

# MINUTES

# County of Inyo WATER COMMISSION

October 21, 2016

The Chairperson called the Water Commission meeting to order at 6:00 p.m. at the Jill Kinmont Boothe School in Bishop, CA. Commissioners in attendance were Chairperson Mike Prather, Craig Patten, and Bruce Dishion. Commissioner's Red Owl and Carrington were absent. Present from the Water Department was Bob Harrington and Laura Piper.

## **1. Pledge of Allegiance**

Commissioner Prather led the pledge of allegiance.

## **2. Public Comment**

Sally Manning – Ms. Manning stated she sent an email asking if an update on the Hay Ranch pumping could be added to the agenda and it was not.

## **3. Approval of minutes from the August 1, 2016 meeting**

Moved by Commissioner Dishion and seconded by Commissioner Patton to approve the minutes of the August 1, 2016 meeting. Motion carried.

## **4. Commissioners Report**

Commissioner Patton provided an update on the Bishop Creek Water Associations meeting and stated they are still waiting on the report from the DWR on the hydrologic conditions in West Bishop. He stated Mr. Almond indicated it is likely there is enough water in Lake Sabrina to keep roughly 50 cfs coming out of Bishop Creek through the winter.

## **5. Water Director's Report**

Dr. Harrington provided an update and overview on the following to the Commission which were discussed in detail; the DWR report will not be reviewed until October 24; the upcoming Standing Committee meeting on October 27 and provided an agenda, the Water Department website is down, LADWP Operations Plan for the second six months for an annual pumping total of approximately 75,000 af; SGMA – Board workshop October 4, Oct 19 Tri Valley Management discussed options for complying with the SGMA law, JPA meeting on Oct 20; Owens River Water Trail Grant; Big Pine Water Recycling Grant; feasibility study on the islands area in the LORP; and Hay Ranch pumping is off.

Public Comment – Sally Manning – Ms. Manning stated the Hay Ranch people were allowed to pump more than they actually did but tripped two triggers. She stated what is the point of the triggers if they are all going to be tripped. Dr. Harrington stated the purpose of the trigger is to identify a water level in the monitoring well is associated with a significant impact and to avoid a significant impact, the triggers should not be exceeded. Dr. Harrington provided an in depth explanation to Ms. Mannings questions. The Commission, Dr. Harrington, and Ms. Manning discussed the Hay Ranch pumping in detail and at length. Keith Rainville of the Water Department provided detailed information regarding the Hay Ranch pumping.

Public Comment – Dan Totheroh – Mr. Totheroh asked if the monitoring wells are to predict that you don't exceed a reduction of more than 10% in Little Lake. He asked what is the lag time between the monitoring wells that have triggered and Little Lake. Dr. Harrington stated approximately 10 years.

Public Comment – Sally Manning – Ms. Manning stated there is an action item on the Standing Committee meeting agenda regarding McNally ponds/pasture project and she believes Inyo and LADWP will agree to not put water out there this year. She stated where is the in kind replacement for this? Dr. Harrington stated this concerns a recommendation that was made at the June Technical Group meeting. Dr. Harrington stated he believes both sides are agreeable to finding other alternatives. Ms. Manning stated LADWP is not going to give us an alternative for the McNally ponds/pasture project because they have no interest. She stated the County needs to take a lead and get something done.

Public Comment – Daris Moxley – Ms. Moxley inquired if there is going to be a report and are there actual alternatives available. Dr. Harrington said yes, there are areas below Farmer’s Pond and some other areas south of the river.

Public Comment – Ben Holgate – Mr. Holgate asked how does the Water Department know its true when LADWP reports they pumped 8900 af from the Bishop wellfield this year? Mr. Rainville provided a detailed explanation of how the Water Department spot checks LADWP’s readings and if the numbers don’t agree, that’s an issue. Mr. Holgate stated the wells around Independence and Symmes Creek are declining and are not subject to on/off provisions. He stated his observation is that LADWP is pumping all they can from those wellfields. He stated LADWP is not maintaining the proper flows in that area for the Owens River Water Trail Grant.

## **6. Green Book Modification’s**

Dr. Harrington provided an in depth overview on the recent undertaking to update the Green Book which was part of the settlement to the Blackrock dispute agreed to by the Standing Committee. It stated that staff would engage with a facilitator and a panel of experts of the Ecological Society of America, look at the competing vegetation program that Inyo and LADWP have, access the methods and differences and come up with a joint improved monitoring program. He stated the panel of experts provided options to enhance the program but the programs in use are adequate for what the County and LADWP need. Dr. Harrington stated the County and LADWP are working on language to replace in the Green Book that elaborates on what the parties are actually doing, i.e. field methods, and how the parties would work together.

## **7. Five Bridges Mitigation Plan activities**

Dr. Harrington stated LADWP presented a proposed revision to the mitigation plan for the five bridges impact, the area that was impacted by the wells near the gravel plant from eighteen months of pumping. He stated the draft presented has many good points but doesn’t deal with the shutoff of the well. He stated the County replied they could not approve the plan but proposed they were favorable to some of the projects in the plan such as putting in temporary diversion structures to spread the water better which improved conditions, seeding to barren areas, and monitoring for vegetation photo points, etc.

## **8. W385R operational test plan – report on status of plan**

Dr. Harrington stated LADWP modified a well by the gravel plant so it would only come from deeper levels; LADWP proposes to do a test on that well; and the County has been working with them to develop a plan so the well could be tested for 60 days. He stated an obstacle now in the County’s view is in order to proceed with the test, there needs to be guarantees. Dr. Harrington stated the guarantees need to be incorporated in a modification to the five bridges area, have triggers in the test plan that would prevent any additional impacts to the five bridges area, incorporate that into the mitigation measure, and then have the Board of Water and Power Commissioners adopt that modification to the mitigation plan. Dr. Harrington stated anything less than that would not be compliant with CEQA. LADWP has not agreed.

## **9. Public Comment**

Daris Moxley – Ms. Moxley inquired if the Green Book modification regarding monitoring vegetation would include monitoring Type E vegetation. Dr. Harrington stated the Green Book monitors native vegetation not Type E. Dr. Harrington stated they are trying to develop a method to determine Type E vegetation using remote sensing.

Sally Manning – Ms. Manning asked what will be the baseline for vegetation monitoring. Dr. Harrington stated ESA stated there wasn't any reason to change the baseline map. Ms. Mannings asked what about the parcels that there are no data for. Dr. Harrington stated we can't go back and recreate that data. Aaron Steinwand stated a different statistical test will be used for those parcels that have no baseline data but a cover number. Mr. Steinwand provided an overview on how the data will be obtained. Ms. Manning stated there is a dead rare plant population in the five bridges area and the wells are permanently turned off, we shouldn't be talking about this test, it's too much of a risk. Ms. Manning stated the pumping plan states they are going to increase pumping at Taboose-Aberdeen, she said there is no reason, and it will just run into the swimming pool and flow into the river.

Ron Barr - Mr. Barr stated he still sees that LADWP pumped the aquifer and he is seeing the runoff doesn't have a chance to recharge the aquifers and they still pump more. He stated his observation is if they run down the aquifer and take the surface water as well, we are losing. He stated you don't have to see any test wells, just walk the valley and you can see the damage that has been done.

#### **10. Schedule next Water Commission meeting**

The next Water Commission meeting will be tentatively scheduled for December.

#### **11. Adjourn**

The Chairperson adjourned the meeting at 7:46 pm.