Special Meetings / Workshops

Recommendation: Consider setting a schedule for special meetings / workshops for July 2024 and beyond

It was moved by Member Jagers and seconded by Member Zoba to add workshops on July 10 and September 4 by the following vote:

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

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	Monitoring of future west side well sites and methodologies, and potential collaboration with USGS	10/5/2022
G	Discussion on what to do when an Appropriator goes negative	10/4/2023 and 11/1/2023
H	Development of a Policy to Document and Account for Emergency Potable Water Transfers from Appropriator to Overlying Party	4/17/24 (tabled)

IX. Comments from the Watermaster Committee Members: None.

X. Announcements

2024 Meeting Dates:

Wednesday, June 5 at 11 a.m.	Regular Meeting
Wednesday, July 10 at 11 a.m.	Special Meeting
Wednesday, August 7 at 11 a.m.	Regular Meeting
Wednesday, September 4 at 11 a.m.	Special Meeting
Wednesday, October 2 at 11 a.m.	Regular Meeting
Wednesday, December 4 at 11 a.m.	Regular Meeting

XI. Adjournment

Chair Vela adjourned the meeting at 12:51 p.m.

Attest:



Daniel Jagers, Secretary
Beaumont Basin Watermaster