

Minutes

County of Inyo Water Commission

November 18, 2013

The Chairperson called the Water Commission meeting to order at 6:01 p.m. at the Statham Hall, Lone Pine, 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 announced there was not a flag available so we would forgo the Pledge of Allegiance at this meeting.

2. Public Comment

Alan Bacock – Mr. Bacock made the following statements:

- W375 was exempted at the last Technical Group Meeting against the Tribe's request
- Continued exemptions will lower the groundwater table in the Big Pine area
- Big Pine is the most heavily pumped well fields in the Owens Valley
- LADWP is also considering exempting W415
- The Tribe is opposed to well exemptions
- The general plan amendment for renewable projects showed potential in the Laws area due to failed mitigation projects. Mr. Bacock asked if there is a list of these failed projects.

Dr. Harrington directed Mr. Bacock to the annual report which has a table that lists descriptions of the mitigation projects.

Commissioner Prather and Dr. Harrington discussed the process of the ongoing review of the E/M projects.

3. Approval of minutes from August 12, 2013 meeting

Moved by Commissioner Dishion and seconded by Commissioner Red Owl to approve the minutes of the August 12, 2013 meeting with the following correction; Page 2, second public comment add to end of sentence "they end up encased in 18 inches with low flow wire wrap casing all the way down". Motion carried.

4. Director's report on Water Department activities

Dr. Harrington provided an update on the following: the annual pumping plan development in two 6 month blocks due to the dry year; the second 6th month plan received in October; the total export listed on Table 9 (74,797) for the LA Aqueduct is the lowest on record since 1935; meetings of the groundwater and habitat advisory groups for Owens Lake Master Project.

Public Comment – Sally Manning – Ms. Manning stated LADWP has already installed 14 monitoring wells around the fault areas. Ms. Manning said she thought they were considering two to three day pump tests on the monitoring wells and asked about the CEQA that was behind this, what they are planning, or what the project is, and she was not able to get a straight answer.

Commissioner Prather suggested this discussion be agendaized for the next meeting so the Commission could consider a recommendation to the Board to have this matter rapidly resolved with regard to the applicability of the Long Term Water Agreement to Owens Lake.

Dr. Harrington stated under Coso Operating Company's Conditional Use Permit their pumping period has been extended through June 2014 based on a recalibration – rerunning of the groundwater model for their project; Correspondence was received from LA stating they wanted to start operating W415 to make up water supplied to the Big Pine Ditch System; Well V817 in Rose Valley is owned by LADWP and a CEQA document was circulated proposing to plumb that well into the aqueduct so they could recover seepage from Haiwee Reservoir; the County submitted an extensive comment letter regarding the CEQA document from LADWP on their solar ranch out Manzanar Reward Rd concerning the LORP, the rapid assessment survey is complete; annual vegetation monitoring completed; Salt Cedar season began; Technical Group met and took an action to exempt W375 (Big Pine) for about 150 acre feet per year of makeup water for the Big Pine Northeast Regreening Project; the Bartell parcel which was discussed at length at the August Water Commission meeting has been treated with a dust control compound by LADWP. Dr. Harrington stated the E/M evaluations are moving forward, the priority by the Standing Committee being projects that are without an exempt source of pumped replacement water and modifications to the Van Norman Project.

Public Comment – Sally Manning – Ms. Manning made the following statements:

- Regarding Coso Operating Company, the Water Department allowed Coso to continue pumping the Hay Ranch despite violating the 4/1/2011 amendment to the HMMP
- The provisions of the conditional use permit were not met as of 9/1/2013 of this year, yet the Water Department allowed continued pumping on the Hay Ranch. As a result, little lake appealed this decision to allow this pumping and she's wondering what the status of this appeal is and whether Coso can continue to pump when someone is appealing the decision.
- The Director's report stated there was talk about the County's comments on the solar project proposal that LADWP is doing, she believes that the Water Department was involved in negotiations on this proposed MOU between Inyo County and LADWP. Ms. Manning would like an update on the status of the MOU, the Board agreed to some terms and there has been no more news regarding this.
- At the last Commission meeting she gave a presentation that there is clearly a violation of the Water Agreement at the Bartell Parcel and the Board asked the Water Department to investigate the violation and she has not heard of any result from that.

Commissioner Prather stated a compound has been put on the parcel by LADWP. Commissioner Prather asked Dr. Harrington if there were any comments from the Board regarding the Bartell Parcel after the presentation. Dr. Harrington stated the extension of the permit for Coso was handled completely in compliance with their conditional use permit. Dr. Harrington stated he is not involved in the negotiations for the solar project MOU and does not know the status of the MOU referred to by Ms. Manning, and Bartell parcel issue has been brought to the Board and the facts have been presented.

Public Comment – Alan Bacock – Mr. Bacock suggested having the Director's Report itemized and list as action if necessary.

Public Comment – Julie Fought – Ms. Fought asked for clarification on the current circumstances regarding the Bartell Parcel. Ms. Manning and Dr. Harrington commented on the process that has been followed thus far regarding the presentations and facts to the Board. Ms. Fought stated it sounds like this request has fallen in a hole. Commissioner Prather stated it is in the Board's hands.

Public Comment – Sally Manning – Ms. Manning stated she has taken her own time to come to these meetings, make presentations to help with the process and it seems to have dropped off, there has been no follow through. Commissioner Prather encouraged Ms. Manning to contact the CAO/County Board and Ms. Manning stated it is the Water Commission's responsibility and the Water Department's responsibility to call out a violation of the Water Agreement.

Commissioner Red Owl stated she would like to know the Board's position on the Bartell Parcel. Commissioner Dishion stated he watched the Board meeting on TV and there was no clear answer.

5. Commissioner's Report

Commissioner Dishion stated last year it was discussed that we were in a successive year of drought and he doesn't want to lose the McNally Ponds mitigation project. Commissioner Dishion asked if it would be appropriate that LADWP continue to ask the County for a waiver. Dr. Harrington stated yes.

Public Comment – Earl Wilson – Mr. Wilson commented on Table 7 of the pumping plan handout and stated he is concerned there is possible double counting, one is the LORP and Rec & Wildlife and what is the significance of 1981. Dr. Harrington stated the significance of 1981 is that's the baseline year for irrigated lands. The LORP are releases in the river minus pump back station flows. The Rec & Wildlife doesn't get included the LORP.

6. Report on Blackrock 94

Dr. Harrington provided a detailed explanation and a fact sheet regarding the current status of the Blackrock 94 dispute and the staff time it has utilized.

Public Comment – Charles James – Mr. James inquired as to what are the attributable causes to drop the water level to affect vegetation. Dr. Harrington stated the Water Department analysis said the vegetation had declined due to a combination of groundwater pumping and changes in surface water management, including pumping for the Blackrock Fish Hatchery. He stated the parcel is also affected by surface water spreading and that LADWP argued that fluctuations in runoff that have caused the vegetation to change and that grazing practices differ between that parcel and the parcel the Water Department compared it to that has a higher water table. Mr. James & Dr. Harrington discussed a brief history of the Blackrock area.

Public Comment – Sally Manning – Ms. Manning asked for some clarification on the Blackrock dispute. Commissioner Prather and Dr. Harrington stated the arguments and the panel's interim decision are on the website. Ms. Manning asked what the desired outcome was for this dispute; Dr. Harrington provided a detailed explanation.

7. Report on LORP RUP CEQA process

Commissioner Prather asked where the County was with regard to the CEQA work so the plan could be finalized. Dr. Harrington stated it needs a final design, including maps and the County has been searching for grants but at this time has not found a source of funding. Commissioner Prather stated if the County could not obtain grants then maybe local sources of funding should be considered.

Public Comment – Julie Fought – Ms. Fought stated when the LORP was first rewatered, LADWP had talked about recreation uses and asked if there is money set aside for that? Commissioner Prather stated the LORP funding with the County is restricted monies. Dr. Harrington elaborated to explain the settlement conditions of the LORP funding.

8. Report on modifications to Van Norman E/M Project

Dr. Harrington provided information and background on the Van Norman project. He stated a CEQA document has been drafted to modify the Van Norman project to raise the allocation by 30 acre feet to supply the Lone Pine High School farm. He stated the document is with LADWP corporate environmental office for consideration.

Public Comment – Tom Noland – Mr. Noland inquired if the new well would be ready this spring; Dr. Harrington stated that is what LADWP has indicated.

9. Planning next ICWC meeting in the field in southern OV – LP and Owens Lake

The Water Commission will move this to the January Water Commission meeting agenda and decide a date at that time for a field trip on the Southern end of the County to include Lone Pine Area and the Owens Lake Area. Van Norman Field, LORP burn area, northwest seep, and the farm.

10. Public Comment

Sally Manning – Ms. Manning requested that no acronyms that are unfamiliar to the public be included on the agenda.

Schedule next Water Commission Meeting

The next Water Commission Meeting will be scheduled in January 2014 in Bishop.

11. Adjourn

The Chairperson adjourned the meeting at 7:37 p.m.