

# MINUTES

# Owens Valley Groundwater Authority

## Board Members:

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

July 12, 2018

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

### **1. Pledge of allegiance**

Joe Pecci led the pledge of allegiance.

### **2. Public Comment**

Philip Anaya – Mr. Anaya stated with regard to wells W385 & W386 there has been a settlement between Inyo County and LADWP. He stated this will be an item the OVGA should be aware of because the wells are on the boundary of the adjudicated and non-adjudicated portions of the basin.

April Zrelak – Ms. Zrelak stated it would be helpful to have the OVGA minutes and all documents posted online. She asked if there would be a separate website for the OVGA.

### **3. Introductions**

The Board and staff introduced themselves. Sierra Highlands, Tri Valley, and Big Pine CSD were absent. The Chairperson thanked Inyo County, Mono County, and City of Bishop staff for meeting remotely to collaborate and prepare each agenda and prepare materials and asked that they introduce themselves. Inyo County, Bob Harrington, Water Director, Laura Piper, Administrative Analyst, John Vallejo, Assistant County Counsel; City of Bishop, David Grah, Director of Public Works; Mono County, Jason Cangar, Mono County Deputy County Counsel, Wendy Sugimura interim Community Development Director.

### **4. Approval of minutes from the May 10, 2018 regular and special meeting**

Mr. Cutshall stated he was not aware who Karen Schwartz was. She is shown in the minutes as having seconded a vote and she is not listed as an alternate. Mr. Pecci stated she is the Mayor of the City of Bishop and is the alternate. The Chairperson stated the corrected minutes would reflect her in introductions as an alternate. The Chairperson made a motion to approve the minutes of the May 20, 2018 meeting as corrected, first by Dan Totheroh, seconded by Luis Elias (8 yes, 3 absent).

The Chairperson requested a motion to approve the minutes of the May 10, 2018 special meeting, first by Dan Totheroh, seconded by Daniel Cutshall. Motion passed (8 yes, 3 absent).

Philip Anaya – Mr. Anaya stated that his public comment in the regular minutes of May 10, 2018 item 2 should be changed to reflect “sorely needed change”. The Chairperson requested a motion to approve the minutes as corrected, first by Walt Pachuki, seconded by John Dukes. Motion passed (8 yes, 3 absent).

### **5. Board Member Reports**

Mr. Cutshall thanked the Boards for its help with Starlite CSD’s boundary modification request to the Dept. of Water Resources. Mr. Stump stated he sits on the GBAPCD Board as does Mr. Totheroh and he missed the meeting to attend the OVGA meeting. He stated LADWP has sued the GBAPCD over additional dust mitigation on the Owens Dry Lake and LADWP lost the ruling last week.

## **6. Election of temporary Chair Pro Tem**

The Chairperson made a motion to elect Joe Pecs as temporary Chair pro tem, first by Glenn Inouye, second by Daniel Cutshall. Motion passed unanimously (8 yes, 3 absent).

## **7. Discussion and direction to staff regarding preparation of bylaws**

Mr. Vallejo stated there was not a draft update of the bylaws at this time. He asked the Board to provide direction on how to structure the addition of the associate or interested parties at a future meeting. The Board discussed that only primary Board members could be elected to the Chairperson position; and the chair pro tem will be temporary until the bylaws are in place.

Philip Anaya – Mr. Anaya asked would the Board consider placing associate and interested party members on the Board to help with the drafting of the bylaws.

The Chairperson stated a Standing Committee could be formed to hold one seat on the Board, comprised of various entities that could potentially hold an individual seat instead of creating a Board of 24 members. The Chairperson suggested an agenda item to discuss this issue. Mr. Inouye stated he would prefer a draft of the bylaws be brought before the Board. Mr. Cutshall stated research could be done to bring examples of how other areas are dealing with this specific issue.

Philip Anaya – Mr. Anaya read a section of the JPA under article 5 section 1.1 and stated if it's the authority's intention to include associates and interested parties as stated in the JPA, he stated they need to move forward. Dr. Harrington stated at a previous meeting, draft associate and interested party applications were brought before the Board, revisions made by the Board, and revised applications will come back before the Board with draft bylaws.

## **8. Proposed reprioritization of Owens Valley Groundwater Basin. Discussion and direction to staff concerning submission of comments to DWR from OVGA, and requests to OVGA members to submit comments**

Dr. Harrington gave a brief introduction on this item; stated the basin has been designated as a medium priority basin; medium priority basins are required to have groundwater sustainability agencies that prepare groundwater sustainability plans; DWR has released draft reprioritization of basins; and Owens Valley was reprioritized to high priority. Mr. Cangar stated a letter is being drafted that focuses on whether the categorization and its dependence on LADWP's exports is supported by law and supported by data. The Chairperson requested staff return with an analysis of low vs medium/high priority basin. The Board and staff discussed this item in detail and at length.

Philip Anaya – Mr. Anaya stated going back to LADWP's letter; they think they have an adjudicated basin but only have a portion of the basin. He stated we need to hold on to the new high priority.

Ms. Sugimura stated the letter is currently being drafted as a request that Owens Valley be designated a low priority basin, and ask whether that is the approach the Board would like to take.

Ted Williams – Mr. Williams stated he wanted to show his appreciation to the Board bringing up the financial impact to CSD rate payers. He stated moving the basin to low priority would remove a significant financial burden.

Mr. Grah stated the City of Bishop represents by far the largest number of people than anyone on this Board with regard to the GSA and the City of Bishop is well protected against mismanaged groundwater by the Hillside Decree, etc. He stated although SGMA is a reality, it does very little to benefit the City of Bishop but it does add cost and administration. He stated the City of Bishop customers and citizens are better served by not being subject to the SGMA so they would like to be a low priority basin.

April Zrelak – Ms. Zrelak asked whether DWR's reprioritization components one thru eight, eight being habitat and other information, we were rating as two and is anyone going to make a comment on the other areas, not just the export portion. She stated it takes fourteen points to be medium priority; and is anyone addressing the other areas of the rating we received. Mr. Cangar stated the current comment letter does not address those comment points.

Philip Anaya – Mr. Anaya stated losing the sustainability requirement of 2042 is unthinkable. He stated costs of the GSP are going to be covered under the grant. He stated the adjudicated basins have to report annually to DWR. He stated if we make regulations and rules about whether they can drain the non-adjudicated basin, then that is worth it.

Ryan Smith – Mr. Smith stated is there any understanding if once a GSP is implemented if the basin priority gives a priority towards grant funding, and/or mitigation measures. Dr. Harrington stated not at this time but could in the future. He stated currently, critically over drafted basin are at the head of the line for funding.

Holly Alpert – Ms. Alpert asked how often will prioritizations be visited and could be changed in the future. Dr. Harrington stated

that is a possibility and he thought it is supposed to be revised every five years as DWR Bulletin 118 is updated.

The Chairperson called a break at 3:56 p.m.

The Chairperson reconvened the meeting at 4:05 p.m.

**9. Discussion and direction to staff of draft letter responding to correspondence from the Los Angeles Department of Water and Power concerning inclusion of Los Angeles-owned lands within GSA boundaries**

Dr. Harrington gave a brief overview of LADWP's letter and objection to the inclusion of LADWP land within the boundaries of the GSA, and staff's letter enumerating five reasons why LADWP should be included within the boundaries of the GSA.

Mr. Cutshall read a letter he had drafted in response to LADWP's 5-22-18 letter.

The Chairperson made a motion to approve the letter to LADWP and to bring Mr. Cutshall's letter back to Board next meeting to be sent by the OVGA Board to LADWP, first by Glenn Inouye, seconded by Dan Totheroh. Motion passed (8 yes, 3 absent)

**10. Approve payment of Member invoice(s) for staff services**

The Chairperson called a motion to approve the invoice from Inyo County for staff services, first by Joe Pecs, seconded by Luis Elias. Motion passed (8 yes, 3 absent).

The Chairperson requested financial reports included in the future Board Packets.

**11. Authorization to provide notice to DWR of intent to prepare a groundwater sustainability plan**

Dr. Harrington stated the first step in preparing a GSA is for the GSA to file a notice with DWR of its intent to prepare a plan. The filing includes documentation that the person uploading the information on the website was authorized to do so by the GSA. He stated this is timely, because the grant contract cannot be entered into until this notice is posted.

The Chairperson called a motion to provide authorization to DWR of the intent to prepare a groundwater sustainability plan and authorize Dr. Harrington to submit the information; Motion passed (8 yes, 3 absent).

**12. Reports from OVGA members' staff**

Dr. Harrington stated the RFQ has been advertised, several consultants have been in contact with questions, and the deadline is July 31. He stated the next steps are for staff to review responses and provide the Board with a recommendation. Mr. Vallejo stated the conflict of Interest Code has not generated any responses or requests for a public hearing, next step is the Board Chair signs the certification notice that was sent out then the State approves the Conflict of Interest Code.

Philip Anaya – Mr. Anaya asked the time frame on the hiring of a consultant; Dr. Harrington stated approximately September.

Ryan Smith – Mr. Smith asked if the proposals would be available for public review, Dr. Harrington stated yes.

Randall Holmes – Mr. Holmes stated he is a Ph.D. student from Stanford University looking for collaborative opportunities. He stated if any of the consultant firms are willing to let students help, he is one of them.

**13. Comments from Members of the Board**

The Chairperson thanked Mr. Cutshall for his letter. The Board thanked staff for all their work and efforts. Mr. Elias stated he will not be present for the September 13, 2018 OVGA meeting, his alternate Ted Williams will be in his place.

**14. Set next meeting**

The next meeting was scheduled for August 9, 2018 in the Bishop Fire Training Center if available.

**15. Adjourn**

The Chairperson adjourned the meeting at 4:40 p.m.