



November 22, 2019

Peter Kavounas, General Manager
Chino Basin Watermaster
9641 San Bernardino Rd
Rancho Cucamonga, CA 91730

Subject: Comments on Draft 2020 Storage Management Plan Version 2

Dear Mr. Kavounas:

On behalf of the City of Upland (City), we appreciate the opportunity to provide comments on the draft 2020 Storage Management Plan, Version 2 (2020 SMP). On behalf of the City, we are submitting the following comments on the draft 2020 SMP for your consideration:

Section 1.2, Page 1-4 – Reduction of net recharge appears to be characterized herein as Material Physical Injury (MPI). However, in Section 2.3.2 and at the November 6, 2019 2020 SMP workshop, reduction of net recharge is characterized as an adverse impact and mitigated for within the Safe Yield recalculation. With the typical duration between Safe Yield recalculations being approximately 10-years, why isn't the mitigation for reduction of net recharge calculated annually to respond to the annual fluctuations in storage volume (as proposed in Section 2.4.2 for Storage and Recovery Programs)? What are the advantages and disadvantages for mitigating for reduction in net recharge being embedded in Safe Yield versus on an annual basis?

Section 1.2, Page 1-5 – Generally, what is the technical basis for allowing the Dry Year Yield Program (DYYP) to exceed puts and takes? What was the technical basis for allowing the DYYP takes to exceed 40,000 acre-feet (AF) in 2009? Is that approved by Watermaster as an administrative procedure or is that circulated through the pools and board for approval?

Section 2.1, Page 2-1 – Regarding storage greater than 1,000,000 AF, consider revising and elaborating on that process. More specifically, what constitutes a "bona fide" application. In addition, please consider adding the required CEQA analysis to store above 1,000,000 AF.

Section 2.2, Page 2-1 – The City's "Upland Basin" is used by Watermaster and IEUA pursuant to an agreement between the three agencies. The agreement stipulates a

specific quantity of storage space allocated to Watermaster and IEUA. To date, the agencies have worked cooperatively under said agreement to optimize basin usage, including storage above the dead storage quantity and allowing others to use the City's basin for recharge. The priority of additional recharge above the 200,000 AF in the agreement is subject to negotiation. This section needs to be clarified to recognize that use of some spreading basins is subject to separate agreement(s).

Section 2.3.1, Pages 2-1 and 2-2 – The limitations placed on agencies within MZ1 due to the potential to cause MPI will likely be in effect for “more than 20-years” according to Watermaster (Appendix B, Comment No. 5, Page B-2) appear to pose a long-term constraint on the ability of agencies within MZ1 to manage water. This limitation on transfers should also allow for a reconsideration on a case by case basis, over the next 20-years or more, by Watermaster to ensure there will be no MPI.

For example, if a proposed transfer or lease from a party that pumps outside of MZ1 to a party that pumps in MZ1 demonstrates groundwater levels remain greater than the new land subsidence metric (i.e. new land subsidence won't occur per 2018 SFI Section 2.2.1), then consideration should be given by Watermaster.

Section 2.3.2, Page 2-2 – Same comments as above regarding mitigation for reduction of net recharge.

Section 2.5, Page 2-4 – Define the term “evergreen agreement”. Please provide clarification on the automatic adjustment (i.e. can be adjusted both up and down).

Again, on behalf of the City, we appreciate the opportunity to provide comments on the draft 2020 SMP. Should you have any questions on our comments, please contact me at (951) 680-0440.

Sincerely,



Steven W. Ledbetter, P.E.
Vice President
TKE Engineering, Inc.

CC: Rosemary Heorning, P.E., P.L.S., MPA, Interim City Manager, City of Upland