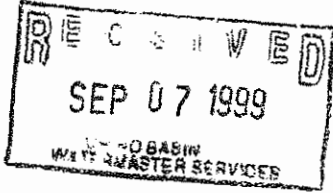


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CHINO BASIN WATER CONSERVATION DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER DISTRICT,)	Case No. 164327
)	
Plaintiff,)	CHINO BASIN WATER CONSERVATION DISTRICT'S REPORT ON THE OPTIMUM BASIN MANAGEMENT PLAN
)	
v.)	
)	
CITY OF CHINO, et al.)	
)	
Defendants.)	
)	

I. Introduction

The Conservation District welcomes the opportunity to comment on Watermaster policy, the Optimum Basin Management Plan (hereinafter "OBMP"), and related issues.

The Conservation District appreciates that the OBMP recognizes the urgent and vital need to develop the recharge potential of the Chino Basin. The Conservation District also welcomes the Watermaster's participation and support in assisting the Conservation District and other interested parties in making the recommendations of the OBMP a reality for the benefit of our mutual constituencies.

1 Before the Conservation District makes comments relative to specific OBMP elements, the
2 Conservation District feels that it is imperative for it to identify various policy matters which are
3 necessary to define the rolls of Watermaster and the OBMP implementing agencies.
4

5 **II. Policy Considerations**

6 **A. Watermaster's Role**

7 As frequently expressed by various members of the Board of Directors for the
8 Conservation District, the District strongly promotes the "principle" that the functions of
9 Watermaster are to facilitate consensus building and partnering, and to undertake necessary studies
10 and monitoring to assure that the Chino Basin is properly managed. Similarly, the purpose of the
11 Conservation District and the other members of Watermaster is to purchase real property and
12 materials and to construct, operate, manage, and maintain such works as are necessary to achieve
13 the goals identified within the OBMP. The comments that follow are made in recognition of these
14 principles.
15

16 **B. San Bernardino County Flood Control District**

17 The Conservation District believes that the Watermaster and its member agencies should
18 strongly encourage the San Bernardino County Flood Control District (hereinafter "SBCFCD")
19 to "schedule" the water conservation elements of various federally funded water conservation and
20 flood protection projects for early implementation. Should this effort be successful, the Chino
21 Basin will immediately begin to experience long-term water supply and quality benefits that have
22 been long overdue and which will further the goals of the OBMP.
23

24 **C. Program Implementation**

25 As the Watermaster moves from "plan development" to "project implementation," the
26 Conservation District encourages it to immediately begin to develop "credit/debit" type
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1 “incentive/disincentive” programs, as envisioned in Tables 3-3 and 3-6 of the OBMP, that
2 encourages responsible water resource use and which improves water quality. In this manner,
3 those who are paying for implementation of various program elements will be in a better position
4 to evaluate their cost effectiveness.
5

6 **D. Public Education**

7 Within the summary matrix of Table 3-8, of the OBMP, “Public Education” is identified
8 as a means to alter habits relating to pesticide and chemical use and disposal habits. Long ago the
9 Conservation District recognized the importance of “public education” in promoting responsible
10 water use and care practices. The Conservation District believes that it is appropriate for the
11 Watermaster to assist the implementing agencies in efforts directed toward public education. In
12 this manner, Watermaster could provide for uniformity in developing, sharing, and distribution
13 of information and to avoid unnecessary duplication of related services. The Conservation District
14 is concerned however, that the OBMP does not adequately identify the merits of such a program,
15 nor does it appear to give any guidance for development and implementation of “water related”
16 public educational programs. Further, as we are all learning too well, public education must also
17 be extended by Watermaster and its participating agencies to members of the planning
18 commissions, councils, and supervisors of our County and local cities. These particulars should
19 be identified within the OBMP to assure responsible management of the Chino Basin.
20
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23 **E. Safe Yield**

24 Frequently, reference is made within the OBMP that new information learned relative to
25 the volume of surface water captured and recharged into the Basin will lead to a re-computation
26 of the pumping “safe yield.” The Conservation District is concerned that other factors affecting
27 the safe yield not be forgotten during the process of calculating safe yield. As envisioned within
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1 "Exhibit I" of the 1978 Judgment, a redetermination of the safe yield must also include parameters
2 such as "water quality, economics, and pumping patterns." Additionally, the Conservation
3 District recommends that Watermaster give full consideration to the definition of "safe yield" as
4 found on page 4 of the 1978 Judgment to ensure that the recalculation **does not cause an**
5 **undesirable result** (emphasis added).
6

7 **F. Replenishment Volume**

8 The Conservation District further encourages the Watermaster Board to adopt a written
9 policy that requires a "balancing of replenishment activities and volumes," where feasible, within
10 each of the Management Zones. When establishing the appropriate replenishment volume, the
11 policy needs to consider the pumping and natural recharge volumes computed for each zone and
12 the apparent need for new water to offset the imbalance between natural recharge and pumping
13 in the particular zone. The Conservation District feels that this policy is necessary to enable
14 Watermaster staff to fully promote the goals of the OBMP.
15
16

17 **G. Tributary Water**

18 In the recent past "tributary water" that came from the San Gabriel Mountains (in excess
19 of the needs or diversion rights of the Pomona Valley Protective Association) was recharged in
20 the Montclair Basins. This tributary water was determined at Watermaster to be "new water,"
21 which in effect allowed Appropriators to exceed their usual pumping limits while reducing the
22 volume of required replenishment water. The Conservation District encourages the Watermaster
23 Board to confirm that "tributary water," as defined under the 1978 Judgment, is not "new water,"
24 in order to prevent future incidences involving incorrect classification of such water.
25

26 **H. Watermaster as Property Owner**

27 The Conservation District encourages the Watermaster Board to settle the matter of "real
28

1 property ownership.” In this regard, the Conservation District supports the concept that the role
2 of Watermaster is to be a facilitator, not a competing agency or real property owner.

3 As previously mentioned, the Conservation District strongly promotes the “principles” that
4 the functions of Watermaster is to facilitate consensus building and partnering and that it is
5 intended to undertake the necessary studies and monitoring programs to assure that the Chino
6 Basin is properly managed. Similarly, the purpose and goals of the Conservation District and the
7 other members of Watermaster is to purchase real property and materials and to construct,
8 operate, and maintain such works as are necessary to achieve the goals identified in the OBMP.
9 The Conservation District highly recommends that Watermaster prepare a “Mission Statement”
10 to this effect in order to provide leadership to its member agencies and staff as we work together
11 to accomplish the public good and goals identified in the OBMP.
12
13

14 **III. Conservation District’s Comments on Program Elements**

15 As frequently mentioned at Watermaster meetings, when the “financial plan” is completed
16 for the OBMP, all will not only have an idea of the costs related to implementation of the OBMP,
17 but will also gain a better understanding of the potential for impacts (good and bad) upon our
18 respective agencies. Upon evaluation of the draft financial plan for the OBMP and, upon
19 consideration of the “principles” previously mentioned, the Conservation District submits the
20 following comments relative to specific “program elements.”
21

22 **A. Program Element #1 - Comprehensive Monitoring Program**

23 The Conservation District has been identified as providing “financial” support to the
24 Watermaster on matters relating to “Surface Water Quantity and Quality.” In the past the
25 Conservation District has shared the cost of performing surface water sampling and analysis with
26 the Watermaster. The amount of the financial contribution was determined annually depending
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1 upon the Conservation District's income and work expenditure projections. The Conservation
2 District supports Watermaster's efforts to increase the knowledge base relative to the quality and
3 quantity of surface water being recharged into the Chino Basin. However, according to the
4 previously mentioned guiding principles, "studies and monitoring" should be a primary
5 responsibility of the Watermaster. Consequently, the Conservation District would prefer to focus
6 its financial resources on the acquisition and actual construction and operation of water recharge
7 facilities.
8

9 The Conservation District also supports Watermaster's efforts relating to well
10 abandonment and destruction as necessary to protect the water quality of the Chino Basin's
11 groundwater supplies.
12

13 **B. Program Element #2 - Recharge**

14 The Conservation District has been designated as providing "financial" support to the
15 Watermaster to complete "Program Element 2, Phase 2" work. In the past, the Conservation
16 District has undertaken subsurface exploration and analysis work relating to existing and potential
17 recharge basins within the Chino Basin. In the future however, applying the previously mentioned
18 guiding principles, "studies and monitoring" should be the primary responsibilities of
19 Watermaster. Accordingly, the Conservation District will look to the Watermaster for the funding
20 necessary to accomplish these functions.
21

22 The Conservation District supports Watermaster efforts to increase the knowledge base
23 relative to subsurface conditions underlying recharge basins that have been identified as necessary
24 to accomplish the goals of the OBMP. Consequently, the Conservation District commits to
25 cooperate with Watermaster as follows:
26

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1 Task 3 of Section 4 of the OBMP intends to obtain, assess, and interpret core
2 boring and trenching samples from designated recharge basins. The Conservation District
3 would provide its construction management and quality control expertise and related
4 services without cost to Watermaster. Core boring, geo-technical expertise and laboratory
5 analysis of soils and/or water samples taken from the core borings and trenching work,
6 and related fees and services, if managed by the Conservation District, would be provided
7 to Watermaster at cost.
8

9 The Conservation District also commits to be an active member of the "Basin-wide
10 Conservation Committee," and to encourage "maximizing" the recharge of rain runoff.
11

12 The Conservation District commits to actively assist Watermaster in prioritizing and
13 facilitating the timely implementation of the "high priority projects" involving minor structural
14 improvements at existing facilities belonging to SBCFCD and the City of Upland as identified
15 within the OBMP.
16

17 Having a vested interest in maximizing recharge in the Chino Basin, the Conservation
18 District commits to assist the Watermaster in its efforts to identify areas having significant new
19 recharge potential and will take the lead in the process of acquiring new recharge sites. In this
20 regard, the Conservation District will work with Watermaster in siting ideally located recharge
21 basins necessary to provide the recharge capacity required to fully implement the OBMP. Once
22 new sites are "identified," and determined to be suitable for recharge purposes, the Conservation
23 District commits that it will, depending upon its financial ability, appropriate monies to fund the
24 purchase and development of the new recharge basins. Recognizing that the Conservation District
25 has limited reserves and a narrow margin between its routine O&M expenditures and its annual
26 income it may have to look to the Watermaster for funding assistance in completing this task if
27
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1 other financing mechanisms are unavailable or insufficient.

2 Finally, the OBMP does not sufficiently address the problem of degradation of
3 groundwater due to the effect of the recharge and pumping routines in the northern portion of the
4 Chino Basin. The Conservation District believes that water quality in the southern half of the
5 Basin has suffered significant degradation because of the pressures of urban development and
6 historical agricultural operations. The pumping of groundwater in the northern half of the Basin
7 by the Appropriative Pool has denied the Basin of its traditional flushing. It must be recognized
8 that in order to maintain safe yield and significantly reduce and prevent poorer quality water
9 discharge into the Santa Ana River, current agricultural production in the southern portion of the
10 Basin is necessary in order to improve both the quality and quantity of water within the Basin. The
11 OBMP must evaluate means to foster continued agricultural production, or an equal volume of
12 desalting or Appropriative Pool pumping in the southern portion of the Basin in order to maintain
13 safe yield and minimize poor water quality discharge to the Santa Ana River.
14
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17 **C. Program Elements #8 & 9 - Storage Management/Conjunctive Use**

18 As owners and operators of various Basin-wide recharge basins, Watermaster should
19 identify the Conservation District and SBCFCD as agencies necessary to facilitate the recharge
20 of water under these program elements.
21

22 **D. Conservation District Staff**

23 The Conservation District has a small number of dedicated personnel. However, the
24 Conservation District along with the other member agencies are capable of meeting the goals set
25 for itself in the OBMP by contracting with experts as needed. Long ago, the Conservation
26 District recognized the economic advantage of keeping its staff numbers small, and thereby
27 significantly lowering its overhead. The Conservation District can meet its obligations under the
28

1 under the OBMP by hiring independent contractors on an as-needed basis.

2 **E. Recharge Activities Outside the Conservation District's Boundaries**

3 The Conservation District has considered annexation of additional property within the
4 Basin in order to carry out its charge of water conservation. While annexation remains a
5 possibility, current water law provides that the Conservation District may proceed with operations
6 outside of its boundaries in order to recharge Basin areas within its existing boundaries. Attached
7 as Exhibit "A" is a Ground Water Flow Direction Map showing water flow and the Conservation
8 District's boundaries.
9

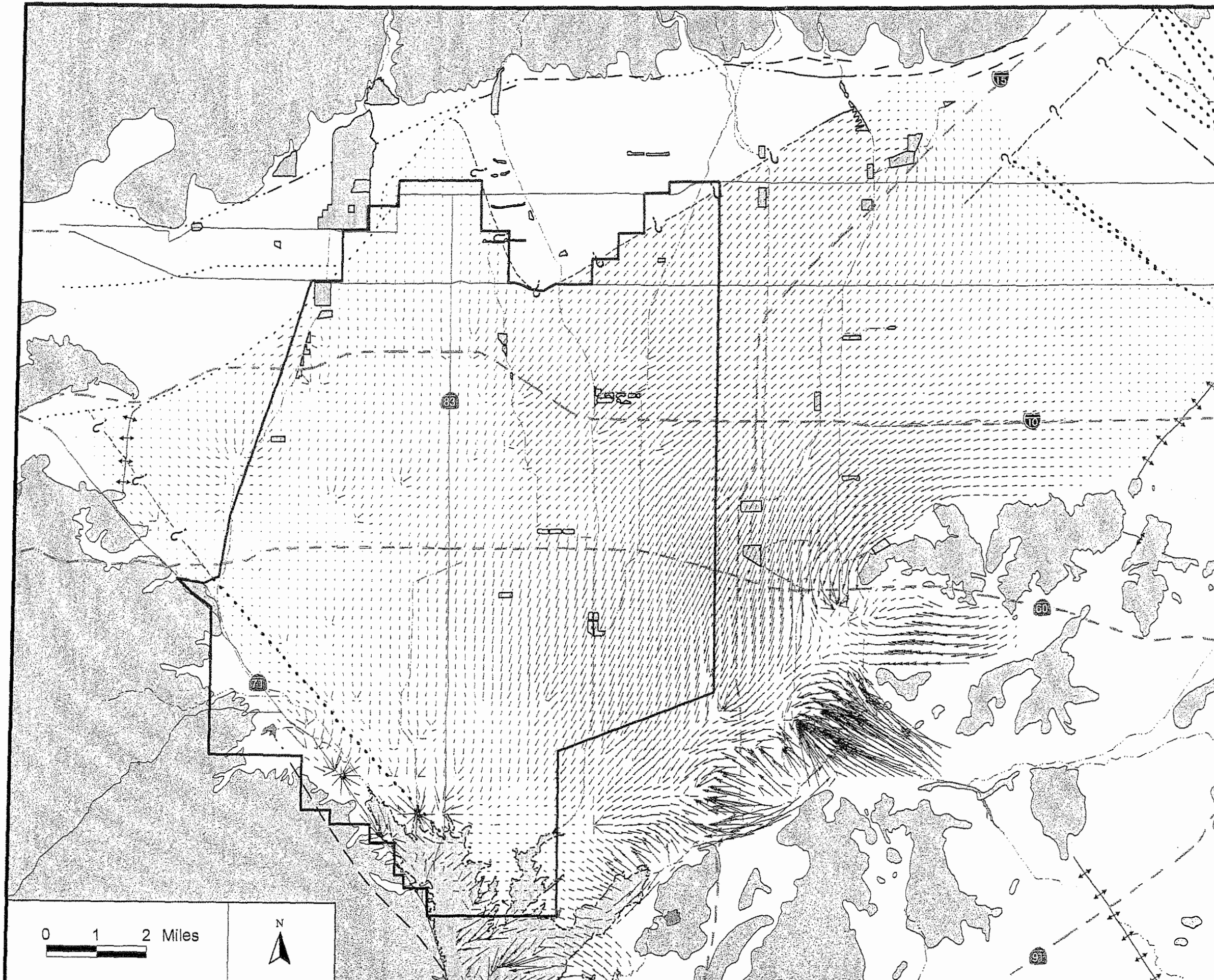
10 **IV. Conclusion**

11 The above summarizes the matters of concern to the Conservation District relative to
12 numerous outstanding Watermaster policy issues and relative to specific program elements of
13 interest within the OBMP. We appreciate the opportunity to express our comments at this time.
14

15 Dated: September 3, 1999

16 Brunick, Alvarez & Battersby

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18 By: 
19 William J. Brunick
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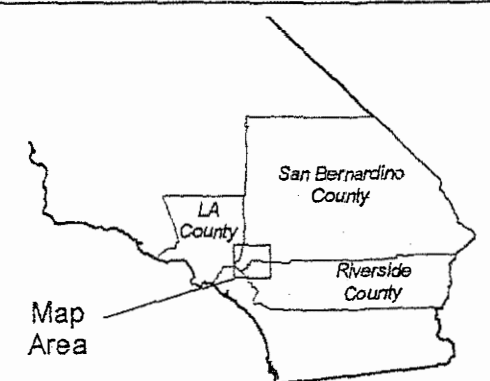
Legend

Main Map Features

- Groundwater Flow Direction & Relative Velocity (RAM Tool Calibration Results)
- Chino Basin Water Conservation District Boundary
- Flood Control and/or Spreading Basin

Other Map Features

- Unconsolidated Sediments
- Semi-consolidated Sediments
- Consolidated Bedrock
- Faults
(solid where known, dashed where approximate, dotted where concealed, queried where uncertain)
- Groundwater Barrier (suspected fault)
- Groundwater Divide
- Major Roads & Highways
- Waterways, Reservoirs & Spreading Grounds



CBWCD Boundary compared to Groundwater Flow Direction (Rapid Assessment Model Calibration Results)

WE WILDERMUTH ENVIRONMENTAL, INC.

Prepared by: AEM

Date: August 21, 1999

0 1 2 Miles

