

**RESOLUTION 2024-04
OF THE
CHINO BASIN WATERMASTER**

REGARDING

REQUESTING THE INCREASE OF THE SAFE STORAGE CAPACITY

WHEREAS, the Chino Basin Watermaster ("Watermaster") was appointed pursuant to the Judgment in Chino Basin Municipal Water District v. City of Chino (San Bernardino Superior Court Case No. RCV RS51010) to administer and enforce the provisions of the Judgment and any subsequent instructions and orders of the Court;

WHEREAS, there are approximately 709,000 acre-feet ("AF") of water presently held in storage within the Basin that is subject to potential reduction in the absence of a further order of the Court authorizing the continued storage of groundwater under defined rules as it will exceed the quantities previously provided for under the Court's orders;

WHEREAS, the Inland Empire Utilities Agency's ("IEUA") completion of environmental review for the 2020 Update to the Optimum Basin Management Program ("OBMP") and adoption of the Final Recirculated Subsequent Environmental Impact Report ("FRSEIR") to the Programmatic Environmental Impact Report for the 2000 OBMP, which analyzed impacts attributable to the storage of up to 900,000 AF of water in the Chino Basin, concluded the environmental impacts are either not significant or can be reduced to a level of less than significant with mitigation or were addressed in the Statement of Overriding Considerations;

WHEREAS, all signatories to the Peace Agreement have not unanimously consented to any specific set of amendments to the Peace Agreement that would implement an increase in safe storage capacity to 900,000 AF;

WHEREAS, at their respective October 10, 2024 meetings, the Overlying (Agricultural) Pool and the Overlying (Non-Agricultural) Pool each unanimously requested that Watermaster file a motion with the Court to increase the Safe Storage Capacity consistent with that analyzed in the FRSEIR;

WHEREAS, at its October 17, 2024 special meeting, the Appropriative Pool, by a vote of 79.5% in favor, took action to request that Watermaster approve Resolution 2024-04 and file a motion with the Court to increase the Safe Storage Capacity consistent with that analyzed in the FRSEIR;

WHEREAS, at its October 17, 2024 meeting, the Advisory Committee, by a vote of 75.775% in favor, took action to recommend the Watermaster Board adopt resolution 2024-04 and file a motion with the Court to increase the Safe Storage Capacity consistent with that analyzed in the FRSEIR;

WHEREAS, Watermaster's obligation to optimally manage the Basin in accordance with Restated Judgment Paragraph 41, establish uniform rules and processes that fulfill the requirements of Restated Judgment Paragraphs 11, 12, and 14 could be satisfied by the Court drawing upon its authority to review and act upon a recommendation by Watermaster under its continuing jurisdiction set forth in Restated Judgment Paragraph 15; and

WHEREAS, in its July 21, 2021 Order Regarding Implementation of the Local Storage Limitation Solution, the Court expressly reserved its jurisdiction to consider future proposals of Watermaster or the parties with regard to storage management.

NOW THEREFORE, BE IT RESOLVED, Watermaster recommends that the Court order that:

1. Watermaster manage all quantities of water held in storage in amounts from 700,001 AF up to a maximum of 900,000 AF through 2040, consistent with all provisions of the Peace Agreement and the Peace II Agreement applicable to the Local Storage of water within the Basin be extended, without limitation, subject to further order of this Court;
2. Watermaster conform the Watermaster Rules and Regulations consistent with such order;

3. Watermaster implement the OBMP in conformance with such Order, the IEUA FRSEIR certified February 21, 2024, and the Court's April 28, 2017, March 15, 2019, and July 31, 2020 orders establishing a Safe Yield Reset process;
4. All of the parties' rights and remedies, whatever they may be, are expressly reserved, preserved and protected and made applicable to the quantities of stored water greater than 700,001 AF; and
5. The Court reserves jurisdiction to consider future proposals of Watermaster or the parties with regard to storage management.

ADOPTED by the Watermaster Board on this 24th day of October 2024.

APPROVED:

By:



 Chair, Watermaster Board

ATTEST:

By:



 Board Secretary/Treasurer
 Chino Basin Watermaster

STATE OF CALIFORNIA)

) ss

COUNTY OF SAN BERNARDINO)

I, Bob Bowcock, Secretary/Treasurer of the Chino Basin Watermaster, DO HEREBY CERTIFY that the foregoing Resolution being No. 2024-04, was adopted at a regular meeting of the Chino Basin Watermaster Board on October 24, 2024 by the following vote:

AYES: 9

NOES: 0

ABSENT: 0

ABSTAIN: 0

CHINO BASIN WATERMASTER



 Watermaster Secretary/Treasurer

Date: October 24, 2024