

RESOLUTION NO. 2000-04

RESOLUTION OF THE OVERLYING (NON-AGRICULTURAL)
POOL OF THE CHINO BASIN WATERMASTER TO APPROVE
THE PEACE AGREEMENT-CHINO BASIN (PEACE
AGREEMENT)

WHEREAS, the Judgment in the Chino Basin Adjudication, Chino Basin Municipal Water District v. City of Chino, et al., San Bernardino Superior Court No. RCV 51010 (formerly No. 164327), created the Watermaster and directed it to perform the duties as provided in the Judgment or as ordered or authorized by the Court in the exercise of the Court's continuing jurisdiction; and

WHEREAS, the Judgment directs Watermaster to develop an Optimum Basin Management Program (OBMP), subject to the limitations contained in the Judgment; and

WHEREAS, the Court ordered the Inland Empire Utilities Agency (IEUA) to act as "lead agency" for the purposes of preparing any applicable environmental review for the OBMP in the form of a Program Environmental Impact Report (PEIR), with the Court exercising continuing jurisdiction over the matter; and

WHEREAS, the parties to the Judgment have developed a Memorandum of Principles which articulated the framework of an agreement which the Watermaster Board of Directors approved unanimously on May 25, 2000; and

WHEREAS, the parties to the Judgment have rendered the Memorandum of Principles into a more definitive agreement known as the Peace Agreement and into an OBMP Implementation Plan; and

WHEREAS, the IEUA, in its capacity as court-appointed lead agency, prepared the PEIR and, on July 12, 2000, certified said PEIR and approved the OBMP; and

WHEREAS, approval of the Peace Agreement by affected parties is consistent with the Judgment and in furtherance of the OBMP.

NOW, THEREFORE, the Overlying (Non-Agricultural) Pool of the Chino Basin Watermaster does hereby RESOLVE, DETERMINE AND ORDER as follows:

Section 1: The OBMP is in furtherance of the physical solution set forth in the Judgment and consistent with Article X, Section 2 of the California Constitution.

Section 2: Subject to the satisfaction of all conditions precedent set forth in the Peace Agreement by the Parties thereto, the Overlying (Non-Agricultural) Pool supports and approves the Peace Agreement negotiated by the parties thereto, including, but not limited to, Article VII thereof.

Section 3: The Overlying (Non-Agricultural) Pool authorizes the Chairman to execute the Peace Agreement on behalf of the Overlying (Non-Agricultural) Pool.


Section 4: The Overlying (Non-Agricultural) Pool supports Watermaster's proceeding in accordance with the OBMP Implementation Plan and the Peace Agreement.

Section 5: The Overlying (Non-Agricultural) Pool supports Watermaster's compliance with the conditions described in Article V of the Peace Agreement labeled, "Watermaster Performance" in order to implement the provisions of the OBMP Implementation Plan and the Peace Agreement.

Section 6: In approving this Resolution, the Overlying (Non-Agricultural) Pool is not committing to carry out, consistent with the OBMP, any project within the meaning of CEQA unless and until environmental review and assessment, as required by CEQA for that defined "project," has been completed utilizing the OBMP PEIR as appropriate.

Section 7: The Overlying (Non-Agricultural) Pool does not approve any amendments to the Judgment other than those identified in Section 4.4 of the Peace Agreement.

ADOPTED, this 27th day of July, 2000


Steve Arbelbide, Chairman