



**REGULAR MEETING 8:00 A.M. OPERATIONS CENTER - 1200 SOUTH GENE AUTRY TRAIL – PALM SPRINGS – CALIFORNIA**

Desert Water Agency operates independently of any other local government. Its autonomous elected board members are directly accountable to the people they serve. The Agency is one of the desert's two State Water Contractors and provides water and resource management, including recycling, for a 325-square-mile area of Western Riverside County, encompassing parts of Cathedral City, Desert Hot Springs, outlying Riverside County and Palm Springs.

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF MINUTES**      July 16, 2019      **STUART**
3. **GENERAL MANAGER'S REPORT**      **KRAUSE**
4. **COMMITTEE REPORTS**      A. Executive – August 15, 2019      **STUART**
5. **PUBLIC COMMENT:** Members of the public may comment on any item not listed on the agenda, but within the jurisdiction of the Agency. In addition, members of the public may speak on any item listed on the agenda as that item comes up for consideration. Speakers are requested to keep their comments to no more than three (3) minutes. As provided in the Brown Act, the Board is prohibited from acting on items not listed on the agenda.
6. **ACTION ITEMS**
  - A. Request Adoption of Resolution No. 1221 Granting Retirement Status to Martin Krieger      **KRAUSE**
  - B. Request Approval and Support of ACWA's Nominating Committee's Recommendation Slate for the 2020-2021 Term for Region 9      **KRAUSE**
  - C. Request Adoption of Resolution No. 1222 Authorizing General Manager to Enter Into Funding Agrmt. with DWR for Preliminary Planning & Design Costs Related to Potential New Delta Conveyance Option      **KRAUSE**
7. **DISCUSSION ITEMS**
  - A. State Water Contractors' Meeting – July 18, 2019      **RIDDELL**
  - B. July Water Use Reduction Figures      **METZGER**
  - C. DWR Approval of DWA Alternative Groundwater Management Plans      **KRAUSE**
  - D. Director's Report on NWRA Conference Attendance      **BLOOMER, CIOFFI**
8. **OUTREACH & CONSERVATION**      **METZGER**
  - A. Media Information
  - B. Activities
9. **DIRECTORS COMMENTS AND REQUESTS**
10. **CLOSED SESSION**
  - A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9 (d) (1)  
Name of Case: Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al
  - B. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9 (d) (1)  
Name of Case: Mission Springs Water District vs. Desert Water Agency
  - C. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9 (d) (1)  
Name of Case: Albrecht et al vs. County of Riverside
  - D. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9 (d) (1)  
Name of Case: Abbey et al vs. County of Riverside

E. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 (d) (1)

Name of Case: Thurman W. Arnold, III vs. Julie K. Rupp, John Medjian, Mary Beth Rupp, David Merritt Levy, DWA

F. CONFERENCE WITH LEGAL COUNSEL – EXPOSURE TO LITIGATION

Pursuant to Government Code Section 54956.9 (d) (2)

Alan Neil Freiman, et al vs. Safari Park, Inc.

Riverside County Superior Court Case No. PSC1806308

G. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Proposed Right of Way over APN 669-810-039 and 669-810-043

Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson, Assistant General Manager

Negotiating Parties: Desert Water Agency and Coachella Valley Association of Governments

Under Negotiation: Terms of a proposed right of way for CV Link project

11. RECONVENE INTO OPEN SESSION – REPORT FROM CLOSED SESSION

12. ADJOURN

**MINUTES  
OF THE REGULAR MEETING  
OF THE  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**2**

**July 16, 2019**

DWA Board:	Joseph K. Stuart, President )	<b>Attendance</b>
	Kristin Bloomer, Vice President )	
	Craig Ewing, Secretary-Treasurer )	
	Patricia G. Oygar, Director )	
	James Cioffi, Director )	

DWA Staff:	Mark S. Krause, General Manager )
	Steve Johnson, Asst. General Manager )
	Martin Krieger, Finance Director )
	Sylvia Baca, Asst. Secretary of the Board )
	Ashley Metzger, Outreach & Cons. Mgr. )
	Kris Hopping, Human Resources Manager )
	Esther Saenz, Accounting Supervisor )
	Paul Monroy, Laboratory Director )

Consultant:	Michael T. Riddell, Best Best & Krieger )
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Public:	David Freedman, Palm Springs resident )
	Karl Baker, Desert Hot Springs resident )

18488. President Stuart opened the meeting at 8:00 a.m. and asked everyone to join Vice President Bloomer in the Pledge of Allegiance. **Pledge of Allegiance**

18489. Secretary-Treasurer Ewing asked everyone to join him in a moment of silence honoring Larry N. Olinger former Vice Chairman of the Agua Caliente Band of Cahuilla Indians, who passed away on July 15. **Moment of Silence in memory of Larry N. Olinger**

18490. President Stuart called for approval of the July 2, 2019 Regular Board meeting minutes. **Approval of 07/02/19 Regular Board Mtg. Minutes**

Secretary-Treasurer Ewing moved for approval. After a second by Director Oygar, the minutes were approved by the following vote:

AYES:	Ewing, Oygar, Stuart, Bloomer, Cioffi
NOES:	None
ABSENT:	None
ABSTAIN:	None

18491. President Stuart called upon General Manager Krause to provide an update on Agency operations. **General Manager's Report**

Mr. Krause provided an update on Agency operations and noted his meetings and activities for the past several weeks.

18492. President Stuart noted the minutes for the July 9, 2019 Executive Committee meeting were provided in the Board's packet. **Committee Reports:**  
Executive 07/09/19

18493. President Stuart called upon Secretary-Treasurer Ewing to present an overview of financial activities for the month of June 2019. **Secretary-Treasurer's Report (June)**

Operating Fund

Secretary-Treasurer Ewing reported that the Operating Fund received \$2,579,116 in Water Sales Revenue, \$129,541 in Reclamation Sales Revenue, \$3,488 from SCE for Snow Creek Hydro Power Sales for May 2019. \$1,968,678 was paid out in Accounts Payable. Year-to-date Water Sales, Total Revenues and Expense Budget Variances will be provided after the 2018/2019 annual audit is completed. There were 22,648 active services as of June 30, 2019 compared to 22,613 active services as of June 30, 2018 (net increase of 35 active services in 2018/2019).

General Fund

Reporting on the General Fund, Mr. Ewing stated that \$264,015 was received in Property Tax Revenues, \$2,590 in Groundwater Assessments, \$36,219 was received in State Water Project refunds and \$57,834 was received from SCE for Whitewater Hydro Power Sales. Included in the Miscellaneous Receipts were \$25,227 from the Wastewater Fund, final payment (Principal and Interest) for the Capital Improvement Loan – Cathedral City Downtown Core Project (1999). \$640,110 was paid in State Water Project charges (YTD \$16,404,544).

Wastewater Fund

Reporting on the Wastewater Fund, Mr. Ewing reported \$2,456 was received in Sewer Contract payments (one Cathedral City Cove contract was paid in full with a remaining 34 contracts. Total delinquents are 12 (35%). \$201,541 was paid out in Accounts Payable (included in the Accounts Payable total is the final loan payment to the General Fund).

18494. President Stuart opened the meeting for public comment. **Public Comment**

There being no one from the public wishing to address the Board, President Stuart closed the public comment period.

18495. President Stuart called upon General Manager Krause to present Staff's request for possible action on transition to division based elections, adopting final map of division boundaries and election sequence. **Action Items:**  
Public Hearing-Possible  
Action on Transition to  
Division Based  
Elections

Mr. Krause noted Justin Levitt with National Demographics Corp. (NDC) was present. Mr. Krause reported that in late December 2018,

the Agency received a demand letter from Shenkman & Hughes law firm requesting the Agency transition from at-large elections to election by division in order to comply with the California Voting Rights Act.

**Action Items:**  
(Cont.)  
Public Hearing-Possible  
Action on Transition to  
Division Based  
Elections

Mr. Krause stated on February 5, 2019, Desert Water Agency's Board of Directors unanimously adopted Resolution No. 1201 (Intent to initiate procedures to establish and implement transition to elections by division). The Agency retained NDC to assist in the transition. Later in February, Desert Water Agency conducted two public hearings to gather input from the community before NDC drafted maps showing potential division boundaries. One of these hearings was held in Desert Hot Springs.

Mr. Krause noted NDC developed three maps (A, B & C) along with proposed election sequencing that the Agency published for review and discussed at hearings held on April 15 and 16, 2019. One of these hearings was held in Desert Hot Springs. Feedback at these hearings and other Board meetings led the Agency to request three additional maps, D, E2 and F. All six draft maps comply with the requirements of the California Voting Rights Act and have been posted with a sufficient amount of time for public review on the Agency website. Staff recommends that the Board conduct the public hearing on the proposed map options and election transition. After the close of the public hearing, staff recommends the Board select a map and adopt Ordinance No. 69 Establishing Divisions, Division Numbering, Boundaries & Sequence of Election.

President Stuart declared the public hearing open at 8:18 a.m.

Open Public Hearing

David Freedman a Palm Springs resident thanked the Board, Mrs. Metzger and NDC for proposing different maps and taking into consideration his comments from previous meetings and keeping in line with the Supreme Court in keeping Communities of Interest intact as a traditional districting principle. He noted that after careful consideration of the six draft maps proposed, in terms of their boundaries and demographics, he supports and urges the Board to adopt Draft Map D. After the 2020 Census, he advised keeping Rogers Ranch and Andreas Hills neighborhoods intact.

David Freedman

Karl Baker a Desert Hot Springs resident supports Mr. Freedman's comments. He indicated his first preference is Map E then second preference of Map C.

Karl Baker

President Stuart read into the record an email from Michael Howard, a Palm Springs resident, opposing election by division and a letter from Desert Highland Gateway Estates Community Action Associates indicating their support for Map D.

Michael Howard email  
Desert Highland  
Gateway Estates  
Community Action  
Associates letter

There being no one else from the public wishing to address the Board and no other written comments received regarding this Public Hearing, President Stuart closed the Public Hearing at 8:24 a.m.

**Action Items:**  
(Cont.)  
Public Hearing-Possible  
Action on Transition to  
Division Based  
Elections

Secretary-Treasurer Ewing noted that all maps meet the federal requirements. He stressed the importance of adopting a map that best services the communities of interest, which he considers Map A fulfills. He stated his concern of which divisions will be subject to the upcoming 2020 election. He then spoke in support of Maps C, E and F for the 2020 election sequence.

Close Public Hearing

Director Cioffi concurs with Secretary-Treasurer Ewing, due to the 2020 census, the maps will change in two years.

Director Oygar concurred with Secretary-Treasurer Ewing and Director Cioffi and thanked Mr. Freedman, Mr. Baker and Mr. Crawford for their input. She favors Maps C and F but prefers Map F, which keeps neighborhoods intact.

Vice President Bloomer noted she supports Maps C, E and F. She thanked Mr. Crawford and Mr. Freedman on their participation in this process.

President Stuart thanked Mrs. Metzger and NDC on their work for putting the maps together and also expressed appreciation to Mr. Freedman and Mr. Crawford for their input. He noted he also favors Maps C, E and F which all three satisfy the California Voting Rights Act, represents the communities of interest and DWA rate payers. He pointed out that the 2020 Census will have an impact on the future and there will be changes with the map chosen today.

Director Cioffi motioned to adopt Map F. Director Oygar seconded the motion.

Secretary-Treasurer Ewing stated that by transitioning to division elections, there will be representation by those in Desert Hot Springs on the DWA Board.

There was a brief discussion by the Board on adopting Ordinance No. 69 and the sections on the election sequence that need to be filled in.

Secretary-Treasurer Ewing re-stated the motion to approve Ordinance No. 69, filling in the blank of the bottom of page 1, “to approve the proposed division boundaries shown on Draft Map E, placing Divisions 4 and 5 on the ballot for the Agency’s first regular election of Board members following adoption of this Ordinance with the remaining Divisions 1, 2 and 3 on the ballot for the election thereafter; and”. Director Cioffi approved the re-stated motion. The motion carried by the following vote:

**Action Items:**  
(Cont.)  
Public Hearing-Possible  
Action on Transition to  
Division Based  
Elections

AYES: Cioffi, Oygar, Ewing, Bloomer, Stuart  
NOES: None  
ABSENT: None  
ABSTAIN: None

18496. President Stuart called upon Assistant General Manager Johnson for Staff’s request to receive and file the Public Health Goals Report.

Public Hearing-Purpose  
of Accepting &  
Responding to Public  
Comments on 2018  
Public Health Goals

Mr. Johnson noted per California Health and Safety Code - Section 116470(b), staff has prepared DWA’s 2018 Public Health Goals Report. The Report compares the Agency’s system water quality with Public Health Goals (PHGs) and Maximum Contaminant Level Goals (MCLGs), and is prepared every three years. He noted that PHG levels have been established by the California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA); the MCLGs have been established by the United States Environmental Protection Agency (USEPA), and are the federal equivalent to PHGs. PHGs and MCLGs are not enforceable standards and no action is required to meet them.

Mr. Johnson explained that the Agency’s water system complies with all of the health-based drinking water standards and maximum contaminant levels (MCLs) required by the Division of Drinking Water and the USEPA. The purpose of this public hearing is to allow the Board to accept and respond to public comments on the Report. He reported as of 5:00 p.m., July 10, no written or verbal comments were received from the public. Staff requests that the Board receive and file the Public Health Goals Report. Once done, Staff will notify the Division of Drinking Water to make them aware that the hearing took place.

In response to Secretary-Treasurer Ewing, Mr. Johnson explained that Well 14 was taken out of service in 2011 and is on a restricted standby list. Well 6 was taken out of service many years ago.

President Stuart declared the public hearing open at 8:51 a.m.

Open Public Hearing

There being no one from the public wishing to address the Board regarding the Public Health Goals Report, President Stuart closed the public hearing at 8:51 a.m.

Close Public Hearing

In response to Secretary-Treasurer Ewing regarding Chromium-6, Mr. Johnson explained that the State of California was planning to set a lower number than the current number of MCL for Chromium-6 of 0.010 milligram per liter (equivalent to 10 ug/L and it was challenged in court due to the expense of removal and as of yet, has not been resolved. Mr. Johnson noted that Coachella Valley Water District developed a cost effective way to remove Chromium-6. Mr. Johnson added that DWA's well sites are all below 10 ug/L.

**Action Items:**  
(Cont.)  
Public Hearing-Purpose  
of Accepting &  
Responding to Public  
Comments on 2018  
Public Health Goals

Director Cioffi motioned to accept the 2018 Public Health Goals Report. After a second by Secretary-Treasurer Ewing, the motion carried by the following vote:

AYES: Cioffi, Ewing, Stuart, Bloomer, Oygur  
NOES: None  
ABSENT: None  
ABSTAIN: None

18497. President Stuart called upon Assistant General Manager Johnson to present Staff's request to recommend contract award for the construction of Snow Creek Village Surface Water Filtration Plant and a budget augmentation in the amount of \$1,000,000.

Award of Contract;  
Construct Snow Creek  
Village Surface Water  
Filtration Plant

Mr. Johnson reported that on July 9, 2019, Desert Water Agency received five bids for the referenced project. Cora Constructors, Inc. submitted the lowest responsive bid of \$2,337,450 for this project and was approximately 10.8% lower than the second low bid. He noted the current work order budget amount for the project is \$2,300,000 to include engineering, construction, inspection, and overhead costs. To date, approximately \$316,000 has been spent on engineering design by Krieger & Stewart and pipeline installation work by Agency crews.

Mr. Johnson noted Krieger & Stewart will also perform project management and construction inspection for the project. Construction inspection and project managing costs are estimated to be approximately \$650,000, to include construction contingency for unforeseen changes and DWA post construction labor and material for SCADA installation. Based on the bid amount of \$2,337,450, current expenses for the amount of \$316,000, and the estimated inspection and project managing costs in the amount of \$650,000, the total amount needed for the project is estimated to be approximately \$3,300,000. Staff recommends award of the Contract for subject work to Cora Constructors, Inc. in the amount of \$2,337,450, and also recommends a budget augmentation in the amount of \$1,000,000. Based on the contract documents, the project is scheduled to be completed by June 2020. Staff recommends award of contract for construction of Snow Creek Village Surface Water Filtration Plant to Cora Constructors, Inc.



Secretary-Treasurer Ewing moved to approve staff's recommendation of award of contract for the construction of Snow Creek Village Surface Water Filtration Plant to Cora Constructors, Inc. for \$2,337,450 and augment the budget in the amount of \$1,000,000. After a second by Director Cioffi, the motion carried by the following vote:

**Action Items:**  
(Cont.)  
Award of Contract;  
Construct Snow Creek  
Village Surface Water  
Filtration Plant

AYES: Ewing, Cioffi, Stuart, Bloomer, Oygar  
NOES: None  
ABSENT: None  
ABSTAIN: None

18498. President Stuart asked Assistant General Manager Johnson to present Staff's request for Authorization for General Manager to Begin Escrow Proceedings for Conveyance of Real Property & Temporary Construction Easement to the City of Palm Springs for Ramon Road Bridge Widening Project.

Request Authorization  
for GM to Begin  
Escrow Proceedings for  
Ramon Road Bridge  
Widening Project

Mr. Johnson reported in November 2018, the Board authorized the General Manager to execute a Right of Way Agreement of Real Property and a Temporary Construction Easement with the City of Palm Springs for the construction of the Ramon Road Bridge Widening Project. The Right-of-Way Agreement and Temporary Construction Easement outlines the transaction that will convey approximately 481 square feet of APN 677-420-024 to the City of Palm Springs, and also a five-year temporary construction easement of approximately 1,293 square feet over Agency property APN 677-420-024, all for the sum of \$4,285. Staff requests Board authorization for the General Manager to begin escrow proceedings with the City of Palm Springs for the conveyance of real property and a five-year temporary construction easement to the City of Palm Springs in the amount of \$4,285.

Director Oygar moved to approve staff's recommendation to Authorize the General Manager to Begin Escrow Proceedings for Conveyance of Real Property & Temporary Construction Easement to the City of Palm Springs for Ramon Road Bridge Widening Project. After a second by Director Cioffi, the motion carried by the following vote:

AYES: Oygar, Cioffi, Stuart, Bloomer, Ewing  
NOES: None  
ABSENT: None  
ABSTAIN: None

18499. President Stuart called upon Accounting Supervisor Saenz to present staff's request for adoption of Resolution No's. 1214, 1215, 1216, 1217, 1218, 1219 and 1220, Updating Signers for Investment Accounts.

Request Adoption of  
Resolution No's. 1214,  
1215, 1216, 1217, 1218,  
1219 and 1220  
Updating Signers for  
Investment Accounts

Mrs. Saenz reported that with recent changes to the Board and staff, it is necessary to update signers on the investment accounts. Staff recommends adoption of Resolution No's 1214 through 1220 to be effective September 1, 2019.

**Action Items:**  
(Cont.)  
Request Adoption of  
Resolution No's. 1214,  
1215, 1216, 1217, 1218,  
1219 and 1220  
Updating Signers for  
Investment Accounts

Secretary-Treasurer Ewing made a motion to adopt Resolution No's 1214, 1215, 1216, 1217, 1218, 1219 and 1220. After a second by Director Oygar, the motion carried by the following vote:

AYES: Ewing, Oygar, Stuart, Bloomer, Cioffi  
NOES: None  
ABSENT: None  
ABSTAIN: None

**RESOLUTION NO. 1214**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR**  
**U.S. BANK**

Resolution No. 1214  
Adopted

**RESOLUTION NO. 1215**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR**  
**UNION BANC**

Resolution No. 1215  
Adopted

**RESOLUTION NO. 1216**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR STIFEL**

Resolution No. 1216  
Adopted

**RESOLUTION NO. 1217**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR LADENBURG**

Resolution No. 1217  
Adopted

**RESOLUTION NO. 1218**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR RBC**

Resolution No. 1218  
Adopted

**RESOLUTION NO. 1219**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR PIPER JAFFRAY**

Resolution No. 1219  
Adopted

**RESOLUTION NO. 1220**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF DESERT WATER AGENCY UPDATING**  
**AUTHORIZED SIGNERS FOR ALAMO CAPITAL**

**Action Items:**  
 (Cont.)  
 Resolution No. 1220  
 Adopted

18500. President Stuart called upon Outreach & Conservation Manager Metzger to provide a report on the June Water Use Reduction Figures.

**Discussion Items:**  
 June Water Use  
 Reduction Figures

Mrs. Metzger reported that the Agency and its customers achieved a 22.3% reduction in potable water production during June 2019 compared to the same month in 2013. She noted the cumulative savings over the last twelve months is 18.1%.

18501. Secretary-Treasurer Ewing noted an article in the Desert Sun Newspaper regarding hydro-power and how it is recognized as 'green' power.

**Directors**  
**Comments/Requests**  
 Secretary-Treasurer  
 Ewing

18502. At 9:48 a.m., President Stuart convened into Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al; (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; (C) Existing Litigation, pursuant to Government Code Section 54959.9 (d) (1), Albrecht et al vs. County of Riverside; (D) Existing Litigation, pursuant to Government Code Section 54959.9 (d) (1), Abbey et al vs. County of Riverside; (E) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (2), Thurman W. Arnold III vs. Rupp, Medjian, Rupp, Levy, DWA; (F) Exposure to Litigation, pursuant to Government Code Section 54956.9 (d) (2), Alan Neil Freiman et al vs. Safari Park, Inc.; and (G) Exposure to Litigation, pursuant to Government Code Section 54956.9 (d) (2), Claim to Compel Elections by Division Pursuant to the California Voting Rights Act.

**Closed Session:**  
 A. Existing Litigation – ACBCI vs. CVWD, et al.  
 B. Existing Litigation – MSWD vs. DWA  
 C. Existing Litigation – Albrecht et al vs. Riverside County  
 D. Existing Litigation – Abbey et al vs. Riverside County  
 E. Existing Litigation – Thurman W. Arnold III vs. Rupp, Medjian, Rupp, Levy, DWA  
 F. Exposure to Litigation – Alan Neil  
 G. Exposure to Litigation – Claim to Compel Elections by Division Pursuant to the CVRA

18503. At 10:54 a.m., President Stuart reconvened the meeting into open session and announced there was no reportable action taken.

**Reconvene – No Reportable Action**

18504. In the absence of any further business, President Stuart adjourned the meeting at 10:55 a.m.

**Adjournment**

\_\_\_\_\_  
 Joseph K. Stuart, President

ATTEST:

\_\_\_\_\_  
 Craig Ewing, Secretary-Treasurer

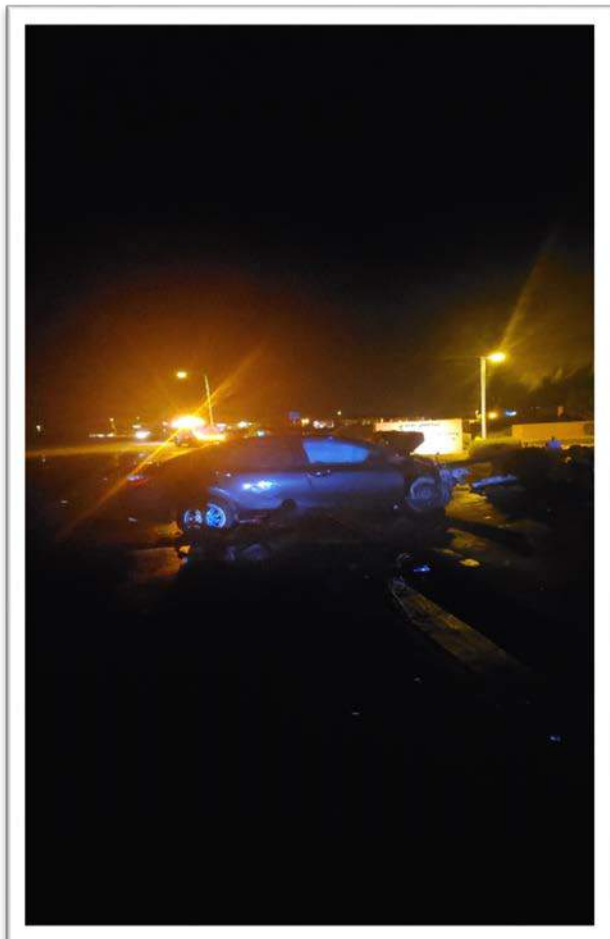
## GENERAL MANAGER'S REPORT AUGUST 20, 2019

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On July 22 at approximately 4:00 a.m., Construction stand-by responded to an attempted theft of a backflow at 5001 E. Ramon Rd. Bldg. D (Smart & Final). Authorization was given for the Agency to make repairs. The backflow had to be replaced and is back in service. The water loss was metered and the customer was advised to file a police report.



On July 29 at approximately 2:00 a.m., Construction stand-by responded to the notification of a hit fire hydrant and a fire service at 4299 Ramon Rd (VCA Desert Animal Hospital). Staff replaced the bolts and gasket for the fire hydrant and placed it back in service. The customer authorized the Agency to replace the fire service; it is now back in service. The water loss was from a fully open fire hydrant bury which ran for approximately 20 minutes. A police report was filed.



On July 30 at approximately 3:30 p.m., Construction responded to a hit fire hydrant on the South West corner of Tachevah Drive and Sunrise Way. Staff replaced the gasket and bolts and placed the hydrant back in service. The water loss was from a fully open fire hydrant bury which ran for approximately 30 minutes. A police report was filed.





## Colorado River Salinity Control

On March 4, 2019, a magnitude 4.5 earthquake occurred near the Paradox Valley Unit (PVU). The PVU is a well in Colorado's Paradox Valley that Reclamation uses to inject naturally-occurring brine into a deep aquifer system at high pressures. The brine is extracted from shallow groundwater that would otherwise flow to the nearby Dolores River, which is tributary to the Colorado River, effectively reducing the Colorado River salt load by 95,000 tons per year – the largest single salt reduction project in the Basin. Reclamation shut down the facility. Since that time, a total of 1,760 aftershocks have been measured. The U.S. Geological Survey suspects the high-pressure brine injection is responsible for this significant increase in seismic activity. It is not clear when, or if, injection at PVU will commence. Reclamation is currently evaluating three brine disposal alternative as part of an ongoing EIS process.



#### Human Resources Activities:

July 17, 2019	United Way Board Meeting
July 22, 2019	Weekly Staff Meeting
July 25, 2019	Webinar: Mid-Year Employment Law Tune-up
July 25, 2019	Webinar - Your Path to Leadership: Assessing Leadership Potential and Charting Your Way
July 25, 2019	Monthly Safety Meeting
August 12, 2019	Weekly Staff Meeting
August 14, 2019	United Way Executive Meeting

#### SWP Delivery and Whitewater Hydro Generation Update

As of the end of July, approximately 138,700 AC-FT has been delivered to the Whitewater spreading basins. For Mission Creek Spreading Basin, MWD is still working on determining the total amount that has been delivered as a result of the malfunctioning meter.

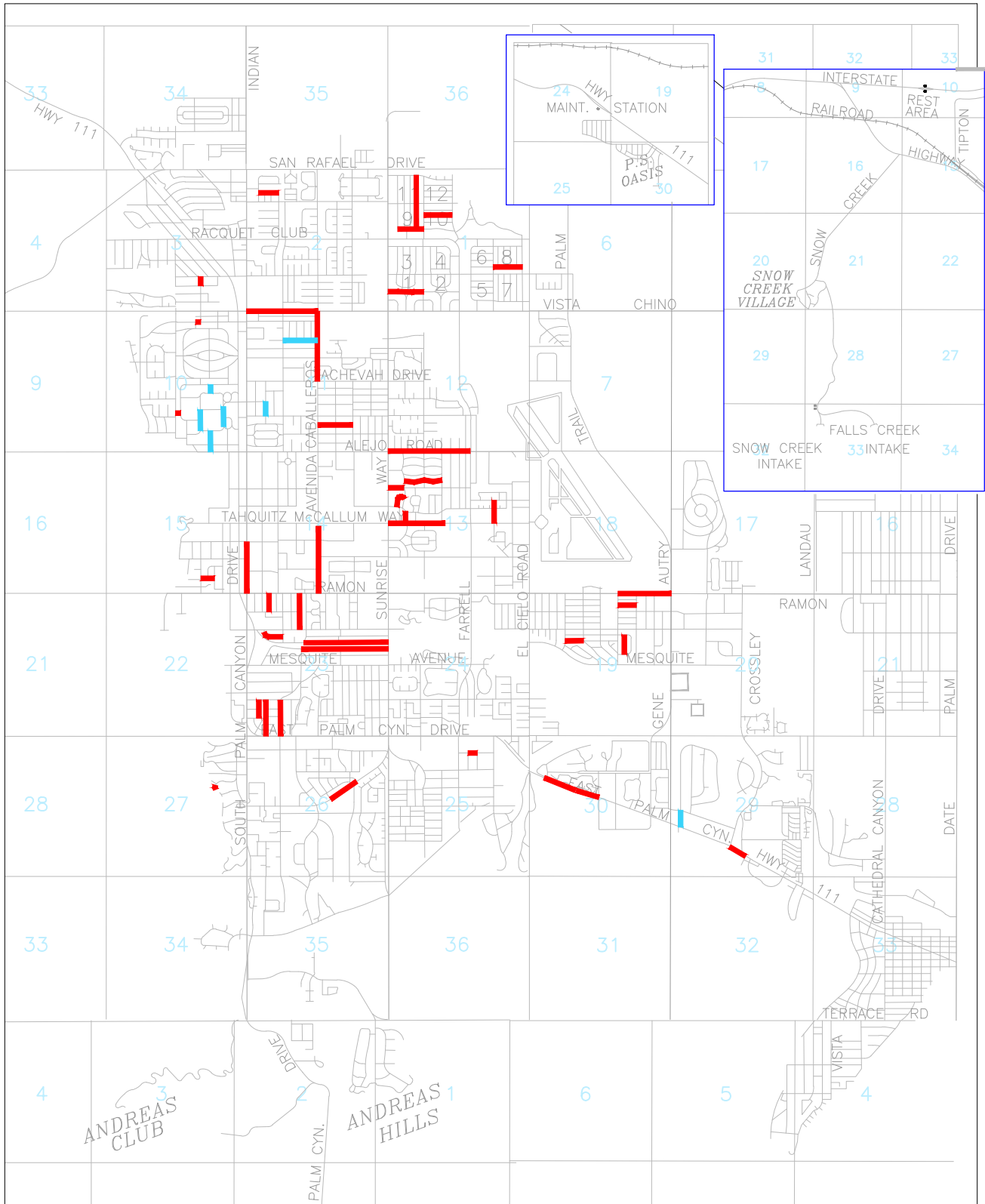
For the month of July, the hydro plant generated approximately 691,570 kWh, resulting in a SCE settlement amount of \$64,183.



SYSTEM LEAK DATA					
(PERIOD BEGINNING JULY 11, 2019 THRU AUGUST 13, 2019)					
STREET NAME	NUMBER OF LEAKS	PIPE DIAMETER (INCHES)	YEAR INSTALLED	PIPE MATERIAL	PIPE CONSTRUCTION
CHIA RD	8	4	1946	STEEL	BARE/UNLINED
MOUNTAIN VIEW PL	6	6	1948	STEEL	BARE/UNLINED
VISTA CHINO	3	20	1949	STEEL	BARE/UNLINED
AVENIDA CABALLEROS	3	14	1953	STEEL	BARE/UNLINED
INDIAN CANYON DR	3	6	1951	STEEL	BARE/UNLINED
E PALM CANYON DR	3	6	1955	STEEL	BARE/UNLINED
LURING DR	3	4	1946	STEEL	BARE/UNLINED
CAHUILLA AVE	2	5	1939	STEEL	BARE/UNLINED
AVENIDA PALOS VERDES	2	4	1954	STEEL	BARE/UNLINED
BROADMOOR DR	2	10	1958	STEEL	BARE/UNLINED
VENTURA RD	2	6	1958	STEEL	BARE/UNLINED
AMADO RD	2	6	1946	STEEL	BARE/UNLINED
LOUELLA RD	2	6	1955	STEEL	BARE/UNLINED
E PALM CANYON DR	2	6	1957	STEEL	BARE/UNLINED
VIA SALIDA	2	4	1938	STEEL	BARE/UNLINED
VISTA ORO	2	4	1958	STEEL	BARE/UNLINED
VIA SOLEDAD	2	4	1955	STEEL	BARE/UNLINED
SANTA ROSA DR	2	4	1936	STEEL	BARE/UNLINED
VIA DEL NORTE	2	4	1945	STEEL	BARE/UNLINED
PRESCOTT DR	1	4	1951	STEEL	BARE/UNLINED
MISSION RD	1	4	1939	STEEL	BARE/UNLINED
AVENIDA CABALLEROS	1	20	1949	STEEL	BARE/UNLINED
ALEJO RD	1	12	1960	STEEL	CML
RAMON RD	1	12	1956	STEEL	BARE/UNLINED
LA VERNE WY	1	10	1956	STEEL	BARE/UNLINED
TAHQUITZ CANYON WY	1	8	1946	STEEL	BARE/UNLINED
INDIAN CANYON DR	1	8	1938	STEEL	BARE/UNLINED
STEVENS RD	1	8	1951	STEEL	BARE/UNLINED
CAMINO MONTE	1	8	1964	STEEL	BARE/UNLINED
LINDSEY DR	1	6	1957	STEEL	BARE/UNLINED
SANDCLIFF RD	1	6	1954	STEEL	BARE/UNLINED
DEL LAGO RD	1	6	1957	STEEL	BARE/UNLINED
S RIVERSIDE DR	1	4	1948	STEEL	BARE/UNLINED
CALLE SANTA ROSA	1	4	1953	STEEL	BARE/UNLINED
SATURMINO DR	1	4	1957	STEEL	BARE/UNLINED
CALLE DE CARLOS	1	4	1946	STEEL	BARE/UNLINED
CALLE SAN RAPHAEL	1	4	1946	STEEL	BARE/UNLINED
CALLE TOMAS	1	4	1958	STEEL	BARE/UNLINED
CALLE PALO FIERRO	1	4	1947	STEEL	BARE/UNLINED
CAHUILLA RD	1	4	1939	STEEL	BARE/UNLINED
DESERT PARK AVE	1	4	1955	STEEL	BARE/UNLINED
POWELL RD	1	4	1957	STEEL	BARE/UNLINED
INDUSTRIAL PL	1	4	1948	STEEL	BARE/UNLINED
CYPRESS RD	1	4	1957	STEEL	BARE/UNLINED
VIA ALTAMIRA	1	4	1954	STEEL	BARE/UNLINED
N RIVERSIDE DR	1	4	1948	STEEL	BARE/UNLINED
McMANUS DR	1	4	1946	STEEL	BARE/UNLINED
TOTAL LEAKS IN SYSTEM:		81			

Streets highlighted in blue are being proposed as part of the  
**2018/2019 Replacement Pipeline Project**

SYSTEM INFORMATION:	
*OLDEST PIPE IN THE SYSTEM (YEAR OF INSTALLATION):	1925
AVERAGE YEAR OF INSTALLATION OF UNLINED STEEL PIPE (SYSTEMWIDE):	1952
AVERAGE AGE OF UNLINED STEEL PIPE (SYSTEMWIDE):	66 YEARS
AVERAGE AGE OF PIPELINE AT THE TIME OF REPLACEMENT:	68 YEARS
TOTAL LENGTH OF PIPE IN SYSTEM OLDER THAN 68 YEARS (LINEAR FEET):	142,113
TOTAL LENGTH OF UNLINED PIPE SYSTEMWIDE (LINEAR FEET):	303,391
**AVERAGE LENGTH OF PIPE REPLACED ANNUALLY (LINEAR FEET):	14,500
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF UNLINED STEEL PIPE:	21 YEARS
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF PIPE OLDER THAN 68 YEARS:	10 YEARS
YEAR AGENCY TRANSITIONED TO CEMENT LINED STEEL PIPE:	1960
* THIS PIPELINE IS BEING REPLACED AS PART OF THE 2018/2019 REPLACEMENT PIPELINES PROJECT.	
** PLEASE NOTE THIS FIGURE REPRESENTS THE AVERAGE LINEAR FOOTAGE OF PIPELINE REPLACED ANNUALLY GIVEN AN AVERAGE ANNUAL BUDGET OF \$3 MILLION.	



## SYSTEM LEAKS

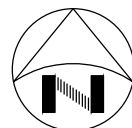
(Period beginning July 11, 2019 thru August 13, 2019)

DESERT WATER AGENCY  
PALM SPRINGS, CALIFORNIA

### LEGEND

- LEAK(S) RECORDED
- LEAK(S) RECORDED;  
INCLUDED IN PROPOSED  
LIST OF STREETS FOR  
2018/2019  
REPLACEMENT PIPELINES

DWG. BY  
SR



DATE  
8/19

SCALE  
NTS

EXHIBIT  
"A"

## General Manager's Meetings and Activities

### Meetings:

07/16/19	DWA Bi-Monthly Board Meeting	DWA
07/16/19	SWC Delta Committee Meetings	SAC
07/16/19	SWC Policy Meeting	SAC
07/17/19	SWC Monthly Board Meeting	SAC
07/17/19	DC Finance Authority Monthly Board Meeting	SAC
07/18/19	Sites Reservoir Committee Monthly Board Meeting	MAX
07/22/19	I.S./Staff/Security	DWA
07/23/19	DWA/CVWD MWD Exchange Agreement	Conf. Call
07/24/19	DCP Public Negotiations	Conf. Call
07/25/19	BLM Whitewater R/W Grant	Conf. Call
07/30/19	I.S./Staff/Security	DWA
07/30/19	Sites Engineering RFQ's	Conf. Call
07/30/19	DWA Water Resources	Conf. Call
08/01/19	DWA/MSWD/Hunt Thornton Kickoff Meeting	Conf. Call
08/01/19	Business Breakfast – Chad Mayes	C.P.D.
08/05/19	I.S./Staff/Security	DWA
08/06/19	PS Life Interview	Conf. Call
08/06/19	Sites Engineering RFQ's	Conf. Call
08/08/19	Oroville Comprehensive Needs Assessment	Conf. Call
08/12/19	DWA Water Resources	Conf. Call
08/12/19	I.S./Staff/Security	DWA
08/14/19	Kern Fan GWR Integration with Sites	Conf. Call
08/15/19	Sites Joint Authority/Reservoir Committee Workshop	Conf. Call
08/20/19	DWA Bi-Monthly Board Meeting	DWA

### Activities:

- 1) SWP – CWF Voluntary Settlement Agreement Framework
- 2) SWP Contract Extension Amendment
- 3) DWA Remote Meter Reading Fixed Network
- 4) Whitewater Hydro – Automatic Re-start
- 5) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 6) Whitewater River Surface Water Recharge
- 7) ACBCI Section 14 Facilities & Easements
- 8) Lake Oroville Spillway Damage
- 9) Replacement Pipelines 2019-2020
- 10) DC Project – Finance JPA Committee (Standing)
- 11) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water
- 12) DWA/CVWD/MWD Agreements Meetings (Meeting #8)
- 13) SWP 2019 Water Supply
- 14) ACBCI Water Rights Lawsuit
- 15) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 16) SGMA Tribal Stakeholder Meetings

Activities:  
(Cont.)

- 17) Whitewater Spreading Basins – BLM Permits
- 18) Lake Perris Dam Seepage Recovery Project Participation
- 19) Delta Conveyance Project Cost Allocation
- 20) DWA Surface Water Filtration Feasibility Snow Creek Village/Palm Oasis
- 21) MCSB Delivery Updates
- 22) Well 6 Meaders Cleaners RWQB Meetings
- 23) SGMA – Indio Subbasin Classification
- 24) SGMA – San Geronio Pass Subbasin
- 25) UWMP Population Calculation Update/Valley-Wide UWMP
- 26) RWQCB Update to the SNMP

**Minutes**  
**Executive Committee Meeting**  
August 15, 2019

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**Directors Present:** Joe Stuart, Craig Ewing (Alternate)  
**Staff Present:** Mark Krause, Martin Krieger, Sylvia Baca

**1. Discussion Items**

- A. Review Agenda for August 20, 2019 Regular Board Meeting  
The proposed agenda for the August 20, 2019 Regular Board meeting was reviewed.
- B. Expense Reports  
The June and July expense reports were reviewed.
- C. Groundwater Management Districts Association (GMDA) Membership  
Staff informed the Committee of Director Cioffi's request to join GMDA and provided membership information. The Committee requested that Director Cioffi discuss this at the August 20 meeting.

**2. Other - None**

**3. Adjourn**

**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**AUGUST 20, 2019**

**RE: REQUEST ADOPTION OF RESOLUTION NO. 1221, GRANTING  
RETIREMENT STATUS TO MARTIN KRIEGER**

Attached is a copy of Resolution No. 1221 officially granting retirement status to Finance Director, Martin Krieger.

Mr. Krieger will be presented a copy of Resolution No. 1221 and is to be acknowledged for his 33 years of dedicated service and loyalty to Desert Water Agency.

Staff requests Board adoption of Resolution No. 1221.

**RESOLUTION NO. 1221**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF DESERT WATER AGENCY  
GRANTING RETIREMENT STATUS TO  
MARTIN KRIEGER**

**WHEREAS**, Martin Krieger began his service with Desert Water Agency on February 24, 1986 as an Accounting Supervisor in the Finance Department. He was promoted to Controller on May 21, 1998. On October 1, 2004, he was promoted to the Finance Director position and is concluding his career in that capacity; and

**WHEREAS**, over his career with Desert Water Agency, Martin has worked for four General Managers and 13 Board Members; and

**WHEREAS**, Martin was appointed as a Director on the Local Agency Investment Board (LAIB) for the State of California from 2006 to 2019 and he served with four State Treasurers (Angelides, Lockyer, Chiang, and Ma); and

**WHEREAS**, Martin successfully completed 34 Annual Budgets and 34 Annual Audits; and

**WHEREAS**, Martin completed three Rate Studies with NBS; and

**WHEREAS**, Martin procured the 2007 Bond Issue and the 2016 Bond Refinancing Issue; and

**WHEREAS**, Martin is a member of ACWA, CSMFO, and CMTA; and

**WHEREAS**, Martin has successfully managed and grown the investment portfolio for Desert Water Agency; and

**WHEREAS**, Martin has consistently been a reliable and loyal employee; and

**WHEREAS**, Martin has maintained a positive attitude and worked harmoniously with co-workers and other department staff during his entire career.

**NOW, THEREFORE, BE IT RESOLVED** by the Desert Water Agency Board of Directors that

**MARTIN KRIEGER**

is, with infinite thanks and appreciation for his 33 years of service to the Desert Water Agency, and our community, hereby granted the status of retirement. It is the wish of the Board that Martin spends countless years enjoying a happy and healthy retirement, for he has earned it.

**ADOPTED** this 20th day of August 2019, with retirement effective August 31, 2019.

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Joseph K. Stuart, President

**ATTEST:**

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Craig Ewing, Secretary-Treasurer

**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**AUGUST 20, 2019**

**RE: REQUEST APPROVAL AND SUPPORT OF ACWA'S NOMINATING  
COMMITTEE'S RECOMMENDATION SLATE FOR 2020-2021 TERM  
(REGION 9)**

The Association of California Water Agencies (ACWA) Nominating Committee issued a call for nominations for Region 9 leadership for the 2020-2021 term for Chair, Vice Chair and Board Members.

Members of the Region 9 board determine the direction and focus of regional issues and activities, and support ACWA's goals on behalf of its members. The Region 9 Chair and Vice Chair will serve on ACWA's Board of Directors for the next two-year term beginning January 1, 2020. They will make the Region 9 Committee appointment recommendations to the ACWA President for the 2020-2021 term. Also, either the Chair or Vice Chair will hold a seat on the ACWA Finance Committee.

Attached is the recommended slate by the Nomination Committee. Recommendation for Chair is Phil Rosentrater (Salton Sea Authority); Vice Chair is Harvey R. Ryan (Elsinore Valley Water District); and Board Members are: Brenda Dennstedt (Western Municipal Water District), Carol Lee Brady (Rancho California Water District), G. Patrick O'Dowd (Coachella Valley Water District), Luis Cetina (Cucamonga Valley Water District; and James Morales, Jr. (East Valley Water District).

Also attached are the individual board candidate nominations:

Chair candidates are: G. Patrick O'Dowd and Phil Rosentrater.

Vice Chair candidates are: Luis Cetina, Brenda Dennstedt, and Harvey R. Ryan.

Board Member candidates are (Maximum of 5 choices): Carol Lee Brady, Luis Cetina, Brenda Dennstedt, Joseph Kuebler, James Morales, Jr., G. Patrick O'Dowd, Phil Rosentrater and Harvey R. Ryan.

Staff requests that the Board either 1) approve the recommended slate of candidates, or 2) indicate individual candidates; and authorize the Board President to complete and submit the Agency's ballot by September 30, 2019.



# OFFICIAL REGION 9 Board Ballot

2020-2021  
TERM



**Please return completed  
ballot by September 30, 2019**

E-mail: [regionelections@acwa.com](mailto:regionelections@acwa.com)

Mail: ACWA

910 K Street, Suite 100  
Sacramento, CA 95814

## General Voting Instructions:

**1** You may either vote for the slate recommended by the Region 9 Nominating Committee or vote for individual region board members (please note rules & regulations for specific qualifications). Mark the appropriate box to indicate your decision.

**2** Complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.

## Region 9 Rules & Regulations:

The chair and vice chair shall be elected, one from each area, and the positions shall be rotated between the Western and Arid areas of Region 9. For the 2020-2021 term the chair shall be from the Arid area.

**1**

### Nominating Committee's Recommended Slate

☐ I concur with the Region 9 Nominating Committee's recommended slate below.

#### CHAIR:

- **Phil Rosentrater**, GM/Executive Director, Salton Sea Authority (Arid)

#### VICE CHAIR:

- **Harvey R. Ryan**, Board Member, Elsinore Valley Municipal Water District (Western)

#### BOARD MEMBERS:

- **Brenda Dennstedt**, Board Member, Western Municipal Water District
- **Carol Lee Brady**, Director – Vice President, Rancho California Water District
- **G. Patrick O'Dowd**, Board Member, Coachella Valley Water District
- **Luis Cetina**, Vice President, Cucamonga Valley Water District
- **James Morales Jr.**, Governing Board Member, East Valley Water District

OR

### Individual Board Candidate Nominations

(See Rules & Regulations before selecting)

☐ I do not concur with the Region 9 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

#### CANDIDATES FOR CHAIR: (CHOOSE ONE)

- ☐ **G. Patrick O'Dowd**, Board Member, Coachella Valley Water District (Arid)
- ☐ **Phil Rosentrater**, GM/Executive Director, Salton Sea Authority (Arid)

#### CANDIDATES FOR VICE CHAIR: (CHOOSE ONE)

- ☐ **Luis Cetina**, Vice President, Cucamonga Valley Water District (Western)
- ☐ **Brenda Dennstedt**, Board Member, Western Municipal Water District (Western)
- ☐ **Harvey R. Ryan**, Board Member, Elsinore Valley Municipal Water District (Western)

#### CANDIDATES FOR BOARD MEMBERS: (MAX OF 5 CHOICES)

- ☐ **Carol Lee Brady**, Director – Vice President, Rancho California Water District
- ☐ **Luis Cetina**, Vice President, Cucamonga Valley Water District
- ☐ **Brenda Dennstedt**, Board Member, Western Municipal Water District
- ☐ **Joseph Kuebler**, Treasurer, Eastern Municipal Water District
- ☐ **James Morales Jr.**, Governing Board Member, East Valley Water District
- ☐ **G. Patrick O'Dowd**, Board Member, Coachella Valley Water District
- ☐ **Phil Rosentrater**, GM/Executive Director, Salton Sea Authority
- ☐ **Harvey R. Ryan**, Board Member, Elsinore Valley Municipal Water District

**2**

AGENCY NAME

AUTHORIZED REPRESENTATIVE

DATE

**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**AUGUST 20, 2019**

**RE: REQUEST ADOPTION OF RESOLUTION NO. 1222, AUTHORIZING THE  
GENERAL MANAGER TO ENTER INTO FUNDING AGREEMENT WITH DWR  
FOR PRELIMINARY PLANNING & DESIGN COSTS RELATED TO POTENTIAL  
NEW DELTA CONVEYANCE OPTION**

On June 5, 2018, the Board of Directors of Desert Water Agency (Agency) authorized the Agency's financial participation in the California WaterFix (CWF) and authorized the General Manager to execute a gap funding agreement with the Department of Water Resources (DWR) to provide funds to help fund DWR's preconstruction costs of the CWF.

On May 2, 2019, the DWR director rescinded DWR's approval of the CWF. There is no longer a CWF and DWR notified the Agency that it would not expend the remaining funds contributed under the gap funding agreement for any other purpose absent specific authorization.

To date 7.7% of the gap funding agreement funds have been spent. The Governor intends to take a fresh look at a possible Delta Conveyance option. It is in the Agency's best interest to enter into a new funding agreement with DWR to authorize the remaining unencumbered gap funding agreement funds to be used for preliminary planning and design costs incurred after May 2, 2019, related to a potential new Delta Conveyance option.

Staff requests Board adoption of Resolution No. 1222 thereby authorizing its General Manager to execute a funding agreement with DWR in an amount equal to the remaining gap funding agreement funds for preliminary planning and design costs incurred after May 2, 2019 related to potential new Delta Conveyance.

## **RESOLUTION NO. 1222**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE DESERT WATER AGENCY AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A FUNDING AGREEMENT WITH DWR FOR PRELIMINARY PLANNING AND DESIGN COSTS RELATED TO A POTENTIAL NEW DELTA CONVEYANCE OPTION**

**WHEREAS**, on June 5, 2018, the Board of Directors of Desert Water Agency (“Agency”) authorized the Agency’s financial participation in California WaterFix and authorized the General Manager to execute a gap funding agreement with the Department of Water Resources (“DWR”) to provide funds to help fund DWR’s preconstruction costs of the California WaterFix Project; and

**WHEREAS**, the DWR Director rescinded DWR’s approval of the California WaterFix Project on May 2, 2019; and

**WHEREAS**, as a result of DWR’s action, there is no longer a California WaterFix Project and the DWR notified the Agency that it would not expend remaining funds contributed under the gap funding agreement for any other purpose absent specific authorization. To date, approximately 7.7% of the gap funding agreement funds have been spent; and

**WHEREAS**, in a letter to the State Water Contractors dated May 2, 2019, the DWR Director , indicated that the Governor intends to take a fresh look at a possible Delta Conveyance option; and

**WHEREAS**, the Delta needs to be modernized to protect State Water Project reliability and the environment, and exploring a potential Delta Conveyance option of some kind is in the best interest of the Agency; and

**WHEREAS**, it is in the Agency’s interest to enter into a new funding agreement with DWR to authorize the remaining unencumbered gap funding agreement funds to be used for preliminary planning and design costs incurred after May 2, 2019 related to a potential new Delta Conveyance option; and

**WHEREAS**, the Board of Directors of the Agency desires to authorize its General Manager to execute a funding agreement with DWR in an amount equal to the remaining gap funding agreement funds for preliminary planning and design costs incurred after May 2, 2019 related to a potential new Delta Conveyance option; and

**WHEREAS**, the Board of Directors of the Agency similarly desires to clarify that any current and/or future actions are not based upon and do not rely upon DWR’s decertified WaterFix EIR or DWR’s rescinded WaterFix approvals.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors of Desert Water Agency does hereby find, determine and resolve as follows:

1. Authorization to General Manager: The General Manager is authorized to enter into a funding agreement with DWR, and take any necessary actions related to such that authorizes DWR to use the remaining gap funding agreement funds contributed by the Agency, which equal approximately \$561,806, for DWR's planning and design costs related to a potential new Delta Conveyance option.
2. No project approvals: This action merely authorizes the expenditure of certain funds to cover planning and design costs necessary for the careful review and meaningful evaluation of a potential Delta Conveyance option by DWR, including but not limited to costs associated with the completion of environmental review and analysis under the California Environmental Quality (CEQA), California Endangered Species Act (CESA), and other related environmental laws. This resolution, however, does not authorize the expenditure of funds on any construction, land acquisitions, or any other implementation actions that may or may not be required for a Delta Conveyance option, in the event any such option is ever approved. Additionally, this resolution does not grant any vested entitlement, does not bind the Agency to issuing any future approvals related to a Delta Conveyance option, and does not restrict the Agency's consideration of feasible alternatives (including the "no project" alternative) or mitigation measures in the event that any future project approvals are ever requested from the Agency. As such, the expenditures authorized through this resolution do not constitute the approval of any Delta Conveyance project under CEQA, CESA, or any other law, and the planning, analysis, information gathering, and similar activities contemplated by this resolution are otherwise exempt from CEQA. (See State CEQA Guidelines, §§ 15262, 15306, 15378.)

**ADOPTED** this 20th day of August, 2019

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Joseph K. Stuart President

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Craig Ewing, Secretary-Treasurer

July 18, 2019

**MEMORANDUM**

**TO:** GENERAL MANAGER AND BOARD OF DIRECTORS  
OF DESERT WATER AGENCY

**FROM:** BEST BEST & KRIEGER LLP

**RE:** JULY 18, 2019 MEETING OF THE BOARD OF DIRECTORS OF THE  
STATE WATER CONTRACTORS

The July 18, 2019 meeting of the Board of Directors of the State Water Contractors (SWC) was conducted at the Tsakopoulos Library Galleria in downtown Sacramento.

1. Closed Session. The meeting began with a closed session with the SWC General Counsel in which a number of litigation and administrative proceeding matters were discussed. Because it was a closed session, the details cannot be documented in a written memo distributed to the public. One item that can be disclosed, because it is an item already available to the public, was that the various cases related to Cal WaterFix have been dismissed or otherwise wrapped up. This is because the Cal WaterFix Project itself has been withdrawn, including the certification of the environmental document for CalWaterFix. However, the plaintiffs in the actions challenging the environmental document are pursuing recovery of their attorney's fees, and the hearing on that subject has been scheduled for September 26, 2019.

2. Retirement of Curtis Creel. At the meeting it was announced that Curtis Creel of Kern County Water Agency will be retiring from KCWA, and therefore will no longer be that Agency's representative on the Board of Directors of the State Water Contractors. A resolution was unanimously adopted honoring Curtis for his many years of service, both as an employee of the Department of Water Resources and as a representative of Kern County Water Agency. Curtis was praised for his expertise and knowledge regarding the operations of the State Water Project, for his leadership on the SWC Board of Directors, and for his consistent support of the SWP. He has been a significant contributor, as well as a leader, and he will be missed.

3. Overview of the Statement of Charges. Dave Paulson was present on behalf of the State Water Project Analysis Office to provide an overview of the statement of charges for this coming year. Paulson reported that over the last ten to fifteen years, the largest increase in State Water Contractor charges has been in the Delta Conservation charge. This is the charge applied to all Contractors for the facilities that benefit all, including the facilities at Lake Oroville, in the Delta, and the San Luis Reservoir. The charge is based upon each Contractor's Table A Amount. The increases in recent years result from the significant costs associated with restoration of the damaged spillway at Lake Oroville, the improvements to the Yolo Bypass in the Delta, and other such expenses. Paulson stated that these restoration and improvement items also result in increased expenses on the operations and maintenance side, and together will increase the long term conservation charges. There will also be increases in the minimum conservation charge related primarily to dam safety costs. With respect to Transportation Charges, Paulson reported that the Transportation Capital Costs have remained relatively flat, but that there had been steep increases in the Transportation Minimum Charge in recent years.

4. Energy Objective Update. Tim Haines of the State Water Contractors provided an update on the work performed to address energy objectives. He noted that energy is an important component of the costs incurred by all Contractors. Ironically, DWR does not perform a ten year forecast of energy costs, so the SWC has created its own methodology to forecast energy costs, applying DWR methodology and assumptions to construct a curve to project these costs. Tim also provided copies of a brochure recently prepared by the DWR State Water Project Power and Risk Office providing a report on the State Water Project's power market activities. A copy of the brochure has been reproduced and is enclosed with this memo. The brochure notes that the SWP facilities are connected to the California Independent System Operator ("CAISO") grid, and that SWP operations are being optimized to meet the SWP's water delivery operations and to operate pumping and generation assets within the CAISO power market design constraints and needs. The brochure is quite interesting and points out that the SWP is the largest state built and operated multi-purpose system in the United States, with more than 700 miles of canals, tunnels, and pipelines that provide drinking water for 27 million people, irrigation water for 750,000 acres of farm land, generation of clean hydro power, recreational opportunities, flood protection, and additional habitat for fish and wildlife. The

brochure also points out that SWP water deliveries go to 29 contracting public agencies which together repay 1.7 billion dollars in general obligation bonds, plus interest, and additional bonds issued for added facilities. They also pay for operations and maintenance costs, such as labor and equipment, and for environmental projects that help mitigate impacts from SWP water operations. The SWP also promotes clean energy by generating zero emissions hydro power, shaping operations to consume solar generation and reduce greenhouse gas emissions, increasing procurement of renewable energy, improving energy efficiency in pumping and generating facilities, and building renewable energy projects on SWP and adjacent lands. By consuming energy when solar generation is at its peak, the SWP helps reduce the amount of renewable resources curtailments. By dropping load in the late afternoon, the SWP reduces the grid's reliance on fossil fuel generation. The SWP also ramps its generation and pumping assets up and down to synchronize with CAISO's ramping needs. Future plans include investigations to assess the viability of adding flexibility needed to help maintain grid reliability, investigating retrofits to SWP owned pumping and generation assets, and integration of new technologies, and also studying the viability of added pockets of storage in the proximity of SWP pumping plants to reduce their dependence on the overall power grid.

5. SWP Water Operations Report. Molly White of DWR reported that the SWP was currently releasing water from Lake Oroville at the rate of 5,300 cubic feet per second to support exports from the Delta. She stated that the San Luis Reservoir had storage of 810,000 acre feet, which is a large amount for this time of the year. The SWP is looking at incrementally increasing storage in the San Luis Reservoir, and it is possible that the reservoir might fail in the early Fall, which would be quite unusual.

MICHAEL T. RIDDELL





## California Department of Water Resources The State Water Project • Power and Risk Office

# State Water Project's Power Market Activities Helping With Renewable Integration in California

### SWP Operates in an Evolving Power Market

The California State Water Project's (SWP) facilities are interconnected to the California Independent System Operator (CAISO) grid and their operations are being optimized to:

- Meet SWP water delivery obligations;
- Maximize SWP generation assets;
- Minimize SWP generation costs.

CAISO's market design, reliability needs, and price trends are evolving due to the continuous increase of renewable energy resources resulting from the implementation of State mandates meant to promote clean energy portfolios. **The SWP is proactively responding to these changes, which reduces reliance on fossil fuel energy resources, assists in maintaining grid reliability, and controls electricity costs for water customers.**

### Overview

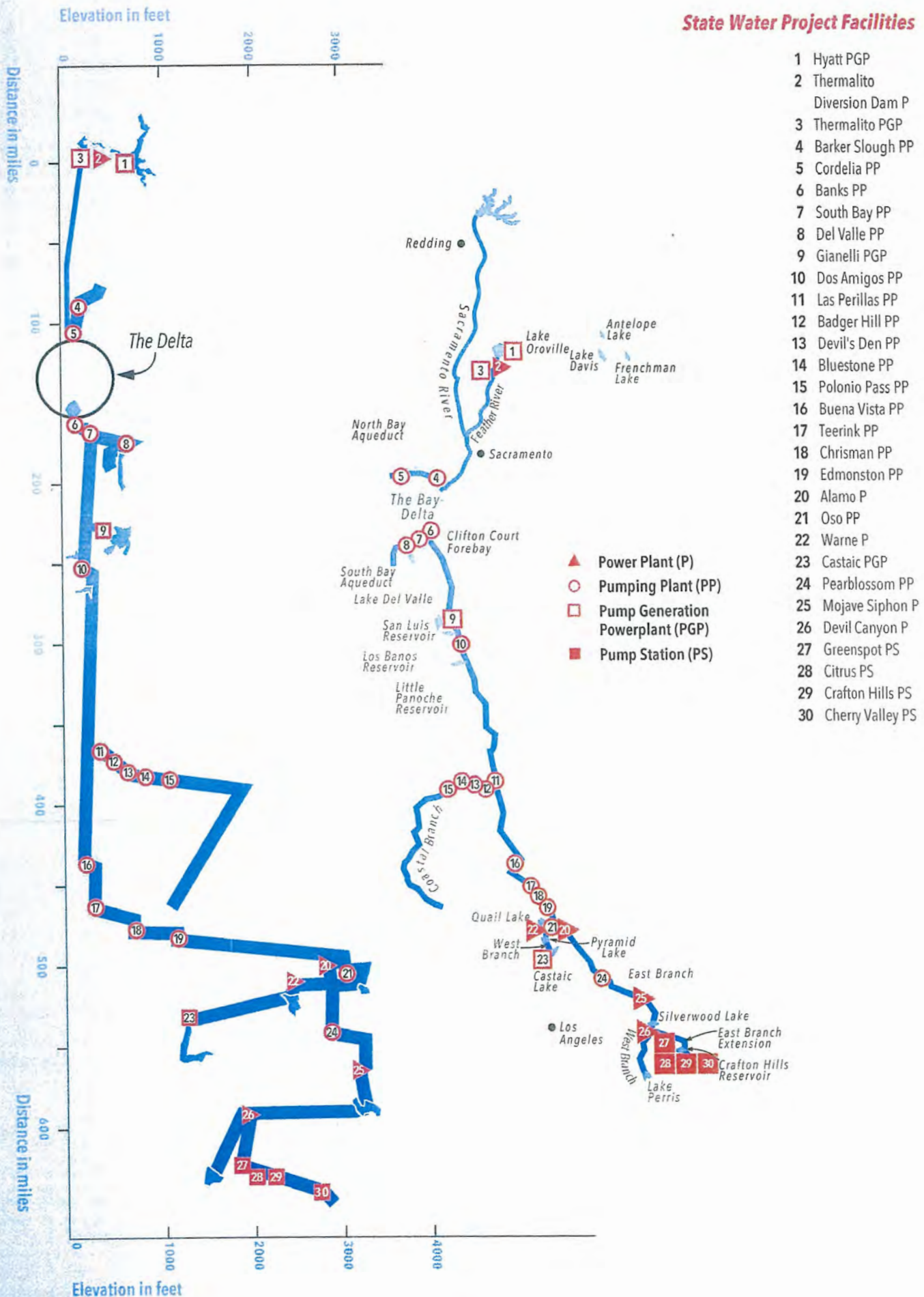
The SWP is the largest state-built and operated multi-purpose water and power system in the United States. The more than 700 miles of canals, tunnels, and pipelines provides:

- Delivery of drinking water for 27 million people
- Delivery of irrigation water for 750,000 acres of farmland
- Generation of clean Hydropower
- Recreation
- Flood protection
- Fish and wildlife habitat

*California Aqueduct in Palmdale, California, transports water as part of the State Water Project.*



## State Water Project Facilities

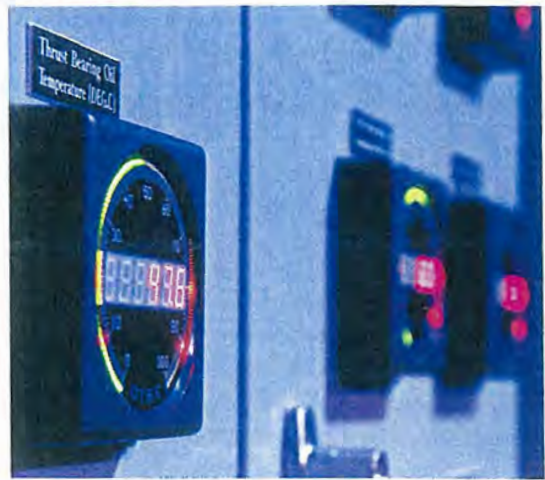


## State Water Project Contractor Service Areas

- ☐ Urban-based
- ☐ Agriculturally-based



- 1 Plumas County Flood Control & Water Conservation District
- 2 County of Butte
- 3 City of Yuba City
- 4 Napa County Flood Control & Water Conservation District
- 5 Solano County Water Agency
- 6 Alameda County Water District
- 7 Alameda County FCWCD: Zone 7
- 8 Oak Flat Water District
- 9 Santa Clara Valley Water District
- 10 County of Kings
- 11 Empire West Side Irrigation District
- 12 Tulare Lake Basin Water Storage District
- 13 Kern County Water Agency
- 14 Dudley Ridge Water District
- 15 San Luis Obispo County Flood Control & Water Conservation District
- 16 Santa Barbara County Flood Control & Water Conservation District
- 17 Ventura County Flood Control District
- 18 San Gabriel Valley Municipal Water District
- 19 The Metropolitan Water District of Southern California
- 20 Antelope Valley-East Kern Water Agency
- 21 Mojave Water Agency
- 22 Castaic Lake Water Agency (Devil's Den)
- 23 Littlerock Creek Irrigation District
- 24 Palmdale Water District
- 25 Crestline-Lake Arrowhead Water Agency
- 26 San Bernardino Valley Municipal Water District
- 27 San Geronio Pass Water Agency
- 28 Desert Water Agency
- 29 Coachella Valley Water District

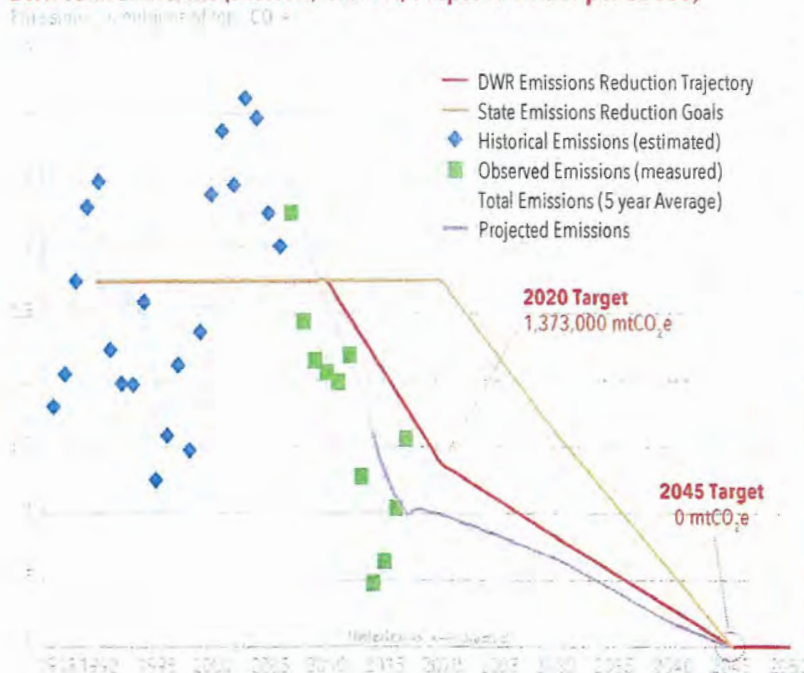


## Who Receives water from the SWP?

Water deliveries go to 29 contracting public agencies that have contracts for annual deliveries of water. Through these contracts, the SWP contractors are repaying the \$1.75 billion general obligation bonds, plus interest, and additional bonds issued for added facilities. They also pay for operations and maintenance costs, such as labor and equipment, and environmental projects that help mitigate for any impacts from the Project's water operations.

*The SWP contractors have made cumulative payments totaling more than \$9 billion.*

## DWR Total Emissions (Historic, Current, Proposed Future per SB100)



## Clean Energy Efforts

SWP promotes clean energy by:

- Generating zero emissions hydropower
- Shaping operations to consume solar generation and reduce GHG emissions
- Increasing procurement of renewable energy
- Improving energy efficiency in pumping and generating facilities
- Building renewable energy projects on SWP and adjacent lands

*Significant reduction in GHG emissions is being accomplished by changing power supplies to cleaner and renewable resources and increasing efficiency of water pumps and generators.*



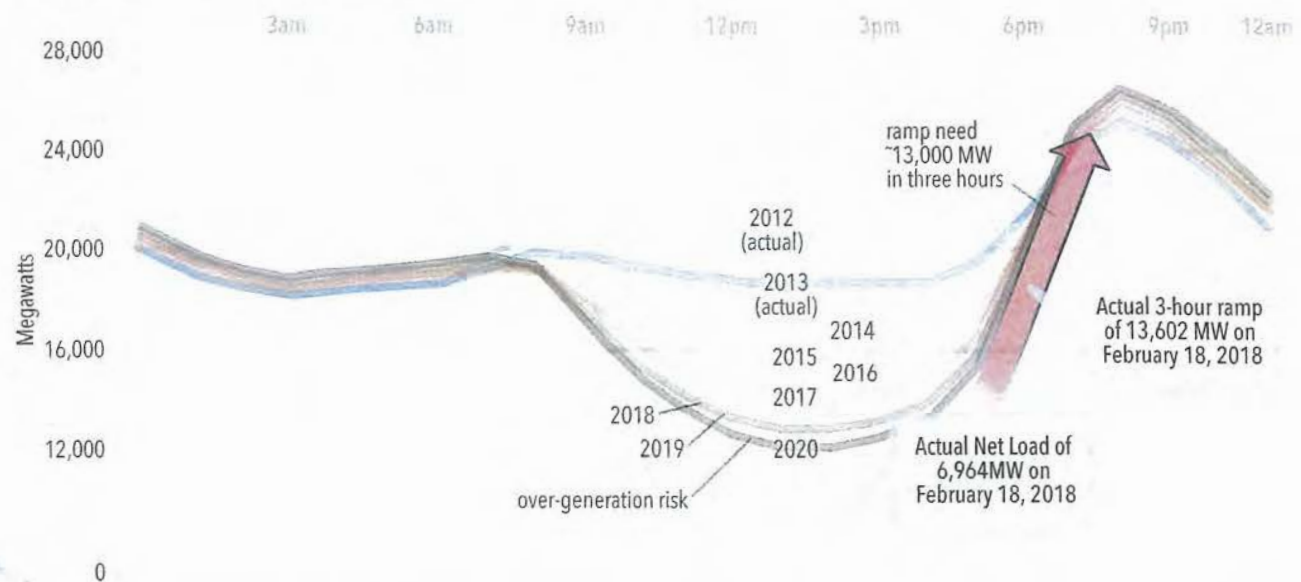
## SWP Helps Integrate Renewables in the CAISO Grid

As more renewable resources are being integrated into the CAISO grid and periods of solar over-generation become more pronounced, leveraging the flexibility of the SWP's load and generation to ramp up or down becomes increasingly important.

- SWP pump load and generation are very much aligned with the grid's daily and/or seasonal needs – it is being shaped to consume excess solar generation when there is an abundant supply.
- SWP generates clean hydropower during super peak hours when more generation resources are needed to substitute for the ramping down of solar generation in the late afternoon.
- SWP shaping of load and generation helps reduce the need for fossil fuel generation, which reduces overall CAISO GHG emissions.

*Electricity-related costs account for over 20 percent of the overall SWP annual budget. Thus, the SWP load and generation shaping activities are a critical tool in allowing the SWP to realize the best electricity prices to minimize net energy costs for its customers.*

A Typical Spring Day of Energy Consumption ...



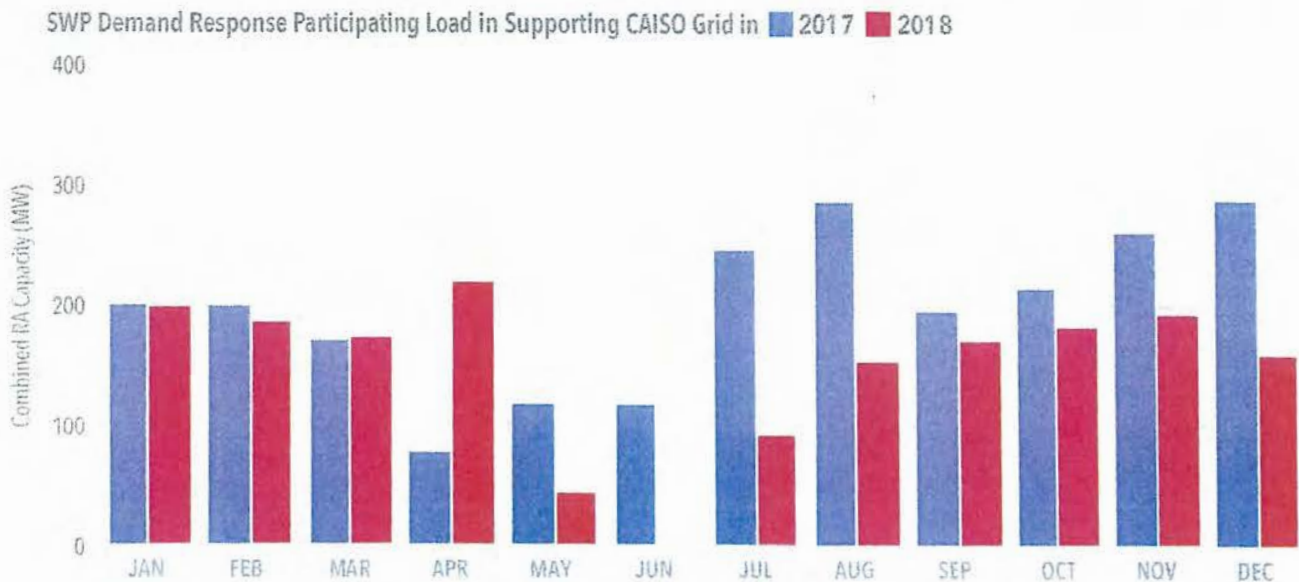


## SWP Helps Maintain Grid Reliability - Demand Response

SWP power operations are managed to minimize impacts to grid reliability through:

- Day-Ahead schedules for generation
- Day-Ahead schedules for pump load
- Offering Ancillary Services by generation and load
- Offering demand response through participating pump load agreement

The graph below shows the amount of demand response capacity that was provided by SWP's Participating Pump Load in 2017 and 2018.



*Solar panels are providing renewable power for the operation of the State Water Project (SWP). The SWP produces and contracts for, on average, emission free energy for 65 percent of its pumping needs.*



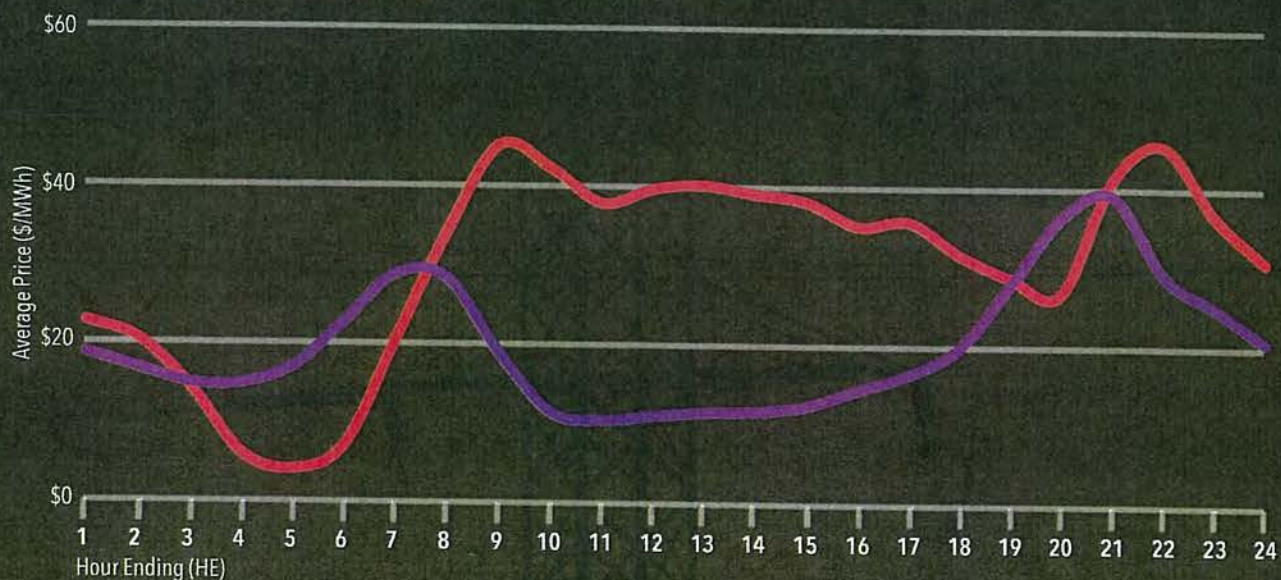


## SWP Helps Maintain Grid Reliability - Load Shifting

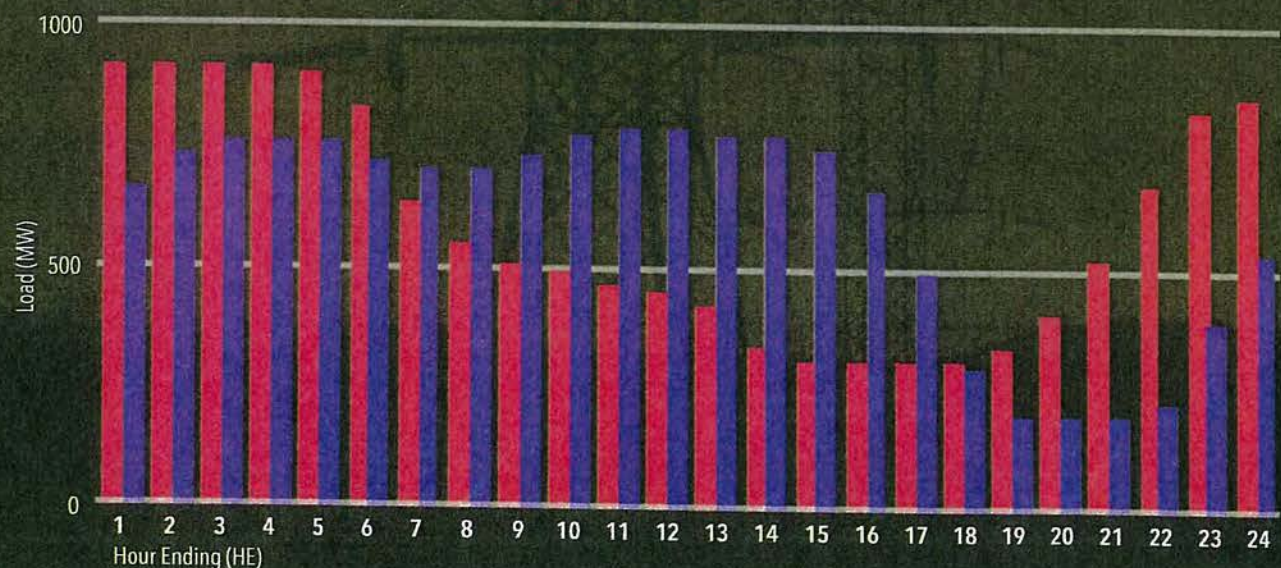
By consuming energy when solar generation is at its peak, SWP helps reduce the amount of renewable resource curtailments. By dropping load in the late afternoon SWP helps reduce the grid's reliance on fossil fuel generation. SWP also ramps its generation and pumping assets up and down in synch with CAISO's ramping needs.

**Year to Year Load Shaping:** Solar photovoltaic capacity in California increased from approximately 1.6 percent in 2011 to approximately 17.5 percent in 2016, as more solar generation is integrated into the CAISO grid, SWP shifts more of its pump load to solar hours to consume energy when renewables and zero emissions resources are prevalent and help mitigate overgeneration conditions. SWP also ramps down its pump load operations to a minimum during Super Peak hours when solar resources cease production and helps with grid ramping needs.

CAISO SP-15 Hourly Energy Price April 2011 April 2016



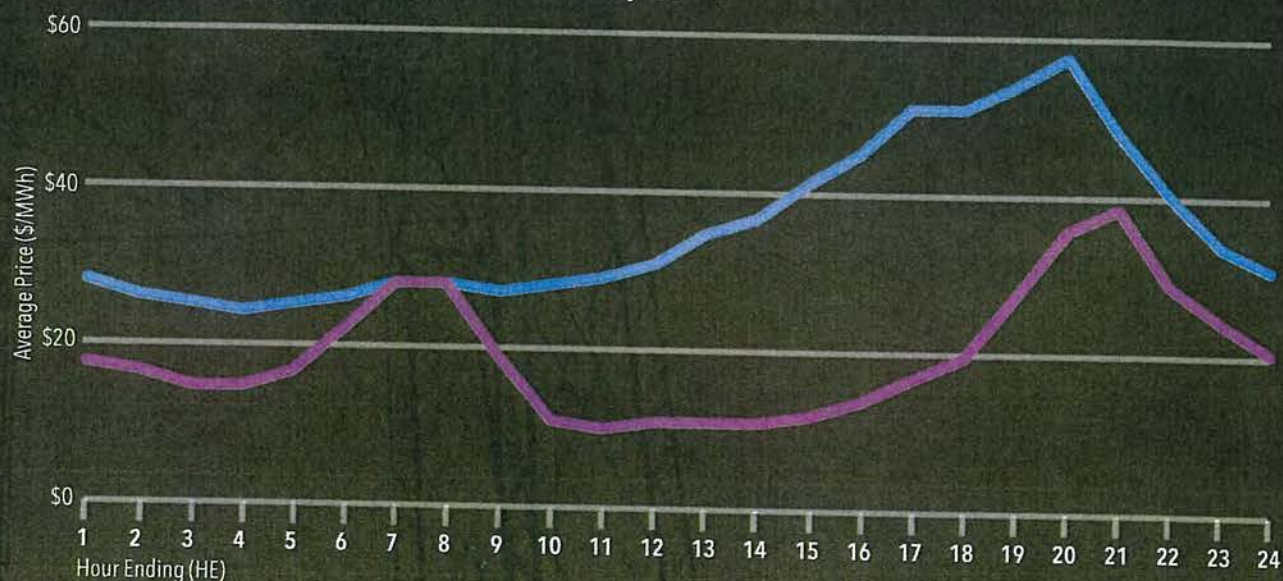
Edmonston and Valley String Actual Load Dispatch in April 2011 April 2016



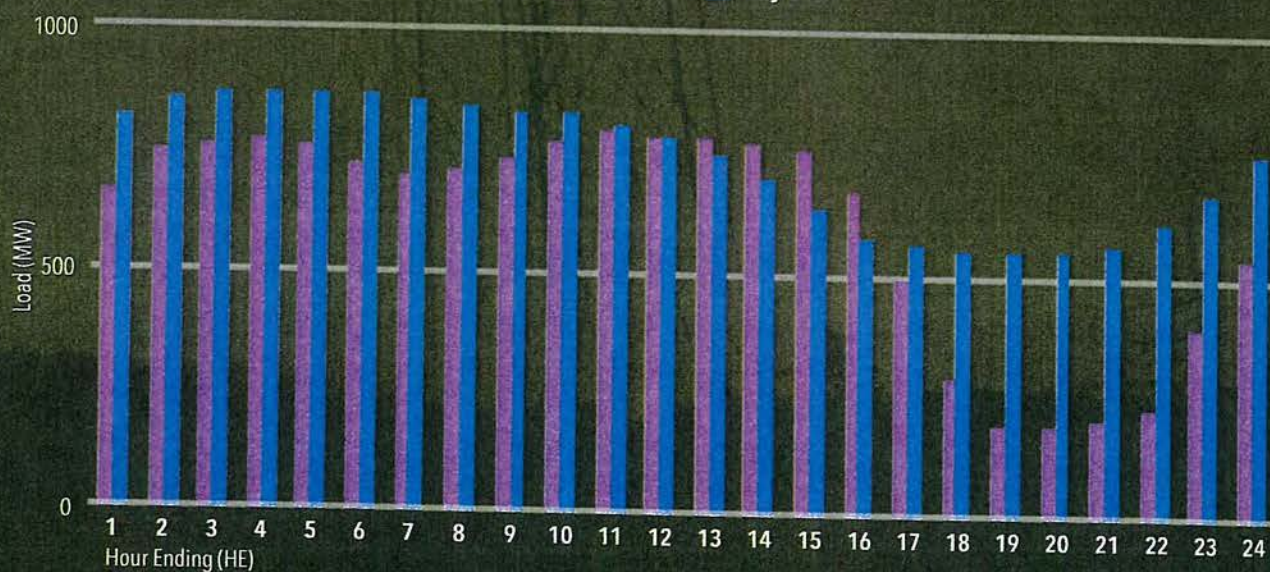


**Seasonal Load Shaping:** Renewable generation and CAISO's load demand patterns vary seasonally. SWP's pump operations are adjusted to align with the grid's seasonal reliability needs. Due to higher electricity demand during the summer months, low net-load conditions occurs in the early mornings. Instead of ramping up load in the middle of the day, as it does in the spring, most of SWP's pump operations occur in the early morning and gradually decreases throughout the day with a steep load drop in the late afternoon when solar ceases generation.

CAISO SP-15 Hourly Energy Price — April 2016 — July 2016



Edmonston and Valley String Actual Load Dispatch in — April 2016 — July 2016





The California Aqueduct spans 444 miles throughout California, including the San Joaquin Valley.

SWP is addressing the challenges from climate change, including the need to assess the viability of existing infrastructure, and the need to adapt, maintain and reliability.

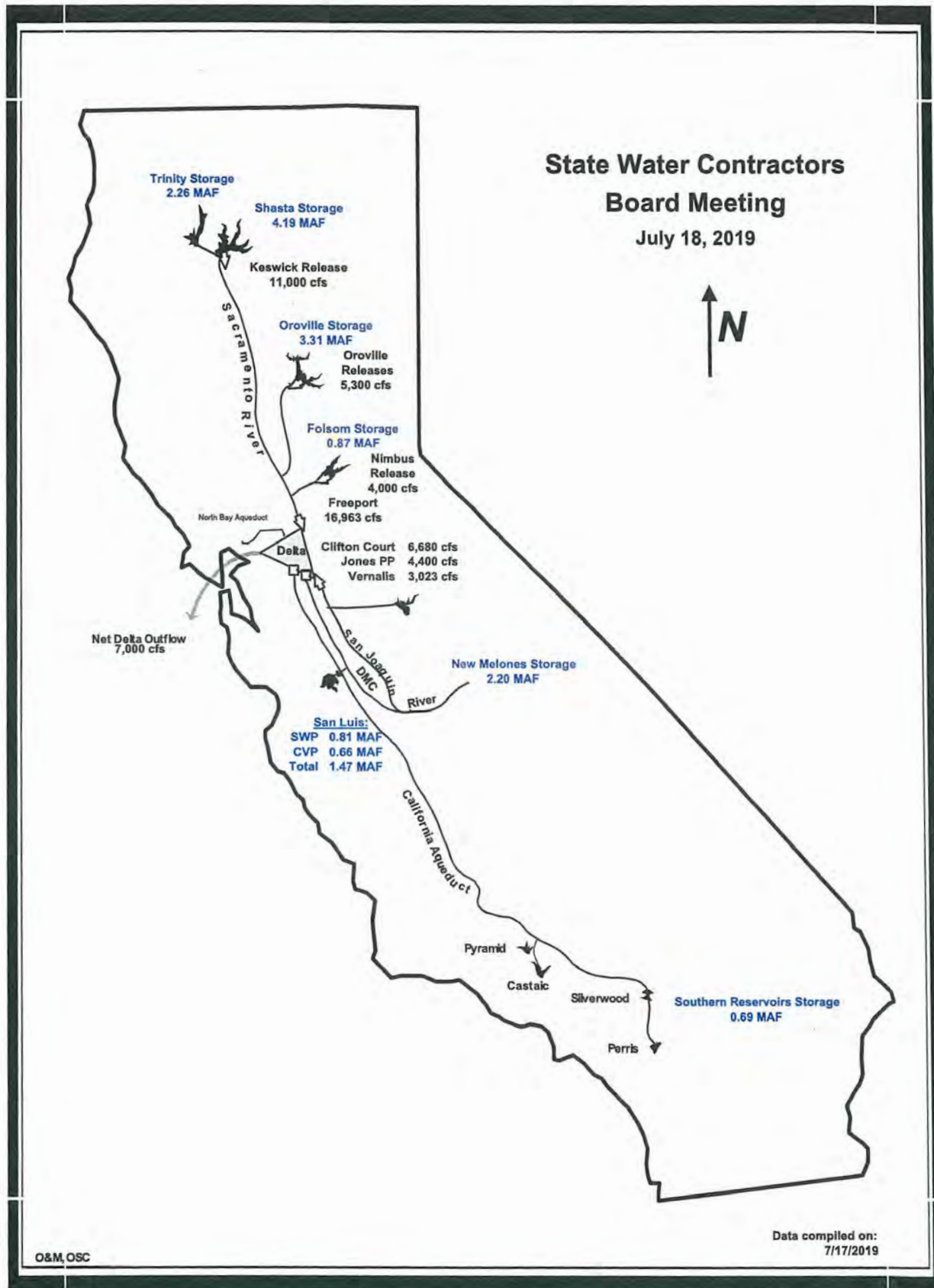
SWP is addressing retrofits to SWP owned pumping and generation assets, and integration of renewable technologies.

SWP is creating pockets of storage in the proximity of SWP pumping plants to decouple assets and remove inherent dependencies.

CAISO and SWP are working together to develop a new energy storage market. SWP is helping the market construct provides certainty for the recovery of capital investments. SWP is hopeful that the market will provide more flexibility and reliability services without compromising reliable and sufficient water deliveries to its customers.

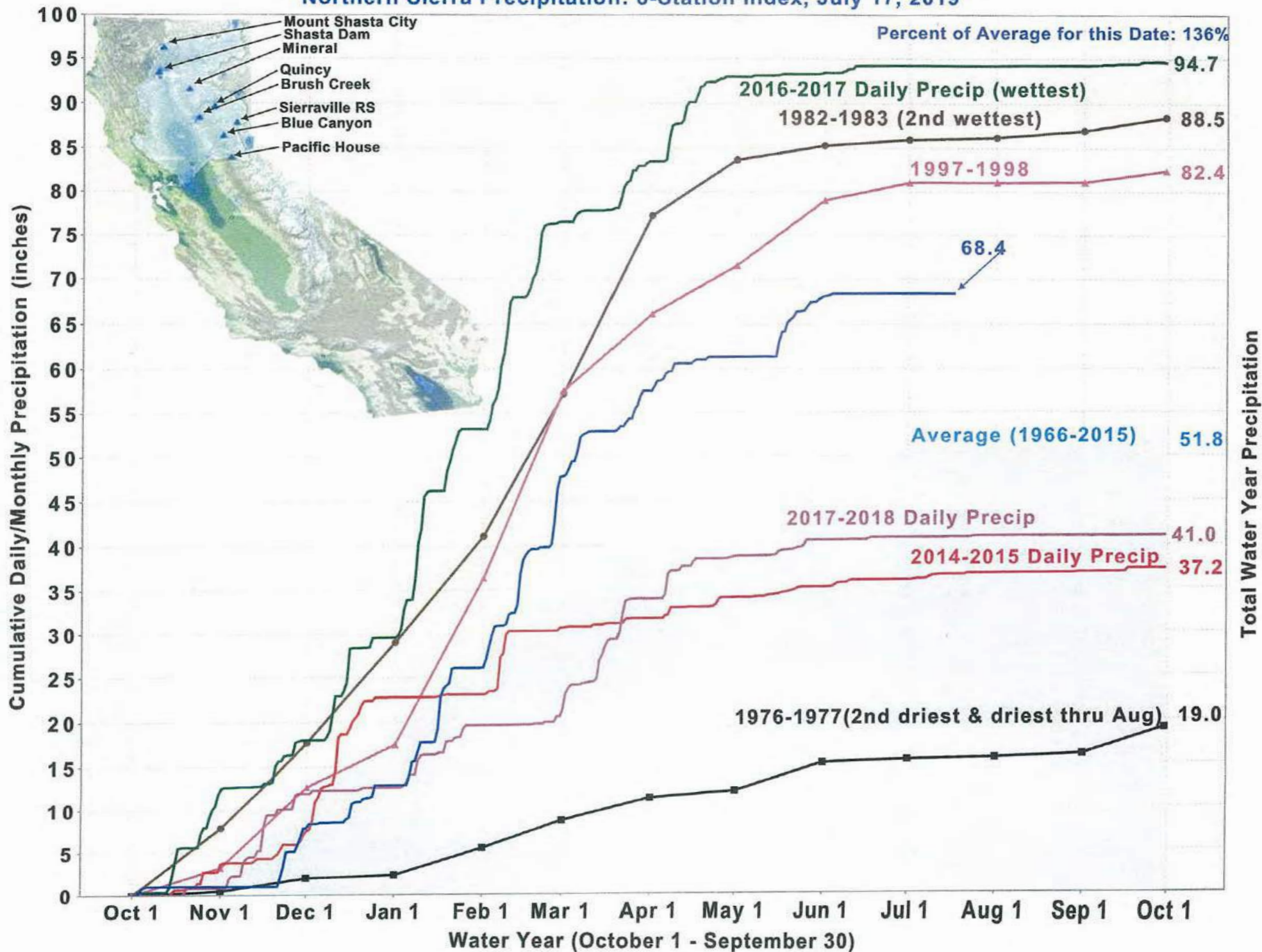




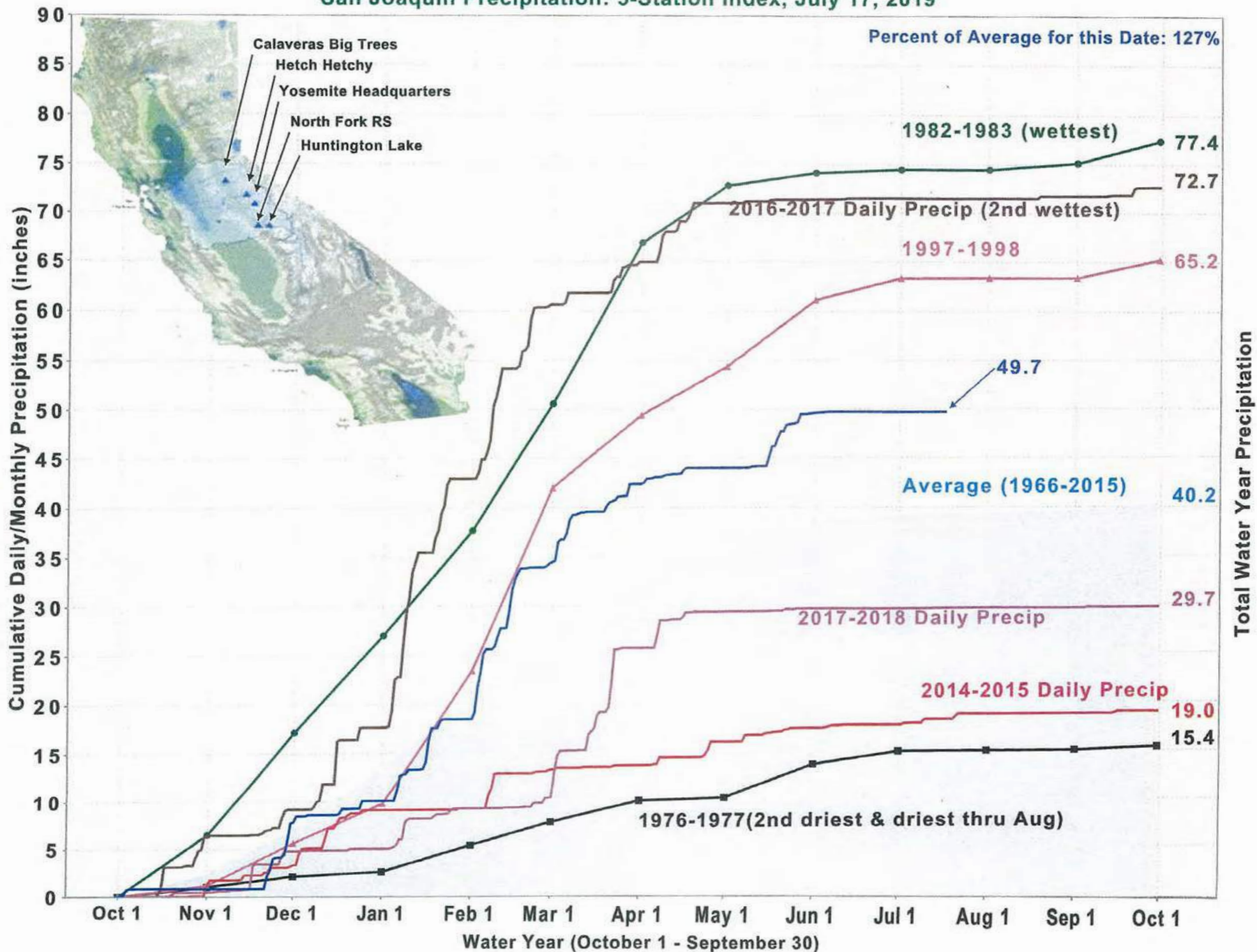




# Northern Sierra Precipitation: 8-Station Index, July 17, 2019

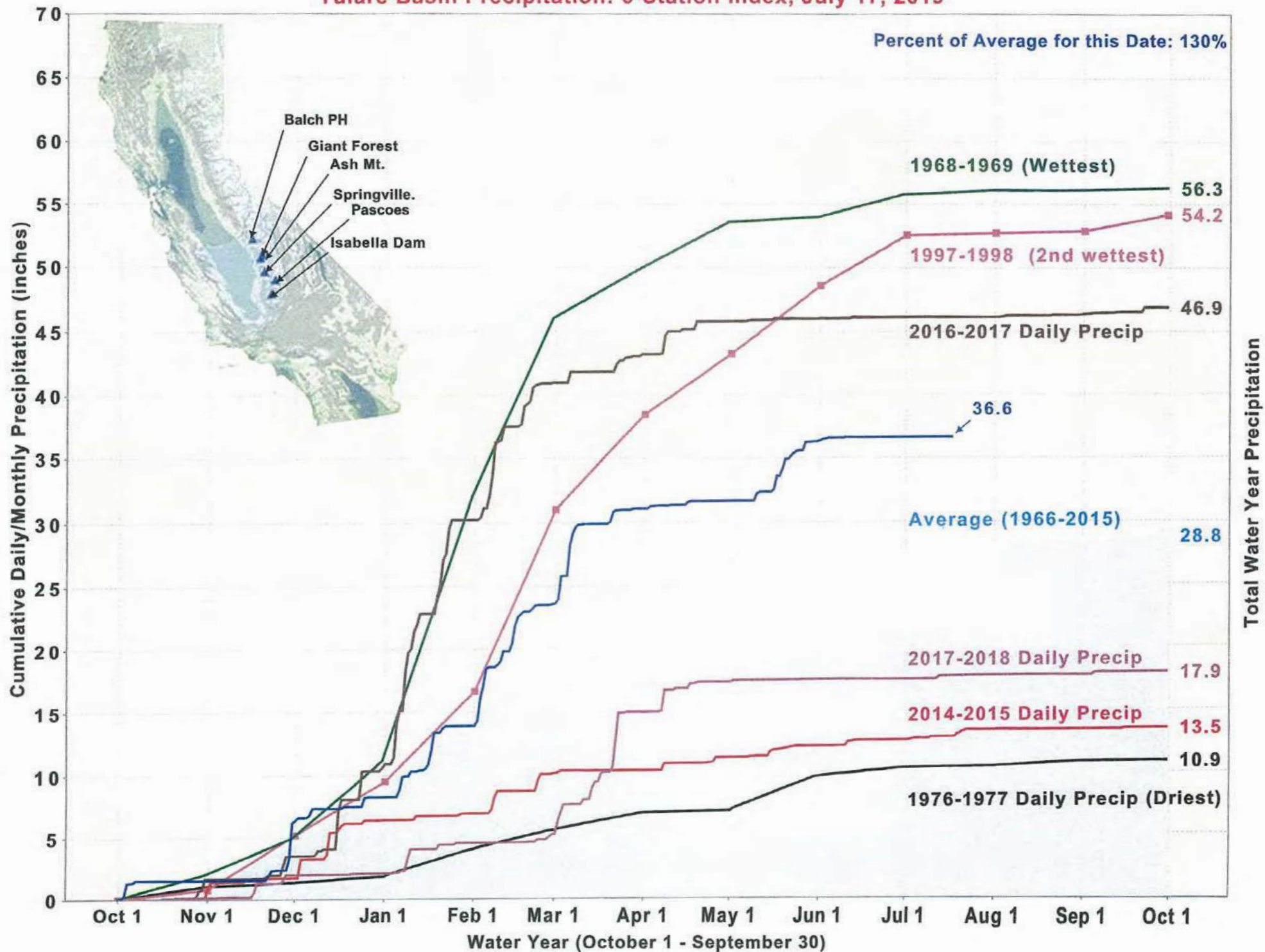


# San Joaquin Precipitation: 5-Station Index, July 17, 2019





# Tulare Basin Precipitation: 6-Station Index, July 17, 2019

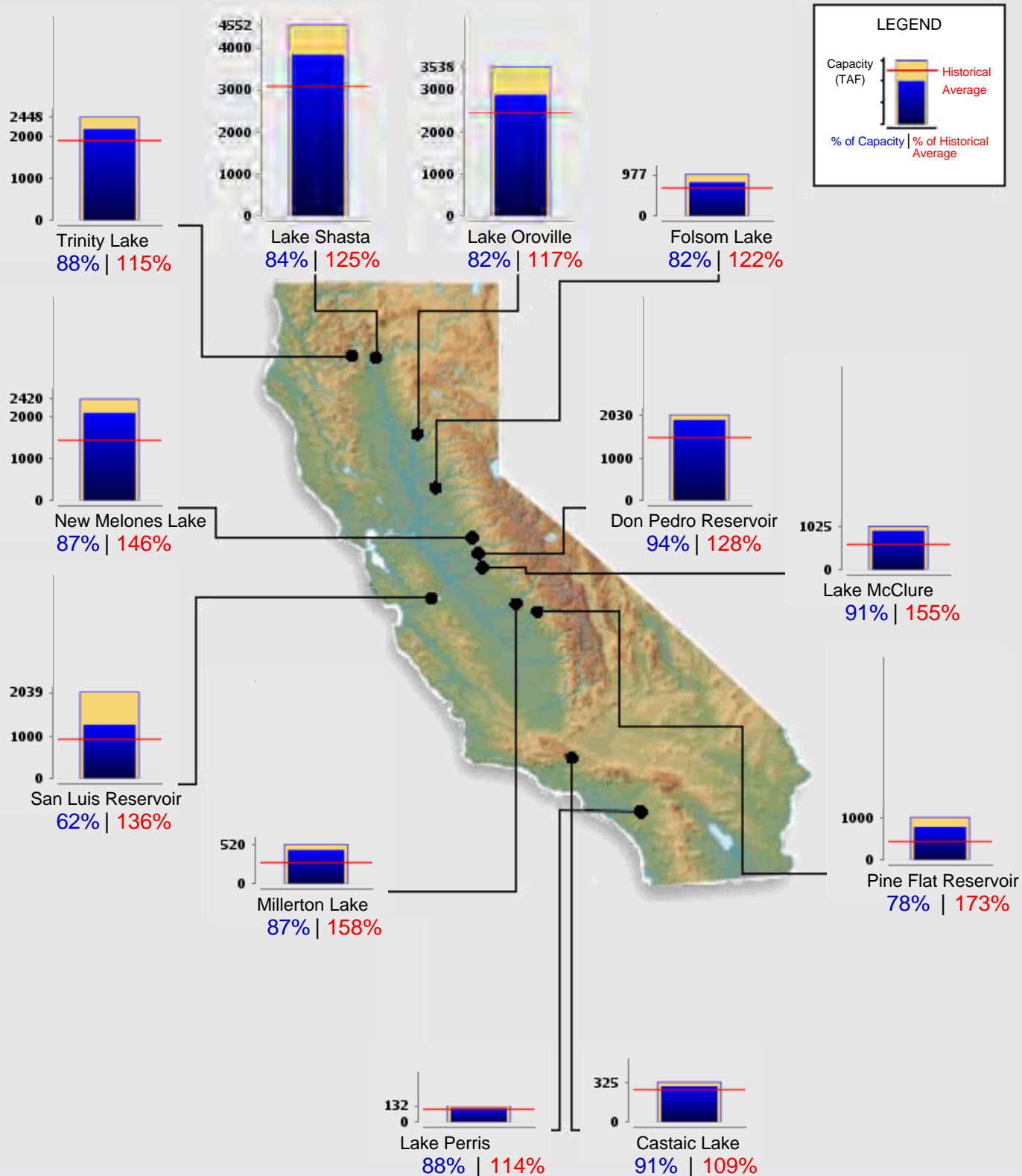




# Reservoir Conditions

Ending At Midnight - August 14, 2019

## CURRENT RESERVOIR CONDITIONS

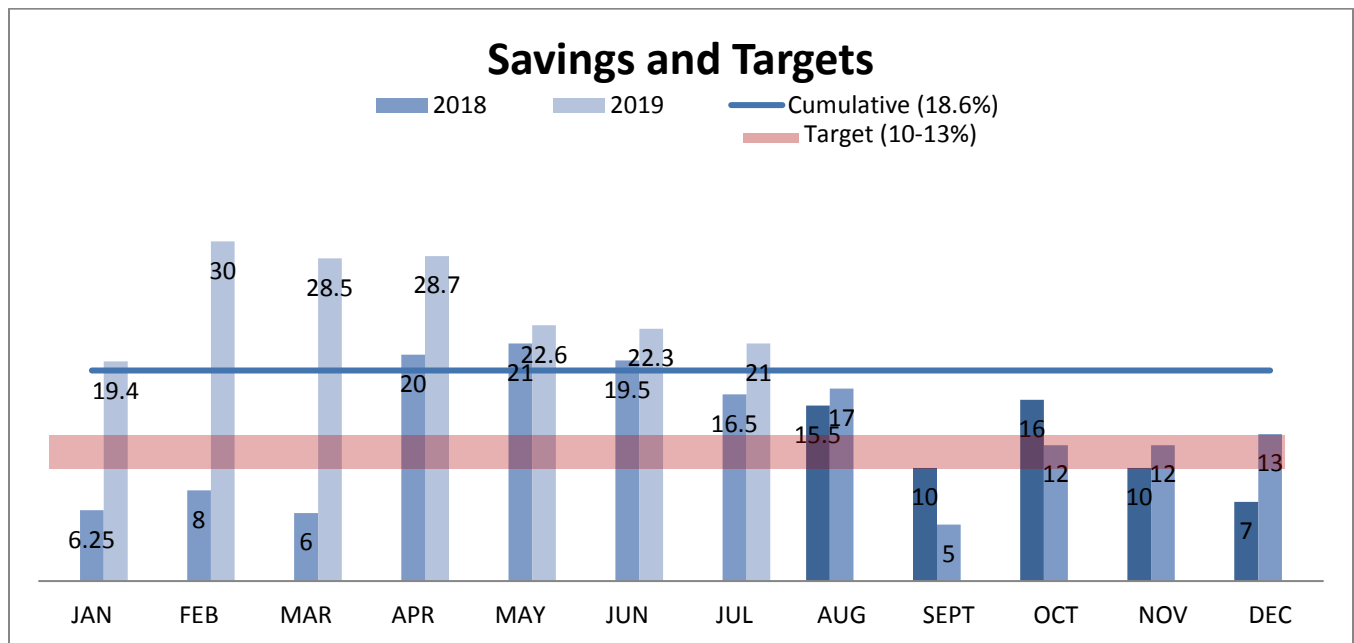


**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**AUGUST 20, 2019**

**RE: JULY 2019 WATER USE REDUCTION FIGURES**

Desert Water Agency and its customers achieved a 21% reduction in potable water production during July 2019 compared to the same month in 2013 – the baseline year used by the State Water Resources Control Board (State Water Board) to measure statewide conservation achievements. DWA continues to report its production to the state on a monthly basis, despite mandatory conservation ending in 2017.



DWA is asking its customers to save 10-13% compared to 2013 to help achieve long-term sustainability.

The cumulative savings over the last twelve-month period is 18.6%. The cumulative savings beginning in July of 2016 when we put our 10-13% target in place is 17.8%.

On the following page is additional information for this month.

July 2019 water production	3,058.56 AF
July 2013 water production	3,874.08 AF
Percent changed in this month per drought surcharge baseline (July 2015)	-12.44%
Quantity of potable water delivered for all commercial, industrial, and institutional users for the reporting month	923.95 AF
The percentage of the Total Monthly Potable Water Production going to residential use only for the reporting month	69.79%
Population (inclusive of seasonal residents)	107,682
Estimated R-GPCD	208.37
How many public complaints of water waste or violation of conservation rules were received during the reporting month?	44
How many contacts (written/ verbal) were made with customers for actual/ alleged water waste or for a violation of conservation rules?	14
How many formal warning actions (e.g.: written notifications, warning letters, door hangers) were issued for water waste or for a violation of conservation rules?	4
How many penalties were issued for water waste or for a violation of conservation rules?	1
<p>Comments: The Agency's service area is highly seasonal making population analysis a complex task. The State Water Board analyzes data on a per capita basis.</p> <p>Historically, DWA has submitted data based on the permanent population of the service area; however, that data does not accurately reflect water use in DWA's service area which has a highly seasonal population. We are currently submitting a calculation reviewed by the State Water Board. We plan to update our population figures once the Department of Water Resources accepts our technical memo on seasonal population.</p> <p>Since Desert Water Agency began recycling water, the agency has reclaimed 101,232 acre feet. If our recycled water production for this month was taken into consideration against our potable production, the conservation achieved would have been several percentage points higher.</p>	

**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**AUGUST 20, 2019**

**RE: DEPARTMENT OF WATER RESOURCES APPROVAL OF DWA  
ALTERNATIVE GROUNDWATER MANAGEMENT PLANS**

On July 17, the Department of Water Resources (DWR) announced and notified us that our Alternative Groundwater Management Plans (Alternative) for the Mission Creek and Indio Subbasins satisfied the objectives of the Sustainable Groundwater Management Act (SGMA) and therefore were approved. DWR Staff issued a report with recommendations including a statement of findings. The staff report also proposes recommended actions for consideration that it believe will enhance the Alternative and facilitate future evaluation by the Department.

The Alternatives were submitted to DWR in late December 2016 and accompanied by Bridge Documents prepared to explain how the elements of the Alternatives are functionally equivalent to the elements of a groundwater sustainability plan. The cost of preparation was \$112,723 for the Indio Subbasin (DWA share \$28,723) and \$91,866 for the Mission Creek Subbasin (DWA share \$30,622). Approved alternatives are required to submit annual reports due each year by April 1; annual reports were submitted in April 2018 and 2019. The current cost of an annual report is between \$65,000 and \$80,000 per year (DWA's Share is 1/3 to 1/4 the cost). Agencies must resubmit the Alternative by January 1 every five years. The first five-year update is due by January 1, 2022 (no costs figures available). The Agency can expect to spend approximately \$40,000 annually on plan reviews and up to \$100,000 every fifth year on plan updates.

Staff finds (findings) that the Alternative satisfies the objectives of SGMA, the Agencies are authorized to continue to manage the Subbasins to that alternative, without the need to develop a Groundwater Management Plan (GSP). The evaluation and assessment of the Alternative undertaken by DWR states that it creates no foreseeable indirect impacts, and any impacts that might occur would be difficult to predict with any accuracy and too speculative to allow DWR to provide for meaningful analysis and review.

## **Detailed staff reports were prepared by DWR for both Alternatives:**

**For the Indio Alternative**, staff concluded that the technical information provided demonstrate a detailed understanding of the Subbasin, the direct and indirect adverse effects of past groundwater management practices that led to overdraft conditions, and that the Agencies have demonstrated a commitment to eliminating overdraft to stop those adverse effects and to prevent them from occurring in the future. The Alternative quantifies objectives for sustainable management and for correcting groundwater problems and contains a robust set of plans and management actions designed to eliminate overdraft and associated adverse impacts to groundwater conditions. Department staff found that the Agencies have set forth a reasonable and feasible approach to eliminating overdraft, which will, in turn have a beneficial effect to the overall groundwater conditions in the Indio Subbasin, sufficient to avoid undesirable results.

**For the Mission Creek Alternative**, staff believe that the Agencies approach and focus on eliminating overdraft is reasonable and will, in turn, result in overall positive effects in the Subbasin, sufficient to avoid undesirable results. Department staff thus find that the Alternative is likely to achieve the sustainability goal for the Mission Creek Subbasins and satisfies the objectives of SGMA.

**Staff considered Mission Springs Water District's (MSWD) comment letter.** MSWD requested that DWR refrain from approving both Alternatives stating that Agencies have been unable to agree on terms of governance and also referenced the ongoing Agua Caliente water rights litigation. DWR concluded that MSWD's request did not undermine the technical sufficiency of the Plan or, at this point, make the Plan invalid or its implementation infeasible.

Staff also wanted to acknowledge the issue of **salt management** in the Subbasins. Recognizing that salt loading from groundwater recharge is an important issue, but not directly addressed in the Alternatives. The Alternatives state that a Salt and Nutrient Management Plan was developed and submitted to the Colorado River Regional Water Quality Control Board (RWQCB). Staff have concluded that the Agencies have demonstrated a sufficient understanding of the impacts associated with groundwater recharge using Colorado River water as a supply.

**Sustainability Indicators** define conditions that constitute sustainable groundwater management for a basin, including the characterization of undesirable results and the establishment of minimum thresholds and measurable objectives for applicable sustainability monitoring:

Sustainability Indicators: are indicators defined as any effects caused by groundwater



### Undesirable Effects:

1	Chronic Lowering of Groundwater Levels
2	Reduction of Groundwater Storage
3	Saltwater Intrusion
4	Degraded Water Quality
5	Land Subsidence
6	Depletion of Interconnected Surface Water

**Chronic Lowering of Groundwater Levels:** The Indio Alternative does not provide a minimum threshold but seeks to eliminate undesirable effects by maintaining a positive water balance and meeting the groundwater level targets established through modeling. The Mission Creek Alternative bridge document states that implementation of the adopted Plan will prevent long-term water level declines and the 2009 levels represent the threshold below which undesirable groundwater lowering would occur.

**Reduction of Groundwater Storage:** The Indio Alternative does not specify a threshold; however, the goal “is to maintain a positive annual change in groundwater storage under average supply conditions both now and in the future.” The Mission Creek Alternative also does not specify a threshold but the objective is to meet current and future water demands with a 10% supply buffer and to eliminate long-term ground water overdraft, are both related to storage.

**Seawater Intrusion:** The Indio Alternative states that groundwater elevations need to be maintained above modeled elevations to minimize the potential for saltwater intrusion from the Salton Sea, but the specific elevation is not provided. The bridge document states there is a low potential for Salton Sea water to intrude the shallow aquifer in the East Valley if groundwater levels are not sufficiently high to prevent intrusion. The Mission Creek Alternative does not discuss seawater intrusion.

**Degraded Water Quality:** The Indio Alternate identified water quality degradation as a significant adverse impact related to groundwater overdraft. Groundwater levels significantly affect the flowrate of the subsurface agricultural drains in the east valley. These drains remove a significant amount of salt loading. The flow volume target is 100,000 AFY by 2045. Currently the annual flow volume is 54,000 AFY (2009). The Mission Creek Alternative did not establish specific numerical thresholds or objectives. High water levels reduce elevated TDS water from the adjacent Desert Hot springs Subbasin.

**Land Subsidence:** The Indio Alternative state the 2010 Water Management Plan states that it will be important to maintain groundwater levels at or above the level of the compressible clays, which for the East Valley means that the groundwater levels should not be allowed to drop below 2005 levels. The Mission Creek Alternative did not include sustainable management criteria for land subsidence.

**Depletion of Interconnected Surface Water:** The Indio and Mission Creek Alternatives state that few areas of interconnected surface water with groundwater, because the groundwater levels are generally much lower than the ground surface.

### **Indio Alternative Staff Recommendations**

1. Incorporate the information and management activities in the **Garnet Hill** Area from the Garnet Hill WMP into the Alternative for the Indio Subbasin.
2. Describe whether the **2005 groundwater levels** can be used as a threshold for land subsidence and declining groundwater levels and groundwater storage in the East Valley and the Indio Subbasin generally.
3. Provide maps showing the areas affected by primary water quality **constituents of concern**, which include, at a minimum, Fluoride, arsenic, hexavalent Chromium, and DBCP.
4. **Incorporate an approved Salt and Nutrient Management Plan** into future iterations of the Alternative. Continue efforts to study the rate and level of increased salt contents in groundwater due to the importation of Colorado River water, identify limits, and begin to develop and implement plans and management actions that will achieve and maintain the Subbasin with those limits.
5. Provide the modeled groundwater elevation that minimizes the risk of **saltwater intrusion** and discuss how the recent groundwater levels near the Salton Sea referenced in the Alternative compare to the modeled elevation. Discuss why the water balance includes inflow from the Salton Sea to the Indio Subbasin and correlate that inflow with recent groundwater levels and the groundwater model.
6. Clarify whether there is a minimum threshold associated with the amount of flow in the **subsurface drain**, below which significant and unreasonable undesirable results would occur, and what the quantified minimum threshold is, if applicable, and the implementation horizon for when the goal for the amount of flow will be achieved.
7. Provide and identify groundwater-dependent ecosystem in the Subbasin.

## Mission Creek Alternative Staff Recommendations

1. Define how they will assess, on an ongoing basis, the **Indio Hills area** of the Subbasin to confirm whether groundwater use is occurring and to confirm that undesirable conditions are not present and that activities in that area are not adversely impacting successful implementation of the Plan. That assessment may include, but is no limited to, additional monitoring or descriptions of land use.
2. **Incorporate an approved Salt and Nutrient Management Plan** into future iterations of the Alternative.
3. Continue current efforts to **study the rate and level of increased salt contents** in groundwater due to the importation of Colorado River water, identify limits for the basin, and begin to develop and implement plans and management actions that will achieve and maintain the basin within those limits.
4. Provide the reasoning and **evidence** for the expectation that maintaining **groundwater levels above 2009** is expected to reduce the water quality impacts of higher TDS groundwater flowing into the Mission Creek Subbasin from the Desert Hot Springs Subbasin.
5. Provide groundwater-level criteria from specific groundwater **monitoring** wells that will be used to demonstrate compliance with the **2009 groundwater level** standard identified in the Plan or describe in detail how 2009 groundwater levels are determined and how the 2009 groundwater levels can be quantitatively compared to on an ongoing basis, in order for the Agencies and the Department to track progress towards sustainability.



# Sustainable Groundwater Management Program Alternative Assessment Summary

## Mission Creek Subbasin

**Determination: APPROVED**

### Submitting Agencies:

Coachella Valley Water District (CVWD)  
Desert Water Agency (DWA)  
Mission Springs Water District (MSWD)

### Alternative Type:

Groundwater Management Plan

### Assessment Summary:\*

- The alternative prepared by the submitting agencies satisfied the objectives of the Sustainable Groundwater Management Act (SGMA) by successfully demonstrating that implementation of the agencies' existing water management plan is likely to lead to groundwater sustainability for the Mission Creek Subbasin within the statutory timelines identified in SGMA.
- The alternative demonstrated an acceptable understanding of the hydrogeology, groundwater conditions, and water budget for the basin.
- The alternative established goals for the basin, including maintaining groundwater levels above 2009 conditions, meeting water demands, and managing and protecting groundwater quality.
- The alternative stated that while utilizing supplies from the Colorado River has assisted in correcting historical overdraft, it is also contributing to salt loading in the basin. The alternative stated that the region has developed a salt and nutrient management plan and is working to have that plan approved by the Regional Water Quality Control Board.
- The Department of Water Resources provided recommendations for the submitting agencies to address in the first five-year update to the alternative, which is due in January 2022. The recommendations are related to clarifying how progress toward achieving the sustainability goal will be measured, incorporating an approved salt and nutrient management plan, and enhancing descriptions of groundwater conditions.



\*For more details, refer to the staff report at <https://www.water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Alternatives>.



# Sustainable Groundwater Management Program Alternative Assessment Summary Indio Subbasin

**Determination: APPROVED**

## Submitting Agencies:

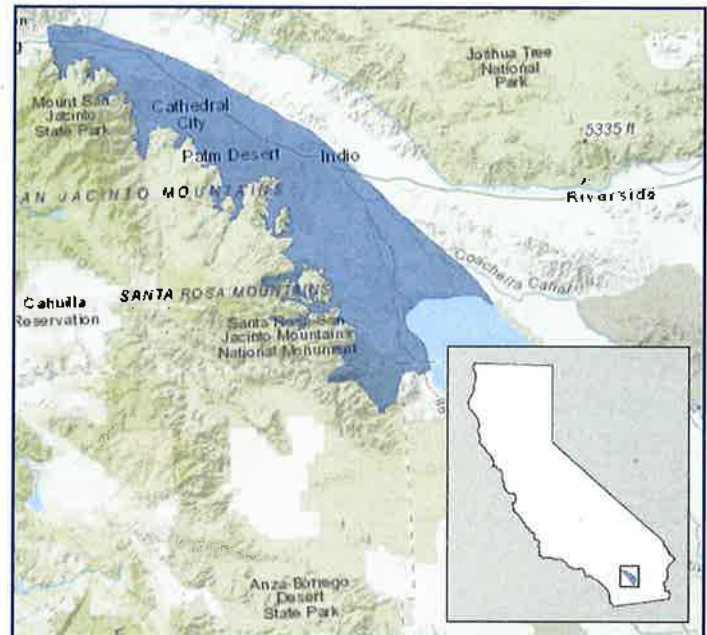
Coachella Valley Water District (CVWD)  
Desert Water Agency (DWA)  
Indio Water Authority (IWA)  
Coachella Water Authority (CWA)

## Alternative Type:

Groundwater Management Plan

## Assessment Summary:\*

- The alternative prepared by the submitting agencies satisfied the objectives of the Sustainable Groundwater Management Act (SGMA) by successfully demonstrating that implementation of the agencies' existing water management plans are likely to lead to groundwater sustainability for the Indio Subbasin within the statutory timelines identified in SGMA.
- The alternative demonstrated an acceptable understanding of the hydrogeology, groundwater conditions, and water budget for the basin.
- The alternative established goals for the basin, including eliminating overdraft, meeting current and future demands with a 10 percent supply buffer, and managing and protecting water quality. The alternative also identified projects and management actions including water conservation, increasing surface water supplies, and recharging groundwater that will be used to maintain a positive change in storage and to eliminate overdraft by 2030.
- The alternative stated that while utilizing supplies from the Colorado River has assisted in correcting historical overdraft, it is also contributing to salt loading in the basin. The alternative identified that the region has developed a salt and nutrient management plan and is working to obtain approval of the plan by the Regional Water Quality Control Board.
- Each of the submitting agencies has a responsibility and authority over water supply and groundwater management in the basin which appears sufficient to achieve groundwater sustainability.
- The Department of Water Resources provided recommendations for the submitting agencies to address in the first five-year update to the alternative, which is due in January 2022. The recommendations are related to clarifying the quantitative standards that will be used to determine progress toward achieving the sustainability goal for the basin, incorporating an approved salt and nutrient management plan, and providing additional descriptions of groundwater conditions in the basin.



\*For more details, refer to the staff report at <https://www.water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Alternatives>.

**DESERT WATER AGENCY  
MEDIA INFORMATION  
JULY 2019**

<b>DATE</b>	<b>PACKET PAGE</b>	<b>MEDIA SOURCE</b>	<b>ARTICLE</b>
07/08/19	1-2	LOS ANGELES TIMES	Water Plan Imperils Desert Enclave
07/12/19	3-5	DESERT SUN	Measure To Halt Cadiz Water Project Heads To Newsom's Desk
07/12/19	6	DESERT SUN	Desert Water Agency Could Move To District Elections
07/17/19	7	DESERT SUN	Water Agency Proceeds With District Voting
07/19/19	8-9	DESERT SUN	Appeal Filed In Agua Caliente Water Rights Case
07/19/19	10-11	LOS ANGELES TIMES	Salmon Study May Check Trump's Delta Water Plan
07/31/19	12-14	DESERT SUN	Governor: Toxic Water Decision Today



## Water plan imperils desert enclave

*Residents say state's mandated usage cuts would spell the end of Borrego Air Ranch*

By J Harry Jones, July 8, 2019

San Diego— The survival of a tiny, unique desert neighborhood is threatened because more than 60 years ago the community decided to form a small water district instead of digging individual wells.

Borrego Air Ranch is built around a private airstrip where residents' garages double as airplane hangars. It's on the southeastern outskirts of unincorporated Borrego Springs in San Diego County, less than a mile from Anza-Borrego Desert State Park.

For many years, Borrego Springs has been living on borrowed time, drawing far more water from the ground than its rains replace, a practice the state says can no longer continue.

Under a draft plan set to become law next year, residents of Borrego Air Ranch have been told they will have to reduce water consumption by 75% in coming years. And that could sound the death knell for the area, which is completely dependent — as is all of Borrego Springs — on groundwater because there is no economically feasible way to bring water via aqueduct or pipes to that portion of the desert.

Such a reduction for the neighborhood would not be required if each of the few dozen property owners had their own wells. But because the community is served by only two shared wells, the area is considered a major user of water and therefore subject to the same drastic water cuts being faced by far larger users in the Borrego Springs community, such as agricultural interests and golf courses.

"Attempts to reduce our already frugal water usage by 75% would make the current and future homes on the ranch unlivable and uninhabitable," said full-time resident Mike Himmerich in a letter to the county. "Water is life in the desert. Its availability and the construction of water infrastructure to all properties in our long-planned residential community is the difference between open desert land that is worth about \$200 an acre and our land values of up to around \$75,000 an acre."

Residents said that they have been monitoring their wells for 50 years and that, during that time, water levels have remained constant because as a group they have always limited consumption. The community has no extensive landscaping.

"In my opinion, the idea of limiting residential water that won't use as much in a year as one golf course does in a month is not only disagreeable but ridiculous," wrote Larry Grismer, whose family owns two lots at Borrego Air Ranch, a residence and five hangars. "We have owned property there since 1986 ... and to this point had no interest in selling it. The proposed [sustainability plan] will have severe impact on property values."

Linda Goodrich, who has owned property at Borrego Air Ranch since the 1970s and advocates changing the designation of the ranch from a major water user to a minor one, wrote: "If this change to the plan does not occur, we will lose our community and retirement plan. We can't imagine your organization wanting to eliminate our community. Please hear our voice and make the critical change."

For decades, the roughly 3,000 residents of Borrego Springs — those numbers swell in the winter and fall in the summer — have known that the single-source aquifer beneath them was being

depleted. But it wasn't until 2014, when the state passed the Sustainable Groundwater Management Act and listed Borrego Springs' aquifer as being in "critical overdraft," that things got really serious.

Under the law, if Borrego Springs doesn't fix its overdraft problem, the state will intervene. Nobody in Borrego Springs wants that to happen, because they fear it might mean the end of the entire town. Instead, the community has been drafting its own sustainability plan with input from all types of users in hopes that the state will accept their solutions.

The draft plan, released in March, dictates that the entire community must reduce its water usage by 75% by 2040. The plan is still being worked on and must be submitted to the state by Jan. 31. The Borrego Valley Groundwater Sustainability Agency, a group composed of San Diego County and Borrego Water District officials, is in charge of the plan and reviewing all comments that have been submitted in reaction to the draft.

"The plan is still in draft form, and they have submitted comment letters that are primarily directed toward the county," said water district attorney Steve Anderson. He said responses to the letters of concern from Borrego Air Ranch property owners will be made this year.

The easiest and fastest way to accomplish the water savings throughout Borrego Springs would be to shut down the 3,000 acres of citrus farms in the northern part of town, which studies estimate draw about 70% of the water used in the area annually.

An additional 18% is used for recreational purposes, mainly golf courses. The rest is used by individual residents.

But the farmers have rights, just like everybody else. So all must suffer under the plan.

The only exception would be for individual homeowners who have their own wells and use only enough to survive.

For the better part of two years, Borrego Air Ranch residents have been engaged with the committee that is charged with coming up with the plan.

The residents and property owners of the area — there are roughly two dozen homes built around the airstrip — have forcefully let their thoughts be known via official correspondence.

They are worried, however, about angering officials any more than they have already, and most declined to be interviewed for this story.

Borrego Air Ranch began in 1945 when two sets of brothers — dentists John and Vernon Steen and real estate agents Ed and Stephen Fletcher — purchased 160 remote acres with the dual intent of creating an airport for their use and owning a desert ranch.

A couple of years later, the first 1,000-foot dirt runway was constructed (it would be paved for the first time in 1961), and in 1949, Borrego Air Ranch received a California airport license.

For many years, the community consisted of only a handful of houses and hangars.

In 1957, the Borrego Air Ranch Water Co. was incorporated to serve as the supplier and owner of all wells, pumping plants and water lines.

"The Air Ranch is one of and maybe the oldest residential flying communities in the nation," Himmerich said.



## Measure to halt Cadiz water project heads to Newsom's desk

*Bill would require project to seek further environmental review*

Janet Wilson and Sam Metz, July 12, 2019

The Cadiz groundwater pumping project in the Mojave Desert hit a major roadblock on Thursday, when the California State Assembly advanced a bill that could halt its progress for up to two years.

If the bill becomes law, Cadiz, Inc.'s proposed project will need to undergo additional environmental review to prove its extraction plans will not harm the surrounding desert. S.B. 307, authored by Sen. Richard Roth, D-Riverside, cleared the Assembly 49-23, where it was led by Assemblywoman Laura Friedman, D-Glendale, who carried similar Cadiz-related legislation in 2017 and 2018 that stalled before final votes. After years of legislative battles and intense lobbying, the bill now only needs Gov. Gavin Newsom's signature to become law.

Cadiz's project would pump 16.3 billion gallons of groundwater out of an expansive aquifer under the Mojave Desert and transport it across public lands to the Colorado River Aqueduct, which will then ship the water to coastal residents. The Los Angeles-based company has projected the project could earn them \$2.4 billion.

In a statement released after Thursday's vote, the company urged Newsom to veto the bill, saying it unfairly "singles out one California Company and one project for unique treatment" and accusing the project's opponents of having "parlayed their considerable political influence" to put roadblocks in front of the project.

S.B. 307, if signed, would change the California Water Code to prohibit transfers from desert groundwater basins that adversely affect the environment.

"As our Governor has repeatedly emphasized, California continues to suffer from chronic water supply and affordable housing shortages," Cadiz said in its statement. "Bills like S.B. 307 will make solutions even tougher to achieve."

Despite its opposition, Cadiz said it will submit to another environmental review if the bill passes and, provided the review is "fair, open and transparent" is confident the project will be judged as safe and sustainable.

### Previous environmental reports at odds

Supporters and opponents have battled over sharply conflicting reports on how the pumping would impact the aquifer and wildlife that depend on natural watering holes — particularly the desert bighorn sheep, which relies on Bonanza Spring, a year-round watering hole that's the largest spring in the southeastern Mojave Desert. A company geologist determined the spring was not geologically linked to the aquifer.

But the California Dept. of Fish and Wildlife said that conclusion was flawed after state biologists tested the company's finding by installing GPS collars on the legally protected sheep, which are a

signature species of the California desert. Other scientists funded by the nonprofit Mojave Desert Land Trust used molecular isotopes and temperature readings to conclude that, contrary to what the Cadiz geologist claimed, the spring is fed by an aquifer connected to wellfield water that would be used by the company.

Roth said in an interview with The Desert Sun that additional review may not stop the project, as many activists are hoping for. He said he simply wanted to reconcile the discrepancies between the studies and make sure, if Cadiz pumps groundwater, that it does so at a sustainable rate.

"Those folks who talk about blocking or killing the project are not talking about me or my intent in moving this bill forward," he said. "All I've requested through this bill is that an attempt is made to reconcile the discrepancies in the environmental reports."

The project previously passed a review mandated by the California Environmental Quality Act but lawmakers also noted a study by Department of the Interior surveyors that estimated the aquifer's natural recharge rate to be between 2,000 and 10,000 acre-feet of water per year, significantly less than the 50,000 acre-feet of water Cadiz proposes extracting. Cadiz, for its part, says more than 10 billion gallons a year are "wasted to the atmosphere each year from the Bristol and Cadiz Dry-Lakes" via evaporation.

### **What the bill mandates**

S.B. 307, if signed, would require Cadiz to apply for additional permits from the State Lands Commission, and submit annual updates on the project's impact on the aquifer.

Roth said he expects the State Lands Commission to contract independent scientists to study the issue if Newsom signs the bill. After further environmental review, Cadiz will have to decide whether pumping groundwater within the state's limitations is economically feasible.

Assembly Leader Anthony Rendon, D-Lakewood, said the bill was a reasonable approach to ensuring California can both provide residents access to safe and affordable drinking water and protect the environment because it doesn't forbid water extraction and only asks for further environmental review.

"All it says is that the State Lands Commission, consulting with environmental authorities on wildlife and water, must sign off," Rendon said. "That's it. That's all it says."

But Republicans disagreed. At Thursday's hearing, Assemblyman Jay Obernolte, R-Big Bear, said the project had already gone through necessary environmental review. Obernolte, whose district includes the area Cadiz hopes to pump groundwater, said subjecting it to additional scrutiny due to opposition from activists and lawmakers would set a dangerous precedent.

"What we're telling people if we pass the bill today is ... if enough powerful, connected people get together, they can sponsor a bill in the legislature to stop any project," he said. "If we set that precedent, what comes next?"



## **Environmental activists rejoice**

Activists who've battled the Cadiz project for years said the company was the politically connected entity and had successfully killed the bill twice in the past. They were overjoyed by the vote.

"Science matters and will not be ignored when it comes to protecting our national treasures from the reckless Cadiz groundwater mining project," said David Lamfrom, California Desert and Wildlife Director for the National Parks Conservation Association. "For the first time, Cadiz will be subject to independent scientific review, which will no doubt prove that the numbers previously used by the company just don't add up."

"The Legislature has made it clear that the era of driving California's aquifers into overdraft conditions is over and emphasizes the importance of managing these aquifers sustainably for the future," said Kim Delfino, California Program Director for Defenders of Wildlife.

The environmentalists said the bill also will help protect the Mojave Desert's tourism economy, which, in 2018, generated \$436 million dollars in revenue in the surrounding communities and more than \$161 million in labor income.

## **Federal friends and foes**

The project has faced legal scrutiny as well. A federal judge in June ruled that Trump administration land regulators wrongly reversed an Obama-era decision and then allowed a railroad exemption to be used by Cadiz, Inc. to avoid stringent environmental reviews of its controversial water project.

The development has had help from well-connected Washington insiders. Before he became Secretary of the Interior, David Bernhardt represented Cadiz as a private attorney in negotiations with the federal agency, memos show. After being appointed at the Department of the Interior, he resigned from the firm and recused himself from matters involving former clients.

Sen. Dianne Feinstein, who has long opposed the Cadiz proposal, commended the Assembly for passing the bill and said requiring additional review would bring California closer to permanently stopping the project.

"For decades, Cadiz has threatened to drain a vital desert aquifer, robbing the desert of its most precious resource, in order to line corporate pockets," she said. "Thanks to today's vote, we're closer to ending that threat."

## **Desert Water Agency could move to district elections**

Shane Newell, July 12, 2019

A water agency headquartered in Palm Springs could vote next week to transition from at-large to district elections for board members.

Leaders from the Desert Water Agency, a groundwater management agency with customers in the western Coachella Valley, will discuss the issue and potentially vote Tuesday morning.

If approved, the transition would come nearly eight months after the agency received a demand letter from the Malibu-based Shenkman & Hughes law firm.

The letter asked the agency to make the switch in order to comply with the California Voting Rights Act.

The agency's board can choose from one of six proposed district maps, which cover portions of Palm Springs, Desert Hot Springs, Cathedral City and unincorporated Riverside County.

One of the districts in each of the maps is majority-minority.

The meeting will begin at 8 a.m. Tuesday at 1200 S. Gene Autry Trail.

Numerous cities across Southern California have received similar letters from the Shenkman & Hughes law firm urging the transition to district elections.

Palm Springs moved to district elections last year, and Palm Desert was recently sued by the firm for not moving to district elections.

With district elections, voters live in an assigned geographic district and can only cast ballots for candidates from the same district.

Under the at-large system, residents can vote for any candidate regardless of whether they live near each other.



## Water agency proceeds with district voting

Shane Newell, July 17, 2019

Palm Springs Desert Sun USA TODAY NETWORK

A water agency overseeing the western Coachella Valley will soon elect its members by district.

The Desert Water Agency board voted 5-0 on Tuesday to move from atlarge to elections by division, or district, beginning in November 2020.

The move comes nearly eight months after a Mailbu law firm asked the agency to switch in order to comply with the California Voting Rights Act.

"We made this transition to election by di- vision with the help of the public and we commit to serve the best interest of the entire community," board President Joseph Stuart said in a news release. "Water knows no political boundaries."

The agency, which oversees groundwater management in Palm Springs and portions of Cathedral City, Desert Hot Springs and unincorporated Riverside County, previously used an atlarge system in which residents could vote for any candidate within the agency's boundaries.

By moving forward with new elections, the agency has been split into five voting sections. Beginning in 2020, residents will vote for candidates who live in their division.

The board approved Map F, which splits Palm Springs into three divisions and gives Desert Hot Springs residents the ability to elect a representative from their area.

Each division contains about 18,000 residents. Division 2, which is mostly east of West Drive and west of Miracle Hill Road, is a majority-minority division in which twothirds of the population is Latino, according to the agency. Voters in divisions 4 and 5 will cast their ballots in November 2020 while residents in divisions 1, 2 and 3 must wait until November 2022.

As it stands, the agency's five board members currently live in divisions 1, 4 and 5. The seats occupied by Stuart, vice president Kristin Bloomer and Craig Ewing expire in November 2020. The terms for board members Patricia G. Oygar and James Cioffi expire in 2022. Desert Water Agency is not the first agency or city to receive a letter from the Shenkman & Hughes law firm regarding district elections.

After receiving a similar letter, Palm Springs moved to district elections last year. Palm Desert was recently sued by the firm for not moving to district elections.

"We made this transition to election by division with the help of the public and we commit to serve the best interest of the entire community." Joseph Stuart, Desert Water Agency board president.



## Appeal filed in Agua Caliente water rights case

### Water

*Hearing slated for feds to make argument for reversing judge's decision*

Risa Johnson Palm Springs Desert Sun | USA TODAY NETWORK, July 19, 2019

The federal government is urging a U.S. District Court judge to reconsider a ruling that was a blow to the Agua Caliente Band of Cahuilla Indians in the tribe's yearslong lawsuit against two Coachella Valley water districts.

The tribe claims in its 2013 lawsuit that the Desert Water Agency and the Coachella Valley Water District have infringed upon its rights by over-pumping groundwater from the Coachella Valley's aquifer.

The tribe has support from the U.S. Justice Department in its suit. The landmark case determined that the tribe has reserved rights to the aquifer below the reservation's land.

However, other key parts of the case were dismissed in April by U.S. District Court Judge Jesus Bernal, who ruled that the tribe did not have a claim of harm because it has always had enough water, and water that met all applicable water-quality standards.

Now, the federal government intends to make its case that this ruling should be reversed. A hearing is scheduled for Aug. 19 in U.S. District Court in Riverside. The Justice Department argues that the court "did not allow the United States to present evidence concerning the scope of its water rights claims, pertinent to the court's standing analysis." Basically, one area of dispute involves leased tribal land, upon which a tenant was granted permission to use water but had already been charged by one of the water agencies. The tribe and Justice Department contend this fact was overlooked by the court. The appeal also noted that neither water agency acknowledges the tribe's right the water, which the courts already have ruled on.

Representatives for the Desert Water Agency and Coachella Valley Water District could not be reached on Friday for comment. Tribal leaders also could not be reached.

The lawsuit has taken several turns since it was filed in May 2013. At the time tribal Chairman Jeff Grubbe said the tribe had a responsibility "to protect and preserve the Valley's natural resources." It said tribal leaders "cannot sit idly by as the aquifer continues to be depleted and the water polluted." A year later, the Justice Department lended it support in the tribe's effort. It wrote in a motion seeking approval to join the lawsuit that it "shares the Tribe's interest in protecting its water." A federal judge ruled in March 2015 that the tribe had rights to the groundwater beneath the reservation dating back to the federal government's creation of the reservation in the 1870s. In response, the water agencies filed an appeal with the Ninth Circuit Court of Appeals. Two years later, in March 2017, the appellate court agreed with the tribe, upholding the 2015 ruling.

The water agencies then said they'd appeal to the U.S. Supreme Court to determine whether the tribe has a federally established right to groundwater beneath its reservation.

The Supreme Court in November 2017 declined to hear the case filed by by the two water agencies, basically keeping the appeal's court ruling intact. Grubbe earlier had said the tribe, if it was successful in the high court appeal, would start to treat Colorado River water that flows to the Coachella Valley and is used to replenish the aquifer.

But in a setback, U.S. District Court Judge Jesus Bernal ruled in April that the tribe had no claim of harm, another facet of the original lawsuit, because the tribe has always had enough water meeting all applicable water-quality standards.

It is to this ruling the Justice Department filed its appeal. Its papers were filed Tuesday.

## Salmon study may check Trump's delta water plan

*Report champions imperiled fish over thirst for irrigation*

By Bettina Boxall, July 19, 2019

Federal biologists worked frantically this year to meet a deadline to assess the environmental impacts of Trump administration plans to send more water to Central Valley farmers.

But the biologists' conclusion — that increased deliveries would harm endangered Chinook salmon and other imperiled fish — would foil those plans. Two days after it was submitted, a regional federal official assembled a new review team to improve the documents.

The move is the latest salvo in the decades-long battle over the environmental harm caused by the mammoth government operations that export water supplies from the Sacramento-San Joaquin Delta, the center of California's vast water system.

During the Obama administration, federal fishery agencies adopted tougher export limits after finding that delta pumping was pushing delta smelt, Chinook salmon and other native fish to the edge of extinction.

Westlands Water District, the state's largest irrigation district, and other delta water users have fought bitterly against the Endangered Species Act restrictions, arguing they pay too much attention to fresh water flows and too little to other environmental stressors that have contributed to the delta's fish crisis.

In tweets last year, President Trump echoed farmers' protests and directed federal agencies in October to suspend or revise regulations that hamper water deliveries.

"You'll have a lot of water. I hope you'll enjoy the water you'll have," Trump said as a group of GOP congressmen from the Central Valley watched him sign the memo after a fundraising lunch in Arizona.

Leading the rollback efforts is Interior Secretary David Bernhardt, who before joining the Trump administration was a partner in Brownstein Hyatt Farber Schreck, a top grossing law and lobbying firm that sued the Department of Interior four times on behalf of Westlands. Bernhardt lobbied on behalf of Westlands and personally argued an appeals case challenging salmon protections.

Trump's memo set strict 2019 deadlines for the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to update rules that govern delta water exports in what are called biological opinions.

According to information provided to The Times by Public Employees for Environmental Responsibility, federal sources familiar with the work said the fisheries service met the deadline. On July 1, it completed a biological opinion that was signed by multiple staffers and cleared by service attorneys.

The opinion concluded that the proposed delta pumping would jeopardize the continued existence of endangered winter-run Chinook salmon, threatened spring run Chinook and threatened Central Valley steelhead, as well as endangered Southern Resident killer whales that dine on salmon.



Not only would a so-called jeopardy opinion make it difficult to shed pumping limits imposed under Obama-era opinions, it might impose new ones.

Paul Souza, the regional fish and wildlife director who is coordinating work on the salmon opinion and a separate one for delta smelt, said "it's premature for us to talk about conclusions."

He requested a two-month extension to the deadline and assembled a new review team because "We needed more time to work through different issues," he said. "We had a lot of new information coming into the mix," he added, citing comments from water users and the state as well as discussions with the Bureau of Reclamation about steps to mitigate impacts of its delta export operations.

He acknowledged that "we have been asked to make sure water supply is available for important farmland in California and communities." However, he added that "conservation strategies necessary to support imperiled fish and other species are going to be a centerpiece of this work."

Jeff Ruch, Pacific director of PEER, condemned Souza's moves.

"His professional staff turns in this work and he summarily rejects it, convenes a new team ... and the clear message is that the [reclamation bureau's] plans will not be at all impeded," said Ruch, whose nonprofit group works with current and former government employees to bring information "into the light of day."

Souza's mandate, Ruch contended, "is to make sure [the fisheries service] did not issue a jeopardy opinion no matter what the impact was."

Federal agencies have been down this road before.

In 2004, under the George W. Bush administration, federal biologists concluded in draft documents leaked to the media that delta water operations would jeopardize populations of winter-run Chinook and Central Valley steelhead. A few months later, a final opinion reversed that finding, opening the door to increased exports.

The Commerce Department inspector general later faulted the fisheries service for not following agency guidelines designed to ensure "the quality of the biological opinion." And a series of lawsuits followed, ultimately resulting in new opinions for delta smelt and salmon during the Obama administration that tightened pumping limits.

Whatever the outcome of this round of endangered species reviews, they are bound to be challenged in court. If restrictions aren't relaxed, water users will sue. If they are lifted, environmental and salmon fishing groups will file suit.

"Salmon in California are a major natural resource enjoyed by many Californians and relied on by many to make a living," said John McManus, president of the Golden Gate Salmon Assn. "The water in the Central Valley is needed to keep our salmon runs alive."

## Governor: Toxic water decision today

*Law would require notification of 'forever chemicals'*

Janet Wilson, July 31, 2019

The clock is ticking. Gov. Gavin Newsom has until Wednesday to decide on a bill that would make California the first state in the nation to require water suppliers who monitor a broad class of toxic "forever chemicals" to notify customers if they're present in drinking water.

"A decision will come tomorrow," a spokesman for Newsom said Tuesday. He declined to say what it would be.

The PFAS chemicals, which have been widely used in everything from firefighting foam to Teflon pans, Scotchgard products and even some dental floss, have been linked in some research to cancers, developmental problems and thyroid and liver disease.

They're known as "forever chemicals" because they don't break down in the environment or in human bodies.

More than 2.4 million people across Los Angeles, Riverside and Orange Counties may be exposed to the dangerous chemicals, according to estimates by public health advocates using U.S. EPA data.

While New Hampshire and New Jersey require water districts to limit two PFAS chemicals and notify customers, California's law would mandate that consumers receive information about 5,000 of them, if they're detected.

"The industrial legacy of pollution in my district alone is frightening," said Assemblywoman Cristina Garcia (D-Bell Gardens), author of Assembly Bill 756, which would require the broad notification. "We have federal data that outlines how these toxic chemicals have poisoned our public water supplies, but no such monitoring is mandated or in place in California. That must change."

The bill passed overwhelmingly in both chambers of the California legislature, and now needs to either be signed by the governor, vetoed, or, if he takes no action, it will automatically become law.

### Water agencies push for veto

The Association of California Water Agencies has urged Newsom to veto the bill, saying there isn't even technology available yet to test for thousands of the chemicals, and that notifying consumers about substances that are in many cases still being studied could undermine their confidence in public water safety.

"ACWA is not opposed to notifying the public of drinking water contaminants, however, to mandate that water systems notify customers directly regarding chemicals that have not been thoroughly studied would undermine the public's trust in their water providers and set a bad precedent," Adam Quinonez, ACWA's director of state legislative relations, wrote to Newsom.

They also objected to being required to notify each customer via mail, email, internet postings and possible additional public forums. Critics dismissed the latter argument, noting the districts mail monthly water bills to customers, and said public notification was a critical first step to raising awareness of the looming problem and pushing for mandatory limits and cleanups.



## **Military sites among the most contaminated**

Federal records already show China Lake's Naval Air Station, recently hit by a major earthquake in the California desert, has among the highest levels of PFAS in the country, with as many as 8 million parts per trillion. While there are no mandatory federal caps, the China Lake measurements are more than 10,000 the maximum recommended levels of 70 parts per trillion.

Twenty-Nine Palms Marine Corps Air Ground Combat Center, the city of Adelanto and other communities are among 50 sites, largely in southern California, that have reported the chemicals in water supplies, according to Environmental Working Group (EWG).

"Along with climate change, the contamination of drinking water supply with these chemicals are going to be the two greatest environmental challenges California faces this century," said Jane Williams, executive director of California Communities Against Toxics in Rosamond.

## **Law would strengthen other new regulations**

The state legislation comes on the heels of mapping of Dept. of Defense records by EWG and Northeastern University showing more than 700 sites across the USA, including 400-plus military bases, have high levels of perfluoralkyls and polyfluoroalkyls, or PFA and PFOA's, widely used in firefighting foam, by chrome platers and in product manufacturing.

The bill is also a companion to new requirements rolled out by the State Water Resources Control Board's Division of Drinking Water last year. Recommended limits were lowered for the chemicals, and three phases of testing will be required:

- Phase 1: 31 airports, including LAX and possibly Palm Springs International Airport, plus 573 drinking water wells within a two-mile radius of military bases and other known contaminated sites
- Phase 2: refineries, terminals, non-airport fire training sites, urban wildfire areas
- Phase 3: wastewater treatment plants, domestic wells But while the data must be given to given to authorities, the current regulation only recommends that consumers be notified.

Williams said even though levels higher than the recommended federal 70 parts per trillion had already been found in numerous locations, including eastern Los Angeles, Anaheim, Sacramento, Corona, Orange and elsewhere, "customers never received notification." The new law changes that.

The PFAS class of chemicals, created and marketed since the 1940's by DuPont, 3M and now Chemours, have been widely used in industrial and consumer products, including nonstick pans, rain gear and even some brands of dental floss. They persist for years in the environment, and can form new, dangerous compounds when they interact with water, researchers say. They accumulate in humans and animals exposed to them.

"The pyramids are going to be gone and these chemicals are still going to be here, that's how persistent they are," said Williams.

## **'Forever chemicals' are known risks**

The two most studied types of PFAS are known by the acronyms PFOA and PFOS. Human health effects associated with exposure to PFOA include kidney and testicular cancer, thyroid disease, liver damage, and preeclampsia; exposure to PFOS is associated with immune system effects, changes in liver enzymes and thyroid hormones and other conditions.

PFAS are now estimated to be detectable in the bloodstream of approximately 99% of the U.S. population. Michigan currently has the highest number of reported PFAS sites, but with additional testing already underway in California airports and industrial sites, experts expect California could take the lead.

## **States taking action**

States are increasingly passing various laws to address parts of PFAS contamination, such as in food packaging. There are no national mandatory caps on the substances, only recommended levels.

Several states are suing manufacturers for hiding known contamination risks.

Newly installed U.S. Defense Secretary Mark Esper announced last week that he is creating a PFAS task force to study the problem, and an array of environmental and consumer groups are pushing Congress and the US Environmental Protection Agency to address the growing problem.

Twenty-two state Attorneys General, including California's Xavier Becerra, this week called on congressional leaders to adopt PFAS monitoring and cleanup legislation.

"Drinking water should never come out of tap contaminated with non-stick chemicals, and it is heartening that states are taking action while the federal government drags its feet," said David Andrews, a senior scientist at EWG. "The only way to know if PFAS contaminates water is to test it, and consumers should be notified."

**DESERT WATER AGENCY  
OUTREACH & CONSERVATION  
ACTIVITIES**

**July 2019**

**Activities:**

- 7/03 Ashley Metzger was on a live segment with KESQ regarding water safety.
- 7/08 Six local water agencies, including DWA, sent out a request for proposals for a Regional Urban Water Management Plan.
- 7/10 Ashley Metzger attended a CVEP forum regarding Communicating Your Seasonal Strategies.
- 7/10 Vicki Petek inspected a rebate project.
- 7/11 Vicki Petek attended the ONE-PS meeting and provided an update.
- 7/11 Ashley Metzger attended a California Public Information Officer workshop.
- 7/11 Secretary-Treasurer Ewing attended the Desert Valley Business Association public official meeting.
- 7/12 Ashley Metzger was on a live segment with KESQ regarding disaster preparedness.
- 7/12 Ashley Metzger inspected a rebate project.
- 7/15 Ashley Metzger attended Mission Springs Water District's Board meeting.
- 7/15 Ashley Metzger met with a representative of the new CV Waterkeepers organization.
- 7/18 Ashley Metzger was on a live segment with KESQ regarding the Board's approval of elections by division.
- 7/23 Vice President Bloomer and Ashley Metzger attended the ribbon-cutting and grand opening of Fire Station #4 in Palm Springs.
- 7/24 Steve Johnson and Ashley Metzger attended Bureau of Indian Affairs Desert Snapshot.
- 7/25 Ashley Metzger attended the Palm Springs Hospitality Association meeting.

- 7/26 Ashley Metzger was on a live segment with KESQ regarding the Area 1 pipeline project.
- 7/26 Director Cioffi spoke at a meeting for government relations directors of real estate brokerages.
- 7/31 Ashley Metzger participated in a webinar on urban water supplier monthly reporting.

**Public Information Releases/eBlasts/Customer notifications:**

July 16: DWA approves map for election by division – website, Nextdoor

**Upcoming Events**

August 21, 9:00 to 11:00 – Rebate Workshop, DWA

September 2, 10:00 to 1:00 – VFW Labor Day BBQ, Desert Hot Springs

September 20, 10:00 to 2:00 – ACWA Region 8 workshop, Pasadena

September 24, 8:00 to 11:00 – PSHA Feed Waste Seminar, Palm Springs Hilton

September 25, 5:00 to 7:00 – State of the City (Palm Springs), Plaza Theatre



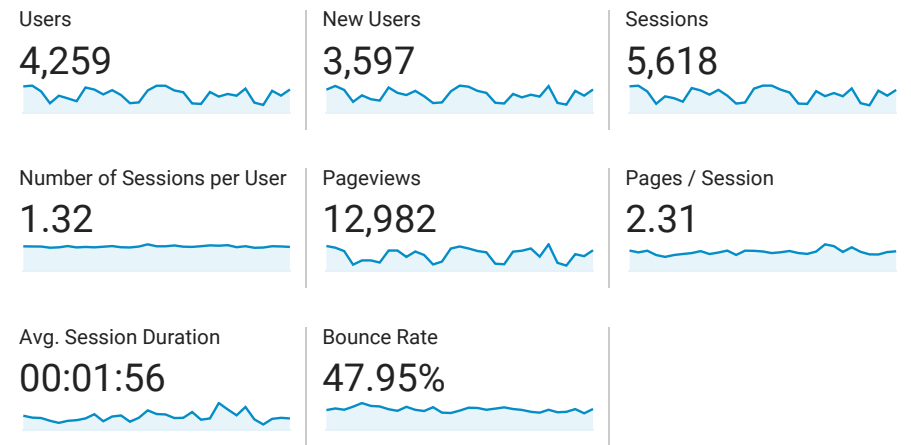
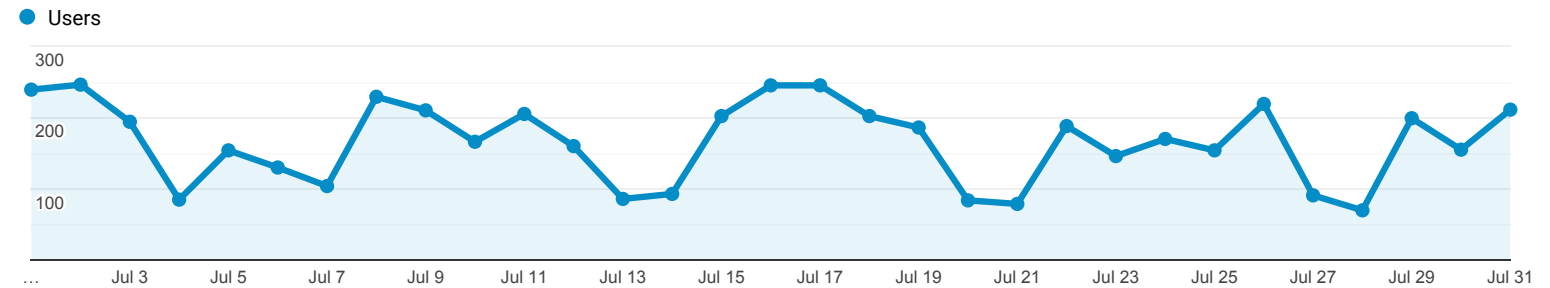


Audience Overview

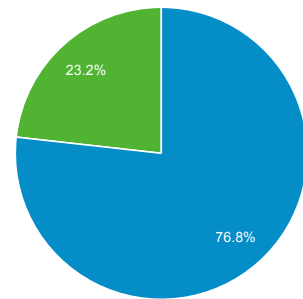
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100.00% Users

Jul 1, 2019 - Jul 31, 2019

Overview



■ New Visitor ■ Returning Visitor



Language	Users	% Users
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2. en-ca	43	1.01%
3. en-gb	39	0.92%
4. es-419	17	0.40%
5. es-us	13	0.31%
6. ko	13	0.31%
7. es-es	10	0.23%
8. (not set)	6	0.14%
9. es-xl	6	0.14%
10. c	5	0.12%

## Desert Water Agency Facebook Analytics July 2019



### Actions on Page

July 17 - August 13



We have insufficient data to show for the selected time period.

### Page Views

July 17 - August 13

186

Total Page Views ▼ 11%



### Page Previews

July 17 - August 13

8

Page Previews ▼ 33%



### Page Likes

July 17 - August 13

8

Page Likes ▲ 14%



### Post Reach

July 17 - August 13

1,083

People Reached ▼ 66%



### Story Reach

July 17 - August 13

#### Get Story Insights

See stats on how your Page's story is performing.

[Learn More](#)

### Recommendations

July 17 - August 13



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### Post Engagements

July 17 - August 13

209

Post Engagement ▼ 67%

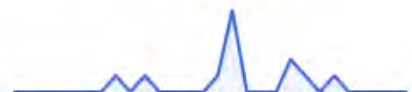


### Videos
























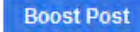





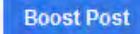





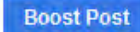























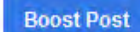





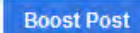





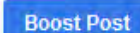











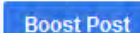





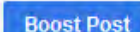





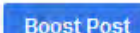





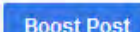
July 17 - August 13

12

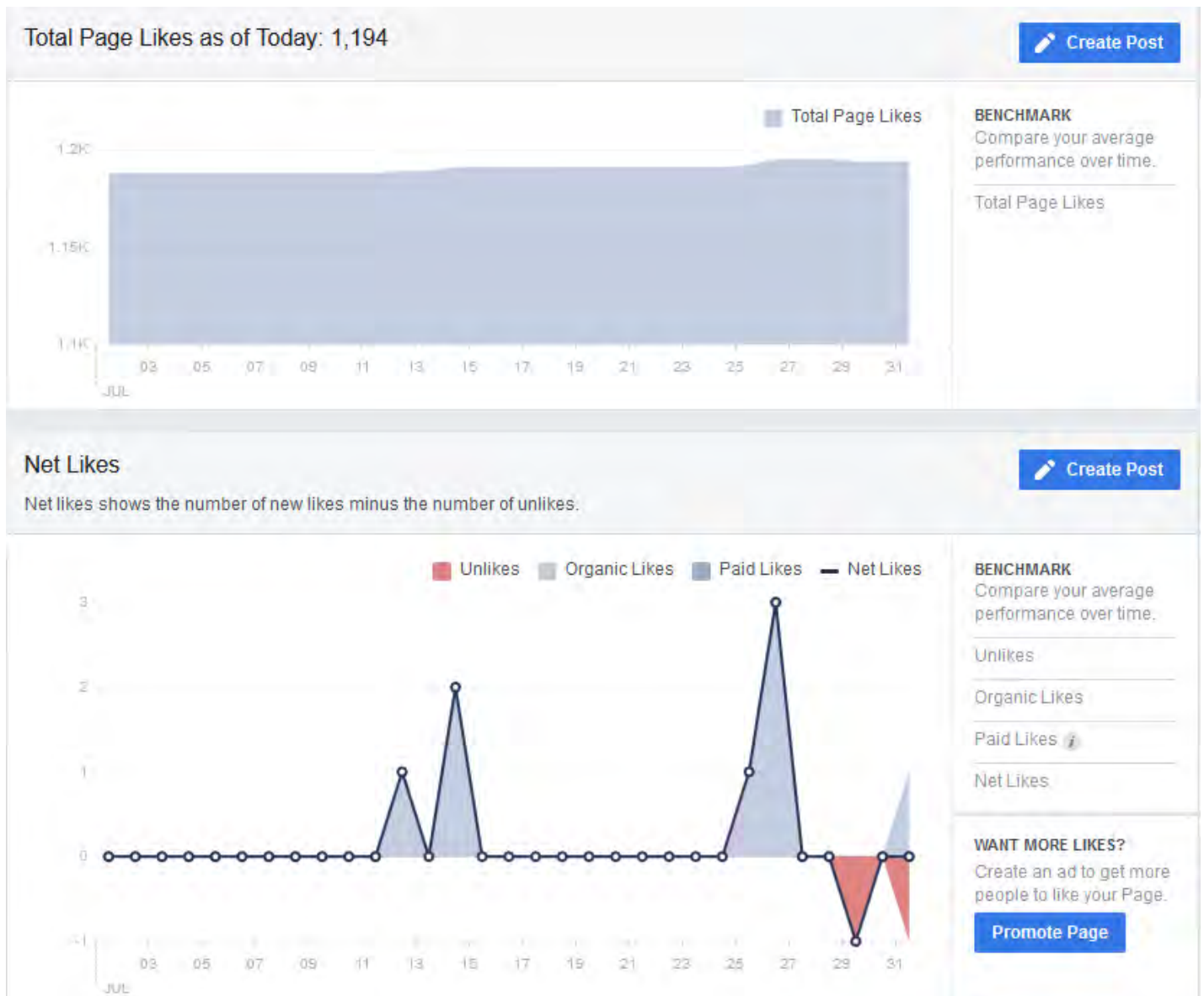
3-Second Video Views ▼ 68%



## Facebook Analytics July 2019 continued

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07/29/2019 9:30 AM		Rotating sprinklers are more efficient than spray heads and help mitigate			82		1 4		
07/25/2019 9:00 AM		Happy National Refreshment Day! It's hot out there! Stay hydrated and			156		4 9		
07/24/2019 8:21 AM		We've got some refreshing pineapple + mint infused water in our lobby.			143		11 12		
07/23/2019 11:51 AM		Congrats to the Palm Springs Fire Department for the reopening of			191		22 13		
07/22/2019 10:00 AM		Soil sensors can tell if your plant actually needs to be watered as			128		6 8		
07/18/2019 12:52 PM		Congrats to our customers who used 22 percent less water last month			66		0 2		
07/17/2019 8:35 AM		We've got peach + basil infused water in our lobby. Stop by and try it!			166		12 14		
07/16/2019 1:23 PM		Desert Water Agency's Board of Directors approved a map for election			130		10 9		
07/15/2019 12:00 PM		Artificial turf requires no irrigation, only an occasional wash down. We			69		0 2		
07/12/2019 1:53 PM		WE'RE HIRING a fleet mechanic. You'll have lots of vehicles and heavy-			2.4K		76 12		
07/10/2019 8:00 AM		We've got refreshing fruit infused water to quench your thirst on a hot			95		4 4		
07/08/2019 12:00 PM		An efficient irrigation system saves water and money. Our rebates cover			218		3 8		
07/05/2019 12:30 PM		Zoro is eager for a new home where he is the only pet. Take him home			127		2 5		
07/04/2019 8:00 AM		Have a happy & safe Independence Day. Our offices are closed today in			84		1 5		
07/03/2019 8:00 AM		It's hot out there. Stop by our lobby to quench your thirst and see what			116		0 4		
07/01/2019 12:00 PM		If you see water bubbling up from the street, leaky fire hydrants or busted			132		2 2		

## Facebook Analytics July 2019 continued





Instagram July 2019



desertwateragency

Edit Profile



429 posts

890 followers

192 following

Desert Water Agency

💧 Desert Water Agency serves water in Palm Springs & part of Cathedral City. We replenish the aquifer and offer programs to encourage efficiency.💧

[www.dwa.org/rebates](http://www.dwa.org/rebates)



199 impressions



246 impressions



218 impressions



185 impressions



241 impressions



222 impressions



153 impressions



241 impressions



208 impressions



## Desert Water Agency

1200 S Gene Autry Trl, Palm Springs



### Desert Water Agency

22,463 members

[Invite](#)

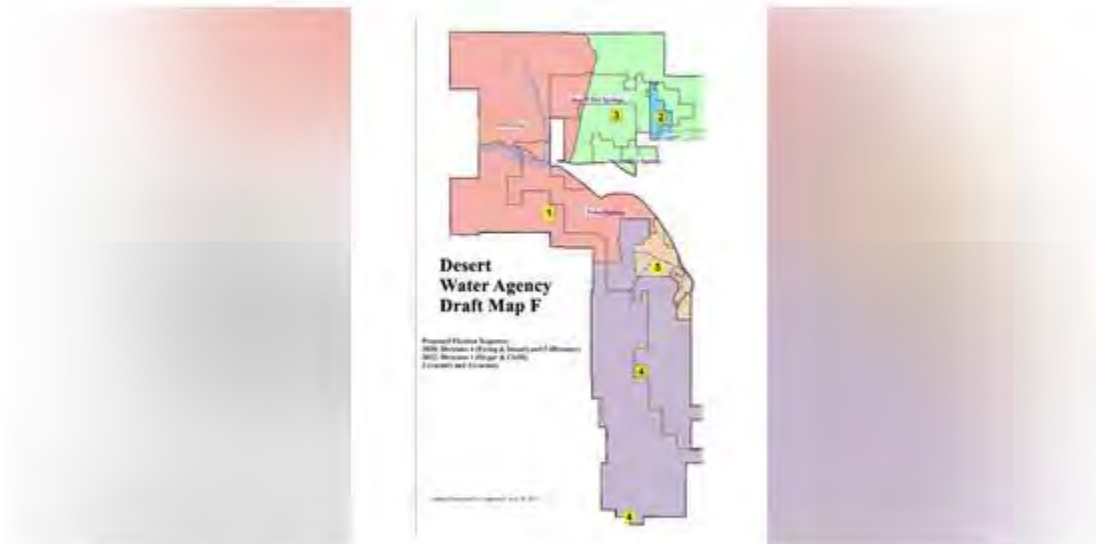
27% of 60,716 households

140 neighborhoods

## DWA approves map for election by division

The Desert Water Agency Board of Directors voted unanimously on Tuesday to adopt a map which breaks the service boundaries into five divisions and kick-starts the transition from at-large to division elections. The approved Map F – one of six proposed maps – will be used starting in the November 2020 election. Until then, all



See more...



17 Jul - Subscribers of Desert Water Agency

 Like

 Reply 

 10  14 · 3279 Impressions



## Desert Water Agency Twitter Analytics July 2019



**Tweets**  
2,083

**Following**  
1,535

**Followers**  
1,152

Jul 2019 • 31 days

### TWEET HIGHLIGHTS

**Top Tweet** earned 2,350 impressions

Soil sensors can tell if your plant actually needs to be watered as much or as often.

[#WaterWeTalkingAbout](#)

[#WaterSavingTips](#)

[pic.twitter.com/CY4rWKtDhx](https://pic.twitter.com/CY4rWKtDhx)



4 12

[View Tweet activity](#)

[View all Tweet activity](#)

**Top Follower** followed by 1,402 people



**Fort Worth Water Dept**

@FWWater [FOLLOWS YOU](#)

Ft Worth Water Official [/sewer emergencies](#):  
817-392-4477 H2OMG! Podcast: <https://t.co/eiH6i9DUAs>  
| <https://t.co/vpOFFckIHg> YouTube: <https://t.co/NBpWuQHgq> Spanish: [@FWAgua](#)

[View profile](#)

[View followers dashboard](#)

**Top mention** earned 2 engagements



**SWC**

@SWC\_CAWater · Jul 26

[#ICYMI](#): Coachella Valley's groundwater management plans for the Indio and Mission Creek subbasins submitted collaboratively by SWC members [@cvwd](#) and [@DWAwater](#) have been approved by the state. Affirms their commitment to sustainably managing their groundwater basins per SGMA. 🍌🍌 [twitter.com/cvwd/status/11...](https://twitter.com/cvwd/status/11...)

2

[View Tweet](#)

**Top media Tweet** earned 1,267 impressions

An efficient irrigation system saves water and money. Our rebates cover smart controllers so you can be water wise all year long. Apply at [dwa.org/rebates](https://dwa.org/rebates).

[#SmartIrrigationMonth](#)

[pic.twitter.com/O5oGzihkkT](https://pic.twitter.com/O5oGzihkkT)



### JUL 2019 SUMMARY

Tweets

18

Tweet impressions

14.9K

Profile visits

236

Mentions

4

New followers

4