

Minutes

County of Inyo Water Commission

May 31, 2011

Water Commissioner Teri Red Owl called the Water Commission meeting to order at 6:03 p.m. in the Superior Court Room, Bishop City Hall, Bishop, CA. Water Commissioners in attendance were Teri Red Owl, Mike Prather, Mike Carrington, and Warren Allsup. Absent was Commissioner Sally Symons. Present from the Water Department were Dr. Bob Harrington and Laura Piper.

Pledge of Allegiance

Teri Red Owl led the Pledge of Allegiance

Approval of minutes from April 25, 2011 meeting

Motion carried unanimously with Commissioner Sally Symons absent and with corrections to paragraph 1 & 3 changing Teri Cawelti to Teri Red Owl.

Discussion of role of Inyo County Water Commission

Commissioner Mike Prather asked to remove this item from the agenda. All Commissioners were in agreement and aware of their role as an Inyo County Water Commissioner.

Inyo County Water Commission Goals for 2011

The Commission discussed the Water Commission Goals in detail and at great length, touching on a variety of issues and activities, including: the Water Commission should take an active roll in educating the public with regard to the Long Term Water Agreement; prioritization of Mitigation Projects, status, planned completion dates; follow up on Mitigation projects specifically Hines Spring, Blackrock, 1600-acre project, etc.; field trips to Owens Lake, Coso Project, mitigation projects, and well operations; status of the drought recovery policy in effect or not; status of the Green Book process, update timelines, get revisions completed, remove from draft status, release to public; and providing hard copies of Water Department's annual report.

Public Comment: Daniel Pritchett – Bristlecone Chapter – Native Plant Society – He discussed his priorities in detail and at great length and those are; the Fish Hatchery pumping, he announced and invited the Water Commissioners to attend a field trip June 11, 2011 of the Blackrock area which is open to the public; the Drought Recovery Policy, what constitutes a quorum of the Standing Committee, examination of the Green Book process, and clarification of the Water Commission relationship to the Water Dept.

Dr. Bob Harrington clarified the request that was made by the Water Commissioners at the previous meeting in presenting a recommendation to the Inyo County Board of Supervisors regarding Type E vegetation.

Harry Williams – Thanked the Water Commissioners for serving on the Board. Mr. Williams made a presentation on what he feels the Water Commission's roles and goals should be. He provided a brief overview on the history of mitigation and pumping in the Owens Valley.

Commissioner Mike Prather made a motion, seconded by Commissioner Mike Carrington to ask Water Department staff to organize a field trip to Blackrock 94 and EM projects in that area, possibly 1600-acre feet also. Commissioner Carrington asked Water Department staff to provide historical and recent air photos of the area. Motion unanimously passed with Commissioner Sally Symons absent.

New or Replacement Wells

Commissioner Prather thanked the Water Department staff for providing the language from the Long Term Water Agreement for dealing with new wells. Dr. Bob Harrington provided an overview in detail and at great length on the documentation regarding new or replacement wells. He explained one thing identified by Water Department and LADWP staff as needing improvement in the Green Book Revision process is the Technical Group's process for evaluating and developing operational plans for new and replacement wells. Commissioner Mike Carrington asked if there was a disagreement between the County of Inyo and LADWP regarding replacement wells. Dr. Bob Harrington provided an example regarding various wells and disagreements and the need for clarification regarding new or replacement wells that are currently being addressed at Technical Group meetings.

Public Comment – Sally Manning – Ms. Manning provided an overview on new wells vs. replacements well and stated the Long Term Water Agreement is very clear with regard to this process. She stated they are all new wells; there are no replacement wells. She is concerned with the Inyo County Water Departments recommendation to drill a new well in Lone Pine and stated the lease in question can be supplied with water from the aqueduct. Ms Manning is concerned with the new well the LADWP is placing in Laws and does not understanding why the County would allow any new wells without clear clarification regarding the process of new wells.

Daniel Pritchett – He wished to inquire on the impasse regarding new vs. replacements wells. Dr. Bob Harrington said he was unsure as to a date on this process.

Commissioner Mike Carrington inquired about well 365 in Laws. Dr. Bob Harrington provided an overview on Well 365; he stated it is used for irrigating Laws Ranch. Dr. Harrington said he see's the logic in evaluating all wells, however, the LTWA points to a distinction between new or replacement wells and this is the Inyo County Water Departments governing document.

Commissioner Red Owl recessed the meeting at 7:50 p.m. for a break and reconvened the meeting at 7:58 p.m.

Owens Lake and the Long Term Water Agreement

Commissioner Prather asked Dr. Bob Harrington what the County of Inyo's position is on pumping on Owens Lake. Dr. Bob Harrington referenced the April 6, 2011 letter from the County of Inyo to Gene Coufal, LADWP, which summarizes the County's position as to whether the Water Agreement applies to groundwater pumping that Los Angeles might do on Owens Lake. Dr. Bob Harrington gave an overview on the health and safety code section and its effect on pumping on Owens Lake. LADWP states that Section 18 of the LTWA exempts any pumping from the authority of the Water Agreement and it is the County of Inyo's position that the Health and Safety code does not affect the right of the City to produce, divert, store, or convey water and that LA activities producing water are not part of the health and safety code 42316 and, therefore, the Water Agreement would apply to pumping on the Owens Lake.

Public Comment: Sally Manning – Big Pine Paiute Tribe – The Tribe has commented on the Brown Act with regard to the Technical Group and the Standing Committee and they like the Brown Act and appreciate that the Inyo County Water Commission takes the Brown Act seriously and considers the public input, attendance, and information gathering. She stated anyone on the Commission that thought the Brown Act was something to complain about should consider not being on the Inyo County Water Commission. She suggested the Inyo County Water Commission have a public workshop that is well publicized, to gather public input on what things should be worked on and what ideas should be brought to the Board of Supervisors. She provided information on the June 1, 2011 Planning Commission meeting regarding the Coso Hay Ranch Appeal and wondered why the Water Commission had not weighed in on this issue. She also would like to know what Inyo County is going to do with regard to the pumping program. At the last meeting, the County advised to lower the recommended pumping to 68,510 and this has not been discussed with LADWP and they are

going forward with the 91,000 acre feet. Will the County discuss this with LADWP? She also touched on the Standing Committee protocols that were taken at the May 11, 2011 meeting in Los Angeles.

Commissioner Mike Prather stated that LADWP did provide an explanation as to why they did not choose to follow Inyo County's pumping recommendation in the cover letter from Mr. Gene Coufal, LADWP on May 16, 2011.

Schedule Next Water Commission Meeting

The next Water Commission meeting was scheduled for June 22, 2011 at 6:00 p.m. in Big Pine, CA.

Adjourn

The Chairperson adjourned the meeting at 8:40 p.m.