

MEETING NOTES

Basin Monitoring Program Task Force March 24, 2025

STAKEHOLDERS PRESENT:

Chino Basin Water Master, Edgar Tellez Foster
Chino Basin Water Master, Justin Nakano
Chino Basin Water Master, Alonso Jurado
City of Banning, Shah Nawaz
City of Beaumont, Kevin Lee
City of Corona, Aftab Hussain
City of Corona, Melissa Estrada
City of Redlands, John Harris
City of Rialto, Toyasha Sebbag
City of Riverside (RPU), Drew Faherty
City of Riverside (RPU), Farid Ishak Boushaki
Eastern Municipal WD, Anthony Budicin
Eastern Municipal WD, Doug Edwards

Eastern Municipal WD, Tom Henderson
Elsinore Valley Municipal WD, Jesus Gastelum
Inland Empire Utilities Agency, Bonita Fan
Inland Empire Utilities Agency, John Russ
Inland Empire Utilities Agency, Pietro Cambiaso
Orange County Water District, Kevin O'Toole
San Bernardino Valley Municipal Water District, Adekunle Ojo
San Bernardino Valley Municipal Water District, Greg Woodside
SBMWD/RIX/JPA, Miguel Guerrero
SBMWD/RIX/JPA, Jennifer Shepardson
WMWD/WRCRWA, Carly Pierce
WMWD/WRCRWA, Jennifer McMullin
WMWD/WRCRWA, Mallory O'Connor
YVWD, Ashley Gibson

OTHERS PRESENT:

Kahn, Soares, & Conway (KSC), Theresa (Tess) Dunham
Rincon Consultants, Rosalyn Prickett
Rubidoux Community Services District, Jaclyn Makarzec
Santa Ana Watershed Project Authority, Gil Botello
Santa Ana Watershed Project Authority, Ian Achimore
Santa Ana Watershed Project Authority, Natalia Gonzalez
Santa Ana Watershed Project Authority, Rachel Gray

Santa Ana Regional Water Quality Control Board, Adriana Godinez
Santa Ana Regional Water Quality Control Board, Cindy Li
Santa Ana Regional Water Quality Control Board, Keith Person
Santa Ana Regional Water Quality Control Board, Keyla Kawamura
WSC, Joe Kingsbury
WSC, Michael Cruikshank
WSC, Aaron Morland
West Yost, Vera Weamer

STAKEHOLDERS ABSENT:

Beaumont-Cherry Valley Water District
Irvine Ranch Water District

Jurupa Community Services District
San Geronio Pass Water Agency
Temescal Valley Water District

Call to Order/Introductions

The Basin Monitoring Program Task Force meeting was called to order at 1:02 p.m. by Ian Achimore at SAWPA with participants participating remotely and in person. Brief introductions were made.

Approval of December 2024 Meeting Notes

The December 19, 2024 meeting notes were approved as posted.

Basin Plan Amendment Document Review – Tess Dunham, KSC

Tess Dunham, of Kahn, Soares, and Conway, LLP (KSC), provided a document review on the draft Basin Plan Amendment, focusing on proposed revisions to Chapter 4, which outlines antidegradation objectives. The purpose of the review was to update the task force on clarifying changes based on prior recommendations, particularly those stemming from the surface water monitoring program and feedback received during the 2024 Integrated Report process. This future Amendment is intended to “clean up” and clarify the existing language rather than introduce new regulatory standards. Key updates include correcting editorial errors, such as numeric typos in Methylene Blue-Activated Substances (MBAS) objectives, and revising outdated references. The Amendment also proposes changes in how compliance is evaluated—for example, shifting from a 5-year moving average to a 60-month volume-weighted average for total dissolved solids (TDS) and redefining Santa Ana River Reach 3 “base flow conditions” using more specific hydrological and operational criteria.

Ms. Dunham clarified that while the Task Force performs annual water quality assessments, only the Regional and State Water Boards can make formal compliance determinations as part of the state’s Integrated Report

process. Additional clarifications address the regulation of both point and non-point source discharges, align compliance language with current regulatory practices, and remove outdated references to flow objectives, which are managed outside the Basin Plan. Updates were also made to the list of groundwater management zones (GMZs) with adopted maximum benefit objectives. Ms. Dunham invited the Task Force to provide feedback on several unresolved issues, including how to apply the revised base flow definition to other tributaries and how to handle data submission for calculated values used in compliance assessments. The revised draft will be circulated for review before the amendment proceeds through the formal regulatory process.

City & County of San Francisco v. EPA March 2025 US Supreme Court Decision – Tess Dunham, KSC

Ms. Dunham provided a briefing on the recent U.S. Supreme Court decision in the *City & County of San Francisco v. EPA* case, which significantly impacts Clean Water Act permitting. The Court ruled that “backward-looking” receiving water limitations—which prohibit causing or contributing to water quality exceedances—are not authorized under the Clean Water Act. These types of limits are common in California’s National Pollutant Discharge Elimination System (NPDES) and Waste Discharge Requirements (WDRs).

The decision calls into question longstanding practices by both the U.S. EPA and State Water Board and suggests future permits may need to shift to more affirmative, action-based provisions, such as numeric effluent limits. This may particularly affect municipal stormwater and Publicly Owned Treatment Works (POTW) dischargers. The State Water Board is currently evaluating its response and how to advise Regional Boards moving forward.

Ms. Dunham also mentioned the potential implications for citizen suits, particularly where state law requirements are included in federal permits. She referenced the related 9th Circuit case, *Puget Soundkeeper v. Port of Tacoma*, which suggests stricter scrutiny of state-law-based provisions in federal enforcement contexts.

Ms. Dunham described the ruling as one of the most impactful Supreme Court decisions in her 30-year career and anticipates it will shape regulatory conversations and permit processes significantly over the coming year.

Potential Data Gaps Framework Reminder – Ian Achimore, SAWPA

Ian Achimore of SAWPA provided an update on the Task Force’s Potential Data Gaps Framework, which was discussed in previous Task Force meetings and outlined in an email reminder sent on September 30, 2024. Mr. Achimore emphasized the importance of reviewing this email, which summarizes key components of the Framework and offers guidance for GMZs. The Framework was developed, in part, through a series of meetings with groundwater managers in May 2023. A key element of the document is Table 4, which prioritizes GMZs as either “high” or “low” and outlines corresponding next steps. Agencies in “high-priority” GMZs are expected to complete additional steps outlined in the Framework and meet a critical deadline of December 31, 2025. Although the Framework’s next steps are to be completed by water agencies in the GMZ (and not SAWPA as the Task Force administrator), Mr. Achimore stated that SAWPA is available to answer questions and provide technical assistance with Regulatory Facilitator Tess Dunham. He concluded by noting that he would resend the September email and encouraged stakeholders to reach out with any questions.

Draft Bunker Hill Regional Recycled Water Salinity Management Feasibility Study Overview - Rosalyn Prickett, Rincon Consultants Inc.

Rosalyn Prickett of Rincon Consultants, along with Aaron Morland of WSC, presented an overview of the Draft Bunker Hill B Regional Recycled Water Salinity Management Feasibility Study. The study was prepared on behalf of a coalition consisting of the City of San Bernardino, East Valley Water District, City of Redlands, and San Bernardino Valley Municipal Water District. These agencies have been collaborating since 2022 to address salinity management related to recycled water recharge into the Bunker Hill B GMZ. The feasibility study was prompted by the Regional Water Board’s request for a cumulative assessment of salinity impacts

from all recycled water dischargers in the basin, not just East Valley Water District's Sterling Natural Resource Center, which began discharging in early 2024.

Ms. Prickett explained that initial modeling showed that while individual projects were within water quality objectives, the combined discharges would exceed the 20% assimilative capacity threshold for TDS around the year 2037. Mr. Morland detailed the screening process for salinity management alternatives and focused the analysis on two regional desalter options—one at the Sterling facility and one at San Bernardino's tertiary treatment facility site. The latter was identified as the preferred option due to lower capital costs, fewer community impacts, and a larger site footprint for future expansion. The estimated cost for this desalter is \$31.7 million in 2024 dollars.

The coalition is also exploring a regulatory pathway that would allow the use of additional assimilative capacity beyond the 20% threshold, potentially delaying or modifying the need for desalter construction. This approach would involve updating groundwater models, collecting additional data, and working through the Salt and Nutrient Management Planning (SNMP) Workgroup to assess long-term impacts. A decision on how to proceed is expected by 2027, with the potential for a subregional SNMP submission to the Regional Board. Ms. Prickett noted that comments on the study are due by April 16, 2025, and encouraged stakeholders to review the document.

Draft 2024 Surface Water Quarterly Monitoring Data for Review – Ian Achimore, SAWPA

Mr. Achimore presented a PowerPoint titled, Draft 2024 Surface Water Quality Monitoring Data for Review. This data represents the first year of a three-year monitoring effort along the Santa Ana River, with sampling conducted at three key sites: E Street, Riverside Avenue, and Mission Inn Boulevard. The monitoring was launched through a Task Force-developed work plan, which resulted in a contract with consultant CWE. Sampling occurred quarterly—in January, April, August, and November—with the E Street site recorded as dry in August. Parameters analyzed include TDS and total inorganic nitrogen (TIN), among others. CWE compiled the results in a format compatible with the California Environmental Data Exchange Network (CEDEN), and the data has been shared for task force review. Mr. Achimore walked through key highlights in the PowerPoint, including a summary table comparing results to anti-degradation objectives, along with calculated averages. Task Force members were asked to review the data within two to three weeks, as it is important for informing future regulatory-related reporting.

Monitoring Plan - Special Study of Total Dissolved Solids for Santa Ana River Reach 3 Consultant – Ian Achimore, SAWPA

A closed session was held for the Task Force members to discuss and review the Monitoring Plan.

FYE 2026/FYE 2027 Budget – Ian Achimore, SAWPA

A closed session was held for the Task Force members to discuss and review the upcoming two-year budget.

Adjournment

The meeting was adjourned at 3:06 p.m.