

**RESOLUTION OF THE CHINO BASIN WATERMASTER APPROPRIATIVE POOL
REGARDING WATERMASTER CONSIDERATION OF APPROVAL OF THE 2020
STORAGE MANAGEMENT PLAN FINAL REPORT DATED DECEMBER 11, 2019**

WHEREAS, commencing December 2016 Watermaster initiated a process involving a series of stakeholder discussions with the goal of developing a storage management plan in connection with an update to the Optimum Basin Management Program; and

WHEREAS, through several participative workshops a report titled Chino Basin Storage Framework Investigation (SFI) finalized in January 2019; and

WHEREAS, following development of the SFI Watermaster developed a list of issues compiled in a report titled 2020 SMP White Paper; and

WHEREAS, Watermaster conducted a series of workshops as part of the process to develop the 2020 Storage Management Plan Final Report dated December 11, 2019 (2020 SMP); and

WHEREAS, Sections 2.1-2.6 of the 2020 SMP contain suggested subjects for *potential amendment* of the Optimum Basin Management Program Implementation Plan Program Elements 8 and 9, amendments to the Peace Agreement and amendments to the Watermaster Rules and Regulations; and

WHEREAS, in its April 9, 2020 staff report, Watermaster staff stated approval of Sections 2.1-2.6 of the 2020 SMP does not constitute a binding commitment by the parties and/or Watermaster to any specific actions described therein; and

WHEREAS, for purposes of clarifying the relationship between the 2020 SMP and any following actions including the OBMP IP Program and amendments to the Peace Agreement, at its April 9, 2020 meeting the Appropriative Pool took action to: *Recommend Advisory Committee support Watermaster Board approval of the 2020 Storage Management Final Report Section 2.1-2.6 as the Storage Management Plan providing “guidance” for the preparation of the “desired” documentation,* and

WHEREAS, the Appropriative Pool recognizes the importance of the 2020 SMP serving as a guidance document for purposes of the OBMP IP or amendments to the Peace Agreement without binding or prejudicing Judgment parties or Watermaster to a particular course of action or agreement, and

WHEREAS, the 2020 SMP is relevant to resolving issues raised concerning the amount of water in storage and potential impacts on the Chino Groundwater Basin, and

WHEREAS, the Appropriative Pool paid about 97% of the 2020 SMP and related documents preparation expense which is approximately \$1 million including Appropriative Pool members collective participative time and expense.

NOW, THEREFORE, THE APPROPRIATIVE POOL HEREBY RESOLVES AS FOLLOWS:

1. Peace Agreement parties are not bound by the 2020 SMP, and
2. Negotiation and execution of a Peace Agreement Amendment by all Peace Agreement parties is required to implement the 2020 SMP; and
3. The 2020 SMP is only a Watermaster guidance/planning document, is not a contract that determines Peace Agreement Amendment terms and does not operate as a contract or commitment by Watermaster or Judgment parties to implement the 2020 SMP or any of its provisions absent a Peace Agreement Amendment, whether the Peace Agreement Amendment conforms or does not conform with the 2020 SMP; and
4. Subject to the acknowledgements set forth in paragraphs 1, 2, and 3 above, the Appropriative Pool advises and recommends that the 2020 SMP be approved by Watermaster.

May 14, 2020