

Item 1. Call to Order - All nine current members were present with the exception of voting member Tim Carrol, and non-voting members Tom Bickaaskas, John Kersey and Lorelei Oviatt. Tom Bickaaskas is on an extended assignment out of town. Vice Chair Pat Quist had forwarded her resignation from the committee due to time commitments. She was commended for her outstanding, dedicated service on the PAC since it's inception. She suggested that small agriculture candidates, perhaps from west Brown Road, consider submitting a nomination to the GA Board as a replacement for her.

Item 2. Pledge of Allegiance

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

Trona resident Regina Troglin expressed concern about people and GA representatives that seem to make assumptions about her community, noting that they were entirely dependent on SVM facilities for potable water delivery to the community.

Item 4. Approve PAC Minutes of the August PAC Meeting

Lyle Fisher moved to approve the minutes with minor corrections noted below. The motion was seconded by Judie Decker and passed unanimously, 8-0. Judie Decker and Nick Panzer noted that their written comments should be included with the minutes. Don Zdeba provided the correct spelling for Director Itnyre's name.

Item 5. Review and Recommend Changes to the Public Communication and Engagement (C&E) Plan

The PAC generally agreed that the original plan was a good plan that required only minor additions, methods of communication, and updates, since it is now over three years old. PAC members will provide their individual recommended structural, corrections, and update inputs for consideration at the next PAC meeting.

The PAC also agreed that our most effective contribution to the plan would be to strongly recommend key subject content regarding focus areas to be addressed by the GA in public engagement during the GSP implementation period. These would focus on critical or controversial issues such as clear understanding of the GSP implementation alternatives' impact on water uses and user stakeholder groups. A subcommittee was formed to provide the key subject areas for focus and clear messaging at the next PAC meeting. The subcommittee includes Judie Decker, Lyle Fisher, West Katzenstein, and Nick Panzer.

The PAC again requests the GA board input on their assessment and critique from having gone through the communication and engagement process during the development of the GSP.

Member Comment - Written comments were provided by Judie Decker, West Katzenstein, and Nick Panzer, to be attached to the minutes.

Judie Decker suggested the General Manager do a monthly column for newspapers and the GA website, to include the history of how we got here and clear financial information. She also recommended the use of social media to get the information out. Judie again requested the GA hold some "less formal" meetings with the public, including evening opportunities.

Lyle Fisher, Judie Decker and West Katzenstein stated that C&E Plan was very good, but not used well enough by GA, nor fully successful despite GA attempts to do so.

West also agreed that clear financial statements related to the schedule are necessary, and supports the key subject area approach for recommendation to the GA. Judie strongly supported the need to have a schedule or POA&M linked to expenditures. West Katzenstein also noted that all stakeholder groups

should by now be assumed to have been alerted to the impacts to their water use and we need to provide effective information for those stakeholder groups if they seek it. He noted that there is much disinformation and the GA needs to provide “high ground” introductory and detailed material to help inform those stakeholders. He provided a suggested plan for using the GA website to accomplish that. David Janiec stated that we had recommended that a schedule be made available to the PAC and public and staff is in process of developing a public draft and would welcome our review and suggestions upon review.

Nick Panzer noted that the major stakeholders have been represented well with the exception of the ratepayers. He recommended clear and simple one-page documents focused on summary information to alert and inform stakeholders and provided an example for the ratepayers, to be available at all GA involved functions. Ed Imsand stated that he did not agree with some of the numbers regarding the overdraft magnitude presented in Nick’s draft sample. He also noted that there are a large number of the domestic well owners who have not recognized the reporting requirements and questioned enforcement of the plan.

Don Zdeba provided the updated draft C&E Plan for the Owens Valley Basin received today as an example and reference for the review of our plan. It was distributed to the PAC. He also noted that the C&E Plan designation of our basin in our C&E Plan was referenced as “Medium” priority and should be corrected to “High” priority.

Renee Westa-Lusk stated that the C&E Plan would need to be updated regarding federal and state representatives and districts contact information as they change. She also noted we should consider adding new outreach methods as technology has advanced over the last three years.

Camille Anderson agreed that the plan was excellent and only required updating as suggested by Renee. She also noted that some written member input to the PAC has not been posted on the website and that should be corrected.

Ed Imsand agreed that the plan was good and that we should encourage the GA to adopt a clear public outreach program.

Chair David Janiec proposed a dual approach to address the C&E Plan at the next meeting: 1. The PAC form a subcommittee to develop concrete recommendations regarding focused subjects and content for the PAC to recommend directly to the GA board upon full PAC agreement, and 2. Each member provide Individual recommended changes, corrections or updates to the C&E Plan by the next PAC meeting. Judie Decker, Lyle Fisher, West Katzenstein and Nick Panzer agreed to serve on the subcommittee with West Katzenstein acting as chair. The subcommittee is limited to four members under the Brown Act as there are nine current voting members of the PAC. The final output of the subcommittee would be agreed-to by all PAC members prior to submission to the GA board.

Public Comment – Regina Troglin commented on the challenge of reading through the entire GSP, and noted that she had done so to develop videos based on her understanding of it. She added that any information presented to the public should not be “legaleaze”, as it is more difficult to understand. Regina stated the GA website is extremely cumbersome to use and navigate. She stated that one of the primary media sources used by the younger generations are YouTube and TikTok. She also noted that the GA needed a Media Manager to coordinate this.

Don Decker stated that the GA and GSP websites are poorly structured, incomplete and in need of a good search method.

April Keigwin, GA Executive Assistant, noted that the website is in the process of being reconstructed and she welcomed good suggestions for consideration in the process.

Item 6. Confirm Current TAC Member Representation

Chair David Janiec noted that the TAC currently has eight open seats (out of twelve) for stakeholder representative groups. One vacancy is for Large Ag, one for Small Ag, two for Business Interests, two for Residential Customers of a Public Water Agency, one for Domestic Well Owners, one for East Kern County Resource Conservation District. Each PAC member has the ability to nominate a member of the TAC for their stakeholder group. He solicited members of stakeholder groups who meet the TAC member qualifications to contact their PAC member representative for potential nomination to the GA board for approval. TAC member qualifications are prescribed in Article 5 of the GA Bylaws: "Members of the TAC must have a formal education and experience in a groundwater related field and an understanding of the technical aspects of the Basin or similar groundwater basins in California."

Member Comment – Judie Decker stated that the EKCRCD was soliciting for applicant to replace their former member who passed away. She asked if we really needed two seats for Residential Customers of a Public Water Agency since Tim Parker, representing the Water District, is on the TAC as a non-voting member. Don Zdeba stated the Water District's position is that their customers are represented by the Water District consultant, Tim Parker, and he agreed with Judie that an additional voting member is not necessary.

Don Decker, TAC member noted that the vast majority of analyses and written comments provided to the TAC have been done by the current members remaining on the TAC. He stated that while limited in number, the current TAC was the core group and still functioning actively. He noted that much of the public comment and questions that the TAC had received are nearly the same that the PAC receives. He also cited the difficulty in finding qualified applicants with the volunteer time commitment to contribute to the TAC.

Public Comment – Regina Troglin commented that it is very difficult to get members of her generation involved and encouraged the use of social media to solicit for this, and she noted that there are younger community members who are now interested in helping with the water issue. She also mentioned that she had been unable to find the TAC Member qualifications.

Item 7. Future Agenda Items (October PAC)

The committee reviewed the prioritized list of tasks and the PAC agreed to focus on the C&E Plan and review progress toward a schedule, if available.

- a. Public Communication and Engagement Plan
- b. Review a schedule or POA&M, if available pending staff preparation

Member Comment- Judie Decker again noted the importance of the schedule/POA&M to the GA and that should be our next priority. She also noted that items b. (draft policy on IWV Water Conservation Efforts), and c. (GA policy for non-compliant pumpers, new pumping, pumping/water use for illegal operations, etc.) are enforcement related issue and require staff to enforce, and both are premature at this point. David Janiec noted that staff had responded to our request for clarification regarding item c. and it could be pushed further out in light of the relevant enforcement jurisdiction agencies that already have adopted an enforcement policy.

Renee Westa-Lusk recommended we focus on getting the updated C&E Plan and recommendations.

West Katzenstein reiterated the need for a schedule/POA&M that linked tasks with budget.

Public Comment- Regina Troglin emphasized the need for the GA to have a financial committee since stakeholders requested it over four years ago. She strongly supported the need for a schedule/POA&M that links expenditures with schedule items.

Item 8. Confirm Next Regular PAC Meeting October 28, 2021

Confirmed by PAC chair David Janiec.

Item 9. Member Comment

Renee Westa-Lusk noted the November and December meeting dates would need to change for holiday considerations.

Don Zdeba noted that he would not be able to make the October meeting.

Renee Westa-Lusk pointed out that the November and December standing meeting dates would likely need to be adjusted for the holidays. She also asked if staff had provided the form to document actions and votes in the PAC meetings. The chair noted that it was not yet provided, but an alternative was available.

The chair noted the importance of the effort to solicit potentially qualified members for the TAC.

Item 11. Meeting Adjourned. Submitted by: David Janiec, IWVGA PAC Chair, 26 October 2021

PAC MEETING 9-23-21
West Katzenstein

Comments on PAC Agenda Item 5: REVIEW AND RECOMMEND CHANGES TO THE PUBLIC COMMUNICATION AND ENGAGEMENT PLAN

BACKGROUND

It is generally agreed that Communication and Engagement (C&E) with stakeholders has not been fully successful, despite several concerted and focused efforts to make it so. This shortfall is evidenced by the misinformation that is propagated, the uninformed comments at GA meetings by motivated and well-meaning stakeholders, and the limited number of stakeholders that show up for GA meetings.

The following actions are needed to improve C&E:

1. PAC makes specific recommendations to the GA regarding C&E activities. (Primary focus of this document).
2. GA identifies improvements needed in the C&E Plan.
3. PAC updates C&E plan if needed.

RECOMMENDED CHANGES TO C&E ACTIVITIES

C&E is a three-step process:

1. Alert the stakeholder. This is broadcasting GA activities to all stakeholders (information 'push'), which is extremely **difficult** in today's fractured newsprint / radio / TV / electronic networking environment. The GA has already executed several significant efforts to alert the stakeholders to its activities.
2. Stakeholder is directly impacted and becomes proactive. Customers of water purveyors, agricultural interests, and industrial interests have been impacted and are becoming proactively involved. Owners of shallow wells and of raw land without wells or access to a water purveyor have largely not been impacted and have not become proactively involved. However, the ongoing legal actions will likely impact these stakeholders, so they can be expected to become involved. David Janiec recently made the essential point that to be proactively involved in local community affairs is a responsibility of citizenship.
3. Impacted stakeholder actively seeks C&E. The impacted stakeholder will actively seek information (information 'pull'). The fractured newsprint / radio / TV / electronic networking environment is extremely **effective** in providing information and communication based on the searching capabilities available to stakeholders. There is, unfortunately, significant misinformation available. Information 'pull' is more challenging for stakeholders that do not have access to the internet or mobile phones, requiring printed information. ***The GA must provide the high ground in this rowdy environment.***

Recommended actions for the GA:

1. Modify the GA website so that it readily pops up in online, Facebook, and Instagram searches related to groundwater in the IWV Basin.
2. Modify the GA website so that it has a prominent inviting entry portal akin to 'Groundwater Management in the Indian Wells Valley Groundwater Basin'.
3. Inside this portal address the following topics:
 - a. A concise and complete overview of SGMA and the approach to sustainability. This information is currently distributed in various documents and mandates.
 - b. Links to detailed information, either on the GA website or elsewhere.
 - c. 'Frequently Asked Questions (FAQ)' section to address questions and misinformation.
 - d. 'Contact Us' section to accept and answer questions.
4. Provide printed alternatives for stakeholders who do not use electronic communication services.
5. Public meetings if public interest justifies it or to satisfy information 'pull' from citizens who do not use social media or the web.

Comments and Requests for the September Policy Advisory Committee Meeting

September 23, 2021

To: Committee Members & Staff

From: Judie Decker, EKCRC Board member

1. Meeting notification At our August meeting we voted to set the date and time for PAC meetings to be the fourth Thursday of the month at 5 pm. Therefore, our meetings should NOT be noticed as a Special Meeting. The committee needs enough time to properly prepare for items that are on the agenda in order to be a valuable committee member. How is the public supposed to get involved if they don't know when the meeting is in a timely fashion?
2. At the August meeting it was requested that the GA Board members suggest improvements to the communication policy before any changes were made. I note that at this time there are, unfortunately, no suggestions from the GA Board. I would strongly recommend that a monthly column be written to put in both newspapers and posted on the GA web site. An outline of subjects should be created and approved, then that outline be followed. Perhaps one should begin with what SGMA is and why the IWW is part of the SGMA process. This would include a summary of the hydrology and rationale behind fees
3. POA&M At the August meeting it was suggested and agreed that a POA&M or some similar means of tracking projects and finances be discussed to assist staff and the board. What is the GA Board's plan for this year? What is their estimated budget? Where will the funds come from? This subject is not on this agenda. Please put it on the October Agenda. This is a board function but the only Board member who is apparently concerned is Mr. Rajtora. Perhaps our committee can assist the Board by creating a POA&M for them.
4. The POA&M has become more important because of the use of Replenishment Fees to pay for expenses that should come out of a general fund. I note that the Replenishment Fee was adopted and it was stated that the money was to be used for ONLY an imported water project.
5. Agenda Item 4 At the August meeting both Nick Panzer and myself submitted written comments to the Chairman. I request that they be part of the minutes for the August meeting.
6. Agenda Item 6 TAC representatives I note that there are many vacancies at this point. I also note that there are categories of representation that have never been filled. It seems that there is some redundancy. There are two positions listed for a TAC seat for the category of representing a public agency. However, both Tim Parker, who

represents the IWVWD, and Steve Kourkaus, who represents SVM, also represent a public water agencies . Why would there need to be separate interests here? There has never been a TAC representative for business interest either. Is this position still needed? It is unfortunate that there are so few active TAC members The EKCRCD is trying to recruit a qualified representative. Unfortunately our first representative died and the individual who was to take his place has decided to leave the area after months of continual serious health issues.

7. Agenda Item 7b&c While we can discuss these items there are reasons not to do so. These items are part of the Implementation of the GSP. The GSP has not been approved by the State. It seems prudent to wait until the Plan is or is not approved to spend much time on these subjects. Another reason not to move forward with these items is simple and actually explains why many members of the public do not understand or accept the Groundwater Authority as a new government. In order to properly enact and enforce items b & c the GA Board will have to hire staff personnel or a contractor to carry out any provisions of these proposed policies with anything other than paper or electronic notification. It is unclear where funds to support these policies would come from.

INDIAN WELLS VALLEY (IWV) GROUNDWATER SUSTAINABILITY PLAN (GSP)
IMPACT ON RESIDENTIAL CUSTOMERS OF IWV WATER DISTRICT (WD)

<u>Pumpers</u>		Natural Recharge <u>Allocation</u>	Current <u>Use</u>	Imports needed to Maintain <u>Current Use</u>
Agriculture		0	17000	N/A
Searles Valley Mineral (SMV)		0	2413	2413
De Minimis Pumpers (about 800)		800	800	0
City and County (373+18)		391	391	0
Navy Federal Reserve Water Right	6459+			
Navy Current Year Use	-1450	1450	1450	0
Carry Over Navy Excess:				
Inyokern, Trona, Small Mutuals	-619	619	619	0
WD	<u>-4390</u>	<u>4390</u>	<u>6507</u>	<u>2117</u>
Column Totals	<u>0</u>	<u>7650</u>	<u>29180</u>	<u>4530</u>

CHART EXPLANATION: This chart overviews the IWV water problem and the adopted plan to solve it, mostly from the perspective of a WD residential customer. The “current use” column shows recent actual groundwater pumping in acre feet per year. Note that actual pumping is four times the basin’s average annual recharge as shown at the bottom of the column labeled “Natural Recharge Allocation.” Under California’s Sustainable Groundwater Management Act (SGMA), IWV must eliminate the imbalance between actual use and recharge. The GSP does so by “allocating” natural recharge as reflected in the chart. The GSP makes up some of the difference between current use and natural recharge by importing water. The GSP assumes that only WD customers and possibly SVM can afford to import water. As farming interests cannot afford to import water, “qualified” farmers have been offered a “one-time,” fixed amount of groundwater in storage to ease the transition out of farming. NOTE: Rights to water and groundwater hydrologic “facts” have always been highly contentious. Thus, it should come as no surprise that some agricultural, industrial, and WD interests have chosen to contest aspects of the GSP in court. The California Department of Water Resources (DWR) has until January 2022 to approve (with or without qualification) or disapprove the GSP. If DWR disapproves our GSP, the California Water Resource Control Board will take over management of IWV groundwater.

The WORKSHEET ATTACHED estimates the annual increase in the cost of water for the average WD residential customer at \$501 if SVM participates in the import plan, and \$676 if SVM does not participate in the plan. Without SVM participation, WD customers will bear the entire cost of import infrastructure. The GSP aggressively seeks federal, state, and other financial support to defray infrastructure costs and, thereby, reduce the expected customer cost increases as here shown.

To: David Janiec, PAC Chair

From: Nick Panzer, PAC Member

Date: September 8, 2021

Subject: PAC Meeting September 23, 2021, Agenda Item 1, Communication & Engagement,
PAC Member Handout

Dave

The attached Chart conceptually represents the type of handout that I recommend be made available at all GA sponsored public forums to focus C & E by doing this:

- Depict overdraft problem at a glance.

- Depict GSP solution at a glance.

- Disclose solution's cost to average WD residential customer.

- Offer context for fielding questions about the GSP and focusing public input on suggestions for improving the GSP.

Brevity and clarity crucially underpin my recommendation, as every added page or complexity will cut readership by half. In that regard, the complex WORKSHEET ATTACHED to the Chart is meant only for those interested in the arithmetic of importing. Also, as I am too close to the problem and lack public relations expertise needed to properly craft this type of document, I recommend professional help with crafting should PAC agree with this conceptual approach to C & E.

Kindly include this email and two-page attachment with the advance PAC agenda so our fellow PAC members have the opportunity to chew on my recommendations before our meeting. Thank you.

Nick

WORKSHEET ATTACHED TO CHART EXPLANATION

	<u>W/SVM</u>	<u>W/O SVM</u>
Capital Costs \$177,975,000 X .05729 (30 yr/4% loan)	10,196,188	10,196,198
Buy Rights 5,000afy/.62delivery rate X \$6500/AF X .05729	3,003,285	
2,117/.62 X \$6,500 X .05729		1,271,695
Annual Volumetric O&M and Service Costs	<u>8,140,000</u>	
2117/4530 X \$8,140,000		<u>3,804,057</u>
Total Annual Cost of Delivered Water	21,339,473	15,271,950
Quantity in AF Delivered:	5,000	
2,117/4,530 X 5,000		2,337
Cost Per Delivered AF	4,268	6,535
Estimated Annual Use of Import Water by Average		
WD Residential Customer in AF (See below)	.1173	.1173
Estimated Annual Increase in Average Residential Water Cost	501	767

Estimated Annual Use of Import Water by Average WD Residential Customer in AF:

Average Monthly Use in Hundreds of Cubic Feet (HCF) (see water bill)	13.1
Annual Use 13.1 X 12 =	157.2
Gallons per HCF	748
Annual gallons 157.2 X 748	117,586
Gallons per AF	326,000
Annual AF per Average Residential Customer 117586/326,000	.3607
Import Use as Percent of Total Use 2117/6507	.3253
Estimated Annual Use of Import Water by Average WD Residential	
Customer in AF .3607 X .3253 (See above)	.1173

SOURCES:

GSP, Appendix G-5, Imported Water Technical Memorandum, Pages 21 to 24
 IWVGA Staff Report to GA dated June 18, 2020, Subject: Basin Replenishment Fee
 News Review, September 11, 2020, Op-Ed by Don Zdeba, WD General Manager, Re average
 monthly residential use in HCF (13.1 above)

Constant Annual Percent/30-Year Loan Amortization Schedule:

2% = .04435
 4% = .05729
 6% = .07195