

# 2019 Summary of Groundwater Conditions on the Agua Caliente Indian Reservation



On November 4, 2019, the Agua Caliente Water Authority (ACWA) approved its first Annual Groundwater Conditions Report (the Report) assessing the status of groundwater appurtenant to the Agua Caliente Indian Reservation (ACIR or the Reservation). In accordance with the Agua Caliente Water Authority Ordinance (the Water Ordinance) Ch. 1, Part II.H, the ACWA provides the following summary of the Report for the benefit of the Reservation Community and Producers of the Tribe's Groundwater.

The Report briefly describes the establishment and purpose of the Authority and an overview of the Reservation's geography. It notes that while the Agua Caliente Band of Cahuilla Indians (the Tribe) has conducted limited monitoring of Reservation groundwater quality and conditions for approximately 20 years, a more comprehensive monitoring network and data set will be required for the ACWA to fulfill its directive to protect Reservation groundwater supplies. The ACWA anticipates that, as it implements various provisions of the Water Ordinance in the coming months, it will obtain and develop additional data that provides a much fuller understanding of groundwater conditions throughout the Reservation. For the time being, the information set forth in the Report relies largely on publicly available data, including information obtained from the United States Geological Survey (USGS) and public representations by the Desert Water Agency (DWA) and Coachella Valley Water District (CVWD). The ACWA cannot affirm the accuracy of all of this information, but must consider such data pending the development of its own, verified data.

## **Groundwater Conditions**

The Report, relying on USGS data, summarized current annual stream flows at 13 locations in the Indio Subbasin, including four streams located on the Reservation. The combined annual surface flow of those four creeks in FY2018 was 1,335 AF.

The Report also summarized current and historic information regarding groundwater production on the Reservation, noting the long term decline in groundwater levels as a result of longstanding historic overdraft in the West Whitewater Subbasin. As a consequence of this long term overdraft, current groundwater levels under the Reservation are lower than they were at the time of the Reservation's establishment, resulting in higher costs for on-Reservation groundwater production. The Report noted that artificial recharge activities in the Indio Subbasin have the potential to prevent further decline in water levels, but also pose a threat to groundwater quality. Additionally, based on public statements by CVWD and DWA, the goal of recharge is merely to prevent additional, future overdraft; there is no plan or intent to restore groundwater levels to their natural level.

Pending full implementation of the Water Ordinance, the ACWA has no way to independently establish the amount of groundwater pumping on the Reservation. The limited publicly

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available data indicates that at least 9000 acre-feet (AF) of groundwater were produced on the Reservation in 2018, and the ACWA is aware of a large number of privately owned wells that are not included in this figure. The ACWA believes that the actual amount of groundwater produced on the Reservation in 2018 was substantially higher, and establishing an accurate understanding of on-Reservation groundwater production in the future will be a major benefit of implementing the Ordinance.

The Report provided a brief overview of recent groundwater quality measurements for several constituents at a number of wells on the Reservation. Available data, obtained from the Tribe and DWA, report measured levels of total dissolved solids (TDS), calcium, chloride, and sulfate generally, although not uniformly, increasing over time. Available data indicates that nitrate levels are generally stable in monitored wells with one exception likely attributable to a leak in a sewer line transporting wastewater through the western portion of the Coachella Valley. The Report notes the need to expand both the geographic and temporal scope of the groundwater quality information available to the ACWA to facilitate a comprehensive understanding of groundwater quality conditions and concerns.

## **ACWA Expenditures**

The Report concludes with a summary of ACWA expenditures for the year 2020. Because the ACWA is a new entity, its ongoing operating expenses are unknown and its FY2020 expenses will not necessarily reflect its expenses in future years. Accordingly, costs associated with the ACWA and the groundwater permitting program will be covered by the Tribe's Planning Division budget for FY2020 and supplemented by any revenue generated through the implementation and collection of tribal water use fee.

With respect to groundwater monitoring, the Tribe has conducted a long term water quality monitoring and management program under the auspices of § 106 of the Clean Water Act since 1999. That program receives annual funding from the U.S. Environmental Protection Agency in the amount of \$110,526, which will continue in FY2020. Those funds will be used for groundwater monitoring, inspection, and analysis as well as training, education, and administration. Additional funding will be needed to carry out the ACWA's groundwater permitting and monitoring functions.

## **Groundwater Fees and Market Conditions**

The ACWA has not determined whether it will recommend the assessment of a tribal groundwater use fee in FY2020. CVWD and DWA have indicated that they will assess Replenishment Assessment Charges of \$135.52/AF and \$155/AF in their respective areas of benefit for FY 2019-2020.