LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO

175 West Fifth Street, Second Floor
San Bernardino, CA 92415-0490 • (909) 387-5866 • FAX (909) 387-5871
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: SEPTEMBER 10, 2002

FROM: JAMES M. RODDY, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: **Agenda Item #3:** LAFCO #2892--Service Review and Sphere of Influence Study for the Chino Basin Water Conservation District

RECOMMENDATION:

1. Determine that LAFCO #2892 is statutorily exempt from environmental review and direct the Clerk to file a Notice of Exemption within five days.

2. Make findings related to a service review required by Government Code Section 56430 (service review factors), and determine that the existing sphere of influence for the Chino Basin Water Conservation District should not be changed; and,

3. Adopt LAFCO Resolution #2740 setting forth the Commission's findings and determinations on this issue.

BACKGROUND INFORMATION:

As the Commission knows, state law now requires the Commission to conduct service reviews and sphere of influence studies for all cities and special districts in the County on a five-year rotating basis. The Commission determined to undertake that mandate beginning in the West Valley area.

This review for the Chino Basin Water Conservation District (CBWCD) continues that program, and like the other West Valley agencies that have been reviewed thus far, it is extremely routine. No sphere of influence or service changes are proposed.

The CBWCD was formed in 1949 under the Water Conservation Law of 1931, and is authorized under that principal act, among other things, to acquire water rights and land, conserve water, construct dams, reservoirs, basins, and channels. The law also authorizes districts to construct and operate wells, pipelines, sell and distribute water, and operate and maintain recreational facilities.

The CBCWD services are limited to groundwater replenishment programs and water conservation education activities. The District is particularly, and understandably proud of its Drought-Tolerant Demonstration Park, which has been visited by thousands of school children and others throughout the years.

The District's responses to the service factors and the sphere of influence factors are attached for Commission review. Following past practices, staff will not reiterate those responses in this staff report because no issues of concern have been identified by either the district, LAFCO staff, or any other agency.

LAFCO staff also wishes to thank the District staff for its outstanding participation and cooperation in this review. The District's response was thorough, comprehensive, and includes two notebooks (approximately six inches thick) which are available in the staff office for Commissioner and public review.

Attachments:

1. District Response to Sphere/Service Review Factors
2. Executive Summary of District Functions
3. Response from Tom Dodson
4. Draft Resolution

District Response to Sphere/Service Review Factors

Attachment 1

Chino Basin Water Conservation District
Responses to the LAFCO Service Review Survey

I. Infrastructure Needs and Deficiencies

1. Capital Improvement Plans and Studies

The Conservation District's Capital Improvement Plans and Studies are included within Volume 2 of the CBWCD Service Report dated May 2002 under the section titled "Master Plan Documents for Property Improvements."

2. Master Service Plans/Studies

The Conservation District's Master Service Plans/Studies were often the result of cooperative studies and are included within Volume 2 of the CBWCD Service Report dated May 2002 under the section titled "Cooperative Recharge Projects (Examples)."

3. Water Service Plans/Studies

The District does not provide potable water service.

4. Sewer Service Plans/Studies

The District does not provide sewer service.

5. Age and Condition of Facilities

The oldest of the District's "structural" facilities (typically box culverts and other gravity type water control and conveyance works) were constructed in the 1960's and like the rest of its structural facilities, they are kept in peak operating condition.

6. Capacity Analysis

In its usual connotation, this is not an issue that the Conservation District would address. However, data collected by the District indicates that its facilities provide 75% or more of all the artificial rainwater percolation that occurs in the Chino Groundwater Basin. Data supporting this statement is found within Volume 2 of the CBWCD Service Report dated May 2002 under the section titled "Cooperative Recharge Projects (Examples)."

7. Future Development

During late 1999 and early 2000 the Conservation District participated with many others in extensive negotiations and scientific analysis to develop an "Optimum Basin Management Program" (OBMP) and "Peace Agreement" for the Chino Groundwater Basin. Since that date, the District has been heavily involved in

follow-up studies and plan development to implement the various projects identified in the OBMP that will increase the volume of stormwater captured and percolated in the Chino Basin. Presently plans are being prepared to make structural type improvements at 18 existing basin sites (4 belonging to the Conservation District) and at 2 new sites (1 on property owned by the District). The draft plans for structural improvements to facilities belonging to the District are included within Volume 2 of the CBWCD Service Report dated May 2002 under the section titled "Master Plan documents for Property Improvements." Additionally, the previously referenced Peace Agreement identifies that the members of the Chino Basin Watermaster Appropriative Pool are the beneficiaries of new stormwater percolation. As such they are obligated to pay for the costs to construct the works necessary to complete the projects. Since $19 million of the project costs will be funded by State Grants, the "imposed" deadline for "substantial" completion of the projects is June 30, 2002.

8. Reserve Capacity

This is not an issue for the Conservation District.

II. Growth and Population

1. Population Information

This is not an issue for the Conservation District.

2. General Plan

This is not an issue for the Conservation District.

3. Identify Significant Growth Areas

This is not an issue for the Conservation District.

III. Financing Opportunities and Constraints

1. Finance Plans

Please reference the District's response to question #I.7" above as relates to costs associated with completion of recharge projects identified within the OBMP. Except for some reimbursement of costs to operate and maintain facilities being constructed under the OBMP, all other expenses incurred by the Conservation District will be paid from its customary and usual income source; i.e. Prop. 13 property taxes or from the sale of surplus property, if such occurs.

2. Bond Rating

This is not an issue for the Conservation District.

3. Joint Financing Projects

This occurs on a project by project basis. Also, please refer to the following response.

4. Revenue Sources

Presently the District has agreements with the San Bernardino County Flood Control District, General Electric, Ontario-Montclair School District, and the Inland Empire Utilities Agency that provide for sharing of expenses to maintain "joint-use" type facilities. Also an agreement is presently being prepared that will provide for reimbursement of expenses and such by the Chino Basin Watermaster that are related to the operation, maintenance, repair and replacement of works and facilities developed and used under the OBMP to recharge water. The District's customary and usual revenue source is Prop. 13 property taxes. Reports relative to the financial condition and income sources of the District are included within Volume 1 of the CBWCD Service Report dated May 2002 under the section titled "Fund Investments and Expense Reports."

IV. Cost Avoidance Opportunities

1. Overlapping/Duplicative Services

As reported in the "CBWCD Executive Summary Service Review" that is included within Volume 1 of the CBWCD Service Report dated May 2002, the function of the Conservation District and its programs and activities do not typically duplicate or overlap with the services provided by other agencies.

2. Joint Agency Practices

The District frequently participates with other agencies in promoting its water conservation education programs and in conducting its water recharge activities. As previously mentioned, the programs and activities of the District do not duplicate or overlap with the services provided by other agencies. Examples relative to the joint agency practices of this District are included within both Volume 1 and Volume 2 of the CBWCD Service Report dated May 2002.

3. Rely on Other Agencies

Since the employees of the District are well educated, trained, and skilled to perform many functions, it has been able to keep its staff numbers down without compromising its ability to accomplish its goals at the least cost to the public. As such it has not found it necessary to rely on other agencies to accomplish its goals.

4. Growth Management Strategies

This section does not apply to the Conservation District since we are not a "Land-Use" planning type agency.

5. Level of Service

This section does not apply to the Conservation District since we do not provide a service that has "customers" per se.

6. Per-Unit Service Costs

This section does not apply to the Conservation District since we do not provide a service where such charges are applied however, the "per-unit" benefit to local water purveyors derived from the stormwater percolation efforts of the District are considerable. The cost-benefit analysis supporting this statement is included within the Executive Summary found in Volume 1 of the CBWCD Service Report dated May 2002.

V. Rate Restructuring

1. Rates

This section does not apply to the Conservation District.

VI. Opportunities for Shared Facilities

1. Shared Facilities

History indicates that many of the stormwater detention facilities owned by the San Bernardino County Flood Control District were often reconfigured to provide for water conservation. Although the recharge basins owned by the Conservation District are sometimes used for stormwater detention, the degree and type of maintenance involved in maximizing the percolation of rain runoff is much greater than customary and necessary for stormwater detention. However, when justified, multiple-uses of our basins is promoted since the unit cost of ownership is sometimes reduced as the list of compatible users increases.

2. Duplication of Services

The "CBWCD Executive Summary Service Review," found within Volume 1 of the CBWCD Service Report dated May 2002, provides details relative to the District's belief that the services it provides do not duplicate the services provided by others.

VII. Government Structure Options

1. Agency Recommendation

The "CBWCD Executive Summary Service Review," found within Volume 1 of the CBWCD Service Report dated May 2002, provides details relative to the District's belief that the services it provides are unique and, for the benefit of the public, should not be combined with the services provided by others.

2. Hurdles to Consolidation/Reorganization

The "CBWCD Executive Summary Service Review," found within Volume 1 of the CBWCD Service Report dated May 2002, provides details relative to the District's belief that the services it provides are unique and, for the benefit of the public, should not be combined with the services provided by others. Further, in the recent past the District's Directors discussed the possibility of annexing lands and determined that annexation would be unfair to those already residing within our boundaries. Further, since the law already provided mechanisms for the District to be involved in percolation efforts lying outside our boundaries when such activities benefit those residing within our boundaries, the Directors determined to abandon any idea of annexing new territory.

3. Recommended Options

The "CBWCD Executive Summary Service Review," found within Volume 1 of the CBWCD Service Report dated May 2002, provides details relative to the District's belief that the services it provides are unique and, for the benefit of the public, should not be combined with the services provided by others.

VIII. Evaluation of Management Efficiencies

1. Training Opportunities

The "CBWCD Executive Summary Service Review," found within Volume 1 of the CBWCD Service Report dated May 2002, provides details relative to the District's response to this question.

2. Staffing Levels

Please reference the "CBWCD Executive Summary Service Review," found within Volume 1 of the CBWCD Service Report dated May 2002, relative to this matter.

3. Technology

This question does not apply to the operations of the District.

4. Budget

Various sections within Volume 1 of the CBWCD Service Report dated May 2002, provide details relative to the District's policies and procedures relating to budget preparation, including, but not limited to "public involvement." The section titled "Fund Investment & Expense Reports" contains various particulars relative to the District's reserves, revenues, and expenses.

5. Joint Powers Agreements

None.

IX. Local Accountability and Governance

1. Governing Body

Information responding to this question is contained in Volume 1 of the CBWCD Service Report dated May 2002, at the Section titled "CBWCD Governance, Mission, Powers, etc."

2. Customer Feedback

The District does not have customers per se. However within the section titled "Speakers & Exhibitors" of Volume 2 of the CBWCD Service Report dated May 2002, are several letters and such from visitors to the Garden and from groups where speaking engagements occurred.

3. Access

The District's office is open from 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays. Except for holidays, its' Garden is open to the public seven days a week for the same hours. The District posts the meeting agenda for its Board of Directors one-week in advance of the date of their meetings. The agenda is posted for easy viewing by the public, even when the office and garden are closed. Within the section titled "Education Program Advertisements" of Volume 2 of the CBWCD Service Report dated May 2002, are several examples of the many methods used by the District to educate and keep the public informed. In this regard the District not only uses publications, billboards, media coverage, and public access TV to promote water conservation, but also it uses its Website to keep the public informed. The District's Website address is www.cbwcd.org

4. Regular Progress Reports

Staff provides the members of the District's Board of Directors with at least twice-monthly informational packets in order to keep them informed of matters under their jurisdiction. Near the beginning of each Board meeting the public is invited to report on matters under the jurisdiction of the District. Directors and staff reports follow. Budget reports are prepared and distributed on a monthly basis. Quarterly Financial statements are prepared and distributed as required by law.

CHINO BASIN WATER CONSERVATION DISTRICT

OVERVIEW

The Chino Basin Water Conservation District is a public agency whose goal is the protection of the Chino Groundwater Basin in order to guarantee that current and future water needs will be met. The Basin is protected by the capture and percolation of waters through the District's network of channels, basins and spreading grounds. District initiated studies and models provide key data to all basin users in assessing current and future water needs. Furthermore, water conservation education is provided to the individuals and organizations within the service area to further promote the efficient use of our water resources.

Since its establishment in 1949, the Chino Basin Water Conservation District has actively protected and replenished the Chino Groundwater Basin with natural local rainfall and storm water discharge from the San Gabriel Mountains. The population of the area served by the District is approximately 400,000, including the Cities of Montclair, Ontario, Upland, Chino, Chino Hills, and Rancho Cucamonga and the agricultural and other unincorporated areas adjacent thereto. The Conservation District covers the west one-half, or approximately 72,000 acres, of the total area of the Chino Groundwater Basin.

It is interesting to learn why the Conservation District's boundaries only cover approximately the westerly 50% of the Chino Groundwater Basin, and further, why its oldest recharge facilities are located along the western-most creek overlying the groundwater basin. The records of the District clearly indicate that at the time of its formation, the greatest concentration of population and development, and over-draft due to increased demand, were within the areas that ultimately were included within the boundaries of the Conservation District. Further, at the time of its formation, the hydrological characteristics of the Basin were such that the area with the highest extraction rates were located near the District's westerly boundary and in the general vicinity of the San Antonio Creek, the westerly-most creek overlying the Basin. As a consequence, the first conservation plan of the District was to acquire spreading grounds and recharge basins in the gravel beds of the upper reaches of the San Antonio Creek and to develop the conveyance works necessary to re-direct runoff to the recharge basins. As this example indicates, historically the District's conservation projects have been, and continue to this day to be planned and engineered to adapt natural hydrological situations to satisfy groundwater-pumping demands.

History of the District

Prior to the creation of the District, a group called the Chino Basin Protective Association was organized. When formed on February 9, 1931, its membership was made up of 274 individuals and 9 corporations, representing 25,000 acres of land. The purpose of the organization was "to collect funds not to exceed 10 cents per acre per year, to prosecute and defend all litigation concerning the Chino Basin Protective Association, defend its operation and invaders of said rights, and invaders of underground water within the Chino Basin".

On February 7, 1949, the Association voted to take steps to incorporate. However, in lieu of incorporation, on December 6, 1949, the Chino Basin Water Conservation District was organized pursuant to Water Code Sections 74000, et seq., for the purpose of conserving water by such measures as appropriation, acquisition and spreading of water through construction of dams, reservoirs, canals, ditches, spreading basins, and similar methods. These Water Code Sections are commonly referred to as the State of California Water Conservation Law of 1931 (Act 9127C).

The voters of the District, in 1949, evidenced their intention to form the District in order to assure the conservation of water. The existence of the Chino Basin Water Conservation District serves to facilitate local control over local decisions, and to ensure that local voters and property owners have, and maintain, a continuing voice in the operation of matters that effect them directly and which are of great public importance. Since the Conservation District is an Independent Special District, with a specialized "focused" interest in promoting water conservation, its Directors are able to make decisions in the best interests of its constituents without having to shift funding priorities and goals when economic times result in funding shortages. As a result, water conservation, be it through the District's educational programs or water recharge activities, is always our top priority, and is assured continued funding as such.

In addition to the purpose of the original Association, the District, in cooperation with the San Bernardino County Flood Control District and the Los Angeles County Flood Control District, began acquiring land and excavating percolation basins to collect and recharge the Basin with storm runoff. Later the same basins were used to recharge imported water from the Colorado River and State Water Project for supplemental recharge into the Chino Basin. The goal was to help offset the overdraft of the Chino Basin.

Historically the Conservation District has been involved in undertakings intended to preserve and protect the water supply and quality of the water available to the Chino Basin area. In this regard two of its first undertakings were to confront the Pomona Valley Protective Association (PVPA) and the Orange County Water District (OCWD) to confirm and establish limits upon their water use to water supplies tributary to the Chino Basin. Further, to protect the water supply availability to the Chino Basin, the District, on its own and cooperatively with the SBCFCD undertook to develop stormwater containment and recharge basins throughout the Chino Basin area. Then it directed its attention towards other considerations intended to increase the knowledge base of Chino Basin producers.

Why is this special district necessary?

Unlike cities, counties, and other forms of special district's, the only services provided by the Chino Basin Water Conservation District are related to the conservation of water. Since the Conservation District is located within the boundaries of the IEUA and SBCFCD, both of which are also engaged in water conservation activities, why not have one of these agencies assume the activities of the Conservation District? The effect of this question is to ask whether or not the Chino Basin Water Conservation District should be continued. This is a healthy question for any organization to occasionally ask itself. It relates to the very purpose and function of the District and could be phrased, "Does the District perform a needed function for the general benefit of its constituents in the most practical way at the lowest cost to the taxpayer?" We feel that a fair examination of the facts relating to the District compels an affirmative conclusion.

The State legislature has authorized several different types of water districts each with a primary purpose in dealing with water. Examples are conservation, flood control, sewer, municipal (importation and sale), and others. Each have a single primary purpose, but most have overlapping powers. In its wisdom, the legislature realized the need to have various local agencies with primary single purpose emphasis. The Conservation District has the primary responsibility and emphasis upon the spreading and conservation of natural run-off water. If this function were merged into another water organization that has a different primary purpose, the conservation aspect would lose its primary emphasis and would risk loss of funding and a sufficient level of attention.

This naturally leads to the question of whether or not water conservation needs primary emphasis? There has been much discussion recently about the

high cost of imported water. Opposed to that is the generally good quality and lower cost of capturing and conserving natural water when it is available. The present facilities of the Conservation District and our future plans as outlined in our various Comprehensive Plans for Water Resources Conservation will assure that all natural water that is practically conservable will be captured and conserved. This is a substantial benefit to Chino Basin residents since the cost of accomplishing this is the lowest and least burdensome of all available alternative water supplies.

Special districts have taxing and funding limitations. In the case of the Conservation District, its primary income source is derived from its share of the 1% of County taxes that are collected under the law developed under the 1978 Prop. 13. This, of course, requires that the District use good judgment and economy in planning projects. Therefore, the perceived limitation upon the ability of the Conservation's District to carry forth with its mission is chiefly viewed as being its limited tax income. The truth is that the limited tax income merely forces the District to do and perform as its constituents do, i.e. budget wisely and cooperatively, and initiate, develop and implement plans that ultimately result in accomplishing goals at the least possible cost.

The Conservation District operates with a minimum overhead by employing a staff of only three regular full-time employees and four part-time employees. All major projects that the District undertakes are designed and performed by subcontractors, thus eliminating the need for a full-time staff and a much larger overhead.

Another consideration is that the Flood Control District, in several of its zones, has already reached its maximum tax rate allowable and cannot reasonably expand its activities to include any additional functions. In the case of another regional special district, having secondary powers of water conservation, the number of programs and regional responsibilities it has recently undertaken surely will impose limits upon its ability to adequately fund the necessary water conservation activities as does this District.

Water Conservation Districts perform the very valuable function of protecting and increasing water resources through careful monitoring and recharge activities. It is true that other entities in the County can perform these functions, however there is no guarantee that they can or will do so. There is certainly no requirement that these other agencies maintain these programs when economic times are tough. In other words, multitasked agencies made responsible for water conservation and groundwater recharge would be under

no obligation to continue those programs to the degree currently performed by the Conservation District.

The Chino Basin Water Conservation District is a very active advocate for water conservation activities. We are always eager to promote our activities and encourage support for our programs. In this regard, we are providing material to you that relate to these matters and will further explain the functions and benefits the District provides. You will see from these materials that our District provides a unique and focused service to the community in the area of water conservation, an area that is growing more vital and has a greater impact as our area continues to grow and develop.

As you are aware, there is a deficit in California between water supply and demand. This deficit will be growing with the population, future droughts, and with increased protection of endangered habitats and species as required by the Endangered Species Act. Our role in capturing natural rainfall and storm water discharge, as well as in water conservation education, has become absolutely vital in addressing the supply deficit in, not only western San Bernardino County, but also the state as a whole.

CBWCD GROUNDWATER REPLENISHMENT ACTIVITIES

The Chino Basin Water Conservation District has acquired 171 acres that are developed as basins for collecting storm runoff water, and for percolating imported water and wastewater. The District also constructs diversion facilities and improvements to San Bernardino County Flood Control District owned basins that also help to replenish the Chino groundwater basin.

To enhance the volume of artificial recharge of stormwater runoff, the Conservation District has historically been involved in securing ideally located and suited properties for development into recharge basins and in the construction of stormwater drainage works necessary to convey runoff into such recharge facilities. To this end, presently the Conservation District owns five functioning recharge basins that collect runoff from local drainage facilities, and one that is located on the main stream of the West Cucamonga channel, and has contracts to conduct water spreading activities in three basins owned by the Flood Control District. Collectively **these basins alone capture and recharge approximately 75% of all artificial stormwater recharge that is occurring in the Chino Groundwater Basin.** Additionally, near Foothill and Monte Vista Avenue the District owns a recharge basin that will soon be connected to the San Antonio flood control channel and, in the city of Ontario, it has another parcel that is presently being excavated and that is connected to the Cucamonga Creek channel. Both of these projects are scheduled for completion prior to June 2003.

The District saves water at a cost of about $76 per acre-foot as a result of its groundwater recharge efforts alone. This is an order of magnitude several times less expensive than the current Metropolitan charge of $426/acre-foot. The current capture and recharge of stormwater by the District totals about 4,200 acre-feet annually. Not only is this water inexpensive, it is hard to imagine improving efficiency when the District pays less than $320,000 per year to capture stormwater that would cost $1.8 million to purchase.

In addition to securing property and developing recharge basins, the Conservation District has recently completed several projects to not only expand the storage capacity of its recharge basins but that will enable them to more efficiently percolate the waters stored therein. In this regard, the storage capacity of the District's Brooks Street Basin was expanded and, to enhance its percolation characteristics, the District created large recharge enhancement levees on the floor of the basin. Since studies have shown that 85% or more of the percolation within a recharge facility occurs through its side-slopes, large levees were also created in two of the District's Montclair Basins and

are in the process of being constructed in another. When completed, innovations such as these will greatly increase the recharge capacity of additional existing Flood Control basins located throughout the Chino Groundwater Basin.

Because storm runoff water represents a potential threat to both residential and commercial property owners, yet is the most economical source for recharge of our Basin water supply, CBWCD works closely with Watermaster and the San Bernardino County Flood Control District so that through mutual cooperative efforts, the most effective balance between flood control and water conservation result. As a consequence, a number of CBWCD land acquisitions and construction projects for water conservation purposes have been made with the Flood Control District and others also in mind. This combined planning has given the public added protection and value because not only is flood protection provided but the facilities are conjunctively used to collect storm runoff water and for percolating imported water and recycled water. Historically, the District has also constructed diversion facilities and improvements to San Bernardino County Flood Control District owned basins that help replenish the Chino groundwater basin. Water retained by these facilities would otherwise be lost in flows to the Santa Ana River.

Although the District's percolation basins are used for ongoing Basin replenishment, they have also been used in mutually beneficial working relationships between this agency and the Chino Basin Watermaster (who utilizes our basins for water purchases) and the San Bernardino County Flood Control District (who relies on some of our basins for flood control management). This cooperation between agencies has resulted in the unusually efficient and effective achievement of various agency goals.

Inter-agency cooperation has also been very productive in our water conservation programs. We have been able to enlist support from varied sources to produce the projects that are discussed below.

STUDIES/MODELS

Chino Basin Recharge Master Plan/Chino Basin Rapid Assessment Model

One of the major goals of the Chino Basin Water Conservation District is to protect the water supplies available to the groundwater basin from taking by others and from the effects of pollution. One method of attaining this goal is by the Conservation District initiating and participating in studies and research projects that increase the knowledge level of basin users. Recent exemplary examples of the success of this District in achieving this goal involve cooperative studies with others, particularly, the "Chino Basin Recharge Master Plan, Phase 1 Report" that was completed in January 1998 and the development of the "Chino Basin Rapid Assessment Model" ("RAM"). Both of these undertakings have proven to be invaluable to the Chino Basin Watermaster as it developed a court ordered "Optimum Basin Management Program" ("OBMP") for the Chino Groundwater Basin. As the Watermaster implements the OBMP, the Conservation District has participated in development of the Recharge Master Plan Phase 2 Study and more recently, development of the "Preliminary Design Report" for the Chino Basin Facilities Improvement Project. As envisioned, implementation of the recharge projects described in the Phase 2 Study will not only result in the recharge of the Chino Groundwater Basin with additional high quality stormwater runoff but will provide sufficient recharge capacity for Watermaster to meet its anticipated supplemental water recharge needs to the year 2030.

Additional Studies and Projects

Since its inception, the District has participated in water supply and water quality studies and project development, including, but not limited to, those addressing nitrate problems, the adjudication of the Chino Basin, the use of recycled water for irrigation and Basin recharge, and necessary improvements to divert, store, and recharge water. The following are but a few of the many studies and projects in which the Conservation District has participated:

1. Reclamation of Waste Water, June 1963, by San Bernardino County Flood Control District;

2. Chino Basin Water Conservation District Comprehensive Plan, October 1968, by Omer H. Brodie & Associates;

3. Report on Wastewater Reclamation, September 1971, by Omer H. Brodie & Associates;

4. An Evaluation of Wastewater Reclamation Project, September 1973, by Water Resource Engineer;

5. Chino Basin Water Conservation District Water Quality/Management Study, 1974, by Ecological Systems Corporation;

6. Project Report titled "Reclamation for Water Replenishment of Groundwater Basin," February 1974, by Omer H. Brodie & Associates;

7. Chino Basin Water Reclamation Study, November 1981, by Metcalf & Eddy/L.D. King;

8. Chino Basin Water Reclamation Study, Trace Organics Demonstration Project that was completed in May 1987, by Metcalf & Eddy/L.D. King, Inc.;

9. Various Agreements with San Bernardino County Flood Control District for the development of the Turner Basins, Ely Basins, and Lower Cucamonga and Chris Basins for added water conservation features including inlet structures, outlet structures, overflow outlet spillway, basin configuration, and fencing;

10. Agreements with San Bernardino County Flood Control District and the Los Angeles County Flood Control District for the construction of drainage conduits necessary to re-direct stormwater runoff from L. A. County to the District's Montclair Basins #1 & 2.

11. Agreements with the city of Montclair for the construction of various stormwater drainage facilities that keep city street's drained and that fill our basins with high quality stormwater;

12. Recognizing the importance of water conservation through Xeriscape Landscaping, the District produced a water conservation video entitled "Xeriscape Magic", produced by CQ Productions; and

13. To further its education goals relative to the importance of water conservation and the prevention of water pollution, the District produced various publications for distribution at its office and for distribution at seminars, Expos, fairs, and such.

14. In 1995 the District Directors commissioned Mark Wildermuth, Water Resources Engineers, to cooperate with the Chino Basin Watermaster to

develop a basin-wide recharge master plan. In January 1998 the Phase 1 Final Report titled "Chino Basin Recharge Master Plan" was completed. As previously stated, one of the major goals of the Chino Basin Water Conservation District is to protect the water supplies available to the groundwater basin from taking by others and from the effects of pollution. One method of attaining this goal is by the Conservation District initiating and participating in studies and research projects that increase the knowledge level of basin users. This Phase 1 study and the following Rapid Assessment Model are recent exemplary examples of the success of this District in achieving its goals and involving cooperative studies with others.

15. In October 1997 the District took the lead to organize a group of west-end water purveyors to cooperate with the Chino Basin Watermaster to finance the development a Rapid Assessment Model ("RAM"). The purpose of the model is to enable water purveyors and others to rapidly analyze the effects of various recharge and pumping activities prior to implementation and thereby avoid future conflicts and waste of public financial resources on the construction of continuous facilities and other water-related programs. Both the RAM and previously mentioned Phase 1 "Recharge Master Plan" have proven to be invaluable to the Chino Basin Watermaster as it developed a court ordered "Optimum Basin Management Program" ("OBMP") for the Chino Groundwater Basin.

16. In March of 1998 the Conservation District researched and prepared a report titled "Scoping Report and Justification of the Flood Protection, Water Supply, and Water Quality Benefits to be Derived by the Construction and Operation of a Flood Control Conduit in the Vicinity of Francis Street and the West Cucamonga Creek Channel and of Two Flood Control Detention and Groundwater Recharge Basins, one Located at Riverside Drive and Grove Avenue, and one along Vineyard Avenue at a Location South of Riverside Drive in the Agricultural Preserve." This report resulted in a $10,000,000 grant to the SBCFCD to construct various stormwater control and conservation improvements within the Agricultural Preserve, south of the city of Ontario. The most notable feature of these improvements is the Grove Avenue Stormwater Detention and Water Conservation Basin.

17. During the period of time between January 1998 and October 1999 the District had various Hyrogeologists and Geotechnical Engineers perform soils analysis and determine recharge performance at various locations and basins throughout the Chino Basin. The purpose of these investigations was to determine the suitability of new locations for recharge and to confirm the suitability of several existing Flood Control Basins for recharge. As a direct

result of these investigations, Watermaster dropped the flood control basins commonly known as, the Church Street, Chris, and Lower Cucamonga Basins from further consideration in achieving its recharge goals and thereby saved the rate payers countless thousands of dollars in unnecessary development costs.

18. In August 1999, the Conservation District secured a $400,000 matching Grant from the State Water Resources Control Board to make various water conservation improvements to the Grove Avenue Basin as a means to improve upon its existing water conservation and pollution control features.

19. In November 1999 the firm of "Geoscience Support Services, Inc. completed a study tiled "Evaluation of the Fate of Recharge in the College Heights Spreading Basins for the Conservation District." The purpose of the study was to locate a suspected "fault-line" and then to determine the suitability of various basins and property owned by the Conservation District for recharge purposes for the benefit of the Chino Basin. As a result of this study the District's properties lying north of 11th street and both east and west of the San Antonio Channel were dropped from further consideration for recharge purposes.

20. As the Watermaster proceeds towards implementation of its OBMP, the Conservation District has participated in development of its Recharge Master Plan Phase 2 Study and more recently, development of the "Preliminary Design Report" for the Chino Basin Facilities Improvement Project. Implementation of the recharge projects described in the Phase 2 Study will not only result in Watermaster developing sufficient recharge capacity for its anticipated future supplemental water recharge needs, but will also provide for the recharge of the Chino Groundwater Basin with additional high quality stormwater runoff.

21. Since November 2001, the District has been an active participant in the "Chino Basin Facilities Improvement Project" which will implement the recharge projects identified in Watermaster's the "Chino Basin Recharge Master Plan," Phase 2 Report. The Project Design work is being prepared by Tettemer and Associates, Inc., with initial project construction to begin by mid-2002.

22. On May 9, 2001 the District adopted an "Initial Study" that it had commissioned to enable it to excavate its Fourth Street property and thereby expand the storage volume of the adjacent Flood Control District, Turner Basin #1. Presently the District is overseeing the excavation of approximately

500,000 cubic-yards of soil at this site at cost to the public of only about $10,000. In this regard, the District is providing the soil to area contractors at no-cost and by doing so is saving the public about $1,250,000. When completed, the added storage volume will enable the basin to capture and recharge a larger portion of the available stormwater runoff conveyed by the Cucamonga Creek.

CONSERVATION EDUCATION

With the population projected to dramatically increase in the near future, the District believes that conservation will increasingly be necessary as an effective means of coping with the increased demand. The certainty of intermittent regional droughts occurring in the future demands the increased use of water conservation as a vital tool in the protection of our water resources.

Chino Basin Water Conservation District's commitment to its water conservation is two-pronged, consisting of the use percolation basins and spreading grounds to increase supply, and the commitment to water conservation education to diminish demand. The use of percolation basins and spreading grounds to replenish the Chino Basin Aquifer has made the District one of the first agencies in California to take a pro-active role in region-wide water conservation. The water conservation education approaches that have been undertaken at the District address individuals, school districts, organizations, and municipalities within its service area.

The Conservation District also believes that there is a need to educate water users of the benefits of using xeriscape landscaping such as city planners, contractors, homeowners, and apartment building owners so that water saving installations are provided whenever feasible. Proper landscape material selection together with modern irrigation system installations results in dramatic reductions in water usage. These principles are readily demonstrated in the drought-tolerant demonstration garden.

The CBWCD Drought–Tolerant Demonstration Garden

Located on the grounds of the Chino Basin Water Conservation District Headquarters Building in Montclair, the Demonstration Garden is intended to help educate water users in the area of drought-tolerant landscaping for the purpose of conserving water. The decision to concentrate education programs primarily towards the outdoor uses of water was made due to the fact that this is where about 80% of all residential water use occurs. The Garden is divided into five sections, each modeling a different environment or style.

The Garden is designed to demonstrate the options available in the selection of drought-tolerant plant material. The five garden themes illustrate plant combinations as ground cover, shrub mass and tree canopy, and accent. In addition to presenting plant material for its aesthetic and functional appeal and low water tolerance, the Demonstration Garden makes use of the latest measures in water conservation and management systems.

We are particularly pleased with our Drought-Tolerant Demonstration Garden, and we have seen it become an increasingly utilized resource, drawing visitors from throughout Southern California. The two-acre Garden demonstrates the irrigation systems, plants, and plant groupings that are appropriate to water conserving landscapes in Southern California. The Garden's beauty never fails to impress the visitors we receive here, and has a statewide reputation of excellence. As the only water conservation demonstration garden in San Bernardino County, it serves as a symbol of the new perceptions and increased awareness of proper water utilization that are occurring in Southern California's landscapes. The Garden is handicap accessible and guided tours are available upon request

School Tours Program

The Garden serves as the focal point of the school tours program. In 2001, over 2,000 school-age visitors were given a guided tour through the Drought-Tolerant Garden. The Chino Basin hydrology and need for water conservation is discussed and appropriate plant selection, garden design and maintenance is emphasized in a hands-on walk through the Garden.

Multi-agency Environmental Area

A partnership with the Ontario-Montclair School District has produced a one-acre site adjacent to the Water Conservation Demonstration garden that serves children grades kindergarten through 8th from the 32-unit school district. Hands-on environmentally oriented projects educate children in a unique outdoor experience. We believe this approach serves as a unique and effective teaching model for school districts and water agencies throughout Southern California.

Outdoor Education Center

The 90-seat amphitheater provides a forum for educational programs in this half-acre facility adjoining the Drought-Tolerant Garden. The programs target homeowners, professionals, students, and others in various conservation-based demonstrations and lectures, such as the Outdoor Education Seminar Series listed below.

Outdoor Education Seminar Series

This program invites homeowners and others to learn how to comprehensively plan, install, and maintain water-wise landscaping and gardens. Landscape and other professionals conduct the two-hour classes that are usually filled to capacity with over 60 participants per seminar.

Water Audits
In collaboration with the Metropolitan Water District, the Conservation District initiated a water audit program that provides residential and commercial water audits at no charge. The audits include examination and recommendations for replacement of plumbing fixtures, inspection of irrigation systems, distribution of monthly irrigation schedules and identification of leaks.

Turf Demonstration Area
The District and the City of Montclair chose an area to demonstrate the water savings potentially realized by retrofitting older irrigation systems with the modern irrigation technologies available today. The area serves as a demonstration site for institutional landscape professionals from cities and school districts.

School Water Audit and Retrofit Program
This program selects schools within the District's service area, whose inefficient water systems make them good candidates for substantial savings in water expenditures by retrofitting their old systems. An interior and exterior audit is performed, and where a conversion will pay for itself in a five to six year period, a retrofit is performed. Over 100 schools in the service area are potential retrofit candidates. This program has been ongoing for a number of years and is expected to continue for quite sometime.

Dual Distribution System
With the anticipated development of the Dairy Preserve lands within our service area, the Conservation District believes it to be imperative to lay the groundwork for the use of reclaimed water. The District has compiled reference materials and resources promoting the use of recycled water. Additionally, in all of its new basin landscape projects the District has installed the proper facilities to demonstrate the use of recycled water when such water is available.

Water Awareness Month, Plant Sale & Open House Event
This water-wise plant sale and open house event is an annual occurrence. Students, landscape professionals, and homeowners interact in a mutually beneficial one-day event that provides drought-tolerant plants and other water saving devices to all buyers. Professionals in sod, seed, landscape, mulching, and water conserving irrigation equipment and supplies are on hand to demonstrate their products and to answer questions.

Earth Day Event
1,200 5th-grade students from the Ontario-Montclair School District, Chino Unified School District, Upland Unified School District, Central School District, Fontana Unified School District, and Ontario Christian School, participate in this annual event. Public and private contributors collaborate with the Conservation District to bring an exciting array of demonstrations and activities revolving around water conservation concepts to the participating students.

NASA GLOBE Project
We are participating with several other public agencies and private entities in a worldwide hands-on, primary and secondary school based science and education program that will assist teachers and schools in meeting state and local goals and standards relating to environmental education. Under this program the District provides the facilities for students to take environmental measurements and we provide them with the support necessary to utilize this information to promote the water conservation goals of the District.

AQUA Dome
The Conservation District is partnering with private groups and other governmental institutions to design, build and maintain an environmentally sound building to house a museum dedicated to water education. The AQUA Dome will be located on the District's property at a location about 50 feet north of the District's Amphitheater. The primary purpose of the museum is to educate the public about water conservation and use. To accomplish this purpose, the Dome will house various water education displays, including those depicting how pollution seeps into the groundwater. The Dome itself will emphasize water conservation by facilitating the collection and storage of runoff rainwater. This water will be used to irrigate surrounding landscaping. As with the Demonstration Garden, this facility will be accessible to the public 7 days a week, except holidays. In addition to providing the land upon which to locate the Aqua Dome, the District will provide accounting and supervision services.

Educational Grants
During Water Awareness Month, the Conservation District awards "Educational Grants" of up to $1,000 (maximum two awards per year) to students demonstrating a commitment to the field of water resources by pursuing a college degree related to, or identified with, water engineering, landscape architecture or related field.

Annual Art Contest
To further its educational mission, the District holds an annual Art Contest involving elementary and high school level students. The "theme" of the contest varies slightly each year but generally centers on water conservation. The winning entries, one high school and one elementary, are painted by the students on large poster boards and for the following year they are put on public display under the District's Marquee located in front of its office.

Web Page
The Conservation maintains a Web Page to further promote its mission related to Water Conservation Education. The Web page not only contains information critical to preserving, protecting, and conserving water it has information relative to the District's educational programs and events, demonstration garden, and minutes of the meeting of the District's Directors. To encourage the viewing public to utilize water conserving landscaping, the District's Web pages contain many beautiful scenes from areas landscaped by the District.

Flags, Signs and Marquee
The District also uses informational flags and signs and its marquee to advertise its special events and seminars and to invite the public to come in and learn about water conservation at the District's Demonstration Garden.

Public Television and Newspaper Ads
The Conservation District frequently places ads on the local Public Education channel to encourage people to practice water conservation and to visit our Demonstration Garden to visualize practical methods to beautify their homes and places of business while conserving water and reducing monthly water bills. The practice of the District is also to place quarterly ads within the local newspaper that promote water conservation and, preceding each seminar, we place ads to encourage attendance by members of the public. The Board of Directors elected to place newspaper ads on a quarterly basis rather than monthly or a single large annual ad since an analysis of public input indicates that the quarterly ads result in the greatest public response and increased attendance at the Demonstration Garden.

Recharge Basin Landscape and Signage Projects
To further its water conservation educational goals, the District has taken the lead in landscaping its recharge basins with drought tolerant plant materials and educational signage. The landscaped areas also demonstrate modern methods of plant irrigation and the use of "berms and swales" as an effective means to control pollutant runoff while increasing the recharge of water that

would otherwise become wasted runoff. The local public response to this program has been over whelming.

Special Events
Whether the special event is held by the District alone or is the result of collaborative efforts with others, the District invites reporters to cover stories and photograph events and event participants.

Magazine Articles
District's staff writers contribute ongoing articles for "For You Magazine", a quarterly local magazine, to promote the use of water conserving landscape materials in local residential landscape projects.

Public Speaking Engagements & Expos
Frequently members of the District staff act as guest speakers for various clubs, businesses, and environmental events sponsored by others. At Expos and similar events the District also distributes various educational materials to promote water conservation measures adapted to landscape water use since, among residential uses, this is where approximately 80% of their use is derived, hence the greatest potential for conservation.

Unique Services
Rather than duplicating services, Chino Basin Water Conservation District performs water conservation services by initiating programs for the water providers, cities, and others and by providing expert speakers and other forms of participation at their events. Few of the District's water conservation programs overlap with the programs offered by others. In this regard, and in the interests of efficiency in water conservation, the District was the lead agency in consolidating various elements of the water conservation programs of the cities and the water providers within its service area in order to avoid a duplication of services. This work is ongoing under the auspicious of the West End Water Awareness Committee ("WEWAC") where technology changes are shared and the educational programs of the various agencies are expanded.

While the most measurable water conservation from landscaping will come through the implementation of new landscaping ordinances under AB 325, Chino Basin Water Conservation District's education programs reach in excess of 4200 residents and 2000 children per year.

Participation in Local, Regional, and State Organizations to Promote Public Education and Increase Water Supplies and Reliability:

Chino Basin Optimum Basin Management Plan (OBMP)
The OBMP for the Chino Basin was prepared by the Court-appointed Watermaster to address groundwater quality problems and identify groundwater management opportunities to be pursued for the benefit of the basin resources. The purpose of the OBMP is to develop a water quality and quantity based management plan for the Chino Basin that will allow continued reliance on groundwater for beneficial uses within the basin – while minimizing demand for imported water – and that encourages the beneficial use of the large available storage space in the aquifer system. The District routinely lends its "non-biased" support and expertise to Watermaster to ensure that the water supplies and water quality of the Chino Groundwater Basin are enhanced and not compromised. In this regard, the Court appointed judge, Judge Gunn, continues to consider the Conservation District as being an instrumental and necessary agency and resource for Watermaster to achieve its OBMP goals.

Santa Ana River TIN/TDS Study (Under Development Since 1993)
From the inception of this study, the Conservation District has both funded and provided knowledgeable representation at the monthly meetings of the "science-based" task force performing this study. The purpose of the study is to evaluate the impact of Total Dissolved Solids (TDS) and Total Inorganic Nitrogen (TIN) on the water resources of the upper Santa Ana River Basin. The study is expected to be completed by 2003. The intent of this study is to develop more scientifically defensible water quality objectives. This study is focusing on developing updated boundary maps for groundwater sub-basins in the overall Chino Groundwater Basin, estimating the regional TDS and TIN concentrations in the groundwater and developing new groundwater objectives for the new sub-basins and groundwater management areas. A goal of the task force is to bring regional water interests together and, by using the best available science and technology, to resolve differences relating to the impacts of TIN and TDS upon our local water supplies. Representatives from this group frequently meet with and advise the Regional Water Quality Control Board for the Santa River on matters of great regional importance. Although the path to success has been long and often arduous, the task force is now working with the Regional Board in hopes of re-writing the "Basin Plan" to better enable local water users to use their water supplies without others being concerned that their water supplies will be harmed.

Santa Ana River Watershed Group
Beginning in 1998, the District became one of the founding members of a group of public and private sector local, state and federal interests that committed to work together informally to address various concerns, issues and opportunities relating to the watershed, and the Chino Basin in particular. The collaborative efforts of the group have resulted in many millions of dollars of federal grant monies being allocated for and used to construct drainage improvements necessary to improve the water quality of the Santa Ana River and to protect property and livelihoods within the Chino Basin Agricultural preserve. Although now in a more formal atmosphere, this group continues to find solutions and the necessary funding to address long-standing and often-confrontational water related problems along the Santa Ana River.

Southern California Water Committee, Inc.
The Southern California Water Committee, Inc., ("SCWC") is a nonprofit, nonpartisan, public education partnership dedicated to informing Southern Californians about our water needs and our state's water resources. For more than a decade the Conservation District has participated in the activities of this very important committee in order to expand its reach and educate the public (policy makers and others) relative to the future water needs of Southern California. The goals of this committee are to ensure an adequate, reliable, high-quality water supply statewide by maximizing California's water resources for the benefit of current and future generations. Though their public outreach programs the Southern California Water Committee educates business and government leaders and makes available information to the public to support informed decisions on water issues. Additionally, the SCWC participates as a "stakeholder" in public forums on water issues both to represent Southern California and to influence the outcome of water issue decisions.

The Chino Basin Total Maximum Daily Loads (TMDLs) Workgroup
This group was formed by the Santa Ana Regional Water Quality Control Board to assist in the development of TMDLS for pollutants common to the streams and their tributaries within the Chino Basin that, several years ago, resulted in the Santa Ana River being listed as "impaired" on their Clean Water Act (CWA) Section 303(d) list. The main goal of this group is to develop quality data that may be used to de-list certain streams and their tributaries or that may be used to assist in the development of reasonable TMDLs for such streams. The District attends the regular meeting of this group and has incorporated the concerns of this workgroup, and methods to

economically address these concerns, within a "power-point' presentation that is made to city planners and the like.

West Chino Basin Water Coalition

The Conservation District was a major financial contributor to and participant in a coalition of West Chino Basin water purveyors that lobbied for grant funding for a water delivery system seismic reliability study titled the "West Chino Basin Water Infrastructure Study."

MASTER PLANS

The CBWCD has utilized Master Plans for its undertakings in order to assure that it accomplishes its mission of protecting and conserving water for the Chino Basin in the most economical manner.

First Master Plan of Conservation

When the Conservation District was first formed the record shows clearly that the people were concerned with the protection of the water supplies available to the Chino Basin and were grasping from the very start to harvest nature's water crop. With the advent of urban development, with its increased runoff and concrete lined flood channels, the need was apparent for the start of planned water conservation over the Chino Basin. In light of the 1945 Conkling Report, wherein it was reported that the over-draft of the Chino Basin was in excess of 21,000 acre-feet per year, one of the first tasks of the Conservation District's Directors was to develop a basic plan for water conservation. In this regard, the records of the District clearly indicates that, at the time of its formation, the greatest concentration of population and development, and over-draft due to increased demand, were within the areas that ultimately were included within the boundaries of the Conservation District. Further, at the time of its formation, the hydrological characteristics of the Basin were such that the area with the highest extraction rates were located near the District's westerly boundary and in the general vicinity of the San Antonio Creek, the westerly-most creek overlying the Basin. Consequently, the first conservation plan of the District was to acquire spreading grounds and recharge basins in the gravel beds of the upper reaches of the San Antonio Creek and to develop the conveyance works necessary to re-direct runoff to the recharge basins. As this example indicates, historically the District's conservation projects have been, and continue to this day to be, planned and engineered to adapt natural hydrological situations to satisfy groundwater-pumping demands.

1968 Comprehensive Plan of Water Resources Conservation

The 1968 "Comprehensive Plan of Water Resources Conservation" was the first "formal" master plan to be completed by the District." Within that study a careful analysis was made of the functions and operations of the various agencies concerned with water conservation in the Chino Basin area. In addition to the Chino Basin Water Conservation District, it was found that Municipal Water Districts were organized under the provisions of State laws that also authorize the function of water conservation. Additionally, it was learned that the San Bernardino County Flood Control District was created with similar powers.

As learned in 1968, the only other governmental body having jurisdictional responsibilities within the Chino Basin area that has basins similar to the recharge facilities of the Conservation District is the San Bernardino County Flood Control District. However, the activities of the Flood Control District cover a wide area, from the San Antonio Creek system on the west to channels and levees in the vicinity of Needles on the east. While most of that districts' facilities are designed with limited built-in water conservation features, by its very size and divergence of responsibilities, water conservation is by necessity a byproduct of protecting lives and property from the ravages of floods. Further, as relates to the Flood Control District's educational programs, they are primarily focused on the reduction of pollution within area streams and storm drains and do not cover matters of water conservation that result in the reduction of water use. Further, like most Independent Special District's, its educational programs are limited due to multiple management and project funding needs and other financial limitations.

As the parties to the 1978 Chino Basin Judgment have learned, the responsibility for replenishment of water in the underground reservoir of Chino Basin is a full-time, single purpose activity, best accomplished by a local agency whose primary concern is for the water quality and productivity of Chino Basin. The history of the District's accomplishments in the area of water conservation is evidence of its basin-wide concern, and its ability to administer to the recharge needs of the Chino Basin and to develop and provide public education programs that have been recognized by local, regional, and state-wide water interests.

1985 Water Conservation Program

The Chino Basin Water Conservation District's 1985 Water Conservation Master Plan recognized that there had been many changes influencing water management since the 1968 Master Plan had been prepared. Examples of these changes included the successful adjudication of the Chino Groundwater Basin, the formation of a regional sewerage treatment and disposal program, and the construction of numerous storm drains and major channels. The 1985 Plan also recognized that a plan was underway for the construction of State Project water treatment facilities that would allow this new water supply to be imported for either recharge to compensate for over-pumping or for treatment and direct-use. The 1985 Master Plan considered these influences upon the availability of new water supplies for the Chino Groundwater Basin and laid out programs necessary to expound upon these new opportunities.

Present Water Conservation Master Plan
The present water conservation plans of the Conservation District are to further the District's Mission as follows:

Assist Watermaster to Develop Additional Recharge Capabilities
A major element of the Optimum Basin Management Program adopted by Watermaster involves the maximization of the recharge potential of the Chino Basin, including the addition of at least two new recharge basin facilities. Although the primary purpose of the recharge basins is to enable Watermaster to meet its future "replenishment obligations," studies indicate that there is the potential for the capture and recharge of stormwater as well. Hence the Conservation District is actively working with Watermaster to aid it in achieving its OBMP goals while similarly achieving the Conservation District's Mission to recharge high quality rain runoff.

Recharge with Imported Water
Since the 1978 Judgment, the Chino Basin Watermaster directs the purchase and spreading of imported and recycled water in District basins. The Conservation District cooperates with these programs and it is currently working with Watermaster to implement plans and programs for new and/or improved storm water recharge basins that will accommodate the recharge of water from multiple sources. Interestingly, the recent cooperative studies of Watermaster and the Conservation District have confirmed the conclusions mentioned in the District's 1985 Master Plan, namely, that recharge occurring in the northerly portion of the Chino groundwater basin is more expedient and beneficial to the Basin as a whole than recharge elsewhere.

Recycled Water Recharge and Reuse
The Conservation District encourages the recharge and reuse of recycled water. Examples of such uses are landscape, park and agricultural land irrigation, and direct use by industry. Every gallon of recycled water used is one gallon of groundwater that need not be pumped from the basin.

The District is also working with Inland Empire Utilities Agency to conduct a Pilot Recycled Water Recharge Project at the District's Ely Basin #3. This particular project is one of many planned projects that are reaping the benefits of the early studies and programs cooperatively conducted and financed by the Conservation District.

Beginning in 1978 and under a court order the Chino Basin Watermaster directs the purchase and recharge of supplemental water. Under the 1978 judgment, supplemental water may be either imported water or recycled

water. The Conservation District cooperates with this program and works with Watermaster in the development and implementation of plans and programs intended to convert single purpose flood control detention basins into multipurpose recharge basins so that dual use can be achieved whenever possible.

CONCLUSION

The District has been very conservative in its investment in capital improvements, yet has accomplished much in the preservation of groundwater. In this regard, the Directors strongly believe that the important and necessary function of water conservation cannot be performed more efficiently or at less cost by others serving multiple and varied public interests. The District's Directors believe that the District's record of achievements and the magnitude of ongoing programs speaks for itself and upon examination confirm that the District is operating effectively and economically for the benefit of the taxpayers.

Experience in Southern California and other semi-arid areas of the nation has proved that local, natural water is one of our most valuable, natural resources. Therefore, its protection and conservation merits every economically feasible effort at our command.

Now, more than ever, the District must maintain a continued vigilance in reference to water rights, adjudication and water quality.

However, the conservation of water, as is true with many other natural resources, cannot be accomplished solely by the residential and business users who rely so much upon its abundant supply. But action IS required. This is due to the fact that as urban development expands, with its increased requirements for water, and as more land is devoted to residential and commercial use, the need to take steps to conserve water that would be lost as runoff increases proportionately.

Because of the delicate balance between water production and recharge within the Chino Basin, Chino Basin Water Conservation District will continue to study and evaluate water conservation requirements as related to overall conditions within its boundaries. As the needs of the District increase, and funds become available, the expansion of facilities to recharge the groundwater basin, as deemed necessary by professional engineering studies, will be implemented by CBWCD. Future planning and development will also include both economic and geographic analysis of area requirements and potential, with project planning based upon such criteria, plus continued coordination with the San Bernardino Flood Control District and Watermaster as required.

It is evident that this District's purpose, commitment, and focus is on water conservation. There are no distractions or competing funding needs that might alter the dominant emphasis that this District places on water conservation. The District's Board of Directors is committed to carrying on the important water conservation programs that we are currently engaged in, and it has directed the staff to continue to initiate new ideas and programs. The record of the District's activities supports the conclusion that most water conservation tasks in the Chino Basin area can best be done by this District.

In closing, we are proud of our achievements, and have high hopes for the future. We believe that this report and the supporting documents satisfy the queries in the sphere/service review survey. If you have any further questions or require clarification, please feel free to call

cbwcd info

Response from Tom Dodson

Attachment 3

TOM DODSON & ASSOCIATES
2150 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92405
TEL (909) 882-3612 • FAX (909) 882-7015
E-MAIL tda@tstonramp.com

July 5, 2002

Mr. James M. Roddy, Executive Officer
Local Agency Formation Commission
175 West Fifth Street, Second Floor
San Bernardino, CA 92415-0490

Dear Jim:

LAFCO 2892 consists of a service review for the Chino Basin Water Conservation District (CBWCD) pursuant to Government Code Section 56430 and Sphere of Influence Study Pursuant to Government Code 56425. If approved by the Commission, the service and Sphere review would not result in any change to the services or the Sphere of Influence for CBWCD. Based on the above proposal, it appears that LAFCO 2892 can be implemented without causing any physical changes to the environment or any adverse environmental impacts. The service and Sphere review does not appear to have any potential to alter the existing physical environment in any manner. Since no projects are pending or will occur as a result of approving this review, no physical changes in the environment are forecast to result from approving the action before the Commission.

Without a potential for causing physical changes in the environment, I recommend that the Commission find that a Statutory Exemption applies to LAFCO 2892 under the Section 15061 (b) (3) which states: "A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." It is my opinion, and recommendation to the Commission, that this circumstance applies to LAFCO 2892.

Based on a review of LAFCO 2892 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 2892 does not constitute a project under CEQA and adoption of the Statutory Exemption and filing of a Notice of Exemption is the most appropriate determination to comply with the CEQA process for this action. The Commission can approve the review and findings for this action and I recommend that you notice LAFCO 2892 as statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline sections cited above. The Commission needs to file a Notice of Exemption with the County Clerk to the Board for this action once the hearing is completed.

A copy of this exemption should be retained in LAFCO's project file to serve as verification of this evaluation and as the CEQA environmental determination record. If you have any questions, please feel free to give me a call.

Sincerely,

Tom Dodson

Tom Dodson

Draft Resolution

Attachment 4

DRAFT

PROPOSAL NO.: LAFCO 2892

HEARING DATE: SEPTEMBER 18, 2002

RESOLUTION NO. 2740

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2892, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE CHINO BASIN WATER CONSERVATION DISTRICT. The study area is the existing sphere of influence assigned for the Chino Basin Water Conservation District, which is coterminous with the boundaries of the District. Included within this area are all or portions of the Cities of Upland, Montclair, Chino, Chino Hills, Ontario, and Rancho Cucamonga.

On motion of Commissioner _____, duly seconded by Commissioner _____, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, a service review mandated by Government Code Section 56430 and a sphere of influence update mandated by Government Code Section 56425 have been conducted by the Local Agency Formation Commission of the County of San Bernardino (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this Commission on this matter; and,

WHEREAS, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in the notice of public hearing and in an order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the review, in evidence presented at the hearing; and,

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that this service review and sphere of influence update are

statutorily exempt from CEQA and such exemption is hereby adopted by this Commission. The Clerk is directed to file a Notice of Exemption within five working days of adoption of this resolution; and,

WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it is determined that the sphere of influence for the Chino Basin Water Conservation District should be affirmed as it currently exists, as more specifically described in maps and legal descriptions on file in the LAFCO staff office; and,

WHEREAS, the following findings are made in conformance with Government Code Section 56430 and local Commission policy:

1. **Infrastructure Needs and Deficiencies.** A comprehensive capital improvement plan has been adopted by the District setting forth recommendations for a variety of projects. This plan is annually reviewed and updated. A copy of the capital improvement plan is on file in District offices and in the LAFCO staff office. No relevant issues with respect to infrastructure needs and deficiencies have been identified.

2. **Growth and Population.** The District has not identified any relevant service review issues associated with growth and population projections within District boundaries.

3. **Financing Opportunities and Constraints.** The District receives a share of the general levy of property tax revenue, reimbursements of costs to operate and maintain facilities, and interagency agreements with the Chino Basin Watermaster, the County Flood Control District, and other agencies and private companies.

4. **Cost Avoidance Opportunities.** The District frequently participates with other agencies in promoting its water conservation education programs and in conducting its water recharge activities. There is no duplication of these services by other agencies. Examples of joint agency practices undertaken by the District are on file in the LAFCO office. No specific additional cost avoidance opportunities have been identified.

5. **Rate Restructuring.** This element of the service review factors is not relevant to the Chino Basin Water Conservation District.

6. **Opportunities for Shared Facilities.** The District indicates that whenever possible and justified, multiple uses of the District's basins are promoted since the unit cost of ownership is sometimes reduced as the list of compatible users (e.g., County Flood Control) increases. No other specific opportunities for shared facilities have been identified.

7. **Government Structure Options.** The District indicates that the services it offers are unique and cannot reasonably be duplicated by any other agencies. Any possible governmental reorganization (dissolution, consolidation, reorganization, etc.) would be processed under the District's Principal Act, which would essentially require District consent to the proposal. Under current law, no possible governmental restructuring is possible unless the District initiates a proposal.

8. **Management Efficiencies.** No relevant issues related to this factor were identified by the District.

9. **Local Accountability and Governance.** The District is governed by a seven member Board of Directors elected by divisions within the District. While the District does not have "customers" by the normal definition, it actively promotes public awareness of District programs through educational activities and maintenance of a web site for public information with open meetings. No other relevant issues concerning this factor have been identified.

WHEREAS, the following findings are made in conformance with Government Code Section 56425 and local Commission policy:

1. **PRESENT AND PLANNED LAND USES**

The full range of urban, suburban, and rural land uses are included within the boundaries and current sphere of influence of the Chino Basin Water Conservation District. This sphere of influence update and service review have no potential whatsoever to change present or planned land uses within the District's sphere, since no changes to the sphere of influence are contemplated.

2. **PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA**

No changes to the District sphere of influence are proposed or contemplated through this review. The District has adopted a master plan for service which addresses this issue, and is on file in the District offices.

3. **PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES PROVIDED**

No changes to the District's sphere of influence are proposed or contemplated through this review. Again, the District has adopted a master plan for service which addresses this issue, and is on file in the District offices.

4. **COMMUNITIES OF INTEREST IN THE AREA**

No changes to the District sphere of influence are proposed or contemplated through this review. The Commission therefore determines that this factor of determination is not relevant to this review, as permitted by Government Code Section 56425.

5. **OTHER FINDINGS**

A. Notice of this hearing has been published as required by law in The Sun and Inland Valley Daily Bulletin, newspapers of general circulation in the area. As required by state law, individual notification was provided to affected and interested local agencies, County departments, and those individuals wishing mailed notice.

B. Comments from landowners and any affected local agencies, if any, have been reviewed and considered by the Commission in making its determination.

WHEREAS, pursuant to the provisions of Government Code Section 56425(h) the range of services provided by the Chino Basin Water Conservation District shall be limited to groundwater replenishment services and water conservation activities, which include water conservation education functions, and such range of services shall not be changed unless approved by this Commission; and,

WHEREAS, having reviewed and considered the findings as outlined above, the Commission affirms and upholds the sphere of influence for the Chino Basin Water Conservation District as it currently exists, and is depicted on maps and legal descriptions on file in the office of the San Bernardino Local Agency Formation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission shall consider the territory, described on maps and legal descriptions on file in the LAFCO office, as being within the sphere of influence of the Chino Basin Water Conservation District, it being fully understood that establishment of such a sphere of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that the Chino Basin Water Conservation District shall indemnify, defend, and hold harmless the Local Agency Formation Commission of the County of San Bernardino from any legal expense, legal action, or judgment arising out of the Commission's affirmation of this sphere of influence, including any reimbursement of legal fees and costs incurred by the Commission.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

****

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, JAMES M. RODDY, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of September 18, 2002.

DATED:

JAMES M. RODDY, Executive Officer