

# MINUTES

# County of Inyo WATER COMMISSION

April 25, 2016

The Chairperson called the Water Commission meeting to order at 6:00 p.m. at the Inyo County Water Department, Independence, CA. Commissioners in attendance were Chairperson Mike Prather, Teri Red Owl, Bruce Dishion, Craig Patten, and Mike Carrington. 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**

Ben Holgate – Mr. Holgate stated he had some general comments; he wished to commend the Water Commission on what they have accomplished so far in the last year, sharing information with the community, and the recommendations to the Board of Supervisors. He stated LADWP's activities are reckless in particular between Big Pine and Shepards Creek and stated the County should stop the LADWP's operations plan.

Harry Williams – Mr. Williams stated he also wanted to thank the Water Commission for their efforts. He stated the Inyo County Board of Supervisors has allowed LADWP to do whatever they want and he has watched this valley die over his lifetime. He stated where is the public trust to enact the law, to enforce the Water Agreement, and stated what LADWP is doing to the valley is genocide.

Sally Manning – Ms. Manning stated it is true that for the three Indian Reservations (Big Pine, Bishop, and Lone Pine) they are supposed to receive 4 acre feet per acre for every year. She stated that comes out to 5,565 acre feet per year commitment as Commissioner Red Owl stated, and is set in stone divided among the three reservations. She stated this year's operations plan states 3,200 acre feet for Indian lands and that's a pretty significant difference.

## **3. Approval of minutes from the March 17, 2016 meeting**

Moved by Commissioner Patton and seconded by Commissioner Dishion to approve the minutes of the March 17, 2016 meeting. Motion carried.

## **4. Commissioners Report**

The Chairperson asked the Commission if they had any items to report and there were no items of discussion for this meeting.

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

Dr. Harrington stated the Water Department has been working on vegetation monitoring revisions; two grants, one for the Big Pine Water Recycling Project and the Owens River Water Trail; working with Indian Wells Valley on a Joint Powers Agreement to form a Groundwater Sustainability Agency in preparation for the Groundwater Sustainability Act; and the County request to modify the Boundary revisions to the Owens Valley Groundwater basin has been submitted to the State. Dr. Harrington, Aaron Steinwand, and the Water Commissioners discussed the vegetation monitoring revisions in detail and at length.

Public Comment – Sally Manning – Ms. Manning stated all this time spent reinventing the wheel is that none of this line point data goes into any on/off management and doesn't influence pumping in anyway. She stated maybe it is time to ask for mitigation for all these parcels that have been below baseline for all these years or recovery of water tables. Dr. Harrington stated all the parcels have not been below baseline for all these years. He stated there are some that have been below baseline for 12 years and some for only a few years due to the drought.

Public Comment – Daris Moxley – Ms. Moxley stated at past Technical Group meetings LADWP stated our data was wrong regarding Blackrock 94. She stated is this Green Book revision going to address this situation? Commissioner Prather stated the Green Book needed revisions and he believes this will resolve this issue.

Public Comment – Sally Manning – Ms. Manning stated the Green Book, as Dr. Harrington pointed out addresses the measurability and that kicks in after an impact has been caused. She stated the goal of the Water Agreement is to manage the groundwater to avoid changes to the vegetation.

## **6. Action: LADWP 2016-2017 Annual Operations Plan – Recommendation to Board of Supervisors**

Dr. Harrington provided a detailed presentation on the annual operations plan and the process between LADWP and Inyo County before the plan is finalized. Dr. Harrington and the Commissioners discussed the annual operations plan in detail and at length.

Public Comment – Daris Moxley – Ms. Moxley stated in the Bishop Cone audit regarding leases, how does the County know the figures LADWP provides are real. Dr. Harrington stated we rely on LADWP's data but field checks are done by the County as well as considerable measurements of our own. He stated the County doesn't have the capacity to check every measurement LADWP makes.

Public Comment – Nancy Masters – Ms. Manning stated that speaks to the issue of data transparency. She stated Owens Valley Committee has requested data twice from LADWP under the Public Records Act and has received no response. She stated one goal should be a more transparent data set that people can utilize.

Public Comment – Sally Manning – Ms. Manning stated there are data in real time. She stated half of the irrigation occurs on the Bishop Cone, where is the rest? How would the County know? How are those decisions made without more accurate data.

Public Comment – Earl Wilson – Mr. Wilson asked the location of the upcoming Standing Committee meeting which was provided to him. Mr. Wilson stated there is the Sustainable Groundwater Management Act coming up and we are medium priority.

Public Comment – Nancy Masters – Ms. Masters stated she has three issues she is concerned with; the reduction to irrigation, the pump test of wells 385 and 386, and that the additional water going to Owens Lake remain in the valley.

Public Comment – Sally Manning – Ms. Manning stated she wanted to remind the Commission about the deliveries to the reservation land and even with the long term average shown in the pumping plan, it is over 1000 feet below what it should be. She stated the plan also states that well 385 and 386 will be turned on for two months of pumping to test what kind of impacts it would have on the deep aquifer and will include the test data in a CEQA document. She recommends the Water Commissioner's hear this and make sure the County's response expects that those wells are permanently shut off.

Public Comment – Harry Williams – Mr. Williams stated the operation plan to him is just another feel good thing. He said the Water Agreement has never been adhered to, and where is the public trust.

Public Comment – Daris Moxley – Ms. Moxley stated the LTWA states that the vegetation in the valley will be maintained as it was in 1981/82 and it is not. She stated she thinks LADWP should stop all pumping until the vegetation returns to what it was in 1981/82.

Public Comment – Teresa Blum – Ms. Blum stated last year there was a call for tremendous water conservation measures issues. She stated she was at the pump north of Laws road and came upon an LADWP pump and the connection was leaking and draining water everywhere. She stated why LADWP can't follow the same standards that the average citizen

is supposed to maintain. She stated she was astonished to see this water running everywhere during this time of extreme drought.

A motion was made by Commissioner Patton and seconded by Commissioner Dishion to bring the following recommendations to the Board:

- If irrigation water is reduced by LADWP, pumping for exportation should be reduced proportionately
- If water is saved at Owens Lake it should remain in the valley for unmet obligations
- Oppose pumping on W385 & W386 – The 1999 Mitigation Plan states these two wells should not be operated
- Water tables are below baseline. Pumping should be reduced to raise water tables where it won't cause impact to enhancement mitigation projects, irrigated lands, etc.
- The Commission would like the Board to be informed that the three Owens Valley Tribes will be objecting to the proposed 3200 AF for Indian Lands in LADWP's Annual Operations Plan.

## **7. Public Comment**

Sally Manning – Ms. Manning stated she wanted to bring up a reminder that although the Tribes are under a separate agreement, Tribal members are citizens of Inyo County and involved in supervisorial elections. Ms. Manning asked if Inyo County is performing independent monitoring of the five bridges wells to make sure they are remaining off.

Mary Roper – Ms. Roper stated she wanted to provide the Commission with information regarding the “dog park” in Independence. She stated the trees surrounding the perimeter that they irrigate have all died suddenly and the theory is that LADWP has poisoned the trees. She stated that would be a horrible development that LADWP is not only not watering the vegetation on their property but actually poisoning the vegetation so as not to use water. She stated the town Christmas tree on that same property is starting to die as well.

Earl Wilson – Mr. Wilson stated there are trees in Lone Pine that have been through five or six droughts and they survived.

Nancy Masters – Ms. Masters stated she had two announcements; the OVC is having John Walton of Western Times and Water Wars and the Congressional candidates for the eighth congressional district will be at the Legion Hall.

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

The Water Commissioners requested the next meeting be scheduled during the month of June.

## **9. Adjourn**

The Chairperson adjourned the meeting at 8:40 pm.