

Questions & Comments on Section 8 of the RMPU

Submitted on 8/7/13 by Sheri Rojo

Paragraph	Issue/Question
First Paragraph	The first paragraph references a meeting held March 20, 2013. I don't have this meeting on my calendar and can't find it on Watermaster's. Can you please provide me with a list of who was invited, who attended and a copy of the agenda?
First Paragraph	References "the various alternatives in which water could be provided to the JCSD and potentially to the CDA that would result in reduced production by the JCSD and potentially the CDA's Chino II desalter well field." Can someone please explain how the first or second option of in lieu exchanges through the desalter facility will be valid alternatives? It seems that JCSD's production would be replaced with Chino II well field production - both of which are sought to be reduced... or am I reading this incorrectly?
8.2.2.	References increasing operations and maintenance costs to capture increased stormwater. Are these costs to be capitalized? Parties without OSY receive no benefit from the stormwater captured from the intial CBFIP yet the costs for all of the basin O&M are allocated to appropriators based on production - rather than how the benefit is distributed. As the O&M costs continue and are actually projected to increase, the cost allocation for these charges needs to be reviewed and changed so that the allocation can be based on how the benefits are allocated.
8.3.2.1.2.	Indicates that "there is a known imbalance and that Watermaster has developed a priority for recharge." Are there sufficient recharge assets (basins) in MZ3 to accomplish this necessary remediation of imbalance if there is only a maximum recharge capacity of 12,700af/year?
8.3.2.1.5.	The reported water quality issues with CSI and Wineville basins will have an impact to nearby producers. Have they been notified of potential impacts?
8.4.1.1.	Indicates that "The steering committee sees great promise in the Chino Hills/MVWD project..." Who on the committee sees this great promise? Is this a technical determination?
8.4.1.1.	This section fails to include FWC as a potential partner in developing alternatives for assisting in production sustainability. FWC has a treatment plant that has the potential to deliver non Chino Basin water to JCCSAD and FWC has pipelines that run what appears to be side by side JCSD's pipelines. Why has FWC been omitted from consideration as being a viable project, let alone a project with "great promise"?
8.4.2.3.	The language "In the absence of a new agreement to allocate cost and new yield benefits, Watermaster will assume that cost and new yield will be allocated to the Appropriator parties based on their share of OSY." should be stricken immediately. Language like this presupposes the outcome of "negotiations" which will allow parties with a share of OSY to simply stall the discussion process and ultimately benefit.

The original CBFIP was approved in 2003 - the board minutes from April, 2003 reference the fact that the group collectively decided to fund the project based on OSY because the upcoming desalter replenishment obligation will be based on the same cost allocation. The Peace II document of 2007 changed this allocation to cause funding for desalter replenishment to be allocated between OSY and Prior Year Production. It seems more than reasonable that the cost method would change as well. Not automatically changing the cost method unfairly burdens the parties who received the shift in obligation as a result of Peace II without providing them the opportunity to develop offsetting supply assets to compensate for their burden.

The Peace II document also changed the method for allocating reductions to OSY. Reductions to OSY are traditionally just that, a reduction to OSY. Peace II calls for the reduction in OSY to affect the parties that have Land Use Conversion credit. This additional cost shift away from parties with OSY to other parties should necessitate further dialogue of the mitigation opportunities. Failure to fairly consider methods to allocate benefits of future recharge programs does not allow the affected parties to offset their obligation.