

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

Ridgecrest City Hall 100 W California Ave., Ridgecrest, CA 93555 760-499-5002

BOARD OF DIRECTORS SPECIAL MEETING AGENDA

Wednesday, May 15, 2024

Open Session – 10:00 a.m.

Closed Session to follow

NOTICE: *In accordance with the evolving public health declarations, we will continue to provide live stream video for those wishing to participate virtually. Please see the Public Comment Notice below for detailed instructions on submitting public comment as well as websites for livestream broadcasting.*

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact April Keigwin at (805) 764-5452. Requests must be made as early as possible and at least one full business day before the start of the meeting. Documents and material relating to an open session agenda items that are provided to the IWVGA Board of Directors prior to a regular meeting will be available for public inspection and copying at Ridgecrest City Hall, 100 W California Ave, Ridgecrest, CA 93555, or online at <https://iwvga.org/>.

Statements from the Public

The public will be allowed to address the Board during Public Comments about subjects within the jurisdiction of the IWVGA Board and that are NOT on the agenda. No action may be taken on off-agenda items unless authorized by law. Questions posed to the Board may be answered after the meeting or at future meeting. Dialog or extended discussion between the public and the Board or staff will be limited in accordance with the Brown Act. All Public Comment portions of the meeting shall be limited to three (3) minutes per speaker. Each person is limited to one comment during Public Comments.

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. OPEN SESSION –

- a. Pledge of Allegiance
- b. Roll Call

4. PUBLIC COMMENT

This time is reserved for the public to address the Board about matters NOT on the agenda. No action will be taken on non-agenda items unless authorized by law. Comments are limited to three minutes per person.

5. BOARD MEMBER COMMENTS

This time is reserved for comments by Board members and/or staff and to identify matters for future Board business.

6. CONSENT AGENDA

- a. Approve Minutes of Special Board Meeting April 10, 2024

b. Approve Expenditures

**To view itemized invoices please visit <https://iwvga.org/iwvga-meetings>*

- i. \$133,090.58 – Stetson Engineers
- ii. \$37,640.034 – Regional Government Services – (Replenishment / Extraction)
- iii. \$18,962.50 – Capitol Core Group – (Replenishment)
- iv. \$125,595.17 – Provost & Pritchard – (SGMA IP Grant)

7. REPORT ON BOARD MEMBER REFERRAL REGARDING LITTLE LAKE

8. PUBLIC SERVICE ANNOUNCEMENT REGARDING THE GROUNDWATER ADJUDICATION LAWSUIT FILED BY INDIAN WELLS VALLEY WATER DISTRICT AND THE LITIGATION’S IMPACT ON SMALL DOMESTIC WELL OWNERS IN THE VALLEY

9. WATER RESOURCES MANAGER REPORT

- a. Grant Funding
- b. GSP Implementation Projects/Management Action Updates
 - i. Imported Water Project
 - ii. Shallow Well Mitigation Program
 - iii. GSP Periodic Evaluation and Amendment
- c. Miscellaneous Items
 - i. Data Collection and Monitoring
 - ii. IWVGA Basin Model Configuration Management Plan
 - iii. Rose Valley Subflow Update

10. GENERAL MANAGER’S REPORT

- a. Monthly Financial Report
- b. C&E Plan Update
- c. Report on IWVGA’s Water Marketer (Capitol Core Group)

11. PUBLIC COMMENT ON CLOSED SESSION

12. CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION – (Government Code Section 54956.9(d)(2)(e)(1)(One Matter)
- CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – (Government Code Section 54956.8) - Property: Purchase of Water Rights; Agency Negotiator: Jeff Simonetti; Negotiating Parties: Palmdale Municipal Water District; Under Negotiation: Price and terms of payment.
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1): IWVGA v. Inyokern CSD – Kern County Superior Court BCV-22-100281
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1) - Name of case: Searles Valley Minerals Inc v. Indian Wells Valley Groundwater Authority, et. al. - Orange County Superior Court 30-2022-01239487-CU-MC-CJC

- CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
(Government Code Section 54956.9(d)(1) - Name of case: Mojave Pistachios, LLC, a California limited liability company, et.al. v. Indian Wells Valley Groundwater Authority, a California Joint Powers Authority, et. al. - Orange County Superior Court 30-2022-0139479-CU-MC-CJC

13. REPORT ON CLOSED SESSION

14. DATE OF NEXT MEETING – JUNE 12, 2024

15. ADJOURN

PUBLIC COMMENT NOTICE

IWVGA meetings will be open to the public for physical attendance; However, for those who wish to continue using virtual alternatives please follow the directions below for access to live stream video as well as ways to submit public comment.

- **Watch meetings on-line:**
All of our meetings are streamed live at <https://ridgecrest-ca.gov/369/Watch> (4 second streaming delay) or on YouTube at <https://www.youtube.com/cityofridgecrest/live> (22 second streaming delay) and are also available for playback after the meeting.
- **Call in for public comments:**
If you wish to make verbal comment, *please call (760) 499-5010*. This phone line will allow only one caller at a time, so if the line is busy, please continue to dial. We will be allowing a 20-30 second pause between callers to give time for media delays and callers to dial in. Due to media delays, please mute your streaming device while making public comment. If you wish to comment on multiple items, you will need to call in as each item is presented.
**Please Note – This process will be a learning curve for all, please be patient.*
- **Submit written comments:**
We encourage submittal of written comments supporting, opposing, or otherwise commenting on an agenda item, for distribution to the Board prior to the meeting. Send emails to akeigwin@rgs.ca.gov written correspondence may be sent to April Keigwin, Clerk of the Board, 100 W. California Ave., Ridgecrest, CA 93555. Please specify to which agenda item your comment relates.
- **Large Groups:**
If you are part of a large group that would like to comment on an agenda item, please consider commenting in writing. This will be as impactful to the Board as having a large group in attendance.

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INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

City of Ridgecrest, Indian Wells Valley Water District, Inyo County, Kern County, San Bernardino County

BOARD OF DIRECTORS MEETING MINUTES Wednesday, April 10, 2024

IWVGA Members Present:

Chairman Phillip Peters, Kern County	Carol Thomas-Keefer, IWVGA General Manager
Scott Hayman, City of Ridgecrest	Phillip Hall, Legal Counsel
Chuck Griffin, IWVWD	Steve Johnson, Stetson Engineers
Tim Itnyre, San Bernardino County	Commander Turner, US Navy, DoD Liaison
Emma Lynch, Bureau of Land Management	April Keigwin, Clerk of the Board

Attending via teleconference is Time Itnyre, Carol Thomas-Keefer, and Steve Johnson.

Meeting recording, public comment letters submitted, and all board meeting related documents are made available at:

<https://iwvga.org/iwvga-meetings/>

1. CALL TO ORDER:

Chairman Peters calls the meeting to order at 10:19 a.m.

2. ADOPTION OF AGENDA:

Motion made by Scott Hayman and seconded by Chuck Griffin to approve adoption of the agenda. Motion carries by the following roll call vote:

Chairman Peters	Aye
Vice Chair Hayman	Aye
Director Itnyre	Aye
Director Griffin	Aye
Director Vallejo	Absent

3. PUBLIC COMMENT ON CLOSED SESSION:

None.

Chairman Peters calls the meeting into Closed Session at 10:20 a.m.

4. CLOSED SESSION:

- CONFERENCE WITH REAL PROPERTY NEGOTIATIONS –
(Government Code Section 54956.8) - Property: Purchase of Water Rights; Agency Negotiator: Jeff Simonetti; Negotiating Parties: Palmdale Municipal Water District; Under Negotiation: Price and terms of payment.
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code Section 54956.9(c)): IWVGA v. Inyokern CSD
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) - Name of case: Searles Valley Minerals Inc v. Indian Wells

Valley Groundwater Authority, et. al. - Orange County Superior Court 30-2022-01239487-CU-MC-CJC

- CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
(Government Code Section 54956.9(d)(1) - Name of case: Mojave Pistachios, LLC, a California limited liability company, et.al. v. Indian Wells Valley Groundwater Authority, a California Joint Powers Authority, et. al. - Orange County Superior Court 30-2022-0139479-CU-MC-CJC

Closed Session adjourns at 11:00 a.m.

5. OPEN SESSION – No earlier than 11:00 a.m.

Meeting reconvenes into Open Session at 11:08 a.m.

- Report on Closed Session – Counsel Hall reports no reportable action was taken that would require disclosure under The Brown Act.
- Pledge of Allegiance is led by Chairman Peters
- Roll Call

Chairman Peters	Present
Vice Chair Hayman	Present
Director Griffin	Present
Director Itnyre	Present
Director Vallejo	Absent

6. PUBLIC COMMENT:

None.

7. BOARD MEMBER COMMENTS:

None.

8. CONSENT AGENDA:

- Approve Minutes of Special Board Meeting March 29, 2024
- Approve Expenditures

**To view itemized invoices please visit <https://iwvga.org/iwvga-meetings>*

- \$138,059.36 – Stetson Engineers
- \$23,518.30 – Regional Government Services – (Replenishment / Extraction)
- \$21,793.75 – Capitol Core Group – (Replenishment)
- \$132,821.20 – Provost & Pritchard – (SGMA IP Grant)

The Board hears public comment from Renee Westa-Lusk

Motion made by Chuck Griffin and seconded by Scott Hayman to approve Minutes of Special Board Meeting March 29 with the removal of a public comment note from Renee Westa-Lusk and the following expenditures in the amount of, \$138,059.36 to Stetson Engineers, \$23,518.30 to Regional Government Services, \$21,793.75 to Capitol Core Group, and \$132,821.20 to Provost & Pritchard.

Motion carries by the following roll call vote:

Chairman Peters	Aye
Vice Chair Hayman	Aye
Director Itnyre	Aye
Director Griffin	Aye
Director Vallejo	Absent

9. BOARD TO RECEIVE AND FILE THE 2022 FINANCIAL AUDIT:

Paul Kaymark of Nigro & Nigro presents the 2022 audit.

10. AMENDMENT NO. 1 TO MASTER AGREEMENT CACA-059994 WITH BUREAU OF LAND MANAGEMENT:

Bianca Cabrera of Stetson Engineers presents amendment.

The Board hears public comment from Judie Decker and Renee Westa-Lusk.

Motion made by Scott Hayman and seconded by Phillip Peters to approve Amendment No. 1 to Master Agreement CACA-059994 with the Bureau of Land Management.

Motion carries by the following roll call vote:

Chairman Peters	Aye
Vice Chair Hayman	Aye
Director Itnyre	Aye
Director Griffin	Nay
Director Vallejo	Absent

11. CONSOLIDATION GRANT PRESENTATION:

Bianca Cabrera and Helena Chu of Stetson Engineers and Renee Morquecho from the Indian Wells Valley Water District provide presentation.

The Board hears public comment from West Katzenstein, Judie Decker and Renee Westa-Lusk.

12. WATER RESOURCES MANAGER REPORT:

Steve Johnson provides updates on the following items:

- a. Grant Funding
- b. GSP Implementation Projects/Management Action Updates
 - i. Imported Water Project
 - ii. Shallow Well Mitigation Program
 - iii. GSP Update
- c. Miscellaneous Items
 - i. Data Collection and Monitoring
 - ii. IWVGA Basin Model Configuration Management Plan
 - iii. Rose Valley Subflow Update

13. GENERAL MANAGERS REPORT:

Carol Thomas-Keefer provides the monthly financial report, updates to the C&E plan, and report from the water marketer.

The Board hears public comment from Renee Westa-Lusk.

14. DATE OF NEXT MEETING – MAY 8, 2024

15. ADJOURN:

Chairman Peters adjourns the meeting at 12:20 p.m. on April 10, 2024.

Respectfully submitted,

April Keigwin
Clerk of the Board
Indian Wells Valley Groundwater Authority

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Invoice

Indian Wells Valley Groundwater Authority
 Ms. Carol Thomas-Keefer
 100 W. California Ave.
 Ridgecrest, CA 93555

Invoice Number: 2652-80
Invoice Date: 04/10/24

Project #: 2652 **Indian Wells Valley Groundwater Authority**

Professional Services through 3/31/2024

Water Resources Management 2024

01 - Meetings & Prep

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Principal	9.00	\$244.00	\$2,196.00
Special Project Director	1.75	\$244.00	\$427.00
Supervisor I	20.00	\$212.00	\$4,240.00
Associate III	3.75	\$114.00	\$427.50
Assistant I	46.50	\$101.00	\$4,696.50
Assistant II	14.50	\$96.00	\$1,392.00
<i>Professional Services Subtotal:</i>			\$13,379.00
			<u>Charge</u>
Reimbursables			
Postage			\$1.87
Reproduction			\$1.20
<i>Reimbursables Subtotal:</i>			\$3.07
<i>Meetings & Prep Subtotal:</i>			\$13,382.07

01.02 - LADWP Releases Analysis and Presentation

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Special Project Director	6.50	\$244.00	\$1,586.00
Supervisor II	0.25	\$197.00	\$49.25
Associate III	1.00	\$114.00	\$114.00
<i>Professional Services Subtotal:</i>			\$1,749.25
<i>LADWP Releases Analysis and Presentation Subtotal:</i>			\$1,749.25

02 - Prop 1 / Prop 68 Grant Administration

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Supervisor I	0.50	\$212.00	\$106.00
Assistant I	27.00	\$101.00	\$2,727.00
Assistant II	1.25	\$96.00	\$120.00
<i>Professional Services Subtotal:</i>			\$2,953.00
<i>Prop 1 / Prop 68 Grant Administration Subtotal:</i>			\$2,953.00

02.01 - SGMA IP Grant Administration

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Senior Associate	1.25	\$132.00	\$165.00
Assistant I	9.00	\$101.00	\$909.00
<i>Professional Services Subtotal:</i>			\$1,074.00
<i>SGMA IP Grant Administration Subtotal:</i>			\$1,074.00



02.02 - Urban Community Drought Relief Funding Administration

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Assistant I	2.50	\$101.00	\$252.50
<i>Professional Services Subtotal:</i>			<u>\$252.50</u>
<i>Urban Community Drought Relief Funding Administration Subtotal:</i>			<u>\$252.50</u>

04 - Data Mgmt System Support

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Senior III	4.25	\$138.00	\$586.50
Associate I	0.50	\$126.00	\$63.00
Assistant II	1.75	\$96.00	\$168.00
<i>Professional Services Subtotal:</i>			<u>\$817.50</u>
<i>Data Mgmt System Support Subtotal:</i>			<u>\$817.50</u>

05 - General Project Mgmt

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Special Project Director	5.00	\$244.00	\$1,220.00
Supervisor I	1.00	\$212.00	\$212.00
Supervisor II	1.00	\$197.00	\$197.00
<i>Professional Services Subtotal:</i>			<u>\$1,629.00</u>
<i>General Project Mgmt Subtotal:</i>			<u>\$1,629.00</u>

06 - Model Transfer & Upgrade

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Special Project Director	35.75	\$244.00	\$8,723.00
Supervisor I	8.00	\$212.00	\$1,696.00
Supervisor II	28.50	\$197.00	\$5,614.50
GIS Manager	6.25	\$126.00	\$787.50
Assistant II	6.00	\$96.00	\$576.00
<i>Professional Services Subtotal:</i>			<u>\$17,397.00</u>
<i>Model Transfer & Upgrade Subtotal:</i>			<u>\$17,397.00</u>

07.01 - Imported Water: Planning/Design/Environmental

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Principal	19.50	\$244.00	\$4,758.00
Supervisor I	42.50	\$212.00	\$9,010.00
Assistant I	58.75	\$101.00	\$5,933.75
<i>Professional Services Subtotal:</i>			<u>\$19,701.75</u>
<i>Imported Water: Planning/Design/Environmental Subtotal:</i>			<u>\$19,701.75</u>

09 - Recycled Water

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Assistant II	0.50	\$96.00	\$48.00
<i>Professional Services Subtotal:</i>			<u>\$48.00</u>
<i>Recycled Water Subtotal:</i>			<u>\$48.00</u>

11 - Data Collection, Monitoring & Data Gaps

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Special Project Director	1.50	\$244.00	\$366.00
Supervisor I	2.00	\$212.00	\$424.00
Senior Associate	52.50	\$132.00	\$6,930.00



11 - Data Collection, Monitoring & Data Gaps

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Associate I	77.50	\$126.00	\$9,765.00
GIS Manager	0.50	\$126.00	\$63.00
Associate III	13.25	\$114.00	\$1,510.50
<i>Professional Services Subtotal:</i>			<u>\$19,058.50</u>
Reimbursables			<u>Charge</u>
Car Rental			\$1,133.66
Equipment Rental Expense			\$1,482.13
Lodging			\$668.76
Maps			\$220.00
Meals			\$124.53
Mileage			\$88.44
Other Expenses			\$47.00
Toll			\$14.00
<i>Reimbursables Subtotal:</i>			<u>\$3,778.52</u>
<i>Data Collection, Monitoring & Data Gaps Subtotal:</i>			<u>\$22,837.02</u>

12 - Shallow Well Consolidation Project

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Principal	12.50	\$244.00	\$3,050.00
Supervisor I	3.50	\$212.00	\$742.00
GIS Manager	2.00	\$126.00	\$252.00
Associate III	0.75	\$114.00	\$85.50
Assistant I	0.50	\$101.00	\$50.50
Assistant II	2.75	\$96.00	\$264.00
<i>Professional Services Subtotal:</i>			<u>\$4,444.00</u>
<i>Shallow Well Consolidation Project Subtotal:</i>			<u>\$4,444.00</u>

14 - Production Reporting, Transient Pool & Fee Support

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Supervisor I	0.75	\$212.00	\$159.00
Associate III	1.25	\$114.00	\$142.50
<i>Professional Services Subtotal:</i>			<u>\$301.50</u>
<i>Production Reporting, Transient Pool & Fee Support Subtotal:</i>			<u>\$301.50</u>

20 - Shallow Well Mitigation Program: Outreach & Impacts Evaluation

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Principal	3.50	\$244.00	\$854.00
Supervisor I	2.75	\$212.00	\$583.00
Assistant I	4.00	\$101.00	\$404.00
<i>Professional Services Subtotal:</i>			<u>\$1,841.00</u>
<i>Shallow Well Mitigation Program: Outreach & Impacts Evaluation Subtotal:</i>			<u>\$1,841.00</u>

21 - General Engineering

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Assistant II	7.50	\$96.00	\$720.00
<i>Professional Services Subtotal:</i>			<u>\$720.00</u>
<i>General Engineering Subtotal:</i>			<u>\$720.00</u>

22 - GSP 5-Year Update

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
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22 - GSP 5-Year Update

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Supervisor I	3.25	\$212.00	\$689.00
Supervisor II	103.00	\$197.00	\$20,291.00
GIS Manager	9.25	\$126.00	\$1,165.50
Associate III	0.50	\$114.00	\$57.00
Assistant II	152.00	\$96.00	\$14,592.00
<i>Professional Services Subtotal:</i>			<u>\$36,794.50</u>
<i>GSP 5-Year Update Subtotal:</i>			<u>\$36,794.50</u>

23 - Annual Report Preparation

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Principal	1.50	\$244.00	\$366.00
Supervisor I	1.75	\$212.00	\$371.00
Associate I	2.25	\$126.00	\$283.50
GIS Manager	0.25	\$126.00	\$31.50
Assistant II	6.75	\$96.00	\$648.00
<i>Professional Services Subtotal:</i>			<u>\$1,700.00</u>
<i>Annual Report Preparation Subtotal:</i>			<u>\$1,700.00</u>

25 - Allocation Plan & Rules & Regs on Pumping/Restrictions

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Senior Associate	1.00	\$132.00	\$132.00
<i>Professional Services Subtotal:</i>			<u>\$132.00</u>
<i>Allocation Plan & Rules & Regs on Pumping/Restrictions Subtotal:</i>			<u>\$132.00</u>

26 - Budget Support

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Assistant I	3.00	\$101.00	\$303.00
<i>Professional Services Subtotal:</i>			<u>\$303.00</u>
<i>Budget Support Subtotal:</i>			<u>\$303.00</u>

27 - Litigation Support

Professional Services	<u>Bill Hours</u>	<u>Bill Rate</u>	<u>Charge</u>
Principal	8.00	\$244.00	\$1,952.00
Special Project Director	11.00	\$244.00	\$2,684.00
Supervisor I	1.50	\$212.00	\$318.00
<i>Professional Services Subtotal:</i>			<u>\$4,954.00</u>
Reimbursables			<u>Charge</u>
Reproduction			\$59.49
<i>Reimbursables Subtotal:</i>			<u>\$59.49</u>
<i>Litigation Support Subtotal:</i>			<u>\$5,013.49</u>
<i>Water Resources Management 2024 Subtotal:</i>			<u>\$133,090.58</u>

***** Invoice Total *** \$133,090.58**

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PO Box 1350
Carmel Valley, CA 93924

Invoice

Date	Invoice #
3/31/2024	16713

Bill To:
Indian Wells Valley Groundwater Authority 100 W California Ave Ridgecrest, CA 93555

P.O. No.	Due Date	Inv Sent
	5/15/2024	4/22/2024

Date	Description	Amount
3/31/2024	Reimbursable Expenses for City of Ridgecrest Monthly Rent - please see attached	300.00

Electronic Payment Information: Five Star Bank Routing: 121143037 Account: 003528782	Total	\$300.00
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PO Box 1350
Carmel Valley, CA 93924

Revised **Invoice**

Date	Invoice #
3/31/2024	16589 R

Bill To:
Indian Wells Valley Groundwater Authority
100 W California Ave
Ridgecrest, CA 93555

P.O. No.	Due Date	Inv Sent
	4/30/2024	4/10/2024

Date	Description	Amount
3/31/2024	Contract Services for March - please see attached	37,340.34

Electronic Payment Information: Five Star Bank Routing: 121143037 Account: 003528782	Total \$37,340.34
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Indian Wells Valley

Month: **March, 2024**

Revised

Hours and Rates by Pay Period					
	1st -15th		16th - EOM		Monthly
Advisor	Reg Hrs	Bill Rate	Reg Hrs	Bill Rate	Total Billed
CT	14.50	\$ 140.70	12.00	\$ 140.70	\$ 3,728.55
AK	77.40	\$ 110.25	75.00	\$ 110.25	\$ 16,802.10
JK	0.00	\$ -	0.00	\$ -	\$ -
GL	0.00	\$ -	0.00	\$ -	\$ -
HI	0.50	\$ 150.00	0.00	\$ -	\$ 75.00
AM	0.00	\$ -	0.00	\$ -	\$ -
GS	60.00	\$ 137.00	23.00	\$ 137.00	\$ 11,371.00
RM	11.75	\$ 164.00	9.00	\$ 164.00	\$ 3,403.00
Sub-Totals	164.15		119.00		\$ 35,379.65
Rate Adjustment					\$ 1,960.69
Total Due					<u>\$ 37,340.34</u>

2024	Advisor	Hours	Bill Rate	Revised Bill Rate	Amount Due
January	CT	26.50	\$ 134.00	\$ 140.70	\$ 177.55
January	AK	151.70	\$ 105.00	\$ 110.25	\$ 796.43
February	CT	38.70	\$ 134.00	\$ 140.70	\$ 259.29
February	AK	138.50	\$ 105.00	\$ 110.25	\$ 727.13
Total					<u>\$ 1,960.39</u>

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Capitol Core Group, Inc.
 205 Cartwheel Bend (Operations Dept.)
 Austin, TX 78738 US
 512.568.3084
 operations@capitolcore.com
 www.capitolcore.com

BILL TO

Indian Wells Valley Groundwater
 Authority
 500 West Ridgecrest Blvd.
 Ridgecrest, California 93555
 USA

INVOICE 2024-039

DATE 05/01/2024 **TERMS** Net 45

DUE DATE 06/15/2024

VENDOR ID
195953

INVOICE PERIOD
April 2024

DATE	ACCOUNT SUMMARY	AMOUNT
04/01/2024	Balance Forward	38,581.25
	Other payments and credits after 04/01/2024 through 04/30/2024	0.00
05/01/2024	Other invoices from this date	0.00
	New charges (details below)	18,962.50
	Total Amount Due	57,543.75

ACTIVITY	HOURS	RATE	AMOUNT
Charges			
Project 1: Imported Water Supplies			
P1-A: Ongoing Supply Negotiations			
Government Relations: Intergovernmental Affairs	3.50	275.00	962.50
A: Negotiations with Public Agency Seller #5 {Tatum}			
Government Relations: Intergovernmental Affairs	3	275.00	825.00
A: Private Entity Seller {Tatum}			
P1-B: Other Required Agreements			
Government Relations: Intergovernmental Affairs	2	275.00	550.00
B: Negotiations with Palmdale {Tatum}			
Government Relations: Intergovernmental Affairs	2.50	250.00	625.00
B: Palmdale materials preparation and Meeting {Simonetti}			
Government Relations: Intergovernmental Affairs	1	275.00	275.00
B: Call w/ Stetson {Tatum}			
P1-C: Regulatory Approvals			
P1-D: 2024 Water Market			
Government Relations: Intergovernmental Affairs	3.50	275.00	962.50
D: 2024 Water Sales {Tatum}			
Government Relations: Intergovernmental Affairs	3.50	250.00	875.00
D: 2024 Water Supply Calls {Simonetti}			
Invoice Total Project 1: \$5,075.00 (13 hours)			

ACTIVITY	HOURS	RATE	AMOUNT
Project 2: Interconnection Pipeline Project			
Government Relations:California Legislative: State Budget Request FY2024-2025 Planning Activities; Assembly	1.50	275.00	412.50
Government Relations:California Legislative: Address Water District opposition to interconnection project and opposition to State Budget Request: Assm. Fong and Sen. Grove {McKinney}	7.50	275.00	2,062.50
Government Relations:Federal Congressional: Address Water District opposition to interconnection project and opposition to WRDA-24 Request: Senator Padilla, Rep. Obernolte {McKinney}	4	275.00	1,100.00
Government Relations:California Internal Strategy Call {Tatum}	1	275.00	275.00
Government Relations:Federal Congressional: FY2025 E&WD Community Project Funding Request: Direct Advocacy, and proposal submittal {Simonetti}	4	250.00	1,000.00
Government Relations:California Legislative: FY 2024-2025 State Budget Request {Simonetti}	4.75	250.00	1,187.50
Government Relations:Federal Agency: US Navy materials follow-up {Simonetti}	0.50	250.00	125.00
Government Relations:Federal Congressional: Address Water District opposition to interconnection pipeline and WRDA authorization {Simonetti}	2.75	250.00	687.50
Government Relations:California Legislative: Address Water District opposition to interconnection pipeline and FY2024-2205 State Budget Request {Simonetti}	2	250.00	500.00
Invoice Total Project 2: \$7,350.00 (27 hours)			
Project 3: Other Projects Supporting the GSP			
P3-A: Water Recycling Plant			
P3-B: Wastewater Treatment Plant			
P3-C: Well Mitigations, Consolidations, and Repurposing			
P3-D: Governmental Affairs			
Government Relations:California Legislative: AB 560 Amendments -- drafting and internal meetings {McKinney}	2.50	275.00	687.50
Government Relations:Federal Congressional: Address Water District opposition to Community Project Funding Request for USACE planning funding in support of GSP updates: Rep. Obernolte	2	275.00	550.00
Government Relations:California Legislative: 2024 Legislative actions and monitoring (various bills) {McKinney}	3	275.00	825.00
Government Relations:California Legislative: Internal calls and proposal development 2024-2025 Legislative Proposal {McKinney}	4	275.00	1,100.00
Government Relations:California Legislative: Review 2024-2025 Legislative Proposal {Simonetti}	1.50	250.00	375.00

ACTIVITY	HOURS	RATE	AMOUNT
Government Relations:California Legislative: Direct Advocacy various incl. SB 1210 amendments {Simonetti}	2	250.00	500.00
Invoice Total Project 3: \$4,037.50 (15 hours)			
Project Administration			
General Business Items:Project Administration Board Meetings: April Board Meeting {McKinney}	3	275.00	825.00
General Business Items:Project Administration Board Meeting: April {Tatum}	2	275.00	550.00
General Business Items:Project Administration Board: Monthly Materials Preparation {Simonetti}	1.50	250.00	375.00
General Business Items:Project Administration Board Meeting: April Board Meeting {Simonetti}	3	250.00	750.00
Invoice Total Project Administration: \$2,500.00 (9.5 hours)			

Regulatory Reporting Notes:			
Federal Reporting on Invoice: \$3,462.50			
State Reporting on Invoice: \$7,925.00			

Thank you for your business. Please make checks payable to
Capitol Core Group, Inc.

SUBTOTAL	18,962.50
TAX	0.00
TOTAL	18,962.50
TOTAL OF NEW CHARGES	18,962.50

TOTAL DUE	\$57,543.75
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PROVOST & PRITCHARD CONSULTING GROUP

455 W Fir Ave • Clovis, CA 93611 • (559) 449-2700
www.provostandpritchard.com

April Keigwin
Indian Wells Valley Groundwater Authority
100 West California Avenue
Ridgecrest, CA 93555

April 30, 2024
Project No: 04101-23-002
Invoice No: 109557

Project Name: IWVGA Imported Water Conveyance Design Services

Client Project #:

See Monthly Progress Report attached to the front of this invoice.

Professional Services from April 01, 2024 to April 21, 2024

Phase: 121P Coordination Meetings

Labor

	Hours	Rate	Amount	
Senior Engineer	2.00	186.00	372.00	
Senior Engineer	2.00	178.00	356.00	
Senior Engineer	1.00	164.00	164.00	
Senior Engineer	4.40	195.00	858.00	
Associate Engineer	11.50	133.00	1,529.50	
Assistant Engineer	1.70	126.00	214.20	
Principal Engineer	4.30	207.00	890.10	
Senior Technician	1.00	150.00	150.00	
Associate Technician	1.00	125.00	125.00	
Associate Biologist	1.60	130.00	208.00	
Totals	30.50		4,866.80	
Total Labor				4,866.80
		Total this Phase:		\$4,866.80

Phase: 131P P&P General Project Management

Labor

	Hours	Rate	Amount	
Senior Engineer	13.80	195.00	2,691.00	
Principal Engineer	.80	227.00	181.60	
Principal Engineer	3.00	248.00	744.00	
Project Administrator	.70	101.00	70.70	
Totals	18.30		3,687.30	
Total Labor				3,687.30
		Total this Phase:		\$3,687.30

Phase: 271P BLM Special Use Permit

Labor

	Hours	Rate	Amount	
Senior Engineer	24.40	195.00	4,758.00	
Associate Engineer	3.50	133.00	465.50	
Principal Engineer	1.30	207.00	269.10	
Principal Engineer	2.00	248.00	496.00	

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For billing inquiries, please email Billing@ppeng.com.

Project	04101-23-002	IWVGA Imported Water Conveyance Design	Invoice	109557
Associate Biologist		4.30	130.00	559.00
Totals		35.50		6,547.60
Total Labor				6,547.60

Reimbursable Expenses

Filing Fees				4,455.47
Total Reimbursables				4,455.47
			Total this Phase:	\$11,003.07

Phase:	274P	Kern County Roads Franchise Agreement/Encroachment Permit		
Labor				
		Hours	Rate	Amount
Senior Engineer		.50	178.00	89.00
Totals		.50		89.00
Total Labor				89.00
			Total this Phase:	\$89.00

Phase:	275P	SCE Encroachment Permit (Transmission Line Under Crossing)		
Labor				
		Hours	Rate	Amount
Senior Engineer		9.50	178.00	1,691.00
Senior Engineer		2.10	195.00	409.50
Totals		11.60		2,100.50
Total Labor				2,100.50
			Total this Phase:	\$2,100.50

Phase:	31T6	Electrical System Requirements TM		
Labor				
		Hours	Rate	Amount
Senior Engineer		1.50	195.00	292.50
Totals		1.50		292.50
Total Labor				292.50
			Total this Phase:	\$292.50

Phase:	321P	P&P 60% Submittal		
Labor				
		Hours	Rate	Amount
Senior Engineer		.80	186.00	148.80
Senior Engineer		10.00	178.00	1,780.00
Senior Engineer		15.80	195.00	3,081.00
Assistant Engineer		4.00	119.00	476.00
Senior Specialist		.20	195.00	39.00
Principal Engineer		.30	207.00	62.10
Principal Engineer		.60	227.00	136.20
Senior Technician		1.00	150.00	150.00
Associate Technician		16.80	125.00	2,100.00
Licensed Surveyor		1.00	180.00	180.00
Totals		50.50		8,153.10
Total Labor				8,153.10
			Total this Phase:	\$8,153.10

Project	04101-23-002	IWVGA Imported Water Conveyance Design	Invoice	109557
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Phase: 324T 60% Bennett Trenchless Consultants

Consultants

Consultants			7,229.19	
Total Consultants			7,229.19	7,229.19
		Total this Phase:		\$7,229.19

Billing Limits

	Current	Prior	To-Date	
Total Billings	37,421.46	2,295,356.56	2,332,778.02	
Budget			3,770,969.00	
Budget Remaining			1,438,190.98	
		Total this Invoice		<u><u>\$37,421.46</u></u>

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www.provostandpritchard.com

April Keigwin
Indian Wells Valley Groundwater Authority
100 West California Avenue
Ridgecrest, CA 93555

April 22, 2024
Project No: 04101-23-001
Invoice No: 109226

Project Name: Indian Wells Valley Groundwater Authority-CEQA/NEPA Documents and Permit Documentation

Client Project #:

TSK 1 Initial Coordination: Continued Coordination tasks with staff, client, and agencies to keep project schedule on track. Administrative tasks for overall project progression. Weekly coordination meetings and tasks for project progression. Coordination meetings with sub consultants. Internal management meetings for project progression discussions, staff changes, and all related project status updates. Internal staff coordination based on agency feedback and updates from meetings. Follow up on amendments and notice to proceed. Attend all meetings with BLM and client and draft notes for review and sending out to group. Process sub consultant invoices, reimbursable expenses and timesheets for approval. Email correspondence.

TSK 2 Geotechnical Studies: Continued email correspondence with CDFW to discuss boring sites and mitigation measures. Review and discuss boring locations and make edits to all prepared maps based on discussions. Submit resumes for qualified biological staff to BLM for approval for required additional botany surveys. Review mitigation measures for geotechnical work and revise based on meetings with BLM and CDFW. Map updates for geotechnical locations. Meeting with BLM to review and edits to POD and CMAs for geotechnical work and resolved questions/comments on prepared document. Check in with CDFW and email correspondence. Review revegetation plan for geotechnical work. Email correspondence.

TSK 3 Technical Studies: Biological Resources - Surveys areas updated in alignment. Updates to biological technical reports based on comments/feedback from BLM and CDFW. Prepare redacted BA/BE for public review for sensitive areas. Habitat mapping preparation ahead of survey. Preparation and research efforts for botany survey. Coordination meeting and email communication. Continued efforts on BLM requirements for CMAs. Cultural Resources - finalize report, send to BLM, email correspondence, updates to report.

TSK 4 Public Outreach: Updates to scoping report per meetings with BLM and coordination meetings.

TSK 5 Regulatory Compliance and Permitting: Follow up on submittal of permits for geotechnical work to CDFW, RWQCB, and USACE waivers. Review CDFW LSA Incomplete application letter. Compiling ARD comments and edits to have done for permit package resubmittal. Internal meeting with sub consultant for edits to the ARD based on LSA comments. Coordination with sub consultant on edits and updates to ARD report. Edits to figures.

TSK 6 CEQA/NEPA Documentation: Coordination meetings on cumulative impacts and alternatives analysis. Updating cumulative impact section. Updates to EA Alternatives sections. Updates to bio resources section based on BA/BE. Updates to project description based on alignment updates from design. Updates to exhibits. Internal QAQC on EIR and EA sections and IS for submittal to agencies and client. Edits to figures in environmental document. Email correspondence.

Professional Services from March 01, 2024 to March 31, 2024

Phase: TSK1 Initial Coordination (Kick Off Meetings)

Labor

	Hours	Rate	Amount	
Principal Engineer	1.30	240.00	312.00	
Principal Planner	12.90	198.00	2,554.20	
Senior Project Administrator	45.90	122.00	5,599.80	
Totals	60.10		8,466.00	
Total Labor				8,466.00
		Total this Phase:		\$8,466.00

Phase: TSK2 Geotechnical Studies

Labor

	Hours	Rate	Amount
Associate Specialist	.10	127.00	12.70

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Project	04101-23-001	IWVGA CEQA_NEPA Permitting	Invoice	109226
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Associate Biologist	13.60	136.00	1,849.60	
Totals	13.70		1,862.30	
Total Labor				1,862.30
			Total this Phase:	\$1,862.30

Phase: TSK3 Technical Studies

Labor

	Hours	Rate	Amount	
Principal Planner	3.40	198.00	673.20	
Associate Biologist	19.50	136.00	2,652.00	
Principal Biologist	.20	180.00	36.00	
Totals	23.10		3,361.20	
Total Labor				3,361.20

Consultants

Consultants			57,868.31	
Total Consultants			57,868.31	57,868.31
			Total this Phase:	\$61,229.51

Phase: TSK5 Regulatory Compliance and Permitting

Labor

	Hours	Rate	Amount	
Associate Specialist	8.80	127.00	1,117.60	
Principal Planner	1.70	198.00	336.60	
Associate Biologist	25.30	136.00	3,440.80	
Principal Biologist	.10	180.00	18.00	
Senior Project Administrator	2.50	122.00	305.00	
Totals	38.40		5,218.00	
Total Labor				5,218.00
			Total this Phase:	\$5,218.00

Phase: TSK6 CEQA/NEPA Documentation

Labor

	Hours	Rate	Amount	
Senior Engineer	1.00	210.00	210.00	
Senior Specialist	10.20	157.00	1,601.40	
Associate Planner	27.30	124.00	3,385.20	
Assistant Planner	23.10	103.00	2,379.30	
Principal Planner	3.60	188.00	676.80	
Principal Planner	6.60	198.00	1,306.80	
Associate Biologist	.30	122.00	36.60	
Associate Biologist	12.80	136.00	1,740.80	
Senior Project Administrator	.50	122.00	61.00	
Totals	85.40		11,397.90	
Total Labor				11,397.90
			Total this Phase:	\$11,397.90

Total this Invoice \$88,173.71

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To: Carol Thomas-Keefer, General Manager Indian Wells Valley Groundwater Authority
Phillip Hall, General Counsel Indian Wells Valley Groundwater Authority
Keith Lemieux, General Counsel Indian Wells Valley Groundwater Authority

From: Michael W. McKinney, President Capitol Core Group

cc: Steve Johnson, Watermaster Indian Wells Valley Groundwater Authority, Stetson Engineers
Jeff Simonetti, SVP Capitol Core Group
Todd Tatum, SCA Capitol Core Group

Date: May 9, 2024

Subject: Report of Findings and Assessment: Little Lake Supply and Alternative Pipeline

Pursuant to Chairman Peters' request, Capitol Core Group, in conjunction with Stetson Engineers and County staff, has re-reviewed the purchase of water rights from the Little Lake Ranch (Rose Valley, Inyo County) and the potential alternative pipeline to convey purchased water from Little Lake Ranch to Indian Wells Valley Water District ("the District") facilities.

Upon completion of our review of this alternative, Capitol Core and Stetson continue to maintain:

1. The purchase of water rights from the Little Lake Ranch is insufficient to meet the imported water requirements needed to meet current sustainability, let alone future demands.
2. The construction of the alternative pipeline is infeasible and would increase overall annual O&M costs associated with imported water supplies (thereby increasing overall water rates within the region).

WATER RIGHTS FROM LITTLE LAKE

A purchase of water rights from Little Lake as a potential source of imported water supplies is not new. In 2019, Capitol Core Group reviewed Little Lake Ranch as a potential water rights purchase for IWVGA supplies. Such a water rights purchase would be predicated on the ability of the Authority to convey the physical water from the Little Lake Ranch to the basin. The 2,400 acre-feet of available water is less than the required 3,000- to 5,000-acre-feet of annual imported water supplies required in the Groundwater Sustainability Plan (GSP); therefore, such a water purchase would only meet part of the total water purchase requirement. In addition, the impact of water purchase from Little Lake would require further study on the hydrology of the area, as upstream reductions may impact both the Coso Geothermal Plant

and the Indian Wells Valley recharge. Both hydrology issues center on water within the Rose Valley, Inyo County.

As a partial source, the conveyance of water from Little Lake is predicated on interconnection with the Los Angeles Department of Water and Power (LADWP) aqueduct. Below, we discuss the LADWP interconnection and constructing an independent pipeline system that directly conveys water from Little Lake Ranch to the Indian Wells Valley.

WATER FROM THE ROSE VALLEY

From a hydrological perspective, Stetson has studied the groundwater flows from Rose Valley into the Indian Wells Valley Basin. These flows are the second largest source of groundwater recharge to the IWV Basin after the Sierra Nevada mountain front recharge. These findings are noted in the GSP. In short, the IWV already uses Rose Valley groundwater when it is received as groundwater underflow.

The impact of pumping groundwater or removing surface water (percolated groundwater) from the Little Lake Ranch reduces the underflow of groundwater from the Rose Valley to the IWV Basin. While this is not a proportional reduction (1:1), water taken from the Rose Valley could not be considered new water if it were conveyed to the IWV for the District's use. Surface water runoff from the spring discharges into Little Lake, which then feeds part of the recharge of the Rose Valley groundwater. Exporting surface water from Little Lake to the IWV would reduce groundwater underflow from Rose Valley to the Indian Wells Valley Basin. Again, this would not be a proportional (1:1) reduction, but it would impact the recharge of the IWV basin.

Lastly, Coso Geothermal pumps groundwater from Rose Valley and exports it to their operations under a Conditional Use Permit from Inyo County. The permit has some groundwater level triggers and some conditions on Little Lake's levels. Pumping groundwater from Rose Valley or taking water out of Little Lake would potentially impact Coso Geothermal's operations.

CONVEYANCE

As previously stated, water purchases from Rose Valley would only partially meet sustainability requirements. Additional water supplies beyond 2,400 acre-feet of available water would be required. A conveyance system must be able to satisfy the entire requirement, or additional infrastructure would be required. In order to meet the GSP requirements, a conveyance of water from Little Lake Ranch to the LADWP aqueduct would be required. A pipeline from the Ranch to the LADWP aqueduct traverses sensitive environmental and cultural lands, including the Coso Petroglyphs.

The County of Inyo opposes IWVGA's interconnection to the LADWP aqueduct to convey imported water supplies to the IWV. In addition, the County maintains a ban on the exportation of native water supplies. Purchasing groundwater or surface water (percolated groundwater) from the Little Lake Ranch likely violates that export ban.

Discussions between Capitol Core and LADWP from 2019-2021 indicated LADWP's desire for IWVGA to:

1. Seek approval from Inyo County,
2. Establish a groundwater banking project and
3. Provide a "three-to-one leave-behind agreement" (3:1) as a condition of continuing discussions regarding interconnection.

Inyo County's concerns over IWVGA interconnection with LADWP could not be mitigated. Further, such an agreement with LADWP would require IWVGA to purchase three times ("3X") the amount of imported water supplies needed to meet sustainability requirements. This would increase IWVGA's water purchase costs, which are passed on to ratepayers through the overall volumetric charge. This volumetric charge is anticipated to include O&M and debt-service obligations to purchase the water supply. Lastly, a review of groundwater basin studies indicates it does not percolate, making a groundwater banking project cost-prohibitive. These issues were brought to the Board for review in 2021. At that time, IWVGA requested Capitol Core discontinue discussions with LADWP. In 2023, during its Regular Session, the IWVGA Board favored interconnection with AVEK. As stated by IWVGA staff during the discussion presentation indicated that *"while infrastructure costs for the project are significantly greater for the AVEK interconnection. They were eligible for state/federal funding, thus mitigating impacts on property owners. Conversely, LADWP interconnection would increase overall O&M costs associated with the project and adversely impact ratepayers (by increasing volumetric charges) on a prolonged basis. Water purchases are not eligible for state/federal funding. Further, LADWP interconnection would meet with greater legal challenges."* [paraphrased and summarized; emphasis added]

An independent pipeline system to convey water from Little Lake Ranch to the IWV does not meet sustainability requirements. 2,400 acre-feet per year is insufficient to meet projected growth at the U.S. Naval Air Weapons Station China Lake. Further, it does not anticipate any growth within the Water District's service territory and does not conform to the District's own Urban Water Management Plan. This independent pipeline does not consider the needs of anyone wishing to import water supplies to the IWV (e.g., Searles Valley Minerals). It does not meet the "interconnection" requirements established in the GSP. The Department of Water Resources would likely find it insufficient to meet sustainability needs.

DISCUSSION

The issues stated above continue to the present day. The Water District has been aware of such findings through its participation on the IWVGA Board. Potential water imports from Rose Valley were discussed with the Board in 2019. Then-District and IWVGA General Manager Don Zdeba initiated and attended meetings between LADWP and Capitol Core wherein the Inyo County approval, "three-to-one leave behind" requirements, and establishment of a water bank were discussed. Several reports from 2020-2023 regarding the impacts of imported water purchases through an LADWP interconnection have been made in public sessions with Water District representatives, including Don Zdeba, present.

Capitol Core did a cursory review of a water rights purchase from Little Lake Ranch in 2019, pending discussion of conveyance and hydrology impacts. It was never presented as a viable alternative for consideration due to conveyance and after discussion with Stetson.

Based on LADWP's demands, the IWVGA Board directed that interconnection discussions be stopped in early 2021. Between 2021 and 2024, LADWP's demands have not changed. Conveyance through LADWP remains infeasible and cost-prohibitive to ratepayers. Purchasing water supplies from Rose Valley is also infeasible, potentially violates local ordinances, and does not meet the total requirement for imported water in the Indian Wells Valley Basin.

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IWVGA ADMINISTRATIVE OFFICE

STAFF REPORT

TO: IWVGA Board Members **DATE:** April 15, 2024
FROM: IWVGA Water Resources Manager
SUBJECT: **AGENDA ITEM 12 – WATER RESOURCES MANAGER’S REPORT**

AGENDA ITEM 12a – GRANT FUNDING UPDATE

Proposition 1/68 Grant Closeout

- Retention invoices for Proposition 1 and Prop 68 in the amount of \$187,678.87 and \$32,941.39, respectively, were submitted to DWR on February 28, 2023. The Proposition 1 retention invoice was revised and resubmitted on May 18 per DWR’s request. DWR has approved the retention invoices and is processing payment.
- Post-performance report was submitted on 3/29/24

SGMA Implementation Round 1 Update

- Invoice #3
 - Covers January 2023 through March 2023
 - Total requested payment: \$417,072.61
 - Comments received from DWR on initial submittal
 - Status: Payment received
- Invoice #4
 - Covers April 2023 to June 2023
 - Total requested payment: \$1,061,117.14
 - Comments received from DWR on initial submittal
 - Status: Approved and awaiting payment
- Invoice #5
 - Covers July 2023 to September 2023
 - Total requested payment: \$851,669.63
 - Comments received from DWR on initial submittal
 - Status: Approved and awaiting payment
- Invoice # 6
 - Covers October 2023 to December 2023
 - Total requested payment: \$626,069.10
 - Status: Approved and awaiting payment
- Invoice # 7
 - Covers January 2024 to March 2024
 - Status: Due May 31, 2024

Urban Community Drought Relief Program Update

- The IWVGA has been awarded \$3,345,000 to consolidate shallow well system(s) into a public water system.
- DWR has executed the grant agreement.
- Potential systems/wells for consolidation in areas near impacted shallow wells are being further investigated.
 - Staff reviewed the potential of consolidating the Dune III and Hometown systems, and Rademacher area.
 - Staff will pursue further investigations into consolidating Dune III extension area and Rademacher area.
- Ongoing discussion with IWVWD on collaboration with Dune III to incorporate Dune III extension area.
- Invoice # 1
 - Covers July 2022 to March 2024
 - Total requested payment: \$12,553.75
 - Status: Approved and awaiting payment

2023 Drinking Water System Infrastructure Resilience and Sustainability Program

Staff submitted an application for federal funding on November 6, 2023 for approximately \$2.8 million to fund planning, design, environmental, and right-of-way tasks for the Imported Water Project. Funding awards are anticipated to be announced in late Spring 2024.

AGENDA ITEM 12.b – GSP IMPLEMENTATION PROJECTS/MANAGEMENT ACTION UPDATES

Imported Water Project

- Imported Water Pipeline Design Services
 - Coordination Meetings:
 - Bi-weekly meetings with BLM
 - Finalized SF-299 Application per BLM comments to obtain a Special Use Permit
 - Draft Plan of Design in compliance with the BLM’s Desert Renewable Energy Conservation Plan being revised
 - BLM and IWVGA executed a Right of Way agreement on May 8, 2024 with a permit fee of \$3,874.32
 - BLM providing the Geotech Special Use Permit for P&P to begin geotechnical borings with cultural and biological monitoring on BLM land
 - P&P coordinating obtaining an encroachment permit from Kern County
 - P&P project borings to begin in 2-3 weeks
 - Continuing coordinating approval of mitigation measures for endangered species with California Department of Fish and Wildlife (CDFW)
 - CDFW approval of the Lake and Streambed Alteration Permit (LSA) for the boring locations next to aquatic features is the critical path to getting geotechnical results
 - Coordinating a meeting with CDFW on LSA comments

required to go back to the Mojave Tank Farm and the additional biological resource surveys and reports.

- P&P has provided an updated schedule to account for surveys needed along the Mojave Tank Farm alignment
 - P&P coordinating with AVEK on Mojave Tank Farm alternatives analysis
 - Next Steps:
 - Begin geotechnical and biological monitoring on BLM lands
 - Finalize draft Environmental Impact Report, and BLM Environmental Assessment
 - Provide draft EA for 45- day Public Comment Period by early November
 - Next Milestones:
 - Finalize NEPA compliance for geotechnical borings and environmental surveys/ studies within BLM property
 - Conduct technical analyses/ Special Studies within BLM land and along Mojave Tank Farm Alignment
- Imported Water Pipeline Right-of-Way Services
 - Continue obtaining Rights of Entry from property owners along the pipeline alignment to allow performance of biological/technical studies and geotechnical borings
 - Provided a draft Right of Way Acquisition Plan for Staff review
 - Next Milestone:
 - Provide a final Right of Way Acquisition Plan by June 2024
- Submittals to DWR
 - Submit Initial Study due September 1, 2024
 - Started monthly coordination meetings with DWR on IP Grant progress
- US Army Corps of Engineers Planning Assistance to States (PAS) Program
 - USACE Staff reviewing final proposed project list to start the development of an agreement with Army Corps
 - Next Steps:
 - Execute an agreement with Army Corps

Shallow Well Mitigation Program

Impacted Shallow Wells	Evaluation Status
Stark Street	Application approved for partial funding. Completed
Heritage	Application Declined. Completed
Byerly	Application approved for partial funding. Completed
Halpin	Application approved for partial funding. Completed
Rademacher	Water Quality. Directed to the Shallow Well Mitigation Program and Capital Core. Kern County researching funding. Possible use of new DWR Consolidation Grant.

GSP Periodic Evaluation and Amendment

Revised Periodic Evaluation Schedule of Draft Releases

New Information Collected	May 2024
GSA Authorities and Enforcement Actions	June 2024
Monitoring Networks	June 2024
Outreach, Engagement, and Coordination	June 2024
Groundwater Conditions Relative to Sustainable Management Criteria	July 2024
Basin Setting Based on New Information/Changes in Water Use	July 2024
Status of Projects and Management Actions	August 2024
Full Draft Periodic Evaluation	August 2024

Revised Submittal Process Schedule

Complete Draft Periodic Evaluation Released	September 2, 2024
Complete Draft Plan Amendment Released	September 30, 2024
Periodic Evaluation Comment Period	September 3, 2024 – October 7, 2024
Plan Amendment Comment Period	October 1, 2024 – November 4, 2024
Final Periodic Evaluation for Board Approval	November 13, 2024
Final Plan Amendment for Board Approval	January 8, 2025
Submittal to DWR	January 31, 2025

AGENDA ITEM 12c – MISCELLANEOUS ITEMS

Data Collection and Monitoring

- Staff continued to process depth-to-water and groundwater elevation data from the Spring 2024 groundwater monitoring event.

GSP Model Configuration Management Plan (CMP)

- Technical Model Group (TMG)
 - TMG includes the Navy, TAC representatives, DRI, and Stetson
 - Dec 6, 2023, DRI/Stetson working call to review model updates
 - Dec 18, 2023, TMG meeting/call reviewed and finalized structural model components: faults, model boundaries, clay extents, discussed aquifer properties, evapotranspiration, and groundwater pumping
 - Jan 12, 2024, TMG meeting/call discussed mountain front recharge distribution and aquifer connectivity

- Jan 30, 2024 TMG meeting/call reviewed modeling progress with recharge distribution, hydraulic conductivity zones, and calibration
- Mar 5, 2024, TMG meeting/call to review LADWP Releases Data and modelling progress
- Mar 18, 2024 TMG meeting/call to review Rose Valley hydrogeology and modeling progress
- April 2, 2024 TMG meeting/call to review baseline pumping, Scenario 6.2 and modeling progress
- April 16, 2024 TMG meeting/call to discuss calibration results, model scheduling and baseline
- April 23, 2024 DRI/Stetson working call to discuss calibration statistics, model sensitivity, water budgets
- April 30, 2024 TMG meeting/call to review baseline modeling results, configuration item list revisions, and basin water quality analysis
- May 10, 2024 DRI/Stetson working call to discuss approach to climate change scenario modeling
- Spring 2024 Schedule
 - Sensitivity analysis
 - Development of GSP model scenarios and water budgets
 - Biweekly TMG meetings to be scheduled to monitor modeling progress

Subflow from Rose Valley to IWV

- Ongoing work with BLM regarding Cultural Survey and Permitting for second monitoring well

ACTION(S) REQUIRED BY THE BOARD

There are no actions required by the Board.

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To: Carol Thomas-Keefer, General Manager – Indian Wells Valley Groundwater Authority

From: Michael W. McKinney, Capitol Core Group

cc: Keith Lemieux, Counsel IWVGA
Phillip Hall, Counsel, IWVGA
Steve Johnson, Stetson Engineers
Jeff Simonetti, Capitol Core Group
Todd Tatum, Capitol Core Group

Date: May 2, 2024

Subject: April 2024 Project Update

The following will provide activities and updates for March 2024.

Task 1: Imported Water Supplies

In April, Capitol Core continued discussions with our potential water seller and transfer partner to determine next steps on the purchase and approvals for the water transfer. Our discussions with both entities are ongoing.

Task 2: Interconnection Pipeline Project

Work continued on the WRDA Authorization and the State Budget Request during the month of April. In addition, we supported engineering and permitting efforts in conjunction with Provost & Pritchard and various agencies/stakeholders with an interest in the permitting process.

Task 3: Other Projects Supporting the GSP

UPDATE: *Energy & Water Development Act for Fiscal Year 2025*

To meet Congressional deadlines, Capitol Core has submitted a Community Project Funding Request (“earmark”) in the amount of \$1.6 million to the *Energy & Water Development Appropriations Act for Fiscal Year 2025 (E&WD FY25)*. Representative Obernolte is considering our request to re-program the authorized amounts provided under the *E&WD FY23* to fund U.S. Army Corps of Engineers (USACE) assistance for watershed management planning (“GSP Updates”), validation of specific studies, including basin percolation and GSP findings validation, and water resource planning. The request replaces the Planning Assistance to States application for USACE assistance for interconnection pipeline planning activities that were not permitted due to SGMA-IP funding timelines required by DWR. The request has

been formally submitted to the Congressman for consideration. We should hear at some point in May whether the Representative has submitted the request to the larger bill.

Federal Legislative Updates

NEW REPORT: Priority Legislation: *S. 4157 (Padilla, D-CA): Water Resources Development Act: Compensatory Mitigation*

This bill would allow the Army Corps to contract with a third-party provider to deliver compensatory mitigation for Civil Works projects fully. It is designed to provide flexibility around compensatory and environmental mitigation for the U.S. Army Corps of Engineers Civil Works infrastructure projects. Capitol Core is currently reviewing the legislation for potential impacts to Section 404 permits required for the interconnection pipeline project. Compensatory mitigation refers to the restoration, establishment, enhancement, or preservation of wetlands, streams, or other aquatic resources for the purpose of offsetting unavoidable adverse impacts authorized by Clean Water Act section 404 permits and other Department of the Army permits. Not only does the Army Corps require Clean Water Act permittees to mitigate discharges into U.S. waters, but the Corps itself must also mitigate for impacts from Civil Works flood control, navigation, **and water supply projects**. The bill is under review by Authority staff.

NEW REPORT: Priority Legislation: Discussion Draft (Kelly, D-AZ and Padilla, D-CA): *WRDA: Drought Resilient Infrastructure Act of 2024*

This legislation establishes new and bolsters existing drought authorities for Corps projects in Colorado River Basin states. It adds certain drought-related projects to the Army Corps of Engineers' purview and streamlines portions of the Section 7001 process (Water Resource Projects)

State Legislative Updates

UPDATED/REPORT: FINAL ACTION: Assembly Constitutional Amendment 2: Water Resiliency Act of 2024

This measure would require the Treasurer to annually transfer an amount equal to 1.5% of all state revenues from the General Fund to the California Water Resiliency Trust Fund, which the measure would create. The measure would continuously appropriate money in the fund to the California Water Commission for its actual costs of implementing these provisions and for specified water infrastructure projects. The bill has died in the Assembly Committee on Water, Parks, and Wildlife.

UPDATE/REPORT: SB 1210 (Skinner, D-9th): Water Connection Charges

This bill limited the ability of the Water District and the City to charge a connection fee that exceeds one percent of the reported building permit value for new residential construction. It would have negatively impacted the IWW Water District (water supply) and the City of Ridgecrest (wastewater) by not allowing these jurisdictions the ability to charge the "actual value" of the connection charge by artificially capping such charges at one percent of the building permit value, which is a nebulous calculation. Capitol Core

worked with a coalition of lobbyists to successfully negotiate amendments in April. The amendments were accepted by the Author, and the Authority removed its opposition.

Bill Tracking Report:

May 4, 2024, was the Legislative deadline for legislation introduced during 2024 to have been reported by its first Committee of jurisdiction. Significant activity in Sacramento took place in April on behalf of the Authority. The "Policy Tracking Report" showing all legislative actions is attached.

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INDIAN WELLS VALLEY GROUNDWATER AUTHORITY
Legislative Tracking Report

118th Congressional Session
2023-2024 California State Session

Updated to 3rd May 2024 – California Policy Committee Deadline



CAPITOL **CORE** GROUP



PRIORITY BILLS

Legislation of significant impact on operations or interests. Legislation where a public position may be taken with the legislative body. Updates are provided to staff as they occur, potentially requiring action, and reported herein.

Positions Taken:



Indicating a public position of support for the legislation.



Indicating a public position of opposition for the legislation



Indicating a neutral position on the legislation. Public position or no-public position taken.



Indicating a position of “Amend” and presenting amendments that would change the public position to support.



Indicating a position of oppose unless amended.

FEDERAL PRIORITY LEGISLATION – 118TH CONGRESSIONAL SESSION



WATER RESOURCES DEVELOPMENT ACT OF 2024

House (Graves, R-MO 6th): Main Legislative Vehicle not introduced.

House remains in “investigative mode.”

Full Committee Hearings Held – House Committee on Transportation and Infrastructure

Senate (Carper, D-DE): Main Legislative Vehicle not introduced.

Senate Committee is drafting the bill.

Full Committee Hearings Held – Senate Committee on Environment and Public Works

IWVGA INTERCONNECTION PIPELINE ENVIRONMENTAL INFRASTRUCTURE AUTHORIZATION



To provide a \$150 million authorization request for an interconnection pipeline project pursuant to Section 219 /Environmental Infrastructure of WRDA.

House (Garcia, R-CA 21st): Submitted. Consideration by the Chair

House Committee on Transportation and Infrastructure (pending introduction of the main legislative vehicle)

Senate (Padilla, D-CA): Submitted. Consideration by the Chair

Senate Committee on Environment and Public Works (pending introduction of the main legislative vehicle)

HR 7065 (Napolitano, D-CA, 31st): WRDA Amendment: Priority for Water Supply and Conservation Act of 2024



Introduced 01/22/2024.

This amendment to the Water Resources Development Act of 1974 adds water supply and conservation to the list of “primary mission” projects of the U.S. Army Corps of Engineers' civil engineering programs. Possible amendment to WRDA-24.

House Committee on Transportation & Infrastructure
[Current Text](#)

NEW: DRAFT LEGISLATION (Kelly, D-AZ and Padilla, D-CA): WRDA: Drought Resilient Infrastructure Act of 2024

Discussion Draft

This legislation establishes new and bolsters existing drought authorities for Corps projects in Colorado River Basin states. It adds certain drought-related projects to the Army Corps of Engineers' purview and streamlines portions of the Section 7001 process (Water Resource Projects).

Under review.

NEW: S. 4157 (Padilla, D-CA): Water Resources Development Act: Compensatory Mitigation

This bill would give the Army Corps the authority to contract with a third-party provider to fully deliver compensatory mitigation for Civil Works projects. It is designed to provide flexibility around compensatory and environmental mitigation for the U.S. Army Corps of Engineers Civil Works infrastructure projects. Under review for impact to Section 404 permits required for the interconnection pipeline project. Compensatory mitigation refers to the restoration, establishment, enhancement, or preservation of wetlands, streams, or other aquatic resources for the purpose of offsetting unavoidable adverse impacts authorized by Clean Water Act section 404 permits and other Department of the Army permits. Not only does the Army Corps require Clean Water Act permittees to mitigate discharges into U.S. waters, but the Corps itself must also mitigate for impacts from Civil Works flood control, navigation, **and water supply projects** U.S. Army Corps of Engineers Civil Works projects often impact jurisdictional waters under the Clean Water Act or terrestrial and aquatic species which require mitigation offsets. However, since

2015, the Corps has started or completed an average of just 58 percent of its required annual mitigation, which means about 42 percent of Civil Works projects have been constructed without their impacts timely addressed through mitigation, according to annual status reports on construction projects requiring mitigation.

Co-Sponsor: One (0 Democrats; 1 Republican)

Senate Committee on Environment and Public Works
Under Review

OTHER FEDERAL PRIORITY LEGISLATION



S. 3830 (Padilla, D-CA) – The Low-Income Household Water Assistance Program Act of 2024



A bill to establish a permanent Low-Income Household Water Assistance Program. Similar to LIHEAP.

As Introduced 02/28/2024

Senate Committee on Health, Education, Labor and Pensions
[Current Text](#)

STATE PRIORITY LEGISLATION – 2023-2024 LEGISLATIVE SESSION



AB 560 (Bennett, D-38th) – Groundwater Adjudications



Requires parties in adjudication to seek a nonbinding advisory opinion from the SWRCB in conjunction with DWR on the impacts of a proposed settlement agreement to small farmers and the GSP.

As Amended 06/26/2023.

Senate Committee on Appropriations – Held on Suspense File (two-year bill)

[Current Text](#)

NEW ACTION: AB 1827 (Papin, D-21st): Local Government Finance: Water: Higher Consumptive Water Parcels



As Amended 04/04/2024

This bill would provide that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. The bill would provide that the costs associated with higher water usage demands, the maximum potential water use, or a projected peak water usage demand may be allocated using any method that reasonably assesses the water service provider's cost of serving those parcels that are increasing potential water usage demand, maximum potential water use, or project peak water use demand. The bill would declare that these provisions are declaratory of existing law. Moved to Priority List at request of counsel. Bill is sponsored by Irvine Ranch Water District and California Coastal Keepers Association. Fact Sheet provided to staff for review. The main impact is on the Water District. **Amendments are clarifying language cleanup. No change in position.**

Assembly Floor (3rd Reading File/Vote)

Assembly Committee on Local Government: **Do Pass (7-1)**

[Current Text](#)

NEW ACTION: AB 2079 (Bennett, D-38th): SGMA: Groundwater Extraction: Large Diameter, High-Capacity Wells: Permits



As Amended 04/26/2024

The bill would require a groundwater sustainability agency with oversight for the area of the basin where the local enforcement agency has well-permitting jurisdiction to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, the agency manager and contact information, and the applicable sustainable management criteria related to groundwater levels, including the groundwater level measurable objectives and minimum thresholds. The bill would provide various requirements for the local enforcement agency to consider before approving or denying a permit. The bill would provide exemptions for its provisions for specified wells if they are proposed to be constructed with well screens and pump depths below the applicable minimum thresholds for groundwater levels as reported by the groundwater sustainability agency. **A neutral position was adopted. No negative impacts to IWVGA. Amendments would exclude drinking water wells, wells that are part of a conjunctive use or water banking program, and wells used for groundwater remediation from this bill.**

Assembly Committee on Appropriations (pending hearing schedule)

Assembly Committee on Water, Parks, and Wildlife: **Do Pass as Amended (10-3)**

[Current Text](#)

NEW ACTION: AB 2799 (Fong, R-32nd): Sustainable Groundwater Management Act: Groundwater Sustainability Agencies.



As Amended 03/22/2024

This bill would require a groundwater sustainability agency to consider the efforts of small farms, as defined, that recharge groundwater into the basin upon which their property is located when imposing or increasing fees. This means calculating the return flows from farming and then subtracting that amount from the amount of groundwater pumped in order to charge a replenishment or other infrastructure fee based on the net water consumed. Discussion with Author's office confirms no impact on IWV. A neutral position was adopted. Watch closely for amendments.

Assembly Floor (3rd Reading File / Vote)

Assembly Committee on Agriculture: Do Pass (9-0)

Assembly Committee on Water, Parks, and Wildlife: Do Pass (15-0)

[Current Text](#)

NEW ACTION: SB 1156 (Hurtado, D-16th): Groundwater Sustainability Agencies: Financial Disclosure Reports



As Amended 04/29/2024

The legislation requires a groundwater sustainability agency's board and executive staff members to provide annual financial disclosure reports (Form 700) and the FPPC to develop implementing regulations. It will also create additional regulatory requirements for staff.

HEARING: May 6, 2024: Senate Committee on Appropriations

Senate Committee on Elections and Constitutional Amendments: Do Pass by Unanimous Consent (7-0)

Senate Committee on Natural Resources and Water: Do Pass (11-0)

[Current Text](#)



WATCH BILL LIST

Legislation of interest to the Authority. The Authority may adopt a “neutral” position or take no public position. Updates are provided monthly unless the amendment warrants immediate notification to staff.

FEDERAL WATCH BILLS – 118TH CONGRESSIONAL SESSION



HR 186 (McClintock, R-CA, 5th) – The Water Supply Permitting Coordination Act of 2023

Authorizes the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing. Hold for completion of federal permitting and monitor.

As Introduced
House Committee on Natural Resources

NEW INFORMATION: HR 215 (Valadao, R-CA 22nd) – Water for California Act of 2023

Authorizes several federal (CVP) and State Water Project authorizations. Designates the USBR as the lead agency for federal permitting requirements. To provide long-term water supply and regulatory reliability to drought-stricken California. The introduced version was incorporated into HR 1 and HR 2811. Hold for completion of federal permitting and monitor. **Capitol Core is discussing the potential for this bill to move during the 118th Session based on the USBR Report. May move to the Priority Bill List: SUPPORT.**

CBO Budget Estimate Provided to Rules Committee 02/22/2024. Scored at a financial impact of \$264 million over the life of the bill 2024-2033.

New Report (Department of Interior: USBR): [Bureau of Reclamation Support for Water Storage Projects](#)

As Amended in the Nature of a Substitute
Ordered Reported (passed) House Committee on Natural Resources
House Committee on Rules

NEW ACTION: HR 1152 (Rouzer, R-NC 7th) – Water Quality Certification and Energy Project Improvement Act

This bill revises the water quality certification process under Section 401 of the Clean Water Act (CWA) for any activity that requires a federal license or permit and may result in a discharge of pollutants into the United States' waters. These activities include hydropower, natural gas pipelines, and mining projects.

Under the existing Section 401, an applicant for a federal license or permit to conduct such activities must provide the federal licensing or permitting agency with a certification. The certification must attest that the discharge will comply with enumerated sections of the CWA (i.e., Sections 301, 302, 303, 306, and 307) and with any other appropriate requirement of state law outlined in the certification. The certifying authority—usually the state where the discharge originates, but sometimes an Indian tribe or the Environmental Protection Agency (EPA)—may grant with conditions, deny, or waive certification of a proposed federal license or permit. This bill limits the scope of the certification process by eliminating the requirement that the discharge comply with appropriate state law outlined in the certification. It also requires decisions to grant or deny a request for certification based only on the enumerated sections of the CWA and provisions of state law that implement water quality criteria under Section 303. In addition, it also limits the certification process to activities that may directly result in a discharge into the waters of the United States.

In addition, the bill requires certifying authorities to identify all materials or information necessary to grant or deny the request within 90 days of receiving a request for certification. They must also publish requirements for their water quality certifications. Hold for completion of federal permitting and monitor.

Incorporated into HR 7023

HR 1152: Ordered Reported House Committee on Transportation and Infrastructure

Incorporated in HR 1

Incorporated into HR 2811

HR 1430 (Valadao, R-CA 22nd) – NEPA Permit Streamlining Act of 2023

The bill directs the Secretary of the Interior and the Secretary of Agriculture to use certain previously completed environmental assessments and environmental impact statements to satisfy NEPA's review requirements. Hold for completion of federal permitting and monitor.

As Introduced

Incorporated into HR 1

House Committee on Natural Resources

HR 3809 (Davis, D-NC, 1st) – The Cybersecurity for Rural Water Systems Act of 2023

To include cybersecurity technical assistance in the Department of Agriculture's national rural water and wastewater circuit rider program.

As Introduced

House Committee on Agriculture

Consider Support if moves.

NEW ACTION: HR 4877 (Lee, D-PA, 12th) – Abandoned Well Remediation and Research Act of 2023

Amends the Energy Policy Act of 2005 to direct the Secretary of Energy to conduct a research, development, and demonstration program concerning abandoned wells.

BGOV Summary Provided

Report Filed – HRpt. 118-215

As Amended during markup.

Reported by the House Science, Space, and Technology Committee (35-0)

To House Committee on Rules

Union Calendar Under Suspension of the Rules (House Floor)

HR 4540 (Cuellar, D-TX 28th) – Water Infrastructure Enhancement Act of 2023

Amends the Safe Drinking Water to enact a grant program to provide for the construction of water infrastructure in rural, small, and poverty-stricken communities. Redefines “poverty-stricken” to include communities where 20% of the population has lived in poverty as defined by the Census Bureau. Infrastructure grants include water pipelines, well upgrades, water tanks, water recycling, and wastewater treatment. Authorizes \$800 million in grant opportunities from FY2024 through FY2029.

As Amended during markup.

House Subcommittee on Environment, Manufacturing, and Critical Materials

House Committee on Energy and Commerce.

Move to Priority List if Reported by the Subcommittee (SUPPORT).

NEW ACTION: HR 7023 (Rouzer, R-NC): Creating Confidence in Clean Water Permitting

This bill streamlines and clarifies the National Pollutant Discharge Emission System (NPDES) permitting process at Sections 402 and 404. The bill increases permit periods from five years to ten years; it limits 404 permitting to fill and dredge materials, dramatically reducing USACE oversight over discharges; it creates a “permit shield” for those who are in compliance with the terms and conditions of their permit, protecting them from any regulatory changes during the permit period and lawsuits from third parties; stipulates that the permit shield applies to pollutants with specific limits listed in the permit, pollutants specifically identified as present in the discharges covered by the permit, and pollutants not specifically identified but linked to processes specifically identified in the permit. Lastly, if the EPA determines that a water quality-based limitation is necessary to include in a permit, in addition to any less stringent technology-based limitation, the permit would have to include clear numerical limits on the discharge of the covered pollutants or specify the desired water quality for those pollutants.

As Amended on the House Floor, it Incorporates HR 1152

Committee Report Filed – HRpt 118-375

Received in the Senate

Passed the House of Representatives (213-205)

Ordered Reported with an amendment in the nature of a substitute by the Committee on Transportation and Infrastructure (32-30)

NEW: HR 7178 (Titus, D-NV, 1st & Valadao, R-CA, 22nd): Water Conservation Economic Adjustment Act of 2024

Amends the Public Works and Economic Development Act of 1965 to permit certain grant funds to be used to assist regional economies in limiting industrial consumptive water use.

As Introduced 01/31/2024
House Committee on Transportation and Infrastructure

Move to Priority List if Reported by the Committee (SUPPORT).



S. 660 (Markey, D-MA) – Water System Threat Resiliency and Preparedness Act of 2023

This bill would require the USEPA to develop and implement guidelines for a public water system (anything with a pipe that might become drinking water or wastewater treatment) for cyber and physical threats.

As Introduced
Senate Committee on Environment and Public Works

S. 806 (Baldwin, D-WI) – The Healthy H2O Act

The bill provides financial assistance to property owners (and non-profits assisting small water systems) for water filtration of contaminants found in groundwater supplies utilized for drinking water purposes. These contaminants include arsenic, nitrates, PFAS/PFOA, VOX and Chrome-6. The program is monitored through the Rural Decentralized Water Systems program at the U.S. Department of Agriculture under the *Consolidated Farm and Rural Development Act*. We have added the bill for tracking (“Watch Bill”) as it may have applications/benefits for de-minimis end-users or small water systems in the IWV Basin. Potential inclusion into the 2023 Farm Bill reauthorization.

As Introduced
Senate Committee on Agriculture, Nutrition and Forestry

S. 2102 (Wyden, D-OR) – Water for Conservation and Farming Act of 2023

A bill to provide for drought preparedness and improved water supply reliability.

As Introduced
Senate Committee on Energy and Natural Resources

NEW INFORMATION: S. 2162 (Feinstein, D-CA) – The STREAM Act

A bill to support water infrastructure in Reclamation States.

New Report (Department of Interior: USBR) -- [Bureau of Reclamation Support for Water Storage Projects](#)

As Introduced
Senate Committee and Energy and Natural Resources

S. 2166 (Padilla, D-CA) – The Voluntary Land Re-Purposing Act of 2023

Introduced on 06/22/2023

This bill amends the Reclamation States Emergency Drought Relief Act of 1991 and the Omnibus Public Land Management Act of 2009 to provide grants to States and Indian Tribes for programs to repurpose agricultural land to reduce consumptive water use voluntarily and for other purposes. The author does not see a path forward without a California program.

Referred to the Senate Committee on Energy & Natural Resources, Subcommittee on Water

S. 2169 (Wyden, D-OR) – The Watershed Results Act of 2023

Authorizes the Secretary of the Interior to carry out watershed pilots.

As Introduced
Senate Committee on Energy and Natural Resources

S. 2202 (Feinstein, D-CA) – The RAIN Act

A bill to amend the Omnibus Public Land Management Act of 2009 to authorize the modification of transferred works to increase public benefits and other project benefits as part of extraordinary operation and maintenance work.

As Introduced
Senate Committee on Energy and Natural Resources

S. 2250 (Bennett, D-CO) and HR 4902 (Caraveo, D-CO 8th) – The Voluntary Groundwater Conservation Act of 2023

To amend the Food Security Act of 1985 to establish a groundwater conservation easement program.

S. 2250:
As Introduced
Senate Committee on Agriculture, Nutrition and Forestry
HR 4902:

As Introduced
House Committee on Agriculture

S. 3147 (Ricketts, D-NE): Flood Protection and Infrastructure Resilience Act of 2024

As Introduced 01/22/2024

The bill adds regional conservation programs and infrastructure to eligible projects under the Watershed Protection and Flood Prevention Act.

Senate Committee on Agriculture, Nutrition and Forestry.

DEFENSE COMMUNITY SUPPORT PROGRAM (Association of Defense Communities)

Legislative Proposal – Amendment to the NDAA-25

Provides public agencies with grants to carry out specific quality-of-life programs, including education, workforce training, tailing spouse employment, childcare, afterschool programs, post-military employment training, counseling, and mental health. The City of Ridgecrest has requested an amendment to the proposal expanding mental health to cover “rural health care facilities.” City-requested amendments are under consideration. Ancillary impact to the Groundwater Authority. Support if requested and move to the Priority Bill list for “me too” support of the greater effort. No public position is required.

STATE WATCH BILLS – 2023-2024 LEGISLATIVE SESSION



AB 828 (Connolly, D-12th): SGMA: Managed Wetlands and CSDs

As Amended 01/11/2024

The bill exempts groundwater uses by managed wetlands and small community water systems serving disadvantaged communities (DAC) from specified authorities of groundwater sustainability agencies (GSA) to regulate groundwater pumping under the Sustainable Groundwater Management Act (SGMA). The amendments remove the 10% annual increase in allocation and establish a 2028 sunset date. Consistent with SGMA and current Authority practices. No public position, remain as “Watch.”

Passed Assembly (47-15)
Senate Committee on Natural Resources and Water (pending hearing schedule)

AB 1205 (Bauer-Kahan, D-16th): Water Rights Transfers – Study Bill

As Amended 07/13/2023

AB 1205 would require the SWRCB to conduct a three-year study on the potential profiteering in the sale, transfer, or lease of an interest in any water right for profit on or below agricultural lands. The bill is a two-year bill. Opposition was removed, and the bill was downgraded to “Watch.” No public position.

Senate Floor – To Inactive File (two-year bill)

AMENDED IN: AB 2454 (Lee, D-24th): Rental Properties: Domestic Well Testing and Notification

As Amended 04/15/2024

The bill establishes a notification requirement for domestic rental properties of a free water testing program for quality. Defines a “domestic well” as a private well serving four or fewer households. Provides for several testing entities, including GSAs. This may require the Authority to amend its shallow well mitigation program to provide for the testing requirements. Per the review, impacts to the Authority are minimal; place on the watch list.

Assembly Committee on Appropriations (pending hearing schedule)

Assembly Committee on Environmental Safety and Toxic Materials: Do Pass (5-0)

NEW ACTION: AB 2715 (Boerner-Horvath, D-77th): Brown Act: Public Agencies

As Amended 04/24/2024

As Amended, the bill authorizes closed sessions to consider or evaluate matters related to cybersecurity, provided they are held with law enforcement or special security personnel and any action taken on those matters is done in an open session.

Assembly Floor (3rd Reading File / Vote)

Assembly Committee on Local Government: Do Pass (8-0)

NEW ACTION: AB 3090 (Maienschein, D-76th): Drinking Water Standards: Non-Compliance

As Amended 04/18/2024

The Amendments encourage local water agencies to incorporate an emergency notification element when updating their emergency plan.

Senate Committee on Rules (pending referral)

Assembly Floor: Pass (73-0)

Assembly Committee on Environmental Safety and Toxic Materials: Do Pass (7-0)

NEW ACTION: AB 3121 (Hart, D-37th): Urban Water Suppliers: Conservations Orders

As Introduced 02/16/2024

This bill extends the Water Resources Control Board's required "Conservation Orders" to urban water suppliers by one year, from 2026 to 2027.

Senate Committee on Rule (pending referral)

Assembly Floor: Pass (74-0)

Assembly Committee on Water, Parks, and Wildlife: **Do Pass by Unanimous Consent**



NEW ACTION: SB 1110 (Ashby, D-8th): Urban Retail Water Suppliers

As Amended 04/23/2024

Amends the Water Resources Control Board requirements relative to urban retail suppliers that have not met their urban water management plan to "consider lower cost actions to achieve resiliency." **Amendments to the bill push out the enactment date to 2028 pending SWRCB rulemaking.**

Senate Committee on Appropriations (pending hearing schedule)

Senate Committee on Natural Resources and Water: **Do Pass as Amended (11-0)**

NEW ACTION: SB 1188 (Laird, D-17th): Drinking Water: Technical, Financial and Managerial Standards

As Amended 03/18/2024

Requires the State Water Resources Control Board to develop minimum standards for small water suppliers with fewer than 10,000 connections related to their technical, managerial, and financial capacity. Creates a new reporting requirement for such water systems. Makes false representation of such capacities a crime. Limits the ability of small water systems that do not meet such standards to receive State money (grants, programmatic funding, etc.).

Senate Committee on Appropriations (pending hearing schedule)

Senate Committee on Environmental Quality: **Do Pass (5-2)**

DOWNGRADED: SB 1210 (Skinner, D-9th): Water Connection Charges

As Amended 04/24/2024

Amendments require public utilities, local agencies, local governments, and districts to post the fee schedule and permit charges for connection and capacity charges on their respective websites. Provisions that negatively impacted IWVGA, the District, and the City have been removed. **The**

first amendments required the application to be posted on their website and that a queue be developed to provide a reasonable estimate of where they are in the process. The second set of amendments removed the queue requirements and limited the bill to “utilities” posting fee schedules on their website.

Senate Committee on Appropriations (pending hearing schedule)

Senate Committee on Local Government: Do Pass as Amended

Senate Committee on Energy, Utilities, and Communications: Do Pass with pending Amendments (15-1)

[Current Text](#)

NEW ACTION: SB 1218 (Newman, D-29th): Emergency Water Supplies

As Introduced 02/15/2024

Encourages and incentivizes the development of emergency water supplies by “providers.” While the bill amends the Urban Water Management Plan requirements, it does not limit the development of emergency water supplies to retailers.

Senate Committee on Appropriations (pending hearing scheduled)

Senate Committee on Natural Resources and Water: Do Pass (11-0, recommended to Unanimous Consent)

NEW ACTION: SB 1255 (Durazo, D-26th): Public Water Systems: Needs Analysis

As Amended 04/01/2024

Amendments require the Water Resources Control Board to update needs analysis requirements and determine the financial requirement to lower water rates for low-income households by 20% in community water systems serving less than 3,000 connections. It no longer impacts the Water District and now applies to the community service districts and mutuals.

Senate Committee on Appropriations (pending hearing schedule)

Senate Committee on Environmental Quality: Do Pass (5-1)

NEW ACTION: SB 1330 (Archuleta, D-30th): Urban Retail Water Plans

As Amended 03/20/2024

Requires the State Board to develop an eligible variance list for items that would impact an urban water use management plan. Urban retail suppliers are required to apply for such variance and report it annually to the board. Amendments remove proposed irrigation calculation requirements and set penalties for urban retail water suppliers that do not meet State Board calculation requirements. No impact to the Authority; potential impact to the Water District.

Senate Committee on Appropriations

Senate Committee on Natural Resources and Water: Do Pass (11-0)

NEW ACTION: SB 1366 (Hurtado, D-16th): Real Estate Disclosures: Water Tank Assistance

As Amended 04/08/2024

SB 1366 requires disclosures when selling real property if the property received water tank assistance. This may impact or discourage the emergency provision of water tank assistance provided under the shallow well mitigation or state-provided program. **Amendments create clarity and limit requirements for realtor disclosure, removing the California Association of Realtors opposition. Impact on the Indian Wells Valley remains but does not warrant comment. Maintain watch (no public position).**

Assembly Committee on the Judiciary (pending hearing schedule)

Senate Floor: Passed by Motion of Unanimous Consent

Senate Committee on the Judiciary: Do Pass (10-0)

NEW ACTION: SB 1373 (Cortese, D-15th): DWR: Water Data Dashboard

As Amended 03/25/2024

Requires DWR, in conjunction with the State Water Consortium to develop a web-based dashboard detailing California water supplies.

Senate Committee on Appropriations (pending hearing schedule)

Senate Committee on Natural Resources and Water: Do Pass (10-0)

NEW ACTION: SB 1390 (Caballero, D-14th): Groundwater Recharge: Flood Flow Diversions

As Amended 04/16/2024

Amends 1242.1 of the Water Code extending the current water rights established for flood flow diversion for the purpose of capture and groundwater recharge to 2034. **Amendments require diversions to cease after 90 days to prevent injury to a water rights holder.**

Senate Committee on Appropriations (pending hearing schedule)

Senate Committee Natural Resources and Water: Do Pass (11-0)

FY2024-2025 CALIFORNIA STATE BUDGET



State Budget Act for Fiscal Year 2024-2025

The California State Budget includes several pieces of Legislation ranging from the main State Budget (required by the State Constitution to be passed before midnight 06.30.2024) to several “trailing” pieces of legislation. The details of the California State Budget can be found [here](#).

AB 1812/SB 917: State Budget Act of 2024-2025

As Introduced 01/10/2024

Governor’s Budget Proposal – “at the request” legislation. See the summary [here](#).

Assembly Committee and Senate Committee on Budget, respectively.

LEGISLATIVE ANALYST OFFICE (LAO): The updated fiscal analysis for February 20, 2024, can be found [here](#). It shows a \$78 billion State Budget Deficit.

AB 3142 (Jones-Sawyer): Education Budget Trailing Legislation

IWVGA STATE BUDGET REQUEST:

Requests \$2.3 million in FY2024-2025 funding (earmark) for planning activities related to the interconnection pipeline project. The Assembly Committee on Budget has not opened up Member Request but is anticipating Member requests for the Fiscal Year. The Senate Committee on Budget is considering the LAO request to eliminate Member requests for the Fiscal Year.

Assembly Bill: (not introduced)

Status of IWVGA Request: Pending with Assembly Member Fong.

Status of Member Requests: Not open at this time. Pending

Senate Bill: (not introduced)

Status of IWVGA Request: Pending with Senator Grove ~~and Senator Atkins~~

Status of Member Request: The Senate is considering not allowing Member Requests for FY2024-2025. Pending final decision.

UPCOMING CALIFORNIA LEGISLATIVE DEADLINES OF IMPORTANCE

- May 17, 2024 – Last Day for Fiscal Committees to hear and report 2024 legislation introduced in the same chamber.
- May 24, 2024 – Last Day for the Chamber to pass 2024 legislation introduced in that Chamber (Floor Deadline)

FISCAL YEAR 2025 FEDERAL APPROPRIATIONS



None on File.

NEW ACTION: House and Senate open Member Portal for FY2025 Appropriations (closes on May 12, 2024)

NEW ACTION: Energy & Water Development Appropriations Act for Fiscal Year 2025: Community Project Funding Request (Oberholte, R-CA 22nd): IWVGA Request

Requests \$1.6 million in appropriation to redirect U.S. Army Corps of Engineers Assistance, as required in WRDA-22, for planning activities related to watershed management (GSA update), validation of specific groundwater studies, and assistance with watershed planning in future years.

The request has been formally submitted through the portal and is pending with Representative Oberholte's office.

FEDERAL REGULATIONS BEING TRACKED

None at this time.

STATE REGULATIONS BEING TRACKED

None at this time.



BILLS TO BE REMOVED FROM THE REPORT

FINAL ACTION: AB 2000 (Mathis, R-CA 33rd): State Water Project: Permits and Licenses Conditions

As Introduced 01/30/2024

Non-substantive modification. Awaiting Amendments.

Died at the Assembly Desk (awaiting referral)

FINAL ACTION: AB 2592 (Grayson, D-15th): Local Planning: Housing Elements: Water and Sewer

As Amended 03/20/2024

Requires each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed housing developments, which the bill would define for these purposes to include both housing developments that include units sold or rented to lower-income households, as provided in existing law as described above, and housing developments constructed pursuant to specified laws providing for ministerial approval of certain housing developments or subdivision maps. The bill would also update the compliance date to adopt written policies and procedures to July 1, 2025, and continue to require adopting those written policies and procedures at least once every 5 years thereafter. Further requires the water use projections to include projected water use for single-family and multifamily residential housing for proposed housing developments, defined as described above, as identified in the housing element of any city, county, or city and county in the supplier's service area.

Died in Assembly Committee on Housing and Community Development (Pulled from the calendar at the request of the Author) (deadline 04/26/2024)

FINAL ACTION: AB 2894 (Gallagher, D-3rd): Urban Water Use Targets: Indoor Water Utilization

As Introduced 02/15/2024

Makes non-substantive changes to 10608.2 of the Water Code. Awaiting Amendments

Died at the Assembly Desk (awaiting referral)

FINAL ACTION: AB 3012 (Grayson, D-15th): Local Government: Water Supply

As Amended 03/11/2024

Amendments require local governments to post calculators on their websites to calculate development impact fees. This impacts the City of Ridgecrest and the Water District, but it has no direct impact on IWVGA.

Died in Assembly Committee on Local Government (deadline 04/26/2024)

FINAL ACTION: AB 3084 (Soria, D-27th): Sustainable Groundwater Management Act: Basin Management

“Spot Bill” making non-substantive changes to SGMA (no section identified) regarding groundwater sustainability plans. The author indicates this was a true placeholder bill and does not have any pending amendments. Holding the bill on the “Watch List” until the pending deadline.

Died at the Assembly Desk (awaiting referral)

FINAL ACTION: AB 3187 (Carrillo, D-39th): Safe Drinking Water Act

As Introduced 02/16/2024

Makes non-substantive changes to the California Safe Drinking Water Act. Awaiting Amendments

Died at the Assembly Desk (awaiting referral)

FINAL ACTION: ACA 2 (Alanis, R-22nd): Water Resiliency Act of 2024

As Amended 03/06/2024

This measure would require the Treasurer to annually transfer an amount equal to 1.5% of all state revenues from the General Fund to the California Water Resiliency Trust Fund, which the measure would create. The measure would continuously appropriate moneys in the fund to the California Water Commission for its actual costs of implementing these provisions and for specified water infrastructure projects. No public position was taken because the Constitutional Amendment was pulled from the hearing schedule by the Author.

Died in the Assembly Committee on Water, Parks, and Wildlife

FINAL ACTION: SB 1153 (Hurtado, D-16th): Agricultural Land: Hedge Fund Ownership and Interests

As Introduced 02/14/2024

SB 1153 would prohibit a hedge fund from purchasing, acquiring, leasing, or holding a controlling interest, as defined, in agricultural land within the State of California. The bill would define a “hedge fund,” for these purposes, to mean a privately offered investment vehicle, foreign or domestic, that pools the contributions of private investors in order to invest in a variety of asset classes, such as securities, futures contracts, options, bonds, currencies, real estate, agricultural land, water, energy, and other resources or commodities. This bill would exempt from this prohibition any agricultural land held by a hedge fund before the bill’s effective date. The bill would transfer land in violation of these provisions, subject to divestiture.

Died in the Senate Committee on the Judiciary (Deadline 04/26/2024)

Senate Committee on Agriculture (sequential referral)

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