



## CHINO BASIN WATERMASTER

### II. BUSINESS ITEMS

#### B. MZ1 LONG TERM PLAN – NO ACTION





# CHINO BASIN WATERMASTER

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**KENNETH R. MANNING**  
Chief Executive Officer

## STAFF REPORT

**DATE:** May 15, 2007  
May 17, 2007  
May 24, 2007

**TO:** Agricultural Pool, Appropriative Pool and Non-Agricultural Pool Members

**SUBJECT:** Management Zone 1 Long Term Plan for the Management of Subsidence

### BACKGROUND

In 2002, Watermaster began implementation of its Interim Plan for Management of Subsidence. This plan involved the construction of extensive monitoring facilities and the formation of a Technical Committee in order to investigate the causes of subsidence in Management Zone 1. The Interim Plan also created a three year Forbearance Program whereby substitute water was provided to certain parties if they agreed to voluntarily reduce their pumping from certain wells listed in the Interim Plan. At the end of the initial three year period, the Forbearance Program was extended for another year. A key feature of the Interim Plan was that it was Watermaster's Plan that did not involve commitment from any party. Participation in the Technical Committee as well as in the Forbearance Program was completely voluntary for all parties.

On May 25, 2005, a workshop was held to update the Special Referee on progress of the Technical Committee investigation and on the development of a long-term plan for MZ1. After the workshop, the Special Referee issued a report to the Court that summarized the workshop and requested that Watermaster produce a Summary Report of the results of the Technical Committee investigation and provide "Guidance Criteria" to the MZ1 producers based on the results of the technical investigation. The Guidance Criteria consist mainly of setting a "control" water level of 245 feet below the reference point for the PA-7 piezometer at Ayala Park. Watermaster recommends that the producers in MZ1 not cause water levels to fall below the control level.

### Draft Long Term Plan

The Summary Report and Guidance Criteria were adopted by the Watermaster Board on May 25, 2006. Since that time Watermaster has been working with the affected parties to develop a "Long Term Plan" for the management of subsidence in MZ1. Based on this outreach and the numerous meetings held with the MZ1 parties, Watermaster has formulated a draft proposal which outlines further monitoring and technical work to further refine Watermaster's understanding of the mechanisms of subsidence in MZ1.

Watermaster believes that the affected parties in MZ1 are sufficiently concerned with the potential to cause subsidence if they cause water levels to drop below the 245 foot control point, that the continuation of a voluntary program consistent with the approach utilized by the Interim Plan is the most efficient and effective means to manage subsidence in MZ1 on a long-term basis.

While the draft Long Term Plan has been distributed informally to the parties, it has not received formal distribution through the Pool process. This month the Long Term Plan is being presented as an information item and staff intends to request approval for the Plan in June.

### **Alternative Water Supply Proposal**

Watermaster has also developed a draft alternative water supply proposal to assist the affected parties in voluntarily modifying their pumping in order to avoid causing water levels to drop below the guidance level. After many months of meeting with the technical committee and other affected parties, Watermaster believes this draft proposal will be the best opportunity to offer the affected parties with assistance to help them avoid deep zone pumping that may cause subsidence. Watermaster believes that the most helpful role it can play in this regard is to offer the parties a voluntary program through which they will be able to modify their production in a way that best suits their own water supply needs.

The concept of the alternative water supply proposal is to essentially continue the forbearance program which has effectively managed subsidence over the last several years. During the period of operation of the forbearance plan so far, Chino and Chino Hills have voluntarily reduced their pumping from certain wells and have instead been provided replacement water through Watermaster. Fortuitously, Watermaster has been able to satisfy these demands through the use of water intended to be delivered into the Metropolitan Water District Dry Year Yield Storage account. Since this water will not be available every year, the challenge of a long term water supply proposal is to find a source of water that will be reliably available over a long term.

Watermaster is currently working with the technical committee members to finalize the details of a proposal whereby excess WFA capacity is utilized to deliver replenishment water to participating MZ1 parties. Thus, through the MZ1 Long Term Plan, a mechanism for in lieu delivery of replenishment water would be created that could help Watermaster to meet its recharge needs in a way that does not require the construction of additional recharge facilities.

There is still many details to be resolved with this proposal and the consent of the WFA agencies will need to be obtained. For this reason, Watermaster has not yet brought forward the alternative water supply proposal as an information item.

While Watermaster is cognizant of the interest of the affected MZ1 parties to find a cost effective way to prevent them from causing water levels to fall below the 245 foot recommended level, there is necessary connection between the Long Term Plan and the alternative water supply proposal. Thus, while Watermaster intends to request approval for the Long Term Plan in June, the alternative water supply proposal will not be brought to the Pools for action until the logistical details and institutional approvals have been obtained.

## 1. PROBLEM DESCRIPTION AND MANAGEMENT GOALS

One of the earliest indications that land subsidence was occurring in Chino Basin was the appearance of ground fissures in the City of Chino. These fissures appeared as early as 1973, but an accelerated occurrence of ground fissuring ensued after 1991 and resulted in damage to existing infrastructure. The scientific studies that followed attributed the fissuring phenomenon to differential land subsidence caused by pumping of the underlying aquifer system and the consequent drainage and compaction of aquitard sediments.

In 1999, the Phase I Report of the Optimum Basin Management Program (OBMP) identified pumping-induced drawdown and subsequent aquifer-system compaction as the most likely cause of the land subsidence and ground fissuring observed in MZ-1. Program Element 4 of the OBMP – *Develop and Implement a Comprehensive Groundwater Management Plan for Management Zone 1* called for the development and implementation of an interim management plan for MZ-1 that would:

- Minimize subsidence and fissuring in the short-term
- Collect information necessary to understand the extent, rate, and mechanisms of subsidence and fissuring
- Formulate a management plan to reduce to tolerable levels or abate future subsidence and fissuring

In 2000, the Implementation Plan in the Peace Agreement called for an aquifer-system and land subsidence investigation in the southwestern region of MZ-1 to support the development of a management plan for MZ-1 (second and third bullets above). This investigation was titled the *MZ-1 Interim Monitoring Program* (IMP). From 2001-2005, Watermaster developed, coordinated and conducted the IMP under the guidance of the MZ-1 Technical Committee, which is composed of representatives from all major MZ-1 producers and their technical consultants. Specifically, the producers represented on the MZ-1 Technical Committee include: the Agricultural Pool, City of Chino, City of Chino Hills, City of Ontario, City of Pomona, City of Upland, Monte Vista Water District, Southern California Water Company, and the State of California (CIM).

As of October 2005, the main conclusions derived from the investigation were:

1. Groundwater production from the deep, confined aquifer system in this area causes the greatest stress to the aquifer system. In other words, pumping of the deep aquifer system causes water level drawdowns that are much greater in magnitude and lateral extent than drawdowns caused by pumping of the shallow aquifer system.
2. Water level drawdowns due to pumping of the deep aquifer system can cause inelastic (permanent) compaction of the aquifer-system sediments, which results in permanent land subsidence. The initiation of inelastic compaction within the aquifer system was identified during this investigation when water levels fell below a depth of about 250 feet in the PA-7 piezometer at Ayala Park.
3. The current state of aquifer-system deformation in south MZ-1 (in the vicinity of Ayala Park) is essentially elastic. Very little inelastic (permanent) compaction is now occurring in this area, which is in contrast to the recent past when about 2.2 feet of land subsidence occurred, accompanied by ground fissuring, from about 1987-1995.
4. Through this study, a previously undetected barrier to groundwater flow was identified. The barrier is located within the deep aquifer system and is aligned with the historical zone of ground fissuring. Pumping from the deep aquifer system is limited to the area west of the barrier, and the resulting drawdowns do not propagate eastward across the barrier. Thus, compaction occurs within the deep



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PROBLEM DESCRIPTION AND MANAGEMENT GOALS

system on the west side of the barrier, but not on the east side, which causes concentrated differential subsidence across the barrier and creates the potential for ground fissuring.

5. InSAR and ground level survey data indicate that permanent subsidence in the central region of MZ-1 (north of Ayala Park) has occurred in the past and continues to occur today. The InSAR data also suggest that the groundwater barrier extends northward into central MZ-1. These observations suggest that the conditions that very likely caused ground fissuring near Ayala Park in the 1990s are also present in central MZ-1, and should be studied in more detail.

The investigation methods, results, and conclusions (listed above) are described in detail in the MZ-1 Summary Report (October 2005), which is included as Appendix A. The investigation provided enough information for Watermaster to develop Guidance Criteria for the MZ-1 producers in the investigation area that, if followed, would minimize the potential for subsidence and fissuring during the completion of the MZ-1 Subsidence Management Plan (this document). The Guidance Criteria are the basis for the MZ-1 Subsidence Management Plan (hereafter, the MZ-1 Plan) and are included in Section 4 of the MZ-1 Summary Report (Appendix A).

The goal of the MZ-1 Plan is:

*To develop a pumping and recharge plan to reduce to tolerable levels or abate future land subsidence and ground fissuring.*

This version of the MZ-1 Plan is specific to southwestern MZ-1 where:

1. Historical subsidence was accompanied by ground fissuring
2. The aquifer-system and land subsidence investigation was focused

However, the investigation also has shown that land subsidence is occurring (or could possibly occur) in other regions of MZ-1, and possibly in other regions of the Chino Basin. In addition, the hydrogeologic conditions that very likely caused ground fissuring in southwestern MZ-1 are also likely present in other regions of MZ-1. For these reasons, the Watermaster conducts aquifer-system and subsidence monitoring efforts to other regions of Chino Basin.

A key element of the MZ-1 Plan will be its *adaptive* nature. As new data are collected and periodically analyzed to evaluate the on-going effectiveness of the plan, the plan will be revised accordingly and approved through the Watermaster process.

Section 2 of this plan describes the current version of the MZ-1 Plan. Section 3 addresses the evaluation and periodic update of the MZ-1 Plan.



## 2. MZ-1 SUBSIDENCE MANAGEMENT PLAN

### Managed Wells within the Area of Subsidence Management

Table 2-1 lists the existing wells (hereafter the Managed Wells) and their owners (hereafter the Parties) that are currently subject to the MZ-1 Plan. The Parties are the City of Chino, the City of Chino Hills, and the State of California. Figure 2-1 shows the Area of Subsidence Management (hereafter, the Managed Area). Within the boundaries of the Managed Area, both existing and newly-constructed wells are subject to being classified as Managed Wells.

The Managed Area was delineated based on:

- Measurements of historical land subsidence
- Proximity to historical ground fissuring
- Areal extent of intensive investigation of the MZ-1 Interim Monitoring Program (IMP)

The Managed Well designations were based upon the observed and/or predicted effects of pumping on groundwater levels and aquifer-system deformation. Managed Well designations for wells that pumped during the IMP were based on effects measured at the Ayala Park Piezometer/Extensometer Facility. Managed Well designations for wells that were not pumped during the IMP were based on analysis of well construction and geology.

**Definition of Managed Well:** Any production well (regardless of current status) located within the Managed Area that has casing perforations deeper than 400 feet below the ground surface.

### The Guidance Level

The IMP showed that water-level drawdowns due to pumping of the deep aquifer system within the Managed Area can cause inelastic (non-recoverable) compaction of the aquifer-system sediments, which results in permanent land subsidence. The initiation of inelastic compaction within the aquifer system was identified during the IMP when water levels fell below a depth of about 250 feet in the PA-7 piezometer at Ayala Park.

**Definition of the Guidance Level:** The Guidance Level is a specified depth to water measured in Watermaster's PA-7 piezometer at Ayala Park. It is defined as the threshold water level at the onset of inelastic compaction of the aquifer system as recorded by the extensometer, minus 5 feet. The 5-foot reduction is meant to be a safety factor to ensure that inelastic compaction does not occur. The Guidance Level is established by Watermaster and subject to change based on the periodic review of monitoring data collected by Watermaster. The initial Guidance Level is 245 feet below the top of the well casing (ft-btoc) in PA-7.

Watermaster recommends that the Parties manage their groundwater production so that the water level in PA-7 remains above the Guidance Level. If the water level in PA-7 falls below the Guidance Level, Watermaster recommends that the Parties curtail their production from the Managed Wells as required to (1) allow for water-level recovery and (2) maintain the water level in PA-7 above the Guidance Level.

### Data Exchange between Watermaster and the Parties

Watermaster will provide the Parties with current water level data from PA-7 beginning on Oct 1, 2007.



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The Parties are requested to maintain accurate records of the operation of the Managed Wells, including production rates and on-off dates and times. The Parties are requested to provide these records to Watermaster monthly. The Parties are requested to promptly notify Watermaster of all operational changes made to maintain the water level in PA-7 above the Guidance Level.

#### Continued Monitoring within the Managed Area

Watermaster will continue the scope and frequency of monitoring that was implemented during the IMP within the Managed Area. These monitoring efforts are necessary to:

- Supply the Parties with the requisite information to comply with the MZ-1 Plan
- Assess the Parties' compliance with the MZ-1 Plan
- Evaluate the effectiveness of the MZ-1 Plan to reduce to tolerable levels or abate future land subsidence and ground fissuring.

In detail, Watermaster will continue the monitoring of:

***Piezometric Levels.*** Watermaster recommends that the Parties allow Watermaster to continue monitoring piezometric levels at their wells listed in Table 2-2. Currently, a pressure-transducer/data-logger is installed at each of these wells and records one water level reading every 15 minutes. In addition, Watermaster will continue to record depth-specific water levels at the piezometers located at the Ayala Park Extensometer facility every 15 minutes.

Watermaster will maintain all pressure-transducers/data-loggers in good working order in an effort to collect a continuous and reliable record of piezometric levels within the Managed Area.

***Aquifer-System Deformation.*** Watermaster will continue to record aquifer-system deformation at the Ayala Park Extensometer facility. At this facility, two extensometers, completed at 550 ft-bgs and 1,400 ft-bgs, will continue to record the vertical component of aquifer-system compression and/or expansion once every 15 minutes (synchronized with the piezometric measurements).

Watermaster will maintain the Ayala Park Extensometer facility in good working order in an effort to collect a continuous and reliable record of aquifer-system deformation at Ayala Park.

***Vertical Ground-Surface Deformation.*** Watermaster will continue the monitoring of vertical ground-surface deformation via ground level surveying and remote sensing (Synthetic Aperture Radar Interferometry [InSAR]) techniques that were established during the IMP.

Currently, Watermaster is attempting to collect synchronous ground-level survey and InSAR data on a semi-annual frequency (Spring/Fall) over a two-year period. By the end of FY 2006/07, Watermaster will analyze and compare the survey and InSAR data sets, and recommend a new scope and frequency of data collection for both ground-level surveys and InSAR. Factors that will be considered during the comparative analysis and recommendation will be accuracy, reliability, areal extent, and cost.

***Horizontal Ground-Surface Deformation.*** Watermaster will continue the monitoring of horizontal ground-surface displacement across the eastern side of the subsidence trough and the adjacent area east of the barrier/fissure zone. These data, obtained by electronic distance measurements (EDMs), are used to



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characterize the horizontal component of land surface displacement caused by groundwater production on either side of the fissure zone. Currently, Watermaster is collecting EDMs on a semi-annual frequency (Spring/Fall) between east/west-aligned benchmarks on Eucalyptus, Edison, Schaefer, and Philadelphia Avenues. Watermaster will continue this monitoring effort.

#### Contemplated Testing and Monitoring within the Managed Area

Currently, Watermaster and the MZ-1 Technical Committee are contemplating additional testing and monitoring within the Managed Area. The following are considered prudent, but are not yet recommended or planned for future implementation:

- *Detailed monitoring of horizontal strain across the fissure zone by installing high-resolution instrumentation near the northern extent of the zone (i.e. just south of Schaefer Avenue).* This instrumentation will comprise three measurement technologies that function over a range of spanned distances (12 - 400 ft) and strain resolutions (1e-5 to 1e-8). Data from the highest-resolution, short-span strain gages and tiltmeters would be quasi-continuous, and, when plotted against quasi-continuous water level (stress) measurements in wells, would reveal stress-strain relationships at work in and immediately adjacent to the fissure zone.

These stress-strain relationships will be important criteria for the evaluation and update of the MZ-1 Plan. A plausible hypothesis is that pumping-induced subsidence east of the historical fissure zone could reduce the existing horizontal stress across the fissure zone, and forestall additional fissuring episodes. The detailed monitoring of horizontal strain across the fissure zone (or its northward extension) will test this hypothesis as groundwater production and associated drawdowns increase in areas east of the fissure zone.

- *An injection feasibility study at a production well within the Managed Area.* This test would help determine if aquifer injection is a viable tool to manage subsidence within the Managed Area.

#### Expanded Monitoring in Areas of Subsidence Concern

The results of the IMP showed that land subsidence and ground fissuring concerns are not spatially limited to the Managed Area. Specifically, the IMP showed that:

- Hydrogeologic conditions conducive to land subsidence are present in other areas of MZ-1 and the Chino Basin
- Land subsidence is occurring (or has occurred in the past) in other regions of MZ-1 and the Chino Basin
- Hydrogeologic conditions that presumably caused ground fissuring in southwestern MZ-1 are also present in other areas of MZ-1
- Groundwater production (and associated drawdowns) is active, planned, and/or proposed within or near these areas that are susceptible to subsidence and fissuring





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For these reasons, Watermaster conducts limited monitoring of the aquifer system and land subsidence outside of the Managed Area (hereafter, Areas of Subsidence Concern). Figure 2-2 shows the three Areas of Subsidence Concern: Central MZ-1, Southeast Area, and Northeast Area.

**Central MZ-1.** All available data collected and analyzed during the IMP (including historical InSAR [1992-2000] and recent ground level surveys [2003-2005]) indicate that permanent subsidence in the central parts of MZ-1 (north of Ayala Park) has occurred in the past. The InSAR data also suggest that the groundwater barrier extends northward into central MZ-1. These observations suggest that the conditions that very likely caused ground fissuring near Ayala Park in the 1990s are also present in Central MZ-1.

Currently in Central MZ-1:

- In fiscal year 2005/06, Watermaster installed pressure-transducers/data-loggers in about 10 existing production wells within Central MZ-1 to record water levels once every 15 minutes. This initial data collection effort is a Watermaster attempt to better understand the relationships between nearby groundwater production, water levels, and the observed subsidence in Central MZ-1.
- Watermaster monitors vertical ground-surface deformation via ground level surveying and InSAR techniques as part of the same program that is conducted for the Managed Area. These data have revealed the extent, rate, and spatial distribution of land subsidence in Central MZ-1, and has revealed a zone of potential future ground fissuring.
- Watermaster conducts monitoring of horizontal ground-surface displacement across the zone of potential future ground fissuring (near the intersection of Central Avenue and Philadelphia Street). These data, obtained by EDMs on a semi-annual frequency (Spring/Fall) between east/west-aligned benchmarks on Philadelphia Street, are used to characterize the horizontal component of land surface displacement caused by groundwater production in the region. The data collected as part of this effort can be used to design a program for *detailed* monitoring of horizontal strain across this zone of potential ground fissuring, if deemed necessary by Watermaster.

Watermaster will continue the above listed monitoring efforts. If future data from existing monitoring efforts in this area indicate the potential for adverse impacts due to subsidence, Watermaster will revise the MZ-1 Plan pursuant to the process outlined in Section 3.

**Southeast Area.** All available data collected and analyzed during the IMP (including historical InSAR [1992-2000] and recent ground level surveys [2003-2005]) indicate that very little permanent subsidence has occurred in the Southeast Area (east of Ayala Park) since the early 1990s. However:

- the historical InSAR data is incoherent (absent) across much of this area
- the geologic conditions that are necessary for land subsidence and ground fissuring are present in this region
- Watermaster's historical records indicate that very little groundwater production has occurred within the deep aquifer system in this region, which would suggest that new groundwater production from the deep aquifer system could cause permanent land subsidence and ground fissuring
- some MZ-1 producers have plans to produce groundwater from the deep aquifer system in this region
- very little is known about the site-specific controls on subsidence and fissuring that are unique to this region, such as the drawdown threshold that would initiate inelastic compaction in the aquifer system,



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or the effects that land subsidence in this region would have on the historic fissure zone within the adjacent Managed Area

Currently in the Southeast Area:

- Watermaster monitors vertical ground-surface deformation via ground level surveying and InSAR techniques as part of the same program that is conducted for the Managed Area. These data reveal the extent, rate, and spatial distribution of land subsidence across a portion of the Southeast Area.
- Watermaster has installed pressure-transducers/data-loggers in about 16 existing production wells and monitoring wells within the Southeast Area to record water levels once every 15 minutes as part of the MZ-1 and HCMP monitoring programs.

Watermaster will continue the above listed monitoring efforts. If future data from existing monitoring efforts in this area indicate the potential for adverse impacts due to subsidence, Watermaster will revise the MZ-1 Plan pursuant to the process outlined in Section 3.

*Northeast Area.* All available data collected and analyzed during the IMP (including historical InSAR [1992-2000] and recent ground level surveys [2003-2005]) indicate that minor but persistent permanent subsidence has occurred in the Northeast Area since the early 1990s. The available data does not indicate that any areas are experiencing focused differential subsidence that would indicate the threat of ground fissuring.

Currently in the Northeast Area:

- Watermaster monitors vertical ground-surface deformation via ground level surveying and InSAR techniques as part of the same program that is conducted for the Managed Area. These data reveal the extent, rate, and spatial distribution of land subsidence across a portion of the Northeast Area.

Watermaster will continue the above listed monitoring efforts. If future data from existing monitoring efforts in this area indicate the potential for adverse impacts due to subsidence, Watermaster will revise the MZ-1 Plan pursuant to the process outlined in Section 3.



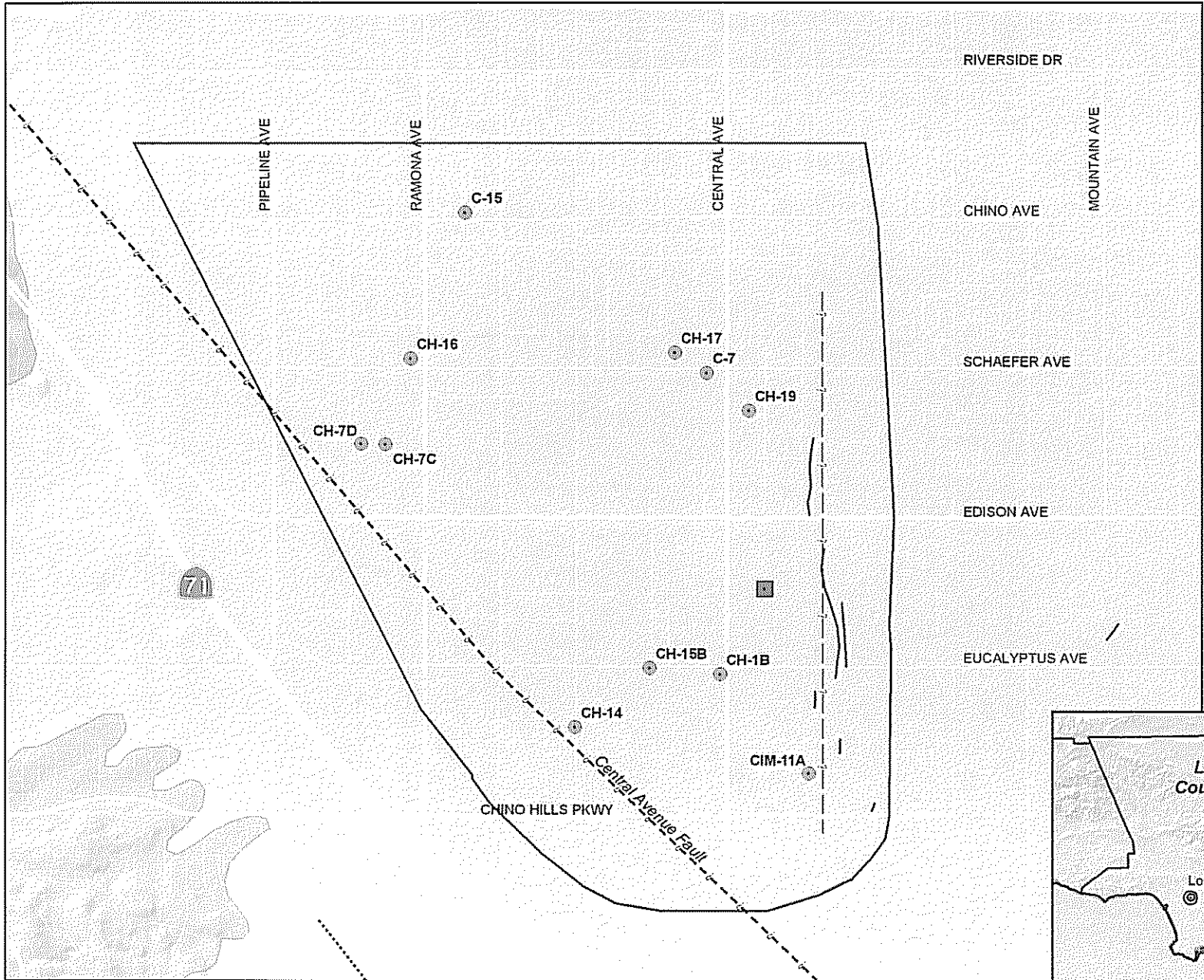
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**Table 2-1  
MZ-1 Managed Wells**

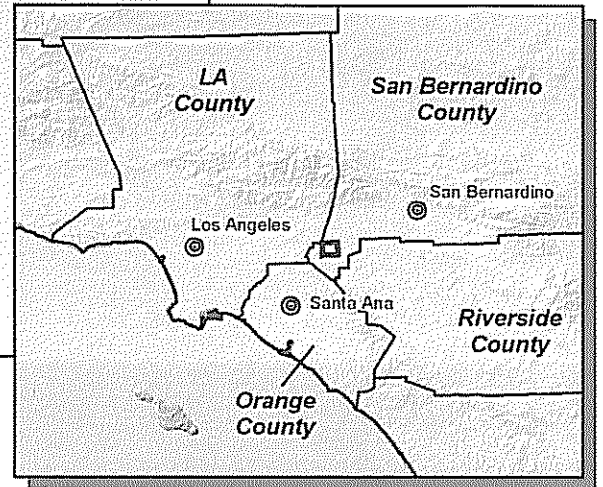
| <b>CBWM_ID</b> | <b>Owner</b> | <b>Well Name</b> | <b>Status</b> | <b>Screened Interval<br/>ft-bgs</b>                  | <b>Capacity<br/>gpm</b> |
|----------------|--------------|------------------|---------------|--|-------------------------|
| 600487         | Chino Hills  | 1B               | Inactive      | 440-470, 490-610, 720-900, 940-1180                  | up to 1200              |
| 600687         | Chino Hills  | 7C               | Not Equipped  | 550-950  | --                      |
| 600498         | Chino Hills  | 7D               | Inactive      | 320-400, 410-450, 490-810, 850-930                   | 400                     |
| 600495         | Chino Hills  | 14               | Inactive      | 350-860  | 300-400                 |
| 600488         | Chino Hills  | 15B              | Active        | 360-440, 480-900                                     | 1500                    |
| 600489         | Chino Hills  | 16               | Inactive      | 430-940  | 800                     |
| 600499         | Chino Hills  | 17               | Inactive      | 300-460, 500-980                                     | 700                     |
| 600500         | Chino Hills  | 19               | Active        | 340-420, 460-760, 800-1000                           | 1100-1500               |
| 3600461        | Chino        | 7                | Not Equipped  | 180-780  |                         |
| 600670         | Chino        | 15               | Not Equipped  | 270-400, 626-820                                     |                         |
| 3602461        | CIM          | 11A              | Active        | 135-148, 174-187, 240-283, 405-465, 484-512, 518-540 | 500-600                 |

**Table 2-2  
Wells Used for Water Level Monitoring  
During the MZ-1 Interim Monitoring Program**

| CBWM_ID | Owner       | Well Name | Status       | Screened Interval<br>ft-bgs                          | Capacity<br>gpm |
|---------|-------------|-----------|--------------|--|-----------------|
|         | Chino Hills | 1A        | Active       | 166-317  | 700-800         |
|         | Chino Hills | 1B        | Inactive     | 440-470, 490-610, 720-900, 940-1180                  | up to 1200      |
|         | Chino Hills | 7C        | Not Equipped | 550-950  | --              |
|         | Chino Hills | 5         | Active       |  |                 |
|         | Chino Hills | 14        | Inactive     | 350-860  | 300-400         |
|         | Chino Hills | 15A       | Not Equipped | 190-310  | --              |
|         | Chino Hills | 15B       | Active       | 360-440, 480-900                                     | 1500            |
|         | Chino Hills | 16        | Inactive     | 430-940  | 800             |
|         | Chino Hills | 17        | Inactive     | 300-460, 500-980                                     | 700             |
|         | Chino Hills | 18        | Not Equipped | 420-460, 480-980                                     | --              |
|         | Chino Hills | 19        | Active       | 340-420, 460-760, 800-1000                           | 1100-1500       |
|         | Chino       | 4         | Active       | 160-200, 200-275                                     | 350-750         |
|         | Chino       | 6         | Active       | 200-375  | 500-750         |
|         | Chino       | 7         | Not Equipped | 180-780  |                 |
|         | Chino       | 15        | Not Equipped | 270-400, 626-820                                     |                 |
|         | Chino       | Schaefer  | Abandoned    |  |                 |
|         | Chino       | YMCA      | Abandoned    |  |                 |
|         | Chino       | 12th&G    | Abandoned    |  |                 |
|         | CIM         | 1A        | Active       | 160-213, 484-529                                     | 1100-1200       |
|         | CIM         | 11A       | Active       | 135-148, 174-187, 240-283, 405-465, 484-512, 518-540 | 500-600         |
|         | CIM         | MW-22DR   | Monitoring   | 514.5-528.9  |                 |
|         | CIM         | MW-24S    | Monitoring   | 94-103.6   |                 |
|         | CIM         | MW-24I    | Monitoring   | 157.1-171.7  |                 |
|         | CIM         | MW-33S    | Monitoring   | 97.3-107   |                 |



- MZ-1 Managed Well
- Ayala Park Extensometer
- Area of Subsidence Management
- Ground Fissure (1994)
- Approximate Location of Groundwater Barrier



MZ-1 Managed Area and Managed Wells

Figure 2-1

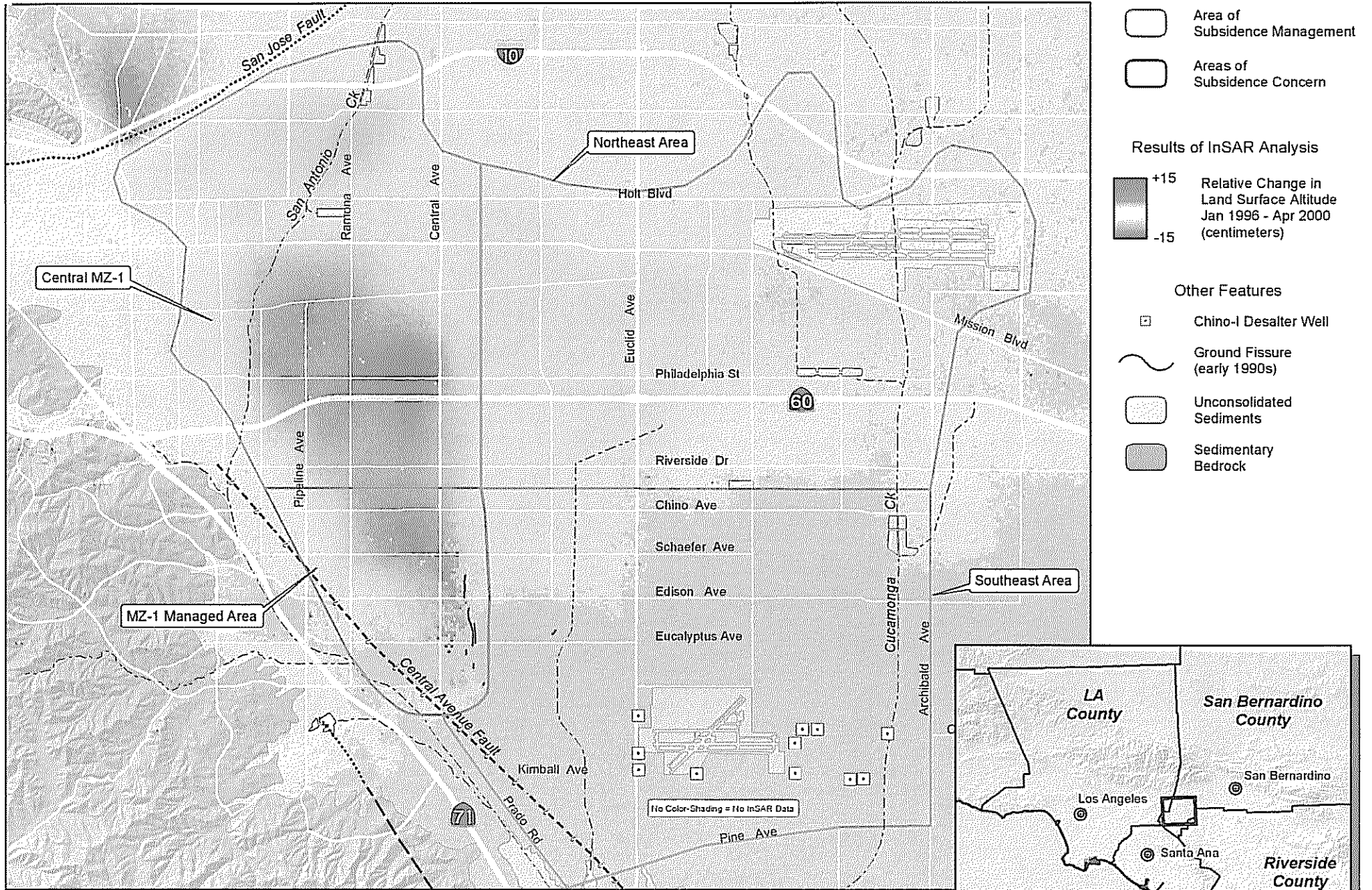


MZ-1 Subsidence Management Plan



Author: AEM  
Date: 20050318  
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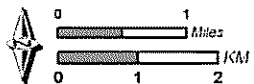
Produced by:  
**WILDERMUTH**  
ENVIRONMENTAL INC.



**Subsidence Management Areas**

**Figure 2-2**

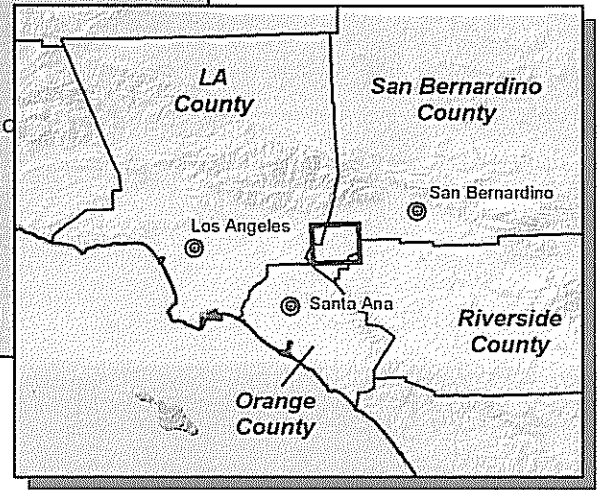
  
 Chino Basin OBMP  
 MZ-1 Subsidence Management Plan



Author: AEM  
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### 3. EVALUATION AND UPDATE OF THE MZ-1 SUBSIDENCE MANAGEMENT PLAN

A key element of the MZ-1 Plan will be the verification of the protective nature of the plan as related to permanent land subsidence and ground fissuring. This verification will be accomplished through continued monitoring and reporting by Watermaster and revision of the MZ-1 Plan when appropriate. In this sense, the MZ-1 Plan will be adaptive.

Within the Managed Area, Watermaster recommends that all deep aquifer-system pumping cease for a continuous 30-day period at some time between the January 1 and March 31 of each year. The cessation of pumping is intended to allow for sufficient water level recovery at PA-7 to recognize inelastic compaction, if any, at the Ayala Park Extensometer.

During April of each year, the MZ-1 Technical Committee will convene to review all available data collected and analyses performed over the past year, and to formally recommend revisions or additions to the MZ-1 Plan. These recommendations will be run through the Watermaster Process during May and, if approved, will be budgeted for and implemented during the following fiscal year.

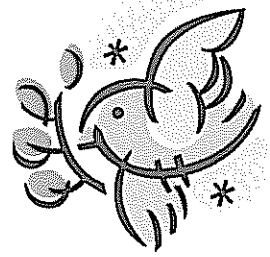
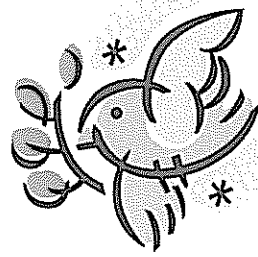
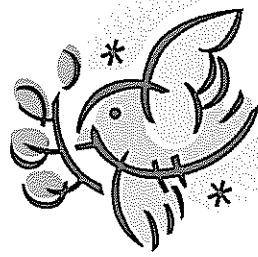
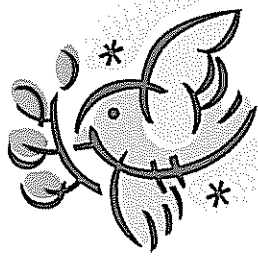
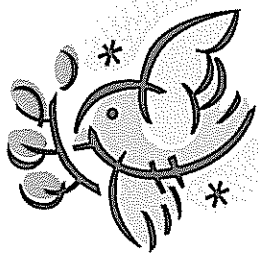
At the conclusion of each fiscal year (June 30), Watermaster will produce a MZ-1 Annual Report that will include:

- Stress-strain diagrams from the Ayala Park Extensometer facility with interpretation
- Maps of ground surface deformation as measured by the ground level surveys and/or InSAR
- The revised MZ-1 Plan, that may include changes to:
  - The delineation of the Managed Area
  - The list of Managed Wells
  - Definition of the Guidance Level
  - On-going monitoring of the aquifer system and ground surface





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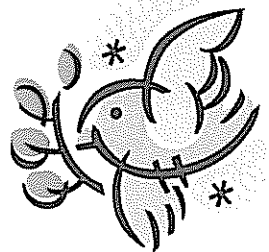
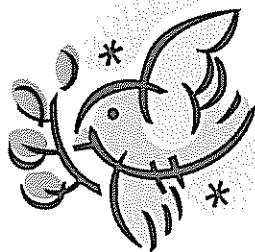


# CHINO BASIN WATERMASTER

## III. REPORTS/UPDATES

### A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

2. Referee Report Regarding Status  
Report Transmittal



1 ELLISON, SCHNEIDER & HARRIS L.L.P.  
Anne J. Schneider, Esq. (Bar No. 72552)  
2 2015 H Street  
Sacramento, California 95814-3109  
3 Telephone: (916) 447-2166  
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4

5 SPECIAL REFEREE  
6  
7  
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA DIVISION  
11

12 CHINO BASIN MUNICIPAL WATER  
DISTRICT,

14 Plaintiff,

15 v.

17 THE CITY OF CHINO, et al.

18 Defendants.  
19

CASE NO. RCV 51010

Judge: Honorable J. Michael Gunn

SPECIAL REFEREE'S COMMENTS  
AND RECOMMENDATIONS  
CONCERNING OBMP STATUS  
REPORT 2006-02, FUTURE  
DESALTING PLANS, AND MZ-1  
LONG- TERM PLAN

Date: May 24, 2007

Time: 1:30 p.m.

Dept: 8  
20

**I.**

**INTRODUCTION**

21  
22 On February 16, 2007, Chino Basin Watermaster ("Watermaster") was asked to file: (1)  
23 OBMP Status Report 2006—02; (2) a report on the status of plans for future desalting in Chino  
24 Basin ("Chino Basin" or "Basin"); (3) a report on the status of Watermaster's long-term plan for  
25 Management Zone 1 (MZ-1) and the publication of guidance criteria. (Order Re: Receiving  
26 OBMP Status Reports and Annual Reports and Further Action, p.4.) On April 2, 2007,  
27 Watermaster filed its "Transmittal of Status Report 2006-02" with attached Exhibits A, B and C  
28 ("First Transmittal"). The First Transmittal includes Watermaster's response to the Court's

1 request for status reports on future desalting in the Basin and for a long-term plan for MZ-1. At  
2 the request of the Special Referee,<sup>1</sup> Watermaster subsequently filed a “Transmittal of Revised  
3 Exhibit C” with attached Exhibits C, C-1 and C-3 (“Second Transmittal”). The Second  
4 Transmittal was filed on April 30, 2007. The Special Referee presents these comments and  
5 recommendations concerning Watermaster’s transmittals for the Court’s consideration.<sup>2</sup>

## 6 II.

### 7 OBMP STATUS REPORT 2006—02

#### 8 A. Status Report Highlights

9 Watermaster’s OBMP Status Report 2006—02 covers the period from July 2006 to  
10 December 2006. The highlights of this status report are as follows:

- 11 • A revision of Watermaster’s groundwater models is currently underway. (See  
12 discussion in Section III B below related to peer review of the Chino Basin  
13 Numerical Groundwater Flow Model.)
- 14 • Several grant applications to expand the desalters were made under State  
15 Proposition 50. Tentative approval for up to \$45 million in grants for desalter  
16 expansion has been received.<sup>3</sup>
- 17 • Preparation of the 2006 State of the Basin Report (“SOBR-2006”) is underway:  
18 OBMP Status Report 2006-02 indicates that a draft of the report will be available  
19 in the spring of 2007.<sup>4</sup>
- 20 • OBMP Status Report 2006-02 indicates that the San Diego County Water  
21 Authority began discussions with Watermaster to develop a storage and recovery  
22 program in Chino Basin. Watermaster also is having discussions with Castaic

23  
24 <sup>1</sup> Watermaster’s First Transmittal Exhibit C was practically illegible. California Rules of Court,  
rule 2.104 requires all papers filed in trial courts to be as legible as printing in type not smaller  
25 than 12 points.

26 <sup>2</sup> The filing of these comments and recommendations is late due to the filing of Watermaster’s  
Second Transmittal on April 30, 2007.

27 <sup>3</sup> Watermaster’s First Transmittal mentions tentative approval for \$53 million for desalter  
expansion. (See quotation in Section III A below.) OBMP Status Report 2006-02 does not  
28 mention possible federal funding for desalters.

<sup>4</sup> The final report is due in July 2007.

1 Lake Water Agency and Metropolitan Water District of Southern California  
2 regarding new storage and recovery programs in Chino Basin.

3 **B. Comments Regarding SOBR-2006**

4 In anticipation of the publication of SOBR-2006 it is important to reiterate that the  
5 concept of a SOBR as first envisioned during the OBMP development process was that a  
6 baseline would be selected, against which changes in basin conditions would be compared. The  
7 SOBR was intended to provide a means of assessing the effectiveness of the OBMP as its  
8 various program elements were implemented. Thus, in its recent order the Court stated:

9 The State of the Basin Report is not intended to be a report on the state of OBMP  
10 implementation. The OMBP status reports serve that role. Rather, the State of  
11 the Basin Report is intended to be an engineering report on the physical state of  
12 the basin, in which basin conditions are compared with a pre-OBMP baseline in  
order to measure changes in basin conditions, the effectiveness of the OBMP, and  
the effects of any reoperation of the basin.

13 (Order Re: Receiving OBMP Status Reports and Annual Report and Further Action,  
14 *supra*, p. 3, lns. 9-14.)

15 We previously commented that the Initial State of the Basin Report should have included  
16 a reconciliation of pumping and Safe Yield. Pumping was discussed in SOBR-2004, but there  
17 was no reconciliation of pumping with Safe Yield. It is unclear whether total wet water recharge  
18 has kept pace with increased production from the Basin, and it appears that wet water recharge,  
19 and most notably replenishment, have been significantly depressed since 2000/2001. One of the  
20 most fundamental of Watermaster's original charges is to address and report to the Court on  
21 whether or not Safe Yield is being maintained and overproduction is being replenished. It is  
22 important that Watermaster reconcile pumping and Safe Yield in SOBR-2006, and either  
23 demonstrate that overproduction is being replenished as required by the Judgment, or explain  
24 why it is not. There also remains confusion between the amounts of pumping as reported in  
25 SOBR-2004 and as reported in the Annual Reports. Reconciliation of pumping with Safe Yield  
26 should eliminate that confusion. A clear and complete reconciliation will be helpful to the Court  
27 in its consideration of Watermaster Basin reoperation proposals.

28 ///

1 III.

2 WATERMASTER'S REPORT ON THE STATUS OF PLANS FOR FUTURE  
3 DESALTING

4 A. Watermaster's Filings

5 Watermaster's First Transmittal includes little detail as to how Watermaster intends to  
6 expand desalting capacity. The transmittal notes that "responsibilities under the Peace  
7 Agreement" of Inland Empire Utilities Agency ("IEUA") and Western Municipal Water District  
8 (WMWD) [for future desalters], have been assumed by the Chino Desalter Authority (CDA):

9 Even though Desalter I and II implementation and operation has been  
10 assumed by CDA, the Peace Agreement still articulates various responsibilities  
11 held by IEUA and Western relative to the initiation of further desalter capacity.  
12 These responsibilities relate primarily to the pursuit of funding sources to assist in  
13 alleviating the burden associated with the desalters. IEUA and Western, as well  
14 as other Chino Basin parties, have been very active in pursuing grant funding to  
15 assist in the construction of the next increment of desalter capacity. Attached here  
16 as Exhibit "B" is the most recent Funding Priority Ranking for projects under  
17 Proposition 50. According to this ranking, the CDA is ranked third for a grant of  
18 \$15,000,000 and Western has been ranked 8<sup>th</sup> and 14<sup>th</sup> for desalter grants totaling  
19 another \$33,000,000.

20 In addition, Western has currently been approved for over \$5 million in  
21 grant funding for use on design and construction for desalter capacity. These  
22 grant funds have an expiration date of November 2008 and are a current motivator  
23 for the scheduling relating to the next increment of desalter capacity, as the parties  
24 do not want to lose any funding opportunities.

25 (First Transmittal, p. 2, lns. 11-26.)

26 Both the First and Second Transmittals focus on the steps needed to finalize the "Peace II  
27 Agreement" under the Stakeholder Non-Binding Term Sheet (adopted by Watermaster in May  
28 2006). Exhibit C to the Second Transmittal (Revised Chronological Timeline of Peace II  
Implementation April 2007) notes twelve steps to be completed before Peace II can be  
implemented. (The thirteenth step is implementation actions for Peace II.)

29 The first four steps have already been completed. Steps five through ten are described as  
30 "ongoing". Of particular importance are steps seven and eight. Step seven is the completion of a  
31 physical project description. Watermaster strives to complete this step by June 1, 2007, but no  
32 later than August 1, 2007. Watermaster states:

33 ///

1           The physical description will serve dual purposes: CEQA compliance and  
2           impacts analysis for Court review and approval of proposed Peace II actions,  
          including Re-Operation and Hydraulic Control requirements.

3           (Second Transmittal, Exh. C at ¶ 7.) It appears that “physical project description” as used in this  
4           step refers to the description of the basin management actions proposed in Peace II, not to the  
5           description of the plan for the Chino Creek Well Field desalter expansion. Step seven includes  
6           the following comment:

7                     Watermaster has an internal goal for completing the technical analysis of impacts  
8                     [presumably, of Peace II basin management actions] by the end of August.  
9                     Obviously, an earlier designation of the proposed project will expedite the  
                    technical analysis. (*Id.* at ¶ 3.)

10           Step eight is described as the evaluation of physical impacts of the Peace II basin  
11           management actions. Watermaster notes that it will:

12                     ... rely upon the [revised Wildermuth] model to evaluate the impacts of the  
13                     proposed physical project and the respective related elements contemplated by the  
14                     Peace II Term Sheet; e.g., Basin Re-Operation, Hydraulic Control, Storage and  
                    Recovery Agreements, Desalting.

15           (Second Transmittal, Exh. C at ¶ 8.) Recharge and replenishment are not mentioned in  
16           this step, but they are appropriately included in Exhibit C-1, and should be a part of the  
17           integrated project description. The Court may wish to schedule a hearing in September  
18           on the status of work outlined in steps 7 and 8.

19           Steps ten and eleven also are of particular significance to the Court. Step ten is  
20           the completion of legal instruments necessary for Peace II. This section notes that  
21           conditional Court approval for Peace II will not be sought until all required legal  
22           instruments have been finalized and all required studies have been completed. Step  
23           eleven is obtaining conditional court approval for Peace II. The expected completion is  
24           October- December 2007. Watermaster notes:

25                     *Summary:* The transmittal of all legal documentation will be accompanied  
26                     by all required technical analysis and related studies.

27                     *Note:* Court approval will be requested in a format consistent with the  
28                     Peace I process, i.e., conditioned upon compliance with CEQA.

(Second Transmittal, Exh. C at ¶ 11.)

1 Step twelve is completion of the CEQA process. The timeline for completion is  
2 December 2007-September 2008: "Completion of the final documentation is dependent  
3 upon multiple variables that will be resolved while the process is ongoing." (Second  
4 Transmittal, Exh. C at ¶ 12.)

5 Watermaster's Second Transmittal, Exhibit C-1 also includes a timeline for  
6 obtaining conditional approval of Peace II. According to Exhibit C-1 the expected  
7 approval date is November 23, 2007. The Court may wish to set that hearing date, along  
8 with a follow-up hearing date for Watermaster to report back to the Court with regard to  
9 satisfaction of any conditions in its order.

10 In the Second Transmittal Watermaster, for the first time, provided the details as to when  
11 it intends to expand desalting capacity. The timeframe details in Exhibits C-2 and C-3 of  
12 Watermaster's Second Transmittal appear to be consistent with the engineering report made to  
13 the Advisory Committee on March 22, 2007, as noted on pages 5 & 6 of the draft minutes of that  
14 meeting:

15 Mr. Wildermuth stated on February 14, 2007 the Regional Board sent to a  
16 letter to Inland Empire Utilities Agency (IEUA) and to Chino Basin Watermaster  
17 (CBWM) letting them know that they are falling short on our Maximum Benefit  
18 commitments as to Hydraulic Control. There is a Hydraulic Monitoring Report  
19 that was released last April 2006. There was some modeling work done by  
20 Wildermuth Environmental which showed there was a small amount of leakage  
21 occurring through the Santa Ana River west of the Chino I Desalter. There was a  
22 meeting last November in which we discussed this issue; Orange County Water  
23 District also attended this meeting. At that time Mr. Thibeault suggested he  
24 would be coming back to IEUA and CBWM with a letter asking for a schedule to  
25 get in compliance. The February 14<sup>th</sup> letter is an official notification to IEUA and  
26 CBWM to prepare that schedule with milestones and to show compliance by  
27 November 2009. Mr. Thibeault's definition of compliance is to have the solution  
28 in place and operating, not necessarily achieving complete Hydraulic Control, but  
the solution needs to be in place and operating in 2009. In the February 14<sup>th</sup> letter  
we were given until mid March to prepare that schedule. Subsequently, IEUA  
and CBWM have written a letter stating they needed more time to prepare the  
schedule. Watermaster's staff has been working on the schedule and staff has put  
out its first draft and it is out for review by IEUA and we have asked Scott Burton  
to look at it. The schedule is very detailed and it suggests that the best we can do  
is to have these wells on line around May, 2012. In an informal conversation with  
the Regional Board they appeared to be discontented with the 2012 timeframe and  
asked for a second schedule; one that would show the most optimum schedule  
with milestones. Both of these schedules will go through the Watermaster  
process and will also be reviewed by some of the senior staff at the Chino  
Desalter Authority. A discussion ensued with regard to the report given by Mr.  
Wildermuth.



1 It is essential that Watermaster reconcile its efforts to take advantage of the Regional  
2 Board's Basin Plan Amendment with its Peace II efforts involving this Court. Presumably, a  
3 supplemental filing would clarify that Watermaster will not commence hydraulic control  
4 operations without court approval, to the extent that commencing hydraulic control operations is  
5 inconsistent with the Judgment. In other words, Watermaster should report to the Court how  
6 those commitments or representations are consistent with the Judgment, and how any  
7 inconsistencies will be resolved. Watermaster's Second Transmittal notes only that:

8 ...Exhibit C also includes a more robust description of the physical actions  
9 required to secure hydraulic control in accordance with the Regional Board  
10 directives; namely the construction of the Chino Creek Well Field. Exhibits C-2  
11 and C-3 contain summaries of the more detailed requirements that are associated  
12 with the construction of the Chino Creek Well Field under 'Pragmatic' and  
13 'Accelerated' schedules respectively. The two schedules have been submitted to  
14 the Regional Water Quality Control Board and reflect similar overall completion  
15 dates, regardless of some slightly accelerated intermediate construction  
16 activities."

17 (Second Transmittal, p. 2, lns. 11-13.)

#### 18 **B. Review of Chino Basin Numerical Groundwater Flow Model**

19 In its transmittal of OBMP Status Report 2006-02, Watermaster notes the importance of  
20 the peer review conducted by Luhdorff & Scalmanini Consulting Engineers:

21 ...Of particular importance is the peer review by Mr. Scalmanini [Joseph  
22 Scalmanini, Luhdorff and Scalmanini, Consulting Engineers and Technical Expert  
23 advisor to the Special Referee] of the validity of the model to be used by  
24 Watermaster in the planning and implementation of the ambitious Basin  
25 management techniques anticipated under the Term Sheet. These Basin  
26 management techniques will have a significant impact on the manner in which the  
27 next increment of desalting capacity is designed, and so it has been difficult to  
28 progress further with the desalter planning prior to finalization of the Term Sheet,  
which has in turn been dependent on the review by Mr. Scalmanini. Mr.  
Scalmanini's review began in July 2006 and his Report was provided to  
Watermaster on March 21, 2007. The parties can now proceed to finalize the  
Term Sheet.

(First Transmittal, p. 3, lns. 2-10.) The Review of Chino Basin Numerical Groundwater  
Flow Model (Updated 2003 Model), prepared by Luhdorff & Scalmanini Consulting  
Engineers, March 2007 ("LSCE Review Report") assessed Watermaster's Numerical  
Groundwater Flow Model (the Updated 2003 Model) developed by Wildermuth  
Environmental Inc. ("WEI Updated 2003 Model"). As noted in OBMP Status Report

1 2006-02, Watermaster's groundwater models are in the process of being revised. The  
2 LSCE Review Report concludes that:

3 For planning level analysis, the existing model is a useful and applicable  
4 tool to simulate approximate basin response to management actions that involve  
5 the quantities and distribution of pumping and recharge in the basin... [¶] On the  
6 other hand, there are a few issues in the model calibration and its application that  
7 raise questions or the possibility of challenges to quantitative flow and storage  
8 numbers that might be extracted from model output and subsequently used or  
9 interpreted in implementation of basin management...While those issues do not  
10 invalidate the model for use in planning level analyses, the ultimate intended use  
11 of the model is sufficiently significant that those few issues should be addressed  
12 before relying on, and using, model output for quantity-related purposes. From  
13 interaction in this review with the model's authors, it is understood that such has  
14 been the intent through WEI's development and calibration of a 2007  
15 Watermaster Model, which has been in work since mid-2006. Thus it is  
16 recommended that finalization of basin reoperation details be deferred until the  
17 2007 Watermaster Model is completed.

18 (LSCE Review Report, p. 37.) The LSCE Review Report may be accessed through  
19 Watermaster's website by using the link to documents on Watermaster's FTP server. For  
20 convenience, two copies of the report will be lodged with the Court for its reference.

21 In Watermaster's Second Transmittal Exhibit C, the importance of Mr. Scalmanini's  
22 ongoing coordination with Watermaster's engineering consultant, Mr. Wildermuth, is  
23 emphasized:

24 Watermaster expects regular and routine communication between Mr.  
25 Wildermuth and Mr. Scalmanini *to ensure maximum efficiency and accuracy in  
26 court review of the subsequent evaluations of the physical impacts of the proposed  
27 project* [italics added].

28 Watermaster expects regular and routine coordination between Mr.  
Wildermuth and Mr. Scalmanini *to ensure efficient review* [italics added].

(Second Transmittal, Exh. C at pp. 2 & 3.) The Court may wish to encourage regular and routine  
communication between Mr. Wildermuth and Mr. Scalmanini in its next order.

#### IV.

### STATUS OF WATERMASTER'S LONG-TERM PLAN FOR MZ1 AND THE PUBLICATION OF GUIDANCE CRITERIA

In its First Transmittal, Watermaster states that the Board approved an MZ-1 Summary  
Report and Guidance Criteria on May 25, 2006. (*Id.* at p. 4.) Watermaster indicates that a "draft  
alternative water supply proposal" has been developed "to assist the affected parties in

1 voluntarily modifying their pumping in order to avoid causing water levels to drop below the  
2 guidance level, which is 245 feet below the reference point for the PA-7 piezometer at Ayala  
3 Park.” (*Ibid.*) Watermaster also states that a draft proposal for further monitoring and technical  
4 work also has been developed. (*Ibid.*) Thus, from the First Transmittal it appears that these two  
5 proposals will be circulated outside the MZ-1 Technical Committee as the long-term plan,  
6 introducing it to the Pool process in April or May. (*Id.* at p. 5, lns. 6-8.)

7 In its Second Transmittal, Watermaster states: “[t]he [long-term] plan is virtually  
8 complete. No substantial revisions are contemplated.” (Second Transmittal, Exh. C, at ¶ 9.)  
9 Exhibit C-1 of the Second Transmittal specifically shows that the Long-Term Management Plan  
10 for MZ-1 will be submitted to the Court on May 2, 2007, and Court review and approval will  
11 occur on May 30, 2007. This timeframe might not permit adequate time for the Court to receive  
12 any comments on or opposition to the plan. Further, we have not been notified of a hearing date  
13 having been set for May 31, 2007. The Court may wish to request that Watermaster confirm  
14 whether or not the dates in Exhibit C-1 are accurate.

## 15 VI.

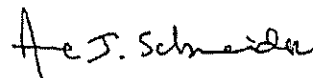
### 16 RECOMMENDATIONS

- 17 1. Watermaster’s Second Transmittal provides the Court with a timeframe for implementing  
18 a long-term plan for MZ-1 and with a detailed timeframe for adding desalting capacity in  
19 the Basin. (See Second Transmittal, Exh. C.) We recommend that the Court consider  
20 issuing an order requiring Watermaster to comply with the Second Transmittal Exhibit C  
21 schedule. We also recommend that the Court consider requiring Watermaster to report to  
22 the Court any time Watermaster falls more than 30 days behind schedule to explain the  
23 delay and present a revised schedule.
- 24 2. Any proposed plans for reoperation of the Basin will not be analyzed until the revisions  
25 to Watermaster’s groundwater models are completed. We recommend the Court consider  
26 encouraging Watermaster’s engineering consultant to closely coordinate with the Special  
27 Referee’s Technical Expert concerning the progress of modification and application of  
28 the models. As Watermaster emphasized in the Second Transmittal, this would “ensure

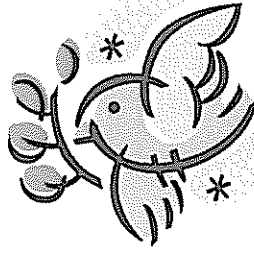
1 maximum efficiency and accuracy in court review of the subsequent evaluations of the  
2 physical impacts of the proposed project.” (Second Transmittal Exh. C at ¶ 4.)

- 3 3. We recommend that the Court require that SOBR-2006 include a reconciliation of  
4 pumping and safe yield as discussed in Section II B above to provide the Court with a  
5 clear and complete basis for consideration of Watermaster Basin reoperation proposals.  
6 The Court should remind Watermaster that a hearing date needs to be scheduled in early  
7 September 2007 to receive SOBR-2006 and the Annual Report. Watermaster should  
8 allow sufficient time after the filing of the reports for any comments to be received by the  
9 Court. This hearing date should also be used for the Court to receive a report from  
10 Watermaster on the status of steps 7 and 8 in Watermaster’s Second Transmittal Exhibit  
11 C.
- 12 4. We recommend that the Court require Watermaster to submit a supplemental filing  
13 before the next Court hearing explaining the relationship between achieving hydraulic  
14 control to benefit from the Basin Plan Amendment and obtaining approval of the Court to  
15 reoperate the Basin as envisioned in the Peace II Process. This supplemental filing  
16 should affirm that Watermaster will not commence Basin reoperation without Court  
17 approval to the extent such reoperation would not be consistent with the Judgment.
- 18 5. The Court should require Watermaster to submit a proposed schedule for filing and  
19 obtaining Court approval of the Long-Term Plan for MZ-1.
- 20 6. The Court should require Watermaster to set a court date and give notice of a hearing, on  
21 or before November 30, 2007, for the Court to consider conditional approval of the Peace  
22 II Agreement.
- 23 7. With regard to the May 24, 2007 hearing to receive Watermaster’s transmittals,  
24 depending on what responses are filed, the Court may wish to consider waiving  
25 appearances by Counsel at the hearing.

26 Dated: May 2, 2007

27 

28 Anne J. Schneider, Special Referee

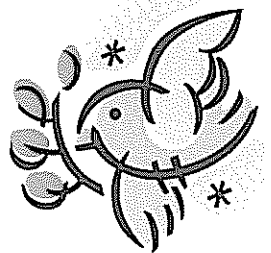
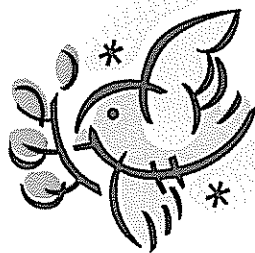


# CHINO BASIN WATERMASTER

## II. REPORTS / UPDATES

### E. INLAND EMPIRE UTILITIES AGENCY

5. Monthly Water Conservation Programs Report
6. Monthly Imported Water Deliveries Report (handout)
7. State and Federal Legislative Reports
8. Community Outreach/Public Relations Report



**CHINO BASIN WATERMASTER**

**ADVISORY COMMITTEE**

**May 24, 2007**

**AGENDA**

**INTERAGENCY WATER MANAGERS' REPORT**

**Chino Basin Watermaster**

**9641 San Bernardino Road**

**Rancho Cucamonga, CA 91730**

**15-20 Minutes**

---

**Discussion Items:**

Recycled Water and Environmental Compliance Update---Tom Love  
Summer Conservation and Delta Pump Issue----Rich Atwater  
Landscape Alliance Update-Martha Davis

**Written Updates:**

- Draft Water Conservation Work Plan
- Monthly Water Conservation Programs Report
- Monthly Imported Water Deliveries Report
- State and Federal Legislative Reports
- Community Outreach/Public Relations Report

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**IEUA REGIONAL WATER CONSERVATION  
6-MONTH WORK PLAN  
DRAFT**

| June 2007  | July 2007   | August 2007   | September 2007   | October 2007   | November 2007  |
|--|---|---|--|--|--|
| <p>Memorial Weekend - End of June - MWD radio PSA's encouraging voluntary conservation</p> <p>Develop Magnetic singage for agency vehicles</p> <p>Develop Newspaper Ads &amp; Articles supporting water reduction throughout summer months</p> <p>Irrigation Tune-up Messaging</p> <p>Water Conservation Resolution Adoption</p> <p><b>Regional Slogan:</b><br/>Wise water use creates a more sustainable lifestyle</p> <p>Establish Target numbers &amp; schedule for connecting new recycled water customers</p> | <p>Develop Quarterly Newsletter Articles</p> <p>Residential Leaks</p> <p>Coordinate with MWD Regional Messaging Campaign</p> <p>Regional Newsletter to Big Box Stores and Professional Landscaping Companies</p> <p>School Education outreach for year round schools</p> <p>Special Event Educational Outreach</p> <p>Promote Regional Rebate Programs-through Point-of-Sale and Counter displays</p> | <p>Grocery Bag Inserts - Astrobright</p> <p>Retail Posters</p> <p>"CA Friendly" Landscape Conversion Workshop</p> <p>Distribute Regional Door hanger material for water wasters</p> <p>Recirculation of media materials, PSA's, Ads, etc.</p> | <p>Establish Landscape troubleshooting hotline "CA Friendly" Based</p> <p>School Education Outreach</p> <p>LA County Fair Display</p> <p>LA County Fair - Other Outreach Opportunities</p> | <p>"CA Friendly" Landscape Workshop</p> <p>Regional Water Fair - Oct. 20th</p> <p>Recirculation of Smart Watering Schedules &amp; fall adjustments</p> | <p>Encourage "CA Friendly" planting</p> <p>Recirculation of regional rebate programs</p> |



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# Regional Conservation Programs

## Monthly Report – April 2007

### MWD Activities

- **California-Friendly<sup>®</sup> Marketing Campaign** - In the next phase of the California Friendly<sup>®</sup> marketing campaign, MWD will be working with retail stores like Home Depot and Lowes to promote California Friendly<sup>®</sup> devices. They will encourage stores to use point of purchase displays to promote rebates and water saving devices. The process of working with the retail stores and distributing displays and will begin over the next few months.
- **PAC Recommendations** - The PAC committee, coordinated by MWD, has been meeting since November 2006 to discuss recommendations for the CII program. In February the committee decided on several recommendations that will go to the MWD Board in May. These include proposals for several new CII rebates including two landscape rebates, rebates for high efficiency/multi-load clothes washers, one pmt per flush urinals, synthetic turf, dry vacuum pumps and rotator nozzles for large landscapes such as golf courses. They are also recommending that excess rebate funding be used for the installation of various water saving devices.

### Landscape Programs

- **Landscape Audit Program** - HydroEarth has completed 57 commercial audits. The completed sites' maps have been inputted onto GPS and the reports are currently being produced. To date no residential audits have been completed. The program consists of 150 commercial audits and 50 large landscape residential audits to be completed by September 2007.
- **Ontario Cares** - The City of Ontario is implementing a pilot project to integrate California-Friendly<sup>®</sup> into the city's existing Ontario Cares program to improve neighborhoods. A MWD consultant presented California-Friendly<sup>®</sup> templates to Ontario Cares inspection staff and landscape contractors. Two homes have been retrofitted using California-Friendly<sup>®</sup> protocols (example photos attached). IEUA is seeking approval from the U.S. Bureau of Reclamation to increase the rebate from \$300 to \$500 per site based on larger than average property sizes and the City's interest in adding California-Friendly<sup>®</sup> plantings.
- **Inland Empire Landscape Alliance** - The second meeting for the Landscape Alliance was held on April 12, 2007 at IEUA. The next meeting will be held at IEUA on September 13, at 4:00 pm. Over the next four months, staff will host a series of workshops to address landscape issues raised by the cities and to continue development of landscape policy and program recommendations, including a regional landscape ordinance. The first workshop is on California Friendly Landscapes and was held on April 25<sup>th</sup> at the Maloof Foundation.
- **California Friendly<sup>®</sup> Landscape Classes (formerly PDA)** - Several retail agencies are holding local PDA classes this year to educate their residents on California-Friendly<sup>®</sup> plants and efficient irrigation. CVWD held a PDA class on March 31 and approximately 50 residents attended.

### Commercial/Industrial/Institutional Program

- **(CII SAVE-A-BUCK)** - There were 62 CII rebates issued in the month of February. The following is a list of the most recent rebate activity within the IEUA service area:
  - **High Efficiency Clothes Washers** - There were no clothes washers rebated for the months of February and March. The total for FY 06/07 is 64. To date, 399 commercial high efficiency clothes washers have been installed in our service area since FY 00/01.
  - **Conductivity Controller Cooling Tower** - A total of 16 conductivity controllers have been installed through the Save-a-Buck program since FY 00/01.
  - **ULF Toilets** - No ULFTs were rebated in February and March. The total number rebated is, 1,881 ULFTs in our service area since FY 00/01.
  - **Waterless Urinals** - No waterless urinals were installed in February and March. A total of 10 waterless urinals have been rebated for in the IEUA service area.
  - **ULFT Flushometers** - To date, 4 flushometers have been rebated in IEUA's service area.
  - **Water Broom** - To date, 695 water brooms have been rebated in IEUA's service area since FY 00/01.
  - **SmarTimer Controllers** - No SmarTimer Controllers were rebated in February and March. To date a total of 36 SmarTimers have been installed and rebated through the CII program in the IEUA service area.
- **Restaurant Spray Heads** - The third and final phase of the restaurant spray head program, conducted through the CUWCC, has been completed. The total installations within IEUA's service area for the three phases of the program to included 1234 spray heads.

### Residential Rebate Programs

- **ULFT and HET Rebate Program** - Effective February 1, 2007, IEUA began processing the ULFT and HET rebates. In the month of April, 27 ULFT rebates were processed. This brings the total number of rebates processed for FY 06/07 to 131; 27 ULFT rebates and 4 HET rebates. Since the start of the program in 2002, a total of 2,963 rebates have been processed.

- **High Efficiency Clothes Washer Rebate** - The total number of rebates processed in March was 199 bringing the number of rebates issued for FY 06/07 to 1136. The total number of rebates processed since the rebate program began in 2002 is approximately 7,560.
- **“SmarTimer of Inland Empire” Program** - The program began in April 2006. To date, 25 SmarTimer Irrigation Controller rebates have been processed.
- **Rotating Nozzles for Pop-up Spray Heads** - The new rebate program for rotating nozzles commenced late January 2007. The incentive is \$4 per rotating nozzle to be replaced. The rotating nozzles save up to 6,600 gallons of water over five years. To date, 30 Rotating Nozzles have been processed.

#### **Other Residential Programs**

- **Multi-Family ULFT Program** - The Multi-Family ULFT retrofit program, conducted by Bottom Line Utility Solutions, Inc. has begun. In March, 1,196 toilets installations were completed bringing the total installed to 7,003 toilets.

#### **School Education Programs**

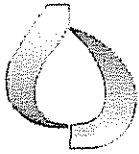
- **Garden in Every School** - In October, seven schools were chosen for the 2006/07 “Garden in Every School Program”. The selected schools are Litel Elementary in Chino Hills, El Rancho Elementary in Chino, Liberty Elementary in Ontario, Sycamore Elementary in Upland, Victoria Groves Elementary in Rancho Cucamonga, Buena Vista Arts-integrated School in Montclair and Poplar Elementary in Fontana. Designs have been completed for each garden. The majority of the irrigation has been installed at the respective sites. Planting has been completed at Sycamore Elementary, and is scheduled for the remaining schools during the last two weeks of April. Dates for the Garden dedications are noted in the calendar below.
- **National Theatre for Children** - The National Theatre for Children (NTC) performances at elementary schools within IEUA’s service area began late November and will continue through May 2007. Currently 36 performances have been scheduled. Through March, 29 performances have taken place. Eleven performances are scheduled for the month of April.
- **MWD Solar Cup 2007** - Four schools within IEUA’s service area are participating in the 2007 Solar Cup program. They include Rancho Cucamonga High School (CVWD), Montclair High School (MVWD), Upland High School (Upland) and Ayala High School (Chino Hills). The Solar Cup event will take place May 18-20, 2007, at Lake Skinner.
- **Chino Youth Museum** - Over the past year the Chino Youth Museum along with the City of Chino, MVWD, Chino Basin Water Conservation District and IEUA have been meeting to rejuvenate and improve the water exhibit that was constructed in 2002. The planning committee has received drawings from the consultant for the design of the new exhibit. Construction of the exhibit will begin in early summer.

#### **Outreach**

- **Water Fair** - The planning committee for the Water Fair 2007 is meeting monthly. The planning committee applied for the Community Partnering Program through MWD for funding assistance. The Water Fair 2007 will be held Saturday, October 20, 2007 at Montclair Plaza.
- **Water Education Water Awareness Committee (WEWAC)** – The WEWAC High School Video Contest has been modified to a Public Service Announcement (video) Contest. The four entries received by the April 13<sup>th</sup> deadline will be judged, and an awards ceremony will be held in May.

### **CALENDAR**

|                 |  |
|-----------------|--|
| May 2, 2007     | CUWCC Steering Committee Meeting (Contra Costa Water District-Concord) |
| May 12, 2007    | CVWD Water Awareness Day (Cucamonga Valley Water District)             |
| May 18-20, 2007 | MWD Solar Cup 2007 (Lake Skinner)                                      |
| May 16, 2007    | Sycamore Elementary Garden In Every School Dedication @ 10:00 AM       |
| May 18, 2007    | Litel Elementary Garden In Every School Dedication @ 2:30 PM           |
| May 22, 2007    | Poplar Elementary Garden in Every School Dedication @ 5:30 PM          |
| May 25, 2007    | Liberty Elementary Garden in Every School Dedication @ 9:00 AM         |
| May - TBD       | WEWAC High School Public Service Announcement Contest                  |
| June 1, 2007    | El Rancho Elementary Garden in Every School Dedication 8:30 AM         |
| June 5, 2007    | Victoria Groves Elementary Garden in Every School Dedication @ 9:00 AM |
| June 13, 2007   | Buena Vista Elementary Garden in Every School Dedication @ 1:00 PM     |
| June 13, 2007   | CUWCC Plenary Session (San Francisco Public Utilities Commission)      |



Inland Empire  
UTILITIES AGENCY

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Date: May 16, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee (05/09/07)

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

Submitted by: Martha Davis *MD*  
Executive Manager of Policy Development

Subject: April Legislative Report from Innovative Federal Strategies, LLC

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**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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# *Innovative Federal Strategies* LLC

Comprehensive Government Relations

## MEMORANDUM

**To:** Rich Atwater and Martha Davis  
Inland Empire Utilities Agency

**From:** Letitia White, Alex Shockey, Susan Carr and Meredith Stanford  
Traweek

**Date:** April 27, 2007

**Re:** April Monthly Legislative Update

Despite the fact that Congress was in recess for a good portion of the month, April has been busy for IEUA and our agenda on Capitol Hill. At the tail end of March, Senator Dianne Feinstein introduced the companion legislation to H.R. 122, called S. 1054. We have been in close touch with Dave Weiman and with Congressman Dreier's office on H.R. 122/S. 1054, its prospects in the Senate and possible Senate strategies. Also, Martha has been to town and had meetings on our digester project with House Agriculture Committee staff and Congressman Baca's staff. In addition, IFS met with Congressman Lewis' new water staffer to brief him on IEUA and its programs.

### **Fiscal Year 2007 Supplemental Appropriations Bill**

Much of April in the House and Senate has been consumed with the Conference Report to the Fiscal Year 2007 Supplemental Appropriations Bill. This legislation is necessary to fund the war in Iraq and other "emergency" spending deemed necessary outside the normal budget process.

The House passed the \$124 billion bill on April 25<sup>th</sup>, with a slim 218-208 vote. The Senate passed the conference report on April 26<sup>th</sup>, 51-46. President Bush is likely to veto the bill, which will be sent to him next Tuesday, as it contains what he says are unacceptable timelines for withdrawal from Iraq. The bill would require removing combat troops from Iraq beginning as early as July 1 but no later than October 1 -- with a goal of complete redeployment by April 1, 2008. After that, a limited number of troops could remain for force protection, to train and equip Iraqi troops and for counterterrorism operations. Redeployment would occur only if the President certifies the Iraqi government is meeting diplomatic and security benchmarks endorsed by the White House, leaving the President in the position of having to endorse a pullout or admit his Iraq strategy is not working. The measure also would stipulate units sent to Iraq must be "fully mission capable," have adequate rest at home between tours of duty and ensure tours could not be extended beyond one year.

The measure also contains \$21.2 billion in additional spending above the President's request. Of the added funds, \$12 billion is either for the war, including \$4 billion for military operations, or related purposes like veterans' health, foreign aid, homeland security, nuclear nonproliferation, FBI counterterrorism operations and avian flu preparedness. The remainder is for Gulf Coast

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hurricane recovery, agriculture disaster aid, children's health insurance, low-income home energy assistance, wildfire suppression and rural county payments. At present, the House and Senate have not disclosed their intentions for the legislation post-veto.

### **Budget Resolution**

The other major item in April has been the Budget Resolution. The House and Senate both passed their versions of the Fiscal Year 2008 Budget Resolution and are now in informal conference discussions. These discussions are mainly related to tax cut language (the Baucus Amendment) that was adopted overwhelmingly in the Senate. This tax cut language would use a projected \$132 billion surplus in 2012 to extend the President's tax cuts targeted at the middle class - - including the 10 percent tax bracket, child tax credit and marriage penalty relief - - extension of the estate tax at reduced 2009 levels, and the use of \$15 billion toward a \$50 billion plan to expand the State Children's Health Insurance Program. The Senate voted 97-1 to support this language but, if included in the conference agreement, offsets would be necessary or "pay-as-you-go" principles, which are very important to House Members, would be violated. The House's budget resolution doesn't specifically call for an extension of tax provisions but it includes language expressing support for extending middle-class tax cuts provided they are offset by tax increases or spending cuts.

Conferees are expected to be named next week at the earliest. Once appointed, conferees will feel some time pressure. House leaders are preparing to move fiscal year 2008 appropriations bills by early May, even if the final budget blueprint is not in place.

### **Water Resources Development Act (WRDA)**

On a 394-25 vote on April 19<sup>th</sup>, the House passed the Water Resources Development Act (WRDA) over White House objections. This reauthorization bill was loaded with about \$15 billion dollars worth of Army Corps of Engineers water infrastructure projects that are popular in many congressional districts. The President voiced his disapproval of the cost of the bill but stopped short of a veto threat.

The Senate is expected to pass their version of the WRDA legislation as early as May. House Transportation and Infrastructure Chairman Oberstar and his Senate counterpart, Senate Environment and Public Works Chairwoman Boxer, have expressed their hope to send a conference report to the President quickly after that. If signed into law, this will mark the first time that this legislation has been reauthorized in seven years.

### **Farm Bill**

On April 25<sup>th</sup>, Agriculture Secretary Johanns released the Administration's proposed legislative language for the conservation and credit titles of the 2007 farm bill and plans to send the energy and rural development titles next week. The Administration's conservation title consolidates several programs into an Environmental Quality Incentives Program, along with a new regional water enhancement program, a conservation security program, and an expansion of wetland reserves and calls for \$7.8 billion in additional funding and a restructuring of programs to make them easier to access and administer. For the credit title, the Administration highlighted the programs designed to help beginning and disadvantaged farmers get their start by cutting interest rates in half, deferring the first payment for a year, increasing the maximum loan rates, and giving them priority for direct farm ownership loans.

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It remains unclear if the House and Senate Agriculture Committees intend to follow any of the Administration's proposals. The House Agriculture Chairman Peterson is expected to release a chairman's mark for his farm bill proposal when Congress finishes work on its FY08 Budget Resolution.

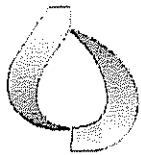
### **Immigration Reform**

A group of Senators who have been working on a comprehensive immigration package during the month of April expect to have a package ready for debate in late May. The negotiators have agreed to use the Z visa to give undocumented workers benefits not available for future guestworkers. Homeland Security Secretary Chertoff and Commerce Secretary Gutierrez have been key players in the talks, which also include high profile Senators from both parties. Apparently the Administration's stepped-up involvement and its willingness to debate details have gone a long way in appeasing members with differing points of view. If the members of the group can hold together, this would be a bi-partisan immigration reform bill, the likes of which has not been seen in recent Congresses.

The House Judiciary Immigration Subcommittee is beginning the process of drafting an immigration reform bill with a series of hearings -- up to two a week -- on every aspect of the immigration issue. The House plan is to pass an immigration bill in July. In the Senate, lawmakers are considering moving an immigration proposal directly to the floor, bypassing the Judiciary Committee, which is overwhelmed with other issues.



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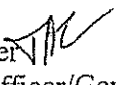
Inland Empire  
UTILITIES AGENCY


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Date: May 16, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee (05/09/07)

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

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**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.

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## MEMORANDUM

TO: Richard Atwater and Martha Davis  
FROM: Jennifer West  
DATE: April 27, 2007  
RE: April Legislative Report

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### **Policy Committee Deadline**

Attached is the IEUA bill list that contains measures the agency is tracking. With a couple of exceptions, I have removed the "two-year bills" from the list that failed to pass out of their policy committees by the deadline. As such, most of the bills on the list are now headed for a fiscal committee.

### **Unemployment Insurance Legislative Update**

Earlier this year IEUA asked Senator Gloria Negrete-McLeod to introduce legislation that would have prevented the practice of collecting unemployment insurance and pension benefits when an employee voluntarily retires from an agency. Since California Unemployment Insurance law is significantly intertwined with the federal unemployment insurance law (FUTA), it was unclear from the outset whether a change in California law could solve this problem.

After spending almost two months researching this issue, including numerous meetings with the Senate Labor Committee and EDD staff, it is clear that the IEUA fact situation that generated this problem cannot be resolved through a change in California law. Two weeks ago, we held an internal conference call with IEUA human resources staff and legal staff to confirm that this was in fact the case. Senator Negrete-McLeod has been informed of the situation and will change her bill on this topic, SB 642, to another subject later in the year or next year. We are very grateful for her assistance and for the assistance of her chief of staff.

### **AB 224 (Climate Change Planning and Recycled Water)**

IEUA is a leading supporter of Assemblywoman Wolk's bill AB 224. The bill would require UWMPs and DWR planning documents to incorporate relevant climate change information. The bill would also require the SWRCB to study the increased use of recycled water in each region of the state for energy and potential green house gas emissions reductions. IEUA's early leadership on this issue had helped garner additional Southern California support for the bill. MWD recently moved into a full "support" position on the bill and ACWA has not taken a "support if amended" position, with very minor amendments needed. The bill now moves to Assembly Appropriations.

| Inland Empire Utilities Agency<br>Legislative Tracking 4/30/07<br>(Prepared by Geyer Associates) |   |   |
|--|---|---|
| Bond<br>Funding/Prop.<br>84 and 1E   | Bill Summary  | Status  |
| SB 59 (Cogdill)<br>Water Bond 08   | Authorizes a \$3.9 billion water bond for the 2008 ballot. Includes \$2 billion for two surface storage facilities; \$500 million for local groundwater storage projects statewide; \$500 million for the development and implementation of a bay delta conservation plan; \$300 million for fish and game restoration projects; \$200 million to implement the water quality component of the CALFED Bay Delta Program; \$200 million for urban and agricultural water conservation programs; \$250 million for restoration of the San Joaquin and Sacramento River systems. The proponents of the measure are considering taking their measure straight to the ballot if it fails in the Legislature. | Senate Nat.<br>Resources<br><br>Failed<br>passage<br><br>Reconsidera-<br>tion Granted |
| SB 167<br>(Negrete<br>McLeod)<br>General Plans:<br>planning grants                               | Establishes grant and loan program at the Office of Planning and Research for Prop. 84 (Chapter 9(c) \$90 million). Allows cities and counties to apply for funding to update their general plans.  | Senate<br>Approp.<br><br>Hearing<br>Postponed<br><br>Amended<br>3/12/07               |
| SB 292<br>(Wiggins) State<br>Bond Funds:<br>allocation   | States legislative intent to develop grant criteria for two categories of funding in Prop. 84 – urban greening and regional planning. Both categories contain \$90 million each. (Chapter 9, (a) and (c))   | Senate<br>Approp.<br><br>Amended<br>4/16/07   |
| SB 378<br>(Steinberg)<br>Flood<br>Prevention<br>Bond Act 2006                                    | Specifies that the \$300 million in Prop. 1E for stormwater management would be made available through a joint SWRCB and DWR grant program. The bill authorizes the agencies to prepare guidelines by March 2008. The agencies are required to conduct outreach to disadvantaged communities. There are no north/south split provisions mentioned in the bill.  | Senate<br>Approp.<br><br>Hearing<br>5/07/07<br><br>Amended<br>4/17/07                 |

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| SB 424<br>(Denham) Flood<br>Bond                       | States that \$16.4 million from Prop. 1E's flood protection corridors program should be spent on two specific projects in Stanislaus and Merced counties.  | Senate<br>Approp.   |
| SB 732<br>(Steinberg)<br>Prop. 84                      | Changes many provisions in Prop. 84, including the IRWMP program. States that DWR should revise the IRWMP guidelines in consultation with the SWRCB, DFG and DHS.  | Senate<br>Approp.<br><br>Hearing<br>5/07/07<br><br>Amended<br>4/17/07 |
| SB 1002<br>(Perata)<br>Prop. 84                        | Senate Leadership alternative to Governor's bond proposal. Appropriates various Prop. 84 and Prop. 1E monies to different water supply grant monies. This include \$22 million for water recycling grants. | Senate<br>Approp.<br><br>Amended<br>4/18/07                           |
| AB 739 (Laird)<br>Stormwater<br>Discharge              | Legislative intent to prioritize and develop criteria for awarding stormwater grants from Prop. 84. (Chapter 5, (m))   | Assembly<br>Approp.<br><br>Amended<br>4/17/07                         |
| AB 783<br>(Arambula)<br>Drinking Water<br>Improvements | Makes changes to DHS grant funding in Prop. 84 for small and disadvantages communities. (Chapter 2, Section 7022)  | Assembly<br>Approp.<br><br>Amended<br>4/18/07                         |
| AB 909 (Wolk)<br>Mercury<br>Monitoring                 | Allows stormwater grant funds in Prop. 84 to be used for grants to public agencies for addressing mercury contamination.   | Assembly<br>Approp.<br><br>Amended<br>4/17/07                         |
| AB 1250 (Parra)<br>IRWMP                               | Spot bill on the IRWMP program. \$1 billion is contained in this program in Prop. 84. ACWA sponsored.  | Assembly<br>Approp.   |
| AB 1253<br>(Caballero)<br>Land Use                     | Legislative intent to develop grant program for "sustainable communities" funding in Prop. 84. There is \$90 Million in this account.  | Assembly<br>Approp.<br><br>Amended<br>4/17/07                         |
| AB 1297<br>(Arambula)<br>IRWMP                         | Spot bill on the IRWMP.  | Assembly<br>Approp.<br><br>Amended<br>4/12/07                         |

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| <b>AB 1303<br/>(Smyth) Urban<br/>Greening Act<br/>2007</b>                          | Establishes an urban greening grant program for Prop. 84 funds. (Chapter 9, (a)).  | Assembly<br>Approp.<br><br>Amended<br>4/09/07                         |
| <b>AB 1489<br/>(Huffman &amp;<br/>Wolk) Resource<br/>Bond Funds</b>                 | Requires IRWMP applicants to identify the manner in which the proposed project will contribute to meeting the performance standards included in the plan. Makes of number other program changes in Prop. 84 grant programs.  | Assembly<br>Approp.<br><br>Amended<br>4/09/07                         |
| <b>AB 1602<br/>(Nunez)<br/>Sustainable<br/>Communities &amp;<br/>Urban Greening</b> | Establishes a grant program in the Resources Agency "Sustainable Communities and Urban Greening Grant Program." There is \$90 million in Prop. 84 for this purpose.  | Assembly<br>Approp.   |
| <b>Flood Control/Delta Conveyance</b>   |  |   |
| <b>SB 5 (Machado)<br/>Flood<br/>Management</b>                                      | Comprehensive flood management legislation backed by Senate leadership. It establishes the roles and responsibilities for the state of California, local governments and landowners in flood management.   | Senate Rules<br><br>Amended<br>4/25/07                                |
| <b>SB 17 (Florez)<br/>Reclamation<br/>Board and<br/>Powers</b>                      | Gives the "Central Valley Flood Protection Board" new authority over flood control activities in the Central Valley. The bill is backed by Senate leadership.  | Senate<br>Approp.<br><br>Hearing<br>5/07/07                           |
| <b>SCA 2<br/>(Simitian) Bond</b>  | Places Delta bypass bond measure on the 2007 ballot.   | Senate<br>NR&W, E.R.<br>&C.A.,<br>Approp.                             |
| <b>SB 34<br/>(Torlakson)<br/>Delta User Fee</b>                                     | Declares that the Reclamation Board, in consultation with DWR, establish a "beneficiary pays system" and collect user fees and assessments for levee maintenance and other flood control purposes in the Delta. States that a significant portion of the state bond funds approved in Prop. 1E be prioritized in conjunction with the "beneficiary pays system." | Senate<br>Approp.<br><br>Hearing<br>5/07/07<br><br>Amended<br>4/17/07 |

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| <b>AB 5 (Wolk)<br/>Flood<br/>Protection</b>                    | Gives priority for state funds to be given to local agencies that have adopted a local plan of flood protection. Prohibits local governments in the Central Valley from approving new development within high-risk flood prone areas, unless adequate flood protection is assured.     | Assembly<br>Local Gov.<br><br>Amended<br>4/17/07 |
| <b>AB 1507<br/>(Emmerson)<br/>Floodplain<br/>Management</b>    | Requires DWR to establish an Alluvial Fan Task Force.  | Assembly<br>Approp.<br><br>Amended<br>4/09/07    |
| <b>Urban Water Management<br/>Plans/Conservation/Recycling</b> |  |  |
| <b>SB 862 (Kuehl/<br/>Steinberg)<br/>UWMP</b>                  | Requires the UWMP to assess energy consumption and Bulletin 160. Contains all of the provisions of SB 1640 (Kuehl), 2006, except for the groundwater provisions. SB 1640 was vetoed last year because of the groundwater reporting language.   | Senate<br>Approp.<br><br>Amended<br>4/25/07      |
| <b>AB 1376<br/>(Berryhill)<br/>UWMP<br/>Comments</b>           | In developing an UWMP, the bill requires each water supplier to seek comments from city and county planning departments in the area served by the urban water supplier at least 60 days prior to the public hearing on the plan.   | Assembly<br>Approp.<br><br>Amended<br>4/09/07    |
| <b>AB 1420 (Laird)<br/>Water Demand<br/>Management</b>         | Conditions water bond funding on whether an agency has implemented water demand management measures in the UWMP. IEUA has been working with MWD to try to address concerns.  | Assembly<br>Approp.<br><br>Amended<br>4/18/07    |
| <b>AB 1435 (Salas)<br/>Water Charges</b>                       | Requires a local water purveyor that supplies water to retail customers to institute a conservation rate structure based on the amount of water used for other than agricultural purposes for each customers that has a service connection for which a water meter has been installed. | Assembly<br>WP&W                                 |
| <b>Groundwater</b>   |  |  |
| <b>SB 178<br/>(Steinberg and<br/>Kuehl)<br/>Groundwater</b>    | Contains the groundwater components that were in SB 1640 from last year. That measure was vetoed.  | Senate<br>Approps.<br>Suspense file              |
| <b>Water Quality/Water Supply</b>                              |  |  |



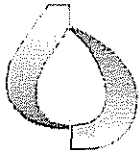
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| AB 559 (Ruskin)<br>Public Water<br>Systems                | Requires DHS to identify treatment methods, technologies and other management options that reduce or eliminate the need to add disinfectants or additives to drinking water and report to the Legislature by 2009.  | Assembly<br>E.S. & T.M.<br><br>Amended<br>4/17/07                     |
| AB 640 (De La<br>Torre) WDR<br>waivers                    | Requires a water replenishment district that serves more than one groundwater basin to compute its groundwater replenishment assessment on a per basin amount.  | Assembly<br>Appropriation<br><br>Amended<br>3/28/07                   |
| AB 690 (Jones)<br>Water Corp.<br>Rates/Contamin<br>ation  | States that if a private water corporation receives monetary compensation for damage resulting from contamination of the utility's water supply, the PUC shall require the utility to equitably allocate the compensation between the ratepayers and investors of the utility.  | Assembly<br>Approp.<br><br>Amended<br>4/18/07                         |
| AB 800 (Lieu &<br>Krekorian)<br>Discharge<br>Notification | Shortens notification requirements for discharges of waste or hazardous materials under Porter-Cologne.   | Assembly<br>Approp.<br><br>Amended<br>4/18/07                         |
| AB 1127<br>(Carter)<br>Perchlorate                        | Would authorize DSH to contract with SAWPA for the purposes of assessing and treating drinking water for perchlorate contamination in and around the City of Rialto.<br><br>Two year bill.  | Assembly<br>E.S. & T.M.<br><br>Amended<br>4/17/07                     |
|   | <b>Compost</b>  |   |
| SB 697<br>(Wiggins)<br>Compost                            | Requires Caltrans to report to the Legislature by January 2008, regarding the amount of the following materials used over the past 5 years: compost; pesticides; chemical fertilizers; and mulch, compost and other products for erosion control. Requires Caltrans to develop a 10-year plan by January 31, 2008, to increase the use of mulch, compost, and mulch products in the state's highway landscape maintenance program while phasing out the use of pesticides and chemical fertilizers. | Senate<br>Approp.<br><br>Hearing<br>4/30/07<br><br>Amended<br>4/19/07 |
|   | <b>Green Buildings/Climate Change</b>   |   |

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| <b>AB 35 (Ruskin)<br/>State Green<br/>Buildings</b>                       | Requires the California Integrated Waste Management Board by 2009 to adopt regulations for sustainable building standards for the construction or renovation of state buildings.  | Assembly<br>Approp.<br><br>Amended<br>3/28/07   |
| <b>AB 109 (Nunez)<br/>Global warming</b>                                  | Spot bill to implement the California Global Warming Solutions Act of 2006.   | Assembly<br>Approp.   |
| <b>Positions/Recommended Positions</b>                                    |   |   |
| <b>SB 55 (Florez)<br/>Biosolids</b>                                       | Broadly defines "biosolids" to include any product with human waste, which would include some compost.<br><br>Requires POTWs to certify to the regional boards that biosolids meet "the requirements and standards for any pollutant listed in the waste discharge requirement for the POTW, including, but not limited to, any requirements of standards governing the 126 priority toxic pollutants listed in 40 CFR 131.38. This list is designed for surface water issues and includes many compounds not found in biosolids. | <b>Oppose</b><br><br>Senate<br>Approp.<br><br>Amended<br>4/09/07                        |
| <b>SB 201 (Florez)<br/>Recycled Water<br/>Leafy Green</b>                 | We are asking that the author delete a section of the bill that requires extra field testing for recycled water. The section calls into question the safety of using recycled water for agricultural purposes and singles out recycled water as the only type of water needing special testing. 40% of recycled water in the state is used for agriculture.   | <b>Oppose<br/>unless<br/>amended</b><br><br>Senate<br>Approp.<br><br>Amended<br>4/12/07 |
| <b>SB 1029<br/>(Ducheny)<br/>Drinking water<br/>regulations</b>           | Places a time limit on the Department of Finance of 60 days to review drinking water regulations that are already adopted on the federal level. ACWA is the sponsor.  | <b>Recommend<br/>Support</b><br><br>Senate<br>Approps.                                  |
| <b>AB 224 (Wolk)<br/>Climate<br/>Change/Water<br/>Supply<br/>Planning</b> | Requires DWR to assess the possible affects of climate change on water supply. Requires that this information be incorporated into state and local water planning documents. States that if DWR does not provide the information the requirement does not apply.<br><br>Requires SWRCB to conduct a study on the energy savings and GHG reductions associated   | <b>Support</b><br><br>Assembly<br>Approp.<br><br>Amended<br>4/25/07                     |

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|   | with increased use of recycled water and water conservation.  |   |
| <b>AB 503<br/>(Swanson)<br/>Overtime<br/>Notice/public<br/>agencies</b> | Applies to all local agencies and special districts. Would prohibit an agency from requiring any employee entitled to receive overtime compensation pursuant to any federal statute or regulation to perform services outside the employee's normal work schedule unless a minimum of 8 hours' written notice of that work assignment has been provided to the employee.        | <b>Recommend<br/>Oppose</b><br><br>Assembly<br>Approp.<br><br>Amended<br>4/19/07  |
| <b>AB 662 (Ruskin)<br/>Water use<br/>efficiency</b>                     | Requires the California Energy Commission (CEC) to prescribe cost effective measures to promote the use of water efficient appliances.  | <b>Recommend<br/>Support</b><br><br>Assembly<br>Approps.                          |
| <b>AB 566<br/>(Plescia)<br/>Landscape<br/>Water<br/>Conservation</b>    | Requires the model landscape ordinance to include climate information for irrigation scheduling based on the California Irrigation Management Information System. IRWD sponsor.   | <b>Recommend<br/>Support</b><br><br>Assembly<br>Approp.<br><br>Amended<br>4/16/07 |
| <b>AB 715 (Laird)<br/>Low-flush<br/>Water Closets</b>                   | Phases in requirements that water closets and urinals have lower flush volumes, generally reducing toilets from 1.6 to 1.3 gallons per flush.<br><br>Some older systems may not be able to operate efficiently under these low flow conditions. IEUA will work with CASA to seek an amendment that would recognize the limitation of older systems.                             | <b>Recommend<br/>Support if<br/>Amended</b><br><br>Assembly<br>Approp.            |
| <b>AB 888 (Lieu &amp;<br/>Laird) Green<br/>Building<br/>Standards</b>   | Requires CalEPA to develop and adopt building standards for commercial construction that meet or exceed the Leadership in Energy and Environmental Design (LEED) Gold Standard. Requires that by 2012 all new commercial buildings, 50,000 square feet or larger, meet these new standards. Small newly constructed buildings can waive this requirement for economic purposes. | <b>Recommend<br/>Support</b><br><br>Assembly<br>Approp.<br><br>Amended<br>4/11/07 |
| <b>AB 1260<br/>(Caballero)<br/>Taxes and Fees</b>                       | Clarifies how a public agency may provide notice when proposing a new, or increasing an existing, property-related fee or charge, and establishes a 120-day statute of limitations for any challenges to any property-related fee or charge. This bill is   | <b>Recommend<br/>Support</b><br><br>Assembly                                      |

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|  | sponsored by ACWA and was introduced in response to the <u>Big Horn</u> decision last fall.   | Rev. and Tax<br>5/7   |
| <b>AB 1404 (Laird)<br/>Water use<br/>Reporting</b>                         | Establishes comprehensive system for reporting water use. Specifically, <u>this bill</u> Requires the DWR, the SWRCB and the Department of Public Health (DPH) to develop, jointly, a coordinated water use reporting database. | <b>Recommend<br/>Support</b><br><br>Assembly<br>Approps.<br>5/2 |
| <b>AB 1406<br/>(Huffman)<br/>Recycled Water<br/>in Condos</b>              | Allows the use of recycled water in toilets and urinals in condominiums. Sponsored by IRWD.   | <b>Support</b><br><br>Assembly<br>Approp.                       |
| <b>AB 1481 (De<br/>LaTorre)<br/>Water<br/>Recycling<br/>General Permit</b> | Sponsored by LADWP. Requires that SWRCB prepare a general permit by 2010 for water recycling for landscape irrigation.  | <b>Support</b><br><br>Assembly<br>Approp                        |
| <b>AB 1560<br/>(Huffman)<br/>Building<br/>Standards</b>                    | Requires the CEC to prescribe by regulation, water conservation design standards for new residential construction.  | <b>Recommend<br/>Support</b><br><br>Assembly<br>Approp.         |

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Inland Empire  
UTILITIES AGENCY

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Date: May 16, 2007  
To: The Honorable Board of Directors  
Through: Public, Legislative Affairs, and Water Resources Committee (05/09/07)  
From: Richard W. Atwater *RWA*  
Chief Executive Officer/General Manager  
Submitted by: Martha Davis *MD*  
Executive Manager of Policy Development  
Subject: April Legislative Report from Dolphin Group

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**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

Enclosure

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April 27, 2007

**To:** Chino Basin/OBMP Coalition  
**From:** Michael Boccadoro  
Senior Vice President  
**RE:** April Status Report

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Please find attached the status report from The Dolphin Group for the month of April 2007.

The California Legislature ramped up policy committee hearings in April, as they weighed consideration of over 2,700 measures introduced in the 2007 session.

SB 463, co-sponsored by IEUA, successfully passed its first hurdle passing in April. The legislation, which seeks to further improve the biogas net metering program, passed unanimously out of the Senate Committee on Energy, Utilities and Commerce. Meanwhile, legislative committees approved a number of measures related to greenhouse gas regulation and renewable energy.

On the regulatory front, extensive efforts are currently in full stride on greenhouse gas reduction implementation. The Public Utilities Commission has also recently taken steps to being implementation of AB 1969, relating to small renewable energy projects, which IEUA successfully sponsored last year.



# Chino Basin / OBMP Coalition

## Status Report – January 2007

### ENERGY/REGULATORY

#### *Energy Efficiency Funding for Water Conservation Efforts*

The proceeding at the California Public Utilities Commission to determine if energy efficiency funds should be spent on water conservation efforts suffered a delay this month. On April 23, the assigned commissioner Dian Grueneich issued a ruling that could delay implementation of the pilot programs by six months until January 1, 2007.

This delay could potentially jeopardize the feasibility of including these types of projects in the 2009-11 energy efficiency cycle. Discussions related the composition of projects to be included in this cycle have already begun to ramp up.

Specifically, the ruling orders the utilities to provide more in-depth information related to the potential energy savings associated with their proposed pilot projects by June 14<sup>th</sup>. After additional workshops, more comments from parties will be filed on June 19<sup>th</sup>. The ruling anticipates a Commission decision by October or December 2007.

DGI continues to actively participate in this proceeding, and will attend workshops and offer necessary comments and testimony to the Commission.

#### *AB 1969 Implementation*

On April 11, the utilities filed their plans to implement AB 1969 (Yee – 2006), a measure sponsored by IEUA. Southern California Edison proposed to offer a tariff that will allow any generator up to 1.5MW in size to receive the MPR, differentiated for time-of-use value.

In contrast, Pacific Gas & Electric Company only proposed to offer 90% of the MPR value, which DGI and IEUA hold to contradict the clear language of the legislation. PG&E also only proposed to open up the tariff to generators less than 1.0 MW in size at this point.

IEUA will be supplying comments to the Commission on these issues, among others, in early May. The comments will seek to ensure that AB 1969 is implemented in full compliance with the law and in a manner that will be simple and transparent for public water and wastewater agencies to enroll.

## AB 32 – GREENHOUSE GAS REGULATION

Throughout April, the California Air Resources Board continued to hold a series of hearings and workshops on implementation of AB 32 (Nuñez – 2006) to reduce California’s greenhouse gas emissions (GHG) to 1990 levels.

Chief among the activities was the release of ARB staff’s recommendation for discrete early actions. AB 32 offers ARB the latitude to issue discrete regulations aimed at specific sectors in advance of the general regulatory adoption date of 2012. These discrete early actions may be adopted by January 2010.

On April 23, ARB staff released their three proposed discrete early actions:

- Adoption of low-carbon fuel standards
- More stringent refrigerant regulations
- Improved landfill methane capture.

Staff estimates that adoption of these early actions can achieve 13-26 million tons of CO<sub>2</sub> equivalent by 2020.

The staff report also noted current ongoing regulatory efforts that will have the ancillary benefit of reducing GHG emissions in the state. Listed among the two dozen efforts was manure management, with estimated 2020 GHG reductions of 1 million tons of CO<sub>2</sub> equivalent. It should be noted that no further regulations are contemplated by ARB with regard to waste management as part of the discrete early action process.

Also, on April 17<sup>th</sup> the Market Advisory Committee held a workshop to discuss progress in developing a regulatory framework to implement AB 32. The general strategy discussed was to pursue a “cap-and-trade” system.

The Environmental Justice Advisory Committee will also be holding a meeting on April 30. Items to be discussed include the proposed discrete early actions and concepts for mandatory reporting and the creation of a GHG inventory.

## LEGISLATION

April opened with a flurry of policy committee hearings, as the Senate and Assembly began to wade through over 2,700 new measures introduced since the beginning of session. Fiscal measures must be approved by the policy committees prior to April 27.

Policy committees still have until May 11<sup>th</sup> to approve non-fiscal measures.

### *SB 463- Dairy Biogas Net Metering*

This measure, sponsored by IEUA, will allow an investor-owned utility to purchase surplus generation from an eligible biogas net metering customer. This allowance currently exists in the net metering statute for solar and wind self-generation.

The measure was unanimously approved by the Senate Committee on Energy, Utilities and Communications on an 8-0 vote.

|           |                     |  |
|-----------|---------------------|--|
| CA SB 463 | <b>AUTHOR:</b>      | Negrete McLeod [D]   |
|           | <b>TITLE:</b>       | Energy: Biogas Digester Customer-Generator   |
|           | <b>INTRODUCED:</b>  | 02/21/2007   |
|           | <b>LAST AMEND:</b>  | 03/28/2007   |
|           | <b>DISPOSITION:</b> | Pending  |
|           | <b>LOCATION:</b>    | Senate Second Reading File   |
|           | <b>SUMMARY:</b>     | Relates to existing law that provides if the electricity generated by the eligible biogas digester customer-generator exceeds the electricity supplied by the electrical corporation over a specified period, the customer-generator is a net electricity producer and the corporation retains any excess kilowatthours generated over the specified period. Provides the customer-generator would not be owed compensation for excess kilowatthours, unless the service provider enters into an agreement to do so. |
|           | <b>Position:</b>    | Support  |

### *Other Legislation*

|         |                     |   |
|---------|---------------------|---|
| CA AB 6 | <b>AUTHOR:</b>      | Houston [R]   |
|         | <b>TITLE:</b>       | Greenhouse Gases: Market-Based Compliance Mechanisms  |
|         | <b>INTRODUCED:</b>  | 12/04/2006  |
|         | <b>DISPOSITION:</b> | Pending   |
|         | <b>LOCATION:</b>    | Assembly Natural Resources Committee  |
|         | <b>SUMMARY:</b>     | Requires the State Air Resources Board to adopt market-based compliance mechanisms to reduce emissions of greenhouse gases. |
|         | <b>Position:</b>    | Watch   |

CA AB 94      **AUTHOR:** Levine [D]  
**TITLE:** Renewable Energy  
**INTRODUCED:** 12/20/2006  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**  
Revises the intent language so that the amount of electricity generated per year from eligible renewable energy resources is increased to an amount that equals at least 33% of the total electricity sold to retail customers in California per year by a specified date. Requires that each retail seller increase its total procurement of eligible renewable energy resources by at least an additional 1% of retail sales per year so that 33% of its retail sales are procured from eligible renewable energy resources.  
**VOTES:**  
04/09/2007 Assembly Utilities and Commerce      P 7-3  
Committee  
**Position:** Watch

CA AB 109      **AUTHOR:** Nunez [D]  
**TITLE:** Global Warming Solutions Act of 2006: Annual Report  
**INTRODUCED:** 01/05/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**  
Requires the State Air Resources Board to report to the Legislature annually the status and progress of implementing the Global Warming Solutions Act of 2006. Requires the state to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020.  
**VOTES:**  
04/23/2007 Assembly Natural Resources Committee      P 7-1  
**Position:** Watch

CA AB 114      **AUTHOR:** Blakeslee [R]  
**TITLE:** Public Resources: Carbon Dioxide Containment Program  
**INTRODUCED:** 01/09/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Second Reading File  
**SUMMARY:**  
Requires the Energy Commission to develop a program to facilitate and encourage the implementation of cost effective containment, scrubbing, and capture technologies to decrease carbon dioxide emission from industrial processes.  
**VOTES:**  
04/23/2007 Assembly Natural Resources Committee      P 9-0  
**Position:** Watch

CA AB 118      **AUTHOR:** Nunez [D]  
**TITLE:** Alternative Fuels and Vehicle Technologies: Funding

**INTRODUCED:** 01/09/2007  
**LAST AMEND:** 04/17/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Creates the Air Quality Improvement Program to fund air quality improvement projects relating to fuel and vehicle technologies and the Alternative Renewable Fuel, Vehicle Technology, Carbon Reduction, and Clean Air Program to provide grants and revolving loans to specified entities to develop innovative technologies that transform the state's fuel and vehicle types. Requires the establishment of an advisory body to develop investment strategies to help implement the program.

**VOTES:**  
04/23/2007 Assembly Transportation Committee P 9-4  
**Position:** Watch

CA AB 140

**AUTHOR:** Garcia [R]  
**TITLE:** Desert Water Agency  
**INTRODUCED:** 01/16/2007  
**LAST AMEND:** 04/12/2007  
**DISPOSITION:** Pending  
**LOCATION:** SENATE  
**SUMMARY:**

Authorizes the Desert Water Agency to construct, operate, and maintain facilities for the generation of electricity that are hydroelectric or specified eligible renewable energy resources for the control, conservation, diversion, and transmission of water, and for the construction, treatment, and disposal of sewage, and to enter into contracts for the sale of electricity generated by the agency for a specified term.

**VOTES:**  
04/09/2007 Assembly Utilities and Commerce P 12-0  
Committee  
04/17/2007 Assembly Environmental Safety and Toxic P 7-0  
Materials Committee  
04/23/2007 Assembly Floor P 73-0  
**Position:** Watch

CA AB 242

**AUTHOR:** Blakeslee [R]  
**TITLE:** Emissions of Greenhouse Gases: Reduction  
**INTRODUCED:** 02/01/2007  
**LAST AMEND:** 03/29/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**

Requires that an entity that has voluntarily reduced its emissions of greenhouse gases through cost-effective investments receive credit from the state Air Resources Board for early action. Authorizes an entity that has received credit for early action to further minimize its carbon footprint through the purchase of offsets for the emission of greenhouse gases as authorized by the board.

**Position:** Watch



and furnish facilities for the diversion of urban runoff from a drainage course within that district, the treatment of the urban runoff, the return of the water to the drainage course, or the beneficial use of the water.  
**Position:** Watch

CA AB 1207 **AUTHOR:** Smyth [R]  
**TITLE:** Solid Waste: Biosolids  
**INTRODUCED:** 02/23/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**  
Relates to existing law that requires the State Water Resources Control Board to adopt minimum standards for solid waste facilities. Requires those minimum standards to include standards for the land application of biosolids which would include standards for the land application of biosolids according to sound principles of land use, agriculture, conservation, resource management, public health, and protection of ground water.  
**Position:** Watch

CA AB 1285 **AUTHOR:** Parra [D]  
**TITLE:** Taxation: Credits: Research and Development  
**INTRODUCED:** 02/23/2007  
**LAST AMEND:** 04/10/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Revenue and Taxation Committee  
**SUMMARY:**  
Relates to credits against the Personal Income Tax and Corporation Income Tax laws for increasing research expenses to provide complete conformity to the research credit and the alternative incremental credit allowed by federal income tax laws for only the amount paid or incurred by a taxpayer in connection with the qualified research to develop technologies that will reduce greenhouse gas emissions.  
**Position:** Watch

CA AB 1327 **AUTHOR:** Ma [D]  
**TITLE:** Environment: Green Building  
**INTRODUCED:** 02/23/2007  
**DISPOSITION:** Pending  
**LOCATION:** ASSEMBLY  
**SUMMARY:**  
States the intent of the Legislature to enact legislation to develop a uniform definition for green building and to extend tax and planning incentives to developers to build green buildings.  
**Position:** Watch

CA AB 1428 **AUTHOR:** Galgiani [D]  
**TITLE:** Energy: Agricultural Waste Customer-Generator  
**INTRODUCED:** 02/23/2007  
**LAST AMEND:** 04/17/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Second Reading File

**SUMMARY:**

Relates to existing law that requires electrical corporations with net energy metering to provide eligible biogas digester customer-generators, that commence operations by a specified date, with net energy metering, under a pilot program. Replaces that program for eligible biogas customer-generators with a pilot program for eligible agricultural waste customer-generators.

**VOTES:**

04/09/2007 Assembly Utilities and Commerce P 12-0  
Committee

04/23/2007 Assembly Natural Resources Committee P 7-0  
**Position:** Watch

CA AB 1506

**AUTHOR:** Arambula [D]  
**TITLE:** Energy Independence/Early Adapter Bus Incentive Act

**INTRODUCED:** 02/23/2007

**LAST AMEND:** 04/19/2007

**DISPOSITION:** Pending

**FILE:** 40

**LOCATION:** Assembly Second Reading File

**SUMMARY:**

Authorizes a small business financial development corporations to provide direct loans and loan guarantees for capital expenditures that reduce greenhouse gas emissions or generate renewable energy. Authorizes the Infrastructure and Economic Development Bank to make loans on capital equipment directly result in a measurable reduction of greenhouse gas emissions. Authorizes a tax credit for certified qualified capital equipment.

**VOTES:**

04/17/2007 Assembly Jobs, Economic Development and P 6-0  
The Economy Committee

04/23/2007 Assembly Revenue and Taxation Committee P 8-1  
**Position:** Watch

CA AB 1532

**AUTHOR:** Parra [D]  
**TITLE:** Air Resources: Crude Oil Imports  
**INTRODUCED:** 02/23/2007  
**LAST AMEND:** 04/18/2007  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Utilities and Commerce Committee  
**HEARING:** 05/07/2007 3:00 pm

**SUMMARY:**

Express the intent of the Legislature to enact legislation to ensure that the Low Carbon Fuel Standard does not increase the state's overall dependence on crude oil imports and that the state Air Resources Board determine and apply a greenhouse gas emissions value across all crude oil feed stocks.

**Position:** Watch

CA AB 1613

**AUTHOR:** Blakeslee [R]  
**TITLE:** Energy: Waste Heat and Carbon Emissions Reduction



**INTRODUCED:** 02/23/2007  
**LAST AMEND:** 04/17/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Second Reading File  
**SUMMARY:**

Enacts the waste heat and carbon emissions reduction act. Requires a load-serving entity to purchase the incidental electricity generated by eligible customers utilizing distributed generation that employs combined heat and power technology that comply with the regulations, or interim guidelines. Requires that the rates be time or use rates that encourage energy conservation and net generation of electricity during periods of peak system demand. Relates to state building energy efficiency.

**VOTES:**

04/23/2007 Assembly Utilities and Commerce P 12-0  
Committee

**Position:** Watch

CA AB 1703

**AUTHOR:** La Malfa [R]  
**TITLE:** Water: Storm Water Monitoring Requirements  
**INTRODUCED:** 02/23/2007  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Environmental Safety and Toxic Materials Committee

**SUMMARY:**

Repeals the provisions of the Porter-Cologne Water Quality Control Act. Requires the state Water Resources Control Board to develop minimum monitoring requirements for regulated municipalities that were subject to a storm water permit and minimum standard monitoring requirements for regulated industries to be included in all applicable storm water permits.

**Position:** Watch

CA EO 4

**AUTHOR:** Office of the Governor  
**TITLE:** Low Carbon Emissions  
**INTRODUCED:** 01/18/2007  
**LOCATION:** Filed with Secretary of State  
**SUMMARY:**

(Executive Order 01-01) Establishes a Low Carbon Fuel Standard for transportation fuels sold in state. Requires by 2020 the standard will reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent. Provides the standard shall apply to all refiners, blenders, producers or importers of fuels in the state and shall be measured on a full fuels cycle basis and may be met by market-based methods. Gives providers credits towards future obligations or traded to other providers.

CA SB 9

**AUTHOR:** Lowenthal [D]  
**TITLE:** Trade Corridor Improvement: Transportation Project  
**INTRODUCED:** 12/04/2006  
**LAST AMEND:** 04/10/2007  
**DISPOSITION:** Pending

**LOCATION:** Senate Appropriations Committee

**SUMMARY:**

Relates to the Trade Corridor Improvement Transportation Project. Requires inclusion in a regional transportation plan. Requires for funding emphasis to be on consideration of specified emissions associated with the construction and operation of the project and the project's potential to reduce emissions associated with trade activity. Requires inclusion of a plan to mitigate emissions associated with their projects. Provides funding for projects that support movement of freight with zero emissions.

**VOTES:**

04/17/2007 Senate Transportation and Housing Committee P 7-3

**Position:** Watch

CA SB 19

**AUTHOR:** Lowenthal [D]

**TITLE:** Trade Corridor: Projects to Reduce Emissions: Funding

**INTRODUCED:** 12/04/2006

**LAST AMEND:** 04/10/2007

**DISPOSITION:** Pending

**LOCATION:** Senate Appropriations Committee

**SUMMARY:**

Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Specifies a list of projects eligible for this funding. Require that the Air Resources Board ensure that these funds are supplemented and matched with funds from federal, state, local, and private sources to the maximum extent feasible. Requires applicants for this funding to include with their application for funding a plan to reduce emissions associated with goods movement activity.

**VOTES:**

04/17/2007 Senate Transportation and Housing Committee P 6-4

**Position:** Watch

CA SB 55

**AUTHOR:** Florez [D]

**TITLE:** Water Quality: Sewage Sludge

**INTRODUCED:** 01/10/2007

**LAST AMEND:** 04/09/2007

**DISPOSITION:** Pending

**LOCATION:** Senate Second Reading File

**SUMMARY:**

Relates to water quality and sewer sludge. Prohibits the treatment or land application of specified sewage sludge in violation of federal regulations. Requires a supplier of sludge to submit samples to a certified laboratory for testing. Relates to polluting chemicals including agricultural, industrial, personal care products and pharmaceuticals that may act as endocrine disrupters. Relates to pathogens.

**VOTES:**

04/24/2007 Senate Environmental Quality Committee P 6-1

**Position:** Watch, Watch



**INTRODUCED:** 02/21/2007  
**LAST AMEND:** 04/18/2007  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Environmental Quality Committee  
**HEARING:** 04/26/2007 9:00 am  
**SUMMARY:**

Requires a retail seller of electricity to increase its total procurement of eligible renewable resources so that at least 33% of its retail sales are procured from eligible renewable energy resources no later than specified date, in furtherance of achieving the greenhouse gas emissions limit adopted pursuant to the California Global Warming Solutions Act of 2006.

**Position:** Watch

CA SB 494

**AUTHOR:** Kehoe [D]  
**TITLE:** Vehicular Air Pollution Control: Clean Alternative  
**INTRODUCED:** 02/22/2007  
**LAST AMEND:** 04/10/2007  
**DISPOSITION:** Pending  
**LOCATION:** Senate Second Reading File  
**SUMMARY:**

relates to vehicular air pollution control. Requires the Air Resources Board to develop and adopt regulations that will ensure that an unspecified percentage of new passenger vehicles and light-duty trucks sold in the state each year are clean alternative vehicles, and that commencing by a specified date, a percentage of new passenger vehicles and light-duty trucks sold in the state each year are clean alternative vehicles.

**VOTES:**

03/27/2007 Senate Transportation and Housing Committee P 6-4

04/24/2007 Senate Environmental Quality Committee P 5-2

**Position:** Watch

CA SB 572

**AUTHOR:** Cogdill [R]  
**TITLE:** California Global Warming Solutions Act  
**INTRODUCED:** 02/22/2007  
**DISPOSITION:** Pending  
**LOCATION:** Senate Rules Committee  
**SUMMARY:**

Relates to global warming. Declares the intent of the Legislature to enact legislation urging the State Air Resources Board to consider emissions created by catastrophic wildfire, as well as the benefits created by carbon sequestration within forests.

**Position:** Watch

CA SB 660

**AUTHOR:** Perata [D]  
**TITLE:** Renewable Energy Resources: Supplemental Energy  
**INTRODUCED:** 02/23/2007  
**DISPOSITION:** Pending  
**LOCATION:** Senate Energy, Utilities and Communications Committee

**SUMMARY:**

States the intent of the Legislature to enact legislation to reform the awarding of supplemental energy payments pursuant to the Renewables Portfolio Standard program to accomplish certain objectives.

**Position:** Watch

CA SB 1001

**AUTHOR:** Perata [D]  
**TITLE:** Regional Water Quality Control Boards  
**INTRODUCED:** 02/23/2007  
**LAST AMEND:** 04/17/2007  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 05/07/2007 10:00 am

**SUMMARY:**

Relates to regional water boards and their responsibilities under the federal Clean Water Act and Porter-Cologne. Requires the State Water Resources Control Board, with the Department of Finance, to prepare a detailed report on the financial basis and programmatic effectiveness of its water quality programs. Requires the board to prepare and adopt regulations for each regional board to ensure compliance with water quality laws. Establishes procedures for the removal of a regional board from the programs.

**VOTES:**

04/24/2007 Senate Environmental Quality Committee P 5-2

**Position:** Watch

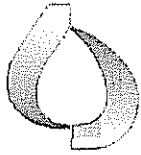
CA SB 1036

**AUTHOR:** Perata [D]  
**TITLE:** Energy: Renewable Energy Resources  
**INTRODUCED:** 02/23/2007  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 05/07/2007 10:00 am

**SUMMARY:**

Repeals provisions providing for the New Renewable Resources Account within the Renewable Resource Trust Fund. Deletes the requirement that the Energy Commission award the production incentives and allocate and award supplemental energy payments to eligible renewable energy resources to cover above-market costs of renewable energy. Requires the Commission to terminate production incentives unless the project began generating electricity by a certain date.

**Position:** Watch



Inland Empire  
UTILITIES AGENCY

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Date: May 16, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee (05/09/07)

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

Submitted by: Martha Davis *MD*  
Executive Manager of Policy Development

Subject: April Legislative Report from Agricultural Resources

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**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.

RWA:MD:mef

Enclosure

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# *Agricultural Resources*

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[agresources@erols.com](mailto:agresources@erols.com)

April 28, 2007

## 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 2007

**Highlights:**

- ! Dreier Bill Passed House, Pending In Senate
- ! Feinstein Introduces Dreier Bill in Senate, Requests Committee Action
- ! Reps. Miller and Sanchez Introduce Similar – Senator Feinstein Recommends Revisions
- ! House-Senate Action on Farm Bill
- ! Farm Bill Language – Third Party (IEUA) Eligibility
- ! Rep. Millender-McDonald Dies, Active Supporter of Water Recycling
- ! News and Notes
- ! IEUA Working Partners

*Dreier Bill Passes House, Now Pending in the Senate.* The IEUA and CVWD's water recycling bill passed the House unanimously and is now pending in the Senate. It was referred to the Senate Energy and Natural Resources Committee, Water and Power Subcommittee. As discussed previously, the water recycling projects in this bill will produce approximately 100,000



acre-feet of new water annually. Reps. Calvert, Gary Miller, Grace Napolitano and Joe Baca are all cosponsors.

***Feinstein Introduces Dreier Bill in Senate, Requests Committee Action.*** Senator Dianne Feinstein introduced the Senate “companion” bill. Both bills (Dreier and Feinstein) are now pending before the Energy Committee. She has also requested that the Committee take up the bill at the earliest opportunity. As a result of the August, 2006 committee hearing, the committee staff considers the bill as already “heard.” Therefore, additional hearings may not be necessary. We have asked that the bill be marked up as soon as possible. There are no issues with our bill and since last August, the Bureau determined that the IEUA and CVWD projects meet with their “feasibility” test.

***Reps. Sanchez and Miller Recycling Bills.*** As previously reported, the two members +introduced identical bills to authorize Prado Basin Natural Treatment system, regional brine lines, desalters and other features. The Sanchez bill, H.R. 1175 and the Miller bill, H.R. 813 were introduced, referred to the Natural Resources Committee and then to the Water and Power Subcommittee. Senator Feinstein is concerned about the overall cost and has made recommendations that the program be “phased” over time, making the first phase of the bill less costly. Discussions are underway to reframe the bill, reduce the initial phase one costs, and reorder priorities. With these changes, the desalters become more important sooner.

***Congressional Action on Farm Bill Initiated.*** The farm bill is fast becoming a major congressional priority. consideration is now just beginning. The current Farm Bill expires September. Several developments in the past month.

- \* Hearings are now underway and various “marker” bills have been introduced.
- \* Rep. Ron Kind (D-WI) has introduced a bill with a significant “renewable energy” provision and a provision making non-farmers eligible (like IEUA) for funding digesters and manure management.
- \* There are at least four major marker bills in both the House and Senate.
- \* Martha Davis attended a half-day conference in Washington at the end of April attended by almost 40 people from agriculture, environment and the states. The IEUA experience is the baseline for non-farmer ownership and management of off-farm digesters.
- \* ACWA, AMWA and others have organized an effort on behalf of water interests. A white paper outlining desired provisions in the farm bill is presently being circulated.
- \* Other ideas and legislative options are being circulated and evaluated.

***Farm Bill Language – Third Party Eligibility.*** After the 2002 farm bill was enacted, and after a special provision was included for IEUA participation in digester funding, the USDA

rejected IEUA's program on the grounds that the NRCS only gives benefits to individual farmers. In 2003, a group from IEUA and the MPC met with the head of NRCS, but he was adamant. Benefits only go to individual farmers. Providing benefits to a third party (a co-op, group of farmers, a public utility) who might own and operate a digester was not within USDA's thinking. Language is being circulated to overcome this institutional obstacle. And, in fairness, USDA thinking/attitude is shifting (albeit slowly).

**Rep. Millender-McDonald Dies.** On a sad note, the California Delegation lost one of its most senior members, Rep. Juanita Millender-McDonald. In the 100<sup>th</sup> Congress, she served as Chair, House Administration Committee. In that capacity, she joined Speaker Pelosi and Majority Leader Hoyer in requesting the Green the Capitol Initiative. And she was, among other things, a champion of water recycling. A special election will be held to elect a replacement.

**News and Notes. Pelosi Announces Green the Capitol Initiative.** House of Representatives CAO (Chief Administrative Office) Submits Report to Speaker Pelosi – New Initiative to Green the Capitol. Key influence – US Green Building Council's LEED Standards. A final report will be delivered in June. **California Water Profile.** Low water year. **Drought in West.** Other western states, up and down the Rocky Mountains, experiencing drought. **Drought Relief Bill Attached to Iraq Funding Bill – Prompting Veto Threat.** As a result of the drought – a multi-billion drought relief bill. **Climate Change Reports.** More reports emerging – Southwest to face extended drought conditions. Water recycling will become more important in the immediate future. **BuRec EIS on Colorado River Shortage Allocations.** A preliminary review of the lengthy draft EIS reveals that Title XVI – water recycling – not considered an option to extend water supplies. **Texans Looking At Title XVI.** With the 110<sup>th</sup> Congress, it appears that Texas is reevaluating its interest in Title XVI. **North Carolina Embracing Water Recycling – Drought Inspired.** Drought conditions in southeast prompt interest in water recycling. **Friant (San Joaquin Valley) Settlement Proposal.** Friant Settlement Legislation was supposed to be marked up in the House Water and Power Subcommittee this month, but has been postponed as key issues are unresolved including whether or not the restoration project is consistent with the Budget Act, an intra-Friant water allocation dispute and the third party impacts – other water users in the San Joaquin Valley, Trinity River restoration funding, and others. An oversight hearing is expected at the end of the month in the Senate. **House Holds Perchlorate Oversight Hearing.** Rep. Hilda Solis held an oversight hearing on perchlorate at the end of April. **Rep. John Doolittle Requests Leave from Appropriations Committee.** In light of various issues, Rep. Doolittle has requested a temporary leave from the Committee. Among other things, he serves on the Energy and Water Appropriations Subcommittee and, earlier this year, when the Bureau presented its budget, led the questions about why Title XVI was so underfunded. **Senator Tim Johnson, Chair, Subcommittee on Water and Power is Making Progress.** Chairwoman Grace Napolitano's Senate counter-part is South Dakota Senator, Tim Johnson. He had a stroke-like attack early this year. His recovery is "on time" and he is making significant progress. His illness has slowed some of the Subcommittee's work, but that is expected to change shortly. **Bureau of Reclamation Conducts Congressional Briefing on Title XVI.** In late April, the Bureau briefed the House and Senate committee staff on their revised Title XVI process. Having

modified the process, they acknowledged that the Bureau was still likely to oppose all Title XVI authorizations.

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

- a. Metropolitan Water District of Southern California (MWD)
- b. Milk Producer's Council (MPC)
- c. Santa Ana Watershed Project Authority (SAWPA)
- d. Water Environment Federation (WEF)
- e. Association of California Water Agencies (ACWA)
- f. WaterReuse Association
- g. CALStart
- h. Orange County Water District (OCWD)
- i. Cucamonga Valley Water District (CVWD)
- j. Western Municipal Water District
- k. Chino Basin Watermaster

## Regional Conservation Programs Monthly Report – April 2007

### MWD Activities

- **California-Friendly® Marketing Campaign** - In the next phase of the California Friendly® marketing campaign, MWD will be working with retail stores like Home Depot and Lowes to promote California Friendly® devices. They will encourage stores to use point of purchase displays to promote rebates and water saving devices. The process of working with the retail stores and distributing displays and will begin over the next few months.
- **PAC Recommendations** - The PAC committee, coordinated by MWD, has been meeting since November 2006 to discuss recommendations for the CII program. In February the committee decided on several recommendations that will go to the MWD Board in May. These include proposals for several new CII rebates including two landscape rebates, rebates for high efficiency/multi-load clothes washers, one pmt per flush urinals, synthetic turf, dry vacuum pumps and rotator nozzles for large landscapes such as golf courses. They are also recommending that excess rebate funding be used for the installation of various water saving devices.

### Landscape Programs

- **Landscape Audit Program** - HydroEarth has completed 57 commercial audits. The completed sites' maps have been inputted onto GPS and the reports are currently being produced. To date no residential audits have been completed. The program consists of 150 commercial audits and 50 large landscape residential audits to be completed by September 2007.
- **Ontario Cares** - The City of Ontario is implementing a pilot project to integrate California-Friendly® into the city's existing Ontario Cares program to improve neighborhoods. A MWD consultant presented California-Friendly® templates to Ontario Cares inspection staff and landscape contractors. Two homes have been retrofitted using California-Friendly® protocols (example photos attached). IEUA is seeking approval from the U.S. Bureau of Reclamation to increase the rebate from \$300 to \$500 per site based on larger than average property sizes and the City's interest in adding California-Friendly® plantings.
- **Inland Empire Landscape Alliance** - The second meeting for the Landscape Alliance was held on April 12, 2007 at IEUA. The next meeting will be held at IEUA on September 13, at 4:00 pm. Over the next four months, staff will host a series of workshops to address landscape issues raised by the cities and to continue development of landscape policy and program recommendations, including a regional landscape ordinance. The first workshop is on California Friendly Landscapes and was held on April 25<sup>th</sup> at the Maloof Foundation.
- **California Friendly® Landscape Classes (formerly PDA)** - Several retail agencies are holding local PDA classes this year to educate their residents on California-Friendly® plants and efficient irrigation. CVWD held a PDA class on March 31 and approximately 50 residents attended.

### Commercial/Industrial/Institutional Program

- **(CII SAVE-A-BUCK)** - There were 62 CII rebates issued in the month of February. The following is a list of the most recent rebate activity within the IEUA service area:
  - **High Efficiency Clothes Washers** - There were no clothes washers rebated for the months of February and March. The total for FY 06/07 is 64. To date, 399 commercial high efficiency clothes washers have been installed in our service area since FY 00/01.
  - **Conductivity Controller Cooling Tower** - A total of 16 conductivity controllers have been installed through the Save-a-Buck program since FY 00/01.
  - **ULF Toilets** - No ULFTs were rebated in February and March. The total number rebated is, 1,881 ULFTs in our service area since FY 00/01.
  - **Waterless Urinals** - No waterless urinals were installed in February and March. A total of 10 waterless urinals have been rebated for in the IEUA service area.
  - **ULFT Flushometers** - To date, 4 flushometers have been rebated in IEUA's service area.
  - **Water Broom** - To date, 695 water brooms have been rebated in IEUA's service area since FY 00/01.
  - **SmarTimer Controllers** - No SmarTimer Controllers were rebated in February and March. To date a total of 36 SmarTimers have been installed and rebated through the CII program in the IEUA service area.
- **Restaurant Spray Heads** - The third and final phase of the restaurant spray head program, conducted through the CUWCC, has been completed. The total installations within IEUA's service area for the three phases of the program to included 1234 spray heads.

### Residential Rebate Programs

- **ULFT and HET Rebate Program** - Effective February 1, 2007, IEUA began processing the ULFT and HET rebates. In the month of April, 27 ULFT rebates were processed. This brings the total number of rebates processed for FY 06/07 to 131; 27 ULFT rebates and 4 HET rebates. Since the start of the program in 2002, a total of 2,963 rebates have been processed.

- **High Efficiency Clothes Washer Rebate** - The total number of rebates processed in March was 199 bringing the number of rebates issued for FY 06/07 to 1136. The total number of rebates processed since the rebate program began in 2002 is approximately 7,560.
- **“SmarTimer of Inland Empire” Program** - The program began in April 2006. To date, 25 SmarTimer Irrigation Controller rebates have been processed.
- **Rotating Nozzles for Pop-up Spray Heads** - The new rebate program for rotating nozzles commenced late January 2007. The incentive is \$4 per rotating nozzle to be replaced. The rotating nozzles save up to 6,600 gallons of water over five years. To date, 30 Rotating Nozzles have been processed.

**Other Residential Programs**

- **Multi-Family ULFT Program** - The Multi-Family ULFT retrofit program, conducted by Bottom Line Utility Solutions, Inc. has begun. In March, 1,196 toilets installations were completed bringing the total installed to 7,003 toilets.

**School Education Programs**

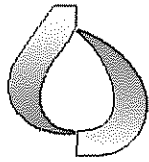
- **Garden in Every School** - In October, seven schools were chosen for the 2006/07 “Garden in Every School Program”. The selected schools are Litel Elementary in Chino Hills, El Rancho Elementary in Chino, Liberty Elementary in Ontario, Sycamore Elementary in Upland, Victoria Groves Elementary in Rancho Cucamonga, Buena Vista Arts-integrated School in Montclair and Poplar Elementary in Fontana. Designs have been completed for each garden. The majority of the irrigation has been installed at the respective sites. Planting has been completed at Sycamore Elementary, and is scheduled for the remaining schools during the last two weeks of April. Dates for the Garden dedications are noted in the calendar below.
- **National Theatre for Children** - The National Theatre for Children (NTC) performances at elementary schools within IEUA’s service area began late November and will continue through May 2007. Currently 36 performances have been scheduled. Through March, 29 performances have taken place. Eleven performances are scheduled for the month of April.
- **MWD Solar Cup 2007** - Four schools within IEUA’s service area are participating in the 2007 Solar Cup program. They include Rancho Cucamonga High School (CVWD), Montclair High School (MVWD), Upland High School (Upland) and Ayala High School (Chino Hills). The Solar Cup event will take place May 18-20, 2007, at Lake Skinner.
- **Chino Youth Museum** - Over the past year the Chino Youth Museum along with the City of Chino, MVWD, Chino Basin Water Conservation District and IEUA have been meeting to rejuvenate and improve the water exhibit that was constructed in 2002. The planning committee has received drawings from the consultant for the design of the new exhibit. Construction of the exhibit will begin in early summer.

**Outreach**

- **Water Fair** - The planning committee for the Water Fair 2007 is meeting monthly. The planning committee applied for the Community Partnering Program through MWD for funding assistance. The Water Fair 2007 will be held Saturday, October 20, 2007 at Montclair Plaza.
- **Water Education Water Awareness Committee (WEWAC)** – The WEWAC High School Video Contest has been modified to a Public Service Announcement (video) Contest. The four entries received by the April 13<sup>th</sup> deadline will be judged, and an awards ceremony will be held in May.

**CALENDAR**

|                 |  |
|-----------------|--|
| May 2, 2007     | CUWCC Steering Committee Meeting (Contra Costa Water District-Concord) |
| May 12, 2007    | CVWD Water Awareness Day (Cucamonga Valley Water District)             |
| May 18-20, 2007 | MWD Solar Cup 2007 (Lake Skinner)                                      |
| May 16, 2007    | Sycamore Elementary Garden In Every School Dedication @ 10:00 AM       |
| May 18, 2007    | Litel Elementary Garden In Every School Dedication @ 2:30 PM           |
| May 22, 2007    | Poplar Elementary Garden in Every School Dedication @ 5:30 PM          |
| May 25, 2007    | Liberty Elementary Garden in Every School Dedication @ 9:00 AM         |
| May - TBD       | WEWAC High School Public Service Announcement Contest                  |
| June 1, 2007    | El Rancho Elementary Garden in Every School Dedication 8:30 AM         |
| June 5, 2007    | Victoria Groves Elementary Garden in Every School Dedication @ 9:00 AM |
| June 13, 2007   | Buena Vista Elementary Garden in Every School Dedication @ 1:00 PM     |
| June 13, 2007   | CUWCC Plenary Session (San Francisco Public Utilities Commission)      |



Date: May 16, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee (05/09/07)

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

Submitted by: Sondra Elrod  
Public Information Officer

Subject: Public Outreach and Communications

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### **RECOMMENDATION**

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

#### **Outreach/Tours**

- May 23, 2007 Chino Rotary International delegation tour of IEUA facilities.

#### **Calendar of Upcoming Events**

- May 9, 2007, IERCA Compost give away at IEUA HQ in recognition of International Compost Awareness Week, 7:00 a.m. to 9:00 a.m. and 3:00 pm. to 5:00 p.m.
- May 10, 2007, Chino State of the City address, 11:30 a.m., Chino Neighborhood Activity Center.
- May 15, 2007, Chino Council Meeting, IEUA Board Room, 7:30 p.m.
- May 16, 2007, GIES Dedication Sycamore Elementary, Upland, 10 a.m.
- May 21, 2007, Chino Planning Commission Meeting, IEUA Board Room, 7:30 p.m.
- GIES Dedication.
- May 22, 2007, GIES Dedication Poplar Elementary, Fontana, 5:30 p.m.
- May 24, 2007, SAWPA *One Watershed* Workshop, IEUA Event Center, 3:30 p.m. with a reception following workshop.
- May 25, 2007, GIES Dedication, Liberty, Ontario, 9:00 a.m.
- May 30, 2007, IEUA Leadership Breakfast, Event Center, 7:30 a.m.
- June 1, 2007, El Rancho Elementary, Chino, 8:30 a.m.
- June 1, 2007, GIES Dedication Litel Elementary, Chino Hills, 2:30 p.m.
- June 5, 2007, Victoria Groves Elementary, Alta Loma, 9:00 a.m.
- June 13, 2007, Buena Vista Elementary, Montclair, 1:00 p.m.
- June 23, 2007, Chino Creek Wetlands and Educational Park dedication, 9:00 a.m.

- July 20, 2007, Inland Empire Regional Composting Facility dedication “Tentative” date

**OUTREACH/EDUCATIONAL INLAND VALLEY DAILY BULLETIN NEWSPAPER  
CAMPAIGN**

- Conservation tip (attached)

**PRIOR BOARD ACTION**

None.

**IMPACT ON BUDGET**

None.



**Award Honoree**

**FOR IMMEDIATE RELEASE**

**Contact: Sondra Elrod (909) 993-1747**

**Date: May 4, 2007**

**INLAND EMPIRE UTILITIES AGENCY HONORED WITH CALIFORNIA'S  
PRESTIGIOUS FLEX YOUR POWER AWARD**

**San Francisco, CA** — Flex Your Power, California's statewide energy efficiency campaign, has recognized Inland Empire Utilities Agency as a leader in energy efficiency with a Flex Your Power Award. A total of 41 winners were selected from several hundred applicants for outstanding leadership in energy efficiency. Cumulatively, award winners over the last two years have saved more than \$172 million, one billion kilowatt hours and reduced greenhouse gas emissions equivalent to removing almost 85,000 cars from the road. This year's 5<sup>th</sup> Annual Flex Your Power Awards Ceremony will be held at 1:30 p.m. Saturday, May 5 at the San Francisco Concourse Exhibition Center.

The Inland Empire Utilities Agency was highlighted for its regional recycled water program that will displace approximately 100,000 acre-feet of energy intensive imported state water project water within the next 10 years. Utilization of this high-quality recycled water is expected to save approximately 35 MW of energy, reducing greenhouse gas emissions by 100,000 tons of CO<sub>2</sub> equivalents per year. Currently, about 10 percent of the total recycled water available is being used in Southern California. Therefore, a huge potential for additional energy savings (over 500 MW) and greenhouse gas reductions from aggressive development of recycled water supplies is a key cost effective strategy for California.

The Inland Empire Utilities Agency (IEUA) is a municipal water district with a population of 800,000. In 2001, IEUA adopted an energy action plan to promote water conservation and reduce energy consumption. The development of recycled water and its contribution to reducing greenhouse gas emissions is part of an integrated water management strategy for the IEUA and for California.

(More)

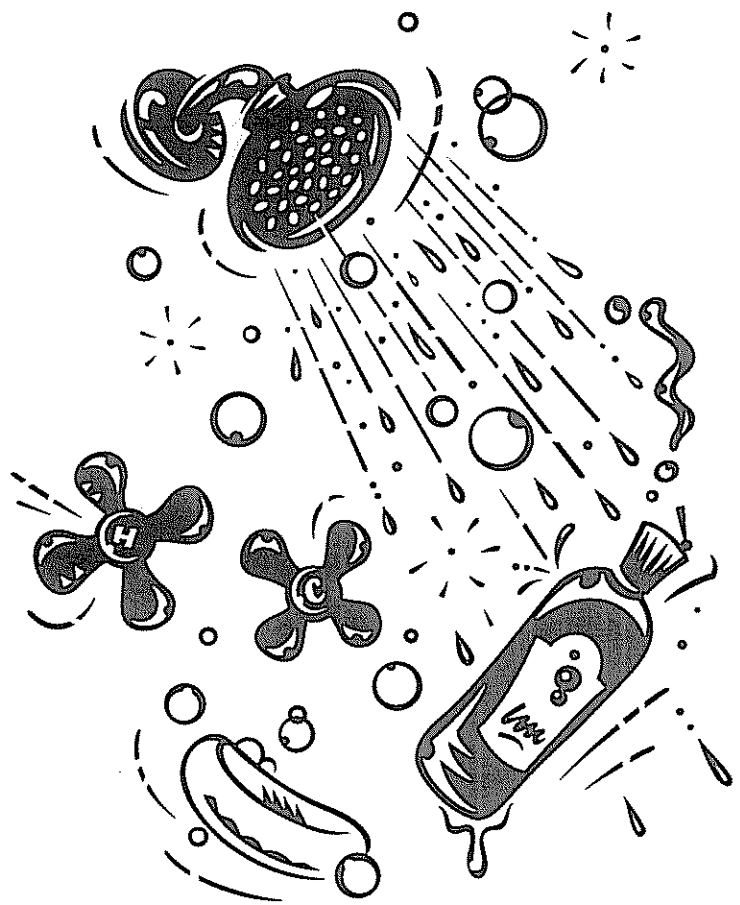


The population within IEUA's service area is projected to increase to 1,200,000 people in year 2025. The Inland Empire Regional Water Recycling Program (see [www.ieua.org](http://www.ieua.org)) will ultimately produce approximately 100,000 acre-feet of new water annually which will displace an equal amount in the future of imported water from the State Water Project. Each acre-foot of recycled water will save about 2,500 kWh versus pumping State Water Project supplies from Northern California.

Of the award winners, Director Walter McGuire of Flex Your Power said, "The awards present an opportunity for California to congratulate the leadership shown by this year's Flex Your Power award winners who have demonstrated that we can all save money and the environment. By reducing their energy use, this year's Flex Your Power award winners have saved more than \$30 million and reduced global warming emissions equivalent to taking 40,250 cars off the road."

In addition to the California Public Utilities Commission, Flex Your Power Award winners were selected by senior representatives from the California Independent System Operator, California Energy Commission, California Urban Water Conservation Council, League of California Cities, Los Angeles Department of Water and Power, Building Owners and Managers Association, Silicon Valley Leadership Group, and Southern California Edison. For more information on the 5<sup>th</sup> Annual Flex Your Power Awards, visit [www.flexyourpower.org](http://www.flexyourpower.org).

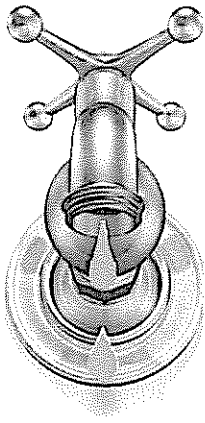
# Conservation Tips for the Bathroom



where over half of all water use inside a house takes place:

- Do not let the water run while shaving or brushing teeth.
- Take short showers, maximum of 10 minutes, instead of baths. Turn off the water while soaping or shampooing.
- If you must use a tub, close the drain before turning on the water and fill the tub only half full.
- Never use your toilet as a wastebasket.
- Invest in a low-flow showerhead that uses 2.5 gallons or less per minute.

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# IMPORTANT NOTICE

## of Emergency Temporary Pipeline Shutdown April 16-24, 2007

### **THINGS TO DO NOW, BEFORE MONDAY, APRIL 16**

Do not plant new landscaping until April 26.

- Set mowers for a higher cut than normal. Longer blades of grass help reduce evaporation. Or, avoid mowing altogether.
- Avoid fertilizing lawns and plants prior to the shutdown. Fertilizer encourages growth, which requires more water.
- Have a deep collection dish at the base of house plants. Fill the dish Sunday night so plants can draw on that water throughout the week. Fill large containers or trash bins and use that water for delicate plants.
- Until Saturday, deep-water trees and shrubs by either setting out soaker hoses or regular hoses set on a slow trickle. Water until the soil is soaked to a depth of about 8 – 12 inches.
- Do all laundry Saturday night and then avoid using the clothes washer during the period of shutdown.
- Do a normal, thorough watering of lawns, but not more than normal because extra water will be wasted. Hand water hot or dry spots of lawns. Set sprinkler timers to the "OFF" position Sunday night as the shutdown begins just after midnight.
- Wash vehicles on Saturday.
- Do final fill-ups of any large containers.

**Sunday, April 15**

**Do not water landscapes or lawns. Do not wash cars.**

### **TIPS DURING SHUTDOWN**

- Take short showers (10 minutes). Soak, turn the water off, soap up, and then turn the water on, wash off. Do not use the warm shower as a sauna.
- Also, put a bucket in the shower to collect the water before the shower warms up. Use this water for plants.
- Use collected water in trash bins or bathtubs to hand-water houseplants and sensitive outdoor plants and those areas of the lawn that may show excessive stress (the hot spots).
- If you need to use your washing machine or dishwasher, run only full loads.
- Do not leave water running when washing dishes, brushing your teeth or shaving.
- Do not mow your lawns. Minimize the use of your lawn (i.e. playing on it, leaving vehicles on it) to reduce stress on the turf.

IEUA and its member agencies will make recycled water available for construction purposes.

For more information contact your local water provider:

|   |              |  |
|---|--------------|--|
| City of Chino   | 909.591.9845 | <a href="http://www.cityofchino.org">www.cityofchino.org</a>   |
| City of Chino Hills   | 909.364.2806 | <a href="http://www.chinohills.org">www.chinohills.org</a>     |
| City of Upland  | 909.291.2935 | <a href="http://www.ci.upland.ca.us">www.ci.upland.ca.us</a>   |
| Fontana Water Company   | 909.822.2201 | <a href="http://www.fontanawater.com">www.fontanawater.com</a> |
| Cucamonga Valley Water District                                 | 909.987.2591 | <a href="http://www.cvwwater.com">www.cvwwater.com</a>         |
| Monte Vista Water District<br>(Montclair and portions of Chino) | 909.624.0035 | <a href="http://www.mvwd.org">www.mvwd.org</a>                 |

**REMEMBER, when you leave a room you turn off the lights, so be sure to turn off the water when you are not using it!**

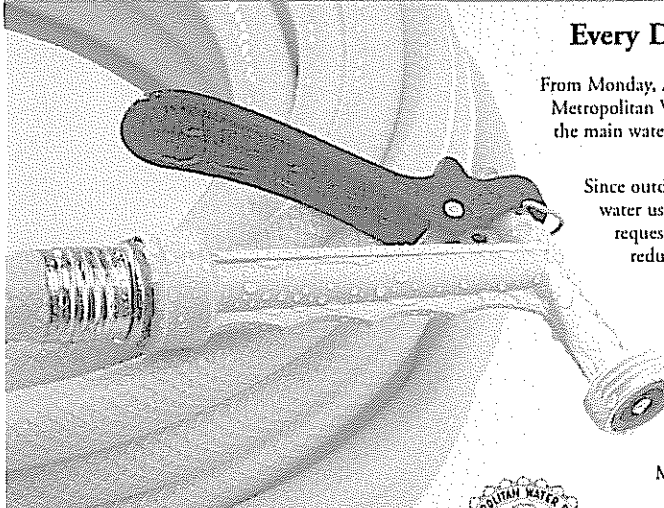
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# IMPORTANT NOTICE

## of Temporary Pipeline Shutdown

### April 16 - 24, 2007

We are Working Together to Conserve



### Every Drop of Water Saved Will Help

From Monday, April 16, through Tuesday, April 24, the Metropolitan Water District of Southern California will shut down the main water line that serves our region in order to make repairs.

Since outdoor water use accounts for about 60 percent of the water used in a typical home, the local water suppliers are requesting that all outdoor water use be significantly reduced as well as all non-essential indoor water use.

During this shutdown your cooperation is essential to help ensure sufficient water supplies are available.

The following are helpful tips for consumers in preparing for Metropolitan Water District's upcoming nine-day shutdown of the Rialto Feeder pipeline, in communities of Chino, Chino Hills, Montclair, Rancho Cucamonga, Upland and Fontana.



#### THINGS TO DO NOW, BEFORE APRIL 16

##### TODAY, THURSDAY, APRIL 12

- Do not plant new landscaping until April 26.
- Set mowers for a higher cut than normal. Longer blades of grass help reduce evaporation. Or, avoid mowing altogether.
- Avoid fertilizing lawns and plants prior to the shutdown. Fertilizer encourages growth, which requires more water.
- Have a deep collection dish at the base of house plants. Fill the dish Sunday night so plants can draw on that water throughout the week. Fill large containers or trash bins and use that water for delicate plants.
- Until Saturday, deep water trees and shrubs by either setting out soaker hoses or regular hoses set on a slow trickle. Water until the soil is soaked to a depth of about 8 - 12 inches.

##### FRIDAY, APRIL 13

- Do all laundry before Saturday night and then avoid using the clothes washer during the period of shutdown.

##### SATURDAY, APRIL 14

- Do a normal, thorough watering of lawns, but not more than normal because extra water will be wasted. Hand water hot or dry spots of lawns. Set sprinkler timers to the "OFF" position Saturday night as the shutdown begins just after midnight.
- Wash vehicles on Saturday.
- Do final fill-ups of any large containers.

##### SUNDAY, APRIL 15

- Do not water landscapes or lawns. Do not wash cars.

#### TIPS DURING SHUTDOWN

- Take short showers (10 minutes max). Soak, turn the water off, soap up, and then turn the water on to wash off. Do not use the warm shower as a sauna.
- Also, put a bucket in the shower to collect the water before the shower warms up. Use this water for plants.
- Use collected water in trash bins or bathtubs to hand-water houseplants and sensitive outdoor plants and those areas of the lawn that may show excessive stress (the hot spots).
- If you need to use your washing machine or dishwasher, run only full loads.
- Do not leave water running when washing dishes, brushing your teeth or shaving.
- Do not mow your lawns. Minimize the use of your lawn (i.e. playing on it, leaving vehicles on it) to reduce stress on the turf.

For more water-saving tips, visit [www.bewaterwise.com](http://www.bewaterwise.com)



### IEUA and its member agencies will make recycled water available for construction purposes and other approved uses.

Residents should be aware that some municipal parks and landscape areas that are irrigated with recycled water will not be impacted by the shutdown.

For more information, residents are encouraged to contact their water provider directly.



City of Chino

909.591.9845

[www.cityofchino.org](http://www.cityofchino.org)

City of Chino Hills

909.364.2806

[www.chinohills.org](http://www.chinohills.org)

City of Upland

909.291.2935

[www.ci.upland.ca.us](http://www.ci.upland.ca.us)

Fontana Water Company

909.822.2201

[www.fontanawater.com](http://www.fontanawater.com)

Cucamonga Valley Water District

909.987.2591

[www.crvwdwater.com](http://www.crvwdwater.com)

Monte Vista Water District (Montclair and portions of Chino)

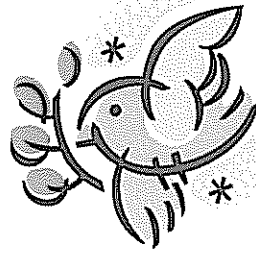
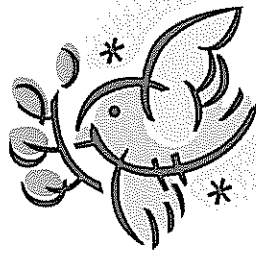
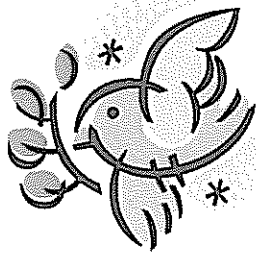
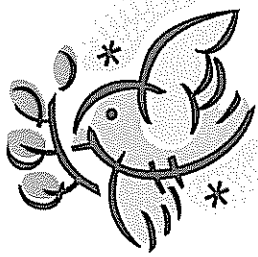
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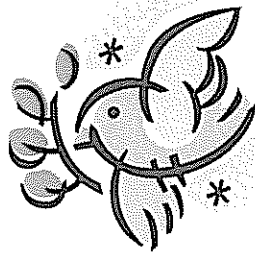
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# CHINO BASIN WATERMASTER

## IV. INFORMATION

1. Newspaper Articles





# ACWA COMMUNICATIONS OUTREACH ADVISORY

Association of California Water Agencies • 916.441.4545 • fax 916.325.2316 • www.acwa.com

April 24, 2007

ACWA Communications Outreach Advisory 07-13

## SB 59 FAILS PASSAGE

### *Key Bill on Water Supply Fails in Senate Natural Resources and Water Committee*

At the State Capitol Building in Sacramento this morning, the Senate Natural Resources and Water Committee convened to vote on SB 59, the Reliable Water Supply Bond Act of 2008 by Senator Dave Cogdill (R-Fresno). After more than an hour of comments from committee members and testimony from both supporters and the opposition, the final vote by the committee was 3-4-1 against passage of the bill.

#### **The committee members voted as follows:**

Committee Chair, Senator Darrell Steinberg (D-Sacramento) voted "No."  
Committee Vice Chair, Senator Bob Margett (R-Glendora) voted "Aye."  
Senator Dave Cogdill (R-Fresno) voted "Aye."  
Senator Dennis Hollingsworth (R-Murrieta) voted "Aye."  
Senator Christine Kehoe (D-San Diego) voted "No."  
Senator Sheila Kuehl (D-Santa Monica) voted "No."  
Senator Mike Machado (D-Linden) voted "Not Voting."  
Senator Carole Migden (D-San Francisco) voted "No."

SB 59, which is part of the Governor's water infrastructure plan, would authorize a \$3.95 billion bond measure for water storage, as well as funding for Delta sustainability and water use efficiency.

After the vote, ACWA President Randy Fiorini joined Cogdill and other supporters at a press conference on the Capitol steps. Fiorini and others criticized the vote as short-sighted, and said, "We hope the Governor and the Legislature will continue to work to reach agreement on a comprehensive water infrastructure package in this legislative session. We remain hopeful that one way or another, California voters will get a chance to express their views on this issue."

Cogdill urged the committee to move the bill forward, and said sidelining the measure at this point would be disingenuous. "The goal of this bill is to put the question before the voters. The state will not spend any money. We're letting the voters decide."

Department of Water Resources Director Lester Snow said the Administration "aggressively supports" a full range of strategies, and surface storage must be part of the mix. "It's not a case of either / or. We need more conservation, more water recycling, more groundwater recharge and more surface storage. We are putting forward all of these."

Steinberg, committee chair, said the bill would be granted reconsideration as a courtesy to the author. He also noted that the bill's provisions would continue to be discussed as part of the state budget and other end-of-session negotiations.

SB 59 would have authorized funding for key improvements and programs recommended in ACWA's 2005 water policy document, *No Time to Waste: A Blueprint for California Water*. It also includes major water system improvements proposed by Governor Schwarzenegger in his Strategic Growth Plan.

*For additional information on ACWA's response to the committee hearing, please contact Jennifer Persike, Director of Strategic Coordination and Public Affairs at 916-441-4545 or [jenniferp@acwa.com](mailto:jenniferp@acwa.com).*

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4-14-07

# Water utility hires private investigator

By Brenda Dunkle

A local water district has hired a private investigator to investigate the circumstances surrounding a sewage spill in October and threatening phone calls made to employees at the Chino-based agency.

The Inland Empire Utilities Agency's board of directors on April 4 approved a contract with National Business Investigations Inc. of Wildomar for an amount not to exceed \$265,000. The board also approved adding the \$265,000 amount to its already adopted budget.

Approximately 760,000 gallons of sewage spilled onto El Prado Road near Kimball Avenue, south of Chino, on Oct. 22, according to Dean Martin, executive manager of finance and administration for IEUA. Mr. Martin said the spill was one of the largest from the agency.

The majority of the waste was re-routed to two emergency wastewater lagoons at the IEUA facility. He said the spill occurred in an open area, away from homes and businesses, near the IEUA plant. It was cleaned up by the next day, he said. The spill was

reported by the Chino Police Department, who helped block traffic from the area during the cleanup. City maintenance crews from Chino and Ontario were also involved in the cleanup, Mr. Martin said.

The IEUA manager said alarms, warning of an overflow, did go off. The private investigators are looking into why employees inside the plant did not act more quickly when they heard those alarms, according to Mr. Martin and IEUA board member John Anderson.

One employee has been put on administrative leave, related to the spill, according to Mr. Martin.

Mr. Anderson said the private investigators have interviewed employees about the spill. Both Mr. Martin and Mr. Anderson confirmed that use of employee security cards to enter the IEUA facility around the time of the spill is one of the issues being investigated.

Mr. Martin said that whenever a major incident occurs, the IEUA conducts a full review of procedures, including security.

Mr. Martin said the Chino Police Department has been

See SPILL, Page A2

## Spill

Continued from Page A1

involved in the investigation and at one point "the FBI may have been involved."

Mr. Martin said the private

investigators hired this month are also looking into phone calls that threatened physical harm to employees. He said no calls have been received threatening the facility.

The investigation is expected to continue through June, Mr. Anderson said.

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## Court rules Imperial Valley canal to be lined

The project will decrease seepage of Colorado River water flowing to San Diego County.

By Tony Perry  
Times Staff Writer

April 7, 2007

SAN DIEGO — A federal court Friday lifted an injunction that had blocked the lining of the All-American Canal in Imperial Valley, a project meant to provide water to arid San Diego County and help California learn to live on a "water diet."

Environmentalists and business interests on both sides of the border had sued to block the \$200-million-plus project on the grounds that it would devastate farmers in the Mexicali Valley, where the aquifer is replenished by seepage from the canal.

But a panel of the 9th Circuit Court of Appeals in San Francisco rejected the litigants' arguments and said that a law signed by President Bush in December orders the Bureau of Reclamation to begin the project without delay.

Although more litigation is possible — water disputes in the Western U.S. are said to be measured in decades, not years — backers of the canal project said they hope the ruling ends the legal wrangling.

"This is truly a Good Friday," said Daniel S. Hentschke, attorney for the San Diego County Water Authority. "This is enormously important for San Diego and the entire state."

The lining project is meant to provide 67,000 acre-feet of water — enough for the home uses of more than 500,000 people — to San Diego County.

Without much groundwater, the county's decades-long hunt for its "own water" has taken on the aspect of a crusade. For the Metropolitan Water District of Southern California, lining the canal would mean it would sell less water to San Diego County and thus have it available for other customers in its six-county region. "It's a zero-sum game," said MWD assistant general manager Roger Patterson.

The canal takes water from the Colorado River and distributes it to 500,000 acres of farmland in the Imperial Valley, along with a sprinkling of cities with a total of about 140,000 residents. Built in 1940, the canal is unlined. It parallels the U.S.-Mexico border before turning northward.

For decades, seepage from the canal was not a problem. The Imperial Irrigation District has the largest entitlement of Colorado River water of any agency in the seven-state region that depends on the snaking river that winds from Colorado to the Gulf of Mexico. But in the 1990s, other states began blasting California as a "water hog" because districts in coastal Southern California were taking more than their entitlement.

After arm-twisting by the federal government, the Imperial district agreed in 2003 to sell water to San Diego County, the largest transfer of water from farms to cities in the nation. The federal government, which acts as "water-master," has warned that the days of California taking more than its share from the Colorado River would soon end.

The overall sales agreement is still in the courts. Water from lining the All-American and Coachella Valley canals is only part of the agreement. Lining of the Coachella Valley canal, which will provide 26,000 acre-feet, has been completed.

Environmentalists and business interests sued on numerous grounds, among them that the project would damage the environment, would violate various agreements with Mexico and is racially discriminatory because most of the farmers who would have their water reduced are Latino. About 76,000 acres of farmland in the Mexicali Valley would be harmed, the plaintiffs alleged.

U.S. Circuit Court Judge Sidney R. Thomas, writing for a three-judge panel, rejected all the arguments, lifting an injunction issued last year. Among other reasons, Thomas said that a 1944 treaty says that the Mexican government is allowed 1.5-million acre-feet of water from the river annually and is entitled to no more.

\*

[tony.perry@latimes.com](mailto:tony.perry@latimes.com)

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IN BRIEF ORANGE COUNTY / COUNTYWIDE

## Water treatment plant reopens after upgrades

From Times Staff and Wire Reports

April 1, 2007

Days after the Metropolitan Water District asked residents and businesses to limit their water consumption while a key facility underwent a series of upgrades, consumers can now rest easy.

The district's Robert B. Diemer Water Treatment Plant serving Orange County opened early Saturday, nearly a day ahead of schedule, after improvements were made to ensure the future availability of drinking water.

The plant supplies 95% of the water used in south Orange County and half of the countywide total.

The Yorba Linda facility was shut down March 25, prompting a potential water crisis prominently announced on Orange County freeway signs.

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4/10/09 Daily Bulletin

# BRIEFLY

NEWS FROM AROUND  
THE INLAND VALLEY

## MVWD board seat open

MONTCLAIR — The Monte Vista Water District is accepting applications for the rest of the week to fill a spot on the board of directors, which recently became available after Director Robb Quincey resigned.

The new board member will serve a term from May until early December 2008.

Individuals applying for the appointment must be registered voters and live within the service area of the Monte Vista Water District, which includes Montclair, portions of Chino and the unincorporated area between Pomona, Chino Hills, Chino and Ontario, according to a news release.

Applications are available at the Monte Vista Water District office, 10575 Central Ave. in Montclair. The deadline to file the form is 5 p.m. Friday.

Information: (909)  
624-0035, Ext. 160.

— Lori Consalvo, (909) 483-9391

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## Southland's dry spell could get worse

Every place that supplies water to the region is dry -- a pattern that could eventually produce what researchers call the perfect drought.

By Bettina Boxall  
Times Staff Writer

March 31, 2007

Nature is pulling a triple whammy on Southern California this year. Whether it's the Sierra, the Southland or the Colorado River Basin, every place that provides water to the region is dry.

It's a rare and troubling pattern, and if it persists it could thrust the region into what researchers have dubbed the perfect Southern California drought: when nature shortchanges every major branch of the far-flung water network that sustains 18 million people.

Usually, it's reasonably wet in at least one of those places. But not this year.

The mountain snowpack vital to water imports from Northern California is at the lowest level in nearly two decades. The Los Angeles area has received record low rainfall this winter, contributing to an early wildfire season that included Friday's blaze in the Hollywood Hills. And the Colorado River system remains in the grip of one of the worst basin droughts in centuries.

"I have been concerned that we might be putting all the pieces in place to develop a new perfect drought," said UCLA geography professor Glen MacDonald, who has researched drought patterns in California and the Colorado River Basin over the last 1,000 years.

"You have extreme to severe drought extending over Southern California and also along the east and west slopes of the Sierra, and then you have it in the Colorado [basin], particularly Wyoming."

That, coupled with wet winter weather patterns in the southern Great Lakes region and the Northeast, MacDonald said, "is extremely similar to the last time we had a perfect drought, which was the late 1980s, early 1990s."

Thanks to a bountiful Sierra snowpack in the spring of 2006, the state's reservoirs are in good shape. Southern California water managers say they have ample supplies in reserve and are better prepared for a prolonged dry spell than they were two decades ago.

"We're watching this. We're not pleased. We're not worried, either," said Jeffrey Kightlinger, general manager of the Metropolitan Water District of Southern California, the region's major water wholesaler. "If it does continue, we have prepared ourselves for a multiple-year drought."

"It used to be we thought that geographic diversity was enough" protection, he added. "In 1990 or so, we realized it really wasn't."

Since then, the water district has constructed a large reservoir in Riverside County and is storing more water underground.

The region's water agencies have also promoted conservation and recycling during the last two decades, steps that have helped Los Angeles keep water demand relatively flat at the same time the city added 1 million more people.

"We believe we will be able to meet the needs of the city for the coming year and beyond," said Thomas Erb, director of water resources at the Los Angeles Department of Water and Power, which gets about half of its supplies from the Eastern Sierra.

The snowpack there is shaping up to be one of the lowest since the start of record-keeping in 1940. Twice during the 20th century — in the late 1950s and the early 1980s — drought strained all three regions that supply Southern California, said Scripps Institution of Oceanography hydrologist Hugo Hidalgo, who has studied drought patterns with MacDonald. "These events have been relatively rare."

They usually last for four or five years. But "the scary part," MacDonald said, is that ancient tree ring records indicate they can go on for a couple of decades — much longer than anything experienced in modern times.

"We believe that there were much more severe and prolonged simultaneous droughts in those regions during the period 1300 AD to about 900 AD," he added. "Once you start looking back in time, you realize that what we've seen in the historical record — the last 100, 150 years, where we have good measurements — that's really nothing compared to what nature can throw at us here."

MacDonald agreed that the state's large water districts "are actually doing a good job in terms of planning for a five- to seven-year drought."

But, he warned, "if you went into a decade or longer of persistent drought that affected the Sacramento [River Basin], the Los Angeles area and the Colorado, you would end up basically taxing all of those water storage facilities, from the dams on the Colorado to what we have here, to beyond the breaking point."

The big reservoirs in the Colorado system, which last year provided the Metropolitan Water District with 30% of its deliveries, are roughly half empty as a result of a drought that began in 2000. Federal officials have said that within a few years they may be forced to cut Colorado deliveries, although Arizona and Nevada would be hit before California, which has senior water rights in the lower basin.

As a result of this spring's skimpy Sierra snowpack — it's at 46% of the normal statewide average — the State Water Project will reduce deliveries

of Northern California water to the central and southern parts of the state, but not dramatically.

"One year a drought does not make, especially the way our system is plumbed. We have ample storage," said Arthur Hinojosa, chief of the hydrology branch for the California Department of Water Resources.

But he acknowledged that if the Sierra snowpack is poor again next winter, that "would probably create a lot of angst."

Maury Roos, the state's chief hydrologist, said that both groundwater and surface reservoir supplies were currently above average because of recent wet years — 2004-05 was the second-wettest year on record in Los Angeles. However, that "cushion won't be there for next winter" if the dry spell continues, he added.

"These dry years come often in pairs," Roos said. "There is a reasonable chance of that happening. Hopefully not."

Bill Patzert, the climatologist at NASA's Jet Propulsion Laboratory in La Cañada Flintridge, has said the Pacific is in an "El Niño-repellent" pattern that will favor drought in Southern California for years.

MacDonald said scientists have found that periods of simultaneous drought in Southern California, Northern California's Sacramento River Basin and the Colorado typically have been marked by cold water in the eastern Pacific off the North American coast — a condition that existed this winter.

A 2004 study by a team of researchers concluded that the western mega-droughts that occurred between 900 and 1300 took place during a warming period that drove up temperatures in the western Pacific, producing an upwelling of cool waters in the eastern Pacific that caused drier La Niña conditions to prevail. The researchers warned that global warming could promote severe drought in the West.

"This is the billion-dollar question," MacDonald said. "Will global warming push us into another prolonged perfect drought?"

*bettina.boxall@latimes.com*

\*

(INFOBOX BELOW)

How dry we are

The reservoirs have ample supplies, but it's clearly a low-water year for Southern California, which relies on the Sierra snowpack, the Colorado River and local precipitation for water. Here's a look at the statewide picture.

[See microfilm for full chart information]

---

Precipitation

Partial water year, from July 1 to last Sunday

|             | Inches | Average | % of |
|-------------|--------|---------|------|
| Eureka      | 30.58  | 93      |      |
| Redding     | 18.81  | 67      |      |
| Sacramento  | 9.99   | 57      |      |
| San Jose    | 7.98   | 61      |      |
| Fresno      | 4.80   | 50      |      |
| Bakersfield | 2.44   | 45      |      |
| Los Angeles | 2.47   | 18      |      |
| San Diego   | 3.39   | 36      |      |

Sources: California Department of Water Resources Division of Flood Management, U.S. Bureau of Reclamation

Graphics reporting by Cheryl Brownstein-Santiago

## Audit of cleanup costs set

### Rialto efforts to clean water to get a review

By Jason Pesick, Staff Writer  
Inland Valley Daily Bulletin

Article Launched:04/23/2007 12:00:00 AM PDT

RIALTO - With the tab climbing to the \$20million mark, the City Council has agreed to get an audit of its expenditures to clean up drinking water contaminated with perchlorate.

The city's cleanup strategy has relied heavily on lawsuits against dozens of corporations and government entities it has accused of contributing to the problem, which could cost \$200million to \$300million to clean up.

"We need to assure the public that it's being spent wisely and properly," said Councilman Ed Scott, who said he called for the audit.

The audit is only intended to make sure no money is being wasted, not to question the city's legal strategy, Scott said.

At a recent council meeting, Councilman Joe Baca Jr. said the warrant resolution the council was supposed to approve showed an identical payment being made twice.

That turned out not to be the case, but Scott said he thinks the audit is important "to make sure billing and invoicing has been done properly." He said he also wants to make sure the attorneys are actually working the hours they say they are and that more than one attorney or consultant are not doing the same work.

Baca has also complained that he doesn't know exactly where the money is going. The city does not disclose all that the law firms are paid in the warrant resolutions to keep that information from the parties it is suing, said City Attorney Bob Owen.

The audit comes at a critical time during the city's efforts to clean up the chemical, which can be harmful to humans by interfering with the thyroid gland. In July, the city's legal team is scheduled to argue before the State Water Resources Control Board at hearings that could force three corporations to clean up much of the contamination.

"Now is not the time to blink," said Owen.

He said he is confident the audit will show the money is being spent properly.

In addition to the state board hearings, in 2004 the city sued 42 entities, including the Defense Department, San Bernardino County and a number of corporations, to get them to clean up the contamination. Last year, Rialto filed an additional suit against the county in state court.

Although Scott insisted that the majority of the council still supports the lawsuits and that the audit to be conducted by the firm McGladrey & Pullen LLP will have a narrow focus, Baca has used the opportunity to call into question the city's strategy.

"I'm concerned about there being a blank check out there for the attorneys," Baca said.

He said he wants to know exactly where the money is being spent, whether it is the wisest use of city resources and if there are other ways besides the lawsuits to clean up the perchlorate. He said he also wants to find out if city staff can do some of the work the city is paying attorneys and consultants to do.

Mayor Pro Tempore Winnie Hanson agreed with Scott that the audit is narrowly intended to make sure the money is being spent properly.

"It's not about the strategy," she said.

The \$20 million number includes the cost of the attorneys, experts to investigate the contamination, treatment systems to remove perchlorate from the drinking water and an informational campaign to keep the community informed. The number reflects the amount the city has spent since 1998, Owen said.

The city's water department charges a perchlorate fee to its customers to provide funds for the effort. If the city wins its suits, it will reimburse the ratepayers for those costs.

A few months ago, the council transferred \$5million from the General Fund to speed up the federal lawsuit, but Scott said the lawsuits have not been sped up, and he doesn't want the city to pay an additional \$5million every year.

Before the audit begins, Scott and Hanson, the members of the council's perchlorate committee, will meet with the auditors on Monday to discuss the scope of the audit. The cost of the audit should be clearer at that point.

Baca, who was elected to the council in November, has been critical of the city's strategy to clean up the perchlorate. He said the city should consider scaling back the lawsuits.

Other members of the council and Owen have said that the litigation is necessary in order to make sure the polluters - not taxpayers - pay to clean up the perchlorate.

Owen also argues that without the information the city has uncovered through the lawsuits, it would not have the evidence necessary to convince the state water board to order the polluters to clean up the perchlorate.

Owen warned against "playing politics with this important public-health issue."

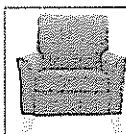
He said he is also concerned the suspected polluters will think there is dissension on the council over whether to continue pursuing them right before the state board hearings.

"It's very irresponsible for somebody to begin doing that," he said.

Contact writer Jason Pesick at (909) 386-3861 or via e-mail at [jason.pesick@sbsun.com](mailto:jason.pesick@sbsun.com).

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### MWD pipeline repairs put end to water-use alert

Jannise Johnson, Staff Writer

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The Rialto Pipeline has been repaired several days ahead of schedule, halting the need for further water-conservation efforts by residents and businesses.

Metropolitan Water District of Southern California officials announced on Saturday that the necessary work had been finished.

Robert Muir, MWD spokesman, said the agency is relieved repairs took place in a timely fashion.

"We got it back up last night (Friday) around 6 p.m.," Muir said.

The MWD's original estimates were that the pipeline would be out of service until Tuesday. The agency on Monday shut down and began draining portions of the pipeline.

Officials knew by Thursday that the 30-mile pipeline would be up and running by the weekend, Muir said.

Recent tests on the pipeline revealed breaks in 85 stress wires in a segment of the pipe in Rancho Cucamonga. District officials are looking into the cause of the damage.

"We're investigating whether it was damaged by an outside third party," Muir said. "It might have been hit by someone digging in the area, but we don't have confirmation of that yet."

The cost of the repairs will be assessed at a later date, Muir said.

The pipeline supplies water

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to 1 million customers in businesses and residences in Fontana, Rancho Cucamonga, Chino, Chino Hills, Claremont, La Verne, Montclair, Ontario and Upland. The water is imported from Northern California.

Officials urged those affected by the shutdown to take steps to reduce consumption, and customers voluntarily reduced water use by up to 45percent, according to an MWD news release.

Requested conservation actions included consumers limiting showers to 10 minutes or less, using only full loads in home-washing machines and not leaving the water running while shaving, brushing teeth or washing dishes.

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