

To: IWW Groundwater Authority and Steve Johnson

From: Nick panzer, Ridgecrest Resident

CC Dave Janiec, PAC Chair

Subject: GSP, Section 3-Basin Setting, Review Draft: 6/14/19

Date: 6/19/19

Subject Draft comes up short in two material respects:

First, the most salient feature of our Basin Setting is the exceptionally high percentage of natural recharge required to cover the basic health and safety needs (think indoor residential and indoor work place water **uses**) of the basin's 35,000 residents. These numbers need to be clearly accounted for in the Water Budget starting at Page 3-15 lest management actions misallocate our scarce groundwater resource and thereby threaten public health and safety. See SGMA Regulation 354.18(b)(3) for the need to quantify groundwater outflows by water **use**.

Second, the first Paragraph on Page 3-22 states that "the natural sustainable yield can be augmented with direct recharge projects (e.g., recycled water or imported water)." I understand that the feasibility of such projects is highly questionable due to numerous financial, political, environmental, and legal hurdles. SGMA Regulation 354.44.(b)(6) demands an explanation of the source and reliability of import water as a condition of a GSP's reliance upon it. Without such a credible explanation in hand, the above quoted statement will lead most readers to falsely believe that they face no significant threat to their health and safety through misallocation of natural recharge.



**Indian Wells Valley Groundwater Authority
Policy Advisory Committee
June 27, 2019
Managed Growth Policy Discussion**

Background

The Joint Power Agreement that created the Indian Wells Valley Groundwater Authority (IWVGA) includes one board and city council members from various agencies (Counties – Inyo, San Bernardino, Kern, City- Ridgecrest, Water District– Indian Wells Valley). These elected officials act in their capacity on the JPA only for the limited roles dictated by those responsibilities. This is no different then when they are on LAFCO (Local Agency Formation Commission) or an Air District for example. They do not import their land use authority or water district responsibilities into the JPA. The roles of the JPA over land use proposals is only to indicate to the County, City and Water District 1) what they think about the project in relation to groundwater quantity and quality and 2) allocation of groundwater for that property, i.e. proposed project.

The Sustainable Groundwater Act requires consultation from cities and counties with the IWVGA on proposals to change the zoning and general plan. They also will become an agency on a list of reviewers for environmental documents under the California Environmental Quality Act (CEQA).

They can make comments, but they have no power to deny or approve the project. They can only issue information on the groundwater either allocated or not allocated, implement any policies of the authority on allocation of water or water transfer/leases and implement appropriate costs for groundwater assessments and make requests for conditions. They cannot require a ministerial building permit be made discretionary so it can be conditioned, but they can ask the city and counties to do that. They can request that water well information be sent from the counties to the IWVGA for data information or to provide comment. There will be many complicated details to work out in creating all these policies and now is not the time to determine all the questions or answers.

For example, simply saying “buy water” may not take into account the mandatory restrictions on Accessory Dwelling Units (second units on single family lots) in the law that make it not possible to impose that. Or a property may already have an underutilized allocation and simply wants to expand or lease it to someone on another property. These are only two of many, many scenarios across three counties and one city that will need to be reviewed and discussed by the JPA and staff.

Groundwater Sustainability Plan – Policy Discussion and Recommendation

I recommend a very high level discussion and policy recommendation on these choices for inclusion in the Groundwater Sustainability Plan.

The focus is *how should the GSP account for future growth?*

Categories of Land Use

- Existing Residential, Commercial and Industrial, Public Use
- Existing agricultural
- New Residential, Commercial and Industrial, Public Use
- New agricultural

Priority of Land Use for Growth Management (choose 1 or combine)

A. 1 to 3 % growth - most restrictive

Allow expansion of existing commercial and industrial businesses, new housing in the city and building one single family house on a vacant parcel in the unincorporated counties. All other proposed uses must undergo CEQA analysis and identify ways to avoid impacts on GSP as a comment from the IWVGSA.

B. 1 to 3 % growth - moderately restrictive

Allow expansion of existing commercial and industrial businesses, new housing and implementation of existing general plan and zoning in the city and building one single family house on a vacant parcel in the unincorporated counties. All other proposed uses must undergo CEQA analysis and identify ways to avoid impacts on GSP as a comment from the IWVGSA.

C. 2 % growth rate in counties and city – case by case basis (all uses)

D. 3 % growth rate in counties and city – case by case basis (all uses)

