

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

POLICY ADVISORY COMMITTEE MINUTES

Indian Wells Valley Water District
500 West Ridgecrest Blvd.
Ridgecrest, CA 93555
Thursday January 4, 2018 6:00p.m.

Members Present: Ed Imsand, Patricia Quist, Tim Carroll, Nick Panzer, Renee Westa-Lusk, West Katzenstein, Lyle Fisher, Donna Thomas, Steve Godard, Don Zdeba, John Kersey, David Janiec

Members Absent:

Rodney Stiefvater, Carol Wilson, Lorelei Oviatt, Ryan Klausch

1. CALL TO ORDER:

The meeting was called to order by Chairperson Donna Thomas at **6:00p.m.** Roll call was taken by the minute taker Renee Westa-Lusk. A quorum was present with 10 voting members present. Two non voting members present. Ryan Klausch of BLM was assigned to assist in the Thomas fire near Santa Barbara for 14 days so he was unable to do his presentation on outreach and public participation item no. 7 on the agenda.

2. DESCRIPTION OF “GREEN SHEETS” FOR RECORDING PUBLIC COMMENTS

The Chairperson Donna Thomas told everyone who wanted to make a public comment to use the green sheets to write their comments down if they choose and they will be passed on to the Water Resources Manager (WRM). West Katzenstein and Lyle Fisher of the Domestic Well Owners' passed out a 2 page hand out of their recommendations on the actions that should be taken to record public comment and suggested changes to the “green sheets” used in the process. The following were their recommendations 1) all public comments should be forwarded to the GA, 2) each public comment should be categorized into one of 3 items listed in the handout and 3) to modify the “green sheets” to include additions of : a) a disposition category and b) a document identifier. These recommendations are being made: 1) so the public knows the PAC is taking their comments seriously and are processing them and 2) to let the GA know that the PAC thinks some of the items should be made future agenda items for the PAC. After some discussion by Don, West, Donna, Nick, Lyle and David the following was suggested or stated: Don Zdeba asked should there be documentation for what the response was for closure so everything is contained on one sheet? West said yes so then it becomes a more complete record. Then Nick asked would the secretary then note the conclusion on the back of the green sheet? Who would record the response? Don said it would be whoever responded to it or it could be in the minutes a simple note “responses were provided by on date of. Don Zdeba stated it should be on one sheet of paper 1) what the comment was, 2) who submitted it and 3) what the response was or how it was handled.” Lyle said a second sheet could be attached for the response. Donna Thomas had a comment on 2a of the handout “material approved for discussion by existing PAC agenda items” that would be recorded in the minutes if a comment is an agenda item. So the comment would be in the minutes if on the agenda. West Katzenstein suggested having an ongoing agenda item to reply the

following month to green sheets submitted the prior month after they have been processed and also could be posted on the website. Don said or the response could be put in the minutes on such and such date. Donna said the green sheets must go to the GA after they are forwarded to the Water Resource Manager. The reason Donna put "Draft" on the "Green Sheets" is because the Groundwater Authority (GA) must ultimately approve the form officially. If the committee members want me to update the form and I will turn it in when I give my PAC report and ask for approval.

David Janiec made 2 comments: 1) valid to have a response on the form or what is the resolution and 2) because of the Brown Act requirements a) the PAC cannot require the public comments be made in writing and cannot preclude them from making oral comment if they choose and 2) secondly cannot require the public to provide their identification and contact information that it should be noted as optional. David Janiec stated he was in favor of the process of the "green sheets" but did not want to stifle the public and wanted to be in compliance with the Brown Act. Donna Thomas stated the reason I put together this "Green Sheet" was because the GA asked us to keep a log book of public comments. Other than the minutes I was trying to figure out how would you do that. West Katzenstein stated we could put on the form "this is not mandatory if want to capture your comments in writing here is your opportunity and identifier information is optional". Don Zdeba deferred to Ron Kincinski (Water Board Director) member of the public in attendance. Don asked Ron you and Peggy have experience with some boards and councils require the public signing in if want to make public comment is that right?

Public Comment:

Ron Kicinski (Member of Public) responded the Brown Act does not allow that. It specifically states signing in, address, phone number is not required. You cannot require the members of the public sign in or provide identifying information. All the stuff about information is optional. You cannot require their name. You can require that they give you the question they are asking.

John Kersey (PAC Member) I have seen in some of the counties you have to sign-in if want to make comment. San Bernardino County does this all the time.

Ron Kicinski (Member of Public) responded in large counties they assign numbers to those wanting to give public comment.

Donna Thomas Chairperson stated she will include this in my PAC report give the example and request for changes and ask the GA how they want the logging of the comments to be done.

Public Comment:

Derek Hoffman Attorney for Meadowbrook Dairy (Member of Public) stated the context of when this came up was when the PAC didn't want to lose track of a comment if the comment wasn't under the purview of the PAC. If you have an agenda item and the public wants to give comment, the comments will be part of the minutes. You would not require them to fill one of these out. If a member of the public wants to talk about a non-agenda item then you have the person fill out one of these ("green sheets"). Then you have it here, it is documented and then it can go to the GA Board. You have a record of it, and you are not losing track of it, and keeping it organized. Mr. Janiec is right a member of the public does not have to fill out a card or anything like that to make public comment.

Raymond Kelso asked as an example if I filled out a "green sheet" when might I get a response. I want a time line of when a response will be given to persons submitting public comments. With the issue of being ignored on one hand to having a full scale conversation on the other hand as a member of the public I have been ignored before.

Earl Wilson (Member of Public) This (the "green sheets") is the perfect database for doing frequently asked questions to have on your website. You can expand your answers to fit a larger audience.

Chairperson Donna Thomas responding to Mr. Kelso's question explained she sometimes includes a public comment in her PAC report to the GA and sometimes they answer it and sometimes not. Her understanding it is up to the GA who these comments go to. She thought the WRM will report it or keep track of it and let the GA Board know about it. There are a lot of things in the legislation in the GSP code of Regulations that list things that should be done but they don't really say what's the process. I guess it is up to the GA to determine the process.

Lyle Fisher responded to Mr. Kelso's question stated as far as when the public commenter might get a response depends on the comment, who has to do the response, how hard it is and the content of the question how long it takes to answer.

Patricia Quist responded at least a month, a cycle of meetings, go through correct people and protocol. West Katzenstein it may need to be referred to the TAC and if it is not under our purview then we can't guarantee when.

3. PUBLIC COMMENT

The Chairperson mentioned public comment on non agenda items. No action can be taken on items not on the agenda per law. No public comment was made

4. APPROVAL OF DECEMBER 6, 2017 MINUTES OF PAC MEETING

Nick Panzer requested that his 2 page written comments from the last meeting be included as an attachment to the minutes of December 6, 2017. He also commended Renee Westa-Lusk in her thoroughness, accuracy and stamina in doing the minutes. The Chairperson Donna Thomas called for a motion to approve the minutes.

A motion was made by Tim Carroll and seconded by West Katzenstein to approve the minutes of the December 6, 2017 meeting with Nick Panzer's 2 pages of written comments attached.

Passed 8 ayes: Imsand, Carroll, Panzer, Westa-Lusk, Katzenstein, Fisher, Thomas, Janiec

Abstained: Quist, Goddard

No: none

5. REVIEW OF DRAFT PAC ACTION SCHEDULE FOR POAM

The Chairperson Donna Thomas announced that in Schedule Number 2 Local Funding Options referring to the Potential Action Schedule (PAS) that the Indian Wells Valley Water District has given the GA \$500,000 in advance payment to bridge the gap in funding between now and when Prop 1 Grant funding will be awarded to the IWVGA. Are there other items you would suggest for us to take on now right away or not? We've been given until March to complete the outreach plan. There was some talk at the TAC today about moving up the discussion on sustainability goals and sustainability management criteria. I gave you reference of GSP document for sustainability management. We could start talking about and reviewing those items that reference those systems. Lyle Fisher asked about line 140 in the POAM develop public outreach completed 10-17-17 (attachment sheet to notice of intent to DWR part of the plan). The bottom of the POAM a lot of items for ideas of communication and engagement on outreach must decide if we need to include them in the plan. West Katzenstein concurs it is time to start talking about sustainability management criteria. We need to start policy discussions to help guide technical discussions. May be time under agenda item no. 9 to bring it up again. Just received "white paper" from Don Zdeba and the other major pumpers in the valley asking questions about sustainability, how do we proceed, how do we get from here to there? Lyle Fisher said we all need to be talking about it and thinking about and making the public aware of sustainability. Donna Thomas stated it is no. 31 on the POAM and it starts in January 2018. Donna stated we could move up

the Sustainability Goals and Sustainability Management Criteria which is item no. 10 on the PAS up several months from August. We could ask for a blanket agenda item to discuss items on the POAM that have been identified as you have just described stated by West Katzenstein. David Janiec said we have already agreed that the POAM serves as our tasking it is not when we would engage. The date of completion of outreach is in March. What you are asking for is clarification of those items no.9 and no. 10 that we ask to begin to address those issues within certain times. It is in fact tasking about was agreed to at the last GA. Donna Thomas said if we keep this on the agenda each time checking each time on the short schedule vs. the long schedule what changes might be made in the long schedule. We keep this before us at each meeting. West Katzenstein said we need to address the issue of what we are allowed to talk about as an agenda item. Need to go through the GA to find out if can start discussing item no. 10. Donna Thomas stated the TAC starts discussion on item no. 9 Imported Water in February the PAC doesn't start discussion until June 2018.

Public Comment

Derek Hoffman (Member of Public) 1) it might be better for the TAC to discuss first because it might help the PAC. It may be easier to develop policy when you have the data and the facts. 2) ask for date range for when an item will be discussed, get clarity of when to begin discussion on an item and how many meetings will it take to discuss a particular item. 3) find out date when expected to make a recommendation on that item, amend the PAS to include a range of time of during which the PAC will be agendaized to address those issues, 4) keep No. 5 as a standing item on your agenda entitle "Review POAM and PAS to continually reevaluate where you are like a road map

Peggy Breeden (Member of Public) asked the question do you all think that those dates are pre-determined and only exclusive to that particular item and can only be discussed at that time because that is the impression I am hearing that you think that? As you recall when this was first brought up these were items just tentative dates in the POAM for something to work towards—it wasn't saying that you couldn't discuss

before May 2018 etc. Or did you all think that? Because I am hearing what is not correct. It was just a guideline so you didn't discuss an item that doesn't need to be discussed before January 2020 now. Am I wrong am I misinterpreting what you are saying?

Chairperson Donna Thomas responded and others of the committee said yes and thanked Peggy for bringing this up. Donna stated "they are going to add to this larger POAM a line of critical paths that needs to be followed more specifically time wise". David Janiec said he agreed that is the way he understood it. To get final clarification of all of this what Mr. Hoffman has suggested would provide clarity to answer Peggy's question and maybe any lingering questions this committee has and give us the range so: a) we do not violate the Brown Act and b) we along with the public have clarity of when they can bring forward those comments. That answers the whole discussion we had so far on the POAM if we ask for clarification of a range at the next GA meeting and it gets codified in the minutes. Chairperson stated if there is a specific topic that needs to follow a TAC discussion they should also indicate that to us so we don't get ahead of the information TAC is supposed to be looking at. West Katzenstein said it is my understanding that just because we have been provided this potential tasking list this is just part of a process it is not approval for us to discuss it. It is the WRM suggestion of potential agenda items. David Janiec said it is not my understanding it is what came out of after the last GA meeting. If you want a motion that we ask for a range we be given an additional column that clarifies the range of times when can begin discussion and the expected completion dates. Asking for clarification of range of times and any linkages to the TAC tasking. I read most of this list as "options". Don Zdeba had a question on items 6, 7,8,9,13 aren't these tasked more for the TAC? Do these go to

the TAC first and then do those discussions come to this committee? I don't see these as tasks for this committee? Question in my mind where this committee draws the line and takes outreach and where does it go to a professional? As far as developing a website it is not under our purview to do this we need to hire a professional.

Many of the committee members responded that items 6,7,8,9,13 are for the PAC to come up with outreach policy and how to implement outreach but the PAC will not be doing the outreach directly etc. as it is not under our purview to do the actual outreach.

Nick Panzer responded to Don Zdeba's question about when this committee needs to hire a professional. Nick stated Lorelei Oviatt made it clear at the last PAC meeting the PAC does not do workshops, or write anything. All the PAC does is give policy advice for the GA . It was well documented in the minutes. David Janiec added “and the PAC provides a common forum for public input”

Motion was made by David Janiec and seconded by Lyle Fisher on regarding the POAM tasking to request clarification on the range of beginning of discussion and completion of tasks listed rather than tentative dates we have in the column labelled as such and any linkage to TAC tasking items.

Steve Goddard stated I don't think we have too much success in getting any answers from the GA. You can ask them and how many meetings before we get any answers? I agree with the philosophy of what you are saying but I do not think it is going to work. I want you to liberally interpret what we can do. Sometimes if you ask....Lyle Fisher then stated it is sometimes easier to ask for forgiveness than permission. Remember what Bob Page said at the last GA meeting.

Public Comment

Elaine Mead (Member of Public) asked what about combining the 2 ideas instead of asking the GA to set a range look at this list here explain we would like to start discussing 5 months before the tentative dates listed. Instead of you asking permission tell them what you would like to do.

David Janiec stated this is just one role up of a very large POAM which has on the task bars a length of time. We could specifically request the length of time on the task bars with clarifications with respect to TAC actions.

An amendment to the motion was made by David Janiec seconded by Lyle Fisher asking clarification if the PAS can show a range of length of time for discussion linked to the task bars of the POAM with clarifications with respect to TAC actions.

Don Zdeba responded saying we just go back to what Lyle said turn to what Bob Page said we don't need to go back to the GA for all these little decisions this is just something we can do.

David Janiec disagreed some people on this committee or on the board believe we heard differently.

Don Zdeba stated if we have to go to the board for every little thing then we can't get anything accomplished. This is not earth shaking this is about putting dates on paper.

David Janiec stated when we can begin the discussion on these items is what we got hammered with.

West Katzenstein stated he was on board feeling empowered no problem with that perhaps we just announce the start of the discussions.

Donna Thomas Chair person responded we cannot do that it must be an approved item on the agenda.

Public Comment

Tim Parker (Member of Public) went back to what Don Zdeba said about the outreach plan and having an outreach public relations professional working on this. Referring to the PAS items no. 4 and no. 5

where it says the the PAC develop and complete and present an outreach plan in item no. 4, actually no. 5 should come before no.4 because identifying specific federal and regional entities for outreach in no 5 should be included in the outreach plan of item no.4. You shouldn't be preparing documents you should be reviewing documents and providing input to them as an advisory committee. The WRM or their staff or another outreach entity doing this for you.

Chairperson asked are we ready to scrap the motion and amendment?

David Janiec withdrew his motion and amendment and the discussion outcome concluded the following:

The PAC will operate with the task bars in the time line in the POAM and the previous approval of the GA using the POAM with TAC and PAC tasking is consistent with that and this is the conclusion this committee reached.

6. REVIEW OF TASK TO PAC TO DEVELOP WEBSITE FOR OUTREACH

Chairperson Donna Thomas explained the PAC was tasked at the last GA meeting to develop the website for outreach. I put in the digital tool kit from DWR at the bottom of the page there are about 8 GSAs that have websites you can access. There is at the end of it a SGMA portal to check other GSAs websites. The Chair's concerns is that after reading through guidelines and statutory requirements and even the letter dated December 22nd the GA sent to DWR stated that the GA would do the website. I think it better that the GA do the website than asking us as I do not know if any of our members has the expertise or ability to set up and maintain a website plus the PAC would have to get approval for each item put on the website.

Don Zdeba commented we give recommendations to what would be on the website will be. Someone else actually will develop and maintain the website. We provide input from the public of what the public wants to see on the website.

Nick Panzer stated we give policy advice to the GA.

Don Zdeba suggested to the Chairperson to include in her report what the GA might want to include on the website. For example: agendas, minutes, meeting dates, updates, links to the State websites regarding SGMA information so you don't have to replicate

West Katzenstein one observation was the database that Domestic Well Owners are reviewing for Stetson it could be morphed into the GA website. He stated Stetson Engineering should design and maintain the website or the County. The PAC provides the plan and how it might work and look.

It was agreed through discussion that the Chairperson Donna Thomas will put it in her report to the GA that the PAC is giving the website back to the GA it is the charge of the GA to do this as documented in the Dec. 22nd letter the GA sent to the DWR.

7. PRESENTATIONS REGARDING OUTREACH AND PUBLIC PARTICIPATION

John Kersey of the Department of the Navy PAC advisory Member was introduced by the Chairperson Donna Thomas. He made a presentation on how the Navy does public outreach. The NEPA process is the standard of what the NAVY usually uses. He identified the following steps in the NEPA process:

1. identify internal and external stakeholders

2. Use both low tech and high tech communications

a) low tech: print media: brochures, fact sheets, fliers, letters, visual display boards maps, and radio

b) high tech: web page, E-alerts, social media, phone apps (big trend)

3. Example: Johnson Valley App from 29 Palms explains their shared use areas by the military and civilians regarding land use in the area. Within that App can link with GPS so don't go into the areas for exclusive military areas.

4. Example: Cuddeback Range, some of our basic efforts are local newspapers, how far out, how many newspapers, Spanish version of papers included. Radio blasts as many radio stations as possible still a great source for outreach for a large area how far out to go, how many stations do you want to use?. Many people have satellite radio may not reach via traditional radio. Diversity of outreach plan very important.

5. Kiosks, fact sheets, and public meetings are also effective with comment cards or sheets. Easy accessible locations are important as well. Chairperson Donna Thomas asked about taking public comment at public meetings?. The comments generally taken then incorporated and acknowledged into the document. They do not generally do question and answer period of comments or questions because of crowd sizes. Can take down verbal comments as well. The goal is to get them on record. Chairperson Donna Thomas asked about certain federal projects are they listed in the federal register? Renee Westa-Lusk asked do you prioritize which methods of getting the word out you do first? John stated we go by what the POAM steps are. Mailers and newspaper ads takes longer to do so must plan for those to be done first. Certain methods of getting the word out get pushed ahead further because of time restrictions. You must wait for mail to be delivered and time for people to read them. PAC Committee Member asked do you have to pay for the radio ads or do they do it as public service announcements? Most of the time you have to pay some kind of fees unless you get volunteers. The Federal government is going to have a hard time getting volunteers.

Public Comment

Ray Kelso in the NEPA process there is supposed to be an outreach plan. He then explained he commented on that particular environmental assessment and am wondering when will I hear? John stated unless it was specified requesting a response I do not know because it goes to other individuals. With NEPA process there is an entire appendices that will show every comment and they have to address every comment. Mr. Kelso said it goes back to when might this happen? Some kind of schedule or timeline would be helpful. There is always the issue of the public being ignored and that is my comment. John Kersey stated unfortunately with environmental assessments they do not give that it will be out by this timeline. NEPA comments are generally released with the document. The Chairperson Donna Thomas thanked John Kersey for his hand out and presentation.

8. ACTIONS TO IMPLEMENT COMPONENTS FOR OUTREACH STRATEGY

The Chairperson Donna Thomas passed out a hand out entitled “A DRAFT Communication and Engagement Plan for Review and Approval by the IWVGA Board of Directors” to all PAC Members. The Chairperson put together this hand out. As she thought about developing this plan she thought who is going to do this it must be completed by March 30th. She began the process by looking at the outline in our notebook. She used the outline from the C&E plan, She did a background check, used the outline from our notebook and used copy of a final C&E plan from Santa Cruz prepared by the Center for Collaborative Policy California State Univ. in Sacramento. It was hard to follow it because they wrote their outreach plan before their GSA was even formed. She tried to use it as a format. I used collaborating for success document, statutory requirements and GSP code of regulations. Referring to page labeled “8c” last page of the handout contains the statutory requirement section 354.10 GSP code of Regulations. Donna stated it is pretty specific in what you should address and she read over each section of 354.10. Included are her comments after she read each section over (below) of how the PAC/IWVGA are already meeting some of the criteria laid out in Section 354.10 GSP Code of Regulations: Part A) “A description of the beneficial uses and users of groundwater in the basin, including the land uses and property interests potentially affected by the use of groundwater in the basin, the types of parties representing those interests, and the nature of consultation with those parties”

The GA has already made the determination of who the stakeholders groups are. That is how we got the PAC make up of members. We tried to add one more stakeholder that was not approved. Part B) "A list of public meetings at which the plan was discussed or considered by the agency". We are already starting to have meetings to discuss the plan. So all these meetings should be listed. Part C)" Comments regarding the plan received by the agency and a summary of any responses by the agency". That is our "green sheets" process and someone has to keep track of them. Part D) "A communication section of the Plan that includes the following: 1) An explanation of the Agency's decision making process." Found some references to it in the December 22 nd letter the GA sent to DWR. I do not know that the GA has made it clear of how this decision making process is going to work. How the public comment will have a part in it and how it will be done. 2) "Identification of opportunities for public engagement and a discussion of how public input and response will be used." I do not think we know that. 3) "A description of how the agency encourages the active involvement of divers social, cultural, and economic elements of the population within the basin." and 4) "The method the Agency shall follow to inform the public about progress implementing the Plan, including the status of projects and actions." This goes beyond the development of the plan itself it goes into a 5 year increments where you follow the progress of implementing the plan. Those are pretty specific things and we need to find out how things are going to be done, we may make the recommendations and the GA has the final approval.

The Chairperson Donna Thomas then directed the PAC Members to go through the rest of the hand out with her. David Janiec asked the Chairperson if he could make a comment. David Janiec said in answer to your question I think you gave us 2 alternatives there in fact the tasks we have been assigned is to make recommendation on how we answer those 4 items under that (of (d) the communication section of the Plan from statutory requirement Section 354.10 GSP Code of Regulations in the hand out discussed above) it clarifies it pretty well.

Chairperson Donna Thomas stated the following:

- on the first page (of hand out) I gave the references of the check list for GSP submittal
- those 2 documents are in our notebook (references for the check list)
- we have GSP Submittal Guidance document in our book
- Article V page 3 gives a description of being noticed and communication (things to address)
- GSP Annotated Outline Guidance document section 2.1.5 page 3 (lists the same as GSP Submittal Guidance document (see above)
- This plan is part of the GSP development plan it has a space for this plan to be included in the document
- Summary of Statutory Requirements for Stakeholder Engagement came from list on page 9 of Collaborating for Success document
- Donna wrote out the the 3 most important California Water codes of the above Summary of Statutory Requirements for Stakeholder Engagement (see bottom half of page 1 of the handout)
- the following codes were written out with descriptions: 10727.8, 10723.2, 10727.8 (a) (see page 1 h.o.)
- CA Water Code Sec. 10727.8 The GSA shall make available to the public and department a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan. That letter of intent was sent to DWR on October 17, 2017 from the IWVGA we just had a list of components for an outreach plan in the letter. When does this publication to the public come about? The question was asked at one of the GA meetings they said it was not the PAC's responsibility it is the GA's responsibility and they will do it at the appropriate time. Everything Donna read states the public must be notified before the GSP plan development starts. The Chairperson said she thinks the GSP has already begun to start and there has been no public notification officially.

-CA Water Code Sec. 10723.2 The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater

-CA Water Code Sec. 10727.8(a) The groundwater sustainability agency shall encourage the active involvement of diverse social, and economic elements of the population within the groundwater basin.

This is some of the background information for the outline. Then I started through the outline process and tried to see did we have information already collected that could be used to fill out this outline (see top of page 2 of the hand out). The first part was the purpose of the C&E plan. I took some statements from the C&E Plan outline from the Santa Cruz Mid-County Groundwater Basin. Where they described in general SGMA, what it involves, and it involves considerable local input and that success is greater if you involve stakeholders and listen to them. Cooperation more likely if stakeholders help shape the path forward. This communication and Engagement Plan is intended to make transparent to stakeholders their opportunities to contribute to the development and implementation of a GSA and GSP to ensure shared ownership in the process. It offers information sharing among all within the groundwater basin in order to produce a realistic and solutions-based approach for sustainable management of the Indian Wells Valley Groundwater Basin.

Chairperson Donna Thomas I wanted a template to work with. Under 1a of the outline (page 2) “Description and Background of the GSA and subsequent GSP. She went through all the documents she could find and the process we had been doing so far. She made a list and put them in a time order (see bottom of page 2 and first half of page 3). That is sort of an outline in the background.

List of Documents

-Hiring of water resources manager (written contract) August 2017

-Notice of intent by IWVGA to develop a GSP for IWV Groundwater basin letter dated Oct.17, 2017

-Draft Proposition 1 Grant Application released for review and public comment mid Oct. 2017

-Proposition 1 Grant Proposal for IWV groundwater basin submitted on November 13, 2017.

-Draft Plan of Action and Milestones (POAM) for IWVGA posted on DWR website on November 30, 2017

1.a.i. Explanation of your GSA's decision-making process (as stated in IWVGA's letter to DWR dated December 22, 2016)

The Chairperson looked into the letter to DWR dated Dec. 22 nd. That is when they notified DWR, they had had the public hearing and that they were now applying to be a single entity GSA for the whole IWV water basin. There were a lot of water code sections referenced in that letter that include things that should have been part of the public involvement. So they are aware of it. They put it in their letter. I don't think they made the public aware of how to involve them. They did have a list of interested parties, of 150 were listed, that list is to be open and ongoing so other members of the public if they want to be listed as an interested party to receive notification in writing of different things all they have to do is request to be part of that list.

Public Comment

Peggy Breeden (Member of Public) asked Donna Thomas and I don't mean to sound like I am belittling what you said because I appreciate your hard work. What is public notice? Because we have had 80-100 hours of public comment on this whole process since the beginning and hundreds and of newspaper articles, many times when people have spoken publicly to private and public organizations. When is that enough? What do you perceive that as being?

The Chairperson Donna Thomas responded saying the way I have read about it and the way we have discussed it, we have put it in our components list. Like a postcard mailing to each property owner

within the boundaries of the groundwater basin.

Lyle Fisher (Member of PAC) commented saying when Lorelei did the rezoning of property each property owner got notified. was notified. Did it cost? Yes.

Peggy Breeden (Member of Public) I believe they said it was \$11,000 to mail each property owner in the valley. Would you then consider that as sufficient or at least public notice? I am trying to see what the expectation is.

If the expectation is a knock on the door, a card to everyone, or is it thousands of hours of work? Please do not see me as being argumentative, I am really trying to see what is sufficient public notice to everyone short of a card to everyone.

Chairperson Donna Thomas That is what we have discussed. I have not followed up with DWR. There are probably people at DWR I could call to ask what do they mean by public notification?

John Kersey (Member of PAC) Do they have to go as far as a notice of preparation that this is being done following CEQA?

Peggy Breeden (Member of Public) Which this was it was legally noticed in all the adjudicated papers.

Tim Parker (Member of Public) I think you have done an adequate job in notification of the public in terms of the law. The issue is: is the public informed on it? Is it adequate in terms of the public perception issue? I worked up on the Santa Rosa plains basin for a number of years. One of the things that water agency they got continually criticized on was lack of individual notification to rural domestic well owners. Think about whether to consider making this investment now. Get that on a postcard and get people on to an email list and notify them of a website for future information. Consider doing the due diligence early in the process. Try to get that communication going. Maybe doing it once. Meeting the regulations vs. meeting the public's perception issue.

Pat Quist (Member of PAC) It is common sense you would have a website. Just a common sense approach. If you have a website and you send a postcard to every APN no. it could reference more information can be found at that website. People could pursue the website. A postcard is not going to save that much, it will go into the garbage that is what people do.

Member of the Public Do send out water bills every month? Can you put an insert in with the water bill?

Don Zdeba There is a little space for conservation message, we could put a link on there, but it only goes to our customers not all the water users in the basin.

Earl (Member of Public) Anyone who has water district can slip a card into that mailer.

Don Zdeba We've sent out special cards, they are oversized postcards about ordinance, seasonal info about evaporative coolers or winterizing your system etc.

Earl In a postcard not in an envelope. What is the cost of mailing postcards to water district customers?

Don Zdeba It costs between \$4,000 and \$5,000.

Josh Nugent (Member of Public) Asked the question are you tasked with developing the document for meeting all the legal requirements within the law to meet policy outreach section of the GSP Plan? Or are you tasked with developing recommendations from a policy standpoint for example: are you supposed to say the law in this section says this, we believe this section the law is met by these actions; or are you supposed to say irregardless of what the law says we think you should do more outreach including postcards and website. I understand you spent most of your New Year's and Christmas researching the SGMA law that to me is staff work. It should be done by someone who is paid to do it has a legal staff that they can call. There is also the issue of responsibility and ownership of the actions. So we can make recommendations but we are not the ones who are going to be sued if those actions are not compliant with the law. I am unclear about are we supposed to meet the tick by tick requirements of an outreach plan or are we supposed to make policy recommendations on what they need to do to develop an outreach plan? Are we supposed to have homework for this or class work to

get done in the meetings and make recommendations?

Chairperson Donna Thomas replied to Josh saying as I got to the end I decided I can't do this all by myself .otherwise I am going to be a dictator, it is supposed to be a collaboration of our committee members. I did leave parts of the outline at the end where we take the list of components we developed and decide whether they go on number 4,5,or 6 of the outline. We can just put the numbers in for now.

Josh Nugent I am afraid I don't want you to do all this work and have it becomes like the Prop. 1 Application deal where it basically is you've got to review what was already prepared and you make comments on it. He then asked the following: Do they already have a staffer working on an outreach plan and are they are going to just send us something to review and they ignore what we do? The direction that was given to you was it to give recommendations to develop what an outreach plan should look like or are you to develop the document that will be submitted to the DWR?

Lyle Fisher, Patricia Quist, West Katzenstein all stated this committee is not creating the outreach plan we will only make recommendations for an outline of a plan. Stetson will bring the plan to us for review.

Steve Goddard (Vice Chairperson) added to what Josh and Lyle were saying, in his past working with major consulting firms this is a form of community relations plan to the public. This is a great attempt (referring to Donna's outline) to put together a scope of work for a consulting company someone who could quickly and efficiently put together a plan someone like Stetson or some other firm to bid on this and handle this kind of work for us. If this community development and outreach plan is something the GA wants us to do then this should be put into your report. asking the GA is this the direction you want us to go? Then say I have a scope of work for some companies to bid on and lets entertain that and have the GA do that for us. It frames the whole issue, it has the regulatory context, it is a really good scope of work. West Katzenstein stated then there is a 3 phase process for the plan. Steve replied yes. We write a statement of work to create the plan, then hire a firm to create the plan, then we critique the plan.

Chairperson Donna Thomas stated we have volunteers, no staff, no funding. I did send all our meeting materials to the new Kern County Director of Communications Michelle Person. I sent all meeting related materials to Lorelei Oviatt.who wasn't able to be here tonight.

Lyle Fisher (Member of PAC) postcard mailings need to go to all well owners besides all property owners (APN numbers)

West Katzenstein stated every person living in this valley whether they live in an apartment or own their own house/property needs to be notified.

Steve Goddard stated to roll up an action item on agenda item no. 8. He advised the Chairperson to do the following:

- 1) Put this on your list to discuss with the GA in your report.
- 2) Ask the GA is this the direction you want us to take? To find us someone to roll this plan for us on outreach?
- 3) This great scope of work has been written for the outreach plan. It meets all aspects. Here is the draft statement of work right here.
- 4) In summary: to request the GA to hire a consultant to create an outreach plan based on the scope of work the Chairperson has put together be put in the Chairperson's report to the GA

The Chairperson Donna Thomas, West Katzenstein, Lyle Fisher, Steve Goddard and Renee Westa-Lusk discussed the following in handling the issue of who will actually do the construction of the outreach plan:

-the PAC via the chairperson will write the statement of work to construct the outreach plan

-per Lorelei Oviatt's direction at the Dec. 6th meeting the PAC does not write the outreach plan

-per the Dec. 6th meeting minutes Lorelei and her staff are going to help with formatting and creation of

the paperwork with putting the outreach plan together as long as Renee Westa-Lusk does the minutes
-the new Director of Communications Megan Person will also be assisting Lorelei with the direction of putting the outreach plan together

-it was concluded that the Chairperson should email the scope of work the Chairperson has done with the statement of work first to Megan Person and Lorelei Oviatt, see what they say then take it to the GA Board .

Nick Panzer passed out copies of a hand out he put together with his comments on: 1) minimum threshold, 2) balancing the water budget, and 3) a draft of an Indian Wells Valley Water Budget. Nick requested that the 2 page hand out be attached to the minutes of this meeting. Nick Panzer issued the following statements in his presentation: It is clear the plan must identify how we engaged every stakeholder or gave them the opportunity to develop and implement the plan. In his opinion going back to Peggy's comment he believes we have done our notice to the public via the work shop on bylaws, the newspapers and 5, 4, and 9 information flow via standing committees etc. We must engage the public to give them opportunity to actually participate in the development of the plan..We need to tell them how their input will be used. Identified two issues for public engagement. The first one is minimum threshold (BMP page 8). If the public doesn't have a chance to vet that question of the minimum threshold then we are in trouble. The public can describe in general terms those conditions that would cause a significant undesirable condition. This first work shop is to establish and satisfy the engagement. Once the minimum threshold number is established and once the GA publishes the actual water budgets we can develop a plan. The third component is new water sources. If new water is available and crucial to your plan the source must be established and reliable. On the second page of the hand out is an illustration of a water budget a schedule of users and uses. The second workshop would be on the water budget. Suggests that the PAC organize their outreach plan around the two workshops. It would fulfill all statutory and regulatory requirements for the PAC. This is resolution ready to adopt these two workshops.

Committee Member Comments

West Katzenstein said he has seen workshops specifically listed as a components of public outreach. He stated these are two major policy issues that will have to be addressed. Workshops should be part of our outreach plan..

Chairperson Donna Thomas said the workshops can be added to our components list and we did mention having quarterly public meetings. These could be listed as specific public meetings to have. She hesitates being specific until the TAC comes up with the water budget. They will begin discussion at the next month's TAC meeting per Don Zdeba.

Nick Panzer stated that wouldn't be relevant for the minimum threshold. It is relevant to the second workshop

Chairperson Donna Thomas stated the minimum threshold would be more appropriate for No. 10 Sustainability Goals, Sustainability Management Criteria (referring to the PAS or Potential Action Schedule) because that is in the Best Management Practices.

West Katzenstein said the POAM may tell us when the workshops may be appropriate. May need to hold workshops earlier than the dates shown on here if we think we need public input early. Coordinate the meetings with the first mailer.

Lyle Fisher basically said he concurred with what Nick Panzer presented and agreed with having public meetings. Public meetings are probably a good idea. You will get the same members of the public showing up to the meetings.

Steve Goddard said these workshops need to be dovetailed with the TAC. They need to be timed correctly.

Patricia Quist questioned Nick Panzer's numbers on the water budget. These are not set in concrete

numbers. No one has defined these. The general public is not educated to understand these numbers. I just do not want to misunderstand what you are saying..You say you want to have a public meeting and the public will decide this ? I do not get this.

Nick Panzer responded saying these are just for communication between members of this group here. An illustration, these are not actual numbers they were round numbers I just plugged in to show those unfamiliar with an excel format and budgets so they could see how the numbers flow. The numbers are irrelevant it is the format the idea of engaging every water user and every use in the budget. If we have to do that we have to do it for every year back at each end and forward at least fifty years. You can white out the numbers. I just put those in so you could see the flow. I tried to explain on the other page the three afters on what the GA has to answer: 1) minimum elevation they must publish a historical water budget and 2) they must quantify new water. How to create a water budget if you don't have a number. The new water is coming from somewhere else. Why I carefully introduced the second workshop to indicate what the GA has to provide. How they or where they get it is there business. Once they have that the public can say I am: residential, or farmer, or municipal. You then see what has to happen between now and 2040.

Public Comment

Josh Nugent (Member of Public)said it is a good idea to have public outreach meetings, quarterly is a good idea and you time them with what topic is being addressed by the PAC and TAC at those time. Presenting documents from the PAC or the TAC to the public bias's the public. The format, the words, the commas, where you put your period matters because as far as they are concerned they think this has been vetted by a group of professionals and this is a consensus opinion of a Board of a government agency. You must be super careful when you put things out. It is okay to say to have quarterly meetings on general topics but I do not know if we should be getting into laying out of who seats where at meetings and what the topics specifically discussed are. It should be the public, not us that drives the public meetings. I do think these are important topics and it should be part of our recommendations to have meetings like this.

Tim Parker (Member of Public) agreed with what had been said. He gave the PAC the following advice:

- 1) You need to put together a strategy that's part of outreach plan it includes of how you are going to have building blocks of intricate information to understand before you get to talking about thresholds and measurable objectives because just starting there, there are a lot of other things that need to be laid out for the public to understand. If you jump right into that you will end up with a lot confusion and divisive conversations instead of consensus building conversations
- 2) The economics needs to be laid out. Is there a rate study in the plan process somewhere? That is what would form the foundation of how to pay for this in the future. Statewide there are rate studies starting in different areas in the initial processes and it is a public process. Some areas are doing an initial rate study with the plan of doing an additional one after getting the plan done. The economics is very important because have to lay out the alternatives of different projects and management actions you will consider and cost/benefit analysis. What everyone is going to be paying for? Everyone is going to be paying for this whether you own a well or own a piece of land. All impacted by it. These are somethings you must consider.

Nick Panzer (Member of PAC) explained that he totally concurred with what Tim said.

Derek Hoffman (Attorney for Meadowbrook Farms)(Member of Public)

Regarding agenda item: implementing components for an outreach strategy:

- 1) agreed with what Josh said.
- 2) agreed with having workshops
- 3) agreed that the hand out in some areas might be misleading

- 4) this agenda item is due this March 2018 to the GA, all impressed with Donna's work, you are assuming the Board may want a scope of work done by a consultant, Derek suggests another option (item no. 5 see below)
- 5) Use the Chairman's document as an outline and add to it via bullet points
- 6) February meeting project the outline on to a screen via Renee's computer and start typing out bullet points and filling in the outline. By end of Feb meeting will be having a proposal outline

Chairperson Donna Thomas responded to Derek Hoffman with the following:

- they said we could do the outreach plan in pieces, but I think it should be a more overall approach following that outline

Raymond Kelso (Member of the Public) What Nick put together is excellent. This really puts the focus on what the goals and objectives are or should be for the PAC. Remember what your main focus is. When in doubt go back to this. This is a major part of the plan. Outreach is part of the plan of course but remember what your main focus is. Jump on this. Read this over before your meetings. This is good stuff. I know how much work it takes. We don't need the magic numbers. This is your focus gang and quit getting side tracked on this and that and where to put extra monitors or that kind of thing. Focus please

West Katzenstein (Member of the PAC) said he concurred with Mr. Kelso's statements about Mr. Panzer's document. As he recalled the way the POAM is structured some of the early goals of Stetson is to say this is the recharge we will use as we move forward. This is the magnitude of the problem and these are numbers we have to work with. These I believe are going to be the numbers and so I think if you look at products that Stetson is due to deliver there will come a time when numbers will be available to have this first public workshop. Get the public engaged in defining what is minimum threshold then later on the numbers will be there to fill in Mr. Panzer's water budget spreadsheet. I believe the part of tasking for Stetson is to provide those numbers. There will be a time in the POAM when these would be the appropriate workshops. These are the critical questions that have to be addressed for this community. I know I just got a "white paper" from Don you and the agriculture folks created and you have addressed some of these questions in your own way. You've recognized those are the critical questions in your "white paper". Your white paper would be good input for both workshops. The numbers you questioned Pat will be provided, those will be our numbers but we cannot claim anymore numbers after a certain point. Those numbers can change over time if the milestones in the plan show that it used bad numbers. As we try to meet our goals our goals we may have to change the numbers we may not. There will be points in this POAM when the numbers will be provided that will move forward with and that is when these workshops will be appropriate.

Pat Quist I don't have a problem with workshops. I just have a problem with arbitrary attitudes and numbers that are pulled out of somebody's hat somewhere with no background.

West Katzenstein one of the goals of the POAM is to provide the numbers so we don't have to pull them out of a hat. Suggesting when those numbers are available from Stetson that we are not inventing them numbers. When we have the numbers to work with that's the time to engage the public with the hard decisions

Earl Wilson (Member of Public) Agenda item no. 8 that starts out with the word "Actions" should have been prefaced with "Possible Actions" or "Discussion of Future Actions". I go along with Josh about being cautious about a lot of things but this is one of them.

Elaine Mead (Member of Public) I like to look at things really simple. I understand what you are trying to do here. Maybe we need to KIS it "keep it simple". We need to backup: like Derek said just list bullet points, we want a website, we want mailers to go out, we want workshops on major topics. That maybe just use what we already have and simplify that more. Sometimes when I talk to Stan I ask him to dumb it down for me. Maybe that is what we need to do with this because by doing this we get

more people understanding what is going on as the general public has no idea of what this is about.

Stan Rajtora (Member of Public) Elaine is on to something there. We could actually have this group look at the practical aspects of the outreach. Let the GA worry about the legal issues of outreach. Drop some of the issues associated with the law says this and that. What are some of the common sense things we need to do or this group needs to do in terms of common sense practical outreach that we think the public would actually respond to as opposed to what the lawyers argue or impose. Dumb it down to what is practical, logical, reasonable and what you think will succeed and let the GA worry about all the other legal issues.

Elaine Mead (Member of Public) That would go to what Peggy said about we've had meetings there were newspaper articles and there were notices to the public in the newspapers. You probably did those things but the notices were done by the attorneys. People are going to bypass it. Who reads the legal notices? You must put it out there where people would actually look at it and start talking about it. That is when you are going to get the public input.

Patricia Quist (PAC Member) stated she agreed with Elaine. You cannot make this complicated. Too many people in the public are late to the party. They are not going to understand this. You've got to take it one step at a time. You've got to keep it simple. You cannot throw out a bunch of numbers. I agree I understand you can fight these out. As soon as this paper circulates somewhere and people grab on to it and will cast in concrete. This is not a good idea. This part yes, this part no.

Earl Wilson (Member of Public) put your lists down and put check box next to each one make 5 copies for the GA board and ask them to duke it out what they want done. You are just advising. If you know what the costs are put that down

Chairperson Donna Thomas we are registering the components list.

Elaine Mead do what Derek said and have a work day at the next meeting have every member bring 3 ideas of what they want to see in the outreach plan. Start building your list and build while everyone is together. You have a good start.

West Katzenstein I heard 4 different suggestions today. 1) The last one I heard was just tell the GA what the objectives of the outreach plan are have them write the statement of work and go get it done and that would be starting point. 2) I heard: here are what the requirements and objectives would be go write your statement of work, then 3) I heard Derek say Donna has a good start on an actual plan, let's forget the requirements and objectives, let's forget the statement of work go ahead and do the plan on a work day.

Derek Hoffman (Member of the Public) She also lists a lot of the requirements in her paper. Keep the requirements for a nice introduction for what the context is for the components. She could restructure her document a little bit add some bullet points and ideas we have talked about on the paper in the right places. Give this as a proposal to the GA Board to write the plan. The Board develops the plan, the resource manager writes the plan as part of the GSP and you end up getting the plan back for review and comments. That is the process as I understand.

David Janiec (PAC Member) Derek you use the terminology "bullet point outline" is unclear in my mind as to what it is. Reading through this some of this has already taken place. Hunting another 2 months to get a statement of work done gets us further behind. The outline allows us to start if they want to take it to a statement of work to a professional and pay for it they can. The outline gives the objectives and continues to link them to a timeline in the POAM and moves the ball forward. At least we are not kicking the can down the road. That is my thought. West you said there were 4 I have only 2.

West Katzenstein (PAC Member) The others were adding goals and objectives. One was writing a statement of work. We think the Chairperson has done an excellent job writing the background, objectives. She can bulletize and restructure as an objectives and requirements document.

Chairperson Donna Thomas stated we are ready to quit on this. It will be on the agenda next month.

David Janiec (PAC Member) For clarity you are going to present in the minutes and comments to the GA next week what I just outlined is the path going to go forward and does everyone else agree with that? Will use the outline that Donna put together, we add bullets at the next meeting. We use a bulletized outline form and submit as an outline in what should be in a plan that a professional would then polish for a due date in March. We will add bullets and clarifications under the components that the Chairperson provides. The outcome of that is what we will submit to the GA in March. The GA could contract out the writing of the outreach plan.

West Katzenstein (PAC Member) will call it an objectives and requirements document? Or a statement of work?

Chairperson Donna Thomas stated if she receives comments from Megan Persons or Lorelei Oviatt wants to make some sort of presentation.

Renee Westa-Lusk read part of the minutes from Dec 6th pertaining to what Lorelei Oviatt had said she would do for constructing the outreach plan for the PAC.

Derek Hoffman suggested Lorelei and Megan bring their lap top computer and the Chairperson's document to work on at the next meeting.

9.FUTURE AGENDA ITEMS

-POAM UPDATE

-COMPONENTS FOR OUTREACH STRATEGY

COMMITTEE MEMBER ANNOUNCEMENTS

-Peggy Breeden (Member of Public) thanked the Chairperson Donna Thomas, Minute Taker Renee Westa-Lusk and Nick Panzer and ALL MEMBERS OF THE PAC for carrying out the work of the PAC.

-Chairperson Donna Thomas to ask for standing ongoing agenda item on the GA's agenda for the PAC to get approval for items requested.

-Derek Hoffman told Donna to call Steve Johnson. of Stetson.

-Donna Thomas will be out of the country end of January. Stan Rajtora will be the person standing in for Donna Thomas at the next meeting as her representative. Steve Goddard will be chairing the February meeting.

-Patricia Quist is having surgery on her foot.

-Renee Westa-Lusk brought up the issue regarding meeting the Brown Act requirements when posting meetings for the PAC at the county website when the county is shut down for the holidays. David Janiec stated there needs to be a legal clarification from the general counsel of the IWVGA.

10 .ADJOURN TO PAC MEETING ON FEBRUARY 1, 2018

A motion to adjourn by David Janiec and seconded by Lyle Fisher at 8:37PM was approved by unanimous consent.