

MINUTES

County of Inyo WATER COMMISSION

May 29, 2018

The Chairperson called the Water Commission meeting to order at 6:00 p.m. at the Jill Kinmont Boothe School, George Lozito conference room, Bishop, CA. Commissioners in attendance were Chairperson Mike Prather, Vice Chairperson Teri Red Owl, Mike Carrington, Randy Keller, and Nathaniel Gratz. Present from the Water Department were Bob Harrington, Laura Piper, and Keith Rainville.

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 February 28, 2018 meeting

The Chairperson tabled the approval of the February 28, 2018 minutes to the next Water Commissioners meeting.

4. Commissioners' reports

The Chairperson opened the report period and there were no Commissioners with reports at this time.

5. Discussion of ICWD's analysis and comments regarding LADWP's 2018/19 Draft Annual Operations Plan

Dr. Harrington provided a brief introduction and Mr. Rainville provided a PowerPoint presentation. Mr. Rainville provided an overview of the process to arrive at the final Annual Operations Plan; Inyo County review and comments to LADWP; Technical Group meeting to discuss comments; and the release of LADWP's final draft. He discussed the contents of the plan in detail; current conditions, expected runoff, how they arrive at the analysis of groundwater, soil, and vegetation and try to figure out what the effects might be. The Commission and staff discussed this in detail and at length.

Paul Huette – Mr. Huette stated LADWP isn't going to listen to the County's comments.

Sally Manning – Ms. Manning stated this report is just information about the conditions in the valley and the final pumping plan didn't change at all.

Daris Moxley – Ms. Moxley stated she has the same concern as Ms. Manning. LADWP is still moving forward with their plan as initially drafted.

Commissioner Red Owl asked Dr. Harrington what is the county going to do; is there a plan. Dr. Harrington stated the recourse is if the County is still dissatisfied with the final plan, to initiate dispute. Dr. Harrington stated in order to prevail in a dispute over the pumping plan, the County has to show that the pumping plan will have or has had a measurable negative effect on the environment and that it is a significant effect.

Daris Moxley – Ms. Moxley stated the Powerpoint presentation shows water levels down and this presentation should be provided to LADWP.

Paul Huetter – Mr. Huetter stated Commissioners are on the Standing Committee and should bring up these issues. Mr. Prather stated the Water Commission is an advisory Board; they can make suggestions but cannot make policy.

Nancy Masters – Ms. Masters stated if we haven't reached the baseline levels, then it needs to be looked at as a mitigation measure that needs adjusting and bypass the dispute resolution.

Ms. Red Owl stated she appreciated the reminder that the Commissioner's on the Standing Committee should be communicating information received from the public, especially with regard to the pumping plan.

The Chairperson called a break at 7:06 p.m.

The Chairperson reconvened the meeting at 7:15 p.m.

6. Update Inyo/LA Disputes regarding W385 and Five Bridges Impact Area

Dr. Harrington provided a brief summary issues involving the well and mitigation site. In December LADWP adopted a negative declaration regarding their two month pump test for well W385; Inyo County challenged the mitigated negative declaration with a CEQA lawsuit; OVC and Sierra Club filed suit as well; shortly thereafter, LADWP initiated two disputes under the LTWA dispute resolution procedures concerning whether the Technical Group jointly prepared a test plan for testing well W385 and whether conditions at Five Bridges site have achieved their mitigation goal. He stated Inyo County filed its own dispute dealing with the same issues but presenting questions being submitted to dispute in a more extensive manner that would better facilitate a clearer decision from the arbitration panel if the disputes get that far. He stated concerning the five bridges area, LADWP is arguing that mitigation goals have been met; Inyo asserting that they haven't been met; regarding the pump test plan, LADWP asserting that Inyo/LA jointly prepared a test plan pursuant to the new well provisions of the LTWA; Inyo is asserting that is not the case. He stated there have been several Technical Group meetings held to move through the Technical Group part of the dispute resolution process and those disputes will go to the Standing Committee Meeting in Los Angeles.

Sally Manning – Ms. Manning stated the fire burned almost the entire mitigation area at Five Bridges; the small population of rare plants are gone; that is a significant impact.

7. Update on Sustainable Groundwater Management Act: Owens Valley Groundwater Authority Groundwater Sustainability Agency status and Groundwater Sustainability Plan

Dr. Harrington gave a brief overview of the formation of the Authority and its role as a groundwater sustainability agency; that monthly meetings are held; the voting process; funding; the grant awarded by DWR; the RFQ to obtain a consultant for the groundwater sustainability plan, etc. He summarized the withdrawal of the four existing GSA's in the basin so the Owens Valley Groundwater Authority could become the exclusive GSA in the basin.

Paul Huetter – Mr. Huetter stated he doesn't think the LTWA is working otherwise we would not be a high priority basin.

Nancy Masters – Ms. Masters stated she believed one of the goals of SGMA was to make the data public. Dr. Harrington stated that is a broader effort at the state level than just SGMA.

Deb Murphy – Ms. Murphy inquired if SGMA considers vegetation data. Dr. Harrington stated SGMA's definition of sustainability is avoiding undesirable results from pumping; chronic drawdown; overdraft; salt water intrusion; and negative impacts on surface water, etc.

Sally Manning – Ms. Manning stated the objective of SGMA is to have local people who are in the basin decide what sustainability means, not the state.

8. Discussion of May 31, 2018 Standing Committee meeting

Dr. Harrington stated the Standing Committee meeting would be held in Los Angeles at 10 a.m. and will be on video feed in the Bishop LADWP Mandich Street office. He briefly reviewed the items on the agenda.

Sally Manning – Ms. Manning stated the concept of the enhancement mitigation project should have died with the LTWA long ago because all the E/M projects have a water commitment where LADWP gets to pump water to provide water; they are not mitigation, but maybe enhancement. She stated her concern is that the Water Commission is just hearing about items the County is going to take before the Standing Committee in two days and they are all someone's idea of what might be good but there has been no public input of what these projects should be or consist of.

9. Public comment

Sally Manning – Ms. Manning asked why aren't any items on the agenda action items. Commissioner Prather stated he would like a Commission calendar of regular meetings that coincide with happenings with LADWP in which the Commission could make recommendations to the Board.

10. Schedule next Water Commission meeting

The next Water Commission meeting will be tentatively scheduled for a date to be determined in August.

11. Adjourn

The Chairperson adjourned the meeting at 8:04 p.m.