

Item 1. Call to Order - Voting members Ed Imsand, David Janiec, Renee Westa-Lusk, Nick Panzer, Regina Troglin, West Katzenstein, Lyle fisher, Judie Decker, and Camille Anderson were present. Non-voting members Don Zdeba and John Kersey were present. Not present was voting member Tim Carrol and non-voting members Tom Bickauskas and Lorelei Oviatt.

Item 2. Pledge of Allegiance

Item 3. Open Public Comment (Not Related to Other Agenda Items)

None received.

Item 4. Approve PAC Minutes of the October PAC Meeting

PAC members noted that some minutes and attachments are not yet posted on the GA website. Chair Janiec agreed to work with the April Keigwin to ensure the minutes and attachments are updated on the website. Judie Decker moved to approve the minutes, seconded by Regina Troglin. Judie Decker submitted a document to be attached to the minutes clarifying her October meeting statement regarding Item 6 on the October meeting minutes. The motion was approved 8-0-1, with Lyle Fisher abstaining.

Item 5. Communication and Engagement (C&E) Plan Review and Recommendations

a./b. Sub-Committee Report Recommendations – Subcommittee chair West Katzenstein reported that the subcommittee had developed a draft report, but had not completed it due to an illness on the committee and interruptions by the holiday schedule. The item was deferred to the next PAC meeting.

Item 6. First Draft GA Schedule Review and Comment

Member individual written comments were provided to the GA General Manager on November 10th.

Member Comment – Judie Decker, Lyle Fisher, West Katzenstein, and Regina Troglin strongly reiterated that the schedule was too top level and requires more detail regarding schedule management activities, tasks, and projects, and must contain clear linkages to budget sources, allocations and expenditures. Judie Decker provided a statement for attachment to the minutes on this subject. The Shallow Well Mitigation policy was cited as an example of a task that has been referred to the PAC three times without resolution and questioned the task, process and schedule execution.

Members complemented the recent efforts and positive improvements in financial reporting by GM Carol Thomas-Keefer. Rene Westa-Lusk stated that the schedule should specifically detail those tasks that are required for the PAC and TAC.

David Janiec noted that the more detailed schedule with budget linkages was directly linked to the new financial accounting software the GM was in process implementing, and that PAC inputs were requested as part of that process. He also noted that the effort to accelerate the RGS contract timeline was done specifically to accelerate the implementation and integration of the financial software.

Regional Government Services (RGS) Project Coordinator April Keigwin stated that the implementation process had begun and is in the early stages. Based on prior RGS implement experience, the software would take a few months to fully develop and integrate across the GA operations. She also stated that an update of the software implementation process may be discussed during the RGS Professional Services Agreement item during the GA Board December 8th.

West Katzenstein asked for the software vendor and April Keigwin provided the name and a website link: MIP Fund Accounting Software by Community Brands, www.mip.com.

Public Comment – Don Decker stated that in any schedule, the contribution of individual tasks and projects should define their contribution toward the overall GA objectives to ensure their proper prioritization against other tasks and projects. He noted that the data “gaps” defined in the GSP may not be prioritized properly in comparison to others that move forward on the actual action plan for solving the overdraft the basin.

PAC Action - Chair David Janiec will work with GM Carol Thomas-Keefer regarding PAC opportunity to review incremental updates of the master schedule during the implementation process.

Item 7. Draft Policy on Temporary (Short Term) Uses of Groundwater Supply Review and Comment

The draft policy was discussed robustly and at length by all members.

Member Comment-Nearly every member shared wide ranging concern and comments on the draft policy, both general and specific. The discussion evolved down to three primary issues:

First, should there be ANY exemptions allowed? Any temporary use of water exempted from the replenishment fee still results in a permanent reduction in the basin supply if not compensated for. The uncompensated cost of replenishment of water beyond the recharge must be borne by the user, be spread across all users, or simply NOT replenished, further lowering the basin toward minimum sustainable levels. Any water used beyond the recharge must to be compensated for, or the annual allocation reduced by that exempt amount in a future year.

Second, PAC members agreed that the policy was too loosely defined in its current version. If there are to be ANY temporary uses that are viable for exemption without compensation, they must be clearly defined within specific criteria and limits. Clear definition of terms such as “temporary” are needed, with maximum time limits and quantities. Case-by-case determination, while providing flexibility for unanticipated needs, invites abuse and/or suspicion of favoritism. There should be a well-defined process for addressing a viable temporary use that has not been anticipated or delineated in the policy. Clear guidelines and requirements must be defined prior to adoption. PAC members provided several examples that might qualify and those that they didn’t think should be eligible. This greatly emphasized the need for clear, objective criteria and limits.

Third, if an exemption policy were to be implemented, all stakeholder groups are affected and deserve absolute transparency regarding the objective criteria and process for any exemption. It was clear from the committee discussion that the GA must be clear in defining and executing any temporary use exemption policy openly with all stakeholders in the basin, including the potential impact on them.

Judy Decker submitted written comments to be attached to the minutes. Additionally, she noted that the document should contain an author and date.

Public Comment- Don Decker stated that there should be no temporary use exemption and there is a legal component potentially involved. He recommended that we do an exercise to write the criteria we would use to determine an exemption eligibility.

Joshua Nugent of Mojave Pistachios recommended that the Water District be exempted for certain temporary uses, but suggested the GA explore funding resources and grants at the state level or possible charitable organizations to cover the use beyond allocation.

PAC Action-In view of the lengthy discussion that evolved with the substantive issues that surfaced, PAC members agreed that additional consideration was justified and the policy should be the second highest priority topic for the next meeting.

Item 8. Confirm Next Regular Meeting for December - none in DEC

Given that the PAC would be unable to meet for the regularly scheduled meeting on December 23rd, members tentatively agreed to meet in special session on December 16th, depending on the availability of City Council chambers. The two priority agenda items would be the C&E Plan and the Temporary Use Policy. During the rescheduling discussion, Don Zdeba noted that the City Council chambers would not be available the evening of December 14th, as the IWV Water District would be holding a workshop in the chambers regarding their comprehensive adjudication lawsuit.

PAC Action – The PAC Chair will contact the City staff to confirm the availability of the chambers, and notify members of the next meeting date.

Item 9. Member Comments

Judie Decker urged everyone in the basin to attend or view the IWVWD adjudication workshop on the 14th as it was the only legal action pending that after all users in the basin.

Renee Westa-Lusk asked Don Zdeba if the adjudication workshop would allow call-in questions and comments and he confirmed that it would.

Nick Panzer noted that SGMA provided new issues for the courts regarding groundwater management and “unfavorable results” impacting the entire basin, just as the GA wrestled with in developing the GSP.

David Janiec thanked all for their participation in this meeting and noted that the discussion on the proposed temporary use policy was one of the most appropriate and important topics for this committee he had witnessed.

Item 10. Meeting Adjourned.

Submitted by: David Janiec, IWVGA PAC Chair, 20 January 2022