

## Water agencies to consider new legal structure

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LANCASTER - Drafting an application for state funds to solve water shortage issues is the easiest step in a governmental process: If dollars from Proposition 50, Round 2 pour into the Antelope Valley, then the real work begins, according to a grant-writing expert.

Regardless of whether stakeholders in the Antelope Valley Regional Water Management Plan receive all or a portion of \$25 million for which they are aiming, at least some of those people must remain involved, said Ken Kirby, group facilitator and grant-writing expert. He told a crowd of about 60 people gathered Wednesday morning for a meeting at Lancaster City Hall that continued focus will be needed in order to implement the Regional Water Management Plan in the next 10 to 20 years.

The group agreed to form a subcommittee that would decide how to proceed, after listening to guest speakers Joe Grindstaff of the California Bay-Delta Authority and Debbie Van Dooremolen of the Southern Nevada Water Authority. Grindstaff and Van Dooremolen work for agencies that have faced and overcome water supply and quality issues.

"Eleven water agencies joined together in a (Memorandum of Understanding) cooperatively to work together," Kirby said, referring to the Antelope Valley stakeholders. That team effort enabled them to fund the Proposition 50, Round 2 grant application and prioritize projects the Valley needs in order to ensure water reliability and quality. It was "an informal agreement, no binding contracts," he pointed out. "It's worked very well. You can continue to work under this type of arrangement - work under goodwill."

However, Kirby said, "you need a facilitator to keep you going." He added that responsibility must not be assigned to a "single entity that has jurisdiction over the entire region," but rather to a team that represents the Antelope Valley as a whole. "It's been suggested to make this process more formal," he said.

He recommended several options to the stakeholders. They could continue working together as they have been, but set up some contractual agreements. "Or you can create a new legal entity," he said.

If they choose that route, Kirby said they will still have choices: They can form a nonprofit organization, form a joint powers authority or create a special district.

Whatever they decide, the primary focus will be a leadership role in the Integrated Regional Water Management Plan.

The entity would serve as a contracting agency for grant funds and take on the responsibility of overseer to ensure that all legal requirements associated with the grants are met. The entity also would be tasked with tracking and reporting the progress of projects funded by the grant. "That requires a fair amount of attention and expertise," Kirby said.

The entity would concentrate on "bringing outside money into the region." It also would take the lead in water management, water conservation and water quality matters.

"No one is envisioning a new agency that will replace any existing agencies," Kirby said. "But (the entity) would try to have a single voice for the region."

Success of the entity depends on factors such as open dialogue and interaction with all Antelope Valley communities, so it's crucial to select the right people capable of achieving that dynamic.

"Keep in mind the people you would bring into that - their skill sets," Kirby said.

Grindstaff discussed some of his experiences from when he served as the general manager for the Santa Ana Watershed Project Authority, which formed in 1968 as a planning agency, then revised its mission in 1972 to plan and build facilities to protect the water quality of the Santa Ana River Watershed.

SAWPA is a joint powers authority and a special district, a government agency located in Riverside, California - essentially the core of the watershed.

During the 1960s, that region faced many lawsuits between different entities - including the largest, or one of the largest, water lawsuits in the nation at that time, according to Grindstaff.

"After many years and millions of dollars, people decided we had to settle," he told the crowd, much of which is watching the courts as the Antelope Valley goes through its own groundwater adjudication case.

"One of the biggest problems was water quality. Salt was a huge issue. We were going to have a huge imbalance in the upstream region" of the Santa Ana River, Grindstaff pointed out. Planners decided they needed a brine line to solve the salt problem, and chose to form a regional agency that could build the project. That brine line "moved salt from San Bernardino and Riverside out to the ocean."

The agency has 26 members, but the five largest agencies took the lead, he said. As years passed, the agency became involved in other regional issues beyond water - things such as transportation and other quality of life needs.

"If something needed to be done in the region, the agency would take it on," Grindstaff

said. One of the greatest benefits was the agency's ability to lobby the legislature for laws that suited the communities and to appeal for funds needed to work on projects. Because the agency presented a united front, and consisted of a mix of Republicans and Democrats, legislators responded favorably to the requests.

Grindstaff said he approached the legislature and garnered \$250 million for the region.

"We had a whole lot of people that didn't believe we could get it done. For us, the JPA has worked. The people that founded the JPA were visionaries," he said.

Like Grindstaff, Van Dooremolen said the formation of an agency whose members have some common concerns can prove successful, though they must resolve some conflicts.

"So much of what you're going through is what we went through in the beginning," Van Dooremolen said. The Las Vegas Wash Coordination Committee formed in October 1998 upon the recommendation of the Water Quality Citizens Advisory Committee. LVWCC consists of more than two dozen local, state and federal agencies that tackle "important issues (via) a cooperative management framework."

The Las Vegas Watershed covers 1,600 square miles in Clark County and has a wetlands park. Lake Mead is within its bounds.

"That's our drinking water supply. It provides 90% of our drinking water," Van Dooremolen said. Las Vegas Wash is the largest wetland and riparian area in the Las Vegas Valley, she said. Between 1905 and the 1960s, the population grew substantially. At first, the growth was welcome. There was more runoff and the wetlands formed.

But what initially was seen as a good thing "started to destroy us," Van Dooremolen said. Eventually, residents had to grapple with erosion of the wetlands and a buildup of sediment in the water supply.

Not only did the problem threaten the wildlife habitat, but "environmental degradation was going on that worsened the water quality," she said. While the Southern Nevada Water Authority is the lead agency, she said, "we're one voice. We ensure all the voices sit at the table and talk." So far, they have constructed 10 of 22 planned erosion control structures. They also have initiated water quality monitoring and reduced contaminants by more than 50%. Plus, she added, they have "secured millions in grant funding."

After listening to the guest speakers, Kirby told the Antelope Valley stakeholders they had some decisions to make.

Neal Weisenberger, vice president of the Antelope Valley-East Kern Water Agency, and Randy Williams, director of Public Works for Lancaster, argued against a JPA.

"We already have a JPA set up that covers the Valley," Weisenberger said, referring to an

association formed by the three local State Water Contractors - AVEK, Palmdale Water District and Littlerock Creek Irrigation District.

"Maybe a special district is the way to go," Weisenberger said.

Williams said that when a group of water purveyors attempted to form a JPA two years ago, talks fell apart. And, he added, anyone who agrees to participate in the formation of some other entity must be fully committed.

The group voted to form a subcommittee that would study the matter.

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