

**MINUTES OF AN ANNUAL HEARING ON
DETERMINATION OF OPERATING SAFE YIELD
AND REGULAR MEETING OF
THE MAIN SAN GABRIEL BASIN WATERMASTER
729 NORTH AZUSA AVENUE, AZUSA, CALIFORNIA
HELD WEDNESDAY, MAY 13, 2020 AT 2:30 O'CLOCK P.M.**

An annual hearing on determination of Operating Safe Yield and regular meeting of the Main San Gabriel Basin Watermaster was duly and regularly held via Zoom Meeting (web-based video conferencing), on Wednesday, May 13, 2020, at the hour of 2:30 p.m.

CALL TO ORDER

Mrs. Lynda Noriega, Chair, provided an explanation of protocol for the Watermaster Zoom Meeting and asked staff to monitor the system for questions and correspondence as well as email to ensure that everyone on all platforms has an opportunity to comment. Following this guidance, Mrs. Noriega officially called the meeting to order at 2:39 p.m. and presided thereafter.

PLEDGE OF ALLEGIANCE

Chair Noriega announced that under the current circumstances in conducting today's Board meeting via Zoom Meeting, the Pledge of Allegiance will not be recited. Additionally, she stated that future Board meetings held under this platform or any other means of remote communication available at this time, the Pledge of Allegiance will not be on the agenda.

ROLL CALL OF WATERMASTER MEMBERS

The following members of Watermaster were present on roll call:

PRESENT: Dan Arrighi, Ron Bow, David DeJesus, Dr. Anthony Fellow, Benjamin Lewis, Jr., David Michalko, Lynda Noriega, Steven Placido and Charles Treviño

ABSENT: None

STAFF AND OTHERS PRESENT

Staff present at the meeting included: Anthony Zampiendo, Executive Officer; Fred Fudacz, Attorney; Kelly Gardner, Assistant Executive Officer; Steve Johnson, Consulting Engineer; and Ana Mata, Executive Assistant.

Others present included: Bob Bowcock, Brian Bowcock, John Brett, Paul DiMaggio, Bob DiPrimio, Wayne Goehring, Ed Hills, Erik Hitchman, Garry Hofer, Brett Kadel, Julian Lee, Matthew Litchfield, Jazmin Lopez, Tom Love, Jared Macias, Myra Malner, Jose Martinez, David Muse, Lenet Pacheco, Steve Patton, Jeffrey Pellissier, Jim Prior, Jody Roberto, Jessica Taylor, Dave Warren, Paul Zampiendo and Martin Zvirbulis

ADOPTION OF AGENDA

The Chair asked if there were any changes to be made to the agenda. On motion made by Mr. Bow, seconded by Mr. Michalko, and unanimously carried, the agenda was adopted as presented.

PUBLIC HEARING ON OPERATING SAFE YIELD FOR FISCAL YEARS 2020-21 THROUGH 2024-25

The Chair stated that this was the time and place fixed and noticed for a public hearing to be conducted by the Main San Gabriel Basin Watermaster in accordance with the provisions of Section 43 of the amended Judgment entered in the action, “Upper San Gabriel Valley Municipal Water District (USGVMWD) vs. City of Alhambra, et al.,” regarding the determination of the Operating Safe Yield (OSY) for the Main San Gabriel Basin for fiscal years 2020-21 through 2024-25.

The Consulting Engineer, Mr. Steve Johnson added that copies of Watermaster’s report on the preliminary determination of the OSY had been delivered to all parties on April 8, 2020. Mr. Johnson stated that this is one of the most important responsibilities of the Watermaster Board.

Mr. Johnson also stated that the staff has not received any comments relative to the OSY since the April meeting. He then provided a brief update and summary of his recommendation to the Board for use in establishing the OSY. The Consulting Engineer noted that the preliminary recommendation was to set the OSY at 150,000 acre-feet. He noted that Watermaster makes the ultimate decision following review of his recommendation, and referred to his report presented at the April 1, 2020, Watermaster meeting.

He then provided a brief update on hydrologic and water supply conditions in the Basin and a general overview of the OSY.

After consideration of all relevant information, the Consulting Engineer stated that these factors serve as justification to set the OSY at 150,000 acre-feet for Fiscal Year (FY) 2020-21, and 130,000 acre-feet for the subsequent four years.

The Chair then opened the Public Hearing and asked if there were any comments to come before Watermaster on this matter. Hearing none, the Chair thanked the Consulting Engineer for his report and declared the Public Hearing closed. She resumed the regular meeting.

ADOPTION OF OPERATING SAFE YIELD (Resolution No. 05-20-300)

The Chair asked for comments from Watermaster members. Hearing none, and with no further discussion, on motion made by Dr. Fellow, seconded by Mr. Treviño, and unanimously carried, the following resolution was then read, adopted and passed as read:

RESOLUTION NO. 05-20-300

**A RESOLUTION OF THE MAIN SAN GABRIEL BASIN
WATERMASTER DETERMINING OPERATING SAFE YIELD FOR
SAID BASIN FOR FISCAL YEAR 2020-21 THROUGH 2024-25**

(see next page)

DRAFT

TIME RESERVED FOR PUBLIC COMMENT

No comments were offered.

CONSENT CALENDAR

On motion made by Mr. Lewis, seconded by Mr. DeJesus, and unanimously carried, the following items were approved:

- a) Minutes of a Regular Meeting of Watermaster held April 1, 2020 noting corrections made by Chair Noriega to reflect the addition of Mr. DeJesus' first name, David, under Roll Call and reaffirm Mr. DeJesus' support for the project be recognized and documented under Authorization for Executive Officer to Finalize Letter of Intent to Participate in the Regional Recycled Water Program on Behalf of Watermaster.
- b) Lists of Demands: Items 18949 through 18980, and two electronic debits, in the amount of \$384,799.80 on the Administrative Fund and Items 0520-S, 0520U1, and 0520U2 in the amount of \$157,451.96 on the Replacement Water Fund.
- c) Financial Statements, April 2020
- d) Stipulation Re Intervention After Judgment of:
 - i. Nicholson Family Trust – Marital Trust

REQUEST FROM UNITED ROCK PRODUCTS CORPORATION TO PURCHASE 145.40 AF WATER FROM USGVMWD FOR PRODUCER CYCLIC STORAGE

The Executive Officer reported that United Rock Products Corporation has submitted a request to purchase 145.40 acre-feet of water from USGVMWD for its producer cyclic storage account.

On motion made by Dr. Fellow, seconded by Mr. Lewis, and unanimously carried, Watermaster authorized the purchase of 145.40 acre-feet of cyclic storage water from USGVMWD, for United Rock Products Corporation's individual producer cyclic storage account.

AUTHORIZATION TO EXTEND RENEWAL OF GOLDEN METERS AGREEMENT FOR ONE-YEAR

Mr. Zampielo, referenced a staff report included in the Board packet stating that Watermaster entered into a two-year agreement with Golden Meters on July 1, 2018 and is scheduled to expire on June 30, 2020 to satisfy the requirements of Watermaster's Rules and Regulations of bi-annual sampling of all production meters. Mr. Zampielo stated that the current charge is \$195.00 per meter tested, and proposed new rate is \$205.00 per meter tested, resulting in a slight increase.

On motion made by Mr. Bow, seconded by Mr. Placido, and unanimously carried,

Watermaster authorized the extension renewal of Golden Meters Agreement for one-year.

REPORT FROM ADMINISTRATIVE COMMITTEE

Mr. Arrighi referred to a written Committee report included in the board packet. He reported that the Administrative Committee met on April 9, 2020, to review a draft of a resolution adopting the draft FY 2020-21 Administration Budget in the amount of \$4,736,725, and Assessments (Resolution No. 05-20-301). The Assessments included are as follows:

- a) Administrative Assessment of \$17.00/acre-feet on FY 2019-20 Production;
- b) In-Lieu Assessment of \$8.00/acre-feet on FY 2019-20 Production;
- c) Water Resource Development Assessment of \$140.00/acre-feet on FY 2019-20 and \$175.00/acre-feet on FY 2020-21 Production;
- d) Replacement Water Assessments on FY 2019-20 and 2020-21 Overproduction

The Executive Officer distributed copies of the draft resolution and reviewed each assessment. Mr. Arrighi stated that the Administrative Committee recommends that Watermaster adopt Resolution No. 05-20-301, including assessments and the FY 2020-21 Administration Budget.

Additionally, Mr. Arrighi reported that the Committee reviewed the Executive Officer's Annual Performance Evaluation and will be discussed in today's Closed Session.

On motion made by Mr. Arrighi, seconded by Mr. Bow, and unanimously carried, the following resolution was then read, adopted, and passed as read:

RESOLUTION NO. 05-20-301

**A RESOLUTION OF THE MAIN SAN GABRIEL BASIN
WATERMASTER RESCINDING RESOLUTION NO. 05-19-296 AND ADOPTING
ASSESSMENTS FOR PRODUCERS OF THE BASIN FOR FISCAL YEAR 2019-20
AND SETTING REPLACEMENT WATER ASSESSMENTS FOR 2019-20 AND 2020-21**

(see next page)

ATTORNEY'S REPORT

Related to the Baldwin Park Operable Unit agreement, the Attorney, Mr. Fred Fudacz, reported that the negotiations on the renewal of the insurance policies that provide products and liability coverage for purveying the water treated have concluded and have successfully renewed the policies effective May 9, 2020 for a term of three years. He added that an exclusion exists in the excess coverage to cover additional contaminants, such as, Per- and polyfluoroalkyl (PFAS), noting that a provision in the Cooperating Respondents' settlement agreement outlines their bear of cost for additional contaminants.

Mr. Fudacz, provided a brief update on the matter with the Los Angeles County Department of Parks and Recreation (LACDPR) related to Watermaster assessments for Legg Lakes water usage as part of a water production agreement for the Whittier Narrows Operable Unit. He stated that progress continues, noting that a meeting was held last week with Mr. Warren Wellen, Principal Deputy County Counsel for the County. He added that the meeting was productive, stating the LACDPR understands Watermaster's position and the goal is to hopefully resolve the matter and reach a mutual agreement.

Mr. Fudacz provided an update stating that as of now, it appears the status conference regarding Basin conditions before Presiding Judge, the Honorable Maureen Duffy-Lewis scheduled for July 20, 2020 at 9:30 a.m. at the Superior Court of the State of California, County of Los Angeles will go on as scheduled. He added that he will keep the Board apprised.

ENGINEER'S REPORT

The Consulting Engineer, Mr. Steve Johnson, reported that the Baldwin Park Key Well level was 205.5 feet on May 8, 2020, noting a decrease of 0.6 feet from the prior week; about 1.3 feet from the prior month, and about 10.0 feet higher than one year ago. He also reported that it includes about 216,000 acre-feet of untreated imported water in cyclic storage accounts, which represents about 27 feet of groundwater elevation at the Key Well. The historic low for the Key Well has been established at 169.4 feet on November 21, 2018.

The Consulting Engineer then reported briefly on hydrologic conditions as of April 30, 2020, stating that total rainfall at Puddingstone Dam is 16.15 inches, which is 92 percent of average; and at the Los Angeles Civic Center, rainfall is 14.69 inches, which is 100 percent of average, for this time of year. He added that the average rainfall from July 1, 2019 through April 30, 2020 at Puddingstone Dam is 17.55 inches, and at the Los Angeles Civic Center is 14.74 inches.

Additionally, Mr. Johnson stated that total combined canyon storage, as of May 5, 2020, was 65,842 acre-feet. Excluding minimum pool storage, about 56,300 acre-feet is available for direct use or groundwater replenishment. He also stated that as of May 5, 2020, the San Gabriel Reservoir inflow was 198 cubic feet per second (cfs), release was 0 cfs and the Morris Reservoir inflow was 0 cfs, release was 44 cfs.

He reported that all four landfills were inspected and found to be operating normally

with no violations. He referred to a written report included in the Board packet that includes additional water supply and rainfall information.

EXECUTIVE OFFICER'S REPORT

Mr. Zampiello reported that a written copy of his report on Outside Activities is included in the board packet.

He reported that the Annual Meeting of the San Gabriel Valley Protective Association (SGVPA) was held on April 20, 2020 and the Distribution Committee authorized about 15,000 – 20,000 acre-feet of water to be spread at Santa Fe Spreading Grounds by the Los Angeles County Department of Public Works. The timing of the spreading will depend on construction activities at Morris Reservoir.

Mr. Zampiello stated that he continues working with Mr. Matthew Litchfield, General Manager, Three Valleys Municipal Water District (TVMWD), on the cyclic storage agreement extension with Metropolitan Water District of Southern California (MWD).

He also mentioned that he attended the USGVMWD Producers Meeting held on April 8, 2020, stating that the presentation on the Integrated Resources Plan was very useful and beneficial.

Mr. Zampiello referred to the staff report included in the Board packet regarding PFAS as an emerging contaminant.

Pursuant to the provisions of Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 outbreak, Mr. Zampiello stated that the Watermaster staff was provided with an updated 3-phase/return to work plan and a Temporary Telecommuting Agreement (Agreement). He briefly stated that the Agreement outlines Watermaster's policies and procedures relating to employee rights, legal compliance, confidentiality, safety, and ethics obligations remaining in full force and effect while telecommuting.

Related to the Basin Outreach Campaign, Mr. Zampiello provided an update stating that May is Water Awareness Month and Watermaster launched *The Waters That Connect Us* campaign, telling the story of the Main San Gabriel Basin and the status of its waters on social media platforms. He added that the campaign includes a special e-blast series and a social media series, noting that the initial Instagram post received 550 likes on the first day.

REPORT FROM RESPONSIBLE AGENCIES

Dr. Anthony Fellow, reporting on behalf of USGVMWD, referenced a report provided by USGVMWD to Watermaster. He reported on the following items approved by the USGVMWD Board on April 8, 2020:

- Resolution No. 4-20-608 initiating proceedings for the establishment of the time and place of a public hearing for May 27, 2020 at 9:00 a.m. of a Water Availability Standby Charge for Fiscal Year 2020/21.

- Nomination of Mr. Donald Dear for Special District Local Agency Formation Commission (LAFCO) Representative and instructed the USGVMWD General Manager to cast the Ballot with LAFCO.

He also reported that at the USGVMWD board meeting held on April 22, 2020, Dr. Mic Stewart, Director of Water Quality, MWD, presented an update regarding PFAS.

Additionally, Dr. Fellow reported that Mr. Jeff Kightlinger, General Manager, MWD, provided a presentation on current issues related to the Bay Delta at this morning's USGVMWD board meeting.

Mr. Charles Treviño, also reporting on behalf of USGVWMD, expressed his enthusiasm in USGVMWD's participation in the Regional Recycled Water Program.

Mr. Matthew Litchfield, reporting on behalf of TVMWD, provided an update on the cyclic storage agreement extension with MWD and Watermaster, stating that the new agreement is for a 10-year term and will be considered for approval by the TVWMD Board in June 2020.

Mr. Steven Placido, reporting on behalf of San Gabriel Valley Municipal Water District (SGVMWD), reported that a SGVMWD Board of Directors Meeting was held on May 11, 2020.

REPORT FROM OUTSIDE COMMITTEE LIAISONS

Chair Noriega reported that any reports from the Outside Committee Liaisons are included in the Board packet.

INFORMATION ITEMS

The following items listed on the agenda for information of Watermaster were noted, and ordered received and filed:

- a) Temporary assignment or lease of 100% AF Prescriptive Pumping Right from City of Brea to California Domestic Water Company for FY 2019-20
- b) Temporary assignment or lease of 200 AF Production Right from Valencia Heights Water Company to Covina Irrigating Company for FY 2019-20
- c) Temporary assignment of 950.37 AF Production Right from Covina Irrigating Company to California Domestic Water Company for FY 2019-20
- d) Temporary assignment or lease of 80 AF Production Right from Hemlock Mutual Water Company to California Domestic Water Company for FY 2020-21
- e) Temporary assignment or lease of 435.64 AF Production Right from Covina Irrigating Company to California Domestic Water Company for FY 2019-20
- f) Temporary assignment or lease of 285.38 AF Production Right from City of

Irwindale to Valley County Water District for FY 2019-20

- g) Temporary assignment or lease of 300 AF Production Right from Azusa Valley Water Company to San Gabriel County Water District for FY 2019-20
- h) Temporary assignment or lease of 1,100 AF Production Right from Azusa Valley Water Company to Valley County Water District for FY 2019-20
- i) Temporary assignment or lease of 1,000 AF Production Right from Azusa Valley Water Company to City of Monrovia for FY 2019-20
- j) Temporary assignment or lease of 500 AF Production Right from California American Water – San Marino to California American Water – Duarte for FY 2019-20
- k) Permanent transfer of 31.0 acre-feet Prescriptive Pumping Right from Nicholson Family Trust to Nicholson Family Trust – Marital Trust
- l) Notice of Change of Designee for Moon Valley Nurseries, Inc. to Joseph M. Dougherty
- m) Notice of Change of Designee for Nicholson Family Trust – Marital Trust to M. L. Whitehead
- n) Transmittal of SGVMWD Monthly Report for March 2020

COMMENTS FROM WATERMASTER MEMBERS

Mr. Michalko thanked and acknowledged the Producers for their continued efforts in adhering to the OSY Plan.

FUTURE AGENDA ITEMS

None

CLOSED SESSION

A Closed Session was held for discussion of the Executive Officer's Annual Performance Evaluation.

REGULAR MEETING RESUMES

The Chair reported that in Closed Session, the following action was taken:

By unanimous vote, the Board approved the annual performance evaluation of the Executive Officer.

ADJOURNMENT

The Chair asked if there were other business to come before Watermaster, and there being none, the meeting was adjourned to the next regular meeting of Watermaster on Wednesday, June 3, 2020, at 2:30 p.m. to be held via Zoom Meeting.

SECRETARY'S SIGNATURE

DAN ARRIGHI

ATTEST:

LYNDA NORIEGA
CHAIR