



Date: December 3, 2003

To: Honorable Board of Directors

From: Richard W. Atwater
Chief Executive Officer/General Manager

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Subject: Status Report on the Santa Ana Regional Water Quality Control Board Proposed Basin Plan Amendment to Implement the "Maximum Benefit" TIN/TDS Policy.

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

On Friday November 21, 2003, the Regional Board held a workshop on the proposed Basin Plan amendments. Mr. John Rossi, CEO of Chino Basin Watermaster testified at the Workshop in support of the proposed Basin Plan amendment. IEUA and Chino Basin Watermaster have developed this proposal (Section 6.1 of the draft Proposed Basin Plan amendment) over the past four years and have actively supported the proposed policies as being a critical part of the OBMP for Chino Basin. Commonly called the "maximum benefit" proposal, the key strategy of the proposed changes are the establishment of water quality objectives based on the maximum benefit concept rather than using historical ambient concentrations. But to gain broad support for this maximum benefit water quality objectives, Watermaster/IEUA developed the following five point commitments with the Regional Board staff and other stakeholders to ensure no adverse water quality impacts to other parties within the Santa Ana watershed:

1. Surface and Groundwater Monitoring
2. Chino Desalters (consistent with OBMP requirements of 40 mgd by 2020)
3. Recharge Facilities/Conjunctive Use Program
4. Recycled Water Management (connect new and existing industry to the NRW and water softener control actions) to reduce TDS of IEUA water recycling plants.
5. Hydraulic Control to protect the Santa Ana River quality (consistent with the OCWD MOU)

If Watermaster/IEUA implements the above five commitments, then the Regional Board will support the adoption and enforcement of the “maximum benefit” water quality objectives. If, however, these actions are not implemented then the historic “antidegradation” water quality objectives for Chino Basin would be imposed on Watermaster and IEUA by the Basin Plan.

The Basin Plan objectives based on both concepts are shown in the Regional Board’s Table 3. Included in the Basin Plan amendment is the policy concept that with the maximum benefit, the TDS objectives have been raised from 250-280 mg/l to 420 mg/l and the Nitrate-nitrogen objectives have been raised from 2.9-5.0 mg/l to 5 mg/l.

Table 3
 Proposed Groundwater Management Zone
 TDS and Nitrate-Nitrogen Water Quality Objectives

Groundwater Management Zones	Water Quality Objective (mg/L)	
	TDS	NO ₃ -N
UPPER SANTA ANA RIVER BASIN		
Beaumont “maximum benefit” ++	330	5.0
Beaumont “antidegradation” ++	230	1.5
Bunker Hill – A	310	2.7
Bunker Hill – B	330	7.3
Colton	410	2.7
Chino – North “maximum benefit” ++	420	5.0
Chino 1 – “antidegradation” ++	280	5.0
Chino 2 – “antidegradation” ++	250	2.9
Chino 3 – “antidegradation” ++	260	3.5
Chino – East	730	10.0
Chino – South	680	4.2
Cucamonga “maximum benefit” ++	380	5.0
Cucamonga “antidegradation” ++	210	2.4
Lytle	260	1.5
Rialto	230	2.0
San Timoteo “maximum benefit” ++	400	5.0
San Timoteo “antidegradation” ++	300	2.7
Yucaipa “maximum benefit” ++	370	5.0
Yucaipa “antidegradation” ++	320	4.2

++ “maximum benefit” objectives apply unless Regional Board determines that lowering of water quality is not consistent with maximum benefit to the people of the state; “antidegradation” objectives then would apply (see discussion in Section 6.0).

The Regional Board will adopt both sets of objectives with the condition that the Chino Basin Watermaster and Inland Empire Utilities Agency commit to the five actions summarized above. These commitments are outlined by the Regional Board in their Table 5-8a which follows.

Table 5-8a

Chino Basin Maximum Benefit Commitments

Description of Commitment	Compliance Date – as soon as possible, but no later than
1. Surface Water Monitoring Program a. Submit Draft Monitoring Program to Regional Board b. Implement Monitoring Program c. Quarterly data report submittal d. Annual data report submittal	a. 30 days from date of approval of this amendment b. Within 30 days from date of Regional Board approval of monitoring plan c. April 15, July 15, October 15, January 15 d. February 15 th
2. Groundwater Monitoring Program a. Submit Draft Monitoring Program to Regional Board b. Implement Monitoring Program c. Annual data report submittal	a. 30 days from date of approval of this amendment b. Within 30 days from date of Regional Board approval of monitoring plan c. February 15 th
3. Chino Desalters a. Chino 1 desalter expansion to 10 MGD b. Chino 2 desalter at 10 MGD design	a. Prior to recharge of recycled water b. Recharge of recycled water allowed once award of contract and notice to proceed issued for construction of desalter
4. Future desalters plan and schedule submittal	October 1, 2005 Implement plan and schedule upon Regional Board approval
5. Recharge facilities (19) built and in operation	June 30, 2004
6. IEUA wastewater quality improvement plan and schedule submittal	60 days after agency-wide 12 month running average effluent TDS quality equals or exceeds 545 mg/L for 3 consecutive months or agency-wide 12 month running average TIN equals or exceeds 8 mg/L in any month. Implement plan and schedule upon approval by Regional Board

Table 5-8a

Chino Basin Maximum Benefit Commitments (cont.)

Description of Commitment	Compliance Date – as soon as possible, but no later than
<p>7. Recycled water will be blended with other recharge sources so that the 5-year running average TDS and nitrate-nitrogen concentrations of water recharged are equal to or less than the “maximum benefit” water quality objectives for the affected Management Zone (Chino North or Cucamonga).</p> <p>a. Submit baseline report of amount, locations and TDS and nitrogen quality of stormwater recharge</p> <p>b. Submit documentation of amount, TDS and nitrogen quality of all sources of recharge and recharge locations. For stormwater recharge used for blending, submit documentation that the recharge is the result of CBW/IEUA enhanced recharge facilities.</p>	<p>Compliance must be achieved by end of 5th year after initiation of recycled water recharge operations.</p> <p>a. Prior to initiation of construction of basins/other facilities to support enhanced stormwater recharge</p> <p>b. Annually, by February 15th, after initiation of construction of basins/other facilities to support enhanced stormwater recharge.</p>
<p>8. Hydraulic Control Failure</p> <p>a. Plan and schedule to correct loss of hydraulic control</p> <p>b. Achievement and maintenance of hydraulic control</p> <p>c. Mitigation plan for temporary failure to achieve/maintain hydraulic control</p>	<p>a. 60 days from Regional Board finding that hydraulic control is not being maintained</p> <p>b. In accordance with plan and schedule approved by Regional Board. The schedule shall assure that hydraulic control is achieved as soon as possible but no later than 180 days after loss of hydraulic control is identified.</p> <p>c. By 30 days from effective date of this Basin Plan amendment. Implement plan upon Regional Board determination that hydraulic control is not being maintained.</p>
<p>9. Ambient water quality determination</p>	<p>July 1, 2005 and every 3 years thereafter</p>

During the workshop, the Regional Board received two positive comments. The Regional Board would like to hold the first formal public hearing on the proposed Basin Plan amendments on January 22, 2004. However, the new governor has issued an executive order stopping any actions on new regulations for six months. It has not yet been determined if this Basin Plan amendment is a new regulation.

The steps that remain to be completed are: 1) hold public hearing, 2) finalize CEQA documents, 3) prepare final draft with public's comments, 4) formally adopt the Basin Plan amendments, 5) submit Basin Plan amendments to State Board for approval, and 6) submit Basin Plan to the Office of Administrative Law. Regardless of the executive order, the Regional Board hopes to have the process completed in 2004.

PRIOR BOARD ACTION

The Board has consistently expressed support for the adoption of the Maximum Benefit Basin Plan amendment consistent with the adopted Salinity Action Plan (approved by the Regional Committees and your Board) and the Chino Basin Watermaster's OBMP.

IMPACT ON BUDGET

All contemplated actions required of IEUA have been anticipated in the 10 year adopted capital budget. The economic benefits to the Chino Basin ratepayers of maximum benefit are significant and have been documented in the reports to the Chino Basin Watermaster prepared by Mark Wildermuth. The avoided cost of desalting at IEUA's water recycling plants (Parsons NRW report to the IEUA Board, June 2000) and the water supply savings (versus purchasing MWD Tier 2 imported water) over then next 50 years is probably in excess of \$500 million in present dollars.