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7 Attorneys for
CHINO BASIN WATERMASTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

11 CHINO BASIN MUNICIPAL WATER
DISTRICT,

Case No. RCV RS 51010

[Assigned for All Purposes to the
Honorable Stanford E. Reichert]

Plaintiff,

14 ||

CITY OF CHINO, ET AL.,

Defendants.

**SECOND SUPPLEMENT TO CHINO
BASIN WATERMASTER STATUS
REPORT REGARDING UPDATE TO THE
OPTIMUM BASIN MANAGEMENT
PROGRAM**

Date: March 20, 2020
Time: 1:30 p.m.
Dept: S35

[Filed concurrently herewith: Declaration of Bradley J. Herrema in Support of Supplement to Chino Basin Watermaster Third Status Report Regarding Update to the Optimum Basin Management Program]

1 On August 6, 2019, the Chino Basin Watermaster (“Watermaster”) filed its Status Report
2 Regarding Update to the Optimum Basin Management Program (“Status Report”) providing the
3 Court with the background of the OBMP development, and the need for an update that will
4 maintain Watermaster’s ability to competently administer the decree and implement the Court’s
5 orders over time. Successfully implementing the “physical solution” embodied in the Judgment
6 requires access to and application of the best available information. Since the initial adoption of
7 the OBMP in 2000, Watermaster has consistently attempted to update the parties and the Court as
8 to background conditions and projected program implementation. However, the confluence of
9 changes in law, the reduction in the reliability of imported water, increased importance of Chino
10 Basin management to the region, rising operating costs, eligibility for external funding
11 opportunities, and improved science and technology require a comprehensive assessment of the
12 OBMP. These considerations led to the proposed refinement of the Basin management goals and
13 associated activities (“2020 OBMP Update”).

14 On December 6, 2019, Watermaster filed its Supplement to Chino Basin Watermaster
15 Status Report Regarding an Update to the Optimum Basin Management Program (“Supplemental
16 Report”) providing the Court with the status of listening sessions one through seven, details of the
17 forthcoming 2020 OBMP Update Status Report, and explaining the inclusion of the Storage
18 Management Plan. In anticipation of the March 20, 2020 hearing, Watermaster further
19 supplements the Status Report to update the Court as to the more recent progress on the 2020
20 OBMP Update since the filing of the Supplemental Report.

21 **I. OBMP UPDATE PROCESS AND SCHEDULE**

22 **A. The Process to Date**

23 Watermaster held its eighth 2020 OBMP Update listening session on December 11, 2019.
24 The eighth listening session was the last listening session scheduled for the 2020 OBMP Update.
25 (Declaration of Bradley J. Herrema (“Herrema Declaration”), at ¶ 4.) This listening session was
26 focused on the integration of the Storage Management Plan as part of Program Elements 8 and 9
27 of the 2020 OBMP Update, and also provided an overview of the 2020 OBMP Update Report that
28 was distributed in draft form on November 22, 2019. (Herrema Declaration, at ¶ 5, Exhibit A.)

1 The 2020 OBMP Update Report (“OBMP Report”) was finalized and distributed on January 24,
2 2020 and is intended to form the foundation for the parties to develop a final 2020 OBMP
3 Implementation Plan and agreements necessary to achieve it. The OBMP Report is informational
4 and does not represent a binding commitment among the parties to the Judgment. Ultimately, the
5 information provided in the report will provide a basis for an implementation agreement to be
6 agreed among the parties and is targeted for finalization in March 2020. (Herrema Declaration, at
7 ¶ 6.) Watermaster will continue to work with stakeholders and inform that Court as to its
8 progress.

9 **B. Deliverables and Schedule**

10 1. CEQA

11 The Peace Agreement requires that all actions meeting the definition of a “Project” under
12 the California Environmental Quality Act (“CEQA”) will be subject to environmental review.
13 (Peace Agreement, §2.1) Watermaster is prohibited from approving an action unless the
14 application is supported by demonstrated CEQA compliance. (Watermaster Rules and
15 Regulations §2.23.) As a result, the Programmatic Environmental Impact Report adopted by the
16 Inland Empire Utilities Agency (“IEUA”) in 2000 has been supplemented through the years.¹

17 The twenty year anniversary of the OBMP will occur in June of this year. In support of
18 the OBMP Update’s future management efforts and potential project construction and activities,
19 on December 19, 2019, Watermaster presented CEQA Draft Project Description for the OBMP
20 Update with the objective of providing the stakeholders with an overview of the CEQA process,
21 the 2000 OBMP Programmatic Environmental Impact Report, the draft project description for the
22 2020 OBMP Update, and the schedule for the CEQA analysis for the 2020 OBMP Update. On
23 February 10, 2020, the Inland Empire Utilities Agency issued the Initial Study/Notice of
24 Preparation for the CEQA analysis. (Herrema Declaration, at ¶ 7.)

25 ///

26

27 ¹ See e.g. 2002 Consistency Finding in re the Metropolitan Water District Dry-Year Yield
28 Agreement with IEUA and CBWM; 2007 Supplemental Environmental Impact Report for Chino
Basin Desalter Project; 2018 Addendum for temporary storage.

1 2. Agreements

2 On February 7, 2020, Watermaster released a draft 2020 OBMP Implementation Plan
3 Update, to all interested parties. (Herrema Declaration, at ¶ 8) On February 13, 2020,
4 presentations were made at the Pool Committees' regular meetings on the status of the
5 implementation plan of the 2020 OBMP Update. As part of that update, Watermaster's engineers
6 provided an overview of the draft 2020 OBMP Implementation Plan Update, including a
7 summary of the new implementation actions, and process steps required for developing the scope
8 of work, budget, and schedule for new implementation actions. (Herrema Declaration, at ¶ 9,
9 Exhibit C.) On March 2, 2020, a drafting orientation session was held, during which the parties
10 discussed the process for the finalization of the OBMP Implementation Plan Update and
11 necessary agreements to implement the same. At that session, attendees discussed the
12 prioritization of drafting those portions of the 2020 OBMP Implementation Plan Update and a
13 corresponding implementation agreement related to the Storage Management Plan, and a further
14 drafting session was scheduled for March 16, 2020. (Herrema Declaration, at ¶ 10.)

15 As of this writing, Watermaster is projecting that portion of the Basin in which the parties
16 to the Judgment may store their water is nearly full. This physical condition emphasizes the need
17 for resolution of competing considerations as soon as practicable. Although CEQA
18 documentation will be completed to cover the universe of potential projects, only those actions
19 identified for implementation will be addressed in an agreement. In addition to the
20 implementation agreement, other instruments among the parties may need to be amended and
21 court approval and direction secured.

22 3. Safe Yield Reset

23 The initial Safe Yield Reset was prescribed by the OBMP. The initial effort, substantially
24 delayed past the prescribed 2011 timeframe, resulted in contested hearings before the court and an
25 order to proceed in accordance with an agreed upon methodology for completing the Safe Yield
26 Reset in the future. The process for the 2020 Safe Yield Reset must be concluded by June 30,
27 2020, and Watermaster will release the results of the current effort upon conclusion of
28 engineering work by its consultant, Wildermuth Environmental, Inc.

1 **II. CONCLUSION**

2 Watermaster respectfully requests the Court to take notice of the Status Report, as
3 supplemented herein. Watermaster seeks an open dialogue with the Court to address any
4 questions the Court may have and further direction that the Court may wish to offer, and that the
5 Court set a future hearing date to enable the timely conclusion of the overall effort to finalize the
6 2020 OBMP Update and obtain the required Court approvals.

7
8 Dated: March 13, 2020

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

9 By:

10 SCOTT S. SLATER
11 BRADLEY J. HERREMA
12 KIMBERLY E. LEEFATT
13 Attorneys for CHINO BASIN
14 WATERMASTER

15 20393702

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7 Attorneys for
8 **CHINO BASIN WATERMASTER**

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

13 CHINO BASIN MUNICIPAL WATER
14 DISTRICT,

15 Plaintiff,

16 v.

17 CITY OF CHINO, et al.,

18 Defendant.

Case No. RCV RS 51010

[Assigned for All Purposes to the Honorable
Stanford E. Reichert]

DECLARATION OF BRADLEY J. HERREMA IN SUPPORT OF CHINO BASIN WATERMASTER THIRD STATUS REPORT REGARDING UPDATE TO THE OPTIMUM BASIN MANAGEMENT PROGRAM

19 Date: March 20, 2020
20 Time: 1:30 p.m.
Dept.: S35

21 [Filed concurrently herewith: Chino Basin
22 Watermaster Third Status Report Regarding
Update to the Optimum Basin Management
Program]

23 I, Bradley J. Herrema, declare as follows:

24 1. I am an attorney duly admitted to practice before all of the courts of this State, and
25 am a shareholder in the law firm of Brownstein Hyatt Farber Schreck, LLP, counsel of record for
26 Chino Basin Watermaster ("Watermaster"). I have personal knowledge of the facts stated in this
27 declaration, except where stated on information and belief, and, if called as a witness, I could and
28

1 would competently testify to them under oath. I make this declaration in support of the above-
2 referenced request.

3 2. As legal counsel for Watermaster, I am familiar with Watermaster's practices and
4 procedures, as well as actions taken by the Pool Committees, Advisory Committee and
5 Watermaster Board.

6 3. I am aware of and involved with the update to the Optimum Basin Management
7 Program for the Chino Basin ("2020 OBMP Update").

8 4. A series of public listening sessions has been held by Watermaster to support the
9 development of the 2020 OBMP Update. The final listening session, listening session eight, was
10 held on December 11, 2019.

11 5. The work product of listening session eight was summarized in the December
12 2019 Optimum Basin Management Program Update Newsletter ("December Newsletter"). A true
13 and correct copy of the December Newsletter can be found attached at **Exhibit A**.

14 6. The 2020 OBMP Update Report was finalized and distributed on January 24, 2020
15 and an implementation agreement is anticipated to be finalized in March 2020.

16 7. On February 20, 2020 the Inland Empire Utilities Agency issued the Initial Study
17 and Notice of Preparation for the California Environmental Quality Act ("CEQA") analysis. The
18 CEQA analysis of the 2020 OBMP Update will enable the parties to pursue grant funding and
19 move forward with project implementation.

20 8. On February 7, 2020, Watermaster released a draft 2020 OBMP Implementation
21 Plan Update, to all interested parties.

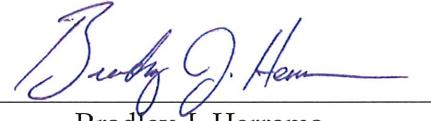
22 9. On February 13, 2020, presentations were made at the Pool Committees' regular
23 meetings on the status of the implementation plan of the 2020 OBMP Update. As part of that
24 update, Watermaster's consultants, Wildermuth Environmental, Inc., provided an overview of the
25 draft 2020 OBMP Implementation Plan Update, including a summary of the new implementation
26 actions, and process steps required for developing the scope of work, budget, and schedule for
27 new implementation actions. This presentation was also provided to the Watermaster Board on
28 February 27, 2020. A true and correct copy of the presentation can be found attached at **Exhibit**

1 **B.**

2 10. On March 2, 2020, a drafting orientation session was held, during which the
3 parties discussed the process for the finalization of the OBMP Implementation Plan Update and
4 necessary agreements to implement the same. At that session, attendees discussed the
5 prioritization of drafting those portions of the 2020 OBMP Implementation Plan Update and a
6 corresponding implementation agreement related to the Storage Management Plan. Another
7 drafting session was scheduled for March 16, 2020.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct.

10 Dated this 13th day of March, 2020, at Redondo Beach, California.

11 
12 _____
13 Bradley J. Herrema

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Exhibit A



2020

Optimum Basin Management Program Update

Progress Report - December 2019

Background

The Chino Basin Judgment gave the Chino Basin Watermaster (Watermaster) the discretionary authority to develop an Optimum Basin Management Program (OBMP) for the Chino Basin, including both water quantity and quality considerations. Watermaster, with direction from the Court, began the development of the OBMP in 1998 and completed it in July 2000. The OBMP was developed in a collaborative public process that identified the needs and wants of all stakeholders; described the physical state of the groundwater basin; developed a set of management goals; identified impediments to those goals; described a series of actions that could be taken to remove those impediments and thereby achieve the management goals; developed and executed agreements to implement the OBMP; and certified a programmatic Environmental Impact Report (PEIR) pursuant to CEQA with IEUA as the lead agency.

By 2019, many of the projects and management programs envisioned in the 2000 OBMP have been implemented, while some have not. The OBMP goals have been partially achieved. The understanding of the hydrology and hydrogeology of the Chino Basin has improved since 2000, and new water-management issues have been identified that necessitate that the OBMP be adapted to protect the collective interests of the Chino Basin parties and their water supply reliability. For these reasons, the Watermaster parties are preparing a 2020 OBMP Update to set the framework for the next 20 to 30 years of basin-management activities.

The 2020 OBMP Update is being conducted using a collaborative stakeholder process like that employed for the development of the 2000 OBMP. A series of public "Listening Sessions" were held by the Watermaster throughout 2019 to support the 2020 OBMP Update. The purpose of the Listening Sessions was to obtain information, ideas, and feedback from the Chino Basin stakeholders to define their issues needs and wants, their collective goals for the 2020 OBMP Update, the impediments to achieving the goals, the management actions required to remove the impediments. The objective is for the ideas and opinions of every stakeholder to be heard and considered.

Through the Listening Session process, the Chino Basin stakeholders achieved the following:

1. *Identified Drivers, Trends, and Implications for Basin Management.*
2. *Defined Goals of the 2020 OBMP Update.*
3. *Proposed Activities of the 2020 OBMP Update.*

For more details on the process and achievements of the listening sessions please refer to our previous newsletters: http://www.cbwm.org/obmp_newsletters.htm.

2020 OBMP Update Listening Sessions Content

- History of the OBMP and its implementation
- Rationale for an OBMP Update
- Drivers, Trends and Implications for Basin Management
- Issues, Needs and Wants of the Stakeholders
- Review of OBMP Goals in 2000
- Review of OBMP Goals in 2020
- Proposed Activities of the OBMP
- Activities, Nexus and Outcomes
- 2020 OBMP Update Scoping Report Part 1 review
- 2020 OBMP Update Scoping Report Part 2 review
- 2020 OBMP Update proposed activities integration with existing Program Elements
- Integration of Storage Management Plan
- 2020 OBMP Update Report review
- 2020 OBMP Implementation Plan review
- CEQA Draft Project description (Special presentation)

2020 OBMP Implementation Plan Program Elements (PEs)

- PE1.Monitoring
- PE2.Recharge Program
- PE3.Water Supply Plan for Impaired Areas
- PE4.Subsidence Management
- PE5.Regional Supplemental Water Program
- PE6.Cooperative Program with Regulators
- PE7.Salt Management Plan
- PE8/9. Storage Management Plan/Storage and Recovery Programs

Stakeholders' input for the 2020 OBMP Update

- A. Construct new, and improve existing recharge facilities
- B. Develop, implement, and optimize storage-and-recovery programs to increase water-supply reliability, protect or enhance Safe Yield, and improve water quality
- C/G. Identify and implement regional conveyance and treatment projects/programs to enable all stakeholders to exercise their pumping rights and minimize land subsidence
- D. Maximize the reuse of recycled water produced by IEUA and others
- E/F. Develop and implement a water-quality management plan and strategic compliance to address current and future water-quality issues and protect beneficial uses
- K. Develop management strategy within the Salt and Nutrient Management Plan to ensure ability to comply with dilution requirements for recycled water recharge
- L. Perform the appropriate amount of monitoring and reporting required to fulfill basin management and regulatory compliance

Monthly Update

On December 11, 2019, Watermaster hosted Listening Session #8 (LS 8) for the OBMP Update, which was the last Listening Session scheduled for the OBMP Update. LS 8 was focused on the integration of Storage Management Plan as part of Program Elements 8 and 9 of the OBMP Update, and also provided an overview of the contents of the 2020 OBMP Update Report that was distributed in draft format on November 22, 2019.

On December 19, 2019, Watermaster presented the CEQA Draft Project Description for the OBMP Update with the objective of providing the stakeholders with an overview of the CEQA process, the programmatic EIR that was prepared for the 2000 OBMP, the draft project description for the 2020 OBMP Update, and the schedule for the CEQA analysis for the 2020 OBMP Update. The table below is a sample of some facilities that could be recommended after implementing the 2020 OBMP Update and their relationship to the OBMP Program Elements:

Sample List of facilities to be evaluated in CEQA	PE1	PE2	PE4	PE5	PE6	PE7	PE8/9
Construct new monitoring wells	✓	✓	✓	✓	✓	✓	✓
New stormwater storage basins and recharge basins		✓	✓	✓			✓
Injection wells*		✓	✓	✓			✓
New production wells*			✓				✓
Regional conveyance				✓			✓
New dedicated regional treatment plants (1-10 mgd)*				✓	✓		✓
Expansion of existing treatment plants that can be upgraded to become regional*				✓	✓		✓
Expand RW TP to desalt effluent*						✓	
New ASR wells in MZ2/3 north of Highway 60*							✓

*Includes conveyance infrastructure

All of the proposed facilities in the CEQA project description have been conceptualized in previous reports, like the Storage Framework Investigation, Recharge Master Plan Updates and outside efforts like IEUA's Facilities Master Plan including its Wastewater Facilities Master Plan, IRP, and Recycled Water Program Strategy. The IEUA Facilities Master Plan PEIR included analysis of the IRP facilities (e.g., wastewater treatment plant upgrades, recycled water program, interconnections and regional conveyance systems). The OBMP PEIR will analyze facilities that were not previously included in IEUA's PEIR.

The CEQA analysis of the OBMP Update will enable the parties to pursue grant funding and move forward with project implementation if there is mutual interest in constructing any of these facilities. In other words, the CEQA process will enable but not require the parties to move forward with projects in the future if they choose to.

As the lead agency for the CEQA process, IEUA will distribute an Initial Study and a Notice of Preparation for public review in February 2020. Also in February, the Watermaster will host a series of drafting session to prepare the OBMP Implementation Plan and an implementation agreement amongst the parties.

A detailed timeline that shows the process to complete the OBMP Update by June 2020 is shown in the next page. For more information please refer to our previous Progress Reports here: http://www.cbwm.org/obmp_newsletters.htm

2020 OBMP Update Process

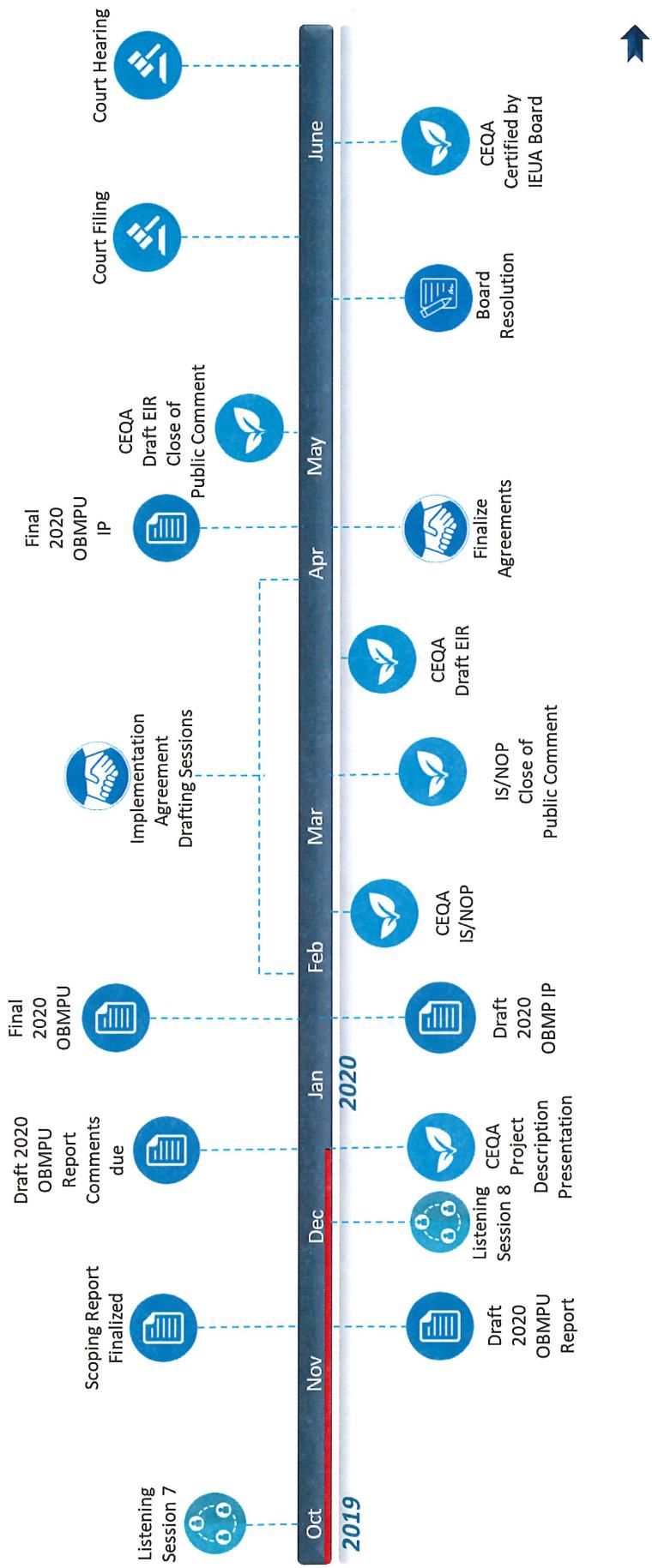


Exhibit B

2020 OBM^P

Implementation Plan Update

FEBRUARY 13, 2020



Agenda

- Overview of update process
- What is in the draft 2020 OBMMP Implementation Plan Update?
- What are the new implementation actions from the 2020 OBMMP Update?
- Which of the new implementation actions are required?
- How will the parties have input into the scope of work, budget, and schedule for new implementation actions?
- What are the next steps?



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2020 OBMP (TM2)

BMP. 1 P

PEACE ACT - AMENDMENT

1 P-U

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SMP.

CEQA

STORAGE ASSURANCES

PEACE PROVISIONS
TO REFLECT
RELATED SECTIONS



Draft 2020 OBMP Implementation Plan Update

- Starter document for editing and further drafting with the Parties
- For each Program Element, it describes:
 - Why the PE was included in 2000 OBMP
 - Implementation progress since 2000
 - Ongoing objectives of the PE
- Implementation Actions: ongoing from 2000 OBMP and new for 2020 Update



New Implementation Actions from the 2020 OBMP Update

- 7 activities defined by the Parties during 2020 OBMP Update process
- 2020 OBMP Update Scoping Report (November 2019) defined recommended scope of work for all activities identified for implementation by the Parties
- 2020 OMBP IP Actions = Management Process, not the specific scope
- HANDOUT #1



New Implementation Actions – 2020 OBMP Update

Required items are highlighted in Gray

Program Element 1 - Develop and Implement Comprehensive Monitoring Program

- Perform review and update of Watermaster's regulatory and Court-ordered monitoring and reporting programs and document in a work plan: *OBMP Monitoring and Reporting Work Plan*. Perform periodic review and update of the Work Plan.

Program Element 5 - Develop and Implement Regional Supplemental Water Program

- The IEUA, the TVMWD, the WMWD, and/or other Party acting as a coordinating agency will establish or expand future integrated water resources planning efforts to address water supply reliability for all Watermaster Parties. Watermaster will support the IEUA, the TVMWD, the WMWD, and/or others in their efforts to improve water supply reliability to ensure those efforts are integrated with Watermaster's groundwater management efforts.
- The IEUA, the TVMWD, the WMWD, and/or other Party acting as a coordinating agency will establish or expand future recycled water planning efforts to maximize the reuse of all available sources of recycled water. Watermaster will support the IEUA, the TVMWD, the WMWD, and/or others in their efforts to maximize recycled water reuse to ensure these efforts are integrated with Watermaster's groundwater and salinity management efforts.

Program Element 6 - Develop and Implement Cooperative Programs with the Regional Board and Other Agencies to Improve Basin Management

- Develop and implement an initial emerging contaminant monitoring plan.
- Prepare a water quality assessment of the Chino Basin to evaluate the need for a Groundwater Quality Management Plan and prepare/implement a long-term emerging contaminant monitoring plan.
- Develop and implement a Groundwater Quality Management Plan and periodically update it.

Program Element 7 - Develop and Implement Salt Management Plan

- Complete the 2020 update of TDS and nitrate projections to evaluate compliance with maximum benefit salt and nutrient management plan, and, if necessary, based on the outcome, prepare a plan and schedule to implement a salt offset compliance strategy.
- Starting in 2025 and every five years thereafter, update water quality projections to evaluate compliance with the maximum-benefit salt and nutrient management plan.

Program Element 8/9 - Develop and Implement Groundwater Storage Program and Develop and Implement Storage and Recovery Programs

- Complete and submit to the Court the 2020 Storage Management Plan (SMP) and update it every five years thereafter and when: he Safe Yield is recalculated, Watermaster determines a review and update is warranted based new information and/or the needs of the parties or the basin, and at least five years before the aggregate amount of managed storage by the parties is projected to fall below 340,000 af.
- Develop a Storage and Recovery Master Plan to support the design of optimized Storage and Recovery Programs that are consistent with the 2020 Storage Management Plan and provide the Watermaster with criteria to review, condition, and approve applications in a manner that is consistent with the Judgment and the Peace Agreement.

Required implementation actions from the 2020 OBM Update

- Some of the new implementation actions are required by Watermaster to administer the Physical Solution or comply with other regulatory or Court requirements
- HANDOUT #2



New Implementation Actions Required by Watermaster to Administer the Physical Solution or Comply with Other Regulatory or Court Requirements

New Implementation Actions Required by Watermaster to Administer the Physical Solution or Comply with Other Regulatory or Court Requirements	Basis
Program Element 5 - Develop and Implement Cooperative Programs with the Regional Board and Other Agencies to Improve Basin Management	
Develop and implement an initial emerging contaminants monitoring plan.	Paragraph 41 of the Judgment states: "Watermaster Control. Watermaster, with the advice of the Advisory and Pool Committees, is granted discretionary powers in order to develop an optimum basin management program for Chino Basin, including both water quantity and quality considerations. Withdrawals and supplemental water replenishment of Basin Water, and the full utilization of the water resources of Chino Basin, must be subject to procedures established by and administered through Watermaster with the advice and assistance of the Advisory and Pool Committees composed of the affected producers. Both the quantity and quality of said water resources may thereby be preserved and the beneficial utilization of the Basin maximized." (Pgs. 19-20 of the Restated Judgment) If water quality is not considered and effectively managed, the Parties may not be able to utilize their water rights, which could result in negative impacts to the basin, such as reductions in net recharge, loss of hydraulic control, and movement of contaminant plumes. Effective management of water quality in the Basin to preserve maximum beneficial use can only be accomplished through a systematic assessment of the emerging contaminant threats to the use of groundwater resources, and thoughtfully preparing a plan to respond to those threats.
Program Element 6 - Develop and Implement Cooperative Programs with the Regional Board and Other Agencies to Improve Basin Management	
Prepare a water quality assessment of the Chino Basin to evaluate the need for a Groundwater Quality Management Plan and prepare a long-term emerging contaminants monitoring plan.	Develop and implement a Groundwater Quality Management Plan and periodically update it.
Develop and implement a Groundwater Quality Management Plan and periodically update it.	Implement long-term emerging contaminants monitoring plan.
Program Element 7 - Develop and Implement Salt Management Plan	
Complete the 2020 update of TDS and nitrate projections to evaluate compliance with maximum benefit salt and nutrient management plan, and, if necessary, based on the outcome, prepare a plan and schedule to implement a salt offset compliance strategy.	Watermaster and IEUA have already begun this project and are required to complete it by the Regional Board to obtain a revised recycled water compliance program related to total dissolved solids concentrations.
Starting in 2025 and every five years thereafter, update water quality projections to evaluate compliance with the maximum benefit salt and nutrient management plan.	Watermaster and IEUA will be required to perform these actions pursuant to an anticipated amendment to the maximum benefit SNMP in the Basin Plan.
Program Element 8/9 - Develop and Implement Groundwater Storage Program and Develop and Implement Storage and Recovery Programs	
Complete and submit to the Court the 2020 Storage Management Plan (SMP).	Paragraph 41 of the Judgment requires "...procedures to be established and administered through Watermaster with the advice and assistance of the Advisory and Pool Committees for the withdrawals and supplemental water replenishment of Basin water..." The SMP in the 2000 OBMP is insufficient to meet the needs of the Parties as storage already exceeds the limits in the established procedures. A new SMP is required to issue storage agreements as of July 1, 2020. And, the CEQA coverage for the existing SMP expires in July 2021.
Develop a Storage and Recovery Master Plan to support the design of optimized storage and recovery programs that are consistent with the 2020 Storage Management Plan and provide the Watermaster with criteria to review, condition, and approve applications in a manner that is consistent with the Judgment and the Peace Agreement.	Section 5.2.c.iv.(b) of the Peace Agreement states that "Watermaster shall prioritize its efforts to regulate and condition the storage and recovery of water developed in a Storage and Recovery Program for the mutual benefit of the Parties to the judgment and give first priority to Storage and Recovery Programs that provide broad mutual benefits." Watermaster must document the basis by which it will review, condition, and approve applications in a manner that is predictable, uniform, and consistent with the Peace Agreement and the 2020 SMP. A master plan is the most efficient process to do this.
Update the Storage Management Plan in 2025 and every five years thereafter, and when: the Safe Yield is recalculated, Watermaster determines a review and update is warranted based new information and/or the needs of the parties or the basin, and at least five years before the aggregate amount of managed storage by the parties is projected to fall below 340,000 af.	The 2020 SMP is based on present planning projections and technical understanding of the basin. This information can change over time and the limits established in the 2020 SMP must be revisited from time to time to ensure it meets the needs of the Parties. These triggers for updating the SMP are defined in the 2020 SMP.

Implementation Actions: Scopes of Work

- Each action is a **management process** to optimize some aspect of basin management, such as water quality
- The scope of work is the methodical process to characterize and analyze the basin management challenge and associated data to define potential management alternatives and determine the optimum management solution(s)
 1. Scoping
 2. Evaluate the Need for Projects/Management Strategies
 3. Define and Evaluate Project/Management Alternatives
 4. Implementation
- The process of implementing the activities may or may not result in the identification of projects to optimize basin management.
- If in implementation of an activity, a project is identified to optimize basin management, then the parties will evaluate their level of participation in the projects.



Implementation Actions: Scopes of Work

- How will the parties have input into the scope of work, budget, and schedule?
- Example: Program Element 6 – Handout #3
- Develop and implement an initial emerging contaminant monitoring plan.
- Prepare a water quality assessment of the Chino Basin to evaluate the need for a Groundwater Quality Management Plan and prepare/implement a long-term emerging contaminant monitoring plan.
- Develop and implement a Groundwater Quality Management Plan and periodically update it.



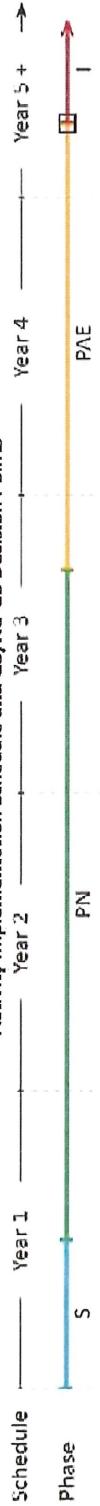
2020 OBMP Update - Program Element 6 - New Implementation Action to Develop Groundwater Quality Management Plan

Need and Objectives: Groundwater contaminants are present across the Chino Basin, new contaminants are being discovered, and water-quality regulations are evolving and becoming more restrictive. These trends are limiting the beneficial use of groundwater and increasing the cost of the water supply. The objectives of Activity 6F are to characterize the water-quality challenges across the Chino Basin and identify the most efficient means to address the water-quality challenges, including the potential for multi-benefit collaborative projects, to ensure that groundwater can be put to beneficial use.

Phase*	Task	Outcomes	Watermaster Role	Are these outcomes necessary for Watermaster to Administer the Physical Solution or Comply with Other Requirements?
S	1 - Convene the Water Quality Committee, define objectives, and refine scope of work	Mutual understanding of the universe of water quality concerns of parties	Convene committee	Paragraph 4.1 of the judgement provides for both water quantity and quality considerations to maximize the beneficial utilization of the Basin. If water quality is not effectively managed, the Part 6 may not be able to utilize their water rights, which could result in negative impacts to the basin. Effective management of water quality can only be accomplished through a systematic assessment of the emerging contamination threats to the use of groundwater, resource and a development of a plan to respond to those threats.
PN	2 - Develop and implement an initial emerging-contaminants monitoring plan	Data	Prepare monitoring plan; collect and compile data	
PN	3 - Perform a water-quality assessment and prepare a scope to develop and implement a Groundwater Quality Management Plan	Understanding of scale of problem; scope/cost to evaluate project alternatives; long-term monitoring plan	Perform characterization	
PAE	4 - Develop planning, screening, and evaluation criteria	Conceptual design and operating plans for project alternatives	Technical support role to evaluate project alternatives and characterize potential for MPI (if necessary)	
	5 - Identify and describe potential projects for evaluation	Understanding of cost to manage Chino Basin groundwater quality without a no-collaborative projects	Technical support role to prepare the Groundwater Quality Management Plan	
	6 - Conduct a reconnaissance-level study for the proposed projects	Management plan to document project implementation and supporting info		
	7 - Prepare the Groundwater Quality Management Plan			
I	8 - Plan, design, and build water quality management projects	New groundwater quality improvement projects	None	No

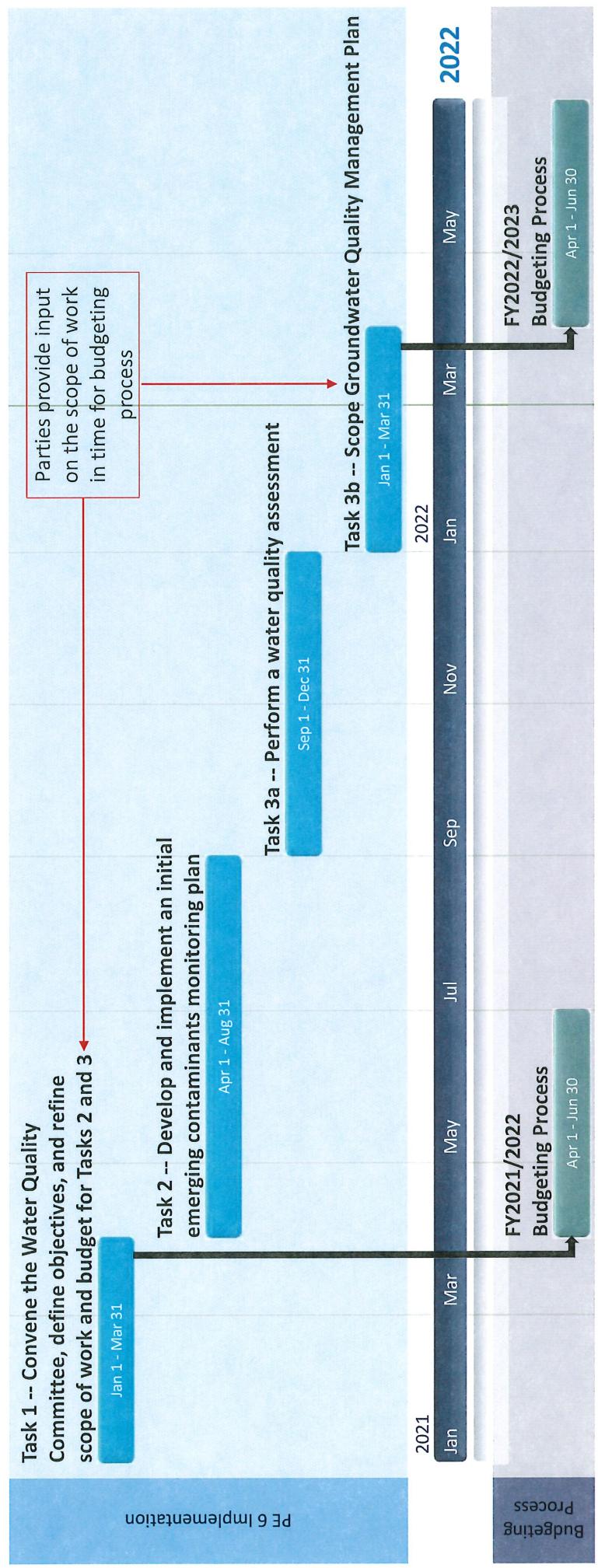
*Phase Descriptions: S = Scoping PN = Evaluate need for project PAE = Project alternative evaluation I = Implementation

Activity Implementation Schedule and Go/No-Go Decision Points



Key

□ Go/no-go decision point to select projects for implementation



Program Elements 8 & 9: Storage Management Plan and S&R Programs

- OBMP IP, among many other provisions, set the Safe Storage Capacity to 500,000 af; anything in excess requires mitigation
- The 2017 Addendum temporarily moved the 500,000 af to 600,000af, until June 30, 2021
- The Storage Management Plan developed in 2019, as part of the 2020 OBMP Update establishes the 800,000 af operating band for use by local storage and DYY accounts; no MPI is forecasted for use within the band
 - This is subject to CEQA analysis to allow operation in this manner
 - S&R programs would use the space between 800,000 af and 1,000,000 af
- The Storage Framework Investigation indicated there would be some consequences to net recharge as a result of any storage



Program Elements 8 & 9: Storage Management Plan and S&R Programs

- For CBWM to be able to implement following a Court Order the section of the Peace Amendment that pertains to PE8&9 should:
 - Describe what the parties may want as compensation for the effects on net recharge as a result of disproportionate storage amounts
 - Restate the commitment to support the OBMP IP Update including the new SMP
 - Delete obsolete storage provisions from the Peace agreement



Next Steps

- Drafting Orientation Session: Monday March 2, 2020 at 1:30 pm
- Present conceptual process for drafting a final Implementation Plan Update
- Present conceptual process for drafting amendment to the Peace Agreement to accommodate the IP Update
- Schedule subsequent Drafting Sessions



END



CHINO BASIN WATERMASTER
Case No. RCVRS 51010
Chino Basin Municipal Water District v. City of Chino, et al.

PROOF OF SERVICE

I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the within action. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On March 13, 2020 I served the following:

1. SECOND SUPPLEMENT TO CHINO BASIN WATERMASTER STATUS REPORT REGARDING UPDATE TO THE OPTIMUM BASIN MANAGEMENT PROGRAM
2. DECLARATION OF BRADLEY J. HERREMA IN SUPPORT OF CHINO BASIN WATERMASTER THIRD STATUS REPORT REGARDING UPDATE TO THE OPTIMUM BASIN MANAGEMENT PROGRAM

/X / BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list: Mailing List 1

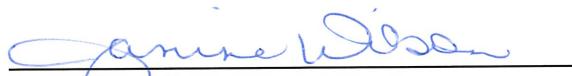
/__ / BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

/__ / BY FACSIMILE: I transmitted said document by fax transmission from (909) 484-3890 to the fax number(s) indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting fax machine.

/X / BY ELECTRONIC MAIL: I transmitted notice of availability of electronic documents by electronic transmission to the email address indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting electronic mail device.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 13, 2020 in Rancho Cucamonga, California.



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