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4 SPECIAL REFEREE
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA DIVISION
10

11 CHINO BASIN MUNICIPAL WATER)
DISTRICT,)
12)
Plaintiff,)

13 v.)

14 THE CITY OF CHINO,)
15)
Defendants.)

CASE NO. RCV 51010

Judge: Honorable J. Michael Gunn

Date: TBD

Time:

Dept:

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17 _____)
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20 SPECIAL REFEREE'S REPORT ON PROGRESS MADE ON
21 IMPLEMENTATION OF THE WATERMASTER INTERIM PLAN
22 FOR MANAGEMENT OF SUBSIDENCE
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I. INTRODUCTION

A workshop was held May 25, 2005, as a follow-up to the workshop held August 29, 2002. The second workshop was originally scheduled to be held in 2003, pursuant to Court Order Concerning Watermaster's Interim Plan for Management of Subsidence, dated October 17, 2002 ("2002 Order"). The second workshop was postponed until substantial data collection and analysis had been completed.

The scope of the workshop was limited to presentation of technical data and analysis completed to date related to the Watermaster Interim Plan for Management of Subsidence ("Interim Plan"). The presentation was made by Mr. Malone of Wildermuth Environmental, Inc., Watermaster Engineering Consultant. Mr. Malone, Mr. Wildermuth, and Mr. Riley addressed questions posed

1 by the Special Referee, technical expert Joe Scalmanini, and several others. Consistent with use of
2 a workshop format, cross-examination was not allowed. A transcript of the workshop has been
3 prepared and will be filed with the Court by Watermaster.

4 II. 2002 COURT ORDER

5 In the 2002 Order, Judge Gunn directed Watermaster to:

- 6 (1) Implement the Interim Plan Monitoring Program for subsidence, including all work
7 related to piezometers, extensometers, ground-level monitoring, aquifer testing, and
8 other actions to study, analyze, and interpret subsidence and fissuring in MZ1 and to
9 determine causes in sufficient detail that they can be managed through a long-term
10 plan;
- 11 (2) Continue the MZ1 Technical Committee work and have the Technical Committee
12 serve in an advisory capacity to assist Watermaster in developing a long-term
13 subsidence management plan for MZ1;
- 14 (3) Develop a long-term management plan by fiscal year 2004/2005;
- 15 (4) Submit quarterly reports to the court on all interim and long-term efforts to address
16 MZ1 subsidence and fissuring problems, including documentation of participation,
17 forbearance, impacts, and other "noteworthy details that pertain to the goal of
18 forbearance to minimize subsidence and fissuring";
- 19 (5) Schedule a follow-up workshop for July 17, 2003; and
- 20 (6) File reports at least quarterly to apprise the court of any actions pending that could
21 cause the "jurisdiction issue" to resurface.

22 III. COMPLIANCE WITH 2002 COURT ORDER

23 A. Regular Reports by Watermaster

24 Watermaster has regularly reported to the court, through its status reports, on the progress
25 of all work related to Management Zone 1 ("MZ1") subsidence issues. Watermaster has also
26 reported that it is not aware of any pending legal actions which have raised issues concerning the
27 court's jurisdiction related to subsidence. The City of Chino ("Chino") has annually asked for
28 continuances of its Paragraph 15 Motion. The process has been that Chino requests continuance
after both Chino and the City of Chino Hills ("Chino Hills") have committed to forbear some
pumping. (Our files reflect that Chino requested a continuance to September 1, 2005, but we do not
have a copy of a court order approving that continuance.) Watermaster has reported that the MZ1
Technical Advisory Committee has been actively meeting.

////

1 **B. Pumping Forbearance Agreements**

2 Annual forbearance agreements have been entered into for the past three years by Chino and
3 Chino Hills. On April 28, 2005, Watermaster approved continuation of the forbearance agreements
4 for a fourth year. The fourth year of forbearance will be fiscal year 2005/2006.

5 **C. Court Order and Deadlines**

6 Two of the deadlines set forth in the 2002 Order have not been met. First, a long-term
7 management plan for MZ1 was to have been completed this fiscal year (by July 1, 2005). Second,
8 a follow-up Special Referee workshop was not held in July 2003, but, instead, was postponed in
9 order that a substantial body of work could be completed to study and assess the MZ1 issues.

10 **IV. INTERIM PLAN WORK**

11 **A. Technical Work Completed to Date**

12 The purpose of the second workshop was to hear a description of the work and study that has
13 been done since the MZ1 Interim Plan was begun, to ascertain whether any conclusions have been
14 reached, and to obtain a description of the activities that are being undertaken now and that remain
15 to be done. Mr. Malone's presentation on the technical work and analysis to date formed the bulk
16 of the workshop. He provided a very detailed description of the monitoring and other technical work
17 that has been undertaken. Ongoing efforts have included installation of piezometers and an
18 extensometer, installation of transducers to monitor water levels in a network of wells, and ground-
19 level and InSAR monitoring for subsidence. Mr. Malone reported several discoveries which he
20 characterized as significant, including discovery of a groundwater barrier at depth in a location
21 approximately coincident with the fissuring that has occurred, and that there are two very distinct
22 aquifer systems. (Reporter's Transcription ("RT") at pp. 44-47)

23 Mr. Malone also indicated that all of the potential causes of the subsidence and fissuring
24 which had been previously suggested had been reviewed, but that the Interim Plan work has focused
25 on the hypothesis that the subsidence and fissuring have been caused by subsurface fluid withdrawal:

26 We reviewed all these [other potential causes of subsidence], but what we zeroed in
27 on was the subsurface withdrawal as our hypothesis. That's what we identified as the
28 most likely cause of the subsidence that we had observed in the City of Chino . . . so
our hypothesis was that the groundwater production caused land subsidence and
fissuring in Chino Basin. . . We also noted that it was likely, or that we were

1 hypothesizing that the production from the confined aquifer system was the main
2 cause of this recent episode of subsidence and fissuring that was measured in the
3 early 1990's. So this is what we designed our monitoring program to test, whether
4 or not this hypothesis was correct.

4 (RT at pp. 32-33) There was no further discussion on the record regarding the nature of the review
5 that was done as to other potential causes of the subsidence and fissuring.

6 A primary focus of the technical work has been to determine at what point subsidence creates
7 inelastic compaction versus subsidence which is elastic and can recover. Mr. Malone described the
8 process to identify:

9 . . . the threshold where the deformation process transitions from elastic to inelastic.
10 By doing that, we'd be defining the usable volume of the storage reservoir, under
11 what range of water levels can we operate where we're not causing inelastic
12 compaction. And that would be a very key finding to any long-term management
13 plan that might develop out of this study.

12 (RT at pp. 43-44) The presentation included detailed descriptions of "stress-strain diagrams" which
13 reflect data on the elastic versus inelastic response of the system to pumping. Mr. Malone drew
14 attention to a "key point" that there appears to have been about two one-hundredths of a foot (0.02
15 ft.) of permanent compaction over the 2004 pumping season. (RT at pp. 58-59) He indicated that
16 the ". . . inelastic threshold was crossed at about 250 feet below ground surface during the latter part
17 of the pumping season." (RT at p. 60) Mr. Malone made it very clear that it is necessary to wait for
18 "fully recovered water levels" before drawing any final conclusions that the system transitions from
19 elastic to inelastic compaction when water levels are somewhere below 250 feet below ground
20 surface. (RT at p. 95)

21 In response to questions as to whether there are sufficient data available now to develop a
22 long-term plan, Mr. Malone responded that:

23 . . . When we operate in the forbearance agreement where we pump during the
24 pumping season, but we allow the system to recover during the wintertime months,
25 . . . we've demonstrated that we're operating generally in an elastic range. . . And so
26 to how far we can step out of that same pumping pattern and still operate within the
27 elastic range, we have not determined that yet. But the models hold the promise of
28 determining that.

27 (RT at p. 93)

28 Mr. Malone explained that the next step in the investigation is to create groundwater models

1 to "... simulate the groundwater production's effects on groundwater levels." (RT at p. 91) The
2 model will: "... help us provide that linkage between groundwater production and groundwater
3 levels that would provide a tool to evaluate any management plan that might come out of this." (RT
4 at p. 107)

5 In response to a question, Mr. Malone indicated that there are not plans to do further testing
6 in the southern part of MZ1:

7 We feel like if the stress-strain diagram goes to where it seems to be going, that
8 we've identified this threshold of preconsolidation stress that is the transition
9 between inelastic and elastic compaction. . . I don't think we have any further
10 questions that we're trying to answer in this southern part of Management Zone 1.
11 We're going to be developing the models that will help us provide that linkage
12 between groundwater production and groundwater levels. . .

11 (RT at p. 107)

12 B. Recommended Additional Technical Work

13 Mr. Malone recommended that technical work be continued in the southern part of MZ1 and
14 that certain technical work be started in the central MZ1 area to the north. For the southern MZ1
15 area, the recommendation is that monitoring continue (RT at pp. 97-99) and that some of the
16 dedicated piezometers be replaced (RT at pp. 103-104). In addition, numerical models would be
17 developed (a one-dimensional compaction model and a three-dimensional groundwater flow and
18 subsidence model). The three-dimensional model would link:

19 ... the areal and vertical distribution of pumpage to water level fluctuations and then
20 the ultimate deformation that occurs in the aquifer system. . . We've been working
21 mostly on this link between water level fluctuation and deformation. The model will,
22 then, now take us from that to include pumpage, how it affects water level
23 fluctuations, and then how the water level fluctuations affect deformation.

22 (RT at pp. 99-100)

23 Mr. Malone also discussed expanding the investigation of subsidence, initially via
24 monitoring, to the central region of MZ1, including the installation of water level transducers in
25 existing wells. (RT p. 107) Mr. Malone characterized as speculative the potential need to construct
26 a new monitoring facility or facilities in the central region, including a multi-piezometer and/or
27 extensometer. (RT at p. 102) He clarified that ground-level survey data, InSAR data, and water-
28 level data should be collected in the central MZ1 area before any conclusion would be reached on

1 the need for piezometers or an extensometer. (*Id.*) Expansion of the subsidence investigation into
2 the central region of MZ1 is prompted by the observation of some historical subsidence in the area,
3 confounded to some degree by the lack of any known local pumping in the immediate subsidence
4 area. (RT at pp. 76, 80, 83-84, 87)

5 C. Long-Term Plan Schedule

6 There was not extensive discussion at the workshop on either a long-term plan or a schedule
7 for completion of a plan. Mr. Malone indicated that InSAR surveys and ground surveys will be
8 conducted in both fall 2005 and spring 2006. (RT at p. 104) The modeling would be completed in
9 the spring of 2006, with a modeling report to follow that summer. (*Id.*) Mr. Wildermuth responded
10 to a question regarding scheduling by indicating that several more years of studies and model
11 development and analysis would be required, followed by 12 months to reach an agreement on a
12 long-term plan. (RT at p. 109) This timing is consistent with the discussion in the 2002 workshop.
13 At that workshop, in response to the question of how long it would take to start developing a long-
14 term plan given optimal agreement by all parties, Mr. Wildermuth stated that he thought it would
15 take three to five years (2002 Workshop Transcript at page 101.) Mr. Slater also clarified at the 2002
16 workshop that Mr. Wildermuth's three to five years were for the "data development side" and that
17 "the business deal probably follows soon thereon, and one would expect maybe twelve months to
18 wrap that piece up." (2002 Workshop Transcript at p. 103.)

19 V. RECOMMENDATION OF SPECIAL REFEREE

20 A. Preparation of a Summary Report on MZ1 Technical Work

21 A substantial body of technical work has been completed in the southern MZ1 area.
22 However, conclusions are still preliminary:

23 . . . With our stress-strain diagram . . . we're seeing that these head declines can
24 induce permanent compaction. But again this is a preliminary conclusion because
25 it is still pending fully recovered water levels. We're waiting for those water levels
to be fully recovered to see if any inelastic compaction did occur over the last
pumping season.

26 (RT at p. 95) When sufficient time has elapsed for water levels to have fully recovered, it is our
27 view that a summary report on all of the work presented at the workshop would be extremely helpful.
28 Even though no modeling has been completed, there appear to be sufficient data to conclude that

1 | there is a threshold depth to water that, if crossed, will likely lead to new inelastic compaction and
2 | subsidence and ground fissuring. That information should be made available to the parties in a
3 | summary report as soon as possible. Based on Mr. Malone's presentation, it should be feasible to
4 | prepare such a report by the middle of August. When the three-dimensional model is prepared, a
5 | modeling report will be written. In the meantime, there are important data and preliminary findings
6 | that can be made available very soon that will be of immediate use to the pumpers within MZ1.

7 | A further recommendation related to a summary report is that the summary report should also
8 | address the other potential causes of subsidence and fissuring that have been suggested in the past.
9 | If any of those items cannot be readily addressed, then the summary report should recommend how
10 | they will be addressed. While the detailed monitoring and testing has been substantial, they have
11 | not apparently addressed whether subsidence and fissuring might have been partially the result of
12 | mechanisms other than deep groundwater pumping. The continuing possibility that other
13 | mechanisms may also be responsible for subsidence is a potential impediment to development of the
14 | long-term plan.

15 | As part of this discussion, the summary report should discuss any information related to
16 | whether any significant subsidence predated the notable subsidence and fissuring since the early
17 | 1990's, and should describe the historical surveying investigation commissioned by Watermaster to
18 | address that issue. An important outstanding question is whether any pre-1990's subsidence that
19 | may have occurred correlates with, or can be attributed to, the large historical changes in
20 | groundwater levels that predated the Judgment.

21 | **B. Watermaster Issuance of Guidance Criteria.**

22 | Near the close of the workshop, there was some discussion of what would be included in a
23 | long-term plan, including possibly expanding the study area to include the central MZ1 region. (RT
24 | at pp. 123 *et seq.*) The concept of a long-term MZ1 management plan has been part of the
25 | Watermaster program since it was first articulated in 1999 in the Optimum Basin Management
26 | Program Phase 1 Report. A long-term management plan was to be formulated during the interim
27 | plan period, and would be based on investigations, monitoring programs and data assessment. It
28 | would be adaptive in nature. The workshop discussion noted that the technical work that has been

1 done and that will be done will form the basis for a long-term plan. Mr. Wildermuth indicated that:

2 . . . we haven't felt until very recently, last maybe six or eight months, that we were
3 at a point where we are getting close to coming up with conclusions from which we
4 could build a plan on, pull the parties together and talk about their deal making to
5 implement a plan.

6 (RT at p. 125) As discussed, above, however, development of a long-term plan itself does not appear
7 to be imminent.

8 In response to questions regarding the possibility of phasing the long-term plan, Mr.
9 Wildermuth discussed the option of bifurcating the ". . . southern and central portion, try to get the
10 southern portion going, and then based on the interests of the stakeholders, do something in the
11 central area." (RT at p. 125) Mr. Wildermuth also suggested that Watermaster's long-term plan
12 could range from being "guidance information" to something more aggressive. (RT at p. 108)

13 The concept of providing guidance criteria is a compelling one. It appears, based on the
14 presentation at the workshop, that Watermaster can very soon alert pumpers in the southern MZ1
15 area that there is a substantial risk that lowering water levels to below approximately 250 to 260 feet
16 below ground surface will result in new inelastic compaction and subsidence. This type of
17 information should formally be made available to the parties as soon as possible, presumably as soon
18 as a summary report on the MZ1 technical work is completed. The guidance criteria would be issued
19 by Watermaster in a timely fashion, to be followed by the long-term plan development which
20 necessarily will require a longer period to complete.

21 C. Long-Term Plan and Schedule

22 It is incumbent upon Watermaster now to request that the court extend the period for
23 completion of a long-term plan for MZ1. The overall testimony indicated that several more years
24 of technical and modeling work will be required, followed by approximately a year of negotiations
25 among the parties. The Watermaster should propose a schedule to the court which takes into account
26 the continuation of data collection and modeling work in the main MZ1 area as well as technical
27 work in the central MZ1 area. A date should be established for completion of a long-term plan.

28 Whether the long-term plan is ultimately characterized as a management plan is an issue for
the parties to address. Based on presentation and discussion at the workshop, it is clear that, at the

1 | very least, an ongoing monitoring program by Watermaster will be required so that the parties have
2 | full and sufficient information available to them to inform their decisions.

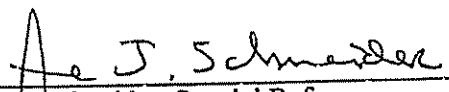
3 | **D. Expanded Monitoring in MZ1**

4 | The presentation at the workshop, while focused on monitoring and studies in the southern
5 | MZ1 area, indicated that some monitoring work can and should be done in the central MZ1 area,
6 | including installation of transducers in wells, and ground and InSar ground-level monitoring. More
7 | costly and complex efforts involving piezometers and an extensometer would logically be held in
8 | abeyance pending assessment of data collected. A phased long-term plan could include provision
9 | for central MZ1 monitoring work and studies, with future efforts considered and scheduled on an
10 | as-needed basis, while more definitive conclusions are drawn in the southern MZ1 area based on the
11 | extensive work already focused in that area. As noted above, the central MZ1 area appears to
12 | warrant additional investigation in light of detectable subsidence in spite of no significant pumping
13 | stress in the immediate subsidence area. Such additional investigation would also appear important
14 | in light of the overall concept of basin reoperation and hydraulic control, which could result in
15 | locally lower groundwater levels in parts of the basin.

16 | **VI. CONCLUSION**

17 | The workshop was very productive. Mr. Malone's presentation was excellent. The
18 | Watermaster does not require court approval to direct the preparation of a summary report on the
19 | MZ1 technical work or to issue guidance criteria. The Watermaster, however, should file with the
20 | court a motion for an order to set a schedule for the completion of a long-term plan.

21 | Dated: June 16, 2005

22 | 
23 | Anne J. Schneider, Special Referee
24 |
25 |
26 |
27 |
28 |

CHINO BASIN WATERMASTER
Case No. RCV 51010
Chino Basin Municipal Water District v. The City of Chino

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 June 21, 2005 I served the following:

Special Referee's Report on Progress Made on Implementation of the Watermaster Interim Plan for Management of Subsidence

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.

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 June 21, 2005 in Rancho Cucamonga, California.


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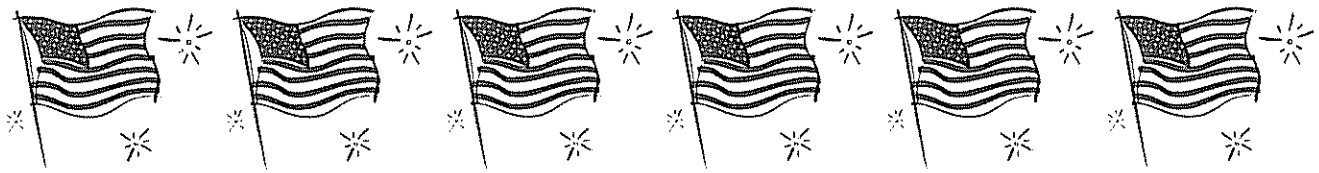
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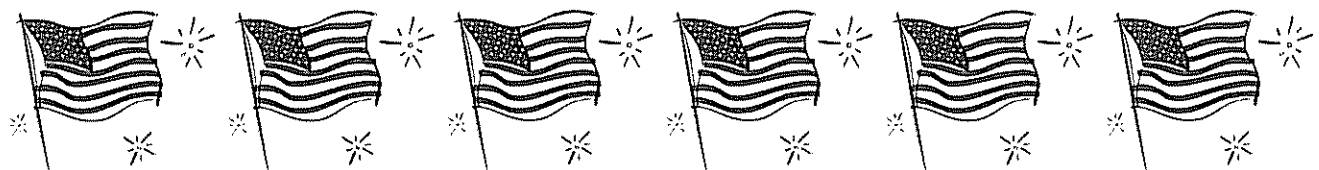


CHINO BASIN WATERMASTER

III. REPORTS/UPDATES

A. WATERMASTER ENGINEERING CONSULTANT REPORT

2. Proposed WDRs for Recharge of Imported
Water



California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

NOTICE OF PUBLIC HEARING

For
RESOLUTION NO. R8-2006-0042
ORDER NO. R8-2006-0005

For
**INITIAL STUDY AND NEGATIVE DECLARATION AND ISSUANCE OF GENERAL WASTE
DISCHARGE REQUIREMENTS FOR THE INJECTION/PERCOLATION OF IMPORTED STATE
PROJECT WATER, COLORADO RIVER WATER OR IMPORTED WELL WATER TO RECHARGE
GROUNDWATER MANAGEMENT ZONES WITHIN THE SANTA ANA REGION**

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Water Board), proposes to adopt an initial study and negative declaration and issue general waste discharge requirements for the injection/percolation of imported State Project Water, Colorado River water or imported well water to recharge groundwater management zones within the Santa Ana. Region.

The Board is seeking comments concerning the proposed initial study and negative declaration and general waste discharge requirements and the potential effects of the discharges on the water quality and beneficial uses of the affected receiving waters.

The Board will hold a public hearing to consider adoption of the proposed waste discharge requirements as follows:

DATE: May 19, 2006
TIME: 9:00 a.m.
PLACE: City Council Chambers of Loma Linda
25541 Barton Road
City of Loma Linda

Interested persons are invited to submit written comments on the proposed Resolution No. R8-2006-0042 and Order No. R8-2006-0005. Interested persons are also invited to attend the public hearing and express their views on issues relating to the proposed Order and submission. Oral statements will be heard, but should be brief to allow all interested persons time to be heard. For the accuracy of the record, all testimony (oral statements) should be submitted in writing.

Although all comments that are provided up to and during the public hearing on this matter will be considered, receipt of comments by May 1, 2006 would be appreciated so that they can be used in the formulation of the draft Order that will be transmitted to the Board two weeks prior to the hearing. The draft Order may contain changes resulting from comments received from the public. To view and/or download a copy of the draft Order, please access our website at www.waterboards.ca.gov/santaana on or after May 8, 2006.

The Board's proposed Order, related documents, and all comments and petitions received may be inspected and copied at the Regional Board office, 3737 Main Street, Suite 500, Riverside, CA 92501-3348 (phone 951-782-4130) by appointment scheduled between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. Copies of the proposed Order will be mailed to interested persons upon request to J. Shami (951) 782-3288.

Any person who is physically challenged and requires reasonable accommodation to participate in this Regional Board Meeting should contact Felipa Carrillo at (951) 782-3285 no later than May 8, 2006.

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California Regional Water Quality Control Board
Santa Ana Region

May 19, 2006

Staff Report

ITEM:

SUBJECT: General Waste Discharge Requirements for the injection/percolation of imported State Project Water, Colorado River Water or imported well water to recharge groundwater management zones within the Santa Ana Region – Groundwater Replenishment Projects Order No. R8-2006-0005

I DISCUSSION:

Background

The Regional Water Board adopted a revised Water Quality Control Plan for the Santa Ana Region (hereinafter Basin Plan) that became effective on January 24, 1995. The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters in the Santa Ana Region addressed through the plan. More recently, the Basin Plan was amended significantly to incorporate revised boundaries for groundwater subbasins, now termed “management zones”, new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. The Regional Water Board adopted the Basin Plan Amendment on January 22, 2004. The State Water Resources Control Board (State Water Board) and Office of Administrative Law (OAL) approved the Amendment on September 30, 2004 and December 23, 2004, respectively. The surface water standards provisions of the Amendment are awaiting approval by the U.S. Environmental Protection Agency but do not bear significantly on these proposed general waste discharge requirements. This Order implements provisions of the Amendment that are related to groundwater management zones.

The Nitrogen/TDS Basin Plan Amendment was the culmination of a multi-year, multi-million dollar (\$3.5+M) effort sponsored by the N/TDS Task Force, with extensive participation by and close coordination with Regional Board staff. The Task Force included 22 water supply and wastewater management agencies and other stakeholders throughout the Region. The effort was initiated because of concerns that (1) the nitrate-nitrogen and TDS groundwater quality objectives specified in the Basin Plan had been established in a relatively short time in early (1970s) basin planning work for the Region and might not have benefited from a high level of scientific rigor, and (2) the established objectives would likely place significant restrictions on wastewater recycling, which was expected to be increasingly needed to meet the Region’s rapidly growing demand for water supply.

The Task Force’s recommendations for changes to the Basin Plan, including new groundwater management zones, new TDS and nitrate-nitrogen objectives for those zones and revised TDS and nitrogen management strategies, were the result of intensive, rigorous scientific evaluation of relevant water quality, geologic and hydrologic data. In addition, as described next, certain

members of the Task Force pursued evaluations and developed recommendations based on consideration of the requirements of the State's antidegradation policy (SWRCB Resolution No. 68-16), leading to the development of "Maximum Benefit" TDS and nitrate-nitrogen objectives and water resource management commitments for specific groundwater management zones.

Several agencies proposed that alternative TDS and/or nitrate-nitrogen water quality objectives less stringent than those developed by the Task Force based on historical water quality (the so-called "antidegradation" objectives) be adopted for specific groundwater management zones. The underlying intent of these proposals was to assure that the TDS and nitrate-nitrogen objectives for specific management zones were consistent with and would accommodate the water and wastewater resource management plans of the involved agencies, including the use of recycled water for groundwater recharge and reuse. Since the less stringent objectives would allow a lowering of water quality, the agencies were required to satisfy antidegradation requirements, that is, to demonstrate that their proposed objectives would protect beneficial uses, and that water quality consistent with maximum benefit to the people of the state would be maintained.

Appropriate beneficial use protection/maximum benefit demonstrations were made by the Chino Basin Watermaster/Inland Empire Utilities Agency, the Yucaipa Valley Water District and the City of Beaumont/San Timoteo Watershed Management Authority to justify alternative "maximum benefit" objectives for the Chino North, Cucamonga, Yucaipa, Beaumont and San Timoteo groundwater management zones. These "maximum benefit" proposals, which are described in detail in Chapter 5 – Implementation of the Amended Basin Plan, entail commitments by the agencies to implement specific projects and programs. While these agencies' efforts to develop these proposals indicate their strong interest to proceed with these commitments, unforeseen circumstances may impede or preclude it. To address this possibility, the Basin Plan Amendment included both the "antidegradation" and "maximum benefit" objectives for the subject groundwater management zones (See Table 4-1 of the amended Basin Plan, included in this general WDR as Attachment A). Chapter 5 of the amended Basin Plan specifies the requirements for implementation of these objectives. Provided that these agencies' commitments are met, then the agencies have demonstrated maximum benefit, and the "maximum benefit" objectives included in Table 4-1 of the amended Basin for these waters apply for regulatory purposes. However, if the Regional Board finds that these commitments are not being met and that "maximum benefit" is thus not demonstrated, then the "antidegradation" objectives for these waters will apply. Chapter 5 of the amended Basin Plan also describes the mitigation requirements that will apply should discharges based on "maximum benefit" objectives occur unsupported by the demonstration of "maximum benefit".

Rationale for Issuance of the Proposed Waste Discharge Requirements

Importation of State Project Water (SPW) and Colorado River Water (CRW) has long been a key part of the water supply plan within the Region. With the recent completion of new water conveyance systems, a number of agencies plan to increase recharge of groundwater management zones in the Santa Ana Region with these imported sources of supply when they are plentiful. In addition, water supply agencies are investigating the feasibility of importing or transferring groundwater pumped from one management zone for use/recharge in other areas of the Region. These agencies also plan to extract this stored water when potable water demand is high. These projects include those proposed by Elsinore Valley Municipal Water District for the Back Basin Groundwater Storage Project, Eastern Municipal Water District's Grant Avenue Recharge Project,

and the San Geronio Pass Water Agency's Brookside South Streambed Recharge Project. Other projects are in the planning stages.

To date, the Regional Board has not regulated groundwater recharge projects using imported SPW, CRW or well waters, even where the concentrations of nitrogen, TDS (or other) constituents exceeded relevant Basin Plan objectives. However, given the increased number and magnitude of the water recharge projects being contemplated, and in view of the extensive commitments that have been and will be made by dischargers and other stakeholders in the Region to develop and implement the new TDS and nitrate-nitrogen objectives, it is appropriate and in fact legally required to assure that those projects are consistent with the objectives. Otherwise, Basin Plan objectives could be violated and the TDS and nitrate-nitrogen management activities undertaken by certain stakeholders could be compromised by the recharge activities of others. To assure that imported water groundwater recharge projects do not cause or contribute to violations of applicable water quality standards, particularly the established groundwater objectives for Total Dissolved Solids (TDS) and nitrate-nitrogen, staff recommends the adoption of Order No. R8-2006-0005.

The proposed Order requires prospective dischargers to file: (a) a Notice of Intent (NOI) to comply with the terms and conditions of these General Waste Discharge Requirements (WDRs) or a report of waste discharge (ROWD); (b) the applicable first annual fee as required by Title 23, CCR, Section 2200; (c) a project map; (d) evidence of California Environmental Quality Act (CEQA) compliance; and (e) a monitoring plan. In addition, for projects that would affect groundwater management zones for which both maximum benefit and antidegradation TDS and nitrate-nitrogen objectives have been established in the Basin Plan ("maximum benefit management zones", the proposed Order requires dischargers to file with the NOI (or ROWD) documentation that demonstrates that the project is consistent with the applicable maximum benefit programs and commitments identified in the Basin Plan. This requirement may be satisfied by the submittal of a letter from the agency (-ies) responsible for the maximum benefit programs for the affected groundwater management zones that confirms that the proposed project(s) is consistent with the maximum benefit program.

Upon review of the NOI (or ROWD) by Regional Board staff, a determination will be made as to whether or not coverage under these General WDRs is appropriate. The Regional Board's Executive Officer would issue a discharge authorization letter to the discharger after staff has determined that proposed discharges can be covered under these General WDRs. If proposed discharges cannot be regulated under these general WDRs, the discharger will be notified by a letter from the Regional Board's Executive Officer or designee and alternative discharge requirements will be drafted. Where a proposed project that would affect groundwater maximum benefit management zones is not consistent with the maximum benefit program, Board staff will recommend waste discharge requirements that require compliance with the antidegradation TDS and nitrate-nitrogen water quality objectives.

II. REGULATORY BASIS FOR WASTE DISCHARGE REQUIREMENTS

This Order includes requirements that implement the Water Quality Control Plan (Basin Plan), which was adopted by the Regional Board on March 11, 1994. The Basin Plan was approved by the Office of Administrative Law and became effective on January 24, 1995. On January 22, 2004, the Regional Water Board adopted Resolution No. R8-2004-0001, amending the Basin Plan to incorporate revised boundaries for groundwater subbasins, now termed "management

zones”, new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. The State Water Resources Control Board and Office of Administrative Law (OAL) approved the N/TDS Amendment on September 30, 2004 and December 23, 2004, respectively. This Plan specifies water quality objectives and beneficial uses for the waters of the Santa Ana Region.

The existing and potential beneficial uses of underlying groundwater management zones in the Santa Ana Region include municipal and domestic supply, agricultural supply, industrial process supply, and industrial service supply.

The proposed Order specifies numeric and narrative limits for the constituents expected to be present in the discharges. The specified limits are consistent with the Basin Plan objectives and other state requirements.

In some instances, the TDS or nitrogen quality of the imported water proposed for recharge may exceed the TDS or nitrate-nitrogen water quality objectives for the specific groundwater management zone where the groundwater recharge is to occur. In these circumstances, project proponents have proposed to divert storm runoff into the recharge basins to assure that recharge of the combined flows meets the TDS and/or TN objectives of the groundwater management zone. This Order allows proponents to flow weight the TDS or TN quality of surface water and storm water for recharge.

Monitoring is the primary means of ensuring that waste discharge requirements are met. It is also the basis for enforcement actions against dischargers who are in violation of the waste discharge requirements issued by the Regional Board. All dischargers enrolled under this general permit will be required to conduct monitoring in accordance with a monitoring program issued by the Executive Officer. Each monitoring and reporting program will be customized for each enrollee based on the characteristics of the water to be used for recharge. The typical required constituents and frequency of analyses are tabulated in the self-monitoring program attached to this general permit as "Typical Monitoring and Reporting Program (MR&P) No. R8-2006-0005." This monitoring and reporting program will be revised as appropriate for each discharger. An increase of the parameters or frequency of monitoring will be required if monitoring data show the presence of specific pollutants of concern that are not limited in this Order. This Order may be reopened to include effluent limitations for such constituents. A reduction of the parameters or frequency of monitoring may be implemented with prior approval of the Executive Officer when monitoring data demonstrate that such reduction is warranted.

The Order also requires the discharger to monitor for Total Trihalomethanes (THM)¹, 1-4 Dioxane, Methyl-tert-butyl ether (MTBE), Perchlorate and N-Nitrosodimethylamine (NDMA) on a quarterly basis. These constituents have been determined to be present in imported water at low concentrations. If any of these constituents are detected at levels above the concentrations shown in the Table below, the discharger will be required to accelerate monitoring for that specific constituent to monthly. If the detected concentrations are persistent and considerable²,

¹ Sum of bromodichloromethane, dibromochloromethane, bromoform and chloroform

² Persistent and considerable is defined as being detected at levels 10 times the concentration shown in the table for three consecutive months during the accelerated monitoring.

the discharger may be required to implement measures to reduce discharges of such constituent(s) into the ground and apply for an individual permit.

Parameter	Concentration (ug/L)
1-4 Dioxane	3 ³
Total Trihalomethanes (THM)	100 ³
N-Nitrosodimethylamine (NDMA)	0.01 ⁴
Methyl-tert-butyl ether (MTBE)	13 ⁴
Perchlorate	6 ⁴

This Order requires the discharger to conduct an annual monitoring of constituents with primary contaminant levels (MCLs) and secondary MCLs. If any of these constituents are detected in the annual scan at levels above the MCLs, the discharger is required to conduct accelerated monitoring for that specific constituent to determine whether such parameters are persistent and considerable and should be limited in this Order.

The proposed discharge limitations and monitoring and reporting program should be adequate to protect the beneficial uses of the waters in the area.

RECOMMENDATION:

Adopted Order No. R8-2006-0005 as presented.

Comments were solicited from the following:

- State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
- State Water Resources Control Board, Division of Water Quality – Jim Maughan
- State Department of Water Resources - Glendale
- State Department of Health Services, Santa Ana –
- State Department of Health Services, San Bernardino – Sean McCarthy
- State Department of Health Services, San Diego – Steven Williams
- Orange County Public Facilities and Resources Department - Chris Crompton
- Orange County Health Care Agency - Seth Daugherty
- Orange County Water District – Nira Yamachika
- Riverside County Environmental Health Department - Sandy Bonchek
- San Bernardino County Department of Public Works, Environmental Management Division – Naresh Varma
- San Bernardino County Environmental Health Department – Daniel Avera
- South Coast Air Quality Management District - Barry Wallerstein
- Orange County Coastkeeper – Garry Brown
- Lawyers for Clean Water C/c San Francisco Baykeeper
- Elsinore Valley Municipal Water District
- Yucaipa Valley Water District
- City of Beaumont – Alan Kapanicas
- Inland Empire Utilities Agency – Patrick O. Shields

³ Based on CDHS' notification Level
⁴ Based on CDHS' MCL.

Santa Ana Watershed Project Authority – Daniel Cozad
Santa Ana River Dischargers Association
San Geronio Pass Water Agency
Orange County Coastkeeper
Lawyers for Clean Water C/c San Francisco Baykeeper
Chino Basin Watermaster
San Timoteo Watershed Management Authority
Wildermuth Environmental Inc. – Mark Wildermuth
Attached mailing list

California Regional Water Quality Control Board
Santa Ana Region

Order No. R8-2006-0005

GENERAL WASTE DISCHARGE REQUIREMENTS FOR THE
INJECTION/PERCOLATION OF IMPORTED STATE PROJECT WATER, COLORADO
RIVER WATER OR IMPORTED WELL WATER TO RECHARGE GROUNDWATER
MANAGEMENT ZONES WITHIN THE SANTA ANA REGION – GROUNDWATER
REPLENISHMENT PROJECTS

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Water Board), finds that:

1. The Regional Water Board adopted a revised Water Quality Control Plan for the Santa Ana Region (hereinafter Basin Plan) that became effective on January 24, 1995. The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters in the Santa Ana Region addressed through the plan. More recently, the Basin Plan was amended significantly to incorporate revised boundaries for groundwater subbasins, now termed “management zones”, new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. This Basin Plan Amendment was adopted by the Regional Water Board on January 22, 2004. The State Water Resources Control Board (State Water Board) and Office of Administrative Law (OAL) approved the Amendment on September 30, 2004 and December 23, 2004, respectively. The surface water standards provisions of the Amendment are awaiting approval by the U.S. Environmental Protection Agency. The groundwater-related components of the N/TDS Amendment became effective upon approval by OAL. Accordingly, these waste discharge requirements implement relevant, groundwater-related components of the N/TDS Amendment.
2. The adoption of the N/TDS Amendment resulted from an intensive and scientifically rigorous effort by stakeholders throughout the Region to address nitrogen and TDS water quality objectives and management strategies. Given the increased number and magnitude of water recharge projects being contemplated in the Region, and in view of the extensive commitments that have been and will be made by dischargers and other stakeholders in the Region to develop and implement the new TDS and nitrogen objectives, it is appropriate, as well as legally necessary, to assure that those projects are consistent with the objectives. Failure to assure proper regulation of recharge projects could result in violations of Basin Plan objectives and compromise TDS and nitrogen management strategies implemented by other parties. The adoption of these general waste discharge requirements for groundwater recharge projects will facilitate groundwater replenishment projects needed to assure a reliable water supply and will assure that such projects are conducted in accordance with the Basin Plan.

General Waste Discharge Requirements - Groundwater Replenishment Projects

3. As shown in Chapter 4 of the Basin Plan as amended by the N/TDS Amendment, two sets of TDS and nitrate-nitrogen objectives have been adopted for certain groundwater management zones (Chino North, Cucamonga, Yucaipa, San Timoteo and Beaumont Groundwater Management Zones (GMZ)): the “maximum benefit” objectives and more stringent objectives based on historic ambient quality (the “antidegradation” objectives). The application of the “maximum benefit” objectives for these Management Zones is contingent on the implementation of commitments by identified responsible parties to implement specific water and wastewater resources management programs. These parties include the Chino Basin Watermaster and Inland Empire Utilities Agency (Chino North, Cucamonga GMZs), the City of Beaumont and the San Timoteo Watershed Management Authority (San Timoteo and Beaumont GMZs) and the Yucaipa Valley Water District (Yucaipa and San Timoteo GMZs). The maximum benefit commitments of these agencies are delineated in Chapter 5 of the Basin Plan, as amended by the N/TDS Amendment and include compliance dates for the implementation of specific activities. These programs are part of a coordinated effort by the agencies to develop and implement projects that will assure reliable water supplies to meet rapidly increasing demands in this area.
4. This Order implements relevant portions of the N/TDS Amendment by specifying effluent limitations and other requirements based on the nitrate-nitrogen and TDS objectives for the groundwater management zones. Where both “maximum benefit” and “antidegradation” objectives apply, effluent limitations and other requirements based on both sets of objectives are specified. Provided that the maximum benefit commitments shown in the N/TDS Amendment are satisfied, then the requirements of the Order that address the “maximum benefit” objectives apply. If the Regional Board finds that the maximum benefit commitments are not being met, then the requirements of the Order that address the “antidegradation” TDS and nitrate-nitrogen objectives for these GMZ apply.
5. Entity(ies)/individual(s) proposing to recharge State Project water, Colorado River water or other imported water, including well water, into groundwater management zones within the Santa Ana Region are hereinafter referred to as “discharger” and are subject to the terms and conditions of this Order.
6. The existing and potential beneficial uses of underlying groundwater basins in the Santa Ana Region include:
 - a. Municipal and domestic supply,
 - b. Agricultural supply,
 - c. Industrial service supply, and
 - d. Industrial process supply.
7. The requirements contained in this Order are necessary to implement the Basin Plan.

8. Dischargers seeking coverage under these General WDRs must file with the Regional Board: (a) a Notice of Intent (NOI) to comply with the terms and conditions of these General WDRs or a Report of waste discharge (ROWD); (b) the applicable first annual fee as required by Title 23, CCR, Section 2200; (c) a project map; (d) evidence of California Environmental Quality Act (CEQA) compliance; and (e) a proposed monitoring plan. Upon review by Regional Board staff, a determination will be made as to whether or not coverage under these General WDRs is appropriate. A letter from the Regional Board Executive Officer will notify the Discharger when coverage under these General WDRs is authorized and will include project-specific monitoring and reporting requirements. If necessary, individual requirements will be developed to address projects that cannot be authorized under these General WDRs.
9. A Negative Declaration in compliance with CEQA has been adopted for these General WDRs. The environmental impacts from new discharges authorized by these General WDRs have been found to be less than significant.
10. The Regional Board has notified interested agencies and persons of its intent to prescribe general waste discharge requirements for groundwater cleanup discharges resulting from the cleanup of groundwater, and has provided them with an opportunity to submit their written views and recommendations.
11. The Regional Board, in a public hearing, heard and considered all comments pertaining to the general waste discharge requirements for discharges of treated groundwater resulting from groundwater cleanup projects.

IT IS HEREBY ORDERED that the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder shall comply with the following:

A. DISCHARGE SPECIFICATIONS

1. The discharge of wastes containing constituent concentrations in excess of the following limits is prohibited:

Constituent	12-Month Average Concentration Limit ¹
Total Dissolved Solids (TDS)	TDS Water Quality Objective as shown in the Attachment "A" corresponding to the affected Groundwater Management Zone

¹ 12-Month average concentration limit means the highest allowable average of monthly discharges over the last twelve months, calculated as the sum of all monthly discharges measured during last twelve months divided by the number of monthly discharges measured during that time period.

Constituent	12-Month Average Concentration Limit ¹
Total Inorganic Nitrogen (TIN)	TIN Water Quality Objective as shown in the Attachment "A" corresponding to the affected Groundwater Management Zone

2. The pH of the discharge shall be within the range of 6 to 9 pH units.
3. The discharge of treated water through injection wells/percolation trenches shall not cause degradation of the receiving groundwater.

B. PROHIBITIONS

1. The discharge of waste that may affect the beneficial uses of the groundwater is prohibited.
2. The discharge of wastes to property not owned or controlled by the discharger is prohibited.
3. The discharge of any substances in concentrations toxic to human, animal, plant or aquatic life is prohibited.

C. PROVISIONS

1. Neither the treatment nor the discharge of waste shall create, or threaten to create, a nuisance or pollution as defined by Section 13050 of the California Water Code.
2. For projects that would affect groundwater management zones with established TDS and nitrate-nitrogen objectives based on both "maximum benefit" and "antidegradation", the Discharger shall obtain confirmation from the agency (-ies) responsible for implementing relevant maximum benefit commitments², as specified in Tables 5-8a, 5-9a and 5-10a of the Basin Plan, that their proposed project is consistent with the agency's maximum benefit program. This confirmation shall be submitted as part of the NOI or ROWD. Absent this confirmation, the Discharger is required to comply with the TDS and nitrate-nitrogen limitations of this Order that are based on the antidegradation objectives.
3. The Executive Officer shall determine whether the proposed discharge is eligible for coverage under these general waste discharge requirements, after which, the Executive Officer may;

² Includes the following agencies: Chino Basin Watermaster/Inland Empire Utilities Agency, the Yucaipa Valley Water District and the City of Beaumont/San Timoteo Watershed Management Authority

- a. Authorize the proposed discharge by transmitting a "Discharge Authorization Letter" to the discharge proponent (now an "authorized discharger") authorizing the initiation of the discharge under the conditions of this Order and any other conditions consistent with this Order that are necessary to protect the beneficial uses of the receiving waters; or,
 - b. Require the discharge proponent to obtain individual waste discharge requirements prior to any discharge to waters of the State within the Santa Ana Region.
4. The discharge authorization letter from the Executive Officer shall specify any conditions necessary to protect the beneficial uses of the receiving waters and shall specify the Self-Monitoring Program for the proposed discharge in accordance with this Order. The discharge authorization letter may be terminated or revised by the Executive Officer at any time.
 5. The discharger shall comply with all requirements of this Order and the terms, conditions and limitations of the discharge authorization letter.
 6. The discharger shall comply with the monitoring and reporting program R8-2006-0005 issued by the Executive Officer. Revision of this monitoring and reporting program by the Executive Officer may be necessary to confirm that the discharger is in compliance with the requirements and provisions contained in this Order. Revisions may be made by the Executive Officer at any time during the term of this Order, and may include a reduction or an increase in the number of constituents to be monitored, the frequency of monitoring or the number and size of samples collected.
 7. Compliance with the 12-month average limit specified under Discharge Specifications A.1. shall be determined by the arithmetic mean of the last twelve monthly averages.
 8. Compliance with the effluent limitations shall be based on the practical quantitation levels (PQL) specified in Attachment "A" of M&RP No. R8-2006-0005 or on the lower detection limits achieved by the discharger. The discharge shall be considered to be in compliance with an effluent limitation that is less than or equal to the PQL specified in Attachment "A" of M&RP No. R8-2006-0005 if the arithmetic mean of all test results for the monitoring period is less than the constituent effluent limitation. Analytical results that are less than the specified PQL shall be assigned a value of zero.
 9. Compliance determinations shall be based on available analyses for the time interval associated with the effluent limitation. Where only one sample analysis is available in a specified time interval (e.g., weekly, monthly, quarterly), that sample shall serve to characterize the discharge for the entire interval.
 10. Compliance based on a single sample analysis shall be determined where appropriate, as described below:

- a. When the effluent limitation is greater than or equal to the PQL, compliance shall be determined based on the effluent limitation in either single or multiple sample analyses.
 - b. When the effluent limitation is less than the PQL, compliance determinations based on analysis of a single sample shall only be undertaken if the concentration of the constituent of concern in the sample is greater than or equal to the PQL.
11. The discharger must comply with all of the requirements of this Order. Any violation of this Order constitutes a violation of the California Water Code and is grounds for enforcement action, termination of this Order, revocation and reissuance of this Order, denial of an application for reissuance of this Order, or a combination thereof.
 12. The discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
 13. The discharger shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any requirements specified in this Order, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
 14. The discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.
 15. The discharger shall notify the Regional Board in advance of any planned physical alterations or additions to the permitted facility or changes in operation including any material change or proposed change in the character, location or volume of the discharge or activity that may result in noncompliance with these waste discharge requirements.
 16. The discharger shall permit Board staff:
 - a. Entry upon premises in which an effluent source is located, or in which any required records are kept;
 - b. Access to copy any records required to be kept under the terms and conditions of this Order;
 - c. Inspection of monitoring equipment records; and
 - d. To sample any discharge.

17. The discharger shall report any discharge of waste that may endanger health or the environment. Any information shall be provided to the Executive Officer (909-782-4130) and the Office of Emergency Services (800-852-7550), if appropriate, as soon as the discharger becomes aware of the circumstances. A written report shall be submitted within five (5) days and shall contain a description of the discharge and its cause, the period of discharge, including exact dates and times and, if the discharge has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the discharge.
18. The California Water Code provides that any person who violates a waste discharge requirement or a provision of the California Water Code is subject to civil penalties of up to \$5,000 per day, \$10,000 per day, or \$25,000 per day of violation, or when the violation involves the discharge of pollutants, is subject to civil penalties of up to \$10 per gallon per day, or \$20 per gallon per day of violation; or some combination thereof, depending on the violation, or upon the combination of violations.

D. REQUIRED REPORTS AND NOTICES

1. The discharger shall give advance notice to the Regional Board of any planned changes in the permitted facility or activity that may result in noncompliance with these waste discharge requirements.
2. In the event of any change in control or ownership of land or waste discharge facilities currently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of their authorization to discharge wastewater under this general permit by letter, a copy of which together with the signed agreement between previous owner and the new owner accepting responsibility and liability for complying with this general permit shall be forwarded to the Executive Officer.
3. Upon completion of the project, the discharger shall notify the Executive Officer of the Regional Board in writing about cessation of the discharge and shall request for termination of coverage under this general permit.

E. APPLICATION REQUIREMENTS

1. At least 60 days before the intended start of a new discharge or individual permit expiration, the discharger shall submit an application for coverage under this Order. The authorization letter from the Executive Officer is required prior to commencement of the discharge. The application shall consist of the following information:
 - a. Notice of Intent to be covered under this general permit.

- b. A report that shall include the following:
- 1) Characterization of the proposed wastewater discharge. A representative water sample shall be analyzed for all 126-priority pollutants³ listed in Attachment B of the M&RP, TDS and nitrate-nitrogen.
 - 2) The name and location where groundwater recharge is planned;
 - 3) The groundwater management zone(s) that would be affected by the discharge;
 - 4) The estimated average and maximum daily flow rates;
 - 5) The frequency and duration of the discharge;
 - 6) A description of the proposed treatment system (if appropriate); and
 - 7) A map showing locations and sizes of recharge basins or aquifer storage/recovery wells.
 - 8) For discharges that would affect groundwater management zones with both maximum benefit and antidegradation TDS and nitrate-nitrogen objectives, confirmation from the agency/-ies responsible for maximum benefit commitments (see Provisions C.2.) that the discharge is consistent with the maximum benefit program.
- c. Any other information deemed necessary by the Executive Officer.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on May 19, 2006.

Gerard J. Thibeault
Executive Officer

³ Test methods shall be in accordance with 40 CFR 136. For testing organic volatile compounds use EPA Method 8260 and report entire suite of detected constituents. The method detection limit and detection level attained shall also be reported with the test results.

General Groundwater Recharge Waste Discharge Requirements

Groundwater Management Zones	Water Quality Objective (mg/L)		
	TDS	TIN Limit for ReInjection Projects	TIN Limit for Recharge/ Percolation Projects
Big Bear Valley*	220	5.0	6.67
Beaumont "maximum benefit"++	290	5.0	3.47
Beaumont "antidegradation" ++	230	1.5	2.00
Bunker Hill – A	310	2.7	3.60
Bunker Hill – B	260	7.3	7.33
Colton	410	2.7	3.60
Chino – North "maximum benefit" ++	300	5.0	6.67
Chino 1 – "antidegradation" ++	280	5.0	6.67
Chino 2 – "antidegradation" ++	250	2.9	3.87
Chino 3 – "antidegradation" ++	260	3.5	4.67
Chino – East @	730	10.0	5.60
Chino – South @	680	4.2	13.33
Cucamonga "maximum benefit" ++	260	5.0	5.87
Cucamonga "antidegradation" ++	210	2.4	3.20
Lytle	240	1.5	2.00
Rialto	230	2.0	2.67
San Timoteo "maximum benefit" ++	300	5.0	3.87
San Timoteo "antidegradation" ++	300	2.7	3.60
Yucaipa "maximum benefit" ++	330	5.0	6.67
Yucaipa "antidegradation" ++	320	4.2	5.60
Arlington	980	10	13.33
Bedford **	--	--	--
Coldwater	380	1.5	2.00
Elsinore	480	1.0	1.33
Lee Lake**	--	--	--
Riverside – A	440	6.2	5.87

General Groundwater Recharge Waste Discharge Requirements

Groundwater Management Zones	Water Quality Objective (mg/L)		
	TDS	TIN Limit for ReInjection Projects	TIN Limit for Recharge/ Percolation Projects
Riverside – B	290	7.6	10.13
Riverside – C	680	8.3	11.07
Riverside – D	810	10.0	13.33
Riverside – E	720	10.0	13.33
Riverside – F	580	9.5	12.67
Temescal	770	10.0	13.33
Warm Springs**	-	-	-
SAN JACINTO RIVER BASIN			
Garner Valley*	300	2.0	2.66
Idyllwild Area**	--	--	--
Canyon	220	2.5	2.13
Hemet - South	730	4.1	5.47
Lakeview – Hemet North	520	1.8	2.40
Menifee	1020	2.8	3.73
Perris North	570	5.2	6.27
Perris South	1260	2.5	3.33
San Jacinto – Lower	520	1.0	1.33
San Jacinto – Upper	320	1.4	1.87
LOWER SANTA ANA RIVER BASIN			
La Habra**	--	--	--
Santiago **	--	--	--
Orange	580	3.4	4.53
Irvine	910	5.9	7.87

++ "Maximum benefit" objectives apply unless Regional Board determines that the maximum benefit commitments shown in Tables 5-8a, 5-9a and 5-10a are not being met; in that case, "antidegradation" objectives would apply (see discussion in Chapter 5 of the Basin Plan).

** Numeric objectives not established; narrative objectives apply

California Regional Water Quality Control Board
Santa Ana Region

Monitoring and Reporting Program No. R8-2006-0005

GENERAL WASTE DISCHARGE REQUIREMENTS FOR THE
INJECTION/PERCOLATION OF IMPORTED STATE PROJECT WATER, COLORADO
RIVER WATER OR IMPORTED WELL WATER TO RECHARGE GROUNDWATER
MANAGEMENT ZONES WITHIN THE SANTA ANA REGION

A. MONITORING REQUIREMENTS

1. All chemical and bacteriological analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be submitted with the annual summary report.
2. All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association).
3. All analytical data shall be reported with method detection limits (MDLs)¹, and with identification of either minimum level (ML)² practical quantitation levels (PQLs)³ or limits of quantitation (LOQs).
4. Laboratory data must quantify each constituent down to the Practical Quantitation Levels specified in Attachment "A" or to "Detection Limits for purposes of Reporting (DLRs)" by the California Department of Health Services. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable. All QA/QC analyses must be run on the same dates when samples were actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff. Proper chain of custody procedures must be followed and a copy of that documentation shall be furnished upon request by Regional Board staff.

¹ MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999

² Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed

³ PQL is the lowest concentration of a substance that can be determined within ± 20 percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL) x 5 for carcinogens and MDL x 10 for noncarcinogens

5. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
6. The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.
7. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Influent samples shall be taken at each point of inflow to the treatment system and shall be representative of the influent to the treatment system. Effluent samples shall be taken downstream of the last addition of waste to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters.
8. Whenever the discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.
9. The discharger may request a reduction in the constituents to be monitored and/or a reduction in monitoring frequency for a specific constituent(s) subject to the approval of the Executive Officer.
10. The discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Board at any time. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling, and/or measurements;
 - c. The date(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used;
 - f. All sampling and analytical results;
 - g. All monitoring equipment calibration and maintenance records;
 - h. All original strip charts from continuous monitoring devices;
 - i. All data used to complete the application for this Order; and,
 - j. Copies of all reports required by this Order.
11. Unless otherwise specified, discharge flows shall be reported in terms of daily average discharge flows. The results of all monitoring required by this Order shall be reported to the Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order.

12. The discharger shall deliver a copy of each monitoring report in the appropriate format to:

California Regional Water Quality Control Board
 Santa Ana Region
 3737 Main Street, Suite 500
 Riverside, CA 92501-3348

13. A “grab” sample is defined as any individual sample collected in less than 15 minutes.
14. Daily samples shall be collected on each day of the week.
15. Weekly samples shall be collected on a representative day of each week.
16. Monthly samples shall be collected on a representative day of the month.
17. Annual samples shall be collected by the 10th working day of the following months:

Year	Annual Sampling Month
2006-2010	June, September, December, March, respectively
2011-2014	February, May, August, November, respectively
2015-2018	April, July, October, January, respectively

B. MONITORING OF STATE PROJECT WATER/COLORADO RIVER WATER/OTHER IMPORTED WATER FOR RECHARGE

1. A sampling station shall be established for each point of recharge and shall be located where representative samples of the water for recharge can be obtained. The following shall constitute the recharge water monitoring program:

<u>Chemical</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Sampling and Analysis</u>
Total Water Flow	Mgd	Flow meter/totalizer	Continuous
Total Nitrogen ⁴	mg/L	Grab ⁵	Quarterly

⁴ Total Nitrogen is defined as the sum of nitrate, nitrite, ammonia, and organic nitrogen concentrations, expressed as nitrogen

⁵ Grab sample is an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks.

Table I			
<u>Chemical</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Sampling and Analysis</u>
Nitrate Nitrogen	mg/L	Grab ⁶	Quarterly
Total Inorganic Nitrogen	"	"	"
Total Organic Carbon	"	"	"
Total Dissolved Solids	"	"	"
1-4 Dioxane	µg/L	"	"
Total Trihalomethanes (TTHM) ⁷	"	"	"
N-Nitrosodimethylamine (NDMA)	"	"	"
Methyl-tert-butyl ether (MTBE)	"	"	"
Perchlorate	"	"	"
<u>Inorganic Chemical</u>			
Aluminum	µg/L	Grab	Annually
Antimony	"	"	"
Arsenic	"	"	"
Asbestos	MFL	"	"
Barium	µg/L	Grab	"
Beryllium	"	"	"
Cadmium	"	"	"
Chromium	"	"	"
Cyanide	"	"	"
Fluoride	"	"	"
Mercury	"	"	"
Nickel	"	"	"
Selenium	"	"	"
Thallium	µg/L	Grab	"
<u>Volatile Organic Chemicals (VOC)</u>			
Benzene	µg/L	Grab	Annually
Carbon Tetrachloride	"	"	"
1,2-Dichlorobenzene	"	"	"
1,4-Dichlorobenzene	"	"	"
1,1-Dichloroethane	"	"	"
1,2-Dichloroethane	"	"	"
1,1-Dichloroethylene	µg/L	Grab	Annually
Cis-1,2-Dichloroethylene	"	"	"
trans-1,2-Dichloroethylene	"	"	"
Dichloromethane	"	"	"
1,2-Dichloropropane	"	"	"
1,3-Dichloropropene	"	"	"

⁶ Grab sample is an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks.

⁷ Sum of bromodichloromethane, dibromochloromethane, bromoform, and chloroform.

Table 1			
<u>Chemical</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Sampling and Analysis</u>
Ethylbenzene	"	"	"
Monochlorobenzene	"	"	"
Styrene	"	"	"
1,1,2,2-Tetrachloroethane	"	"	"
Tetrachloroethylene	"	"	"
Toluene	"	"	"
1,2,4-Trichlorobenzene	"	"	"
1,1,1Trichloroethane	"	"	"
1,1,2-Trichloroethane	"	"	"
Trichloroethylene	"	"	"
Trichlorofluoromethane	"	"	"
1,1,2-Trichloro-1,2,2-Trifluoroethane	"	"	"
Vinyl Chloride	"	"	"
Xylenes ⁸	"	Grab	Annually
<u>Non-Volatile Synthetic Organic Chemicals (SOCs)</u>			
Alachlor	µg/L	Grab	Annually
Atrazine	"	"	"
Bentazon	"	"	"
Benzo(a)pyrene	"	"	"
Carbofuran	"	"	"
Chlordane	"	"	"
2,4-D	"	"	"
Dalapon	"	"	"
Dibromochloropropane (DBCP)	"	"	"
Di(2-ethylhexyl)adipate	"	"	"
Di(2-ethylhexyl)phthalate	"	"	"
Dinoseb	"	"	"
Diquat	"	"	"
Endothall	"	"	"
Endrin	"	"	"
Ethylene Dibromide (EDB)	"	"	"
Glyphosate	"	"	"
Heptachlor	"	"	"
Heptachlor Epoxide	"	"	"
Hexachlorobenzene	µg/L	Grab	Annually
Hexachlorocyclopentadiene	"	"	"
Lindane	"	"	"
Methoxychlor	"	"	"
Molinate	"	"	"
Oxamyl	"	"	"

⁸ Limit is for either a single isomer or the sum of the isomers

Table I			
<u>Chemical</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Sampling and Analysis</u>
Pentachlorophenol	"	"	"
Picloram	"	"	"
Polychlorinated Biphenyls	"	"	"
Simazine	"	"	"
Thiobencarb	"	"	"
Toxaphene	"	"	"
2,3,7,8-TCDD (Dioxin)	"	"	"
2,4,5-TP (Silvex)	"	"	"
<u>Disinfection By-products</u>			
	<i>µg/L</i>	Grab	Annually
Total Haloacetic acids (five) (HAA5) ⁹	"	"	"
Bromate	"	"	"
Chlorite	"	"	"
<u>Notification Levels</u>			
Copper	<i>µg/L</i>	Grab	Annually
Lead	"	"	"
<u>Radionuclides</u>			
Combined Radium-226 and Radium-228	<i>pCi/l</i>	Grab	Annually
Gross Alpha particle activity (including Radium-226 but excluding Radon and Uranium)	<i>pCi/l</i>	Grab	"
Tritium	"	"	"
Strontium-90	"	"	"
Gross Beta particle activity	"	"	"
Uranium	<i>pCi/l</i>	Grab	"

⁹ Sum of monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid),

2. The monitoring frequency for those pollutants that are detected during the required quarterly monitoring at a concentration greater than those concentrations shown in the Table below, shall be accelerated to monthly. To return to the monitoring frequency specified, the discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee. If the detected concentrations are persistent and considerable, the Discharger shall implement measures to reduce discharges of such constituent(s) into the ground. The Discharger shall submit for approval by the Regional Board Executive Officer of the measures that will be implemented to reduce discharges of such constituents.

Parameter	Concentration (ug/L)
1-4 Dioxane	3 ¹⁰
Total Trihalomethanes (THM)	100 ³
N-Nitrosodimethylamine (NDMA)	0.01 ¹¹
Methyl-tert-butyl ether (MTBE)	13 ⁴
Perchlorate	6 ⁴

C. MONITORING OF DIVERTED STORMWATER FOR RECHARGE:

1. A sampling station shall be established for each point of recharge and shall be located where representative samples of the water for recharge can be obtained. The following shall constitute the recharge water monitoring program:

<u>Chemical</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Sampling and Analysis</u>
Total Water Flow	mgd	Flow meter/totalizer	Continuous
Total Nitrogen ¹²	mg/L	Grab ¹³	Quarterly
Nitrate Nitrogen	"	"	"
Total Inorganic Nitrogen	"	"	"
Total Organic Carbon	"	"	"
Total Dissolved Solids	"	"	"
1-4 Dioxane	µg/L	"	"
Total Trihalomethanes (TTHM) ¹⁴	"	"	"
N-Nitrosodimethylamine (NDMA)	"	"	"

¹⁰ Based on CDHS' notification Level

¹¹ Based on CDHS' MCL

¹² Total Nitrogen is defined as the sum of nitrate, nitrite, ammonia, and organic nitrogen concentrations, expressed as nitrogen

¹³ Grab sample is an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks

¹⁴ Sum of bromodichloromethane, dibromochloromethane, bromoform, and chloroform

Table II			
<u>Chemical</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Sampling and Analysis</u>
Methyl-tert-butyl ether (MTBE)	$\mu\text{g/L}$	Grab ¹³	Quarterly
Perchlorate	“	“	“

D. REPORTING:

1. The results of the above analyses shall be reported to the Regional Board within 24 hours of finding any discharge that is in violation of the discharge specifications.
2. Monitoring reports shall be submitted by the 30th day of each month and shall include:
 - a. The total daily volume of recharged/percolated or re-injected water (State Project water, Colorado River Water, imported well water, and diverted stormwater), and
 - b. The results of all chemical analyses for the previous month, and annual samples whenever applicable,
 - c. A summary of the month's activities.
3. If no discharge occurs during the previous monitoring period, a letter to that effect shall be submitted in lieu of a monitoring report.
4. All reports shall be arranged in a tabular format to clearly show compliance or noncompliance with each discharge specification.
5. For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.
6. Upon completion of the project, the discharger shall notify the Executive Officer of the Regional Board in writing about cessation of the discharge and request for a rescission of this Order.

All reports shall be signed by a responsible officer or duly authorized representative of the discharger and shall be submitted under penalty of perjury.

Ordered by _____

Gerard J. Thibeault
 Executive Officer

May 19, 2006

PRACTICAL QUANTITATION LEVELS FOR COMPLIANCE DETERMINATION		
Constituent	PQL µg/l	Analysis Method
1 Arsenic	7.5	GF/AA
2 Barium	20.0	ICP/GFAA
3 Cadmium	15.0	ICP
4 Chromium (VI)	15.0	ICP
5 Cobalt	10.0	GF/AA
6 Copper	19.0	GF/ICP
7 Cyanide	50.0	335.2/335.3
8 Iron	100.0	ICP
9 Lead	26.0	GF/AA
10 Manganese	20.0	ICP
11 Mercury	0.50	CV/AA
12 Nickel	50.0	ICP
13 Selenium	2.0	EPA Method 1638, 1640 or 7742
14 Silver	16.0	ICP
15 Zinc	20.0	ICP
16 1,2 - Dichlorobenzene	5.0	601/602/624
17 1,3 - Dichlorobenzene	5.0	601
18 1,4 - Dichlorobenzene	5.0	601
18 2,4 - Dichlorophenol	10.0	604/625
20 4 - Chloro -3- methylphenol	10.0	604/625
21 Aldrin	0.04	608
22 Benzene	1.0	602/624
23 Chlordane	0.30	608
24 Chloroform	5.0	601/624
25 DDT	0.10	608
26 Dichloromethane	5.0	601/624
27 Dieldrin	0.10	608
28 Fluorantene	10.0	610/625
29 Endosulfan	0.50	608
30 Endrin	0.10	608
31 Halomethanes	5.0	601/624
32 Heptachlor	0.03	608
33 Heptachlor Epoxide	0.05	608
34 Hexachlorobenzene	10.0	625
35 Hexachlorocyclohexane		
Alpha	0.03	608
Beta	0.03	608
Gamma	0.03	608
36 PAH's	10.0	610/625
37 PCB	1.0	608
38 Pentachlorophenol	10.0	604/625
39 Phenol	10.0	604/625
40 TCDD Equivalent	0.05	8280
41 Toluene	1.0	602/625
42 Toxaphene	2.0	608
43 Tributyltin	0.02	GC
44 2,4,6-Trichlorophenol	10.0	604/625

EPA PRIORITY POLLUTANT LIST		
Metals	Acid Extractibles	Base/Neutral Extractibles (continuation)
1. Antimony	45. 2-Chlorophenol	91. Hexachloroethane
2. Arsenic	46. 2,4-Dichlorophenol	92. Indeno (1,2,3-cd) Pyrene
3. Beryllium	47. 2,4-Dimethylphenol	93. Isophorone
4. Cadmium	48. 2-Methyl-4,6-Dinitrophenol	94. Naphthalene
5a. Chromium (III)	49. 2,4-Dinitrophenol	95. Nitrobenzene
5b. Chromium (VI)	50. 2-Nitrophenol	96. N-Nitrosodimethylamine
6. Copper	51. 4-Nitrophenol	97. N-Nitrosodi-N-Propylamine
7. Lead	52. 3-Methyl-4-Chlorophenol	98. N-Nitrosodiphenylamine
8. Mercury	53. Pentachlorophenol	99. Phenanthrene
9. Nickel	54. Phenol	100. Pyrene
10. Selenium	55. 2, 4, 6 - Trichlorophenol	101. 1,2,4-Trichlorobenzene
11. Silver	Base/Neutral Extractibles	Pesticides
12. Thallium	56. Acenaphthene	102. Aldrin
13. Zinc	57. Acenaphthylene	103. Alpha BHC
Miscellaneous	58. Anthracene	104. Beta BHC
14. Cyanide	59. Benzidine	105. Delta BHC
15. Asbestos (not required unless requested)	60. Benzo (a) Anthracene	106. Gamma BHC
16. 2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD)	61. Benzo (a) Pyrene	107. Chlordane
Volatile Organics	62. Benzo (b) Fluoranthene	108. 4, 4' - DDT
17. Acrolein	63. Benzo (g,h,i) Perylene	109. 4, 4' - DDE
18. Acrylonitrile	64. Benzo (k) Fluoranthene	110. 4, 4' - DDD
19. Benzene	65. Bis (2-Chloroethoxy) Methane	111. Dieldrin
20. Bromoform	66. Bis (2-Chloroethyl) Ether	112. Alpha Endosulfan
21. Carbon Tetrachloride	67. Bis (2-Chloroisopropyl) Ether	113. Beta Endosulfan
22. Chlorobenzene	68. Bis (2-Ethylhexyl) Phthalate	114. Endosulfan Sulfate
23. Chlorodibromomethane	69. 4-Bromophenyl Phenyl Ether	115. Endrin
24. Chloroethane	70. Butylbenzyl Phthalate	116. Endrin Aldehyde
25. 2-Chloroethyl Vinyl Ether	71. 2-Chloronaphthalene	117. Heptachlor
26. Chloroform	72. 4-Chlorophenyl Phenyl Ether	118. Heptachlor Epoxide
27. Dichlorobromomethane	73. Chrysene	119. PCB 1016
28. 1,1-Dichloroethane	74. Dibenzo (a,h) Anthracene	120. PCB 1221
29. 1,2-Dichloroethane	75. 1,2-Dichlorobenzene	121. PCB 1232
30. 1,1-Dichloroethylene	76. 1,3-Dichlorobenzene	122. PCB 1242
31. 1,2-Dichloropropane	77. 1,4-Dichlorobenzene	123. PCB 1248
32. 1,3-Dichloropropylene	78. 3,3'-Dichlorobenzidine	124. PCB 1254
33. Ethylbenzene	79. Diethyl Phthalate	125. PCB 1260
34. Methyl Bromide	80. Dimethyl Phthalate	126. Toxaphene
35. Methyl Chloride	81. Di-n-Butyl Phthalate	
36. Methylene Chloride	82. 2,4-Dinitrotoluene	
37. 1,1,2,2-Tetrachloroethane	83. 2-6-Dinitrotoluene	
38. Tetrachloroethylene	84. Di-n-Octyl Phthalate	
39. Toluene	85. 1,2-Diperylhidrazine	
40. 1,2-Trans-Dichloroethylene	86. Fluoranthene	
41. 1,1,1-Trichloroethane	87. Fluorene	
42. 1,1,2-Trichloroethane	88. Hexachlorobenzene	
43. Trichloroethylene	89. Hexachlorobutadiene	
44. Vinyl Chloride	90. Hexachlorocyclopentadiene	

California Regional Water Quality Control Board
Santa Ana Region

NOTICE OF INTENT

TO COMPLY WITH THE TERMS AND CONDITIONS OF THE GENERAL PERMIT TO REINJECT/PERCOLATE IMPORTED STATE PROJECT WATER, COLORADO RIVER WATER OR IMPORTED WELL WATER TO RECHARGE GROUNDWATER MANAGEMENT ZONES WITHIN THE SANTA ANA REGION
(Order No. R8-2006-0005)

I. PERMITTEE (*Person/Agency Responsible for the Discharge*)

Agency/Company Name: _____

Address: _____
Street City State ZIP

Contact Person: _____ Phone: (____) _____

II. PROJECT DESCRIPTION

Section E. Application Requirements of Order No. 2006-0005 requires that the following information be submitted with the NOI:

- 1) Characterization of the proposed wastewater discharge. A representative water sample shall be analyzed for all 126-priority pollutants¹ listed in Attachment B of the M&RP, TDS and nitrate-nitrogen
- 2) The name and location where groundwater recharge is planned;
- 3) The groundwater management zone(s) that would be affected by the discharge;
- 4) The estimated average and maximum daily flow rates;
- 5) The frequency and duration of the discharge;
- 6) A description of the proposed treatment system (if appropriate); and
- 7) A map showing locations and sizes of recharge basins or aquifer storage/recovery wells.
- 8) For discharges that would affect groundwater management zones with both maximum benefit and antidegradation TDS and nitrate-nitrogen objectives, confirmation from the agency/-ies responsible for maximum benefit commitments (see Provisions C.2.) that the discharge is consistent with the maximum benefit program.

Has a report that contains this required information been submitted as part of this NOI (check the answer that applies):

Yes _____; No _____.

III. BILLING INFORMATION (*Where annual fee invoices should be sent*)

Agency/Company Name: _____

Address: _____
Street City State ZIP

Contact Person: _____ Phone: (____) _____

IV. INDICATE EXISTING PERMIT NUMBER: (*if applicable*)

a. Individual permit Order No. _____

V. CERTIFICATION:

I certify under penalty of law that I am an authorized representative of the permittee and that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the permittee will comply with the terms and conditions stipulated in Order No. R8-2006-0005 including the monitoring and reporting program issued by the Executive Officer of the Regional Board.

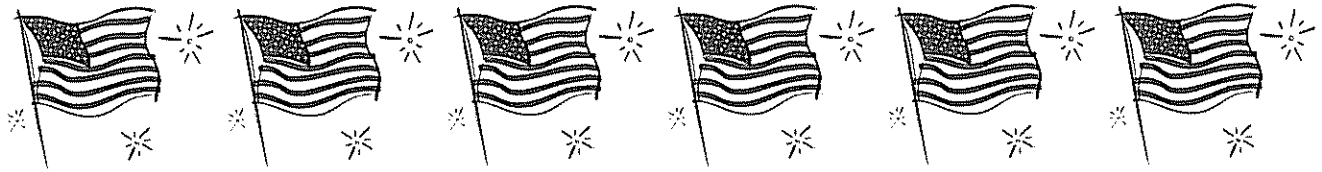
Name and Official Title: _____
(type or print)

Signature: _____ Date: _____

Remarks: *If changes to facility ownership and/or treatment processes were made after the issuance of the existing permit, please provide a description of such changes on another sheet and submit it with this Notice of Intent*

¹ *Test methods shall be in accordance with 40 CFR 136. For testing organic volatile compounds use EPA Method 8260 and report entire suite of detected constituents. The method detection limit and detection level attained shall also be reported with the test results.*

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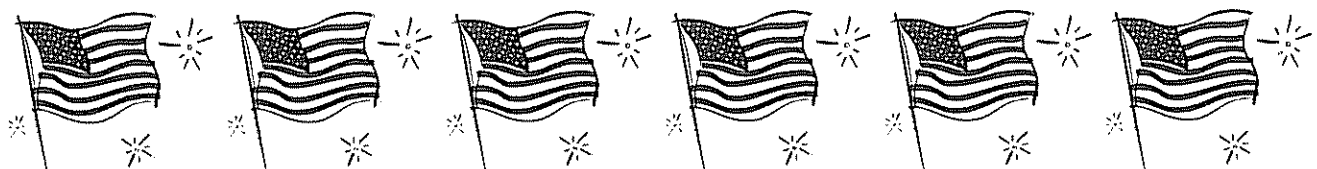


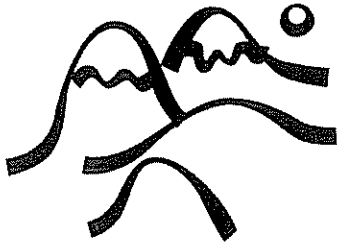
CHINO BASIN WATERMASTER

III. REPORTS/UPDATES

C. CEO/STAFF REPORT

6. Inland Empire Public Affairs Network





Inland Empire Public Affairs Network

May , 2006

Dear Friends:

The Inland Empire has become an area exploding with growth and development. To help keep professionals and elected officials apprised of the many public policy issues regionally and throughout the state, we are creating a Public Affairs network. We have joined forces with the San Gabriel Valley Public Affairs Network in forming our own Inland Empire chapter.

Our goal will be to meet quarterly and bring speakers to address some of the key concerns of this region and to discuss issues important to all of us. The inaugural lunch will be held on **Friday, June 2, 2006 at 11:45 a.m. at the Double Tree Hotel in Ontario. Fred Aguiar, Cabinet Secretary to Governor Arnold Schwarzenegger will be our keynote speaker.**

In order for this event to be successful, we are seeking sponsorship support. Support levels are as follows:

PLATINUM LEVEL - \$500 Sponsorship

- Lunch for 8. Includes recognition in program and recognition at event.
- 4 PAN Memberships
- two VIP tickets to private reception later in the year

GOLD LEVEL - \$250 Sponsorship

- Lunch for 4. Includes recognition in program.
- 2 PAN Memberships
- one VIP ticket to private reception later in the year

In addition, our other goal for this event is to raise funds for youth education. We have partnered with Future America, an organization that works with students. We also hope to partner with local school districts in attending these luncheons as part of an ongoing education program in public policy. This opportunity will allow students to learn more about the legislative and public policy process and gives them a first-hand opportunity to meet with local elected officials and community leaders.

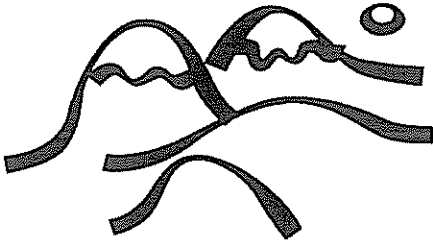
Please feel free to contact Sondra Elrod should you have any questions or need additional information. She can be reached at 909-993-1747.

Sincerely yours,

Co-Chairman

Co-Chairman

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Inland Empire Public Affairs Network

Platinum Level Sponsor \$500

- Lunch for 8
- Recognition in program
- Recognition at event
- 4 PAN memberships
- 2 VIP tickets to private reception to be held later in the year

Gold Level Sponsor \$250

- Lunch for 4
- Recognition in program
- 2 PAN memberships
- 1 VIP ticket to private reception to be held later in the year

Please join the Inland Empire Public Affairs Network (PAN)

for their Inaugural Luncheon

Presentation by

Fred Aguiar

Cabinet Secretary to Governor Arnold Schwarzenegger

Governor Schwarzenegger appointed Fred Aguiar as his Cabinet Secretary in early 2006. As Cabinet Secretary, Aguiar is the direct liaison between the Governor and his Cabinet members and all Executive Branch agency and department directors. The Cabinet Office is responsible for developing, coordinating and implementing public policy strategy for the Administration. Additionally, the Cabinet Secretary directs the Governor's Washington D.C. Office coordinating California's interests at the national level.

Friday, June 2, 2006

11:30 a.m. Registration

Noon Lunch

DoubleTree Hotel Ontario Airport

Lake Gregory Room

222 North Vineyard

Ontario, California 91764

Please RSVP by May 24th to

Sherri Lynne Molino

909-484-3888 x 228

Email: smolino@cbwm.org

Please make checks payable to:

Future America c/o IEPAN

8816 Foothill Blvd., Suite 103

P.O. Box 156

Rancho Cucamonga, CA 91730

Name _____

Address _____

Phone _____

Registration:

Price

Platinum Level Sponsorship \$500.00

Gold Level Sponsorship \$250.00

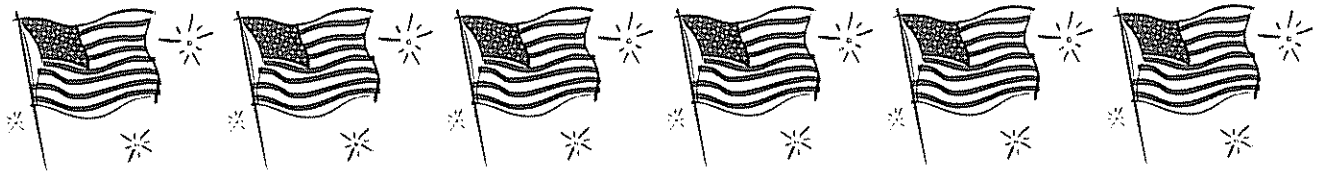
PAN member rate* \$40.00

Subtotal: _____

Total: _____

*For this inaugural event, all attendees will receive the member rate!!

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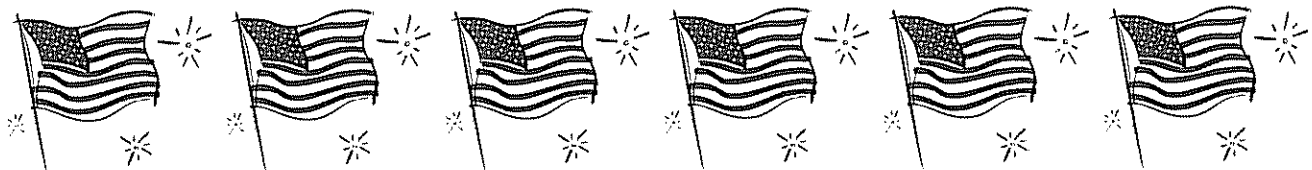


CHINO BASIN WATERMASTER

IV. REPORTS/UPDATES

D. INLAND EMPIRE UTILITIES AGENCY

1. Monthly Water Conservation Programs Report
2. Groundwater Operations Recharge Summary
3. Monthly Imported Water Deliveries Report
4. State and Federal Legislative Reports
5. Public Relations Report



CHINO BASIN WATERMASTER

ADVISORY COMMITTEE

May 18, 2006

AGENDA

INTERAGENCY WATER MANAGERS' REPORT

Chino Basin Watermaster

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

15-20 Minutes

Discussion Items:

None

Written Updates:

- Monthly Water Conservation Programs Report
- Groundwater Operations Recharge Summary
- Monthly Imported Water Deliveries Report
- State and Federal Legislative Reports
- Community Outreach/Public Relations Report

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Regional Conservation Programs

Monthly Report-April

MWD Activities

- **California Friendly Marketing Campaign**- The “California Friendly” campaign is an effort by MWD and its member agencies to get people to conserve resources by using water and energy efficient products along with changing to water efficient landscapes. Marketing materials have been developed and the new California Friendly campaign was kicked off on April 10, 2006, with TV advertisements, public service announcements, magazine advertisements, and other materials. The different types of advertisements will continue through July.
- **Regional Water Supplies**- Based on snow pack levels in the Sierras and the upper Colorado River watershed, MWD has indicated that “surplus” supplies of imported water will be available this year.

Landscape Programs

- **“SmarTimer of Inland Empire” Program**- SmarTimer controllers were exchanged at three local PDA classes in March and April held by Monte Vista Water District, the City of Upland and Cucamonga Valley Water District. At each event approximately 15-20 controllers were successfully exchanged. In addition, the Conservation Partnership is holding a regional SmarTimer exchange event on July 22nd at the Chino Basin Water Conservation District.
- **Phase II Landscape Audit Program (05/06)** - The RFP for the 05/06 Landscape Audit Program was released April 18, 2006, with proposals due May 4th. The program will commence in early summer.
- **Ontario Cares**- City of Ontario will implement a pilot project to integrate “California Friendly” into the city’s program to improve existing neighborhoods. MWD consultant presented “California Friendly” templates to Ontario Cares inspection staff and landscape contractors. MWD will test templates and marketing materials on 4-5 houses and report back with results. The group will finalize materials at the next meeting. Implementation of the “California Friendly” landscape will begin in spring 2006.
- **Residential Landscape Classes**- Cucamonga Valley Water District held a local PDA class on April 8th. No other classes are scheduled at this time.
- **Landscape Collaborative**- IEUA staff met with city officials to consider the formation of a landscape task force to coordinate water efficient landscaping throughout the regions programs and policy recommendations.

Commercial/Industrial/Institutional Program

- **(CII SAVE-A-BUCK)**- At the April Conservation Partnership meeting, Honeywell presented an overview of their marketing strategies for the MWD service area, and more specifically IEUA’s service area. Strategies for the IEUA service area include tailoring existing materials to target our area, new bill inserts, and to have representatives present at local chamber meetings, agency events and other significant events. Honeywell will implement their three month push strategy where they will send three mailers to customers and then call to entice participation. The following is a list of rebate activity for FY05/06 within the IEUA service area:
 - **High Efficiency Clothes Washers** – There were 12 clothes washer rebates for the month of March. To date 327 commercial high efficiency clothes washers have been installed in our service area since FY 00/01.
 - **Conductivity Controller Cooling Tower** – 1 controller was installed in FY 05/06 bringing the total to 15 conductivity controllers installed through the Save-a-Buck program since FY 00/01.
 - **ULF Toilets** – 611 ULFTs were rebated in March bringing the total to 1,056 ULFs in our service area since FY 00/01.
 - **Water Broom** – 114 water brooms were rebated in October bringing the total to 693 since FY 00/01.
- **Restaurant Spray Heads**- This program is being implemented by the CUWCC. Phase II was completed in December, 2005 with approximately 861 spray nozzles installed in our service area. To date approximately 1,192 spray heads have been installed. Phase III began in March and end in December 2006.

Residential Programs

- **Single-Family ULF Toilet Exchange Programs**- The final toilet distribution took place in Upland on April 1st where approximately 275 toilets were distributed. The return event took place on April 22nd. The Conservation Partnership is considering a pilot program for a single family direct install to begin late summer.

- **Multi-Family ULF Toilet Program**– Currently, through the direct install program approximately 4,760 toilets have been installed and 997 have been confirmed for installation. The remaining toilets are expected to be installed within the next two months. In the next round of the program 22,000 toilets will be retrofitted. On April 19th IEUA board of directors approved the contract with Bottom Line Utilities Solutions to implement this program, to begin late spring.
- **High Efficiency Clothes Washer Rebate**- Approximately 91 rebates were issued during April, bringing the total for the current fiscal year to 1,124 rebates. This brings the total number of rebates to approximately 6,183 since the rebate program began in 2002.

School Education Programs

- **Garden in Every School**- Irrigation is being completed at the schools. Plantings have taken place at Coyote Canyon in Rancho Cucamonga, Ranch View in Ontario, Foothill Knolls in Upland, Hidden Trails in Chino Hills and North Tamarind in Fontana. Plantings will take place through April and gardens will be completed in May. Dedications will take place in May and June.
- **National Theatre for Children**- The spring schedule has been completed and is underway. Performances began late March.
- **Groundwater Model**- Chino Hills’ and IEUA’s staffs are now in the process of learning how to operate the Model. Once this is done meetings to see the model demonstrated will be set up with interested agencies.
- **Solar Cup (2006)** - MWD announced the schedule for the Solar Cup 2006 event. The event will occur May 19th through May 21st, 2006. IEUA (as the member agency) will be represented by three schools: Chino Hills High School and Ayala High School in Chino Hills, and Upland High School.

Outreach

- **Water Fair**- The Water Fair committee has been meeting every month to plan fair that will provide information on rebates and promote other ways to conserve water. The event is tentatively set for October 14, 2006.
- **Conservation Ads (monthly and special)** - Conservation tips are printed in the Daily Bulletin monthly (on Sundays at the end of each month).
- **Water Education Water Awareness Committee (WEWAC)** - In April, the members of WEWAC discussed initiatives for the next year. The awards ceremony for the Annual Video Contest is May 4th where the winner will be announced and recognized.
- **BMP Support Grants**- No new action.

Upcoming Events

CALENDAR

May 3, 2006	CUWCC Steering Committee Meeting, (San Francisco)
May 9 th -12 th , 2006	ACWA Conference (Monterey)
May 13, 2006	Water Awareness Day (Cucamonga Valley Water District)
May 19 th -21 st , 2006	Solar Cup
June 7, 2006	CUWCC Plenary Session (San Diego)
June 11 th -16 th , 2006	AWWA Annual Conference (San Antonio, TX)

Regional Conservation Programs

Monthly Report-May

MWD Activities

- **California Friendly Marketing Campaign**- The "California Friendly" campaign is an effort by MWD and its member agencies to get people to conserve resources by using water and energy efficient products along with changing to water efficient landscapes. Marketing materials have been developed and the new California Friendly campaign was kicked off on April 10, 2006, with TV advertisements, public service announcements, magazine advertisements, and other materials. The various types of advertisements will continue through July.

Landscape Programs

- **"SmarTimer of Inland Empire" Program**- SmarTimer controllers were exchanged for residents' existing controllers at three local PDA classes in March and April held by Monte Vista Water District, the City of Upland and Cucamonga Valley Water District. At each event approximately 15-20 controllers were successfully exchanged. In addition, the Conservation Partnership is holding a regional SmarTimer exchange event on July 22nd at the Chino Basin Water Conservation District, where they anticipate exchanging 200 controllers. Residents also have the opportunity to apply for a rebate if they personally purchase a qualifying SmarTimer controller.
- **Phase II Landscape Audit Program (05/06)** - The RFP for the 05/06 Landscape Audit Program was released April 18, 2006, and proposals were due May 4th. The program will commence in early summer.
- **Ontario Cares**- City of Ontario will implement a pilot project to integrate "California Friendly" into the city's program to improve existing neighborhoods. A MWD consultant presented "California Friendly" templates to Ontario Cares inspection staff and landscape contractors. MWD will test templates and marketing materials on 4-5 houses and report back with results. The group will finalize materials and then implement the "California Friendly" landscape designs.
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 - **Conductivity Controller Cooling Tower** – 1 controller was installed in FY 05/06 bringing the total to 15 conductivity controllers installed through the Save-a-Buck program since FY 00/01.
 - **ULF Toilets** – 264 ULFTs were rebated in April bringing the total to 1,320 ULFs in our service area since FY 00/01.
 - **Waterless Urinals** – 4 waterless urinals were installed in the month of April. This was the first installation of waterless urinals rebated for in the IEUA service area.
 - **Water Broom** – 114 water brooms were rebated in October bringing the total to 693 since FY 00/01.
- **Restaurant Spray Heads**- This program is being implemented by the CUWCC. Phase II was completed in December, 2005 with approximately 861 spray nozzles installed in our service area. To date approximately 1,192 spray heads have been installed. Phase III began in March and will end in December 2006.

Residential Programs

- **Single-Family ULF Toilet Exchange Programs**- The final toilet distribution took place in Upland on April 1st where approximately 245 toilets were distributed. The return event took place on April 22nd. The Conservation Partnership is considering a pilot program for a single family direct install to begin late summer
- **Multi-Family ULF Toilet Program**- Currently, through the direct install program approximately 5,047 toilets have been installed and 953 toilets remain. The remaining toilets are expected to be installed by June 30th. In the next

round of the program 22,000 toilets will be retrofitted. On April 19th IEUA board of directors approved the contract with Bottom Line Utilities Solutions to implement this program, to begin in the summer.

- **High Efficiency Clothes Washer Rebate-** Approximately 91 rebates were issued during April, bringing the total for the current fiscal year to 1,124 rebates. This brings the total number of rebates to approximately 6,183 since the rebate program began in 2002.

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Outreach

- **Water Fair-** The Water Fair committee has been meeting every month to plan a fair that will provide information on rebates and promote other ways to conserve water in our region. The event is tentatively set for October 14, 2006 and will take place at Montclair Plaza.
- **Conservation Ads (monthly and special) -** Conservation tips are printed in the Daily Bulletin monthly (on Sundays at the end of each month).
- **Water Education Water Awareness Committee (WEWAC) -** In April, the members of WEWAC discussed initiatives for the next year. The awards ceremony for the Annual Video Contest took place May 4th where Bonita High School was announced and recognized as the 1st place winner.
- **BMP Support Grants-** No new action.

Water Conservation Budget/Actual (As of 5/01/06)

<u>Revenues (est.)</u>	<u>Annual Budget</u>	<u>Est. Actual to date (FY05/06)</u>
Imported \$4/AF Surcharge	\$380,000	\$229,479
Retail Meter Revenue	\$54,863	\$45,719
Property Tax	\$75,000	\$62,500
Regional Sewage Fund Transfer	\$50,000	\$41,666
Interest	\$25,800	\$21,500
Subtotal	\$583,663	\$400,864
<u>Other Agency Funding</u>		
MWD (est. CCP Credits & Rebates)	\$668,000	\$325,210
Subtotal	\$668,000	\$325,210
Total Budget	\$1,251,663	\$355,448
<u>Expenditures</u>	<u>Budget</u>	<u>Actual</u>
HECWs	\$110,000	\$127,177
ULFTs	\$830,700	\$618,632
Landscape Programs	\$148,000	\$11,054
CUWCC Dues	\$11,000	\$0
Education Programs	\$95,000	\$53,940
Agency Support	\$2,500	\$0
CII Marketing	\$27,000	\$0
BMP Partnership Funding	\$2,000	\$2,000
Public Information	\$56,000	\$9,000
Totals	\$1,282,200	\$821,803

Upcoming Events

CALENDAR

May 19 th -21 st , 2006	Solar Cup
June 7, 2006	CUWCC Plenary Session (San Diego)
June 11 th -16 th , 2006	AWWA Annual Conference (San Antonio, TX)

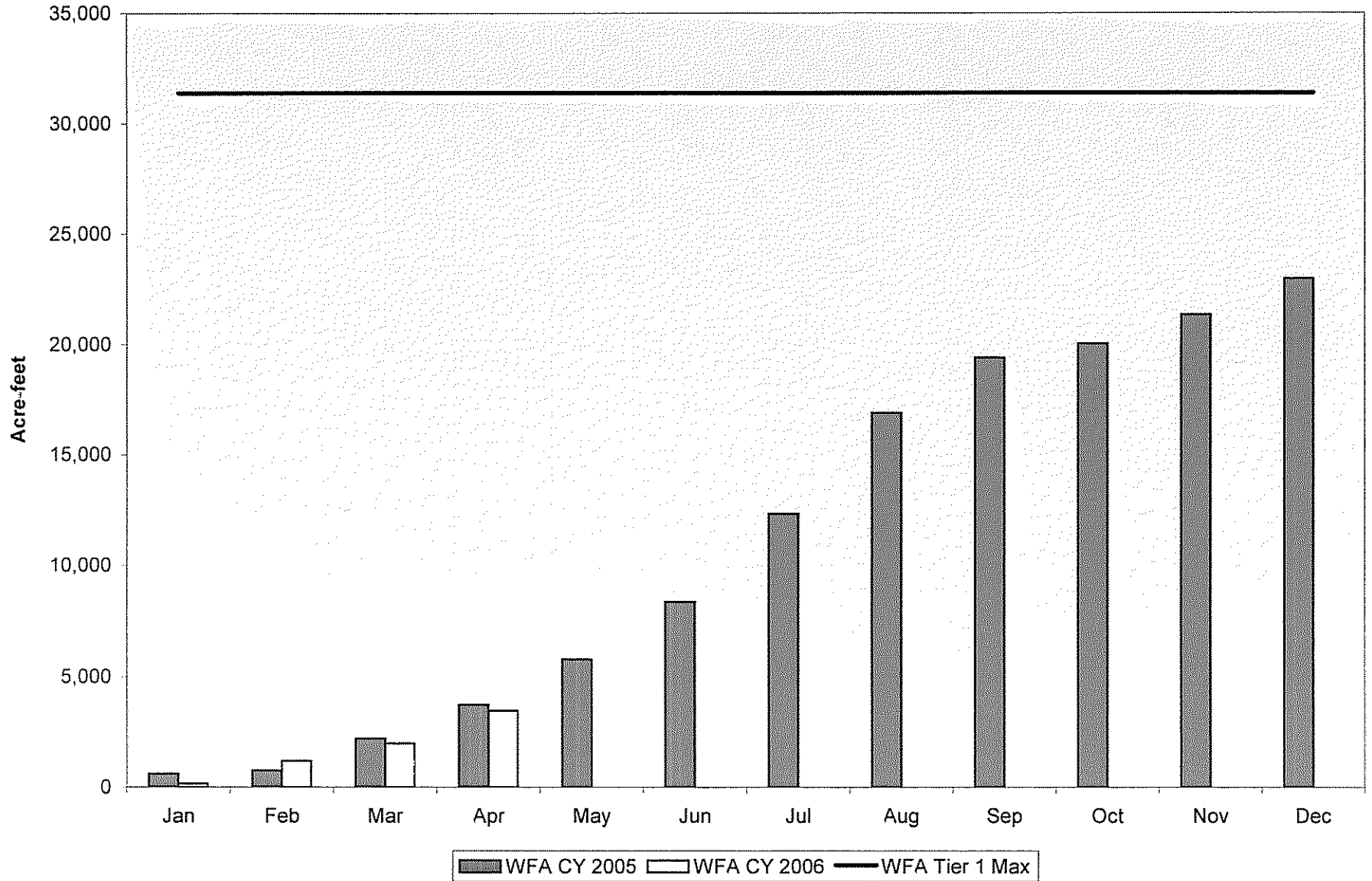
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SUMMARY OF GROUNDWATER RECHARGE OPERATIONS										
Drainage System	Recharge Volume (AF)									
	Basin	Jul 2005	Aug 2005	Sep 2005	Oct 2005	Nov 2005	Dec 2005	Jan 2006	Feb 2006	Mar 2006
San Antonio Channel Drainage System										
College Heights East	-	-	-	228	141	205	182	207	233	1,484
College Heights West	92	122	383	437	313	256	397	395	290	3,219
Upland	-	-	454	607	630	390	555	704	566	4,490
Montclair 1, 2, 3 & 4	848	-	-	78	489	856	624	818	590	5,049
Brooks	33	175	684	127	390	363	257	393	215	2,759
Non-replenishment* (MVWD)	(33)	-	-	-	(60)	(20)	-	(44)	-	(156)
West Cucamonga Channel Drainage System										
8 th Street	-	-	60	73	60	60	66	187	216	737
7 th Street	-	-	-	60	-	-	50	56	110	276
Ely	-	-	-	336	146	249	218	422	338	2,072
Non-replenishment* (GE)	-	-	-	(106)	(131)	(107)	(8)	(80)	-	(432)
Cucamonga and Deer Creek Channel Drainage Systems										
Turner 1 & 2	-	-	89	95	179	359	262	152	427	1,562
Turner 3 & 4	-	-	-	-	-	124	75	71	171	461
Day Creek Channel Drainage System										
Lower Day	159	511	545	310	277	265	357	306	205	3,181
Etiwanda Channel Drainage System										
Etiwanda Debris	102	127	102	108	248	208	214	221	276	1,903
Victoria	-	-	-	49	-	9	26	43	110	245
San Sevaine Channel Drainage System										
San Sevaine	469	213	558	575	1,142	986	968	1,124	964	7,899
Banana	212	254	129	54	8	29	56	77	55	875
Hickory	265	487	269	115	92	39	95	114	27	1,504
Declez Channel Drainage System										
RP3	31	31	60	78	60	60	33	64	161	578
Declez	11	11	30	114	30	30	35	110	191	561
Minor Drainage										
Grove	-	-	-	-	-	-	-	-	75	116
Subtotals	2,189	1,930	3,363	3,340	4,013	4,362	4,463	5,337	5,176	38,307
Recharge Water by Type										
Storm Water (SW) w/ Local Runoff (LR)	647	137	299	876	344	669	762	1,661	3,133	10,093
MWD Water (MW)	1,522	1,540	2,796	2,313	3,570	3,617	3,548	3,467	2,043	26,983
Recycled Water (RW)	20	254	268	150	100	77	154	209	-	1,231
Subtotals (Month)	2,189	1,930	3,363	3,340	4,013	4,362	4,463	5,337	5,176	38,307
Subtotals (FY to Date)	2,189	4,120	7,483	10,823	14,836	19,198	23,661	28,999	34,174	FY To Date
Notes										
SW : Storm Water. LR : Local Runoff. MW: MWD Water. RW : Recycled Water										
- : No stormwater/local runoff, or basin not in use due to maintenance or testing										
X : Turnouts not available - to be installed within future projects										
N : Not Applicable or No turnout planned for installation										
*Non-Replenishment (deduct) is groundwater pumped from Chino Basin and recharged back into the basin										
Data are preliminary based on the data available at the time of this report preparation										

Printed: May 15, 06

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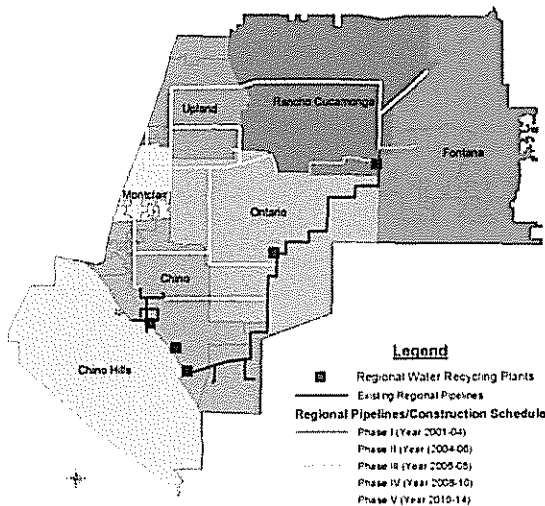
WATER FACILITIES AUTHORITY
Cumulative Monthly Full Service Imported Water Deliveries
Calendar Year 2006



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3RD QUARTER FY2005/06 RECYCLED WATER SUMMARY

Capital Projects Summary



PROJECTS COMPLETED

- RP-1/RP-4 Pump Station (Budget \$7,718,000)
- RP-1 Chlorination Tank (Budget \$4,817,200)
- Pine Avenue Intertie (Budget—Phase I & II \$1,066,000)
- Wineville Pipeline (Budget \$2,307,200)
- Reliant Pipeline (Budget \$1,115,476)
- Philadelphia Pipeline (Budget \$3,591,400)
- Whittram Pipeline (Budget \$3,621,000)
- RP-4 West Branch Phase I & II (Budget \$9,688,096)

Total Budget — \$33,954,371

PROJECTS IN DESIGN AND CONSTRUCTION

- RP-4 Area 3 MG Regional Recycled Water Reservoir, Pipeline and Pump Station
On-hold awaiting acquisition of property
- North Etiwanda Regional Water Pipeline and Pump Station
On-hold awaiting acquisition of property
- RP-1 South Recycled Water Pump Station
100% design complete.
- San Antonio Channel Recycled Water Pipeline
There are two design segments; Segment A & B. Segment A—Design complete. Segment B—90% design complete. Segment B will extend through the City of Montclair providing recycled water to Bellevue Cemetery and parks and schools in Montclair.
- Wineville Recycled Water Pipeline Extension
In design. This pipeline will serve major laundry facilities in Ontario as well as serving the City of Fontana.
- 7th & 8th St. Basin Pipeline
100% design complete and a value engineering has been completed as well. This pipeline will bring recycled water to 7th and 8th Street Basins and also will serve a few schools and parks along the way.
- Edison Avenue Pipeline
Construction of Edison-Eucalyptus Regional Recycled Water Transmission Pipeline is underway. This pipeline will interconnect the existing CCWRF and TP-1 Outfall system supplementing additional recycled water supply to meet the growing demand in southern service area serving major agricultural users in Ontario, College Parks in Chino and ultimately many parks and other landscaping customers



Edison Avenue Pipeline

Projected Budget — \$70,300,000

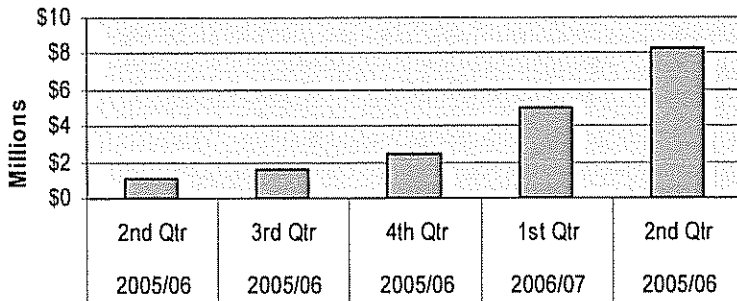
Total Implementation Plan

ID	Task Name	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
1	Phase I	\$34,000,000.00											
		Complete											
2	Phase II				\$70,300,000.00								
3	Phase III						\$26,000,000.00						
4	Phase IV							\$23,000,000.00					
5	Phase V									\$22,000,000.00			

Phase II & III Implementation Plan

ID	Task Name	2006												2007											
		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
1	RP-1 Recycled Water South Pump Station	[Bar chart showing implementation from Apr to Dec 2006]																							
2	San Antonio Channel Recycled Water Pipeline	[Bar chart showing implementation from Apr to Mar 2007]																							
3	Wineville Avenue Pipeline Extension	[Bar chart showing implementation from Apr to Mar 2007]																							
4	7th & 8th Street Basin Pipeline	[Bar chart showing implementation from Apr to Sep 2006]																							
5	Edison Avenue Pipeline	[Bar chart showing implementation from Apr to Sep 2006]																							
6	RP-4 Recycled Water Pipeline, Reservoir & Pump Station	[Bar chart showing implementation from Apr to Dec 2006]												On-Hold											
7	North Etiwanda Recycled Water Pipeline, Reservoir & Pump Station	[Bar chart showing implementation from Apr to Dec 2006]												On-Hold											

Regional Recycled Water Phase II—Projected Cash Flow



Vellano Golf Course Development

TYCIP Projects

- Twelve Significant Projects
- Serves 45,000 AFY
- Capital Cost \$117 million
- Grant Funding \$42.5 million
- State Loan Funds \$66.5 million
- Local Funding \$8 million

Project No.	Project Description	Budgeted Cost	State Grant Funding	Federal Grant Funding	SRF Loan	Total Grant/Loan Funding
1	San Antonio Channel Pipeline	13	3		10	13
2	TP-1 South Zone Pump Station	5	1		4	5
3	RP-4 Reservoir and Pump Station	12		5	7	12
4	Edison Avenue Pipeline	9	7			7
5	Wineville Avenue Pipeline Extension	7	1.5		5.5	7
6	7th and 8th St. Basin Pipeline	3	2			2
7	Etiwanda Ave. Pipeline, Reservoir, Pump Station	21		10	11	21
8	RP-1 Outfall Parallel	10		5	5	10
9	San Sevaine, Etiwanda Basin Pipelines	22	4		18	22
10	Etiwanda Pipeline South	4	2		2	4
11	Chino/Chino Hills Zone 800	11	3		8	11
12	RP-5/2 Recycled Water Pipelines	3.8				
	Land	5				
	Total (\$ Millions)	126	23.5	20	70.5	114

Customer Development

■ Agricultural customers along the TP-1 Outfall line

There are six farm connections that staff is working closely with the Cities of Ontario and Chino to use recycled water. IEUA is providing service laterals to these farmers in order to expedite the conversion. By mid April, these farmers are expected to use recycled water. In addition, farming operation in Chino Airport, additional irrigation in CIM and three other farms in Ontario will be converted to use recycled water within a year. The combined total recycled water usage from these farms could exceed 5,000 AFY.

■ NRW (Non-Reclaimable Water) Customers

IEUA staff working closely with the retail agencies are targeting NRW customers. With passing of new pass through rate, these customers potentially save as much as 40% discount on the wastewater discharge in addition to the water bill by converting to use recycled water for their process and irrigation. Aramark, a commercial laundry, will be using 100% recycled water for their process once the operation begins. Staff is very optimistic that Aramark's use of recycled water would bring other commercial laundries such as Mission Linen, Crothall, and Cintas to use recycled water.

■ Targeted Major Customers in 2006

1. Empire Lakes Golf Course (CVWD)
2. Temple Inland (Ontario)
3. Guasti Park (Ontario)
4. Additional Farms on Outfall (Ontario & Chino)
5. Ontario Center Owners Association (Ontario)
6. California Co-generation (Chino)
7. Vellano Golf Course (Chino Hills)
8. Mission Linen (Chino)
9. Cintas I & II (Ontario)

■ Consulting services for recycled water program management services

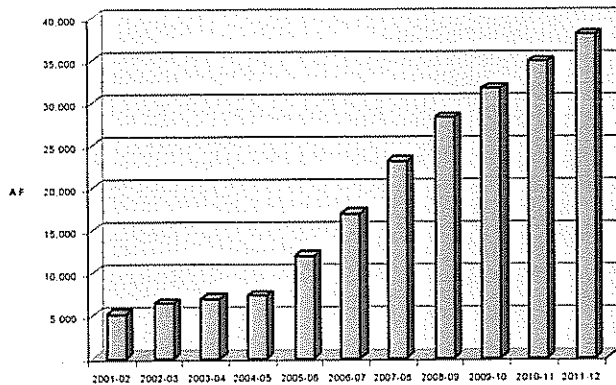
In order to expedite the approval process by DHS, IEUA staff and consultant are assisting the Cities with the Engineer's report as well as drafting a master engineer's report for each of the Cities.



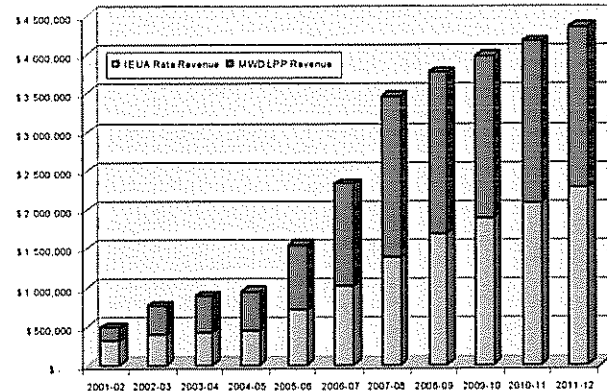
Chaparral Elementary School

Projected Sales & Revenue

Projected Recycled Water Sales



Projected Recycled Water Revenue



Regulatory/Permits

- CEQA—PEIR Certified June, 2002
- CBWM Article X Permit — *Approved* May, 2002
- SARWQCB Basin Plan "Maximum Benefit" — *Approved* January, 2004
- DHS Title 22 Report (Recharge) - *Approved* April, 2005
- SARWQCB Discharge Permit January 2005



CalPoly Pomona Farming in CIM

Activity Summary

New Customers in 2005

- 8 new recycled water customers were connected:

	Estimated Usage (AFY)
Lewis Homes Phase II (4 connections)	100
Redwood Business Center	10
CalPoly Pomona in CIM	1,000
Chaparral Elementary School	20
Bubalo Construction	20
Campus Owners Corporation	5
Panattoni Construction	5
Ethan Ellen Inc.	10
Total	1,170

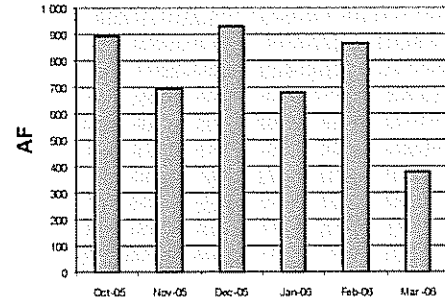
New Customers in 2006

	Expected Connection Date	Expected Usage (AFY)
Chino Hills High School and Wickman elementary school	August	30
Temple Inland	July	1,100
Kaiser Hospital	May	100
Lewis Homes Phase I (6 connections)	On-line	20
Empire Lakes Golf Course	April	800
Irrigation Customer along 6th Street	April-June	25
City Parks in Chino Hills	August	25
Bakken Property	May	2
El Prado Business Park	May	2
Fruit Growers Supply	May	20
Farmers in Ontario (6 connections)	April	2,000
Chad's Farm in Chino	April	150
Monte Vista Farm	April	200
Total		4,474

Potential Customers in 2006

- City of Chino
Mission Linen, OLS Energy and College Park (2,500 homes, 2 schools, extension of Ayala Park over 435 acre)
- City of Chino Hills
Vellano Golf Course and Western Hills Golf Course
- City of Ontario
California Commerce North & South, Blue Beacon, Guasti Park, Bakken Property, Fruit Growers Supply, Longs Drug, Ontario Mills, Carlisle Tire & Wheel, Cintas I & II, Crothall Laundry, Danco Metal Surfacing, Unifirst, and Agricultural customers
- City of Rancho Cucamonga
Metal Coaters of California, Steelscape, Tamco
- City of Fontana
California Steel, California Speedway, Sierra Aluminum, and Pacific Forge

Recycled Water Sales



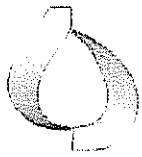
Delivery Period	2004/05	2005/06
3rd Quarter	736	1,917
Year to Date	736	1,917
FY Total	4,006	7,267
Budget		8,290

Operation & Planning

- On March 13, there was a line break on TP-1 Outfall line at the intersection of Kimball Avenue and Flight Road. The repair was made and the line was back in service on the same day.



Cal Poly Pomona Farming in CIM



Date: May 17, 2006

To: The Honorable Board of Directors

Through: Public, Legislative Affairs and Water Resources Committee (5/10/06)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Martha Davis
Executive Manager of Policy Development

Subject: April Legislative Report from Copeland and Associates

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file

BACKGROUND

Letitia White provides a monthly report on their federal activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

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Copeland Lowery Jacquez Denton & White LLC
Specializing in Government Relations

MEMORANDUM

TO: Rich Atwater and Martha Davis, IEUA
FROM: Letitia White and Heather McNatt
DATE: April 11, 2006
RE: Monthly Legislative Report

CLJ has continued to work with Hill staff on IEUA's legislative agenda. We have been in touch with Dave Weiman about strategy now that the Bureau of Reclamation has issued criteria for Title 16 projects and have talked to Congressman Dreier's office about both the authorization bill and IEUA's appropriations requests.

The FY '07 appropriations bills have not yet begun to move through the process while the House and Senate wait to see if a Budget Resolution is going to pass. Appropriators will not wait for the Budget much longer, and we expect to see action in the House Subcommittees begin in May. Both the House and Senate have begun a two-week Easter recess and will not reconvene until the week of April 24. The past two weeks have been very busy on Capitol Hill. During that time the Senate tried to pass an immigration reform bill and the House focused on its FY07 budget resolution.

California Water Issues in the Spotlight on Capitol Hill

Several committees took action this month on California water issues. First, the Senate Appropriations Committee attached an amendment to its version of the emergency supplemental appropriations bill on April 5th which allocates \$22.3 million to California for reinforcing levees and maintaining flood controls. Offered by Senator Feinstein and co-sponsored by Senator Boxer, the amendment is not contained in the House version of the bill. It will be addressed when the bills go to Conference in May. The next day, the House Resources Committee's Water Resources and Environment Subcommittee held a hearing on HR 4650, the "National Levee Safety Program Act" to learn about the status of existing levees and challenges facing levees located in populous areas. The panel included Peter Rabbon, Principal Engineer for the California Department of Water Resources and President of the National Association of Flood and Stormwater Management Agencies (NAFSMA). Finally, the House Resources Committee passed H.R. 122 sponsored by Congressman Issa. An authorization measure, the bill permits the Bureau of Reclamation to participate in the designing, planning, and construction of permanent facilities of the Eastern Municipal Water District Recycled System Pressurization and Expansion Project.

FY07 Budget Resolution

As reported earlier, the Senate approved its version of a Fiscal Year 2007 budget resolution by a narrow vote of 51-49 on Thursday, March 16. The measure adds roughly \$16 billion to the domestic discretionary spending level recommended by the President. Although the President's budget request called for \$65 billion in mandatory spending program cuts over five years, the Senate rejected even a modest attempt to slow those programs. Overall, the Senate-passed Budget Resolution calls for \$2.8 trillion in total spending for FY 2007.

The House Budget Committee marked up its budget resolution on March 29. The resolution includes an \$873 billion cap on discretionary spending and would cut \$6.8 billion from mandatory spending programs, which conservatives view as far too low a number. They want to aggressively continue the Budget Reconciliation process with more cuts to mandatory spending.

The Republican leadership was forced to pull the FY07 Budget Resolution off the floor last Thursday after it was clear they did not have the votes to pass the legislation. A struggle ensued between conservatives, moderates and appropriators within the Republican Party. The Republican leadership reached an agreement with conservatives that would have required any non-defense emergency spending over \$4.3 billion be approved by the Budget Committee. Conservatives also wanted to adopt budget process reforms that would have included changes to earmarks. Appropriations Chairman Jerry Lewis opposed both of these provisions because they would weaken his Committee's authority. He urged all Republicans on the Appropriations Committee to vote against the resolution unless those provisions were removed. In addition, moderates wanted an increase of \$7.2 billion for domestic programs which conservatives opposed. All Democrats were planning to oppose the legislation.

Majority Leader Boehner has stated the he will continue negotiations while Congress is in recess and the House will return to the Budget Resolution at the end of April. However, even if the House is able to pass a budget, it may be difficult to reach a deal with the Senate. If the House is able to pass a budget, it will almost certainly adhere to Bush's proposed \$873 billion spending cap since GOP conservatives are unwilling to consider anything higher. The Senate, meanwhile, is on record as favoring more discretionary spending, having adopted amendments that added \$9 billion in discretionary spending over Bush's level and another \$7 billion in advance appropriations to make room for even more discretionary spending.

A budget resolution sets the overall cap for discretionary spending; however, it is not necessary for passage of annual appropriations bills. While the Appropriations Committees are bound by the spending cap set in a budget resolution, Appropriations ultimately determines how that funding will be allocated. A discretionary spending cap can also be set by each chamber through a "deeming" resolution. This was done in 1998, 2003, and 2004 when Congress was unable to pass a budget.

FY06 Supplemental Appropriations

As reported earlier, the House passed its \$91.9 billion FY06 supplemental appropriations package on Thursday, March 16. \$67.6 billion would go to military operations in Iraq and Afghanistan, \$19.8 billion would go to hurricane relief, and \$4.3 billion would go to foreign aid.

The Senate Appropriations Committee approved \$106.5 billion in emergency spending on Tuesday, April 4. This is \$14 billion more than the White House requested and what the House approved. The supplemental spending bill would provide \$72.4 billion in fiscal 2006 funds for the wars in Iraq and Afghanistan and foreign aid, and \$27.1 billion for hurricane relief.

In addition, the committee approved an amendment offered by Senator Dianne Feinstein that provides \$22.3 million to California for levee repairs and flood control:

- \$6.25 million to South Sacramento Streams
- \$11.3 million to Sacramento Riverbank Protection
- \$3.255 million to American River Common Features
- \$1.25 million to Delta Islands and Levees Feasibility Study
- \$250,000 to Short-term Delta levee assessment (CALFED 180-day study)

The full Senate plans to take up the bill the week of April 24. The House and Senate bills will go to conference in May and a final bill will likely be sent to the President by Memorial Day.

FY07 Appropriations and Lobbying Reform Proposals

On Thursday, March 16, House leaders unveiled legislation (H.R. 4975) for overhauling the way members interact with the lobbying community. The proposal would require more transparency in the earmark process but wouldn't provide a mechanism for stripping earmarks from a bill. The proposal would require earmark sponsors to be identified in committee reports and any earmarks added in conference would have to be identified in those reports. In addition, the House bill would ban privately funded travel for the remainder of 2006. The Judiciary, Government Reform, Rules and House Administration committees held mark ups on certain sections of the bill last week. The measure differs from the Senate lobbying bill, which applies earmark restrictions not only to appropriations bills but also to authorization and tax bills. The draft House bill applies earmark restrictions only to appropriations bills.

The Senate voted 90-8 to change the way law makers and lobbyists conduct business. The legislation bans meals and gifts from lobbyists and requires a review and full disclosure on privately funded travel by Members. In addition, earmarks added in conference to appropriations or authorization bills would be subject to points of order on the floor. Sixty votes would be needed to waive any objections. Conference reports would be posted on the Internet at least 48 hours before a Senate vote. Bills, amendments and conference reports would identify the Senator responsible for each earmark.

Immigration

Although Senate Majority Leader Bill Frist (R-TN) announced Thursday, April 6, that a tentative deal had been reached on the legislation, the Senate adjourned for the Easter recess without passing immigration reform legislation. Republicans and Democrats were unable to reach agreement on how many and which amendments would be offered to the bill. It is now unclear when the Senate will return to the legislation. However, Majority Leader Frist and Judiciary Chairman Specter say they remain committed to pass legislation this year that would tighten border security, establish a guest worker program and set up procedures dealing with the estimated 11 to 12 million immigrants currently in the United States.

The compromise language, crafted by Senators Chuck Hagel (R-NE) and Mel Martinez (R-FL), would break up illegal immigrants into three groups:

- Those who have been in the country for more than five years would be allowed to adjust their legal status without having to leave the country. They would be able to obtain green cards after working an additional six years provided they pass background checks, worked at least three of the past five years in the United States, paid all taxes, registered for military Selective Service, learned English and American civics, and paid \$2,000 in fines and application fees.
- Those in the country for two to five years would be eligible for temporary work visas, which they would be required to obtain at one of 20 ports of entry. Applicants would have to leave the United States, though the process could be completed in one day. They would be eligible to receive a green card, as long as green cards are available under annual caps. (The number of green cards available would be increased to 450,000 from 290,000 for 10 years, and then return to 290,000.
- Those who arrived in the United States in the last two years would be required to return home and from there could apply to enter the United States as temporary workers. There would be no guarantee that they could obtain temporary work visas.

The Judiciary Committee plans to hold more hearings beginning April 27 and plans to report out a revised bill by May 4. However, even if the Committee is able to craft a compromise that can ultimately pass the full Senate, the bill will still have to be reconciled with the House version that does not contain a guest worker provision.

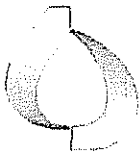
Telecommunications

On Thursday, the House Energy and Commerce Committee's Subcommittee on Telecommunications and the Internet voted 27-4 to favorably report video franchising reform legislation to the full House Energy and Commerce Committee. The legislation would make it easier for companies such as Verizon and AT&T to obtain national franchises to offer video programming. Chairman Joe Barton (R-TX) has indicated the full Committee will take up the bill when the House returns following the Easter Recess.

Suite 800 • 525 Ninth Street, NW • Washington, DC 20004 • 202-347-5990 • Fax 202-347-5941

During debate, the Subcommittee defeated amendments by Reps. John Dingell and Ed Markey that would: 1) establish a build-out requirement for new entrants to a local franchise area (Dingell/Markey), and 2) reaffirm the power of local governments to manage the use of public rights of way and create a process for adjudicating disputes between local franchise authorities and service providers (Dingell). Members who objected to the amendments viewed the build-out requirement as a too-burdensome barrier to entry for new service providers, and argued that the existing language in the bill was sufficient to protect the jurisdiction of local governments to manage public rights of way. A third amendment that would have maintained current local government consumer protection mechanisms was withdrawn when the Republican committee leadership committed to work on similar language when the bill moves to full committee markup.

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Date: May 17, 2006
To: The Honorable Board of Directors
Through: Public, Legislative Affairs and Water Resources Committee (5/10/06)
From: Richard W. Atwater
Chief Executive Officer/General Manager
Submitted by: Martha Davis
Executive Manager of Policy Development
Subject: April Legislative Report from Agricultural Resources

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Dave Weiman provides a monthly report on his federal activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

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Agricultural Resources

635 Maryland Avenue, N.E.
Washington, D.C. 20002-5811
(202) 546-5115
(202) 546-4472-fax
agresources@erols.com

April 30, 2006

Legislative Report

TO: Richard W. Atwater
General Manager, Inland Empire Utility Agency

FR: David M. Weiman
Agricultural Resources 
LEGISLATIVE REPRESENTATIVE, IEUA

SU: Legislative Report, April 2006

Highlights:

- Interior Advises Congress, IEUA Recycling Project "Not Feasible."
- House Water Subcommittee Holds Hearing, Future of Bureau
- Title XVI Changes Being Negotiated, Senate
- News and Notes
- IEUA Working Partners

Interior/BuRec Inform House Appropriators, IEUA Recycling Project "Not Feasible" – Then Reverse Themselves. The CALFED authorization bill, enacted in October 2004, directed the Secretary of the Interior to review each of the 34 regional and individual projects in the Southern California Comprehensive Reclamation and Reuse Feasibility Study and make a determination on each within 180 days after enactment. Same for a similar study involving approximately 15 projects in Northern California. The 180-day statutory deadline ended just over a year ago. Interior, to date, failed to finalize the report and submit it to Congress as required. The IEUA water recycling program is one of the 34 projects. However, in late April, Interior informed the House Appropriations Committee (we later learned, based on findings in that report) that the IEUA water recycling project was not feasible.

House Appropriations sought additional information – and perspective – from the Water and Power Subcommittee and they contacted us. This set off a flurry of activity, meetings, calls, and other actions. The CALFED statute also directed the Interior Department to undertake this review with the full consultation of the water districts and agencies involved. Suffice to say, this did not occur in meaningful way.

Chairman Radanovich and Ranking Member Napolitano were sufficiently troubled that they used an April 26 hearing on three water bills to question Larry Todd, the Bureau of Reclamation witness, about the Interior failure to meet deadlines, and substantively, how they concluded that only two of the 34 projects were considered “feasible.” They sent Todd back to the Department with a set of comprehensive questions and demanded answers within five days.

In the end, the only reason IEUA wasn’t “feasible” had to do with paperwork that the Bureau of Reclamation was obligated to prepare but had not done so.

The Bureau is now facing charges of “bad faith” from more than one subcommittee.

Rich Atwater will be in DC for meetings at Interior on the Feasibility Study and with joint House and Senate committee staff to review legislative proposals.

Future of the Bureau, National Academy Weighs In. Ironically, early in April, Radanovich’s Subcommittee held a hearing on a recently completed study looking at the structure of the Bureau and the future of the Agency. Commissioner Keys made his concluding appearance before the Subcommittee and outlined a series of actions being undertaken. It was a low-key affair.

Title XVI – Talks Actively Underway. House and Senate talks are underway. Early in April, the Bureau of Reclamation met with Senator Feinstein’s office, plus Senate Energy Committee staff (Domenici and Bingaman). The Bureau infuriated everyone with the suggestion that Title XVI be amended to give the Bureau three years to review the “feasibility” of any particular project. And, having made a big deal over the inadequacy of “criteria,” it was recognizes that the Bureau sent up its Water 2025 bill, with “no criteria.” This was not credible, and as a result the Bureau is increasingly making itself largely irrelevant in these talks. House and Senate bi-partisan meetings are slated to continue in early May.

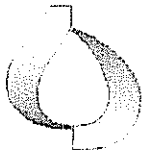
News and Notes. **DOI Secretary Dirk Kempthorne.** On May 4, Senate Energy Committee is holding confirmation hearings. He is expected to be confirmed with bi-partisan support. Kempthorne is a former senator and well-liked by colleagues. **Commissioner Keys** Retired April 14. Bill Rinne was named “Acting Commissioner.” Several candidates names are surfacing, and we keep hearing California’s Jason Peltier, formerly the head of the CVP Water Users Association and currently at the Interior Department as Deputy Assistant Secretary, Water and Science. **Congressional Earmarks.** The first step toward earmark reform has been taken in the House, with the support of Chairman Jerry Lewis. **Budget.** The House leadership was

unable to move the Budget Resolution prior to the April Recess. When they returned at the end of the month, it appears that internal problems remain. When and "if" a budget resolution will be considered is not known. **Appropriations.** Budget or not, the first appropriations markups are slated to begin in early May. **Energy.** Spiking gas prices are becoming political issue. Look for a new energy bill. **Climate Change.** Climate change – including impacts on water systems – is getting more and more attention. Three films are being released on the subject in less than a month.

IEUA Continues to Work With Various Partners. On an on-going basis in Washington, IEUA continues to work with:

1. Metropolitan Water District of Southern California (MWD)
2. Milk Producer's Council (MPC)
3. Santa Ana Watershed Project Authority (SAWPA)
4. Water Environment Federation (WEF)
5. Association of California Water Agencies (ACWA)
6. WateReuse Association
7. CALStart
8. Orange County Water District (OCWD)
9. Cucamonga Valley Water District (CVWD)
10. Western Municipal Water District
11. Chino Basin Watermaster

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Date: May 17, 2006

To: The Honorable Board of Directors

Through: Public, Legislative Affairs and Water Resources Committee (5/10/06)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Martha Davis
Executive Manager of Policy Development

Subject: April Legislative Report from Geyer and Associates

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Bill Geyer and Jennifer West provide a monthly report on their state activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:mef

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MEMORANDUM

TO: Rich Atwater and Martha Davis
FROM: Jennifer West
DATE: April 27, 2006
RE: April Legislative Report

Parks/Water Bond Measure Signatures Submitted for November Ballot

Last Friday a coalition of environmental groups submitted more than double the needed signatures for placing a park/water bond on the November ballot. This signals what is likely the end of any real effort by the Legislature to place a water bond on the November 2006 ballot -- although some still hold out hope that water supply could be included in the Governor's infrastructure bond package.

The measure, entitled the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006, is sponsored by the same groups that wrote Proposition 50. This new initiative contains funding that includes the following programs:

- Integrated Regional Water Management (IRWMP) -- \$1 Billion (\$114 million for the Santa Ana Region)
- Santa Ana River Parkway -- \$45 million
- Flood Corridors Grant Program -- \$40 million
- Emergency Safe Drinking Water projects -- \$10 million
- Small Community Drinking Water Systems Grants -- \$180 million
- Safe Drinking Water Revolving Fund -- \$50 million
- State Water Pollution Revolving Fund -- \$80 million
- Groundwater Pollution Prevention Revolving Fund -- \$60 million
- Delta Water Quality -- \$130 million
- Agricultural Wastewater Clean-up grants -- \$15 million

It is now likely that if the Legislature does place an infrastructure bond package on the November ballot, the only water-related funding it will contain is levee funding. Funding for the Delta and Central Valley's aging levee system has become a priority for both parties.

Since January, IEUA has been very active in trying to develop a legislative water bond that includes funding for the IRWMP, recycled water and water conservation. Now that this initiative will probably move forward, the agency should consider what legislative changes may be needed to ensure that recycled water and water conservation projects remain funded and consider what changes in the IRWMP may be necessary.

Inland Empire Utilities Agency

Positions List

April 27, 2006

	Summary	Status	Position
AB 371 (Goldberg) Recycled Water	Sponsored by WaterReuse. Makes a number of changes recommended by the Water Recycling Task Force. Some water agencies had concerns with the bill and it was stripped of numerous controversial provisions. WaterReuse continues to try to work out the remaining problems with the bill.	Senate Floor	Support
AB 1421 (Laird) Contamination	Sponsor said that they do not intend to pursue the bill in 2006. Would have given a RWQCB the authority to issue a cease and desist order for any degradation of water quality – even if it involved recycled water.	Senate E.Q.	Oppose unless amended
AB 1969 (Yee) Energy	IEUA sponsored. Helps offset demand while increasing environmentally friendly renewable energy production to meet the state's goals.	Assembly Natural Resources	Support
AB 1881 (Laird) Water Conservation	Will codify all the AB 2717 taskforce recommendations. Currently it does the following: Requires DWR to update the model local water landscape ordinance, including restriction on overspray and runoff, by Jan 2009 Requires local agencies to adopt either the model ordinance or one that is at least as effective by Jan 2010. Requires public water systems to install, or require installation of water meters for landscaped areas exceeding 5,000 feet for non-single family residence.	Assembly Approps	Recommend Support
AB 2396 (Calderon) Metropolitan Water Districts	States the intent of the Legislature to enact legislation to change the composition of MWD's board of directors and to provide for the direct election of members of the board of directors by voters residing in the service area of a metropolitan water district. Sponsored by AFSCME.	Not set (probably misses deadline)	Oppose
AB 2397 (Calderon)	This bill, with a certain exception, would prohibit MWD from entering into a contract for permanent or temporary services,	Public Employees Committee	Oppose

	skilled or unskilled, if those services, in the judgment of the district, are of a kind that persons selected through its civil service system could perform adequately and competently Sponsored by AFSCME.	5/3	
AB 2928 (Laird) Green Building Guidelines	Requires the CIWMB to adopt voluntary green building guidelines for residential construction by 2008 which include, but are not limited to: a) Energy efficiency measures; b) Water efficiency measures; c) Materials efficiency measures; d) Indoor environmental quality measures; e) A method for determining the life-cycle costs of green buildings Directs the CIWMB to consult with appropriate state agencies, the building and construction industry, environmental organizations, local government, and other interested parties when developing the guidelines. Directs the CIWMB to consider all relevant guidelines relating to residential green buildings, including, but not limited to: The US Green Building Council's Leadership in Energy and Environmental Design for Homes (LEED for Homes) rating system.	Assembly Approps	Recommend Support
SB 153 (Chesbro) Resources Bond	2006 Park and Water bond measure. Contains \$200 million for the Integrated Regional Water Management Program and other coastal and water quality funding This was one of the bond measures under consideration for inclusion in the Governor's resources bond or in Senator Perata's infrastructure bond.	Bond Conference Committee	Support
SB 1317 (Torlakson) Property Tax	Would alter the manner in which certain property tax revenue is allocated within a county. Sponsored by Southern California Edison. Sponsors of the bill say that it would encourage the development of electric substation and generation facilities by allocating all of the property tax revenue from the property to the county in which the facilities are built. After school entities and county entities receive the amount of property tax they have received in prior years, the remaining tax would be allocated to the city or county (depending upon the location) in which the facility is built. <u>As recently amended, it would only impact enterprise special districts.</u>	Senate Approps	Oppose

SB 1345 (Chesbro) Compost: Caltrans	Requires Caltrans to increase its use of compost on state highways. By 2010 Caltrans would be required to use more than 1 million tons of compost per year.	Senate Approps. Suspense	Recommend Support
SB 1640 (Kuehl) Water	Almost exactly the same as the final version of SB 820 (Kuehl), which IEUA supported last year, but which was vetoed by the Governor because of its groundwater reporting requirements. The bill's groundwater language is still a "work in progress." The Senator has begun working with all interests to try to resolve the outstanding issues regarding groundwater reporting. IEUA is participating in these discussions.	Senate Approps. 5/8	Support
SB 1795 (Machado) Groundwater	Establishes that recharging a groundwater basin by a local agency to repel salt intrusion and recover basin groundwater levels is a beneficial use of water if the agency has determined that the recharge is consistent with a local agency's groundwater management plan. Sets forth new requirements for water appropriation intended for groundwater recharge. The bill needs to be amended to make it clear that adjudicated basins can appropriate water for recharge purposes. Right now the bill appears to be restricted to those basins with AB 3030 plans.	Senate Approps. 5/8	Support if amended
Watch List			
Bill #	Summary	Status	
Water Conservation			
AB 2496 (Laird) Low flush water closets	Requires all new buildings constructed in the state after 2009 to use urinals and water closets that meet recent performance standards established by the American Society of Mechanical Engineers.	Assembly Approps.	
AB 2515 (Ruskin) Water Conservation	Prohibits a water supplier from receiving state bond funds unless it has adopted BMPs in accordance with the MOU regarding urban water conservation or the MOU regarding agriculture water use efficiency. Requires the Energy Commission to establish water efficiency standards for residential and commercial water-using appliances and other products and report to the legislature.	Assembly Approps.	

SB 1608 (Simitian) Water Landscape	Requires Cal-Trans and all local transportation agencies that receive state funds to use California native plants and other water-saving plants in consultation with the local native plant society or the Resources Agency.	Senate Approps
Groundwater		
SB 1425 (Kuehl) Groundwater	Makes minor changes to the groundwater Recordation Act that applies to four counties in Southern California.	Senate Floor
Floods and Delta		
AB 2208 (Jones) Delta Levee Fees	Requires DWR to conduct a study to recommend which Delta beneficiaries should pay for Delta levee improvements and the conveyance system. Requires DWR to recommend, in accordance with the "beneficiary pays" principle, who should pay a Delta user fee for Delta levee and conveyance system improvements.	Assembly Approps.
SB 1251 (Alquist) Floods	Requires DWR, not later than 2007, to convene a task force to prepare a comprehensive statewide flood and storm water management plan with prescribed components and a financing strategy for the implementation of the plan.	Senate Approps
SB 1574 (Kuehl) Delta Exports	Current law requires DWR and DFG to determine the principal options for the Delta. This bill would require one of those principal options to be designed to reduce dependence on the delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the delta. The bill would substantially revise those objectives relating to the delta and Sacramento and San Joaquin river systems. The bill would require DWR and DFG by 2007, to provide a draft joint report to the Independent Science Board of the California Bay-Delta Authority, or its successor. The bill would require that board to provide DWR with an independent peer review of the draft report. The bill would require DWR to revise the draft joint report to reflect the comments of the peer review in the joint report.	Senate Approps. 5/8
Compost		
SB 1778 (Alarcon) Compost	Sponsored by Californians Against Waste (CAW), the bill phases out the use of alternative daily cover and includes incentives for the use of compost. Senator Alarcon may change his bill to try to create markets for compost before banning green waste in the landfills. IEUA will be coordinating with CAW on their "incentive" efforts.	Senate Approps

Integrated Regional Water Management Program		
SB 1242 (Lowenthal) IRWMP	Sponsored by Long Beach Water Department. Significantly revises the governance structure of the IRWMP. Restricts the groups that can develop an IRWMP to water management agencies. Specifies that only water management agencies should have final approval over the contents of the plan. Long Beach has indicated that they are willing to add additional kinds of groups into the IRWMP planning process, but feel that the water management agencies need to retain final approval over what is contained in the plan. They are also interested in "grandfathering" existing plans such as SAWPA's.	Senate Approps.



Date: May 17, 2006
To: The Honorable Board of Directors
Through: Public, Legislative Affairs and Water Resources Committee (5/10/06)
From: Richard W. Atwater
Chief Executive Officer/General Manager
Submitted by: Martha Davis
Executive Manager of Policy Development
Subject: April Legislative Report from Dolphin Group

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Michael Boccadoro provides a monthly report on his activities on behalf of the Chino Basin/Optimum Basin Management Program Coalition.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:mef

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Chino Basin / OBMP Coalition

Status Report – April 2006

ASSEMBLY BILL 1969

CA AB 1969 **AUTHOR:** Yee [D]
 TITLE: Electrical Corporations: Water Agencies
 INTRODUCED: 02/09/2006
 LAST AMEND: 04/06/2006
 DISPOSITION: Pending
 LOCATION: Assembly Natural Resources Committee
 SUMMARY:
Requires every electrical corporation to file with the Public Utilities Commission a standard tariff for renewable energy output produced at an electric generation facility that is an eligible renewable energy resource. Requires the corporation to make this tariff available to public water or wastewater agencies that own and operate an electric facility on a first-come-first-served basis, until the combined statewide cumulative rated capacity reaches a specified total amount of megawatts.

This measure passed of the Assembly Utilities & Commerce Committee on a 10-0 vote.

This measure is sponsored by IEUA and SAWPA. The bill seeks to remove barriers and obstacles and encourage the full potential of renewable energy generation by the state's water and wastewater agencies. AB 1969 will help offset demand while increasing environmentally friendly renewable energy production to meet the state's goals.

Specially, AB 1969 will:

- o Require electrical corporations to create tariffs (standard contract) for the purchase of renewable energy developed by water and wastewater agencies;
- o Limit individual facilities to 1 MW and the cumulative statewide capacity to 250 MW; and
- o Help electrical corporations meet the renewables energy procurement standard and resource adequacy requirements

Benefits include:

- o Adding renewable energy generation resources;
- o Helping the state meet its Renewable Portfolio Standard (RPS) goals;
- o Addressing current transmission constraints;
- o Improving the environment through a reduction in greenhouse gases; and
- o Offsetting rising water treatment and water delivery costs

ENERGY/REGULATORY

Energy Efficiency Funding for Water Conservation Efforts

In response to last month's Water/Energy Symposium at the California Energy Commission, the California Public Utilities Commission has moved rapidly to initiate a proceeding for the consideration of changes to the utilities' energy efficiency portfolios. Specifically, the new rulemaking will consider expanding eligibility to include water conservation efforts.

A prehearing conference has been scheduled for May 9th. Testimony in this case is expected to be scheduled for July 24th. DGI will be in attendance at the prehearing conference and will continue to monitor this proceeding.

This is an important issue for the state's water community, including IEUA, and represents a significant opportunity to secure millions of dollars annually for water and energy conservation efforts.

Critical Peak Pricing

Yet again, the Critical Peak Pricing proceeding has taken another unexpected turn.

Last month, the presiding Administrative Law Judge issued a decision rejecting a settlement from the utilities and most intervening parties. The settlement would have adopted voluntary CPP rates only, with no hedging premium for non-participants and no participation credits for those enrolling in the program.

In rejecting the settlement, the ALJ proposed an alternative approach, requiring mandatory CPP participation in 2007 for all customers with demand greater than 200 kW. At the end of 2007, all customers would have the option to move back to normal time-of-use rates. Oddly, the decision stated that if the settling parties reject this alternative approach, then the entire issue would be pushed off for reconsideration in each utility's next General Rate Case (2009 for Southern California Edison).

In supplying comments on the draft decision, all parties rejected this alternative approach. Based on this action, it is expected that the ALJ will shortly amend the draft decision to remove the alternative mandatory approach and punt the issue to the next GRC.

However, Commissioner Bohn unexpectedly issued an alternative decision which wholly adopts the original settlement. The Commission is expected to decide between these two decisions sometime in May.

Demand Response for Water Agencies

On Thursday, March 30th, DGI participated in a meeting in San Francisco relating to the expansion the utilities' demand response programs. Central to the discussion was expanding the program to allow water agencies and other customers the ability to aggregate their load for the purposes of participating in demand response programs.

Interested parties will continue to meet through the summer, and are required to submit policy recommendations back to the Commission by October 31, 2006.

LEGISLATIVE ACTION

CA AB 2315	AUTHOR:	McCarthy [R]
	TITLE:	Energy: Renewables Portfolio Standard Program
	INTRODUCED:	02/22/2006
	LAST AMEND:	04/03/2006
	DISPOSITION:	Pending
	COMMITTEE:	Assembly Utilities and Commerce Committee
	HEARING:	05/01/2006 3:00 pm
	SUMMARY:	Makes nonsubstantive clarifying changes to the requirements placed upon the Energy Commission under the state Renewables Portfolio Standard Program. States the Intent of the Legislature to enact legislation to establish the Climate Neutral Combustion Power Generation Program to complement the Renewable Energy Resources Program and to supplement the Renewables Portfolio Standard Program.
CA SB 1727	AUTHOR:	Kehoe [D]
	TITLE:	Public Utilities: Electrical Corporations
	INTRODUCED:	02/24/2006
	DISPOSITION:	Pending
	COMMITTEE:	Senate Energy, Utilities and Communications Committee
	HEARING:	05/02/2006 9:30 am
	SUMMARY:	Creates an exception from the definition of an electrical corporation where electricity is generated on private real property and privately distributed across a highway to an immediately adjacent private real property owned or otherwise controlled by the corporation or person, solely for its own use or the use of its tenants and not for sale or transmission to others make conforming changes to specific exceptions for certain persons or corporations using co generation technology.

CA AB 2062 **AUTHOR:** Richman (R)
TITLE: Electricity: Core, Noncore and Core-Elect Market
INTRODUCED: 2/15/2006
LAST AMEND:
DISPOSITION: Pending
LOCATION: Assembly Utilities and Commerce Committee
SUMMARY:

Relates to reformation of electrical restructuring in order to implement a core, noncore and core-elect market structure. Requires adoption of rules under which noncore customers must elect whether to procure the electricity they consume from an electric service provider, elect to receive commodity service from the electrical corporation under a procurement plan for a minimum period of 3 years or receive default commodity service from the corporation.

The measure failed passage in the Assembly Utilities & Commerce Committee.

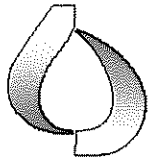
Position: Watch

CA AB 2778 **AUTHOR:** Lieber (D)
TITLE: Electricity: Self-Generation Incentive Program
INTRODUCED: 2/24/2006
LAST AMEND:
DISPOSITION: Pending
LOCATION: Assembly Utilities and Commerce Committee -
 04/24/2006 3:00 pm
SUMMARY:

Requires the Public Utilities Commission, in consultation with the Energy Commission, to administer a self-generation incentive program for distributed generation resources in the same form that exists on 1/1/04.

This measure was passed out of the Assembly Utilities & Commerce Committee on a 8-2 vote.

Position: Watch



Date: May 17, 2006

To: The Honorable Board of Directors

Through: Public, Legislative Affairs and Water Resources Committee
(5-10-06)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Sondra Elrod
Public Information Officer

Subject: Public Outreach and Communications

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

Outreach/Tours

None.

Calendar of Upcoming Events

- May 17, 2006, League of California Cities Legislative Dinner, Chops Restaurant, Sacramento, beginning at 7:30pm
- May 19 - 21, 2006, MWD Solar Cup Lake Skinner
- May 20, 2006, GIES dedication at North Tamarind Elementary in Fontana 2pm
- May 31, 2006, IEUA Leadership Breakfast at 7:30am
- May 31, 2006, GIES dedication at Coyote Canyon Elementary School in Rancho Cucamonga 10am
- May 31, 2006, GIES dedication at Newman Elementary in Chino 5:30pm
- June 2, 2006, GIES dedication at Ranch View Elementary in Ontario 5pm
- June 3, 2006, Chino Dairy Festival Jr. Fair Grounds 9am to 4pm
- June 7, 2006, IEUA hosted blood drive, event center

Outreach/Educational Inland Valley Daily Bulletin Newspaper Campaign

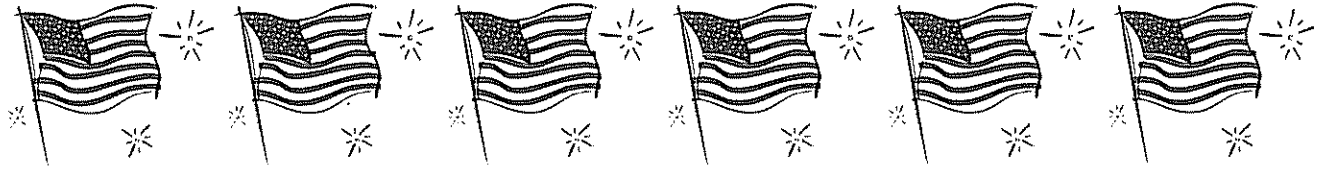
- May 2006, two page Water Awareness Month ad
- May 2006, four page Living Here Magazine ad

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

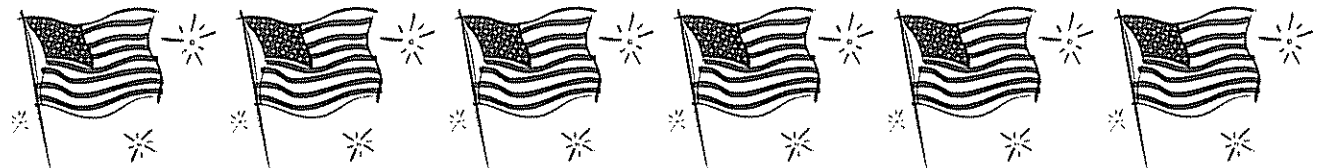
None.



CHINO BASIN WATERMASTER

V. INFORMATION

1. Newspaper Articles





<http://www.latimes.com/news/local/la-me-dam16apr16,0,5404877.story?track=tottext>
From the Los Angeles Times

The Delicate Act of Juggling Water

Dam outflows must be choreographed to avoid overwhelming the levees or overfilling reservoirs.

By Bettina Boxall
Times Staff Writer

April 16, 2006

MILLERTON LAKE, Calif. — In four roaring funnels, water shoots out of the mouth of Friant Dam at 85 mph, tumbling into a churning pool of froth that looks like a giant tub of cappuccino foam.

The scene is part of a complicated choreography of water releases underway in the San Joaquin River Basin as dam managers try to avert serious flooding in this sodden spring of endless rain and monster snowpacks in Northern and Central California.

Here, 20 miles northeast of Fresno, dam operators have to make room for the coming snowmelt in the smallest reservoir in the big federal water project that greens the Central Valley. But they can't let out too much water or it will break through the aging, earthen levee system that guards towns and farms downstream.

It is a season of round-the-clock monitoring, canceled vacations and anxious weather readings. "At times like that my body is running at 100 miles an hour," said Friant operations chief Tony Buelna, who at the beginning of the month, when nature was filling the reservoir to the brim, got a total of four hours of sleep in three days.

With last week's weather drier than expected, Millerton's levels were starting to fall and Buelna was getting some sleep. But the potential for disaster will last well into the summer.

In the High Sierra, where the headwaters of the San Joaquin arise southeast of Yosemite National Park, the snowpack is 170% of the norm — 50 feet deep in some places. When that melts, there will be enough runoff to fill Millerton four times over.

The 319-foot-tall Friant Dam, built at the beginning of World War II and the only one on the main stem of the San Joaquin, is one of nearly a dozen in the drainage basin. There are 10 others on the river's tributaries, which branch out like vines on a trellis as the San Joaquin runs northwest to its delta just east of San Francisco Bay.

Each of those dams is spitting water into the system from swollen reservoirs, complicating the release calculations. The dam operators are like air traffic controllers, constantly juggling what is coming in and out of their reservoirs. But unlike air controllers, they have little say over what comes in — and they have to be aware of what every other dam is doing.

With much of the state on flood alert and an emergency declaration in more than a dozen Northern and Central California counties, dam managers consult with each in daily teleconferences. They

listen to morning weather briefings and pore over computer models that try to predict runoff based on the temperature, precipitation and snowpack.

They look at maps that plot flow times, showing how long it takes dam releases to reach a particular section of the river, where they will be joined by water from other reservoirs. More maps tell them how much flow the river can handle without surging over its levee walls.

In his office near the base of the dam, bounded by the fresh green Sierra foothills, Buelna taps into a computer program that analyzes San Joaquin records going back to 1896.

His desk is papered with computer printouts. One is covered with hourly readings that track flows in and out of Millerton and precisely how full it is. Others show precipitation and temperature data and how much water is in the smaller hydroelectric lakes above Millerton, in the upper reaches of the San Joaquin.

Thursday, a warm, sunny spring day, Friant was releasing 7,700 cubic feet per second into the river channel, plus an additional 3,000 cubic feet per second into the two big irrigation canals that carry water from Millerton up and down the east side of the San Joaquin Valley. A cubic foot of water will roughly fill a basketball, meaning that each second, 7,700 basketballs of water are spewing out of the base of the concrete dam, sending up 60-foot-tall spray. For a couple of days this month, water was also spilling over the top of the dam gates for a thunderous ride down Friant's sloping face.

It is a dramatically different scene than one normally encounters at Friant, which was built to keep water out of the river and send it to some of the richest agricultural land in the country. The dam has done such a good job that in the typical summer dry season, the San Joaquin shrivels to nothing in two sections below.

As a result, historically bountiful salmon runs have been wiped out, sparking a long, bitter environmental battle that is poised for a court settlement that could put enough water back into the river to revive those dead spots.

For now, there is no shortage of water, and dam managers are doing everything they can to keep the San Joaquin from running wild. It is a delicate balancing act. If they hold back too much, they can lose control of their reservoirs. And if they let out too much, they can cause flooding.

That happened in 1997, when New Year's storms swelled reservoirs to the bursting point in Northern and Central California. Buelna opened the dam gates for the first time for a flood release in Friant's history, unleashing a water surge that carved a destructive path downstream. He and some other dam managers were criticized for not releasing more water in advance of the storms to create room for the sudden runoff.

Buelna, who has run Friant operations since 1990, said the 1997 storms were too powerful to avoid a big release. But he acknowledged he has his critics — it goes with the job. Now, in places like the little farm community of Firebaugh, where emergency workers have been stacking sandbags atop old levees, Buelna says people are looking up at the huge Sierra snowpack and wishing he would let out more water to create a bigger hole in his reservoir.

At the same time, the U.S. Army Corps of Engineers wants him to limit outflows to make room for releases from other reservoirs.

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Recycled water plan moves ahead

By Wendy Leung, Staff Writer
Inland Valley Daily Bulletin

Water hydrants and pipes painted purple may soon be unavoidable in the Inland Valley

Purple represents recycled water, something the Chino Basin will have more of in the coming years

The Recycled Water Groundwater Recharge Program – started two years ago to combine storm water, recycled water and imported water in seven basins – is headed to its second phase. Pending approval from the Department of Health Services, the second phase of the program will add six additional basins that would increase the amount of recycled water recharged in the Chino Basin by 11,400 acre-feet

Using recycled water is crucial to meet the needs of the rapidly growing area the Chino Basin serves, said Kenneth Manning, chief executive officer of the Chino Basin Watermaster

"Recycled water is consistent. We know we're going to get it day in and day out and it reduces our reliance on imported water," Manning said

At 250 square miles, the Chino Basin stretches from Pomona to Rialto and holds enough water for current needs. But water that is pumped out must be replaced for it to meet future demand.

Speaking at a public hearing on Thursday, Glen Durrington, a local farmer, said he was supportive of the program expansion.

"Recycling water has been going on for hundreds of years," Durrington said. "People don't realize it, but it's good water."

Andy Campbell of the Inland Empire Utilities Agency said recycled water will meet drinking standards after going through a treatment plant

Recycled water is also much cheaper, costing between \$60 to \$80 an acre-foot as compared to the \$250 an acre-foot of imported water

Pumped from Northern California, imported water used in the Chino Basin is also becoming limited and may not be enough for this booming region. Water demands served by the Chino Basin are expected to double by 2025.

Utilizing recycled water, Manning said, would not only save money but it would save energy otherwise used to pump imported water.

"It would take demand away from the Colorado River," Manning said. "It's a strategy that's important for the Western part of the United States."

The second phase of the program is expected to be completed by 2008

Wendy Leung can be reached by e-mail at wendy_leung@dailybulletin.com or by phone at (909) 483-9376.

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Area dairy industry continues to sour

By Joe Florkowski, Staff Writer
Inland Valley Daily Bulletin

The dairy decline continues.

Motivated by attractive land prices and a host of other factors, dairy owners continued their exodus from San Bernardino and Riverside counties last year, according to statistics from the state Department of Food and Agriculture.

The number of dairies in the two-county area fell from 209 in 2004 to 181 in 2005, according to the agency's numbers, leaving the region with its fewest number of dairies since the 1950s.

Despite the numbers, not all dairies are ready to say goodbye to the Inland Empire, dairy real estate brokers and executives say.

Some farmers, especially those who have started newer, larger dairies in San Jacinto in Riverside County, will remain, said Bill Van Dam, executive director of Chino-based Milk Producer Council.

"There is more interest in staying and dairying around here than I thought," said Van Dam, who recently started serving as director of the council.

Nevertheless, most of the Chino Valley dairies are leaving, said Syp Vander Dussen, who owns a Chino dairy with about 2,400 cows. If all the dairies in escrow right now were to leave the region, Chino Valley would have about 25 percent of its dairies left, Vander Dussen said.

The Inland Valley's dairy industry was once prominent in the 1960s in the area of Chino and what is now Ontario. More than 400 dairies operated at the peak of the industry's boom in the 1960s and 1970s.

But as the Inland Valley has become more urbanized, more dairy owners have opted to leave the region, for a variety of reasons.

Chino Valley dairies once considered spacious now are too small. Their owners have moved to California's Central Valley, or to other states, where they can buy bigger properties and milk more cows.

Some dairy owners have chosen simply to retire, while others have left the business.

In their place, developers have built homes. On what was once dairy land in Chino, families already live in the master-planned development called the Preserve.

In Ontario, homes will be built later this year below Riverside Drive in the New Model Colony development. And in western Riverside County, the burgeoning unincorporated community of Eastvale has sprung up on what was formerly farmland.

David Beno, an Ontario-based real estate broker who specializes in dairies, said the rate at which dairies leave or close will slow over the next few years. Many dairies will close or move from the region in 2006, but fewer will leave in 2007-08, Beno predicted.

High interest rates combined with a correcting housing market will cause developers to be cautious when they buy dairy properties, he said.

Despite the dairy migration from the Inland Valley in recent years, milk is still king in San Bernardino County.

In preliminary estimates, the value of the milk produced in 2005 was nearly \$342 million. The next-closest agricultural product or crop was eggs, valued at \$31 million, according to San Bernardino County's Department of Agriculture Weights and Measures.

Milk is generally about 60 percent of the county's annual agricultural production per year, said John Gardner, deputy commissioner with the county's weights and measures department.

The dairy migration has also affected the businesses that depend on dairies.

Vander Dussen calls it "the reverse of pioneering."

For example, the California Dairy Herd Improvement Association has operated out of Chino Airport since 1971. But the association, which tests milk for farmers, opened a satellite office in California's Central Valley in 2004.

The Chino association office serves about 128 dairies in the Chino Valley. The Central Valley office serves 43, said Rick Bealer, general manager. A few years ago, the Chino office served more than 150 area dairies, he said.

The association will remain as long as it's needed, Bealer said. "We're going to be here as long as the dairies need us here," he said.

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County, Colonies heading to court

Flood control requirements remain major sticking point

By Edward Barrera, Staff Writer
Inland Valley Daily Bulletin

Next Monday's trial between San Bernardino County and the developers of the Colonies project in Upland will finally begin to settle some of the most significant questions of the four-year battle.

A judge at San Bernardino Superior Court will decide the extent of the county's rights to flood control facilities on the Colonies Partners' 434-acre property in northeast Upland.

About 67 acres are being used for water storage and storm runoff.

An appellate court last summer decided that the 67 acres mandated by the county to be used for flood control is more than what was originally allowed from a 1933 easement.

An easement is the right of a public entity to make use of land primarily owned by another owner for a limited purpose, such as a utility line.

But the appellate court added that a 1939 easement might give the county more access.

"We are anxiously waiting for the trial to begin," said Dan Richards, Colonies co-managing partner. "This has gone on long enough."

The county could face a huge financial hit if any ruling favors the Colonies since, as the appellate court noted, "the burden on the Colonies' property is far more significant than slight."

A lawsuit for damages is waiting in the wings, predicated not only on any land illegally taken but on costs spent for basin renovations and impact on Colonies Partners due to construction delays.

Colonies will be asking for upward of \$200 million in any award judgment.

The specter of that award, which would wipe out the county's West End flood control district fund, is what pushed county officials to attempt settlement talks last month. Though negotiations initially appeared promising, they soon fizzled out.

"It was not close enough to get it done. That's the bottom line," said county Supervisor Paul Blane, who has been vocal about how it could affect the second district.

Richards, who would not divulge details, said he believed a deal was done before it fell apart.

County and Colonies officials came close last year when negotiators struck a deal to reimburse the developers for basin costs and compensate them for taking 37 acres. The deal would have cost the county about \$75 million in land and cash payments. But it was never approved by the full Board of Supervisors.

"I don't see how (the Colonies) have been injured at any point," Supervisor Dennis Hansberger said. "(The county) has a lot at stake. I don't think there is a lot at stake for the Colonies. If they lose everything, they will still make tens of millions of dollars."

Colonies officials have said that the county took their property without just compensation and reneged on promises to pay for flood control renovations, which the company has already spent nearly \$25 million to make.

Richards said even with a ruling in the Colonies' favor, the developers would still be open to a settlement, though the price keeps going up.

"Unfortunately, the taxpayers are the loser, and we are not happy about that," he said. "The Board of Supervisors have to be held accountable. When this is ultimately resolved, and the public understands the true accounting of the missteps by the county, the supervisors will have to bear that responsibility."

The county also filed a suit against Caltrans, San Bernardino Associated Governments and the city of Upland, intending to hold them financially responsible if the county is forced to pay any damages.

Officials from the county and Colonies say they believe that any judgment will be appealed.

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