

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**NON-AGRICULTURAL POOL MEETING**

September 13, 2018

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 September 13, 2018.

**NON-AGRICULTURAL POOL MEMBERS PRESENT AT WATERMASTER**

|                           |                                   |
|---------------------------|-----------------------------------|
| Brian Geye, Chair         | California Speedway Corporation   |
| Andrew Silva for Bob Page | County of San Bernardino (Non-Ag) |

**NON-AGRICULTURAL POOL MEMBERS PRESENT ON CALL**

|                         |                             |
|-------------------------|-----------------------------|
| Bob Bowcock, Vice-Chair | CalMat Co.                  |
| Ramsey Haddad           | California Steel Industries |
| Tom O'Neill             | City of Ontario (Non-Ag)    |

**WATERMASTER BOARD MEMBER PRESENT AT WATERMASTER**

|          |  |
|----------|--|
| Bob Kuhn | Three Valleys Municipal Water District |
|----------|--|

**WATERMASTER STAFF PRESENT AT WATERMASTER**

|                     |   |
|---------------------|---|
| Joseph Joswiak      | Chief Financial Officer                 |
| Edgar Tellez Foster | Senior Environmental Engineer           |
| Anna Nelson         | Executive Services Director/Board Clerk |
| Justin Nakano       | Water Resources Senior Associate        |
| Janine Wilson       | Senior Accountant                       |

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

|                  |                                      |
|------------------|--------------------------------------|
| Brad Herrema     | Brownstein Hyatt Farber Schreck, LLP |
| Andy Malone      | Wildermuth Environmental, Inc.       |
| Carolina Sanchez | Wildermuth Environmental, Inc.       |

**OTHERS PRESENT AT WATERMASTER**

|                |                                    |
|----------------|------------------------------------|
| Todd Corbin    | Jurupa Community Services District |
| Joshua Aguilar | 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 11:00 a.m.

**ROLL CALL**

Ms. Wilson conducted the roll call.

**AGENDA – ADDITIONS/REORDER**

None

**I. BUSINESS ITEMS - ROUTINE**

**A. MINUTES**

Receive and file as presented:

1. Minutes of the Non-Agricultural Pool Meeting held August 9, 2018

(0:01:51)

*Motion by Mr. Andrew Silva, 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. as presented.***

**B. FINANCIAL REPORTS**

Receive and file as presented:

1. Cash Disbursements for the month of July 2018
2. Watermaster VISA Check Detail for the month of July 2018
3. Combining Schedule for the Period July 1, 2018 through July 31, 2018
4. Treasurer's Report of Financial Affairs for the Period July 1, 2018 through July 31, 2018
5. Budget vs. Actual Report for the Period July 1, 2018 through July 31, 2018

(0:02:13)

*Motion by Mr. Andrew Silva, seconded by Vice-Chair Bob Bowcock. 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.***

**C. OBMP SEMI-ANNUAL STATUS REPORTS 2018-1**

Recommend to the Advisory Committee recommend to the Watermaster Board to adopt the Semi-Annual OBMP Status Report 2018-1, along with filing a copy with the Court, subject to any necessary non-substantive changes.

(0:02:48) Mr. Tellez Foster reported that Item I.C., OBMP Semi-Annual Status Report 2018-1, has a minor wording change to refine the intended meaning of the report on page 60, third bullet-point.

(0:03:43)

*Motion by Mr. Andrew Silva, 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 approve staff recommendation of Business Item I.C. and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate with the changes noted above.***

**D. CONSIDERATION OF APPLICATION FOR LOCAL STORAGE AGREEMENTS – OVERLYING (NON-AGRICULTURAL) POOL**

Recommend to the Advisory Committee to recommend that Watermaster Board approves the application for local storage agreements as presented.

(0:04:06) Mr. Herrema gave a report.

(0:04:43) Mr. Corbin gave a report. A discussion ensued.

The Pool took Business Item I.D. during confidential session and the reportable actions are provided in sequence below.

**II. BUSINESS ITEMS**

**A. FISCAL YEAR 2018/19 BUDGET TRANSFER (FORM T-18-07-01)**

Recommend to the Advisory Committee to approve Fiscal Year 2018/19 Budget Transfer (Form T-18-07-01).

(0:08:40) Mr. Joswiak gave a report.

(0:10:33)

*Motion by Mr. Andrew Silva, 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 approve staff recommendation of Business Item II.A. and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.***

**B. 2018 RECHARGE MASTER PLAN UPDATE AND RESOLUTION NO. 2018-04**

Recommend Advisory Committee to recommend to Watermaster Board to approve the 2018 RMPU as presented and adopt Resolution No. 2018-04.

(0:12:29) Ms. Sanchez from Wildermuth Environmental, Inc. gave a presentation. A discussion ensued.

(0:19:19)

*Motion by Mr. Andrew Silva, 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 approve staff recommendation of Business Item II.B. and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.***

**C. TASK ORDER NO. 4 UNDER MASTER AGREEMENT FOR COLLABORATIVE PROJECTS: CHINO BASIN CONJUNCTIVE USE ENVIRONMENTAL WATER STORAGE/EXCHANGE PROGRAM EVALUATION AND CONCEPTUAL DESIGN SUPPORT.**

Recommend to the Advisory Committee to approve Task Order No. 4 Under Master Agreement for Collaborative Projects: Chino Basin Conjunctive Use Environmental Water Storage/Exchange Program Evaluation and Conceptual Design Support.

(0:19:50) Mr. Tellez Foster gave a preface of Business Item II.C. A discussion ensued.

(0:22:01) Mr. Aguilar from Inland Empire Utilities Agency gave a report. A discussion ensued.

(0:24:50)

*Motion by Vice-Chair Bob Bowcock, seconded by Mr. Andrew Silva. The Chair called for dissent, and, none being noted, the motion was deemed passed by unanimous vote of those present.*

***Moved to approve staff recommendation of Business Item II.C. and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.***

**D. SAFE YIELD RESET-RELATED AGREEMENT DISCUSSION**

Discussion and possible action.

(0:25:26) Mr. Corbin gave a report. A discussion ensued.

The Pool took Business Item II.D. during confidential session and the reportable actions are provided in sequence below.

**E. CHANGES TO THE OVERLYING (NON-AGRICULTURAL) POOL POOLING PLAN**

Discussion and possible action.

The Pool took Business Item II.E. during confidential session and the reportable actions are provided in sequence below.

**F. 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.

(0:31:09) Mr. Herrema reported that Watermaster was not aware of any member status changes.

**III. REPORTS/UPDATES**

**A. LEGAL COUNSEL REPORT**

1. Appeal of April 28, 2017 Order
2. August 24, 2018 Hearing

(0:31:20) Mr. Herrema gave a report.

**B. ENGINEER REPORT**

1. Storage Framework
2. Fiscal Year 2017/18 GLMC Annual Report

(0:32:57) Mr. Malone gave a report.

**C. CFO REPORT**

None

**D. GM REPORT**

1. Proposed Changes to DYY Program Operation
2. CDA Production
3. Other

(0:34:21) Mr. Tellez Foster gave a report on behalf of Mr. Kavounas, who was in attendance at the Appropriative Pool meeting. A discussion ensued.

(0:37:44) Mr. Herrema reported that Watermaster will be sending out a "Save-The-Date" notice for the 40<sup>th</sup> Judgment Anniversary event on December 4, 2018 at 4:00 p.m. He also commented on the CalDesal membership, and gave an update on the upcoming Assessment Package and workshops. A discussion ensued.

**IV. INFORMATION**

1. Cash Disbursements for August 2018
2. Recharge Investigations and Projects Committee (RIPCom)

**V. POOL MEMBER COMMENTS**

None

**VI. OTHER BUSINESS**

None

**VII. CONFIDENTIAL SESSION – POSSIBLE ACTION**

Chair Geye called for a confidential session at 11:43 a.m. to discuss Exhibit "G" Transfer Rate Amendment, Peace Agreement Paragraph 5.3(e) Interpretation, Amendments to Judgment and CAMA to Implement Settlement Agreement Regarding Appeal From April 28, 2017 Order, Business Item I.D. Confidential session concluded at 12:32 p.m. with the following reportable actions:

(0:40:24)

1. Business Item I.D., Consideration of Application for Local Storage Agreements – Overlying (Non-Agricultural) Pool:

Approve the Non-Ag Pool's Local Storage Application, direct Advisory and Board representatives to support, and direct Watermaster to agendize the item for the November Advisory Committee meeting.

2. Business Item II.D., Safe Yield-Related Agreement Discussion:  
Recommend Advisory and Board representatives support the Safe Yield Reset Related Agreement, with a change to 6.2(b)(iv)(5) adding the exclusion of Non-Ag Pool water transferred pursuant to Section 6 or Section 10 of Exhibit G. Direct pool counsel to work with the six-party group to facilitate said change.
  
3. Business Item II.E., Changes to the Overlying (Non-Agricultural) Pool Pooling Plan  
Approve Pooling Plan changes with the correction to the Section 6 “assignee/transferee” language, and authorize Pool Chair to direct Pool counsel to file with the Court, when appropriate.

**ADJOURNMENT**

Chair Geye adjourned the Non-Agricultural Pool meeting at 12:34 p.m.

Secretary: \_\_\_\_\_

Approved: \_\_\_\_\_ October 11, 2018