Table 5-8a

Chino Basin Maximum Benefit Commitments

Description of Commitment	**Compliance Date – as soon as possible, but no later than**
1. Surface Water Monitoring Program	
a. Submit Draft Monitoring Program to Regional Board	a. January 23, 2005
b. Implement Monitoring Program	b. Within 30 days from date of Regional Board approval of monitoring plan
c. Quarterly data report submittal	c. April 15, July 15, October 15, January 15
d. Annual data report submittal	d. February 15th
2. Groundwater Monitoring Program	
a. Submit Draft Monitoring Program to Regional Board	a. January 23, 2005
b. Implement Monitoring Program	b. Within 30 days from date of Regional Board approval of monitoring plan
c. Annual data report submittal	c. February 15th
3. Chino Desalters	
a. Chino 1 desalter expansion to 10 MGD	a. Prior to recharge of recycled water
b. Chino 2 desalter at 10 MGD design	b. Recharge of recycled water allowed once award of contract and notice to proceed issued for construction of desalter treatment plant
4. Future desalters plan and schedule submittal	October 1, 2005 Implement plan and schedule upon Regional Board approval
5. Recharge facilities (17) built and in operation	June 30, 2005
6. IEUA wastewater quality improvement plan and schedule submittal	60 days after agency-wide 12 month running average effluent TDS quality equals or exceeds 545 mg/L for 3 consecutive months or agency-wide 12 month running average TIN equals or exceeds 8 mg/L in any month. Implement plan and schedule upon approval by Regional Board

Table 5-8a

Chino Basin Maximum Benefit Commitments (cont.)

Description of Commitment	**Compliance Date – as soon as possible, but no later than**
7. Recycled water will be blended with other recharge sources so that the 5-year running average TDS and nitrate-nitrogen concentrations of water recharged are equal to or less than the "maximum benefit" water quality objectives for the affected Management Zone (Chino North or Cucamonga).	Compliance must be achieved by end of 5th year after initiation of recycled water recharge operations.
a. Submit a report that documents the location, amount of recharge, and TDS and nitrogen quality of stormwater recharge before the OBMP recharge improvements were constructed and what is projected to occur after the recharge improvements are completed	a. Prior to initiation of recycled water recharge
b. Submit documentation of amount, TDS and nitrogen quality of all sources of recharge and recharge locations. For stormwater recharge used for blending, submit documentation that the recharge is the result of CBW/IEUA enhanced recharge facilities.	b. Annually, by February 15th, after initiation of construction of basins/other facilities to support enhanced stormwater recharge.
8. Hydraulic Control Failure	
a. Plan and schedule to correct loss of hydraulic control	a. 60 days from Regional Board finding that hydraulic control is not being maintained
b. Achievement and maintenance of hydraulic control	b. In accordance with plan and schedule approved by Regional Board. The schedule shall assure that hydraulic control is achieved as soon as possible but no later than 180 days after loss of hydraulic control is identified.
c. Mitigation plan for temporary failure to achieve/maintain hydraulic control	c. By January 23, 2005. Implement plan upon Regional Board determination that hydraulic control is not being maintained.
9. Ambient groundwater quality determination	July 1, 2005 and every 3 years thereafter

Description of Chino Basin Watermaster and Inland Empire Utilities Agency Commitments

1. Surface Water Monitoring Program (Table 5-8a #1)

The Chino Basin Watermaster (Watermaster), in conjunction with staff of the Orange County Water District and Regional Board, has developed a proposed surface water monitoring program. By January 23, 2005 and prior to the discharge of recycled water to the Chino Basin, Watermaster shall submit the recommended surface water monitoring program to the Regional Board for approval. The monitoring program must be implemented within 30 days of Regional Board approval, and six months of data must be generated prior to the discharge of recycled water to the Chino Basin.

At a minimum, the surface water monitoring program shall include the collection of bi-weekly measurements of general minerals and nitrogen components at the locations listed in Table 5-8b. Data reports shall be submitted to the Regional Board Executive Officer by April 15, July 15, October 15 and January 15 each year. An annual report summarizing all data collected for the year and evaluating compliance with relevant surface water objectives shall be submitted by February 15th of each year.

2. Groundwater Monitoring Program (Table 5-8a, #2)

The purpose of the Groundwater Monitoring Program is to (1) identify potential impacts from implementation of the Chino Basin "maximum benefit" water quality objectives on water levels and water quality within the Chino Basin and in downgradient basins and (2) determine whether hydraulic control (see # 8, below) is being achieved and maintained. By January 23, 2005 and prior to the discharge of recycled water to the Chino Basin, Watermaster shall submit to the Regional Board for approval a proposed groundwater monitoring program to determine hydraulic control and ambient water quality in the Chino North and Cucamonga Management Zones. Within 30 days of Regional Board approval of the monitoring plan, the groundwater monitoring program must be implemented.

An annual report, including all raw data and summarizing the results of the approved groundwater monitoring program, shall be submitted to the Regional Board by February 15th of each year.

3. Chino 1 and Chino 2 Desalters (Table 5-8a, # 3)

Prior to the recharge of recycled water in the Chino Basin, the Chino 1 desalter must be expanded and in operation at a capacity of 10 million gallons per day (MGD). Also, contracts for the construction of the Chino 2 desalter treatment plant must be awarded and a notice to proceed with the construction must be given prior to recharge of recycled water.

4. Future Desalter Development (Table 5-8a, # 4)

No later than October 1, 2005, the schedule for implementation of the next 20 MGD of desalter capacity, pursuant to the Peace Agreement that implements the Chino Basin OBMP, and as required by the San Bernardino Superior Court, must be submitted to the Regional Board by the Chino Basin Watermaster. IEUA and/or the Chino Basin Watermaster and/or other responsible parties deemed acceptable by the Executive Officer, will initiate building of the next desalter when the 12-month running average effluent concentration (measured as an average for all IEUA wastewater treatment facilities) reaches 545 mg/L TDS for three consecutive months.

Table 5-8b

Surface Water Monitoring Sites for Monitoring of Surface Water and Groundwater Quality
Near the River to Determine the Presence and Source of Rising Groundwater

Site Name	Discharge	Owner	Type	Discharge Monitoring		Water Quality Monitoring		
				Frequency	Period	Frequency	Period	Analyses
11066460	Santa Ana Riv.	USGS	Total Discharge	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
11072100	Temescal Cr.	USGS	Total Discharge	Bi-weekly	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
11073495	Cucamonga Cr.	USGS	Total Discharge	Bi-weekly	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
11073440	Chino Cr.	USGS	Total Discharge	Bi-weekly	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
11074000	Santa Ana Riv.	USGS	Total Discharge	Bi-weekly	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
RWQCP Direct	Recycled Water	Riverside	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
RWQCP Hidden Valley	Recycled Water	Riverside	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
Corona RW	Recycled Water	Corona	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
RP1 Cucamonga	Recycled Water	IEUA	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
RP1 Prado	Recycled Water	IEUA	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
RP2	Recycled Water	IEUA	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
Carbon Canyon	Recycled Water	IEUA	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
RP5	Recycled Water	IEUA	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
WRCRWTP	Recycled Water	WR-JPA	Recycled Water	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-MWDXING	Santa Ana Riv.	OCWD	Total Discharge	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-HOLELK-01	Hole Lake	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-VANBUREN	Santa Ana Riv.	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-ETIWANDA-01	Santa Ana Riv.	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-HAMNER-01	Santa Ana Riv.	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-RIV.RD	Santa Ana Riv.	OCWD	Total Discharge	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-DIV-PRADOWTLNDS	Santa Ana Riv.	OCWD	Total Discharge	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
SAR-BELOWDAM-01	Santa Ana Riv.	OCWD	Total Discharge	Daily	Jan - Dec	Bi-weekly	Jan - Dec	Gen. Min. & Physical
CK-CHINO	Chino Cr.	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical
CK-MILL	Cucamonga Cr.	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical
CK-TEMESCAL	Temescal Cr.	OCWD	Total Discharge	Bi-weekly	May-Sep	Bi-weekly	Jan - Dec	Gen. Min. & Physical

(Source: Ref. 10B)

5. Recharge Facilities (Table 5-8a, # 5)

By June 30, 2005, or no later than one year from the start of discharge of recycled water, the 17 recharge facilities identified in the August 2001 Watermaster Recharge Master Plan and as updated by the Watermaster and IEUA, must be completed and operated to maximize the capture of storm water in the Chino Basin. The Watermaster has also committed to optimize the recharge of imported water in the Chino Basin based on the goal of maximizing recharge of State Project water when the TDS of that water is lowest.

The Watermaster proposal recognizes the importance and necessity of recharge of both storm water and imported water to meet the water supply demands on the Chino Basin. Recharge of high quality supplies to the Chino Basin is necessary to offset the quality effects of recycled water and to achieve an ambient water quality equal to or better than the "maximum benefit" TDS and nitrate-nitrogen water quality objectives.

6. IEUA Wastewater Effluent Quality (Table 5-8a, # 6)

Within 60 days after the IEUA 12-month running average effluent concentration (measured as an average for all IEUA wastewater treatment facilities) for TDS exceeds 545 mg/L for 3 consecutive months, or the 12-month running average total inorganic nitrogen (TIN) concentration (measured as an average for all IEUA wastewater treatment facilities) exceeds 8 mg/L in any month, the IEUA shall submit to the Regional Board a plan and time schedule for implementation of measures to insure that the12-month running average agency wastewater effluent quality does not exceed 550 mg/L and 8 mg/L for TDS and TIN, respectively. The Plan and schedule are to be implemented upon Regional Board approval.

7. Recycled Water Use (Table 5-8a, # 7)

The use and recharge of recycled water within the Chino Basin is a critical component of the Watermaster OBMP and is necessary to maximize the use of the water resources of the Chino Basin. The demonstration of maximum benefit, and the continued application of the "maximum benefit" TDS and nitrate-nitrogen water quality objectives, depends on the recharge to the Chino North Management Zone of 5-year annual average (running average) TDS and nitrogen concentrations of no more than 420 mg/L and 5 mg/L, respectively. If and when recycled water recharge in the Cucamonga Management Zone is pursued, the application of the "maximum benefit" objectives will depend on the recharge to that zone of 5-year running average TDS and nitrogen concentrations no greater than 380 mg/L and 5 mg/L, respectively. IEUA has committed to meeting these levels and recognizes that the maximum benefit objectives depend on achieving these 5-year running average concentrations.

Accordingly, the use of recycled water for groundwater recharge shall be limited to the amount that can be blended on a volume-weighted basis with other sources of recharge to the management zone to achieve a 5-year running average concentration equal to or less than the "maximum benefit" TDS and nitrogen water quality objectives of the affected Management Zone (Chino North or Cucamonga) The 25% nitrogen loss coefficient will be applied to calculate recycled water nitrogen quality when determining the amount of recharge of other water sources that must be achieved to meet the 5-year running averages.

8. Hydraulic Control (Table 5-8a, # 8)

"Hydraulic Control" is defined as eliminating groundwater discharge from the Chino Basin to the Santa Ana River, or controlling the discharge to *de minimis* levels. The surface water and groundwater monitoring programs described above are intended to demonstrate whether hydraulic control is achieved and maintained. In the event that the Regional Board finds that hydraulic control is not being accomplished, the Watermaster shall submit to the Regional Board within 60 days of that finding a plan and time schedule to correct (within 180 days from the Regional Board approval of the plan and schedule) the failure to achieve and maintain hydraulic control.

By January 23, 2005, the Watermaster and IEUA shall prepare a proposed plan and schedule to mitigate temporary losses of hydraulic control. These agencies must implement this plan upon a determination by the Regional Board that hydraulic control is not being achieved or maintained.

9. Ambient Groundwater Quality Determination (Table 5-8a, # 9)

By July 1, 2005, and every three years thereafter, Watermaster shall submit a determination of ambient TDS and nitrate-nitrogen quality in the Chino North and Cucamonga Management Zones. This determination shall be accomplished using methodology consistent with the determinations (20-year running averages) used by the TDS/Nitrogen Task Force to develop the "antidegradation" TDS and nitrate-nitrogen water quality objectives for groundwaters subbasins within the Region. [Ref. 1].

Implementation by Regional Board

1. Revision of the Inland Empire Utilities Agency NPDES Permits

To implement the "maximum benefit" objectives, the Regional Board will revise the NPDES permits for IEUA wastewater discharges to reflect the commitments described above, as appropriate. This includes the following. TDS and TIN (includes nitrate-nitrogen) limits of 550 mg/L and 8 mg/L, respectively, will be specified as an agency-wide, volume weighted-average. The limits will be expressed as 12-month running averages. These limits implement the wasteload allocations for IEUA surface water discharges (see Table 5-5), and are not contingent on the "maximum benefit" objectives or demonstration[9]. IEUA will be required to implement measures to improve effluent quality when the 12 month running average effluent concentration (measured as an average for all IEUA treatment facilities) exceeds 545 mg/L for 3 consecutive months, or when the 12-month running average total inorganic nitrogen concentration (also measured as an average for all IEUA treatment facilities) exceeds 8 mg/L in any month. The permits will require that recycled water used for recharge shall be limited to the amount that can be blended in the management zone with other water sources, such as stormwater or imported water, to achieve 5-year running average concentrations equal to or less than the "maximum benefit" TDS and nitrate-nitrogen objectives for the affected management zone (Chino North or Cucamonga). Recycled water recharge is not currently contemplated in other parts of the Chino Basin. Alternative TDS and nitrate-nitrogen limitations based on the "antidegradation" objectives will also be specified for recycled water recharge in the Chino 1, 2 and 3 and Cucamonga Management Zones. These limits will apply should the Regional Board find that maximum benefit is not demonstrated. If recharge projects are implemented elsewhere in the Chino Basin, TDS and TIN limits will be based on the TDS and nitrate-nitrogen objectives of the affected management zones.

[9] Surface water discharges by IEUA do not affect the groundwater management zones for which "maximum benefit" objectives are specified. Thus, the wasteload allocations do not vary depending on whether or not the "maximum benefit" objectives apply.

The effluent limits for IEUA, which establish an upper limit on TDS and TIN concentrations of recycled water discharged in the basin, are a cornerstone of the maximum benefit demonstration. The cap on effluent TDS and TIN concentrations provides a controlling point for management of TDS and nitrogen water quality in the Chino Basin. The TDS in IEUA's effluent is expected to reach 550 mg/L before the groundwater in the Chino North Management Zone or the Cucamonga Management Zone reaches the "maximum benefit" objectives of 420 mg/L and 380 mg/L, respectively. The IEUA/Chino Basin Watermaster maximum benefit proposal commits to the initiation of construction of another Chino Basin desalter when the TDS in IEUA's effluent reaches 545 mg/L for three consecutive months. This desalter may be constructed by IEUA and/or Chino Basin Watermaster and/or other responsible parties deemed acceptable by the Executive Officer. Further, IEUA will immediately implement a salt management program to reduce the salts, including nitrogen, entering IEUA's wastewater treatment plants. This salt management program will include: 1) connection of new industries that have wastewater discharges with TDS greater than 550 mg/L to the brine line; 2) regulation of the use of new and existing water softeners to the extent allowed by law, with incentives provided for the removal of on-site regenerative water softeners and the use of exchange canisters or other off-site regenerative systems; 3) connection of existing domestic system industries with high TDS waste discharges to the brine lines; 4) percolation of State Water Project water into the Chino Basin when that water is low in TDS; and 5) development of a plan for sewering areas presently served by septic tanks to reduce the nitrogen loading into the Chino and Cucamonga Management Zones. IEUA's permits will reflect these commitments.

Implementing these measures will assure that the groundwater quality remains at or below the Chino North Management Zone objective of 420 mg/L and the Cucamonga Management Zone objective of 380 mg/L. Maintenance of this ambient groundwater quality is necessary, in turn, to assure that IEUA's wastewater treatment facilities are able to meet the effluent TDS limits. Chino Basin groundwater is a significant component of the water supplied in IEUA's service area and its quality thus has an important effect on effluent quality. Poor ambient water quality will preclude IEUA from meeting effluent limits, without desalting. IEUA can revise treatment plant operations to assure that the TIN limit is achieved. These TDS and TIN limitations assure beneficial use protection for Chino Basin and downstream Orange County groundwater, as well as surface waters (including Chino Creek and the Santa Ana River) affected by IEUA discharges.

IEUA's revised permits will also reflect the surface and groundwater monitoring program requirements described above.

2. Issuance of permits to Chino Basin Watermaster

The Regional Board will issue appropriate permits to the Watermaster, individually or jointly with IEUA, for the recharge of recycled water in the Basin. These permits will implement the commitments described above for recharge of other water sources to offset the quality of the recycled water. The parties will be required to document the amount, quality and location of recharge of these other sources, and to demonstrate that stormwater recharge used for blending purposes occurred as the result of the parties' efforts to enhance such recharge. Other "maximum benefit" commitments will be reflected in these permits, or in other orders of the Regional Board, as appropriate.

3. Review of Project Status

No later than 2005, and every three years thereafter (to coincide with the Regional Board's triennial review process), the Regional Board intends to review the status of the activities planned and executed by the Watermaster and IEUA to demonstrate maximum benefit and to justify continued

implementation of the "maximum benefit" water quality objectives. This review is intended to determine whether the commitments specified above and summarized in Table 5-8a are met. If, as a result of this review and after consideration at a duly noticed Public Hearing, the Regional Board finds that the Watermaster and IEUA commitments are not met, the Regional Board will make a finding that the lowering of water quality associated with TDS and nitrate-nitrogen water quality objectives that are higher than historical water quality (the "antidegradation" objectives") is not of maximum benefit to the people of the state. By default, the scientifically derived, "antidegradation objectives" for the Chino 1, 2 and 3 and Cucamonga Management Zones would become effective (280 mg/L, 250 mg/L, 260 mg/L and 210 mg/L TDS respectively; 5.0 mg/L, 2.9 mg/L, 3.5 mg/L and 2.4 mg/L for nitrate-nitrogen – see Chapter 4).

The Watermaster and IEUA have made clear commitments to the implementation of projects and management strategies to achieve the "maximum benefit" objectives. A finding of "maximum benefit to the people of the state" is also a very strong commitment of support by the Regional Board for the goals, vision and future plans of the Watermaster and IEUA. Watermaster and IEUA have indicated that the supervision of the Watermaster program by the San Bernardino County Superior Court will ensure that the Watermaster and IEUA commitments are met. However, people change, commitments may be changed, and public agency decisions may certainly change. If the commitments are not met and "maximum benefit" is not demonstrated, then the Regional Board will require that Watermaster and IEUA mitigate the effects of discharges of recycled and imported water that took place under the maximum benefit objectives. Under this circumstance, mitigation will be required such that, after mitigation, the salt and nitrogen loads to the basin from imported water, newly captured stormwater inputs under the Watermaster enhanced stormwater interception program, and recycled water are made to be equivalent to the salt loads that would have been allowed to the Chino Basin under the antidegradation objectives. Discharges in excess of the antidegradation objectives that must be considered for mitigation include both recycled water and imported water at TDS concentrations in excess of the antidegradation objectives. Mitigation by groundwater extraction and desalting must be adjusted to address concentrations of salt and nitrogen in the basin, not simply salt load. (Desalting will be an effective mitigation strategy, but desalting removes water, as well as salt, and the resulting salt concentrations in the groundwater will not completely mitigate the effects of the maximum benefit discharges, if mitigation is considered simply on a salt load, rather than concentration basis.) This remediation will be required of the agencies that were responsible for the discharge of recycled and imported water (waste discharge permit holders) under the maximum benefit objectives. The remediation must be completed within a 10-year period following the finding by the Regional Board that the antidegradation objectives apply. The Regional Board will also require mitigation of any adverse effects on water quality downstream of the Chino Basin that result from failure to implement the "maximum benefit" commitments.