



Indian Wells Valley Water District  
*Sustainable Groundwater Management*  
**Facilitation Support Services**

Highlights Report  
February 2023

# Project Overview

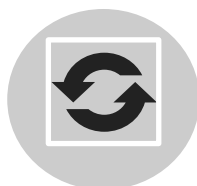
The Indian Wells Valley Water District (IWVWD) has embraced its role as a steward of its community's groundwater and seeks to ensure sustainability of its water resources now and into the future.

The California Department of Water Resources (DWR) provides guidance and support to agencies like IWVWD in facilitating communities working together to achieve groundwater sustainability and implement the Sustainable Groundwater Management Act (SGMA). Their support includes providing Facilitation Support Services (FSS). These services help local agencies work through challenging water management situations and encourage the active involvement of diverse social, cultural, and economic interests in considering all beneficial uses and users of groundwater. As part of this, DWR provides professional facilitators to help foster discussions among diverse water management interests and local agencies.

There are a range of competing views within the Indian Wells Valley regarding the best steps to achieve the goals of SGMA which has resulted in tension within the community as well as litigation. IWVWD requested and received DWR FSS services to help identify productive ways for the community to work collaboratively and move forward. To fulfill this request, DWR made professional facilitators from Stantec available to work with IWVWD on three tasks: 1) Process Initiation, 2) Stakeholder Assessment, and 3) Public Meetings.

On May 17, 2022, the Indian Wells Valley Water District hosted a public meeting to share information about the Department of Water Resources (DWR) Facilitation Support Services (FSS) program and to present the DWR Facilitation Support Services Work Plan. During the meeting, DWR staff also provided an overview of the DWR Groundwater Sustainability Plan (GSP) Evaluation Process and expectations for Sustainable Groundwater Management (SGMA) implementation. The DWR representative and facilitators also responded to questions from meeting participants.

Following is more about the work the facilitators conducted from April 2022 through February 2023.



PROCESS  
INITIATION



STAKEHOLDER  
ASSESSMENT



PUBLIC MEETINGS



Work Plan: Key Tasks

# Process Initiation



Process Initiation included background research, formation and facilitation of a Planning Committee, and the development of an outreach Work Plan.



The Planning Committee served as a liaison to the facilitators for the planning and implementation of the Work Plan and the planning, preparation, and presentation of publicly noticed meetings. The Planning Committee included representatives of the Water District, the Navy, Searles Minerals Valley, Inc., Meadowbrook Dairy, and Mohave Pistachio.



The Planning Committee also contributed to the design of a stakeholder assessment, including identification of the individuals to be interviewed and provided guidance on interview and survey questions.



# Stakeholder Assessment Process



A Stakeholder Assessment is an information-gathering process. Given the known conflicts related to the development and implementation of the Indian Wells Valley Groundwater Sustainability Plan (GSP), the purpose of the assessment was to identify and clarify the issues the community faced in order to help find common ground and focus on constructive solutions moving forward. The facilitators wanted to better understand the community's issues, interests, needs and concerns. The gathered information was used to:

- Evaluate conditions for collaboration
- Clarify non-technical risks
- Determine the best engagement techniques for the circumstances

The process to do this involved reviewing community demographics and other background materials, interviewing key community members and administering a community survey that allowed anyone that wanted to provide feedback an opportunity to do so. Altogether there were 48 Interview participants and 137 survey responses.



## Assessment Findings Workshop

The Assessment results were bundled and presented to the public in a workshop held both in-person and on-line, on October 4, 2022. The purpose of the workshop was to share the high-level findings from the interviews and surveys, gather feedback from community members on their observations, and discuss the next steps based on the assessment results. Attended by more than 45 participants,\* those present (in-person and virtually) were asked to validate, correct, and/or augment what the Stantec team heard during interviews and gathered from the assessment.

There was a general consensus among workshop participants that the findings and the key issues identified by the facilitators accurately reflected the groundwater management issues the basin faces.

The following provides an overview of those findings.

*\* The number of individuals attending on-line added to this total, but the exact total is unknown.*

# Assessment Findings

## Key Themes



Communications



Transparency



Representation



Equity issues – Trona and InyoKern CSD



Addressing the needs of small mutuals



Best Available Science



Other projects and management actions on the table for community discussion

## Stakeholder Suggested Additions



Mitigating impacts to domestic wells



Identifying and addressing the needs of water haulers

# Assessment Findings

The assessment identified issues involving the Indian Wells Valley GSP development, adoption and implementation processes. Nearly all participants described the **GSP outreach and communications effort**, while generally in compliance with minimal legal standards, as insufficient. Barriers to communication and other concerns described by stakeholders included:

## Key Issues

1. Time of day and physical distance to attend meetings precluded active participation by the larger community.
2. Remote participation options were difficult to utilize.
3. Traditional Board meeting formats inhibited collaborative conversations and interaction.
4. Lack of technical knowledge and other language barriers made it difficult for those attending meetings to provide meaningful input.
5. Interactions with the IWVGA resulted in stakeholder perceptions that input was not acknowledged or considered.
6. A lack of outreach resulted in the larger community being unaware of the significant groundwater decisions being made.
7. Community members did not understand how they would personally be impacted SGMA.

A number of reported issues were cross cutting. For example, a lack of commitment to enhanced stakeholder communication translated to **concerns about transparency**. One cross cutting topic related to the lack of information regarding finances of the Indian Wells Valley Groundwater Authority (IWVGA) and the accounting process used to track expenditures.\* Other shared examples related to apparent changes in direction by the IWVGA technical consultants that were not explained and/or understood by stakeholders. Both examples were regularly cited as leading to a lack of trust in the IWVGA by the stakeholders.

Still another contributing factor to a lack of trust related to perceptions of **insufficient representation**. The composition of the Joint Powers Authority (JPA) that comprises the IWVGA is such that three of the five voting representatives of the JPA, while elected representatives for their jurisdictions, are not residents of the subbasin. Many felt this resulted in decisions being made by individuals not subject to the consequences of the decisions.

\* Regarding the finances, the IWVGA has acknowledged deficiencies and is implementing a corrective action plan.

# Findings Continued

## Key Issues

A particularly difficult issue facing the subbasin is the provision of water for the **economically disadvantaged communities** of Trona and Inyokern. The dilemmas facing each are different, but residents of both described concerns that their issues were not properly considered in the planning process and that proposed solutions would have significantly disproportionate impacts on their communities. Similarly, representatives of **small mutual water companies** expressed concerns over a lack of communication and representation in the GSP decision-making process and explained the disproportionate impacts they were facing. Several interviewees and survey respondents described feeling “blind-sided” by the implementation of new restrictions they were unaware were even being considered.

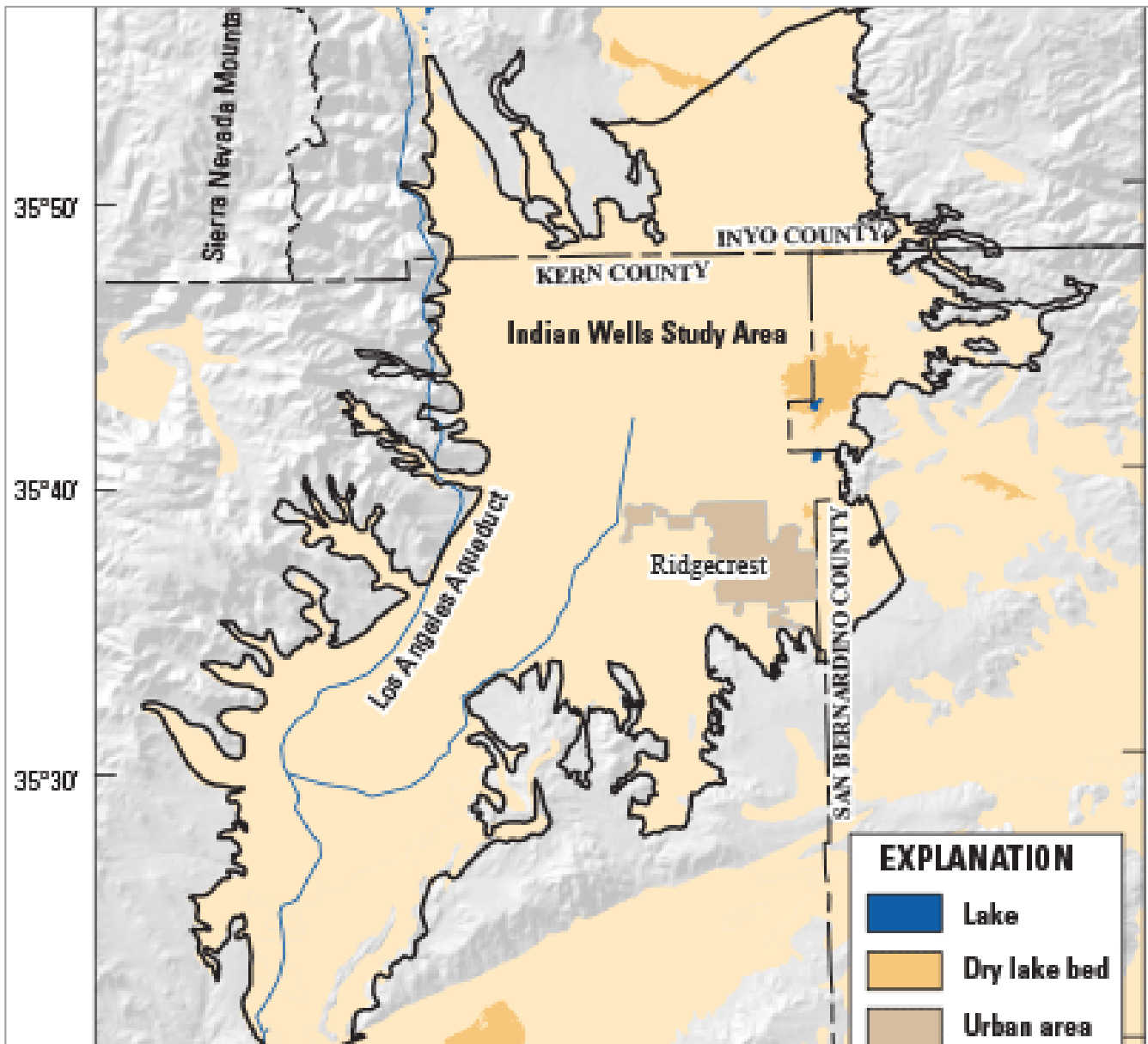
Two other groups, **domestic well owners and water haulers** also reported a lack of consultation and a belief that their concerns had not been accounted for in the SGMA related processes.

Many respondents reported that the assessment process was the first time anyone associated with the implementation of SGMA had, in their experience, authentically listened to their concerns.

An additional topic raised by many of the assessment participants was the use of **best available science**. There was a range of perceptions regarding the amount of, and accuracy of, information on the groundwater basin. Some stakeholders described a lack of transparency regarding the modeling assumptions used by the IWVGA. Further, the use of different groundwater models has resulted in sometimes dramatic differences in the perceived sustainability of the basin. Depending on where in the basin a well is located, information regarding a declining groundwater resource is inconsistent with personal experiences of pumpers with consistently performing wells. For these individuals, when told of wells no longer producing, a general assumption is that the failure is caused by the well's age and depth (insufficient for the current drought) or that it was improperly maintained.

Finally, many stakeholders expressed frustration with what they considered poor or unnecessarily expensive and limited choices in the **projects and management actions** the IWVGA intends to pursue. These stakeholders believe a much wider range of options, including brackish water desalination and aggressive conservation should be considered. Several stakeholders believed supplemental water supplies were needed but that a better alternative was to acquire it from a source in Inyo or Mono County.





## IWVGA Policy Advisory Committee

While issues described by stakeholders were significant in number and severity, many can be addressed through the implementation of improved and additional communications, engagement and governance processes. Some of the potential approaches for addressing these issues were discussed with the IWVGA Policy Advisory Committee (PAC) at a publicly noticed special meeting and workshop they hosted November 30, 2022. During this session the facilitators discussed the findings from the stakeholder assessment and summarized the results from the October public workshop. They then facilitated a discussion of how the assessment findings related to the IWVGA Communications and Engagement Plan Update the PAC was in the process of preparing.

Following are some are some of the highlights of that discussion.

# Identified Gaps

During the PAC workshop the facilitators explained that traditional approaches to engaging the public were often not adequate for the type of complex discussions that development and implementation of a GSP requires. While there are practical (and legal) reasons to continue to conduct business in the formats used by the IWVGA, there is a pressing need to augment communications and engagement with additional processes, as well as increase the quantity and quality of communication, even if it results in some duplication.

At the request of the PAC, the facilitators also reviewed the draft communications plan update and identified some potential gaps including a need to:

- Address transparency and trust / legitimacy issues
- Create more clarity around how/why decisions are being made and by who
- Facilitate open, transparent discussion of technical issues
- Engage all basin GW users in identifying the problem and prioritizing solutions
- Pool resources to work together and increase collaboration
- Directly engage with communities (meeting them where they're at)

Enhanced communications may also require the addition of workshops on specific topics of community interest and/or technical complexity and conducting business at times that are more convenient to stakeholders. It also means removing technology barriers that limit the participation of those attending meetings virtually.



# Additional Tips, Tactics and Findings

One important outreach tactic is to literally meet people where they are. This might mean conducting a meeting at a location within remote or economically disadvantaged communities.

Although 20% of the larger Ridgecrest community was identified as Hispanic during the 2020 census, requests for Spanish language materials appeared to be limited. Should they be needed, Spanish language resources are available through DWR as are SGMA related handouts and brochures that have already been translated.


Based on assessment results, a lack of technical knowledge appeared to create greater language barriers. Stakeholders described the use of technical terms and jargon by technical consultants that were not understandable to the public. Going forward the IWVGA can address this concern through the provision of basic education on the concepts being discussed as well as having consultants prepare materials that are accessible to a non-technical audience.


The facilitators also described a wide range of techniques that other agencies have utilized to achieve outreach goals. These included interacting with schools, purchasing billboard advertisements, partnering with local businesses where people congregate (like grocery stores and salons), and working with churches. One innovative engagement approach used by other water agencies involved engaging coffee houses and breweries by providing coasters and cup sleeves with water smart messages on them. Many agencies also find the use of social media to be highly effective.

When asked about ways to address conflicting views on groundwater science the facilitators indicated that processes such as joint fact finding could be effective.


An overarching message of the facilitators to the PAC was that many of the deficiencies identified by stakeholders could be addressed if adequate attention and proper resources were provided.


During the second half of the workshop the PAC was invited to provide their thoughts on the conditions for success the facilitators were evaluating prior to recommending the initiation of a collaborative process. More about the conditions follows.


 Communications


 Transparency

 Representation

 Equity issues – Trona and InyoKern CSD

 Addressing the needs of small mutuals

 Impacts to Domestic Wells

 Needs of Water Haulers

 Best Available Science

 Other projects and management actions



## Collaborative Conditions for Success

In addition to diagnosing the issues the community wished to address, the Stakeholder Assessment evaluated the status of elements known to underpin a successful collaborative process. The elements are:

**Sponsorship:** Financial, societal, and informational commitment to the process is secured.

**Assessments:** Situation assessments are conducted to clarify issues, conditions, trends, goals, stakeholders and similar information.

**Stakeholders:** Stakeholders are identified and categorized (e.g., essential, affected, interested, deal-makers and deal-breakers).

**Process Approach:** An interest-based and systemic approach is used.

**Process Design:** Stakeholders are involved in process design and process evolution.

**Decision-Making:** Decision-making is transparent and collaborative.

**Resources:** Technical, policy and programmatic resources are made available from stakeholders / sponsors.

**Implementation:** Stakeholders create a commitment to sustainable implementation of the process(es).

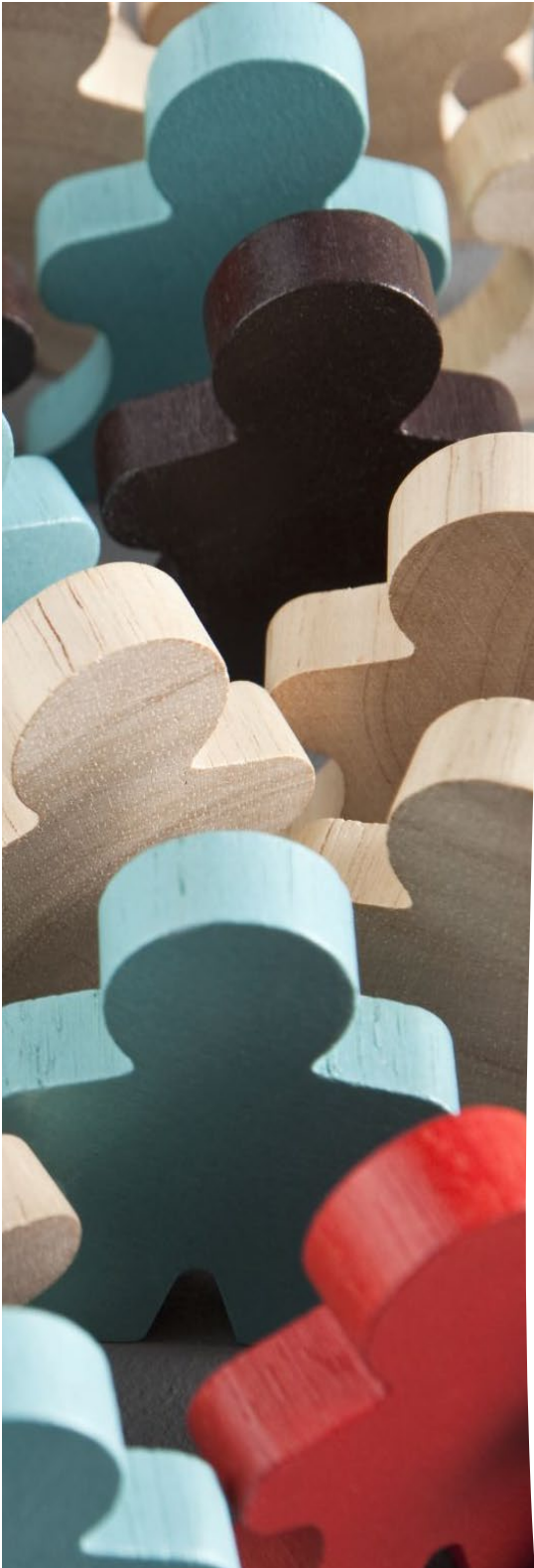
After discussing their initial findings with the PAC and the Planning Committee, the Stantec facilitators presented their findings on the conditions required for a successful collaborative process at the February 13, 2023, regularly scheduled IWVWD Board meeting. The facilitators summarized the gaps and deficiencies identified during the assessment process and the conditions that would need to be addressed for a collaborative process to be successful. Following is a summary of those findings.

# Status of Collaborative Conditions for Success in the Indian Wells Valley Groundwater Basin



- Sponsorship
  - The financial and societal commitment to initiating a collaborative effort is largely present.
  - Under the current conditions the informational commitment and the ability for stakeholders to bring information into the process is low.
- Assessments
  - The recently completed facilitation process helped to identify key stakeholders and issues.
  - Should a collaborative effort be initiated, additional analysis would be necessary to identify the technical issues to be considered.
- Process Design and Approach
  - Given on-going litigation, the design of a collaborative process, including topics to be discussed and decision-making processes would require significant input from participants prior to proceeding.
  - There is a need to acknowledge everyone's experience and decide the most productive way forward.
  - Due to the highly technical nature of the issues, some stakeholder education is required.

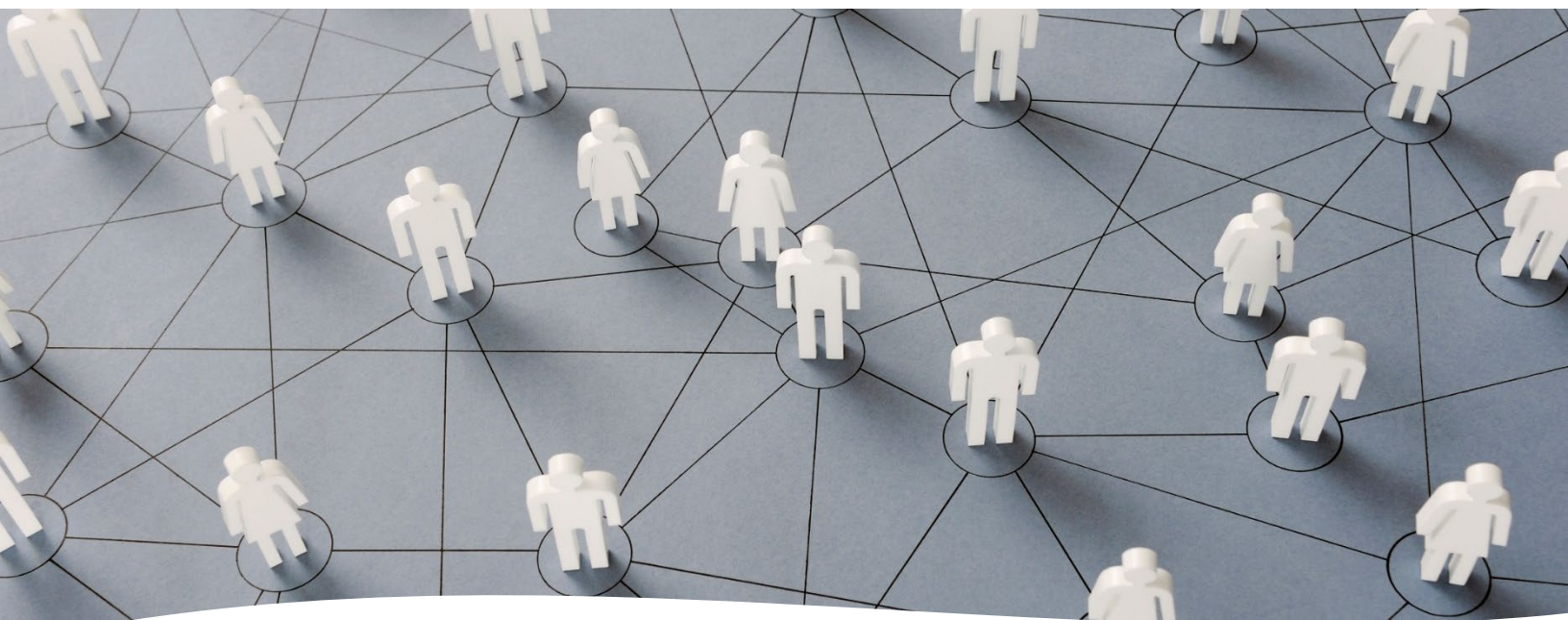
## Status of Conditions for Success continued ..



- Stakeholders
  - Primary groups have been identified and most, but not all, have expressed interest in engaging collaboratively.
  - More outreach is needed to engage underrepresented communities.
- Decision-Making
  - The public is not fully aware of how groundwater related decisions are made.
  - Gaps in communication and technical education preclude meaningful opportunities to inform decision making.
  - To proceed, the establishment of a decision-making process for the entities and individuals involved in a collaborative process would require significant negotiation.
- Resources
  - Policy and technical resources are available but not used effectively with stakeholders.
  - Conflict and ongoing litigation results in an inability to pool resources effectively.
- Implementation
  - To move forward, there is a need for stakeholder buy-in on the process design and the topics to be considered.
  - Given that courts are favorable to stakeholder generated solutions, there is some incentive to move forward.

# Final Recommendations

Based on the assessment results and a review of the collaborative conditions for success, the facilitators are recommending not moving forward with a collaborative effort at this time. However, they recommended the basin revisit the opportunity for collaboration should the conditions change in the future.



Some promising options for future collaboration were presented. These included the following:

## Future Options

- Given the range of technical disputes, a Joint Fact-Finding process could be extremely productive in reconciling community beliefs regarding the status of its groundwater sustainability.
- The development of targeted outreach and collaboration to find viable groundwater management options for historically underrepresented communities would be productive.
- The convening of a collaborative group, or repurposing of an existing group like the PAC, to guide enhanced communication and engagement and improve transparency would yield good results.
- The largest opportunity to engage in collaborative approaches exists in the development of the stakeholder engagement effort for the GSP 5-Year Update.



## Facilitation Process Reflections

As part of their February 2023 report to the IWVWD the facilitators offered closing thoughts and reflected on the outcomes of the DWR FSS effort during the past year. Described accomplishments included:



Successful in taking the temperature down/ reducing community tension



Engaged groups who previously did not want to participate



Brought in community perspectives of those who previously felt left out



Provided practical, implementable suggestions to the PAC for use in their Communications Plan Update

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The IWVWD Board affirmed their positive experience with the DWR FSS process and the reflections, as did public commenters. The Board thanked the facilitators for their efforts and noted it had been a productive effort.





# Thank You

February 2023

Thank you for the opportunity to provide our findings and recommendations. We appreciated the time the IWVWD and the Indian Wells Valley Groundwater Basin communities spent with us and the opportunity to work with and get to know you.

Respectfully Submitted,

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*Facilitation Team*



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