

Minutes of the Regular Meeting
Antelope Valley Watermaster Board
Wednesday, October 25, 2017 – 10:00 a.m.
Location: Antelope Valley – East Kern Water Agency
6500 West Avenue N, Palmdale, CA 93551

1) Meeting was called to order at 10:05 a.m.

2) **Roll Call**

Robert Parris, AVEK Water Agency – Chairperson

Dennis Atkinson, Landowners – Vice Chairperson

Adam Ariki, Los Angeles County Waterworks District 40

Adrienne Lewis Reca, Alternate Landowners Representative

Leo Thibault, Public Water Suppliers

Phyllis Stanin, Todd Groundwater

3) **Adoption of Agenda**

A motion was made by Director **Thibault**, seconded by Director **Atkinson** and unanimously carried to adopt the agenda

4) **Public comments for non-agenda items.**

John Ukkstad addressed the Board and Engineer regarding the Draft Administrative Assessment Section of the Rules and Regulations and Pre-rampdown Production for Non-Overlying Producers and Other Producers. Comments are attached to these minutes for record.

5) **Consent Agenda**

A. Payment of the bills through October 13, 2017

B. Approval of the minutes of the special meeting held September 18, 2017

C. Financial Report for August 2017 and September 2017

A motion was made by Director **Atkinson**, seconded by Director **Reca** and unanimously carried to approve the consent agenda.

6) **Advisory Committee Report – None**

7) **Engineer's Report – Phyllis Stanin**

A. Status Update – Issue Papers

a. Draft Administrative Assessment Section of Rules and Regulations

b. Pre-Rampdown Production for Non-Overlying Producers and Other Producers

c. Application of Carry Over Water

B. Future Items for Discussion

a. Process for implementing metering requirements

b. New Well Applications by Parties outside of the Judgement

c. Adjudication boundaries

d. Timing of annual Report and Monitoring Requirements

Phyllis Stanin gave an update on the issue papers presented.

8) **Watermaster Attorney Recruitment – Interviews**

10:30 a.m. Jennifer Spaletta

11:30 a.m. Craig Parton

9) Action Items

A. Discussion and possible action on the selection of the Watermaster Attorney.

a. Advisory Committee Report – None

Chairperson Parris polled the Board on which attorney they would prefer. The vote was split; Spaletta (2) Reca and Atkinson, Parton (2) Ariki and Thibault. Discussion centered around cost and experience.

A motion was made by Director **Atkinson**, seconded by Director **Ariki** and unanimously carried to offer the position of Watermaster Counsel to **Mr. Parton** and for Staff to negotiate an agreement with Mr. Parton to be brought back at the next meeting for approval.

10) Staff Report's - None

11) Board Members Request for Future Agenda Items - None

12) Adjournment

Meeting was adjourned at 1:15 p.m.

APPROVED BY THE BOARD OF DIRECTORS:


Robert Parris – Chairman

1/24/18
Date


Patricia Rose – Interim Secretary

Public Comment by John Ukkstad

a. Draft Administrative Assessment Section of Rules and Regulations

Talking Points:

- We agree with the Engineer in applying Administrative Assessments as broadly as possible, in compliance with the Judgment.
- We also recognize that collecting from Small Pumpers needs to be practical and that the costs should not exceed the amount to be collected. However, the Small Pumpers should not be excused from paying their share of the Administrative Assessments, which would be unfair to the Mutuals and other similar producers.
- The Engineer should consider using the County tax and assessment roles to collect from Small Pumpers, in order to avoid them evading their payment obligations, especially if you invoice for several years at a time.
- Also, the accounting system for Small Pumpers should not be a separate system or less formal. It should be part of the regular accounting system and processes.

b. Pre-Rampdown Production for Non-Overlying Producers and Other Producers

Talking Points:

- Regarding the Non-Stipulating Parties referred to as the Supporting Landowner Parties, we suggest that the Watermaster Engineer and the Board consider whether those pumpers are entitled to any gradual Rampdown at all.
- As stated in the memo, these entities' average 2011-2012 production was not reported in Phase 4 because they did not participate. They also did not provide 2016 data.
- The Statement of Decision states that these Supporting Landowner Parties "will be required to make severe reductions in their current and historical reasonable and beneficial water use under the Trial Stipulations and Physical Solution"
- The Engineer should consider rules and regulations that require the Supporting Landowner Parties to reduce pumping immediately to their designated production rights.