

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

POLICY ADVISORY COMMITTEE MINUTES

Kerr McGee Center
100 W. California Avenue
Ridgecrest, CA 93555

Thursday July 12, 2018 6:00PM

Members Present:

Patricia Quist, Nick Panzer, Renee Westa-Lusk, West Katzenstein, Lyle Fisher, Donna Thomas,
Steve Godard, Don Zdeba, John Kersey, David Janiec

Members Absent:

Ed Imsand, Tim Carroll, 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. Chairperson Donna Thomas took the roll call for attendance. A quorum was present after roll call with 7 out of 12 voting members. A quorum is 7 out of 12 voting members. Renee Westa-Lusk arrived 7 minutes late making the quorum 8 out of 12. Josh Nugent attended as Ed Imsand's non voting representative.

2. APPROVAL OF MAY 31, 2018 MEETING MINUTES

A motion to strike out the first sentence with Phil Hall's name mentioned in the May 31, 2018 meeting minutes (under item 4 page 1 Discussion/Approval of Future Meeting Dates for PAC) and approve as corrected was made by Nick Panzer and seconded by David Janiec.

Passed 7 ayes: Quist, Panzer, Westa-Lusk, Katzenstein, Fisher, Thomas, Janiec
Abstentions 1: Godard nays 0

3. PUBLIC COMMENT

The Chairperson Donna Thomas called for the public to address the Committee about matters NOT on the agenda. No action could be taken on non-agenda items unless authorized by law. Comments were limited to three minutes per person.

Judy Decker (Member of the Public) requested that a letter be written to Phil Hall explaining to him that timely action cannot be taken on anything the PAC does.

Stan Rajtora (Member of the Public) stated there are too many lawyers involved in the IWVGA. He recommended only to take direction from the City of Ridgecrest attorney.

Derek Hoffman Attorney for Meadowbrook Dairy (Member of the Public) refuted the opinion of Mr. Hall that the PAC was in violation of the Brown Act when the PAC had the recommendations of an Ad Hoc committee assigned to review the pumping fee ordinance emailed to individual members of the PAC for review prior to forwarding them to the IWVGA Board.

Sophia Merk (Member of Public) agreed that there was no violation of the Brown Act.

4. DISCUSSION OF JULY 10, 2018 INFORMATIONAL MEETING-HOW TO IMPLEMENT "FULL" WELL REGISTRATION

The Chairperson Donna Thomas passed out the following for the discussion:

- a) Table of contents to the SGMA
- b) pages 43 and 46 of the IWVGA Prop 1 Grant application
- c) her list of questions submitted at the public hearing held on July 10, 2018 on the topic of pumping assessment fee

Donna asked the PAC Members how can the PAC help implement full well registration? This includes all de minimus and non-deminimus users. Referring to page 43 of the Prop. 1 grant application which mentions a truthing study as part of Task 3 Data Management Systems of the GSP plan to be completed by the end of 2017. Donna asked about the study.

Don Zdeba responded explaining this is being done by the hydrogeologic conceptual model which involves Tim Parker and Rambeau Company.

Nick Panzer asked what as individuals can we do? What has already been done? I don't know where to start.

West Katzenstein asked how do we get the word out to get the data? He stated it comes down to some compliance issue.

Lyle Fisher said we need identification of where all the wells are.

David Janiec stated we need the well owner data from each of the following to start out:

- 1) what domestic well owners have?
- 2) what San Bernardino County has?
- 3) what Inyo County has?
- 4) what Kern County has?

David stated there are two challenges: 1) problem of finding legal mailing lists and 2) how to notify people who own?

Josh Nugent (representative for Ed Imsand) stated well owners are resistant to sign up to register their wells. If the process was open, fair, transparent, and there were outreach and finance committees there wouldn't be the problem of getting the well registration data.

Lyle Fisher stated there are many people who are so unknowing of this process happening.

West Katzenstein said many are in their own world unaware.

Steve Godard asked are there wells represented in the area by SVM? First we should ask what baseline information does the GA have? He stated he is still struck by the absence at PAC meetings by Stetson Engineering.

Renee Westa-Lusk stated 3 questions to help get the data:

- 1) What have other counties and other GSAs done to do well identification and registration?
- 2) What about a parcel mailing list sending it out bulk mail? Can the county do a bulk mailing?
- 3) What incentives can we give well owners to register their wells? What are the advantages to well owners to registering their wells?

Renee said one advantage of registering wells might linked to the density of wells per square mile which could predict which wells might be at risk.

Pat Quist stated Stetson Engineering should have a representative here. She recommended the following:

- 1) the biggest issue is the well registration form, give people a clear easy to read form
- 2) find a method to make accurate guestimate of what amount water they are using

- 3) Small agriculture has no problem of complying with the well registrations
 - 4) everyone with a well should register so you know where all the wells are
 - 5) encourage well owners to join in and register their wells
 - 6) there are some anti-government well owners, send the Sheriff along if you go door to door to register well owners
 - 7) it is incredibly common of 4 households on one well
- David Janiec stated he represents business interests and volunteered to be on this board. Collectively we must protect all our water interests. There has been a lot of mis-information put out about pumping assessment fee. He recommended the following:

- 1) separate well registration from the pumping fee assessment
- 2) ask the GA, each county, and Stetson Engineering to revisit records and parcel issue to capture the rest of the well registrations.
- 3) do a parcel mailing plus all known mailing addresses.
- 4) How to communicate to the public? Communicate to the public we all share a common aquifer and it is in everyone's best interests to protect the aquifer and bring it into sustainability so we have a reliable water supply for years to come
- 5) Attorneys should not be the spokesmen for the IWVGA if do not have the capability to to communicate cordially. Steve Johnson of Stetson Engineering told the attendees at the July 10, 2018 public meeting we will work with you.
- 6) Explain you could be paying even more fees if the GA cannot find enough grant money to develop the GSP
- 7) Explain we share a common ancient water surface, what subterranean sources of recharge are going on? We need to put a stop to the 1-2 ½ foot drop per well each year.
- 8) Newspapers/Media blitz
- 9) What will the GA do to work with you? The perception of many is---why didn't you better communicate with me.

Chairperson Donna Thomas made the following recommendations:

- 1) the Kern County Water Agency could provide well information
- 2) she will call Lorelei Oviatt
- 3) a fact sheet is needed for well owners: how to ask for copy of well number or permit for well from the county because one of the route folks from North Brown Road asked why register the well the county already has it
- 4) find money for people to help put a meter on their well

Patricia Quist stated an incentive to get well owners to register their wells could be “sign up your well and get a free meter for your well”.

West Katzenstein stated a good reason (an incentive) for Domestic Well Owners to register is domestic wells are most at risk of going dry first.

PUBLIC COMMENT

Chairperson Donna Thomas called for comment from the public on “How to Implement “FULL” Well Registration .

Mrs. Fields (Member of the Public) stated the following:

- 1) received an email before they registered their well
- 2) it is an economic problem to buy a meter for your well
- 3) the electronic meter reader is costly
- 4) Do Not take the Sheriff with you door to door to contact well owners

Mr. Fields recommended the following:

- 1) Why should people register their wells? Explain: to support a group who wants to mitigate the overdrafting of the water basin

2) Show all the costs to do the GSP plan

Don Decker Member of TAC (Member of the Public) explained and made the following recommendations:

- 1) Steve Johnson is exploring if the well registration records are connected with property tax and is working with the county.
- 2) Well permits are issued by the County Health Department
- 3) Contacting well owners:
 - Domestic Well Owners have tried to contact neighbors and cooperative wells
 - Gus Yates from the county collected data to create a well count (need to explore his data)
- 4) Water meter the biggest cost is the labor to install the meter. Buy AWWA certified SF meter. Most well owners measure in gallons.

Sophia Merk spoke about the comments from the July 10th public meeting.

Elaine Mead recommended the following:

- 1) must send to APN mailing list
- 2) mail to everyone who owns property
- 3) registering well owners: a) many well owners feel picked on, b) most do not have money to put a meter on their well

Stan Rajtora (Member of Public) stated he agreed with David Janiec and Pat Quist. There are 5 opinions of what de minimus means. Contact DWR ask what is definition of de minimus user? There are DAC grants for installation of meters. Put the grants in the mailer to incentivize people to register their wells. The PAC will not do anything that will legally overstep their bounds. The PAC is a helper not a doer and just makes recommendations.

Earl Wilson TAC Member (Member of Public) stated Kern County must do all the APNs.

John O'Guerra (Member of Public) stated the hand out from Tuesday July 10th public meeting de minimus definition was fairly well spelled out.

Elaine Mead (Member of Public) spoke with DWRCB their definition of de minimus is different than what the GA is stating.

Derek Hoffman Attorney for Meadowbrook Dairy (Member of the Public) made the following recommendations:

1. Require full well registration and in addition the PAC should:
 - a) require that all well registrations are de-coupled from pumping fee, b) request delayed enforcement of well registrations for 6 months to 1 year, c) request de-coupling of the enforcement issue of well registrations from the pumping fee.
2. Communicate with public you are talking "well registration" not metering
3. PAC should review the well registration form
4. Address policy issues first

Judy Decker (Member of the Public) requests the simplification of the well registration form.

Pat Quist Member of the PAC you could send a postcard to each APN asking "do yo have a well on this property then send this card back".

David Janiec Member of the PAC at the last meeting of the PAC which was the joint meeting held on May 31 st the PAC and TAC did comment on the well registration form. The PAC could help by tailoring the form to each group of well owners One question is how we say or implement well registration?

5. SPEAKER TEAM OUTREACH PLAN

Donna Thomas passed out a preliminary event schedule planner of only 4 community groups listed for the speakers bureau. David Janiec stated there is a need for a much larger community group list to be put in the event schedule planner.

6. POAM REVIEW FOR PAC INPUT (Members referred to May 8, 2018 POAM DRAFT)

The Chairperson Donna Thomas passed out a document she put together entitled POAM Review for PAC Input. The purpose of the list was to come up with tasks the PAC could be assigned to review regarding the line items listed on the POAM.

Steve Godard PAC Member we can respond to the IWVGA Board with Donna's list.

Peggy Breeden (Member of the Public and Chair of the IWVGA) commented that Mr. Marksman (of Stetson Engineering) made a comment about SGMA 101 is about prioritizing allocations how to prioritize water uses and users allocations which needs to be a task.

West Katzenstein and Steve Godard Members of the PAC made comments.

David Janiec PAC Member made a motion:

- 1) to accept the list Donna has put together for the POAM tasks the PAC should review,
- 2) that every TAC document be reviewed by the PAC, and
- 3) every public document from the IWVGA should be reviewed by the PAC prior to release.

The motion was withdrawn by David Janiec for lack of a second.

Chairperson Donna Thomas appointed the following Ad Hoc Committee to go over the list of additional POAM tasks Donna created to link numbers on the POAM: 1) Nick Panzer, 2) David Janiec, and 3) West Katzenstein.

7. ALTERNATIVE FUNDING SOURCES/ADDITIONAL GRANTS

Chairperson Donna Thomas appointed the following to an Ad Hoc Committee to discuss and collaborate on alternative funding sources: 1) Donna Thomas, 2) Renee Westa-Lusk, and 3) Steve Goddard.

PUBLIC COMMENT

Stan Rajtora (Member of the Public) said with the budget you are trying to make up a \$900,0000 deficit with the pumping fee. Rather than a pumping fee he recommended an agency assessment. He said the three counties, the city and the water district could cumulatively pony up \$700,000. This is a health and safety issue. He recommends first do an agency assessment then do the pumping fee later.

8. FUTURE AGENDA ITEMS

a) Mr. Markman of Stetson Engineering to be at the August 2 meeting. He will be covering pumping allocations, DAC outreach, and SGMA 101 management criteria.

b) September 6 meeting will be about pumping allocations

PUBLIC COMMENT

Derek Hoffman Attorney for Meadowbrook Dairy (Member of the Public) made comments on the meaning of groundwater allocations. He said there is a role for science to play in the uses of water.

Peggy Breeden Chair of the IWVGA (Member of the Public) asked the PAC Members what the PAC thought about allocations and prioritization?

Nick Panzer (Member of the PAC) we must go look at uses not users. We must prioritize uses.

West Katzenstein (Member of the PAC) we must focus on identifying uses.

David Janiec (Member of the PAC) what are our priorities? What is our number one priority?

Steve Godard wants to hear from Mr. Markman how other basins are grappling with this?

9. COMMITTEE MEMBER ANNOUNCEMENTS

Don Zdeba announced he will not be at the August 2 and September 6 meetings.

Nick Panzer announced he will not be at the September 6 meeting.

West Katzenstein referred all PAC Members to the Domestic Well Owners recommendation paper that was passed out. The paper states the value of the PAC and the TAC. He said in the third paragraph it states how the PAC has not been assigned substantive items, not allowed to discuss policy items and cannot interface with the public.

David Janiec pointed out that domestic well owners that have attended every meeting have had a substantial impact on the changes for pumping fee assessment. He also stated Mr. Steve Johnson the WRM needs to attend the PAC meetings.

10. ADJOURN TO AUGUST 2, 2018 MEETING 6PM AT IWVWD BOARD ROOM

The meeting was adjourned at 8.34PM on a motion by Pat Quist and seconded by David Janiec without objection.

Submitted by

Renee Westa-Lusk appointed minute taker Member of the PAC