

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL MEETING

October 13, 2016

The Non-Agricultural Pool meeting was held at the offices of Chino Basin Watermaster and via conference call using the Chino Basin Watermaster conference call number on October 13, 2016.

NON-AGRICULTURAL POOL MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	Auto Club Speedway
Bob Page	County of San Bernardino

NON-AGRICULTURAL POOL MEMBERS PRESENT ON CALL

Ken Jeske	California Steel Industries (CSI)
Tom O'Neill	Ontario City Non-Agricultural

WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Joseph Joswiak	Chief Financial Officer
Anna Truong	Executive Services Director/Board Clerk
Justin Nakano	Water Resources Senior Associate
Janine Wilson	Recording Secretary

WATERMASTER CONSULTANT PRESENT AT WATERMASTER

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Mark Wildermuth	Wildermuth Environmental, Inc.

OTHERS PRESENT AT WATERMASTER

Pete Hall	State of California – CIM
Joel Ignacio	Inland Empire Utilities Agency
Shaun Stone	Inland Empire Utilities Agency

NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON CALL

Allen Hubsch	Loeb & Loeb, LLP
--------------	------------------

CALL TO ORDER

Chair Geye called the Non-Agricultural Pool meeting to order at 11:03 a.m.

ROLL CALL

Ms. Wilson conducted the roll call.

AGENDA – ADDITIONS/REORDER

None

I. BUSINESS ITEMS - ROUTINE

A. MINUTES

1. Minutes of the Non-Agricultural Pool Meeting held September 8, 2016

(0:03:18) Chair Geye inquired as to why Mr. Jew was listed on the minutes under Others Present at the September 2016 Non-Agricultural Pool Meeting instead of listed under Non-Agricultural Pool Members Present at Watermaster. Mr. Joswiak stated he would research and have the minutes corrected.

(0:04:09)

Motion by Mr. Bob Page, seconded by Mr. Tom O'Neill. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to receive and file Business Item I.A. with the correction as noted above.

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of August 2016
2. Watermaster VISA Check Detail for the month of August 2016
3. Combining Schedule for the Period July 1, 2016 through August 31, 2016
4. Treasurer's Report of Financial Affairs for the Period August 1, 2016 through August 31, 2016
5. Budget vs. Actual Report for the Period July 1, 2016 through August 31, 2016

(0:04:34)

Motion by Mr. Bob Page, seconded by Mr. Tom O'Neill. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to receive and file Business Item I.B. without approval as presented.

II. BUSINESS ITEMS

A. 2015 GROUND-LEVEL MONITORING COMMITTEE ANNUAL REPORT

Recommend that the Advisory Committee recommend to the Watermaster Board to adopt the 2015 Annual Report of the Ground-Level Monitoring Committee, along with filing a copy with the Court.

(0:05:00) Mr. Herrema gave a report.

(0:06:04)

Motion by Mr. Bob Page, seconded by Mr. Ken Jeske. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to direct the Pool representatives to support Business Item II.A. at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

B. SUPPLEMENTAL WATER RECHARGE PROCEDURE

Offer advice and assistance.

(0:06:30) Mr. Herrema gave a report. A discussion ensued.

(0:20:56)

Motion by Mr. Ken Jeske, seconded by Mr. Bob Page. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.

Moved to direct the Pool representatives to support Business Item II.B. at the Advisory Committee and Watermaster Board meetings subject to comments made at today's meeting and changes which they deem appropriate.

C. RECHARGE MASTER PLAN UPDATE AMENDMENT – PROPOSED YIELD ENHANCEMENT PROJECTS (FOR INFORMATION AND DISCUSSION ONLY)

For information and discussion only.

(0:22:10) Mr. Herrema gave an introduction to Business Item II.C., the RMPU Amendment Proposed Yield Enhancement Project, and handed off to Mr. Nakano and Mr. Joel Ignacio (Inland Empire Utilities Agency) to give a report. A discussion ensued.

D. EXHIBIT “G” PHYSICAL SOLUTION TRANSFER RATE SUBSTITUTION

Approve the proposed multi-year, (Fiscal Years 2016-17 through 2018-19) substitute Physical Solution Transfer rate, recommend Advisory Committee approval, and approve Watermaster legal counsel’s filing of motion for Court approval of the same.

(0:27:40) Mr. Herrema informed the Pool that Business Item II.D., the Exhibit “G” Physical Solution Transfer Rate Substitution was still being discussed at the Appropriate Pool meeting. The item was deferred until the Appropriate Pool has taken action on the item.

E. MEMBER STATUS CHANGES (For Discussion and Possible Action)

1. Any proposed transfer of Safe Yield by a Member.
2. Any transfer of Safe Yield that has actually closed or been completed.
3. Any change in name or corporate identity of a Member (such as results from a merger or filing of a change of name certificate).
4. Any change in the name of a representative or alternate representative of a Member, or a change in e-mail address for either such person.

(0:28:47) There were no changes to note.

III. REPORTS/UPDATES**A. LEGAL COUNSEL REPORT**

1. September 23, 2016 Hearing and Subsequent Ruling

(0:29:00) Mr. Herrema gave a report. A discussion ensued.

B. ENGINEER REPORT

1. RMPU Projects Support
2. Recomputation of Ambient Water Quality
3. Water Rights Compliance
4. Model Update and Required Demonstrations
5. 2016-17 Meeting/Reporting Schedules for Prado Basin Habitat Sustainability Program and Ground-Level Monitoring Committees

(0:35:33) Mr. Wildermuth gave a report.

C. CFO REPORT

1. Use of SB 222 Fund

(0:37:28) Mr. Joswiak gave a report. A discussion ensued.

D. GM REPORT

1. FY 2016/17 Assessment Package
2. Storage Management
3. FY 2015/16 Replenishment Water Order
4. Holiday Meeting Schedule
5. Other

(0:43:43) Mr. Herrema gave an update on the action taken at the Appropriate Pool meeting for Business Item II.D., the Exhibit “G” Physical Solution Transfer Rate Substitution. The Non-Agricultural Pool will take this item in confidential session.

(0:44:15) Mr. Herrema gave a report.

IV. INFORMATION

1. Cash Disbursements for September 2016
2. Recharge Investigations and Projects Committee (RIPCom)
3. RMPU Status Report
4. Ground Level Monitoring Status Report
5. South Archibald and Chino Airport Plumes Status Report
6. FY 2016/17 First Interim Organization Performance Report

V. POOL MEMBER COMMENTS

None

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Chair Geye called for a confidential session at 11:55 a.m. to discuss the following items:

1. Safe Yield Reset
2. Exhibit G – Substitute Transfer Rate
3. Legal Counsel Update

Confidential session concluded at 12:18 p.m. with the following reportable actions:

1. The Non-Agricultural Pool has also approved a one-year, (Fiscal Year 2016/17) Exhibit “G” Physical Solution Transfer Rate Substitution of \$570 per acre-foot, recommend that the Pool representatives support at the Advisory Committee and Board meetings, and approve Watermaster legal counsel’s filing of motion for Court approval of the same.
2. The Non-Agricultural Pool authorized Chair Geye to sign a new representation letter with Mr. Hubsch’s new firm, Loeb & Loeb, LLP as well as, a document transfer request to retrieve past files from Mr. Hubsch’s previous firm, Hogan Lovells US LLP.

(0:51:33) Mr. Kavounas announced that the Assessment Package Workshop will be held on November 2, 2016.

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool meeting at 12:19 p.m.

Secretary: _____

Approved: November 10, 2016 _____