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Comment Received From: Indian Wells Valley Water District
Submitted On: 8/12/2026
Docket Number: 26-SPPE-01

Indian Wells Valley Water District Comments

Additional submitted attachment is included below.

INDIAN WELLS VALLEY WATER DISTRICT

August 12, 2026

VIA CEC PORTAL AND U.S. MAIL
Ms. Elizabeth Huber
California Energy Comission
715 P Street
Sacramento, CA 95814

Re: Docket 26-SPPE-01. Inyokern Data Center Small Power Plant Exemption and CEQA

The Board of Directors ("Board") of the Indian Wells Valley Water District ("District") has authorized this letter in response to the referenced Application for Small Power Plant Exemption and associated CEQA review being performed by the California Energy Commission ("CEC"). The District is a County Water District formed and operating pursuant to California Water Code sections 30000, et seq. The District is the largest water purveyor in the Indian Wells Valley, so we focus our concerns on the potential impacts to local power useage and the local water suppply. This includes ongoing implementation of the Sustainable Groundwater Management Act ("SGMA") and the ongoing Comprehensive Groundwater Adjudication of the Indian Wells Valley groundwater basin ("IWV Basin"), that will determine the amount of groundwater that can be pumped from the basin on an annual basis and the amount of a pumper's groundwater rights (see *Mojave Pistachios v. Indian Wells Valley Water District, et. al,* Orange County Superior Court Case No. 30-2021-01187275-CU-OR-CJC).

Reliable Local Power: The IWV Basin is designated as a critically over-drafted basin (Basin No. 6-54, Bulletin 118) by the Department of Water Resources. Residents and businesses within the IWV Basin rely on groundwater as their sole source of water. Virtually all water supplies in this basin rely on groundwater wells, which of course, are powered by electricity supplied mainly by Southern California Edison. Reliable grid power and prioritizing the available power for the public good should be a primary consideration of the CEC when determining whether this project gains initial approval prior to moving forward with CEQA and other local permitting processes. The District recognizes that this 99 MW backup generation facility is "small" within the context of overall California power needs, however, within the context of the Indian Wells Valley, it is a significant increase to local power usage. With this in mind, we request the CEC carefully review the following in its evaluation of this Application.

1. Can the local electrical grid supply the requested power without adversely impacting local users of power?

2. What priority will the Data Center be given during periods when local electrical demand exceeds supply? Of particular concern is a situation where the Data Center receives power to meet its reliability requirements at the expense of power to supply critical groundwater wells needed in a hot desert

environment. We note, there are some 800 electrical powered groundwater wells within the Indian Wells Valley that are in direct proximity to the Data Center.

3. Will the backup generators proposed by the Applicant be in compliance with all aspects of the California Air Resources Board Diesel Air Toxic Control Measures ("ATCM") regulations? Of particular concern is the unlimited time limits to run these generators during power outages or during a Public Safety Power Shutoff ("PSPS"). Additionally, the proximity to local schools has been raised as a concern and this should be reviewed by the CEC as part of the evaluation process.

Projected Water Use: The proposed Data Center (Project) in Inyokern estimates a maximum of 49.1 acre-feet ("AF") of water use per year. If the Project operates at 85% capacity, the theoretical Water Use Efficiency ("WUE") would be approximately 0.1 to 0.12 L/kWh. This value is inconsistent with Table B.1 Facility-Level Efficiency Targets in the Environmental Sustainability Plan and BMP document (Appendix O). According to the Table, only fully closed loop chilled water systems can achieve this level of WUE, and this is at the lower limit of such systems that use between 0.1 and 0.3 L/kWh. The proposed hybrid system also includes evaporative adiabatic components that have WUE ranging from 0.5 to 2.0 L/kwh. It is unclear how such a low WUE is achievable with the proposed systems given the proponents own WUE estimates. Additionally, in the same table, the proponent cites a target Power Usage Effectiveness PUE of 1.41 but fails to cite a target WUE. The proponent needs to explain how a hybrid system using closed loop cooling with additional evaporative cooling can achieve a WUE at the low end of 100% closed loop systems. The theoretical estimated WUE of approximately 0.12 does not fit the proponent's own WUE estimates. This translates into the potential for far greater water usage than stated. In addition, we have reviewed and join in the the other comments submitted on the proposed Project and their stated concerns about the local water supply and low project water use alleged by the Applicant.

Water Demand and Wasterwater Disposal: The Applicant alleges that Project water supply and wastewater disposal demands are adequately addressed as a result of the Inyokern CSD ("CSD") Water and Sewer Will Serve letter dated April 2, 2026 ("Will Serve" letter) (See attached Exhibit "A"). We have reviewed the Will Serve letter and it raises even more questions and concerns as outlined below.

Water Demand: The Applicant concludes the "Project's total annual water demand of approximately 36.83 to 49.10 AFY falls with the CSD's confirmed service capacity" (Application p.559). The CSD's annual groundwater allotment is 102 acre-feet under the Groundwater Sustainability Plan ("GSP") adopted by the Indian Wells Valley Groundwater Authority ("IWVGA"). The Applicant fails to explain how the CSD can serve the Project's additional annual water demand of 49.10 acre-feet, which is almost half the CSD's annual allotment. Further, the Applicant's Water Supply Assessment ("WSA") fails to meet the requirements imposed by California Water Code section 10910 when a project's water supply is groundwater dependent. The Applicant's reliance on the CSD for its project water demand, with no further explanation of how the CSD will acquire the additional water needed to serve the project, fails to meet its burden.

Status of the CSD: It is important to note that the District has never requested that the CSD be consolidated into the District, however, in light of the Applicant's reliance on the CSD for water supply and wastewater disposal demands, any potential consolidation between the District and the CSD cannot be ignored. On June 6, 2025, the State Water Resources Control Board ("State Board") sent the District a letter requiring the District and the CSD to enter into six (6) months of "voluntary negotiations" regarding a possible consolidation of the two districts (See attached Exhibit "B"). The State Board identified "concerns regarding Inyokern CSD's water system deficiencies" and "about the ability of Inyokern CSD to sustainably provide safe and affordable supply of drinking water into the future." The "voluntary negotiations" were not successful. The State Board ranks Water Systems on its SAFER Program website. This assessment lists the CSD as a Disadvantaged and Failing System and can be found here:

https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/saferdashboard.html

While we do not have exact usage for the CSD, we are aware that the CSD is being sued by the IWVGA, in part, for failure to pay replenishment fees which are assessed when a pumper exceeds its allotment under the GSP. The filing of the lawsuit indicates that the annual allotment of 102 acre-feet to the CSD is insufficient for its current customer base, let alone the additional demand created by the Project (see *Indian Wells Valley Groundwater Authority v Inyokern Community Services District,* Kern County Superior Case No. BCV-22-100281).

It is our understanding that the CSD is still not in compliance with applicable state regulations and still subject to potential mandatory consolidation with the District pursuant to State Board authority. What are the plans of the Applicant if the CSD consolidates with the District? While not advocating for said consolidation, but also so there is no misunderstanding, if consolidation is ordered, the Board of the District will not be bound to serve and provide the Project's water demands pursuant to the CSD's five (5) page Will Serve letter, including the Limitations and Disclaimers. At a minimum, it is unclear at this time if the CSD has the ability, sufficient capacity or sufficient water to provide water and/or wastewater services[1] to this Project in the future.

Operational Costs: An additional concern relates to operational costs. Using the Project proponent's projected 99MW max electrical usage, one can calculate a theoretical range of electrical costs per year of operation. Operating at 85% capacity on average, and a projected electrical cost of $0.09 kWh as a minimum and $0.18 kWh maximum, the cost range is between $66M and $132M annually. Using the proponents PUE value of 1.41, the support systems cost would be 29% of total cost or between $19M to $38M annually. The PUE for pure evaportive systems in desert environments is closer to 1.1 to 1.25. This demonstrates why data centers have traditionally used evaporative systems in hot dry climates. In our theoretical scenario above, this equates to a $10M-$20M savings in electrical costs annually if the systems used only evaporative cooling. Because the proposed system uses both closed loop and

[1] The State Board consolidation discussions are presently limited to the CSD's domestic water supply operations, but the District "may acquire, construct, and operate facilities for the collection, treatment and disposal of sewage, waste and storm water of the district" (see California Water Code § 31100).

evaporative cooling, there is a significant economic advantage to maximizing evaporative cooling over the closed loop system. Once built, what prevents the operator from choosing to utilize the much less expensive evaporative system to save literally millions of dollars a year, at the expense of the IWV Basin and those who rely on this scarce resource? This needs clarification by the Applicant.

Additional Information: We note the CEC requested additional information from the Applicant by way of letter dated June 11, 2026. Our review of the Applicant's analysis of potential impacts caused by the Project justifies the CEC's need for additional information to properly evaluate the Project. On a related note, there are multiple bills being considered by the State legislature that would require more robust studies and greater transparency to gain approval. The new proposed legislation evidences the public's concerns over the impacts associated with data centers in general. We encourage the CEC to continue to evaluate the Project's potential impacts as many questions remain unanswered by the Applicant.

Thank you for your attention to this matter. Feel free to contact me at reneem@iwvwd.com should you have any questions.

Respectfully,

Renee Morquecho

Renee Morquecho, Ph.D., P.E.
General Manager

cc: The Honorable Vince Fong, U.S. Representative
California's 20th Congressional District
District Director: Courtney.Dunbar@mail.house.gov
Chief of Staff: Katherine.Sears@mail.house.gov

Senator Shannon Grove
California State Senate, District 12
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EXHIBIT “A”

P.O. Box 1418
1429Broadway
Inyokern, CA 93527

Phone: (760) 377-4708
Phone: (760) 677-1003
Phone (760) 377-4708

April 2, 2026

R & L Capital, Inc.
Attn: Robbie Barker
82740 Trona Rd,
Trona, CA 93562

Re: Water and Sewer Service Will Serve
Project: RB Inyokern Data Center — APNs 084-010-43, 084-010-44, 084-010-45, 084-010-48
Location: Inyokern, CA

Dear Mr. Barker:

Inyokern Community Services District ("District") has reviewed the project description for water and sanitary sewer service to serve the above-referenced data center development project ("Project"). Subject to the conditions set forth herein, the District is providing this conditional will-serve letter regarding water and sewer service to the Project, based on the demand envelope identified in Section 1 and contingent upon compliance with all applicable California Energy Commission (CEC), Kern County, Indian Wells Valley Groundwater Authority, District, and other applicable regulatory agency rules, regulations, capacity fees, connection requirements, and environmental review obligations as further described below. For clarity, this letter does not guarantee service and does not constitute a CEQA determination or a fee lock unless expressly stated herein.

1. PROJECT DESCRIPTION

Project Name: RB Inyokern Data Center
Applicant / Developer: R & L Capital, Inc.
General Plan / Zoning: Industrial / M-2 PD
Proposed Use: Data Center
Total Site Area: Approx. 50 acres
Total Building Area (Gross): 238,000 sq. ft.
IT Load (Critical Power): Phase 1: 60 MW; Ultimate Build-Out: 99 MW
Cooling System Type: Conceptual Design- Hybrid dual chilled-water plant setup with air-cooled chillers plus adiabatic (tower) assist, feeding CRAH units in the IT suites, with liquid-assist capability for HPC racks
Planned Construction Start: April 2027
Estimated Occupancy: November 2028
Design Envelope. The water demand and wastewater flow estimates in this letter are based on the IT loads stated above and a Power Usage Effectiveness (PUE) of 1.41

(±10%). So long as the Project remains within ±10% of these parameters, the District's preliminary findings regarding system capacity and infrastructure herein shall remain applicable, subject to applicable law.

2. WATER SERVICE

2.1 Estimated Water Demand

Based on the Project description and supporting hydraulic calculations submitted by the Applicant, the District has estimated the following water demands:
Average Day Demand (ADD): Approx. 40,430 GPD (28.1 GPM)
Maximum Day Demand (MDD): Approx. 60,645 GPD
Peak Hour Demand (PHD): Approx. 101,075 GPD
Fire Flow Requirement: 3,000 GPM @ 20 psi residual
Fire Flow Duration: 4 hours minimum
Cooling Tower Makeup Water: Approx. 28,500 GPD (dominant demand driver)
Potable Domestic / Sanitary: Approx. 1,900 GPD
Irrigation / Landscaping: Approx. 500 GPD (recycled water preferred)
Demand estimates are preliminary and based on the MW of critical IT load identified in Section 1 with an assumed Power Usage Effectiveness (PUE) of 1.41 (±10%). Final demands shall be verified by Applicant's licensed civil engineer and confirmed by the District prior to issuance of a Water Service Agreement. If verified final demands remain within the Design Envelope in Section 1, no further capacity re-evaluation shall be required, subject to applicable law.

2.2 Meter and Service Requirements

The following meters and service connections are anticipated: (a) domestic potable service and (b) fire service. Applicant and District will determine meter sizes and locations during design review. If recycled water becomes available for irrigation and/or process, the Applicant will install separate metering and purple-pipe infrastructure per District standards.

3. SEWER SERVICE

3.1 Estimated Wastewater Flow

Average Dry Weather Flow (ADWF): Approx. 6,670 GPD
Peak Wet Weather Flow (PWWF): Approx. 2.5 × ADWF for pipeline sizing
Primary Discharge Source: Sanitary / domestic (restrooms, break rooms, locker facilities)
Secondary Discharge Source: Cooling tower blowdown (requires pretreatment evaluation)
HVAC Condensate: Volume TBD at final engineering. This letter assumes primary routing of all sanitary wastewater to the District's collection system. If Applicant proposes to route any portion of the wastewater stream to an on-site industrial septic or other alternative disposal system, Applicant shall notify the District in writing and obtain District concurrence prior to permitting. This letter does not authorize partial service or split-routing arrangements without a separate written amendment.

3.2 Industrial Pretreatment

The District operates a publicly owned treatment works (POTW) subject to the pretreatment standards established under 40 C.F.R. Part 403 and state law. Cooling tower blowdown may contain concentrations of conductivity, total dissolved solids, corrosion inhibitors, and biocides that require evaluation. Applicant shall submit a Wastewater Characterization Report to the District no later than 120 days prior to issuance of the first building permit for the Project.
Within 45 days of receipt of a complete report, the District will provide interim numeric acceptance criteria (e.g., conductivity/TDS, phosphate/phosphonate, molybdate, biocide residuals, and any applicable metals) sufficient to support basis-of-design and permitting. The District will determine whether a Significant Industrial User (SIU) permit is required. Battery energy storage systems (BESS) present on site shall be

assessed for potential fluoride, lithium, and PFAS contributions to the waste stream. If the Applicant's blowdown meets the District's interim criteria and any SIU permit conditions, no additional pretreatment beyond the specified controls will be required.

4. SYSTEM CAPACITY AND INFRASTRUCTURE

The District has conducted a preliminary capacity review of its water distribution and wastewater collection systems in the vicinity of the Project. Based on currently available system data, the District has sufficient capacity to serve the Project subject to the following findings and conditions:

- **Water Supply:** The District has contracted and/or developed water supplies sufficient to serve the Project's projected demands within the District's planning horizon, subject to the conditions and conservation requirements stated herein.
- **Distribution System:** A water main extension is anticipated to provide adequate fire flow and domestic pressure to the Project site. All extensions shall be designed and constructed at Applicant's sole cost per District standards. If the District requests oversizing beyond Project need, the parties shall execute a reimbursement agreement as described in Section 5.6.
- **Wastewater Collection:** Existing trunk sewer facilities are preliminarily found to have sufficient capacity; however, upsizing of the lateral connection may be required based on final hydraulic modeling.
- **Water Storage:** Applicant may need to provide additional storage capacity; however, Applicant shall verify hydropneumatic or on-site pressure zone requirements with the District's Engineer. The District notes that Applicant proposes on-site water storage of approximately 388,000 gallons and a supplemental on-site well for emergency and fire suppression purposes. To the extent these private systems reduce demand on District facilities during peak periods, that reduction shall be reflected in the final hydraulic analysis, subject to District Engineer review and approval. The Applicant's private well and storage shall not be interconnected to the District's potable distribution system without prior District approval and cross-connection controls in compliance with CCR Title 17.
- **Treatment Capacity:** The District's treatment facility has available capacity to accept the Project's projected flows as of the date of this letter. Capacity reservations are subject to current Connection Fee agreements as further described in Section 6.
- **Fire Flow Coordination.** Upon receipt of 30% utility plans, the District will provide preliminary confirmation of required off-site main sizes/looping and any on-site storage or pumping needed to achieve 3,000 gpm at 20 psi for 4 hours, within 45 days.

5. CONDITIONS OF SERVICE

This Will Serve Letter is conditioned upon Applicant's full compliance with each of the following requirements. This letter does not constitute a binding service agreement, a vested right to service, or a commitment to waive any applicable fee or regulatory requirement.

5.1 Applications and Agreements.

- Execution of the District's standard Water Service Agreement and Sewer Service Agreement prior to commencement of construction.
- Submission and approval of complete water and sewer improvement plans prepared by a California-licensed civil engineer, stamped, and signed.
- Submittal of a Hydraulic Study / Water Demand Analysis consistent with District Engineering Design Standards. If verified demands remain within the Design Envelope, no additional capacity re-evaluation will be required, subject to applicable law.

5.2 Fees and Charges.

- Payment of all applicable Connection Fees (water and sewer capacity fees) at the rate in effect at the time of building permit issuance.
- Payment of plan check, inspection, and meter installation fees.

- Reimbursement to District for any oversized facilities constructed per District direction (reimbursement agreement to be executed separately).

All fees are subject to annual adjustment and are not locked by issuance of this letter. Notwithstanding the foregoing, upon execution of the Service Agreements and payment of 25% of Phase 1 capacity fees as estimated by the District in writing within 30 days of Service Agreement execution, the Phase 1 capacity fee rates shall be fixed for 18 months, with the balance due at building permit issuance.

5.3 Environmental Review

This letter does not constitute a CEQA determination. Service commitment is conditioned upon completion of CEQA review for the Project by the Lead Agency, including analysis of water supply impacts pursuant to Water Supply Assessment (WSA) requirements under Water Code §10910 et seq., if applicable. Should the Project trigger a WSA, Applicant shall provide written notice to the District no less than 120 days prior to the Lead Agency's public hearing to allow preparation of the assessment. Upon receipt of a complete WSA application and payment of applicable fees, the District will provide a draft WSA within 60 days, subject to statutory timelines. Service may be conditioned upon mitigation measures identified in the environmental review.

5.4 Water Conservation and Efficiency

- All plumbing fixtures and fittings shall comply with California's Building Standards Code (Title 24) water efficiency requirements.
- Cooling towers shall be equipped with conductivity controllers, side-stream filtration, and drift eliminators; minimum cycles of concentration of ≥ 5.0 (unless an alternative is approved by the District based on water chemistry and POTW criteria) are required.
- Applicant shall prepare and submit a Water Efficiency Plan for District review prior to issuance of building permits.
- A water audit shall be conducted and submitted to the District within 12 months of initial occupancy.

5.5 Additional Requirements

- Backflow prevention assemblies shall be installed and tested per California Code of Regulations Title 17.
- All on-site water and sewer facilities shall be constructed per District Standard Drawings and Specifications.
- Applicant shall execute a Developer's Agreement for construction of off-site infrastructure no later than 30 days prior to permit issuance.
- District inspection and observation rights shall be granted throughout construction.
- As-built drawings in PDF and DWG/GIS format shall be delivered to the District within 60 days of project completion.
- Applicant will implement spill containment and isolation measures to prevent any BESS-related discharges to the sanitary system and will identify sampling points for any required pretreatment monitoring.
- Applicant will coordinate pressure regulation/surge control devices where required to protect District systems, consistent with District standards.
- Prior to execution of a Water Service Agreement, Applicant will submit a statement identifying the source of water for the cooling tower, whether potable, recycled, or private.

Applicant shall obtain LAFCo annexation approval prior to commencement of construction, and service is conditioned upon such approval being obtained.

- Prior to commencement of construction, Applicant shall execute a separate Construction Water Service Agreement with the District for temporary construction water supply. Construction water rates and meter sizing shall be determined at that time. Construction water service is not guaranteed by this letter and is subject to District system availability.

5.6 Oversizing Reimbursement; Assignment; Design Envelope & Fee Lock

(a) Oversizing Reimbursement. If the District requests facilities sized beyond the Project's needs, the parties shall execute a reimbursement agreement with a 10-year term using a pro-rata methodology (e.g., EDU/gpm) collected via connection fee surcharge on benefiting parcels.
(b) Assignment. This letter and any subsequent service agreements may be assigned to Project affiliates, successors, or construction lenders upon 30 days' prior written notice to the District, provided the assignee assumes the Applicant's obligations herein in writing.
(c) Design Envelope. As provided in Section 1, the District's findings remain applicable if verified demands remain within ±10% of the IT load/PUE envelope.
(d) Fee Lock Option. As provided in Section 5.2, upon partial prepayment the Phase 1 capacity fee rates shall be fixed for 18 months.

6. LIMITATIONS AND DISCLAIMERS

This Will Serve Letter is valid for a period of 24 months from the date of this letter and may be extended once for 12 months upon written request and evidence of good-faith progress; such extension shall not be unreasonably withheld by the District's General Manager. This letter is non-transferable without prior written consent of the District. Consent to assignment under Section 5.6(b) shall not be unreasonably withheld, conditioned, or delayed. This letter is issued in reliance upon information provided by Applicant; any material change in Project scope, water demand, discharge characteristics, or phasing outside the Design Envelope may render this commitment null and void and require re-evaluation. The District reserves the right to impose additional conditions or modify this commitment in response to changes in water supply availability, regulatory requirements, or system capacity constraints. Nothing herein constitutes a guarantee of service or waiver of any applicable law, regulation, fee, or District policy.
This letter is issued solely in the District's capacity as a water and sewer service provider and does not constitute a water supply assessment under Water Code §10910 et seq. unless expressly prepared and adopted as such by the District's Board of Directors. The District is not a responsible or trustee agency under the Applicant's pending Small Power Plant Exemption (SPPE) Application before the California Energy Commission, and this letter shall not be construed as the District's participation in or approval of that proceeding.

7. NEXT STEPS

To proceed, Applicant should contact the District's Engineer to initiate the formal service application process. The District recommends scheduling a pre-application meeting to discuss phasing, infrastructure design, and fee estimates prior to plan preparation. Following the pre-application meeting, the Applicant will submit 30% utility plans for District review; the District will provide consolidated comments within 30 days. The parties will then target execution of the Service Agreements and any required Developer's Agreement no later than 30 days prior to building permit issuance. The District looks forward to working with the Applicant on this project. Questions regarding this letter should be directed to the Engineering Services Division at the contact information above.

Sincerely,

Holly Gallier

Holly Gallier
General Manager

EXHIBIT "B"

CALIFORNIA
Water Boards

GAVIN NEWSOM
GOVERNOR

YANA GARCIA
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

June 6, 2025

Water System No. CA1510017

George Croll, General Manager
Indian Wells Valley Water District
P.O. BOX 1329
Ridgecrest, CA 93556

Dear George Croll,

This letter concerns the current and future operations of Inyokern Community Services District (Inyokern CSD). The State Water Resources Control Board's (State Water Board), Division of Drinking Water (Division) has concerns regarding Inyokern CSD's water system deficiencies, detailed in Appendix A. These deficiencies are resulting in unsafe drinking water for the residents of the water system. Further, there are concerns about the ability of Inyokern CSD to sustainably provide safe and affordable supply of drinking water into the future. Therefore, the State Water Board strongly recommends that Inyokern CSD voluntarily consolidate with Indian Wells Valley Water District (CA1510017). The State Water Board may take future steps to order the consolidation if it is not voluntarily negotiated in a timely manner.

Six Month Period for Voluntary Consolidation

Prior to issuing an order directing the Indian Wells Valley Water District to consolidate with Inyokern CSD, California Health and Safety Code (CHSC) Section 116682, subd. (b)(1) requires the State Water Board to encourage voluntary consolidation. Section 116682, subd. (b)(7)(A) also requires the State Water Board to notify both Inyokern CSD and Indian Wells Valley Water District and to establish a deadline of no less than six months, unless a shorter period is justified, to negotiate consolidation. **This letter serves as official notification that pursuant to CHSC Section 116682(b), Inyokern CSD is to negotiate with Indian Wells Valley Water District regarding managerial and physical consolidation of Inyokern CSD with Indian Wells Valley Water District. The deadline for completion of this negotiation is December 12, 2025.** The State Water Board requests that the parties report the outcome of such negotiations to no later than two weeks following the deadline. This reporting shall include the milestones agreed upon to accomplish consolidation and a timeline for completing them. Additionally, the reporting shall include a letter signed by Indian Wells Valley Water District and Inyokern CSD stating that they intend to consolidate voluntarily in accordance with the agreed upon milestones and timelines. If a timely

voluntary consolidation cannot be negotiated, the State Water Board may exercise its authority pursuant to CHSC Section 116682(a) to order consolidation.

Consolidation Assistance

The State Water Board acknowledges that consolidation is a complex process and stands ready to assist Inyokern CSD and Indian Wells Valley Water District. Pursuant to CHSC Section 116682, subdivision (b)(7)(B), and in order to assist with the negotiation process, the State Water Board will provide technical assistance and work with both Inyokern CSD and Indian Wells Valley Water District to develop a financing package that benefits both parties. This assistance will be provided by both the Division and the State Water Board's Division of Financial Assistance and Division of Drinking Water. Funding will align with the adopted Intended Use Plan and Funding Policies. More information available at Financial Assistance Funding - Grants and Loans | California State Water Resources Control Board

If you have any question regarding this letter, please contact me or Elvira Reyes of my staff by email at elvira.reyes@waterboards.ca.gov.

Sincerely,

Bryan Potter Digitally signed by Bryan Potter
Date: 2025.06.06 12:34:20 -07'00'
Water Boards

Bryan Potter, P.E.,
Senior Water Resource Control Engineer, Southern Engagement Unit, SAFER Section
State Water Resources Control Board, Division of Drinking Water

Appendix:

A. Background Information

Cc (Via email)

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Appendix A. Background Information

Inyokern Community Services District (CSD)

Inyokern CSD is classified as a community public water system with a population of 782 residents, served through 265 service connections. Inyokern CSD provides groundwater to its customers. As documented in the following findings, Inyokern CSD consistently fails to provide adequate supply of safe drinking water.

1. To date, Inyokern CSD has failed to submit an acceptable Corrective Action Plan to the Division. Compliance Order No. 04_24J_002 established a deadline of August 31, 2024. Two attempts were made on August 31, 2024, and January 31, 2025.

2. On January 23, 2025, the Division approved the permit amendment application to inactive Well 04. Inyokern CSD solely relies on Well 03 to supply domestic water to its customers as of January 23, 2025.

3. On October 10, 2024, the Division issued Citation No. 04_19_24C_013 failure to meet the minimum pressure for September 2024.

4. On September 7, 2024, the Division issued a Boil Water Notice due to a water outage and water service was returned on September 9, 2024.

5. On August 2024, Inyokern CSD was awarded $147,593.76 in emergency funds to repair Well 03, treatment, and supply interim hauled water.

6. On July 17, 2024, the Division issued Compliance Order No. 04_24J_002 for failure to meet the minimum pressure and maximum day demand capacity at all times for 2024. Return to compliance deadline is August 31, 2025.

7. On June 29, 2024, the Division issued a Boil Water Notice due to mechanical problems with the well resulting in a dry tank, low water pressure, and water outage. Water service was returned on June 7, 2024.

8. On June 22, 2024, the Division issued a Boil Water Notice due well and pressure tank operating problems. Water service was returned on June 26, 2024.

9. The 2023-2024 Kern County Grand Jury (Grand Jury) was authorized by Penal Code §933.5 to investigate special districts within Kern County. Upon receiving citizen complaints, the Grand Jury initiated an investigation into the operations and financial condition of the Inyokern CSD. The Grand Jury found that the Inyokern CSD is financially insolvent and is facing multiple critical issues. Inyokern CSD has shown that it does not have the means or ability to rectify these issues. This has caused the citizens of the Inyokern CSD to face water insecurity.

10. On February 23, 2022, the Division issued Citation No. 03_19_22C_007 for failure to comply with permit provision and failure to comply with the revised total coliform rule. Specifically, the Water System failed to comply with Permit Provision No. 15 of its Domestic Water Supply Permit No. 03-19-20P-013 (issued on August 31, 2020) for quarterly bacteriological monitoring of raw water, in 2021, from Wells 03 and 04.

11. On December 19, 2019, the Division issued Citation No. 03_19_19C_031 for failure to have a certified distribution operator for 2019.

12. On February 6, 2019, the Division issued Citation No. 03_19_19C_008 for 1, 2,3 – Trichloropropane (1, 2, 3, -TCP) Monitoring Violation for 4th Quarter 2018.