



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

Pursuant to Assembly Bill 361 (AB361), there will be no public location for attending in person. This meeting will be held virtually because state and local officials recommend measures to promote social distancing. Members of the public who wish to participate may do so by calling in at:

Toll Free: (253) 215-8782
Meeting ID: 857 6905 1925
Passcode: 537945
or Via Computer:

<https://dwa-org.zoom.us/j/85769051925?pwd=Wi8yeGUzZ2h6YklqYlMvbGsrSEVoZz09>
Meeting ID: 857 6905 1925

*Members of the public who wish to comment on any item within the jurisdiction of the Agency or any item on the agenda may submit comments by emailing sbaca@dwa.org or may do so during the meeting. Comments will become part of the Board meeting record. Board members and staff will be participating in this meeting via teleconference. ***In order to reduce feedback, please mute your audio when you are not speaking.***

De acuerdo con el proyecto de Ley de la Asamblea 361 (AB361), no habrá un lugar público para asistir en persona. Esta reunión se llevará a cabo virtualmente porque los funcionarios estatales y locales recomiendan medidas para promover el distanciamiento social. Los miembros del público que deseen participar pueden hacerlo llamando al:

Numero gratuito: (253) 215-8782
ID de reunión: 857 6905 1925
código de acceso: 537945
o a través de la computadora:

<https://dwa-org.zoom.us/j/85769051925?pwd=Wi8yeGUzZ2h6YklqYlMvbGsrSEVoZz09>
ID de reunión: 857 6905 1925

Los miembros del público que deseen comentar sobre cualquier tema dentro de la jurisdicción de la Agencia o cualquier tema en la agenda pueden enviar comentarios por correo electrónico a sbaca@dwa.org o pueden hacerlo durante la reunión. Los comentarios pasarán a formar parte del registro de la reunión de la Junta. Los miembros de la junta y el personal participarán en esta reunión por teleconferencia.

****Para reducir los comentarios, silencia el audio cuando no estés hablando.***

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE BLOOMER
2. ROLL CALL BACA
3. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:** Members of the public may comment on any item not listed on the agenda, but within the jurisdiction of the Agency. 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.
4. **PUBLIC COMMENT ON LISTED AGENDA ITEMS:** Members of the public may also comment on items listed on the agenda that are not the subject of a public hearing, at this time. Again, speakers are requested to keep their comments to no more than three (3) minutes.

5. **CONSENT CALENDAR ITEMS:** Items listed under the Consent Calendar are considered to be routine and will be acted upon by one motion of the Board without discussion. There will be no separate discussion on these items unless a Board Member requests a specific item to be discussed and/or removed from the Consent Calendar for separate action.

- A. Approve minutes of the April 19, 2022 Board Meeting
- B. Receive and File – Minutes of the April 21, 2022 State Water Contractors' Meeting
- C. Receive and File – Minutes of the May 12, 2022 Executive Committee Meeting
- D. Receive and File - April Activities & Events for the Public Affairs & Water Planning Department
- E. Receive and File – March Water Use Reduction Figures
- F. Request Authorization to Continue Virtual Board and Committee Meetings for Another 30 days Based Upon a Determination that In-Person Meetings Would Pose a Risk for Public Health (Per AB361)
- G. Request Adoption of Resolution No. 1275 Approving the 2022 Local Guidelines for Implementing the California Environmental Quality Act (CEQA) for Desert Water Agency
- H. Request Board Authorization for General Manager to Execute License Agreement for CV Link Multi-Modal Transportation Corridor Project Over Agency Parcel (APN No. 680-180-047)

6. **ACTION ITEM(S):**

- A. Request Adoption of Resolution No. 1274 Granting Retirement Status to Victoria Petek **METZGER**
- B. Request Approval of July 2022 Cost of Living Salary Increase for DWA Employees **HOPPING**
and Contract Amendment for General Manager
- C. 2022-2023 Groundwater Replenishment Assessment Report (Draft) **KRAUSE**
Set Public Hearing for June 21, 2022

7. **DISCUSSION ITEM(S):**

- A. Directors' Reports on ACWA/JPIA Conference Attendance **CIOFFI, ORTEGA**
- B. Director's Report on NWRA Conference Attendance **BLOOMER**

8. **GENERAL MANAGER'S REPORT**

KRAUSE

9. **DIRECTORS COMMENTS/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
(Two Cases)
- 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: AT&T vs. County of Riverside

11. RECONVENE INTO OPEN SESSION – REPORT FROM CLOSED SESSION

12. ADJOURN

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting is asked to contact Desert Water Agency's Assistant Secretary of the Board, at (760) 323-4971, at least 48 working hours prior to the meeting to enable the Agency to make reasonable arrangements. Copies of records provided to Board members that relate to any agenda item to be discussed in open session may be obtained from the Agency at the address indicated on the agenda.

DECLARATION OF POSTING

Pursuant to Government Code Section 54954.2, I certify that this agenda has been posted at least 72 hours prior to the meeting on the Agency's website at www.dwa.org and at the Agency's main office, 1200 South Gene Autry Trail, Palm Springs, CA.

Sylvia Baca, MMC
Assistant Secretary of the Board

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

5-A

April 19, 2022

DWA Board via Kristin Bloomer, President)
Teleconference: James Cioffi, Vice President)
Joseph K. Stuart, Secretary-Treasurer)
Patricia G. Oygar, Director)
Paul Ortega, Director)

DWA Staff via Mark S. Krause, General Manager)
Teleconference: Steve Johnson, Assistant General Manager)
Sylvia Baca, Asst. Secretary of the Board)
Ashley Metzger, Dir. Public Affairs & Water Planning)
Kris Hopping, Human Resources Director)
Kim McCance, Senior Administrative Asst.)

Consultants via Michael T. Riddell, Best Best & Krieger)
Teleconference:

Public via Marion Champion, Mission Springs Water District)
Teleconference: Randy Duncan, Mission Springs Water District)
David Freedman, Palm Springs Sustainability Comm.)
Steve Grasha, Desert Hot Springs Resident)
Bellisha Klinge, Cathedral City Resident)

19410. President Bloomer opened the meeting at 8:00 a.m. and asked everyone to join her in the Pledge of Allegiance. **Pledge of Allegiance**

19411. President Bloomer called upon Assistant Secretary of the Board Baca to conduct the roll call: **Roll Call**

Present: Ortega, Oygar, Stuart, Cioffi, Bloomer

19412. President Bloomer opened the meeting for public comment for items not listed on the Agenda. **Public Comment on Items Not on the Agenda**

Mr. Freedman gave an update on the Palm Springs Airport Demonstration Garden and reported that the installation of the garden has been completed. Mr. Freedman

There was no one else from the public wishing to address the Board for items not on the Agenda.

**Public Comment on
Items Not on the
Agenda
(Cont.)**

19413. President Bloomer opened the meeting for public comment for items listed on the Agenda.

**Public Comment on
Listed Items**

There was no one from the public wishing to address the Board for items listed on the Agenda.

19414. President Bloomer called for approval of the Consent Calendar. She noted that the Consent Calendar items 4-A through 4-J are expected to be routine and to be acted upon by the Board of Directors at one time without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be presented separately.

**Approval of the
Consent Calendar**

A. April 5, 2022
Regular Board Mtg.
Meeting Minutes
B. April 12, 2022
Executive Comm. Mtg.
Minutes
C. April 13, 2022
Finance Comm. Mtg.
Minutes
D. April 14, 2022
Executive Comm. Mtg.
Minutes
E. March Activities &
Events
F. Request
Authorization to
Continue Virtual Board
& Comm. Mtgs.
G. Request
Authorization for
Finance Director to
Execute Enrollment
Documents for the low
Income Household
Water Assistance
Program
H. Adoption
Resolution No. 1273,
Establishing Policy &
Guidelines for
Investments
I. Request
Authorization for GM
to Execute Engagement
Letter for Professional
Auditing Services
J. Request
Authorization to
Execute Colorado
River Funding Area
Underrepresented
Communities Set Aside
MOU

- A. Approve minutes of the April 5, 2022 Board Meeting
- B. Receive and File – Minutes of the April 12, 2022 Executive Committee Meeting
- C. Receive and File – Minutes of the April 13, 2022 Finance Committee Meeting
- D. Receive and File - Minutes of the April 14, 2022 Executive Committee Meeting
- E. Receive and File - March Activities & Events for the Public Affairs & Water Planning Department
- F. Request Authorization to Continue Virtual Board and Committee Meetings for Another 30 days Based Upon a Determination that In-Person Meetings Would Pose a Risk for Public Health (Per AB361)
- G. Request Authorization for Finance Director to Execute Enrollment Documents for the Low Income Household Water Assistance Program on Behalf of Desert Water Agency
- H. Request Adoption of Resolution No. 1273 Establishing Policy and Guidelines for Investment of Desert Water Agency Funds
- I. Request Authorization for General Manager to Execute Engagement Letter for Professional Auditing Services
- J. Request Authorization to Execute Colorado River Funding Area Underrepresented Communities Set Aside Memorandum of Understanding

Assistant Secretary of the Board Baca noted a minor change to Item 4-A; Mr. Freedman should be listed as a Palm Springs resident since he spoke on behalf of himself rather than member of the Palm Springs Sustainability Commission.

Director Ortega requested items 5-G and 5-J be pulled for discussion.

Regarding Item 5-G, Director of Public Affairs & Water Planning Metzger reported that staff is requesting authorization for Finance Director Saenz to execute the documents to enroll DWA as a payee for the federal Low Income Household Water Assistance Program (LIHWAP). The LIHWAP program will allow DWA customers to apply directly to the County of Riverside for relief funding and, if approved, payment will be remitted directly to DWA. LIHWAP payments will help to pay bills that accrued during any timeframe, including late fees. Eligible residential customers can receive up to a \$2,000 one-time payment on a first-come, first-served basis. She noted that in order to complete the enrollment process, the Agency must complete and sign the direct payment agreement and complete the online Enrollment process. The form must be signed by an authorized signatory for Desert Water Agency.

Regarding Item 5-J, Mrs. Metzger reported that Desert Water Agency is a member of the Coachella Valley Regional Water Management Group (CVRWMG) and is able to solicit state grant funding earmarked for Integrated Regional Water Management (IRWM). She noted that CVRWMG is in the Colorado River Funding Area (CRFA), one of 12 IRWM funding regions in the state. Within the funding area, there are four IRWM groups: CVRWMG, Imperial RWMG, Mojave RWMG and San Geronio RWMG. \$5 million was set aside for each funding area for underrepresented communities.

Mrs. Metzger noted that CVRWMG agreed with the other RWMGs on a funding split to cover RWMGs and the projects outside of them within the CRFA noting the methodology for the split was 40% split evenly five ways, and 60% of funds split by DAC population. Staff is seeking authorization for the General Manager to sign the MOU formally accepting the funding split. Mrs. Metzger reported that CVRWMG submitted 3 projects for its share of the URC set aside funds; Mission Springs Water District well rehabilitation - \$338,787; Coachella Valley Water District Valley View MHP Water Consolidation - \$600,000, and CV Water Counts – regional DAC conservation program - \$918,984.

Director Ortega moved for approval of Items 4-A thru 4-J, noting the change to 4-A. After a second by Vice President Cioffi, the Consent Calendar was approved by the following roll call vote:

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

RESOLUTION NO. 1273
RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT
WATER AGENCY ESTABLISHING POLICY AND GUIDELINES
FOR INVESTMENT OF AGENCY FUNDS

**Approval of the
Consent Calendar
(Cont.)**

**Resolution No. 1273
Adopted**

19415. President Bloomer called upon Assistant General Manager Johnson to present staff's Request for Board Decision on Customer Appeal – Bellisha Klinge.

Items for Action:
Request Board
Decision on Customer
Appeal – Bellisha
Klinge

Mr. Johnson reported that Ms. Klinge is appealing her February 2022 water bill for the following reasons; 1) Does not agree with \$25 late fee; and, 2) Would like the ability to change the due date of her bill.

Ms. Klinge explained she does not have enough time to pay her water bill before a late fee is added.

After Board and staff discussions, Vice President Cioffi made a motion to postpone a decision on this appeal until further review with the Finance Committee. With a second by Director Ortega, the motion to postpone the decision was carried by the following roll call vote:

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

19416. President Bloomer called upon Director of Public Affairs & Water Planning Metzger to present her report on Sustainable Groundwater Management Act (Annual Reports).

Items for Discussion:
SGMA Annual Reports

Mrs. Metzger reported that in 2014, the California Legislature enacted a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (California Water Code section 10720 et seq.). The Sustainable Groundwater Management Act (SGMA) went into effect on January 1, 2015. She noted that part of DWA's SGMA requirements include submitting an Annual Report to the Department of Water Resources (DWR). These reports are due each year on April 1. These reports are interim reports with groundwater condition data. They do not reevaluate planning assumptions or update planning and management actions.

Mrs. Metzger reported that staff collaborated with other GSAs, plan participants and consultants to submit Annual Reports to DWR for Indio Subbasin, Mission Creek Subbasin and San Gorgonio Pass Subbasin. All reports were submitted on time and did not present any significant findings.

She then presented highlights for the Indio, Mission Creek and San Gorgonio Pass basin.

Items for Discussion:
SGMA Annual Reports
(Cont.)

19417. President Bloomer called upon Secretary-Treasurer Stuart to present an overview of financial activities for the month of March 2022.

**Secretary-Treasurer's
Report (March)**

Secretary-Treasurer Stuart reported that the Operating Fund received \$3,063,501 in Water Sales Revenue Receipts, \$92,917 in Reclamation Sales Revenue Receipts, \$10,485 in Power Sales Revenue from SCE for Snow Creek Hydro, \$127,151 in Construction Deposits, and \$57,679 included in the miscellaneous cash receipts from Wildcat I Energy Storage, LLC for the Dinah Shore property annual lease payment. \$2,398,821 was paid out in Accounts Payable. Year-to-date Water Sales are 3% over budget, Year-to-date Total Revenues are 7% over budget; and Year-to-date Total Expenses are 12% under budget. There were a total of 23,372 active services as of March 31, compared to 23,350 active services as of February 28.

Operating Fund

Reporting on the General Fund, Mr. Stuart stated \$92,020 was received in Property Taxes, \$334,363 in Groundwater Assessments, and \$24,360 in Whitewater Hydro reimbursements from CVWD for the PLC Modernization project. \$1,074,481 was paid in State Water Project charges (YTD \$15,654,399).

General Fund

Reporting on the Wastewater Fund, Mr. Stuart reported \$76,888 was received in Wastewater Revenue Receipts. \$71,529 was paid out in Accounts Payable.

Wastewater Fund

19418. President Bloomer called upon General Manager Krause to provide an update on Agency operations.

**General Manager's
Report**

Mr. Krause provided an update on Agency operations for the past several weeks.

19419. At 9:30 a.m., President Bloomer convened into a Teleconference 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 (Two Cases); (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; et al; (C) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), AT&T vs. County of Riverside; (D) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Albrecht et al vs. County of Riverside; (E) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Abbey et al vs. County of

Closed Session:

A A. Existing Litigation – ACBCI vs. CVWD, et al. (2 Cases)
B. Existing Litigation – MSWD vs. DWA Agency et al

Closed Session:

(Cont.)
C. Existing Litigation - Possible Intervention in Case: AT&T vs. County of Riverside
Existing Litigation –
D. Existing Litigation - Albrecht et al vs. Riverside County

Riverside; (F) Potential Litigation, (Government Code Section 54956.9 (e) (1)), Potential Exposure to Litigation Pursuant to Section 54956.9 (d) (2) (One Case); and, (G) Public Employee Performance Evaluation, Pursuant to Government Code Section 54957. Title: General Manager.

Closed Session:
(Cont.)

E. Existing Litigation – Abbey et al vs. Riverside County
F. Potential Exposure to Litigation (One Case)
G. Public Employee Performance Evaluation

19420. At 11:25 a.m., President Bloomer reconvened the meeting into open session and announced there was no reportable action taken on Items No. 11-A thru No. 11-F.

Reconvene – No Reportable Action taken on Items No. 11-A thru No. 11-F.

Item No. 11-G

Regarding Item No. 11-G, Vice President Cioffi made a motion to amend General Manager Krause's employment agreement with the following items: 1) 5% salary bonus; 2); Cost-of-living increase effective July 1; and 3) \$2,000 reimbursement for car expenses. Secretary-Treasurer Stuart seconded the motion, which carried by the following roll call vote:

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

19421. In the absence of any further business, General Manager Krause adjourned the meeting at 11:27 a.m.

Adjournment

Sylvia Baca
Assistant Secretary of the Board



BEST BEST & KRIEGER
ATTORNEYS AT LAW

STATE WATER CONTRACTORS MEETING
April 21, 2022

I. LEGISLATIVE REPORT

- (a) Assembly will soon be back up to 80 positions
 - Two more vacancies up for election on June 7
 - Democratic caucus will be back to full strength (60 out of the total 80 seats)
- (b) Capitol operations are back to normal
 - Committees allow “me too” testimony to be phoned in
 - SB 1219 committee amendments would force an examination of current State water laws and regulations

II. SWC BOARD ACTION ITEM

- (a) Board authorized continued participation in CSAMP Delta Smelt Structured Decision-Making Technical Working Group
 - \$22,000 contribution gives SWC a place at the table

III. SWP OPERATIONS REPORT

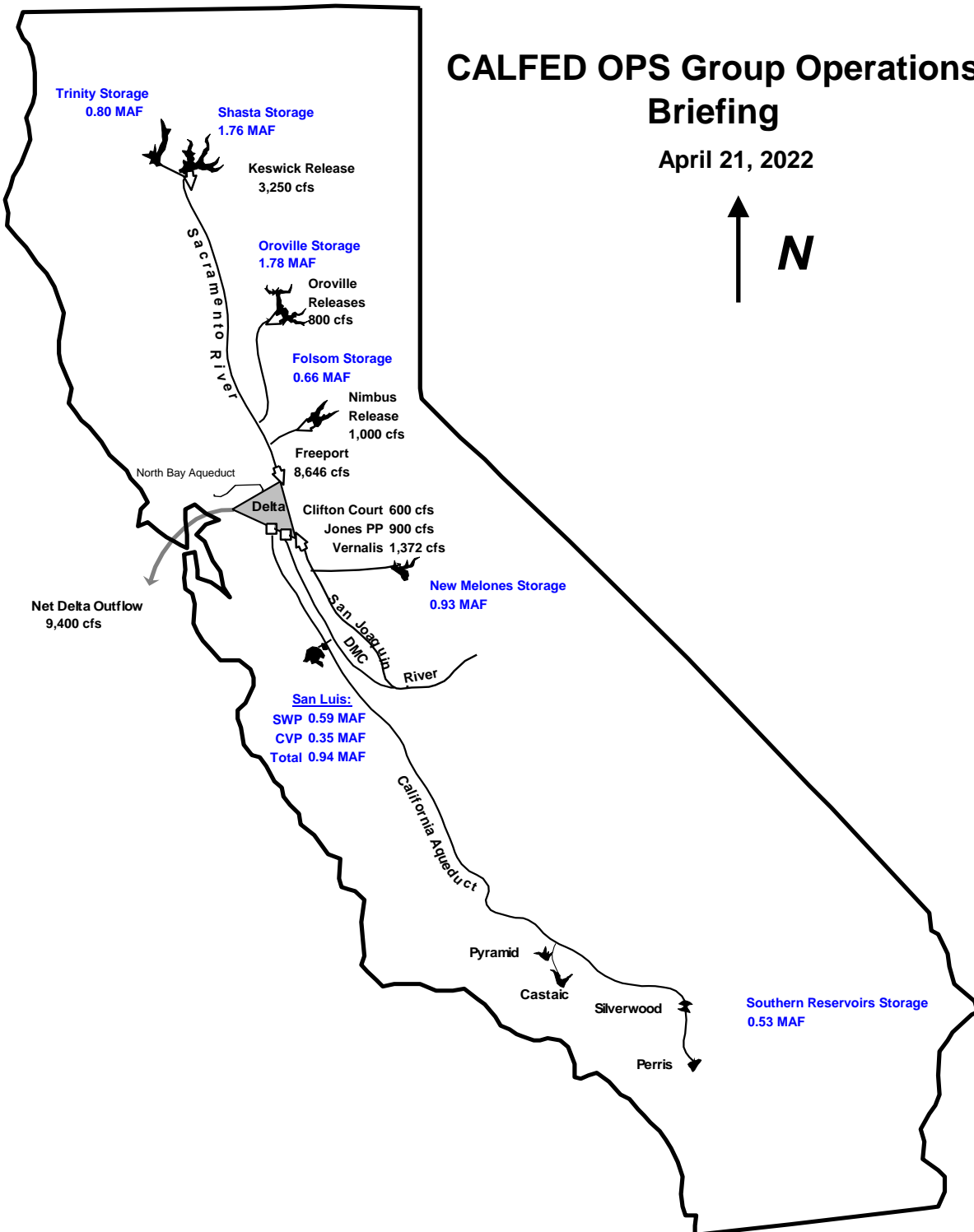
- (a) April rain helped a little
 - In Northern Sierra, total precipitation was at 37.4 inches (79% of average)
 - In San Joaquin region, 65% of average
 - In Tulare region, 60% of average
 - Sierra snowpack at 30% of average
- (b) SWP Operations
 - Storage in Lake Oroville at 1.8 million acre-feet (gained 100,000 AF in previous 10 days)
 - Slightly better than at same time last year
 - Total pumping in Delta at 1,500 cfs (600 cfs by SWP)
 - Storage in San Luis Reservoir at 591,000 acre-feet

IV. GENERAL MANAGER’S REPORT

- (a) SWC staff returning every Thursday, office open
- (b) Board meetings will be continue to be “hybrid” with virtual participation optional

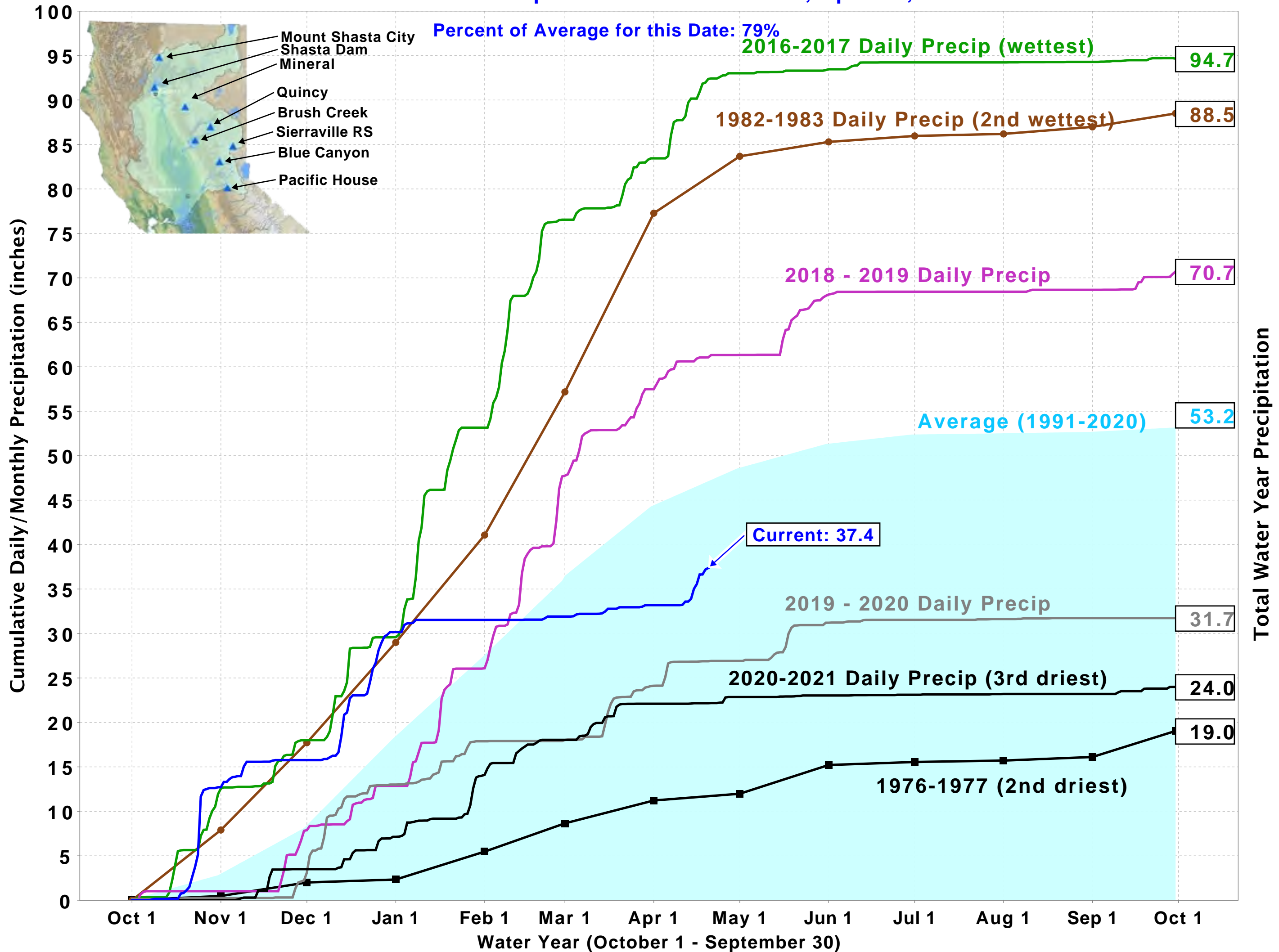
CALFED OPS Group Operations Briefing

April 21, 2022

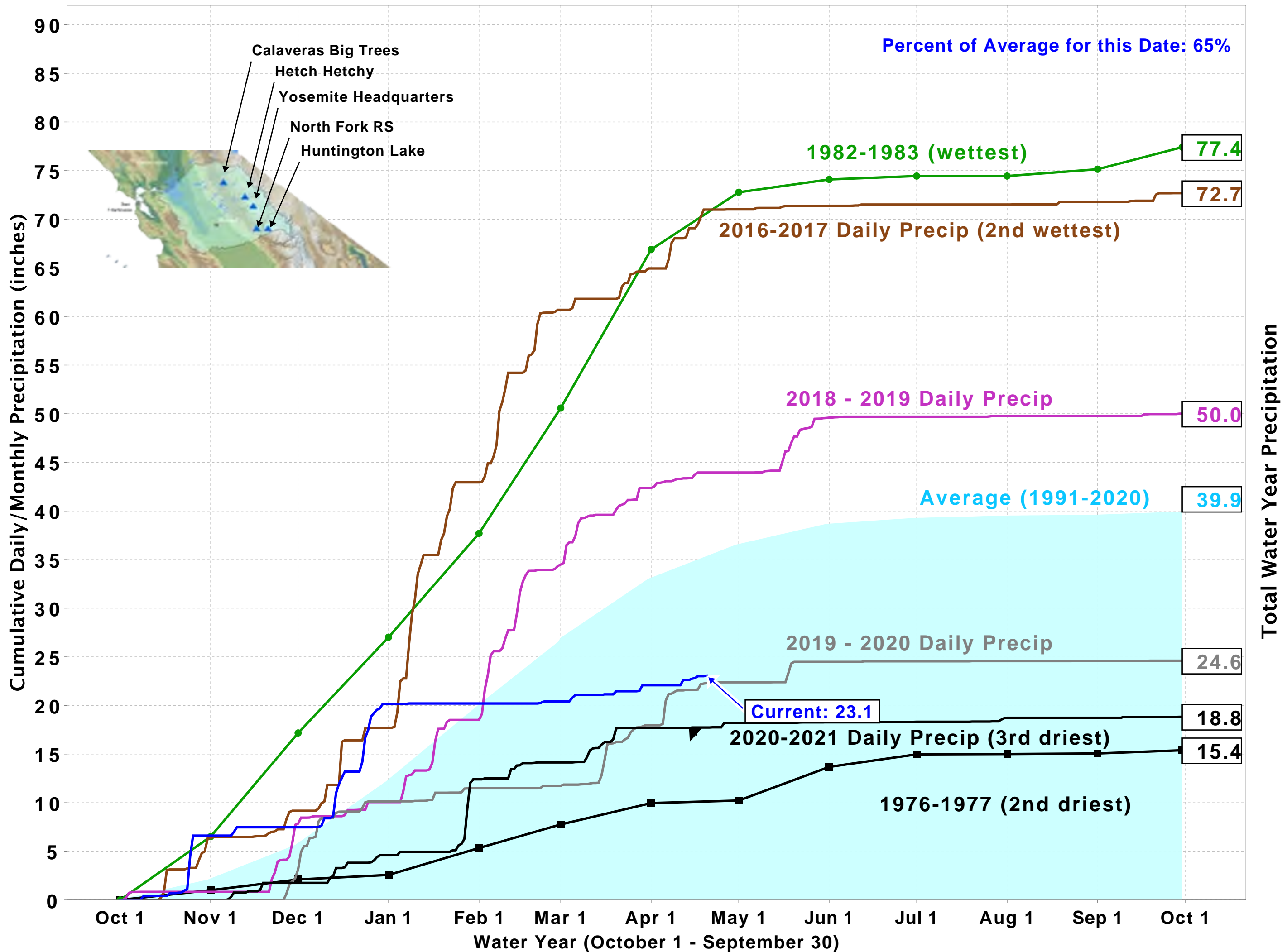


Data Compiled on:
4/20/2022

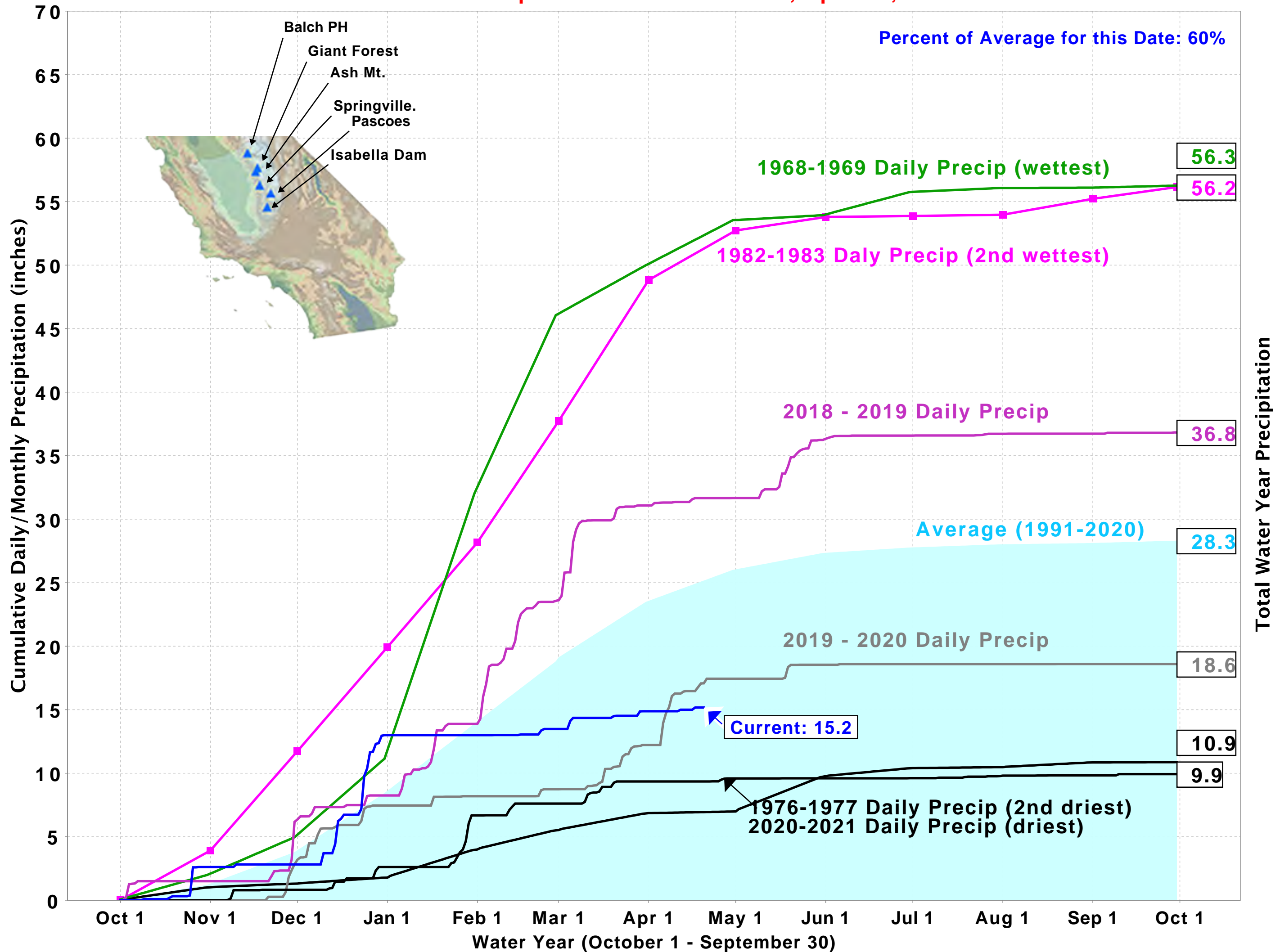
Northern Sierra Precipitation: 8-Station Index, April 20, 2022



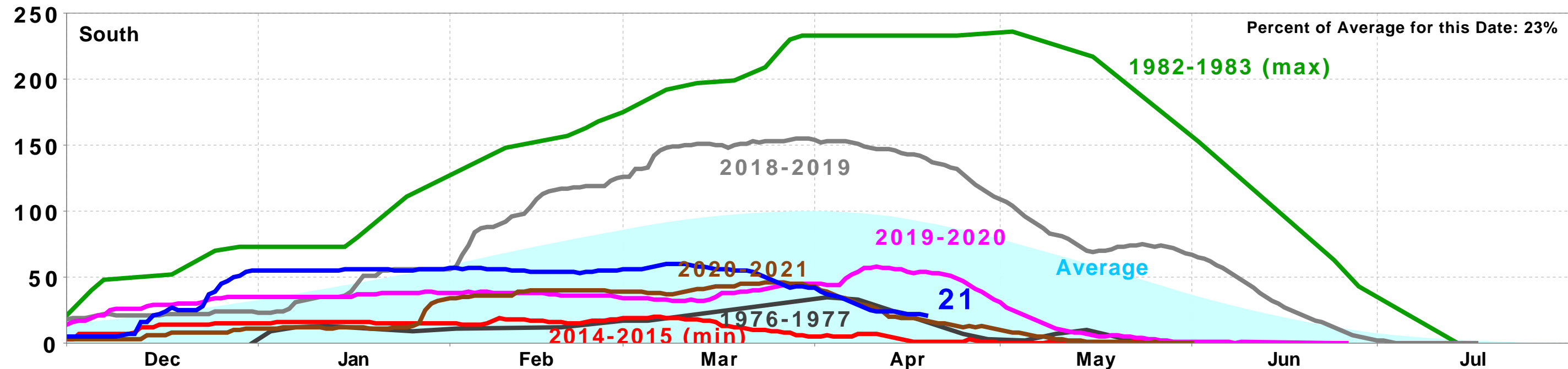
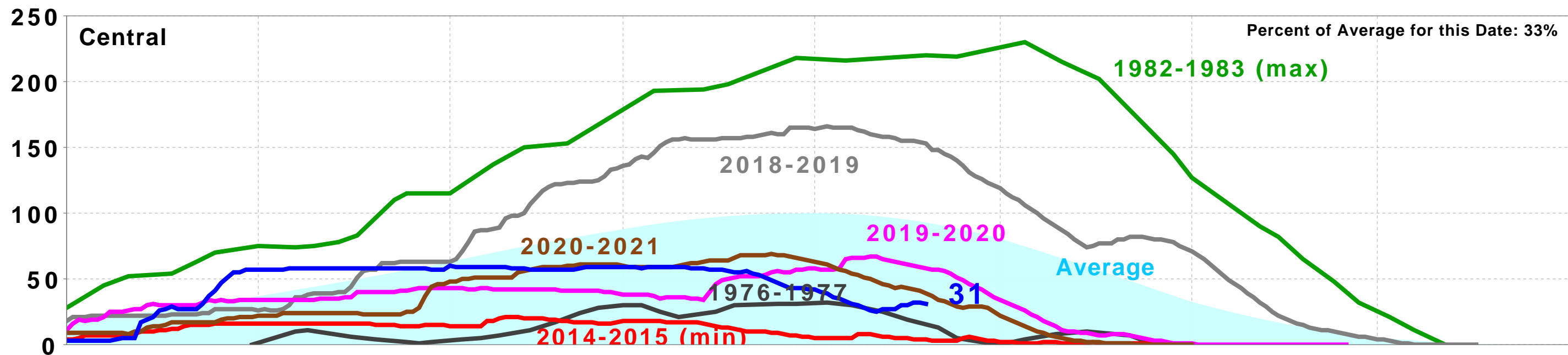
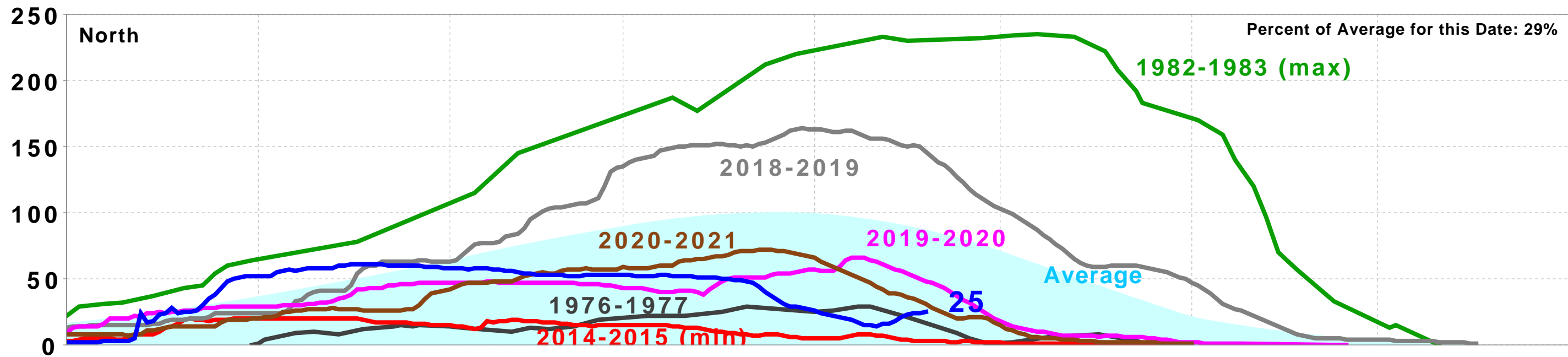
San Joaquin Precipitation: 5-Station Index, April 20, 2022



Tulare Basin Precipitation: 6-Station Index, April 20, 2022



California Snow Water Content, April 19, 2022, Percent of April 1 Average



Statewide Percent of April 1: 27%

Statewide Percent of Average for Date: 30%

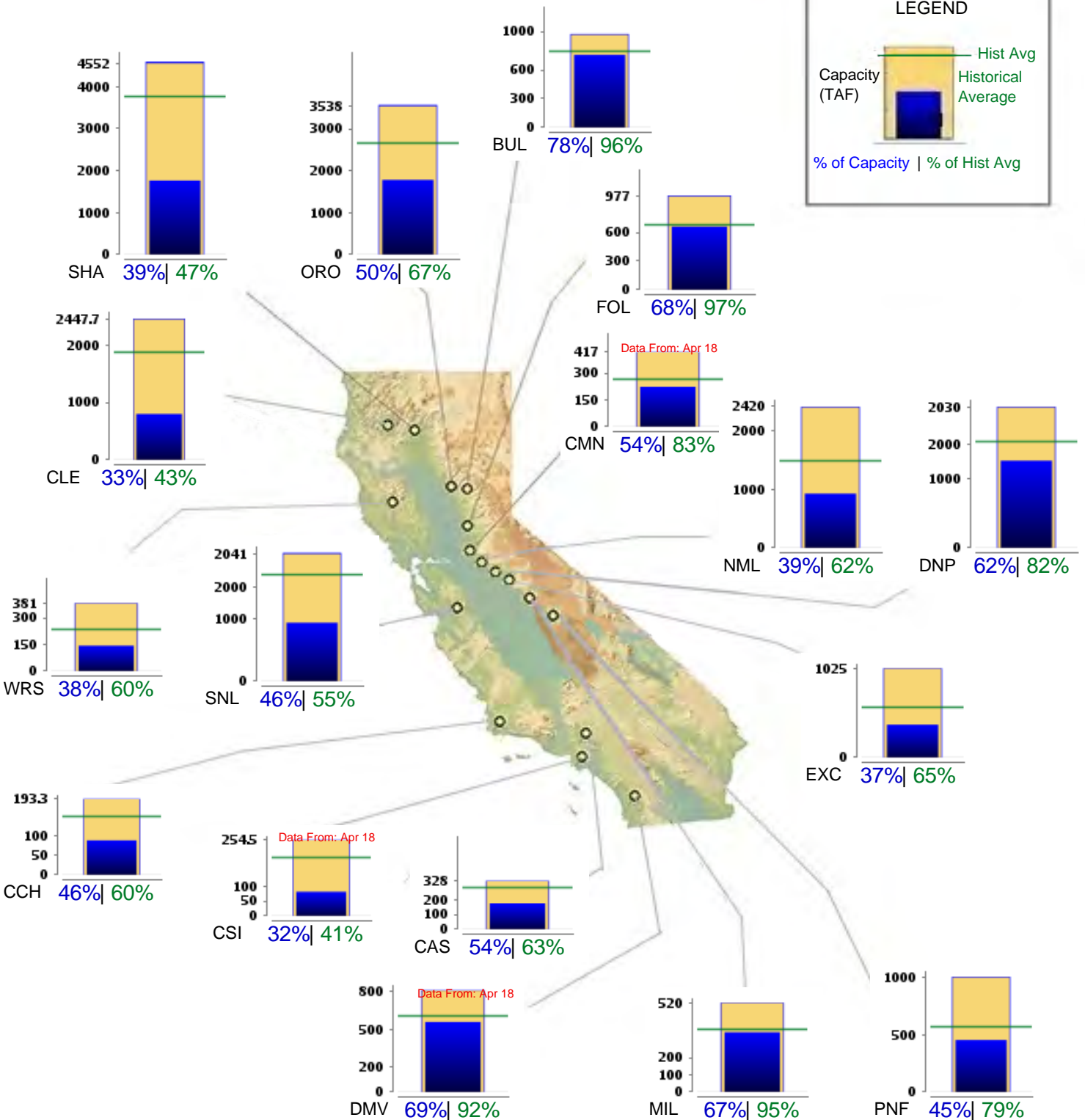
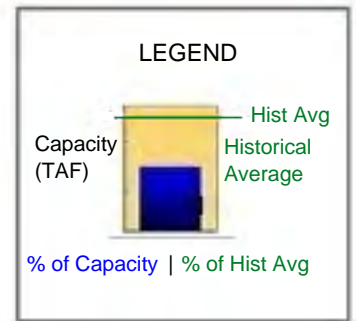


CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - April 19, 2022

CURRENT CONDITIONS



Minutes
Executive Committee Meeting
May 12, 2022

Directors Present: Kristin Bloomer, James Cioffi

Staff Present: Mark Krause, Steve Johnson, Esther Saenz, Ashley Metzger

Call to Order

1. Public Comments - None

2. Discussion Item

A. Review Agenda for May 17, 2022 Board Meeting

The proposed agenda for the May 17, 2022 meeting was reviewed.

B. Board Conference Schedule Update (ACWA DC, GMDA)

The Conference Schedule Update was approved. Vice Chair Cioffi requested that we reach out to Agencies in our area to encourage their participation in the Groundwater Management Districts Association (GMDA).

C. Expense Reports

The April expense reports were reviewed.

D. Claim Submitted by Dale Gendel

The Committee reviewed the claim filed by Dale Gendel.

Adjourn

DESERT WATER AGENCY PUBLIC AFFAIRS & WATER PLANNING ACTIVITIES

April 2022

Activities

- 4/01 Staff attended a GIS/Esri & ERP/Tyler meeting.
- 4/04 Staff attended a Regional Drought Response meeting.
- 4/05 Ashley Metzger attended a Save Our Water meeting to discuss local efforts.
- 4/06 Staff attended an Annual Water Supply & Demand Assessment (AWSDA) meeting with CVWD.
- 4/07 Xochitl Peña was on a live segment with KESQ.
- 4/08 Staff attended a DWR-SWC 2022-23 Drought planning meeting.
- 4/11 Staff attended CV-Salt Nutrient Management Plan development RFP interviews.
- 4/11 Staff attended the AWSDA meeting.
- 4/12 Ashley Metzger attended a Board meeting virtually for Coachella Valley Water District (CVWD).
- 4/12 Staff attended an AWSDA Discussion.
- 4/12 Staff attended a Yuba water meeting with CVWD and Metropolitan Water District.
- 4/12 Xochitl Peña attended ONE-PS meeting to provide updates on DWA.
- 4/13 Xochitl Peña & Vicki Petek attended the Family Fun Festival at the Palm Springs Stadium.
- 4/13 Staff attended AWSDA discussion with other regional agencies.
- 4/13 Staff attended an Esri GIS monthly meeting.
- 4/13 Ashley Metzger attended ACWA's Biweekly Water Use Efficiency (WUE) meeting.
- 4/13 Staff attended a CVRWGMG Business meeting.
- 4/14 Ashley Metzger was on a live segment with KESQ.
- 4/15 Ashley Metzger presented to Leadership Coachella Valley at The Living Desert.
- 4/19 Staff attended a CV Water Counts meeting.
- 4/18-21 Ashley Metzger attended a Daily briefing – Riverside County Legionella Cluster Investigation.
- 4/19 Ashley Metzger attended a recycled water briefing – Riverside County Legionella Cluster Investigation.
- 4/20 Staff attended a Delta Conveyance Project update meeting.
- 4/20 Ashley Metzger attended an Area of Benefit regroup meeting.
- 4/21 Clark Elliott attended a PSHA luncheon.

- 4/21 Ashley Metzger was on live a segment with KESQ.
- 4/21 Staff attended a conference call for State Water Contractor General Counsel report and Board meeting.
- 4/21 Staff attended the State Water Resources Control Board webinar on Conservation regulations.
- 4/22 Staff attended a DWA/Esri data migration activity kickoff.
- 4/25 Ashley Metzger attended a weekly call with lobbyist Bob Reeb.
- 4/25 Ashley Metzger & Heather Marcks attended a meeting for water use objective compliance report.
- 4/27 Staff attended a virtual meeting of the Agua Caliente Water Authority.
- 4/27 Ashley Metzger had an interview with NBC on drought.
- 4/28 Staff attended an Annual Water Supply and Demand Assessment on preliminary reporting requirements.
- 4/28 Ashley Metzger recorded an interview with Joey English.
- 4/28 Staff attended an ACWA water use efficiency drought meeting.
- 4/28 Ashley Metzger attended SWRCB Drought Regulations stress test coalition meeting.
- 4/28 Clark Elliott attended a Legislative Compliance webinar – CII Mapping.
- 4/28 Staff attended a CV Water Counts budget meeting.

Public Information Releases/eBlasts/Customer Notifications

- 4/1 – Next Door Customer Notification – Attend DWA’s division map public hearing on April 5
- 4/1 – Latest News – Attend DWA’s division map public hearing on April 5
- 4/11 – Latest News – DWA hosts vaccine clinic
- 4/14 – Latest News – State hosts drought regulations webinar on April 21

Legislative/Regulatory Updates

- 4/25 – DWA and CVWD shared AB 2142 support to the Office of Asm. Eduardo Garcia.
- 4/29 – Comment letter to SWRCB: Chromium-6 Maximum Contaminant Level Development

Upcoming Events

- 5/30 – Memorial Day Flower Drop at Palm Springs Air Museum
- 6/1 – Downtown Palm Springs Rock Concert Series in the park

Conservation Programs

Grass Removal

32 Inspections

21 Projects pre-approved

11 Projects approve

Devices

7 Washing machine rebates requested.

6 Washing machine rebates approved.

6 Smart controller rebates requested.

6 Smart controller rebates approved.

3216 Nozzles requested for rebate.

4216 Nozzles approved for rebate.

0 Toilet rebates requested (commercial only).

0 Toilet rebates approved (commercial only).

Water Waste Enforcement

58 Total complaints submitted

5 Citations

Kristin Bloomer, President (Division 5)
James Cioffi, Vice President (At large)
Joseph K. Stuart, Secretary-Treasurer (At large)
Patricia G. Oygur, Director (At large)
Paul Ortega, Director (Division 4)



Mark S. Krause, General Manager-Chief Engineer
Best, Best & Krieger, General Counsel
Krieger & Stewart, Consulting Engineers

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

April 28, 2022

Subject: Comment Letter - Hexavalent Chromium Workshop

Dear Ms. Townsend:

Desert Water Agency (DWA) appreciates the opportunity to comment on the State Water Resources Control Board (SWRCB) proposed administrative draft of the hexavalent chromium (Cr-6) maximum contaminant level (MCL). Providing high quality, safe drinking water is our top priority. DWA is concerned that the proposed Cr-6 drinking water MCL of 10 parts per billion (ppb) will affect drinking water affordability in our region, which has naturally occurring Cr-6 at levels close to and above the MCL. Many public water systems will face certain noncompliance with the draft MCL as proposed, which includes compliance periods as short as 2 years. This will undermine the confidence in tap water in our area, encouraging people to rely more heavily on more expensive and environmentally detrimental water options.

The information included in the administrative draft did not identify the environmental impact of implementing the MCL or what alternatives were evaluated to lessen this impact.

Desert Water Agency offers the following comments:

1. The proposed Cr-6 MCL is not based on the best available information. MCLs must be based on studies that are grounded in sound, credible science and research, and the best available data and information. Public Health Goal's (PHGs) are the basis for MCLs developed by the SWRCB. In 2016, the Office of Environmental Health Hazard Assessment (OEHHA) determined the PHG for Cr-6 needed to be reviewed for potential revisions based on the substantial new peer-reviewed studies available. This much needed, timely review of the Cr-6 PHG was never completed.

SWRCB needs to work collaboratively with OEHHA to ensure the Cr-6 PHG is reviewed and any revision to the PHG is performed timely so that the findings of this review are incorporated into the SWRCB analysis prior to the release of the draft Cr-6 regulatory package.

2. The estimated compliance costs prepared for the proposed 10 ppb MCL are deficient.
The SWRCB failed to include brine treatment costs needed for waste disposal and did not fully assess impacted sources. The number of drinking water sources impacted by the proposed regulation is a critical driver for estimating compliance costs. Statewide, SWRCB estimates 403 sources would be impacted by the draft MCL of 10 ppb. The SWRCB would not allow a water system to use a 10 year average Cr-6 level to determine whether treatment is needed for a source so it is disingenuous for the SWRCB to use a 10 year average to exclude sources with single year annual averages above 10 ppb that would be impacted by the MCL.

The SWRCB did not properly estimate water production. The majority of impacted water systems occur inland where naturally occurring Cr-6 levels are found above 10 ppb and where water use is higher. By using incorrect assumptions concerning water production, SWRCB analysis underestimates the cost to treat the actual amount of water that is impacted by the proposed MCL.

The capital cost models that SWRCB used to estimate compliance costs did not include costs for land and buildings needed to implement treatment to comply with the proposed MCL. All ion exchange treatment facilities will occupy space on land, which will no longer be used for any other purpose. This land has value that can be readily calculated and should be included in the compliance cost estimates.

The SWRCB did not include the costs of performing pilot tests and other related compliance planning needed to meet the final Cr-6 MCL.

3. Failure to provide time to comply. The proposed compliance periods do not reflect the time that it would actually take for impacted water systems to install the best available technology that SWRCB used for the compliance cost estimates. There is substantial basis for the compliance period provisions included in the Safe Drinking Water Act which clearly allow a period of up to 5 years for water systems to install capital facilities needed to comply with new federal drinking water MCLs.

More specifically, SWRCB can also refer to the compliance plans that were developed by water systems impacted by the 2014 Cr-6 MCL. SB 385 was unanimously approved by State legislators in 2015 to provide water systems up to 5 years to implement compliance plans at the earliest feasible date to install the same best available technology to comply with the same 10 ppb MCL that is now being considered.

4. Failure to account for impact to water resources. California water resources are the subject of great concern. It is reasonable to anticipate that the proposed Cr-6 MCL will drive public water systems that currently depend on groundwater to explore the use of alternative water supplies which include the State Water Project and Colorado River. Therefore, the proposed Cr-6 MCL of 10 ppb could increase demands for these strained surface water resources. SWRCB's environmental review and alternatives analysis should include a comprehensive assessment of the impact that the proposed Cr-6 MCL may have on California water resources.
5. Point of Use devices are not currently a reasonably feasible option. While it is likely water systems serving less than 200 service connections will likely consider using point of use (POU) options to comply with the MCL, that this option may be infeasible to implement due to the State requirement for water systems to discontinue water service to any customer that is not willing to accept a POU device¹. It is reasonable to expect one or more customers in any impacted water system will not want a POU device and shutting off their water supply is inappropriate.

In order to justify POU as a reasonably feasible option, the draft MCL regulatory package would need to include changes to the regulations governing POU devices to ensure there are POU "opt-out" options.

6. Reducing the Detection Limit for Reporting to 0.05 ppb is not supported. No explanation or justification is provided by the SWRCB in the administrative draft Cr-6 MCL for reducing the detection limit for purposes of reporting (DLR) to 0.05 ppb. In addition, no information is provided that validates this lower DLR as possible for analytical laboratories to achieve for all drinking water matrices.

¹ Section 64418.3(c) Title 22 California Code of Regulations.

The DLR procedure should lay out the required criteria for how it is set, including that the proposed DLR be achievable by the laboratories with accreditation in the approved methods and for all drinking water matrices. DLRs that are established below the levels that are achievable by certified State laboratories will only act to reduce analytical laboratory testing capacity and unnecessarily increase analytical costs for all California water systems. DWA recommends that the SWRCB use the Cr-6 DLR included in the initial Cr-6 MCL adopted in 2014 until such time that SWRCB can confirm a lower DLR can be achieved by the State certified laboratories performing the identified analytical methods for Cr-6.

7. SWRCB should follow the required process to develop the draft Cr-6 MCL. DWA encourages the SWRCB to meet the required process for developing the Cr-6 MCL. Adequate time and opportunity for stakeholder input must be allowed to explore the 17 proposed alternatives to affirm that the proposed MCL of 10 ppb is the appropriate path forward. It is premature to request stakeholder input on the proposed 10 ppb MCL without providing substantial information concerning the evaluation and comparison of environmental impacts of alternatives to the proposed MCL. This is an essential step in the decision making process so that feasible alternatives or feasible mitigation measures are considered which would substantially lessen the significant environmental effects of the project.

We recommend the SWRCB share with stakeholders the proposed process for meeting all of the above listed requirements, and ensure that maximum opportunities for stakeholder input are enabled. Following this pathway should prove to be more efficient, and result in less risk for needing to review and re-open this rulemaking later on. DWA believes it is imperative to adequately work through the process to avoid the shortfalls and risks of developing the MCL before properly evaluating alternatives to this decision.

8. Failed to identify a Cr-6 MCL that was economically feasible to implement. Even before SWRCB addresses the problems identified above, including the underestimated compliance cost estimates, as proposed, the cost for communities to comply with the proposed 10 ppb will exceed 2.5% of the median household income for at least 16 impacted water systems².

Based on the information provided in the administrative draft Cr-6 MCL and associated documents, DWA believes the proposal is inaccurate and insufficient to justify the proposed 10 ppb MCL. The SWRCB decision to move forward to develop a Cr-6 MCL based on a PHG that is outdated and no longer based on the best available information is flawed and may result in a cost prohibitive regulation that does more harm than good. Further, it does not appear that the SWRCB has substantially fulfilled the Sacramento Superior Court Order to perform an analysis that shows compliance with the proposed MCL is economically feasible and in fact will be unaffordable for some water system customers.


Sincerely,

A handwritten signature in blue ink that reads "Mark S. Krause".

Mark S. Krause
General Manager
Desert Water Agency

² SWRCB Proposed Hexavalent Chromium MCL Staff Report, March 2022, page 9.

Audience Overview

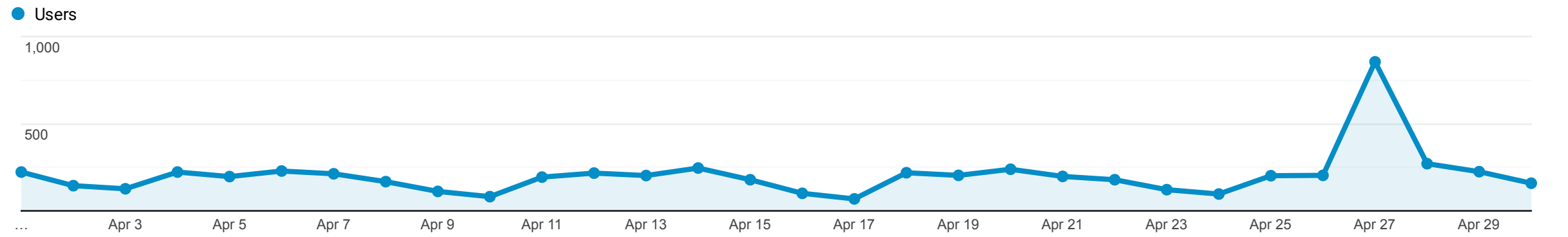


All Users

100.00% Users


Apr 1, 2022 - Apr 30, 2022

Overview




Users

5,331




New Users

4,773



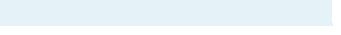
Sessions

6,618




Number of Sessions per User

1.24




Pageviews

13,302




Pages / Session

2.01




Avg. Session Duration

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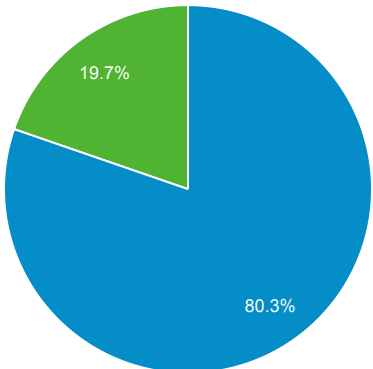
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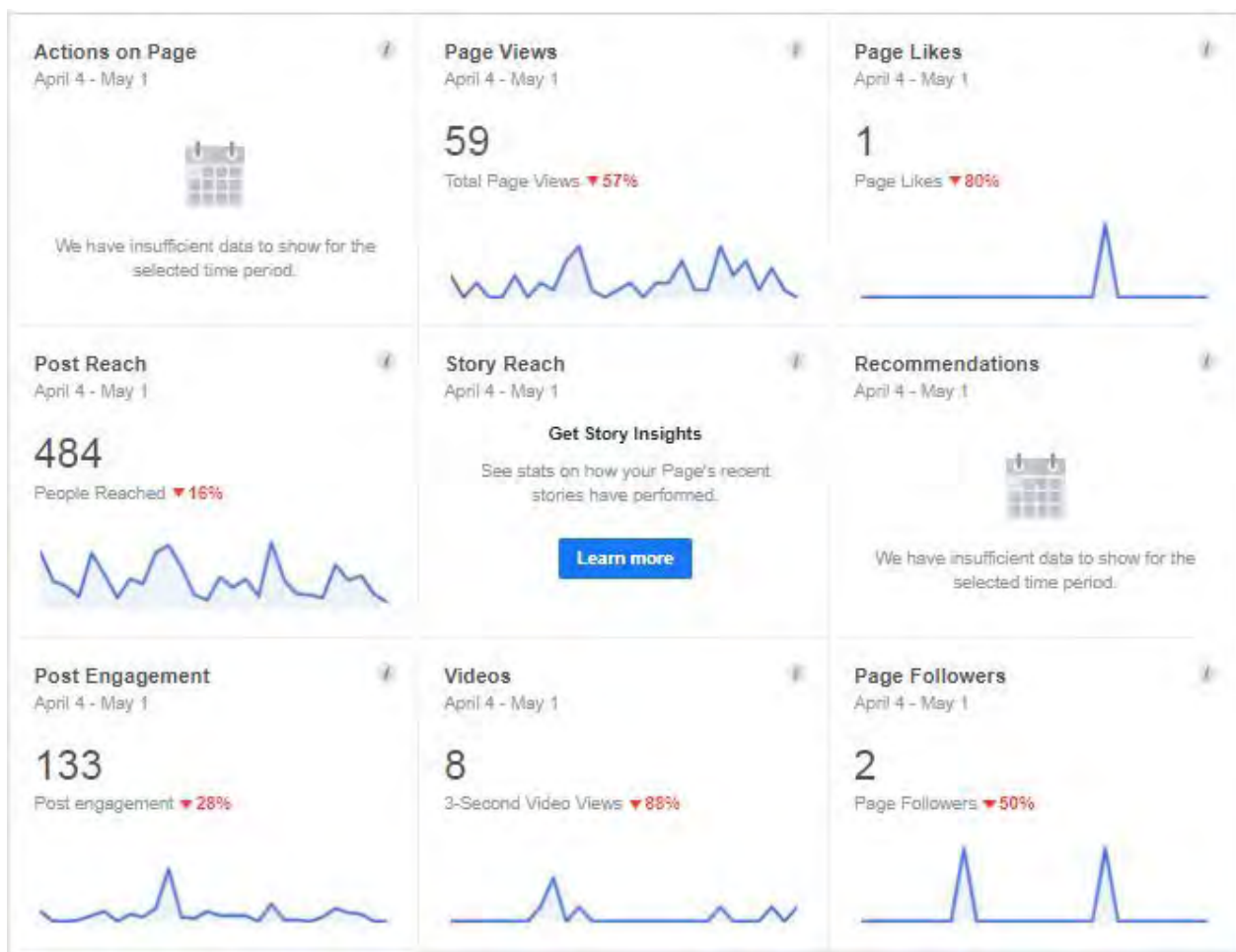
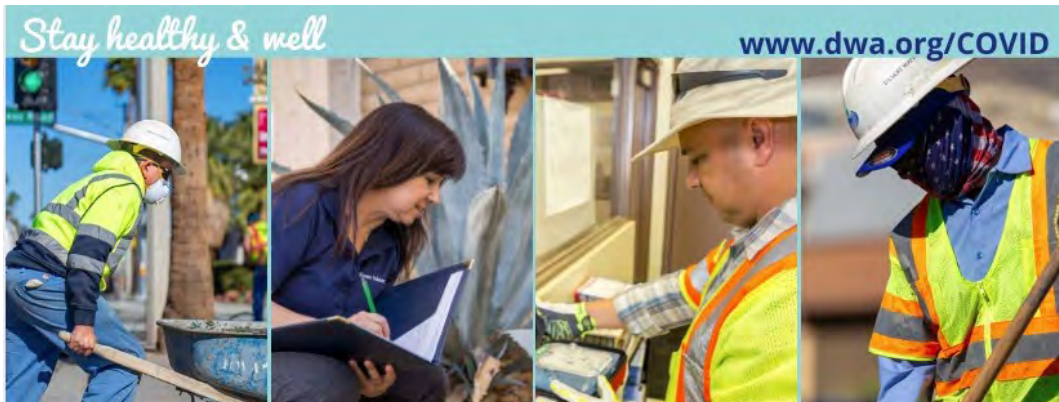


New Visitor






Returning Visitor



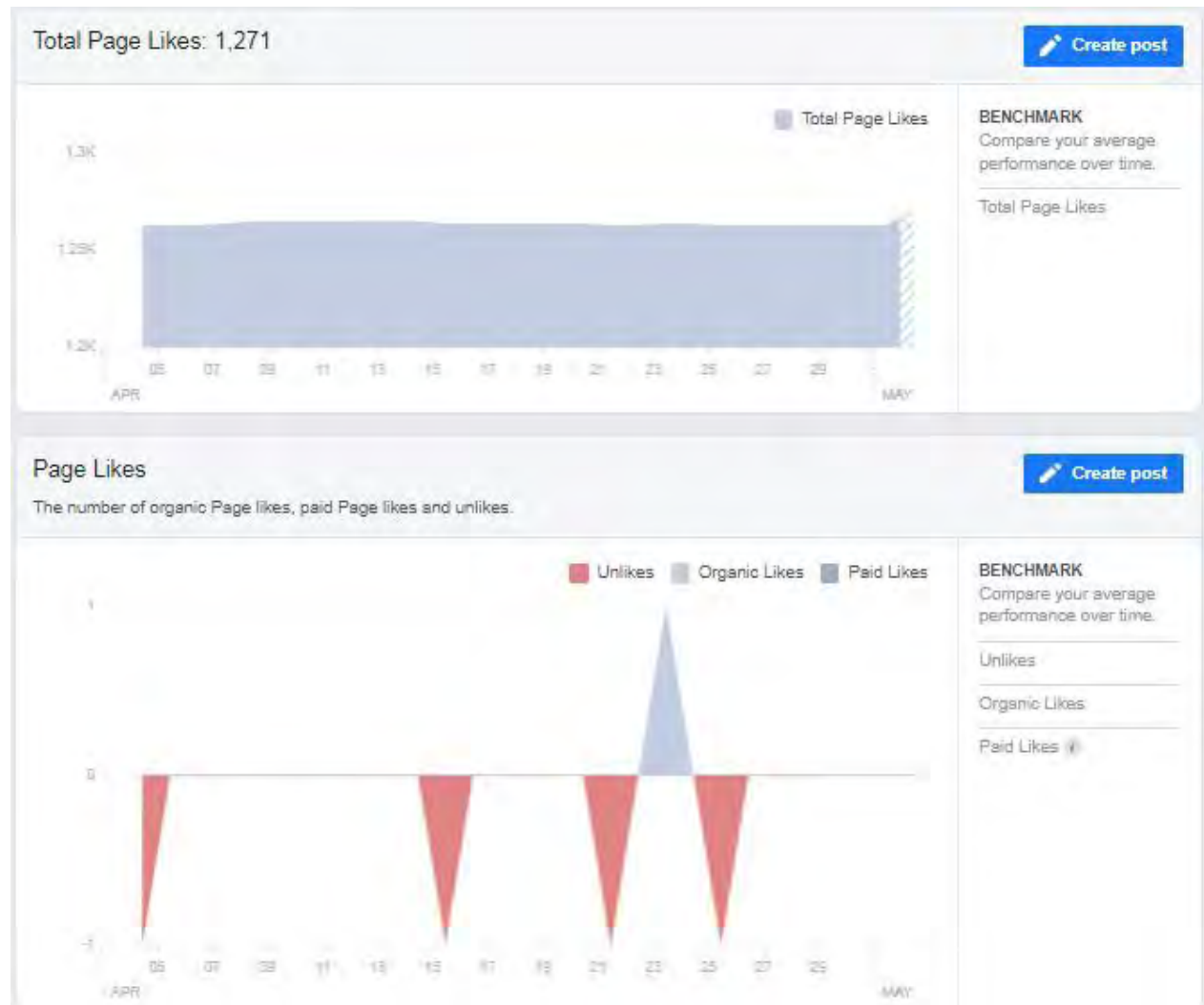
Language		Users	% Users
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2.	en-gb	163	3.06%
3.	en-ca	84	1.58%
4.	en	70	1.31%
5.	de-de	21	0.39%
6.	de	19	0.36%
7.	es-419	18	0.34%
8.	es-es	18	0.34%
9.	fr	15	0.28%
10.	zh-cn	15	0.28%



Desert Water Agency Facebook Analytics April 2022

04/29/2022 10:00 AM	 Music heals the soul, but water hydrates it! If you're heading to Stagecoach Festival remember your reusable			51		0 3	
04/27/2022 4:00 PM	 If you see something, say something! Go to www.dwa.org/report to report water waste around the			97		3 11	
04/26/2022 6:00 PM	 It's time to check your irrigation system in Palm Springs. Look for problems, make adjustments and repair or			42		1 4	
04/22/2022 9:00 AM	 Today is Earth Day! About 71 percent of the earth is water. From rivers and streams, to oceans and lakes,			155		3 10	
04/20/2022 12:00 PM	 Autumn sage, also known as <i>Salvia greggii</i> , is a shrub that blooms from spring through fall and features scarlet-			53		0 4	
04/18/2022 12:00 PM	 Install drought tolerant plants or artificial turf. It saves water and looks great. We have incentives to help cover			76		4 3	
04/15/2022 9:08 AM	 The Coachella Valley Music & Arts Festival is HERE! So don't forget to take your reusable water bottle (no metal			38		0 3	
04/13/2022 10:10 AM	 We're at the Family Fun Fest at Palm Springs Stadium. There's lots of fun activities & games for the kids. Stop			159		3 9	
04/12/2022 12:00 PM	 Need a COVID-19 vaccine or booster? DWA is hosting a vaccination clinic from 10 a.m. – 4 p.m. on Thursday,			74		4 7	
04/11/2022 12:00 PM	 Looking for spring break fun? Join us from 9 a.m. to noon on Wednesday, April 13 for Family Fun Fest at			66		1 4	
04/08/2022 12:00 PM	 Happy gardening! As butterflies migrate and breed, Monarch Waystations provides food and shelter for their			153		0 8	
04/06/2022 11:00 AM	 Having trouble paying your water bill? The Help2Others assistance program can help with up to \$200 in bill.			45		0 4	
04/04/2022 12:00 PM	 Want the latest from DWA? Our spring newsletter includes info on an important visit from California Natural			140		2 5	
04/01/2022 12:00 PM	 Your feedback is important! Share input on new election maps by attending DWA's public hearing at 8 a.m. on			29		1 3	

Desert Water Agency Facebook Analytics April 2022



Instagram April 2022



73 Impressions



78 Impressions



61 Impressions



104 Impressions



131 Impressions



107 Impressions



269 Impressions



178 Impressions



68 Impressions

Instagram April 2022



115 Impressions



123 Impressions



98 Impressions



121 Impressions



102 Impressions

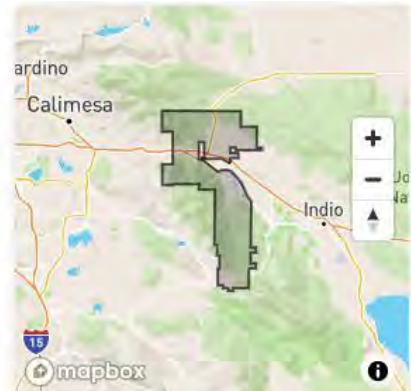
nextdoor



Desert Water Agency

1200 S Gene Autry Trl, Palm Springs

Desert Water Agency is the water utility for the Palm Springs area including outlying county areas, Desert Hot Springs, part of Cathedral City and Palm Springs. It is our responsibility to provide a safe, reliable water supply to the area we serve while See more...



Desert Water Agency

34,433 members

23,871 claimed households

142 neighborhoods

[Invite](#)



Desert Water Agency ✓

Outreach Specialist Xochitl Pena • 1 Apr



Attend DWA's division map public hearing on April 5. The Desert Water Agency Board of Directors invites the public to attend a public hearing during its regular board meeting starting at 8 a.m. on Tuesday, April 5. DWA staff will recommend that the Board of Directors adopt a map for use in future elections.

See more...



Board Meeting - Desert Water Agency

dwa.org

Posted to **Subscribers of Desert Water Agency**



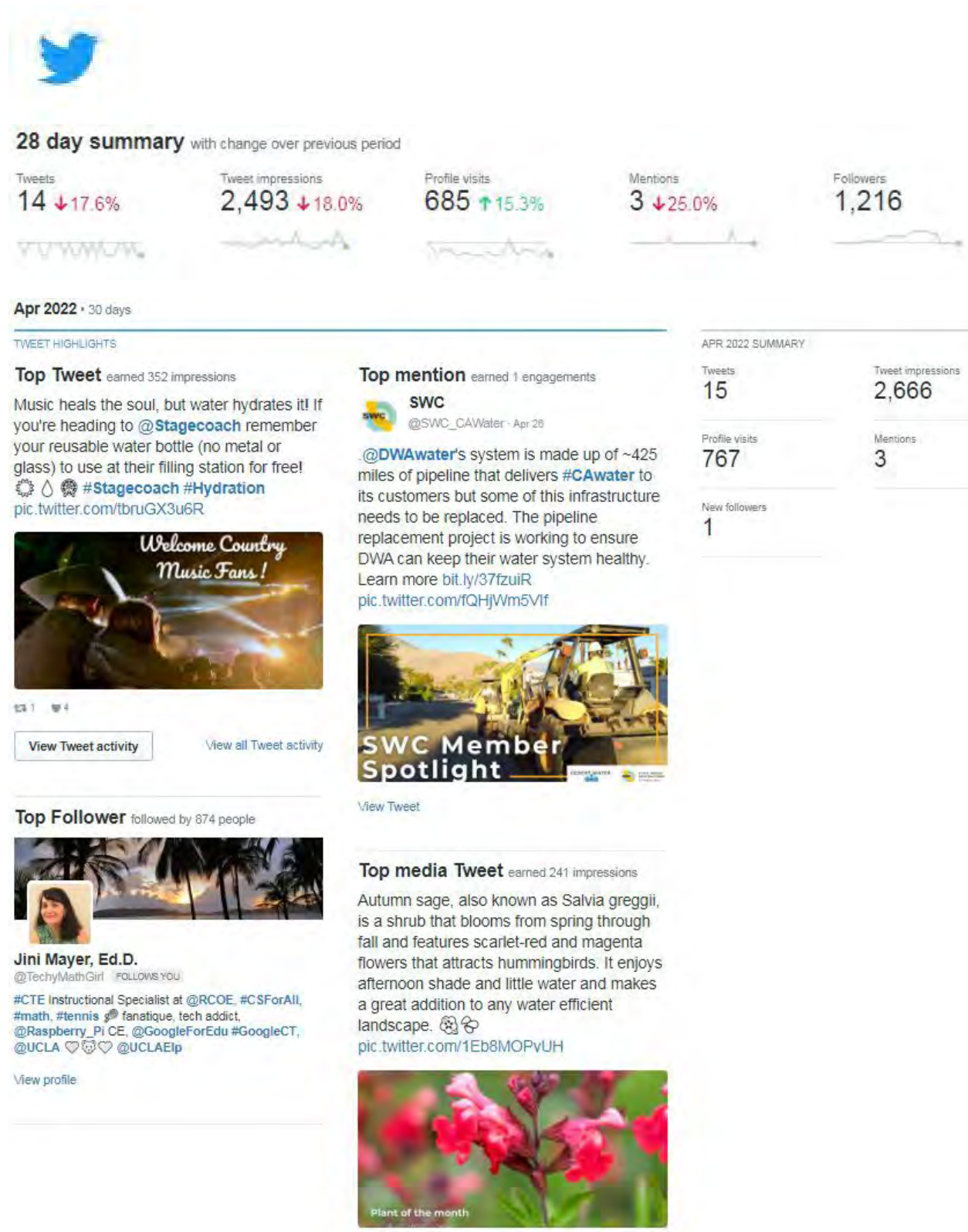
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Like

11 Comments

Share

Desert Water Agency Twitter Analytics April 2022

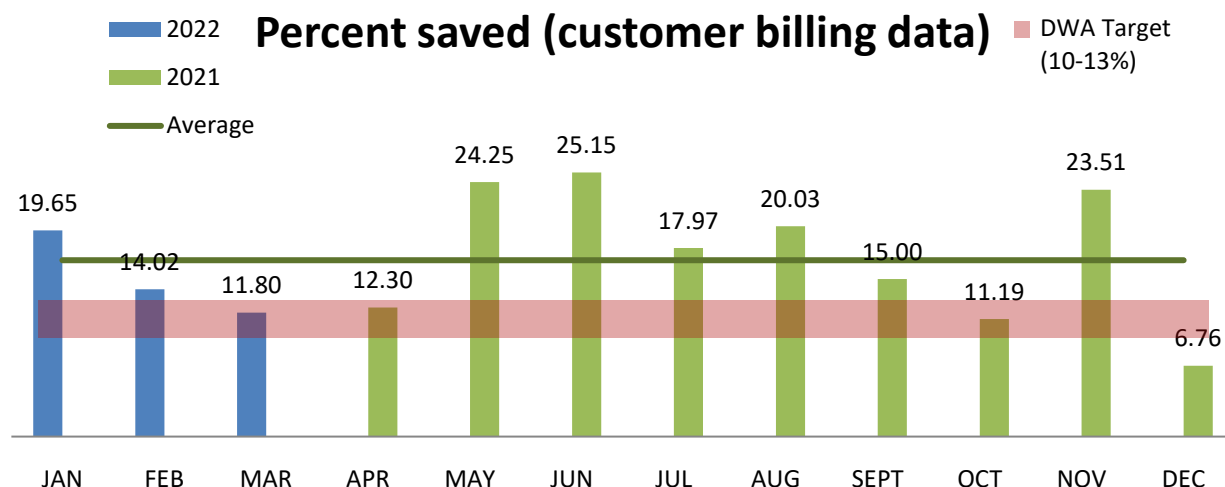


STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

MAY 17, 2022

RE: MARCH 2022 WATER USE REDUCTION FIGURES

Desert Water Agency customers achieved an 11.8% reduction in metered potable water consumption per meter during March 2022 compared to the same month in 2013 – the baseline year the State Water Resources Control Board (State Water Board) used to measure statewide conservation achievements during the last drought.



Over the past 12 months, consumption per meter is trending 17.7% lower compared to 2013. DWA is asking its customers to voluntarily save 10-13% compared to 2013 to help achieve long-term sustainability.

On March 28th, 2022 the Governor issued Executive Order N-7-22, which recommended that the State Water Board vote to have urban water suppliers enter Shortage Level 2 of their Water Shortage Contingency Plans by May 25, 2022. This would mandate a 20% reduction compared to 2020 usage, but at this time no further action has been taken.

DWA use per meter is 5.64% up compared to March 2020. Though we're encouraging and incentivizing conservation, there is presently no requirement for the Agency or any of its customers to meet a certain savings requirement. On the following page is additional information for this month.

March 2022 conservation per meter percentage	11.80%
March 2022 consumption per meter	35.02 HCF
March 2013 consumption per meter	39.71 HCF
March 2022 gross conservation percentage	5.57%
March 2022 metered potable consumption	1875.72 AF
March 2013 metered potable consumption	1986.41 AF
The percentage of the Total Monthly Potable Water Production going to residential use only for the reporting month	57.37%
Population (inclusive of seasonal residents)	72,462
Estimated R-GPCD	200.03
Number of public complaints of water waste or violation of conservation rules received during the reporting month.	34
Number of contacts with customers for actual/alleged water waste or for a violation of conservation rules.	4
Number of field visits for water waste follow up.	12
Number of citations for violation of conservation rules.	5

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

MAY 17, 2022

**RE: REQUEST AUTHORIZATION TO CONTINUE VIRTUAL BOARD
AND COMMITTEE MEETINGS FOR ANOTHER 30 DAYS BASED
UPON A DETERMINATION THAT IN-PERSON MEETINGS WOULD
POSE A RISK TO PUBLIC HEALTH (PER AB 361)**

At its April 19, 2022 meeting, the Board of Directors authorized the continuation of virtual Board and Committee meetings for another 30-day period in accordance with the provisions of AB 361.

The Board of Directors may elect to continue conducting virtual meetings if it makes its own specific findings that meetings in person would pose a health threat to those in attendance, or when other regulatory bodies having jurisdiction within the Agency's service area recommend social distancing for the protection of people who otherwise might attend those meetings in person. The Board must make that determination every thirty days in order for meetings to be conducted virtually.

Therefore, it is recommended that the Desert Water Agency Board of Directors authorize Board and Committee meetings to be conducted virtually for the next ensuing 30-day period based upon the following facts and determinations:

- The California Department of Public Health and the County of Riverside continue to recommend social distancing as a result of the COVID-19 state of emergency.
- The Centers for Disease Controls and Prevention (CDC) recommends social distancing in high transmission areas.
- State officials have issued orders imposing or recommending social distancing measures for certain individuals and in certain situations.
- Due to the COVID-19 emergency, meeting in person would present risks to the health and safety of attendees.

Fiscal Impact: None.

Recommendation:

Staff recommends that the Board of Directors authorize the continuation of virtual Board and Committee meetings for another 30 days based upon a determination that in-person meetings would pose a risk to public health (Per AB 361).

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

MAY 17, 2022

**RE: REQUEST ADOPTION OF RESOLUTION NO. 1275
APPROVING THE 2022 LOCAL GUIDELINES FOR
IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT (CEQA) FOR DESERT WATER AGENCY**

The California Environmental Quality Act (CEQA), codified at Public Resources Code section 21000 et seq., is California's most comprehensive environmental law. It generally requires public agencies to evaluate the environmental effects of their actions before they are taken. CEQA also aims to prevent significant environmental effects from occurring as a result of agency actions by requiring agencies to avoid or reduce, when feasible, the significant environmental impacts of their decisions.

CEQA requires public agencies to adopt specific objectives, criteria and procedures for evaluating public and private projects that are undertaken or approved by such agencies. The Agency's CEQA Guidelines have been prepared by the Agency's legal counsel, Best Best & Krieger. These Guidelines reflect recent changes in the State CEQA Guidelines and relevant court opinions. These Local CEQA Guidelines also provide instructions and forms for preparing all environmental documents required under CEQA.

Fiscal Impact: No fiscal impact is anticipated from amending the Local CEQA Guidelines.

Environmental Impact: No environmental impact is anticipated from amending the Local CEQA Guidelines. Desert Water Agency's adoption of the attached Resolution is not a project under State CEQA Guidelines section 15378(b)(5) because it involves an administrative activity involving process only and would not result in any environmental impacts.

Recommendation:

Staff recommends that the Board adopt Resolution No. 1275 regarding the adoption of the 2022 Local Guidelines for Implementing the California Environmental Quality Act for Desert Water Agency. The changes are detailed in a memo prepared by Best Best & Krieger, also attached.

Attachments:

Attachment #1: BBK memo

Attachment #2: Resolution No. 1275

Memorandum

TO: Project 5 Agency Client
FROM: Best Best & Krieger LLP
DATE: April 11, 2022
RE: 2022 Summary of Changes to Local CEQA Guidelines

In 2021, the California Legislature took action to revise the California Environmental Quality Act (“CEQA”). Notably, Assembly Bill (“AB”) 819 (“AB 819”) amends the Public Resources Code to, among other things: (1) expand the scope of CEQA documents that must be submitted to the Office of Planning and Research’s (“OPR”) State Clearinghouse; (2) require lead agencies to submit such documents to OPR electronically; and (3) require a lead agency to post various environmental documents and notices on its website, if the lead agency has a website. In addition, the Legislature passed multiple bills to exempt certain categories of activity from CEQA.

These revisions to CEQA have been incorporated into the Agency’s 2022 Local Guidelines for Implementing the California Environmental Quality Act (“Local Guidelines”). This memorandum summarizes the substantive amendments to the Agency’s Local Guidelines. These Local Guidelines and this memorandum are designed to help the Agency assess the environmental implications of a project prior to its approval, as mandated by CEQA. We still recommend, however, that you consult with an attorney when you have specific questions on major, controversial, or unusual projects or activities.

The Local Guidelines, the related CEQA forms, and other important legal alerts may be accessed via the Best Best & Krieger LLP CEQA client portal. For technical support, please contact Tammy Ingram at tammy.ingram@bbklaw.com.

REVISIONS TO LOCAL GUIDELINES

1. SECTIONS 1.08, 1.09, 3.04, 6.04, 6.11, 6.20, 7.03, 7.25, & 7.39: POSTING CEQA DOCUMENTS AND RELATED NOTICES ON LEAD AGENCY’S WEBSITE

With AB 819, the California Legislature amended CEQA to require a Lead Agency to post the Draft Environmental Impact Report (“EIR”), Final EIR, Negative Declaration, or Mitigated Negative Declaration (“MND”) prepared for a project on the Lead Agency’s website, if the Lead Agency has a website.

In addition, AB 819 requires a Lead Agency to post various CEQA notices on its website. This requirement extends to any Notice of Exemption, Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration, Notice of Preparation, Notice of Availability, and Notice of Determination.

Sections 1.08, 3.04, 6.04, 6.11, 6.20, 7.03, 7.25, and 7.39 of the 2022 Local Guidelines have been revised to reflect these new requirements.

2. SECTIONS 2.04 & 6.16 PROCEDURE TO APPEAL A CEQA DETERMINATION MADE BY A NON-ELECTED DECISIONMAKING BODY

The Agency may charge a non-elected decisionmaking body with the responsibility of making an exemption determination or adopting or certifying environmental documents under CEQA. But, a determination made by a non-elected decisionmaking body must be appealable to the Agency's elected decisionmaking body. Sections 2.04 and 6.16 of the Local Guidelines have been revised to elaborate that any CEQA determination made by a non-elected decisionmaking body shall be final unless it is timely appealed to the Agency's Board of Directors.

3. SECTION 3.04 NOTICES OF EXEMPTION

Section 3.04 has been revised consistent with AB 819 to provide that (1) a Notice of Exemption must now be filed electronically with the County Clerk, if the County Clerk accepts electronic filing of Notices of Exemption; and (2) the Agency must post its Notices of Exemption on its website.

Additionally, Section 3.04 has been revised to update the procedure by which a project applicant, rather than the Agency, may file a Notice of Exemption for a project that the Agency has determined is exempt from CEQA. For a project applicant to file a Notice of Exemption, the project applicant must attach a Certificate of Determination from the Agency to the Notice of Exemption.

4. SECTION 3.23 EXEMPTION RE: CONSERVATION AND RESTORATION OF CALIFORNIA NATIVE FISH AND WILDLIFE

With its adoption of Senate Bill ("SB") 155, the Legislature has created a CEQA exemption for projects that have as their exclusive purpose the recovery of California fish and wildlife (including projects for habitat restoration), if certain conditions are met. Section 3.23 has been added to the Local Guidelines to reflect this new exemption.

5. SECTION 3.24 EXEMPTION RE: LINEAR BROADBAND DEPLOYMENT IN A RIGHT-OF-WAY

The Legislature's enactment of SB 156 has created a CEQA exemption for projects that consist of linear broadband deployment in a right-of-way, if certain conditions are met. To qualify for the exemption, the project must be located in an area identified by the Public Utilities Commission as a component of the statewide open-access middle-mile broadband network; must be constructed along, or within 30-feet of, the right-of-way of any public road or highway; and must be either deployed underground where the surface area is restored to a condition existing before the project or placed aurally along an existing utility pole right-of-way. Additionally, the project is required to include conditions of approval to address potential environmental impacts, including, but not limited to, requiring monitors during construction activities or measures to address impacts to biological or cultural resources. We have added Section 3.24 to the Local Guidelines to reflect this new exemption.

6. SECTION 3.25 EXEMPTION RE: NEEDLE AND SYRINGE EXCHANGE SERVICES

Under existing law, cities and counties meeting certain requirements may apply to the State Department of Public Health for authorization to provide hypodermic needle and syringe exchange services consistent with state standards in any location where the State Department of Public Health determines that the conditions exist for the rapid spread of human immunodeficiency virus (HIV), viral hepatitis, or any other potentially deadly or disabling infections that are spread through the sharing of used hypodermic needles and syringes. In 2021, the Legislature enacted AB 1344 to expressly exempt from CEQA needle and syringe exchange services application submissions, authorizations, and operations. This exemption is reflected in Section 3.25 of the Local Guidelines.

7. SECTION 6.11 SUBMISSION OF NEGATIVE DECLARATIONS AND RELATED NOTICES TO STATE CLEARINGHOUSE

Under AB 819, all Negative Declarations and MNDs must be submitted electronically to the State Clearinghouse via the Office of Planning and Research’s “CEQA Submit” website, even if the Negative Declaration or MND does not require state agency review. When submitting the Negative Declaration or MND to the State Clearinghouse, the Lead Agency must also submit a Notice of Completion via the “CEQA Submit” website.

Section 6.11 of the Local Guidelines has been revised to reflect this change in the law, and it includes instructions on how to submit both documents that require state agency review and documents that do not require state agency review.

8. SECTIONS 7.03, 7.25, 7.26 & 7.39 SUBMISSION OF EIRS AND RELATED NOTICES TO STATE CLEARINGHOUSE

Under AB 819, all EIRs must be submitted electronically to the State Clearinghouse via the Office of Planning and Research’s “CEQA Submit” website, even if the EIR does not require state agency review. In addition, a Lead Agency must submit any Notice of Preparation, Notice of Completion, and Notice of Determination related to the EIR to the Office of Planning and Research via the “CEQA Submit” website. Sections 7.03, 7.25, 7.26, and 7.39 of the Local Guidelines have been revised to reflect these requirements.

9. SECTION 7.05 STREAMLINED CEQA LITIGATION FOR ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECTS

In 2021, the Legislature passed the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which reenacts with certain changes the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, which was repealed by its own terms on January 1, 2021. If the Governor certifies a project as an Environmental Leadership Development Project, any lawsuit challenging the project—including any appeals to the Court of Appeal or the California Supreme Court—must be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the trial court. Section 7.05 of the Local Guidelines, which previously addressed the previous iteration of the law from 2011, has been updated to reflect the 2021 iteration of the law.

10. SECTION 9.01 STREAMLINED MINISTERIAL APPROVAL PROCESS FOR AFFORDABLE HOUSING PROJECTS

The Legislature has provided for a streamlined, ministerial approval process for certain affordable housing projects satisfying various conditions. This process is not new, and it is already included in the Local Guidelines in Section 9.01. In 2021, the Legislature adopted AB 1174 to further clarify the process. Under existing law, a development approved under the streamlined ministerial process can generally be valid indefinitely so long as it meets certain requirements. Among other things, AB 1174 clarifies that to be valid indefinitely, the project must include public investment in housing affordability, beyond tax credits, and have at least 50 percent of units affordable to households making at or below 80 percent of the area median income. Section 9.01 of the Local Guidelines has been revised to reflect AB 1174.

11. SECTION 9.02 MINISTERIAL APPROVAL PROCESS FOR SPECIFIED URBAN LOT SPLITS AND HOUSING DEVELOPMENTS

SB 9 provides for the ministerial approval (i.e., approval not subject to CEQA) of (1) proposed housing developments containing no more than two residential units within a single-family residential zone; and (2) urban lot splits. This is not a blanket exemption from CEQA, as SB 9 sets forth numerous conditions that must be met in order for a proposed project to qualify for ministerial approval. The ministerial approval process established by SB 9 is set forth in Section 9.02 of the Local Guidelines.

12. SECTION 9.03 EXEMPTION RE: APPROVAL OF ORDINANCE TO ZONE ANY PARCEL FOR UP TO 10 UNITS OF RESIDENTIAL DENSITY PER PARCEL

SB 10 provides that a local government may adopt an ordinance to zone a parcel for up to 10 residential units, and that such action (if certain conditions are met) does not qualify as a “project” subject to CEQA. Section 9.03 has been added to the Local Guidelines to reflect SB 10.

Other Changes

Effective January 1, 2022, the Department of Fish and Wildlife has increased its fees. For a Negative Declaration or a Mitigated Negative Declaration, the new filing fee is \$2,548.00. For an EIR, the new filing fee is \$3,539.25. For an environmental document prepared pursuant to a Certified Regulatory Program, the filing fee has been increased to \$1,203.25.

Conclusion

As always, CEQA remains complicated and, at times, challenging to apply. The only constant in this area of law is how quickly the rules change. Should you have questions about any of the provisions discussed above, or about the environmental review of any of the Agency’s projects, please contact a BB&K attorney for assistance.

BEST BEST & KRIEGER LLP

RESOLUTION NO. 1275

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE §§ 21000 ET SEQ.)

WHEREAS, the California Legislature has amended the California Environmental Quality Act (“CEQA”) (Pub. Resources Code §§ 21000 et seq.), the Natural Resources Agency has amended the State CEQA Guidelines (Cal. Code Regs, tit. 14, §§ 15000 et seq.), and the California courts have interpreted specific provisions of CEQA; and

WHEREAS, Public Resources Code section 21082 requires all public agencies to adopt objectives, criteria and procedures for (1) the evaluation of public and private projects undertaken or approved by such public agencies, and (2) the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the Desert Water Agency must revise its local guidelines for implementing CEQA to make them consistent with the current provisions and interpretations of CEQA and the State CEQA Guidelines;

NOW, THEREFORE, be it resolved by the Board of Directors of Desert Water Agency (“Agency”) as follows:

SECTION 1. The Agency hereby adopts the “2022 Local Guidelines for Implementing the California Environmental Quality Act,” a copy of which is on file at the offices of the Agency and is available for inspection by the public.

SECTION 2. These guidelines shall replace all previously adopted versions thereof.

ADOPTED this 17th day of May, 2022.

Kristin Bloomer, President

ATTEST:

Joseph K. Stuart, Secretary-Treasurer

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

MAY 17, 2022

**RE: REQUEST BOARD AUTHORIZATION FOR GENERAL MANAGER
TO EXECUTE LICENSE AGREEMENT WITH CVAG FOR CV LINK
MULTI-MODAL TRANSPORTATION CORRIDOR PROJECT OVER
AGENCY PARCEL APN 680-180-047**

Coachella Valley Association of Governments (CVAG) is seeking a license agreement with the Agency to install, maintain, and use as a public pathway for public use over a portion of Desert Water Agency's property located adjacent to the Agency's reclamation plant that is currently being leased by the City of Palm Springs.

The License will include the right of CVAG to construct, access and maintain a paved path within an area described as Attachment B of the agreement and will be for public use. CVAG proposes to install solar lighting for public safety purposes within the path, and colored concrete, color seeded glass, and amenities, and will be solely responsible for the construction, operation, maintenance and use of the facilities. If necessary, CVAG will remove graffiti, trash or debris that users of the pathway may place on the property.

CVAG will also pay to the Agency an annual License fee for the continued use of the License. The Agency will submit to CVAG, in writing, its proposed License fee and within sixty (60) days of the receipt of the proposal, CVAG will either pay the proposed License fee or give written notice to the Agency that it desires to submit the License fee for determination by appraisal. If CVAG selects the appraisal option, the Agency and CVAG will agree upon an independent appraiser with experience on the appraisal of easements and other rights of way within the Coachella Valley. The cost of the appraisal will be shared equally by the Agency and CVAG. The determination of the appraiser will be final. Once the License fee has been established either by agreement or appraisal, it will thereafter increase by three percent (3%) per annum. CVAG will reimburse the Agency \$1,000.00 for costs incurred in connection with the grant of this License.

The Agency may terminate the License at any time upon twelve (12) months written notice to CVAG. CVAG may terminate the License at any time upon sixty (60) days written notice to the Agency. If the License is terminated, CVAG will remove all improvements and facilities that were installed from the property and will restore the property to its previous condition to the extent reasonably possible.

Attached for the Board's review is a copy of the proposed License Agreement.

Fiscal Impact:

There will be no fiscal impact to the Agency. Finance Director Saenz has reviewed this report.

Legal Review:

Agency Counsel has reviewed this agreement.

Recommendation:

Staff recommends that the Board authorize the General Manager to execute the License Agreement with CVAG for the CV Link Multi-Modal Transportation Corridor Project over the Agency's parcel APN 680-180-047.

Recording requested by and when
recorded, return to:

Coachella Valley Association
Of Governments
Attn: Martin Magaña
73-710 Fred Waring Drive
Palm Desert, CA 92260

APN(s): 680-180-047
6103

No recording fee per Government Code §

No Documentary Transfer Tax per Revenue and
Taxation Code § 11922

LICENSE AGREEMENT

(CV Link Multi-Modal Transportation Corridor Project)

This License Agreement ("Agreement") is entered into as of _____, 2022 ("Effective Date"), by and between DESERT WATER AGENCY, a California public agency (hereinafter referred to as "Grantor") and COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, a joint powers authority created under the laws of the State of California (hereinafter referred to as "Grantee").

RECITALS

A. Grantor owns certain real property in the County of Riverside, a legal description of which is attached hereto as Attachment "A" ("Property").

B. Grantee is building a multipurpose public path for purposes which include riding, walking, jogging, running, biking, electric vehicles and similar uses ("Project").

C. Grantee has requested the right to use the area within the Property which is described in Attachment "B" attached hereto and incorporated herein by this reference ("License Area").

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Grantor does hereby grant to the Grantee, its successors and assigns, a non-exclusive license and right of way for the Project in, on, over and across the License Area ("License"). The License is subject to the following terms and conditions:

1. The purpose of the Project and the License is to (i) foster mobility within the Coachella Valley, (ii) promote public health and wellness through exercise and the use of different modes of transportation, (iii) ensure public safety by providing a dedicated path for such modes of transportation, (iv) enhance mobility and accessibility for disadvantaged individuals, and (v)

provide environmental benefits such as improved air quality and reduced carbon emissions from the use of different modes of transportation.

2. The License will include the right of Grantee to construct, access and maintain a paved path within the area described on Attachment B for the public use of the Project. Grantee will install solar lighting for public safety purposes within the path, and colored concrete, color seeded glass, and amenities within the License Area. Grantee shall be solely responsible for the construction, operation, maintenance and use of the Project facilities within the area described on Attachment B. Grantee agrees to protect in place, the existing chain link fence and no climb fence in the License Area. If necessary, Grantee will further remove graffiti, trash or debris that users of the License Area may place on the Property.

3. Grantee will pay to Grantor an annual License fee for the continued use of the License. Grantor will submit to Grantee in writing its proposed License fee and within sixty (60) days of the receipt of such proposal, Grantee will either pay the proposed License fee or give written notice to Grantor that it desires to submit the License fee for determination by appraisal. If Grantee selects the appraisal option, the Grantor and Grantee will agree upon an independent appraiser with experience on the appraisal of easements and other rights of way within the Coachella Valley. The cost of the appraisal will be shared equally by Grantor and Grantee. The determination of the appraiser will be final. Once the License fee has been established either by agreement or appraisal, it will thereafter increase by three percent (3%) per annum. Grantee will pay to Grantor the sum of One Thousand Dollars (\$1,000.00) to reimburse Grantor for costs incurred in connection with the grant of this License.

4. Grantor may terminate the License at any time upon twelve (12) months written notice to Grantee, which notice will be given in person or by commercial overnight courier to Grantee's principal office, which is currently 73710 Fred Waring Dr #200, Palm Desert, CA 92260. Unless otherwise specified in the notice, the termination date will be the first anniversary of the date that notice is given. No later than the termination date, Licensee will remove all improvements and facilities that were installed pursuant to Section 2 from the Property and will restore the Property to its condition as of the execution of this License to the extent reasonably possible. Grantee may terminate the License at any time upon sixty (60) days written notice to Grantor. Unless otherwise specified in the notice, if Grantee terminates License, the termination date will be the first anniversary of the date that notice is given. No later than the termination date, Licensee will remove all improvements and facilities that were installed pursuant to Section 2 from the Property and will restore the Property to its condition as of the execution of this License to the extent reasonably possible.

5. Grantee shall furnish evidence of general liability insurance which is reasonably acceptable to Grantor and which covers the activities of Grantee with respect to the Project in an amount no less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate, which insurance shall name Grantor as an additional insured.

6. (a) In consideration of the grant of the License, Grantee hereby agrees to indemnify, defend and hold harmless Grantor, its directors, officers, employees, agents, successors and assigns (the "Indemnified Parties") from and against all "Damages," as defined in sub-section (c) below,

that may be imposed on, incurred by, or asserted against the Indemnified Parties as a result of (i) any damage to the Property as a result of the activities of Grantee while present on the Property or in connection with the construction and installation of the Project; (ii) any negligent act or omission of Grantee, its employees, agents and contractors, occurring on or about the Property; or (iii) any claim by a member of the public that alleges that such party incurred Damages while making use of that portion of the Project that is located on the Property, including without limitation, damage to personal property or any death or bodily injury. The foregoing indemnity will not apply to the extent that Damages were caused by (x) an affirmative act of the Indemnified Parties that is negligent and was the proximate cause of an injury; or (y) the intentional misconduct of the Indemnified Parties. Furthermore, it is not intended that any third party have the right to claim it is a beneficiary of the indemnity obligations of Grantee hereunder.

(b) If any of the Indemnified Parties have immunity as a public agency, including Grantor or Grantee, with respect to any claim for Damages alleged by a third party, then the indemnity obligation of Grantee will be limited to asserting such immunity from claims in cooperation with the Indemnified Parties pursuant to sub-section (d) below and in no event will this indemnity be interpreted as a waiver or release of such immunity.

(c) As used herein, "Damages" shall mean all actual and direct liabilities, demands, claims, actions or causes of action, regulatory, legislative or judicial proceedings, assessments, levies, losses, fines, penalties, damages, costs and expenses, in each case as awarded by a court or arbitrator, including without limitation, reasonable attorneys', accountants', investigators', and experts' fees and expenses sustained or incurred in connection with the defense or investigation of any such liability, but shall exclude any claim for consequential or punitive damages.

(d) Promptly following receipt of any written claim or legal proceeding asserted by a person or entity who is not a party to this Agreement (a "Third-Party Claim"), the Indemnified Parties shall notify Grantee of such claim in writing. Grantee shall have a period of 30 days (or such lesser period as may be required to timely respond to a Third-Party Claim) following the receipt of such notice to assume the defense thereof and Grantee shall thereafter undertake and diligently pursue the defense of the Third-Party Claim. Grantee shall reimburse Indemnified Parties for any legal expense reasonably incurred by Indemnified Parties to timely respond to a Third-Party Claim prior to Grantee assuming the defense thereof. Grantee shall not consent to entry of judgment or enter into any settlement agreement, without the consent of the Indemnified Parties, that does not include a complete and unconditional release of the Indemnified Parties or that imposes injunctive or other equitable relief against the Indemnified Parties. The Indemnified Parties shall be entitled to participate in, but not control, the defense thereof, with counsel of their choice and at their own expense. If Grantee fails to assume and diligently pursue the defense of such Third-Party Claim, the Indemnified Parties may defend against such Third-Party Claim in such manner as they may deem appropriate, including without limitation settlement thereof on such terms as the Indemnified Parties may deem appropriate, and to pursue such remedies as may be available to the Indemnified Parties against Grantee. Notwithstanding the foregoing, the Indemnified Parties shall not consent to entry of a judgment or enter into any settlement agreement, without the consent of Grantee that does not include a complete and unconditional release of Grantee.

7. Grantee will have the right to grant a non-exclusive sub-license to Desert Healthcare District for the use of the License for the purpose of using the Project for public access related to public health and wellness. In addition to any rights that Grantee may have at law or equity to enforce the terms of this License, in the event that Grantee fails to enforce the terms of this License as necessary for public benefit and use of the Project, then the public agencies and entities that have provided funding for the Project as of the date of this License shall have the right, individually or collectively, to enforce the provisions of this License for the benefit of the public.

8. This Agreement is a contract and the License is a real property right under the laws of the State of California. The prevailing party in any action to enforce the terms of this Agreement and License will be entitled to an award of its reasonable attorney's fees and costs.

[signature page follows]

Grantor hereby executes this Agreement as of the date set forth below.

Date: _____

GRANTOR:

DESERT WATER AGENCY

By: _____

Name: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE }

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

Grantor hereby executes this Agreement as of the date set forth below.

Date: _____

GRANTEE:

COACHELLA VALLEY ASSOCIATION OF
GOVERNMENTS

By: _____

Name: Tom Kirk

Title: Executive Director

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE }

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

ATTACHMENT "A"

DESCRIPTION OF PROPERTY

See Attached

EXHIBIT "A"
LEGAL DESCRIPTION
DWA LICENSE AGREEMENT

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, A PORTION OF PARCEL NO. 3 AS DESCRIBED BY GRANT DEED RECORDED SEPTEMBER 19, 2007, AS DOCUMENT NO. 2007-0590401, OFFICIAL RECORDS OF SAID COUNTY, LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL NO. 3;

THENCE NORTH 00°06'43" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL NO. 3 A DISTANCE OF 353.22 FEET;

THENCE SOUTH 89°48'21" EAST, A DISTANCE OF 572.95 FEET;

THENCE NORTH 60°00'00" EAST, A DISTANCE OF 12.34 FEET;

THENCE SOUTH 89°48'21" EAST, A DISTANCE OF 45.40 FEET TO THE EASTERLY LINE OF SAID PARCEL NO. 3, SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF CROSSLEY ROAD;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL NO. 3 THROUGH THE FOLLOWING THREE (3) COURSES:

(1) THENCE SOUTH 00°09'49" EAST, A DISTANCE OF 8.20 FEET;

(2) THENCE NORTH 89°48'21" WEST, A DISTANCE OF 44.00 FEET;

(3) THENCE SOUTH 00°09'49" EAST, A DISTANCE OF 51.44 FEET;

THENCE LEAVING SAID EASTERLY LINE NORTH 76°51'20" WEST, A DISTANCE OF 113.51 FEET;

THENCE NORTH 89°48'21" WEST, A DISTANCE OF 436.19 FEET;

THENCE SOUTH 47°04'32" WEST, A DISTANCE OF 18.30 FEET TO A LINE PARALLEL WITH AND 25.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID PARCEL NO. 3;

THENCE SOUTH 00°06'43" EAST, ALONG SAID PARALLEL LINE A DISTANCE OF 312.74 FEET TO THE SOUTHERLY LINE OF SAID PARCEL NO. 3;

EXHIBIT "A"
LEGAL DESCRIPTION
DWA LICENSE AGREEMENT

THENCE NORTH 89°45'00" WEST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 25.00 FEET, TO THE **POINT OF BEGINNING**;

SUBJECT TO EXISTING EASEMENTS, COVENANTS, RIGHTS AND RIGHTS-OF-WAY OF RECORD.

CONTAINING 26,405 SQUARE FEET OR 0.606 ACRES MORE OR LESS.

AS DEPICTED ON **EXHIBIT "B"** ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY OR UNDER THE DIRECTION OF:

LUKE R. BEVERLY

P.L.S. 8223

DATED: _____



EXHIBIT "B"

DWA LICENSE AGREEMENT

APN 680-180-047 DESERT WATER AGENCY

SEC. 20, T.4S., R.5E., SBM

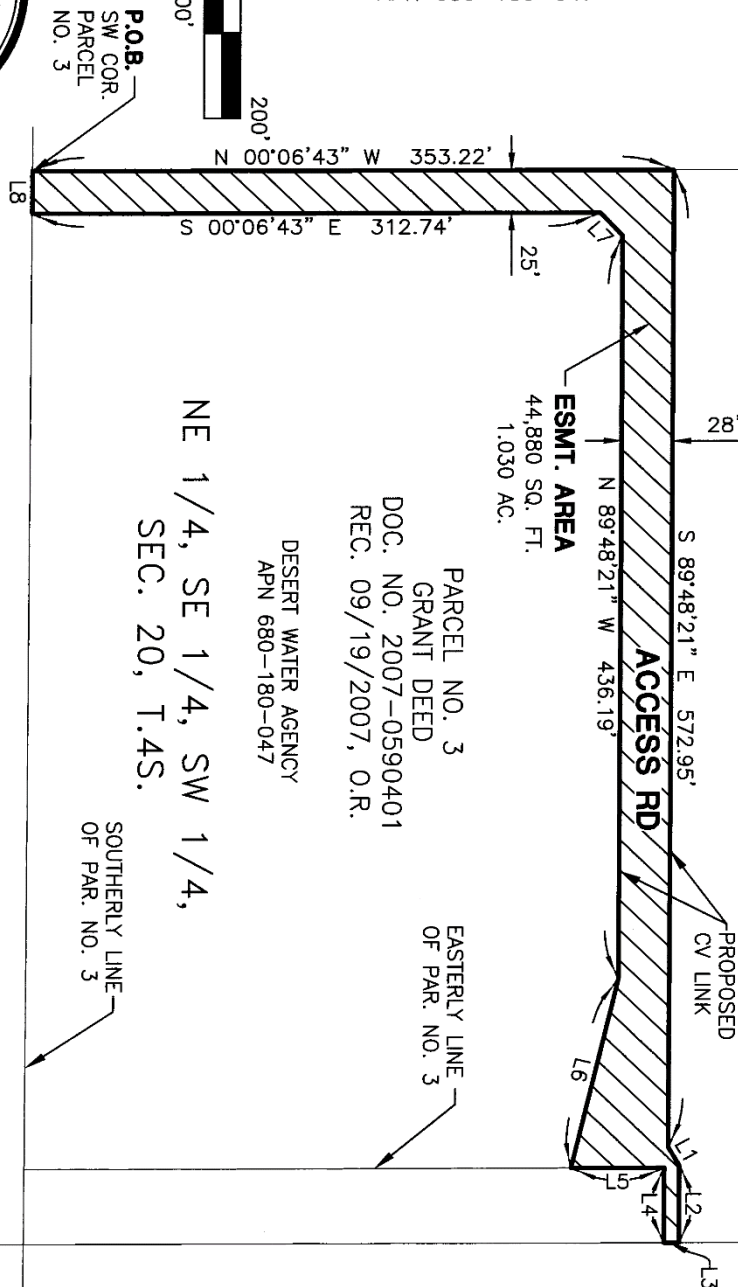
CITY OF PALM SPRINGS

DESERT WATER AGENCY
APN 680-180-047

0'
100'
200'
SCALE 1"=100'



DATED: PRELIMINARY



NE 1/4, SE 1/4, SW 1/4,
SEC. 20, T.4S.

PARCEL NO. 3
GRANT DEED
DOC. NO. 2007-0590401
REC. 09/19/2007, O.R.

DESERT WATER AGENCY
APN 680-180-047

CITY OF PALM SPRINGS
APN 680-180-010

SOUTHERLY LINE
OF PAR. NO. 3

EASTERLY LINE
OF PAR. NO. 3

LINE DATA

NO.	BEARING	LENGTH
L1	N 60°00'00" E	12.34'
L2	S 89°48'21" E	45.40'
L3	S 00°09'49" E	8.20'
L4	N 89°48'21" W	44.00'
L5	S 00°09'49" E	51.44'
L6	N 76°51'20" W	113.51'
L7	S 47°04'32" W	18.30'
L8	N 89°45'00" W	25.00'



MSA CONSULTING, INC.
PLANNING - CIVIL ENGINEERING

LAND SURVEYING
J.N. 2131 SHEET 1 OF 1

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

MAY 17, 2022

**RE: REQUEST ADOPTION OF RESOLUTION NO. 1274 GRANTING
RETIREMENT STATUS TO VICTORIA PETEK**

Attached is a copy of Resolution No. 1274 officially granting retirement status to Victoria Petek, Outreach & Conservation Associate.

Mrs. Petek will be presented a copy of Resolution No. 1274 and is to be acknowledged for her years of dedicated service and loyalty to Desert Water Agency.

Staff requests Board adoption of Resolution No. 1274.

RESOLUTION NO. 1274

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF DESERT WATER AGENCY
GRANTING RETIREMENT STATUS TO
VICTORIA PETEK**

WHEREAS, Victoria Petek began her service with Desert Water Agency on July 17 of 1989, at the age of seventeen, as a part-time Account Clerk/Operator in the Accounting Department; and

WHEREAS, she became a full-time Desert Water Agency employee in October of 1989; and

WHEREAS, Victoria was promoted to Account Clerk I on March 1, 1995 and to Account Clerk II on March 1, 2003; and

WHEREAS, on May 10, 2006, she was promoted to the Administrative Assistant III position; and

WHEREAS, On July 1, 2014, Victoria was promoted to Public Information Associate, which was later renamed Outreach & Conservation Associate and she is concluding her career in that capacity; and

WHEREAS, over her career with Desert Water Agency, Victoria has worked for five supervisors, four General Managers and 14 Board Members; and

WHEREAS, Victoria helped hundreds of customers with conservation during multiple statewide drought emergencies; and

WHEREAS, during the Covid-19 pandemic, Victoria suggested auto-enrolling customers into payment plans, which saved the Agency and its customers considerable time and expense; and

WHEREAS, Victoria has received numerous commendations from customers and coworkers; and

WHEREAS, for a number of years, Victoria served on the Desert Water Agency Employees Association; and

WHEREAS, Victoria has consistently been a reliable and loyal employee; and

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

VICTORIA PETEK

is, with infinite thanks and appreciation for nearly 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 Victoria spends countless years enjoying a happy and healthy retirement, for she has earned it.

ADOPTED this 17th day of May 2022, with retirement effective May 27, 2022.

Kristin Bloomer, President

ATTEST:

Joseph K. Stuart, Secretary-Treasurer

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

MAY 17, 2022

**RE: APPROVAL OF JULY 2022 COST-OF-LIVING SALARY INCREASE
FOR DWA EMPLOYEES AND CONTRACT AMENDMENT FOR
GENERAL MANAGER**

The 2021-2024 Memorandum of Understanding between the Desert Water Agency (DWA) and the Desert Water Agency Employees' Association (DWAEA) calls for a cost of living salary increase effective July 1st of each year (see Attachment #1). The increase is equal to the percentage change for the year ending each March, with the percentage derived from the Bureau of Labor Statistics. The maximum cap set for the increase was 5%. For March 2022, the CPI percentage was 9.9% (see Attachment #2). Based on the DWAEA agreement, DWA employees will receive a 5% salary adjustment.

The General Manager has an Employment Agreement that provides for a cost-of-living adjustment to the base salary of the same percentage as provided to all Agency employees (see Attachment #3). Upon approval by the Board, the General Manager's Employment Agreement will be amended to reflect a 5% base salary increase (see Attachment #4 and Attachment #5).

Staff has updated the Desert Water Agency's Monthly Salary Schedule to reflect a 5% increase for all salary ranges effective the pay periods including July 1, 2022 (see Attachment #6).

Fiscal Impact

The total fiscal impact has been included in the 2022-2023 year budget.

Staff is requesting the Board of Directors:

1. Approve a 5% Cost of Living Increase to DWA Employees and the General Manager with an effective date of the pay periods including July 1, 2022.
2. Approve the July 2022 DWA Monthly Salary Schedule reflecting a 5% increase.
3. Approve Eighth amendment to the General Manager's Employment Agreement to reflect a 5% cost-of-living increase to the base salary. This agreement also includes the bonus that was approved by the Board of Directors at their meeting on April 19, 2022.

Attachments

Attachment #1 – 2021-2024 DWAEA Memorandum of Understanding

Attachment #2 – March 2022 Consumer Price Index

Attachment #3 – General Manager's Employment Agreement

Attachment #4 – Eighth Amendment to General Manager Employment Agreement

Attachment #5 – Minutes Excerpt from April 19, 2022 Board Meeting

Attachment #6 – Combined Salary Schedule

Kristin Bloomer, President (Division 5)
James Cioffi, Vice President (At large)
Joseph K. Stuart, Secretary-Treasurer (At large)
Patricia G. Oygur, Director (At large)
Paul Ortega, Director (Division 4)



Mark S. Krause, General Manager-Chief Engineer
Best, Best & Krieger, General Counsel
Krieger & Stewart, Consulting Engineers

June 15, 2021

Desert Water Agency Employees' Association
Attn: Ryan Molhoek - Chairman/DWAEA
1200 South Gene Autry Trail
Palm Springs, CA 92264

RE: Employee Salaries and Fringe Benefits through June 30, 2024

Ladies and Gentlemen of the DWA Employees' Association:

Pursuant to the meet-and-confer process under state law, the following salary and fringe benefit package was negotiated between the Desert Water Agency Employees' Association and the General Manager. This negotiated package extends to June 30, 2024, and I have received your written notice that the proposal was initially accepted by the DWA Employees' Association by a majority vote on May 26, 2021, and I was informed by Secretary Samantha Lopez that the final negotiated terms of the MOU (as outlined below) were subsequently approved by a majority vote of the DWAEA on June 1, 2021.

This proposal has been approved by the Desert Water Agency Board of Directors at their regular meeting on June 15, 2021, and has a commencement date of July 1, 2021.

The specific terms negotiated and agreed upon are as follows:

1. Commencing July 1, 2021, increase the employee boot allowance to cover the cost of two pairs of boots per fiscal year.
2. Commencing July 1, 2021, provide a stipend equal to the cost of adding a line of cell phone service, as an alternative option to utilize personal cell phones.
3. Commencing January 1, 2022, provide a Flex Spending Account option to all employees. There will be a one year trial period for the program.
4. Commencing the pay period including July 1, 2021, each Agency employee will receive a cost of living increase of 4.1% which is equal to the percent change for the year ending March 2021, with the percentage derived from the Bureau of Labor Statistics "Consumer Price Indexes - Pacific Cities and U.S. City Average", "Urban Wage Earners and Clerical Workers" for Riverside-San Bernardino-Ontario County Index.

5. Commencing the pay period including July 1, 2022, each Agency employee will receive a cost of living increase equal to the percent change for the year ending March 2022, with the percentage derived from the Bureau of Labor Statistics "Consumer Price Indexes - Pacific Cities and U.S. City Average", "Urban Wage Earners and Clerical Workers" for Riverside-San Bernardino-Ontario County Index. The minimum will not be lower than 0% (in the event the actual index goes below 0%); the maximum will be 5%.
6. Commencing the pay period including July 1, 2023, each Agency employee will receive a cost of living increase equal to the percent change for the year ending March 2023, with the percentage derived from the Bureau of Labor Statistics "Consumer Price Indexes - Pacific Cities and U.S. City Average", "Urban Wage Earners and Clerical Workers" for Riverside-San Bernardino-Ontario County Index. The minimum will not be lower than 0% (in the event the actual index goes below 0%); the maximum will be 5%.
7. Effective July 1, 2021, the Agency monthly contribution to deferred compensation account for employees with two or more years of service hired after May 1, 2007 is increased from \$145 to \$150 per month.
8. Effective July 1, 2022, the Agency monthly contribution to deferred compensation account for employees with two or more years of service hired after May 1, 2007 is increased from \$150 to \$155 per month.
9. Effective July 1, 2023, the Agency monthly contribution to deferred compensation account for employees with two or more years of service hired after May 1, 2007 is increased from \$155 to \$160 per month.
10. A salary survey for all job classifications will be performed toward the end of 2021 and, with Board approval of any changes, have an implementation date of January 1, 2022.
11. A benefit survey will be performed during the month of March 2024.
12. Commencing in early 2024, a new Salary and Fringe Benefits Memorandum of Understanding will be negotiated between the DWA Employees' Association and the General Manager/ Chief Engineer, and will be implemented (with the Board's approval) on July 1, 2024.

If you agree that this letter correctly memorializes our understanding, please sign below and return one copy to me at your earliest convenience. Another copy of this letter agreement has been enclosed for your records.

Sincerely,



Mark Krause
General Manager

We agree to the above.

DESERT WATER AGENCY EMPLOYEES ASSOCIATION

6/15/2021

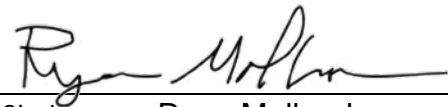
Date

06/16/2021


Date

6/16/2021

Date



Chairman – Ryan Molhoek



Secretary – Samantha Lopez



Treasurer – Paul Monroy

CONSUMER PRICE INDEXES PACIFIC CITIES AND U. S. CITY AVERAGE

MARCH 2022

(All items indexes. 1982-84=100 unless otherwise noted. Not seasonally adjusted.)

MONTHLY DATA	All Urban Consumers (CPI-U)						Urban Wage Earners and Clerical Workers (CPI-W)					
	Indexes			Percent Change			Indexes			Percent Change		
				Year ending		1 Month ending				Year ending		1 Month ending
	Mar 2021	Feb 2022	Mar 2022	Feb 2022	Mar 2022	Mar 2022	Mar 2021	Feb 2022	Mar 2022	Feb 2022	Mar 2022	Mar 2022
U. S. City Average.....	264.877	283.716	287.504	7.9	8.5	1.3	258.935	278.943	283.176	8.6	9.4	1.5
West.....	280.625	301.158	305.082	8.1	8.7	1.3	272.841	293.882	298.396	8.5	9.4	1.5
West – Size Class A ¹	289.308	309.424	313.718	7.6	8.4	1.4	280.294	300.186	305.249	7.9	8.9	1.7
West – Size Class B/C ²	163.257	175.890	178.019	8.5	9.0	1.2	163.169	176.760	179.210	9.2	9.8	1.4
Mountain ³	109.308	118.949	120.670	9.7	10.4	1.4	110.009	119.988	121.928	10.2	10.8	1.6
Pacific ³	108.947	116.323	117.774	7.4	8.1	1.2	109.363	117.310	119.079	8.0	8.9	1.5
Los Angeles-Long Beach-Anaheim, CA.....	282.648	302.164	306.679	7.4	8.5	1.5	274.097	292.690	297.870	7.3	8.7	1.8
BI-MONTHLY DATA (Published for odd months)	Indexes			Percent Change			Indexes			Percent Change		
				Year ending		2 Months ending				Year ending		2 Months ending
	Mar 2021	Jan 2022	Mar 2022	Jan 2022	Mar 2022	Mar 2022	Mar 2021	Jan 2022	Mar 2022	Jan 2022	Mar 2022	Mar 2022
	Mar 2021	Jan 2022	Mar 2022	Jan 2022	Mar 2022	Mar 2022	Mar 2021	Jan 2022	Mar 2022	Jan 2022	Mar 2022	Mar 2022
Riverside-San Bernardino-Ontario, CA ³	110.981	118.963	122.127	8.6	10.0	2.7	111.823	119.557	122.861	8.5	9.9	2.8
San Diego-Carlsbad, CA.....	315.035	332.990	339.852	8.2	7.9	2.1	298.292	317.043	324.430	8.8	8.8	2.3
Urban Hawaii.....	290.361	304.988	312.158	6.0	7.5	2.4	288.147	303.163	309.323	6.4	7.3	2.0
BI-MONTHLY DATA (Published for even months)	Indexes			Percent Change			Indexes			Percent Change		
				Year ending		2 Months ending				Year ending		2 Months ending
	Feb 2021	Dec 2021	Feb 2022	Dec 2021	Feb 2022	Feb 2022	Feb 2021	Dec 2021	Feb 2022	Dec 2021	Feb 2022	Feb 2022
	Feb 2021	Dec 2021	Feb 2022	Dec 2021	Feb 2022	Feb 2022	Feb 2021	Dec 2021	Feb 2022	Dec 2021	Feb 2022	Feb 2022
Phoenix-Mesa-Scottsdale, AZ ⁴	147.186	159.850	163.261	9.7	10.9	2.1	146.173	159.460	162.418	10.2	11.1	1.9
San Francisco-Oakland-Hayward, CA.....	304.387	315.805	320.195	4.2	5.2	1.4	297.170	312.019	316.463	5.5	6.5	1.4
Seattle-Tacoma-Bellevue, WA.....	286.950	304.856	310.078	7.6	8.1	1.7	282.795	301.139	305.702	7.8	8.1	1.5
Urban Alaska.....	229.478	243.568	246.369	7.2	7.4	1.1	229.145	243.612	246.084	7.5	7.4	1.0

1 Population over 2,500,000 2 Population 2,500,000 and under, Dec 1996 = 100 3 Dec 2017=100 4 Dec 2001=100

NOTE: In January 2018, BLS introduced a new geographic area sample for the Consumer Price Index (CPI): www.bls.gov/regions/west/factsheet/2018cpirevisionwest.pdf

1967=100 base year indexes and tables with semiannual and annual average data are available at: www.bls.gov/regions/west/factsheet/consumer-price-index-data-tables.htm

Release date April 12, 2022. The next release date is scheduled for May 11, 2022. For questions, please contact us at BLSinfoSF@bls.gov or (415) 625-2270.

EMPLOYMENT AGREEMENT BETWEEN DESERT WATER AGENCY AND MARK S. KRAUSE

This EMPLOYMENT AGREEMENT ("Agreement") is made by and between MARK S. KRAUSE ("General Manager – Chief Engineer") and the Board of Directors of the DESERT WATER AGENCY, a local governmental entity ("Agency"), hereinafter also referred to as "Board of Directors." The Parties hereto agree as follows:

Section 1. Employment.

1.1 The Board of Directors agrees to employ said MARK S. KRAUSE as General Manager – Chief Engineer ("GM – CE" or "Krause"), and he agrees and does accept employment as GM-CE upon the terms and conditions set forth herein.

1.2 GM-CE agrees to perform the functions and duties of GM-CE as may be established or directed by the Board of Directors. GM-CE agrees to perform all such functions and duties to the best of his ability and in an efficient and competent manner.

Section 2. Term of the Agreement.

2.1 This Agreement shall be for an initial term of five (5) years, beginning January 30, 2016 and ending January 29, 2021. Subject to the Agency's right to terminate this Agreement and GM-CE's employment at any time pursuant to Section 3 of this Agreement, this Agreement shall automatically be renewed for subsequent three (3) year periods unless the Agency provides written notice to the GM-CE no less than eighteen (18) months prior to the expiration of the current term or an extended term that the Agreement will be terminated. Unless otherwise provided for by a subsequent written agreement between the Parties, the terms and conditions of this Agreement shall apply to any extended term of this Agreement.

2.2 Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Board of Directors to terminate the services of GM-CE at any time, subject only to the provisions set forth in this Agreement.

2.3 Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the GM-CE to resign at any time from his position with the Agency, subject only to the provisions set forth in this Agreement.

2.4 GM-CE agrees to remain in the exclusive employment of the Agency during the term of this Agreement, and he shall neither accept other employment nor become employed by any other person, business, or organization during the term of this Agreement. As used in this section, the term "employed" shall not be construed to include occasional teaching, writing, or consulting on GM-CE's time off, which may be undertaken by the GM-CE, provided they are conducted with persons, businesses, or organizations not within the agency service area.

Section 3. Termination and Severance Pay.

3.1 GM-CE serves at the will and pleasure of the Board of Directors and may be terminated with or without cause at any time. Consequently, nothing in this Agreement shall in any way affect the Board of Director's right to terminate the employment of GM-CE and this Agreement on an at-will basis, with or without cause, at any time, as provided herein. The Parties agree that the GM-CE is at will and shall not have appeal or so-called *Skelly* rights related to his employment.

3.2 This Agreement shall automatically terminate upon Employee's death, retirement, unforeseen extended unavailability (defined as six months), or permanent incapacity from being able to perform the essential functions of the General Manager position with reasonable accommodation.

3.3 In the event that GM-CE and this Agreement are terminated without cause, Agency agrees to provide GM-CE with severance pay in a lump sum cash payment equal to eighteen (18) months base salary, less wage and employment deductions required by law, (2) final pay cashing out the value of unused attendance bonus plan, vacation, and floating holidays, and (3) continuation of health benefits for nine months or until the GM-CE finds other employment that provides health benefits, whichever occurs first. These terms are subject to reduction as required by Government Code sections 53260, *et seq.* Thus, notwithstanding the above, in no event shall the total cash value of the severance pay exceed the value of the base salary for the remaining unexpired effective term of this Agreement, nor may the continuation of health benefits exceed the remaining unexpired effective term of this Agreement.

3.4 The provisions of California Government Code sections 53243 to 53243.4, as those sections now or hereafter exist are hereby incorporated by reference into this Agreement. Thus, if Employee is convicted of a crime involving an abuse of his office or position, whether before or after release from employment, Employee shall fully reimburse the Agency for any severance pay, paid leave salary disbursed pending an investigation related to the crime, or legal criminal defense funds relevant to the crime.

3.5 In the event GM-CE and this Agreement are terminated for cause, GM-CE shall not be entitled to any severance pay, but Krause shall be eligible for continued benefits as provided below. Termination for cause is defined as follows:

- (a) A willful breach of this Agreement.
- (b) Habitual neglect of duties required to be performed under this Agreement.
- (c) Any acts of dishonesty, fraud, misrepresentation, or other acts of moral turpitude (no pending criminal prosecution need be in effect for termination due to fraud, embezzlement or public conduct reflecting on the Agency; rather the Board must only have a good faith belief based on a good faith investigation).
- (d) Refusal or failure to act in accordance with any legal directive or order of the Board of Directors.

3.6 In the event that GM-CE and this Agreement are terminated for cause, GM-CE will be presented with written notice of the basis for said cause. Upon receipt of said written notice, GM-CE, within five (5) business days, may request a hearing before the Board of Directors. The issue at the hearing shall be limited solely to whether or not there is sufficient evidence to support a finding of termination for cause such that the GM-CE would not be entitled to any severance pay. Under no circumstances shall the GM-CE be entitled to reinstatement as a result of such hearing.

3.7 Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of GM-CE to resign at any time from his position with Agency, subject only to the provisions set forth in this Agreement. In the event the GM-CE resigns from his position with the Agency, then the GM-CE shall provide the Board of Directors ten (10) days notice in advance, unless the Parties agree otherwise. In the event the GM-CE resigns, he shall not be entitled to any severance pay, but the Board of Directors shall pay the GM-CE for accrued vacation and attendance bonus plan benefits.

Section 4. Salary and Expenses.

4.1 Board of Directors agrees to pay the GM-CE for his services rendered a base salary of Nineteen Thousand, Four Hundred and Sixty-Three Dollars (\$19,463.00) per month in installments at the same time as other employees of the Agency are paid, commencing January 30, 2016. The base salary will be adjusted annually by the same percentage adjustment provided to all Agency employees for changes in the cost of living, if any.

In addition, the Board shall have the right to grant merit increases as the Board deems appropriate, in its discretion. The GM-CE will be eligible for a discretionary annual incentive award not to exceed ten percent (10%) of his total annual base salary based on the results of his annual performance evaluation. The incentive may be based, in part, on the accomplishment of specific goals set by the Board of Directors that are achieved by the GM-CE. Any performance incentive awarded under this section shall be in a lump sum payment, subject to all legally required wage and employment deductions. Notwithstanding the above, the issuance of any incentive awards is at the sole discretion of the Board of Directors. Further any performance pay awarded under this Section shall not become a part of the GM-CE's established base salary going forward.

4.2 Except for the use of his vehicle for the performance of his duties, for which a vehicle is provided under Section 5.8 of this Agreement, Agency shall reimburse GM-CE, within its budget and upon approval of the Board of Directors, for all actual and necessary expenses incurred in connection with the performance of his official duties. GM-CE agrees to maintain and submit accurate records of all expenses for which reimbursement is claimed.

Section 5. Benefits.

5.1 Vacation. The GM-CE shall receive and use vacation benefits under the same terms and conditions applicable to Agency employees generally.

5.2 Attendance Bonus Plan (ABP). The GM-CE shall accrue and use paid ABP benefits under the same terms and conditions applicable to agency employees generally.

5.3 Retirement. The Agency agrees to provide for participation in and pay all Employer and Employee contributions in the California Public Employees Retirement System (CalPERS). The Agency will enroll the GM-CE in the CalPERS under the same terms as other miscellaneous employees of the Agency who are considered “classic members” of CalPERS. The Agency’s current contract with CalPERS for classic members provides for a retirement benefit formula of 2.5% at age 55, with the highest single year compensation determining the benefit.

5.4 Retiree Medical. The Agency agrees to provide GM-CE with medical, dental, and vision coverage upon his retirement. Such coverage shall extend to the GM-CE’s dependants who are eligible during the time of coverage.

5.5 Deferred Compensation Plans. The Agency will adopt and establish a qualified pension plan pursuant to either Section 401(a) or 457 of the Internal Revenue Code for the benefit of the Employee and will make an annual “matching” contribution in the Employee’s name. The Agency’s matching contribution may be up to the maximum amount of the GM-CE’s contribution permitted under the law. The Agency shall be responsible for all expenses associated with the deferred compensation account during the term of this Agreement, including but not limited to administrative services fees and commissions.

5.6 Disability, Health, and Life Insurance. The Agency agrees to keep in force and to make required premium payments for the GM-CE for insurance policies covering the GM-CE and his dependents the same as are provided to all regular employees of the Agency. The Agency agrees to purchase and to pay the required premium on a term life insurance policy in an amount equal to one (1) times the GM-CE’s annual salary. The Agency also agrees to purchase and to pay the required premium on short-term and long-term disability insurance the same as are provided to all regular employees of the Agency. If required by the insurance provider, the GM-CE agrees to submit once per calendar year to a complete physical examination by a qualified physician of his choice, the cost of which shall be paid by the Agency. The Agency agrees to maintain the GM-CE’s medical records in confidence.

5.7 Membership Dues, Subscription, and License Fees. To the extent the Agency’s approved annual budget designates sufficient funds for the purposes identified in this section, the Agency agrees to pay for the professional dues and subscriptions necessary for the GM-CE’s continued and full participation in national, state, regional and local associations and organizations necessary or desirable for his continued professional participation, growth and advancement, and for the good of the Agency.

5.8 Professional Development. To the extent the Agency’s approved annual budget designates sufficient funds for the following purposes, the Agency agrees to pay registration fees and travel subsistence expenses of the GM-CE for professional and official travel, meetings, and occasions adequate to continue the professional development of the GM-CE and to adequately pursue necessary and/or appropriate official business and other functions for the Agency. Upon the prior approval of the Board of Directors, the Agency also agrees to pay for related tuition, fees, and travel and subsistence expenses of the GM-CE for educational degree programs, short courses, institutes, and seminars that are necessary for his professional development and the good of the Agency.

5.9 Other Leave. GM-CE shall accrue sick leave and shall be provided with holiday leave and bereavement leave as are provided to other regular employees of the Agency.

5.10 Vehicle. The Agency shall furnish Krause with a vehicle and shall provide for the fueling and maintenance thereof. The Agency vehicle shall be used for Agency business and discretionary personal use.

Section 6. Performance Evaluation.

The Agency shall review and evaluate the performance of the GM-CE each year within thirty (30) days prior to this Agreement's anniversary date. Said review and evaluation shall be conducted by an ad hoc committee, the members of which shall be established by the Board of Directors. Evaluation criteria shall be developed and adopted by the Board of Directors.

In addition, the Board of Directors will meet with the GM-CE on or around each anniversary date of this Agreement to discuss and create goals and other metrics that can provide the basis for the Board of Directors determining the subsequent year's performance incentive.

Section 7. Bonding.

The Agency shall bear the full costs of any fidelity or other bonds required of the GM-CE under any law or ordinance. The Agency shall further indemnify and defend the GM-CE for discharge of his duties as required by law.

Section 8. General Provisions.

8.1 Integration. This Agreement integrates all of the terms and conditions mentioned herein, or incidental hereto, and this Agreement supersedes all negotiations and previous agreements between the parties with respect to all or any part of the subject matter hereof. This Agreement wholly supersedes and replaces the terms of any prior agreements, and any rights contained in such agreement.

8.2 Governing Law. This Agreement shall be governed by the laws of the State of California. The parties agree that venue for any dispute is appropriate in the Superior Court of Riverside County, California.

8.3 Waiver. A waiver of any term or condition of this Agreement shall not be construed as a general waiver by either party to this Agreement, and either party shall be free to reinstate any such term or condition, with or without notice, to the other.

8.4 Amendment. This Agreement may be amended from time to time, as mutually agreed by the parties in writing. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the Employee and approved by the Board.

8.5 Binding Effect. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee, but nothing herein shall be construed as an authorization or right of any party to assign his/its rights or obligations hereunder. Any

assignment of the rights or obligations of Employee hereunder without the express written approval of Agency shall be void.

8.6 Partial Invalidity. If any provision or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement or portion thereof, shall not be affected, and shall remain in full force and effect.

8.7 Legal Consultation. Employee acknowledges that he has had the opportunity to consult legal counsel in regard to this Agreement, that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

IN WITNESS WHEREOF, the DESERT WATER AGENCY has caused this Agreement to be signed and duly executed by its President, and the Employee has signed and executed this Agreement, both in duplicate, as of the day and year first above written.

By: Mark S. Krause
MARK S. KRAUSE

DESERT WATER AGENCY

By: Craig A. Ewing
Craig A. Ewing, President
Board of Directors

APPROVED AS TO FORM:

By: Michael T. Riddell
Michael T. Riddell, General Counsel
Best Best & Krieger LLP

**DESERT WATER AGENCY
EIGHTH AMENDMENT TO EMPLOYMENT AGREEMENT**

This Eighth Amendment to Employment Agreement (this "Eighth Amendment") between the DESERT WATER AGENCY (the "Agency") and MARK S. KRAUSE ("General Manager – Chief Engineer") is entered into this 17th day of May 2022.

Except as modified in this Eighth Amendment and the preceding First through Seventh Amendments, the underlying Employment Agreement originally dated December 2015 ("Agreement") between the Agency and the General Manager – Chief Engineer shall remain in full force and effect.

The parties to this Eighth Amendment agree to the following changes:

Section 4.1 entitled "Salary and Expenses" is hereby amended to reflect the 2022 salary and annual bonus:

"Section 4. Salary and Expenses.

4.1 Effective June 24, 2022, the Board of Directors agrees to pay the GM-CE for his services rendered a base salary of Twenty-six Thousand, One Hundred and Thirty Dollars and Fifty-four cents (\$26,130.54) per month in installments at the same time as other employees of the Agency are paid. The base salary will be adjusted annually by the same percentage adjustment provided to all Agency employees for changes in the cost of living, if any.

In addition, the Board shall have the right to grant merit increases as the Board deems appropriate, in its discretion. The GM-CE will be eligible for a discretionary annual incentive award not to exceed ten percent (10%) of his total annual base salary based on the results of his annual performance evaluation. The incentive may be based, in part, on the accomplishment of specific goals set by the Board of Directors that are achieved by the GM-CE. Any performance incentive awarded under this section shall be in a lump sum payment, subject to all legally required wage and employment deductions. Notwithstanding the above, the issuance of any incentive awards is at the sole discretion of the Board of Directors. Any performance pay awarded under this Section shall not become a part of the GM-CE's established base salary going forward.

The Board approved a 2022 bonus of five percent (5%) of salary. Thus, a bonus of Fifteen Thousand, Six Hundred and Seventy-Eight Dollars and Thirty-Three Cents (\$15,678.33) is payable to the GM-CE for his service from 2021 through 2022.

The Agency and the General Manager – Chief Engineer have duly executed this Eighth Amendment as of the date first written above.

DESERT WATER AGENCY

MARK S. KRAUSE

By: Kristen Blomv
President, Board of Directors

By: Mark S. Krause

DESERT WATER



I, Sylvia Baca, Assistant Secretary of the Board of Directors of Desert Water Agency, hereby certify that the following is a true and correct copy of a motion adopted by the Board of Directors of Desert Water Agency at a Regular Meeting of the Board conducted on April 19, 2022:

At 11:25 a.m., President Bloomer reconvened the meeting into open session and announced there was no reportable action taken on Items No. 11-A thru No. 11-F.

Regarding Item No. 11-G, Vice President Cioffi made a motion to amend General Manager Krause's employment agreement with the following items: 1) 5% salary bonus; 2); Cost-of-living increase effective July 1; and 3) \$2,000 reimbursement for car expenses. Secretary-Treasurer Stuart seconded the motion, which carried by the following roll call vote:

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

Sylvia Baca
Assistant Secretary of the Board

Desert Water Agency
Position Classification and Monthly Salary Schedule
Effective 06/24/2022 for RDO2 Pay Period Employees. Effective 07/01/2022 for RDO1 and Classic Pay Period Employees.

DEPARTMENT	POSITION TITLE	RANGE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
ACCOUNTING	Account Clerk I	24	\$ 4,293	\$ 4,513	\$ 4,731	\$ 4,980	\$ 5,226
	Account Clerk II	31	\$ 5,101	\$ 5,363	\$ 5,634	\$ 5,923	\$ 6,217
	Account Clerk III	34	\$ 5,496	\$ 5,771	\$ 6,064	\$ 6,369	\$ 6,697
	Account Clerk/Telephone Operator	20	\$ 3,891	\$ 4,087	\$ 4,293	\$ 4,513	\$ 4,731
	Accountant	46	\$ 7,382	\$ 7,766	\$ 8,159	\$ 8,567	\$ 9,005
	Accounting Supervisor	55	\$ 9,222	\$ 9,684	\$ 10,165	\$ 10,681	\$ 11,217
	Controller	66	\$ 12,071	\$ 12,674	\$ 13,317	\$ 14,000	\$ 14,706
	Computer Operator I	31	\$ 5,101	\$ 5,363	\$ 5,634	\$ 5,923	\$ 6,217
	Computer Operator II	40	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382	\$ 7,766
	Senior Account Clerk	40	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382	\$ 7,766
ADMINISTRATIVE	Administrative Assistant I	33	\$ 5,363	\$ 5,634	\$ 5,923	\$ 6,217	\$ 6,532
	Administrative Assistant II	38	\$ 6,064	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382
	Administrative Assistant III	40	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382	\$ 7,766
	Executive Secretary/Assistant Secretary to the Board	54	\$ 9,005	\$ 9,457	\$ 9,928	\$ 10,430	\$ 10,946
	Senior Administrative Assistant	46	\$ 7,382	\$ 7,766	\$ 8,159	\$ 8,567	\$ 9,005
CONSTRUCTION - FLEET MAINTENANCE							
Construction	Assistant Construction Superintendent	53	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165	\$ 10,681
	Construction Superintendent	65	\$ 11,781	\$ 12,370	\$ 12,999	\$ 13,656	\$ 14,349
	Equipment Operator	36	\$ 5,771	\$ 6,064	\$ 6,369	\$ 6,697	\$ 7,033
	Water Service Foreman	46	\$ 7,382	\$ 7,766	\$ 8,159	\$ 8,567	\$ 9,005
	Water Service Worker I	28	\$ 4,731	\$ 4,980	\$ 5,226	\$ 5,496	\$ 5,771
	Water Service Worker II	33	\$ 5,363	\$ 5,634	\$ 5,923	\$ 6,217	\$ 6,532
	Water Service Worker III	37	\$ 5,923	\$ 6,217	\$ 6,532	\$ 6,861	\$ 7,208
Fleet Maintenance	Fleet Mechanic Foreman	43	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361
	Fleet Mechanic I	31	\$ 5,101	\$ 5,363	\$ 5,634	\$ 5,923	\$ 6,217
	Fleet Mechanic II	36	\$ 5,771	\$ 6,064	\$ 6,369	\$ 6,697	\$ 7,033

Desert Water Agency
Position Classification and Monthly Salary Schedule
Effective 06/24/2022 for RDO2 Pay Period Employees. Effective 07/01/2022 for RDO1 and Classic Pay Period Employees.

DEPARTMENT	POSITION TITLE	RANGE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
FIELD SERVICES	Field Services Representative I	34	\$ 5,496	\$ 5,771	\$ 6,064	\$ 6,369	\$ 6,697
	Field Services Representative II	37	\$ 5,923	\$ 6,217	\$ 6,532	\$ 6,861	\$ 7,208
	Field Services Supervisor	53	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165	\$ 10,681
	Field Services Technician I	27	\$ 4,628	\$ 4,859	\$ 5,101	\$ 5,363	\$ 5,634
	Field Services Technician II	31	\$ 5,101	\$ 5,363	\$ 5,634	\$ 5,923	\$ 6,217
	Field Services Technician III	37	\$ 5,923	\$ 6,217	\$ 6,532	\$ 6,861	\$ 7,208
ENGINEERING - OPERATIONS							
Engineering	Associate Engineer	56	\$ 9,457	\$ 9,928	\$ 10,430	\$ 10,946	\$ 11,499
	Construction Inspector I	40	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382	\$ 7,766
	Construction Inspector II	44	\$ 7,033	\$ 7,382	\$ 7,766	\$ 8,159	\$ 8,567
	Engineering Technician I	34	\$ 5,496	\$ 5,771	\$ 6,064	\$ 6,369	\$ 6,697
	Engineering Technician II	39	\$ 6,217	\$ 6,532	\$ 6,861	\$ 7,208	\$ 7,573
	Engineering Technician III	43	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361
	Laboratory Director	53	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165	\$ 10,681
	Operations and Engineering Manager	72	\$ 14,000	\$ 14,706	\$ 15,448	\$ 16,215	\$ 17,030
	Senior Engineer	64	\$ 11,499	\$ 12,071	\$ 12,674	\$ 13,317	\$ 14,000
	Senior Engineering Technician	45	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361	\$ 8,787
	Staff Engineer	51	\$ 8,361	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165
Operations	Operations Technician Foreman	51	\$ 8,361	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165
	Operations Technician I	37	\$ 5,923	\$ 6,217	\$ 6,532	\$ 6,861	\$ 7,208
	Operations Technician II	41	\$ 6,532	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957
	Operations Technician III	46	\$ 7,382	\$ 7,766	\$ 8,159	\$ 8,567	\$ 9,005
	Operations Technician in Training	30	\$ 4,980	\$ 5,226	\$ 5,496	\$ 5,771	\$ 6,064
	System Operator I	35	\$ 5,634	\$ 5,923	\$ 6,217	\$ 6,532	\$ 6,861
	System Operator II	38	\$ 6,064	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382
	System Operator III	41	\$ 6,532	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957
	System Operator in Training	30	\$ 4,980	\$ 5,226	\$ 5,496	\$ 5,771	\$ 6,064
	Water Operations Supervisor	60	\$ 10,430	\$ 10,946	\$ 11,499	\$ 12,071	\$ 12,674

Desert Water Agency
Position Classification and Monthly Salary Schedule
Effective 06/24/2022 for RDO2 Pay Period Employees. Effective 07/01/2022 for RDO1 and Classic Pay Period Employees.

DEPARTMENT	POSITION TITLE	RANGE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
FACILITIES MAINTENANCE AND SAFETY	Facilities and Safety Officer	54	\$ 9,005	\$ 9,457	\$ 9,928	\$ 10,430	\$ 10,946
	Facilities and Safety Technician	43	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361
INFORMATION TECHNOLOGY	Information Technology Manager	65	\$ 11,781	\$ 12,370	\$ 12,999	\$ 13,656	\$ 14,349
	PC Support Technician I	37	\$ 5,923	\$ 6,217	\$ 6,532	\$ 6,861	\$ 7,208
	PC Support Technician II	43	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361
	Senior PC Support Technician	51	\$ 8,361	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165
	Programmer I	50	\$ 8,159	\$ 8,567	\$ 9,005	\$ 9,457	\$ 9,928
	Programmer II	54	\$ 9,005	\$ 9,457	\$ 9,928	\$ 10,430	\$ 10,946
MANAGEMENT	General Manager	Contract	N/A	N/A	N/A	N/A	\$ 26,131
	Assistant General Manager	83	\$ 18,326	\$ 19,240	\$ 20,202	\$ 21,216	\$ 22,276
	Finance Director	81	\$ 17,457	\$ 18,326	\$ 19,240	\$ 20,202	\$ 21,216
	Human Resources Director	69	\$ 12,999	\$ 13,656	\$ 14,349	\$ 15,072	\$ 15,835
	Director of Public Affairs and Water Planning	74	\$ 14,706	\$ 15,448	\$ 16,215	\$ 17,030	\$ 17,877
PUBLIC AFFAIRS AND WATER PLANNING	Communications and Water Resources Manager	64	\$ 11,499	\$ 12,071	\$ 12,674	\$ 13,317	\$ 14,000
	Conservation Specialist I	38	\$ 6,064	\$ 6,369	\$ 6,697	\$ 7,033	\$ 7,382
	Conservation Specialist II	43	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361
	GIS Specialist I	46	\$ 7,382	\$ 7,766	\$ 8,159	\$ 8,567	\$ 9,005
	GIS Specialist II	49	\$ 7,957	\$ 8,361	\$ 8,787	\$ 9,222	\$ 9,684
	Outreach and Conservation Associate	45	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361	\$ 8,787
	Outreach Specialist I	41	\$ 6,532	\$ 6,861	\$ 7,208	\$ 7,573	\$ 7,957
	Outreach Specialist II	45	\$ 7,208	\$ 7,573	\$ 7,957	\$ 8,361	\$ 8,787
	Public Affairs and Water Planning Coordinator	42	\$ 6,697	\$ 7,033	\$ 7,382	\$ 7,766	\$ 8,159
	Senior Conservation Specialist	47	\$ 7,573	\$ 7,957	\$ 8,361	\$ 8,787	\$ 9,222
	Senior GIS Specialist	52	\$ 8,567	\$ 9,005	\$ 9,457	\$ 9,928	\$ 10,430
	Senior Outreach Specialist	48	\$ 7,766	\$ 8,159	\$ 8,567	\$ 9,005	\$ 9,457
	Senior Water Resources Specialist	53	\$ 8,787	\$ 9,222	\$ 9,684	\$ 10,165	\$ 10,681
	Water Resources Specialist I	42	\$ 6,697	\$ 7,033	\$ 7,382	\$ 7,766	\$ 8,159
	Water Resources Specialist II	49	\$ 7,957	\$ 8,361	\$ 8,787	\$ 9,222	\$ 9,684

Desert Water Agency
Position Classification and Monthly Salary Schedule
Effective 06/24/2022 for RDO2 Pay Period Employees. Effective 07/01/2022 for RDO1 and Classic Pay Period Employees.

DEPARTMENT	POSITION TITLE	RANGE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
SNOW CREEK SECURITY	Snow Creek Security	17	\$ 2,751	\$ 2,889	\$ 3,035	\$ 3,184	\$ 3,343
BOARD DIRECTOR	Board Director (Grandfathered Only)		\$ 779.50	\$ 779.50	\$ 779.50	\$ 779.50	\$ 779.50

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

MAY 17, 2022

**RE: DRAFT GROUNDWATER REPLENISHMENT ASSESSMENT ENGINEERING
SURVEY AND REPORTS FOR WEST WHITEWATER RIVER AND MISSION
CREEK SUBBASINS**

Consulting Engineer Krieger & Stewart has prepared a Draft Engineer's Report on Groundwater Replenishment and Assessment Program for Desert Water Agency for FY 2022/2023, which is enclosed herewith. This final draft is presented today for discussion purposes only. A final report will be presented at the public hearing scheduled for the June 21, 2022 Board meeting. A Notice of Public Hearing will be published in The Public Record on May 24, 2022 and a Notice of Public Hearing will be sent to all producers (over 10 acre feet production) who will be affected by the recommended assessment.

DWA's proposed replenishment assessment rate for FY 2022/2023 shall remain at its current rate of \$175.00 per acre-foot for West Whitewater River and Mission Creek Subbasin Areas of Benefit.

CVWD's proposed replenishment assessment rate for 2022/2023 is \$196.79 per acre-foot for West Whitewater River Subbasin Area of Benefit.

CVWD's proposed replenishment assessment rate for 2022/2023 is \$135.52 (stayed the same) per acre-foot for Mission Creek Subbasin Area of Benefit.

Our last rate increase was in July 2021 and was the last approved increase included in a 5-year rate study completed in 2016 and the subsequent Prop 218 approval process. Staff is proposing that the current replenishment assessment remain the same. The next proposed rate increase is \$195.00 per acre-foot and is recommended to take effect on July 1, 2023. This rate increase and the subsequent recommended rate increases will be included in our next Prop. 218 proceeding tentatively scheduled in the second half of calendar year 2022.

The Effective Table A Assessment Rate is the estimated replenishment assessment rate which would generate the necessary revenue to pay the Agency's projected allocated Table A charges. The current Rate has decreased from \$243/AF to \$209/AF. This is primarily due to a decrease in FY 2022/2023 projected allocated Table A charges and a slight increase in the Agency's projected groundwater production.

The proposed assessment rate for FY 2022/2023 is \$175/AF (same as last year) and is intended to stabilize water rates. We will continue to rely on using our State Water Project reserve account to make up the difference and gradually increase the replenishment assessment until such time that the revenues cover each year's charges for imported water with no further shortfall accrual.

Fiscal Impact:

None, rate is staying the same.

Recommendation:

Staff recommends the following:

1. That the Board of Directors receive the Draft Engineer's Report for FY 2022-2023 for West Whitewater River and Mission Creek Subbasins.
2. Requests a determination be made that funds should be raised by a replenishment assessment.
3. Set the time and place for a public hearing on June 21, 2022 to consider resolutions of findings of fact and levying replenishment assessments for the Fiscal Year 2022-2023.

Attachment(s):

1. DWA Law Excerpt Section 15.4 (b) & 15.4 (c)
2. Draft Engineer's Report

Desert Water Agency Law Excerpt

Section 15.4(b) of Desert Water Agency Law, which pertains to replenishment assessments, provides that:

"By May 1 of each year the Board shall cause to be prepared and presented to it an engineering survey and report concerning the groundwater supplies within the Agency. Such report shall include the condition of such groundwater supplies, the need for replenishment, and recommendations for any replenishment program, including the source and amount of replenishment water and the cost of purchasing, transporting and spreading such water. In connection with any proposed replenishment program, the report shall describe the area or areas benefited, either directly or indirectly, the amount of water production in each such area during the prior year, and shall recommend the amount of assessment to be levied upon all production within such area or areas of benefit."

Section 15.4(c) provides that:

"If the Board determines that funds should be raised by a replenishment assessment, it shall call a public hearing, and shall publish notice at least 10 days in advance thereof pursuant to Section 6061 of the Government Code. Notice shall also be mailed by the Agency to all producers as disclosed by the records of the Agency who may be affected by the recommended assessment. Failure of any affected producers to receive such notice shall not affect the validity of any subsequent replenishment assessment. The notice shall contain a description of each area of benefit, the amount of each recommended replenishment assessment, and an invitation to all interested parties to attend and be heard in support of or in opposition to the proposed assessment. The notice shall also state that a copy of the engineering report is available for inspection at the office of the Agency."

DESERT WATER



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PALM SPRINGS, CALIFORNIA 92264

DRAFT 5/12/2022

ENGINEER'S REPORT

**GROUNDWATER REPLENISHMENT
AND
ASSESSMENT PROGRAM
FOR THE
WEST WHITEWATER RIVER SUBBASIN,
AND MISSION CREEK SUBBASIN
AREAS OF BENEFIT
DESERT WATER AGENCY
2022/2023
MAY 2022**

Prepared by



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David F. Scriven
R.C.E. No. 42922

101-33.46
(DFS/blt)
(REPORTS/101-33P46RPT)

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EXHIBITS

- Exhibit 1 Desert Water Agency Groundwater Well Hydrographs: Palm Springs Subarea of West Whitewater River Subbasin Management Area: Groundwater Replenishment Quantities at Whitewater River Groundwater Replenishment Facility
- Exhibit 2 Desert Water Agency Groundwater Well Hydrographs: San Geronio Pass Subbasin of West Whitewater River Subbasin Management Area: Groundwater Replenishment Quantities at Whitewater River Groundwater Replenishment Facility
- Exhibit 3 Desert Water Agency Groundwater Well Hydrographs: Garnet Hill Subarea of West Whitewater River Subbasin Management Area: Groundwater Replenishment Quantities at Whitewater River and Mission Creek Replenishment Facilities
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ABBREVIATIONS

Multi-Year Water Pool	MYWP
acre feet per year	AF/Yr
Applicable State Water Project Charges	Applicable SWP Charges
Area of Benefit	AOB
Bay Delta Conservation Plan	BDC
California Department of Water Resources	CDWR
Coachella Valley Water District	CVWD
degrees Fahrenheit	°F
Desert Water Agency	DWA
Garnet Hill Subarea	GH
Metropolitan Water District of Southern California	MWD
Mission Creek/Garnet Hill Water Management Plan	MC/GH WMP
Mission Creek Subbasin	MC
Mission Springs Water District	MSWD
Montgomery Watson Harza	MWH
Off-Aqueduct Power Component of the State Water Project	
Transportation Charge	Off-Aqueduct Power Charge
State Water Resources Control Board	SWRCB
State Water Project	SWP
Sustainable Groundwater Management Act	SGMA
United States Geological Survey	USGS
Variable OMP&R Component of the	
State Water Project Transportation Charge	Variable Transportation Charge
Water Management Plan	WMP
West Whitewater River Subbasin	WWR

DEFINITIONS

<u>Term</u>	<u>Definition</u>
Natural Inflow	Water flowing into a groundwater unit from natural sources such as surface water runoff or subsurface underflow from other groundwater units.
Natural Outflow	Water flowing out of a groundwater unit by drainage or subsurface underflow into other groundwater units.
Net Natural Inflow	Natural Inflow minus Natural Outflow.
Production	Either extraction of groundwater from a Management Area or Area of Benefit (including its upstream tributaries), or diversion of surface water that would otherwise naturally replenish the groundwater within the Management Area or Area of Benefit (including its upstream tributaries).



<u>Term</u>	<u>Definition</u>
Consumptive Use	Use of groundwater that does not return the water to the groundwater unit from which it was extracted, e.g. evaporation, evapotranspiration, export.
Non-Consumptive Return	Pumped groundwater that is returned to the groundwater unit after pumping, e.g. irrigation return, wastewater percolation, septic tank percolation.
Net Production	Production minus Non-Consumptive Return.
Assessable Production	Production within an Area of Benefit that does not include groundwater extracted by minimal pumps and minimal diverters.
Minimal Pumper	A groundwater pumper that extracts 10 AF of water or less in any one year.
Minimal Diverter	A surface water diverter that diverts 10 AF of water or less in any one year.
Gross (Groundwater) Overdraft	Total Net Production in excess of Net Natural Inflow.
Net (Groundwater) Overdraft	Gross (Groundwater) Overdraft offset by artificial replenishment.
Cumulative Gross Overdraft	Total Gross Overdraft that has accumulated since the specific year that marks estimated commencement of gross overdraft conditions.
Cumulative Net Overdraft	Cumulative Gross Overdraft offset by Artificial Replenishment since the specific year that marks estimated commencement of artificial replenishment.
Whitewater River (Indio) Subbasin	The entire Indio Subbasin, as defined by the California Department of Water Resources, <i>Bulletin No. 108: Coachella Valley Investigation</i> (1964).
Mission Creek Subbasin or MC	The entire Mission Creek Groundwater Subbasin as defined by the California Department of Water Resources, <i>Bulletin No. 108: Coachella Valley Investigation</i> (1964) and by the United States Geological Survey in <i>Geological Survey Water-Supply Paper 2027</i> (1974).
Garnet Hill Subarea or GH	The entire Garnet Hill Subarea of the Indio Subbasin, as defined by the California Department of Water Resources, <i>Bulletin No. 108: Coachella Valley Investigation</i> (1964). Also known as the Garnet Hill Groundwater Subbasin as defined by the United States Geological Survey in <i>Geological Survey Water-Supply Paper 2027</i> (1974).



<u>Term</u>	<u>Definition</u>
Palm Springs Subarea	The entire Palm Springs Subarea of the Indio Subbasin, as defined by the California Department of Water Resources, <i>Bulletin No. 108: Coachella Valley Investigation (1964)</i> . Also known as the Whitewater River Groundwater Subbasin as defined by the United States Geological Survey in <i>Geological Survey Water-Supply Paper 2027 (1974)</i> .
West Whitewater River Subbasin Management Area or WWR Management Area	The westerly portion of the Whitewater River (Indio) Subbasin, including the Palm Springs and Garnet Hill Subareas, and a portion of the San Geronio Pass Subbasin tributary to the Whitewater River (Indio) Subbasin, as specifically defined in Chapter II.
West Whitewater River Subbasin Area of Benefit or WWR AOB	The portion of the WWR Management Area that is within DWA's service area and is managed by DWA.
CVWD's West Whitewater River Subbasin Area of Benefit or CVWD's WWR AOB	The portion of the WWR Management Area that is within CVWD's service area and is managed by CVWD.
Mission Creek Subbasin Management Area or MC Management Area	The portion of the Mission Creek Subbasin that lies within the service areas of DWA and CVWD, as specifically defined in Chapter II.
Mission Creek Subbasin Area of Benefit or MC AOB	The portion of the MC Management Area that is within DWA's service area and is managed by DWA.
CVWD's Mission Creek Subbasin Area of Benefit or CVWD's MC AOB	The portion of the MC Management Area that is within CVWD's service area and is managed by CVWD.

CHAPTER I
EXECUTIVE SUMMARY

CHAPTER I EXECUTIVE SUMMARY

Since 1973, Coachella Valley Water District (CVWD) and Desert Water Agency (DWA) have been using Colorado River water exchanged for State Water Project (SWP) water to replenish groundwater in the West Whitewater River Subbasin (WWR) and Mission Creek Subbasin (MC) Management Areas of the Coachella Valley Groundwater Basin.

A. RECENT DEVELOPMENTS

As discussed in the 2020/2021 Engineer's Report, the Garnet Hill hydrologic unit, formerly considered as a separate subbasin, is now considered a subarea of the Indio Subbasin in conformance with CDWR Bulletin 118 (Update 2003), and is included within the WWR Management Area. The following terms and definitions apply:

- "Whitewater River (Indio) Subbasin" – the entire Indio Groundwater Subbasin as defined by CDWR.
- "West Whitewater River Subbasin Management Area" or "WWR Management Area" – the westerly portion of the Whitewater River (Indio) Subbasin, including the Garnet Hill Subarea, as specifically defined in **Chapter II**.
- "West Whitewater River Subbasin Area of Benefit" or "WWR AOB" – the portion of the WWR Management Area that is within DWA's service area and is managed by DWA. The portion of the WWR Management Area that is within CVWD's service area and is managed by CVWD will be referred to as "CVWD's West Whitewater River Subbasin Area of Benefit" or "CVWD's WWR AOB".

Several changes have been made regarding current estimates and future projections of natural inflow, natural outflow, non-consumptive return flows; and future projections of groundwater production and artificial replenishment. Current estimates for these factors are now based on the assumptions and modeling efforts used for the 2022 *Indio Subbasin Water Management Plan Update: Alternative Plan* and the *Mission Creek Subbasin Alternative Plan Update (2022)*. Future projections of the quantities of natural inflow, natural outflow, non-consumptive return flows, groundwater production, and artificial replenishment are not included in this report. For future

projections, please refer to the *2022 Indio Subbasin Water Management Plan Update* and the *2021 Mission Creek Subbasin Alternative Plan Update*.

In 2019, CVWD's Palm Desert Groundwater Replenishment Facility (PD-GRF) was commissioned and commenced operation, using Colorado River Water conveyed by CVWD from the east via the Mid-Valley Pipeline (MVP). The quantities replenished at the PD-GRF are now included in the total Artificial Replenishment quantity.

By virtue of the 2003 Exchange Agreement, The Metropolitan Water District of Southern California (MWD) temporarily transferred 11,900 AF of its annual Table A allocation to DWA and 88,100 AF of its annual Table A allocation to CVWD; however, MWD retained the option to call-back or recall the assigned annual Table A water allocations, in accordance with specific conditions, in any year. In implementing the 2003 Exchange Agreement, MWD advised CVWD and DWA that it would probably recall the 100,000 AF assigned to the two Coachella Valley agencies from 2005 through 2009. In fact, MWD did recall 100,000 AF in 2005 but has not recalled any water since then. The 2019 amendments to, and restatement of, the 2003 Exchange Agreement have eliminated the call-back provision.

B. ARTIFICIAL REPLENISHMENT

Groundwater production continues to exceed natural groundwater replenishment, and is expected to do so indefinitely. If groundwater replenishment with imported water (artificial replenishment) is excluded, gross overdraft (defined herein as groundwater extractions or water production in excess of natural groundwater replenishment and/or recharge) within the WWR and MC Management Areas of the Coachella Valley Groundwater Basin (see **Figure 1**) would continue to increase at a steady rate. The five-year average gross overdraft (total net production minus net natural inflow) in the WWR Management Area is currently estimated to be about 76,000 acre-feet per year (AF/Yr), while gross overdraft in the MC Management Area is currently estimated at about 8,000 AF/Yr. Supplementing natural groundwater recharge resulting from rainfall runoff with artificial replenishment using imported water supplies is, therefore, necessary to offset annual and cumulative gross overdraft.

Current levels of groundwater production, without artificial replenishment, would result in adverse effects, including chronic lowering of groundwater levels, reduction of groundwater in storage,

decreased well yields, and increased groundwater extraction costs. . Additionally, the region could experience water quality degradation, land subsidence, and environmental impacts. Artificial replenishment offsets the deficit between groundwater production and natural groundwater replenishment, and helps avoid adverse effects associated with overdraft.

Because groundwater production continues to exceed natural groundwater replenishment within each subbasin, continued artificial replenishment in the WWR and MC Management Areas is necessary to either eliminate or reduce the adverse effects of cumulative gross overdraft, and to protect the groundwater supply.

C. GROUNDWATER REPLENISHMENT ASSESSMENT

The Areas of Benefit (AOBs) for DWA's portion of the groundwater replenishment program are those portions of the WWR and MC Management Areas, including tributary subbasins (e.g. the San Geronio Pass Subbasin), rivers, or streams--which lie within the boundaries of DWA (**Figure 2**). The costs involved in carrying out DWA's groundwater replenishment program are essentially recovered through groundwater replenishment assessments applied to all groundwater and surface water production within each AOB, aside from specifically exempted production.

Section 15.4(a)(3) of Desert Water Agency Law defines *production* as "the extraction of groundwater by pumping or any other method within the boundaries of the agency, or the diversion within the agency of surface supplies which naturally replenish the groundwater supplies within the agency and are used therein." The following producers are specifically exempted from assessment: producers extracting groundwater from both subbasins and upstream tributaries at rates of 10 AF/Yr or less; and producers diverting surface water without diminishing stream flow and groundwater recharge of the subbasins and upstream tributaries by 10 AF/Yr or less. Therefore, *production*, as used herein, is understood as either extraction of groundwater from a Management Area or AOB (including its upstream tributaries), or diversion of surface water that would otherwise naturally replenish the groundwater within the Management Area or AOB (including its upstream tributaries). *Assessable production*, as used herein, is understood as production that does not include water produced by minimal pumpers and minimal diverters at rates of 10 AF/Yr or less.

Pursuant to Section 15.4(f) of the current Desert Water Agency Law, the replenishment assessment rate cannot exceed the sum of the following costs and charges:

1. Certain specified charges under the contract between DWA and the state related to the purchase of State Water Project water
2. Costs of importing and recharging water from sources other than the State Water Project
3. Costs of treating and distributing reclaimed water

DWA has historically not included costs of importing and recharging water from sources other than the State Water Project, or costs of treating and distributing reclaimed water, in the replenishment assessment rate.

The specified charges under the contract between DWA and the state related to the purchase of State Water Project water that DWA may include in the replenishment assessment are:

1. The Variable Operation, Maintenance, Power, and Replacement Component of the Transportation Charge (herein the "Variable Transportation Charge")
2. The Off-Aqueduct Power Facilities Component of the Transportation Charge (herein the "Off-Aqueduct Power Charge")
3. The Delta Water Charge
4. Any Surplus Water or Unscheduled Water Charge

DWA has historically not included costs of surplus or unscheduled water deliveries in the replenishment assessment rate.

D. GROUNDWATER REPLENISHMENT AND REPLENISHMENT ASSESSMENT IN 2022

DWA has requested its maximum 2022 Table A SWP water allocation of 55,750 AF pursuant to its SWP Contract, for the purpose of groundwater replenishment. CVWD plans to do the same with its maximum 2022 Table A water allocation.



According to the most recent update from CDWR (CDWR Notification 22-03 to State Water Project Contractors for 2022, dated March 18, 2022), CDWR will deliver only 5% of Table A water allocation requests, resulting in deliveries of 9,705 AF of Table A water to MWD on behalf of the Coachella Valley agencies (2,788 AF on behalf of DWA). According to DWR, all of this water is currently scheduled for delivery to MWD during 2022 and none is currently scheduled to be carried over to 2023. No Article 56 water from 2021 is scheduled for delivery to MWD in 2022. For 2022, no SWP surplus water under Pool A or Pool B of the Turn-Back Water Pool Program has been offered. It is not likely that any Article 21 water will be available in 2022. DWA and CVWD may be able to jointly obtain up to 3,903 AF of water under the Yuba River Accord. MWD could be obligated under the terms of the Second Amendment to the Quantitative Settlement Agreement (QSA) to deliver up to 50,000 AF of non-SWP water (35 TAF and 15 TAF QSA Programs) to CVWD in 2022. Normally, MWD would also deliver up to 19,000 AF to CVWD during a given year under the Glorious Land/Rosedale-Rio Bravo Agreement, but no water is scheduled for delivery under this agreement during 2022. Deliveries may occur as Colorado River water to the Whitewater River Groundwater Replenishment Facility, or as transfers from the Advance Delivery account, or a combination of both.

Based on the information set forth above, the maximum permissible replenishment assessment rate that can be established for fiscal year 2022/2023 (not including charges for surplus or unscheduled water, which are unknown at this time) is approximately \$225/AF, based on DWA's estimated Applicable Charges (Delta Water Charge, Variable Transportation Charge, and Off-Aqueduct Power Charge) of \$10,140,788 (average of estimated 2022 and 2023 Applicable Charges) and estimated 2022/2023 combined assessable production of 45,090 AF within the WWR and MC AOBs (see **Table 2**).

The effective replenishment assessment rate for Table A water is based on DWA's estimated Allocated SWP Charges for the current year (based on CDWR's projections for the assessment period) divided by the estimated assessable production for the assessment period, as set forth in **Table 6**. For this report, as with most previous reports, the assessable production for 2022/2023 is estimated as the assessable production for the previous year (2021). However, imposition of statewide conservation mandates are imminent; and will likely result in a decrease of production by DWA and MSWD of 10% to 20%.



Pursuant to the terms of the Water Management Agreement between DWA and CVWD, and based on DWA's estimated 2022/2023 Allocated Charges of \$9,431,214 and projected 2022 calendar year assessable production (shown in **Table 6** as estimated 2022/2023 assessable production) of 45,090 AF within the WWR and MC, the effective replenishment assessment rate component for Table A water for the 2022/2023 fiscal year is \$209/AF. **Table 7** includes DWA's historical estimated, actual effective, and estimated projected replenishment assessment rates.

During the Proposition 218 proceedings held in winter 2016, DWA elected to adopt anticipated rate ranges for fiscal years 2017/2018 through 2021/2022 based on estimated projections of expenses and revenues at the time of adoption. DWA will levy a rate of \$175/AF for FY 2022/2023, which is the same rate that was levied for 2021/2022. DWA proposes to hold additional Proposition 218 proceedings in late 2022 to adopt rate ranges for the five years beginning with 2023/2024.

At that rate, DWA's replenishment assessment for the entire Replenishment Program will be about \$7,890,750, based on estimated assessable production of 45,090 AF (35,470 AF for the WWR AOB, and 9,620 AF for the MC AOB). Accordingly, DWA will bill approximately \$6,207,250 for the WWR AOB, and approximately \$1,683,500 for the MC AOB.

Due to significant increases in the Delta Water Charge beginning in 2015 that could result in large future increases in the replenishment assessment rate, DWA elected in 2016 to transfer the existing cumulative deficit in the Replenishment Assessment Account to reserve account(s), rather than continue to attempt to recover past deficits by future increases in the replenishment assessment rate. Deficits that result from the current and future assessments will be recovered by adding surcharges, as shown in the "Other Charges and Costs" column for each AOB in **Table 7**.

E. SUMMARY

Groundwater production exceeds natural replenishment in the westerly portion of the Coachella Valley Groundwater Basin even though groundwater levels have generally stabilized. Cumulative net overdraft (cumulative gross overdraft offset by artificial replenishment since commencement of artificial replenishment activities) is currently estimated to be about 301,000 AF in the WWR Management Area (since 1973) and about 35,217 AF in the MC Management Area (since 2002). Groundwater replenishment is necessary to maintain stable groundwater levels for sustainability. Even though DWA has requested of CDWR its full SWP Table A allocation of 55,750 AF, CDWR



has approved delivery of only 5% of this allocation during the coming year, and DWA has elected to adopt a groundwater replenishment assessment rate for 2022/2023 of \$175.00/AF.

CHAPTER II

INTRODUCTION

CHAPTER II INTRODUCTION

A. THE COACHELLA VALLEY AND ITS GROUNDWATER

1. The Coachella Valley

The Coachella Valley is a desert valley in Riverside County, California. It extends approximately 45 miles southeast from the San Bernardino Mountains to the northern shore of the Salton Sea. Cities of the Coachella Valley include Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage, and the unincorporated communities of Thousand Palms, Thermal, Bermuda Dunes, Oasis, and Mecca. The Coachella Valley is bordered on the north by Mount San Geronimo of the San Bernardino Mountains, on the west by the San Jacinto and Santa Rosa Mountains, on the east by the Little San Bernardino Mountains, and on the south by the Salton Sea.

The Coachella Valley lies within the northwesterly portion of California's Colorado Desert, an extension of the Sonoran Desert. The San Bernardino, San Jacinto, and Santa Rosa Mountains provide an effective barrier against coastal storms, and greatly reduce the contribution of direct precipitation to replenish the Coachella Valley's groundwater basin, resulting in an arid climate. The bulk of natural groundwater replenishment comes from runoff from the adjacent mountains.

Climate in the Coachella Valley is characterized by low humidity, high summer temperatures, and mild dry winters. Average annual precipitation in the Coachella Valley varies from 4 inches on the Valley floor to more than 30 inches in the surrounding mountains. Most of the precipitation occurs during December through February (except for summer thundershowers). The low rainfall is inadequate to supply sufficient water supply for the valley, thus the need for the importation of Colorado River water. Precipitation data recorded at nine rain gauge stations in the Upper Coachella Valley by Riverside County Flood Control and Water Conservation District is included in **Appendix A.**

Prevailing winds in the area are usually gentle, but occasionally increase to velocities of 30 miles per hour or more. Midsummer temperatures commonly exceed 100 degrees Fahrenheit (°F), frequently reach 110°F, and periodically reach 120°F. The average winter temperature is approximately 60°F.

2. The Coachella Valley Groundwater Basin

The Coachella Valley Groundwater Basin, as described in CDWR Bulletins 108 and 118, is bounded on the north and east by non-water-bearing crystalline rocks of the San Bernardino and Little San Bernardino Mountains and on the south and west by the crystalline rocks of the Santa Rosa and San Jacinto Mountains. At the west end of the San Gorgonio Pass, between Beaumont and Banning, the basin boundary is defined by a surface drainage divide separating the Coachella Valley Groundwater Basin from the Beaumont Groundwater Basin of the Upper Santa Ana Drainage Area.

The southern boundary is formed primarily by the watershed of the Mecca Hills and by the northwest shoreline of the Salton Sea running between the Santa Rosa Mountains and Mortmar. Between the Salton Sea and Travertine Rock, at the base of the Santa Rosa Mountains, the lower boundary coincides with the Riverside/Imperial County Line.

Southerly of the southern boundary, at Mortmar and at Travertine Rock, the subsurface materials are predominantly fine grained and low in permeability; although groundwater is present, it is not readily extractable. A zone of transition exists at these boundaries; to the north the subsurface materials are coarser and more readily yield groundwater.

Although there is interflow of groundwater throughout the groundwater basin, fault barriers, constrictions in the basin profile, and areas of low permeability limit and control movement of groundwater. Based on these factors, the groundwater basin has been divided into subbasins and subareas as described by CDWR in 1964 and the United States Geological Survey (USGS) in 1971.

3. Subbasins and Subareas

The San Andreas Fault drives a complex pattern of branching fault lines within the Coachella Valley which define the boundaries of the subbasins that make up the Coachella Valley Groundwater Basin (CDWR 2003). According to CDWR, there are four subbasins within the Coachella Valley Groundwater Basin: the Indio Subbasin (referred to herein as the Whitewater Subbasin), Mission Creek Subbasin, San Gorgonio Pass Subbasin, and Desert Hot Springs Subbasin. USGS includes a fifth subbasin, the Garnet Hill Subbasin, which CDWR considers to be a subarea of the Indio Subbasin.

The subbasins, with their groundwater storage reservoirs, are defined without regard to water quantity or quality. They delineate areas underlain by formations which readily yield the stored water through water wells and offer natural reservoirs for the regulation of water supplies.

The boundaries between subbasins within the groundwater basin are generally defined by faults that serve as effective barriers to the lateral movement of groundwater. Minor subareas have also been delineated, based on one or more of the following geologic or hydrologic characteristics: type of water bearing formations, water quality, areas of confined groundwater, forebay areas, groundwater divides and surface drainage divides.

The following is a list of the subbasins and associated subareas, based on the CDWR and USGS designations:

- Mission Creek Subbasin (Subbasin 7-21.02 per CDWR Bulletin 118, Update 2003)
- Desert Hot Springs Subbasin (Subbasin 7-21.03 per CDWR Bulletin 118, Update 2003)
 - Miracle Hill Subarea
 - Sky Valley Subarea
 - Fargo Canyon Subarea
- San Gorgonio Pass Subbasin (Subbasin 7-21.04 per CDWR Bulletin 118, Update 2003)



- Whitewater River (Indio) Subbasin (Subbasin 7-21.01 per CDWR Bulletin 118, Update 2003, referred to therein as the Indio Subbasin)
 - Palm Springs Subarea
 - Garnet Hill (considered a separate subbasin by USGS)
 - Thermal Subarea
 - Thousand Palms Subarea
 - Oasis Subarea

DWA's groundwater replenishment program encompasses portions of three of the four subbasins (Whitewater River (Indio), Mission Creek, and San Geronio Pass). DWA's replenishment program does not include the Desert Hot Springs Subbasin. **Figure 2** illustrates the subbasin boundaries per the MC/GH WMP, CDWR Bulletin 118, Update 2003, and DWA's AOBs of the groundwater replenishment program.

The boundaries (based on faults, barriers, constrictions in basin profile, and changes in permeability of water-bearing units), geology, hydrogeology, water supply, and groundwater storage of these subbasins are further described in the following sections.

a. Mission Creek Subbasin (MC)

Water-bearing materials underlying the Mission Creek upland comprise the MC. This subbasin is designated Number 7-21.02 in CDWR's Bulletin 118, Update 2003. The subbasin is bounded on the south by the Banning Fault and on the north and east by the Mission Creek Fault, both of which are branches of the San Andreas Fault. The subbasin is bordered on the west by relatively impermeable rocks of the San Bernardino Mountains. The Indio Hills are located in the easterly portion of the subbasin, and consist of the semi-water-bearing Palm Springs Formation. The area within this boundary northwesterly of the Indio Hills reflects the estimated geographic limit of effective storage within the subbasin (CDWR 1964).

Both the Mission Creek Fault and the Banning Fault are partially effective barriers to lateral groundwater movement, as evidenced by offset water levels, fault

springs, and changes in vegetation. Water level differences across the Banning Fault, between the MC and the Garnet Hill Subarea of the WWR, are on the order of 200 feet to 250 feet. Similar water level differences exist across the Mission Creek Fault between the MC and Desert Hot Springs Subbasin (MWH 2013).

This subbasin relies on the same imported SWP/Colorado River Exchange Water source for replenishment, as does the westerly portion of the Whitewater River (Indio) Subbasin. CVWD, DWA, and MSWD make up the Management Committee under the terms of the 2004 Mission Creek Settlement Agreement. This agreement and the 2014 Mission Creek Water Management Agreement between CVWD and DWA specify that the available SWP water will be allocated between the MC and WWR Management Areas in proportion to the amount of water produced or diverted from each subbasin during the preceding year.

b. Desert Hot Springs Subbasin

The Desert Hot Springs Subbasin is designated Number 7-21.03 in CDWR's Bulletin 118 (2003). It is bounded on the north by the Little San Bernardino Mountains and on the southeast by the Mission Creek and San Andreas Faults. The Mission Creek Fault separates the Desert Hot Springs Subbasin from the MC, and the San Andreas Fault separates the Desert Hot Springs Subbasin from the Whitewater River Subbasin. Both faults serve as effective barriers to lateral groundwater flow. The subbasin has been divided into three subareas: Miracle Hill, Sky Valley, and Fargo Canyon (CDWR 1964).

The Desert Hot Springs Subbasin is not extensively developed, except in the Desert Hot Springs area. Relatively poor groundwater quality has limited the use of this subbasin for groundwater supply. The Miracle Hill Subarea underlies portions of the City of Desert Hot Springs and is characterized by hot mineralized groundwater, which supplies a number of spas in that area. The Fargo Canyon Subarea underlies a portion of the planning area along Dillon Road north of Interstate 10. This area is characterized by coarse alluvial fans and stream channels flowing out of Joshua Tree National Park. Based on limited groundwater data for this area, flow is generally to the southeast. Water quality is relatively poor with

salinities in the range of 700 milligrams per liter (mg/L) to over 1,000 mg/L (CDWR 1964).

c. San Gorgonio Pass Subbasin

The San Gorgonio Pass Subbasin lies entirely within the San Gorgonio Pass area, bounded by the San Bernardino Mountains on the north and the San Jacinto Mountains on the south (CDWR 2003). This subbasin is designated Number 7 21.04 in CDWR's Bulletin 118 (2003).

The San Gorgonio Pass Subbasin is hydrologically connected to the Whitewater River Subbasin on the east. Groundwater within the San Gorgonio Pass Subbasin moves from west to east and moves into the Whitewater River Subbasin by passing over the suballuvial bedrock constriction at the east end of the pass (CDWR 1964).

DWA's service area includes three square miles of the San Gorgonio Pass Subbasin.

d. Whitewater River (Indio) Subbasin

The Whitewater River Subbasin, as defined herein, is the same as the Indio Subbasin (Number 7 21.01) as described in CDWR Bulletin No. 118 (2003). It underlies the major portion of the Coachella Valley floor and encompasses approximately 400 square miles. Beginning approximately one mile west of the junction of State Highway 111 and Interstate 10, the Whitewater River Subbasin extends southeast approximately 70 miles to the Salton Sea.

The Subbasin is bordered on the southwest by the Santa Rosa and San Jacinto Mountains and is separated from the Mission Creek and Desert Hot Springs Subbasins to the north and east by the Banning Fault (CDWR 1964). The Garnet Hill Fault, which extends southeasterly from the north side of San Gorgonio Pass to the Indio Hills, is a partially effective barrier to lateral groundwater movement from the Garnet Hill Subarea into the Palm Springs Subarea of the Whitewater River Subbasin, with some portions in the shallower zones more permeable. The

San Andreas Fault, extending southeasterly from the junction of the Mission Creek and Banning Faults in the Indio Hills and continuing out of the basin on the east flank of the Salton Sea, is also an effective barrier to lateral groundwater movement from the northeast (CDWR 1964).

The subbasin underlies the cities of Palm Springs, Cathedral City, Rancho Mirage, Palm Desert, Indian Wells, La Quinta, Indio, and Coachella, and the unincorporated communities of Thousand Palms, Thermal, Bermuda Dunes, Oasis, and Mecca. From about Indio southeasterly to the Salton Sea, the subbasin contains increasingly thick layers of silt and clay, especially in the shallower portions of the subbasin. These silt and clay layers, which are remnants of ancient lake bed deposits, impede the percolation of water applied for irrigation and limit groundwater replenishment opportunities to the westerly fringe of the subbasin (CDWR 1964).

In 1964, CDWR estimated that the four subbasins that make up the Coachella Valley Groundwater Basin contained a total of approximately 39.2 million AF of water in the first 1,000 feet below the ground surface; much of this water originated as runoff from the adjacent mountains. Of this amount, approximately 28.8 million AF of water was stored in the overall Whitewater River Subbasin (CDWR 1964). However, the amount of water in the Whitewater River Subbasin has decreased over the years because it has developed to the point where significant groundwater production occurs (CVWD 2012). The natural supply of water to the northwestern part of the Coachella Valley is not keeping pace with the basin outflow, due mainly to large consumptive uses created by the resort-recreation economy and permanent resident population in the northwestern Whitewater River Subbasin, and large agricultural economy in the southeastern Whitewater River Subbasin. Imported SWP water allocations are exchanged for Colorado River water and utilized for replenishment in the westerly portion of the Whitewater River (Indio) Subbasin to replace consumptive uses created by the resort recreation economy and permanent resident population.

The Whitewater River (Indio) Subbasin is not currently adjudicated. From a management perspective, CVWD divides the portion of the subbasin within its



service area into two AOBs designated the West Whitewater River Subbasin AOB and the East Whitewater River Subbasin AOB. The dividing line between these two areas is an irregular line trending northeast to southwest between the Indio Hills north of the City of Indio and Point Happy in La Quinta (see paragraph e.5 below for the history of this division). The WWR Management Area is jointly managed by CVWD and DWA under the terms of the 2014 Whitewater Water Management Agreement. The East Whitewater River Subbasin AOB is managed by CVWD (CVWD 2012).

Hydrogeologically, the Whitewater River (Indio) Subbasin is divided into five subareas: Palm Springs, Garnet Hill, Thermal, Thousand Palms, and Oasis Subareas. The Palm Springs Subarea is the forebay or main area of replenishment to the subbasin. The Thermal Subarea is the pressure or confined area within the basin. The other three subareas are peripheral areas having unconfined groundwater conditions.

1) Palm Springs Subarea

The triangular area between the Garnet Hill Fault and the east slope of the San Jacinto Mountains southeast to Cathedral City is designated the Palm Springs Subarea. Groundwater is unconfined in this area. The Coachella Valley fill materials within the Palm Springs Subarea are essentially heterogeneous alluvial fan deposits with little sorting and little fine grained material content. The thickness of these water-bearing materials is not known; however, it exceeds 1,000 feet. Although no lithologic distinction is apparent from well drillers' logs, the probable thickness of recent deposits suggests that Ocotillo conglomerate underlies recent fan conglomerate in the subarea at depths ranging from 300 feet to 400 feet.

Natural replenishment to the aquifer in the Whitewater River Subbasin occurs primarily in the Palm Springs Subarea. The major natural sources include infiltration of stream runoff from the San Jacinto Mountains and the Whitewater River, and subsurface inflow from the San Geronio Pass Subbasin. Deep percolation of direct precipitation on the Palm Springs

Subarea is considered negligible as it is consumed by evapotranspiration (CDWR 1964).

2) Garnet Hill Subarea (GH)

The area between the Garnet Hill Fault and the Banning Fault, named the Garnet Hill Subarea (GH) of the Whitewater River (Indio) Subbasin by CDWR (1964), was considered a distinct subbasin by the USGS because of the partially effective Banning and Garnet Hill Faults as barriers to lateral groundwater movement. This is demonstrated by a difference of 170 feet in groundwater level elevation in a horizontal distance of 3,200 feet across the Garnet Hill Fault, as measured in the spring of 1961. However, the Garnet Hill Fault does not reach the surface, and is probably only effective as a barrier to lateral groundwater movement below a depth of about 100 feet below ground surface (MWH 2013).

The 2013 MC/GH WMP states groundwater production is low in the Garnet Hill Subarea and is not expected to increase significantly in the future due to relatively low well yields compared to those in the MC. Water levels in the western and central portions of the subbasin show a positive response to large replenishment quantities from the Whitewater River Groundwater Replenishment Facility, while levels are relatively flat in the easterly portion of the subbasin. The small number of wells in the subarea limits the hydrogeologic understanding of how this subbasin operates relative to the MC and the neighboring Palm Springs Subarea of the Whitewater River Subbasin.

Although some natural replenishment to this subarea may come from Mission Creek and other streams that pass through during periods of high flood flows, the chemical character of the groundwater (and its direction of movement) indicate that the main source of natural replenishment to the subbasin comes from the Whitewater River through the permeable deposits which underlie Whitewater Hill (MWH 2013).

This subarea is considered a separate subbasin by USGS; however, it is considered part of the Whitewater River (Indio) Subbasin in CDWR's Bulletin 118 (2003) and, therefore, was not designated with a separate subbasin number therein. CVWD and DWA, both consider the Garnet Hill Subarea to be a part of the WWR Management Area. There are no assessable groundwater pumpers within CVWD's portion of the Garnet Hill Subarea, and two assessable groundwater pumpers within DWA's portion of the Garnet Hill Subarea, which together produced a total of approximately 324 AF of groundwater from the subarea in 2021.

3) Thermal Subarea

Groundwater of the Palm Springs Subarea moves southeastward into the interbedded sands, silts, and clays underlying the central portion of the Coachella Valley. The division between the Palm Springs Subarea and the Thermal Subarea is near Cathedral City. The permeabilities parallel to the bedding of the deposits in the Thermal Subarea are several times the permeabilities perpendicular to the bedding and, therefore, movement of groundwater parallel to the bedding predominates. Confined or semi confined groundwater conditions are present in the major portion of the Thermal Subarea. Movement of groundwater under these conditions is present in the major portion of the Thermal Subarea and is caused by differences in piezometric (pressure) level or head. Unconfined or free water conditions are present in the alluvial fans at the base of the Santa Rosa Mountains, such as the fans at the mouth of Deep Canyon and in the La Quinta area.

Sand and gravel lenses underlying this subarea are discontinuous, and clay beds are not extensive. However, two aquifer zones separated by a zone of finer-grained materials were identified from well logs. The fine grained materials within the intervening horizontal plane are not tight enough or persistent enough to completely restrict the vertical interflow of water, or to warrant the use of the term "aquiclude". Therefore, the term "aquitard"

is used for this zone of less permeable material that separates the upper and lower aquifer zones in the southeastern part of the Valley.

The lower aquifer zone, composed of part of the Ocotillo conglomerate, consists of silty sands and gravels with interbeds of silt and clay. It contains the greatest quantity of stored groundwater in the Coachella Valley Groundwater Basin, but serves only that portion of the Valley easterly of Washington Street. The top of the lower aquifer zone is present at a depth ranging from 300 feet to 600 feet below the surface. The thickness of the zone is undetermined, as the deepest wells present in the Coachella Valley have not penetrated it in its entirety. The available data indicate that the zone is at least 500 feet thick and may be in excess of 1,000 feet thick.

The aquitard overlying the lower aquifer zone is generally 100 feet to 200 feet thick, although in small areas on the periphery of the Salton Sea it is more than 500 feet thick. North and west of Indio, in a curved zone approximately one mile wide, the aquitard is apparently lacking and no distinction is made between the upper and lower aquifer zones.

Capping the upper aquifer zone in the Thermal Subarea is a shallow fine grained zone in which semi-perched groundwater is present. This zone consists of recent silts, clays, and fine sands and is relatively persistent southeast of Indio. It ranges from zero to 100 feet thick and is generally an effective barrier to deep percolation. However, north and west of Indio, the zone is composed mainly of clayey sands and silts, and its effect in retarding deep percolation is limited. The low permeability of the materials southeast of Indio has contributed to irrigation drainage problems in the area. Semi-perched groundwater has been maintained by irrigation water applied to agricultural lands south of Point Happy, necessitating the construction of an extensive subsurface tile drain system (CDWR 1964).

The Thermal Subarea contains the division between CVWD's west and east AOBs of the Whitewater River (Indio) Subbasin, which is more fully described in paragraph e.5 below.

The imported Colorado River supply through the Coachella Canal is used mainly for irrigation in the easterly portion of the Whitewater River Subbasin. Annual deliveries of Colorado River water through the Coachella Canal of approximately 300,000 AF are a significant component of southeastern Coachella Valley hydrology. A smaller portion of the Coachella Canal water supply, along with recycled water, is used to offset groundwater pumping by golf courses in the westerly portion of the Whitewater River (Indio) Subbasin via the Mid-Valley Pipeline (MVP).

Using state-of-the-art technology, CVWD developed and calibrated a peer-reviewed, three-dimensional groundwater model of the entire Coachella Valley Groundwater Basin (Fogg 2000). The model was based on data from over 2,500 wells, and includes an extensive database of well chemistry reports, well completion reports, electric logs, and specific capacity tests. This model improved on previous groundwater models, and incorporated the latest hydrological evaluations from previous studies conducted by CDWR and USGS to gain a better understanding of the hydrogeology in this subbasin and the benefits of water management practices identified in the Coachella Valley Water Management Plan. The model formed the theoretical basis of the 2010 Update to the Coachella Valley Water Management Plan. It was updated in 2021 as part of the development of the 2022 Indio Subbasin Water Management Plan Update and the 2021 Mission Creek Subbasin Alternative Plan Update.

4) Thousand Palms Subarea

The small area along the southwest flank of the Indio Hills is named the Thousand Palms Subarea. The southwest boundary of the subarea was determined by tracing the limits of distinctive groundwater chemical

characteristics. The major aquifers of the Whitewater River Subbasin are characterized by calcium bicarbonate; but water in the Thousand Palms Subarea is characterized by sodium sulfate (CDWR 1964).

The differences in water quality suggest that replenishment to the Thousand Palms Subarea comes primarily from the Indio Hills and is limited in supply. The relatively sharp boundary between chemical characteristics of water derived from the Indio Hills and groundwater in the Thermal Subarea suggests there is little intermixing of the two waters.

The configuration of the water table north of the community of Thousand Palms is such that the generally uniform, southeasterly gradient in the Palm Springs Subarea diverges and steepens to the east along the base of Edom Hill. This steepened gradient suggests a barrier to the movement of groundwater: possibly a reduction in permeability of the water-bearing materials, or possibly a southeast extension of the Garnet Hill Fault. However, such an extension of the Garnet Hill Fault is unlikely. There is no surface expression of such a fault, and the gravity measurements taken during the 1964 CDWR investigation do not suggest a subsurface fault. The residual gravity profile across this area supports these observations. The sharp increase in gradient is therefore attributed to lower permeability of the materials to the east.

Most of the Thousand Palms Subarea is located within the westerly portion of the Whitewater River (Indio) Subbasin. Groundwater levels in this area show similar patterns to those of the adjacent Thermal Subarea, suggesting a hydraulic connectivity (CDWR 1964).

5) Oasis Subarea

Another peripheral zone of unconfined groundwater that is different in chemical characteristics from water in the major aquifers of the Whitewater River Subbasin is found underlying the Oasis Piedmont slope. This zone, named the Oasis Subarea, extends along the base of the Santa

Rosa Mountains. Water-bearing materials underlying the subarea consist of highly permeable fan deposits. Although groundwater data suggest that the boundary between the Oasis and Thermal Subareas may be a buried fault extending from Travertine Rock to the community of Oasis, the remainder of the boundary is a lithologic change from the coarse fan deposits of the Oasis Subarea to the interbedded sands, gravel, and silts of the Thermal Subarea. Little information is available as to the thickness of the water-bearing materials, but it is estimated to be in excess of 1,000 feet. Groundwater levels in the Oasis Subarea have exhibited similar declines as elsewhere in the subbasin due to increased groundwater pumping to meet agricultural demands on the Oasis slope (CDWR 1964).

6) East/West AOB Division

The Thermal Subarea (see paragraph e.2 above) contains the division between the westerly and easterly portions of the Whitewater River Subbasin (CVWD's WWR AOB and East Whitewater River Subbasin AOB). This division constitutes the southern boundary of the management area governed by the Management Agreement between CVWD and DWA.

The boundary between these two Management Areas extends from Point Happy (a promontory of the Santa Rosa Mountains between Indian Wells and La Quinta) northeasterly, generally along Washington Street, to a point on the San Andreas Fault intersecting the northerly prolongation of Jefferson Street in Indio.

The boundary was originally defined primarily on the basis of differing groundwater levels resulting from differences in groundwater use and management northerly and southerly of the boundary. Primarily due to the application of imported water from the Coachella Canal, and an attendant reduction in groundwater pumpage, the water levels in the area southeasterly from Point Happy (the East Whitewater River Subbasin Management Area) rose until the early 1970s, while groundwater levels northwesterly from Point Happy (the WWR Management Area) were

dropping due to continued development and pumping. This was stated by Tyley (USGS 1974) as follows:

"The south boundary is an imaginary line extending from Point Happy northeast to the Little San Bernardino Mountains and was chosen for the following reasons: (1) North of the boundary, water levels have been declining while south of the boundary, water levels have been rising since 1949 and (2) north of the boundary, ground water is the major source of irrigation water while south of the boundary, imported water from the Colorado River is the major source of irrigation water."

In addition, according to CDWR (1964) and as discussed above, the easterly portion of the Thermal Subarea is distinguished from area north and west of Indio within the Thermal Subarea by the presence of several relatively impervious clay layers (aquitards) lying between the ground surface and the main groundwater aquifer, creating confined and semi-confined aquifer conditions (see Figure 2). These conditions were characterized by Tyley as "artesian conditions" southerly of the south boundary.

Groundwater levels northerly of the boundary have been stable or increasing since the 1970s (per recorded measurements of USGS, DWA, and CVWD wells), except in the greater Palm Desert area, largely due to the commencement of replenishment activities at the Whitewater River Groundwater Replenishment Facility in 1973. Groundwater levels in the greater Palm Desert area continue to decline, but at a reduced rate as a result of the groundwater replenishment program. The construction of CVWD's Palm Desert Groundwater Replenishment Facility (PD-GRF), which commenced operations in early 2019, is expected to further curtail said decline in groundwater levels. Differences between the East Whitewater River Subbasin Management Area and WWR Management Area also persist in terms of management of the groundwater replenishment program and by groundwater usage (there is significantly



more agricultural use in CVWD's East Whitewater River Subbasin AOB than in the WWR Management Area).

7) Summary

The Whitewater River (Indio) Subbasin consists of five subareas: Palm Springs, Garnet Hill, Thermal, Thousand Palms, and Oasis Subareas. The Palm Springs Subarea is the forebay or main area of replenishment to the subbasin. The Garnet Hill Subarea lies to the North and adjacent to the Palm Springs Subarea. The Thermal Subarea includes the pressure or confined area within the basin. The Thousand Palms and Oasis Subareas are peripheral areas having unconfined groundwater conditions. From a management perspective, the Whitewater River Subbasin is divided into a westerly and easterly portion, with the dividing line extending from Point Happy in La Quinta to the northeast, terminating at the San Andreas Fault and the Indio Hills at Jefferson Street.

Potable groundwater is not readily available within the following areas in the Coachella Valley: Indio Hills, Mecca Hills, Barton Canyon, Bombay Beach, and Salton City. Water service to these areas is derived from groundwater pumped from adjacent areas.

B. THE GROUNDWATER REPLENISHMENT AND ASSESSMENT PROGRAM

DWA's Groundwater Replenishment and Assessment Program was established to augment groundwater supplies and arrest or retard declining water table conditions within the Coachella Valley Groundwater Basin, specifically within the WWR and MC AOBs (see **Figure 1**).

1. Water Management Areas

Pursuant to the Water Management Agreements between CVWD and DWA, the Water Management Areas encompass the Westerly Portion of the Whitewater River (Indio) Subbasin, a portion of the San Geronio Pass Subbasin, and the entire MC (except three

square miles in the Painted Hills area and a small portion that lies within San Bernardino County) within the Coachella Valley Groundwater Basin (see **Figure 1**).

- The West Whitewater River Subbasin (WWR) Management Area

CVWD and DWA have recognized the need to manage the westerly portion of the Whitewater River (Indio) Subbasin as a complete unit rather than as individual segments underlying the individual agencies' boundaries. This management area consists of the Palm Springs, Garnet Hill, and Thousand Palms Subareas, a portion of the San Geronio Pass Subbasin (tributary to the Whitewater River (Indio) Subbasin), and the westerly portion of the Thermal Subarea. The management area was established to encompass the area of groundwater overdraft as evidenced by declining water level conditions, and includes areas within both CVWD and DWA boundaries. The easterly boundary of the WWR Management Area extends from Point Happy (a promontory of the Santa Rosa Mountains between Indian Wells and La Quinta) northeasterly, generally along Washington Street, to a point on the San Andreas Fault intersecting the northerly prolongation of Jefferson Street in Indio.

CVWD has long considered the portion of the Garnet Hill Subarea within its boundaries to be a part of its WWR AOB. Prior to 2020, DWA considered the portion of the Garnet Hill Subarea within its service area to be a separate management area and AOB, but now considers it to be a part of its WWR AOB.

DWA's WWR AOB is located entirely within the WWR Management Area.

- The Mission Creek Subbasin (MC) Management Area

CVWD and DWA have recognized the need to manage the MC as a complete unit rather than as individual segments underlying the individual agency's boundaries. This management area consists of the entire MC. DWA's MC AOB is located entirely within the MC Management Area.

2. Areas of Benefit

The Areas of Benefit (AOBs) for DWA's replenishment program consist of the westerly portion of the Coachella Valley Groundwater Basin, including portions of the Whitewater River (Indio) Subbasin (including the Garnet Hill Subarea), MC, and tributaries thereto (such as the San Gorgonio Pass Subbasin), situated within DWA's service area boundary (see **Figure 2**). DWA has two AOBs within its replenishment program: the WWR AOB and the MC AOB.

DWA's **WWR AOB** consists of that portion of the WWR Management Area situated within DWA's service area boundary (including portions of the Garnet Hill Subarea and the San Gorgonio Pass Subbasin).

DWA's **MC AOB** consists of that portion of the MC Management Area situated within DWA's service area boundary.

The AOBs for CVWD's replenishment program consist of the portions of the Whitewater River Subbasin and Mission Creek Subbasin within CVWD's boundary. CVWD has a total of three AOBs within its groundwater replenishment program: the CVWD MC AOB; the CVWD WWR AOB; and the East Whitewater River Subbasin AOB (see **Figure 1**).

Within DWA's WWR AOB, there are seven stream diversions on the Whitewater River and its tributaries, five by DWA (two on Chino Creek, one on Snow Creek, one on Falls Creek, and one (consisting of two shallow wells) by the former Whitewater Mutual Water Company, which was acquired by DWA in 2009), one by the Wildlands Conservancy (formerly the Whitewater Trout Farm) which is used for conservation and educational purposes, and one by CVWD at the Whitewater River Groundwater Replenishment Facility; the latter three being on the Whitewater River itself. There are no stream diversions within the MC AOB. DWA's WWR AOB also includes subsurface tributary flows from the San Gorgonio Pass Subbasin located to the west.

While the replenishment assessments outlined on the following pages are based on and limited to water production within DWA's AOBs, available water supply, estimated water requirements, and groundwater replenishment are referenced herein to the entire WWR



Management Area and MC Management Area. The WWR and MC Management Areas are replenished jointly by CVWD and DWA for water supply purposes, and the two agencies jointly manage the imported water supplies within said Management Areas.

3. Water Management Agreements

The replenishment program was implemented pursuant to a joint Water Management Agreement for the WWR Management Area ("Whitewater River Subbasin Water Management Agreement", executed July 1, 1976 and amended December 15, 1992 and July 15, 2014) between CVWD and DWA. Later, a similar program was implemented within the MC Management Area pursuant to a similar joint Water Management Agreement ("Mission Creek Subbasin Water Management Agreement", executed April 8, 2003 and amended July 15, 2014).

CVWD and DWA entered into a Settlement Agreement with MSWD in December 2004, which affirmed the water allocation procedure that had been established earlier by CVWD and DWA, and which established a Management Committee, consisting of the General Managers of CVWD, DWA, and MSWD, to review production and recharge activities. The Addendum to the Settlement Agreement states that the water available for recharge each year shall be divided between the WWR Management Area and the MC Management Area proportionate to the previous year's production from within each management area (see **Appendix B**). The agreement allows for flexibility in the timing of the deliveries based on delivery capability and operational constraints.

Conditions of the Settlement Agreement and Addendum between DWA, CVWD, and MSWD state that DWA and CVWD have the authority to levy replenishment assessments on water produced from subbasins of the Upper (Western) Coachella Valley Groundwater Basin within DWA and CVWD's AOBs, if found that recharge activities benefit those subbasins.

The Water Management Agreements call for maximum importation of SWP Contract Table A water allocations by CVWD and DWA for replenishment of groundwater basins or subbasins within defined Water Management Areas. The Agreement also requires

collection of data necessary for sound management of water resources within these same Water Management Areas.

4. SGMA

In 2014, faced with declining groundwater levels (most notably in California's Central Valley), the California Legislature enacted the Sustainable Groundwater Management Act (SGMA) which was intended to provide a framework for the sustainable management of groundwater resources throughout California, primarily by local authorities. SGMA consisted of three bills, AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), and was signed into law by Governor Brown on September 16, 2014, initially becoming effective on January 1, 2015.

SGMA required local authorities to form local Groundwater Sustainability Agencies (GSAs), which are required to evaluate conditions in their local water basins and adopt locally-based Groundwater Sustainability Plans (GSPs) tailored to their regional economic and environmental needs. SGMA allows a 20-year time frame for GSAs to implement their GSPs and achieve long-term groundwater sustainability. It protects existing water rights and does not affect current drought response measures.

SGMA provides local GSAs with tools and authority to:

- Monitor and manage groundwater levels and quality
- Monitor and manage land subsidence and changes in surface water flow and quality affecting groundwater levels or quality or caused by groundwater extraction
- Require registration of groundwater wells
- Require reporting of annual extractions
- Require reporting of surface water diversions to underground storage
- Impose limits on extractions from individual wells
- Assess fees to implement local GSPs
- Request revisions of basin boundaries, including establishing new subbasins

In response to 2010 legislation, CDWR developed the California Statewide Groundwater Elevation Monitoring (CASGEM) program to track seasonal and long-term trends in groundwater elevations in California's groundwater basins. Through its CASGEM program, CDWR ranked the priority of each groundwater basin in California as either very low, low, medium, or high.

In addition, CDWR, as required by SGMA, identified the basins and subbasins that are in conditions of critical overdraft. Twenty-one basins and subbasins in California were identified as critically overdrafted basins.

CDWR has not identified the Indio and Mission Creek Subbasins as critically overdrafted, but has identified them as subbasins of medium priority.

In February of 2015, Desert Water Agency formed the Desert Water Agency Groundwater Sustainability Authority (DWAGSA), covering portions of the Indio, Mission Creek, and San Geronio River Subbasins. In October-November of 2015, CVWD formed the Coachella Valley Water District Groundwater Sustainability Agency (CVWDGSA), covering portions of the Indio and Mission Creek Subbasins. The Indio Water Authority and Coachella Water Authority also formed GSAs.

The four GSAs operating within the Indio Subbasin collaboratively submitted the 2010 Coachella Valley Groundwater Management Plan Update and supporting materials as an Alternative Plan to a GSP for the Indio Subbasin in December 2016. In July 2019, that Alternative Plan was approved by DWR, along with some recommendations for new information and requirement that an Alternative Plan Update be prepared by January 1, 2022, and every five years thereafter. The *2022 Indio Subbasin Water Management Plan Update: SGMA Alternative Plan* was adopted and submitted to DWR in December 2021.

DWAGSA, CVWDGSA, and MSWD submitted the 2013 MC/GH WMP and supporting materials as an Alternative Plan to a GSP for the Mission Creek Subbasin in December 2016. In July 2019, that Alternative Plan was approved by DWR, along with some recommendations for new information and requirement that an Alternative Plan Update be prepared by January 1, 2022, and every five years thereafter. The *Mission Creek Subbasin Alternative Plan Update* was adopted and submitted to DWR in December 2021.



By eliminating overdraft conditions, the goal of SGMA is to create statewide groundwater conditions that are "sustainable". SGMA defines the term "sustainable yield" as follows:

"The maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus that can be withdrawn annually from a groundwater supply without causing an undesirable result."

"Undesirable results" are defined in SGMA as:

1. "Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods."
2. "Significant and unreasonable reduction of groundwater storage."
3. "Significant and unreasonable seawater (salt water) intrusion."
4. "Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies."
5. "Significant and unreasonable land subsidence that substantially interferes with surface land uses."
6. "Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses"

Sustainability must be achieved within 20 years after adoption of the GSP or GSP Alternative. The San Geronio Pass Subbasin must achieve sustainability in 2042, and the Mission Creek and Indio Subbasins must achieve sustainability by 2036.

5. Groundwater Overdraft

According to DWR Bulletin 118-80 (Groundwater Basins in California):

"Overdraft is the condition of a groundwater basin in which the amount of water withdrawn by pumping over the long-term exceeds the amount of water that recharges the basin. Overdraft is characterized by groundwater levels that decline over a period of years and never fully recover, even in wet years. Overdraft can lead to increased extraction costs, land subsidence, water quality degradation, and environmental impacts."

DWR Bulletin 118-80 states that overdraft conditions in a basin become "critical" when:

"...continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts."

DWR Bulletin 160-93 (California Water Plan) expands on Bulletin 118-80's "period of years" as follows:

"Such a period of time must be long enough to produce a record that, when averaged, approximates the long-term average hydrologic conditions for the basin."

DWR Bulletin 160-09 (2009 California Water Plan Update) synthesizes the definitions provided in Bulletins 118-80 and 160-93 as follows:

"Overdraft is defined as the condition of a groundwater basin in which the amount of water withdrawn by pumping exceeds the amount of water that recharges the basin over a period of years, during which the water supply conditions approximate average conditions."

The above is the general definition of groundwater overdraft used herein. However, as noted in both CDWR Bulletin 118-80 and SGMA, consideration of groundwater overdraft is qualified by adverse effects of overdraft, such as chronic lowering of groundwater levels, reduction of groundwater in storage, decreased well yields, increased groundwater extraction costs, water quality degradation, sea-water intrusion, land subsidence, depletions of interconnected surface water with adverse impacts on beneficial uses of the surface water, and environmental impacts.

The historical occurrence of overdraft in the Basin was caused by the rapid development of agriculture in the area during the early 1900s, followed by increasing urban and recreational development in the later 1900s. This growth led to increased water demands that were met by groundwater pumping, which exceeded the natural recharge to the Basin and caused overdraft conditions.

For purposes of this report, groundwater overdraft is considered in terms of "gross overdraft" and "net overdraft". The term "gross overdraft" refers to groundwater extractions or water production in excess of natural groundwater replenishment or recharge, as an annual rate in AF/Yr, and "cumulative gross overdraft" refers to the gross overdraft in AF accumulated over the recorded history of an aquifer (since 1956 for WWR and since 1978 for MC). The term "net overdraft" refers herein to gross overdraft offset by artificial replenishment.

The initial Water Management Agreement was developed following numerous investigations regarding the groundwater supply within the Coachella Valley; said investigations are addressed in DWA's previous reports (*Engineer's Report on Groundwater Replenishment and Assessment Program for the Whitewater River Subbasin* for the years 1978/1979 through 1983/1984). These investigations all concluded that gross overdraft (groundwater extractions or water production in excess of natural groundwater replenishment and/or recharge) existed within the Coachella Valley Groundwater Basin and its subbasins.

6. Groundwater Replenishment

a. Summary

Since 1973, CVWD and DWA have been using Colorado River water exchanged for SWP water (Table A water allocations and supplemental water as available) to replenish groundwater in the Coachella Valley Groundwater Basin within the WWR Management Area (including a portion of the San Geronio Pass Subbasin and the Garnet Hill Subarea, and, since 2002, within the MC Management Area. The two agencies are permitted by law to replenish the groundwater basins and to levy and collect groundwater replenishment assessments from any groundwater extractor or surface water diverter (aside from exempt producers) within their jurisdictions who benefits, such as those within the Garnet Hill Subarea and San Geronio Pass Subbasin, from replenishment of groundwater.

b. History

DWA and CVWD completed construction of the Whitewater River Groundwater Replenishment Facility in 1973 and the Mission Creek Groundwater Replenishment Facility in 2002, and recharge activities commenced within each respective subbasin upon completion of the facilities. Annual recharge quantities are set forth in **Exhibit 6**.

From 1973 through 2021, CVWD and DWA have replenished the WWR and MC Management Areas with approximately 4,020,518 AF (3,825,384 AF to the Whitewater River Groundwater Replenishment Facility, 28,090 AF to the Palm Desert Groundwater Replenishment Facility, and 167,044 AF to the Mission Creek Groundwater Replenishment Facility). Of this total, 3,734,763 AF consisted of exchange deliveries (Colorado River water exchanged for SWP water, including advance deliveries), 28,090 AF consisted of deliveries to the PD-GRF, and 257,665 AF consisted of deliveries from accounts other than the SWP Exchange account. To date, MWD has delivered a total of 1,308,481 AF of advance deliveries. 1,015,900 AF have been converted to exchange deliveries, leaving an advance delivery account balance of 292,581 AF of advance deliveries not yet

converted to exchange deliveries (see **Exhibit 7**). Of the above totals, excluding non-SWP and MWD's advance deliveries, DWA is responsible for approximately 758,306 AF of the artificial replenishment to WWR and approximately 116,728 AF of the artificial replenishment to MC; a total of approximately 875,034 AF.

Between October 1984 and December 1986, MWD initially provided about 466,000 AF of advance delivered water for future exchange with CVWD and DWA that was used to replenish the WWR Management Area. This initial quantity of advanced delivered water has been augmented several times since then (with a portion on the augmented supply delivered to the Mission Creek Groundwater Replenishment Facility), and the total quantity of advance delivered water in both subbasins is currently 1,308,481 AF. During drought conditions, MWD has periodically met exchange delivery obligations with water from its advance delivery account. By December 2021, MWD had converted approximately 1,015,900 AF of advance delivered water to exchange water deliveries, leaving a balance of approximately 292,581 AF in MWD's advance delivery account (see **Exhibit 7**, included at the end of this report, for an accounting of exchange and advance deliveries).

c. Table A Water Allocations and Deliveries

SWP Table A water allocations are based primarily on hydrologic conditions and legal constraints, and vary considerably from year to year. In 2021, the final allocation was 5% of maximum Table A allocations, with no Article 56 carry-over to 2022. As of the writing of this report, Table A water deliveries in 2022 are again projected to be only 5% of maximum Table A allocations. Long-term average Table A allocations are currently predicted to be approximately 45% of maximum Table A allocations.

A portion of Table A allocations for a given year are occasionally carried over into the following year under Article 56 of the SWP Contract. No Article 56 water has been carried over from 2021, and no Article 56 water is scheduled to be carried over from 2022 to 2023.

Even though CVWD and DWA have requested and will continue to request their maximum annual Table A allocations, the "Probable Table A Water Allocations" and "Probable Table A Water Deliveries" have been adjusted herein for long-term reliability for estimating purposes. In past reports, the Probable Table A Water Allocations have been assumed herein to be equal to the maximum Table A Water allocations with the MWD transfer portion reduced by a calculated factor to represent a long-term average transfer quantity with possible recalls by MWD pursuant to the original 2003 Exchange Agreement and its implementation. By 2016, MWD management had advised DWA that it would be unlikely for MWD to make any additional recalls for the foreseeable future, and the 2019 amendments to, and restatement of, the 2003 Exchange Agreement have eliminated the call-back provision. Therefore, this factor has not been applied to projected estimates since 2018. "Probable Table A Water Deliveries" are herein assumed to be 45% of the aforementioned Probable Table A Water Allocations, based on currently estimated SWP delivery capability.

From 1973 through 2003, CVWD and DWA had SWP maximum annual Table A allocations of 23,100 AF and 38,100 AF, respectively. To meet projected water demands and to alleviate cumulative gross overdraft conditions, CVWD and DWA have secured additional SWP Table A water allocations, increasing their combined maximum Table A water allocations from 61,200 AF/Yr in 2003 to 194,100 AF/Yr beginning in 2010. CVWD and DWA's current Table A allocations are described in additional detail in the following paragraphs.

1) Tulare Lake Purchase

CVWD obtained an additional 9,900 AF/Yr of Table A water allocation from Tulare Lake Basin Water Storage District, another State Water Contractor, thus increasing its annual Table A water allocation to 33,000 AF/Yr, effective January 1, 2004.

2) 2003 and 2019 Exchange Agreements

In 2003, CVWD and DWA obtained a further 100,000 AF/Yr (88,100 AF/Yr for CVWD and 11,900 AF/Yr for DWA) of Table A water allocation through a new exchange agreement (the 2003 Exchange Agreement) among CVWD, DWA, and MWD (all State Water Contractors). The 2003 Exchange Agreement, which became effective January 1, 2005, permitted MWD to call-back or recall the assigned annual Table A water allocation of 100,000 AF/Yr in 50,000 AF/Yr increments during periods of constrained, limited, or low water supply conditions; however, it gave CVWD and DWA the opportunity to secure increased quantities of surplus water in addition to increased quantities of Table A water during normal or high water supply conditions. MWD was required to notify CVWD and DWA of its intentions regarding call-back or recall of the 100,000 AF or 50,000 AF increment thereof.

The 2003 Exchange Agreement was substantially amended, restated, and consolidated in 2019 as the 2019 Exchange Agreement. The 2019 Exchange Agreement provides more certainty of water supplies for DWA and CVWD, and more operational flexibility to MWD. Key elements of the 2019 Exchange Agreement include:

- a) Ending MWD's right to call back 100,000 AF of the Table A Quantity,
- b) Preserving MWD's ability to advance deliver water to the Whitewater River and Mission Creek Groundwater Replenishment Facilities when conditions allow,
- c) Enabling MWD to conditionally defer Colorado River water deliveries during drier periods,
- d) Increasing reliability of supplemental State Water Project and non-State Water Project water deliveries,

- e) Allowing DWA and CVWD access to Article 21 supplies when available (in proportion to Table A Quantities), and
 - f) Allowing DWA and CVWD access to MWD's water storage accounts, and defining the cost-sharing structure.
- 3) Kern County/Tulare Lake Purchase

In 2010, CVWD and DWA negotiated transfer of an additional 16,000 AF/Yr (12,000 AF/Yr for CVWD and 4,000 AF/Yr for DWA) of Table A water allocation from Kern County Water Agency and an additional 7,000 AF/Yr (5,250 AF/Yr for CVWD and 1,750 AF/Yr for DWA) from Tulare Lake Basin Water Storage District, both State Water Contractors.

d. Supplemental Water

Any surplus water secured by CVWD and DWA is exchanged for a like quantity of Colorado River Water. Charges for surplus water are allocated between CVWD and DWA in accordance with the terms of the Water Management Agreements. DWA secures funds for its allocated charges for surplus water payments from its Reserve for Additional Water Reserve Account.

1) Turn-Back Water Pool Water

From 1996 through 2017, CVWD and DWA jointly obtained 297,841 AF of water under CDWR's Turn-Back Water Pool Program, which was exchanged for a like quantity of Colorado River Water and delivered to the Whitewater River and Mission Creek Replenishment Facilities.

Turn-Back Water Pool water was originally Table A water scheduled for delivery to other State Water Contractors, but those Contractors subsequently determined that the water was surplus to their needs. Surplus water in the Turn-Back Water Pool Program is allocated between two



pools based on time: Pool A water must be secured by March 1 of each year and Pool B water must be secured between March 1 and April 1 of each year. The charge for Pool A water is higher than the charge for Pool B water.

Since fiscal year 1999/2000, requests for Turn-Back Water Pool water have exceeded water available. Quantities of Pool A and Pool B water purchased by CVWD and DWA are shown in **Exhibit 7**.

In 2021, DWA and CVWD were not allocated any SWP surplus water under the Turn-Back Water Pool Program. Based on current projections, CVWD and DWA will not receive any Turn-Back Water Pool water in 2022.

2) Flood Water

In 1997 and 1998, CVWD and DWA jointly obtained 47,286 AF of Kaweah River, Tule River, and Kings River flood flow water, which was also exchanged for a like quantity of Colorado River water delivered to the Whitewater River Groundwater Replenishment Facility. Currently, the availability of flood water in 2022 is uncertain.

3) Article 21 Surplus Water

From 2000 through 2011, CVWD and DWA obtained 42,272 AF of Article 21 surplus water and, similarly, that water was also exchanged for a like quantity of Colorado River water which was delivered to the Whitewater River Groundwater Replenishment Facility. No Article 21 water has been delivered to the Coachella Valley since 2011. It is unlikely that DWA and CVWD will receive Article 21 water in 2022.



4) Yuba River Accord and Other Water

In 2008, CVWD and DWA obtained 1,836 AF of water under the terms of the Yuba River Accord (then newly-ratified). Quantities of water obtained under the Yuba River Accord and other conservation/transfer agreements by DWA and CVWD since 2009 are shown in **Exhibit 7**. Up to 3,903 AF of water under the Yuba River Accord may be available for purchase by DWA and CVWD in 2022. DWA and CVWD have applied for the maximum quantity of Yuba water available, but that exact quantity is yet to be determined by CDWR.

e. Past Year Water Deliveries

Total artificial replenishment (to both the Whitewater River and Mission Creek Replenishment Facilities) for 2021 was 25,639 AF. 15,006 AF was delivered to the Whitewater River Groundwater Replenishment Facility, 10,633 AF was delivered to the Palm Desert Groundwater Replenishment Facility, and no water was delivered to the Mission Creek Groundwater Replenishment Facility (see **Exhibit 7**).

f. Water Available in Current Year

The estimated quantity of water available to MWD on behalf of DWA and CVWD for exchange deliveries of Colorado River Aqueduct water for artificial replenishment in the Upper Coachella Valley during 2022, is as follows:

- Table A water: 9,705 AF (based on delivery of 5% of the maximum Table A allocation; 2,788 AF on behalf of DWA)
- Article 56 Carry-over water from 2021: None
- Estimated supplemental water:
 - 0 AF of Turn-Back Pool water
 - 0 AF of Article 21 water
 - Potentially up to 3,903 AF of Yuba water (1,121 AF available for DWA purchase)

- 50,000 AF of Quantitative Settlement Agreement water (CVWD 35 TAF Program and 15 TAF Program)

The grand total is approximately 63,608 AF (maximum). MWD will deliver a portion of the above quantities to DWA and CVWD by exchange of Colorado River water, and a portion via credit from the Advance Delivery account. During the first three months of 2022, a total of 8,629 AF of Colorado River water has already been delivered to the Whitewater River Groundwater Replenishment Facility (all apportioned to CVWD under the QSA 15 TAF Program), and 0 AF of Colorado River water has been delivered to the Mission Creek Groundwater Replenishment Facility. MWD expects to deliver a total of 15,000 AF of Colorado River Water by the end of the year.

g. Historic Effects of Artificial Replenishment on Aquifer

Prior to recharge activities in the Whitewater River Subbasin and MC, water levels were declining steadily in those subbasins. As shown in **Exhibits 1, 2, and 3**, after recharge activities commenced in 1973, and specifically after the three large recharge periods listed below, groundwater levels in both subbasins have risen substantially.

- 1985 - 1987: 655,000 AF Recharged (192,000 AF by DWA)
- 1995 - 2000: 609,000 AF Recharged (157,000 AF by DWA)
- 2009 - 2012: 775,000 AF Recharged (176,000 AF by DWA)

Exhibit 1 includes hydrographs for a collection of groundwater wells within the Palm Springs Subarea of the WWR Management Area (see **Figure 2** for the locations of the wells) in comparison with the total annual quantities of water delivered to the Whitewater River Groundwater Replenishment Facility. This comparison clearly indicates that the recharge program has benefitted wells within the subarea.

Water levels in the wells closest to the Whitewater River Groundwater Replenishment Facility rose approximately 400 feet in the late 1980s and nearly

200 feet following each significant recharge period to the Whitewater River Groundwater Replenishment Facility. As expected with groundwater replenishment, the most significant response to recharge in the WWR Management Area is observed in the wells located closest to the Replenishment Facility. The degree of benefit observed from recharge decreases the farther the well is from the Replenishment Facility, as shown by the diminishing intensity of the colors of the hydrographs. Well locations are shown on **Figure 2**.

Exhibit 2 includes hydrographs for MSWD's Wells 25 and 26, which are located upstream of the Whitewater River Groundwater Replenishment Facility within the San Gorgonio Pass Subbasin (a tributary to the Palm Springs Subarea of the WWR Management Area). Similar to other wells in the management area, water levels in these wells were also declining prior to groundwater recharge, and water levels in these wells rose by about 80 feet each after recharge commenced in the 1980s. Water levels in these wells also rose following the other significant recharge periods, such as 1995-97 and 2010-12, thus demonstrating that these wells were benefitted by groundwater replenishment activities at the Whitewater River Groundwater Replenishment Facility.

Exhibit 3 includes hydrographs from a collection of groundwater wells within the Garnet Hill Subarea of the WWR Management Area (see **Figure 2** for the locations of the wells) including one well owned by MSWD in comparison with both the replenishment quantities replenished by the Whitewater River and Mission Creek Replenishment Facilities. Groundwater levels in the Garnet Hill Subarea responded rapidly when replenishment activities commenced at the Whitewater River Groundwater Replenishment Facility in the 1970s. The magnitude of the response to the groundwater recharge is inversely proportional to the distance the wells are located from the Replenishment Facility, as shown by the diminishing intensity of the colors of the hydrographs.

Exhibit 4 includes hydrographs for a selection of groundwater wells owned and operated by MSWD and the Mission Creek Monitoring Well located at the Mission Creek Groundwater Replenishment Facility (see **Figure 2** for the locations of the wells), in comparison with the total annual quantities of water delivered to the



Mission Creek Groundwater Replenishment Facility. The comparison clearly indicates that the recharge program has benefitted the wells within the subbasin, especially the wells near the groundwater replenishment facility. The magnitude of the response to the groundwater recharge is inversely proportional to the distance the wells are located from the Replenishment Facility, as shown by the diminishing intensity of the colors of the hydrographs.

Although artificial replenishment with imported water, augmenting natural replenishment, has met increasing average annual groundwater demands during the past 30 years, it has not, for all practical purposes, reduced or diminished cumulative gross overdraft within the Coachella Valley Groundwater Basin, which existed prior to artificial replenishment of the groundwater basin. In effect, the groundwater overdraft condition that existed prior to imported water becoming available for groundwater replenishment has not been significantly altered, but the trend has been arrested. Although current groundwater levels have generally stabilized in the subbasins within the management areas, current cumulative gross overdraft (not yet offset by cumulative artificial replenishment) is estimated at roughly 4,168,000 AF in the WWR Management Area (since 1956) and 317,000 AF in the MC Management Area (since 1978). Cumulative net overdraft, (cumulative gross overdraft offset by replenishment since commencement of artificial replenishment activities) is currently estimated at about 301,000 AF in the WWR Management Area (since 1973) and about 35,217 AF in the MC Management Area (since 2002).

h. Adequacy of Current Supplies, Water Conservation, and Future Prospects

1) State Water Project Improvements

As discussed in previous reports, the State of California is proposing a program of improvements to the SWP. The program was originally called *California WaterFix*, and is now called the *Delta Conveyance Project*.

The California WaterFix program originally involved the construction and operation of new water diversion facilities near Courtland to convey water

from the Sacramento River through two tunnels to the existing state and federal pumping facilities near Tracy. In addition to other federal, state, and local approvals, California WaterFix required changes to the water rights permits for the SWP and the federal Central Valley Project to authorize the proposed new points of water diversion and rediversion.

The capital cost of the full California WaterFix Project was estimated at about \$17 billion for two tunnels. However, in his first State of the State address on February 12, 2019, Governor Gavin Newsom announced that he supports only the single-tunnel alternative, known as the "Delta Conveyance Project", or DCP, and the California WaterFix project was officially halted in May, 2019.

The planning and environmental review process for the DCP commenced on January 15, 2020 with the release of the Notice of Preparation (NOP) for the development of an Environmental Impact Report (EIR), which would evaluate several project alternatives. Scoping for the EIR has been completed. The Draft EIR is anticipated to be released for public review and comment in mid-2022. The Delta Conveyance Project is expected to cost about \$16 billion, with construction expected to begin in 2024 and continue to about 2034.

Eventually, SWP water supply reliability, quality, and delivered quantities and the overall health of the Delta may improve upon implementation of the DCP; however, it is unlikely that the costs for Delta improvements will be allocated to the State Water Contractors before 2030.

The 2022 Indio Subbasin Water Management Plan Update and the 2021 Mission Creek Subbasin Alternative Plan Update assume that water supplies from the DCP will become available around 2040.

2) Sites Reservoir Project

DWA is one of 28 California water agencies to have committed funds to design and build the \$3 billion Sites Reservoir Project, which is also supported by state and federal funding. This 1.5-million-acre-foot reservoir will be built near the Sacramento River in Colusa County. The project is designed to increase water supply resilience for participating agencies by capturing and storing water from the Sacramento River in wet years and releasing it in dry years via the State Water Project. The reservoir could yield about 240,000 acre-feet of water per year for participating agencies.

As of 2020, construction of the Sites Reservoir was expected to begin in 2023, with completion targeted for 2030. The 2022 Indio Subbasin Water Management Plan Update and the 2021 Mission Creek Subbasin Alternative Plan Update assume that water supplies from the Sites Reservoir Project will become available around 2035.

3) California Drought

In addition to the existing restrictions on water supplies from the SWP, California recently experienced over four consecutive years of severe drought, and is again facing drought conditions.

The four-year period between fall 2011 and fall 2015 was the State's driest since record keeping began in 1895. A statewide drought emergency was declared at an end in early 2017 due to a series of winter storms producing record-level rainfall.

During the course of the drought, the state implemented a number of mandatory water conservation measures, which are discussed in detail in previous reports, along with the efforts of DWA and CVWD to comply with said measures.

At the end of the process, DWA elected to retain a 10% to 13% conservation target for its customers for the purposes of long-term sustainability.

The winter storms of 2018-2019 nearly completely ended the drought conditions in California. According to the California Drought Monitor website, as of March 2019, no parts of California were listed as being in moderate or higher drought conditions.

However, significant drought conditions have returned to California. As of March 22, 2022, 37.69% of the state is listed as being in extreme drought or worse, 93.65% of the state is listed as being in severe drought or worse, and the entire state is listed as being in moderate drought or worse.

The 2020-2021 water year was the second driest water year in California history, with several California cities, including Sacramento, San Francisco, Bakersfield and Santa Barbara, receiving less than half of their average annual precipitation. In July 2021, Governor Newsom issued an executive order calling on Californians to voluntarily reduce water use by 15 percent compared to 2020, to protect water reserves and complement local conservation mandates. By August, urban water use had decreased by 5 percent compared to 2020.

On October 19, 2021, the Governor issued an executive order expanding the statewide drought declaration to include all of California, and authorizing DWR to implement measures to prevent water waste.

On December 1, 2021, due to persistent drought conditions, DWR restricted SWP supplies for 2022 to cover only critical health and safety needs of the agencies that contract to receive SWP supplies--essentially a 0% allocation. On January 20, 2022, following several significant storms in December 2021, DWR increased the 2022 State Water Project allocation to 15% of requested supplies. The rainfall did not persist,

however, and January and February were the driest in history for California's major watersheds. On March 18, 2022, DWR reduced the 2022 State Water Project Allocation to 5% of requested supplies. On March 28, 2022, Governor Newsom issued Executive Order No. N-7-22 encouraging statewide implementation of additional water conservation and drought resiliency measures, including a direction to DWR to require all California water agencies with Water Shortage Contingency Plans to implement Water Shortage Level 2 conservation measures (up to 20%).

The six standard Water Shortage Levels are defined in Section 3.0 of DWA's Water Shortage Contingency Plan (June 2021), beginning on page 3. The shortage response actions (conservation measures) corresponding to a Level 2 water shortage are set forth in Tables 2, 3, and 4 of the Water Shortage Contingency Plan, and include outdoor water use restrictions on time of day, increased water waste patrols, consideration of activation or construction of emergency connections with neighboring agencies, actively discouraging overseeding, restaurants serving drinking water to patrons only upon request, reducing hydrant and dead-end line flushing, and an expanded public information campaign.

4) State Water Project Long-Term Reliability Estimates

CDWR has been releasing various estimates of the long-term reliability and delivery capability ("deliverability") of the SWP since 2014. The 2013 *SWP Final Reliability Report*, dated December 2014, estimated the long-term reliability of SWP supplies at 58% of maximum Table A Amounts, projected through the year 2033.

CDWR issued Delivery Capability reports in 2015, 2017, and 2019, all of which used an 82-year hydrologic record (1922 through 2003) for computer model simulations of potential hydrologic conditions (runoff and precipitation patterns) for long-term average delivery, and deliveries during typical wet years and typical dry years. Each successive report updated conditions of land use, upstream flow regulations, and sea levels

characteristics to the current year. Based on these reports, the long-term SWP reliability figure of 58% continued to be used in these Engineer's Reports through 2017/2018; a 62% long-term average deliverability figure was used in the 2018/2019 and 2019/2020 Engineer's Reports; and a 58% long-term average deliverability figure was used in the 2020/2021 Engineer's Report.

The *2022 Indio Subbasin Water Management Plan Update: Alternative Plan* (December 2021) and the 2021 Mission Creek Alternative Plan Update recognize the results of the final 2019 Delivery Capability Report, but also take into account the significant reduction in reliability associated with climate change and Delta export litigation; and, rather than using the 58% long-term average deliverability figure set forth therein, instead assumes 45% State Water Project reliability through the planning horizon. Said 45% long-term average reliability figure is used in this Engineer's Report.

5) Conclusion

In conclusion, the natural groundwater replenishment to the Coachella Valley Groundwater Basin is not sufficient to support current groundwater pumping levels, so artificial replenishment is necessary. Overdraft in future years is virtually unpredictable, due to the difficulty of projecting long-term growth and reliability of SWP supplies. However, DWA and CVWD have been able to effectively manage the Indio and Mission Creek Subbasins despite the unreliability of SWP supplies; largely avoiding adverse effects. Both agencies continue to investigate and invest in additional sources of imported water, such as the DCP and Sites Reservoir Project, and continue to actively implement water conservation programs. With such continued efforts, both agencies anticipate sustainable groundwater management.

7. Replenishment Assessment

For the WWR Management Area, DWA began its groundwater assessment program in fiscal year 1978/1979 and CVWD began its groundwater assessment program in fiscal year 1980/1981. For the MC Management Area, the two agencies initiated their groundwater assessment programs simultaneously in fiscal year 2003/2004. The two agencies are not required to implement the assessment procedure jointly or identically; however, they have each continuously levied an annual assessment on water produced within their respective jurisdictions since inception of their groundwater assessment programs.

Since the 2013 MC/GH WMP demonstrates that the Garnet Hill Subarea benefits from the groundwater replenishment activities in the two adjacent subbasins, pursuant to the 2004 Settlement Agreement between CVWD, DWA, and MSWD; DWA and CVWD have the authority establish a groundwater assessment program for the Garnet Hill Subarea. DWA's replenishment assessment program was initiated in this subarea in fiscal year 2015/2016. Currently, there is no assessable production in the Garnet Hill Subarea within CVWD's WWR AOB.

Section 15.4(b) of the Desert Water Agency Law requires the filing of an engineer's report regarding the Replenishment Program before DWA can levy and collect groundwater replenishment assessments. The report must address the condition of groundwater supplies, the need for groundwater replenishment, the AOBs, water production within said AOBs, and replenishment assessments to be levied upon said water production. It must also contain recommendations regarding the replenishment program. This report has been prepared in accordance with these requirements.

CHAPTER III
WHITEWATER RIVER SUBBASIN
PRODUCTION AND REPLENISHMENT

CHAPTER III

WEST WHITEWATER RIVER SUBBASIN MANAGEMENT AREA

PRODUCTION AND REPLENISHMENT

A. MANAGEMENT AREA

The WWR Management Area consists of two hydrologic subareas, the Palm Springs Subarea and the Garnet Hill Subarea. The Garnet Hill Subarea is separated from the Palm Springs Subarea by the Garnet Hill Fault, which is a reasonably effective barrier to horizontal groundwater movement, but not within the first 100 feet below ground surface.

The Mission Creek/Garnet Hill Management Committee engaged MWH to prepare the MC/GH WMP, which was completed in January 2013. According to the MC/GH WMP, while the Garnet Hill Subarea receives no direct artificial replenishment, it benefits from the artificial replenishment activities in both the MC and Whitewater River Subbasin. It benefits from the replenishment activities in the MC via some subsurface flows across the Banning Fault, and from the replenishment activities in the westerly portion of the Whitewater River (Indio) Subbasin via: (a) infiltration from the Whitewater River channel, which carries imported water from the Colorado River Aqueduct to the replenishment facilities within the Whitewater River Subbasin, and (b) from subsurface flow across the Garnet Hill Fault at the northwesterly end of the Garnet Hill Subarea during major recharge events that significantly raise the groundwater level in the vicinity of the Whitewater River Groundwater Replenishment Facility. Exact quantities of replenishment benefit from the MC and Whitewater River Subbasin to the Garnet Hill Subarea cannot be ascertained at this time with currently available hydrologic data.

From 2005 through 2018, the Garnet Hill Subarea within DWA's service area was treated as a separate Management Area and AOB. In 2019, the Garnet Hill Subbasin Management Area was consolidated into the WWR Management Area to conform to the subbasin delineations adopted by the CDWR. The information presented in this report reflects this change.

B. GROUNDWATER PRODUCTION

Annual water production (groundwater extractions plus surface water diversions) within the WWR Management Area is shown in **Figure 3**, as "Water Requirements". It averaged about 93,000 AF from 1965 through 1967, and then increased to approximately 187,000 AF in 1990. It then

decreased to approximately 174,000 AF in 1991, coincident with the initiation of significant deliveries of recycled water by CVWD and DWA to irrigation users within the Management Area (which had the effect of temporarily reversing the trend toward steadily increasing production of groundwater therein).

Due to development, production increased sharply to about 187,000 AF in 1997 and to about 208,000 AF in 1999. It then averaged about 211,000 AF during the three-year period 2000 through 2002 and remained relatively stable through 2007, probably as a result of water conservation and increased use of recycled water, and (within CVWD's AOB) conversion of agricultural land to residential development, which leveled off in 2000. Production has decreased following 2007 due to water conservation programs implemented by both agencies and also partly to poor economic conditions reducing demands.

During the past five calendar years (2017 through 2021), average annual water production within the WWR Management Area has been about 154,000 AF/Yr, approximately three-fourths of which took place within CVWD's AOB and approximately one-fourth within DWA's AOB.

Current (2021 calendar year) and historic groundwater production and surface water diversion data for the WWR Management Area is set forth in **Table 1**.

Until 2020, surface water diversions were reported in **Table 1** as total water diverted, including water returned to the natural stream. Beginning with 2020, due to operational changes, surface water diversions are reported in **Table 1** as water diverted and directed into the domestic water system. Additional surface water diversion quantities, formerly returned to the natural stream, are now diverted and directed into groundwater replenishment facilities,

C. NATURAL RECHARGE

Natural recharge (natural inflow) includes precipitation, surface water runoff, subsurface inflow, and surface water runoff that has been diverted into groundwater replenishment facilities. Based on 2021 estimates, natural inflow into the WWR Management Area is approximately 16,636 AF/Yr, while natural outflow is estimated at approximately 1,322 AF/Yr (Todd, et al. 2021). Thus, approximately 15,314 AF (2021 natural inflow less 2021 natural outflow) of natural, or native, groundwater is currently available for water supply.



D. NON-CONSUMPTIVE RETURN

Consumptive use of water represents the use of water that is not returned to the aquifer (for example: water that is subjected to evapotranspiration by vegetation, thus releasing it into the atmosphere; water that is incorporated into biomass or manufactured products; and water that is exported). Non-consumptive return water is water that is ultimately returned to the aquifer after diversion (for example, diverted surface water returned to the stream channel), or after use (for example, irrigation water percolating beyond the root zone or treated wastewater discharged to percolation ponds or leach fields) or water used for public parks or golf course irrigation (wastewater recycled for irrigation use). Although non-consumptive return in the WWR Management Area has been estimated at approximately 40% (USGS 1974) and 35% (USGS 1992), CVWD's 2010 Update to the Coachella Valley Water Management Plan (and 2014 Status Report to that plan) incorporated groundwater modeling by MWH (now Stantec) which projected that non-consumptive return may decrease from 35% to approximately 30% through 2035 based on the effects of implementing water conservation measures, such as turf removal and more efficient irrigation practices. In the *2022 Indio Subbasin Water Management Plan Update: Alternative Plan* (Todd, et al. 2021) and the *Mission Creek Subbasin Alternative Plan Update* (Wood, et al. 2021), Todd, Wood et al have set forth revised estimates for non-consumptive return in each subbasin based on Stantec's and Krieger & Stewart's recent efforts to more accurately characterize non-consumptive return by quantifying water use categories; with estimates made for water percolated via agricultural and landscaping irrigation return, wastewater treatment plant and septic tank discharge, and water recycling activities within each Management Area of the Coachella Valley, and considering such factors as transfers of produced water between subbasins. This effort has resulted in estimates for non-consumptive use within the WWR Management Area that are currently approximately 32% of total estimated groundwater production or about 50,000 AF/Yr (average for the past five years), which are the figures used herein.

E. ARTIFICIAL REPLENISHMENT

Total artificial replenishment (to both the WWR and MC Management Areas) for 2021 was 25,639 AF. Of this quantity, 15,006 AF were delivered to the Whitewater River Groundwater Replenishment Facility (consisting entirely of CVWD's QSA water), 10,633 AF were delivered to the Palm Desert Groundwater Replenishment Facility, and no water was delivered to the Mission Creek Groundwater Replenishment Facility (see **Exhibit 7**).



F. GROUNDWATER IN STORAGE

Average total annual production within the WWR Management Area of 154,000 AF for the past five years (including reported production and estimated annual production by minimal pumpers based on geographic region) has been met with an average of approximately 15,314 AF of net natural recharge, an average of approximately 50,000 AF of non-consumptive return, and an average of 181,000 AF of net artificial replenishment, resulting in a net increase in groundwater in storage of about 105,000 AF/Yr over the past five years.

G. OVERDRAFT STATUS

Based on information contained in USGS Water Resources Investigations 77-29 and 91-4142, average annual gross overdraft within the WWR Management Area of the Coachella Valley Groundwater Basin began in the 1950s and was estimated to be 30,000 AF/Yr during the late 1960s and early 1970s. Due to increased development and demands, pumping now further outpaces natural inflows. This highlights the importance of artificial replenishment efforts. Gross overdraft within the WWR Management Area (excluding artificial replenishment) is now estimated to have averaged approximately 76,000 AF/Yr over the last five years. Since 1956, cumulative gross overdraft (net pumpage minus net natural recharge) is currently estimated at about 4,168,000 AF. Since commencement of artificial replenishment activities in 1978, cumulative net overdraft (cumulative gross overdraft offset by artificial replenishment) is currently estimated to be about 301,000 AF. If considered since 2009, the year of historic low groundwater in storage, there is currently no cumulative net overdraft; instead, there is a surplus of about 655,000 AF.

As noted in CDWR Bulletin 118-80 and SGMA, consideration of groundwater overdraft is qualified by adverse effects of overdraft, such as chronic lowering of groundwater levels, reduction of groundwater in storage, decreased well yields, increased groundwater extraction costs, water quality degradation, sea-water intrusion, land subsidence, and environmental impacts. With continued implementation of the groundwater replenishment program, both agencies anticipate ongoing avoidance of adverse effects of overdraft.

CHAPTER IV
MISSION CREEK SUBBASIN
PRODUCTION AND REPLENISHMENT

CHAPTER IV

MISSION CREEK SUBBASIN MANAGEMENT AREA PRODUCTION AND REPLENISHMENT

A. GROUNDWATER PRODUCTION

Annual water production (groundwater extractions) within the MC Management Area is shown in **Figure 4**, as "Water Requirements". It increased from an average of approximately 500 AF/Yr in the late 1950s and 1960s to approximately 2,300 AF/Yr in 1978. Production increased relatively steadily since then to approximately 17,400 AF/Yr in 2006, then began dropping slightly as a result of declining economic conditions to about 16,400 AF/Yr in 2007, 15,800 AF/Yr in 2008, 15,100 AF/Yr in 2009, 14,300 in 2010, 14,200 in 2011, and 13,000 in 2015. Annual groundwater production within the MC Management Area has resulted in cumulative long-term groundwater overdraft, as evidenced by the steady decline of groundwater levels within the MC prior to commencement of recharge activities.

During the past five calendar years (2017 through 2021), average annual reportable water production within the MC Management Area has been about 14,000 AF/Yr; approximately two-thirds of which took place within DWA's AOB and approximately one-third within CVWD's AOB. Current (2021 calendar year) and historic groundwater production and surface water diversion data for the MC Management Area is set forth in **Table 1**.

B. NATURAL RECHARGE

Natural recharge includes precipitation, surface water runoff, and subsurface inflow. As discussed in past reports, it is currently estimated that natural inflow and surface recharge of the MC has averaged approximately 3,500 to 10,800 AF/Yr over the long term. Most estimates of natural outflow from the MC equal or exceed the corresponding estimates of natural inflow.

The most recent estimate for natural inflow into the MC was prepared by Wood et al for the *Mission Creek Subbasin Alternative Plan Update* (2021). Wood presents variable estimates for natural inflow from precipitation and mountain-front runoff based on historical precipitation records and projected wet and dry years along with approximately 1,200 AF/Yr from flows across the Mission Creek Fault from the Desert Hot Springs Subbasin.

Wood estimated natural outflow of 2,300 AF/Yr of subsurface flow from the Banning Fault to the Garnet Hill Subarea and through semi-water bearing rocks, known as the Indio Hills at the southeastern end of the MC, and 950 AF/Yr of evapotranspiration.

The 5-year average net natural inflow to the Mission Creek Subbasin is approximately 3,500 AF/Yr (Wood, et al. estimate).

C. NON-CONSUMPTIVE RETURN

Consumptive use and non-consumptive return are discussed in **Chapter III, Section C**. Within the MC Management Area, non-consumptive return is currently estimated at approximately 32% of total estimated production, or about 4,540 AF/Yr (average for the past five years).

D. ARTIFICIAL REPLENISHMENT

Total artificial replenishment (to both the WWR and MC Management Areas) for 2021 was 25,639 AF, all delivered to the WWR. There was no artificial replenishment water delivered to the Mission Creek Groundwater Replenishment Facility in 2021 (see **Exhibit 7**). Nevertheless, the MC Management Area is still currently overdelivered per the 2004 Settlement Agreement by approximately 8,000 AF to date.

Based on the production relationship between the Whitewater River Subbasin and the MC, in accordance with the 2014 Mission Creek Water Management Agreement, about 91.8% of imported water deliveries in 2022 will be directed to the WWR Management Area and 8.2% to the MC Management Area, based on 2021 production (see **Exhibit 6**).

E. GROUNDWATER IN STORAGE

Average total annual production within the entire MC Management Area of 14,000 AF for the past five years (including reported production and an estimated 500 AF of annual production by minimal pumpers) has been met with approximately 3,500 AF of net natural recharge, approximately 4,540 AF of non-consumptive return, and 3,275 AF of net artificial replenishment (less evaporative losses), resulting in a net decrease in groundwater in storage of about 2,700 AF/Yr over the past five years.



The change in groundwater storage within DWA's MC AOB has also been estimated using changes in measured static water levels in wells within the AOB. Using the average static water levels in the wells in DWA's AOB, the average annual reduction in stored groundwater was 3,900 AF/Yr from 1955 through 2021, and 3,300 AF/Yr from 1998 through 2021 (see **Exhibit 5**).

F. OVERDRAFT STATUS

Gross overdraft within the MC (excluding artificial replenishment) is now estimated at approximately 8,000 AF/Yr during the last five years. Cumulative gross overdraft (net pumpage minus net natural recharge) since 1978 is currently estimated at approximately 317,000 AF. Since commencement of artificial replenishment activities began in 2002, cumulative net overdraft (cumulative gross overdraft offset by artificial replenishment) is currently estimated to be about 35,200 AF. If considered from 2009, the year of historic low groundwater in storage, the cumulative net overdraft is currently estimated to be about 17,000 AF.

As noted in CDWR Bulletin 118-80 and SGMA, consideration of groundwater overdraft is qualified by adverse effects of overdraft, such as chronic lowering of groundwater levels, reduction of groundwater in storage, decreased well yields, increased groundwater extraction costs, water quality degradation, sea-water intrusion, land subsidence, and environmental impacts.

With continued implementation of the groundwater replenishment program, both agencies anticipate ongoing avoidance of adverse effects of overdraft.

CHAPTER V
REPLENISHMENT ASSESSMENT

CHAPTER V REPLENISHMENT ASSESSMENT

Desert Water Agency Law, in addition to empowering DWA to replenish groundwater basins and to levy and collect groundwater replenishment assessments within its areas of jurisdiction, defines production and producers for groundwater replenishment purposes as follows:

Production: The extraction of groundwater by pumping or any other method within the Agency, or the diversion within the Agency of surface supplies which naturally replenish the groundwater supplies within the Agency and are used therein [DWA Law, Section 15.4(a)(3)].

Producer: Any individual, partnership, association, group, lessee, firm, private corporation, public corporation, or public agency including, but not limited to, the DWA, that extracts or diverts water as defined above [DWA Law, Section 15.4(a)(4)].

Producers that extract or divert 10 AF of water or less in any one year are considered minimal pumpers or minimal diverters, and their production is exempt from assessment.

Desert Water Agency Law also states that assessments may be levied upon all water production within an AOB, provided assessment rates are uniform throughout [DWA Law, Section 15.4(e)]. Pursuant to Section 15.4(f) of Desert Water Agency Law, the amount of any replenishment assessment cannot exceed the sum of:

1. Certain SWP charges, specifically, the Delta Water Charge, the Variable OMP&R Component of the SWP Transportation Charge (Variable Transportation Charge), the Off-Aqueduct Power Component of the SWP Transportation Charge (Off-Aqueduct Power Charge and any surplus water or unscheduled water charges), pursuant to the Contract between DWA and the State of California. The aforesaid charges are set forth in each year's CDWR *Bulletin on the State Water Project* (CDWR Series 132, Appendix B, Tables B-16B, B-18, and B-21).
2. Costs of importing and recharging water from sources other than the State Water Project.
3. Costs of treating and distributing reclaimed water.

DWA has historically not included costs of importing and recharging water from sources other than the State Water Project, costs of treating and distributing reclaimed water, or costs of surplus or unscheduled water deliveries in the replenishment assessment rate.

Prior to 2002, groundwater replenishment with Colorado River Water (exchanged for SWP water) had been limited to recharge of the WWR Management Area. In 2002, DWA and CVWD commenced recharge activities in the MC Management Area, in addition to continuing their ongoing activities in the WWR Management Area. The AOBs for Groundwater Replenishment and Assessment herein consist of those portions of the WWR Management Area (including a portion of the San Geronio Pass Subbasin and tributaries thereto) and the MC Management Area, situated within DWA's service area boundary (**Figure 2**).

The groundwater replenishment assessment and replenishment assessment rate for 2022/2023 is based on the following:

1. All groundwater production within DWA and MSWD, with certain exceptions, is metered, and all assessable surface water diversions within DWA are metered or measured. There are no surface water diversions within the MC AOB.
2. The Delta Water Charge, the Variable Transportation Charge, and the Off-Aqueduct Power Charge, as set forth in Appendix B of the most recent CDWR Bulletin Series 132 and hereafter referred to as Applicable SWP Charges.
3. The proportionate share of the Applicable SWP Charges allocable to CVWD and DWA in accordance with the Water Management Agreements between CVWD and DWA (Water Management Agreement for the Whitewater River Subbasin executed July 1, 1976 and amended December 15, 1992, and the Water Management Agreement for the Mission Creek Subbasin executed April 8, 2003; both amended July 15, 2014), hereafter referred to as Allocated SWP Charges. (The applicable charges are essentially apportioned between CVWD and DWA in accordance with relative water production within those portions of each entity lying within the applicable Water Management Areas, either the Whitewater River Subbasin (including the Garnet Hill Subarea and a portion of the San Geronio Pass Subbasin) or the MC.

4. Certain charges or costs other than those derived pursuant to items 1, 2, and 3 above. Such additional charges may be offset from time to time by discretionary reductions.

The replenishment assessment rate comprises two components: (1) the Allocated SWP Charges attributable to the estimated annual Table A allocation, and (2) certain other charges or costs related to groundwater recharge, such as those for reimbursement of past surplus water charges for which assessments had not been levied.

The replenishment assessment rate, when applied to estimated assessable production (all production, excluding that which is exempt, within the AOB), results in a replenishment assessment which must not exceed the maximum permitted by Section 15.4(f) of Desert Water Agency Law. Due to the interdependent nature of the imported water supply for the WWR Management Area (including the Garnet Hill Subarea and a portion of the San Geronio Pass Subbasin), and the MC Management Area, the Allocated SWP Charges component of the replenishment assessment rate is uniform throughout the WWR AOB and MC AOB; however, due to the independent and separate nature of various other aspects of the groundwater replenishment program within the WWR AOB (including the Garnet Hill Subarea and a portion of the San Geronio Pass Subbasins), and MC AOB, the other charges and costs component need not be uniform; they are specific to each AOB.

A. ACTUAL 2021 WATER PRODUCTION AND ESTIMATED 2022/2023 ASSESSABLE WATER PRODUCTION

Estimated assessable production within DWA's WWR AOB (including a portion of the Garnet Hill Subarea and the San Geronio Pass Subbasin), and MC AOB consist of groundwater extractions from the groundwater subbasins and diversions from streams (Snow, Falls, and Chino Creeks) in the tributary watersheds. Estimated assessable groundwater production is based on metered water production. DWA staff read and record metered water production quantities with the exception of the wells owned by MSWD and the Indigo Power Plant, which are reported to DWA.

The effective replenishment assessment rate for Table A water is based on DWA's estimated Allocated SWP Charges for the current year (based on CDWR's projections for the assessment period) divided by the estimated assessable production for the assessment period, as set forth in **Table 6**. DWA has utilized two bases for estimating assessable production, either assessable production for the previous year, or, when statewide conservation mandates are in effect, a specified



year's assessable production minus a water conservation factor. Since the 2019/2020 report, the estimated assessable production for both AOBs has been based on the assessable production for the previous year (for this report, 2021), since the statewide conservation mandate was satisfied in 2017.

Estimated assessable water production is set forth in **Table 2**.

In 2021, actual reported production (including reported production from minimal pumpers, as shown in **Table 1**) within CVWD's AOB within the WWR Management Area was about 3.3 times that within DWA's AOB, 122,473 AF versus 36,832 AF, whereas actual reported production within DWA's AOB within the MC Management Area was about 2.1 times that within CVWD's AOB, 9,625 AF versus 4,602 AF. DWA's 2021 actual reported production accounts for approximately 26.8% of the 173,532 AF combined total of water produced within the Management Areas that year.

B. GROUNDWATER REPLENISHMENT ASSESSMENT RATES

The groundwater replenishment assessment rates consist of two components, one being attributable to SWP annual Table A water allocations, and the other being attributable to other charges or costs necessary for groundwater replenishment. Each component is discussed below.

1. Component Attributable to SWP Table A Water Allocation Charges

In accordance with the current 2014 Water Management Agreement, CVWD and DWA combine their SWP Table A water allocations, exchange them for Colorado River water, and replenish the WWR and MC Management Areas with exchanged Colorado River water. CVWD and DWA each assume the full burden for portions of their respective Fixed State Water Project Charges (Capital Cost Component and Minimum Operating Component of Transportation Charge); however, the two agencies share their Applicable SWP Charges (Delta Water, Variable Transportation, and Off-Aqueduct Power Charges) on the basis of relative production.

Although DWA could base its replenishment assessment rate on its Applicable SWP Charges, it only needs to recover its share (based on relative production) of the combined

Applicable SWP Charges for both CVWD and DWA (i.e. its Allocated SWP Charges). CVWD makes up the difference in accordance with the Water Management Agreement.

The Applicable SWP Charges for CVWD and DWA for Table A water are set forth in **Tables 3 and 4**, respectively. Unit Charges for Delta Water, Variable Transportation, and Off-Aqueduct Power Charges are based on estimates presented in Appendix B of CDWR Bulletin 132-21. Note that the Off-Aqueduct Power Charge sunsets after 2025.

Since CDWR has been unable to deliver maximum Table A allocations for 21 of the past 22 years, the amounts of the Applicable SWP Charges for 2022/2023 and future years are computed based on a long-term SWP reliability factor applied to the maximum SWP allocations. A factor of 58% was applied in 2021 and 2022. A factor of 45% is being applied in 2022 and 2023.

The derivations of the Applicable SWP Charges are set forth in **Tables 3 and 4**. The "Maximum Table A Water Allocation" shown in **Tables 3 and 4** is the currently existing Table A Water Allocation per CDWR Bulletin 132-19, Appendix B, Table B-4 (contractual quantities based on requests for same by CVWD and DWA) with no reliability factors being applied. The "Probable Table A Water Allocation" is the currently existing Table A Water Allocation. The MWD reliability factor was formerly applied to the Probable Table A Allocation column to reflect the long-term average with probable recalls by MWD, pursuant to the remaining years of the 2003 Exchange Agreement and its implementation. The "Probable Table A Water Delivery" is based on 45% reliability of the probable Table A Water allocation.

Applicable SWP Charges proportioned in accordance with the Water Management Agreement, more particularly in accordance with relative production within CVWD and DWA, yield Allocated SWP Charges. Over the past five years, 2017 through 2021, DWA has been responsible for approximately 22.67% of the water produced within the WWR Management Area, and 68.57% of water produced from the MC Management Area.

In the past, Allocated SWP Charges have been apportioned to CVWD and DWA based on production from the WWR Management Area. Since 2003/2004, Allocated SWP Charges have been apportioned to CVWD and DWA based on production from the combined WWR



and MC Management Areas. In 2021, DWA was responsible for approximately 26.8% of the combined water production within the Management Areas. On the assumption that DWA's relative production for 2022 and thereafter will be about the same as for 2021, DWA's share of the combined Applicable SWP Charges (i.e. Allocated Charges) for the next 12 years will be as set forth in **Table 5**.

Table 5 shows that DWA's estimated Allocated Charges (its share of combined Applicable Charges for Table A water) are anticipated to increase by about 12% between 2023 and 2024, increase by about 1% between 2024 and 2025, and increase by about 3% between 2025 and 2026. DWA's estimated Allocated Charges will change as estimates presented in future annual editions of CDWR Bulletin 132 change.

Table 5 also shows that DWA's estimated 2022 Allocated Charges are about 93% of DWA's estimated Applicable Charges. Since groundwater replenishment assessments are used for groundwater replenishment purposes only, implementation of the maximum permissible replenishment assessment rate based on DWA's Applicable Charges would result in the collection of excess funds that would have to be applied to replenishment charges during subsequent years.

Rather than collect excess funds one year and apply the excess funds to replenishment charges in subsequent years, DWA attempts to establish from year to year the replenishment assessment rate that will result in collection of essentially the funds necessary to meet its annual groundwater replenishment charges. DWA therefore bases the Table A portion of its replenishment assessment on estimated Allocated Charges, rather than estimated Applicable Charges.

Pursuant to Section 15.4(f) of current Desert Water Agency Law, the maximum permissible replenishment assessment rate that can be established for fiscal year 2022/2023 based on Applicable State Water Project Charges is approximately \$225/AF, based on DWA's estimated Applicable Charges (Delta Water Charge, Variable Transportation Charge, and Off-Aqueduct Power Charge) of \$10,140,788 (average of estimated 2022 and 2023 Applicable Charges) and estimated 2022/2023 combined assessable production of 45,090 AF within the WWR and MC AOBs.

The effective replenishment rate is based on DWA's estimated Allocated SWP Charges for the current year, as computed using CDWR's projected Applicable SWP Charges, divided by the estimated assessable production for the assessment period (based on the assessable production for the previous calendar year), as set for in **Table 6**.

Pursuant to the terms of the Water Management Agreement between DWA and CVWD, and based on DWA's estimated 2022/2023 Allocated Charges of \$9,431,214 and estimated 2022 calendar year assessable production (shown in **Table 6** as estimated 2022/2023 assessable production) of 45,090 AF within the WWR and MC, the effective replenishment assessment rate component for Table A water for the 2022/2023 fiscal year is \$209/AF. **Table 7** includes DWA's historical estimated, actual effective, and estimated projected replenishment assessment rates.

Tables 3 through 7 include future projections through 2035. These projections are based on a number of assumptions regarding factors that can be highly variable and difficult to predict, such as development, conservation, and, as mentioned, SWP reliability and cost factors. Actual values in the future may be substantially different than as shown in these tables.

2. **Component Attributable to Other Charges and Costs Necessary for Groundwater Replenishment**

Charges and costs necessary for groundwater replenishment could include the costs for reimbursement for past SWP Table A water allocations and surplus water allocations for which insufficient assessments had been levied, acquisition or purchases of water from sources other than the SWP, the cost of importing and recharging water from sources other than the SWP, and the cost of treatment and distribution of reclaimed water.

Currently, other charges and costs are being limited to past SWP water payments for which assessments have not been levied. Due to increases in SWP costs, DWA elected last year to transfer the deficit resulting from past payments for which assessments have not been levied to reserve account(s).

Since 1996, CVWD and DWA have obtained surplus SWP water, when available, to supplement deliveries of Table A water (see **Chapter II, Section B.5.d**). DWA currently pays charges for surplus water with funds from its Unscheduled State Water Project Deliveries Reserve Account, rather than from funds raised directly through replenishment assessment levies.

3. **Proposition 218 Proceedings**

DWA held Proposition 218 proceedings in the winter of 2016, including a public hearing on December 15, 2016. During the public hearing, DWA received comments and tallied protests regarding the proposed replenishment assessment rate ranges for five years, ending with a range of \$130.00 to \$175.00 for 2021/2022.

Protests were received from less than 50% of the affected parcels.

Since 2021/2022 is the final year covered by the 2016 Proposition 218 proceedings, another set of Proposition 218 proceedings will be required for the ensuing years. The next Proposition 218 Proceedings are tentatively scheduled for late 2022, after completion of the Cost of Service Study. Therefore, the replenishment assessment rate for 2022/23 will remain the same as the 2021/22 rate, recommended herein as \$175.00. In accordance with direction from the DWA Board of Directors at their public meeting on May 4, 2021, the rate will be increased by an increment of \$20 annually. . The following table sets forth recommended replenishment assessment rate ranges for five fiscal years following the proposed Proposition 218 Proceedings in 2023, based on the \$20 annual increment.

Fiscal Year	Anticipated Adoption Date	Recommended Rate (\$/AF)
2023/2024	July 1, 2023	\$185.00 - \$205.00
2024/2025	July 1, 2024	\$205.00 - \$225.00
2025/2026	July 1, 2025	\$225.00 - \$245.00
2026/2027	July 1, 2026	\$245.00 - \$265.00
2027/2028	July 1, 2027	\$265.00 - \$285.00

Beyond 2027/2028, projected replenishment assessment rates are shown in **Table 7** as increasing by 3.7% per year.

4. Proposed 2022/2023 Replenishment Assessment Rates

As shown in **Table 6**, the estimated effective Table A Assessment Rate is \$209/AF,. However, this rate exceeds the maximum rate of \$175/AF established in the Proposition 218 proceedings for 2021/2022, and applicable to 2022/2023 by default. Therefore, as shown in **Table 7**, the recommended replenishment assessment rates proposed for 2022/2023 are:

- **\$175.00/AF** for the WWR AOB
- **\$175.00/AF** for the MC AOB

Historic replenishment assessment rates for both DWA and CVWD within the Whitewater River Subbasin are included in **Exhibit 8**.

C. ESTIMATED GROUNDWATER REPLENISHMENT ASSESSMENTS FOR 2022/2023

The maximum replenishment assessment that can be levied by DWA for combined estimated production of 45,090 AF (see **Table 2**) within the WWR and MC AOBs based on a replenishment assessment rate of \$175.00/AF is approximately \$7,890,750 (\$6,207,250 in the WWR AOB and \$1,683,500 in the MC AOB).

DWA will continue to be the major producer within the WWR AOB, with assessable production of approximately 33,930 AF; nine other significant producers will be responsible for the remaining 1,540 AF of estimated assessable production. DWA will also be the major assessee with an estimated replenishment assessment of \$5,937,750. The nine other significant producers will be responsible for the remaining \$269,500 (Indian Canyons Golf Resort, with an estimated production of approximately 1,356 AF, is currently not being assessed for groundwater replenishment pending resolution of a lawsuit challenging DWA's authority to impose the replenishment assessment charge on the Agua Caliente Band of Cahuilla Indians). DWA will therefore be responsible for approximately 96% of the estimated replenishment assessment for the WWR AOB; the other nine assessable producers will be responsible for the remaining 4%.



MSWD will be the major producer within the MC AOB, with assessable production of approximately 7,600 AF; four other producers will be responsible for the remaining 2,020 AF of estimated assessable production. MSWD will also be the major assessee with an estimated replenishment assessment of \$1,330,000. The four other producers will be responsible for the remaining \$353,500. MSWD will be responsible for approximately 79% of both the estimated assessable water production and the estimated replenishment assessment in the MC AOB; the other four producers will be responsible for the remaining 21%.

CHAPTER VI
BIBLIOGRAPHY



CHAPTER VI BIBLIOGRAPHY

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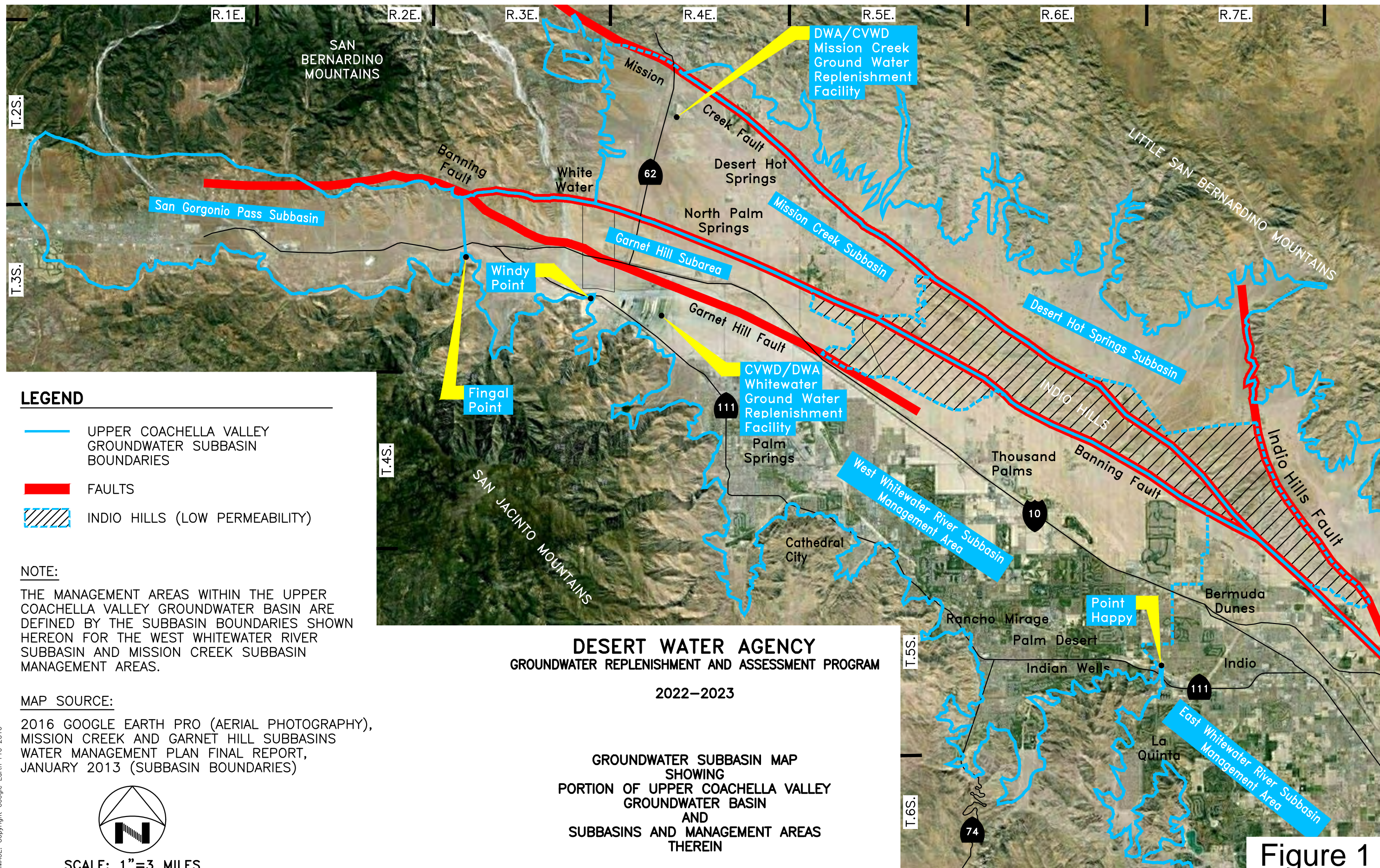


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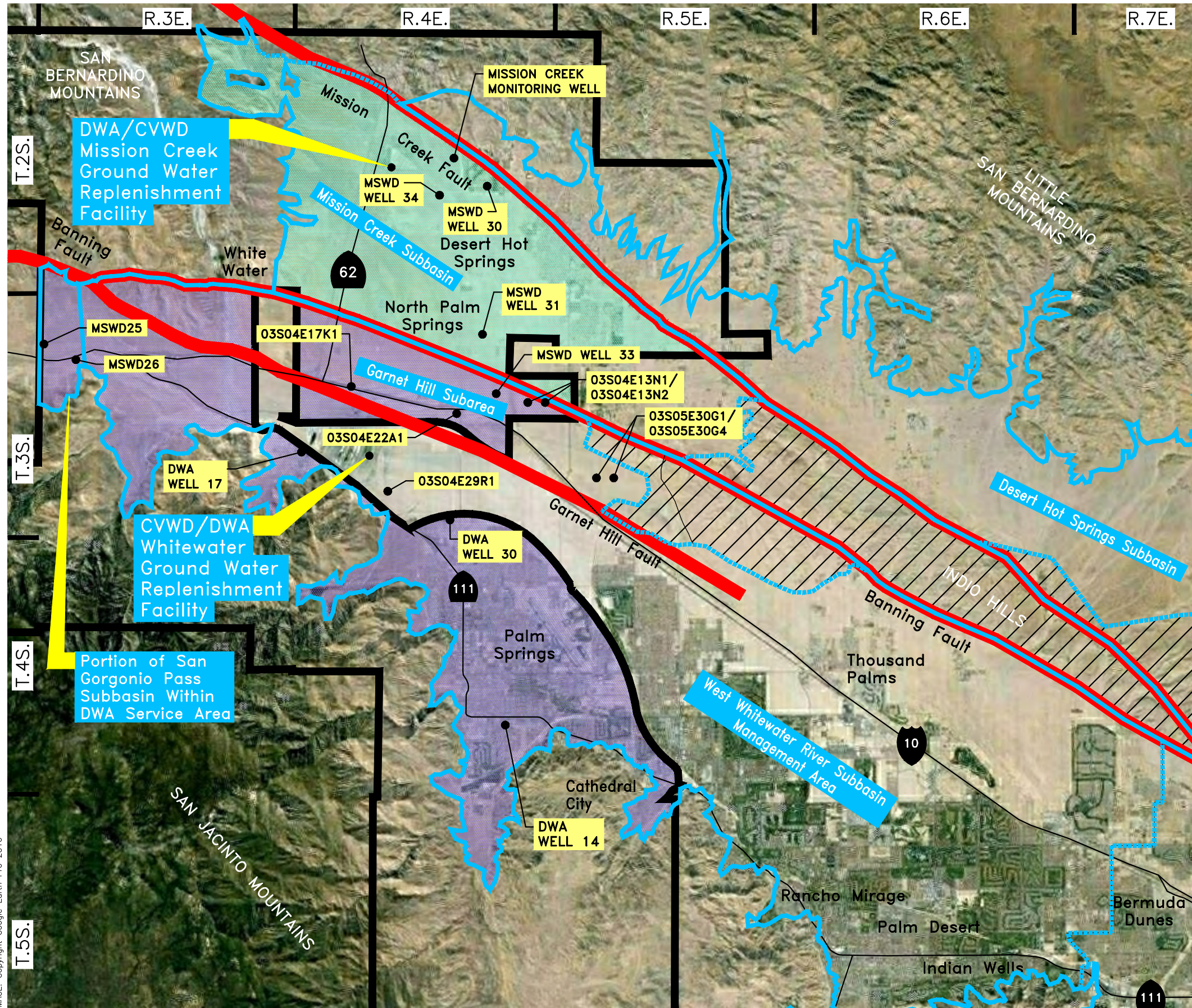
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FIGURES



\\101\33p46\Drawings\Figures\101-33p46_f2.dwg

IMAGE: Copyright Google Earth Pro 2016



DESERT WATER AGENCY GROUNDWATER REPLENISHMENT AND ASSESSMENT PROGRAM

2022-2023

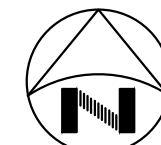
GROUNDWATER SUBBASIN MAP
SHOWING
GROUNDWATER RECHARGE AREAS OF BENEFIT
(EITHER DIRECT OR INDIRECT)
AND
SELECTED GROUNDWATER WELLS

LEGEND

- DWA BOUNDARY
- UPPER COACHELLA VALLEY GROUNDWATER SUBBASIN BOUNDARIES
- FAULTS
- UPPER COACHELLA VALLEY GROUNDWATER SUBBASIN AREAS OF BENEFIT WITHIN DWA
 - DWA WHITEWATER RIVER SUBBASIN AREA OF BENEFIT
 - DWA MISSION CREEK SUBBASIN AREA OF BENEFIT
 - INDIO HILLS (LOW PERMEABILITY)
- GROUNDWATER WELL

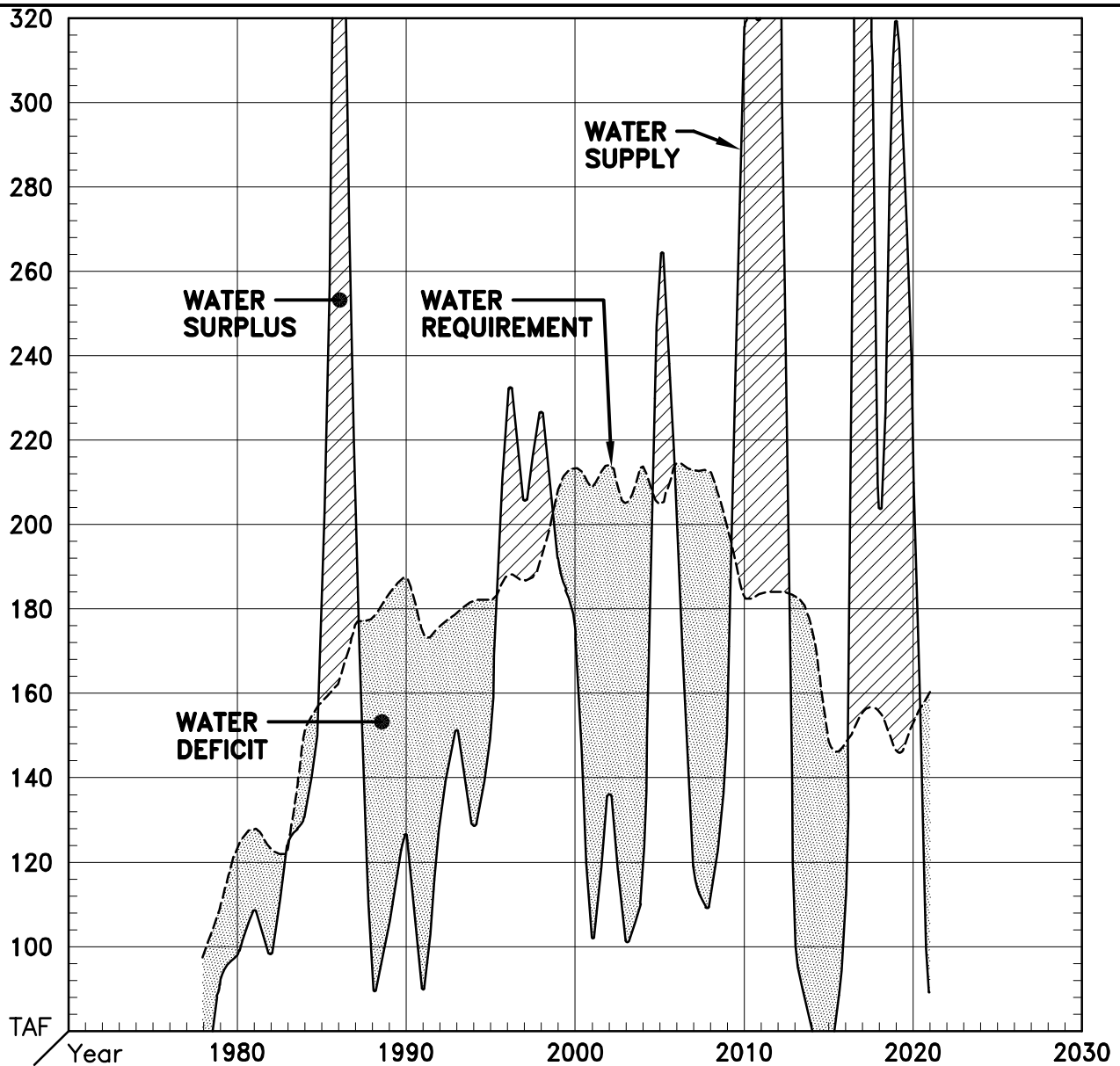
MAP SOURCE:

2016 GOOGLE EARTH PRO (AERIAL PHOTOGRAPHY),
MISSION CREEK AND GARNET HILL SUBBASINS
WATER MANAGEMENT PLAN FINAL REPORT,
JANUARY 2013 (SUBBASIN/SUBAREA BOUNDARIES)



SCALE: 1"=2.5 MILES

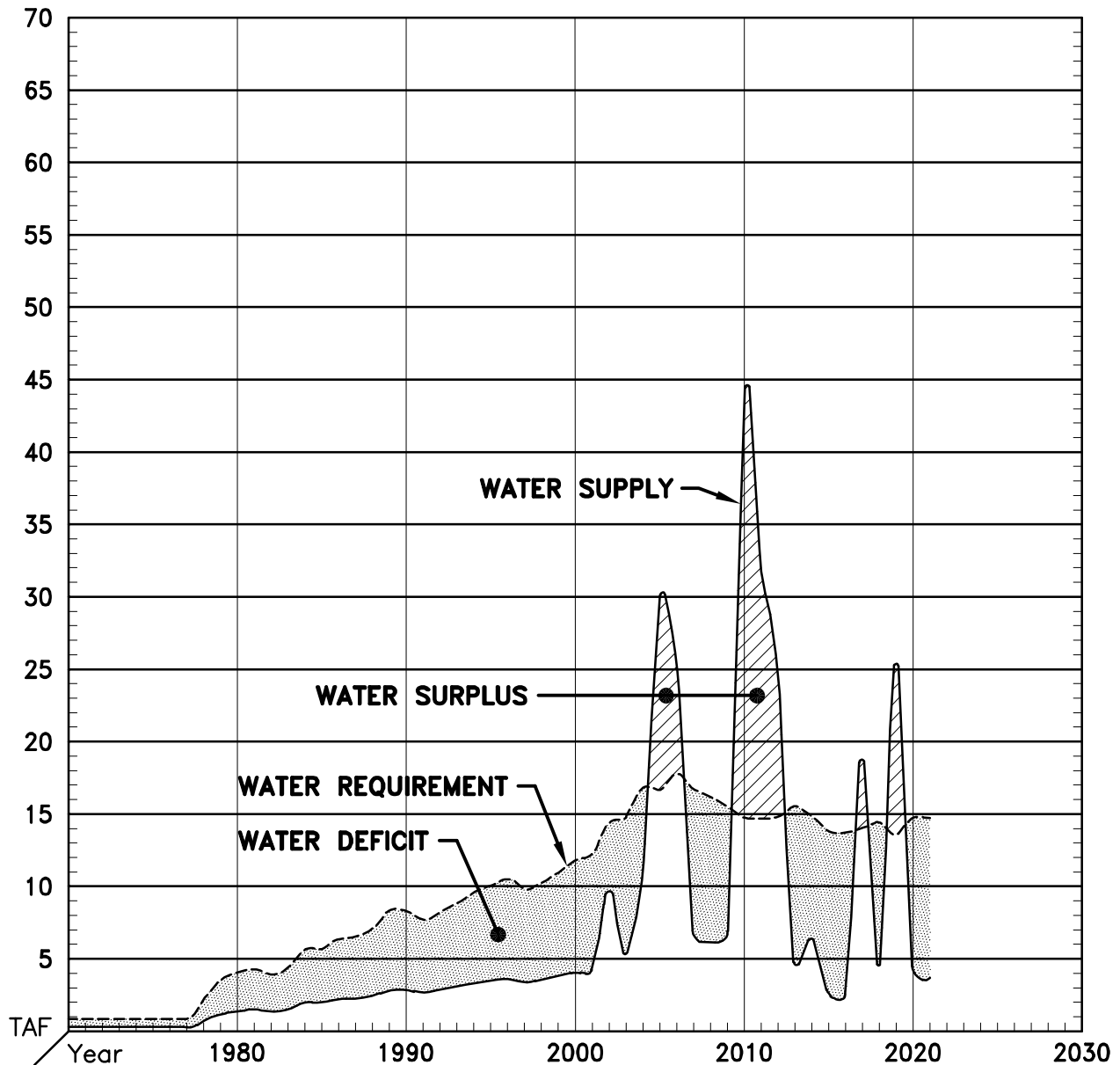
Figure 2



YEARS	1980	1990	2000	2010	2020
NET INFLOW (ACRE FEET)	98,000	125,800	174,500	317,100	219,854
NONCONSUMPTIVE RETURN	43,200	65,700	74,500	64,300	54,000
NET ARTIFICIAL RECHARGE	25,800	31,100	71,000	223,800	133,500
NET NATURAL INFLOW	29,000	29,000	29,000	29,000	32,354

NOTES:

1. WATER SUPPLY IS BASED ON NON-CONSUMPTIVE RETURN, NATURAL INFLOW AND PROBABLE DELIVERIES.



YEARS	1980	1990	2000	2010	2020
NET INFLOW (ACRE FEET)	1,400	2,900	4,100	36,100	4,400
NONCONSUMPTIVE RETURN	1,400	2,900	4,100	3,600	4,600
NET ARTIFICIAL RECHARGE	0	0	0	32,500	1,700
NET NATURAL INFLOW	—	—	—	—	(1,900)

NOTES:

1. WATER SUPPLY IS BASED ON NON-CONSUMPTIVE RETURN, NATURAL INFLOW AND PROBABLE DELIVERIES.



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DESERT WATER AGENCY

HISTORIC WATER REQUIREMENTS AND WATER SUPPLIES FOR THE MISSION CREEK SUBBASIN MANAGEMENT AREA

FIGURE

4

SCALE: N/A

DATE: 05/05/22

DRAWN BY: SPK

CHECKED BY: DFS

W.O.: 101-33.46

TABLES

TABLE 1
DESERT WATER AGENCY
HISTORIC REPORTED WATER PRODUCTION FOR REPLENISHMENT ASSESSMENT FOR
DESERT WATER AGENCY AND COACHELLA VALLEY WATER DISTRICT
WEST WHITEWATER RIVER SUBBASIN (WWR) AND MISSION CREEK SUBBASIN (MC) MANAGEMENT AREAS

Year	CVWD Production		DWA Production				Combined CVWD & DWA Production					WWR		Combined WWR, MC		MC			
	GWE		GWE		SWD	Total	Total	WWR		MC	Comb	Production Percentages		Production Percentages		Production Percentages			
	WWR	MC	WWR	MC	WWR	WWR	Comb	GWE	SWD	Total		Total	CVWD	DWA	CVWD	DWA	CVWD	DWA	
	AF	AF	AF	AF	AF	AF	AF	AF	AF	AF		AF							AF
1973									84,008	*	542	*							
1974									84,008	*	542	*							
1975									84,008	*	542	*							
1976	69,700		25,100		7,400	32,500	32,500	94,800	7,400	102,200	542	*	102,742	68.20%	31.80%				
1977	67,696		25,660		7,562	33,222	33,222	93,356	7,562	100,918	542	*	101,460	67.08%	32.92%				
1978	61,172		28,100		8,530	36,630	36,630	89,272	8,530	97,802	2,253	*	100,055	62.55%	37.45%				
1979	72,733		29,393		7,801	37,194	37,194	102,126	7,801	109,927	3,565	*	113,492	66.16%	33.84%				
1980	84,142		32,092		7,303	39,395	39,395	116,234	7,303	123,537	4,021	*	127,558	68.11%	31.89%				
1981	86,973		33,660		7,822	41,482	41,482	120,633	7,822	128,455	4,299	*	132,754	67.71%	32.29%				
1982	83,050		33,382		6,512	39,894	39,894	116,432	6,512	122,944	3,932	*	126,876	67.55%	32.45%				
1983	84,770		33,279		6,467	39,746	39,746	118,049	6,467	124,516	4,421	*	128,937	68.08%	31.92%				
1984	104,477		38,121		7,603	45,724	45,724	142,598	7,603	150,201	5,655	*	155,856	69.56%	30.44%				
1985	111,635		39,732		7,143	46,875	46,875	151,367	7,143	158,510	5,707	*	164,217	70.43%	29.57%				
1986	115,185		40,965		6,704	47,669	47,669	156,150	6,704	162,854	6,437	*	169,291	70.73%	29.27%				
1987	125,229		44,800		5,644	50,444	50,444	170,029	5,644	175,673	6,717	*	182,390	71.29%	28.71%				
1988	125,122		47,593		5,246	52,839	52,839	172,715	5,246	177,961	7,136	*	185,097	70.31%	29.69%				
1989	129,957		47,125		5,936	53,061	53,061	177,082	5,936	183,018	8,296	*	191,314	71.01%	28.99%				
1990	136,869		45,396		5,213	50,609	50,609	182,265	5,213	187,478	8,302	*	195,780	73.01%	26.99%				
1991	126,360		42,729		4,917	47,646	47,646	169,089	4,917	174,006	7,778	*	181,784	72.62%	27.38%				
1992	128,390		42,493		4,712	47,205	47,205	170,883	4,712	175,595	8,375	*	183,970	73.12%	26.88%				
1993	131,314		41,188		6,363	47,551	47,551	172,502	6,363	178,865	8,861	*	187,726	73.42%	26.58%				
1994	134,223		42,115		5,831	47,946	47,946	176,338	5,831	182,169	9,676	*	191,845	73.68%	26.32%				
1995	134,580		41,728		5,809	47,537	47,537	176,308	5,809	182,117	10,102	*	192,219	73.90%	26.10%				
1996	137,410		45,342		5,865	51,207	51,207	182,752	5,865	188,617	10,562	*	199,179	72.85%	27.15%				
1997	137,406		43,658		5,626	49,284	49,284	181,064	5,626	186,690	9,899	*	196,589	73.60%	26.40%				
1998	142,620		41,385		7,545	48,930	48,930	184,005	7,545	191,550	10,291	*	201,841	74.46%	25.54%				
1999	157,148		44,350		6,941	51,291	51,291	201,498	6,941	208,439	10,974	*	219,413	75.39%	24.61%				
2000	161,834		44,458		6,297	50,755	50,755	206,292	6,297	212,589	11,838	*	224,427	76.13%	23.87%				
2001	159,767		44,112		4,928	49,040	49,040	203,879	4,928	208,807	12,350	*	221,157	76.51%	23.49%				
2002	163,185	4,371	46,004	9,597	4,221	50,225	59,822	209,189	4,221	213,410	13,968		227,378	76.47%	23.53%	73.69%	26.31%	31.29%	68.71%
2003	156,185	4,425	43,463	10,073	4,627	48,090	58,163	199,648	4,627	204,275	14,498		218,773	76.46%	23.54%	73.41%	26.59%	30.52%	69.48%
2004	159,849	4,628	48,093	11,920	4,758	52,851	64,771	207,942	4,758	212,700	16,548		229,248	75.15%	24.85%	71.75%	28.25%	27.97%	72.03%
2005	153,462	4,247	46,080	12,080	4,799	50,879	62,959	199,542	4,799	204,341	16,327		220,668	75.10%	24.90%	71.47%	28.53%	26.01%	73.99%
2006	160,239	4,757	48,967	12,608	4,644	53,611	66,219	209,206	4,644	213,850	17,365		231,215	74.93%	25.07%	71.36%	28.64%	27.39%	72.61%
2007	157,487	4,547	50,553	11,862	3,490	54,043	65,905	208,040	3,490	211,530	16,409		227,939	74.45%	25.55%	71.09%	28.91%	27.71%	72.29%
2008	161,695	4,543	45,735	11,232	3,593	49,328	60,560	207,430	3,593	211,023	15,775		226,798	76.62%	23.38%	73.30%	26.70%	28.80%	71.20%
2009	155,793	4,813	42,270	10,295	1,443	43,713	54,008	198,063	1,443	199,506	15,108		214,614	78.09%	21.91%	74.83%	25.17%	31.86%	68.14%
2010	141,481	4,484	39,640	9,820	1,582	41,222	51,042	181,121	1,582	182,703	14,304		197,007	77.44%	22.56%	74.09%	25.91%	31.35%	68.65%
2011	141,028	4,653	40,568	9,607	1,724	42,292	51,899	181,596	1,724	183,320	14,260		197,580	76.93%	23.07%	73.73%	26.27%	32.63%	67.37%
2012	141,379	4,582	39,684	9,634	2,222	41,906	51,540	181,063	2,222	183,285	14,216		197,501	77.14%	22.86%	73.90%	26.10%	32.23%	67.77%
2013	143,108	4,415	37,932	10,341	1,802	39,734	50,075	181,040	1,802	182,842	14,756		197,598	78.27%	21.73%	74.66%	25.34%	29.92%	67.34%
2014	136,027	4,154	36,611	9,937	1,787	38,398	48,335	172,638	1,787	174,425	14,091		188,516	77.99%	22.01%	74.36%	25.64%	29.48%	70.52%
2015	115,558	4,090	30,666	8,927	1,539	32,205	41,132	146,224	1,539	147,763	13,017		160,780	78.20%	21.80%	74.42%	25.58%	31.42%	68.58%
2016	115,659	4,175	30,705	9,044	2,031	32,736	41,780	146,364	2,031	148,395	13,219		161,614	77.94%	22.06%	74.15%	25.85%	31.58%	68.42%
2017	120,383	4,281	33,164	9,250	1,996	35,160	44,410	153,547	1,996	155,543	13,531		169,074	77.40%	22.60%	73.73%	26.27%	31.64%	68.36%
2018	119,250	4,175	34,038	9,695	1,260	35,298	44,993	153,288	1,260	154,548	13,870		168,418	77.16%	22.84%	73.28%	26.72%	30.10%	69.90%
2019	113,907	3,993	29,779	9,142	1,916	31,695	40,837	143,686	1,916	145,602	13,135		158,737	78.23%	21.77%	74.27%	25.73%	30.40%	69.60%
2020	117,825	4,655	33,786	9,589	1,454	35,240	44,829	151,611	1,454	153,065	14,244		167,309	76.98%	23.02%	73.21%	26.79%	32.68%	67.32%
2021	122,473	4,602	36,150	9,625	682	36,832	46,458	158,623	682	159,305	14,227		173,532	76.88%	23.12%	73.23%	26.77%	32.35%	67.65%

* Estimated

** Corrected

NOTES:

Includes assessable production and reported production from minimal producers
Cumulative CVWD and DWA West Whitewater River Subbasin Management Area production 2017 through 2021: 768,063 AF
Cumulative CVWD and DWA Mission Creek Subbasin Management Area production 2017 through 2021: 69,007 AF
Average annual CVWD and DWA West Whitewater River Subbasin Management Area production 2017 through 2021 (rounded): 153,610 AF
Average annual CVWD and DWA Mission Creek Subbasin Management Area production 2017 through 2021 (rounded): 13,800 AF
Average annual DWA West Whitewater River Subbasin Area of Benefit production 2017 through 2021 (rounded): 34,850 AF
Average annual DWA Mission Creek Subbasin Area of Benefit production 2017 through 2021(rounded): 9,460 AF
Average DWA West Whitewater River Subbasin Area of Benefit production percentage 2017 through 2021: 22.67%
Average DWA Mission Creek Subbasin Area of Benefit production percentage 2017 through 2021: 68.57%

ABBREVIATIONS:

GWE = Groundwater Extractions
SWD = Surface Water Diversions
COMB = Combined
WWR = West Whitewater River Subbasin Management Area
MC = Mission Creek Subbasin Management Area



TABLE 2
DESERT WATER AGENCY
GROUNDWATER REPLENISHMENT AND ASSESSMENT PROGRAM
ESTIMATED WEST WHITEWATER RIVER SUBBASIN AND MISSION CREEK SUBBASIN AREAS OF BENEFIT
WATER PRODUCTION AND ESTIMATED GROUNDWATER REPLENISHMENT ASSESSMENTS
2022/2023

ESTIMATED COMBINED AREA OF BENEFIT
ASSESSABLE WATER PRODUCTION AND GROUNDWATER REPLENISHMENT ASSESSMENTS

Area of Benefit	Estimated Assessable Water Production	Groundwater Replenishment Assessment Rate	Groundwater Replenishment Assessment	
	AF	\$/AF	\$	Percent
West Whitewater River Subbasin AOB	35,470	\$175.00	\$6,207,250	79%
Mission Creek Subbasin AOB	9,620	\$175.00	\$1,683,500	21%
Combined AOBs	45,090		\$7,890,750	100%

ESTIMATED WEST WHITEWATER RIVER SUBBASIN AND MISSION CREEK SUBBASIN AREAS OF BENEFIT
WATER PRODUCTION AND GROUNDWATER REPLENISHMENT ASSESSMENTS

Producer	2021 Water Production (1)			Estimated 2022/2023 Assessable Water Production AF ⁽²⁾	Estimated Groundwater Replenishment Assessment @ \$175/AF	
	Groundwater Extraction	Surface Water Diversion	Combined Water Production		\$	Percent
	AF	AF	AF			
West Whitewater River Subbasin AOB						
Desert Water Agency (Incl. Chino, Falls, Snow Creeks)	33,252.14	682.31	33,934.45	33,930	\$5,937,750	95.66%
Agua Caliente Band of Mission Indians	0.19	0.00	0.19	0	\$0	0.00%
Caltrans Rest Stop	13.65	0.00	13.65	10	\$1,750	0.03%
Indian Canyons Golf Resort ⁽³⁾	1,356.00	0.00	1,356.00	0	\$0	0.00%
Desert Oasis Golf Management - Welk Resort	101.38	0.00	101.38	100	\$17,500	0.28%
Los Compadres	48.12	0.00	48.12	50	\$8,750	0.14%
Mission Springs Water District (Wells 25 & 25A and 26 & 26A in San Gorgonio River Subbasin)	163.10	0.00	163.10	160	\$28,000	0.45%
Seven Lakes Country Club	95.32	0.00	95.32	100	\$17,500	0.28%
Escena	348.92	0.00	348.92	350	\$61,250	0.99%
Miralon	446.90	0.00	446.90	450	\$78,750	1.27%
Palm Springs West	0.00	0.00	0.00	0	\$0	0.00%
Mission Springs Water District (Well 33)	313.77	0.00	313.77	310	\$54,250	0.87%
Indigo Power Plant	10.63	0.00	10.63	10	\$1,750	0.03%
Subtotal	36,150.12	682.31	36,832.43	35,470	\$6,207,250	100.00%
Mission Creek Subbasin AOB						
Mission Springs Water District	7,603.25	0.00	7,603.25	7,600	\$1,330,000	79.00%
Hidden Springs Country Club	334.13	0.00	334.13	330	\$57,750	3.43%
Mission Lakes Country Club	1,026.52	0.00	1,026.52	1,030	\$180,250	10.71%
Sands RV Resort	324.93	0.00	324.93	320	\$56,000	3.33%
CPV-Sentinel	336.26	0.00	336.26	340	\$59,500	3.53%
Subtotal	9,625.08	0.00	9,625.08	9,620	\$1,683,500	100.00%
Total	45,775.20	682.31	46,457.51	45,090	\$7,890,750	----

⁽¹⁾ 2021 Metered water production, except for Exempt Production and Estimated Production.

⁽²⁾ Based on 2021 production, all rounded to nearest 10 AF.

⁽³⁾ Estimated pumpage based on 2019 recycled water usage. This facility is currently not being assessed for groundwater replenishment, pending resolution of a lawsuit challenging DWA's authority to impose the replenishment assessment charge on the Agua Caliente Band of Cahuilla Indians.

TABLE 3
COACHELLA VALLEY WATER DISTRICT
APPLICABLE STATE WATER PROJECT CHARGES⁽¹⁾

Year	Maximum Table A Water Allocation AF	Probable Table A Water Delivery ⁽²⁾ AF	Delta Water Charge		Variable Transportation Charge		Off-Aqueduct Power Charge		CVWD Applicable Table A Charges	
			Amount ⁽³⁾ \$	Unit \$/AF	Amount ⁽⁴⁾ \$	Unit \$/AF	Amount ⁽⁵⁾ \$	Unit \$/AF	Amount \$	Unit ⁽⁶⁾ \$/AF
2018	138,350	62,258	9,472,825	68.47	10,827,911	173.92	37,977	0.61	20,338,713	326.68
2019	138,350	62,258	9,694,185	70.07	9,791,938	157.28	132,610	2.13	19,618,732	315.12
2020	138,350	62,258	11,289,360	81.60	10,675,379	171.47	41,090	0.66	22,005,830	353.46
2021	138,350	62,258	11,835,843	85.55	23,853,530	383.14	506,780	8.14	36,196,153	581.39
2022	138,350	62,258	14,042,525	101.50	10,910,092	175.24	128,251	2.06	25,080,868	402.85
2023	138,350	62,258	13,448,281	97.20	11,258,114	180.83	392,225	6.30	25,098,621	403.14
2024	138,350	62,258	14,122,212	102.08	13,795,128	221.58	211,677	3.40	28,129,017	451.81
2025	138,350	62,258	14,827,742	107.18	13,450,218	216.04	39,223	0.63	28,317,182	454.84
2026	138,350	62,258	15,576,046	112.58	13,482,592	216.56	0	0.00	29,058,639	466.75
2027	138,350	62,258	16,404,801	118.57	13,331,928	214.14	0	0.00	29,736,729	477.64
2028	138,350	62,258	17,178,825	124.17	13,531,776	217.35	0	0.00	30,710,601	493.28
2029	138,350	62,258	18,098,666	130.82	13,884,157	223.01	0	0.00	31,982,823	513.71
2030	138,350	62,258	18,881,851	136.48	13,273,406	213.20	0	0.00	32,155,257	516.48
2031	138,350	62,258	19,912,920	143.93	14,573,353	234.08	0	0.00	34,486,272	553.93
2032	138,350	62,258	20,940,990	151.36	12,836,354	206.18	0	0.00	33,777,345	542.54
2033	138,350	62,258	22,022,210	159.18	14,474,362	232.49	0	0.00	36,496,572	586.21
2034	138,350	62,258	23,160,540	167.41	12,876,822	206.83	0	0.00	36,037,363	578.84
2035	138,350	62,258	24,357,669	176.06	16,663,354	267.65	0	0.00	41,021,023	658.89

Notes:

- (1) As set forth in CDWR Bulletin 132-21, Appendix B (Appendix B).
- (2) Probable Table A water delivery is based on 0.45 reliability of CVWD allocation augmented by TLBWSD, KCWA, and MWD transfers
- (3) Amount is based on maximum Table A water allocation and Delta Water Charge per Table B-20 (A & B) of Appendix B. From 2018 through 2035, amount is based on State Water Contractors estimates.
- (4) Amount is based on probable Table A water delivery and applicable Variable Transportation Unit Charge per Table B-17 of Appendix B.
- (5) Amount is based on probable Table A water delivery and Off-Aqueduct Power Unit Charge derived by dividing data in Table B-16B by data in Table B-5B of Appendix B.
- (6) Amount of applicable Table A charges divided by probable Table A water delivery.



TABLE 4
DESERT WATER AGENCY
APPLICABLE STATE WATER PROJECT CHARGES⁽¹⁾

Year	Maximum Table A Water Allocation AF	Probable Table A Water Delivery ⁽²⁾ AF	Delta Water Charge		Variable Transportation Charge		Off-Aqueduct Power Charge		DWA Applicable Table A Charges	
			Amount ⁽³⁾ \$	Unit \$/AF	Amount ⁽⁴⁾ \$	Unit \$/AF	Amount ⁽⁵⁾ \$	Unit \$/AF	Amount \$	Unit ⁽⁶⁾ \$/AF
2018	55,750	25,088	3,817,203	68.47	4,363,305	173.92	36,879	1.47	8,217,387	327.54
2019	55,750	25,088	3,906,403	70.07	3,945,841	157.28	115,154	4.59	7,967,397	317.58
2020	55,750	25,088	4,549,200	81.60	4,301,839	171.47	43,653	1.74	8,894,692	354.54
2021	55,750	25,088	4,769,413	85.55	9,612,216	383.14	1,057,459	42.15	15,439,088	615.40
2022	55,750	25,088	5,658,625	101.50	4,396,421	175.24	112,645	4.49	10,167,691	405.28
2023	55,750	25,088	5,419,167	97.20	4,536,663	180.83	158,054	6.30	10,113,884	403.14
2024	55,750	25,088	5,690,736	102.08	5,558,999	221.58	85,299	3.40	11,335,034	451.81
2025	55,750	25,088	5,975,039	107.18	5,420,012	216.04	15,805	0.63	11,410,856	454.83
2026	55,750	25,088	6,276,578	112.58	5,433,057	216.56	0	0.00	11,709,635	466.74
2027	55,750	25,088	6,610,536	118.57	5,372,344	214.14	0	0.00	11,982,880	477.63
2028	55,750	25,088	6,922,439	124.17	5,452,877	217.35	0	0.00	12,375,316	493.28
2029	55,750	25,088	7,293,102	130.82	5,594,875	223.01	0	0.00	12,887,977	513.71
2030	55,750	25,088	7,608,697	136.48	5,348,762	213.20	0	0.00	12,957,458	516.48
2031	55,750	25,088	8,024,180	143.93	5,872,599	234.08	0	0.00	13,896,779	553.92
2032	55,750	25,088	8,438,455	151.36	5,172,644	206.18	0	0.00	13,611,098	542.53
2033	55,750	25,088	8,874,147	159.18	5,832,709	232.49	0	0.00	14,706,856	586.21
2034	55,750	25,088	9,332,852	167.41	5,188,951	206.83	0	0.00	14,521,803	578.83
2035	55,750	25,088	9,815,252	176.06	6,714,803	267.65	0	0.00	16,530,055	658.88

Notes:

- (1) As set forth in CDWR Bulletin 132-21, Appendix B (Appendix B).
- (2) Probable Table A water delivery is based on 0.45 reliability of DWA allocation augmented by TLBWSD, KCWA, and MWD transfers
- (3) Amount is based on maximum Table A water allocation and Delta Water Charge per Table B-20 (A & B) of Appendix B. From 2018 through 2035, amount is based on State Water Contractors estimates.
- (4) Amount is based on probable Table A water delivery and applicable Variable Transportation Unit Charge per Table B-17 of Appendix B.
- (5) Amount is based on probable Table A water delivery and Off-Aqueduct Power Unit Charge derived by dividing data in Table B-16B by data in Table B-5B of Appendix B.
- (6) Amount of applicable Table A charges divided by probable Table A water delivery.



TABLE 5
DESERT WATER AGENCY
ESTIMATED ALLOCATED STATE WATER PROJECT CHARGES FOR TABLE A WATER
(PROPORTIONED APPLICABLE CHARGES)⁽¹⁾

Year	CVWD Applicable Table A Charges ⁽²⁾	DWA Applicable Table A Charges ⁽³⁾	Combined Applicable Table A Charges	CVWD Allocated Table A Charges	DWA Allocated Table A Charges	DWA Incremental Increase/(Decrease)	
	\$	\$	\$	\$	\$	\$	%
2018	20,338,713	8,217,387	28,556,100	20,911,632	7,644,468	(259,661)	(3)
2019	19,618,732	7,967,397	27,586,129	20,201,323	7,384,807	887,263	12
2020	22,005,830	8,894,692	30,900,522	22,628,452	8,272,070	5,550,684	67
2021	36,196,153	15,439,088	51,635,241	37,812,487	13,822,754	(4,386,715)	(32)
2022	25,080,868	10,167,691	35,248,560	25,812,520	9,436,039	(9,651)	0
2023	25,098,621	10,113,884	35,212,505	25,786,117	9,426,388	1,138,139	12
2024	28,129,017	11,335,034	39,464,051	28,899,525	10,564,527	70,669	1
2025	28,317,182	11,410,856	39,728,038	29,092,842	10,635,196	278,471	3
2026	29,058,639	11,709,635	40,768,274	29,854,607	10,913,667	254,672	2
2027	29,736,729	11,982,880	41,719,610	30,551,270	11,168,339	365,761	3
2028	30,710,601	12,375,316	43,085,918	31,551,817	11,534,100	477,813	4
2029	31,982,823	12,887,977	44,870,800	32,858,887	12,011,913	64,761	1
2030	32,155,257	12,957,458	45,112,715	33,036,041	12,076,674	875,469	7
2031	34,486,272	13,896,779	48,383,051	35,430,908	12,952,143	(266,257)	(2)
2032	33,777,345	13,611,098	47,388,443	34,702,557	12,685,886	1,021,272	8
2033	36,496,572	14,706,856	51,203,428	37,496,270	13,707,158	(172,469)	(1)
2034	36,037,363	14,521,803	50,559,166	37,024,477	13,534,689	1,871,735	14
2035	41,021,023	16,530,055	57,551,078	42,144,654	15,406,424		

Notes:

- (1) Proportioned in accordance with 2021 Water Management Area production percentages; CVWD is responsible for 73.23% and DWA is responsible for 26.77% of total combined production for the Whitewater River and Mission Creek Subbasins (see **Table 1**).
- (2) From Table 3.
- (3) From Table 4.

TABLE 6
DESERT WATER AGENCY
PROJECTED EFFECTIVE REPLENISHMENT ASSESSMENT RATES
PURSUANT TO WATER MANAGEMENT AGREEMENTS BETWEEN
COACHELLA VALLEY WATER DISTRICT AND DESERT WATER AGENCY

Year	DWA Allocated Table A Charges ⁽¹⁾ \$	Estimated Assessable Production ⁽²⁾ AF	Estimated Effective Table A Assessment Rate ⁽³⁾ Fiscal Year \$/AF	Table A Assessment Rate \$/AF
2019/2020 ⁽⁴⁾	7,828,439	45,360	172.58	173.00
2020/2021 ⁽⁴⁾	11,047,412	40,830	270.57	271.00
2021/2022 ⁽⁴⁾	11,629,397	44,830	259.41	259.00
2022/2023 ⁽⁴⁾	9,431,214	45,090	209.16	209.00
2023/2024 ⁽⁴⁾	9,995,458	46,342	215.69	216.00
2024/2025 ⁽⁴⁾	10,599,862	46,191	229.48	229.00
2025/2026 ⁽⁴⁾	10,901,768	46,374	235.08	235.00
2026/2027 ⁽⁴⁾	11,041,003	46,476	237.56	238.00
2027/2028 ⁽⁴⁾	11,351,220	46,579	243.70	244.00
2028/2029 ⁽⁴⁾	11,773,007	46,696	252.12	252.00
2029/2030 ⁽⁴⁾	12,044,294	46,928	256.65	257.00
2030/2031 ⁽⁴⁾	12,514,409	47,021	266.15	266.00
2031/2032 ⁽⁴⁾	12,819,015	46,561	275.32	275.00
2032/2033 ⁽⁴⁾	13,196,522	46,103	286.24	286.00
2033/2034 ⁽⁴⁾	13,620,924	45,657	298.33	298.00
2034/2035 ⁽⁴⁾	14,470,557	45,328	319.24	319.00

Notes:

- (1) From **Table 5**.
- (2) Projections based on model runs for Coachella Valley 2010 Water Management Plan, 2014 Water Management Plan Status Update, and 2022 SGMA GSP Updates.
- (3) Necessary to pay DWA's estimated (projected) Allocated Table A Charges.
- (4) Projected



TABLE 7
DESERT WATER AGENCY
WEST WHITEWATER RIVER SUBBASIN, MISSION CREEK SUBBASIN, AND GARNET HILL SUBBASIN AREAS OF BENEFIT
HISTORIC AND PROPOSED REPLENISHMENT ASSESSMENT RATES

Assessment Rate								Assessments												Payments Made		Surplus (Deficit)		
Fiscal Year	Table A	WWR		MC		GH ⁽¹³⁾		Estimated ⁽⁴⁾			Levied ⁽⁵⁾			Billed ⁽⁶⁾			Delinquent ⁽⁷⁾			Revenue	Table A	Annual	Cumulative ⁽⁸⁾	
	Allocation ⁽¹⁾	Other Charges or Costs ⁽²⁾	Total ⁽³⁾	Other Charges or Costs ⁽²⁾	Total ⁽³⁾	Other Charges or Costs ⁽²⁾	Total ⁽³⁾	\$			\$			\$			\$	\$						
	\$/AF	\$/AF	\$/AF	\$/AF	\$/AF	\$/AF	\$/AF	WWR	MC	GH	WWR	MC	GH	WWR	MC	GH	TOTAL	WWR	MC	GH				Total
78/79	6.81	0.00	6.81					226,245			199,004			199,004			199,004	0			199,004	267,193	(68,189)	(68,189)
79/80	9.00	0.00	9.00					282,405			309,225			309,225			309,225	0			42,100	267,125	(26,089)	
80/81	9.50	0.00	9.50					317,482			355,925			355,925			355,925	0			355,925	347,491	8,434	(17,655)
81/82	10.50	0.00	10.50					378,838			406,160			406,160			406,160	0			414,086	(7,926)	(25,581)	
82/83	21.00	0.00	21.00					800,499			770,871			770,871			770,871	0			770,871	891,544	(120,673)	(146,254)
83/84	36.50	0.00	36.50					1,331,374			1,452,317			1,452,317			1,452,317	0			1,452,317	492,329	959,988	813,734
84/85	37.50	0.00	37.50					1,375,762			1,577,125			1,577,125			1,577,125	0			1,577,125	381,713	1,195,412	2,009,146
85/86	31.00	0.00	31.00					1,309,750			1,363,239			1,363,239			1,363,239	0			1,363,239	637,841	725,398	2,734,544
86/87	21.00	0.00	21.00					911,673			912,583			912,583			912,583	0			912,583	876,544	36,039	2,770,583
87/88	22.50	0.00	22.50					994,749			1,099,130			1,099,130			1,099,130	0			934,920	164,210	2,934,793	
88/89	20.00	0.00	20.00					970,000			965,811			965,811			965,811	0			965,811	748,195	217,616	3,152,409
89/90	23.50	0.00	23.50					1,175,002			1,105,446			1,105,446			1,105,446	0			1,105,446	888,979	216,467	3,368,876
90/91	26.00	0.00	26.00					1,313,000			1,207,593			1,207,593			1,207,593	0			1,207,593	784,369	423,224	3,792,100
91/92	31.75	0.00	31.75					1,524,000			1,408,108			1,408,108			1,408,108	0			1,408,108	439,549	968,559	4,760,659
92/93	31.75	0.00	31.75					1,412,875			1,389,641			1,389,641			1,389,641	0			1,389,641	902,273	487,368	5,248,027
93/94	31.75	0.00	31.75					1,397,000			1,411,406			1,411,406			1,411,406	0			1,411,406	1,508,408	(97,002)	5,151,025
94/95	31.75	0.00	31.75					1,412,875			1,384,996			1,384,996			1,384,996	0			1,384,996	2,291,661	(906,665)	4,244,360
95/96	31.75	0.00	31.75					1,425,575			1,434,798			1,434,798			1,434,798	0			1,434,798	2,282,379	(847,581)	3,396,779
96/97	31.75	0.00	31.75					1,409,700			1,517,690			1,517,690			1,517,690	0			1,517,690	1,153,620	364,070	3,760,849
97/98	31.75	0.00	31.75					1,527,175			1,368,789			1,368,789			1,368,789	0			1,368,789	1,560,592	(191,803)	3,569,046
98/99	31.75	0.00	31.75					1,463,675			1,510,078			1,510,078			1,510,078	0			1,510,078	2,663,096	(1,153,018)	2,416,028
99/00	31.75	0.00	31.75					1,436,370			1,530,344			1,530,344			1,530,344	0			1,530,344	2,137,145	(606,801)	1,809,227
00/01	33.00	0.00	33.00					1,576,080			1,506,011			1,506,011			1,506,011	0			1,506,011	1,993,058	(487,047)	1,322,180
01/02	33.00	0.00	33.00					1,563,870			1,534,500			1,559,325			1,559,325	0			1,559,325	273,679	1,285,646	2,607,826
02/03	35.00	0.00	35.00					1,627,500			1,679,300			1,636,783			1,636,783	0			1,636,783	410,448	3,018,274	
03/04	35.00	0.00	35.00	0.00	35.00			1,679,300	336,000		1,609,300	352,555		1,609,300	397,708		2,007,008	0	0		2,007,008	4,199,358	(2,192,350)	825,924
04/05	34.00	11.00	45.00	12.00	46.00			2,069,100	464,140		2,274,750	548,320		2,274,750	529,108		2,803,858	0	0		2,803,858	3,813,947	(1,010,089)	(184,165)
05/06	38.00	12.00	50.00	12.00	50.00			2,527,500	596,000		2,427,000	604,000		2,427,000	635,562		3,062,562	0	0		3,062,562	5,791,887	(2,729,325)	(2,913,490)
06/07	51.00	12.00	63.00	12.00	63.00			3,058,020	761,040		3,230,010	794,304		3,230,010	789,471		4,019,481	0	0		4,019,481	6,087,627	(2,068,146)	(4,981,636)
07/08	83.00	(34.00)	63.00	(34.00)	49.00			3,230,010	794,430		3,222,450	581,238		3,222,450	720,025		3,942,475	0	0		3,942,475	9,131,044	(5,188,569)	(10,170,205)
08/09	65.00	(6.00)	72.00	(6.00)	59.00			3,682,800	876,240		3,371,040	662,688		3,337,053	778,029		4,115,082	33,987	0		4,081,095	6,936,896	(2,855,801)	(13,026,006)
09/10	72.00	0.00	72.00	0.00	72.00			3,605,140	802,800		3,097,440	741,240		3,023,070	718,452		3,741,522	74,370	0		3,667,152	6,236,894	(2,569,742)	(15,595,748)
10/11	99.00	(17.00)	82.00	(17.00)	82.00			3,527,640	828,200		3,302,140	805,240		3,223,003	616,632		3,839,635	79,137	0		3,760,499	4,174,012	(413,513)	(16,009,261)
11/12	115.00	(33.00)	82.00	(33.00)	82.00			3,302,140	805,240		3,374,300	783,100		3,302,079	820,179		4,122,258	72,221	0		4,050,037	7,005,049	(2,955,012)	(18,964,273)
12/13	117.00	(25.00)	92.00	(25.00)	92.00			3,788,326	878,600		3,779,360	874,000		3,772,499	888,405		4,660,904	6,861	0		4,654,043	8,169,744	(3,515,701)	(22,479,975)
13/14	111.00	(19.00)	92.00	(19.00)	92.00			3,779,360	785,587		3,578,800	927,360		3,572,722	785,587		4,358,309	6,078	0		4,352,230	6,078,542	(1,726,312)	(24,206,286)
14/15	106.00	(4.00)	102.00	(4.00)	102.00			3,684,919	756,041		3,826,020	987,360		3,684,919	561,213		4,246,132	66	0		4,246,066	3,798,705	447,361	(23,758,925)
15/16	112.00	(10.00)	102.00	(10.00)	102.00	(10.00)	102.00	3,846,970	989,318	24,480	3,150,780	875,160	34,680	3,150,780	875,160		4,025,940	656	0		4,025,284	7,304,465	(3,279,181)	(27,038,107)
16/17	144.00	(42.00)	102.00	(42.00)	102.00	(42.00)	102.00	3,443,112	892,273	31,235	3,211,980	873,120	30,600	3,577,041	748,643		4,325,684	19	0		4,545,289	7,436,703 ⁽¹⁴⁾	(2,891,414)	(2,891,414) ⁽¹⁵⁾
17/18	158.00	(38.00)	120.00	(38.00)	1																			

EXHIBITS

EXHIBIT 1
DESERT WATER AGENCY
GROUNDWATER WELL HYDROGRAPHS
PALM SPRINGS SUBAREA OF WEST WHITEWATER RIVER SUBBASIN MANAGEMENT AREA
GROUNDWAER REPLENISHMENT QUANTITIES AT WHITEWATER RIVER REPLENISHMENT FACILITY

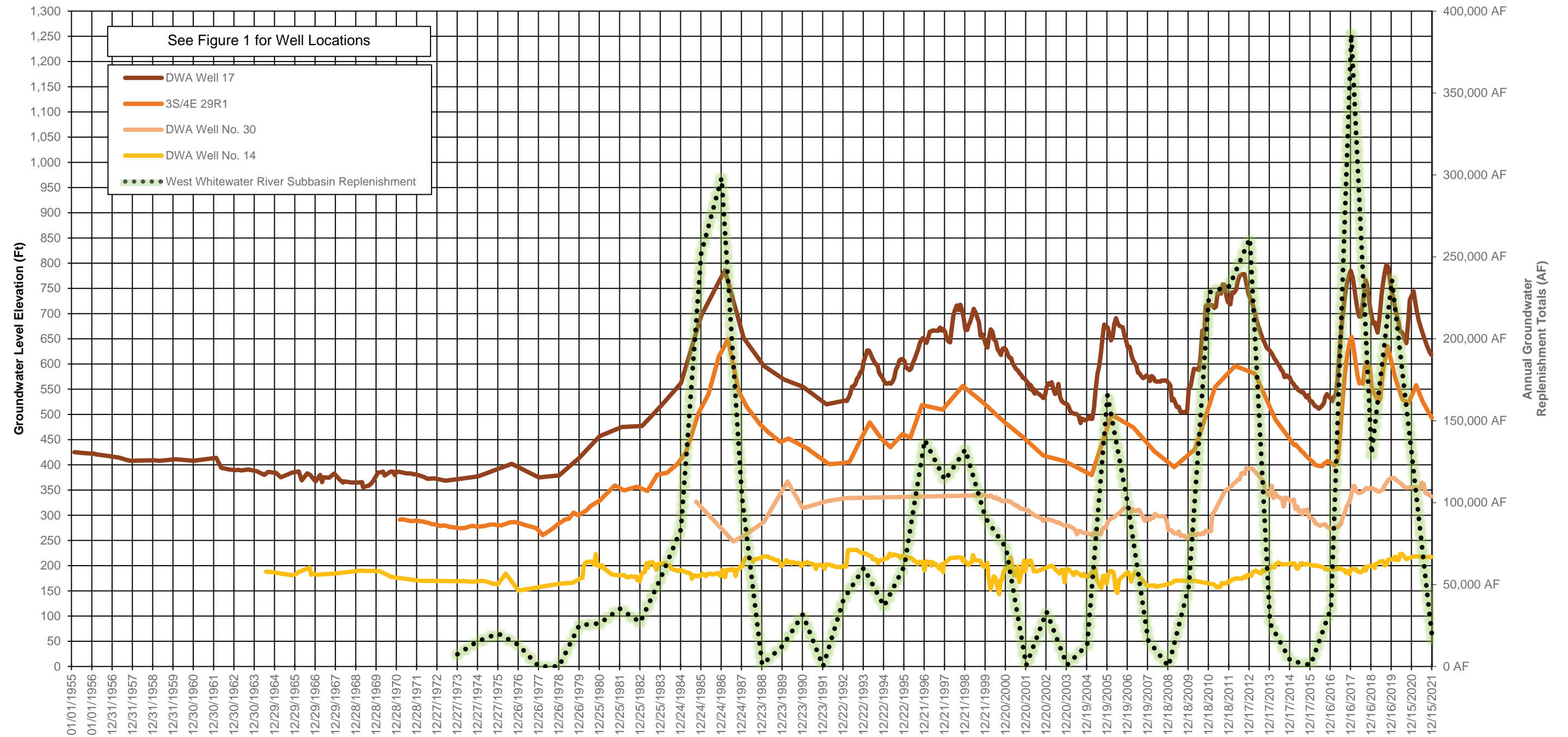


EXHIBIT 2
DESERT WATER AGENCY
GROUNDWATER WELL HYDROGRAPHS
SAN GORGONIO PASS SUBBASIN PORTION OF WEST WHITEWATER RIVER SUBBASIN MANAGEMENT AREA
GROUNDWAER REPLENISHMENT QUANTITIES AT WHITEWATER RIVER REPLENISHMENT FACILITY

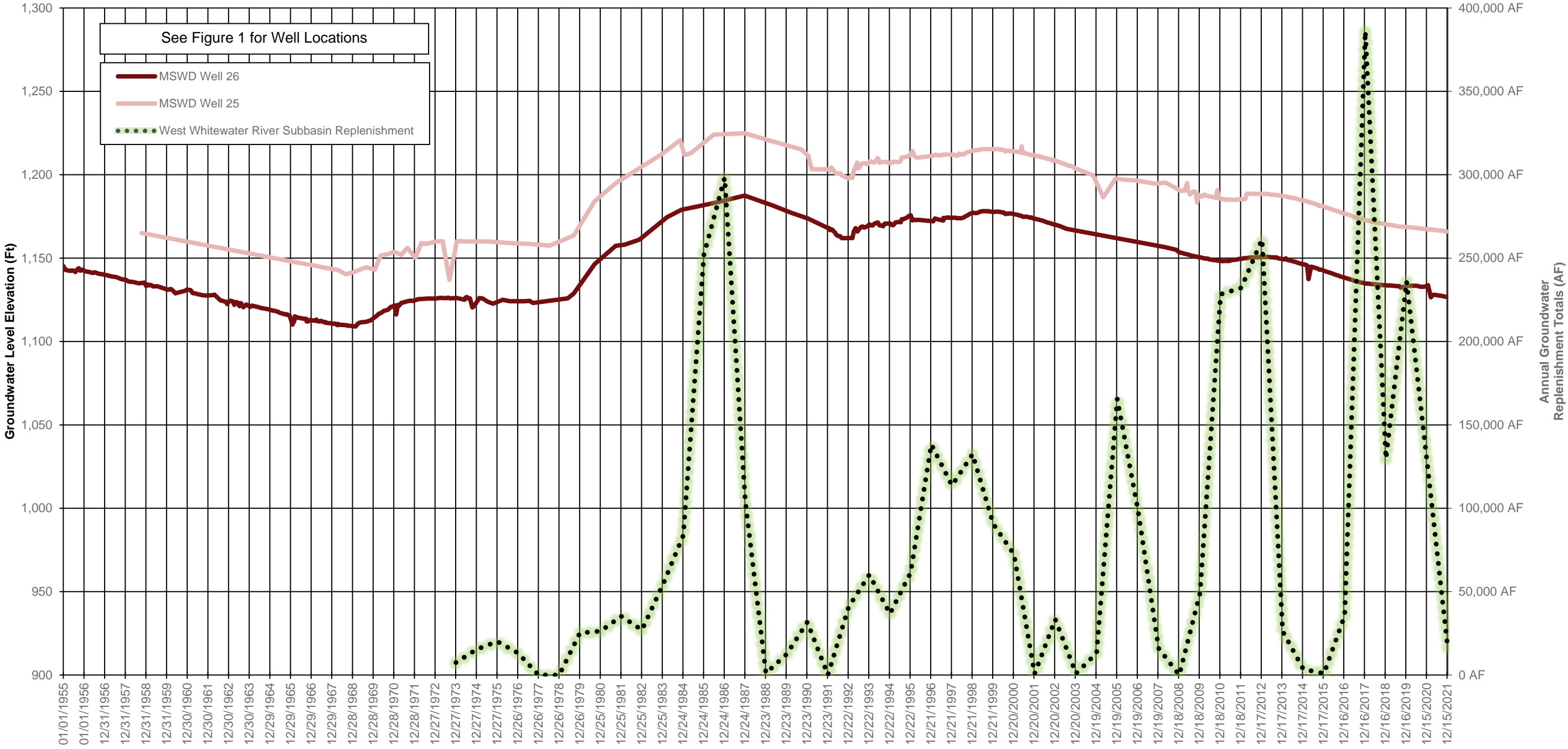


EXHIBIT 3
DESERT WATER AGENCY
GROUNDWATER WELL HYDROGRAPHS
GARNET HILL SUBAREA OF WEST WHITEWATER RIVER SUBBASIN MANAGEMENT AREA
GROUNDWATER REPLENISHMENT QUANTITIES AT WHITEWATER RIVER AND MISSION CREEK REPLENISHMENT FACILITIES

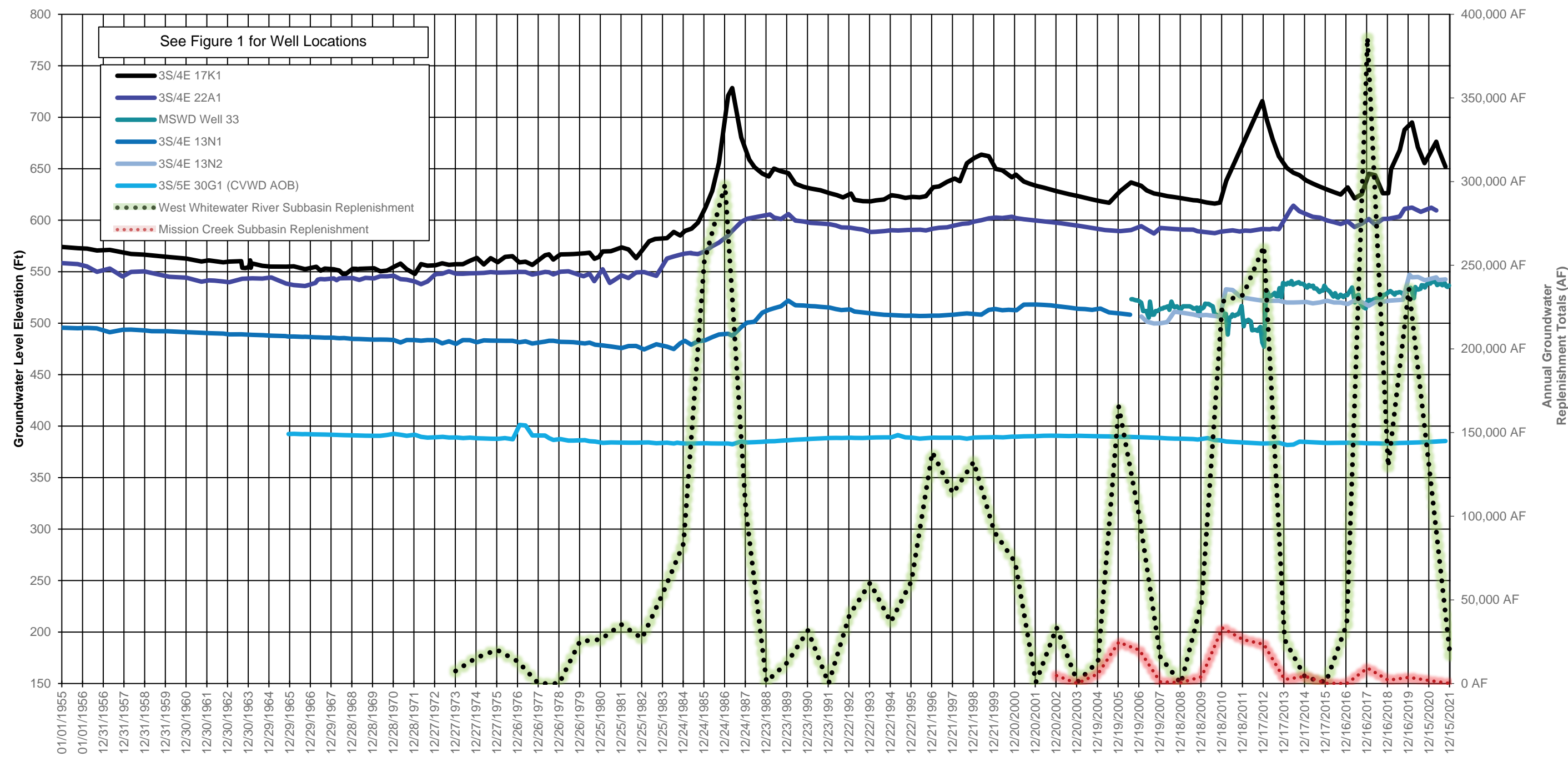


EXHIBIT 4
DESERT WATER AGENCY
GROUNDWATER WELL HYDROGRAPHS
MISSION CREEK SUBBASIN MANAGEMENT AREA
GROUNDWATER REPLENISHMENT QUANTITIES AT MISSION CREEK REPLENISHMENT FACILITY

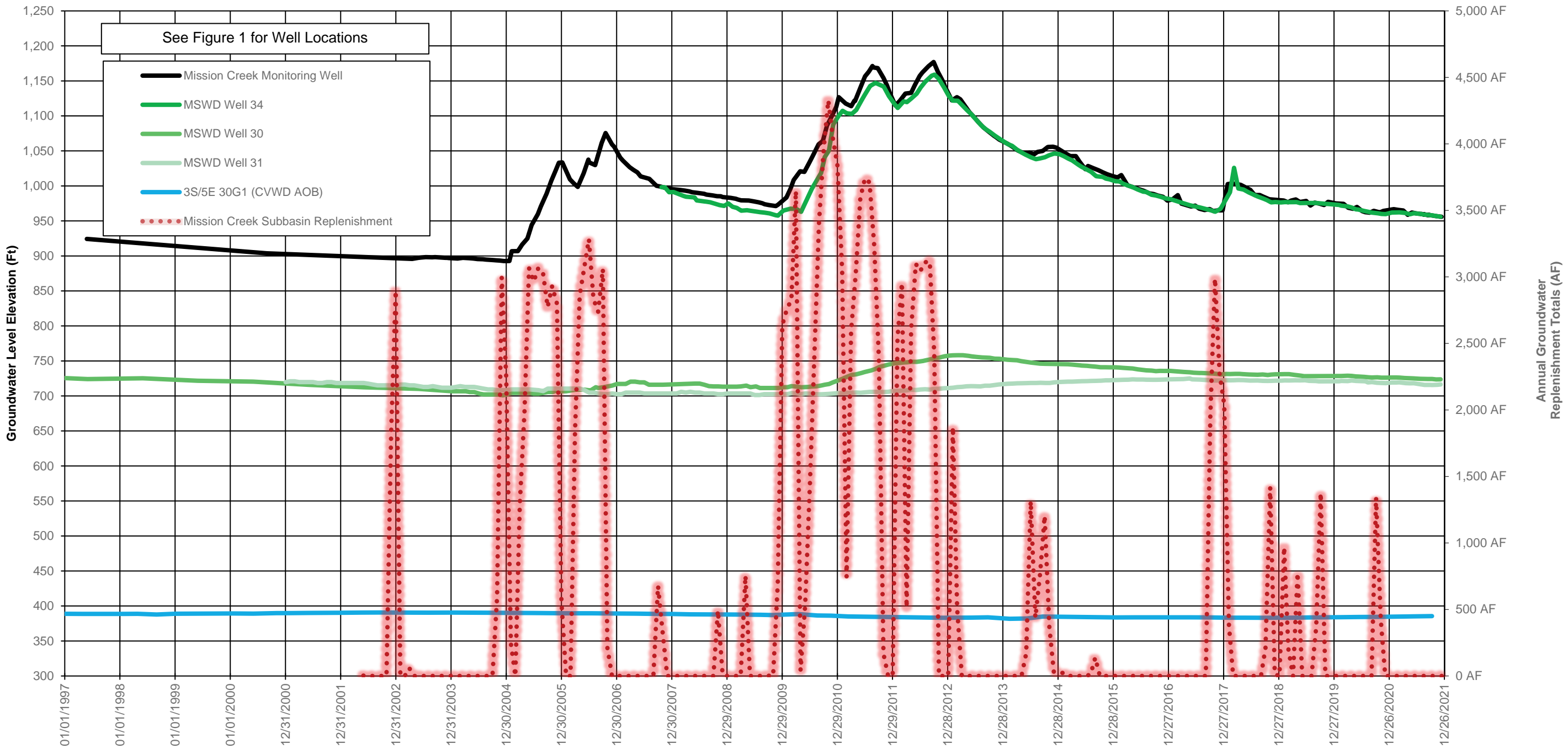


EXHIBIT 5
DESERT WATER AGENCY
MISSION CREEK SUBBASIN AREA OF BENEFIT⁽¹⁾
HISTORIC VOLUME OF GROUNDWATER IN STORAGE⁽²⁾

Time Period	Pre-1955	1955 - 1978	1979 - 1997	1998 - 2021	1955 - 2021
Number of Years		24	19	23	65
Water Level Decline, FT ⁽³⁾		20	30	21	71
Period Reduction in Storage, AF		71,200	106,800	74,760	252,760
Annual Reduction in Storage, AF/Yr		3,000	5,600	3,300	3,900
Change in Storage		0.047	0.074	0.056	0.167
Remaining Storage, AF	1,511,800	1,440,600	1,333,800	1,259,040	1,259,040

(1) Northwest three-quarters of subbasin: GTC (1979) & SLADE (2000)

(2) Storage loss of 3,560 AF/FT of water level decline: GTC (1979) & SLADE (2000)

(3) Mission Springs Water District data



EXHIBIT 6
DESERT WATER AGENCY
COMPARISON OF WATER PRODUCTION AND GROUNDWATER REPLENISHMENT
WEST WHITEWATER RIVER SUBBASIN (WWR) AND MISSION CREEK SUBBASIN (MC) MANAGEMENT AREAS

Year	Production ⁽¹⁾							
	WWR AF		MC AF		Total AF		Ratio of Recharge	
	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	WWR/Total	MC/Total
2002	213,410	213,410	13,968	13,968	227,378	227,378	93.9%	6.1%
2003	204,275	417,685	14,498	28,466	218,773	446,151	93.4%	6.6%
2004	212,700	630,385	16,548	45,014	229,248	675,399	92.8%	7.2%
2005	204,341	834,726	16,327	61,341	220,668	896,067	92.6%	7.4%
2006	213,850	1,048,576	17,365	78,706	231,215	1,127,282	92.5%	7.5%
2007	211,530	1,260,106	16,409	95,115	227,939	1,355,221	92.8%	7.2%
2008	211,023	1,471,129	15,775	110,890	226,798	1,582,019	93.0%	7.0%
2009	199,506	1,670,635	15,108	125,998	214,614	1,796,633	93.0%	7.0%
2010	182,703	1,853,338	14,304	140,302	197,007	1,993,640	92.7%	7.3%
2011	183,320	2,036,658	14,260	154,562	197,580	2,191,220	92.8%	7.2%
2012	183,285	2,219,943	14,216	168,778	197,501	2,388,721	92.8%	7.2%
2013	182,842	2,402,785	14,756	183,534	197,598	2,586,319	92.5%	7.5%
2014	174,425	2,577,210	14,091	197,625	188,516	2,774,835	92.5%	7.5%
2015	147,763	2,724,973	13,017	210,642	160,780	2,935,615	91.9%	8.1%
2016	148,395	2,873,368	13,219	223,861	161,614	3,097,229	91.8%	8.2%
2017	155,543	3,028,911	13,531	237,392	169,074	3,266,303	92.0%	8.0%
2018	154,548	3,183,459	13,870	251,262	168,418	3,434,721	91.8%	8.2%
2019	145,602	3,329,061	13,135	264,397	158,737	3,593,458	91.7%	8.3%
2020	153,065	3,336,524	14,244	278,641	167,309	3,760,767	91.5%	8.5%
2021	159,305	3,488,366	14,227	292,868	173,532	3,934,299	91.8%	8.2%

Year	Replenishment (Total)							
	WWR AF		MC AF		Total AF		Ratio of Recharge	
	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	WWR/Total	MC/Total
2002	33,435	33,435	4,733	4,733	38,168	38,168	14.2%	14.2%
2003	902	34,337	59	4,792	961	39,129	14.0%	6.5%
2004	13,224	47,561	5,564	10,356	18,788	57,917	70.4%	29.6%
2005	165,554	213,115	24,723	35,079	190,277	248,194	87.0%	13.0%
2006	98,959	312,074	19,901	54,980	118,860	367,054	83.3%	16.7%
2007	16,009	328,083	1,011	55,991	17,020	384,074	94.1%	5.9%
2008	8,008	336,091	503	56,494	8,511	392,585	94.1%	5.9%
2009	57,024	393,115	4,090	60,584	61,114	453,699	93.3%	6.7%
2010	228,330	621,445	33,210	93,794	261,540	715,239	87.3%	12.7%
2011	232,214	853,659	26,238	120,032	258,452	973,691	89.8%	10.2%
2012	257,267	1,110,926	23,406	143,438	280,673	1,254,364	91.7%	8.3%
2013	26,620	1,137,546	2,379	145,817	28,999	1,283,363	91.8%	8.2%
2014	3,549	1,141,095	4,325	150,142	7,874	1,291,237	45.1%	54.9%
2015	865	1,141,960	171	150,313	1,036	1,292,273	83.5%	16.5%
2016	35,699	1,177,659	0	150,313	35,699	1,327,972	100.0%	0.0%
2017	385,994	1,563,653	9,248	159,561	395,242	1,723,214	97.7%	2.3%
2018	129,725	1,693,378	2,027	161,588	131,752	1,854,966	98.5%	1.5%
2019	235,968	1,929,346	3,688	165,276	239,656	2,094,622	98.5%	1.5%
2020	126,487	2,055,833	1,768	167,044	128,255	2,222,877	98.6%	1.4%
2021	15,006	2,070,839	0	167,044	15,006	2,237,883	100.0%	0.0%

Year	Replenishment (SWP Exchange Only) ⁽²⁾							
	WWR AF		MC AF		Total AF		Ratio of Recharge	
	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	WWR/Total	MC/Total
2002	33,435	33,435	4,733	4,733	38,168	38,168	14.2%	14.2%
2003	902	34,337	59	4,792	961	39,129	14.0%	6.5%
2004	13,224	47,561	5,564	10,356	18,788	57,917	70.4%	29.6%
2005	165,554	213,115	24,723	35,079	190,277	248,194	87.0%	13.0%
2006	98,959	312,074	19,901	54,980	118,860	367,054	83.3%	16.7%
2007	9	312,083	1,011	55,991	1,020	368,074	0.9%	99.1%
2008	0	312,083	0	55,991	0	368,074	n/a	n/a
2009	46,032	358,115	3,336	59,327	49,368	417,442	93.2%	6.8%
2010	209,937	568,052	31,467	90,794	241,404	658,846	87.0%	13.0%
2011	127,214	695,266	20,888	111,682	148,102	806,948	85.9%	14.1%
2012	253,267	948,533	23,406	135,088	276,673	1,083,621	91.5%	8.5%
2013	24,112	972,645	2,379	137,467	26,491	1,110,112	91.0%	9.0%
2014	0	972,645	4,325	141,792	4,325	1,114,437	0.0%	100.0%
2015	0	972,645	171	141,963	171	1,114,608	0.0%	100.0%
2016	699	973,344	0	141,963	699	1,115,307	100.0%	0.0%
2017	350,994	1,324,338	9,248	151,211	360,242	1,475,549	97.4%	2.6%
2018	129,725	1,454,063	2,027	153,238	131,752	1,607,301	98.5%	1.5%
2019	235,968	1,690,031	3,688	156,926	239,656	1,846,957	98.5%	1.5%
2020	126,487	1,816,518	1,768	158,694	128,255	1,975,212	98.6%	1.4%
2021	15,006	1,831,524	0	158,694	15,006	1,990,218	100.0%	0.0%

Notes:

- (1) Production in both DWA and CVWD service areas.
(2) This table excludes all non-SWP supplemental water deliveries such as those made for CPV Sentinel.



EXHIBIT 7
DESERT WATER AGENCY
SUMMARY OF DELIVERIES TO METROPOLITAN WATER DISTRICT (MWD)
AND TO GROUNDWATER REPLENISHMENT FACILITIES (AF)⁽¹⁾

BEFORE EXCHANGE AGREEMENT (JULY 1973 - JUNE 1984)

Year	Delivery to MWD											Delivery to DWA/CVWD Recharge Facilities														MWD Delivery Surplus/(Deficit) Prior to Exchange and Delivery Agreement				
	SWP Contract Water						Non-SWP Contract Water					From SWP Exchange Account						From Other Accounts												
	Table A DWA/CVWD Combined Allocation	Table A Allocation Delivered to MWD	% Delivery to MWD	Carry-Over From Previous Year	SWP Surplus Water						SWP Total	CVWD					DWA										Total PD-GRF ⁽¹⁵⁾	Total MCRF	Grand Total	
					Pool A	Pool B	Multi-Year Pool	Article 21	Flood	Yuba		Other	Total	DMB Pacific	Glorious Land Rosedale	Colorado River Credit														Needles
																		Annual	Cumulative											
1973 (Jul-Dec)	14,800	14,800	100%								14,800								14,800	7,475		7,475				7,475		7,475	(7,325)	(7,325)
1974	16,400	16,400	100%								16,400								16,400	15,396		15,396				15,396		15,396	(1,004)	(8,329)
1975	18,000	18,000	100%								18,000								18,000	20,126		20,126				20,126		20,126	2,126	(6,203)
1976	19,600	19,600	100%								19,600								19,600	13,206		13,206				13,206		13,206	(6,394)	(12,597)
1977	21,421	0	0%								0								0	0		0				0		0	0	(12,597)
1978	23,242	25,384	109%								25,384								25,384	0		0				0		0	(25,384)	(37,981)
1979	25,063	25,063	100%								25,063								25,063	25,192		25,192				25,192		25,192	129	(37,852)
1980	27,884	27,884	100%								27,884								27,884	26,341		26,341				26,341		26,341	(1,543)	(39,395)
1981	31,105	31,105	100%								31,105								31,105	35,251		35,251				35,251		35,251	4,146	(35,249)
1982	34,326	34,326	100%								34,326								34,326	27,020		27,020				27,020		27,020	(7,306)	(42,555)
1983	37,547	37,547	100%								37,547								37,547	53,732		53,732				53,732		53,732	16,185	(26,370)
1984 (Jan-Jun) ⁽⁴⁾	N/A	25,849	N/A								25,849								25,849	50,912		50,912				50,912		50,912	25,063	(1,307)
1984 Total	40,768	40,768	100%								40,768								40,768	83,708		83,708				83,708		83,708		

WITH EXCHANGE AGREEMENT (JULY 1984 - PRESENT)

Year	Delivery to MWD												Delivery to DWA/CVWD Replenishment Facilities												MWD Exchange and Advance Deliveries																
	SWP Contract Water												Non-SWP Contract Water																												
	Table A DWA/CVWD Combined Allocation	Table A Allocation Delivered to MWD	% Delivery to MWD	Carry- Over	SWP Surplus Water								SWP Total	CVWD						DWA	From SWP Exchange Account						From Other Accounts						Total PD- GRF ⁽¹⁵⁾	Total MCRF	Grand Total	Exchange Deliveries	Advance Deliveries	Advance Deliveries Converted to Exchange Deliveries	Advance Delivery Account ⁽⁵⁾ Credit/(Debit)		
					Pool A	Pool B	Multi-Year Pool	Article 21	Flood	Yuba	Other	Total		DMB Pacific	Glorious Land Rosedale	Colorado River Credit	Needles	MWD QSA	CPV- Sentinel		Total	WRRF ⁽²⁾	MCRF ⁽³⁾	Total	WRRF ⁽²⁾	MCRF ⁽³⁾	Total	Total WRRF	Total MCRF	Grand Total	Exchange Deliveries	Advance Deliveries							Advance Deliveries Converted to Exchange Deliveries	Annual	Balance
1984 (Jul-Dec) ⁽⁶⁾	N/A	14,919	N/A									14,919							14,919	32,796		32,796				32,796				32,796	32,796	16,570	16,570 ⁽⁸⁾	16,570							
1985	43,989	43,989	100%									43,989							43,989	251,994		251,994				251,994		251,994	208,005	208,005	224,575										
1986	47,210	47,210	100%									47,210							57,210	288,201		288,201	10,000 ⁽⁷⁾		10,000	298,201	288,201	240,991	240,991	465,566											
1987	50,931	50,931	100%									50,931							50,931	104,334		104,334				104,334		104,334	53,403	53,403	518,969										
1988	54,652	54,652	100%									54,652							54,652	1,096		1,096				1,096		1,096	53,556	(53,556)	465,413										
1989	58,373	58,373	100%									58,373							58,373	12,478		12,478				12,478		12,478	45,895	(45,895)	419,518										
1990	61,200	61,200	100%									61,200							61,200	31,721		31,721				31,721		31,721	29,479	(29,479)	390,039										
1991	61,200	18,360	30%									18,360							18,360	14		14				14		14	18,346	(18,346)	371,693										
1992	61,200	27,624	45%									27,624							27,624	40,870		40,870				40,870		40,870	13,246	13,246	384,939										
1993	61,200	61,200	100%									61,200							61,200	60,153		60,153				60,153		60,153	1,047	(1,047)	383,892										
1994	61,200	37,359	61%									37,359							37,359	36,763		36,763				36,763		36,763	596	(596)	383,296										
1995	61,200	61,200	100%									61,200							61,200	61,318		61,318				61,318		61,318	118	118	383,414										
1996	61,200	61,200	100%			103,641						103,641							164,841	138,266		138,266				138,266		138,266	26,575	(26,575)	356,839										
1997	61,200	61,200	100%			50,000			27,130			77,130							138,330	113,677		113,677				113,677		113,677	24,653	(24,653)	332,186										
1998	61,200	61,200	100%			75,000			20,156			95,156							156,356	132,455		132,455				132,455		132,455	23,901	(23,901)	308,285										
1999	61,200	61,200	100%			47,380						47,380							108,580	90,601		90,601				90,601		90,601	17,979	(17,979)	290,306										
2000	61,200	55,080	90%			9,837		35,640		1 ⁽⁸⁾		45,478							100,558	72,450		72,450				72,450		72,450	28,108	(28,108)	262,198										
2001	61,200	23,868	39%			242						242							24,110	707		707				707		707	23,403	(23,403)	238,795										
2002	61,200	42,840	70%		436	819		300				1,555							44,395	33,435	4,733	38,168				33,435	4,733	38,168	6,227	(6,227)	232,568										
2003	61,200	55,080	90%	(17,867)	457	58		532		2 ⁽⁸⁾		1,049							38,262	902		961				902		961	37,301	(37,301)	195,267										
2004	61,200	18,597	30%	17,867		191						191							36,655	13,224	5,564	18,788				13,224	5,564	18,788	18,788	17,867	(17,867)	177,400									
2005	171,100	60,152	35%	27,618	585	3,253						3,838							91,608	165,554	24,723	190,277				165,554	24,723	190,277	190,277	98,669	98,669	276,069									
2006	171,100	171,100	100%									0							171,100	98,959		19,901				98,959		19,901	118,860	118,860	52,240	(52,240)	223,829								
2007	171,100	102,660	60%		802							802			16,000 ⁽⁹⁾ *				119,453	9	1,011	1,020	16,000			16,000	16,009	1,011	17,020	1,020	102,442	(102,442)	121,387								
2008	171,100	59,885	35%		151					1,833		1,984		3,000	8,008 ⁽⁹⁾ *			8,350 *	81,218	0	0	0	8,008	503 ⁽¹³⁾		8,511	8,008	503	8,511	0	64,869	(64,869)	56,518								
2009	171,100	57,710	34%		35	58				2,982	500 ⁽¹⁰⁾	3,575		3,000 *	7,992 ⁽⁹⁾ *				72,268	46,032	3,336	49,368	10,992	754 ⁽¹³⁾		11,746	57,024	4,090	61,114	49,368	11,917	(11,917)	44,601								
2010	194,100	97,050	50%	10,730	66	536						602	108,382	8,393 *			10,000 *	126,775	209,937	31,467	241,404	18,393	1,743 ⁽¹³⁾		20,136	228,330	33,210	261,540	241,404	133,022	133,022	177,623									
2011	194,100	124,156	64%		836	1,666					5,800 ⁽¹⁴⁾	8,302	132,458				105,000 *	237,458	127,214	20,888	148,102	105,000	5,350 ⁽¹³⁾		110,350	232,214	26,238	258,452	148,102	25,644 ⁽⁷⁾	25,644	203,267									
2012	194,100	126,166	65%	31,124	431			967				1,398	158,688		4,000 *			162,688	253,267	23,406	276,673	4,000			4,000	257,267	23,406	280,673	276,673	117,985	117,985	321,252									
2013	194,100	67,936	35%		230			2,664				2,894	70,830		16,500	2,508 *		89,838	24,112	2,379	26,491	2,508			2,508	26,620	2,379	28,999	26,491	60,839	(60,839)	260,413									
2014	194,100	9,706	5%					1,213				1,213	10,919		5,000	3,549 ****		19,468	0	4,325	4,325	3,549	4,325			3,549	3,549	4,325	7,874	4,325	11,610	(11,610)	248,803								
2015	194,100	38,820	20%					426				493	39,313		9,500	865 *		49,678	0	171	171	865			865	865	171	1,036	171	48,642	(48,642)	200,161									
2016	194,100	74,249	38%			566						566	74,815		16,500		64,135	155,450	699	0	699	35,000 **			35,000	35,699	0	35,699	699	119,751	(119,751)	80,410									
2017	194,100	66,805	34%	25,435	1131					16,776 ⁽¹¹⁾		17,907	110,147		35,000		150,544	350,994	9,248	360,242	35,000 **				35,000	385,994	9,248	395,242	360,242	244,698	244,698	325,108									
2018	194,100	67,936	35%	97,050					1,246			1,246	166,232		20,603		221,835	129,725	2,027	131,752					0	129,725	##	2,027	131,752	##	90,083	(90,083)	235,025								
2019	194,100	48,526	25%									0	48,526				83,526	235,968 #	3,688 #	239,656				0	235,968	##	7,757	3,688 #	247,413 ##	239,656	156,130	156,130	391,155								
2020	194,100	38,820	20%	97,050								1,140	137,010		50,000 ***		206,010	126,487	1,768	128,255				0	126,487	9,700	1,768	137,955	128,255	77,755	(77,755)	313,400									
2021	194,100	9,706	5%	0								1,613	11,319		9,500		15,006 ***	15,006	0	15,006				0	15,006		10,633	0	25,639	15,006	20,819	(20,819)	292,581								
Totals ^{(12):}	4,668,011	2,474,623	---	289,007	5,160	292,681	633	36,472	47,286	14,084	23,079	419,395	3,183,025	8,393	112,000	32,000	10,000	356,063	8,350	3,709,804	2,717,889	158,694	3,734,763	249,315	8,350	257,665	3,825,384	28,090	167,044	4,020,518	3,734,763	1,308,481	1,015,900	---	---						

EXHIBIT 8
DESERT WATER AGENCY AND COACHELLA VALLEY WATER DISTRICT
COMPARISON OF HISTORIC AND PROPOSED GROUNDWATER REPLENISHMENT
ASSESSMENT RATE FOR THE WEST WHITEWATER RIVER AND MISSION CREEK SUBBASIN AOBs

Year	DWA WWR & MC		CVWD WWR		CVWD MC	
	\$/AF	% Increase	\$/AF	% Increase	\$/AF	% Increase
78/79	\$6.81	---	No Assessment	---	No Assessment	---
79/80	\$9.00	32%	No Assessment	---	No Assessment	---
80/81	\$9.50	6%	\$5.66	---	No Assessment	---
81/82	\$10.50	11%	\$7.43	31%	No Assessment	---
82/83	\$21.00	100%	\$19.82	167%	No Assessment	---
83/84	\$36.50	74%	\$33.23	68%	No Assessment	---
84/85	\$37.50	3%	\$34.24	3%	No Assessment	---
85/86	\$31.00	-17%	\$21.81	-36%	No Assessment	---
86/87	\$21.00	-32%	\$19.02	-13%	No Assessment	---
87/88	\$22.50	7%	\$19.55	3%	No Assessment	---
88/89	\$20.00	-11%	\$15.96	-18%	No Assessment	---
89/90	\$23.50	18%	\$19.66	23%	No Assessment	---
90/91	\$26.00	11%	\$23.64	20%	No Assessment	---
91/92	\$31.75	22%	\$25.66	9%	No Assessment	---
92/93	\$31.75	0%	\$28.23	10%	No Assessment	---
93/94	\$31.75	0%	\$31.05	10%	No Assessment	---
94/95	\$31.75	0%	\$34.16	10%	No Assessment	---
95/96	\$31.75	0%	\$37.58	10%	No Assessment	---
96/97	\$31.75	0%	\$37.58	0%	No Assessment	---
97/98	\$31.75	0%	\$42.09	12%	No Assessment	---
98/99	\$31.75	0%	\$47.14	12%	No Assessment	---
99/00	\$31.75	0%	\$52.80	12%	No Assessment	---
00/01	\$33.00	4%	\$59.14	12%	No Assessment	---
01/02	\$33.00	0%	\$66.24	12%	No Assessment	---
02/03	\$35.00	6%	\$72.86	10%	\$59.80	---
03/04	\$35.00	0%	\$72.86	0%	\$59.80	0%
04/05	\$45.00	29%	\$78.86	8%	\$59.80	0%
05/06	\$50.00	11%	\$78.86	0%	\$59.80	0%
06/07	\$63.00	26%	\$83.34	6%	\$65.78	10%
07/08	\$63.00	0%	\$91.67	10%	\$72.36	10%
08/09	\$72.00	14%	\$93.78	2%	\$76.60	6%
09/10	\$72.00	0%	\$102.45	9%	\$87.56	14%
10/11	\$82.00	14%	\$102.45	0%	\$89.75	3%
11/12	\$82.00	0%	\$107.57	5%	\$98.73	10%
12/13	\$92.00	12%	\$110.26	3%	\$98.73	0%
13/14	\$92.00	0%	\$110.26	0%	\$98.73	0%
14/15	\$102.00	11%	\$110.26	0%	\$98.73	0%
15/16	\$102.00	0%	\$112.00	2%	\$112.00	13%
16/17	\$102.00	0%	\$128.80	15%	\$123.20	10%
17/18	\$120.00	18%	\$143.80	12%	\$135.52	10%
18/19	\$140.00	17%	\$143.80	0%	\$135.52	0%
19/20	\$155.00	11%	\$143.80	0%	\$135.52	0%
20/21	\$165.00	6%	\$143.80	0%	\$135.52	0%
21/22	\$175.00	6%	\$165.37	15%	\$135.52	0%
22/23	\$175.00 *	0%	\$196.79 *	19%	\$135.52 *	0%

* Proposed replenishment assessment rate



APPENDIX A

APPENDIX A
COACHELLA VALLEY
MONTHLY AND ANNUAL RECORDED PRECIPITATION DATA
(INCHES)
2021

STATION NAME	WHITEWATER NORTH	SNOW CREEK	TACHEVAH DAM	TRAM VALLEY	CATHEDRAL CITY	THOUSAND PALMS	PALM SPRINGS SUNRISE	DESERT HOT SPRINGS	EDOM HILL	OASIS	MECCA LANDFILL III	THERMAL AIRPORT	
LOCATION	WWR	WWR	WWR	WWR	WWR	WWR	WWR	MC	MC	EWR	EWR	EWR	
STATION NUMBER	233	207	216	224	34	222	442	57	436	431	432	443	
LATITUDE	33°59'23.06"	33°53'32.64"	33°49'51.26"	33°50'11.56"	33°46'51.49"	33°49'1.66"	33°48'35.94"	33°58'2.85"	33°53'7.52"	33°26'21.64"	33°34'20.19"	33°37'53.90"	
LONGITUDE	116°39'21.39"	116°41'41.06"	116°33'31.53"	116°36'49.72"	116°27'29.69"	116°23'46.30"	116°31'37.94"	116°29'39.93"	116°26'18.48"	116° 4'44.83"	116° 0'15.33"	116° 9'50.81"	
ELEVATION (FT ABOVE MSL)	2220	1658	570	2675	283	230	397	1223	1038	-108	13	-122	
JANUARY	2.14	1.82	0.82	1.63	0.45	0.31	0.70	0.50	0.43	0.35	0.35	0.28	
FEBRUARY	0.46	0.09	0.00	0.03	0.00	0.00	0.00	0.09	0.05	0.00	0.02	0.00	
MARCH	1.68	1.88	0.01	0.51	0.09	0.00	0.09	0.15	0.04	0.02	0.02	0.01	
APRIL	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.00	
MAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
JUNE	0.03	0.00	0.00	0.04	0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.00	
JULY	1.04	0.79	0.79	1.00	0.87	0.47	0.87	0.66	1.27	0.20	0.13	0.45	
AUGUST	0.00	0.00	0.00	0.16	0.00	0.02	0.00	0.00	0.07	0.47	0.35	0.17	
SEPTEMBER	0.00	0.79	0.52	0.18	0.01	0.02	0.18	0.48	0.05	0.00	0.13	0.00	
OCTOBER	0.56	0.71	0.13	0.65	0.06	0.02	0.09	0.17	0.12	0.02	0.01	0.00	
NOVEMBER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
DECEMBER	6.12	3.32	4.87	6.74	0.98	0.54	1.79	2.05	1.03	0.31	0.09	0.11	
TOTAL	12.03	9.40	7.14	10.95	2.47	1.38	3.73	4.10	3.06	1.37	1.11	1.02	
AVERAGE: WWR	6.73												
AVERAGE: MC								3.58					
AVERAGE: WWR+MC	6.03												
AVERAGE: EWR										1.17			
AVERAGE: ALL	4.81												

APPENDIX B

ADDENDUM TO SETTLEMENT AGREEMENT MANAGEMENT AREA DELIVERIES

The Settlement Agreement between Coachella Valley Water District (CVWD), Desert Water Agency (DWA) and Mission Springs Water District (MSWD) dated December 7, 2004 shall be supplemented by the following Addendum, and thus shall be deemed a part thereof:

The Mission Creek Groundwater Replenishment Agreement provides for the delivery to the Mission Creek Subbasin, for groundwater replenishment, of a proportionate share of the imported water delivered to CVWD and DWA for replenishment of the Upper Coachella Valley Groundwater Basin. To ensure that the Mission Creek Subbasin receives its proportionate share of that water, as set forth in the Mission Creek Replenishment Agreement, and to provide for the monitoring thereof, the following procedures shall be applied:

Each year CVWD and DWA shall calculate the combined total quantity of water produced during the previous year from the Whitewater River Management Area and the Mission Creek Management Area, and from sources tributary to those Management Areas, and shall determine from that the percentages of the total production from those Management Areas and their sources.

Water supplies available to CVWD and DWA each year, through their respective State Water Project Contracts, for the replenishment of those Management Areas will be allocated and delivered to the Management Areas for groundwater replenishment in the same percentages, subject to delivery capability and operational constraints in any particular year.

GENERAL MANAGER'S REPORT MAY 17, 2022

Damaged Hydrant (Gateway Dr./Mountain Gate)

On May 6 at approximately 3:30 p.m., Construction staff responded to a hit fire hydrant located on the north east corner of W. Gateway Dr. and Mountain Gate. Staff replaced the hydrant and put it back into service. The water flowed from a fully open 6-inch fire hydrant bury for approximately 15 minutes. A police report was filed.



DWA-CV Advanced Water Delivery Account Balance

Coachella's SWP deliveries

	March
Table A	0 AF
Glorious Land/Rosedale Rio Bravo	0 AF
Article 56	0 AF
Yuba Accord	0 AF
Pool A & B	0 AF

Desert's SWP deliveries

	March
Table A	0 AF
Article 56	0 AF
Yuba Accord	0 AF
Pool A & B	0 AF

Metropolitan's CRA deliveries

	March
Whitewater	0 AF
Whitewater (Delivery charged to the 15 TAF) To date for calendar year 2022, 8,629 AF have been delivered to fulfill CVWD's 15 TAF.	4,819 AF
Whitewater (Delivery charged to the 35 TAF) To date for calendar year 2022, 0 AF have been delivered to fulfill CVWD's 35 TAF.	0 AF
Mission Creek	0 AF

Account Balance

End of January 2021 balance	311,025 AF
End of February 2021 balance	308,650 AF
End of March 2021 balance	308,650 AF
End of April 2021 balance	308,650 AF
End of May 2021 balance	308,650 AF
End of June 2021 balance	308,650 AF
End of July 2021 balance	308,179 AF
End of August 2021 balance	307,657 AF
End of September 2021 balance	304,381 AF
End of October 2021 balance	301,714 AF
End of November 2021 balance	298,117 AF
End of December 2021 balance	292,581 AF
End of January 2022 balance	292,581 AF
End of February 2022 balance	292,581 AF
End of March 2022 balance	292,581 AF

Yuba River Accord Water Purchase Agreement 2022 Update

On April 4, 2022, DWR notified participating contractors that requests for Yuba River Accord water purchases for the 2022 year will be received until April 19, 2022. The Sacramento Region Water Supply Index is currently classified as critically dry, and pricing for the Yuba water based on the dry index is as follows:

- \$447 per acre foot for Component 1 (C1) water
- \$358 per acre foot for Component 2 (C2) water
- \$447 per acre foot for Component 3 (C3) water
- \$800 per acre foot for Component 4 (C4) water

The Agency is a participating contractor and therefore has submitted for the maximum available water allowed for Component 1, 2, 3 and 4 water. Due to the higher cost of component 4 water, MWD and DWA are working on an agreement for MWD to pay \$353/AF of the cost of this component only.

For this year, DWR expects that 60,000 AF of C1 water, 30,000 AF of C2 water, and 6,000 AF of C3 water will be available, to be allocated based on 50% of the participants Table A percentage. For the Agency, our percentage share of Table A water is 1.38%. Therefore, our initial percentage share of Yuba Water is 0.69% of each component water. If, after April 19, 2022 for component 1-3 or after May 14, 2022 for component 4, contractors elect not to purchase Yuba water, or decide to purchase less than their allotted share, the remaining water can be purchased by the other contractors. Management has elected to purchase any additional C1-C4 water that may become available. For now, we have submitted the following Yuba water purchase order:

- 425 AF of C1 water in the amount of \$189,975.
- 212 AF of C2 water in the amount of \$75,896.
- 42 AF of C3 water in the amount of \$18,774
- 442 AF of C4 water in the amount of \$353,600 (\$197,574, DWAs share).
- Total of 1,121 AF in the amount of \$482,219.

For reference, the current table A allocation is at 15%, or 8,362 AF for DWA.

Human Resources Meetings and Activities

Meetings:

04/19/2022	DWA Board Meeting	Virtual Meeting
05/02/2022	DWA Staff Meeting	Virtual Meeting
05/09/2022	DWA Staff Meeting	Virtual Meeting
05/16/2022	DWA Operations/Engineering Staff Meeting	Virtual Meeting

Activities:

04/19/2022	CalPERS System Access Administration Class	Virtual Meeting
04/20/2022	Webinar: Employee Experience and Human-Centered Work: Supporting Working Families	Virtual Meeting
04/21/2022	The Great Resignation Webinar	Virtual Meeting
04/21/2022	Aflac Representative Onsite	DWA Offices
04/24/2022	Represented DWA at an Unemployment Hearing	Conference Call
04/27/2022	UCR Women in Leadership Advisory Committee Meeting	Virtual Meeting
04/28/2022	Presented at DWA Staff Meetings	DWA Offices
04/28/2022	Webinar: DE&I Strategies that Impact Your Bottom Line	Virtual Meeting
05/11/2022	Webinar: CalPERS Your Online Service Retirement Application	Virtual Meeting
05/12/2022	Hosted a Riverside County Vaccination Clinic	DWA Offices
05/12/2022	Webinar: Why a "Back to Basics" Employee Experience Is the Smartest Way for HR to Win in 2022	Virtual Meeting

Agency Offices Closed

The Agency will be closed on Monday, May 30 in observance of Memorial Day.



SYSTEM LEAK DATA					
(PERIOD BEGINNING APR 12, 2022 THRU MAY 9, 2022)					
STREET NAME	NUMBER OF LEAKS	PIPE DIAMETER (INCHES)	YEAR INSTALLED	PIPE MATERIAL	PIPE CONSTRUCTION
FRANCIS DR	7	6	1957	STEEL	BARE/UNLINED
BERNE DR	4	4	1959	STEEL	BARE/UNLINED
VISTA CHINO	3	20	1949	STEEL	BARE/UNLINED
AVENIDA CABALLEROS	3	14	1953	STEEL	BARE/UNLINED
E PALM CANYON DR	3	6	1951	STEEL	BARE/UNLINED
RAMON RD	3	6	1955	STEEL	BARE/UNLINED
INDIAN CANYON DR	2	10	1938	STEEL	BARE/UNLINED
INDIAN CANYON DR	2	6	1951	STEEL	BARE/UNLINED
PARK DR	2	4	1946	STEEL	BARE/UNLINED
PATENCIO RD	2	4	1954	STEEL	BARE/UNLINED
E PALM CANYON DR	1	12	1958	STEEL	BARE/UNLINED
FRANCIS DR	1	8	1957	STEEL	BARE/UNLINED
PATENCIO RD	1	6	1951	STEEL	BARE/UNLINED
E PALM CANYON DR	1	6	1955	STEEL	BARE/UNLINED
DESERT PARK AVE	1	6	1955	STEEL	BARE/UNLINED
RACQUET CLUB RD	1	6	1958	STEEL	BARE/UNLINED
JANIS WY	1	6	1958	STEEL	BARE/UNLINED
INDIAN CANYON DR	1	6	1962	STEEL	CML
CALLE ENCILIA	1	4	1953	STEEL	BARE/UNLINED
VIA ALTAMIRA	1	4	1954	STEEL	BARE/UNLINED
CALLE ROCA	1	4	1954	STEEL	BARE/UNLINED
VIA VAQUERO	1	4	1958	STEEL	BARE/UNLINED
PALISADES DR	1	4	1958	STEEL	BARE/UNLINED
JACQUES DR	1	4	1959	STEEL	BARE/UNLINED
INDIAN TR	1	3	1935	STEEL	BARE/UNLINED
TOTAL LEAKS IN SYSTEM:		46			

Streets highlighted in green are included as part of the

2020/2021 Replacement Pipeline Project

Streets highlighted in blue are being proposed as part of the

2021/2022 Replacement Pipeline Project

Vista Chino 20" mainline replacement design is being developed

F.Y. 2021/2022 budget for design

SYSTEM INFORMATION:	
OLDEST PIPE IN THE SYSTEM (YEAR OF INSTALLATION):	1935
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 70 YEARS (LINEAR FEET):	124,846
TOTAL LENGTH OF UNLINED PIPE SYSTEMWIDE (LINEAR FEET):	297,672
*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 70 YEARS:	9 YEARS
YEAR AGENCY TRANSITIONED TO CEMENT LINED STEEL PIPE:	1960
<p>*PLEASE NOTE THIS FIGURE REPRESENTS THE AVERAGE LINEAR FOOTAGE OF PIPELINE REPLACED ANNUALLY GIVEN AN AVERAGE ANNUAL BUDGET OF \$3 MILLION.</p>	

SYSTEM LEAKS
(Period beginning Apr. 12,
2022 thru May 9, 2022)

2021/2022 PIPELINE DESIGN - VISTA CHINO

SUNRISE VISTA CHINO

OLD LAS PALMAS

2021/2022 REPLACEMENT PIPELINES - VIA ALTAMIRA

Palm Springs

DOWNTOWN PALM SPRINGS

2020/2021 REPLACEMENT PIPELINE - AVENIDA CABALLEROS
BARISTO

2021/2022 REPLACEMENT PIPELINES - VIA VAQUERO

Ramon Rd

Ramon Rd

Binah Store Dr

E Palm Canyon Dr

Cathedral Canyon Dr



General Manager's Meetings and Activities

Meetings:

04/19/22	DWA Bi-Monthly Board Mtg	Conf Call
04/20/22	SWC DCP Coordination Mtg (Steve Johnson)	Conf Call
04/20/22	SWC DCP DWR Update Mtg (Steve Johnson)	Conf Call
04/20/22	SWC Monthly Meeting (Steve Johnson)	Conf Call
04/21/22	SWC Monthly Board Mtg (Steve Johnson)	Conf Call
04/21/22	Sites SWC's Initial DWR Term Sheet (Steve Johnson)	Conf Call
04/22/22	Sites Reservoir Committee Monthly Mtg	Conf Call
04/25/22	DWA Wkly Staff Mtgs	Webinar
04/27/22	Tribal Mediation Meeting Small Group Negotiations	Conf Call
04/28/22	DWA I.T. Department Update	Conf Call
05/02/22	Tribal Mediation Meeting Small Group Negotiations	Conf Call
05/03/22	SWC DCP Briefing	Conf Call
05/03/22	ACWA Conference	SAC
05/04/22	Tribal Mediation Meeting CVWD/DWA	Conf Call
05/04/22	ACWA Conference	SAC
05/05/22	SWC OME Cmte Mtg	Conf Call
05/05/22	ACWA Conference	SAC
05/09/22	DWA Wkly Staff Mtgs	Conf Call
05/09/22	BB&K Board Elections	Conf Call
05/09/22	SGMA Fee & AB 2201 Discussion with CVWD	Conf Call
05/10/22	Sites DWR Term Sheet for Statement of Charges	Conf Call
05/10/22	DWA I.T. Departmental Update	Conf Call
05/12/22	DWA Executive Cmte	Conf Call
05/16/22	DWA Wkly Staff Mtgs	Conf Call
05/16/22	SWC GM Project Advocacy	Conf Call
05/16/22	DWA Future Tax Rate Analysis	Conf Call
05/16/22	DWA/CVWD/MWD Coordination Mtg	Conf Call
05/17/22	WWRF Right of Way Grant Cooperators Mtg	Conf Call
05/17/22	DWA Bi-Monthly Board Meeting	Conf Call

Activities:

- 1) 2022 DWA Voting District Boundaries
- 2) DWA Rate Study
- 3) DWA Surface Water Rights
- 4) Covid 19 Water and Sewer Arrearages
- 5) Water Supply Planning – DWA Area of Benefit
- 6) Sites Reservoir Financing
- 7) DCP Financing
- 8) Lake Perris Seepage Recovery Project Financing
- 9) Recycled Water Supply – Strategic Planning
- 10) Recycled Water Rate
- 11) AQMD Rule 1196

Activities:

(Cont.)

- 12) DWA Digital Transformation Project
- 13) DWA Organizational Restructuring
- 14) DWA Tax Rate Analysis
- 15) DWA Staff Succession Planning
- 16) Palm Springs Aerial Tramway Water Supply 2022
- 17) SWP Contract Extension Amendment
- 18) DWA Remote Meter Reading Fixed Network
- 19) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 20) Whitewater River Surface Water Recharge
- 21) Replacement Pipelines 2021-2022
- 22) DC Project – Finance JPA Committee (Standing)
- 23) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water (Standing)
- 24) DWA/CVWD/MWD Exchange Agreement Coordination Committee (Standing)
- 25) SWP 2022 Water Supply
- 26) ACBCI Water Rights Lawsuit
- 27) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 28) Whitewater Spreading Basins – BLM Permits
- 29) Delta Conveyance Project Cost Allocation
- 30) MCSB Delivery Updates
- 31) Well 6 Meaders Cleaners RWQB Meetings
- 32) SWP East Branch Enlargement Cost Allocation
- 33) WQCB Update to the SNMP