

Appropriative Pool

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Chino Basin Watermaster

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September 23, 2020

Watermaster Board
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Consideration of the 2020 Optimum Basin Management Program Update

Dear Watermaster Board,

The Appropriative Pool is appreciative of Watermaster Staff's consideration of suggested modifications to the currently drafted Optimum Basin Management Plan (OBMP) Update Report. At the September 17, 2020 meeting, the Advisory Committee developed a recommendation to the Board of Directors that they postpone consideration to approve the OBMP Update Report for one to two months. This time will help facilitate some further refinement of the document prior to approval.

To help support this effort, the Appropriative Pool committed to submitting suggested areas within the document where the topic of the Santa Ana River (SAR) obligation is addressed. Members of the Appropriative Pool have subsequently met with IEUA on September 21, 2020 to consider and collaborate on the topic. The attached document is the result of that collaboration with IEUA.

We recognize that Watermaster Staff will need to consider this information and will have additional comments and considerations that will be important to include in the final document. Further, during this time, individual parties may have other comments or recommendations that they may submit for consideration.

We look forward to participating and working with Watermaster to achieve success through the subsequent approval process of the OBMP Update Report. We recognize the importance of timely completion so we can carry that momentum into completing the critical Implementation Plan and Agreement phase.

We sincerely appreciate the assistance of IEUA, Watermaster Staff and the Board of Directors in the accommodation of this request.

Sincerely,

A handwritten signature in black ink that reads 'John Bosler'.

John Bosler
Appropriative Pool

Encl: Attachment – OBMP Update Comments

Attachment – OBMP Update Comments
September 23, 2020

The OBMP Update is a long-term planning document that revisits the needs of the Chino Basin at a high level in order to update the goals, activities and implementation actions for the nine program elements. The following is a summary intended to help communicate how the 34,000 AF/year Santa Ana River Base Flow (SAR) obligation at Prado, and related impacts, should be incorporated into the draft OBMP Update Report.

Introduce the topic in Section 1 (Introduction and Background)

- The Chino Basin Judgment, physical solution and OBMP are very much related to the Orange County Judgment, physical solution and the joint SAR obligation of 34,000 AF at Prado.

- Section 1.2 (Need for the 2020 OBMP Update) states that the strategic drivers and trends that shaped the goals and activities in the late 1990's have since changed. One of the significant changes is that recycled water generated within the IEUA service area is being substantially consumed by the local agencies with a very successful recycled water program implemented over the past 20 years. Include this as the "for example" in paragraph 2 of Section 1.2.

Changes to Program Element 5 (Develop and Implement Regional Supplemental Water Program)
starting on 35.

- Remove the reference to 17,000 AF and IEUA prioritizing the use of recycled water to meet the SAR obligation above direct use and recharge.

- The Santa Ana River (SAR) Judgment ("Judgment") is the result of a water rights dispute in which water users downstream from Prado Dam were seeking an adjudication of water rights against substantially all water users in the area tributary to Prado Dam within the SAR Watershed, including the producers in the Chino Basin. The 1969 Judgment dismissed all defendants and cross-defendants except for the four major public water districts overlying (Inland Empire Utilities Agency (then Chino Basin Municipal Water District), Orange County Water District, San Bernardino Valley Municipal Water District (SBVMWD) and Western Municipal Water District (WMWD), in aggregate, substantially all of the major areas of water use in the watershed; IEUA, in particular, accepted the obligation on behalf of the Chino Basin.

- The Prado Agreement defined the shared responsibility for the 34,000 AF Base Flow obligation at Prado. IEUA's portion of this responsibility is commonly referred to as the SAR Base Flow obligation at Prado. IEUA currently uses available recycled water to contribute towards the SAR Base Flow obligation, although it is not limited to using recycled water.

- The SAR Base Flow obligation at Prado is a demand based consideration that impacts the Chino Basin in its water resource planning including Activity D (Maximize the reuse of recycled water produced by the IEUA and others) found on page 17 of the draft OBMP Update Report. There is also a relationship between the reuse of recycled water and other elements and activities of the OBMP such as groundwater recharge, securing other supplemental supplies, TDS and other Basin water quality issues. There should be a high-level recognition of this in the document (for example, similar to the narrative on CBP, water quality or storage and recovery). The OBMP

Update goals should be revised accordingly (such as impediments and activities shown on goal 1 of exhibit 5).

Changes to Section 4 (OBMP Update Management Plan, Program Element 5) on page 57

- The Implementation Actions for Program Element 5 (Develop and Implement Regional Supplemental Water Program) includes expanding future recycled water planning efforts and expanding future integrated water resources planning efforts. The narrative of this section includes improving the availability of recycled water, imported water and identifying the intent to maximize the reuse of recycled water. The suggested changes in this attachment should find their way into this narrative at a very high level.