

# CHINO BASIN WATERMASTER



## NOTICE OF MEETING

**Thursday, March 28, 2024**

11:00 a.m. – Watermaster Board Meeting

**CHINO BASIN WATERMASTER  
WATERMASTER BOARD MEETING**

11:00 a.m. – March 28, 2024

*Mr. Jim Curatalo, Chair*

*Mr. Jeff Pierson, Vice-Chair*

*Mr. Bob Bowcock, Secretary/Treasurer*

**At The Offices Of**

**Chino Basin Watermaster**

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

**AGENDA**

**CALL TO ORDER**

**FLAG SALUTE**

**ROLL CALL**

**PUBLIC COMMENTS**

This is an opportunity for members of the public to address the Board on any short non-agenda items that are within the subject matter jurisdiction of the Chino Basin Watermaster. No discussion or action can be taken on matters not listed on the agenda, per the Brown Act. Each member of the public who wishes to comment shall be allotted three minutes, and no more than three individuals shall address the same subject.

**AGENDA – ADDITIONS/REORDER**

**I. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

**A. MINUTES**

Approve as presented:

1. Minutes of the Watermaster Board Special Meeting held on February 9, 2024 *(Page 1)*
2. Minutes of the Watermaster Board Meeting held on February 22, 2024 *(Page 3)*
3. Minutes of the Watermaster Board Special Meeting held March 5, 2024 *(Page 7)*
4. Minutes of the Watermaster Board Special Meeting held March 13, 2024 *(Page 8)*

**B. FINANCIAL REPORTS**

Receive and file as presented:

Monthly Financial Report for the Period Ended January 31, 2024 *(Page 11)*

**C. OBMP SEMI-ANNUAL STATUS REPORT 2023-2**

Adopt the Semi-Annual OBMP Status Report 2023-2, and direct staff to file a copy with the Court, subject to any necessary non-substantive changes. *(Page 29)*

**D. SGMA REPORTING FOR WATER YEAR 2023**

Approve and direct staff to file the information/reports with the DWR. *(Page 50)*

## **II. BUSINESS ITEMS**

### **A. CONSIDERATION OF EMPLOYMENT AGREEMENT, GENERAL MANAGER**

No recommendation. Public Board discussion, deliberation, and possible action on proposed employment agreement. *(Page 56)*

### **B. RESOLUTION 2024-02 OF THE WATERMASTER ESTABLISHING AN EMPLOYER PAID MEMBER CONTRIBUTION WITH CALPERS**

Adopt Resolution 2024-02 and direct staff to file the resolution establishing an EPMC with CalPERS. *(Page 70)*

## **III. REPORTS/UPDATES**

### **A. WATERMASTER LEGAL COUNSEL**

1. Watermaster Court Department Change
2. May 31, 2024 Court Hearing (Watermaster 46th Annual Report)
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

### **B. ENGINEER**

1. SGMA Reporting for Water Year 2023
2. Ground-Level Monitoring Program
3. Data Collection and Evaluation
4. 2025 Safe Yield Reevaluation
5. Emerging Contaminants Monitoring Plan

### **C. GENERAL MANAGER**

1. Fiscal Year 2024/25 Budget Release
2. Status Report: Exhibit G Physical Solution Transfers
3. Other

## **IV. BOARD MEMBER COMMENTS**

## **V. OTHER BUSINESS**

## **VI. CONFIDENTIAL SESSION - POSSIBLE ACTION**

A Confidential Session may be held during the Advisory Committee meeting for the purpose of discussion and possible action.

1. Personnel re GM
2. Kaiser Permanente lawsuit

**VII. FUTURE MEETINGS AT WATERMASTER**

03/26/24	Tue	10:00 a.m.	Fiscal Year 2024/25 Budget Release
03/28/24	Thu	9:30 a.m.	Watermaster Orientation - Chino Basin Judgment: Historical context Pt. 2*
03/28/24	Thu	11:00 a.m.	Watermaster Board
04/11/24	Thu	9:00 a.m.	Appropriative Pool Committee
04/11/24	Thu	11:00 a.m.	Non-Agricultural Pool Committee
04/11/24	Thu	1:30 p.m.	Agricultural Pool Committee
04/16/24	Tue	1:30 p.m.	Fiscal Year 2024/25 Workshop #1
04/18/24	Thu	9:00 a.m.	Advisory Committee
04/18/24	Thu	10:00 a.m.	Recharge Investigations and Projects Committee Meeting (RIPComm)
04/23/24	Tue	1:30 p.m.	Fiscal Year 2024/25 Workshop #2 – As Needed
04/25/24	Thu	9:30 a.m.	Watermaster Orientation*
04/25/24	Thu	11:00 a.m.	Watermaster Board
04/30/24	Tue	1:30 p.m.	Fiscal Year 2024/25 Workshop #3 – As Needed

\* The Watermaster Orientation series are held in person only with no remote access.

**ADJOURNMENT**

**DRAFT MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD – SPECIAL MEETING**

February 9, 2024

The Watermaster Board special meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) On February 9, 2024.

**WATERMASTER BOARD MEMBERS PRESENT AT WATERMASTER**

James Curatalo, Chair	Cucamonga Valley Water District
Bill Velto	City of Upland
Jimmy Medrano	State of California - CDCR
Mike Gardner	Western Municipal Water District
Bob Kuhn	Three Valleys Municipal Water District

**WATERMASTER BOARD MEMBERS PRESENT ON ZOOM**

Jeff Pierson, Vice Chair	Agricultural Pool – Crops
Bob Bowcock, Secretary/Treasurer	CalMat Co.
Scott Burton	City of Ontario
Steve Elie	Inland Empire Utilities Agency

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
Brad Herrema	Brownstein Hyatt Farber Schreck, LLP

**OTHERS PRESENT AT WATERMASTER**

Bob Feenstra	Agricultural Pool
Brian Geye	California Speedway Corporation

**OTHERS PRESENT ON ZOOM**

Lewis Callahan	Agricultural Pool – State of CA
Chris Diggs	City of Pomona

**CALL TO ORDER**

Chair Curatalo called the Watermaster Board special meeting to order at 1:31 p.m.

**FLAG SALUTE**

Chair Curatalo led the Board in the flag salute.

**ROLL CALL**

(0:00:43) Ms. Moore conducted the roll call and announced that a quorum was present.

(00:03:22) The Chair requested to allow participation for a few Board members to attend remotely.

*Motion by Mr. Mike Gardner, seconded by Mr. Bill Velto, there being no dissent, the item passed unanimously.*

***Moved to approve virtual participation for the four Board members for this Watermaster Board special meeting.***

**PUBLIC COMMENTS**

None

**AGENDA – ADDITIONS/REORDER**

None

**I. CONFIDENTIAL SESSION – POSSIBLE ACTION**

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

The Board convened into confidential session at 1:39 p.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS

Confidential session concluded at 2:41 p.m. with no reportable action.

**ADJOURNMENT**

Chair Curatalo adjourned the Watermaster Board special meeting at 2:41 p.m.

Secretary: \_\_\_\_\_

Approved: \_\_\_\_\_

**DRAFT MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD MEETING**

February 22, 2024

The Watermaster Board meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) On February 22, 2024.

**WATERMASTER BOARD MEMBERS PRESENT AT WATERMASTER**

James Curatalo, Chair	Cucamonga Valley Water District
Jeff Pierson, Vice Chair	Agricultural Pool – Crops
Bob Bowcock, Secretary/Treasurer	Non-Agricultural Pool – CalMat Co.
Scott Burton	City of Ontario
Steve Elie	Inland Empire Utilities Agency
Mike Gardner	Western Water
Bob Kuhn	Three Valleys Municipal Water District
Jimmy Medrano	Agricultural Pool – State of CA
Bill Velto	City of Upland

**WATERMASTER STAFF PRESENT**

Edgar Tellez Foster	Acting General Manager
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Daniela Uriarte	Senior Accountant
Alexandria Moore	Executive Assistant I/Board Clerk
Alonso Jurado	Senior Field Operations Specialist
Ruby Favela	Administrative Assistant
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist
Rudy Nunez	Office Specialist/Receptionist

**WATERMASTER CONSULTANTS PRESENT AT WATERMASTER**

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Scott Nelsen	Eide Bailly, LLP

**OTHERS PRESENT AT WATERMASTER**

Bob Feenstra	Agricultural Pool – Dairy
Tariq Awan	Agricultural Pool – State of CA
Lewis Callahan	Agricultural Pool – State of CA
Brian Geye	California Speedway Corporation
Kati Parker	Chino Basin Water Conservation District
Hye Jin Lee	City of Chino
Chris Diggs	City of Pomona
Nicole deMoet	City of Upland
John Bosler	Cucamonga Valley Water District
Amanda Coker	Cucamonga Valley Water District
Jimmie Moffatt	Cucamonga Valley Water District
Marty Zvirbulis	Fontana Union Water Company
Eddie Lin	Inland Empire Utilities Agency
John Russ	Inland Empire Utilities Agency

Bryan Smith  
Marty Zvirbulis  
Michael Mayer  
Alyssa Coronado  
Laura Roughton

Jurupa Community Services District  
Nicholson Family Trust  
San Bernardino County  
Santa Ana River Water Company  
Western Water

**OTHERS PRESENT ON ZOOM**

Carol Boyd  
Diana Frederick  
Imelda Cadigal  
Marilyn Levin  
Dave Crosley  
Natalie Avila  
Ron Craig  
Chad Nishida  
Courtney Jones  
Eduardo Espinoza  
Mark Gibboney  
Derek Hoffman  
Stephanie Reimer  
Manny Martinez  
Stephanie Reimer  
Kyle Benoit  
John Lopez  
David De Jesus  
Matthew Litchfield  
Richard Rees

Agricultural Pool – State of CA  
Agricultural Pool – State of CA  
Agricultural Pool – State of CA  
Agricultural Pool – State of CA  
City of Chino  
City of Chino  
City of Chino Hills  
City of Ontario  
City of Ontario  
Cucamonga Valley Water District  
Cucamonga Valley Water District  
Fennemore Law  
Monte Vista Irrigation Company  
Monte Vista Water District  
Monte Vista Water District  
San Bernardino County  
Santa Ana River Water Company  
Three Valleys Municipal Water District  
Three Valleys Municipal Water District  
WSP USA

**CALL TO ORDER**

Chair Curatalo called the Watermaster Board meeting to order at 11:03 a.m.

**FLAG SALUTE**

Chair Curatalo led the Board in the flag salute.

**ROLL CALL**

(00:00:41) Ms. Moore conducted the roll call and announced that a quorum was present.

**PUBLIC COMMENTS**

None

**AGENDA – ADDITIONS/REORDER**

None

**I. CONSENT CALENDAR**

**All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.**

**A. MINUTES**

Approve as presented:  
Minutes of the Watermaster Board Meeting held January 25, 2024



**B. FINANCIAL REPORTS**

Receive and file as presented:

Monthly Financial Report for the Reporting Period Ended December 31, 2023

**C. WATER TRANSACTION – CITY OF ONTARIO TO CUCAMONGA VALLEY WATER DISTRICT**

Approve the proposed transaction.

**D. APPLICATION: RECHARGE – CITY OF POMONA**

Approve The City of Pomona’s application for recharge and direct staff to account for the same.

(00:01:48)

*Motion by Mr. Bob Kuhn, seconded by Mr. Jeff Pierson, there being no dissent, the item passed unanimously.*

***Moved to approve the Consent Calendar as presented.***

**II. BUSINESS ITEMS**

**A. PEACE AGREEMENT TIMELINE (INFORMATION ONLY)**

(00:02:20) Mr. Tellez Foster gave a presentation. A discussion ensued.

**III. REPORTS/UPDATES**

**A. WATERMASTER LEGAL COUNSEL**

1. February 2, 2024 Court Hearing (Watermaster Board Reappointment and GLMP Annual Report)
2. May 31, 2024 Court Hearing (Watermaster 46th Annual Report)
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

(00:06:18) Mr. Slater gave a report.

**B. ENGINEER**

1. Ground-Level Monitoring Program
2. Water Quality Committee
3. 2025 Safe Yield Reevaluation

(00:08:35) Mr. Malone gave a report. A discussion ensued.

**C. GENERAL MANAGER**

1. Regional Reliability Study
2. Diversion Permits Reporting
3. San Sevaine Drone Footage
4. Other

(00:19:56) Mr. Tellez Foster gave a presentation on the OBMP CEQA. On Item 1, he requested feedback from the Pool Committees as to whether they would like to continue any regional reliability efforts; the Pools have agreed to take a pause on all efforts until further notice. On item 3, he reported that Watermaster has submitted the diversion permits and are in compliance. He invited Mr. Nakano to give an update on item 3. Mr. Tellez Foster then thanked the staff for their hard work. A discussion ensued.

**IV. BOARD MEMBER COMMENTS**

None

**V. OTHER BUSINESS**

None

**VI. CONFIDENTIAL SESSION – POSSIBLE ACTION**

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

The Board convened into confidential session at 11:41 a.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS

Confidential session concluded at 1:05 p.m. with the following reportable action:

(00:38:30) Chair Curatalo reported that the Board will adjourn the meeting at the Watermaster offices at 1:06 p.m. and will reconvene at a different location, MGR Real Estate Inc. located at 3800 E Concourse St, Ontario, CA 3<sup>rd</sup> floor.

The Board reconvened into confidential session at MGR Real Estate Inc. 3800 E Concourse St., Ontario, CA 3<sup>rd</sup> floor at 3:00 p.m.

Confidential session concluded at 8:22 p.m. with no reportable action.

**ADJOURNMENT**

Chair Curatalo adjourned the Watermaster Board meeting at 8:22 p.m.

Secretary: \_\_\_\_\_

Approved: \_\_\_\_\_

**DRAFT MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD – SPECIAL MEETING**

March 5, 2024

The Watermaster Board special meeting was held via Zoom (conference call and web meeting) on March 5, 2024.

**WATERMASTER BOARD MEMBERS PRESENT ON ZOOM**

James Curatalo, Chair	Cucamonga Valley Water District
Jeff Pierson, Vice Chair	Agricultural Pool – Crops
Bob Bowcock, Secretary/Treasurer	CalMat Co.
Scott Burton	City of Ontario
Steve Elie	Inland Empire Utilities Agency
Mike Gardner	Western Municipal Water District
Bob Kuhn	Three Valleys Municipal Water District
Jimmy Medrano	State of California - CDCR
Bill Velto	City of Upland

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
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**OTHERS PRESENT ON ZOOM**

Brian Geye	California Speedway Corporation
Chris Diggs	City of Pomona

**CALL TO ORDER**

Chair Curatalo called the Watermaster Board special meeting to order at 5:00 p.m.

**ROLL CALL**

(0:00:03) Ms. Moore conducted the roll call and announced that a quorum was present.

**PUBLIC COMMENTS**

None

**AGENDA – ADDITIONS/REORDER**

None

**I. CONFIDENTIAL SESSION – POSSIBLE ACTION**

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

The Board convened into confidential session at 5:05 p.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS

Confidential session concluded at 5:49 p.m. with no reportable action.

**ADJOURNMENT**

Chair Curatalo adjourned the Watermaster Board special meeting at 5:49 p.m.

Secretary: \_\_\_\_\_

Approved: \_\_\_\_\_

**DRAFT MINUTES**  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD – SPECIAL MEETING**

March 13, 2024

The Watermaster Board special meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) On March 13, 2024.

**WATERMASTER BOARD MEMBERS PRESENT AT WATERMASTER**

James Curatalo, Chair	Cucamonga Valley Water District
Bob Bowcock, Secretary/Treasurer	CalMat Co.
Bob Kuhn	Three Valleys Municipal Water District
Jimmy Medrano	State of California - CDCR
Bill Velto	City of Upland

**WATERMASTER BOARD MEMBERS PRESENT ON ZOOM**

Jeff Pierson, Vice Chair	Agricultural Pool – Crops
Scott Burton	City of Ontario
Marco Tule for Steve Elie	Inland Empire Utilities Agency
Mike Gardner	Western Municipal Water District

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Scott Slater	Brownstein Hyatt Farber Schreck, LLP
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**OTHERS PRESENT ON ZOOM**

Bob Feenstra	Agricultural Pool
Gino Filippi	Agricultural Pool
Brian Geye	California Speedway Corporation
Natalie Avila	City of Chino
Chris Diggs	City of Pomona
David De Jesus	Three Valleys Municipal Water District

**CALL TO ORDER**

Chair Curatalo called the Watermaster Board special meeting to order at 6:00 p.m.

**FLAG SALUTE**

Chair Curatalo led the Board in the flag salute.

**ROLL CALL**

(0:00:25) Ms. Moore conducted the roll call and announced that a quorum was present.

**AGENDA – ADDITIONS/REORDER**

Chair Curatalo requested to conduct confidential session at the beginning of this meeting.

**I. BUSINESS ITEMS**

**GENERAL MANAGER RETENTION**

(00:03:35) The Board discussed the General Manager retention.

(00:05:03)

*Motion by Mr. Jeff Pierson, seconded by Mr. Bob Bowcock, and passed unanimously by roll call vote as attached to these minutes.*

***Moved to retain Todd Corbin as the General Manager under the terms consistent with the form of the contract on the Watermaster website in draft form and instruct General Counsel and staff to place a contract and CalPERS compliant resolution on the agenda for the next regularly scheduled Board meeting on March 28, 2024, for consideration and adoption by the Board.***

**II. CONFIDENTIAL SESSION – POSSIBLE ACTION**

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

The Board convened into confidential session at 6:07 p.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS

Confidential session concluded at 6:55 p.m. with no reportable action.

**ADJOURNMENT**

Chair Curatalo adjourned the Watermaster Board special meeting at 7:01 p.m.

Secretary: \_\_\_\_\_

Approved: \_\_\_\_\_

Attachment:

1. 20240313 Roll Call Vote Outcome for Business Item I.A.

**March 13, 2024 Watermaster Board Special Meeting Roll Call Vote Outcome**

<b>Member</b>	<b>Alternate</b>	<b>Business Item I.A.</b>
Burton, Scott		Yes
Bowcock, Bob, Secretary/Treasurer		Yes
Tule , Marco for Steve Elie	Yes	
Gardner, Mike		Yes
Kuhn, Bob		Yes
Medrano, Jimmy		Yes
Velto, Bill		Yes
Pierson, Jeff, Vice-Chair		Yes
Curatalo, James, Chair		Yes
	<b>OUTCOME:</b>	<b>Passed Unanimously</b>



# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730  
Tel: 909.484.3888 www.cbwm.org

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**EDGAR TELLEZ FOSTER, PhD**  
Acting General Manager

## STAFF REPORT

DATE: March 2024  
TO: Watermaster Committees & Board  
SUBJECT: Monthly Financial Reports (For the Reporting Periods Ended January 31, 2024) (Consent Calendar Item I.B.)

### SUMMARY

Issue: Record of Monthly Financial Reports for the reporting periods ended January 31, 2024) [Normal Course of Business]

Recommendation: Receive and file Monthly Financials Reports for the reporting periods ended January 31, 2024) as presented.

Financial Impact: None.

Future Consideration  
**Watermaster Board – March 28, 2024:**

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### ACTIONS:

**Appropriative Pool – March 14, 2024:** Received and Filed  
**Non-Agricultural Pool – March 14, 2024:** Received and Filed  
**Agricultural Pool – March 14, 2024:** Received and Filed  
**Advisory Committee – March 21, 2024:** Received and Filed  
**Watermaster Board – March 28, 2024:**

*Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program*

## BACKGROUND

A monthly reporting packet is provided to keep all members apprised of Watermaster revenues, expenditures, and other financial activity. Monthly reports include the following:

1. Cash Disbursements – Summarized report of all payments made during the reporting month.
2. Credit Card Expense Detail – Detail report of all credit card activity during the reporting month.
3. Combining Schedule of Revenues, Expenses & Changes in Net Assets – Detail report of all revenue and expense activity for the fiscal YTD, summarized by pool category.
4. Treasurer’s Report – Summary of Watermaster investments holdings and anticipated earnings as of month end.
5. Budget to Actual Report – Detail report of actual revenue and expense activity, shown for reporting month and YTD, comparatively to the adopted budget.
6. Monthly Variance Report & Supplemental Schedules – Supporting schedule providing explanation for major budget variances. Also provides several additional tables detailing pool fund balance, salaries expense, legal expense, and engineering expense.

## DISCUSSION

Detailed explanation of major variances and other additional information can be found on the “Monthly Variance Report & Supplemental Schedules.”

Watermaster staff is happy to provide additional explanation or respond to any questions on these reports.

## ATTACHMENTS

1. Monthly Financial Reports (January 31, 2024)





**Chino Basin Watermaster  
Cash Disbursements  
January 2024**

Date	Number	Vendor Name	Description	Amount
01/02/2024	ACH01/02/24	CALPERS	January Medical Insurance Premiums	\$ (12,196.06)
01/02/2024	ACH1/2/24	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	Annual Unfunded Accrued Liability-Plan 3299	(9,902.00)
01/08/2024	24528	ACWA JOINT POWERS INSURANCE AUTHORITY	February life insurance	(183.39)
01/08/2024	24529	CALIFORNIA BANK & TRUST	Account ending 6198 - See detail attached	(8,883.57)
01/08/2024	24530	CONCENTRA	Pre-employment screening	(181.00)
01/08/2024	24531	CUCAMONGA VALLEY WATER DISTRICT - UTILITY	Water utility services for meter #16367513	(357.97)
01/08/2024	24532	FIRST LEGAL NETWORK LLC	Court filing services	(343.02)
01/08/2024	24533	FRONTIER COMMUNICATIONS	Office alarm services	(152.14)
01/08/2024	24534	PITNEY BOWES GLOBAL FINANCIAL SVCS.	Postage meter lease	(454.87)
01/08/2024	24535	PURCHASE POWER	December postage refill	(301.50)
01/08/2024	24536	R&D PEST SERVICES	January pest control services	(100.00)
01/08/2024	24537	STATE COMPENSATION INSURANCE FUND	FY 24 Worker's compensation insurance	(2,768.91)
01/08/2024	24538	ULTIMATE STAFFING SERVICES	Temporary employment services	(2,951.20)
01/08/2024	24539	UNION 76	December fuel purchases	(271.99)
01/08/2024	24540	USAFACT, INC.	Pre-employment background check	(130.90)
01/08/2024	24541	VANGUARD CLEANING SYSTEMS	January cleaning service	(1,000.00)
01/08/2024	24542	VC3, INC.	December IT services	(6,495.18)
01/08/2024	24543	WAVE HR SOLUTIONS	December human resources services	(2,210.00)
01/10/2024	ACH1/10/24	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	Annual Unfunded Accrued Liability-Plan 3299	(9,902.00)
01/12/2024	24544	APPLIED COMPUTER TECHNOLOGIES	December computer services	(4,250.00)
01/12/2024	24545	BOWCOCK, ROBERT		(250.00)
01/12/2024	24546	BURRTEC WASTE INDUSTRIES, INC.	January waste services	(160.73)
01/12/2024	24547	CORELOGIC INFORMATION SOLUTIONS	December computer services	(125.00)
01/12/2024	24548	CUCAMONGA VALLEY WATER DISTRICT	February lease	(11,727.00)
01/12/2024	24549	CUCAMONGA VALLEY WATER DISTRICT - UTILITY	Water utility services for meter #09540195	(150.17)
01/12/2024	24550	CURATALO, JAMES		(1,625.00)
01/12/2024	24551	DE BOOM, NATHAN		(125.00)
01/12/2024	24552	ELIE, STEVEN		(125.00)
01/12/2024	24553	EMPOWER LAB	December coaching services	(500.00)
01/12/2024	24554	FILIPPI, GINO		(125.00)
01/12/2024	24555	GEYE, BRIAN		(750.00)
01/12/2024	24556	HUITSING, JOHN		(750.00)
01/12/2024	24557	KUHN, BOB		(375.00)
01/12/2024	24558	PIERSON, JEFFREY		(5,125.00)
01/12/2024	24559	PITNEY BOWES INC.	Ink for machine	(144.01)
01/12/2024	24560	RON SHELLEY'S AUTOMOTIVE	Vehicle maintenance services	(232.22)
01/12/2024	24561	SOUTHERN CA EDISON	Electricity services	(1,138.07)
01/12/2024	24562	SOUTHERN CALIFORNIA EDISON	Electricity services	(133.47)
01/12/2024	24563	SPECTRUM ENTERPRISE	January internet services	(1,105.40)
01/12/2024	24564	STANDARD INSURANCE CO.	December life and disability services	(632.72)
01/12/2024	24565	THREE VALLEYS MUNICIPAL WATER DIST	Leadership breakfast registration fees	(90.00)
01/12/2024	24566	ULTIMATE STAFFING SERVICES	Temporary employment services	(885.36)
01/12/2024	24567	VERIZON WIRELESS	Computer services	(38.01)
01/12/2024	24568	VISION SERVICE PLAN	January vision insurance coverage	(113.85)
01/12/2024	24569	WESTERN MUNICIPAL WATER DISTRICT		(125.00)
01/17/2024	24570	CUCAMONGA VALLEY WATER DISTRICT - UTILITY	Water utility services for meter #018166034	(30.13)
01/17/2024	24571	GREAT AMERICA LEASING CORP.	December copy machine lease	(1,464.61)
01/17/2024	24572	INLAND EMPIRE UTILITIES AGENCY	Q3 Groundwater recharge O&M reimbursement	(130,049.27)
01/17/2024	24573	LEGAL SHIELD	January employee legal insurance	(145.45)
01/17/2024	24574	RON SHELLEY'S AUTOMOTIVE	Vehicle maintenance services	(756.37)
01/17/2024	24575	ULTIMATE STAFFING SERVICES	Temporary employment services	(1,180.48)
01/17/2024	24576	VERIZON WIRELESS	January telephone expense	(276.47)
01/19/2024	24577	CALIFORNIA GROUNDWATER COALITION	2024 membership dues	(10,450.00)
01/19/2024	24578	SANTA ANA WATERSHED PROJECT AUTHORITY	FY 24 TMDL task force cost share allocation	(9,357.00)
01/19/2024	24579	TOM DODSON & ASSOCIATES	OBMP Update	(8,992.50)
01/23/2024	24580	PITNEY BOWES INC.	Red ink cartridge purchase	(118.01)
01/23/2024	24581	READY REFRESH	Office water bottle lease	(84.05)
01/23/2024	24582	SOCALGAS	Gas utilities	(222.15)
01/23/2024	24583	THREE VALLEYS MUNICIPAL WATER DIST	Replenishment Water Order #20211118 and # 20231117	(1,874,730.20)
01/23/2024	24584	ULTIMATE STAFFING SERVICES	Temporary employment services	(1,475.60)
01/23/2024	24585	UNITED HEALTHCARE	February dental insurance coverage	(1,011.96)
01/26/2024	24586	CUCAMONGA VALLEY WATER DISTRICT - UTILITY	Water utility services for meter #16367513 and 09540195	(220.95)



## Chino Basin Watermaster

### Cash Disbursements

### January 2024

Date	Number	Vendor Name	Description	Amount
01/26/2024	24587	DE HAAN, HENRY		(250.00)
01/26/2024	24588	EIDE BAILLY LLP	November consulting services	(14,907.05)
01/26/2024	24589	FEENSTRA, BOB		(1,375.00)
01/26/2024	24590	ULTIMATE STAFFING SERVICES	Temporary employment services	(885.36)
01/26/2024	24591	VERIZON WIRELESS	Computer services	(38.01)
01/26/2024	24592	WEST YOST	December engineering services	(144,440.67)
<b>Total for Month \$</b>				<b>(2,292,048.00)</b>



## Chino Basin Watermaster

### Credit Card Expense Detail

### January 2024

Date	Number	Description	Expense Account	Amount
01/08/2024	24529	<b>CALIFORNIA BANK &amp; TRUST</b>		
		ACWA Meeting - E. Tellez Foster, Elizabeth Hurst, Lisa Munoz	6141 · Meeting Expenses	(52.26)
		ACWA Hotel - E. Tellez Foster	6191 · Conferences - General	(482.56)
		Lunch Meeting- E. Tellez Foster, Alex Moore	6141 · Meeting Expenses	(38.40)
		Flood Control Permits - P12012057, P11998284	6909.3 · Other OBMP Expenses	(2,171.79)
		OPS Meeting Breakfast Meeting- CBWM OPS Team	6141 · Meeting Expenses	(147.04)
		BSMAR Conference - Edgar Tellez Foster flight	6173 · Airfare/Mileage	(580.96)
		BSMAR Conference - Edgar Tellez Foster registration	6191 · Conferences - General	(400.00)
		REV Max Starter subscription	6112 · Subscriptions/Publications	(29.99)
		Lunch Meeting- E. Tellez Foster, Scott Burton, Courtney Jones	6141 · Meeting Expenses	(154.89)
		Annual Site Inspection - Zone 1 FCAP-011	6909.3 · Other OBMP Expenses	(1,085.90)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(31.86)
		Anna 10 year work Anniversary staff lunch	6141 · Meeting Expenses	(193.92)
		SHRM 3 year renewal - Anna Nelson	6111 · Membership Dues	(622.00)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(39.97)
		Dock Stations and printer	6055 · Computer Hardware	(599.67)
		BambooHR payroll system	6061.2 · Bamboo HR Consultant	(225.04)
		Deposit - Christmas lunch staff	6141 · Meeting Expenses	(100.00)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(157.30)
		HR Direct /Poster Guard	6031.7 · Other Office Supplies	(80.75)
		LinkedIn Monthly subscription	6112 · Subscriptions/Publications	(20.00)
		CBWM Christmas lunch staff	6141 · Meeting Expenses	(483.24)
		Senior Account position - LinkedIn Ad	6016 · New Employee Search Costs	(536.00)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(88.90)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(9.15)
		Senior Accountant interviews lunch- Anna Nelson, Kristi Even	6141 · Meeting Expenses	(23.30)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(65.25)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(12.42)
		Misc. Office Supplies	6031.7 · Other Office Supplies	(30.30)
		Senior Account position - LinkedIn Ad	6016 · New Employee Search Costs	(395.71)
		Starbucks Gift Card- Senior Accountant Candidate	6031.7 · Other Office Supplies	(25.00)
<b>Total for Month</b>				<b>\$ (8,883.57)</b>



# Chino Basin Watermaster

## Combining Schedule of Revenues, Expenses & Changes in Net Assets

### For the Period of July 1, 2023 through January 31, 2024

	TOTAL			POOL ADMINISTRATION & SPECIAL PROJECTS			GROUND WATER REPLENISH.	GRAND TOTALS	ADOPTED BUDGET 2023-2024
	JUDGMENT ADMIN.	OPTIMUM BASIN MGMT.	JUDGMENT ADMIN & OBMP	AP POOL	OAP POOL	ONAP POOL			
<b>Administrative Revenues:</b>									
Administrative Assessments	\$ 5,636,711	\$ 3,678,686	\$ 9,315,397	\$ 646,000	\$ -	\$ 31,000	\$ -	\$ 9,992,397	\$ 9,314,915
Interest Revenue	-	249,159	249,159	7,208	31,281	1,455	31,995	321,097	312,500
Groundwater Replenishment	-	-	-	-	-	-	349,825	349,825	-
Mutual Agency Project Revenue	186,412	-	186,412	-	-	-	-	186,412	186,412
Miscellaneous Income	-	-	-	-	-	-	-	-	-
<b>Total Administrative Revenues</b>	<b>5,823,123</b>	<b>3,927,844</b>	<b>9,750,968</b>	<b>653,208</b>	<b>31,281</b>	<b>32,455</b>	<b>381,820</b>	<b>10,849,731</b>	<b>9,813,827</b>
<b>Administrative &amp; Project Expenditures:</b>									
Watermaster Administration	2,560,162	-	2,560,162	-	-	-	-	2,560,162	2,993,430
Watermaster Board-Advisory Committee	156,849	-	156,849	-	-	-	-	156,849	366,923
Optimum Basin Mgmt Administration	-	518,748	518,748	-	-	-	-	518,748	1,215,309
OBMP Project Costs	-	2,183,336	2,183,336	-	-	-	-	2,183,336	5,409,723
Pool Legal Services	-	-	-	-	73,250	10,962	-	84,212	241,578
Pool Meeting Compensation	-	-	-	-	20,750	3,500	-	24,250	45,807
Pool Special Projects	-	-	-	-	9,357	-	-	9,357	-
Pool Administration	-	-	-	-	-	-	-	-	327,067
Debt Service	-	-	-	-	-	-	-	-	1,665,475
Agricultural Expense Transfer <sup>1</sup>	-	-	-	103,357	(103,357)	-	-	-	-
<b>Total Administrative Expenses</b>	<b>2,717,011</b>	<b>2,702,084</b>	<b>5,419,096</b>	<b>103,357</b>	<b>-</b>	<b>14,462</b>	<b>-</b>	<b>5,536,915</b>	<b>12,265,312</b>
<b>Net Ordinary Income</b>	<b>3,106,112</b>	<b>1,225,760</b>	<b>4,331,872</b>	<b>549,851</b>	<b>31,281</b>	<b>17,993</b>	<b>381,820</b>	<b>5,312,816</b>	<b>(2,451,485)</b>
<b>Other Income/(Expense)</b>									
Replenishment Water Assessments	-	-	-	-	-	-	(1,920,791)	(1,920,791)	-
Refund-Basin O&M Expenses	(1,542,183)	-	(1,542,183)	-	-	-	-	(1,542,183)	-
Refund-Recharge Debt Service	-	-	-	-	-	-	-	-	-
<b>Net Other Income/(Expense)</b>	<b>(1,542,183)</b>	<b>-</b>	<b>(1,542,183)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(1,920,791)</b>	<b>(3,462,973)</b>	<b>-</b>
<b>Net Transfers To/(From) Reserves</b>	<b>\$ 1,563,929</b>	<b>\$ 1,225,760</b>	<b>\$ 2,789,689</b>	<b>\$ 549,851</b>	<b>\$ 31,281</b>	<b>\$ 17,993</b>	<b>\$ (1,538,971)</b>	<b>\$ 1,849,843</b>	<b>\$ (2,451,485)</b>
Net Assets, July 1, 2023			9,768,099	41,205	1,343,226	57,841	1,715,286	12,925,657	
<b>Net Assets, End of Period</b>			<b>12,557,788</b>	<b>591,056</b>	<b>1,374,507</b>	<b>75,834</b>	<b>176,316</b>	<b>14,775,500</b>	
Pool Assessments Outstanding <sup>2</sup>				(238,028)	(731,123)	-			
Pool Fund Balance				<b>\$ 353,028</b>	<b>\$ 643,384</b>	<b>\$ 75,834</b>			

<sup>1</sup> Fund balance transfer as agreed to in the Peace Agreement.

<sup>2</sup> Outstanding balance of Pool Special Assessments



# Chino Basin Watermaster

## Treasurer's Report

### January 2024

	Type	Monthly Yield	Cost	Market	% Total
<b>Cash &amp; Investments</b>					
Local Agency Investment Fund (LAIF) *	Investment	4.01%	\$ 625,025	\$ 620,989	3.9%
CA CLASS Prime Fund **	Investment	5.48%	13,281,958	13,284,053	84.3%
Bank of America	Checking		1,860,282	1,860,282	11.8%
Bank of America	Payroll		-	-	0.0%
<b>Total Cash &amp; Investments</b>			<b>\$ 15,767,265</b>	<b>\$ 15,765,324</b>	<b>100.0%</b>

\* The LAIF Market Value factor is updated quarterly in September, December, March, and June.

\*\* The CLASS Prime Fund Net Asset Value factor is updated monthly.

**Certification**

*I certify that (1) all investment actions executed since the last report have been made in full compliance with Chino Basin Watermaster's Investment Policy, and (2) Funds on hand are sufficient to meet all foreseen and planned administrative and project expenditures for the next six months.*

**Edgar Tellez Foster, Acting General Manager**

**Prepared By:**

Daniela Uriarte, Senior Accountant



# Chino Basin Watermaster

## Budget to Actual

### For the Period July 1, 2023 to January 31, 2024

	January 2024	YTD Actual	FY 24 Adopted Budget	\$ Over / (Under) Budget	% of Budget
<b>1 Administration Revenue</b>					
2 Local Agency Subsidies	\$ -	\$ 186,412	\$ 186,412	\$ -	100%
3 Admin Assessments-Appropriative Pool	-	9,669,482	8,886,165	783,317	109%
4 Admin Assessments-Non-Ag Pool	-	322,914	428,750	(105,836)	75%
<b>5 Total Administration Revenue</b>	<b>-</b>	<b>10,178,809</b>	<b>9,501,327</b>	<b>677,482</b>	<b>107%</b>
<b>6 Other Revenue</b>					
7 Appropriative Pool-Replenishment	-	335,840	-	335,840	N/A
8 Non-Ag Pool-Replenishment	-	13,985	-	13,985	N/A
9 Interest Income	132,205	321,097	312,500	8,597	103%
10 Miscellaneous Income	-	-	-	-	N/A
<b>11 Total Other Revenue</b>	<b>132,205</b>	<b>670,922</b>	<b>312,500</b>	<b>358,422</b>	<b>215%</b>
<b>12 Total Revenue</b>	<b>132,205</b>	<b>10,849,731</b>	<b>9,813,827</b>	<b>1,035,904</b>	<b>111%</b>
<b>13 Judgment Administration Expense</b>					
14 Judgment Administration	29,907	229,148	721,698	(492,550)	32%
15 Admin. Salary/Benefit Costs	420,160	1,317,142	1,413,610	(96,468)	93%
16 Office Building Expense	15,197	124,232	208,510	(84,278)	60%
17 Office Supplies & Equip.	1,790	32,506	49,438	(16,932)	66%
18 Postage & Printing Costs	2,304	15,424	33,806	(18,382)	46%
19 Information Services	20,898	86,634	199,818	(113,184)	43%
20 Contract Services	16,056	82,992	60,200	22,792	138%
21 Watermaster Legal Services	157,383	603,562	565,964	37,598	107%
22 Insurance	-	46,256	50,468	(4,212)	92%
23 Dues and Subscriptions	6,975	35,572	40,027	(4,455)	89%
24 Watermaster Administrative Expenses	1,710	5,957	7,550	(1,593)	79%
25 Field Supplies	-	583	3,200	(2,617)	18%
26 Travel & Transportation	2,889	14,940	29,570	(14,630)	51%
27 Training, Conferences, Seminars	9,946	35,176	50,400	(15,224)	70%
28 Advisory Committee Expenses	1,848	27,827	105,823	(77,996)	26%
29 Watermaster Board Expenses	18,869	129,023	261,100	(132,077)	49%
30 ONAP - WM & Administration	2,104	16,682	106,194	(89,512)	16%
31 OAP - WM & Administration	3,426	24,141	108,700	(84,559)	22%
32 Appropriative Pool- WM & Administration	4,798	43,404	112,173	(68,769)	39%
33 Allocated G&A Expenditures	(20,298)	(154,188)	(440,829)	286,641	35%
<b>34 Total Judgment Administration Expense</b>	<b>695,963</b>	<b>2,717,011</b>	<b>3,687,420</b>	<b>(970,408)</b>	<b>74%</b>
<b>35 Optimum Basin Management Plan (OBMP)</b>					
36 Optimum Basin Management Plan	46,524	518,748	1,215,309	(696,562)	43%
37 Groundwater Level Monitoring	30,532	226,006	459,625	(233,619)	49%
38 Program Element (PE)2- Comp Recharge	138,136	850,698	1,672,577	(821,879)	51%
39 PE3&5-Water Supply/Desalte	8,066	18,023	105,677	(87,654)	17%
40 PE4- Management Plan	21,023	191,280	817,643	(626,362)	23%
41 PE6&7-CoopEfforts/SaltMgmt	49,503	326,245	1,117,623	(791,378)	29%
42 PE8&9-StorageMgmt/Conj Use	47,338	416,896	795,750	(378,853)	52%
43 Recharge Improvements	-	-	1,665,475	(1,665,475)	0%
44 Administration Expenses Allocated-OBMP	6,851	68,849	222,160	(153,312)	31%
45 Administration Expenses Allocated-PE 1-9	13,446	85,340	218,669	(133,330)	39%
<b>46 Total OBMP Expense</b>	<b>361,419</b>	<b>2,702,084</b>	<b>8,290,508</b>	<b>(5,588,423)</b>	<b>33%</b>
<b>47 Pool Administration</b>					
48 Appropriative Pool-Legal Services	-	-	-	-	N/A
49 OAP Legal & Technical Services	8,550	73,250	186,612	(113,362)	39%
50 OAP Meeting Compensation	5,500	20,750	40,932	(20,182)	51%
51 OAP Expense - Special Projects	9,357	9,357	-	9,357	N/A
52 ONAP - Legal Services	-	10,962	54,966	(44,004)	20%
52 ONAP - Meeting Compensation	1,125	3,500	4,875	(1,375)	72%
<b>53 Total Pool Administration</b>	<b>24,532</b>	<b>117,819</b>	<b>287,384</b>	<b>(169,565)</b>	<b>41%</b>
<b>55 Other Expense</b>					
56 Groundwater Replenishment	-	1,920,791	-	1,920,791	N/A
57 Reserve Refunds	-	1,542,183	-	1,542,183	N/A
<b>58 Total Other Expense</b>	<b>-</b>	<b>3,462,973</b>	<b>-</b>	<b>3,462,973</b>	<b>N/A</b>
<b>59 Total Expenses</b>	<b>1,081,913</b>	<b>8,999,888</b>	<b>12,265,312</b>	<b>(3,265,424)</b>	<b>73%</b>
<b>60 Increase / (Decrease) to Reserves</b>	<b>\$ (949,708)</b>	<b>\$ 1,849,843</b>	<b>\$ (2,451,485)</b>	<b>\$ 4,301,328</b>	



# Chino Basin Watermaster

## Monthly Variance Report & Supplemental Schedules

### For the period July 1, 2023 to January 31, 2024

## Budget to Actual

The Budget to Actual report summarizes the operating and non-operating revenues and expenses of Chino Basin Watermaster for the fiscal year-to-date (YTD). Columns are included for current monthly and YTD activity shown comparatively to the FY 24 adopted budget. The final two columns indicate the amount over or under budget, and the YTD percentage of total budget used. As of January 31<sup>st</sup>, the target budget percentage is generally 58%.

## Revenues

**Lines 1-5 Administration Revenue** – Includes local agency subsidies and administrative assessment for the appropriative, agricultural and non-agricultural pools. Below is a summary of notable account variances at month end:

- Line 2 Local Agency Subsidies is at 100% of budget due to annual administrative assessment received from Metropolitan Water District.
- Lines 3-4 Administrative Assessments for the Agricultural and Non-Agricultural pools include annual assessment invoices issued in November of each year, as well as special assessments issued at the direction of the respective pools. The Appropriative pool line is over budget due to changes in actual versus projected production, and special assessments issued.

**Lines 6-11 Other Revenue** – Includes pool replenishment assessments, interest income and other miscellaneous income.

## Expenses

**Lines 13-34 Judgment Administration Expense** – Includes Watermaster general administrative expenses, contract services, insurance, office and other administrative expenses. Below is a summary of notable account variances at month end:

- Line 15 Admin Salary/Benefit Costs includes wages and benefits for Watermaster administrative staff. YTD is at 93% of budget due to vacation, sick time, and severance payouts.
- Line 17 Office Supplies and Equipment includes office supplies, minor office furniture, and other miscellaneous office items including bank fees. YTD is at 66% due to the timing of office furniture purchases and timing of shredding services.
- Line 20 Contract Services includes outside services for the annual audit report, HR consulting, court filings, and accounting consulting. YTD is over budget due to increased consulting services not anticipated in the budget. These increased consulting service costs should be offset by savings in administrative salaries and benefits.
- Line 22 Insurance includes general liability insurance, directors' and officers' liability, municipalities coverage, environmental pollution liability and other various insurance policies. YTD is at 92% of budget due to the timing of annual renewals for the directors' and officers' policy and municipalities coverage.
- Line 23 Dues and Subscriptions is at 89% of budget due to the timing of annual dues for ACWA, SHRM, and CA Groundwater Coalition.
- Line 24 Watermaster Administrative Expenses include meeting expenses and supplies for admin, committee, and other meetings. YTD is at 79% due to increased meeting activity.
- Line 27 Training, Conferences, Seminars is at 70% of budget due to the timing of conferences and increased employee training expenses not anticipated in the budget.



## Chino Basin Watermaster

### Monthly Variance Report & Supplemental Schedules

#### For the period July 1, 2023 to January 31, 2024

**Lines 35-46 Optimum Basin Management Plan (OBMP) Expense** – Includes legal, engineering, groundwater level monitoring, allocated administrative expenses, and other expenses.

**Lines 47-53 Pool Administration Expenses** – Includes expense activity relating to pool specific fund balances. These include legal services for each pool, Ag pool meeting compensation, and Ag pool special projects.

**Lines 55-58 Other Expense** – Includes groundwater replenishment, and various refunds as appropriate. YTD activity includes refunds for prior year recharge basin O&M expenses and excess reserves.





# Chino Basin Watermaster

## Monthly Variance Report & Supplemental Schedules

### For the period July 1, 2023 to January 31, 2024

## Pool Services Fund Accounting

Each Pool has a fund account created to pay their own legal service invoices. The legal services invoices are funded and paid using the fund accounts (8467 for the Overlying Agricultural Pool (OAP), 8567 for the Overlying Non-Agricultural Pool (ONAP), and 8367 for the Appropriate Pool (AP)). Along with the legal services fund account for the OAP (8467), the OAP also has two other fund accounts for Ag Pool Meeting Attendance expenses (8470), and Special Projects expenses (8471). The ONAP also have a meeting compensation fund account (8511) Additionally, the OAP has a reserve fund that is held by Watermaster and spent at the direction of the OAP. The AP also has an account 8368 relating to the Tom Harder contract. These fund accounts are replenished at the direction of each Pool, and the legal service invoices are approved by the Pool leadership and when paid by Watermaster, are deducted from the existing fund account balances. If the fund account for any pool reaches zero, no further payments can be paid from the fund and a replenishment action must be initiated by the pool.

The following tables detail the fund balance accounts as of January 31, 2024 (continued next page):

<b>Fund Balance For Non-Agricultural Pool Account 8567 - Legal Services</b>		<b>Fund Balance For Appropriate Pool Account 8367 - Legal Services</b>	
Beginning Balance July 1, 2023:	\$ 56,965.90	Beginning Balance July 1, 2023:	\$ (12,415.36)
Additions:		Additions:	
Interest Earnings	1,454.95	Interest Earnings	7,207.92
Payments received on ONAP Assessment invoices issued 11/18/23	<u>25,000.00</u>	Payments received on AP Pool Assessment invoices issued 10/30/23	<u>178,107.17</u>
Subtotal Additions:	<u>26,454.95</u>	Subtotal Additions:	<u>185,315.09</u>
Reductions:		Reductions:	
Invoices paid July 2023 - January 2024	(10,962.00)	Invoices paid July 2023 - January 2024	-
Budget Transfers	<u>(2,000.00)</u>	Subtotal Reductions:	<u>-</u>
Subtotal Reductions:	<u>(12,962.00)</u>		
<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 70,458.85</u></b>	<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 172,899.73</u></b>

<b>Fund Balance For Non-Agricultural Pool Account 8511 - Meeting Compensation</b>		<b>Fund Balance For Appropriate Pool Account 8368 - Tom Harder Contract</b>	
Beginning Balance July 1, 2020:	\$ 875.00	Beginning Balance July 1, 2023:	\$ -
Additions:		Additions:	
Payments received on ONAP Assessment invoices issued 11/18/23	\$ 6,000.00	Interest Earnings	-
Budget Transfers	<u>2,000.00</u>	Payments received on AP Pool Assessment invoices issued 10/30/23	<u>20,577.61</u>
Subtotal Additions:	<u>8,000.00</u>	Subtotal Additions:	<u>20,577.61</u>
Reductions:		Reductions:	
Compensation paid July 2023 - January 2024	<u>(3,500.00)</u>	Invoices paid July 2023 - January 2024	-
Subtotal Reductions:	<u>(3,500.00)</u>	Subtotal Reductions:	<u>-</u>
<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 5,375.00</u></b>	<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 20,577.61</u></b>



## Chino Basin Watermaster

### Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to January 31, 2024

### Pool Services Fund Accounting – Cont.

**Fund Balance for Agricultural Pool**  
**Account 8467 - Legal Services**

Beginning Balance July 1, 2023:	\$ 41,675.63
Additions:	
Payments received on AP Pool Assessment invoices issued 10/30/23	144,935.99
Total Additions:	<u>144,935.99</u>
Reductions:	
Invoices paid July 2023 - January 2024	<u>(73,250.00)</u>
Subtotal Reductions:	<u>(73,250.00)</u>
<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 113,361.62</u></b>

**Agricultural Pool Reserve Funds**  
**As shown on the Combining Schedules**

Beginning Balance July 1, 2023:	\$ 612,103.32
Additions:	
YTD Interest earned on Ag Pool Funds FY 24	31,280.73
Transfer of Funds from AP to Special Fund for Legal Service Invoices	<u>73,250.00</u>
Total Additions:	<u>104,530.73</u>
Reductions:	
Legal service invoices paid July 2023 - January 2024	<u>(73,250.00)</u>
Total Reductions	<u>(73,250.00)</u>
<b>Agricultural Pool Reserve Funds Balance as of Jan. 31, 2024:</b>	<b><u>\$ 643,384.05</u></b>

**Fund Balance For Agricultural Pool**  
**Account 8470 - Meeting Compensation**

Beginning Balance July 1, 2023:	\$ 950.98
Additions:	
Payments received on AP Pool Assessment invoices issued 10/30/23	28,987.20
Budget Transfers <sup>1</sup>	<u>10,993.67</u>
Subtotal Additions:	<u>39,980.87</u>
Reductions:	
Compensation paid July 2023 - January 2024	<u>(20,750.00)</u>
Subtotal Reductions:	<u>(20,750.00)</u>
<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 20,181.85</u></b>

**Fund Balance For Agricultural Pool**  
**Account 8471 - Special Projects**

Beginning Balance July 1, 2023:	\$ 10,993.67
Additions:	
Payments received on AP Pool Assessment invoices issued 10/30/23	<u>35,364.38</u>
Subtotal Additions:	<u>35,364.38</u>
Reductions:	
Invoices paid July 2023 - January 2024	(9,357.00)
Budget Transfers <sup>1</sup>	<u>(10,993.67)</u>
Subtotal Reductions:	<u>(20,350.67)</u>
<b>Available Fund Balance as of January 31, 2024</b>	<b><u>\$ 26,007.38</u></b>

<sup>1</sup>Per action taken at September pool committee meeting.

<sup>1</sup>Per action taken at September pool committee meeting.



# Chino Basin Watermaster

## Monthly Variance Report & Supplemental Schedules

### For the period July 1, 2023 to January 31, 2024

## Watermaster Salary Expenses

The following table details the Year-To-Date (YTD) Actual Watermaster burdened salary costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of January 31<sup>st</sup>, the target budget percentage is generally 58%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
<b>WM Salary Expense</b>				
5901.1 · Judgment Admin - Doc. Review	25,889	82,794	(56,905)	31.3%
5901.3 · Judgment Admin - Field Work	2,314	7,760	(5,446)	29.8%
5901.5 · Judgment Admin - General	44,882	60,129	(15,247)	74.6%
5901.7 · Judgment Admin - Meeting	6,856	2,633	4,223	260.4%
5901.9 · Judgment Admin - Reporting	1,324	31,033	(29,709)	4.3%
5910 · Judgment Admin - Court Coord./Attendar	8,774	19,098	(10,324)	45.9%
5911 · Judgment Admin - Exhibit G	1,347	2,370	(1,023)	56.8%
5921 · Judgment Admin - Production Monitorin	2,892	11,322	(8,430)	25.5%
5931 · Judgment Admin - Recharge Application	-	4,634	(4,634)	0.0%
5941 · Judgment Admin - Reporting	530	1,316	(786)	40.3%
5951 · Judgment Admin - Rules & Regs	-	12,726	(12,726)	0.0%
5961 · Judgment Admin - Safe Yield	612	26,330	(25,718)	2.3%
5971 · Judgment Admin - Storage Agreements	1,714	4,739	(3,025)	36.2%
5981 · Judgment Admin - Water Accounting/Da	67,060	109,793	(42,733)	61.1%
5991 · Judgment Admin - Water Transactions	2,693	8,688	(5,995)	31.0%
6011.11 · WM Staff - Overtime	7,856	15,000	(7,144)	52.4%
6011.4 · 457(f) NQDC Plan	18,494	55,467	(36,973)	33.3%
6011.10 · Admin - Accounting	111,048	367,685	(256,637)	30.2%
6011.15 · Admin - Building Admin	2,477	18,359	(15,882)	13.5%
6011.20 · Admin - Conference/Seminars	17,870	57,083	(39,213)	31.3%
6011.25 · Admin - Document Review	659	6,846	(6,187)	9.6%
6011.50 · Admin - General	294,096	569,850	(275,754)	51.6%
6011.60 · Admin - HR	67,262	43,489	23,773	154.7%
6011.70 · Admin - IT	30,092	53,975	(23,883)	55.8%
6011.80 · Admin - Meeting	23,811	90,440	(66,629)	26.3%
6011.90 · Admin - Team Building	5,758	41,304	(35,546)	13.9%
6011.95 · Admin - Training (Give/Receive)	10,030	34,312	(24,282)	29.2%
6017 · Temporary Services	15,669	24,000	(8,331)	65.3%
6201 · Advisory Committee	20,059	55,149	(35,090)	36.4%
6301 · Watermaster Board	43,605	61,818	(18,213)	70.5%
8301 · Appropriative Pool	23,746	53,761	(30,015)	44.2%
8401 · Agricultural Pool	6,922	51,549	(44,627)	13.4%
8501 · Non-Agricultural Pool	4,418	50,443	(46,025)	8.8%
6901.1 · OBMP - Document Review	25,112	89,136	(64,024)	28.2%
6901.3 · OBMP - Field Work	643	7,003	(6,360)	9.2%
6901.5 · OBMP - General	56,130	124,049	(67,919)	45.2%
6901.7 · OBMP - Meeting	16,052	57,589	(41,537)	27.9%
6901.9 · OBMP - Reporting	3,362	2,370	992	141.8%
7104.1 · PE1 - Monitoring Program	90,383	171,515	(81,132)	52.7%
7201 · PE2 - Comprehensive Recharge	28,941	57,925	(28,984)	50.0%
7301 · PE3&5 - Water Supply/Desalter	-	4,791	(4,791)	0.0%
7301.1 · PE5 - Reg. Supply Water Prgm.	-	2,633	(2,633)	0.0%
7401 · PE4 - MZ1 Subsidence Mgmt. Plan	802	13,055	(12,253)	6.1%
7501 · PE6 - Coop. Programs/Salt Mgmt.	3,140	8,027	(4,887)	39.1%
7501.1 · PE 7 - Salt Nutrient Mgmt. Plan	459	6,582	(6,123)	7.0%
7601 · PE8&9 - Storage Mgmt./Recovery	2,032	11,217	(9,185)	18.1%
<b>Subtotal WM Staff Costs</b>	<b>1,097,816</b>	<b>2,591,787</b>	<b>(1,493,971)</b>	<b>42%</b>
60184.1 · Administrative Leave	15,428	6,799	8,629	226.9%
60185 · Vacation	143,031	119,130	23,901	120.1%
60185.1 · Comp Time	1,194	-	1,194	100.0%
60186 · Sick Leave	10,112	83,123	(73,011)	12.2%
60187 · Holidays	-	-	-	0.0%
<b>Subtotal WM Paid Leaves</b>	<b>169,764</b>	<b>209,052</b>	<b>(39,288)</b>	<b>81%</b>
<b>Total WM Salary Costs</b>	<b>1,267,581</b>	<b>2,800,839</b>	<b>(1,533,258)</b>	<b>45.3%</b>



# Chino Basin Watermaster

## Monthly Variance Report & Supplemental Schedules

### For the period July 1, 2023 to January 31, 2024

## Engineering

The following table details the Year-To-Date (YTD) Actual Engineering costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of January 31<sup>st</sup>, the target budget percentage is generally 58%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
<b>Engineering Services Costs</b>				
5901.8 · Judgment Admin - Meetings-Engineering Services	\$ -	\$ 45,097	\$ (45,097)	0.0%
5906.1 · Judgment Admin - Watermaster Model Update	-	41,235	(41,235)	0.0%
5906.71 · Judgment Admin - Data Requests-CBWM Staff	22,601	126,204	(103,604)	17.9%
5906.72 · Judgment Admin - Data Requests-Non-CBWM Staff	3,402	42,832	(39,430)	7.9%
5925 · Judgment Admin - Ag Production & Estimation	15,960	34,376	(18,417)	46.4%
5935 · Judgment Admin - Mat'l Physical Injury Requests	3,131	36,072	(32,941)	8.7%
5945 · Judgment Admin - WM Annual Report Preparation	11,671	15,416	(3,745)	75.7%
5965 · Judgment Admin - Support Data Collection & Mgmt Process	5,496	36,336	(30,841)	15.1%
6206 · Advisory Committee Meetings-WY Staff	4,643	23,466	(18,823)	19.8%
6306 · Watermaster Board Meetings-WY Staff	15,877	23,466	(7,589)	67.7%
8306 · Appropriative Pool Meetings-WY Staff	14,073	23,467	(9,394)	60.0%
8406 · Agricultural Pool Meetings-WY Staff	11,695	23,466	(11,771)	49.8%
8506 · Non-Agricultural Pool Meetings-WY Staff	6,739	23,466	(16,727)	28.7%
6901.8 · OBMP - Meetings-WY Staff	32,072	45,096	(13,024)	71.1%
6901.95 · OBMP - Reporting-WY Staff	37,740	57,316	(19,576)	65.8%
6906 · OBMP Engineering Services - Other	23,609	46,992	(23,384)	50.2%
6906.26 · 2020 OBMP Update	4,508	24,016	(19,508)	18.8%
7104.3 · Grdwtr Level-Engineering	133,613	256,445	(122,832)	52.1%
7104.8 · Grdwtr Level-Contracted Services	-	10,000	(10,000)	0.0%
7104.9 · Grdwtr Level-Capital Equipment	-	9,915	(9,915)	0.0%
7202 · PE2-Comp Recharge-Engineering Services	3,575	29,084	(25,509)	12.3%
7202.2 · PE2-Comp Recharge-Engineering Services	25,582	202,362	(176,780)	12.6%
7208 · SB88 Specs-Compliance-50% IEUA	-	54,012	(54,012)	0.0%
7210 · OBMP - 2023 RMPU	37,768	94,328	(56,561)	40.0%
7220 · Integrated Model Mtg./Tech. Review-50% IEUA	-	24,618	(24,618)	0.0%
7302 · PE3&5-PBSP Monitoring Program	16,108	69,121	(53,013)	23.3%
7303 · PE3&5-Engineering - Other	635	15,632	(14,998)	4.1%
7306 · PE3&5-Engineering - Outside Professionals	1,280	6,500	(5,220)	19.7%
7402 · PE4-Engineering	114,848	262,544	(147,696)	43.7%
7402.10 · PE4-Northwest MZ1 Area Project	49,367	271,703	(222,336)	18.2%
7403 · PE4-Eng. Services-Contracted Services-InSar	21,365	175,000	(153,635)	12.2%
7406 · PE4-Engineering Services-Outside Professionals	-	76,552	(76,552)	0.0%
7408 · PE4-Engineering Services-Network Equipment	4,899	14,081	(9,182)	34.8%
7502 · PE6&7-Engineering	164,533	384,163	(219,630)	42.8%
7505 · PE6&7-Laboratory Services	30,266	49,164	(18,898)	61.6%
7508 · HC Mitigation Plan-50% IEUA (TO #6)	8,889	10,703	(1,815)	83.0%
7510 · PE6&7-IEUA Salinity Mgmt. Plan	11,365	34,631	(23,267)	32.8%
7511 · PE6&7-SAWBMP Task Force-50% IEUA	9,488	24,610	(15,122)	38.6%
7517 · Surface Water Monitoring Plan-Chino Creek - 50% IEUA	35,489	69,821	(34,332)	50.8%
7520 · Preparation of Water Quality Mgmt. Plan	56,439	157,692	(101,253)	35.8%
7610 · PE8&9-Support 2020 Mgmt. Plan	13,687	69,306	(55,618)	19.7%
7614 · PE8&9-Support Imp. Safe Yield Court Order	396,484	663,747	(267,263)	59.7%
7620 · OBMP - Evaluation of Extreme Future Planning Scenarios	4,693	51,130	(46,437)	9.2%
<b>Total Engineering Services Costs</b>	<b>\$ 1,348,892</b>	<b>\$ 3,755,182</b>	<b>\$ (2,401,597)</b>	<b>35.9%</b>

\* West Yost and Subcontractor Engineering Budget of \$2,884,956 plus Carryover Funds from FY 2022/23 of \$870,226



## Chino Basin Watermaster

### Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to January 31, 2024

### Legal

The following table details the YTD Brownstein Hyatt Farber Schreck (BHFS) expenses and costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of January 31<sup>st</sup>, the target budget percentage is generally 58%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
<b>6070 · Watermaster Legal Services</b>				
6071 · BHFS Legal - Court Coordination	\$ 215,180	\$ 171,260	\$ 43,920	125.6%
6072 · BHFS Legal - Rules & Regulations	-	92,900	(92,900)	0.0%
6073 · BHFS Legal - Personnel Matters	189,260	10,820	178,440	1749.2%
6074 · BHFS Legal - Interagency Issues	-	43,704	(43,704)	0.0%
6077 · BHFS Legal - Party Status Maintenance	1,205	13,730	(12,525)	8.8%
6078 · BHFS Legal - Miscellaneous (Note 1)	127,498	233,550	(106,052)	54.6%
<b>Total 6070 · Watermaster Legal Services</b>	<b>533,143</b>	<b>565,964</b>	<b>(32,821)</b>	<b>94.2%</b>
6275 · BHFS Legal - Advisory Committee	3,125	26,708	(23,583)	11.7%
6375 · BHFS Legal - Board Meeting	45,148	85,272	(40,124)	52.9%
6375.1 · BHFS Legal - Board Workshop(s)	-	18,499	(18,499)	0.0%
8375 · BHFS Legal - Appropriative Pool	5,525	33,385	(27,860)	16.5%
8475 · BHFS Legal - Agricultural Pool	5,525	33,385	(27,860)	16.5%
8575 · BHFS Legal - Non-Ag Pool	5,525	33,385	(27,860)	16.5%
<b>Total BHFS Legal Services</b>	<b>64,847</b>	<b>230,634</b>	<b>(165,787)</b>	<b>28.1%</b>
<b>6907.3 · WM Legal Counsel</b>				
6907.31 · Archibald South Plume	-	12,085	(12,085)	0.0%
6907.32 · Chino Airport Plume	720	12,085	(11,365)	6.0%
6907.33 · Desalter/Hydraulic Control	1,358	37,200	(35,842)	3.7%
6907.34 · Santa Ana River Water Rights	311	20,595	(20,285)	1.5%
6907.36 · Santa Ana River Habitat	-	30,090	(30,090)	0.0%
6907.38 · Reg. Water Quality Cntrl Board	725	30,090	(29,366)	2.4%
6907.39 · Recharge Master Plan	34,154	30,495	3,659	112.0%
6907.40 · Storage Agreements	-	16,960	(16,960)	0.0%
6907.41 · Prado Basin Habitat Sustainability	-	9,900	(9,900)	0.0%
6907.44 · SGMA Compliance	-	9,900	(9,900)	0.0%
6907.45 · OBMP Update	159,898	172,880	(12,982)	92.5%
6907.47 · 2020 Safe Yield Reset	12,959	33,920	(20,961)	38.2%
6907.48 · Ely Basin Investigation	-	126,040	(126,040)	0.0%
6907.90 · WM Legal Counsel - Unanticipated	-	37,395	(37,395)	0.0%
<b>Total 6907 · WM Legal Counsel</b>	<b>210,123</b>	<b>579,635</b>	<b>(369,512)</b>	<b>36.3%</b>
<b>Total Brownstein, Hyatt, Farber, Schreck Costs</b>	<b>\$ 808,113</b>	<b>\$ 1,376,233</b>	<b>\$ (568,120)</b>	<b>58.7%</b>



## Chino Basin Watermaster

### Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to January 31, 2024

### Optimum Basin Management Plan (OBMP)

The following table details the Year-To-Date (YTD) Actual OBMP costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of January 31<sup>st</sup>, the target budget percentage is generally 58%.

	Year to Date		\$ Over / (Under) Budget	% of Budget
	Actual	Budget		
<b>6900 · Optimum Basin Mgmt Plan</b>				
6901.1 · OBMP - Document Review-WM Staff	\$ 25,112	\$ 89,136	\$ (64,024)	28.2%
6901.3 · OBMP - Field Work-WM Staff	643	7,003	(6,360)	9.2%
6901.5 · OBMP - General-WM Staff	56,130	124,049	(67,919)	45.2%
6901.7 · OBMP - Meeting-WM Staff	16,052	57,589	(41,537)	27.9%
6901.8 · OBMP - Meeting-West Yost	32,072	45,096	(13,024)	71.1%
6901.9 · OBMP - Reporting-WM Staff	3,362	2,370	992	141.8%
6901.95 · OBMP - Reporting-West Yost	37,740	57,316	(19,576)	65.8%
<b>Total 6901 · OBMP WM and West Yost Staff</b>	<b>171,110</b>	<b>382,559</b>	<b>(211,449)</b>	<b>44.7%</b>
<b>6903 · OBMP - SAWPA</b>				
6903 · OBMP - SAWPA Group	24,071	24,071	0	100.0%
<b>Total 6903 · OBMP - SAWPA</b>	<b>24,071</b>	<b>24,071</b>	<b>0</b>	<b>100.0%</b>
<b>6906 · OBMP Engineering Services</b>				
6906.1 · OBMP - Watermaster Model Update	18,889	41,235	(22,346)	45.8%
6906.15 · Integrated Model Mtgs. - IEUA Costs	-	-	-	0.0%
6906.21 · State of the Basin Report	-	-	-	0.0%
6906.26 · 2020 OBMP Update	4,508	24,016	(19,508)	18.8%
6906.71 · OBMP - Data Requests - CBWM Staff	-	-	-	0.0%
6906.72 · OBMP - Data Requests - Non CBWM	-	-	-	0.0%
6906 · OBMP Engineering Services - Other	23,609	46,992	(23,384)	50.2%
<b>Total 6906 · OBMP Engineering Services</b>	<b>47,006</b>	<b>112,243</b>	<b>(65,237)</b>	<b>41.9%</b>
<b>6907 · OBMP Legal Fees</b>				
6907.31 · Archibald South Plume	-	12,085	(12,085)	0.0%
6907.32 · Chino Airport Plume	720	12,085	(11,365)	6.0%
6907.33 · Desalter/Hydraulic Control	1,358	37,200	(35,842)	3.7%
6907.34 · Santa Ana River Water Rights	311	20,595	(20,285)	1.5%
6907.36 · Santa Ana River Habitat	-	30,090	(30,090)	0.0%
6907.38 · Reg. Water Quality Cntrl Board	725	30,090	(29,366)	2.4%
6907.39 · Recharge Master Plan	34,154	30,495	3,659	112.0%
6907.40 · Storage Agreements	-	16,960	(16,960)	0.0%
6907.41 · Prado Basin Habitat Sustainability	-	9,900	(9,900)	0.0%
6907.44 · SGMA Compliance	-	9,900	(9,900)	0.0%
6907.45 · OBMP Update	159,898	172,880	(12,982)	92.5%
6907.47 · 2020 Safe Yield Reset	12,959	33,920	(20,961)	38.2%
6907.48 · Ely Basin Investigation	-	126,040	(126,040)	0.0%
6907.90 · WM Legal Counsel - Unanticipated	-	37,395	(37,395)	0.0%
<b>Total 6907 · OBMP Legal Fees</b>	<b>210,123</b>	<b>579,635</b>	<b>(369,512)</b>	<b>36.3%</b>
<b>6908 · OBMP Updates</b>				
6908.1 · 2020 OBMP Update-Dodson & Assoc.	63,180	107,578	(44,397)	58.7%
<b>Total 6908 · OBMP Updates</b>	<b>63,180</b>	<b>107,578</b>	<b>(44,397)</b>	<b>58.7%</b>
<b>6909 · OBMP Other Expenses</b>				
6909.1 · OBMP Meetings	-	1,500	(1,500)	0.0%
6909.3 · Other OBMP Expenses	3,258	2,724	534	119.6%
6909.6 · OBMP Expenses - Miscellaneous	-	5,000	(5,000)	0.0%
<b>Total 6909 · OBMP Other Expenses</b>	<b>3,258</b>	<b>9,224</b>	<b>(5,966)</b>	<b>35.3%</b>
<b>Total 6900 · Optimum Basin Mgmt Plan</b>	<b>\$ 518,748</b>	<b>\$ 1,215,309</b>	<b>\$ (696,562)</b>	<b>42.7%</b>



## Chino Basin Watermaster

### Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to January 31, 2024

### Judgment Administration

The following table details the Year-To-Date (YTD) Actual Judgment Administration costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of January 31<sup>st</sup>, the target budget percentage is generally 58%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
<b>5901 · Admin-WM Staff</b>				
5901.1 · Admin-Doc. Review-WM Staff	\$ 25,889	\$ 82,794	\$ (56,905)	31.3%
5901.3 · Admin-Field Work-WM Staff	2,314	7,760	(5,446)	29.8%
5901.5 · Admin-General-WM Staff	44,882	60,129	(15,247)	74.6%
5901.7 · Admin-Meeting-WM Staff	6,856	2,633	4,223	260.4%
5901.8 · Admin-Meeting - West Yost	-	45,097	(45,097)	0.0%
5901.9 · Admin-Reporting-WM Staff	1,324	31,033	(29,709)	4.3%
<b>Total 5901 · Admin-WM Staff</b>	<b>81,266</b>	<b>229,446</b>	<b>(148,180)</b>	<b>35.4%</b>
<b>5900 · Judgment Admin Other Expenses</b>				
5906.71 · Admin-Data Req-CBWM Staff	22,601	126,204	(103,604)	17.9%
5906.72 · Admin-Data Req-Non CBWM Staff	3,402	42,832	(39,430)	7.9%
5910 · Court Coordination/Attend-WM	8,774	19,098	(10,324)	45.9%
5911 · Exhibit G-WM Staff	1,347	2,370	(1,023)	56.8%
5921 · Production Monitoring-WM Staff	2,892	11,322	(8,430)	25.5%
5925 · Ag Prod & Estimation-West Yost	15,960	34,376	(18,417)	46.4%
5931 · Recharge Applications-WM Staff	-	4,634	(4,634)	0.0%
5935 · Admin-Mat'l Phy Inj Requests	3,131	36,072	(32,941)	8.7%
5941 · Reporting-WM Staff	530	1,316	(786)	40.3%
5945 · WM Annual Report Prep-West Yost	11,671	15,416	(3,745)	75.7%
5951 · Rules & Regs-WM Staff	-	12,726	(12,726)	0.0%
5961 · Safe Yield-WM Staff	612	26,330	(25,718)	2.3%
5965 · Support Data Collect-West Yost	5,496	36,336	(30,841)	15.1%
5971 · Storage Agreements-WM Staff	1,714	4,739	(3,025)	36.2%
5981 · Water Acct/Database-WM Staff	67,060	109,793	(42,733)	61.1%
5991 · Water Transactions-WM Staff	2,693	8,688	(5,995)	31.0%
<b>Total 5900 · Judgment Admin Other Expenses</b>	<b>147,882</b>	<b>492,252</b>	<b>(344,370)</b>	<b>30.0%</b>
<b>Total 5900 · Judgment Administration</b>	<b>\$ 229,148</b>	<b>\$ 721,698</b>	<b>\$ (492,550)</b>	<b>31.8%</b>



## Chino Basin Watermaster

### Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to January 31, 2024

### “Carry Over” Funding:

During the month of July 2023, the “Carry Over” funding was calculated. The Total “Carry Over” funding amount of \$2,277,561.54 has been posted to the general ledger accounts. The total amount consisted of \$870,226.24 from Engineering Services, \$816,709.78 from Capital Improvement Projects, \$464,627.66 from OBMP Activities, \$111,461.18 from Pool Funding Accounts, and \$14,536.68 from Administration Services. More detailed information is provided in the table below.

**Carry Over Budget Detail - FY 23/24**

Description	Amount	Account	Fiscal Year	Type
Other Office Equipment - Boardroom Upgrades	\$ 10,037.93	6038	FY 2020/21	ADMIN
Board Workshop Expenses - Misc.	4,498.75	6375.2	FY 2021/22	ADMIN
Meter Installation - New Meter Installation	175,400.00	7540	FY 2018/19	OBMP
Meter Installation - Calibration and Testing	181,650.00	7545	FY 2018/19	OBMP
2022 OBMP Update - Dodson & Asso.	107,577.66	6908.1	FY 2022/23	OBMP
Watermaster Model Update	34,206.75	5906.1	FY 2022/23	ENG
Groundwater Level Monitoring Program	2,700.00	7104.3	FY 2022/23	ENG
PE2 - Comprehensive Recharge - Eng. Services	27,943.64	7202.2	FY 2020/21	ENG
PE2 - Comprehensive Recharge - Eng. Services	18,441.85	7202.2	FY 2021/22	ENG
PE2 - Comprehensive Recharge - Eng. Services	72,788.26	7202.2	FY 2022/23	ENG
SB88-Specs-Ensure Compliance-50% IEUA	54,012.38	7208	FY 2020/21	ENG
OBMP - 2023 RMPU	60,000.00	7210	FY 2022/23	ENG
Integrated Model - Meetings - 50% IEUA Costs	24,617.63	7220	FY 2021/22	ENG
PBHSP - Monitoring, Data Analysis, Reporting	21,000.00	7302	FY 2022/23	ENG
OBMP - Engineering Services	65,208.75	7402	FY 2022/23	ENG
PE4 - Northwest MZ-1 Area Project	23,805.91	7402.1	FY 2021/22	ENG
PE4 - Northwest MZ-1 Area Project	126,194.09	7402.1	FY 2022/23	ENG
PE4/MZ-1: InSAR - Outside Pro	85,000.00	7403	FY 2022/23	ENG
Ground Level Monitoring - Capital Equipment	5,000.00	7408	FY 2022/23	ENG
PE6-7: Coop Efforts/Salt Management:	40,000.00	7502	FY 2022/23	ENG
Groundwater Quality Monitoring Program	16,194.00	7505	FY 2022/23	ENG
Hydraulic Control Mitigation Plan Update-50% IEUA	9,687.25	7508	FY 2021/22	ENG
Hydraulic Control Mitigation Plan Update-50% IEUA	1,016.00	7508	FY 2022/23	ENG
IEUA - Update Recycle Water Permit - Salinity	19,752.23	7510	FY 2021/22	ENG
PE8&9 - Support Imp. 2020 Storage Mgmt. Plan	42,657.50	7610	FY 2020/21	ENG
Support Implementation of the Safe Yield Court Order:	120,000.00	7614	FY 2022/23	ENG
Upper Santa Ana River HCP (TO #7)	15,062.88	7690.7	FY 2014/15	PROJ
Upper Santa Ana River HCP (TO #7)	5,000.00	7690.7	FY 2015/16	PROJ
Lower Day Basin RMPU (TO #2)	238,646.90	7690.8	FY 2016/17	PROJ
Jurupa Basin Berm & Trash Boom	358,000.00	7690.23	FY 2022/23	PROJ
Funds on Hold for Projects/Refund	200,000.00	7690.9	FY 2017/18	PROJ
Agricultural Pool - Legal Services	41,675.63	8467	FY 2022/23	AP
Agricultural Pool - Mtg. Attendance Compensation	950.98	8470	FY 2022/23	OAP
Agricultural Pool - Special Project Funding	10,993.67	8471	FY 2021/22	OAP
Non-Agricultural Pool - Meeting Compensation	875.00	8511	FY 2022/23	ONAP
Non-Agricultural Pool - Legal Services	56,965.90	8567	FY 2022/23	ONAP
<b>Balance at 7/31/23</b>	<b>\$ 2,277,561.54</b>			





# CHINO BASIN WATERMASTER

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Tel: 909.484.3888 www.cbwm.org

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**EDGAR TELLEZ FOSTER, PhD**  
Acting General Manager

## STAFF REPORT

DATE: March 28, 2024  
TO: Board Members  
SUBJECT: OBMP Semi-Annual Status Report 2023-2 (Consent Calendar Item I.C.)  
SUMMARY:

Issue: Pursuant to the September 28, 2000 Court Order under *Periodic Reporting Requirements*, Watermaster produces the Semi-Annual Optimum Basin Management Program (OBMP) Status Reports. The report for the period July to December 2023 has been drafted.  
[Discretionary Function]

Recommendation: Adopt the Semi-Annual OBMP Status Report 2023-2, and direct staff to file a copy with the Court, subject to any necessary non-substantive changes.

Financial Impact: None.

Future Consideration

**Watermaster Board – March 28, 2024:** Adopt and file with the Court.

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ACTIONS:

**Appropriative Pool – March 14, 2024:** Unanimously recommended Advisory Committee to recommend Watermaster Board to adopt.

**Non-Agricultural Pool – March 14, 2024:** Unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

**Agricultural Pool – March 14, 2024:** Unanimously recommended Advisory Committee to recommend Watermaster Board to adopt.

**Advisory Committee – March 21, 2024:** Unanimously recommended Watermaster Board adoption and filing.

**Watermaster Board – March 28, 2024:**

*Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program*

## BACKGROUND

The OBMP Semi-Annual Status Report 2023-2 covers the period from July to December 2023. The report describes work conducted, and the status of the nine Program Elements of the Optimum Basin Management Program during the six-month period.

## DISCUSSION

OBMP Semi-Annual Status Report 2023-2 has been drafted (Attachment 1). Once adopted by the Watermaster Board, a copy of the OBMP Semi-Annual Status Report 2023-2 will be filed with the Court.

At the Pool Committee meetings held on March 14, 2024, the Appropriative and Overlying (Agricultural) Pools unanimously recommended Advisory Committee to recommend to the Watermaster Board to adopt the Report; the Overlying (Non-Agricultural) Pool unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

On March 21, 2024, this item was presented to the Advisory Committee for consideration. The Advisory Committee unanimously recommended the Watermaster Board to adopt the OBMP Semi-Annual Status Report 2023-2 along with filing a copy with the Court, subject to any necessary non-substantive changes.

## ATTACHMENTS

1. OBMP Semi-Annual Status Report 2023-2

# Optimum Basin Management Program

## Staff Status Report 2023-2: July to December 2023



CHINO BASIN WATERMASTER

Optimum Basin Management Program

### Highlighted Activities

- During this reporting period, Watermaster manually measured about 300 water levels at about 40 private wells and 15 municipal supply wells throughout the Chino Basin; conducted two quarterly downloads of pressure transducers installed at about 130 private, municipal, and monitoring wells; collected groundwater quality samples from 57 municipal, private, and monitoring wells; and collected four surface water quality samples from two sites.
- Pursuant to a monitoring and mitigation requirement of the Peace II Subsequent Environmental Impact Report (SEIR), Watermaster, the Inland Empire Utilities Agency (IEUA), and the Orange County Water District (OCWD) continued to implement the Prado Basin Habitat Sustainability Program (PBHSP). During this reporting period, Watermaster conducted two quarterly downloads of pressure transducers at the 18 PBHSP monitoring wells, collected water quality parameters at four sites quarterly, and collected and reviewed riparian habitat monitoring data.
- Pursuant to the Chino Basin Subsidence Management Plan, Watermaster continued to implement the Ground-Level Monitoring Program for the MZ-1 and Northwest MZ-1 areas. During this reporting period, Watermaster: collected, processed, and checked groundwater level data and aquifer-system deformation data from the Ayala Park, Chino Creek, and Pomona extensometer facilities; groundwater production data from wells in Northwest MZ-1; and continued high-resolution water-level monitoring at about 30 wells within the MZ-1 Managed Area and the Areas of Subsidence Concern. Watermaster also published a draft technical memorandum, *1D Model Simulation of Subsidence in Northwest MZ-1— Subsidence Management Alternative #1*, which included a recommend “Northwest MZ-1 Guidance Level” to slow down rates of compaction and subsidence in Northwest MZ-1 area.
- Watermaster and the IEUA are continuing to implement the 2013 Amendment to the 2010 Recharge Master Plan Update (2013 RMPU) pursuant to the October 2013 Court Order authorizing its implementation. During this reporting period, construction of the Wineville/Jurupa/RP3 and Lower Day projects continued. The agreements for the Montclair Basins were obtained in preparation for the start of construction in 2024.
- During this reporting period, Watermaster and the IEUA recharged a total of 48,313 acre-feet of water: 8,408 acre-feet of stormwater and 4,245 acre-feet of recycled water, and 35,660 acre-feet of imported water.
- Watermaster and IEUA are continuing to implement the Maximum Benefit Salt and Nutrient Management Plan, which includes conducting groundwater and surface water monitoring, maintaining Hydraulic Control of the basin, operating the Chino Desalters at 40,000 acre-feet per year of pumping, managing recycled water quality and recharge, and participating in the re-computation of ambient water quality with the Santa Ana Watershed Project Authority and Basin Monitoring Program Task Force. During this reporting period, Watermaster and the IEUA collaborated with the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) staff to finalize the *Updated Plan for Mitigation of Temporary Loss of Hydraulic Control in the Chino Basin*, which updated the definition of minimum pumping at the Chino Creek Well Field to maintain Hydraulic Control, provided definition of operational flexibility for desalter operation, and updated protocol for mitigation of temporary loss of Hydraulic Control. Additionally, Watermaster and the IEUA continued to provide support to the Santa Ana Water Board staff on the Basin Plan amendment to update the commitments and requirements for the Maximum Benefit Salt and Nutrient Management Plan.
- Watermaster continued work to implement elements of the 2017 Court Order. During this reporting period, this work included initiating the annual data collection and evaluation process covering the period through fiscal year 2022/23 and continuing the process to reevaluate the Safe Yield of the Chino Basin for the period of fiscal year 2021 through 2030.
- During the reporting period, Watermaster and its stakeholders convened the Water Quality Committee and the Storage and Recovery Master Plan Committee to initiate two planning efforts that were identified in the 2020 OBMP Update.

### Important Court Hearings and Orders

#### • AUGUST 4, 2023:

HEARING AND ORDER GRANTING MOTION FOR SITE VISIT BY THE COURT; HEARING AND ORDER DENYING CITY OF ONTARIO'S MOTION CHALLENGING WATERMASTER'S NOVEMBER 17, 2022 ACTIONS/DECISION TO APPROVE THE FY 2022/2023 ASSESSMENT PACKAGE

#### • DECEMBER 1, 2023:

HEARING AND ORDER GRANTING MOTION FOR COURT TO RECEIVE AND FILE WATERMASTER SEMI-ANNUAL OBMP STATUS REPORT 2023-1; HEARING AND ORDER APPROVING WATERMASTER'S 2023 RECHARGE MASTER PLAN UPDATE

# Optimum Basin Management Program

## Program Element 1: Develop and Implement a Comprehensive Monitoring Program

Fundamental to the implementation of the OBMP Program Elements are the monitoring and data collection efforts performed in accordance with Program Element 1, including monitoring basin hydrology, production, recharge, groundwater levels, groundwater quality, and ground-level movement. Various monitoring programs have and will continue to be refined over time to satisfy the evolving needs of Watermaster and the IEUA, such as new regulatory requirements and improved data coverage. Monitoring is performed by basin pumpers, Watermaster staff, and other cooperating entities as follows.

### Groundwater Level Monitoring

Watermaster's basin-wide groundwater-level monitoring program supports the periodic reassessment of Safe Yield, the monitoring and management of ground-level movement, the impact analysis of desalter pumping on private wells, the impact analysis of the implementation of the Peace II Agreement on groundwater levels and riparian vegetation in the Prado Basin, the triennial re-computation of ambient water quality mandated by the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), and the assessment of Hydraulic Control—a maximum-benefit commitment in the Basin Plan. The data are also used to update and recalibrate Watermaster's computer-simulated groundwater flow model in order to assess groundwater flow directions, to compute storage changes, to support interpretations of water quality data, and to identify areas of the basin where recharge and discharge are not in balance.

The current groundwater-level monitoring program is comprised of approximately 1,150 wells. At about 960 of these wells, groundwater levels are measured by well owners, which include municipal water agencies, the California Department of Toxic Substances Control (DTSC), the Counties, and various private consulting firms. Watermaster collects these groundwater level data semi-annually from the well owners. At the remaining 190 wells, groundwater levels are measured monthly by Watermaster staff using manual methods or by pressure transducers that record data on a 15-minute interval. These wells are mainly Agricultural Pool wells or dedicated monitoring wells located south of the 60 freeway.

All groundwater-level data are checked and uploaded to a centralized database management system that can be accessed online through HydroDaVES<sup>SM</sup>. During this reporting period, Watermaster measured approximately 300 groundwater levels at about 40 private wells and 15 municipal supply wells throughout the Chino Basin and conducted two quarterly downloads of 130 pressure transducers installed in private, municipal, and monitoring wells. Additionally, Watermaster compiled all available groundwater-level data from well owners in the basin for the April 2023 to October 2023 period.

### Groundwater Quality Monitoring

Watermaster initiated a comprehensive groundwater-quality monitoring program in which the obtained data may be used for: the biennial *Chino Basin OBMP State of the Basin* report, the triennial re-computation of ambient water quality, the demonstration of Hydraulic Control, monitoring of nonpoint-source groundwater contaminations and plumes associated with point-source contamination, and assessing the overall health of the groundwater basin. Groundwater-quality data are also used in conjunction with numerical models to assist Watermaster and other parties in evaluating proposed salinity management and groundwater remediation strategies. The details of the groundwater-quality monitoring programs as of fiscal year 2023/24 are described below.

**Chino Basin Data Collection (CBDC).** Watermaster routinely and proactively collects groundwater-quality data from well owners including municipal and governmental agencies. Groundwater quality data are also obtained from special studies and monitoring required by orders of the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board)—such as for landfills and other groundwater quality investigations, the DTSC, the US Geological Survey (USGS), and others. These data are collected semi-annually from well owners and monitoring entities. Data are collected for approximately 860 wells as part of the CBDC program. During this reporting period, Watermaster compiled data collected for the CBDC program for the July to December 2023 period.



WM Staff Taking a Water Quality Sample to Test for VOCs

# Optimum Basin Management Program

## Program Element 1: Develop and Implement a Comprehensive Monitoring Program (Continued)

**Watermaster Field Groundwater Quality Monitoring Programs.** Watermaster monitors groundwater quality at privately owned wells and dedicated monitoring wells on a routine basis as follows:

1. *Private Wells.* About 70 private wells, located predominantly in the southern portion of the basin, are sampled at various frequencies based on their proximity to known point-source contamination plumes. Seven wells near contaminant plumes are sampled annually, and the remaining 63 wells are sampled triennially.
2. *Watermaster Monitoring Wells.* Watermaster collects groundwater-quality samples from a total of 49 multi-nested monitoring wells at 22 well sites located throughout the Chino Basin. These monitoring well sites include: nine HCMP sites constructed to support the demonstration of Hydraulic Control in the southern Chino Basin, nine sites constructed to support the PBHSP in the Prado Basin region, and three sites that fill spatial data gaps near contamination plumes in MZ-3. Each nested well site contains up to four wells in the borehole. Additionally, Watermaster samples one single-casing well in MZ-3. Currently, the HCMP and MZ-3 wells are sampled annually, and the PBHSP wells are sampled triennially.
3. *Other Wells.* Watermaster collects quarterly samples from four near-river wells to characterize the interaction of the Santa Ana River and groundwater. These shallow wells along the Santa Ana River consist of two former USGS National Water Quality Assessment Program wells (Archibald 1 and Archibald 2) and two Santa Ana River Water Company (SARWC) wells (active Well 9 and inactive Well 10).

During this reporting period, Watermaster collected groundwater quality samples from three near river wells that are sampled quarterly; the SARWC well 10 was unable to be sampled because it is an old well that appears to be filling in and can no longer be monitored. Well SARWC 10 is a recently converted monitoring well to replace well SARWC 11 that was lost in 2022. Also during this reporting period, Watermaster collected groundwater quality samples from: 11 MZ3 monitoring wells, 21 HCMP monitoring wells, and 22 private wells. The samples were sent to Clinical Laboratories for analysis. All groundwater quality data are checked by Watermaster staff and uploaded to a centralized database management system that can be accessed online through HydroDaVE<sup>SM</sup>.

### Groundwater Production Monitoring

As of the end of this reporting period, there were a total of 432 producing wells, 233 of which were for agricultural uses. The number of agricultural wells has been decreasing in recent years due to urbanization and development. Many of the remaining active agricultural production wells are metered, and Watermaster reads the meters on a quarterly basis. Meter reads and production data are then entered into Watermaster's relational database, which can be accessed online through HydroDaVE<sup>SM</sup>.

### Surface Water Monitoring in the Santa Ana River

Watermaster collects grab water quality samples at two sites along the Santa Ana River (Santa Ana River at River Road and Santa Ana River at Etiwanda) on a quarterly basis. Sample data from these surface water sites and from the near-river wells are used to characterize the interaction between the Santa Ana River and nearby groundwater. During this reporting period, Watermaster collected four surface water-quality samples from the two surface water sites.

### Prado Basin Habitat Sustainability Program (PBHSP)

Mitigation Measure 4.4-3 from the Peace II SEIR requires that Watermaster and the IEUA, in collaboration with the OCWD, form a committee, the Prado Basin Habitat Sustainability Committee (PBHSC), to develop and implement an Adaptive Management Plan for the PBHSP. The PBHSC is open to all interested participants, including the Watermaster Parties, IEUA member agencies, the OCWD, and other interested stakeholders. The objective of the PBHSP is to ensure that riparian habitat in the Prado Basin is not adversely impacted by the implementation of Peace II activities. Currently, the PBHSP consists of a monitoring program and the annual reporting on its results. The monitoring program includes an assessment of the riparian habitat and all factors that could potentially impact the riparian habitat, including those factors affected by Peace II activities such as changes in groundwater levels. Sixteen monitoring wells at nine sites were constructed in 2015 to support the PBHSP. Two existing wells are also monitored as part of the PBHSP. The PBHSC developed the Adaptive Management Plan of the PBHSP to describe an initial monitoring program and a process to modify the monitoring program and/or implement mitigation strategies, as necessary.

During this reporting period, Watermaster performed the following tasks:

- Conducted the groundwater monitoring program, which included quarterly downloads in September and December 2023 of transducers that measure groundwater levels and temperature at 8 PBHSP monitoring wells, and transducers that measure electrical conductivity (EC), temperature, and groundwater levels at ten PBHSP monitoring wells.

# Optimum Basin Management Program

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## Program Element 1: Develop and Implement a Comprehensive Monitoring Program (Continued)

- Conducted the surface-water monitoring program at four surface water sites, which included quarterly collection of field parameters for EC and temperature in September and December 2023.
- Collected and reviewed the following riparian habitat monitoring data:
  - Normalized Difference Vegetation Index (NDVI) remote sensing data collected from Landsat satellites and processed by the USGS for water year 2023.
  - A custom flight to collect a high-resolution air photo for 2023 of the Prado Basin area. This was cost shared with the OCWD.

### Chino Basin Groundwater Recharge Monitoring Program

Watermaster, the IEUA, the Chino Basin Water Conservation District, and the San Bernardino County Flood Control District jointly sponsor the Chino Basin Groundwater Recharge Program. This is a comprehensive water supply program to enhance water supply reliability and improve groundwater quality in local drinking water wells by increasing the recharge of storm, imported, and recycled waters. The recharge program is regulated under IEUA and Watermaster's recycled water recharge permit— Santa Ana Water Board Order No. R8-2007-0039 and Monitoring and Reporting Program No. R8-2007-0039.

Watermaster and the IEUA measure the quantity of storm, imported, and recycled water that enters recharge basins using pressure transducers or staff gauges. The IEUA also conducts water-quality monitoring for all required parameters in Order No. R8-2007-0039 for recycled water, diluent water (storm water, dry-weather flow, and imported water), and groundwater. The IEUA staff samples for recycled water quality data: daily and weekly for the RP-1 and RP-4 effluent; quarterly and annually at two recycled water locations representative of recharge quality; and weekly or monthly from lysimeters at recharge basins. Most of the recycled water recharge basins have alternative compliance plans for total organic carbon (TOC) and Total Nitrogen (TN) using the results from the recycled water samples and the application of a correction factor for soil aquifer treatment. The IEUA also collects samples at about 15 surface water locations for stormwater and dry-weather flows. Imported water quality data for State Water Project water are obtained from the Metropolitan Water District of Southern California (MWDSC). The flow and quality data is used to calculate: 120-month blended water quality for total dissolved solids (TDS) and nitrate of all recharge sources in each recharge basin to assess adequate dilution of recycled water as required by the recycled water recharge permits held with the Division of Drinking Water (DDW); and 5-year blended water quality for TDS and nitrate for all recharge sources in all recharge basins in the Chino Basin as required by the Maximum Benefit Salinity Management Plan (see the Program Element 7 update in this status report).

The IEUA also collects quarterly and annual groundwater quality samples at a network of about 35 dedicated monitoring wells and production wells that are downgradient of the recharge basins.

**Monitoring Activities.** During this reporting period, the IEUA performed its ongoing monitoring program to measure and record recharge volumes and to collect water quality samples for recycled water, diluent water, and groundwater pursuant to IEUA and Watermaster's permit requirements. This included collecting approximately 110 recycled water quality samples, 4 lysimeter samples, 5 diluent water quality samples, and 96 groundwater quality samples for analytical analyses. Daily composite water quality data was also collected at the RP-1 and RP-4 effluent.

**Reporting.** Watermaster and the IEUA completed the following compliance reports concerning the recharge program during this reporting period:

- 2Q-2023 Quarterly Report, which was submitted to the Santa Ana Water Board on August 15, 2023
- 3Q-2023 Quarterly Report, which was submitted to the Santa Ana Water Board on November 15, 2023

### Ground Level Monitoring

To address the historical occurrence of land subsidence and ground fissuring in the Chino Basin, Watermaster prepared and submitted a subsidence management plan (known as the MZ-1 Plan) to the Court for approval, and in November 2007, the Court ordered its implementation (see Program Element 4 in this report for more on MZ-1 Plan implementation). The MZ-1 Plan required several monitoring and mitigation measures to minimize or abate the future occurrence of land subsidence and ground fissuring. These measures and activities included:

- Continuing the scope and frequency of monitoring within the so-called Managed Area that was conducted during the period when the MZ-1 Plan was being developed.

# Optimum Basin Management Program

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## Program Element 1: Develop and Implement a Comprehensive Monitoring Program (Continued)

- Expanding the monitoring of the aquifer system and ground-level movement into other areas of MZ-1 and the Chino Basin where data indicate concern for future subsidence and ground fissuring (Areas of Subsidence Concern).
- Monitoring of horizontal strain across the historical zone of ground fissuring.
- Conducting additional testing and monitoring to refine the MZ-1 Guidance Criteria for subsidence management (e.g., the Long-Term Pumping Test).
- Developing alternative pumping plans for the MZ-1 producers impacted by the MZ-1 Plan.
- Constructing and testing a lower-cost cable extensometer facility at Ayala Park.
- Evaluating and comparing ground-level surveying and Interferometric Synthetic Aperture Radar (InSAR) and recommending future monitoring protocols for both techniques.
- Conducting an aquifer storage recovery (ASR) feasibility study at a City of Chino Hills production well (Well 16) within the MZ-1 Managed Area.

Since the initial MZ-1 Plan was adopted in 2007, Watermaster has conducted the Ground-Level Monitoring Program (GLMP). The main results from the GLMP show that very little permanent land subsidence has occurred in the MZ-1 Managed Area, indicating that subsidence is being successfully managed in this area, but land subsidence has been occurring in Northwest MZ-1. One concern is that land subsidence in Northwest MZ-1 has occurred differentially across the San Jose Fault, following the same pattern of differential subsidence that occurred in the MZ-1 Managed Area during the time of ground fissuring.

Based on these observations, Watermaster determined that the subsidence management plan needed to be updated to include a Subsidence Management Plan for Northwest MZ-1, with the long-term objective of minimizing or abating the occurrence of the differential land subsidence. Thus, Watermaster expanded the GLMP into Northwest MZ-1 and prepared an updated Chino Basin Subsidence Management Plan, which included the Work Plan to Develop a Subsidence Management Plan for Northwest MZ-1 (Work Plan) as an appendix.

During this reporting period, Watermaster undertook the following Chino Basin Subsidence Management Plan activities:

- Continued high-resolution water-level monitoring at approximately 30 wells within the MZ-1 Managed Area and within the Areas of Subsidence Concern. All monitoring equipment was inspected at least quarterly and was repaired and/or replaced as necessary. The data collected were checked and analyzed to assess the functionality of the monitoring equipment and for compliance with the Chino Basin Subsidence Management Plan.
- Performed monthly routine maintenance, data collection, and verification at the Ayala Park, Chino Creek, and Pomona extensometer facilities.
- Continued implementation of the Work Plan:
  - Collected, processed, and checked groundwater level and production data from wells in Northwest MZ-1 on a monthly basis.
  - Collected, processed, and checked groundwater level data and aquifer-system deformation data from the Pomona extensometer facility (PX).
- Published a draft technical memorandum titled: *1D Model Simulation of Subsidence in Northwest MZ-1—Subsidence Management Alternative #1*. This work was used to understand the potential future rates of subsidence in Northwest MZ-1 through 2050 under the pumping/recharge plans of the parties as simulated for the 2020 Safe Yield Reset. The recommendation from this work is that Watermaster should establish a “Northwest MZ-1 Guidance Level” of 630 ft-amsl for hydraulic heads in Layers 3 and 5 at the PX location. This Guidance Level approximates the current and projected heads in Layer 1 where the current and projected rates of compaction are the lowest. The Guidance Level would be an aspirational Watermaster recommendation that, if achieved, would likely slow the rates of compaction and subsidence to more tolerable levels over time.

# Optimum Basin Management Program

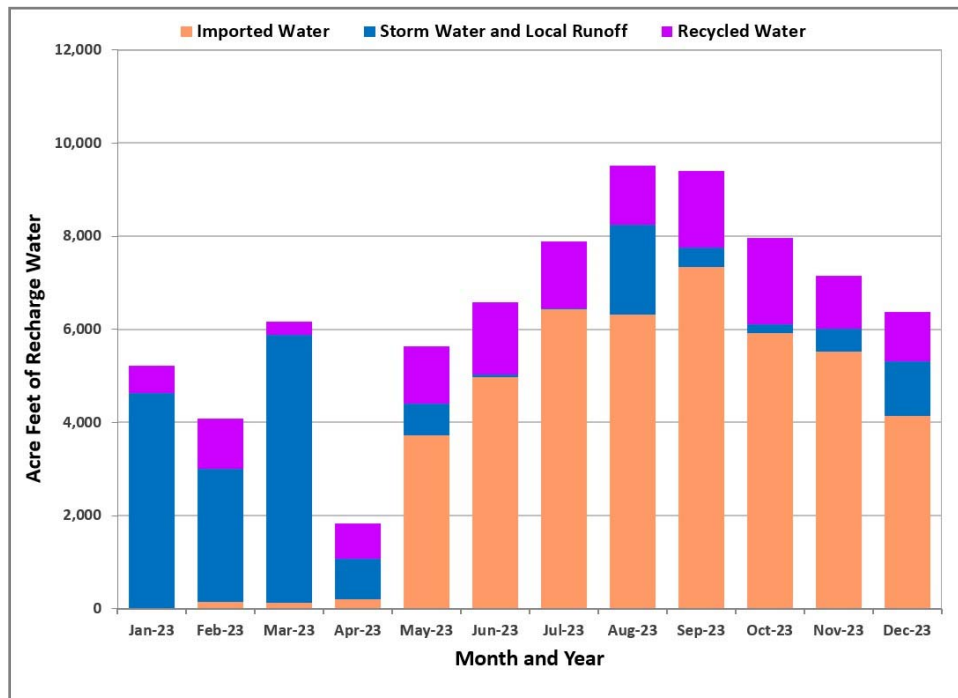
## Program Element 2: Develop and Implement a Comprehensive Recharge Program

The objectives of the comprehensive recharge program include: enhancing the yield of the Chino Basin through the development and implementation of a Recharge Master Plan to improve, expand, and construct recharge facilities that enable the recharge of storm, recycled, and imported waters; ensuring a balance of recharge and discharge in the Chino Basin management zones; and ensuring that sufficient storm and imported waters are recharged to comply with the recycled water dilution requirements in Watermaster and the IEUA’s recycled water recharge permits.

Pursuant to Program Element 2 of the OBMP, Watermaster and the IEUA partnered with the San Bernardino County Flood Control District and the Chino Basin Water Conservation District to construct and/or improve 18 recharge sites. This project is known as the Chino Basin Facilities Improvement Project (CBFIP). The average annual stormwater recharge of the CBFIP facilities is approximately 10,000 acre-feet per year, the supplemental “wet”<sup>1</sup> water recharge capacity is about 56,600 acre-feet per year, and the in-lieu supplemental water recharge capacity ranges from 17,700 to 49,900 acre-feet per year. In addition to the CBFIP facilities, the Monte Vista Water District (MVWD) has four aquifer storage and recovery (ASR) wells with a well injection capacity of 5,500 acre-feet per year. The current total supplemental water recharge capacity ranges from 90,310 to 118,310 acre-feet per year, which is greater than the projected supplemental water recharge capacity required by Watermaster.

In 2008, Watermaster began preparing the *2010 Recharge Master Plan Update* (2010 RMPU) pursuant to the December 21, 2007 Court Order (the Peace II Agreement) to complete a Recharge Master Plan Update by July 1, 2010. In October 2010, the Court accepted the 2010 RMPU as satisfying the condition and ordered that certain recommendations of the 2010 RMPU be implemented. In November 2011, Watermaster reported its progress to the Court pursuant to the October 2010 Court Order, and in December 2011, the Court issued an order directing Watermaster to continue with its implementation of the 2010 RMPU per its October 2010 order but with a revised schedule. On December 15, 2011, the Watermaster Board moved to:

“approve that within the next year there will be the completion of [a] Recharge Master Plan Update, there will be the development of an Implementation Plan to address balance issues within the Chino Basin subzones, and the development of a Funding Plan, as presented.”



<sup>1</sup> The modifier “wet” means actual physical water is being recharged in spreading basins as opposed to the dedication of water from storage or in-lieu recharge.



# Optimum Basin Management Program

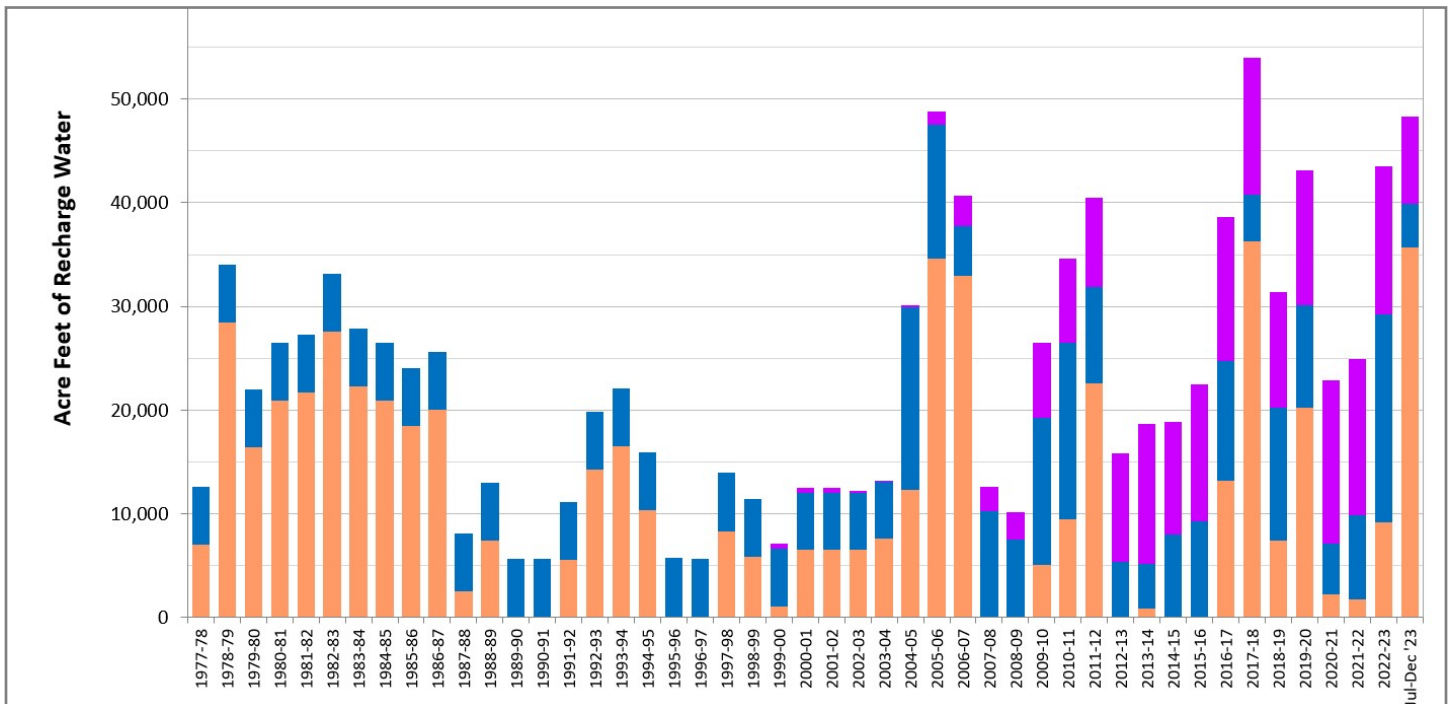
## Program Element 2: Develop and Implement a Comprehensive Recharge Program (Continued)

This motion led to the development of an update to the 2010 RMPU, and in 2012, Watermaster staff sent out a “call for projects” to the Watermaster Parties, seeking their recommendations for recharge improvement projects that should be considered in the update. The *2013 Amendment to the 2010 Recharge Master Plan Update* (2013 RMPU) outlines the recommended projects to be implemented by Watermaster and the IEUA and lays out the implementation and financing plans. The 2013 RMPU report was approved by the Watermaster Board in September 2013 and filed with the Court in October 2013. In December 2013, the Court approved the 2013 RMPU except for Section 5, which dealt with the accounting for new recharge from Municipal Separate Stormwater Sewer Systems; Section 5 was later approved by the Court in April 2014.

In September 2018, Watermaster completed the 2018 Recharge Master Plan Update (2018 RMPU) and submitted it to the Court in October 2018. On December 28, 2018, the Court approved the 2018 RMPU.

In September 2023, Watermaster completed the 2023 Recharge Master Plan Update (2023 RMPU) and submitted it to the Court in October 2023. The Court approved the 2023 RMPU on December 6, 2023.

**2013 RMPU Implementation.** Watermaster and the IEUA are continuing to carry out the October 2013 Court Order, which authorizes them to implement the 2013 RMPU. Construction of the San Sevaine Basin improvements was completed in September 2018 and the construction of the Victoria Basin improvements was completed in December 2018. During this reporting period, the construction work for the Wineville/Jurupa/RP3 and Lower Day projects continued. The Lower Day project is substantially complete, pending a check list and final systems test. IEUA finalized the required regulatory agreement with California Department of Fish and Wildlife which has delayed the project bidding and construction for the Montclair Basins project. The updated project completion date for Montclair Basins is 2024.



Additionally, Watermaster and the IEUA continue to collaborate in the development of projects outside of the 2013 RMPU effort that will increase and/or facilitate stormwater and supplemental water recharge and have jointly funded these projects, including monitoring upgrades and habitat conservation. During this reporting period, no projects were completed.

The Recharge Investigation and Projects Committee met two times during this reporting period on the progress of implementing the 2013 RMPU Projects and other recharge-related projects.

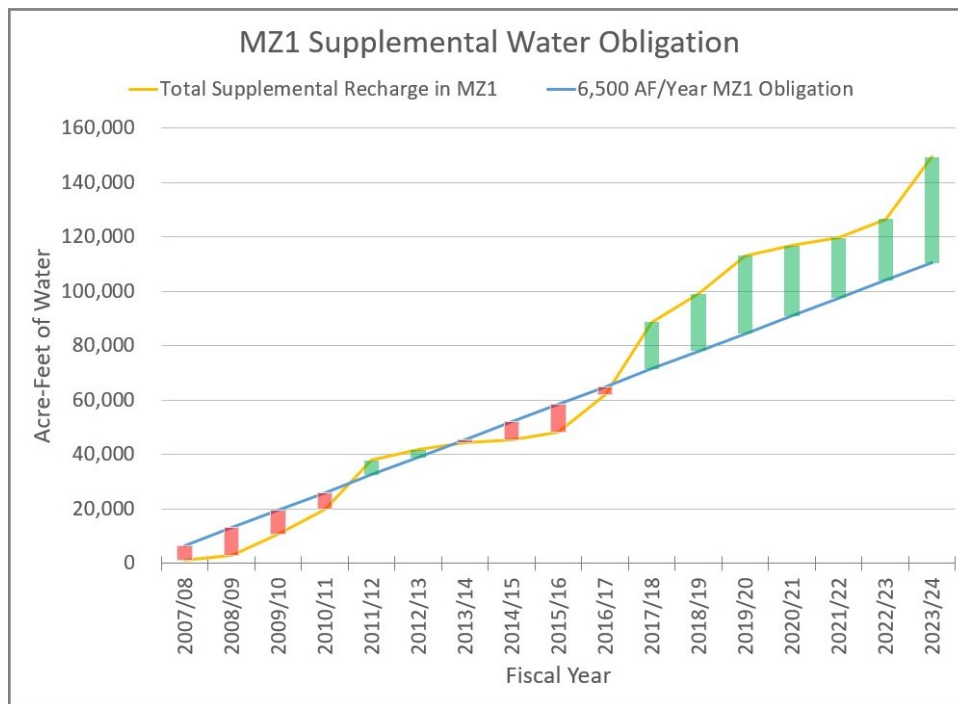
# Optimum Basin Management Program

## Program Element 2: Develop and Implement a Comprehensive Recharge Program (Continued)

**Recharge for Dilution of Recycled Water.** In fiscal year 2009/10, Watermaster and the IEUA’s recycled water recharge permit was amended to allow for existing underflow dilution and extended the period for calculating dilution from a running 60-month to a running 120-month period. Additionally, the IEUA has worked with the DDW to obtain approval to increase the allowable recycled water contribution (RWC) at wells to 50 percent. These permit amendments allow for increased recycled water recharge without having to increase the amount of imported and storm waters required for dilution. The IEUA projects its dilution requirements as part of its annual reporting to the Santa Ana Water Board. Based on the latest Annual Report (May 2023), the IEUA projects that dilution requirements will be met through 2032 even if no imported water is available for dilution.

**Recharge Activities.** During this reporting period, ongoing recycled water recharge occurred in the Brooks, 8th Street, Victoria, San Sevaine, Banana, RP-3, and Decléz Basins; stormwater was recharged at 18 recharge basins across all Chino Basin management zones; and imported water was recharged at MVWD’s ASR wells, Upland, College Heights, Montclair, 8th Street, Turner, Lower Day, Etiwanda, San Sevaine, Hickory, RP-3, and Jurupa Basins. From July 1 through December 31, 2023, Watermaster and the IEUA recharged a total of 48,313 acre-feet of water: 8,408 acre-feet of stormwater, 4,245 acre-feet of recycled water, and 35,660 acre-feet of imported water.

**Balance of Recharge and Discharge in MZ-1.** The total amount of supplemental water recharged in MZ-1 since the Peace II Agreement through December 31, 2023 was approximately 149,373 acre-feet, which is about 38,873 acre-feet more than the 110,500 acre-feet required by June 30, 2024 (annual requirement of 6,500 acre-feet). The amount of supplemental water recharged into MZ-1 during the reporting period was approximately 22,864 acre-feet.



## Program Element 3: Develop and Implement Water Supply Plan for the Impaired Areas of the Basin; and Program Element 5: Develop and Implement Regional Supplemental Water Program

As stated in the OBMP, “the goal of Program Elements 3 and 5 is to develop a regional, long range, cost effective, equitable, water supply plan for producers in the Chino Basin that incorporates sound basin management.” One element of the water supply plan is the development of a way to replace the decline in agricultural groundwater production to prevent significant amounts of degraded groundwater from discharging to the Santa Ana River and violating the Basin Plan. Replacing the decline in agricultural groundwater production will mitigate the reduction of the Safe Yield of the basin and allow for more flexibility in the basin’s supplemental water supplies if the produced groundwater is treated. This is achieved through the operation of the Chino Basin Desalter facilities, which

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## **Program Element 3: Develop and Implement Water Supply Plan for the Impaired Areas of the Basin; and Program Element 5: Develop and Implement Regional Supplemental Water Program (Continued)**

comprise a series of wells and treatment facilities in the southern Chino Basin that are designed to replace the decline of the agricultural groundwater producers and to treat and serve this groundwater to various Appropriative Pool members.

The Chino I Desalter expansion and the Chino II Desalter facilities were completed in February 2006, bringing the total Chino Basin Desalter capacity to 29 million gallons per day (MGD) (32,480 acre-feet per year). Development and planning continued between the Chino Desalter Authority (CDA) and Watermaster to expand the production and treatment capacity of the Chino Basin Desalter by about 10 MGD. More than \$77 million in grant funds were secured toward this expansion. As currently configured, the Chino I Desalter treats about 14,500 acre-feet of groundwater per year (12.9 MGD) pumped from 14 wells (I-1 through I-11, and I-13 through I-15). This water is treated through air stripping (volatile organic compound [VOC] removal), ion exchange (nitrate removal), and/or reverse osmosis (for nitrate and TDS removal). The Chino II Desalter produces about 25,500 acre-feet of groundwater per year (22.7 MGD) from pumping at eleven wells (II-1 through II-4 and II-6 through II-12). This water is treated through ion exchange and/or reverse osmosis.

The most recently completed expansion of the Chino Basin Desalters included adding three wells (Wells II-10, II-11, and II-12) to Chino II Desalter. These wells provide additional raw water to the Chino II Desalter to meet the maximum-benefit commitment to produce a total of 40,000 acre-feet per year from the combined desalter well fields. These wells are also being utilized as part of the remediation action plan to clean up the South Archibald Plume (see the Program Element 6 update in this status report). Construction of wells II-10 and II-11 was completed in late 2015, equipping of the wells was completed in August 2018, and production at the wells commenced soon after.

Construction of well II-12 was completed in November 2020. And construction of the dedicated pipeline to convey groundwater from wells II-12, II-10, II-11, and I-11 to the Chino II Desalter was completed in August 2021 and well II-12 began pumping soon after. The Chino Basin Desalters reached the 40,000 acre-feet per year of pumping capacity in June 2020, prior to the commencement of pumping at well II-12. During the reporting period, the Chino Basin Desalters maintained the pumping rate of 40,000 acre-feet per year.

## **Program Element 4: Develop and Implement a Comprehensive Groundwater Management Plan for Management Zone 1**

Because of the historical occurrence of pumping induced land subsidence and ground fissuring in southwestern Chino Basin (Managed Area), the OBMP required the development and implementation of an Interim Management Plan (IMP) for MZ-1 that would:

- Minimize subsidence and fissuring in the short-term.
- Collect the 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.

From 2001-2005, Watermaster developed, coordinated, and conducted an IMP under the guidance of the MZ-1 Technical Committee (referred to now as the Ground-Level Monitoring Committee or GLMC). 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 Plan. The Guidance Criteria included a list of Managed Wells and their owners subject to the criteria, a map of the so-called Managed Area, and an initial threshold water level (Guidance Level) of 245 feet below the top of the PA-7 well casing. The MZ-1 Summary Report and the Guidance Criteria were adopted by the Watermaster Board in May 2006. The Guidance Criteria formed the basis for the MZ-1 Plan, which was approved by Watermaster in October 2007. The Court approved the MZ-1 Plan in November 2007 and ordered its implementation. Watermaster has implemented the MZ-1 Plan since that time, including the ongoing Ground-Level Monitoring Program (GLMP) called for by the MZ-1 Plan (refer to in Program Element 1).

The MZ-1 Plan states that if data from existing monitoring efforts in the so-called Areas of Subsidence Concern indicate the potential for adverse impacts due to subsidence, Watermaster will revise the MZ-1 Plan pursuant to the process outlined in Section 3 of the MZ-1 Plan. In early 2015, Watermaster prepared an update to the MZ-1 Plan, which included a name change to the *2015 Chino Basin Subsidence Management Plan*, and a *Work Plan to Develop the Subsidence Management Plan for Northwest MZ-1* (Work Plan) as an appendix. The Chino Basin Subsidence Management Plan and the Work Plan were adopted through the Watermaster Pool process in July 2015.

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## Program Element 4: Develop and Implement a Comprehensive Groundwater Management Plan for Management Zone 1 (Continued)

The data, analysis, and reports generated through the implementation of the MZ-1 Plan, Chino Basin Subsidence Management Plan, and Work Plan are reviewed and discussed by the GLMC, which meets on a periodic basis throughout the year. The GLMC is open to all interested participants, including the Watermaster Parties and their consultants. During this reporting period, Watermaster undertook the following data analysis and reporting tasks:

- Finalized the *2022-23 Annual Report for the Ground-Level Monitoring Program* including responses to GLMC comments.
- Published a draft technical memorandum titled: *1D Model Simulation of Subsidence in Northwest MZ-1—Subsidence Management Alternative #1*. This work was used to understand the potential future rates of subsidence in Northwest MZ-1 through 2050 under the pumping/recharge plans of the parties as simulated for the 2020 Safe Yield Reset. The recommendation from this work is that Watermaster should establish a “Northwest MZ-1 Guidance Level” of 630 ft-amsl for hydraulic heads in Layers 3 and 5 at the PX location. This Guidance Level approximates the current and projected heads in Layer 1 where the current and projected rates of compaction are the lowest. The Guidance Level would be an aspirational Watermaster recommendation that, if achieved, would likely slow the rates of compaction and subsidence to more tolerable levels over time.

One GLMC meeting was conducted during the reporting period on October 4, 2023. The meeting agenda included:

- Review the draft *2022-23 Annual Report for the Ground-Level Monitoring Program*.
- Review the draft technical memorandum: *1D Model Simulation of Subsidence in Northwest MZ-1—Subsidence Management Alternative #1*.

## Program Element 6: Develop and Implement Cooperative Programs with the Regional Water Quality Control Board, Santa Ana Region and Other Agencies to Improve Basin Management

Program Elements 6 and 7 are necessary to address the water quality management problems in the Chino Basin. During the development of the OBMP, it was identified that Watermaster did not have sufficient information to determine whether point and non-point sources of groundwater contamination are being adequately addressed, including the various Chino Basin contaminant plumes. With the Santa Ana Water Board and other agencies, Watermaster has worked to address the following major point source contaminant plumes in the Chino Basin:

### *South Archibald Plume*

In July 2005, the Santa Ana Water Board prepared draft Cleanup and Abatement Orders (CAOs) for six parties who were tenants on the Ontario Airport regarding the South Archibald Trichloroethene (TCE) Plume in the southern portion of the Chino Basin. The draft CAOs required the parties to “submit a work plan and time schedule to further define the lateral and vertical extent of the TCE and related VOCs that are discharging, have been discharged, or threaten to be discharged from the site” and to “submit a detailed remedial action plan, including an implementation schedule, to cleanup or abate the effects of the TCE and related VOCs.” Four of the six parties (Aerojet-General Corporation, The Boeing Company, General Electric, and Lockheed Martin) voluntarily formed a group known as ABGL to work jointly on a remedial investigation. Northrop Grumman declined to participate in the group. The US Air Force, in cooperation with the US Army Corps of Engineers, funded the installation of one of the four clusters of monitoring wells installed by the ABGL Parties.

In 2008, Santa Ana Water Board staff conducted research pertaining to the likely source of the TCE contamination and identified discharges of wastewater that may have contained TCE to the RP-1 treatment plant and associated disposal areas as a potential source. The Santa Ana Water Board identified several industries, including some previously identified tenants of the Ontario Airport property, that likely used TCE solvents before and during the early-1970s, and discharged wastes to the Cities of Ontario and Upland’s sewage systems and subsequently to the RP-1 treatment plant and disposal areas. In 2012, an additional Draft CAO was issued by the Santa Ana Water Board jointly to the City of Ontario, City of Upland, and IEUA as the previous and current operators of the RP-1 treatment plant and disposal area (collectively, the RP-1 Parties). In part, the draft CAOs require that RP-1 Parties “supply uninterrupted replacement water service [...] to all residences south of Riverside Drive that are served by private domestic wells at which TCE has been detected at concentrations at or exceeding 5 µg/L [...]” and to report this information to the Santa Ana Water Board. In addition, the RP-1 Parties are to “prepare and submit [a] [...] feasibility study” and “prepare, submit and implement the Remedial Action Plan” to mitigate the “effects of the TCE groundwater plume.”

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## Program Element 6: Develop and Implement Cooperative Programs with the Regional Water Quality Control Board, Santa Ana Region and Other Agencies to Improve Basin Management (Continued)

Under the Santa Ana Water Board's oversight, the ABGL Parties and/or the RP-1 Parties conducted sampling four sample events at private residential wells and taps between 2007 and 2014 in the region where groundwater is potentially contaminated with TCE. By 2014, all private wells and/or taps in the region of the plume had been sampled at least once. Alternative water systems (tanks) have been installed at residences in the area where well or tap water contains TCE at or above 80 percent of the maximum contaminant level (MCL) for TCE. Residents who declined tank systems are being provided bottled water. Watermaster also samples for water quality at private wells in the area and uses this and other data obtained from its data collection programs to independently delineate the spatial extent of the plume. Watermaster completed its most recent characterization of the plume in June 2021 for the 2020 Chino Basin OBMP State of the Basin Report. In October of this reporting period, Watermaster prepared a semi-annual status report on the South Archibald Plume for Watermaster Parties.

In July 2015, the RP-1 Parties completed the Draft Feasibility Study Report for the South Archibald Plume (Feasibility Study). The Feasibility Study established cleanup objectives for both domestic water supply and plume remediation and evaluated alternatives to accomplish these objectives. In November 2015, a revised Draft Feasibility Study, Remedial Action Plan, and Responses to Comments were completed to address input from the public, the ABGL, and others. In September 2016, the Santa Ana Water Board issued the Final CAO R8-2016-0016 collectively to the RP-1 Parties and the ABGL Parties. The Final CAO was adopted by all parties in November 2016, thus approving the preferred plume remediation and domestic water supply alternatives identified in the Remedial Action Plan. The parties also reached a settlement agreement that aligns with the Final CAO and authorizes funding to initiate implementation of the plume remediation alternative.

The plume remediation alternative involves the use of CDA production wells and facilities. The RP-1 Parties reached a Joint Facility Development Agreement with the CDA for the implementation of a project designed in part to remediate the South Archibald Plume. The project, termed the Chino Basin Improvement and Groundwater Clean-up Project, includes the operation of three newly constructed CDA wells (II-10, II-11, and II-12) and a dedicated pipeline connecting the three wells and the existing CDA well I-11 to the Desalter II treatment facility. Construction of two of the three wells (II-10 and II-11) were completed and became operational in 2018. The construction of well II-12 was completed in November 2020. In the first half of 2021, the RP-1 Parties and the CDA submitted the final *Monitoring and Reporting Plan for the Chino Basin Improvement and Groundwater Clean-up Project* to the Santa Ana Water Board and completed the construction of five multi-depth monitoring wells at two locations in the South Archibald Plume (II-MW-4 and II-MW-5). In 2021, the CDA completed the equipping of well II-12, the modification to the decarbonator, and the construction of the raw water pipeline, and the project became operational in August of 2021.

The domestic water supply alternative for the private residences affected by TCE groundwater contamination is a hybrid between the installation of tank systems for some residences, where water is delivered from the City of Ontario potable supply via truck deliveries, and the installation of a temporary pipeline to connect some residences to the City of Ontario potable water system. The Cities of Ontario and Upland have assumed responsibility for implementing the domestic water supply alternative. In February 2017, the Cities of Ontario and Upland submitted the Domestic Water Supply Work Plan to the Santa Ana Water Board to outline the approach to monitoring and supplying alternative water supplies for affected residences. The City of Ontario will continue to monitor for potentially affected residences to ensure that an alternative water supply is offered and provided to any residences with TCE concentrations greater than 80% of the MCL for TCE. During this reporting period the City of Ontario completed the annual water supply sampling event at private residences pursuant to the Domestic Water Supply Plan and prepared and submitted an annual monitoring report of the results to the Santa Ana Water Board in December 2023. As of the end of 2023, there are 30 affected residences that are being supplied water by tank systems, and five affected residences that remain on bottled water.

### Chino Airport Plume

In 1990, the Santa Ana Water Board issued CAO No. 90-134 to the County of San Bernardino, Department of Airports (County) to address groundwater contamination originating from Chino Airport. During 1991 to 1992, ten underground storage tanks and 310 containers of hazardous waste were removed, and 81 soil borings were drilled and sampled on the airport property. From 2003 to 2005, nine onsite monitoring wells were installed and used to collect groundwater quality samples. In 2007, the County conducted its first offsite monitoring effort, and in 2008, the Santa Ana Water Board issued CAO No. R8-2008-0064, requiring the County to define the lateral and vertical extent of the plume and prepare a remedial action plan. From 2009 to 2015, Tetra Tech, consultant to the County, conducted several off-site and on-site plume characterization studies to delineate the areal and vertical extent of the plume and constructed 66 monitoring wells. In August 2016, the County completed a Draft Feasibility Study to identify remedial action objectives and evaluate remediation alternatives for mitigation. In January 2017, the Santa Ana Water Board issued CAO R8-2017-0011, which requires the County to prepare a Final Feasibility Study that incorporates comments from the

# Optimum Basin Management Program

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## Program Element 6: Develop and Implement Cooperative Programs with the Regional Water Quality Control Board, Santa Ana Region and Other Agencies to Improve Basin Management (Continued)

Santa Ana Water Board and to prepare, submit, and implement a Remedial Action Plan. The County submitted a Final Feasibility Study on June 6, 2017, and it was approved by the Santa Ana Water Board on June 7, 2017. On December 18, 2017, the County submitted the *Draft Interim Remedial Action Plan* with the remediation alternative is a groundwater pump-and-treat system to provide hydraulic containment and treatment of the Chino Airport plume. The system consists of ten extraction wells that will produce approximately 1,700 gallons per minute along with groundwater produced from CDA's I-16 through I-18. The groundwater extracted will be conveyed to a new granular activated carbon (GAC) constructed by the CDA, with funding shared by the County (South GAC System). An additional treatment system (North GAC System) constructed by CDA will treat water from four CDA wells (I-1 through I-4) that produce from the lower aquifer in the plume; however, this system is not associated with the County's remedial action. Once treated at the South GAC system, water will be conveyed to the existing Chino I Desalter that uses reverse osmosis and ion exchange to treat for nitrate and TDS and will be discharged for use as potable municipal water supply.

Since 2018, the County constructed five extraction wells, 12 piezometers, and 14 monitoring wells to assist with the design for the remedial solution and delineation of the plume. In 2022, the County completed the final *Remedial Action Work Plan* which divides the construction of the pump and treat system into two phases. The first Phase (1) is in progress and includes the construction of the remaining onsite extraction wells, conveyance pipeline, and additional monitoring wells, which should be completed by 2025. Phase 2 will focus on offsite locations of the treatment system. In April 2023, CDA wells I-17 (offline for 5 years) and I-18 (never been online) within the Chino Airport plume began pumping and conveyed groundwater for treatment at the South GAC System. During this reporting period the County commenced construction of the onsite extraction wells, and acquisition of property rights for the offsite extraction wells and pipeline as part of Phase 2.

Watermaster has commitments to this area within the vicinity of the Chino Airport to maintain Hydraulic Control and to avoid impacts to the groundwater dependent riparian habitat in the Prado Basin, and in 2018 Watermaster used the Chino Basin groundwater flow model to analyze how increased groundwater production for the remedial solution will affect groundwater levels within the vicinity. Watermaster completed the modeling and prepared a technical memorandum to describe the results, which concluded that operation of the remedial solution would improve Hydraulic Control in this area. And in January 2022, the County completed construction of six wells near the riparian habitat along Chino Creek and initiated monitoring of groundwater levels for potential impacts from pumping at the remedial solution.

The County conducts quarterly and/or annual monitoring events at all 89 of their monitoring wells constructed to date. The conclusions from this monitoring program can be found in reports posted on the Santa Ana Water Board's GeoTracker website. The most recent monitoring report submitted to the Santa Ana Water Board is the *Semiannual Groundwater Monitoring Report Winter and Spring 2023 Chino Airport Groundwater Assessment, San Bernardino County, California*, which was submitted to the Santa Ana Water Board in during this reporting period in December 2023. Watermaster also samples for water quality at private and monitoring wells in the area and uses this and other data obtained from its data collection programs to independently delineate the spatial extent of the plume. In June 2023, Watermaster completed its most recent characterization of the plume for the *2022 Chino Basin OBMP State of the Basin Report*. In October of this reporting period, Watermaster prepared a semi-annual status report on the Chino Airport Plume for Watermaster Parties.

### Other Plumes

Watermaster continues to track the monitoring programs and mitigation measures associated with other point sources in the Chino Basin, including: Alumax Aluminum Recycling, Alger Manufacturing Facility, the Former Crown Coach Facility, General Electric Test Cell and Flatiron, Former Kaiser Steel Mill, Milliken Landfill, Upland Landfill, and the Stringfellow National Priorities List sites. During this reporting period, Watermaster prepared the most recent annual status reports in October 2023 for the GE Test Cell, GE Flatiron, Milliken Landfill, California Institution for Men, Stringfellow Plumes, and the former Kaiser Steel Mill site. The most current Watermaster delineations of the extent of these (VOC) plumes were completed in June 2023 for the 2022 Chino Basin OBMP State of the Basin Report.

### Water Quality Management Program

Through the collaborative stakeholder process to update the OBMP in 2020 (see 2020 OBMP Update section of this report), the parties identified a new management action under PE 6 to development of a Water Quality Management Program (WQMP) that addresses contaminants of emerging regulations of concern to better prepare the parties for addressing compliance with new State

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## Program Element 6: Develop and Implement Cooperative Programs with the Regional Water Quality Control Board, Santa Ana Region and Other Agencies to Improve Basin Management (Continued)

and Federal drinking water regulations, and provides for the long-term maximum beneficial use of the basin. It was identified that reconvening the Water Quality Committee (WQC) that met historically from 2003 to 2010 to implement PE 6 of the 2000 OBMP would be the ideal approach to guide the development and implementation of the WQMP. During this reporting period, Watermaster held a kick-off meeting to reconvene the WQC on October 18, 2023. The October WQC meeting attendees were asked to provide initial feedback on the emerging contaminants to monitor for the initial Emerging Contaminants Monitoring Plan to support the development of a WQMP and what are some of the initial goals and objectives for a WQMP and the WQC.

## Program Element 7: Develop and Implement a Salt Management Program

### *Maximum Benefit Salt and Nutrient Management Plan*

In January 2004, the Santa Ana Water Board amended the Basin Plan to incorporate an updated TDS and nitrogen (N) management plan. The Basin Plan amendment includes both "antidegradation" and "maximum-benefit" objectives for TDS and nitrate as N (nitrate) for the Chino-North and Cucamonga groundwater management zones (GMZs). The maximum-benefit objectives allow for recycled water reuse and recharge of recycled and imported waters without the immediate need for mitigation; these activities are an integral part of the OBMP. The application of the maximum-benefit objectives is contingent on the implementation of specific projects and requirements termed the maximum-benefit commitments by Watermaster and IEUA. The status of compliance with each commitment is reported to the Santa Ana Water Board annually in April. The nine maximum-benefit commitments include:

1. The development and implementation of a surface water monitoring program.
2. The development and implementation of a groundwater monitoring program.
3. The expansion of the Chino I Desalter to a capacity of 10 MGD and the construction of the Chino II Desalter with a design capacity of 10 MGD.
4. The additional expansion of desalter capacity (to 40 MGD) pursuant to the OBMP and the Peace Agreement (tied to the IEUA's agency-wide effluent TDS concentration).
5. The completion of the recharge facilities included in the Chino Basin Facilities Improvement Program.
6. The management of recycled water quality to ensure that the IEUA agency-wide, 12-month volume-weighted running average TDS and TIN concentrations do not exceed 550 mg/l and 8 mg/l, respectively.
7. The management of basin-wide, volume-weighted TDS and nitrogen concentrations in artificial recharge to less than or equal to the maximum-benefit objectives of 420 mg/l and 5 mg/l, respectively, on a five-year volume-weighted basis.
8. The achievement and maintenance of the "Hydraulic Control" of groundwater outflow from the Chino-North GMZ to protect Santa Ana River water quality and downstream beneficial uses.
9. The determination of ambient TDS and nitrate concentrations of Chino Basin groundwater every three years.

**Monitoring Programs.** Pursuant to maximum-benefit commitment numbers 1 and 2, Watermaster and the IEUA submitted a surface water and groundwater monitoring program work plan to the Santa Ana Water Board in May 2004. On April 15, 2005, the Santa Ana Water Board adopted resolution R8-2005-0064, approving Watermaster and the IEUA's surface and groundwater monitoring programs (2005 Work Plan). These monitoring programs were implemented pursuant to the 2005 Work Plan from 2004 to 2012. On February 12, 2012, the Santa Ana Water Board adopted an amendment to the Basin Plan to remove all references to the specific monitoring locations and sampling frequencies required for groundwater and surface water monitoring. The Basin Plan amendment allows the monitoring programs to be modified over time, subject to the approval of the Executive Officer of the Santa Ana Water Board. On December 6, 2012, the State Office of Administrative Law finalized the approval of the Basin Plan amendment. In place of specific monitoring requirements, the Basin Plan amendment required that Watermaster and the IEUA submit (i) a new surface water monitoring program work plan by February 25, 2012, and (ii) a new groundwater monitoring program work plan by December 31, 2013 to the Santa Ana Water Board for approval. Pursuant to (i), Watermaster and the IEUA submitted the *2012 Hydraulic Control Monitoring Program Work Plan*, which was approved by the Santa Ana Water Board in March 2012. Pursuant to (ii), Watermaster and the IEUA submitted the *2014 Maximum-Benefit Monitoring Program Work Plan (2014 Work Plan)* which was approved by the Santa Ana Water Board in April 2014. The 2014 Workplan describes: the questions to be answered by the monitoring program, the methods that will be employed to address each question, the monitoring and data collection that will be performed to implement the methods, and a reporting schedule. The monitoring pursuant to the 2014 Work Plan is incorporated as

# Optimum Basin Management Program

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## Program Element 7: Develop and Implement a Salt Management Program (Continued)

part of the groundwater level, groundwater quality, and surface water monitoring programs described in Program Element 1. During this reporting period, Watermaster continued to implement the monitoring programs (see Program Element 1 for details).

**Hydraulic Control and Chino Basin Desalters.** Pursuant to maximum-benefit commitment number 8, to achieve and maintain Hydraulic Control, the Chino Basin Desalters were expanded (maximum-benefit commitments numbers 3 and 4) to increase production in the southern portion of the Chino Basin. The Chino Basin Desalters are designed to replace the decreased agricultural production that previously prevented the outflow of high TDS and nitrate groundwater to the Santa Ana River and the Prado Basin surface water management zone (PBMZ). Hydraulic Control is defined by the Basin Plan as the elimination of groundwater discharge from the Chino-North GMZ to the Santa Ana River to a *de minimis* level. Pursuant to commitment number 8, Watermaster and the IEUA submitted a mitigation plan (2005 Mitigation Plan) to the Santa Ana Water Board in March 2005. This plan demonstrated how Watermaster and the IEUA would address the mitigation for any temporary loss of Hydraulic Control. In October 2011, the Santa Ana Water Board defined the *de minimis* discharge of groundwater from the Chino-North GMZ to the PBMZ as 1,000 acre-feet per year or less. Watermaster and the IEUA have demonstrated that complete Hydraulic Control has been achieved at and east of Chino I Desalter Well 20. The construction and operation of the CCWF (see Program Element 5), which began in 2010, is intended to achieve Hydraulic Control, per the definition above, at the area west of Chino I Desalter Well 5. Watermaster and the IEUA recalibrate the Chino Basin groundwater-flow model every five years to estimate groundwater discharge from the Chino-North GMZ to the PBMZ (i.e., annual underflow past the CCWF) to determine whether Hydraulic Control has been achieved.

In February 2016, the CCWF commenced full-scale operation with production at wells I-16, I-17, I-20, and I-21 to achieve and maintain Hydraulic Control at the area west of Chino I Desalter Well 5. Production at the CCWF has decreased since 2017 as a result of the new MCL for 1,2,3-TCP, which required the temporary cessation of operation at Well I-17. In 2020, the Chino Basin groundwater-flow model was used to estimate the historical (fiscal year 2004-2018) and projected (fiscal year 2019-2050) volume of groundwater discharge past the CCWF under revised pumping conditions at the CCWF. The model results indicate that both the estimated historical and projected discharge past the CCWF area are always below the *de minimis* threshold level of 1,000 acre-feet per year. The model assumes an annual average pumping volume at the CCWF of 992 acre-feet per year from fiscal year 2019 through 2050.

Future agricultural groundwater production in the southern part of the basin is expected to continue to decline, necessitating future expansion of the desalters to sustain Hydraulic Control. In a letter dated January 23, 2014, the Santa Ana Water Board required that Watermaster and the IEUA submit a plan detailing how Hydraulic Control will be sustained in the future as agricultural production in the southern region of Chino-North continues to decrease—specifically, how the Chino Basin Desalters will achieve the required total groundwater production level of 40,000 acre-feet per year. On June 30, 2015, Watermaster and the IEUA submitted a final plan and schedule for the construction and operation of three new desalter wells (II-10, II-11, and II-12). Well II-10 and II-11 were constructed and began operation in mid-2018, and Well II-12 was constructed in 2020 and began operation in mid-2021. The Chino Basin Desalters officially reached the pumping capacity necessary to meet the 40,000 acre-feet per year required for Hydraulic Control in June 2020. This pumping capacity was achieved without the inclusion of Well II-12, which was operational in August 2021 and was part of the final expansion plan designed to meet the 40,000 acre-feet per year. A full status report on the desalter expansion facilities is described in Program Element 3.

Watermaster prepared an update to the 2005 Mitigation Plan to formally update (i) plan and schedule for the mitigation of any temporary loss of Hydraulic Control, (ii) definition of the required minimum pumping at the CCWF to maintain outflows from the Chino-North GMZ to the PBMZ to *de minimis* level, and (iii) definition of operational flexibility around the 40,000 acre-feet per year requirement for the aggregate pumping at the CDA facilities. The draft updated mitigation plan was submitted to the Santa Ana Water Board on June 30, 2022.

During this reporting period, Watermaster, IEUA, and CDA met with the Santa Ana Water Board staff in September and October 2023 to discuss the draft updated mitigation plan. Following the meetings, IEUA and Watermaster finalized and submitted the mitigation plan to the Santa Ana Water Board on December 11, 2023. The updated mitigation plan: removed the definition of the minimum pumping requirement at the CCWF to maintain Hydraulic Control; provided definition of operational flexibility for desalter production fluctuations on the order of plus or minus 2,100 acre-feet a year that maintain a five-year average pumping of about 40,000 acre-feet a year; and updated protocol for mitigation of temporary loss of Hydraulic Control.

**Recycled Water Quality.** Pursuant to the maximum-benefit commitment number 6, Watermaster and the IEUA manage the recycled water quality to ensure that the 12-month volume-weighted running average IEUA agency-wide, wastewater effluent quality does not exceed the permit limits of 550 mg/l and 8 mg/l for TDS and TIN, respectively. Additionally, Watermaster and the IEUA must submit a



# Optimum Basin Management Program

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## Program Element 7: Develop and Implement a Salt Management Program (Continued)

plan and schedule to the Santa Ana Water Board for the implementation of measures to ensure long-term compliance with these permit limits when either the 12-month volume-weighted running average IEUA agency-wide effluent TDS concentration exceeds 545 mg/l for three consecutive months or the TIN concentration exceeds 8 mg/l in any one month (action limits). The IEUA calculates and reports the 12-month volume-weighted running average agency-wide effluent TDS and TIN concentrations in the *Groundwater Recharge Program Quarterly Monitoring Reports*.

Since the initiation of recycled water recharge in July 2005, the 12-month running average TDS and TIN concentrations have ranged between 456 and 534 mg/l and 3.8 and 7.6 mg/l, respectively, and have never exceeded the permit limits. During the statewide drought in mid-2015, a historical high 12-month running average IEUA agency-wide effluent TDS concentration of 534 mg/l was calculated for three consecutive months: June, July, and August. This 12-month running average IEUA agency-wide effluent TDS concentration of 534 mg/l was only 11 mg/l below the action limit. The 12-month running average agency-wide TDS concentration has decreased since mid-2015. As of December 2023, the 12-month running average IEUA agency-wide effluent TDS concentration was 464 mg/l.

Through analysis of water supply and wastewater data, Watermaster and the IEUA concluded that drought conditions have a meaningful impact on the short-term TDS concentration of the water supplies available to IEUA agencies and that future droughts similar to the 2012-2016 period could lead to short-term exceedances of the 12-month running average IEUA agency-wide effluent TDS concentration. For this reason, in October 2016, Watermaster and the IEUA petitioned the Santa Ana Water Board to consider modifying the TDS compliance metric for recycled water to a longer-term averaging period. The Santa Ana Water Board agreed that an evaluation of the compliance metric was warranted and directed Watermaster and the IEUA to develop a technical scope of work to support the adoption of a longer-term averaging period for incorporation into the Basin Plan. The proposed technical scope of work to support a Basin Plan amendment to revise the recycled water compliance metric was submitted to the Santa Ana Water Board in May 2017. The proposed scope of work which was approved by the Santa Ana Water Board includes the following tasks:

- Develop numerical modeling tools (R4, Hydrus 2D, MODFLOW, MT3D) to evaluate the projected TDS and nitrate concentrations of the Chino Basin.
- Define a baseline (status-quo) scenario and evaluate it with the new modeling tools.
- Define salinity management planning scenarios and evaluate them with the new modeling tools to compare the projected TDS and nitrate concentrations against the baseline scenario.
- Use the results to develop a draft regulatory compliance strategy that includes a longer-term average period for recycled water TDS concentrations.
- Collaborate with the Santa Ana Water Board to review and finalize the regulatory strategy.
- Support the Santa Ana Water Board in the preparation of a Basin Plan amendment upon approval of the regulatory strategy.

Watermaster and the IEUA began implementing the scope of work in July 2017 and worked collaboratively with Santa Ana Water Board staff to review interim work products. In December 2021, Watermaster and the IEUA completed and submitted the documentation of the technical work, *Total Dissolved Solids and Nitrate Concentrations Projections for the Chino Basin*, to the Santa Ana Water Board. Watermaster and the IEUA presented the technical work and received approval from the Santa Ana Water Board staff in July 2022 to proceed with the work to amend the Basin Plan. Specifically, the amendment to the Basin Plan will, in part, modify the TDS compliance metrics and action limit for IEUA's recycled water supply under maximum-benefit commitment number 6 to a 10-year volume-weighted running average of the agency-wide supply.

During this reporting period, Watermaster and the IEUA provided support to the Santa Ana Water Board staff on the Basin Plan amendment, including preparing documents to comply with California Environmental Quality Act (CEQA) and other requirements needed to amend the Basin Plan.

**Recycled Water Recharge.** Pursuant to the maximum-benefit commitment number 5, Watermaster and the IEUA completed the construction of the recharge facilities and began artificial recharge of stormwater and recycled water in the Chino Basin in 2005. Additionally, pursuant to maximum-benefit commitment number 7, Watermaster and the IEUA limit recycled water for artificial recharge to the amount that can be blended on a volume-weighted basis with other sources of recharge to achieve five-year running average concentrations of no more than the maximum-benefit objectives (420 and 5 mg/l for TDS and nitrate, respectively). This data is compiled and analyzed in April of each year for reporting to the Santa Ana Water Board. During this reporting period,

# Optimum Basin Management Program

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## Program Element 7: Develop and Implement a Salt Management Program (Continued)

Watermaster and the IEUA continued their monitoring programs to collect the data required for analysis and reporting to the Santa Ana Water Board. Since recycled water recharge began in July 2005, the five-year volume-weighted running average TDS and nitrate concentrations have never exceeded the maximum-benefit objectives. As of December 2022, the five-year volume-weighted running average TDS and nitrate concentrations of these three recharge sources were 314 and 1.8 mg/l respectively.

As part of the Basin Plan amendment, the TDS and nitrate compliance metrics for the artificial recharge under maximum-benefit commitment number 5 are proposed to be modified to 10-year volume-weighted running average. During this reporting period, Watermaster and the IEUA continue to provide supports to the Santa Ana Water Board staff with the Basin Plan amendment.

**Ambient Groundwater Quality.** Pursuant to the maximum-benefit commitment number 9, Watermaster and the IEUA recompute ambient TDS and nitrate concentrations for the Chino Basin and Cucamonga GMZs every three years (due by June 30). The re-computation of ambient water quality is performed for the entire Santa Ana River Watershed, and the technical work is contracted, managed, and directed by the Santa Ana Watershed Project Authority's (SAWPA) Basin Monitoring Program Task Force (Task Force). Watermaster and the IEUA have participated in each triennial, watershed-wide ambient water quality determination as members of the Task Force.

In December 2021, the Santa Ana Water Board amended the Basin Plan (2021 Basin Plan Amendment [R8-2021-0025]) to require the Task Force to complete the next re-computation by October 1, 2023, and, at a minimum, every five years thereafter (unless the Santa Ana Water Board revises this schedule). The Santa Ana Water Board is currently preparing an amendment to the Basin Plan to ensure that the ambient water quality computation for GMZs with maximum-benefit SNMPs is consistent with the schedule defined in the 2021 Basin Plan Amendment.

During this reporting period, Watermaster and the IEUA participated in the Task Force effort to compute the 2021 ambient water quality, which covers the 20-year period from 2002 to 2021. As part of this computation, Watermaster and the IEUA provided requested groundwater quality data, inputs on interim findings, and reviewed draft documentations to support the computation of the 2021 ambient water quality. The Task Force finalized the 2021 ambient water quality determination on October 1, 2023.

## Program Element 8: Develop and Implement a Groundwater Storage Management Program; and Program Element 9: Develop and Implement a Storage and Recovery Program

Groundwater storage is critical to the Chino Basin stakeholders. The OBMP outlines Watermaster's commitments to investigate the technical and management implications of Local Storage Agreements, improve related policies and procedures, and then revisit all pending Local Storage Agreement applications.

The existing Watermaster/IEUA/MWDSC/Three Valleys Municipal Water District Dry-Year Yield (DYY) program was initiated in the early 2000's and is the only Storage and Recovery Program that is being implemented in the Chino Basin. By April 30, 2011, all DYY program construction projects and a full "put" and "take" cycle had been completed, leaving the DYY storage account with a zero balance. Another DYY cycle began in June 2017 and was completed in June 2022. In response to the heavy precipitation in early 2023, MWDSC began recharging imported water in the Chino Basin in spring 2023. During the reporting period, MWDSC recharged about 29,800 acre-feet of imported water in the Chino Basin through the DYY program.

### Safe Yield Recalculation

The Basin's Safe Yield was initially set by the Judgment at 140,000 acre-feet per year. The Safe Yield was based on the hydrology for the period of 1965 through 1974. Pursuant to the Judgment, the Chino Basin Safe Yield is to be recalculated periodically but not for at least ten years following 1978.

Pursuant to the OBMP Implementation Plan and Watermaster's Rules and Regulations, in year 2010/11 and every ten years thereafter, Watermaster is to recalculate the Safe Yield. The 2011 Safe Yield recalculation began in 2011 and after significant technical and legal process, on April 28, 2017, the Court issued a final order (2017 Court Order), resetting the Safe Yield to 135,000 acre-feet per year effective July 1, 2010.

In July 2018, Watermaster's Engineer began the technical work necessary for the Safe Yield recalculation for 2020 pursuant to the OBMP Implementation Plan using the approved methodology in the 2017 Court Order. After substantial technical process and stakeholder engagement, the Watermaster Board adopted recommendations to the Court to update the Safe Yield for the period 2021 through 2030 to 131,000 acre-feet per year. In July 2020, the Court approved Watermaster's recommendation and reset the Safe Yield to 131,000 acre-feet per year for the period commencing on July 1, 2020 and ending on June 30, 2030.

# Optimum Basin Management Program

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## Program Element 8: Develop and Implement a Groundwater Storage Management Program; and Program Element 9: Develop and Implement a Storage and Recovery Program (Continued)

The 2017 Court Order 1) requires that the Safe Yield be reevaluated no later than June 30, 2025, 2) allows for supplementation of the current Safe Yield Reset methodology, and 3) requires annual collection and evaluation of data regarding cultural conditions of the Chino Basin. The annual data collection and evaluation process includes determining whether “there has been or will be a material change from existing and projected conditions or threatened undesirable results” as compared to the conditions evaluated in the 2020 Safe Yield Recalculation. If evaluation of the data suggests that any of these criteria are met, then Watermaster’s Engineer is required to undertake “a more significant evaluation” to model the impacts of the existing and projected cultural conditions on the Chino Basin.

In 2022, Watermaster’s Engineer completed a process to supplement the current Safe Yield Reset methodology to address comments received during the peer review process of the 2020 Safe Yield recalculation regarding uncertainty in the groundwater model and the data used in future projections. As a result of this process, which was supported by extensive peer review, Watermaster submitted an updated Safe Yield Reset methodology (2022 Safe Yield Reset methodology) to the Court. The Court approved the 2022 Safe Yield Reset methodology in December 2022.

During the reporting period, Watermaster’s Engineer initiated the annual data collection and evaluation process covering the period through fiscal year 2022/23 and continued the process to reevaluate the Safe Yield of the Chino Basin for the period of fiscal year 2021 through 2030 (the 2025 Safe Yield Reevaluation). The 2025 Safe Yield Reevaluation process includes updating Watermaster’s groundwater-flow model and implementing the 2022 Safe Yield Reset methodology. Watermaster hosted two workshops during the reporting period to gather stakeholder and peer review input to support the 2025 Safe Yield Reevaluation.

### Groundwater Storage Management

**Addendum to PEIR.** The original OBMP storage management program consists of managing groundwater production, replenishment, recharge, and storage such that the total storage within the basin lies within the range known as the Safe Storage Capacity (SSC), which is the difference between the Safe Storage<sup>2</sup> and the Operational Storage Requirement<sup>3</sup>. The allocation and use of storage space in excess of the Safe Storage Capacity will preemptively require mitigation: mitigation must be defined, and resources must be committed to mitigation prior to allocation and use.

Water occupying the SSC includes Local Storage Account Water, Carryover Water, and water anticipated to be stored in future groundwater Storage and Recovery programs. This storage management program was evaluated in the OBMP programmatic environmental impact report (PEIR) in 2000.

After the OBMP PEIR, Watermaster and the Watermaster Parties revised the OBMP based on: new monitoring and borehole data collected since 1998, an improved hydrogeologic conceptualization of the basin, new numerical models that have improved the understanding of basin hydrology since 2000, and the need to expand the Chino Basin Desalters (desalters) to the 40,000 acre-feet per year of groundwater production required in the OBMP Implementation Plan. These investigations included a recalculation of the total water in storage in the basin, based on the improved hydrogeologic understanding. The total storage in the Chino Basin for 2000 was estimated to be about 5.9 million acre-feet<sup>4</sup>, about 100,000 acre-feet greater than the estimated Safe Storage at the time.

The Watermaster Parties negotiated the Peace II Agreement to implement, among other things, the expansion of the desalters, the dedication of 400,000 acre-feet of groundwater in storage to desalter replenishment (i.e., approved overdraft), and changes in the Judgment to implement the Peace II Agreement. However, the storage management plan was not changed in light of the approved overdraft and the fact that the estimated storage in the basin exceeded the Safe Storage. The IEUA completed and subsequently adopted a supplemental environmental impact report for the Peace II Agreement in 2010.

As basin storage continued to grow following the implementation of the desalters and the Peace II Agreement, Watermaster and the IEUA proposed a temporary increase in the Safe Storage Capacity, which was analyzed through an addendum to the 2000 PEIR. On March 15, 2017, the IEUA adopted an addendum to the 2000 PEIR, increasing the Safe Storage Capacity from 500,000 acre-feet to 600,000 acre-feet for the period July 1, 2017 through June 30, 2021. This temporary increase in Safe Storage Capacity was found to not cause material physical injury (MPI) and/or loss of Hydraulic Control, and it provided Watermaster, with assistance from the Parties, time to develop a new storage management plan and agreements to implement it.

<sup>2</sup> Safe Storage is an estimate of the maximum storage in the basin that will not cause significant water quality and high groundwater related problems. Safe Storage was estimated in the development of the OBMP to be about 5.8 million acre-feet based on the then-current understanding of the basin.

<sup>3</sup> The Operational Storage Requirement is the storage or volume in the Chino Basin that is necessary to maintain the Safe Yield. This is an average value with the storage oscillating around this value due to dry and wet periods in precipitation. The Operational Storage Requirement was estimated in the development of the OBMP to be about 5.3 million acre-feet. This storage value was set at the estimated storage in the basin in 1997.

<sup>4</sup> The most recent modeling of the Chino Basin estimates the total water in storage to be about 12 million acre-feet.

# Optimum Basin Management Program

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## Program Element 8: Develop and Implement a Groundwater Storage Management Program; and Program Element 9: Develop and Implement a Storage and Recovery Program (Continued)

**2020 Storage Management Plan.** In 2019, Watermaster initiated a process with the Watermaster Parties and Board to develop the 2020 Storage Management Plan (2020 SMP) that would update the SMP currently included in the OBMP implementation plan. In that effort, Watermaster prepared a white paper that outlined the need and requirements of the 2020 SMP and presented it to the Watermaster Parties and other interested stakeholders in June 2019. This work built upon the findings of the 2018 Storage Framework Investigation, where Watermaster's Engineer evaluated the use of storage space in the range of 700,000 acre-feet to 1,000,000 acre-feet for potential Storage and Recovery programs. Watermaster and its Engineer published a final SMP report on December 19, 2019. This report was included in the 2020 OBMP Update Report, which the Watermaster Board adopted in full in October 2020. The SMP may be incorporated into the implementation plan for the 2020 OBMP Update.

**Local Storage Limitation Solution.** The temporary increase in Safe Storage Capacity to 600,000 acre-feet was set to expire on June 30, 2021, after which it would have declined to 500,000 acre-feet absent a new Court-approved storage agreement. At the end of Production Year 2020, the total volume of Managed Storage was about 588,000 acre-feet. Anticipating the expiration of the temporary increase in Safe Storage, Watermaster Parties recommended expanding environmental documentation and analysis to cover the use of Managed Storage above 500,000 acre-feet beyond June 30, 2021. The Parties' projected behavior and the operations of the DYY program were called the Local Storage Limitation Solution (LSLS). During fiscal year 2020/21, Watermaster's Engineer completed an investigation to assess the potential MPI for the LSLS using the updated groundwater-flow model that was used to recalculate the Safe Yield. The conclusions of the investigation were that there would be no unmitigable significant adverse impacts attributable to the LSLS. This work supported CEQA documentation to increase the Safe Storage Capacity after June 30, 2021. The LSLS allows the Safe Storage Capacity to increase to 700,000 acre-feet through June 30, 2030, and 620,000 acre-feet from July 1, 2030 through June 30, 2035. The CEQA documentation formed Addendum No. 2 to the OBMP PEIR, which was adopted by the IEUA Board on March 17, 2021. The Court granted Watermaster's motion to implement the LSLS, which became effective on July 1, 2021.

### 2020 OBMP Update

OBMP implementation began in 2000. By 2019, many of the projects and management programs envisioned in the 2000 OBMP have been implemented. The understanding of the hydrology and hydrogeology of the Chino Basin has improved since 2000, and new water-management issues have been identified that necessitate that the OBMP be adapted to protect the collective interests of the Watermaster Parties and their water supply reliability. For these reasons, the Watermaster, with input from the Parties, prepared a 2020 OBMP Update to set the framework for the next 20 years of basin-management activities.

During 2019, Watermaster convened a collaborative stakeholder process to prepare the 2020 OBMP Update, similar to that the process employed for the development of the 2000 OBMP. The final 2020 OBMP Scoping Report (Scoping Report) was published in November 2019 to document the results of the first four Listening Sessions that Watermaster conducted with the stakeholders. The Scoping Report summarized (1) the need to update the OBMP, (2) the issues, needs, and wants of the stakeholders, (3) the goals for the 2020 OBMP Update, and (4) the recommended scope of work to implement seven stakeholder-defined basin-management activities that could be included in the 2020 OBMP Update.

Through the listening session process, it became apparent that the 2000 OBMP goals remain unchanged, and the nine Program Elements (PEs) defined in the 2000 OBMP are still relevant today as the overarching program elements of a basin management program. Each of the seven activities in the Scoping Report had objectives and tasks that were directly related to one or more of the 2000 OBMP PEs. Based on this finding, the nine PEs defined in the 2000 OBMP were retained for the 2020 OBMP Update. Each of the seven activities were mapped to one of the existing PEs.

In January 2020, the Watermaster published the 2020 OBMP Update Report, which described: (1) the 2020 OBMP Update process; (2) the OBMP goals and new activities for the 2020 OBMP Update; (3) the status of the OBMP PEs and ongoing activities within them; and (4) the recommended 2020 OBMP management plan – inclusive of ongoing and new activities. The management plan will form the foundation for the Watermaster Parties to develop a 2020 OBMP Implementation Plan and the agreements necessary to implement it. After several workshops and comprehensive review and comments by Watermaster Parties, the final 2020 OBMP Update Report was adopted by the Watermaster Board on October 22, 2020.

Additionally, in January 2020, the Watermaster and IEUA (as the lead agency) began preparing a new subsequent Environmental Impact Report (SEIR) to support the OBMP Update. The updated SEIR will support decision-making, investment, and grant applications for ongoing and new management actions under the OBMP. Based on input from the Parties, the certification of the SEIR was postponed to a later time. Watermaster and IEUA re-initiated the process to update and certify the SEIR in 2022, hosting three workshops to solicit input from the Watermaster Parties on updates to the OBMP Update's project description and discuss the potential updates. During the reporting period, IEUA released the draft SEIR for public review in September 2023. The comment period for the

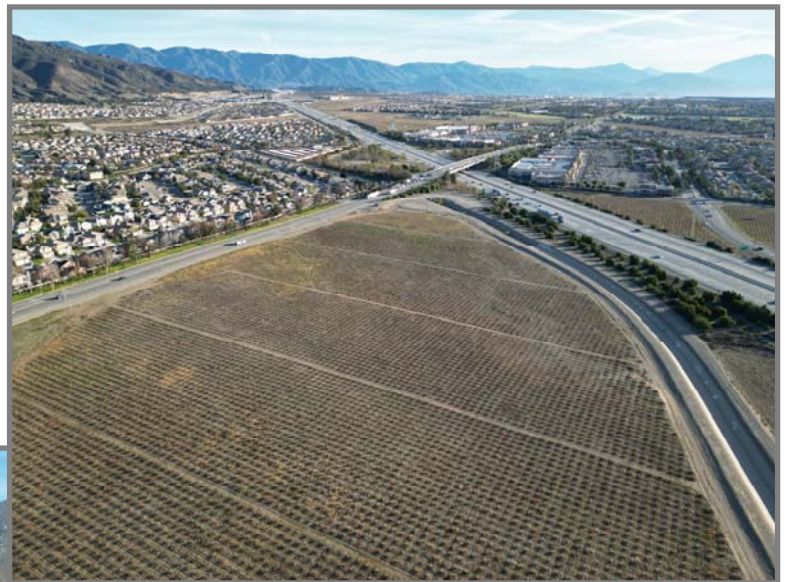
# Optimum Basin Management Program

## Program Element 8: Develop and Implement a Groundwater Storage Management Program; and Program Element 9: Develop and Implement a Storage and Recovery Program (Continued)

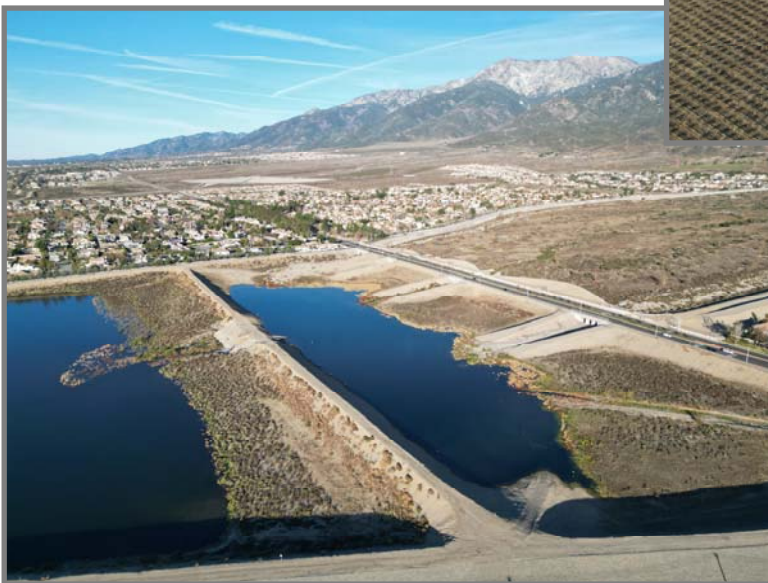
draft SEIR extended through November 9, 2023. Watermaster and IEUA began responding to comments during this reporting period, and IEUA expects to certify the final SEIR in early 2024.

An update to the current OBMP Implementation Plan will facilitate the execution of the management actions included in the 2020 OBMP Update. In March 2020, Watermaster convened a series of “Drafting Sessions” with the Watermaster Parties to develop a 2020 OBMP Implementation Plan Update and an agreement to implement it. Due to the COVID-19 Pandemic, the Chino Basin Parties requested that the Drafting Sessions be put on hold. The Parties decided that the immediate focus for 2020 OBMP implementation would be related to storage management and the LSLs (see above). Two new management activities in the 2020 OBMP Update began in fiscal year 2023/24: (1) development of a Storage and Recovery Master Plan (SRMP); and (2) preparation of a GQMP.

During the reporting period, Watermaster and its stakeholders convened the WQC and the SRMP Committee (SRMPC) to develop the GQMP and SRMP, respectively. The initial activities of the WQC were to define the objectives and refine the scope of work for the GQMP, including providing initial input on the development of a monitoring plan for emerging contaminants (see Groundwater Quality Management Program section under PE 6 in this report). The initial activities of the SRMPC were to define the objectives of the SRMP and refine the scope of work for its development, including defining desired benefits of Storage and Recovery Programs in the Chino Basin. These stakeholder-driven processes are continuing into 2024.



Vineyard at Beech Ave & 15 Fwy



San Sevaine Basin Cells 1 & 2



# CHINO BASIN WATERMASTER

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**EDGAR TELLEZ FOSTER, PhD**  
Acting General Manager

## STAFF REPORT

DATE: March 28, 2024  
TO: Board Members  
SUBJECT: SGMA Reporting for Water Year 2023 (Consent Calendar Item I.D.)  
SUMMARY:

Issue: Pursuant to the SGMA, Water Code Section 10720.8(f), the Chino Basin Watermaster is required to submit specific data, information, and reports to the Department of Water Resources (DWR) by April 1, 2024. [WM Duties and Powers].

Recommendation: Approve and direct staff to file the information/reports with the DWR.

Financial Impact: None

### Future Consideration

**Watermaster Board – March 28, 2024:** Approve and direct staff to file the information/reports with the DWR.

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### ACTIONS:

**Appropriative Pool – March 14, 2024:** Unanimously recommended Advisory Committee to recommend Watermaster Board to approve.

**Non-Agricultural Pool – March 14, 2024:** Unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

**Agricultural Pool – March 14, 2024:** Unanimously recommended Advisory Committee to recommend Watermaster Board to approve.

**Advisory Committee – March 21, 2024:** Unanimously recommended Board approval

**Watermaster Board – March 28, 2024:**

*Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program*

## BACKGROUND

California Water Code Section 10720.8(a) identifies 26 adjudicated areas, including the Chino Basin, which are exempt from the requirements of the SGMA except for the reporting requirements listed in Water Code Section 10720.8(f). A Watermaster or local agency within an adjudicated area listed under Water Code 10720.8(a) is required to report the following:

- (1) *By April 1, 2016, submit to the department a copy of a governing final judgment, or other judicial order or decree, and amendments entered before April 1, 2016.*
- (2) *Within 90 days of entry by court, submit to the department a copy of any amendment made and entered by the court to the governing final judgment or other judicial order or decree on or after April 1, 2016.*
- (3) *By April 1, 2016, and annually thereafter, submit to the department a report containing the following information to the extent available for the portion of the basin subject to the adjudication:*
  - (A) *Groundwater elevation data unless otherwise submitted pursuant to Section 10932.*
  - (B) *Annual aggregated data identifying groundwater extraction for the preceding water year.*
  - (C) *Surface water supply used for or available for use for groundwater recharge or in-lieu use*
  - (D) *Total water use*
  - (E) *Change in groundwater storage*
  - (F) *The annual report submitted to the court.*

## DISCUSSION

Pursuant to Water Code 10720.8(f), the Chino Basin Watermaster submitted items (1), (2), and (3) listed above by April 1, 2016. Item (3) information was submitted for water years 2015 through 2021. The submittal of water year 2023 information by April 1, 2024, is the ninth such submittal by the Chino Basin Watermaster to the DWR for Water Code 10720.8(a) item (3).

The DWR has implemented an online submission system, which is accessible with secure login credentials, to facilitate the transmittal of all the required data and reports for adjudicated basins pursuant to the SGMA. The online system, called the *Adjudicated Basin Annual Reporting System*, consists of a specialized reporting template to populate all the required information and to upload supporting documents and reports. The attached Memorandum, prepared by West Yost, explicitly describes the information and reports that will be submitted by the Chino Basin Watermaster to the DWR's *Adjudicated Basin Annual Reporting System* by April 1, 2024.

At the March 14, 2024 the item was considered by the three Pool Committees and was unanimously recommended for Board Approval. The Advisory Committee considered this item at their regular meeting and unanimously recommended Board approval.

## ATTACHMENTS

1. Memorandum: Chino Basin Watermaster submittal of the water year 2023 reporting requirements for adjudicated basins pursuant to the Sustainable Groundwater Management Act



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## TECHNICAL MEMORANDUM

DATE: March 7, 2024 Project No.: 941-80-23-07  
 TO: Chino Basin Watermaster SENT VIA: EMAIL  
 FROM: Chino Basin Watermaster Engineer  
 SUBJECT: Chino Basin Watermaster submittal of the water year 2023 reporting requirements for adjudicated basins pursuant to the Sustainable Groundwater Management Act

Pursuant to the Sustainable Groundwater Management Act (SGMA) requirements for adjudicated basins, as described in California Water Code (CWC) Section 10720.8(f), the Chino Basin Watermaster (Watermaster) is preparing to submit information pursuant to the annual reporting requirements for Chino Basin for water year 2023 (October 1, 2022 to September 30, 2023) to the California Department of Water Resources (DWR). The SGMA requires that the following six categories of data be submitted to the DWR by April 1 of each year: (A) groundwater elevation data, unless otherwise submitted pursuant to Section 10932<sup>1</sup>; (B) annual aggregated data identifying total groundwater extractions for the preceding water year; (C) surface water supply used, or available for use, for groundwater recharge or in-lieu use; (D) total water use; (E) change in groundwater storage; and (F) the Watermaster’s annual report submitted to the Court.

The annual reporting data are submitted to the DWR using its Adjudicated Basins Annual Reporting System—a password-secured, online submission system accessible at [Link](#). The DWR Adjudicated Basins Annual Reporting System facilitates the submission of all reporting requirements for adjudicated basins and consists of a standardized reporting template to enter all the required information pursuant to the SGMA legislation, including the ability to upload supporting documents and reports. The standardized reporting template includes sections to upload specific required information for reporting under the SGMA legislation, as well as sections for including optional information.

This memorandum describes the information that will be submitted to the DWR using the Adjudicated Basins Annual Reporting System on behalf of the Watermaster to satisfy the water year 2023 reporting requirements for the Chino Basin. If the information and/or reports proposed for submittal to the DWR are not required, it is specified in this memorandum.

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<sup>1</sup> CWC Section 10932 requires reporting of groundwater levels for the California State Groundwater Elevation Monitoring (CASGEM) Program.



## Water Data for Water Year 2023

The following Chino Basin water year 2023 data and digital documents will be submitted. The DWR Adjudicated Basins Annual Reporting System language is in ***bold italics*** and the information for submittal is shown in regular text. All volume data are reported in acre-feet (AF).

### ***(A) Groundwater elevation data unless otherwise submitted pursuant to Section 10932.***

***Is water level data submitted to the CASGEM Program?*** Yes

***Does the watermaster collect or receive additional groundwater levels?*** Yes

***Does the watermaster measure groundwater levels?*** Yes

### ***(B) Annual aggregated data identifying groundwater extraction for the preceding water year***

***Total Groundwater Extraction (AF):*** 118,905

***Groundwater extraction by water use sector (if available):***

The submittal of this information is optional; the following information will be submitted:

<b><i>Sector</i></b>	<b><i>Volume (AF)</i></b>	<b><i>Explanation</i></b>
<b><i>Urban</i></b>	105,312	Appropriative Pool (Pool 3)
<b><i>Agricultural</i></b>	11,201	Agricultural Pool (Pool 1)
<b><i>Other Sector</i></b>	2,392	Non-Agricultural Pool (Pool 2)

### ***(C) Surface water supply used for or available for use for groundwater recharge or in-lieu use.***

***Surface Water Supply (AF):*** 163,721

***Method used to determine:***

The submittal of this information on the method is optional but recommended by the DWR. The following information on the method will be submitted with the surface water supply volumes to provide clarity on the source and compilation of these volumes:

The value reported represents total surface water used for direct consumption and for groundwater recharge. Imported water and recycled water deliveries to recharge basins are metered and recorded daily. Storm water and urban runoff recharge volumes are measured by stage sensors in the recharge basins. Imported water, recycled water, and local surface water amounts used for direct consumption are provided by the individual parties in the Chino Basin. For parties that have service areas not entirely within the Chino Basin adjudicated boundary, the proportion of the surface water supply used for consumption inside the Chino Basin adjudicated boundary is not quantified. The portion of the reported volumes that were used for recharge, were recharged entirely within the Chino Basin adjudicated boundary.

***Water available for recharge or in-lieu use by source type (if available):***

The submittal of this information is optional; the following information will be submitted:

<b>Sector</b>	<b>Volume (AF)</b>	<b>Explanation</b>
<b>Local Surface Deliveries</b>	53,370	This includes 21,895 AF of storm water and urban runoff for groundwater recharge, and 31,475 AF of native surface water for direct consumption.
<b>State Water Project Deliveries</b>	79,245	This includes 29,250 AF for groundwater recharge, and 49,995 AF for direct consumption.
<b>Recycled Water</b>	31,106	This includes 14,325 AF for groundwater recharge, and 16,781 AF for non-potable reuse.

***(D) Total Water Use (report water use in the basin as data is available and/or as reported in the annual report)***

**Total Water Use (AF):** 336,978

**Method used to determine:**

The submittal of this information is optional; the following information on the method will be submitted to provide clarity on the source and compilation of these total water use volumes:

Total water use data includes water used for direct consumption and for groundwater recharge. Data were obtained from Watermaster records, and/or collected from the parties in the Chino Basin. The total water use represents the sum of total water use by parties to the Chino Basin Judgment. Many of the Chino Basin appropriative pool parties have service areas that extend outside the Chino Basin adjudicated boundary. The proportion of the total water use for direct consumption that is used inside the Chino Basin adjudicated boundary is not quantified by Watermaster.

Total water use is reported using the pre-defined categories by the DWR under the **Water use met by source type** below, and is apportioned as follows: **Groundwater** is groundwater produced from the Chino Basin and other basins for direct use; **Surface water** is imported State Water Project water and native surface water used for direct use; **Recycled or reused water** is recycled water used for direct use; and **Other** is water used for groundwater recharge which includes storm water and urban runoff, imported State Water Project water, and recycled water.

**Water Use met by source type:**

The submittal of this information is optional; the following information will be submitted:

<b>Type</b>	<b>Volume (AF)</b>
<b>Groundwater</b>	173,256
<b>Surface water</b>	81,470
<b>Recycled or reused water</b>	16,782
<b>Other</b>	65,470

***(E) Annual change in groundwater storage***

**Change in storage (AF):** +57,113

***Method used to determine:***

The submittal of this information is optional but recommended by the DWR. The following information will be submitted:

The change in storage over the period of October 1, 2022 through September 30, 2023 was estimated using the Chino Basin groundwater model.

***Time period for change: Start date: 10/1/2022 End date: 9/30/2023***

***(F) The annual report submitted to the court***

***Start date: 7/1/2022 End date: 6/30/2023***

***Please submit an electronic (PDF preferred) copy of your annual report:***

Watermaster published the Annual Report for fiscal year 2022/2023 since the last SGMA annual reporting requirements for the Chino Basin were submitted on April 1, 2023. The Chino Basin Watermaster 46<sup>th</sup> Annual Report for fiscal year 2022/2023 is submitted herein and covers the period of July 2022 through June 2023.

***Please submit additional reports or documents:***

The submittal of this information is optional. This memorandum will be submitted along with the data and information described above. Additional Chino Basin Watermaster engineering and legal reports are available for public download on Watermaster’s website at [www.cbwm.org](http://www.cbwm.org).



# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730  
Tel: 909.484.3888 www.cbwm.org

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**EDGAR TELLEZ FOSTER, PhD**  
Acting General Manager

## STAFF REPORT

DATE: March 28, 2024

TO: Board Members

SUBJECT: Consideration of Employment Agreement, General Manager (Business Item II.A.)

### SUMMARY:

Issue: At its March 13, 2024 special meeting, the Watermaster Board instructed counsel and staff to place an employment agreement for the retention of Mr. Todd Corbin as General Manager on the agenda for its March 28th, 2024 regular meeting for consideration and adoption by the board. Legal Counsel has prepared a draft Employment Agreement for consideration and possible action by the Board. [Normal Course of Business]

Recommendation: No recommendation. Public Board discussion, deliberation, and possible action on proposed employment agreement.

Financial Impact: The salary and benefits for the General Manager is included in the FY 2023/24 Watermaster Budget of \$9,813,827. The Approved FY 2023/24 budget was adopted by the Watermaster Board on May 25, 2023. The salary and benefits for the General Manager for future fiscal years will be included in the budgets for those years.

### Future Consideration

**Watermaster Board – March 28, 2024:** Public Board discussion, deliberation, and possible action on proposed employment agreement amendment.

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### ACTIONS:

**Watermaster Board – March 28, 2024:**

*Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program*

## BACKGROUND

At its March 13, 2024 special meeting, the Watermaster Board instructed counsel and staff to place an employment agreement for the retention of Mr. Todd Corbin as General Manager on the agenda for its March 28th, 2024 regular meeting for consideration and adoption by the board.

## DISCUSSION

Legal Counsel has prepared a draft Employment Agreement (Attachment 1) describing the proposed General Manager's employment terms for consideration and possible action by the Board.

## ATTACHMENTS

1. Employment Agreement, General Manager (Draft)

**EMPLOYMENT AGREEMENT**

**GENERAL MANAGER**

**THIS EMPLOYMENT AGREEMENT** (this “Agreement”) is effective as of April 15, 2024 (the “Effective Date”), by and between the Chino Basin Watermaster (“Watermaster”) and Todd Corbin (“Executive”) with reference to the following facts and intentions:

**WHEREAS** Watermaster desires to employ Executive as its General Manager (“GM”) and Executive desires to accept Watermaster’s offer of employment under the terms and subject to the conditions set forth herein.

**NOW, THEREFORE**, in consideration of the mutual terms, covenants and conditions stated in this Agreement, Watermaster and Executive hereby agree as follows:

1. **Employment:** Watermaster will employ Executive, and Executive hereby accepts employment with Watermaster, as GM. During the Employment Term (as hereinafter defined), Executive will have the title, status, and duties of GM, an exempt position, and will report directly to the Watermaster Board of Directors (the “Board”).
2. **Term of Employment:** The initial term of employment pursuant to this Agreement will commence on April 15, 2024, and will continue thereafter until April 14, 2027, unless earlier terminated pursuant to Section 11 (the “Employment Term”). The Employment Term will be extended as described in subsection 2(c) and also may be extended by mutual agreement of the parties hereto.
  - a. **General:** As GM, Executive serves at the pleasure of the Board. Subject to the provisions of Section 11, although Watermaster may choose to terminate Executive’s employment for Cause (as defined below), Watermaster is not required to have Cause to terminate this Agreement or Executive’s employment. No one other than the Board has the authority to alter this arrangement or to make any agreement contrary to the terms of this Section. Furthermore, any such agreement or arrangement must be in writing and must be signed by the Chairman of the Board.
  - b. **Annual Review:** The Board will arrange for an annual review of Executive’s work performance, using such forms and procedures as the Board determines appropriate.
  - c. **Automatic Term Extension:** Upon completion of each satisfactory annual review of the Executive, the Term of Employment automatically will be extended by one (1) year, with the result that the Term of the Employment is maintained continuously as a three- (3) year period.
3. **Scope of Duties:** During the Employment Term:
  - a. Subject to the control and direction of the Board, the GM provides day-to-day leadership for Watermaster and is directly responsible to the Board on all matters

pertaining to the administration and operations of the Chino Groundwater Basin under the provisions of the 1978 Basin Adjudication Judgment, Court Approved Management Agreements, including, but not limited to the Peace Agreements, and the Optimum Basin Management Program and performs other duties as may be assigned by the Board. The GM is responsible for overseeing the operating budget and the other employees of Watermaster. The GM must keep the Board, through the Advisory Committee process, apprised of all applicable federal, state, regional and local policies regulating Watermaster activities. (Collectively, these duties are referred to as the “Services.”)

- b. Executive will devote his full business time, good faith and best efforts, talents, knowledge and experience to performing the Services. However, Executive may, and is encouraged to, devote reasonable time to activities involving professional, educational, and similar types of activities, speaking engagements and membership on other boards for the purposes of raising the profile of Executive and Watermaster locally, regionally and nationally, provided such activities do not interfere in any material way with the business of Watermaster. Notwithstanding the foregoing, Executive may not serve on the board of directors of another organization without the Board’s written consent.
  - c. Executive will perform his duties diligently and competently and will act in compliance with all applicable laws and in conformity with the letter and spirit of Watermaster’s written and oral policies and within the limits, budgets and business plans set by the Board. Executive will at all times during the Employment Term strictly adhere to and obey all of the rules and regulations in effect from time to time relating to the conduct of executives of Watermaster. Executive will not engage in consulting work or any trade or business for his own account or for on or behalf of any other person, firm or company that competes, conflicts or interferes with the performance of his duties hereunder.
4. **Hours of Work:** Executive’s hours of work will vary depending on the Services to be performed and the time and effort necessary to competently perform the Services. As general guidance, normal work hours will begin at 8:00 a.m. Monday through Friday; provided that Executive will work such hours as are necessary, whether within or outside of normal business hours, provided that Executive may elect in his discretion to work an alternative 9/80 flexible work schedule by providing advance notice to the Board Chair.
5. **Compensation and Benefits:** During the Employment Term, Watermaster will provide to Executive, and Executive will accept from Watermaster as full compensation for Executive’s Services hereunder, the compensation and benefits as set forth below. The compensation paid to Executive will be pursuant to Company’s normal payroll policies and practices for exempt employees and will be less applicable withholdings and deductions as deemed appropriate by Watermaster. The compensation set forth below is full payment for the Services, and Executive will receive no additional compensation for extraordinary services unless otherwise authorized in writing. Watermaster has no obligation to provide any employee benefit programs whether or not provided for in this Agreement.

- a. **Base Salary:** As of the Effective Date, Watermaster will pay Executive Three Hundred and Twenty Eight Thousand Eight Hundred Twenty-Seven and Twenty-Four Hundredths (\$328,827.24) per annum determined by the Board, less applicable withholdings and deductions (“Base Salary”). The Board, to which the Board has delegated responsibility for setting the compensation of Watermaster employees, may in its discretion review Executive’s performance and Base Salary, and determine whether to adjust Executive’s Base Salary on a prospective basis. Executive also will be entitled to receive a Cost-of-Living Adjustment (“COLA”) for 2024-2025, on an equivalent basis to Watermaster similarly situated employees. Thereafter, further COLAs may be approved from year to year by the Board in its discretion. Watermaster will pay Executive’s Base Salary in substantially equal installments in arrears according to the applicable payroll practices in effect for all Watermaster employees.
- b. **Incentive Compensation:** On an annual basis, at the time of Executive’s annual performance review, the Board may consider whether to provide Executive additional compensation in the form of incentive pay to recognize and encourage superior work performance by Executive, which additional compensation is in the sole discretion of the Board and subject to the terms and conditions imposed by the Board. The time and form of payment of any such incentive compensation will be set forth in and made in accordance with the documentation relating to such incentive compensation.
- c. **Health and Welfare Benefits:** Following any applicable required waiting period and subject to the terms thereof, Watermaster will provide Executive medical, dental, vision, and other welfare and fringe benefits in the total amount and manner as provided by Watermaster to other similarly situated Watermaster employees. Watermaster has no obligation to provide any other benefits unless provided for in this Agreement, and Watermaster may, in its sole discretion, modify or eliminate any or all benefit plans.
- d. **Vacation:** Executive will start employment with a credit of ten days (80 hours) of vacation time. Executive will earn twenty days (160 hours) of vacation time per year, accrued pro rata on each bi-weekly paycheck, in accordance with Watermaster’s policies and practices. Unused vacation time will carry over to the following year, provided however, at no time may Executive accrue more than thirty (30) days (i.e., 240 hours) of total vacation time. Once Executive reaches the maximum accrual, no further accrual will be allowed unless and until Executive utilizes accrued vacation such that his balance drops below the maximum accrual; provided, however, the Executive may request a waiver of this maximum vacation accrual provision, which waiver will be subject to approval by the Board in its sole discretion. Executive may use no more than three (3) weeks of vacation consecutively without prior approval of the Board, provided that any unused vacation may be consecutively taken immediately prior to the last day of the Employment Term on April 14, 2027, subject to business needs and prior Board approval.



- e. **Administrative Leave and Holidays:** Executive will be allowed reasonable administrative leave to be used at Executive's discretion, provided that Executive has provided advance notification of such leave to the Board Chair. Administrative leave is in addition to the above-referenced vacation. Executive will enjoy the same paid holidays as the other Watermaster employees, as outlined in Watermaster's Employee Handbook, as it may be modified from time to time.
  - f. **Sick Leave:** Executive will be allowed sick leave in accordance with Watermaster policy, and as provided to other similarly situated Watermaster employees, except that Executive will begin employment with an immediate sick leave balance of five (5) days [that may be used commencing on the first day of employment].
  - g. **CalPERS:** In order to comply with the Public Employees' Pension Reform Act of 2013 ("PEPRA"), Executive will be enrolled in the 2.5% @ 55 Public Employees Retirement System and will be subject to such terms and conditions as Watermaster may contract for with CalPERS or may otherwise impose, including the following: Watermaster will initially contribute both the employer portion of the CalPERS Retirement contribution and the employee portion, up to 8%, provided that the Watermaster Board reserves discretion as to the amount of future CalPERS contributions on behalf of the Executive that are attributable to future salary increases.
  - h. **Deferred Compensation:** Subject to the provisions of the applicable plan document, Executive will be eligible to participate in the retirement plans or programs sponsored by Watermaster, which plans currently include a 457(b) deferred compensation plan and a 401(a) money purchase plan. Any contributions made to these plans will be subject to the terms and conditions set forth in the plan document, as it may be amended from time to time.
  - i. **Amendments:** Notwithstanding the provisions of this Agreement, Watermaster fully reserves the right, in its sole discretion, to amend, modify or terminate any and/or all employee benefit plans or programs at any time and from time to time and Watermaster will be under no obligation to institute or continue the existence of any employee benefit plan or program.
6. **Personnel Policies:** Except as otherwise provided herein, Executive will be subject to the personnel policies of Watermaster, and any amendments or revisions thereto, including but not limited to those relating to sick leave, holidays, retirement and leaves of absence as outlined in Watermaster's Employee Handbook, as it may be amended from time to time. In the event of a conflict between this Agreement and the personnel policies of Watermaster, this Agreement will control.
7. **Vehicle Use:** Executive acknowledges that he will utilize his personal vehicle in connection with the performance of the Services. Watermaster will provide Executive with a monthly car allowance in the amount of \$800, prorated for partial months of Service. Watermaster will account for this in the manner it deems appropriate for tax reporting and withholding purposes. Executive will procure and maintain in full force and effect during

his employment with Watermaster automobile liability insurance covering all personal vehicles that are operated by Executive in connection with the performance of the Services in an amount no less than \$500,000/\$500,000 , and as acceptable to Watermaster. Executive will provide Watermaster, upon its request, with a certificate of insurance evidencing the above coverage and listing Watermaster as an additional insured under the insurance policy(ies). Executive must provide thirty (30) days' advance written notice to Watermaster of any change or cancellation of such insurance. Executive will operate any vehicle used in connection with the Services in a safe manner and will maintain a valid and unrestricted California automobile driver's license during the term of this Agreement. Failure to maintain the insurance coverage or driver's license required under this Section will constitute a material breach of this Agreement.

8. **Professional Development:** Executive is entitled, in Executive's discretion, to pursue professional development opportunities and to obtain reimbursement from Watermaster in an amount up to five-thousand dollars (\$5,000.00) in total per annum. Executive may seek additional reimbursement with prior approval of the Board. Watermaster will account for this in the manner it deems appropriate for tax reporting and withholding purposes.
9. **Reimbursement of Expenses:** Reasonable business expenses incurred by Executive in the performance of the Services, at the standard then-applicable Internal Revenue Service rate, will be reimbursed to Executive by Watermaster, but these expenses will be limited to those reasonable and necessary for the performance of Executive's duties under this Agreement, and will be submitted for approval and reimbursement to the Board upon such forms and with receipts and other evidence as may be reasonably required by the Board. Watermaster will account for these expenses in the manner it deems appropriate for tax reporting and withholding purposes.
10. **Life Insurance:** Executive may elect life insurance coverage through the same group life insurance program as applicable to other similarly situated Watermaster employees or, in his discretion, Executive may purchase life insurance through an outside life insurance provider. If Executive purchases life insurance through an outside life insurance provider, (i) Executive will promptly notify Watermaster of such purchase, and will provide a copy of such insurance policy to Watermaster upon its request, (ii) Executive will not be eligible to receive the Watermaster-sponsored group life insurance benefit (regardless whether or not the applicable plan and/or insurance policy is amended to exclude Executive therefrom), and (iii) Executive will be reimbursed by Watermaster for the annual premium for such life insurance, up to five-hundred dollars (\$500.00) per annum, which reimbursement will be (a) made in such manner and at such time(s) as determined by Watermaster in its sole discretion and (b) subject to income inclusion and such taxes and withholdings as determined by Watermaster in its sole discretion. Executive will cooperate with Watermaster in its obtaining Key-Man Insurance for the Executive.
11. **Termination:** This Agreement and Executive's employment by Watermaster may be terminated effective immediately, with or without cause, upon written notice by Watermaster to Executive. Executive's rights upon termination are as follows:

- a. **Termination by Watermaster without Cause:** In the event Executive's employment is terminated by Watermaster without Cause (as defined below) and if Executive executes a general release of known and unknown claims in favor of Watermaster in a form acceptable to Watermaster as provided below and complies with Executive's other legal and contractual continuing obligations to Watermaster:
- (i) Watermaster will pay to Executive accrued compensation through the termination date and accrued, unused vacation time, less applicable withholdings and deductions, as well as expenses incurred through the date of termination pursuant to applicable law and Watermaster's policies and practices, within the time required by applicable law (the "Accrued Obligations"); and
  - (ii) Watermaster will pay Executive severance pay in an amount equal to four (4) months of Executive's then-current Base Compensation, less applicable withholdings and deductions ("Severance Compensation"), which will be paid in a single lump sum cash payment on the 60th day after the date Executive's employment with Watermaster is terminated, subject to the Severance Conditions (as defined below).

Executive's right to the Severance Compensation is subject to (i) Executive providing to Watermaster a valid, irrevocable release, signed by Executive no later than the 53<sup>rd</sup> day after the date of termination of Executive's employment, and (ii) Executive being in compliance with the terms of the release agreement, as well as Executive's obligations under applicable law and Executive's other continuing obligations to Watermaster, including under this Agreement (together, these are the "Severance Conditions"). In the event that there is not in place a valid, irrevocable release signed by Executive on or before the 53<sup>rd</sup> day after the date of termination of Executive's employment or Executive is otherwise not in compliance with the Severance Conditions, Executive will forfeit and have no right to receive, and Watermaster will have no obligation to pay, the Severance Compensation or any portion thereof.

- b. **Termination by Non-Renewal:** This Agreement will terminate automatically at upon the expiration of the then-current Employment Term if not reviewed as set forth in Section 2 above. In the event Executive's employment is terminated by non-renewal of this Agreement, Executive will be entitled to receive only the Accrued Obligations.
- c. **Termination due to Death or Disability:** This Agreement will automatically terminate upon Executive's death as of the date of such death. Watermaster may, at its option, either suspend compensation payments or terminate Executive's employment due to Executive's Disability. "Disability" means that Executive is and/or has been incapable, even with reasonable accommodation by Watermaster, of performing the Services because of injury to, or physical or mental condition of, Executive for ninety (90) consecutive days, or Executive has been and/or will be unable to perform the Services for a total period of ninety (90) days in any twelve-

(12-) month period, regardless of whether such days are consecutive. If Watermaster suspends compensation payments because of Executive's Disability, Watermaster will resume compensation payments when Executive resumes performance of the Services. The foregoing is not intended to impair any entitlement of Executive to long- or short-term disability insurance or similar protection, whether provided by or through Watermaster or otherwise. In the event Executive's employment is terminated due to death or Disability, Executive will be entitled to receive only the Accrued Obligations.

d. **Termination by Executive for any Reason:** Executive may terminate his employment for any reason by providing sixty (60) days' advance notice. Watermaster, in its sole discretion, may provide Executive with a commensurate amount of Base Compensation during all or any part of the required notice period in lieu of Executive's continued employment during the notice period, which amount will be paid ratably in accordance with Watermaster's normal payroll periods but in all events will be paid in full by the 15th day of the third month of the calendar year following the calendar year that contains Executive's termination date (such compensation is referred to as "Pay in Lieu"). In the event Executive's employment is terminated by Executive for any reason, Executive will be entitled to receive only the Accrued Obligations and any applicable Pay in Lieu.

e. **Termination by Watermaster for Cause:** In the event Executive's employment is terminated for Cause by Watermaster as defined herein, Executive will be entitled to receive only the Accrued Obligations. For purposes of this Agreement, "Cause" for termination includes, without limitation, the following, as determined in Watermaster's sole discretion: theft or attempted theft; material dishonesty or breach of fiduciary duty to Watermaster; willful or persistent material breach of duties; breach or threatened breach of this Agreement or Watermaster policies and procedures, including Watermaster's policies against discrimination or harassment of employees or any third party; conduct that threatens public health or safety, or threatens to do immediate or substantial harm to Watermaster's business or reputation; commission of a felony or crime of fraud or moral turpitude; and unauthorized and unexcused absence as to which lack of adequate notice is provided (defined as lack of responsiveness to reasonable efforts for communication and the failure to perform routine and ordinary duties) for more than three (3) consecutive days other than due to disability or serious illness or injury. Watermaster's exercise of its right to terminate under this Section will be without prejudice to any other remedy to which Watermaster may be entitled at law, in equity, or under this Agreement.

12. **Covenant to Deliver Records, Property and Information:** Executive acknowledges that, as a result of performing the Services, Executive will have access to confidential and sensitive information concerning Watermaster and its employees and contractors, and that Executive may be entrusted with confidential information received by Watermaster from third parties (including stakeholders) that Watermaster has an obligation to protect. (Collectively, this is referred to as the "Confidential Information.") All documents, memoranda, notes, information and other tangible or intangible property (including all

copies and electronic or digital files thereof) relating in any way to the Services and Watermaster's business (including but not limited to Confidential Information) that Executive conceives, generates, obtains or compiles, or that are made available to Executive during the Employment Term, are and will remain the exclusive property of Watermaster. Executive agrees to return all such information, including all copies, summaries, compilations, reproductions, and computer data records thereof, as well as all tangible property of Watermaster, including computers, thumb drives, memory sticks, jump drives, external hard drives, disks, and other external storage devices, to Watermaster immediately upon the termination of this Agreement or at such earlier time as Watermaster may request. Executive also agrees to certify, in the form that Watermaster requests, the permanent and complete removal of all such information from Executive's personal electronic devices and personal accounts, including but not limited to hard drives on personal computers, external hard drives, SmartPhones, cell phones, voicemail, file storing accounts, cloud-based storage and personal email accounts, upon termination of employment or at such earlier time as Watermaster may request. The requirements of this Section will survive termination of this Agreement for any reason.

13. **Conflicting Obligations; Conflicts of Interest:** Executive represents and warrants that Executive is not subject to any contract, restrictive covenants, non-compete obligations, understandings or other commitments of any kind that will or might prevent, interfere with or impair Executive's acceptance of employment and/or the performance of the Services and obligations under this Agreement by Executive. Executive further represents that, by entering into this Agreement, Executive will not violate or interfere with the rights of any other person or entity. Executive further represents and warrants to Watermaster that he presently has no interest, and covenants that he will not acquire any interests, direct or indirect, financial or otherwise, that would conflict in any manner or interfere with the performance of the Services. Executive will comply with Watermaster's Conflict of Interest policy, as it may be updated from time to time.
  
14. **Transition Assistance; Cooperation:** Promptly upon termination of employment or at such earlier time as Watermaster may request, Executive will provide to Watermaster, and will continue to provide, any and all passwords, codes, administrative access, contact information, and other information in Executive's possession with respect to work performed for Watermaster. Executive will cooperate with Watermaster in effectuating the transition to Watermaster ownership and control of any and all social media accounts, vendor accounts, banking accounts, other financial accounts, and all other accounts set up and/or maintained for the benefit of Watermaster. Promptly upon termination of employment or at such earlier time as Watermaster may request, Executive will resign from or, if applicable and at Watermaster's discretion, transfer Executive's affiliation with respect to, any boards, industry organizations and other entities on which Executive serves, of which Executive is a member, or with which Executive is affiliated as a representative of, on behalf of, and/or at the expense of Promptly upon termination of employment or at such earlier time as Watermaster may request. During the Employment Term and thereafter, Executive agrees to fully and truthfully cooperate in the investigation by or of Watermaster or its representatives with respect to any issues, and the defense of any claims by, against or otherwise involving Watermaster, that might arise that could involve Executive or information within Executive's knowledge, regardless of whether Executive

personally is named in the action, without any additional compensation for that cooperation other than reimbursement of reasonable pre-approved costs actually and necessarily incurred by Executive related to such cooperation. In addition, for a period of up to four (4) months following Executive's termination of employment for any reason, Executive will use his or her best efforts to assist in the professional, competent and orderly transition of Executive's former responsibilities to the individual(s) designated by Watermaster. If and when called upon by Watermaster from time to time, Executive will make himself or herself reasonably available in person, telephonically, and/or via electronic mail as often as necessary and will diligently respond to inquiries as soon as reasonably possible. Executive will receive no additional compensation for the cooperation set forth in this Section but will be reimbursed for reasonable pre-approved expenses (such as postage and FedEx charges) incurred in connection with the transitioning of these duties. Nothing set forth in this Section is intended to, or does, create or continue any employment, contractor or agent relationship between Executive and Watermaster following Executive's date of termination. The requirements of this Section will survive termination of this Agreement for any reason.

**15. Tax Consequences; Code Section 409A:**

- a. All compensation and benefits contemplated hereunder will be reported and accounted for in the manner deemed appropriate by Watermaster for tax purposes. Executive understands and agrees that Executive is solely responsible for any and all liabilities imposed on Executive and taxes due by Executive under any applicable Federal, state and local statute, law, regulation, ordinance, order or otherwise (including without limitation under Section 409A) as a result of any compensation, including Severance Compensation, provided to Executive. Executive agrees and understands that Watermaster may deduct or withhold from any compensation or other amounts payable to Executive hereunder or otherwise in connection with Executive's employment any amounts required or permitted to be deducted or withheld by Watermaster under any provision of any applicable Federal, state and local statute, law, regulation, ordinance, order or otherwise, including without limitation garnishments. Compensation may also be reduced by other authorized and/or legally permitted deductions, such as benefit plan contributions, repayment of loans and advances, and other purposes permitted under applicable law. Executive understands and agrees that Executive's compensation, including any final paycheck, other payments and Severance Compensation, will be reduced by the amount of any lawful charge or indebtedness owed by Executive to Watermaster, including but not limited to personal charges on Watermaster credit cards, in accordance with applicable law.
- b. Executive understands and agrees that he is solely responsible for any and all taxes due as a result of any compensation, including Severance Compensation, provided hereunder. Watermaster has given no tax advice to Executive in connection with this Agreement and/or any other compensation or benefits being provided to Executive and Executive is hereby advised to seek tax advice from his or her tax advisors regarding this Agreement and the compensation and benefits to be provided hereunder. Executive also is specifically advised to consult with his tax

advisors regarding the application of the provisions of Section 409A (“Section 409A”) of the Internal Revenue Code of 1986, as it may be amended from time to time (the “Code”). In no event will Watermaster be liable for any additional tax, interest, or penalties that may be imposed upon Executive as a result of Section 409A or any damages for failing to comply with Section 409A nor will Watermaster have any obligation with respect to any tax obligation of Executive as a result of or attributable to this Agreement or the compensation and benefits contemplated hereunder.

- c. The compensation and benefits contemplated hereunder are intended to either comply with or to be exempt from the requirements of Section 409A and this Agreement will be construed and administered in accordance with such intent.
- d. In the event Watermaster determines that any compensation or benefit payable hereunder may be subject to the requirements of Section 409A, Watermaster (without any obligation to do so or obligation to indemnify Executive for any failure to do so) may adopt, to the extent permitted by applicable law and without the consent of Executive, such amendments to this Agreement or take any other actions that Watermaster in its sole discretion determines are necessary or appropriate for such compensation or benefit to either (A) be exempt from the requirements of Section 409A or (B) comply with the requirements of Section 409A.
- e. Whenever a payment under this Agreement specifies a payment period, the actual date of payment within such specified period will be within the sole discretion of Watermaster, and Executive will have no right (directly or indirectly) to determine the year in which such payment is made. In the event a payment period straddles two consecutive calendar years, the payment will be made in the later of such calendar years.
- f. No compensation or benefit that is subject to the requirements of Section 409A and payable upon Executive’s termination of employment will be paid unless Executive’s termination of employment constitutes a “separation from service” within the meaning of Treasury Regulation Section 1.409A-1(h).
- g. All expenses or other reimbursements paid pursuant to this Agreement that are taxable income to Executive will in no event be paid later than the end of the calendar year next following the calendar year in which Executive incurs such expense. With regard to any provision herein that provides for reimbursement of costs and expenses or in-kind benefits, except as permitted by Section 409A, (i) the right to payment or reimbursement or in-kind benefits will not be subject to liquidation or exchange for any other benefit, (ii) the amount of expenses eligible for reimbursement, or in-kind benefits, provided during any taxable year will not affect the expenses eligible for reimbursement, or in-kind benefits to be provided, in any other taxable year, provided that the foregoing clause (ii) will not be violated by any lifetime and other annual limits provided under Watermaster’s group health plans and (iii) such payments will be made on or before the last day of the taxable year following the taxable year in which the expense occurred.

16. **General Provisions:**

- a. **Notices:** All notices, requests, demands and other communications under this Agreement will be in writing and will be deemed to have been duly given on the date of service if personally served, or on the first day after mailing if mailed by FedEx or a similar overnight delivery service, or on the second day after mailing if mailed by first-class U.S. mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

**Watermaster:** Chairman of the Board  
Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

**With a copy (which will not constitute notice) to:**  
Brownstein Hyatt Farber Schreck, LLP  
1021 Anacapa Street, 2<sup>nd</sup> Floor  
Santa Barbara, CA 93101  
Attn: Scott S. Slater

**Executive:** Todd Corbin  
[To the address on file in Watermaster's record]

Either party hereto may change its address for the purpose of this paragraph by giving the other party hereto written notice of the new address in the above manner.

- b. **Waiver:** No waiver of a provision of this Agreement will constitute a waiver of any other provision, whether or not similar. No waiver will constitute a continuing waiver. No waiver will be binding unless executed in writing by the party making the waiver.
- c. **Construction of Terms:** All parts of this Agreement will in all cases be construed according to their plain meaning and will not be construed in favor or against either of the parties hereto.
- d. **Severability:** If any term, provision, covenant, paragraph, or condition of this Agreement is held to be invalid, illegal, or unenforceable in whole or in part by any court or arbitrator of competent jurisdiction, as to such jurisdiction, that provision will be limited ("blue-penciled") or eliminated to the minimum extent necessary so this Agreement will otherwise remain enforceable in full force and effect. To the extent such provision cannot be so modified, the offending provision will, as to such jurisdiction, be deemed severable from the remainder of this Agreement, and the remaining provisions contained in this Agreement will be construed to preserve to the maximum permissible extent the intent and purposes of this Agreement.
- e. **Controlling Law; Venue; Fees:** This Agreement will be construed in accordance with, and be governed by, the laws of the State of California, with venue proper



only in San Bernardino County, State of California. In the event of any claim, demand or suit arising out of or with respect to this Agreement, the substantially prevailing party will be entitled to reasonable attorneys' fees and costs incurred (including expert fees), and including fees and costs upon appeal, to the fullest extent permitted by applicable law.

- f. **Entire Agreement and Amendment:** In conjunction with the matters considered herein, this Agreement contains the entire understanding and agreement of the parties and supersedes all prior agreements between the parties, written or oral, express or implied. There have been no promises, representations, agreements, warranties or undertaking by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party hereto waives their future right to claim, contest or assert that this Agreement was modified, cancelled, superseded or changed by any oral agreement, course or conduct, waiver or estoppel.
- g. **Counterpart Copies; Signatures:** This Agreement may be signed in counterpart copies, each of which will represent an original document, and all of which will constitute a single document. A facsimile, pdf, emailed or DocuSigned signature will have the same force and effect as an original.
- h. **Assistance of Counsel; No Adverse Construction:** Executive expressly acknowledges that he had the opportunity to consult with counsel of his own choosing in connection with the negotiation and drafting of the terms of this Agreement, and that he, in fact, consulted with an attorney and negotiated the terms of this Agreement. The rule that a contract is to be construed against the party drafting the contract is hereby waived and will have no applicability in construing this Agreement or the terms hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first written above.

**CHINO BASIN WATERMASTER**

By: \_\_\_\_\_  
James Curatalo  
Chairman of the Board

**EXECUTIVE**

By: \_\_\_\_\_  
Todd Corbin



# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730  
Tel: 909.484.3888 www.cbwm.org

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**EDGAR TELLEZ FOSTER, PhD**  
Acting General Manager

## STAFF REPORT

DATE: March 28, 2024

TO: Board Members

SUBJECT: Resolution No. 2024-02 of the Watermaster Establishing an Employer Paid Member Contribution with CalPERS (Business Item II.B.)

### SUMMARY:

Issue: As a part of the Board's action at its special meeting on March 13, 2024 to retain Mr. Todd Corbin as the Watermaster General Manager, the Watermaster Board directed legal counsel to prepare a resolution to establish an Employer Paid Member Contribution (EPMC), consistent with Section 5 (g) of the draft General Manager Employment Agreement. [Normal Course of Business].

Recommendation: Adopt Resolution 2024-02 and direct staff to file the resolution establishing an EPMC with CalPERS.

Financial Impact: None

### Future Consideration

**Watermaster Board – March 28, 2024:** Adopt and direct staff to file the EPMC resolution with CalPERS

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### ACTIONS:

**Watermaster Board – March 28, 2024:**

*Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program*

## BACKGROUND

At its March 13, 2024 special meeting, the Watermaster Board instructed counsel and staff to place an employment agreement for the retention of Mr. Todd Corbin as General Manager on the agenda for its March 28th, 2024 regular meeting for consideration and adoption. As a part of its action, the Board directed legal counsel to prepare a resolution to establish an Employer Paid Member Contribution (EPMC), consistent with Section 5 (g) of the draft General Manager Employment Agreement.

## DISCUSSION

CalPERS regulations require an employer that wishes to establish an EPMC to adopt a resolution indicating its intent to do so. Resolution No. 2024-02 has been drafted and must be adopted by the Board and submitted to CalPERS for its ultimate approval, establishing an EPMC.

## ATTACHMENTS

1. Resolution 2024-02 of the Watermaster Establishing Employer Paid Member Contribution (Draft)

CalPERS ID: 1394905143

**RESOLUTION 2024-02  
OF THE  
CHINO BASIN WATERMASTER**

**RESOLUTION FOR PAYING AND REPORTING THE VALUE OF  
EMPLOYER PAID MEMBER CONTRIBUTION**

**WHEREAS**, the governing body of the Chino Basin Watermaster has the authority to implement Government Code Section 20636(c) (4) pursuant to Section 20691;

**WHEREAS**, the governing body of the Chino Basin Watermaster has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

**WHEREAS**, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the Chino Basin Watermaster of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

**WHEREAS**, the governing body of the Chino Basin Watermaster has identified the following conditions for the purpose of its election to pay EPMC;

- **This benefit shall apply to all employees of Exempt Classic – Executive Management employees.**
- **This benefit shall consist of paying 8% of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable\*\* {excluding Government Code Section 20636(c)(4)} as additional compensation.**
- **The effective date of this Resolution shall be April 15, 2024.**

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Chino Basin Watermaster elects to pay and report the value of EPMC, as set forth above.

**PASSED AND ADOPTED** by the governing body of the Chino Basin Watermaster this 28<sup>th</sup> day of March 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. 2024-02, was adopted at a regular meeting of the Chino Basin Watermaster Board on March 28, 2024 by the following vote:

AYES:            0  
NOES:            0  
ABSENT:         0  
ABSTAIN:        0

CHINO BASIN WATERMASTER

\_\_\_\_\_  
Watermaster Secretary/Treasurer

Date: \_\_\_\_\_

\* Note: Payment of EPMC and reporting the value of EPMC on compensation earnable is on pay rate and special compensation except special compensation delineated in Government Code Section 20636(c)(4) which is the monetary value of EPMC on compensation earnable.

DRAFT