

MINUTES

Owen Valley Groundwater Authority

Board Members:

SIERRA HIGHLANDS	John Camphouse	COUNTY OF MONO	Fred Stump
EASTERN SIERRA CSD	Walt Pachuki	CITY OF BISHOP	Joe Pecsì
INDIAN CREEK-WESTRIDGE CSD	Luis Elias	COUNTY OF INYO	Dan Totheroh
WHEELER CREST CSD	Glenn Inouye	BIG PINE CSD	Bryanna Vaughan
TRI VALLEY GWMD	Dave Doonan	KEELER CSD	John Dukes
		STARLITE CSD	Daniel Cutshall

October 26, 2017

The Owens Valley Groundwater Authority meeting was called to order at 2:01 p.m. at the Bishop Fire Training Facility, Bishop, Ca

The Chairperson led the pledge of allegiance.

1. Public Comment

The Chairperson opened the public comment period and there was no one wishing to address the Board.

2. Introduction

The Board introduced themselves with three alternates in attendance, Pat Gardner – City of Bishop, Mark Steele - Big Pine CSD, and Bruce Spry – Keeler CSD

The Board of Directors elected Mr. Dan Totheroh as temporary Vice Chairperson.

4. Update regarding Inyo County's provision of staff support to the OVGA. (Board Member Totheroh)

Mr. Totheroh stated at the October 17, 2017 Inyo County Board of Supervisors meeting, the Board discussed the request for Inyo County to provide staff support. He stated the Board authorized County staff to continue to provide a minimal level of staff support to the OVGA at no charge until the OVGA Board of Directors are fully constituted, but for no more than four meetings of the OVGA; thereafter, Inyo County is willing to continue that support if the OVGA Board wishes but at the County's cost. The Chairperson stated though no official action has been taken, Mono County staff will be available as well to provide support.

5. Presentation of GSP Development Budget pursuant to FPA Article II.4.1 (Inyo County Staff). Adoption of GSP Development Budget

Dr. Harrington stated the attached three year draft budget was provided at the October 5 meeting. He stated when finalized, it would be used as a forecasting tool for each member agency to determine their financial commitment and voting authority. He stated the final budget is being presented by the Inyo County Water Department per the JPA Agreement as a ministerial act to be approved by the Owens Valley Groundwater Authority. The Chairperson stated the budget as laid out as a grant verses no grant receipt makes a big difference to the smaller entities funding levels. Mr. Vallejo stated that the budget shows expenses but does not reflect potential revenues, and that contributions to the budget will need to be made based on the expenses since revenues will not be known in the immediate future. Mr. Inouye asked if Inyo County had any idea of when DWR will come to a decision whether the grant application will be accepted or not, Dr. Harrington stated approximately January 2018. Mr. Inouye asked if there was some way to postpone the budget item until we know if the grant funding is accepted or not. Mr. Vallejo recited a section of Article II, Section 4.1 – GSP Development Budget from the JPA for direction. The Chairperson stated that last clause can be interpreted several ways. Mr. Elias stated the key word was reimbursement, he stated the costs will hit before the grant funding so each member has to decide if they want to be a full contributing member, and discuss it with their Boards. Mr. Totheroh stated until there is a funding commitment, there is no way to move forward.

Philip Anaya – Mr. Anaya stated this item is on the agenda as a presentation of a development budget and we haven't gone through the budget to take a look at the individual expenses. He stated the Board should review the budget, accept it, adopt it, and then work out on how it will be funded as we go.

Jason Canger – Mono County Counsel – Mr. Canger asked Dr. Harrington what costs are anticipated and could the Board expect to incur between now and the time DWR approves the grant. Dr. Harrington stated it would be mostly various administrative Table 1 tasks (approx. 15 tasks within the next 6-9 months).

Mr. Cutshall stated he does not see anything in the budget that provides for potential litigation. Mr. Vallejo stated this budget is for the plan, not for plan implementation. He stated future budgets could consider this if your Board desires for unanticipated costs and how it would raise the revenue to fund those costs. Mr. Steele stated with reference to Table 1, Item 13, isn't the state doing the basin boundary. Dr. Harrington stated DWR is accepting notices from local agencies concerning their intent to request basin boundary modifications, and then the window for local agencies to submit that required information is January 1- March 31, 2018. He stated Starlite had indicated an interest in a basin boundary modification and this is included in the budget as an optional item. Mr. Elias stated the budget appears reasonable.

Sally Manning – Ms. Manning asked if this budget follows what DWR is requiring for a GSP. Ms. Manning stated there is nothing regarding obtaining a facilitator which she stated is a free service from the state. She stated when she looks at the line items on the budget, she thinks people in the room have this data and it's a waste of money to get data that already exists. Ms. Manning asked if an EIR would be required on the GSP. Mr. Vallejo stated there is exception built in to the SGMA for CEQA purposes and was addressed in legislation itself.

Mr. Pachuki asked if it is anticipated that the consultant will contact each agency to get data with regards to their data; Dr. Harrington stated yes.

Jason Canger - Mr. Canger stated the adoption of the plan is exempt, but projects that are implemented or part of the plan may trigger CEQA review. Dr. Harrington stated Table 2, Item 9, what the plan will do is assemble that data, characterize the basin, set the sustainability criteria, and layout the work to achieve that during the implementation phase of the plan. If Item 9 identified a project where monitoring wells needed to be drilled, that project could require CEQA.

Mr. Inouye asked if there are any items in the budget that deals with management areas, Dr. Harrington stated it falls under basin setting, Table 2, Item 5. The Chairperson asked if this budget is not adopted today, was it said that the application for the grant could not move forward. Mr. Vallejo replied no. The Chairperson asked if this Board chose to take this back to their Boards and wait until approval until next meeting, would that upset the timing for the grant application. Mr. Vallejo stated in terms of the grant application, Inyo County is submitting the grant application on behalf of the entire basin and that is happening regardless. He stated it is happening with the expectation that this Board moves forward to become the GSA for the basin so that it can be the grantee for that application at some point in the future. Mr. Vallejo quoted the JPA document which makes the approval of the budget a ministerial act of the Board of Directors. The Board, Dr. Harrington, and Mr. Vallejo discussed this item in detail and at length. Mr. Totheroh stated this is a preliminary budget which the Board could change once it is constituted. Mr. Doonan made a motion to approve the budget with a second from Ms. Gardner, passed unanimously.

The Chairperson called a break at 3:32 p.m.

The Chairperson called the meeting to order at 3:46 p.m.

6. Discussion of any new information regarding DWR updates. (Inyo County Staff)

Dr. Harrington providing updates concerning his questions posed to DWR regarding the grant proposal. He stated he discussed with DWR the transfer of the grant to the Board once they become the GSA and stated DWR stated it was rather complicated, but they would work with us.

Dave Tanksley – Mr. Tanksley asked if the City of Bishop is also considering withdrawing their GSA status. Mr. Grah stated that action has not been taken yet. Ms. Gardner stated we cannot withdraw until this body is established and ready to become the GSA. Mr. Tanksley stated is it the City of Bishops intent to withdraw their GSA status, Ms. Gardner stated yes. Mr. Vallejo stated the JPA agreement expressly contemplates all agencies withdrawing their GSA status concurrently with the OVGAs becoming the exclusive GSA, so by signing the JPA agreement all GSAs indicated their intent to withdraw their GSA status.

Terry Tye – Mr. Tye asked how many representatives of the Board have written letters of support for the grant.

7. Discussion regarding list of interested parties and contact information. (Board of Directors).

The Chairperson stated this was continued from last meeting as mutual water companies were not receiving notice, he wanted to insure they are receiving adequate notice. Mr. Harrington stated he received some updated information and the County maintains a list for interested parties.

Ken Toy – Mr. Toy stated the issue was that the information was incorrect.

Sally Manning – Ms. Manning asked if the list was available. Dr. Harrington stated it will be provided.

8. Discussion and potential action regarding establishing teleconference locations that members may regularly attend meetings from. (Board of Directors)

Mr. Vallejo stated Brown Act Compliance requires that the public be notified of any teleconference locations and be able to participate from those locations as well. He stated if the entire basin wanted to show up to one teleconference location, we would need to accommodate that and the staff time and resources to coordinate the teleconference locations. The Board decided unanimously not to pursue this at this time.

9. Comments from Members of the Board. (Board of Directors)

The Chairperson stated it was previously requested how many representatives of the Board have written letters of support for the grant. The Board discussed who had submitted their letters and which was a work in progress. The Chairperson stated items for next agenda are approval of minutes, discussion of delaying votes on funding contributions. Dr. Harrington stated we delayed approval of the minutes from the last meeting until the Board is fully constituted. Mr. Vallejo stated voting allocations are essentially required for all JPA business unless specifically otherwise stated.

Jason Canger - Mr. Canger asked if there needs to be an item on the next agenda that allows the Board to make decisions on JPA language matters. Mr. Vallejo stated this Board doesn't have the authority to make that decision, it would need to go before all the respective Boards to change the JPA language and the JPA doesn't have the staff at this time to accommodate this request. Mr. Canger asked if this item can go on the next agenda as a discussion.

Mr. Griffith's introduced himself to the Board and stated he would be Mr. Totheroh's alternate.

10. Adjourn.

The Chairperson adjourned the meeting at 4:38 p.m.