

**MINUTES OF A REGULAR MEETING OF
THE MAIN SAN GABRIEL BASIN WATERMASTER
725 NORTH AZUSA AVENUE, AZUSA, CALIFORNIA
HELD WEDNESDAY, APRIL 6, 2022 AT 2:30 O'CLOCK P.M.**

A regular meeting of the Main San Gabriel Basin Watermaster was duly and regularly held in the Conference Room of the City of Azusa Light and Water Administration Facility, at 729 North Azusa Avenue, in the City of Azusa, County of Los Angeles, State of California, 91702, and via Zoom Meeting (web-based video conferencing) on Wednesday, April 6, 2022, at the hour of 2:30 p.m.

CALL TO ORDER

Mrs. Lynda Noriega, Chair, called the meeting to order and presided thereover.

ROLL CALL OF WATERMASTER MEMBERS

The following members of Watermaster were present on roll call:

PRESENT: David DeJesus, Dr. Anthony Fellow, Garry Hofer, David Michalko, Lynda Noriega, Steven Placido, Anteneh Tesfaye and Martin Zvirbulis

ABSENT: Charles Treviño

(Mr. Treviño joined later in the meeting)

STAFF AND OTHERS PRESENT

Staff present at the meeting included: Anthony Zampiello, Executive Officer; Fred Fudacz, Attorney; Kelly Gardner, Assistant Executive Officer; Arrica Jimenez, Administration Manager; Steve Johnson, Consulting Engineer; Jenny Savron, Consulting Engineer; Ana Mata, Executive Assistant; and Ana Rodriguez, Accountant II.

Others present included: Anthony Alberti, Dan Arrighi, Brian Bowcock, George Cambero, Dan Colby, Tom Coleman, Ray Cordero, John Corona, Paul Cranmer, Cris Fealy, Roy Frausto, Richard Gonzales, Erik Hitchman, Steve Kiggins, Benjamin Lewis, Jr. Matthew Litchfield, Tom Love, Charles Lucas, Jared Macias, Victor Magana, Myra Malner, Stephanie Moreno, David Muse, Chisom Obegolu, Lenet Pacheco, Jeffrey Pellissier, James Prior, Evelyn Reyes, Tara Robinson, Sherry Shaw, Carlos Solis, Jessica Taylor, Mike Ti and Joseph Velasco.

ADOPTION OF AGENDA

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

TIME RESERVED FOR PUBLIC COMMENT

No comments were offered.

CONSENT CALENDAR

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

- a) Minutes of a Regular Meeting of Watermaster held March 2, 2022
- b) Lists of Demands: Items 19697 through 19731, and two electronic debits, in the amount of \$312,878.92 on the Administrative Fund and Items 422-S and 422-U in the amount of \$1,736,219.30 on the Replacement Water Fund.
- c) Financial Statements, March 2022

(Mr. Treviño joined the meeting)

PRELIMINARY DETERMINATION OF OPERATING SAFE YIELD FOR FISCAL YEARS 2022-23 THROUGH 2026-27

The Consulting Engineer, Mr. Steve Johnson, stated that, pursuant to Section 43 of the amended Judgment, a Preliminary Determination of the Main San Gabriel Basin's (Basin) Operating Safe Yield (OSY) is to be made by each April Regular Meeting of the Main San Gabriel Basin Watermaster (Watermaster), with the final determination to be made at the May meeting. He explained that the OSY is the amount of water that Watermaster determines can be pumped from the Basin before Replacement Water must be purchased. Mr. Johnson pointed out that he is only recommending a preliminary determination at this time and will make a final recommendation at the May meeting. He provided a brief overview of how he typically presents the data used to determine his recommendations and stated that his report this year would be somewhat different in order to best report the current water supply conditions.

Mr. Johnson began his formal report by reading Section 42 of the Judgment, which states in part, "...Watermaster shall recharge Replacement Water in accordance with the Watermaster Operating Criteria and, insofar as practicable, to maintain the water level at the Key Well above Elevation two hundred (200)." He noted last year that it was not practical to set the OSY to meet the 200-foot groundwater level requirement because it was not possible to reach that level in one year; this will take multiple years of average to above average local rainfall.

Mr. Johnson stated that rainfall in the San Gabriel Valley has averaged about 11.89 inches between Fiscal Years (FY) 2011-12 and 2021-22 which is significantly below the long-term annual average of about 18.5 inches. He noted that for FY 2021-22 through the end of March, rainfall for the San Gabriel Valley is about 10.29 inches and less than 56 percent of long-term average.

He reported that the Key Well elevation was 180.9 feet on March 25, 2022, about 11.5 feet higher than the historic low of 169.4 feet set in November 2018, but about 16.0 feet

lower than this time last year.

Mr. Johnson also stated that during this recent drought, Watermaster has been more proactive by implementing provisions of the Judgment, and developing and instituting new studies, programs and plans to address conditions as they progressively worsened. He added that without the actions of Watermaster and the Producers, Basin water supply conditions would have been much worse. He reported that the actions included storm water capture, cyclic storage conservation, recycled water for replenishment, basin-wide low water vulnerability assessment, in-lieu program, Stormwater Augmentation Program and the Metropolitan Water District of Southern California (MWD) Water Supply Agreement.

Additionally, he reviewed current hydrologic conditions, and referred to a graph indicating accumulated rainfall at Puddingstone Dam of 10.29 inches, noting that this is only about 64 percent of average for this time of year.

Mr. Johnson also reported that total production in the Basin for the first two quarters of FY 2021-22 was about 97,500 acre-feet, adding that key factors keeping the Key Well from dropping any lower than it is, is reduced production and water conservation.

Finally, based on all of these factors, he stated that the recommendation for the Preliminary Determination of the OSY is 150,000 acre-feet for 2022-23, and 130,000 acre-feet for the subsequent four years. Mr. Johnson reported that the "Preliminary Determination of OSY" report for 2022 was distributed electronically and stated that copies of the report will be posted to Watermaster's website and notice of such will be distributed to all Parties.

The Executive Officer, Mr. Anthony Zampello, provided a brief explanation of current and historic actions to responsibly manage the Basin. He added that the "Preliminary Determination of OSY" report for FY 2022-23 through 2026-27 will be sent to all Parties by electronic transmittal no less than ten days before the May 11, 2022 Annual Hearing on Determination of OSY and Regular Meeting of the Watermaster.

On motion made by Mr. Treviño, seconded by Mr. Placido, and unanimously carried, Watermaster received and filed the "Preliminary Determination of OSY" report for 2022-23 through 2026-27.

Chair Noriega noted that the "Preliminary Determination of OSY" report and the presentation provided by Stetson Engineer's will be distributed to all Parties for their review and comments. Any comments received by Watermaster, will be addressed at the Annual Hearing on Determination of OSY and Regular Meeting of the Watermaster on May 11, 2022.

REPORT FROM BASIN WATER MANAGEMENT COMMITTEE

Vice Chair Michalko referred to a written Committee report included in the Board packet. He reported that the Basin Water Management Committee (BWMC) met on March 9, 2022, and discussed a few items, one which requires Watermaster action today.

Authorization to Extend Renewal of Golden Meters Agreement for two years: Staff provided an overview of the services provided by Golden Meters, stating that Golden Meters has agreed to extend their existing contract for additional two years with an actual amount of \$15.00 per meter increase. To satisfy the requirements of Watermaster's Rules and Regulations of bi-annual testing of all production meters, the BWMC recommended that the Board approve a two-year contract extension with Golden Meters.

On motion made by Vice Chair Michalko, seconded by Mr. Tesfaye, and unanimously carried, Watermaster authorized the extension renewal of Golden Meters Agreement for two years.

REPORT FROM FINANCE COMMITTEE

Review of Preliminary Draft Administration Budget for FY 2022-23: Mr. Zampielo referred to a written Committee report included in the Board packet. He reported that the Finance Committee met on March 22, 2022 to review the Preliminary Draft Administration Budget and Assessments for FY 2022-23. He stated that Watermaster staff prepared three draft budgets for consideration, one holding the Administrative Assessment to \$17.00 per acre-foot from last year, a second with an increase to \$17.50 per acre-foot and a third with an increase to \$18.00 per acre-foot.

Following a discussion, the Committee requested Watermaster staff to prepare additional information for review regarding the proposed budget, specific to projected total Basin production and contingency funding.

Mr. Zampielo reported that by consensus, the Committee recommended a discussion at the Watermaster Board of Directors Meeting on April 4, 2022, noting that the Draft Administration Budget and Assessments for FY 2022-23 will return to the Finance Committee for review and recommendation to the Administrative Committee.

Lastly, he stated that the Administrative Committee's recommendation of the Preliminary Draft Administration Budget for FY 2022-23 and Assessments for FY 2022-27 productions will be considered for approval by the Watermaster Board of Directors at its May 11, 2022 meeting.

On motion made by Vice Chair Michalko, seconded by Mr. Treviño, and unanimously carried, the Finance Committee report received and filed.

REQUEST FROM SUNNY SLOPE WATER COMPANY TO PURCHASE 1,000 ACRE- FEET OF WATER FROM UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT FOR PRODUCER CYCLIC STORAGE

The Executive Officer reported that Sunny Slope Water Company has submitted a request to purchase 1,000 acre-feet of water from Upper San Gabriel Valley Municipal Water District (USGVMWD) for its producer cyclic storage account. He noted that there is available capacity within their existing account.

On motion made by Mr. Tesfaye, seconded by Dr. Fellow, and unanimously carried, Watermaster authorized the purchase of 1,000 acre-feet of cyclic storage water from

USGVMWD for Sunny Slope Water Company's individual producer cyclic storage account.

ATTORNEY'S REPORT

The Attorney, Mr. Fred Fudacz provided an update related to the petition pending by California Trout to the California Fish and Game Commission (Commission) to list its Southern California Steelhead as endangered under the California Endangered Species Act (CESA). He stated that the Commission is scheduled to meet on April 20 – 21, 2022, noting that the expectation is to consider and potentially act on the petition, the California Department of Fish and Wildlife's evaluation report and comments received to determine whether listing Southern California Steelhead as endangered under the CESA may be warranted. Mr. Fudacz also stated that Watermaster will be working with representatives from the Los Angeles County on development of regulations that could minimize any negative disruption during certain activities including water conservation efforts. He will provide an update at the next Watermaster Board of Directors meeting.

Additionally, he provided an update on a litigation matter related to the California River Watch vs. City of Vacaville under the Resource Conservation and Recovery Act. He stated that following the three-judge panel within the United States Court of Appeals for the Ninth Circuit's (Ninth Circuit) decision holding the City of Vacaville liable for transporting hexavalent chromium through its water distribution system despite not being involved in the waste disposal process that contaminated its source water, the Association of California Water Agencies has filed an amicus brief in an effort for the decision to be reviewed by the entire Ninth Circuit.

Related to the Cyclic Storage Agreement among MWD, USGVMWD and Watermaster, Mr. Fudacz reported that the hearing for approval before Presiding Judge, the Honorable Maureen Duffy-Lewis has been rescheduled from May 6, 2022 to May 9, 2022.

ENGINEER'S REPORT

Mr. Johnson, reported that the Baldwin Park Key Well level was 180.9 feet on March 25, 2022, noting a decrease of about 0.2 feet from the prior week; a decrease of about 0.8 feet from the prior month, and about 16.0 feet lower than one year ago. The historic low for the Key Well has been established at 169.4 feet on November 21, 2018. He also stated that it includes an estimated 128,000 acre-feet of untreated imported water in cyclic storage accounts, which represents about 16 feet of groundwater elevation at the Key Well.

Mr. Johnson then reported briefly on hydrologic conditions as of March 30, 2022, stating that total rainfall at Puddingstone Dam is about 10.29 inches, which is about 64 percent of average; and at the Los Angeles Civic Center, rainfall is about 12.06 inches, which is about 87 percent of average, for this time of year.

Additionally, Mr. Johnson stated that total combined canyon storage, as of March 29, 2022, was 32,013 acre-feet, about 38 percent of capacity. He also stated that as of March 29, 2022, the San Gabriel Reservoir inflow was 178 cubic feet per second (cfs), release was 256 cfs and the Morris Reservoir inflow was 273 cfs and release was 275 cfs.

He reported that the landfills, Azusa Land Reclamation and Peck Road, 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.

Lastly, Mr. Johnson reported that at the next BWMC meeting on April 13, 2022, the discussion will include a Division of Drinking Water regulatory update (hexavalent chromium Maximum Contaminant Level, revised notification level and reporting level for manganese) and a Fourth Quarter 2021 Per- and Polyfluoroalkyl Substances (PFAS) results for the Basin.

EXECUTIVE OFFICER'S REPORT

The Executive Officer, Mr. Zampello reported that a written copy of a report on Outside Activities is included in the Board packet.

REPORT FROM RESPONSIBLE AGENCIES

Dr. Fellow, reporting on behalf of USGVMWD, referenced a report provided by USGVMWD to Watermaster.

Mr. Tom Love, General Manager, USGVMWD and Mr. Matthew Litchfield, General Manager, Three Valleys Municipal Water District (TVMWD), provided an update on MWD's Special State Water Project (SWP) Allocation. The update included MWD's proposed Emergency Water Conservation Program including the three main elements to achieve the goal of lowering normal demand and preserving water for human health and safety purposes:

- Each member agency that currently receives SWP supplies at the connections within the SWP Dependent Area must implement and enforce a restriction on outdoor watering of no more than one day per week.
- If a member agency either does not submit an acceptable plan to limit outdoor watering or if it inadequately enforces the plan, a penalty of up to \$2,000 per acre-foot shall be assessed on all supplies delivered to that non-compliant agency at the designated connections.
- An agency can entirely avoid these outdoor watering restrictions and penalties if it takes sufficient action to entirely eliminate its use of SWP supplies at the designated connections.

Mr. Love also added that a Producer Meeting is scheduled for April 13, 2022 at 11:00 a.m., stating that the discussion will include a presentation by MWD on the MWD State Water Supply Allocation.

Mr. Litchfield also reported that the TVMWD Board of Directors met this morning, stating that the discussion included an agreement between TVMWD, City of Glendora and Puente Basin Water Agency for groundwater reliability in the Basin to increase local water supply, such as, potential regional projects in rehabilitating the City of Glendora's

Wells No. 3 and 4. He added that approval of the agreement will be agendized for approval by the TVMWD at a future TVMWD Board of Directors meeting.

Mr. Placido, reporting on behalf of San Gabriel Valley Municipal Water District (SGVMWD), stating that the SGVMWD Board of Directors met on March 14, 2022 and approved the following items:

- Approved a Letter of Support for Assembly Bill 2163 San Gabriel Basin Water Quality Authority Act
- Awarded Bid for Wye Branch Fabrication to Imperial Pipe

Mr. Steve Kiggins, Assistant General Manager, also reporting on behalf of SGVMWD, provided an operational update, stating that SGVMWD continues making water deliveries on behalf of USGVMWD and TVMWD. He noted an anticipated outage on the pipeline from June 13 – July 7, 2022.

REPORT FROM OUTSIDE COMMITTEE LIAISONS

Chair Noriega stated 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 162.65 acre-feet of Production Right from Anton C. and Anita Garnier Family Trust to San Gabriel Valley Water Company for FY 2021-22
- b) Temporary assignment or lease of 100% of Prescriptive Pumping Right from City of Brea to California Domestic Water Company for FY 2021-22
- c) Temporary assignment or lease of 36.29 acre-feet of Production Right from Walter Green to California Domestic Water Company for FY 2021-22
- d) Temporary assignment or lease of 22.01 acre-feet of Production Right and 22.01 acre-feet of Carryover Right from William L. McIntyre to Canyon Water Company for FY 2021-22
- e) Temporary assignment or lease of 149.35 acre-feet of Production Right from Covina Irrigating Company to California Domestic Water Company for FY 2021-22
- f) Change of Designee for Azusa Valley Water Company to Richard Torres
- g) Change of Designee for City of Azusa to Richard Torres
- h) Change of Designee for Hanson Aggregates West, Inc. to Brandon Saeteurn

- i) Change of Designee for City of Irwindale to Julian Miranda
- j) Letter of Support for Three Valleys Municipal Water District grant application to the U.S. Bureau of Reclamation
- k) Transmittal of San Gabriel Valley Municipal Water District monthly report for February 2022

The Chair stated that the following item listed on the agenda for information of Watermaster has been rescinded:

- a) Temporary assignment or lease of 620.00 acre-feet of Production Right from Covina Irrigating Company to Canyon Water Company for FY 2021-22

COMMENTS FROM WATERMASTER MEMBERS

Mr. Zvirbulis and Mr. Michalko appreciated attending today's meeting in-person.

FUTURE AGENDA ITEMS

No agenda items were provided.

CLOSED SESSION

A Closed Session was not held.

ADJOURNMENT

The Chair asked if there were other business to come before Watermaster, and there being none, the meeting was adjourned to the next Annual Hearing on Determination of Operating Safe Yield and Regular Meeting of the Watermaster on Wednesday, May 11, 2022 at 2:30 p.m. to be held via Zoom Meeting.

SECRETARY'S SIGNATURE

MARTIN ZVIRBULIS

ATTEST:

LYNDA NORIEGA
CHAIR