

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

April 13, 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 April 13, 2023.

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

Brian Geye, Chair	California Speedway Corporation
Bob Bowcock, Vice-Chair	CalMat Co.
Christopher Quach	City of Ontario

**NON-AGRICULTURAL POOL COMMITTEE MEMBERS PRESENT ON ZOOM**

Kathleen Brundage	California Steel Industries
Alexis Mascarinas	City of Ontario
Michael Adler	Hamner Park Associates, a CA Limited Partnership

**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 Quintero	Administrative Analyst
Kelli Hills	Office Specialist/Receptionist
David Huynh	Sr. Field Operations Specialist
Alonso Jurado	Sr. Field Operations Specialist

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

Andy Malone	West Yost
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**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Benjamin Markham	Brownstein Hyatt Farber Schreck, LLP
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**OTHERS PRESENT ON ZOOM**

Tarren Alicia Torres	Egoscue Law Group, Inc.
Leon Kazandjian	State of CA – CIM

**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 11:02 a.m.

**ROLL CALL**

(00:00:18) Ms. Moore conducted the roll call.

**AGENDA – ADDITIONS/REORDER**

None

**I. BUSINESS ITEMS - ROUTINE**

**A. MINUTES**

Receive and File:

1. Minutes of the Non-Agricultural Pool Committee Meeting held on March 9, 2023

(00:02:24)

*Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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 February 2023
2. Watermaster VISA Check Detail for the month of February 2023
3. Combining Schedule for the Period July 1, 2022 through February 28, 2023
4. Treasurer's Report of Financial Affairs for the Period February 1, 2023 through February 28, 2023
5. Budget vs. Actual Report for the Period July 1, 2022 through February 28, 2023
6. Cash Disbursements for March 2023 (Information Only)

(00:02:51)

*Motion by Mr. Christopher Quach, seconded by Ms. Kathleen Brundage. 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. ARUNA REDDY OVERLYING (AGRICULTURAL) POOL INTERVENTION REQUEST**

Recommend to the Advisory Committee to recommend to the Watermaster Board to approve and direct staff to file the request for intervention with the court.

(00:03:08) Mr. Kavounas gave a report. A discussion ensued. The item will be brought back to a future meeting once more information is received by the well owner.

**II. BUSINESS ITEMS**

**A. WATERMASTER BOARD PHILOSOPHY RE STAFFING AND COMPENSATION**

Review the draft principles and provide input.

(00:18:19) Mr. Kavounas gave a report. A discussion ensued.

**B. 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.

(00:26:18) Ms. Moore reported that on April 5, 2023, staff received an email from Chair Geye indicating that there is a change to his email address. His new email is now [bgeye@nascar.com](mailto:bgeye@nascar.com). The official company name (California Speedway Corporation) remains unchanged.

### **III. REPORTS/UPDATES**

#### **A. WATERMASTER LEGAL COUNSEL**

1. March 17, 2023 Hearing
2. April 5, 2023 Hearing
3. May 12, 2023 Hearing
4. Court of Appeal Case No. E079052
5. Court of Appeal Case No. E080457
6. Court of Appeal Case No. E080533
7. Kaiser Permanente Lawsuit

(00:27:08) Mr. Markham gave a report.

#### **B. ENGINEER**

1. Safe Yield Court Order Implementation
2. Maximum Benefit Annual Report

(00:30:47) Mr. Malone gave a report.

#### **C. CHIEF FINANCIAL OFFICER**

1. Budget Schedule

(00:34:40) Mr. Kavounas gave a report on behalf of Mr. Joswiak.

#### **D. GENERAL MANAGER**

1. State Excess Water Supplies and Opportunities for Recharge
2. Other

(00:36:21) Mr. Kavounas gave a report indicating that he attended a Metropolitan Water District management meeting regarding excess State water supplies due to the recent rain and encouraged parties to consider recharge opportunities in the Chino Basin. Mr. Kavounas invited Ms. Sanchez of West Yost to give a report on the Board-Requested Recharge Project Analysis. Mr. Kavounas mentioned that the May Non-Agricultural Pool Committee meeting would be happening during the week of the ACWA Spring Conference, and that staff suggests rescheduling it from May 11, 2023 to May 16, 2023. The Non-Agricultural Pool Committee agreed that the date change is a good idea. A discussion ensued.

### **IV. POOL MEMBER COMMENTS**

None

### **V. OTHER BUSINESS**

(0:49:45) Mr. Hubsch stated that the Pool will also be discussing the Aruna Reddy intervention request in confidential session.

### **VI. CONFIDENTIAL SESSION - POSSIBLE ACTION**

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

The Pool convened into Confidential Session at 11:53 a.m. to discuss Storage Agreements and the Aruna Reddy intervention request.

Confidential Session concluded at 12:15 p.m. with the following reportable actions:

*Storage Agreements: The Pool Committee directed the Chair and Pool Counsel to file a Storage Agreement application on behalf of the Non-Agricultural Pool members.*

*Business Item-Routine II.C. (Aruna Reddy Intervention Request): The Pool recommends the Advisory Committee condition the approval of the intervention requiring an annual review of Aruna Reddy's water use on the property. Further, the Pool Committee suggests staff consider including as a part of a future Rules and Regulations revision for interventions that are not part of a water rights acquisition be subject to an annual or periodic review of water use.*

**ADJOURNMENT**

Chair Geye adjourned the Non-Agricultural Pool Committee meeting at 12:18 p.m.

Secretary: 

Approved:                     May 16, 2023