

Minutes

County of Inyo Water Commission

August 12, 2013

The Chairperson called the Water Commission meeting to order at 6:00 p.m. at the Inyo County Water Department, Independence, CA. Water Commissioners in attendance were Chairperson Mike Prather, Teri Red Owl, Mike Carrington, Sally Symons, and Bruce Dishion. Present from the Water Department were Bob Harrington and Laura Piper.

1. Pledge of Allegiance

Commissioner Prather led the Pledge of Allegiance.

2. Public Comment

Commissioner Prather opened the public comment period and there was no one wishing to address the Commission.

3. Approval of minutes from May 30, 2013 meeting

Moved by Commissioner Carrington and seconded by Commissioner Dishion to approve the minutes of the May 30, 2013 meeting with the following correction; Item 8, 3rd sentence, change “reduced by 41%” to “reduced to 41%”. Motion carried.

4. Director’s report on Water Department activities

Dr. Harrington provided an update on the following; LORP – rapid assessment survey, AmeriCorps volunteer, recent fish kill incident, annual line point vegetation monitoring, Owens Lake Master Project, the upcoming Technical Group meeting and Standing Committee meeting.

Commissioner Prather provided an update on the LORP Tule project.

Public Comment – Earl Wilson – Mr. Wilson stated the pulse flushing was not breaking up the dams and stated the dams help with spreading.

Dr. Harrington discussed the CEQA Notice of Intent from LADWP operational in Rose Valley for a new well and stated the 30 day comment period is closing September 4, 2013. Dr. Harrington and the Commissioners discussed this in detail and at length.

Public Comment – Sally Manning – Ms. Manning stated it looks like the County just has the CEQA process and does the Water Agreement apply to this and she thinks the groundwater ordinance doesn’t apply to LADWP. Dr. Harrington said the Water Agreement does apply to this well and this pumping. Dr. Harrington stated there is still potential for an impact to Little Lake and the Water Agreement protects from impacts to private property.

Public Comment – Nancy Masters – Ms. Masters asked is this a new well under the Water Agreement; weren’t there 15 new wells; and the County has to agree to any new wells the city puts in place? Dr. Harrington stated it is an old well that has been there for approximately 40 years. Dr. Harrington said it could be presumed a new well because it has not been operational.

Public Comment – Earl Wilson – Mr. Wilson stated last year he heard they were going to raise Haiwee Reservoir by 50 ft.

Public Comment – Bob Prendergast – Mr. Prendergast stated that was a private power company that made the proposal.

Public Comment – Earl Wilson – Mr. Wilson stated the Water Commission needs to be aware old LADWP wells have a tendency to become in need of repair. They end up encased in 18 inches with low flow wire wrap casing all the way down.

Public Comment – Nancy Masters – Ms. Masters stated Haiwee Reservoir was supposed to be open to the public under the Water Agreement for recreation and fishing and she wanted to bring it forward as an issue. Commissioner Prather stated since September 11, the security issues may have caused the closure by LADWP. Ms. Masters stated it is easy to reach the aqueduct elsewhere if you really wanted too.

5. Possible action: Letter to Supervisors regarding Water Agreement Violation on the Bartell Parcel

Dr. Harrington provided information and a May 30, 2013 memo detailing background on the Bartell Parcel.

Public Comment – Sally Manning – Ms. Manning provided information and a presentation on the Bartell Parcel.

Public Comment – Nancy Masters – Ms. Masters asked if Caltrans offered any information under whose authority was the culvert under the highway removed. She said if there are existing culverts under the highway further on, maybe they can be used to run water to the parcel.

The Commissioners and Dr. Harrington discussed the Bartell Parcel in detail and at length.

Public Comment – Nancy Masters – Ms. Masters stated the lessee is going to know if it's a dry lease or not. She stated that it is a clear violation of the Water Agreement.

Public Comment – Earl Wilson – Mr. Wilson asked if these leases are recorded. Commissioner Prather stated no.

Moved by Commissioner Red Owl and seconded by Commissioner Carrington to submit a recommendation letter to the Board of Supervisors stating they believe there may be a possible violation of the Water Agreement regarding the Bartell Parcel and would like the Board to direct staff to investigate the issue. Motion carried unanimously.

Public Comment – Earl Wilson – Mr. Wilson said he agrees with what the Commissioners are doing, that there seems to be a violation of the Water Agreement and the Commissioners are carrying it forward.

Public Comment – Jacklyn Velasquez – Ms. Velasquez stated she grew up in that area and remembers walking through the parcel and there was a lot of water; they used to hop over water; it was always wet; and also had cows on the parcel. She thinks this should be a big deal to Inyo County.

Public Comment – Sally Manning – Ms. Manning stated she thinks the Water Commissioner's are making this so much more complicated than it is. She said the Water Agreement language is very straight forward. The Water Agreements states "shall be" and "will be". Ms. Manning said she thinks they need to say enough is enough, no need for 15 years of mitigation, just return the water.

6. Public Comment

Earl Wilson – Mr. Wilson said he applauds this Commission for showing backbone and moving this issue forward to the Board of Supervisors.

Mike Carrington – Mr. Carrington asked if Dr. Harrington would explain the reason for the low water line in Lake Sabrina and South Lake. Dr. Harrington stated it is complicated and provided a detailed explanation regarding previous 1920 litigation (Chandler Decree). He also stated LADWP in the past has given waivers to allow Southern California Edison to have flows lower than that in the Chandler Decree in order to maintain a higher level on the lakes and they are not providing the waiver this year.

Nancy Masters – Ms. Masters stated the trees are dying on the old Bell property on Oak Creek. She stated the Bells used to run ditches around the property and said the oak trees are somewhat unique in this area and suggested the Commissioner’s drive by Oak Creek. Ms. Masters said there is a large solar project by LADWP that will have conflicts with existing plans such as the Water Agreement and Owens Valley Land Management Plan.

Earl Wilson – Earl Wilson stated the solar project is north of the Manzanar Reward road.

Sally Manning – Ms. Manning stated she thinks these have been good public comments that have been raised about Sabrina and South Lake, the solar ranch, and the dead trees on Oak Creek. She stated LADWP bought the parcel west of the Big Pine Reservation and they have concerns regarding management of the vegetation. She stated there are so many issues and only a handful of them have been brought forward by the Water Department. Ms. Manning said she also heard Thursday there is a Technical Group meeting and she hasn’t seen an agenda, she doesn’t know what’s going on with the pumping program this year, there is a lot to be done and she is concerned. She stated perhaps the Water Commission could set a higher standard for the agenda’s for the Technical Group Meetings.

Earl Wilson –Mr. Wilson stated the Commissioners could drive up in the campground by the casino and they may see the north boundary of the Bell property and be able to see the trees.

7. Schedule next Water Commission Meeting

The next Water Commission Meeting was scheduled as a field trip on September 23, 2013 to Big Pine.

8. Adjourn

The Chairperson adjourned the meeting at 7:32 p.m.