

Minutes

County of Inyo Water Commission

April 23, 2012

Water Commissioner Teri Red Owl called the Water Commission meeting to order at 6:03 p.m. at the Inyo County Water Department Conference Room, Independence, CA. Water Commissioners in attendance were Mike Prather, Mike Carrington, Bruce Dishion, and Sally Symons. Present from the Water Department were Bob Harrington and Laura Piper.

1. Pledge of Allegiance

Commissioner Red Owl led the Pledge of Allegiance

2. Public Comment

The Chairperson opened the public comment period and there was no one wishing to address the Commission.

3. Approval of minutes from March 29, 2012 meeting

Moved by Commissioner Carrington and seconded by Commissioner Dishion to approve the minutes of the March 29, 2012 Water Commission Meeting. Motion carried unanimously.

4. Director's report concerning Water Department activities

Dr. Harrington provided information regarding the Technical Group meeting, discussion of the ongoing Technical Group evaluation of Blackrock 94, and the upcoming Standing Committee meeting on May 4, 2012 in Los Angeles.

5. Possible action: 2012-2013 Pumping Plan

Dr. Harrington provided an overview on the draft pumping plan and the process regarding response to the pumping plan. He explained that LADWP provided wide ranges of pumping which are not informative as to planned actual pumping. The pumping plan was discussed in detail and at great length.

Public Comment – Mark Bagley – questioned page 2-4 of the pumping plan that states pumping will depend on environmental conditions but they did not specify what criteria will be used to determine if the pumping has affected environmental conditions. Dr. Harrington stated he does not know their intent. Mark Bagley stated they are clearly making it difficult to bring a dispute forward. Mr. Bagley suggested the Water Commission recommend to the Board that they direct County Counsel determine if the pumping plan meets the requirements of the Water Agreement.

Public Comment – Sally Manning – Big Pine Tribe Environmental Director – Ms. Manning stated she agreed in part with Mr. Bagley that LADWP has not provided a plan and what are the environmental conditions they state will alter the plan. She said the depth to water table shows that most wells are below baseline and if the drought recovery policy were in place, this would not be happening.

Public Comment – Alan Bacock – Mr. Bacock stated the allotment is 4 acre feet per acre of land for the reservations.

Moved by Commissioner Symons and seconded by Commissioner Prather to recommend to the Board of Supervisors to have County Counsel review the Pumping Plan to determine if it meets the requirements of the Long Term Water Agreement. Motion carried unanimously.

Public Comment - Sally Manning – Ms. Manning stated LADWP can change the pumping program at anytime during the year if they notify the County so the range in their letter is meaningless. She stated the Technical Group has struggled to put in adequate monitoring but there is nothing in place. Ms. Manning stated the need for the Drought Recovery Policy.

Public Comment - Mark Bagley – Mr. Bagley said if County Counsel finds the Pumping Plan document does not meet the requirements of the Water Agreement, it should be communicated to the LADWP Board and staff. He stated LADWP is planning on pumping the maximum.

Public Comment - Alan Bacock – Mr. Bacock stated that a total of 5564 acre feet is provided to the reservations in Big Pine, Lone Pine, and Bishop.

6. Possible Action: Water Commission goals and work plan for 2012

Commissioner Prather reviewed the previous years goals; public education and involvement; mitigation projects; and management of LADWP groundwater extraction. Commissioner Symons suggested agendaizing a goal on each agenda to keep them in the forefront.

Mark Bagley – Mr. Bagley said LADWP stated in the Pumping Plan that this year's plan is keeping with environmentally conservative pumping during the dry years of the early 1990's. He believes LADWP thinks they are complying with the Drought Recovery Policy even though it's no longer applicable, although the Standing Committee never made a decision on that. He stated if the County determines the analysis shows environmental harm, they can bring it to dispute.

Based on the Commissioners discussion, Water Department staff will draft the Water Commission goals for 2012 and bring forward to a future meeting for approval.

7. Discussion of settlement between OVC and CDFG regarding Blackrock and Fish Springs Fish Hatcheries

Dr. Harrington provided an overview and Power Point presentation in great detail regarding the settlement between Owens Valley Committee and the California Department of Fish & Game regarding Blackrock and Fish Springs Fish Hatcheries.

Public Comment - Mark Bagley - Owens Valley Committee – Mr. Bagley provided information regarding current status of the settlement between OVC and CDFG.

8. Public Comment

Daris Moxley – Ms. Moxley asked if the County will evaluate the environmental impacts after something happens. She asked if Mr. X has a well on his private property and needs to drill a new well because the water level has declined due to pumping, is that an environmental impact? Dr. Harrington stated yes and stated on the CEQA checklist the groundwater supply is an environmental impact.

Mark Bagley – Mark Bagley provided history on the Steward Ranch and how the Long Term Water Agreement prevented impacts to a well owner.

Sally Manning – Ms. Manning stated you can usually see the environmental impact coming and that is what CEQA is for.

Earl Wilson – Mr. Wilson commented on the dept to water chart stating he believes there are several wells that should be red flagged.

Mark Bagley – Mr. Bagley stated that the depth to water chart is indicator wells, not production wells.

Dr. Harrington stated they are an indicator of the condition of the water table in the well fields.

Earl Wilson – Mr. Wilson asked if the County considers 17ft in W 447 excessive.

Dr. Harrington stated it is not anywhere near baseline. He stated that is the challenge the County is presented with regarding the pumping plan and the range in pumping they propose makes it hard to determine the affects of the pumping.

Mark Bagley – Mr. Bagley wanted to relay to the Commission early this month the Owen's Valley Committee, Sierra Club & Big Pine Tribe filed a lawsuit challenging LADWP's mitigated negative declaration on the Big Pine Northeast Regreening Project. He stated there was substantial evidence that pumping of W375 for makeup water would create significant environmental impacts. Their position is given the impacts that have already occurred in that area, any drawdown is significant.

9. Schedule next Water Commission Meeting

The next Water Commission meeting was scheduled for June 6, 2012 at 6:00 p.m. in Bishop, CA.

10. Adjourn

The Chairperson adjourned the meeting at 8:15 p.m.