

MINUTES

County of Inyo WATER COMMISSION

February 1, 2017

The Chairperson called the Water Commission meeting to order at 6:02 p.m. at the Jill Kinmont Boothe School, George Lozito conference room, Bishop, CA. Commissioners in attendance were Chairperson Mike Prather, Teri Red Owl, Bruce Dishion, and Craig Patten. Commissioner Carrington was absent. Present from the Water Department was Bob Harrington, Keith Rainville, and Laura Piper.

1. Pledge of Allegiance

Commissioner Prather 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 the October 21, 2016 and December 7, 2016 meetings

Moved by Commissioner Patton and seconded by Commissioner Dishion to approve the minutes of the October 21, 2016 meeting. Three yes, one abstention. Moved by Commission Red Owl and seconded by Commissioner Patton to approve the minutes of the December 7, 2016 meeting. Three yes, one abstention.

4. Commissioners Report

Commissioner Patton provided an update on the recent Bishop Creek Water Association meetings and stated the Association voted an increase in their assessment to cover approximately \$40,000 of capital repairs to the gates in west Bishop; he also stated Greg Loveland from LADWP passed out a report on current conditions and stated Inyo/Mono are at 244% of normal; Commissioner Patton stated there will be an excess of runoff this year and maybe the County should assemble a wish list of prioritizing where the additional runoff should go. Commissioner Prather asked the public to bring ideas forward regarding input on the additional runoff.

Public Comment – Phillip Anaya – Mr. Anaya stated that maybe Mono Lake could benefit from all the additional water in Mono County.

Public Comment – Yaney MacIver – Ms. MacIver inquired as to how Owens Lake is with all the recent precipitation. Commissioner Prather said it is very wet, many people are getting stuck, and also a pipe broke.

Public Comment – Ron Barr – Mr. Barr inquired if this means the runoff is going to be good in Bishop Creek. He stated he's observed over the last several years that tules have encroached into the creek where the creek narrows. Mr. Barr asked will that additional runoff flush out the tules that have encroached in that area. Commissioner Prather said that's an uncertainty but that usually happens in natural settings. Mr. Barr stated maybe it could also be used to recharge the canals.

5. Review West Bishop groundwater conditions

Dr. Harrington provided an introduction regarding the issues with the West Bishop groundwater conditions. Keith Rainville provided a PowerPoint presentation in detail and at length to assist in explaining the report received from the

California Department of Water Resources regarding the West Bishop groundwater conditions.

Public Comment – Phillip Anaya – Mr. Anaya stated the Chandler flows in 2013 were accelerated, they took the water and took it quick and that's when the ditches dried up which they did two years in a row. He stated we don't want this to happen again and he wants to know the cause.

Public Comment – Yaney MacIver – Ms. MacIver asked if the dirt put back into the ponds was clean. Keith Rainville stated it is natural dirt that is cleaned periodically.

Public Comment – Stacy Brown – Mr. Brown asked if it would be helpful to strategize with homeowners on how to re-inoculate or accelerate their biomass over the next season? Keith Rainville stated it is not something that's done every year; the County does not have much authority to assist, and that the Bishop Creek Water Association members have a variety wants/needs that are sometimes exclusive of one another.

Public Comment – Phillip Anaya – Mr. Anaya stated the County does have something to say because there are roads to maintain such as Carol Lane is being destroyed. He stated all those shallow wells that were replaced are no longer taking water out of those lower regions and he doesn't believe that the ponds are the main culprit. Mr. Anaya stated this is the venue that takes public input and makes recommendations to the Board so he as a member of the public is bringing the idea that the County do some proactive sump pumping of the area and relieve the upper water table. Mr. Rainville stated he wanted to clarify something, that taking water and putting it into the Eastern Sierra CSD piping and/or on to County roads is not necessarily a good solution and it's one that could trigger those entities having trouble with wastewater. So he doesn't want to characterize that the County would recommend anything along those lines.

6. Status of Water Agreement mitigation projects

Dr. Harrington provided background on the status of the Water Agreement mitigation projects and the disagreements between Los Angeles and Inyo County with regard to the mitigation table provided. He stated LADWP and Water Department staff worked together and have come up with this table of LADWP's mitigation obligations and other obligations. The Commissioners and Dr. Harrington discussed the table in detail.

Public Comment – Ceal Klingler – Ms. Klingler asked regarding the spreadsheet and LADWP's other obligations, the habitat conservation plan is listed as complete but in the last iteration submitted to Fish and Wildlife, there was not a threatened and endangered species recovery plan. She said this plan didn't show up in the 2015 document so she's wondering if they have since produced it and that's why it's listed as complete under the obligations.

Public Comment – Phillip Anaya – Mr. Anaya asked could the Sierra Club or Owens Valley Committee add a column to this spreadsheet and go through it to provide input. Commissioner Prather stated any organized comments would be appreciated. Dr. Harrington stated input is appreciated from any interested parties. Mr. Anaya asked if this mitigation table would be included in the information to the Ca Dept. of Water Resources for the SGMA. Dr. Harrington stated they don't require reporting on mitigation projects as in the MOU so he stated we are not planning on it.

Public Comment - Daris Moxley – Ms. Moxley stated the other obligations section of the mitigation spreadsheet handout has a Type E vegetation category that states there is a Type E vegetation inventory. She stated she would like a copy of that. Dr. Harrington stated he could forward that to her and it was from 1999 which was part of the MOU. Ms. Moxley asked if anything has been done since then. Dr. Harrington stated we are working on a method to use satellite imagery to monitor Type E vegetation.

Public Comment – Yaney MacIver – Ms. MacIver asked if the mitigation table would be available electronically. Dr. Harrington stated yes.

Public Comment – Ceal Klingler – Ms. Klingler stated this is an awesome table provided and when will it be presented to

the Standing Committee and where to send comments on items on the table. Dr. Harrington stated the Standing Committee meeting scheduled for February 22 in LA and we anticipate including this on the agenda, and he suggested sending the comments to himself or Larry Freilich.

Public Comment – Phillip Anaya – Mr. Anaya stated if someone provides information on a specific mitigation project would that move the x in the column before the Standing Committee meeting. Dr. Harrington stated that depends, if he raises an issue over one particular project with an x and the County agreed and LA agreed, that would change it, or if the County agreed and LA disagreed.

7. Lower Owens River Project grants and planning

Dr. Harrington provided a background and overview of the recent grants Inyo County has applied for; Owens River Water Trail grant, \$500,000 in funding approved by the Ca Natural Resources Agency which will improve recreational opportunities which is also one of the LORP goals contingent on working out a site access agreement with LA; Lower Owens River Flow Enhancement and Habitat Improvement Study, this will improve the islands section which is east of the Alabama gates, it will be a feasibility study to look at what might be done to improve the conveyance through that reach, applied for \$442,000 and notification will be in the next month if approved; and a non-motorized facilities grant through the Ca State Parks Dept. for a Boating & Waterways grant in the amount of \$280,000 for the launch and takeout facilities for the water trail project, application submitted February 1, 2017.

Public Comment – Ron Barr – Mr. Barr stated he remembers when they started the Lower Owens River flow, it was just 6 cubic feet per second and asked if that had increased. Dr. Harrington stated back in the 1980's when the releases were first started they were approximately 12 cfs, when the project was incorporated into the 1991 Water Agreement it was pegged at 35 cfs, and as a result of a settlement over the litigation that became the 1997 MOU that was raised to 40 cfs as a steady flow. Dr. Harrington stated in practice, the way LA has been managing it in the summer is to release up to 80 or 90 cfs in mid-summer from the aqueduct intake in order to push 40 cfs to the pump back station, which is a requirement of the project. Mr. Barr stated the water in that area was very slow moving back then so the fishing was not very good.

8. Public Comment

Ron Barr – Mr. Barr asked if the Commission was aware of the history of Indian Creek. The Chairperson stated no. Mr. Barr stated that was used by the Paiutes in the valley way back in the 1800's and they irrigated and had wild rice. He stated he went up to where that creek comes out of Bishop Creek now and he sees how it's flowing and sees a pipe cemented up higher than the flow and nothing is going through the pipe. He stated he doesn't know what the history or logic there is but it should be just an open ditch to receive water. He stated why they would restrict the flow through that pipe makes no sense. Mr. Rainville stated LADWP has control structures on many of the ditches they manage the water flow through and many are quite old, and he is unaware of when this was put in but it's to control the flows in the Indian ditches to meet Chandler Decree, irrigation, etc.

Philip Anaya – Mr. Anaya stated he was thinking about ways to empower sustainability and one of his thoughts are maybe the Water Commission could designate some citizen committees and give them a quasi-official direction to look into situations and report to the news media. Commissioner Prather stated there is nothing to stop individuals or groups from doing any work or study anything without the blessing of the commission and the commission cannot empower private citizens.

9. Schedule next Water Commission meeting

The next Water Commission meeting will be tentatively during the week of April 10, 2017.

10. Adjourn

The Chairperson adjourned the meeting at 8:14pm.