



Water District retains lobbying firm to oppose legislation restricting sustainable yield adjustments

By Michael Smit For The Daily Independent
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At the Indian Wells Valley Water District board meeting on April 14, the board unanimously approved retaining KP Public Affairs, a lobbying firm based in Sacramento, to oppose proposed state legislation that aims to solidify the sustainable yield numbers at the point decided in a groundwater sustainability plan.

The board agreed to a flat retainer fee of \$5,000 per month through at least June 2025. KP Public Affairs lobbyist Brenda Bass, who has previously represented the Western Growers Association and the California Chamber of Commerce, will advocate on behalf of the district.

The legislative bills of concern, Assembly Bill 1413 and Assembly Bill 1466, address groundwater adjudication and the management authority of Groundwater Sustainability Agencies (GSAs). The Indian Wells Valley Groundwater Authority serves as the GSA for the Indian Wells Valley, and these bills, if passed, could substantially limit the Water District’s options in managing local groundwater resources.

The IWVGA and the Water District have been in conflict for years. The IWVGA’s mission is to ensure the IWV has sustainable water for years to come, but it is levying heavy fees on water pumpers in order to achieve that goal, and the Water District is among the largest water pumpers in the IWV.

IWVGA’s initial study when forming its groundwater sustainability plan put the IWV’s sustainable yield at 7,650 acre-feet of water per year. However, the Water District took part in another study that it believes shows the sustainable yield to be nearly double.

At the meeting, member of the public Judie Decker criticized the Water District board for not releasing the study’s model so the findings can be confirmed or denied. Water District legal counsel Jim Worth told her that the model will be released on April 21.

Regarding the legislation the Water District opposes, Worth said that the bills would hurt the Water District's position in the ongoing adjudication lawsuit involving the Water District, IWVGA, and all major water pumpers in the IWV.

"Bill 1413 would be devastating to our adjudication," Worth said. "It prevents a court from ordering that the safe yield is anything greater than the safe yield established in a Groundwater Sustainability Plan (GSP)."

Bill 1466, Worth explained, "is more about the burden of proof," significantly raising requirements to challenge groundwater management decisions made by GSAs like the IWVGA.

The district's stated position is to oppose these bills unless amended. The amendments the district seeks would reduce the broad discretion currently granted to GSAs like the IWVGA under the proposed legislation.

During public comment, Decker raised concerns about the transparency of the decision-making process. She expressed concern over General Manager George Croll taking action without prior public board discussion.

"I am opposed to a process whereby the manager and the president sign off on things without board discussion ahead of time," Decker said.

In response, Croll noted that board members had been informed via email about the bills and the decision to retain KP Public Affairs. He emphasized that his actions were within his managerial discretion and budgetary authority.

He added that time is of the essence with bills at this time, as they move quickly and it's not feasible for the Water District to hold special board meetings every week.

Worth added, "This legislation moves fast. Every day, every other day, something's moving. So, we thought we needed a lobbyist in Sacramento."

Another member of the public, Renee Westa-Lusk, asked about the financial details of hiring the lobbyist, specifically questioning if there were any additional fees beyond the \$5,000 monthly retainer. CFO Tyrell Staheli clarified that the agreement involved a flat monthly fee with no extra charges, totaling \$20,000 through the remainder of the fiscal year.