

MINUTES
CHINO BASIN WATERMASTER
NON-AGRICULTURAL POOL COMMITTEE MEETING

February 9, 2023

The Non-Agricultural Pool committee meeting was held at the Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on February 9, 2023.

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Brian Geye, Chair	California Speedway Corporation
Christopher Quach	City of Ontario

NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Bob Bowcock, Vice-Chair	CalMat Co.
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WATERMASTER STAFF PRESENT AT WATERMASTER

Peter Kavounas	General Manager
Joe Joswiak	Chief Financial Officer
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Alexandria Moore	Executive Assistant I/Board Clerk
Ruby Favela	Administrative Analyst
Adaisel Rosales	Administrative Assistant
David Huynh	Sr. Field Operations Specialist
Alonso Jurado	Sr. Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Laura Yraceburu	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost
Andy Malone	West Yost

OTHERS PRESENT ON ZOOM

Alexis Mascarinas	City of Ontario
Tarren Alicia Torres	Egoscue Law Group, Inc.
Derek Hoffman	Fennemore Law
Leon Kazandjian	State of CA – CDCR

NON-AGRICULTURAL POOL LEGAL COUNSEL PRESENT ON ZOOM

Allen Hubsch	Law Office of Allen W. Hubsch
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CALL TO ORDER

Chair Geye called the Non-Agricultural Pool committee meeting to order at 11:01 a.m.

ROLL CALL

(00:00:15) Ms. Moore conducted the roll call.

AGENDA – ADDITIONS/REORDER

None

I. BUSINESS ITEMS - ROUTINE

A. MINUTES

Receive and File:

1. Minutes of the Annual Non-Agricultural Pool Committee Meeting held on January 12, 2023

(00:02:01)

Motion by Mr. Christopher Quach, 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.A. as presented.

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of December 2022
2. Watermaster VISA Check Detail for the month of December 2022
3. Combining Schedule for the Period July 1, 2022 through December 31, 2022
4. Treasurer's Report of Financial Affairs for the Period December 1, 2022 through December 31, 2022
5. Budget vs. Actual Report for the Period July 1, 2022 through December 31, 2022
6. Cash Disbursements for January 2023 (Information Only)

(00:03:24)

Motion by Mr. Christopher Quach, 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. APPLICATION: WATER TRANSACTION – CITY OF CHINO TO NIAGARA BOTTLING, LLC

Provide advice and assistance to the Advisory Committee on the proposed transaction:

The purchase of 4,000 acre-feet of water from City of Chino by Niagara Bottling, LLC. This purchase is made from City of Chino's Excess Carryover Account.

(00:03:46)

Motion by Mr. Christopher Quach, 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 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.

II. BUSINESS ITEMS

A. BUDGET AMENDMENT TO THE EXISTING SAFE YIELD COURT ORDER IMPLEMENTATION PLAN

Recommend Advisory Committee approval.

(00:04:13)

Motion by Mr. Christopher Quach, 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 approve staff recommendation of Business Item II.A. on the condition that the Appropriate Pool pays all related costs, and to direct the Pool representatives to support at the Advisory Committee and Watermaster Board meetings subject to changes which they deem appropriate.

- B. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) IMPLEMENTATION PLAN UPDATE**
Provide advice and assistance to the Advisory Committee on whether to retain a facilitator to assist with an update of the OBMP Implementation Plan.

(00:19:42) Mr. Kavounas gave a report. A discussion ensued.

Chair Geyse stated that the Pool's position remains unchanged from previous meeting.

- C. OPTIMUM BASIN MANAGEMENT PROGRAM (OBMP) UPDATE ESSENTIAL MANAGEMENT ACTIONS**

Provide advice and assistance.

(00:21:05) Mr. Kavounas gave a presentation. A discussion ensued.

- D. MEMBER STATUS CHANGES**

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.

Staff had no changes to note.

III. REPORTS/UPDATES

- A. WATERMASTER LEGAL COUNSEL**

1. January 20, 2023 Hearing
2. March 17, 2023 Hearing
3. Court of Appeal Case No. E079052
4. Court of Appeal Case No. E080457
5. Court of Appeal Case No. E080533
6. Kaiser Permanente Lawsuit
7. Rules and Regulations Update

(00:44:52) Ms. Yraceburu gave a report on behalf of Mr. Herrema who was absent.

- B. ENGINEER**

1. Ground-Level Monitoring Committee

(00:48:08) Mr. Malone gave a report.

- C. CHIEF FINANCIAL OFFICER**

1. Fiscal Year 2023/24 Budget Schedule

(00:49:35) Mr. Joswiak gave a report.

- D. GENERAL MANAGER**

1. Other

(00:52:32) Mr. Kavounas gave a report and showed the email he received from Mr. Deshmukh of IEUA regarding the OBMP Project Description (PD). IEUA is requesting that if Parties have any language they would like considered for the PD to submit it by February 20, 2023.

IV. POOL MEMBER COMMENTS

None

V. OTHER BUSINESS

None

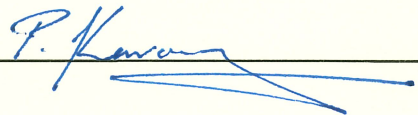
VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

A Confidential Session may be held during the Pool Committee meeting for the purpose of discussion and possible action.

None

ADJOURNMENT

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 11:58 a.m.

Secretary: 

Approved: March 9, 2023