

MINUTES

Owens Valley Groundwater Authority

Board Members:

SIERRA HIGHLANDS	John Camphouse	COUNTY OF MONO	Fred Stump
EASTERN SIERRA CSD	Ron Stone	CITY OF BISHOP	Chris Costello
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

January 10, 2019

The Owens Valley Groundwater Authority meeting was called to order at 2:05 p.m. at the Bishop Fire Training Center, Bishop, CA.

1. Pledge of allegiance

John Camphouse led the pledge of allegiance.

2. Public Comment

April Zrelak wished to bring up the JPA as it relates to Article 5; Philip Anaya wanted to discuss the final prioritization. Staff stated both items would be discussed in upcoming agenda item #10 and staff reports, respectively.

3. Introductions

The Board introduced themselves with one absence, Keeler CSD.

4. Approval of minutes from the December 13, 2018 OVGA Board meeting

The Chairperson requested a motion to approve the minutes of the December 13, 2018 meeting, first by Daniel Cutshall, second by Chris Costello as amended; item #8 remove 4/5 vote and replace with "The Board will decide on further requirements for spending from the fund". Motion passed 9 yes (35.34 votes) 1 abstention (6.66 votes) 1 absence (2 votes).

5. Board Member Reports

The Chairperson stated Mono County's court hearing is one week from tomorrow in Alameda County in their action filed against DWP; DWP filed a demurrer asking the court to reject both Mono and Sierra Clubs lawsuit; Mono County has filed documents with the court; Ca Dept. of Fish & Wildlife and Sierra Club have filed documents supporting Mono County.

6. Financial Report

Laura Piper, Administrative Analyst for ICWD provided the financial report and stated the current OVGA cash balance is \$201,233.33.

The Chairperson stated the contributions provided by the JPA are currently being used to support its operation; the grant funding will be expended solely for the consultant and apologized if he provided any misleading information. The Board and staff discussed the finances and possibility of alternate revenue streams.

7. Prop 1 Grant Funding – DWR Representative Jennifer Wong

Jennifer Wong, Department of Water Resources, introduced herself to the Board, stated she held a kickoff meeting with Aaron Steinwand and Laura Piper this morning to review the grant agreement, invoicing, and quarterly reports. She stated she will be the

contact for the grant administration and our groundwater basin. The Chairperson asked how Prop 1 is funding the grant. Jennifer Wong stated the OVGA put in a grant application to receive Prop 1 funding to complete a GSP in which DWR awarded this basin \$713,000 in grant funding. She stated there is not a cost share; the basin received a waiver as a disadvantaged community and the source of funding is through Proposition 1, approved by the voters. The Chairperson asked Ms. Wong if she had any comment regarding our basin rating. She stated we are going into phase 2 of the basin prioritization, because there was a basin boundary modification that was submitted to exempt the Starlite area. She stated once DWR has reviewed the requests, they will reassign basin prioritizations. She stated there will be a comment period after the draft basin prioritizations are released. Mr. Anaya asked what would be the status of the previous public comment; Ms. Wong stated everything submitted previously (for that phase) will be taken into account. The Board asked if there was any additional funding available; Ms. Wong stated there will be Prop 68 funding available to further continue the GSP. Philip Anaya stated he spoke with DWR and they stated new comment letters should be drafted, the previous ones will not be considered because it is a new process.

8. Consultant kickoff – DBS & A – Tony Morgan

Tony Morgan provided a detailed and in depth PowerPoint in starting the GSP process. He discussed data transfer/management and the various potential data sources, the project schedule, interested stakeholders, stakeholder engagement plan and touched on alternate funding sources and sustainable criteria. The Board, staff, and the consultant discussed this in detail. Deb Murphy asked if it was possible to develop a plan with another agency pumping from the aqueduct, staff stated they will have to comply with the regulations of this agency. Mary Roper stated data is necessary, LADWP redacts so much, we are unique because of DWP and there is no transparency. Sally Manning stated the Water Agreement isn't working and the Board will need to make sure the County achieves some Water Agreement goals, and the consultant is really working for the stakeholders. Mr. Morgan stated the stakeholders have access to the Board to make recommendations and the Board makes the final decisions. Philip Anaya suggested having a broad stakeholder representation on the Board. Peter Sickles inquired if there will be a gantt chart in terms of cost proposals for the Board to control the consultant expenses.

The Chairperson called a break at 3:26 pm and reconvened the meeting at 3:38 pm.

9. Approval of Inyo/Mono/City of Bishop invoices for staff services

The Chairperson stated there was only one invoice available at this time from Inyo County for October thru December 2018 and requested a motion for approval, first by Glenn Inouye and a second by John Camphouse 10 yes (42 votes), 1 absent (2 votes). The Board asked when they can expect to have billings from City of Bishop and Mono County. Mono County and Bishop stated they expect to have their October-December 2018 invoices provided to the Board at the February meeting.

10. Discussion of Associate and Interested Parties

Aaron Steinwand provided a brief overview on the Associate & Interested Parties forms and letters reviewed the past three meetings, with approvals at the December meeting. He stated the press release was sent, advertised in the local newspaper, and is also posted on the Water Departments SGMA webpage along with the forms. He stated it was the Boards request at the December meeting to have further discussion on the January meeting. The Board, staff, and the public discussed this in detail and at length. April Zrelak, Philip Anaya, and Earl Wilson suggested wording changes and corrections to the drafted letters. Sally Manning stated after reviewing the forms, the statements of interest were onerous. Deb Murphy asked if the application would be more extensive than the letter of interest.

The Chairperson requested a motion to allow the interim Executive Manager, Aaron Steinwand, to sign the Associate and Interested Parties letters and email/mail accordingly with the final statement in question reading "The OVGA may request formal applications at a later time", first by Glen Inouye and a second by Ron Stone, 10 yes (42 votes), 1 absent(2 votes).

April Zrelak stated in the JPA article 5, 1.3.3 there is a sentence "The GSP shall only otherwise apply to LADWP water management activities to the extent the City of Los Angeles and Inyo County agree that the GSP requirements do not directly conflict with the Water Agreement" she stated she reads this to mean that LADWP can become a member if the Board allows, and always say we don't agree and say that it does conflict and they can therefore never have to participate in the GSP and it's not being addressed. John Vallejo stated the agreement between the OVGA and LADWP required for them to join the Board can be worded to avoid this potential outcome.

11. Reports from OVGA members' staff

John Vallejo stated form 700 will be coming to the Board members and stated insurance options are being investigated by staff for the OVGA.

Glenn Inouye left the meeting at 4:25pm.

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12. Discussion regarding future agenda items

The Board requested the following be included on the February agenda; contracting for staff services-discussion and possible action, reserve policy, insurance, and discussion of possible alternative revenue streams.

13. Set next meeting

The next meeting was scheduled for February 14, 2019 in the Bishop Fire Training Center.

The Chairperson adjourned the regular meeting at 4:42 pm.

CLOSED SESSION

14. PUBLIC EMPLOYMENT [Pursuant to Government Code §54957] – Title: Executive Manager and staff services contracts

15. PUBLIC EMPLOYMENT [Pursuant to Government Code §54957] – Title: Legal Counsel

The OVGA reported there was no action taken during closed session that is required to be reported.

16. Adjourn

The Chairperson adjourned closed session at approximately 6:22 pm.

OWENS VALLEY GROUNDWATER AUTHORITY

Big Pine CSD — City of Bishop — County of Inyo — County of Mono — Eastern Sierra CSD — Indian Creek-Westridge CSD — Keeler CSD —
Sierra Highlands CSD — Starlite CSD — Tri Valley Groundwater Management District — Wheeler Crest CSD

P.O. Box 337
135 Jackson Street
Independence, CA 93526

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www.inyowater.org

Staff Report

Date: March 14, 2019

Subject: Removal of Starlite CSD from the OVGA

As your Board is aware, an application was made to revise the boundary the Owens Valley Groundwater Basin to remove the Starlite zone from the Basin. DWR's Basin Boundary Modifications approved the request.

The OVGA's ability to carry out its mission as a GSA via the joint powers agreement authority will be compromised because an OVGA-JPA Member, Starlite CSD, is divested of its SGMA-granted powers. As such, it is important that Starlite CSD separate from the OVGA-JPA. The OVGA can accomplish this via Article VI Section 1.5. **Staff recommends your Board take this action today.**

Removal of a Member will proportionally decrease the weight of Funding and Extra Funding vote shares due to the change to the number of Members (M) in the vote share formula $V = 2 + (2MC/B)$ found in Article IV 2.1. Another way of looking at it is that the funding contribution required to become a "funding member" receiving 4 votes changed from a 3-year contribution of

- $\$747,585/11 = \$67,962$ (\$22,654/year)
- to
- $\$747,585/10 = \$74,758.5$ (\$24,919.5/year)

The vote share changes are shown below:

Funding Type	M = 11	M = 10
Non Funding Vote Share:	2	2
Funding Vote Share:	4	3.82
Extra Funding Vote Share:	6.67	6.24

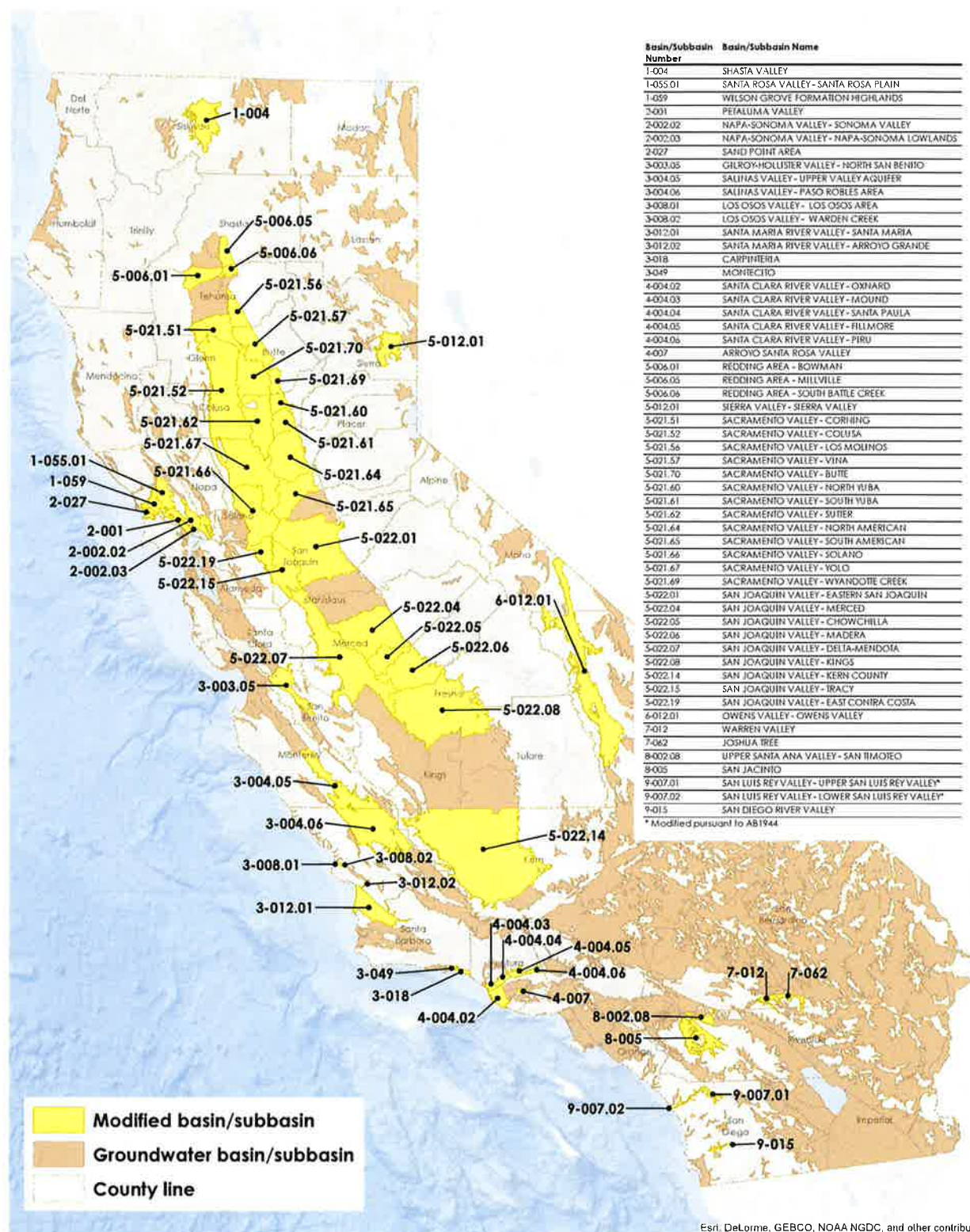
There are two possible approaches to this situation:

First, do nothing and let the proportionately adjusted vote share remain in place. Or second, given the language in Article IV.1.3 stating the intent to allow all Members an Equal Funding Opportunity, offer Funding Members the opportunity to increase their funding contribution by

\$6,796.5 and restore the vote share to a full four votes. This would have the collateral effect of reducing the Extra Funding Members contributions and vote share accordingly.

Staff recommends each of the four Board Members representing a Funding Member bring this issue back to their Board to determine their intended course of action so that, at the next OVGA meeting, we are able to determine if a GSPDB Funding Meeting should be scheduled.

Bulletin 118 Groundwater Basin Boundaries 2018 Final Modifications



Esri, DeLorme, GEBCO, NOAA NGDC, and other contributors

Map created from B118 Basin Boundaries Published 02/11/2019.



CALIFORNIA DEPARTMENT OF
WATER RESOURCES

2018 Basin Boundary Modifications - FINAL Decisions
February 11, 2019

Basin(s)/Subbasin(s)	Requesting Agency	Modification Type	FINAL Decision	Basis for Denial	Notes
SHASTA VALLEY	Siskiyou County Flood Control and Water Conservation District	Scientific External	Approve	NA	Request met regulatory criteria.
SANTA ROSA PLAIN WILSON GROVE FORMATION HIGHLANDS	City of Sebastopol	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
WILSON GROVE FORMATION HIGHLANDS PETALUMA VALLEY	City of Petaluma	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
WILSON GROVE FORMATION HIGHLANDS SAND POINT AREA	Marin County	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
SONOMA VALLEY NAPA-SONOMA LOWLANDS	Sonoma Valley Groundwater Sustainability Agency	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
BOLSA AREA HOLLISTER AREA SAN JUAN BAUTISTA AREA TRES PINOS VALLEY	San Benito County Water District	Jurisdictional Consolidation	Approve	NA	Request met regulatory criteria.
UPPER VALLEY AQUIFER PASO ROBLES AREA	Salinas Valley Basin Groundwater Sustainability Agency	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
PASO ROBLES AREA	Heritage Ranch Community Services District	Scientific External	Approve	NA	Request met regulatory criteria.
CARPINTERIA	Carpinteria Valley Water District	Scientific External	Approve	NA	Request met regulatory criteria.
CARPINTERIA MONTECITO	Montecito Water District	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
OXNARD MOUND SANTA PAULA	Mound Basin Groundwater Sustainability Agency	Scientific External Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
FILLMORE PIRU SANTA PAULA	United Water Conservation District	Scientific External Scientific Internal Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
ARROYO SANTA ROSA VALLEY	Arroyo Santa Rosa Basin Groundwater Sustainability Agency	Scientific External	Approve	NA	Request met regulatory criteria.
BOWMAN ROSEWOOD	Tehama County Flood Control and Water Conservation District	Jurisdictional Consolidation	Approve	NA	Request met regulatory criteria.
MILLVILLE SOUTH BATTLE CREEK	Tehama County Flood Control and Water Conservation District	Jurisdictional Consolidation	Approve	NA	Request met regulatory criteria.
SIERRA VALLEY	Plumas County	Scientific External	Approve	NA	Request met regulatory criteria.
WEST BUTTE EAST BUTTE	Butte County Department of Water and Resource Conservation	Jurisdictional Internal Jurisdictional Consolidation	Approve	NA	Request met regulatory criteria.
COLUSA WEST BUTTE	Colusa Groundwater Authority	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
SUTTER NORTH AMERICAN EAST BUTTE	Sutter County	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
LOS MOLINOS VINA DYE CREEK WEST BUTTE EAST BUTTE	Tehama County Flood Control and Water Conservation District	Jurisdictional Consolidation	Approve	NA	Request met regulatory criteria.
EAST BUTTE WYANDOTTE CREEK	Reclamation District No. 1004	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
EAST BUTTE WYANDOTTE CREEK	Butte County Department of Water and Resource Conservation	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
SOLANO YOLO	Yolo Subbasin Groundwater Agency	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
SOLANO TRACY	Sacramento County Water Resources	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
WYANDOTTE CREEK NORTH AMERICAN SUTTER SOUTH YUBA NORTH YUBA EASTERN SAN JOAQUIN TRACY	Yuba County Water Agency	Scientific External Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
EASTERN SAN JOAQUIN TRACY	Lathrop City Of	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
CHOWCHILLA	Madera County	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
MADERA KINGS	Madera County	Scientific Internal Jurisdictional Internal	Approve	NA	Request met regulatory criteria.

2018 Basin Boundary Modifications - FINAL Decisions
February 11, 2019

Basin(s)/Subbasin(s)	Requesting Agency	Modification Type	FINAL Decision	Basis for Denial	Notes
CHOWCHILLA DELTA-MENDOTA	San Joaquin River Exchange Contractors Water Authority	Jurisdictional Internal	Approve	NA	Request met regulatory criteria.
KINGS	North Kings Groundwater Sustainability Agency	Scientific External	Approve	NA	Request met regulatory criteria.
TRACY	Brentwood City Of	Jurisdictional Subdivision	Approve	NA	Request met regulatory criteria.
OWENS VALLEY	Starlite Community Services District	Scientific External	Approve	NA	Request met regulatory criteria.
WARREN VALLEY	Mojave Water Agency	Scientific Internal	Approve	NA	Request met regulatory criteria.
SAN TIMOTEO	Southwest San Timoteo Groundwater Sustainability Agency	Scientific External	Approve	NA	Request met regulatory criteria.
SAN DIEGO RIVER VALLEY	City of San Diego	Scientific External	Approve	NA	Request met regulatory criteria.
LOS OSOS VALLEY	San Luis Obispo County	Jurisdictional Subdivision Scientific External	Approve Deny Portion (Northern fringe)	345.2(c) - Insufficient scientific evidence to support modification.	Agency did not provide adequate technical studies to demonstrate that the referenced "Minor Fringe Exclusion Area" did not represent basin; remaining portions of request were approved.
SANTA MARIA	Santa Maria Basin Fringe Areas - County of San Luis Obispo Groundwater Sustainability Agency	Scientific External Scientific Internal	Approve Deny Portion (Ziegler Canyon)	345.2(c) - Insufficient scientific evidence to support modification.	Agency did not provide adequate technical studies to demonstrate the referenced fault and geologic contact significantly impede groundwater flow for the Ziegler Canyon area; remaining portions of request were approved.
KERN COUNTY	West Kern Water District	Scientific External	Approve Deny Portion (Little Santa Maria Valley, QP with Anticlines, and QP at Little Santa Maria Valley)	345.2(c) - Insufficient scientific evidence to support modification.	Request to subdivide and create Little Santa Maria Valley as subbasin is not supported with sufficient scientific information. Agency did not provide adequate technical studies to demonstrate the referenced alluvial units (QP with Anticlines) do not represent aquifer or basin.
SAN JACINTO	Eastern Municipal Water District	Scientific External Scientific Internal	Approve Deny Portion (Lake Perris)	345.2(c) - Insufficient scientific evidence to support modification.	Agency did not provide adequate technical studies to demonstrate that area 6 (Lake Perris) does not represent basin material; remaining portions of request were approved.
SANTA MARIA	Santa Barbara County Water Agency	Scientific External	Deny	345.2(c) - Insufficient scientific evidence to support modification.	Agency did not provide adequate technical studies to support external boundaries to match adjudication boundaries and did not consistently follow geologic features.
SOUTH AMERICAN EASTERN SAN JOAQUIN SOLANO	Northern Delta Groundwater Sustainability Agency	Jurisdictional Subdivision	Deny	345.2(d) - Failure to provide all required information.	Agency did not provide the required 3/4 support of local agencies and public water systems in affected basins.
SOUTH AMERICAN COSUMNES	Sloughhouse Resource Conservation District	Jurisdictional Internal	Deny	345.2(a) - May limit opportunity or likelihood of sustainable groundwater management.	Agency did not demonstrate proposed modification would result in improved groundwater management. Opposition to proposal by Sacramento Central Groundwater Authority and City of Sacramento.
COASTAL PLAIN OF SAN DIEGO	Sweetwater Authority	Scientific External	Deny	345.2(c) - Insufficient scientific evidence to support modification.	Agency did not provide adequate technical studies to demonstrate that the referenced area did not represent basin material.

COUNTY OF INYO
Budget to Actuals with Encumbrances by Key/Obj
As Of 3/7/2019

Ledger: GL

Object	Description	Budget	Actual	Encumbrance	Balance	%
Key: 621601 - OVGA-OWENS VALLEY GROUNDWATER						
Revenue						
4301	INTEREST FROM TREASURY	4,000.00	1,732.40	0.00	2,267.60	43.31
4599	OTHER AGENCIES	747,585.00	0.00	0.00	747,585.00	0.00
	Revenue Total:	<u>751,585.00</u>	<u>1,732.40</u>	<u>0.00</u>	<u>749,852.60</u>	<u>0.23</u>
Expenditure						
5121	INTERNAL CHARGES	42,745.00	0.00	0.00	42,745.00	0.00
5129	INTERNAL COPY CHARGES (NON-IS)	521.00	520.52	0.00	0.48	99.90
5263	ADVERTISING	2,000.00	0.00	0.00	2,000.00	0.00
5291	OFFICE, SPACE & SITE RENTAL	2,479.00	0.00	0.00	2,479.00	0.00
5311	GENERAL OPERATING EXPENSE	500.00	0.00	0.00	500.00	0.00
5539	OTHER AGENCY CONTRIBUTIONS	50,000.00	44,357.66	0.00	5,642.34	88.71
	Expenditure Total:	<u>98,245.00</u>	<u>44,878.18</u>	<u>0.00</u>	<u>53,366.82</u>	<u>45.67</u>
621601	Key Total:	<u>653,340.00</u>	<u>(43,145.78)</u>	<u>0.00</u>	<u>696,485.78</u>	

COUNTY OF INYO

General Ledger Transaction Detail

Report Date: 03/07/2019

Post Date	Sub- System	Reference	PEID	Description	Misc	Debits	Credits	Net Amount
621601	OVGA-OWENS VALLEY GROUNDWAT							
1000	CLAIM ON CASH							
JE 07/01/2018	JE	YEARENE	N/A..N/A	3. Balance forward 2017/2018		199,708.69	0.00	199,708.69
07/09/2018	CR	TTLCR	N/A..N/A	AutoID: CR18709A Job: 2277089		35,239.77	0.00	234,948.46
JE 08/10/2018	JE	JE32179	N/A..N/A	AutoID: JA18809J Job: 2285810		245.10	0.00	235,193.56
JE 10/24/2018	JE	INTEREST	N/A..N/A	AutoID: JA18A24A Job: 2306513		958.25	0.00	236,151.81
JE 11/01/2018	JE	IS0918	N/A..N/A	AutoID: IS18C31B Job: 2311614		0.00	69.06	236,082.75
JE 11/30/2018	JE	JE32887	N/A..N/A	AutoID: JT18N30I Job: 2329197		0.00	16,572.98	219,509.77
OH 12/05/2018	OH	TTLOH	N/A..N/A	AutoID: WD18N27A Job:2331549		0.00	16,693.88	202,815.89
OH 12/06/2018	OH	TTLOH	N/A..N/A	AutoID: WD18N27B Job:2333015		0.00	1,582.56	201,233.33
JE 01/10/2019	JE	IS1218	N/A..N/A	AutoID: IS19J07F Job: 2354487		0.00	451.46	200,781.87
JE 01/18/2019	JE	JE33285	N/A..N/A	AutoID: JI19118C Job: 2362061		0.00	9,508.24	191,273.63
JE 02/07/2019	JE	INTEREST	N/A..N/A	AutoID: JA18207C Job: 2372571		774.15	0.00	192,047.78
Total CLAIM ON CASH						236,925.96	44,878.18	192,047.78
Total OVGA-OWENS VALLEY GROUNDWA						236,925.96	44,878.18	192,047.78
Grand Total						236,925.96	44,878.18	192,047.78

COUNTY OF INYO
Budget to Actuals with Encumbrances by Key/Obj
As Of 3/7/2019

Ledger: GL

Object	Description	Budget	Actual	Encumbrance	Balance	%
Key: 621602 - GROUNDWATER SUSTAINABILITY PLA						
Revenue						
4498	STATE GRANTS	713,155.00	0.00	0.00	713,155.00	0.00
	Revenue Total:	713,155.00	0.00	0.00	713,155.00	0.00
Expenditure						
5265	PROFESSIONAL & SPECIAL SERVICE	713,155.00	0.00	0.00	713,155.00	0.00
	Expenditure Total:	713,155.00	0.00	0.00	713,155.00	0.00



Daniel B. Stephens & Associates, Inc.
 2777 E. Guasti Road, Suite 1
 Ontario, California 91761
 (505) 822-9400

February 18, 2019

Aaron Steinwand
 County of Inyo
 PO Box 337
 135 S. Jackson St.
 Independence, CA 93526

Project No: DB18.1418.00
 Invoice No: 0233732

Project DB18.1418.00 Provision of Water Planning and Hydrologic Consulting Services -
 Preparation of GSP

Professional Services from December 26, 2018 to February 10, 2019

Phase 0000001 Public & Stakeholder Engagment and Publi
 Task 0001 Initial Site Visit

Professional Personnel

	Hours	Rate	Amount	
Project Assistant II	.90	90.00	81.00	
Totals	.90		81.00	
Total Labor				81.00

Reimbursable Expenses

CLIENT REIMB:AUTO RENTAL

1/9/2019	Morgan, W. Tony	fuel for rental vehicle	29.00
1/11/2019	Morgan, W. Tony	fuel for rental vehicle	38.10
1/11/2019	Morgan, W. Tony	fuel for rental vehicle	15.66
1/12/2019	Morgan, W. Tony		109.25

CLIENT REIMB: MEALS

1/9/2019	Morgan, W. Tony		31.89
1/10/2019	Morgan, W. Tony		36.14
1/10/2019	Morgan, W. Tony		36.01
1/10/2019	Morgan, W. Tony		15.00

CLIENT REIMB: LODGING

1/11/2019	Morgan, W. Tony		155.36
Total Reimbursables			466.41

Total this Task \$547.41

Task 0008 Progress Reports-Public Meetings

Professional Personnel

	Hours	Rate	Amount	
Principal Professional II	2.50	250.00	625.00	
Totals	2.50		625.00	
Total Labor				625.00

Total this Task \$625.00

Total this Phase \$1,172.41

Remit to: 2777 E. Guasti Road, Suite 1, Ontario, CA 91761

Project	DB18.1418.00	Provision of Water Planning and Hydrolog	Invoice
	0233732 Phase	0000002	GSP Data

Compilation, Basin Conceptual M

Task 0003 Data & Document Compilation, Review, & M

Professional Personnel

	Hours	Rate	Amount	
Principal Professional II	34.00	250.00	8,500.00	
Project Professional I	78.00	161.00	12,558.00	
Totals	112.00		21,058.00	
Total Labor				21,058.00

Reimbursable Expenses

CLIENT REIMB: LODGING

1/11/2019	Moore, Timothy	Owens Valley data gathering	155.36	
	Total Reimbursables		155.36	155.36

Total this Task \$21,213.36

Total this Phase \$21,213.36

Total this Invoice \$22,385.77

Billings to Date

	Current	Prior	Total
Labor	21,764.00	0.00	21,764.00
Expense	621.77	0.00	621.77
Totals	22,385.77	0.00	22,385.77

Project	DB18.1418.00	Provision of Water Planning and Hydrolog	Invoice	0233732
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Billing Backup

Wednesday, February 13, 2019

GEOLOGIC ASSOCIATES, INC.

Invoice 0233732 Dated 2/13/2019

2:25:19 PM

Project	DB18.1418.00	Provision of Water Planning and Hydrologic Consulting Services - Preparation of GSP
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Phase	0000001	Public & Stakeholder Engagement and
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Publi Task	0001	Initial Site Visit
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Professional Personnel

				Hours	Rate	Amount	
	Project Assistant II						
00552	94100552OF - 0 - Martinez, Lorraine	12/28/2018		.50	90.00	45.00	
	Project Admin						
00552	94100552OF - 0 - Martinez, Lorraine	1/8/2019		.40	90.00	36.00	
	Project Admin						
	Totals			.90		81.00	
	Total Labor						81.00

Reimbursable Expenses

CLIENT REIMB:AUTO RENTAL

EX	0050545	1/9/2019	Morgan, W. Tony / fuel for rental vehicle	29.00
EX	0050545	1/11/2019	Morgan, W. Tony / fuel for rental vehicle	38.10
EX	0050545	1/11/2019	Morgan, W. Tony / fuel for rental vehicle	15.66
EX	0050545	1/12/2019	Morgan, W. Tony	109.25

CLIENT REIMB: MEALS

EX	0050545	1/9/2019	Morgan, W. Tony	31.89
EX	0050545	1/10/2019	Morgan, W. Tony	36.14
EX	0050545	1/10/2019	Morgan, W. Tony	36.01
EX	0050545	1/10/2019	Morgan, W. Tony	15.00

CLIENT REIMB: LODGING

EX	0050545	1/11/2019	Morgan, W. Tony	155.36
	Total Reimbursables			466.41

Total this Task \$547.41

Task	0008	Progress Reports-Public Meetings
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Professional Personnel

				Hours	Rate	Amount	
	Principal Professional II						
01086	12001086OF - 0 - Morgan, W. Tony	12/31/2018		.50	250.00	125.00	
	project setup						
01086	12001086OF - 0 - Morgan, W. Tony	1/3/2019		2.00	250.00	500.00	
	OVGA BOD staff report prep; presentation prep						
	Totals			2.50		625.00	
	Total Labor						625.00

Total this Task \$625.00

Project	DB18.1418.00	Provision of Water Planning and Hydrolog	Invoice	0233732
Total this Phase			\$1,172.41	

Phase	0000002	GSP Data Compilation, Basin Conceptual M
Task	0003	Data & Document Compilation, Review, & M

Professional Personnel

			Hours	Rate	Amount
Principal Professional II					
01086	12001086OF - 0 - Morgan, W. Tony	12/27/2018	1.00	250.00	250.00
	prep for data exchange meeting				
01086	12001086OF - 0 - Morgan, W. Tony	12/28/2018	1.00	250.00	250.00
	prep for data exchange meeting				
01086	12001086OF - 0 - Morgan, W. Tony	1/9/2019	8.00	250.00	2,000.00
	travel to Bishop; mtg with ICWD re: data transfer				
01086	12001086OF - 0 - Morgan, W. Tony	1/10/2019	8.00	250.00	2,000.00
	mtg with TEAM Env; mtg with City of Bishop; attend OVGA BOD mtg				
01086	12001086OF - 0 - Morgan, W. Tony	1/11/2019	5.00	250.00	1,250.00
	travel from Bishop to home				
01086	12001086OF - 0 - Morgan, W. Tony	1/14/2019	2.00	250.00	500.00
	data compilation & review				
01086	12001086OF - 0 - Morgan, W. Tony	1/15/2019	1.00	250.00	250.00
	data compilation & review				
01086	12001086OF - 0 - Morgan, W. Tony	1/21/2019	1.00	250.00	250.00
	data contacts review/compilation				
01086	12001086OF - 0 - Morgan, W. Tony	1/22/2019	1.00	250.00	250.00
	data contacts review/compilation				
01086	12001086OF - 0 - Morgan, W. Tony	1/29/2019	1.00	250.00	250.00
	data review				
01086	12001086OF - 0 - Morgan, W. Tony	1/30/2019	1.00	250.00	250.00
	data review				
01086	12001086OF - 0 - Morgan, W. Tony	2/6/2019	2.00	250.00	500.00
	data review				
01086	12001086OF - 0 - Morgan, W. Tony	2/7/2019	2.00	250.00	500.00
	data review				
Project Professional I					
01096	30001096OF - 0 - Moore, Timothy	12/26/2018	1.10	161.00	177.10
	Prep for Owens Valley Basin trip (Jan. 9 - 11).				
01096	30001096OF - 0 - Moore, Timothy	1/2/2019	1.10	161.00	177.10
	Prep for data acquisition trip up to Owens Valley scheduled for next week.				

Project	DB18.1418.00	Provision of Water Planning and Hydrolog	Invoice	0233732
01096	30001096OF - 0 - Moore, Timothy	1/3/2019	2.10 161.00	338.10
	Prep for data acquisition trip up to Owens Valley scheduled for next week.			
01096	30001096OF - 0 - Moore, Timothy	1/8/2019	4.60 161.00	740.60
	Prep and research for data acquisition trip.			
01096	30001096OF - 0 - Moore, Timothy	1/9/2019	8.00 161.00	1,288.00
	Drive to Owens Valley, meet with Inyo County Water Department for data transfer.			
01096	30001096OF - 0 - Moore, Timothy	1/10/2019	8.00 161.00	1,288.00
	Meet with Team, City of Bishop for data transfer, and attend OVGA monthly meeting.			
01096	30001096OF - 0 - Moore, Timothy	1/11/2019	8.00 161.00	1,288.00
	Follow-up on data transfer requests and drive home from Bishop.			
01096	30001096OF - 0 - Moore, Timothy	1/14/2019	6.50 161.00	1,046.50
	Data gathering and organization.			
01096	30001096OF - 0 - Moore, Timothy	1/15/2019	4.30 161.00	692.30
	Data gathering, organization and background research.			
01096	30001096OF - 0 - Moore, Timothy	1/16/2019	6.10 161.00	982.10
	Data gathering, organization and background research.			
01096	30001096OF - 0 - Moore, Timothy	1/17/2019	8.10 161.00	1,304.10
	Data gathering, organization and background research.			
01096	30001096OF - 0 - Moore, Timothy	1/21/2019	1.20 161.00	193.20
	Contact list compilation.			
01096	30001096OF - 0 - Moore, Timothy	1/25/2019	4.50 161.00	724.50
	Data gathering and compilation.			
01096	30001096OF - 0 - Moore, Timothy	1/30/2019	3.60 161.00	579.60
	Data gathering and compilation.			
01096	30001096OF - 0 - Moore, Timothy	1/31/2019	1.90 161.00	305.90
	Data gathering and compilation.			
01096	30001096OF - 0 - Moore, Timothy	2/1/2019	4.20 161.00	676.20
	Contacting potential sources of data, building contact list, and data gathering and compilation.			
01096	30001096OF - 0 - Moore, Timothy	2/7/2019	3.60 161.00	579.60
	Data gathering and compilation.			
01096	30001096OF - 0 - Moore, Timothy	2/8/2019	1.10 161.00	177.10
	Data gathering and compilation.			
	Totals		112.00	21,058.00
	Total Labor			21,058.00

Project	DB18.1418.00	Provision of Water Planning and Hydrolog	Invoice	0233732
Reimbursable Expenses				
CLIENT REIMB: LODGING				
EX	0050115	1/11/2019	Moore, Timothy / Owens Valley data gathering	155.36
Total Reimbursables			155.36	155.36
			Total this Task	\$21,213.36
			Total this Phase	\$21,213.36
			Total this Project	\$22,385.77
			Total this Report	\$22,385.77

OWENS VALLEY GROUNDWATER AUTHORITY

Big Pine CSD — City of Bishop — County of Inyo — County of Mono — Eastern Sierra CSD — Indian Creek-Westridge CSD — Keeler CSD —
Sierra Highlands CSD — Starlite CSD — Tri Valley Groundwater Management District — Wheeler Crest CSD

P.O. Box 337
135 Jackson Street
Independence, CA 93526

Phone: (760) 878-0001
Fax: (760) 878-2552
www.inyowater.org

Staff Report

Date: March 14, 2019

Subject: Presentation of draft 2019-2020 OVGA budget

On October 23, 2017, the Board of Directors adopted an initial budget in effect during the preparation of the Groundwater Sustainability Plan (GSP). That three-year Development Budget outlined expected expenditures necessary for the OVGA to fulfill its SGMA obligations, and guided members' decisions regarding funding contributions. The Joint Powers Agreement (JPA) also requires the Executive Manager to present a draft annual budget to the OVGA Board of Directors and each of the Members by April 1 each year (Article III, Section 3.1.7). This agenda item and staff report present the 2019-2020 Draft Annual Budget. A final budget must be adopted by a majority of the votes of the OVGA Directors on or before May 1 (Article I, Section 5.8). This 2019-2020 Draft Budget differs from the Development Budget which can be amended by a majority vote of the Board of Directors (Article II, Section 4.1).

The Draft Budget for the period of July 1, 2019 through June 30, 2020 is presented in Table 1. The OVGA relies on locally derived funding (member contributions) as well as state-derived funding (Proposition 1 grant). Expected expenditures for 2019-20 include fiscal and staff services, contractors, and miscellaneous expenses. In accordance with the OVGA Bylaws (Article VII, Section 1), the projected expenses do not exceed projected revenues, and anticipated carry-over balance at the end of the fiscal year is approximately \$81,000.

The 2019-20 Draft Budget corrects assumptions regarding revenues and expenditures contained in the Development Budget. Significant differences include the acquisition of the Proposition 1 grant for Groundwater Sustainability Planning for the Owens Valley Groundwater Basin, increased staff costs, and increased contractor costs. The Staff Services costs contained in the Draft Budget in particular exceed the original Development Budget for reasons discussed below. Estimates for Inyo County staff time to function as the OVGA Fiscal Agent and costs for an outside audit were unknown at the time the Development Budget was prepared, but are included in this Draft Budget. Also, expenditures for liability insurance and a reserve fund (Fiscal Services) were not anticipated and therefore were not included in the Development Budget.

As mentioned above, the primary funding sources include the member contributions and the Proposition 1 grant. Member contributions are deposited with the Inyo County

Treasurer each year and can be expended at the discretion of the OVGA Board. In contrast, the Proposition 1 revenues are reimbursable after expenditures for grant administration, stakeholder engagement, and GSP preparation as described in Grant Agreement #4600012668 with the DWR. Estimated expenditures for these tasks in 2019-2020 sum to \$261,551 and are completely offset by revenues (reimbursement) from the grant in the Draft Budget (Table 1). Because of the distinct funding sources, the remainder of this budget discussion will focus on the two revenue sources and their related expenditures presented in Tables 2 and 3.

In accordance with the Development Budget and the OVGA Bylaws (Article VII, Section 4), member contributions are pro-rated such that at the beginning of the fiscal year, the OVGA contributions total \$249,194.98. A summary table detailing how these funds will be expended in 2019-2020 is presented in Table 2. Anticipated revenues include member contributions and interest. Anticipated fiscal expenditures include general liability insurance and a reserve fund. Two estimates from insurance providers were received following Board direction at its January meeting and are included in the agenda packet. Golden State Risk Management Authority offered a higher level of coverage at a lower cost; the Draft Budget assumes the OVGA Board will choose that provider.

Inyo County, City of Bishop, and Mono County propose a set of not-to-exceed contracts for Staff Services in the amounts included in the Draft Budget (Table 1). The majority of these costs will be borne by the OVGA member contributions (Table 2). The Development Budget assumed a staffing level of one Executive Manager, one legal counsel, and support from administrative staff. At the March 8, 2018 meeting, the Board directed staff from Inyo County, Mono County and the City of Bishop to collaborate to assist the OVGA. As such, the original assumption of limited staff provided largely by the Inyo County Water Department has evolved into an approach including staff from the three extra-funding members with expertise to support the OVGA and preparation of the GSP. While this staffing model exceeds the assumptions and costs in the original Development Budget, no additional contributions are needed from Member Agencies to fund this staffing model within the proposed annual budget. The collaborative staffing model offers the advantage of being able to rely on geographic and technical expertise beyond that provided by Water Department staff and the ability to delegate tasks among a larger staff. Details of the proposed Staff Services contracts are slated to be discussed in closed session.

Professional Services in the 2019-2020 Draft Budget that will be paid for by member contributions include costs for hydrologic consulting with Dr. Harrington, website development, and an outside certified public accounting firm to conduct an audit (Table 2). An hourly not-to-exceed contract with Dr. Harrington to assist the Board and the consultant with GSP development was included in accordance with Board direction at its December 2018 meeting. Acquiring an outside firm to conduct a financial audit was recommended by Inyo County Auditor and OVGA fiscal agent. Website development was included in the Development Budget, but the OVGA has relied on a page linked to the Inyo County Water Department website.

The Proposition 1 grant is a reimbursable grant. Funds from DWR are provided after expenses have been incurred and an invoice approved by DWR. An Advance Payment on the grant has been requested, but DWR has not decided whether it will be granted. The term of the Proposition 1 grant and the GSP consultant contract extend into 2022. A summary budget for the three-year period of the GSP development is presented in Table 3.

Values in Table 3 are the three-year totals for each budget category within the Proposition 1 grant agreement. Under revenues, the Proposition 1 grant will provide \$713,155 towards the GSP development distributed according to the budget categories of the Grant Agreement. The member contribution listed under revenues represents the portion of the GSP development that the OVGA will have to fund because the grant award for GSP development (\$651,500) is less than the Daniel B. Stephens & Associates contract for that particular task (\$696,550). The difference should appear in the OVGA annual budget in 2022 when the \$651,500 from the grant has been fully invoiced and reimbursed. The amount contributed towards GSP development funded by the OVGA members (\$45,050), however, is essentially offset by the Proposition 1 grant reimbursing for staff time to administer the grant agreement (\$46,655). Grant Administration was included in the GSP portion of the Development Budget and in the grant application, and it includes staff time to prepare management plans and schedules, review and prepare invoices, prepare progress and final reports, and prepare Proposition 1 grant information to update the OVGA board. The \$622 balance is the difference between the grant and the Daniel B. Stephens & Associates contract for stakeholder engagement.

Table 1. Draft OVGA 2019-2020 Budget.

Revenues	
Interest from treasury	\$4,000.00
Other Agencies (member contributions)	\$249,194.98
Grant Funding	
(a) Grant Administration	\$13,000.00
(b) Stakeholder Engagement	\$0.00
(c) GSP Development	\$248,551.00
Total Revenue	\$514,745.98
Expenditures	
Fiscal Services	
Insurance	\$2,500
Reserve Fund	\$13,290
Subtotal	\$15,790
Staff Services	
Agency: Inyo, Executive Manager	
(a) Staff services	\$24,000
(b) Grant Administration	\$13,000
Agency: Inyo, Legal	\$23,000
Agency: Inyo, Fiscal Agent/Financial Services	\$4,000
Agency: Mono, Administrative & Legal	\$33,000
Agency: Bishop, Administrative	\$5,500
Subtotal	\$102,500
Professional Services	
Robert Harrington, Ph.D.	\$39,520
Website Development	\$11,700
Outside Audit	\$10,000
DBS&A	\$248,551
Subtotal	\$309,771
Miscellaneous Expenses	
Internal Copy Charges	\$1,500
Advertising	\$2,000
Office, Space & Site Rental	\$1,500
General Operating	\$500
Subtotal	\$5,500
Total Expenditures	\$433,561.00
Anticipated carry over balance	\$81,184.98

Table 2. Summary budget detailing how OVGA member contributions will be expended in 2019-2020.

Revenues	
Interest from treasury	\$4,000.00
Other Agencies (member contributions)	\$249,194.98
Total Revenue	\$253,194.98
Expenditures	
Fiscal Services	
Insurance	\$2,500
Reserve Fund	\$13,290
Subtotal	\$15,790
Staff Services	
Agency: Inyo, Executive Manager	\$24,000
Agency: Inyo, Legal	\$23,000
Agency: Inyo, Fiscal Agent/Financial Services	\$4,000
Agency: Mono, Administrative & Legal	\$33,000
Agency: Bishop, Administrative	\$5,500
Subtotal	\$89,500
Professional Services	
Robert Harrington, Ph.D.	\$39,520
Website Development	\$11,700
Outside Audit	\$10,000
Subtotal	\$61,220
Miscellaneous Expenses	
Internal Copy Charges	\$1,500
Advertising	\$2,000
Office, Space & Site Rental	\$1,500
General Operating	\$500
Subtotal	\$5,500
Total Expenditures	\$172,010.40
Anticipated carry over balance	\$81,184.58

Table 3: Three year summary budget of Proposition 1 Grant and GSP development 2019-2022.

Revenues	
Interest from treasury	\$0.00
Proposition 1 Grant	
Grant Administration	\$46,655.00
Stakeholder Engagement	\$15,000.00
GSP Development	\$651,500.00
Subtotal	\$713,155.00
Other Agencies (member contributions)	\$45,050.00
Total Revenue	\$758,205.00
Expenditures	
Staff Services	
Grant Administration, OVGA staff	\$46,655
Subtotal	\$46,655
Professional Services	
Daniel B Stephens & Assoc., Stakeholder Engagement	\$14,378
Daniel B Stephens & Assoc., GSP Development	\$696,550
Subtotal	\$710,928
Total Expenditures	\$757,583.00
Balance	\$622.00



GOLDEN STATE

RISK MANAGEMENT AUTHORITY

Innovative programs, personalized service

**Indication for Membership and
Participation in GSRMA programs**

**OWENS VALLEY GROUNDWATER
AUTHORITY**

Established in 1979

January 3, 2019

Owens Valley Groundwater Authority
P.O. Box 337
Independence, CA 93526

Thank you for the opportunity to provide a quote for Owens Valley Groundwater Authority's membership and participation in Golden State Risk Management Authority's programs. Golden State Risk Management Authority (GSRMA) is an excellent option for California special districts.

Based on the information you have provided, below is the estimated annual contribution for Owens Valley Groundwater Authority:

<i>Coverage</i>	<i>Rate</i>	<i>Contribution</i>
General Liability/Cyber/Crime	FLAT	\$2,500
Total		\$2,500

This quote is subject to re-underwriting as your agency develops and implements its Groundwater Sustainability Plan.

GSRMA requires participation in all applicable programs, and a three-year membership commitment. This commitment is vital to rate stabilization in risk-sharing pools. GSRMA was formed in 1979, and has provided its members with competitive rates and extremely high limits of coverage. GSRMA currently has over 270 member agencies.

GSRMA is very strong financially and *Accredited with Excellence* from the California Association of Joint Power Authorities (CAJPA). The CAJPA accreditation is an extensive third-party examination of an insurance pool's structure, finances and operations. We are proud of this recognition.

GSRMA is diligent in its effort to provide member protection with no "gaps." Coverage such as Director's E&O, Employment Practices Liability, Pollution Liability, and Cyber Liability risks are covered! We look forward to an opportunity to serve your agency. Feel free to call with any questions.

Sincerely,



Jennifer Peters, ARM
Assistant Risk Manager
jpeters@gsrma.org
(530) 934-5633

Coverage Summary and Limits

Comprehensive General Liability

\$50,000,000 Per Occurrence Limits

Broad Occurrence Coverage Including:

- First-dollar coverage - no member retention or deductible for liability losses
- Bodily Injury & Property Damage
- Personal Injury
- Public Officials Errors & Omissions
- Automobile Liability
- Contractual Liability
- Employment Practices Liability
- Excess coverage is provided through the CSAC Excess Insurance Authority, one of the largest and most respected public entity insurance programs in the nation

Cyber Liability

\$5,000,000 Aggregate limit

Claims Made and Reported Coverage including:

- GSRMA members share a single sublimit of \$5,000,000 Aggregate for all coverages combined (including Claims Expenses)
- Additional sub limits may apply
- Member's Self Insured Retention is \$50,000 and there is an eight (8) hour waiting period for first party claims
- Coverage includes Breach Response
- Coverage includes First Party Loss (Business Interruption, Dependent Business Interruption, Cyber Extortion, Data Recovery)
- Coverage includes 3rd Party Liability (Data and Network, Regulatory Defense and Penalties, Payment Card Liabilities and Costs, Media Liability)
- Coverage includes eCrime (Fraudulent Instruction, Telephone Fraud)

Crime

\$15,000,000 limit

Occurrence Coverage including:

- GSRMA members have a \$2,500 deductible per occurrence
- Coverage includes Employee Theft including Faithful Performance of Duty (per loss coverage)
- Coverage includes Depositor's Forgery or Alteration including Credit, Debit or Charge Card Forgery
- Coverage includes Theft, Disappearance and Destruction- Inside and Outside the Premises
- Coverage includes Computer Fraud and Funds Transfer Fraud
- Coverage includes Money Orders and Counterfeit Paper Currency

Disclosures/Disclaimers

This proposal for coverage is provided as a matter of convenience and information only. All information included in this proposal, including but not limited to personal and real property values, locations, operations, products, data, automobile schedules, financial data and loss experience, is based on facts and representations supplied to Golden State Risk Management Authority by your organization. This proposal does not reflect any independent study or investigation by Golden State Risk Management Authority or its agents and employees.

Please be advised that this proposal is also expressly conditioned on there being no material change in the risk between the date of this proposal and the inception date of the proposed coverage (including the occurrence of any claim or notice of circumstances that may give rise to a claim under any policy which the policy being proposed is a renewal or replacement). In the event of such change of risk, GSRMA may, at its sole discretion, modify, or withdraw this proposal, whether or not this offer has already been accepted.

This proposal is not confirmation of coverage and does not add to, extend, amend, change, or alter any coverage in any actual policy of insurance you may have. All existing policy terms, conditions, exclusions, and limitations apply. For specific information regarding your coverage, please refer to the policy itself. Golden State Risk Management Authority will not be liable for any claims arising from or related to information included in or omitted from this proposal of insurance.



Owens Valley Groundwater Authority

2018 – 2019

Special Liability Insurance Program (SLIP) Insurance Proposal

Presented on January 9, 2019 by:

Chris Tobin, ARM-P
Senior Vice President

Alliant Insurance Services, Inc.
1301 Dove Street, Suite 200
Newport Beach, CA 92660
O 949 756 0271
F 619 699 0902

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Assistant Account Manager

alison.peltier@alliant.com

Phone: 949 660 8156

Named Insured / Additional Named Insureds

Named Insured(s)

Owens Valley Groundwater Authority

Additional Named Insured(s)

None Disclosed

NAMED INSURED DISCLOSURE

- The first named insured is granted certain rights and responsibilities that do not apply to other policy named insureds and is designated to act on behalf of all insureds for making policy changes, receiving correspondence, distributing claim proceeds, and making premium payments.
- **Are ALL entities listed as named insureds?** Coverage is **not** automatically afforded to all entities unless specifically named. Confirm with your producer and service team that all entities to be protected are on the correct policy. Not all entities may be listed on all policies based on coverage line.
- Additional named insured is (1) A person or organization, other than the first named insured, identified as an insured in the policy declarations or an addendum to the policy declarations. (2) A person or organization added to a policy after the policy is written with the status of named insured. This entity would have the same rights and responsibilities as an entity named as an insured in the policy declarations (other than those rights and responsibilities reserved to the first named insured).
- Applies to Professional Liability, Pollution Liability, Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability policies (this list not all inclusive). Check your Policy language for applicability. These policies provide protection to the Named Insured for claims made against it alleging a covered wrongful act. Coverage is not afforded to any other entities (unless specifically added by endorsement or if qualified as a "Subsidiary" pursuant to the policy wording) affiliated by common individual insured ownership or to which indemnification is otherwise contractually owed. If coverage is desired for affiliated entities or for contractual indemnities owed, please contact your Alliant Service Team with a full list of entities for which coverage is requested. With each request, include complete financials and ownership information for submission to the carrier. It should be noted, that the underwriter's acceptance of any proposed amendments to the policy, including expansion of the scope of "Insureds" under the policy could result in a potential diminution of the applicable limits of liability and/or an additional premium charge.

Special Liability Insurance Program (SLIP) Coverage

INSURANCE COMPANY:
A.M. BEST RATING:
STANDARD & POOR'S RATING:
CALIFORNIA STATUS:
POLICY/COVERAGE TERM:
POLICY NUMBER:
COVERAGE:

Great American E&S Insurance Company

A+, Superior; Financial Size Category XIV;
(\$1.5 Billion to \$2 Billion) as of 8/17/18

A+ pulled as of 8/24/18

Non-Admitted

September 29, 2018 To September 29, 2019

TBD

Liability Form on an Occurrence Basis

(Coverage applies only where checked)

		Limits	Deductible/SIR
<input type="checkbox"/>	Maximum Per Occurrence Limit for all Coverages Combined	\$1,000,000	
<input checked="" type="checkbox"/>	Personal Injury (Including Bodily Injury and Property Damage)	\$1,000,000	\$1,000
<input type="checkbox"/>	Broadcasters Liability	\$	\$
<input type="checkbox"/>	Educators Legal Liability	\$	\$
<input checked="" type="checkbox"/>	Public Officials Errors and Omissions	\$1,000,000	\$1,000
<input type="checkbox"/>	Nonprofit Directors and Officers Liability	\$	\$
<input checked="" type="checkbox"/>	Employment Practices Liability	\$1,000,000	\$10,000
<input type="checkbox"/>	Nose Coverage Retro Date:	\$	\$
<input type="checkbox"/>	Owned Automobile Liability	\$	\$
<input type="checkbox"/>	Uninsured Motorist Coverage	\$	\$
<input checked="" type="checkbox"/>	Non-Owned and Hired Automobile Liability	\$1,000,000	\$1,000

Annual Aggregate Limits:

	Limits
<input checked="" type="checkbox"/> Products / Completed Operations	\$1,000,000
<input checked="" type="checkbox"/> Public Officials Errors and Omissions	\$1,000,000
<input type="checkbox"/> Nonprofit Directors and Officers Liability	\$
<input checked="" type="checkbox"/> Employment Practices Liability	\$1,000,000

Sub-Limits:
(Coverage applies only where checked)

	Limits	Deductible/SIR:
<input checked="" type="checkbox"/> Fire Damage Liability (Sublimit of Personal Injury/Property Damage Coverage Limit) Capped at \$1,000,000	\$1,000,000	\$1,000

Special Liability Insurance Program (SLIP) Coverage – Continued

Defense Inside/Outside the Limit:

Inside

Who has the Duty to Defend:

Carrier

Special Endorsements:

None

Major Exclusions:

(including but not limited to)

- Fiduciary Liability
- Breach of Contract
- Access or Disclosure of Confidential or Personal Information and Data Related Liability Limited Bodily Injury Exception Not Included
- Workers' Compensation
- Asbestos
- Auto Liability (unless Owned Auto coverage provided)
- Uninsured Motorist coverage except if Auto Liability marked X'd above, or unless coverage specifically requested and in file
- Failure to Supply
- Pollution Except for Hostile Fire and Vehicle Upset / Overturn coverage
- Inverse Condemnation / Eminent Domain
- Care, Custody, and Control
- Medical Payment Coverage
- Dam Liability
- All Aircraft; Watercraft over 51 feet in length
- Airports
- Medical Malpractice (except incidental)
- Subsidence
- Nuclear Material
- ERISA
- Fungi or Bacteria
- War or Terrorism
- Securities and Financial Interest
- Mold
- Public Officials Errors & Omissions (if Directors & Officers Applies)

Special Liability Insurance Program (SLIP) Coverage – Continued

Major Exclusions: - Continued (including but not limited to)

- Directors & Officers (if Public Officials Errors & Omissions Applies)
- Employment Practices Liability (Unless purchased)
- Montrose Exclusion – Prior knowledge of incident or loss
- Abuse & Molestation
- Residential Construction
- Athletic Participants
- Transit Operations
- Bodily Injury of Tenants or Guests of Tenants for Habitational Risks
- Insurance Agent/Claims Administration/Mortgage Broker
- Lead

Annual Premium:

\$	5,157.00	SLIP Premium
\$	154.71	Taxes
\$	10.31	Stamping Fee
\$	593.06	Agency Fee
\$	405.03	MGA Service Fee
\$	6,320.11	Total Cost

MGA Service Fee is 100% earned.
Mid-term cancellations could have a short-rate penalty applied to the return premium.

Minimum Earned Premium:

25% of the annual premium

Terrorism Option:

5% of premium plus applicable taxes and fees.

Optional Coverage:

None

Policy Auditable:

Not Auditable

Conditions:

- Limits are exhausted by Indemnity and Defense Cost.
- Limits are Per Occurrence.
- There is no General Aggregate.

Special Liability Insurance Program (SLIP) Coverage – Continued

Conditions: - Continued

- Limits apply to each entity in the program.

****This QUOTATION is subject to review and possible re-rating if there are any significant changes in operations, exposure or experience prior to carrier binding. Such significant changes include, but are not limited to, any declared or potential occurrence series, claims series or batch notices by or to the insured****

Quote Valid Until:

45 Days from the proposal date

Binding Conditions:

- Signed Request to Bind Form
- Signed Surplus Lines Forms
- Signed TRIA indicating accept or decline the optional coverage

See Disclaimer Page for Important Notices and Acknowledgement

Options

\$3,000,000 Limit for GL, Public Officials E&O, EPLI, HNOA - Same deductibles as the quoted \$1,000,000 option.

Total Annual Premium with taxes and fees: \$8,061.54

Disclosures

This proposal of insurance is provided as a matter of convenience and information only. All information included in this proposal, including but not limited to personal and real property values, locations, operations, products, data, automobile schedules, financial data and loss experience, is based on facts and representations supplied to Alliant Insurance Services, Inc. by you. This proposal does not reflect any independent study or investigation by Alliant Insurance Services, Inc. or its agents and employees.

Please be advised that this proposal is also expressly conditioned on there being no material change in the risk between the date of this proposal and the inception date of the proposed policy (including the occurrence of any claim or notice of circumstances that may give rise to a claim under any policy which the policy being proposed is a renewal or replacement). In the event of such change of risk, the Insurer may, at its sole discretion, modify, or withdraw this proposal, whether or not this offer has already been accepted.

This proposal is not confirmation of insurance and does not add to, extend, amend, change, or alter any coverage in any actual policy of insurance you may have. All existing policy terms, conditions, exclusions, and limitations apply. For specific information regarding your insurance coverage, please refer to the policy itself. Alliant Insurance Services, Inc. will not be liable for any claims arising from or related to information included in or omitted from this proposal of insurance.

Alliant embraces a policy of transparency with respect to its compensation from insurance transactions. Details on our compensation policy, including the types of income that Alliant may earn on a placement, are available on our website at www.alliant.com. For a copy of our policy or for any inquiries regarding compensation issues pertaining to your account you may also contact us at: Alliant Insurance Services, Inc., Attention: General Counsel, 701 B Street, 6th Floor, San Diego, CA 92101.

Analyzing insurers' over-all performance and financial strength is a task that requires specialized skills and in-depth technical understanding of all aspects of insurance company finances and operations. Insurance brokerages such as Alliant Insurance typically rely upon rating agencies for this type of market analysis. Both A.M. Best and Standard and Poor's have been industry leaders in this area for many decades, utilizing a combination of quantitative and qualitative analysis of the information available in formulating their ratings.

A.M. Best has an extensive database of nearly 6,000 Life/Health, Property Casualty and International companies. You can visit them at www.ambest.com. For additional information regarding insurer financial strength ratings visit Standard and Poor's website at www.standardandpoors.com.

Our goal is to procure insurance for you with underwriters possessing the financial strength to perform. Alliant does not, however, guarantee the solvency of any underwriters with which insurance or reinsurance is placed and maintains no responsibility for any loss or damage arising from the financial failure or insolvency of any insurer. We encourage you to review the publicly available information collected to enable you to make an informed decision to accept or reject a particular underwriter. To learn more about companies doing business in your state, visit the Department of Insurance website for that state.

NY Regulation 194

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Compensation will be paid to the producer, based on the insurance contract the producer sells. Depending on the insurer(s) and insurance contract(s) the purchaser selects, compensation will be paid by the insurer(s) selling the insurance contract or by another third party. Such compensation may vary depending on a number of factors, including the insurance contract(s) and the insurer(s) the purchaser selects. In some cases, other factors such as the volume of business a producer provides to an insurer or the profitability of insurance contracts a producer provides to an insurer also may affect compensation.

The insurance purchaser may obtain information about compensation expected to be received by the producer based in whole or in part on the sale of insurance to the purchaser, and (if applicable) compensation expected to be received based in whole or in part on any alternative quotes presented to the purchaser by the producer, by requesting such information from the producer.

Other Disclosures / Disclaimers

FATCA:

The Foreign Account Tax Compliance Act (FATCA) requires the notification of certain financial accounts to the United States Internal Revenue Service. Alliant does not provide tax advice so please contact your tax consultant for your obligation regarding FATCA.

Claims Reporting:

Your policy will come with specific claim reporting requirements. Please make sure you understand these obligations. Contact your Alliant Service Team with any questions.

NRRA:

The Non-Admitted and Reinsurance Reform Act (NRRA) went into effect on July 21, 2011. Accordingly, surplus lines tax rates and regulations are subject to change which could result in an increase or decrease of the total surplus lines taxes and/or fees owed on this placement. If a change is required, we will promptly notify you. Any additional taxes and/or fees must be promptly remitted to Alliant Insurance Services, Inc.

Other Disclosures / Disclaimers – Continued

Changes and Developments

It is important that we be advised of any changes in your operations, which may have a bearing on the validity and/or adequacy of your insurance. The types of changes that concern us include, but are not limited to, those listed below:

- Changes in any operations such as expansion to another states, new products, or new applications of existing products.
- Travel to any state not previously disclosed.
- Mergers and/or acquisition of new companies and any change in business ownership, including percentages.
- Any newly assumed contractual liability, granting of indemnities or hold harmless agreements.
- Any changes in existing premises including vacancy, whether temporary or permanent, alterations, demolition, etc. Also, any new premises either purchased, constructed or occupied
- Circumstances which may require an increased liability insurance limit.
- Any changes in fire or theft protection such as the installation of or disconnection of sprinkler systems, burglar alarms, etc. This includes any alterations to the system.
- Immediate notification of any changes to a scheduled of equipment, property, vehicles, electronic data processing, etc.
- Property of yours that is in transit, unless previously discussed and/or currently insured.

Certificates / Evidence of Insurance

- A certificate is issued as a matter of information only and confers no rights upon the certificate holder. The certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by a policy. Nor does it constitute a contract between the issuing insurer(s), authorized representative, producer or certificate holder.
- You may have signed contracts, leases or other agreements requiring you to provide this evidence. In those agreements, you may assume obligations and/or liability for others (Indemnification, Hold Harmless) and some of the obligations that are not covered by insurance. We recommend that you and your legal counsel review these documents.

In addition to providing a certificate of insurance, you may be required to name your client or customer on your policy as an additional insured. This is only possible with permission of the insurance company, added by endorsement and, in some cases, an additional premium.

By naming the certificate holder as additional insured, there are consequences to your risks and insurance policy including:

- Your policy limits are now shared with other entities; their claims involvement may reduce or exhaust your aggregate limit.
- Your policy may provide higher limits than required by contract; your full limits can be exposed to the additional insured.
- There may be conflicts in defense when your insurer has to defend both you and the additional insured.

See Request to Bind Coverage page for acknowledgment of all disclaimers and disclosures

Optional Coverages

The following represents a list of insurance coverages that are not included in this proposal, but are optional and may be available with further underwriting information.

Note some of these coverages may be included with limitations or insured elsewhere. This is a partial listing as you may have additional risks not contemplated here or are unique to your organization.

- Crime / Fidelity Insurance
- Directors & Officers Liability
- Earthquake Insurance
- Employed Lawyers
- Employment Practices Liability
- Event Cancellation
- Fiduciary Liability
- Fireworks Liability
- Flood Insurance
- Foreign Insurance
- Garage Keepers Liability
- Kidnap & Ransom
- Law Enforcement Liability
- Media and Publishers Liability
- Medical Malpractice Liability
- Network Security / Privacy Liability and Internet Media Liability
- Pollution Liability
- Owned/Non-Owned Aircraft
- Owned Watercraft
- Special Events Liability
- Student Accident
- Volunteer Accidental Death & Dismemberment (AD&D)
- Workers' Compensation
- Workplace Violence

Glossary of Insurance Terms

Below are a couple of links to assist you in understanding the insurance terms you may find within your insurance coverages:

<http://insurancecommunityuniversity.com/UniversityResources/InsuranceGlossaryFREE.aspx>

<http://www.ambest.com/resource/glossary.html>

<http://www.irmi.com/online/insurance-glossary/default.aspx>

Request to Bind Coverage

Owens Valley Groundwater Authority

We have reviewed the proposal and agree to the terms and conditions of the coverages presented. We are requesting coverage to be bound as outlined by coverage line below:

Coverage Line	Bind Coverage for:
Special Liability Insurance Program (SLIP)	<input type="checkbox"/>

This Authorization to Bind Coverage also acknowledges receipt and review of all disclaimers and disclosures, including exposures used to develop insurance terms, contained within this proposal.

Signature of Authorized Insurance Representative

Date

Title

Printed / Typed Name

This proposal does not constitute a binder of insurance. Binding is subject to final carrier approval. *The actual terms and conditions of the policy will prevail.*

OWENS VALLEY GROUND WATER AUTHORITY CONTINGENCY RESERVE POLICY

1. The OVGA shall maintain an annual contingency reserve level of at least 16% of the total member contribution as of July 1 of each year in order to be able to adequately address unexpected liabilities or emergencies that may encumber the authority. This reserve level is intended to enable the OVGA to maintain during any given fiscal year a stable level of service and continue to provide for the Authority's mission statement as well as prepare a long-term solution to issues that may threatening the OVGA sustainability.
2. The Contingency Reserve will only be used when the OVGA has exhausted all other unencumbered financial resources and believes they have an unforeseen financial emergencies or major unforeseen expenditure, such as pending litigation.
3. Use of the Contingency Reserve will require a 4/5's vote of the OVGA Board to be passed.
4. If used, the Contingency Reserve shall be replenished as soon as possible.
5. The Contingency Reserve shall be placed in a separate fund and will accrue interest.

STAFF REPORT

Date: **March 14, 2019**

Subject: **Associate Members and Interested Parties Statements of Interest**

BACKGROUND

Board Structure: Associates & Interested Parties

At the October meeting, the Owens Valley Groundwater Authority (OVGA) Board reviewed the Joint Powers Authority (JPA) language for Associate Members and Interested Parties and considered different options for accommodating these entities. At subsequent meetings, the Board directed staff to develop and release a Statement of Interest (SOI) form in order to assess the level of interest of potential Associate and Interested Parties. The SOI submittal period was opened on January 7, 2019 and was advertised through a press release and SOI forms provided on January 17 to potential associates and interested parties by direct email and postal mail. The submittal period closed on February 28, 2019, and three Associate statements and six Interested Party statements were received.

The October 25, 2018, staff report is attached (Attachment 1) to provide the previous discussion of the JPA language, Sustainable Groundwater Management Act (SGMA) requirements, and potential options that were considered. A brief summary is provided below:

A maximum number of Board seats for Associates are provided for in the JPA as follows:

- Federally-recognized Tribes (one seat each, two votes each)
- Federal agencies (one seat, two votes total)
- LADWP (one seat, four votes total)
- Mutual water companies (3 seats, two votes each).

Associate members are required to implement the GSP and fund implementation within their jurisdiction.

A maximum of four seats with one vote each are provided for in the JPA for Interested Parties.

The JPA requires the original Members to hold at least 70% of the vote share, and therefore the Associate Member and Interested Party vote share cannot exceed 30% of the total.

Purpose of Public Engagement

At the heart of the discussion is the ultimate purpose of public engagement, regardless of how it is achieved. An interpretation of some of the public comments indicates Associates and Interested Parties may be perceived to be directly related to public engagement goals, and so this issue is addressed in the staff report. As a reminder, the GSP consultant is also working on a comprehensive public engagement plan pursuant to SGMA law for the development of the GSP.

The California Department of Water Resources (DWR), which oversees and administers SGMA, defines public engagement as follows: “Public engagement is a process that brings people together to address issues of common importance, to solve shared problems, and to bring about positive social change.¹”

DWR goes on to describe the purpose and benefits of public engagement: “Effective public engagement invites citizens to get involved in deliberation, dialogue, and action on public issues they care about. It helps leaders and decision makers better understand the perspectives, opinions, and concerns of citizens and stakeholders. When done well, public engagement goes far beyond the usual participants to include those members of the community whose voices have traditionally been left out of political and policy debates.²”

To be clear, public engagement and “being heard” are different from “getting what you want.” The ideal of everyone getting what they want or being satisfied is hardly ever a political reality, even for Board members, and should not be used as a measurement of success for public engagement. The key to “being heard” is that opportunity is available for opinions and input to be expressed and the decision-making body seriously considers those opinions and input such that the outcome may ultimately be influenced.

Regardless of the method selected for achieving public engagement, whether that be adding members to the Board, establishing advisory committees, or implementation of a more traditional public engagement plan, we would all do well to remember we are all committed to the common principles and ideals described above. If we lose sight of the heart of public engagement and become entrenched in a specific position (e.g., “my way or the highway” discussions), we are far less likely to be successful in a plan that benefits the Basin as a whole.

STATEMENT OF INTEREST SUBMITTALS

The following SOIs were received:

Associates (Attachment 2)

- Lone Pine Paiute-Shoshone Reservation
- Meadow Creek Mutual Water Company
- Wilson Circle Mutual Water Company, Inc.

Interested Parties (Attachment 3)

- California State Lands Commission
- CG Roxane, LLC
- Great Basin Unified Air Pollution Control District
- Owens Valley Committee
- Range of Light Group (Sierra Club)
- Rio Tinto – US Borax Inc. (Note: this applicant has been notified the SOI is incomplete.)

In addition, the Los Angeles Department of Water and Power (LADWP) and Big Pine Paiute Tribe of the Owens Valley submitted letters declining the opportunity to submit SOIs for various

¹ *Ibid.*

reasons (Attachment 4). A more detailed discussion of these letters is provided at the end of this staff report.

ANALYSIS OF SOIs

Calculations of total Board size have accounted for the withdrawal of Starlite Community Services District, resulting in a current Board of 10 members.

Associate Members

Associate Members are not specifically provided for in SGMA law and were created solely through the JPA. The categories are generally comprised of entities that have independent governing or jurisdictional authority over lands within the basin, but whose inclusion on a GSA Board is not provided for in SGMA law. In other words, no legal method existed to include these entities in the original JPA formation under SGMA law.

One Tribe and two mutual water companies expressed interest in Associate Member seats. The JPA provides for seats for all tribes within the Basin and three seats total for mutual water companies. While the exact procedure for appointments has not been determined, if all three entities were appointed to Board, the result would be the addition of three seats, each with two votes, for a total Board size of 13.

Alternatives include converting some or all entities into Advisory Committees. For example, the Tribe could be appointed to the Board and a Mutual Water Company Advisory Committee could be established, or vice versa. Or, a Tribal Advisory Committee could also be established, and no new appointments made the Board. Depending on the Advisory Committee model selected, the total Board size could be 10-13 members.

Interested Parties

California Water Code §10727.8(b) specifically defines interested parties as "...entities listed in §10927² that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency." The OVGA JPA provides for a much broader and more generous definition of Interested Parties because the eligible interested parties listed in JPA Exhibit B (Attachment 5) are not restricted to those in §10927¹ or subject to the groundwater monitoring or reporting requirement of the Water Code.

Six interested parties submitted SOIs and the JPA only provides for four seats. Two interested parties are environmental organizations, two are state/local agencies, and two are private businesses (although one SOI is incomplete). Several options exist for addressing Interested Parties; this list is not exhaustive and can be further modified to create additional options:

1. The OVGA Board evaluates the SOIs and, through a yet-to-be-determined application and appointment process, selects four entities to appoint to Board seats. The result would be an

² Subject to certain conditions and further detailed requirements, includes a watermaster or water management engineer, groundwater management agency, water replenishment district, groundwater sustainability agency, local agency managing all or part of a groundwater basin or subbasin or collecting and reporting groundwater data, county not managing a groundwater management plan in the basin, and voluntary cooperative groundwater monitoring association (see §10935).

- increase in total Board size to 14. If all Associate Members expressing interest were also appointed, total Board size would be 17.
2. The OVGA Board may provide seats for the interest categories (i.e., environmental organizations, state/local agencies, private business) and a) select one appointment to each category for a total of three new seats, or b) require the interested parties collaborate to represent their one seat for a total of three new seats, or c) consider some other configuration, such as appointment of the two state/local agencies and then appointment of one seat each for the other two interest categories for a potential maximum of four new seats; or only appoint the two state/local agencies. The rationale for potentially appointing the two state/local agencies is they meet the description of an Associate Member because they have jurisdictional authority within the Basin, but for whatever reason an Associate category was not provided for them in the JPA. The result would be an increase in total Board size to 12-14, depending on the configuration selected. If all Associate Members expressing interest were also appointed, total board size would be 15-17.
 3. Establish Advisory Committees for each area of interest (i.e., environmental organizations, state/local agencies, private business) and do not appoint new seats to the Board. Three new Advisory Committees would be established, and total Board size would be dependent only upon Associate Member appointments (i.e., up to 13).

Advisory Committees

Like all options, the establishment of Advisory Committees have positive and negative traits. The benefits include retention of sovereignty for Tribes; access for all entities within an interest category because participation is not limited to those submitting SOIs; and more operational flexibility in terms of level of detail, consensus building, and problem solving than a Board discussion. The drawback is that the Advisory Committee does not have any formal votes on the Board, and therefore must have reasonable confidence that the Board will seriously consider their recommendations in such a way that the final decision **could be** influenced.

In addition, SGMA law and DWR specifically identifies advisory committees as an effective means for public engagement:

- §10727.8(a): The groundwater sustainability agency may appoint and consult with an advisory committee consisting of interested parties for the purposes of developing and implementing a groundwater sustainability plan.
- “GSAs may appoint and consult with an advisory committee. A properly developed and engaged advisory body can be of great assistance in engaging the broad range of interest groups in a basin and creating a shared understanding of local sustainability.”³

SGMA Law and JPA Requirements

As described above, the SGMA law does not provide for Associate Members and defines interested parties much more narrowly, and nowhere does SGMA law require additional appointments to a GSA Board of these entities. The state law requirement only provides for

³ Guidance Document for Groundwater Sustainability Plan: Stakeholder Communication and Engagement, Jan. 2018. California Department of Water Resources, Sustainable Groundwater Management Program, available at: <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/Guidance-Documents-for-Groundwater-Sustainability-Plan---Stakeholder-Communication-and-Engagement.pdf>. Accessed 3/9/19.

public engagement in the development and implementation of the GSP. Therefore, the OVGA can legally satisfy public engagement requirements through means other than adding Board member seats, and it is also legally acceptable to add Board member seats.

The JPA expresses an “intent” to provide seats on the Board for these interest groups, a point which has been raised by the public and is therefore addressed in this staff report. Specifically, the JPA states the following:

WHEREAS, ... the Members intend to engage with other agencies and entities that are not eligible to form a GSA ... to allow them to participate in the GSA as contemplated by SGMA and by this Agreement...

Article V, Section 1.1: Application to Become an Associate. It is the Authority's intention to include certain entities, to the extent allowed by law and approved by the Authority's Directors appointed by its Members, in the sustainable management of groundwater within the Basin.

Article V, Section 2.1: [Interested Parties] In General: The Authority intends to allow other entities that are ineligible to become an Associate, or whose applications to become an Associate have been denied, or that choose not to be an Associate, to participate as an Interested Party as provided for by SGMA section 10727.8 and this Agreement.

A legal and policy reading of the JPA language would emphasize the phrases referencing SGMA law and subject to the approval of the OVGA Board. Under those conditions, there is no legal or policy mandate in the JPA for the Board to appoint Associate Members or Interested Parties, and any such approvals are entirely at the discretion of the Board. Of course, a political reading of the language can attribute a wide variety of meaning and obligation to the word “intent,” and the interpretation is likely somewhat different for every stakeholder that wants to advocate for a particular outcome. Therefore, while the language may create individual and/or public perceptions of the level of obligation of the Board, there is technically no legal or policy obligation.

LETTERS DECLINING TO SUBMIT SOIs

Two letters were received in response to invitations to submit Statements of Interest for Associate Members and Interested Parties, and are summarized below:

Los Angeles Department of Water and Power:

- “...as Article V.1.2 of the OVGA’s Joint Power Authority requires Associate members to subject their area to the OVGA’s jurisdiction, LADWP will not be applying...”
- “Groundwater in the Basin meets the SGMA sustainability indicators. LADWP has been, and intends to continue, managing the Basin sustainability in accordance with the terms of the Inyo County/Los Angeles Long-Term Water Agreement.”

Big Pine Paiute Tribe of the Owens Valley:

- “...SGMA was rendered largely worthless with regard to implementing it to protect and sustain ground water in Owens Valley” because “...the majority of the “Owens Valley Groundwater Basin was ‘treated as adjudicated’ and exempted from the law.”

- Between March 2016 and into 2017, “The Tribe formally requested government to government consultation with Inyo County... but no formal consultations meetings on SGMA between the Tribe and County took place.”
- “The Tribe strongly objected to the JPA and transmitted a letter dated July 31, 2017, listing its objections... the law allows the Tribe the opportunity to work with local entities in the preparation and wording of the governing document defining terms of engagement, such as a JPA or MOU, However, the JPA which exists was written without Tribal input or agreement.”
- “...the OVGA has moved forward with several commitments... prior to acquiring full representation of stakeholders on the OVGA Board of Directors.”
- Three reasons were listed describing why the conditions placed upon Tribal membership are not acceptable.
- “The OVGA should change its course...” by revisiting the JPA to provide for Tribal sovereignty, provide for Tribal input on the GSP work plan, conduct meetings professionally facilitated by a non-stakeholder, provide for agreement by consensus rather than weighted voting, and demonstrate steps by Inyo County and LADWP to meet and achieve the goals of the Long-Term Water Agreement.
- OVGA must comply with SGMA, AB 52, and other laws regarding transparency, public participation, and meaningful consultation before proceeding with a plan.

While no response is necessary, if desired the OVGA Board may wish to consider the following:

LADWP – Respond with concurrence that the OVGA is likewise committed to ensuring the future sustainability of the Basin and looks forward to working with LADWP on such a goal.

Big Pine Paiute Tribe of the Owens Valley – Respond with the following points, and any other additions or direction from the Board:

- The OVGA was formed in accordance with SGMA law by GSA-eligible agencies in the Basin through the formation of a JPA. The four original GSA’s (Inyo County, City of Bishop, Mono County, and Tri-Valley Groundwater Authority) approved the JPA at public meetings.
- The following concerns described in the letter are outside the OVGA’s authority to address: exemption from SGMA of LADWP lands subject to the Long-Term Water Agreement, lack of response by a single Member Agency to a request for tribal consultation prior to the formation of the OVGA, the process by which the JPA was developed, and the initial adoption of the JPA by individual member agencies.
- Per the discussion in this staff report, while a political perception may infer an obligation of the OVGA to add members to the Board of Directors, no legal or policy obligation exists to do so.
- The unacceptable conditions for Tribal membership and suggested changes to the JPA shall be considered by the OVGA Board the next time the JPA is opened for amendment, which is at the Board’s discretion. To stop work and revise the JPA at this time potentially jeopardizes completion of the GSP in compliance with timelines stipulated by SGMA law.

- Per discussion in this staff report, the OVGA is in compliance with SGMA law pertaining to public participation and Board composition. If other areas of SGMA law are in dispute, the Tribe should specify areas of concern.
- AB 52 specifically requires an invitation for Tribal consultation prior to the release of a notice of preparation (NOP) for certain types of environmental analysis under the California Environmental Quality Act (CEQA). GSPs are exempt from CEQA and therefore AB 52 does not apply; however, future implementation of the GSP may require CEQA for specific projects where AB 52 does apply. In those cases, the OVGA shall comply with AB 52 as required.
- Per discussion in this staff report, the OVGA is committed to transparency and public participation and invites the Tribe's engagement.
- The OVGA is completely open and willing to meet with the Tribe for either formal consultation or an informal sharing of information and concerns on all matters pertaining to the management of groundwater in the Basin and within the OVGA's authority.

RECOMMENDATIONS

Ultimately, nothing in SGMA law or the JPA requires the Board to add additional members. The main concern that appears to be raised over this option is related to public engagement, which is a separate mandate under SGMA and shall be met through the Public Engagement Plan currently under development by the GSP consultant. Therefore, the decision to add Board members or not is primarily political in nature and at the discretion of the Board.

1. Regardless of the outcome of a decision to add new members or not, adopt a statement that clearly indicates the Board's commitment to public engagement such as: The OVGA is committed to a public engagement process that invites citizens, including those whose voices have traditionally been left out of political and policy debates, to get involved in deliberation, dialogue, and action on groundwater management issues, with a goal of bringing people together to address issues of common importance, solve shared problems, and bring about positive social change.
2. The Board welcomes Big Pine Paiute Tribe participation in the Stakeholder Engagement process, public meetings, or on advisory committees if formed by the Board. The Tribe is welcome to consult formally or informally on all matters pertaining to the management of groundwater in the Basin and within the OVGA's jurisdiction with staff or the Board.
3. Based upon the composition and qualifications of the SOIs, and with the understanding that no legal or policy obligation exists, determine if any additional seats should be added to the Board for Associates and Interested Parties, or if another alternative should be pursued to ensure public engagement, such as Advisory Committees.
 - a. If additional seats are to be added, determine how many for Associates and Interested Parties and direct staff to develop a procedure to formally make appointments.
 - b. If no additional seats are to be added, determine whether any Advisory Committees should be established at this time based on the SOIs.

ATTACHMENTS

1. Associates & Interested Parties staff report from October 2018
2. Statements of Interest for Associate Members
3. Statements of Interest for Interested Parties
4. Other letters regarding Statements of Interest
5. JPA Exhibit B – list of potentially eligible Interested Parties

STAFF REPORT

Date: **Oct. 25, 2018**

Subject: **Discussion of Associate Members and Interested Parties**

BACKGROUND

Past Board discussions have focused on implementation details for Associate Members and Interested Parties, such as the application form and procedures to appoint members; however, a basic evaluation of what the Joint Powers Authority (JPA) provides for and the implications to the Board structure have not been raised. Therefore, this discussion takes a couple steps back to focus on the initial decision point of Board structure and function should additional members be added, and the options to do so. Implementation details will follow at a future meeting depending on direction from today's discussion.

The Owens Valley Groundwater Authority (OVGA) is committed to ensuring local resident and stakeholder voices are heard and have an opportunity to influence planning and decision outcomes, while also maintaining an effective and efficient decision-making structure. To that end, the JPA provides for the addition of Associate Members and Interested Parties to the Board to promote stakeholder engagement. A maximum number of Board seats for Associate Members are provided as follows:

- Federally-recognized Tribes (one seat each, two votes each)
- Federal agencies (one seat, two votes total)
- LADWP (one seat, four votes total)
- Mutual water companies (3 seats, two votes each).

A maximum of four seats with one vote each are then provided for Interested Parties. The JPA requires the original Members to hold at least 70% of the vote share, and therefore the Associate Member and Interested Party vote share cannot exceed 30% of the total.

The JPA also requires Associates to implement the Groundwater Sustainability Plan and pay for it within their jurisdiction (metering, reporting data, funding the groundwater sustainability plan, meeting goals, etc.), and the activities of additional members will be subject to the Brown Act and conflict of interest laws to the extent applicable.

In addition, the Sustainable Groundwater Management Act (SGMA) requires groundwater sustainability agencies (GSA), such as the Owens Valley Groundwater Authority (OVGA), to provide for public engagement in the groundwater sustainability plan (GSP) process. The legislation requires the OVGA to prepare "a written statement describing the manner in which interested parties may participate in the development and implementation of [a] groundwater sustainability plan[s]," and that "encourage[s] the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin..." (Wat. Code, § 10727.8(a).) The GSA may appoint and consult with "an advisory committee consisting of

interested parties for the purposes of developing and implementing a groundwater sustainability plan.” (*Ibid.*) Importantly, this “written statement” must be prepared and submitted to the public and the Department of Water Resources (DWR) prior to GSAs “initiating the development of a groundwater sustainability plan[.]” (*Ibid.* (emphasis added).) See Attachment 1 for more information.

To analyze and understand the Board structure that could be created if Associate Members and Interested Parties are added, a range of options were identified and evaluated along with practices suggested by SGMA legislation to ensure opportunities for public engagement.

STAKEHOLDER INCLUSION OPTIONS

The options below are numbered to assist with discussion and do not reflect order of preference. If desired, the Board could further vet these options through technical assistance from the Groundwater Sustainability Plan consultant once development of the sustainability plan is underway. The intent of this additional step would be to better understand the needs of concerned parties to ensure the public has confidence they will be heard, and benefit from the consultant’s experience with other Groundwater Sustainability Agencies and boards.

1. Upper Bound - A

“Upper Bound – A” identifies the implementation of the maximum number of additional seats that could be added to the Board and includes establishing one or more advisory committees.

Member Type	# of Seats
Associates:	
Tribes ¹	4
Federal Agencies	1
LADWP	1
Mutual Water Co’s	3
Interested Parties	4
Total	13

Therefore, a total of 13 new seats could be added to the existing 11-member Board for a total of 24 Board Members, and if necessary the vote share would be adjusted as described in the JPA so as to allocate not less than 70% of the total voting share to the JPA signatories.

Summary: 24-member Board with advisory committees.

2. Upper Bound – B

“Upper Bound – B” is the same as version A, except it does not include advisory committees.

Summary: 24-member Board.

¹ Assumption is four federally-recognized tribes within the Basin: Lone Pine, Independence, Big Pine, and Bishop. The Benton Paiute Tribe appears to be outside the Basin boundary.

3. Mid-Range

The “Mid-Range” option reduces some of the available seats to less than the maximum number stipulated in the JPA. All manner of combinations could be considered that ranges from one or more new seats to the maximum. For example, if seats for all Tribes were available and all other seats were reduced to one, the following combination would result:

Member Type	# of Seats
Associates:	
Tribes ²	4
Federal Agencies	1
LADWP	1
Mutual Water Co's	1
Interested Parties	1
Total	8

Therefore, a total of 8 new seats would be added to the existing 11-member Board for a total of 19 Board Members.

As with the Upper Bound, advisory committees can be included, or not, in addition to the new Board seats.

Summary: Various combinations create a range of 17-23 Board members with commensurate votes, and with or without advisory committees.

4. Single-Seat Alternative

The “Single-Seat Alternative” reduces all available seats to one for each member type, resulting in a total of 5 new seats and a total Board of 16 members. A variation of this alternative is to reduce some of the seats to zero, and only provide one of certain seats. Technically, the JPA states maximum numbers and so therefore all seats could be reduced to zero.

As before, advisory committees can be included, or not, in addition to any new Board seats.

Summary: One seat for each member type results in a 16-member Board with adjusted votes, and with or without advisory committees. Variations reducing one or more member types to zero seats results in a range of 12-15 Board members.

5. Advisory Committee Alternative

As noted earlier, SGMA legislation specifically envisions advisory committees as a means to engage the public in groundwater sustainability planning and leverage local knowledge on specific issues, whether technical, geographical, political, or of another nature. Advisory committee members have the latitude and freedom to delve deep into issues, data, and public opinion in order to fully develop information, analyses, and options and recommendations to

² Assumption is four federally-recognized tribes within the Basin: Lone Pine, Independence, Big Pine, and Bishop. The Benton Paiute Tribe appears to be outside the Basin boundary.

bring to decision makers on the Board. Such a structure would allow for incorporation of local expertise and public engagement without compromising the Board's efficiency.

Summary: Current 11-member Board with advisory committees

6. SGMA Stakeholder Engagement Alternative

The existing Board structure of 11 members and compliance with the public engagement requirements of SGMA legislation, in addition to the public engagement plan developed through the upcoming Groundwater Sustainability Plan, could be deemed sufficient. If so, no further action is necessary and the agency could proceed in the current configuration.

Summary: Current 11-member Board with stakeholder and public engagement.

ANALYSIS

The value of increased public and stakeholder engagement and open decision making is clear, and it seems equally clear that a Board of 16-24 members will be challenging to run in an efficient and effective manner. Establishing a Board of 12-15 members would require excluding certain member types and the justification for doing so.

"Option 5: Advisory Committee Alternative" appears to balance the interests by providing both an opportunity for stakeholders to delve into the details of specific issues, apply local expertise and knowledge to the analysis of those issues, and formulate recommendations for the Board to consider, and the Board remains an 11-member body. An Advisory Committee's recommendation is typically very powerful and influential in a Board's decision-making process. For example, community advisory committees are regularly utilized in Mono County to discuss, problem-solve and frame issues in a way that capture and reflect the sentiments, needs, and specific knowledge of the local community.

The most important topic for public engagement in the immediate future appears to be establishing sustainability criteria, and an advisory committee that studies the issue, engages on a technical and detailed level, and develops concrete recommendations to the Board would be an effective and efficient method of incorporating public input and expertise into the process.



California Department of Water Resources
Sustainable Groundwater Management Program

January 2018

Guidance Document for
Groundwater Sustainability Plan
Stakeholder
Communication and
Engagement



Guidance Document for Groundwater Sustainability Plan **Stakeholder Communication and Engagement** January 2018

The objective of this guidance document is to provide Groundwater Sustainability Agencies (GSAs) information to aid with stakeholder communication and engagement for Groundwater Sustainability Plan (GSP) preparation. It provides examples and existing resources related to public engagement and effective communication for Sustainable Groundwater Management Act (SGMA) implementation.

Limitation and use of this guidance information

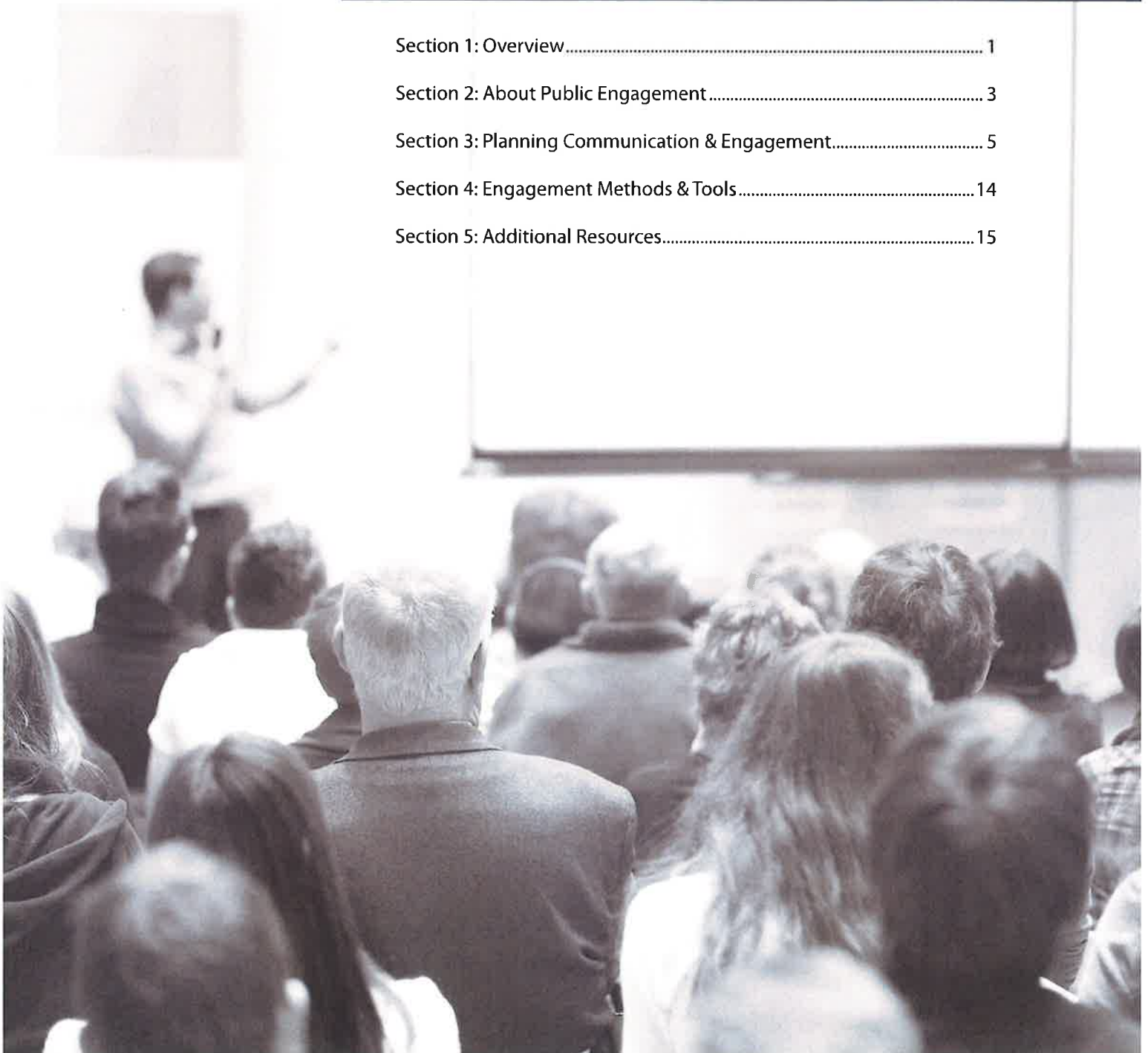
This guidance document is not intended to prescribe specific outreach and communications methods for GSAs or local agencies to follow, but to provide resources and various examples for consideration. This guidance document also summarizes the public notification requirements that GSAs must adhere to in order to comply with SGMA and the GSP regulations. Other than what is required by statute or regulation, GSAs have discretion on how they communicate and engage with the beneficial uses and users of groundwater within a basin.



California Department of Water Resources
Sustainable Groundwater Management Program
1416 Ninth Street
P.O. Box 942836
Sacramento, CA 94236-0001
www.water.ca.gov/groundwater

Contents

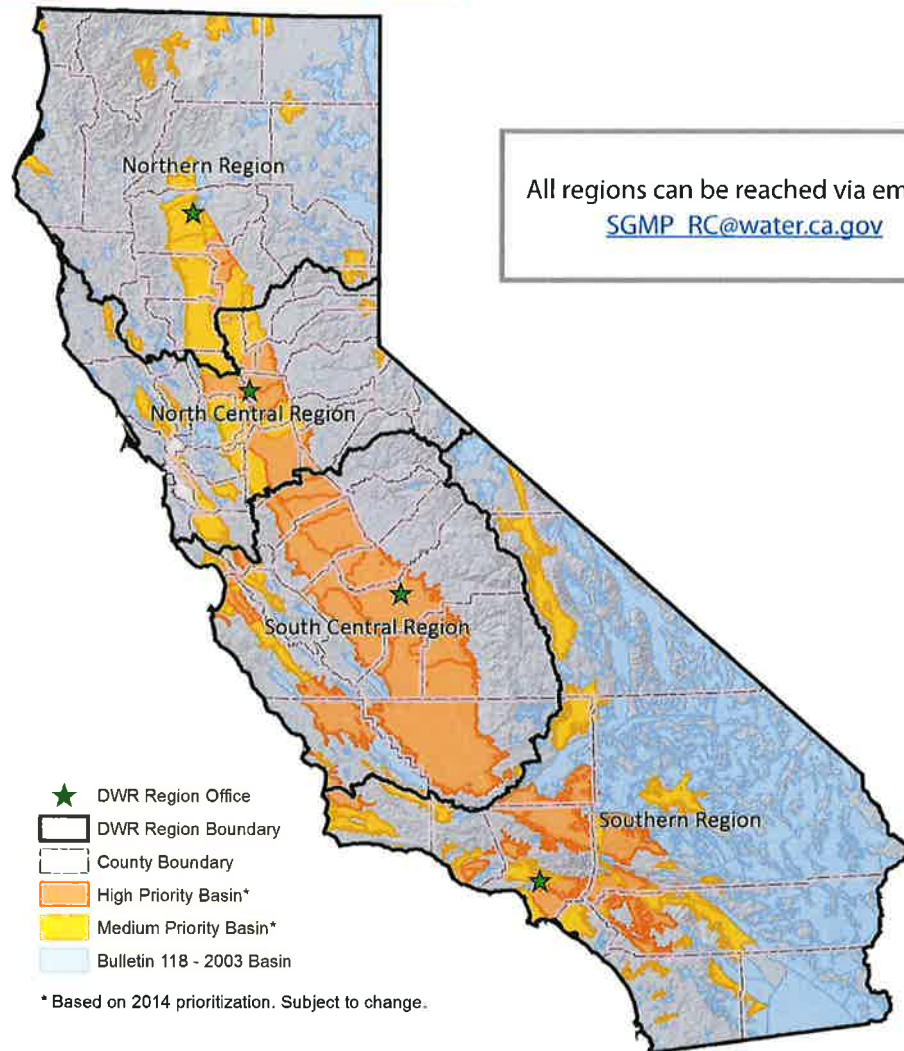
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DWR Region Offices

The California Department of Water Resources (DWR) provides a variety of SGMA-related resources to assist water management groups and the public. Four DWR Region Offices are strategically located across the state.

All high and medium priority basins are assigned a Point of Contact from DWR Region Offices. POCs assist GSAs and stakeholders in the basin to connect with the Sustainable Groundwater Management Program and locate resources for assistance. POC contacts can be found on DWR website <https://www.water.ca.gov/Programs/Groundwater-Management/Assistance-and-Engagement>.



Section 1

Overview

The legislative intent of the historic 2014 Sustainable Groundwater Management Act (SGMA) is for groundwater to be managed sustainably in California's groundwater basins by local public agencies and newly-formed Groundwater Sustainability Agencies (GSAs).

In the basins designated by the Department of Water Resources (DWR) as medium and high priority, local public agencies and GSAs are required to develop and implement groundwater sustainability plans (GSPs) or alternatives to GSPs (Alternatives).

Under the requirements of SGMA, GSAs must consider interests of all beneficial uses and users of groundwater. As a result, the GSP development needs to consider effects to other stakeholder groups in or around the groundwater basin with overlapping interests. These interests include, but are not limited to, holders of overlying groundwater rights (including agriculture users and domestic well owners), public water systems, local land use planning agencies, environmental users, surface water users, federal government, California Native American tribes, and disadvantaged communities (Water Code 10723.2).

Furthermore, the GSP Regulations require that GSAs document in a communication section of the GSP the opportunities for public engagement and active involvement of diverse social, cultural, and economic elements of the population within the basin. Expertise of stakeholders may increase the chance that the GSAs are using best available information and best available science for GSP development.

As GSAs begin to meet to develop a GSP, common questions, such as the ones below, are considered regarding stakeholder communication and engagement.

How can a GSA effectively communicate and engage with multiple and varied stakeholders?

This document helps GSAs determine who the interested parties are (individuals, organizations, local agencies) that they need to engage with and provides guidance to better understand their issues and interests of beneficial uses and users of groundwater.

What are methods and tools for communications and engagement?

This document provides links to methods and tools that can be modified and used to reach and communicate with stakeholders. Not all of the tools will be applicable to all GSAs, but they are presented as examples of effective ways to engage.

How can a GSA conduct meaningful engagement to develop a GSP?

This document gives GSAs a step-by-step example of how to communicate and engage with stakeholder groups. In addition to following the procedure requirements for public notice, meaningful engagement is to integrate stakeholders throughout the development of a GSP and allow active participation in the decision-making process. The benefits of meaningful engagement are improved outcomes, optimized resources, broad support, and reduced conflict.

Published Resources

There are several published documents that either directly or indirectly address best practices or statutory requirements for stakeholder engagement. In addition to the information in this guidance document, these documents may be useful for GSAs while developing a Communication and Engagement (C&E) Plan or other outreach programs.



Groundwater Sustainability Plan (GSP) Emergency Regulations Guide, California Department of Water Resources

This guide (published July 2016) includes information to aid with the understanding of

the GSP Regulations. It explains the fundamental concepts of the regulations and contains information directly relevant to the regulations through four general phases of development and implementation. <https://goo.gl/QYwqT9>

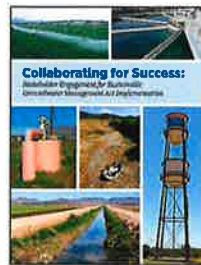


Outreach and Engagement: A Resource Management Strategy for the California Water Plan, California Department of Water Resources

The California Water Plan provides a broad set of

resource management strategies (RMSs) that can help local agencies and government (and GSAs) manage their water and related resources. While not specific to SGMA, the Outreach and Engagement RMS directly addresses water management in California and discusses tools and practices by water agencies to facilitate contributions by public individuals and groups toward good water management outcomes.

<https://goo.gl/YfOQcu>



Collaborating for Success: Stakeholder Engagement for Sustainable Groundwater Management Act Implementation, Community Water Center

Prepared by the Community Water Center in July 2015,

the intent of this report is to convey the value of stakeholder engagement to sustainable groundwater management. The report outlines the statutory requirements for stakeholder engagement in SGMA, gives examples of best practices and examples of collaborative management from around the state, and provides a recommended roadmap for effective stakeholder engagement drawn specifically for SGMA implementation.

[http://www.cleanwateraction.org/files/publications/ca/SGMA Stakeholder Engagement White Paper.pdf](http://www.cleanwateraction.org/files/publications/ca/SGMA%20Stakeholder%20Engagement%20White%20Paper.pdf)



Inclusive Public Engagement, Institute for Local Government (ILG)

This report offers tip sheets and resources to effectively and successfully plan and implement successful engagement strategies. Whether it's supporting and connecting with local leadership

programs as a pipeline to engage specific populations, or partnering with local community-based organizations to reach beyond the small slice of the public that most frequently attends meetings, ILG's inclusive public engagement resources will offer perspective to any planning process.

<http://www.ca-ilg.org/inclusive-public-engagement>



Engagement with Tribal Governments Guidance Document (Draft), California Department of Water Resources

This document is meant to help local agencies engage with a Tribal government in the planning, financing, and management of a

GSA, or with development or implementation of a GSP.

Section 2

About Public Engagement

What is Public Engagement?

As defined by the Center for Advances in Public Engagement:

Public engagement is a process that brings people together to address issues of common importance, to solve shared problems, and to bring about positive social change.

Effective public engagement invites citizens to get involved in deliberation, dialogue, and action on public issues that they care about. It helps leaders and decision makers better understand the perspectives, opinions, and concerns of citizens and stakeholders.

When done well, public engagement goes far beyond the usual participants to include those members of the community whose voices have traditionally been left out of political and policy debates.

Public Engagement Benefits

- **Helps** people weigh a variety of perspectives and listen to each other's views.
- **Builds** common understanding, manages differences, and establishes direction for moving ahead on tough issues.
- **Builds** trust and improves communication between the public and leaders.
- **Creates** new opportunities for citizens to become involved in public problem solving and decision making.

Build Public Engagement for Regional Sustainability

Many areas have public engagement efforts already in place for other water management efforts such as Integrated Regional Water Management Plans and Groundwater Management Plans. Use these existing stakeholder connections as you begin your SGMA-related communication and engagement efforts. Collectively, all water management plans work with a shared interest toward the ultimate goal of regional sustainability.

Levels of Engagement

It is important that stakeholders understand the role they are invited to play in a public engagement program. This will help provide clarity to the process and help avoid misunderstandings. Stakeholder roles may naturally evolve over the period that they are engaged in a public process, and as transition occurs, it is wise to redefine these roles. When an advisory committee or partnership between public agencies is established, it is helpful to develop a charter or other memo of understanding that describes the roles and responsibilities of all involved.

Figure 1 is a summary of the levels of public engagement that comes from the International Association of Public Participation.


INCREASING LEVEL OF PUBLIC IMPACT 					
Public participation goal	Inform To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities, and/or solutions.	Consult To obtain public feedback on analysis, alternatives, and/or decisions.	Involve To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Collaborate To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	Empower To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example techniques	<ul style="list-style-type: none"> • Fact sheets • Web sites • Open houses 	<ul style="list-style-type: none"> • Public comment • Focus groups • Surveys • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberate polling 	<ul style="list-style-type: none"> • Citizen advisory committees • Consensus-building • Participatory decision-making 	<ul style="list-style-type: none"> • Citizen juries • Ballots • Delegated decision

Figure 1. International Association of Public Participation (IAP2) Spectrum of Public Participation

Section 3

Planning Communication & Engagement

Stakeholder engagement can allow agencies to leverage networks and resources to their advantage and can provide a means whereby agencies can capitalize on local knowledge, including the expertise, resources, and capacity of individual stakeholders.

— *Collaborating for Success: Stakeholder Engagement for Sustainable Groundwater Management Act Implementation, Community Water Center*

There are four phases of SGMA implementation as illustrated in the diagram on pages 12 and 13. The statutory requirements for engagement are summarized for each phase. The other relevant sections of the Water Code and GSP Regulations are also provided for reference.

Phase 1 (GSA formation and coordination) was completed June 30, 2017 per SGMA. GSA formation and coordination has helped start relationship building and shared understanding with stakeholders. As GSAs move forward with Phase 2 (GSP preparation and submission), successful communication and engagement (C&E) with stakeholders will require up-front resource commitments and planning.

GSP Regulations (Section 354.10) require a communication section to include the following:

1. An explanation of the Agency's (GSAs) decision-making process.
2. Identification of opportunities for public engagement and a discussion of how public input and response will be used.
3. A description of how the Agency (GSA) encourages the active involvement of diverse social, cultural, and economic elements of the population within the basin.
4. The method the Agency (GSA) shall follow to inform the public about progress implementing the Plan, including the status of projects and actions.

DWR will assess, as part of GSP Regulations Section 355.4, whether the interests of the beneficial uses and users of groundwater in the basin, as well as the land uses and property interests potentially affected by the use of groundwater in the basin, have been considered. DWR will take into account comments made in accordance with GSP Regulations Section 353.8 when determining whether interests within the basin have been considered in the development and operation of the GSA and the development and implementation of the GSP.

The following guidance for planning communication and engagement is adaptable for basin-wide application. In instances where there are multiple GSAs covering a basin, GSAs should coordinate with each other to ensure that all stakeholders are identified for outreach and are informed through the process of other SGMA implementation efforts within the basin that may affect them. This means a GSA may need to outreach to stakeholders outside of their boundaries to ensure all beneficial uses and users are included in the GSP development process.

Communication & Engagement Steps

Communication and Engagement (C&E) consists of seven general steps. These steps are illustrated in Figure 2 and explained in further detail below.

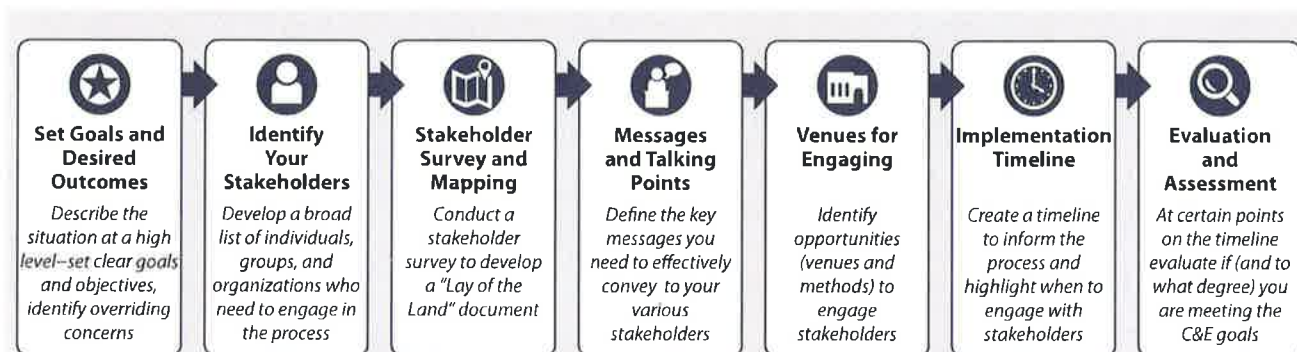


Figure 2. Communication and Engagement Steps



Set Goals and Desired Outcomes

Start by providing a description and background of your GSA and explain the intent of C&E is to support the development of your GSP. Then define in simple terms the challenge, regulatory requirement, or opportunity, and the desired outcome.

Answer these questions:

- What are we trying to accomplish?
- What is the timeframe?
- How will we know if we are successful?
- When will public input be relevant?
- What are the challenges or barriers?
- How will public input be used?
- What are the opportunities?



Identify Your Stakeholders

Identify the many interested individuals and groups you expect to engage with or inform at any stage of the GSP process.

Answer these questions when making your list:

- Who has a financial, political, business, or personal stake in this issue? (*i.e. organizational mission, regulatory role, land ownership, etc.*)
- What organization, agency, or individual must be involved in the GSP process for it to proceed? (*Due to organizational mission, regulatory role, landownership, etc.*)
- What organizations, agencies, or individuals are likely to have an interest in this effort, or be impacted by the development of your GSP? (*Due to organizational mission, or established interest in subject matter.*)

Use the following chart to stimulate brainstorming about who should be invited to engage in your GSP development. The category of interest intends to reflect "diverse social, cultural and economic elements of the population". The list is not exclusive. GSAs are encouraged to add other interested persons or groups as needs are identified.

Stakeholder Engagement Chart for GSP Development

Category of Interest	Examples of Stakeholder Groups
General Public	<ul style="list-style-type: none"> • Citizens groups • Community leader
Land Use	<ul style="list-style-type: none"> • Municipalities (City leaders, County planning departments) • Regional land use agencies
Private users	<ul style="list-style-type: none"> • Private pumpers • Domestic users • Schools and colleges • Hospitals
Urban/ Agriculture users	<ul style="list-style-type: none"> • Water agencies • Irrigation districts • Municipal water companies • Resource conservation districts • Farmers/Farm Bureaus
Industrial users	<ul style="list-style-type: none"> • Commercial and industrial self-suppliers; groups • Local trade association or group
Environmental and Ecosystem	<ul style="list-style-type: none"> • Federal and State agencies (Fish and Wildlife) • Wetland managers • Environmental groups
Economic Development	<ul style="list-style-type: none"> • Chambers of commerce • Business groups/associations • Elected officials (Board of Supervisors, City Council members) • State Assembly members • State Senators
Human right to water	<ul style="list-style-type: none"> • Disadvantaged Communities • Small community systems • Environmental Justice Groups
Tribes	<ul style="list-style-type: none"> • Tribal Government
Federal and State lands	<ul style="list-style-type: none"> • Military bases/Department of Defense • Forest Service • National Park Services • Bureau of Land Management • California Department of Fish and Wildlife
Integrated Water Management	<ul style="list-style-type: none"> • Regional water management groups (IRWM regions) • Flood agencies • Recycled water coalition

SGMA (Section 10723.2) calls for consideration of all interests of **all beneficial uses and users** of groundwater:

The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans. These interests include, but are not limited to, all of the following:

(a) Holders of overlying groundwater rights, including:

- (1) Agricultural users.
- (2) Domestic well owners.

(b) Municipal well operators.

(c) Public water systems.

(d) Local land use planning agencies.

(e) Environmental users of groundwater.

(f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.

(g) The federal government, including, but not limited to, the military and managers of federal lands.

(h) California Native American tribes.

(i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems.

(j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency.

Resources to help identify and contact stakeholders are provided in the [Stakeholder Communication and Engagement Digital Toolkit](#) and Appendix B of Community Water Center's [Collaborating for Success: Stakeholder Engagement for Sustainable Groundwater Management Act Implementation](#) includes suggested resources.



Stakeholder Survey and Mapping

Contact each stakeholder organization to learn more about them, describe the project, and invite them to engage in the process. Prepare for your first meeting with project background, necessary maps, and a stakeholder survey. Also be prepared to convene a follow up meeting within a week or two, to answer questions that come up during this meeting.

Develop a set of questions to use in a one-on-one meeting with a stakeholder group. This meeting will give you answers to help you understand stakeholder interests, issues, and challenges.

An example of a **stakeholder survey** can be downloaded from the online [digital toolkit](#). Consider surveying communities using their most often used languages (i.e. Spanish).

Examples of questions in a survey include:

- Are you familiar with SGMA regulations?
- Are you currently engaged in activities or discussions regarding groundwater management in this region?
- Do you own, manage, or operate land in this basin?
- Do you manage water resources? If yes, what is your role?
- Are bilingual information and meeting materials needed?

Using the information gathered during your meetings with stakeholder organizations, create a stakeholder mapping grid by doing a “Lay of the Land” exercise. The exercise will chart all of the stakeholder groups you decide are important to the public engagement program and list known issues, interests, challenges, preferred methods of communication, and strategies and roles for engagement.

A “**Lay of the Land**” exercise example can be downloaded from the online [digital toolkit](#).

Examples of information included in the “Lay of the Land” exercise include:

- Types of stakeholders
- Stakeholder key interests related to groundwater
- Key documented issues



Messages

Define the key messages you need to effectively convey to your various stakeholders. Key messages should be three overriding messages that explain the goals and outcomes for development of the GSP.

- **Key message 1:** Concise explanation of the goal of the C&E strategy to support the development of a successful GSP
- **Key message 2:** The GSA is committed to working with identified stakeholders using an open and transparent communication and engagement process
- **Key message 3:** The overall GSP will be more successful with an engaged group of stakeholders providing useful information

It would also be helpful to develop a set of talking points that can be used by members of your GSA when communicating with specific stakeholder groups. These talking points can also be customized to a specific group.

Another useful tool is a Q&A document that contains likely questions or responses you anticipate from stakeholder groups based on the issues, challenges, and interests you discovered in the mapping exercise.



Venues for Engaging

You must decide on the scale of the public engagement necessary to achieve the goals and objectives of your C&E strategy. This will help you determine the best venue for your information and messages to be heard. It is important to regularly provide feedback and updates to the interested persons and stakeholder groups who provide input to the GSP through public convenings. Invite the public to meetings at key milestones to learn and contribute input. You should also consider how public comments will be received, reviewed, and responded to.

Water Code Section 10723.4 requires GSAs to establish and maintain an interested persons list; regular notifications to persons on this list should be one of the venues used for public engagement.

Convenings

- Community issue-specific or location-specific advisory committees
- Small group briefings or workshops at key milestones to learn and contribute input

Presentations

- Presentations by lead public agencies to small or large groups at scheduled events
- Presentations by lead public agencies to elected officials at publicly noticed meetings

Digital

- Public-facing website or webpage, regularly updated and easily accessible
- Online resources, posted for interactive or non-interactive uses
- Regular updates shared via social media, email, or newsletters

Community, regional, and social media

- Submit/post regular updates to media that promote opportunities for public engagement
- Submit/post regular updates to media that provide information about how public input is being used, project status, and next opportunities for engagement

Advisory Committees

GSAs may appoint and consult with an advisory committee. A properly developed and engaged advisory body can be of great assistance in engaging the broad range of interest groups in a basin and creating a shared understanding of local sustainability.



Inform Your Stakeholders

- Invest in signs and banners to announce meetings
- Hand out fliers at key public locations to reach the general public
- Personally call stakeholder groups
- Mail and email meeting announcements
- Post on social media pages

Groundwater Sustainability Agency Stakeholder Meeting, April 2017

Professional Facilitators

Many public agencies find it helpful to engage the services of a professional facilitator to guide discussions and decision-making between partnering agencies and other interested parties.

Professional facilitators, with deep expertise in mediation, negotiation, and consensus building, help broker agreements in tough natural resources disputes. Professional facilitators actively manage a process to support stakeholders' desired outcomes. They work closely with all stakeholders to design an effective process, manage meetings, seek input between meetings, and strategize throughout to deliver widely supported decisions.



Implementation Timeline

Now that you've identified your stakeholders, your key messages, and where and when to engage with them, you'll need to create a timeline for your C&E strategy. Don't confuse this with an implementation timeline for your GSP. The C&E timeline tracks communication and engagement activities and tactics.

Here is a list of common C&E tactics to include in a timeline:

- Website launch
- When to send email or other digital communication
- Media outreach activities
- Public meetings



Evaluation and Assessment

At various points along the implementation timeline, stop and assess how well you are performing against your goals and objectives. You can redirect resources, update strategies, or introduce new tactics.

The following questions as listed in the [Collaborating for Success report](#) are useful metrics for evaluation. Surveys and interviews are good tools to obtain feedback.

- Are stakeholders educated about the GSP development process and their own role?
- Is the timeline for implementation of the GSP clear?
- Has the GSA received positive press coverage?
- Do diverse stakeholders feel included?
- Have there been behavior changes related to the program goals? Or improved trust/relationships among participants?

Sample C&E Plan Outline

This example outline is a tool for GSAs to create common understanding and transparency throughout the GSP preparation and submission process. This process should be tailored to the basins and stakeholder needs. Documentation of the engagement and outreach by GSAs is important for Phase 3 (GSP review and evaluation). GSAs could evaluate the successes and learn from the stakeholder feedback to make necessary adjustments in order to achieve their goals.

Sample C&E Plan Outline

1. **Set Goals and Desired Outcomes**
 - a. Description and background of the GSA and subsequent GSP
 - i. Explanation of your GSA's decision-making process
 - b. Goal/desired outcomes of GSP development
 - c. Communication objectives to support the GSP
 - d. Overriding concerns, major concerns or challenges
2. **Identify Your Stakeholders**

See stakeholder engagement chart example provided in [digital toolkit](#).

 - a. List the stakeholder groups, community organizations or others who are concerned about the GSA/GSP and how each group will engage with the development of the GSP
3. **Stakeholder survey and mapping**

See example provided in [digital toolkit](#).

 - a. Meet one on one with stakeholders and ask them a set of questions to help find out their issues, interests and challenges
 - b. Compile a "Lay of the Land" document of your stakeholders to identify how to engage with them
4. **Messages and Talking Points**

Define the key messages you need to effectively convey to your various stakeholders

 - a. Key messages: Three overriding messages that explain the goals and outcomes for development of the GSP
 - b. Talking points/Q&A: Anticipating likely questions or issues will support effective engagement with stakeholders
 - c. Likely questions or issues and responses
5. **Venues for Engaging**

Identify the opportunities – venues or methods – to engage stakeholders.

 - a. Depending on the level of engagement, you'll want to determine the venue and how to share your key messages
 - b. Determine how you will invite, inform, and follow up with stakeholders
6. **Implementation Timeline**

List the milestones and stakeholder engagement opportunities throughout the GSP development process.

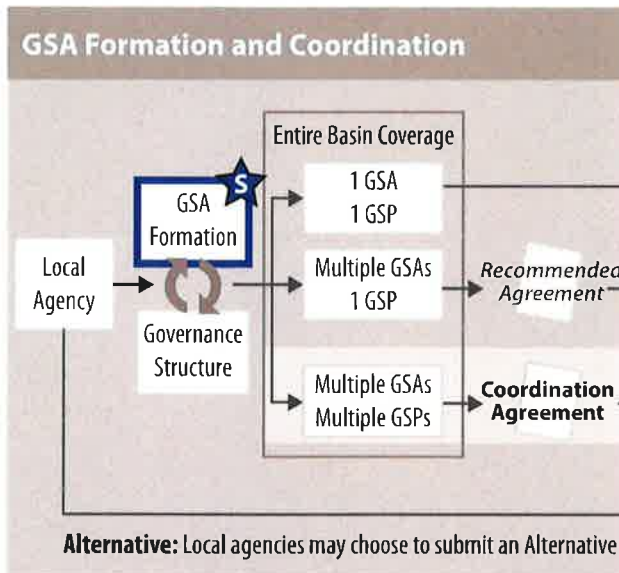
 - a. C&E Plan and GSP milestones
 - i. Refer to the Stakeholder Engagement by Phase graphic for required engagement milestones
 - b. Supporting tactics: Include tactics or tools you will use to communicate your messages and resources available to support
 - i. Website launch
 - ii. When to send email or other digital communication
 - iii. Media outreach activities
 - iv. Community meetings
7. **Evaluation and Assessment**

Assess at various points during Implementation to evaluate how your plan is performing against your goals and objectives.

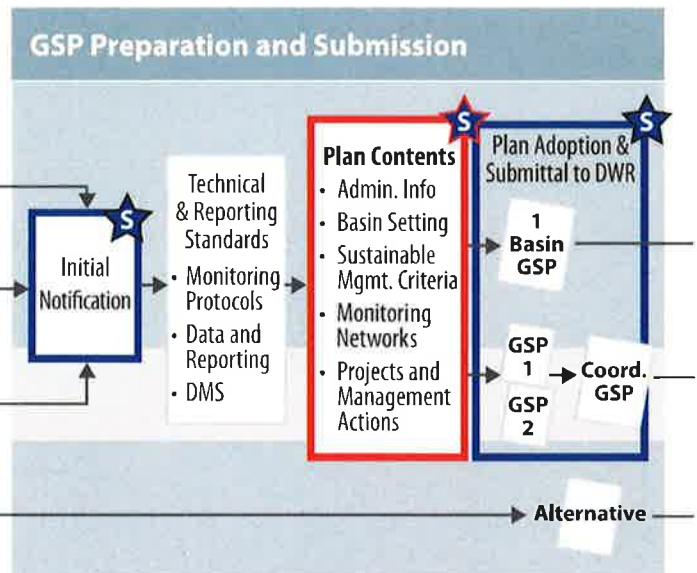
 - a. What worked well?
 - b. What didn't work as planned?
 - c. Meeting recaps with next steps
 - d. Lessons learned
 - e. Budget analysis

Stakeholder Engagement Requirements by Phase

Phase 1: 2015–2017



Phase 2: 2017–2022



Phase 1 Engagement Requirements

- **Establish and Maintain List of Interested Parties** §10723.4
- **GSA Formation Public Notice** §10723(b)
- **GSA Formation Public Hearing** §10723(b)
- **GSA Formation (due 6/30/17)** §10723(b)
- **Notify DWR:**
 - › Include list of interested parties
 - › Explain how parties' interests will be considered
- **Pre-GSP Development** §10727.8
 - Provide a written statement describing how interested parties may participate to:
 - › DWR
 - › Cities within the GSA boundary
 - › Counties within the GSA boundary



Stakeholder
Input



Stakeholders should be
informed throughout the
development of Plan Content

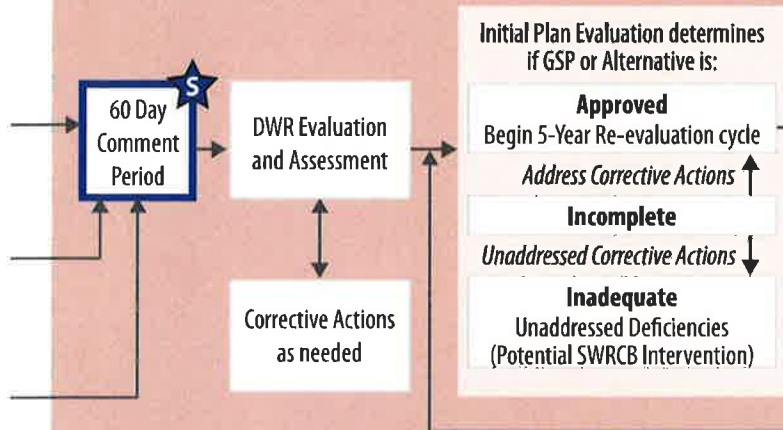
Phase 2 Engagement Requirements

- **GSP Initial Notification** §353.6*
 - › GSAs are required to submit GSP Initial Notifications through the SGMA Portal - GSP Initial Notification System at <http://sgma.water.ca.gov/portal/#gsp>
 - › Public can comment on the submitted GSP notification
- **GSP Preparation** §10727.8 and §10723.2
 - › Encourage active involvement
 - › Consider beneficial uses and users of groundwater when describing *Undesirable Results, Minimum Thresholds, and Projects & Actions*
- **GSP Communications Section** §354.10*
 - › GSA decision-making process
 - › Opportunities for engagement and how public input is used
 - › How GSA encourages active involvement
 - › Method of informing the public
- **Public Notice of Proposed Adoption** §10728.4
- **GSP Adoption Public Hearing** §10728.4
- **GSP Submittal** §354.10*
 - › Include a summary of communications: description of beneficial uses/users, list of public meetings, comments received/responses

Code References: §(#) = SGMA, §(#) = GSP Regulations

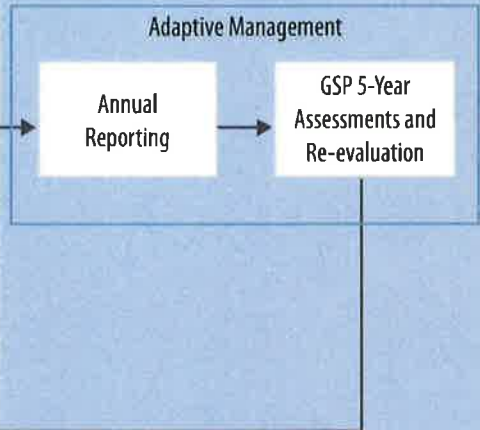
Phase 3: 2018+

GSP Review and Evaluation



Phase 4: 2022+

Implementation and Reporting



Phase 3 Engagement Requirements

- **60 Day Comment Period** §353.8*
 - › Any person may provide comments to DWR regarding a proposed or adopted GSP via the SGMA Portal at <http://sgma.water.ca.gov/portal/>
 - › Comments will be posted to DWR's website

Phase 4 Engagement Requirements

- **Public Notices and Meetings** §10730
 - › Before amending a GSP
 - › Prior to imposing or increasing a fee
- **Encourage Active Involvement** §10727.8

Engagement Requirements Applicable to ALL PHASES

- **Beneficial Uses and Users** §10723.2
Consider interests of all beneficial uses and users of groundwater
- **Advisory Committee** §10727.8
GSA may appoint and consult with an advisory committee
- **Public Notices and Meetings** §10730
 - › Before electing to be a GSA
 - › Before adopting or amending a GSP
 - › Prior to imposing or increasing a fee
- **Encourage Active Involvement** §10727.8
Encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin
- **Native American Tribes** §10720.3
 - › May voluntarily agree to participate
 - › See Engagement with Tribal Government Guidance Document
- **Federal Government** §10720.3
 - › May voluntarily agree to participate

Section 4

Engagement Methods & Tools

Stakeholder Communication and Engagement Digital Toolkit

A set of tools and examples are available for the purposes of SGMA outreach at DWR's Sustainable Groundwater Management website. The examples from local SGMA work groups include agenda, basin fact sheet, newsletter, mailing list sign up, etc. The templates may be downloaded, modified, and tailored to specific needs and audiences. While not all tools and templates are applicable to all GSAs, they are available as examples of effective ways to engage.

Find the Digital Toolkit at:

<https://www.water.ca.gov/Programs/Groundwater-Management/Assistance-and-Engagement>

DWR will add additional resources and case studies as they are developed to the Digital Toolkit.

Section 5

Additional Resources

DWR Region Office Contacts

DWR has knowledgeable staff available at the four region offices located across the State and in Sacramento. DWR's regional coordinators along with the [Point of Contacts](#) (POCs) are available to answer questions and provide available assistance and resources. The Regional Coordinators can answer SGMA related questions, provide educational presentations, discuss facilitation support services, and put you in contact with SGMA program contacts and other State and federal agencies. DWR Regional Coordinators can be reached via email at SGMP_RC@water.ca.gov.

Integrated Regional Water Management

Integrated Regional Water Management (IRWM) is a collaborative effort to identify and implement water management solutions on a regional scale that increase regional self-reliance, reduce conflict, and manage water to concurrently achieve social, environmental, and economic objectives. DWR, through the IRWM grant program, worked with 49 IRWM regions to coordinate regional water management activities and implemented multi-benefit projects with local agencies. Stakeholder communication and engagement plays a key role in the successes of the IRWM. Information about these activities is available at: <https://www.water.ca.gov/Programs/Integrated-Regional-Water-Management>

Other Agency Information

State Water Resources Control Board

In areas where groundwater users and local agencies are unable or unwilling to sustainably manage their groundwater, SGMA authorizes State Water Resources Control Board (State Board) intervention.

http://www.waterboards.ca.gov/water_issues/programs/gmp/about.shtml#info

Contact Email: groundwater_management@waterboards.ca.gov T: (916) 650-0474

California Department of Fish and Wildlife Groundwater Program

CDFW developed a Groundwater Program to ensure fish and wildlife resources reliant upon groundwater are addressed in GSPs and that CDFW remains in compliance with regulatory requirements.

<https://www.wildlife.ca.gov/Conservation/Watersheds/Groundwater>

Federal Agencies

GSAs can locate federal lands under various federal government jurisdiction (i.e. Bureau of Indian Affairs, Bureau of Land Management, National Parks Service, Department of Defense, Fish and Wildlife Services) from the Water Management Planning Tool under the Federal Lands layer. <https://gis.water.ca.gov/app/boundaries/>

The federal government may voluntarily agree to participate in the preparation or administration of a GSP through a joint powers authority or other agreement with local agencies in the basin. The GSAs should work to include federal interests in all aspects of the public process. Successful examples include ex-officio liaison on the GSA Board and membership on technical and public advisory committees.



California Department of Water Resources
1416 Ninth Street
P.O. Box 942836
Sacramento, CA 94236-0001

<http://www.water.ca.gov>

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - ASSOCIATE	
Applicant	Name <i>Meadowcreek Mutual Water Company</i> <small>(Agency, firm, or Entity)</small>
Associate Entity Category	Associate Type <i>Private Mutual Water Company "C" Corporation</i> <small>(Inbc, LADWP, Fed. Agency, or MUY)</small>
Primary Director	Name <i>Kenneth P. Toy</i> <small>(First) (Last)</small>
Prim. Dir. Contact Information	US Mail <i>P.O. Box 1587 Bishop CA 93514</i> <small>(Street or POB) (City) (Zip Code)</small> E-mail <i>K.toy@meadowcreekmutualwater.org</i> Phone <i>(760) 920-8045</i>
Alternate Director	Name <i>Howard W. Grice</i> <small>(First) (Last)</small>
Alt. Dir. Contact Information	US Mail <i>P.O. Box 1587 Bishop CA 93514</i> <small>(Street or POB) (City) (Zip Code)</small> E-mail <i>H.Grice@meadowcreekmutualwater.org</i> Phone <i>(760) 872-2550</i>

On separate pages attached to this application please provide the following information to the OVGA either via email to lpiper@inyocounty.us, mail at ICW, PO Box 337, Independence, CA, 93526 or in person at 135 S. Jackson St, Independence. **Forms are due no later than February 28, 2019:**

1. Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.
2. Describe the Applicant's specific interest(s) in the OVGA.
3. Describe any prior involvement by the Applicant in Owens Valley groundwater issues.
4. Provide documentation of the Applicant's authorization to join the OVGA and agreement to comply with Article V of the JPA.
5. Describe the Applicant's governance structure.
6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).
7. Describe, generally, how the Applicant will implement and fund the groundwater sustainability plan developed by the OVGA.
8. Describe the Applicant's Primary and Alternate Directors':
 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Primary or Alternate Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Primary or Alternate Director;
 - vi. Any additional information or qualifications related to the Applicant Board Director's interest in serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to submit this statement of interest. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publically disclose personal financial information that may be required to comply with conflict of interest law.

Signature: *Kenneth P. Toy* (Primary Director) Date: *2/27/2019*
 Signature: *Howard W. Grice* (Alternate Director) Date: *2/27/2019*

MEADOWCREEK MUTUAL WATER COMPANY

P.O. BOX 1587
BISHOP, CA 93514

February 27, 2019

Via Email – lpiper@inyocounty.us

Aaron Steinwand, Ph.D.
Inyo County Water Director
Interim Executive Manager
Owens Valley Groundwater Authority
P.O. Box 337
Independence, CA 93526

Re: Statement of Interest as an OVGA Associate or Interested Party

Dear Dr. Steinwand:

Attached is Meadowcreek Mutual Water Company's completed "*Statement of Interest*" form. Meadowcreek Mutual Water Company is submitting this form pursuant to the standing afforded mutual water companies by California Water Code, Section 10723.6(b).

Meadowcreek Mutual Water Company is a private water corporation; and since Meadowcreek Mutual Water Company is not a Public Water System pursuant to California Water Code, Section 10723.2(c), and since the term "*Associate*" is not used in the SGMA or the California Water Code, Section 10723.2 or Section 10723.6(b); based on the foregoing, Meadowcreek Mutual Water Company is not applying pursuant to the provisions of California Water Code, Section 10723.2(c).

Meadowcreek Mutual Water Company's response to the "*Statement of Interest*" form request for supplemental information follows:

1. Meadowcreek Mutual Water Company's jurisdictional boundaries are well established and on file with Inyo County. However, generally the Meadowcreek Mutual Water Company jurisdiction includes the Meadowcreek I & II Subdivisions, The Arbor Homes Subdivision and the commercial area of Bishop Plaza, J. Rousek Toys, Inc. and O'Reilly Auto Parts.
2. Meadowcreek Mutual Water Company's interest in the OVGA is to insure its standing pursuant to the SGMA and the California Water Code, Section 10723.6(b) is preserved; and to obtain fair and equal representation within the OVGA.
3. Meadowcreek Mutual Water Company has been a responsible user of Owens Valley groundwater since its creation in 1979.
5. Meadowcreek Mutual Water Company is a "C" Corporation with a five-person Board of Directors. Meadowcreek Mutual Water Company is in the process of converting to a Nonprofit Mutual Benefit Corporation.

Dr. Aaron Steinwand,
Inyo County Water Director
Interim Executive Manager
February 27, 2019
Page Two


The stated purpose of this "*Statement of Interest*" form is to "...assess interest and desired level of participation..." and "...Completing the form(s) does not constitute an application ..." based on these criteria, responses to items number 4,6,7 and 8(i-vi) appear premature, onerous and unnecessary, particularly since the information provided may become public knowledge.

Meadowcreek Mutual Water Company seeks participation in the Owens Valley Groundwater Authority pursuant to California Water Code, Section 10723.6(b) as an Associate and with a voting interest.

Meadowcreek Mutual Water Company is represented by counsel, please include Mr. David S. Baumwohl in the mailing / distribution list for Meadowcreek Mutual Water Company. His contact information is included below.

If you have any questions regarding Meadowcreek Mutual Water Company or require additional relevant information, please contact me.

Sincerely,



Kenneth P. Toy, President
Meadowcreek Mutual Water Company
P.O. Box 1587
Bishop, CA 93514

CC:

MMWC Board of Directors

David S. Baumwohl
A Professional Corporation
Attorneys at Law
PO Box 1188
Mammoth Lakes, CA 93546
760.934.2000 (phone)
760.934.2600 (fax)
E-mail: david@baumwohl.com

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - ASSOCIATE		
Applicant	Name Wilson Circle Mutual Water Company, Inc <small>(Agency/ies) or Entity(ies)</small>	
Associate Entity Category	Associate Type Mutual Water Company <small>(Tribe, LADWP, Fed. Agency, or MWC)</small>	
Primary Director	Name Theodore Murray <small>(First) (Last)</small>	
Prim. Dir. Contact Information	US Mail 108 Hobbs Cir Bishop 93514 <small>(Street or POB) (City) (Zip Code)</small>	
	E-mail tmurcful2636@verizon.net	Phone 760-920-5849
Alternate Director	Name <small>(First) (Last)</small>	
Alt. Dir. Contact Information	US Mail <small>(Street or POB) (City) (Zip Code)</small>	
	E-mail	Phone

On separate pages attached to this application please provide the following information to the OVGA either via email to lpiper@inyocounty.us, mail at ICIV, PO Box 337, Independence, CA, 93526 or in person at 135 S. Jackson St, Independence. Forms are due no later than February 28, 2019:

1. Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.
2. Describe the Applicant's specific interest(s) in the OVGA.
3. Describe any prior involvement by the Applicant in Owens Valley groundwater issues.
4. Provide documentation of the Applicant's authorization to join the OVGA and agreement to comply with Article V of the JPA.
5. Describe the Applicant's governance structure.
6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).
7. Describe, generally, how the Applicant will implement and fund the groundwater sustainability plan developed by the OVGA.
8. Describe the Applicant's Primary and Alternate Directors':
 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Primary or Alternate Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Primary or Alternate Director;
 - vi. Any additional information or qualifications related to the Applicant Board Director's interest in serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to submit this statement of interest. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publicly disclose personal financial information that may be required to comply with conflict of interest law.

Signature:  (Primary Director) Date: 2-28-2019

Signature: _____ (Alternate Director) Date: _____

Statement of Interest to OVGA

Wilson Circle Mutual Water Company, Inc.

1. See Attachment I
2. The Wilson Circle Mutual Water Company specific interest is that mutual water companies views and interests are represented on the OVGA Board.
3. The applicant has no prior involvement in Owens Valley groundwater issues.
4. The Wilson Circle Mutual Water Company is authorized to join the OVGA agreement and complies with Article V of the JPA as an a duly Incorporated Mutual Water Company within the boundaries designated by the JPA.
5. The Wilson Circle Mutual Water Company is governed by a President, Vice-President, Treasurer, and Secretary.
6. The Wilson Circle Mutual Water Company can provide in-kind assistance and data to the JPA.
7. The Wilson Circle Mutual Water Company will implement reasonable groundwater sustainability plans that are developed by the OVGA.
8. The Primary Director possesses the following qualifications:
 - B.S. Forest Management
 - Masters of Public Administration
 - 25 years of experience in Public and Private sector in management of wetland issues in the southeast and eastern United States
 - 15 Years of permitting of land use issues including considerations of wildlife and plant impacts.

An alternative associate will be chosen at a later date.

amended to read in its entirety as follows:

"Lots 1 through 11, inclusive, of Tract 129 as per plat recorded in Book 3, Page 58 of Maps, records of Inyo County, California; and Lots 1 through 12, inclusive, of Tract 144, in the County of Inyo, State of California, as per map recorded in Book SD 3 Pages 96 and 97 of Maps, in the office of the County Recorder of said County."

Directors:

Date:

Alfred F. Hadeler
ALFRED F. HADELER

7/4, 1986

Frank L. Phillips
FRANK L. PHILLIPS

7/4, 1986

John E. Wilson
JOHN E. WILSON
(J.E.W.)

2/28, 1986

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - ASSOCIATE														
Applicant	Name Lone Pine Paiute-Shoshone Reservation <small>(Agency or Entity)</small>													
Associate Entity Category	Associate Type Federally recognized Tribe <small>(State, IIRBP, Local Agency, or MSU)</small>													
Primary Director	Name TBD (Tribal Chairperson, Mary Wuester) <small>(First) (Last)</small>													
Prim. Dir. Contact Information	<table border="1"> <tr> <td>US Mail</td> <td colspan="2"></td> </tr> <tr> <td></td> <td><small>(Street or P.O. Box)</small></td> <td><small>(City)</small></td> </tr> <tr> <td></td> <td><small>(State)</small></td> <td><small>(Zip Code)</small></td> </tr> <tr> <td>E-mail</td> <td></td> <td>Phone 760-876-1034</td> </tr> </table>		US Mail				<small>(Street or P.O. Box)</small>	<small>(City)</small>		<small>(State)</small>	<small>(Zip Code)</small>	E-mail		Phone 760-876-1034
US Mail														
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	<small>(State)</small>	<small>(Zip Code)</small>												
E-mail		Phone 760-876-1034												
Alternate Director	Name TBD <small>(First) (Last)</small>													
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	<small>(State)</small>	<small>(Zip Code)</small>												
E-mail		Phone												

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 - iv. Personal interest in serving as the Applicant's Primary or Alternate Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Primary or Alternate Director;
 - vi. Any additional information or qualifications related to the Applicant Board Director's interest in serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to submit this statement of interest. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publically disclose personal financial information that may be required to comply with conflict of interest law.

Signature: Mary Wuester (Primary Director) Date: 02/26/19

Signature: _____ (Alternate Director) Date: _____

OVGA Statement of Interest

1 Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.

The Lone Pine Paiute-Shoshone Reservation consists of 237.4 acres of land in Central Inyo County, California. On June 26, 1939, a deed executed between the City of Los Angeles and the United States government allowed for the exchange of 2,913.5 acres of land held in trust for the Owens Valley Paiute Indians for 1,391.48 acres owned by the Los Angeles Department of Water and Power (LADWP). The latter acreage was divided into three (3) parcels that comprise the current Bishop (875 acres), Big Pine (279.8 acres) and the Lone Pine (237.4 acres) Reservations. The Land Exchange was authorized by an Act of Congress dated April 20, 1937 (P. L. 75-43). Located at an elevation of approximately 3,745 feet above sea level in the southern portion of the Owens Valley, the Lone Pine Paiute-Shoshone Reservation is bounded to the north by the unincorporated town of Lone Pine and to the south by the Lone Pine Airport. The majority of the land surrounding the Reservation is owned by LADWP, transitioning to the Bureau of Land Management (BLM) in the Alabama Hills to the west. The Sierra Nevada Mountains rise dramatically a few miles to the west (Mt. Whitney, the highest point in the contiguous 48 states, is visible from the Reservation) and the Los Angeles Aqueduct traverses the eastern edge of the Alabama Hills less than one mile to the west. The bed of the Owens River is a mile to the east, and the former north shore of Owens (Dry) Lake is five miles to the south. US Highway 395, the main north-south transport artery between Los Angeles, CA and Reno, NV, crosses the Reservation just west of its center. (see attached maps of LPPSR boundaries and traditional lands).

2 Describe the Applicant's specific interest(s) in the OVGA.

(attach 'SGMA letter.pdf 11/17/16), (JPA Suggested Changes 12/15/17), (IC Grant Letter 10/16/17), (DWR Recommendation Support 2/22/18)

LPPSR has been engaged with SGMA since the Act was approved in 2014. We attended a meeting in Sacramento with the California Water Boards in October that year to discuss the new law and Tribal jurisdiction. We have attended and participated in all Inyo County Water Department and Board of Supervisors meetings and workshops regarding the Act, JPA and GSA designs as well as DWR Tribal SGMA meetings. LPPSR has been an active participant and sought inclusion throughout the process.

The Paiute people's interest in this basin's water resource is as old as the melting glaciers in the Sierra Nevada. Legal control over water has been denied while emphasis of inclusion to its management continues to be granted to those who aggressively took possession through political privilege.

3 Describe any prior involvement by the Applicant in Owens Valley groundwater issues.

In addition to involvement noted in answer 2, LPPSR has been a "stakeholder" in the Owens Lake Master Project (Plan) from 2011 to the present. Our attendance and participation in the Groundwater Work Group has been continuous. We take the position that any lakebed pumping

should have no negative impacts, and that LADWP must follow written management plans that are the committee's consensus opinion. Now that the OVGA is established, LPPSR is confident that California State Lands Commission will require any lakebed groundwater pumping to follow protocols and practices designed in the GSP. Establishment of the OVGA may have rendered the disagreement of applicability of the LTWA with regard to OL dust mitigation moot.

LPPSR is part of a 3-Tribe consortium that is the Owens Valley Indian Water Commission. The Commission is charged with securing Tribal water rights denied in the 1937 agreement between our Federal government and Los Angeles, protecting the water quality and uses within the valley, restoring groundwater dependent vegetation and mitigating for lost environmental degradation, as well as maintaining traditions of environmental stewardship. The Commission has monitored groundwater depths and quality in Lone Pine, Big Pine and Bishop since 1991.

LPPSR monitors water resource extraction activities in the southern Owens Valley Basin. We have been involved as commenters and participants in public meetings with Crystal Geyser expansion and ground pollution issues through Lahontan Regional Water Quality Control Board and Inyo County.

4 Provide documentation of the Applicant's authorization to join the OVGA and agreement to comply with Article V of the JPA.

Lone Pine Paiute-Shoshone Reservation is a federally recognized Tribe with land in the Owens Valley Basin, and therefore authorized to join the OVGA per the JPA, article V.

5 Describe the Applicant's governance structure.

The Tribe is federally recognized with approximately 400 enrolled members. There are 233 people residing on the Reservation in 107 houses or trailers. A General Council, consisting of all Tribal Members of voting age, deliberates tribal affairs. The General Council meets regularly on the first Sunday of every month, with the exception of holidays. The Tribal Administrator administers daily operations, and government functions are administered by five (5) elected Officers: Chairperson, Vice Chairperson, Secretary, Treasure and Trustee.

6 Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).

- 1) Traditional Ecological Knowledge, TEK (recognized by EPA as pertinent and valuable historic/prehistoric understanding of the local environment).
- 2) Will seek available grants to benefit OVGA operations
- 3) In-kind map and document printing, research and participation in the GSP
- 4) Active participation and research

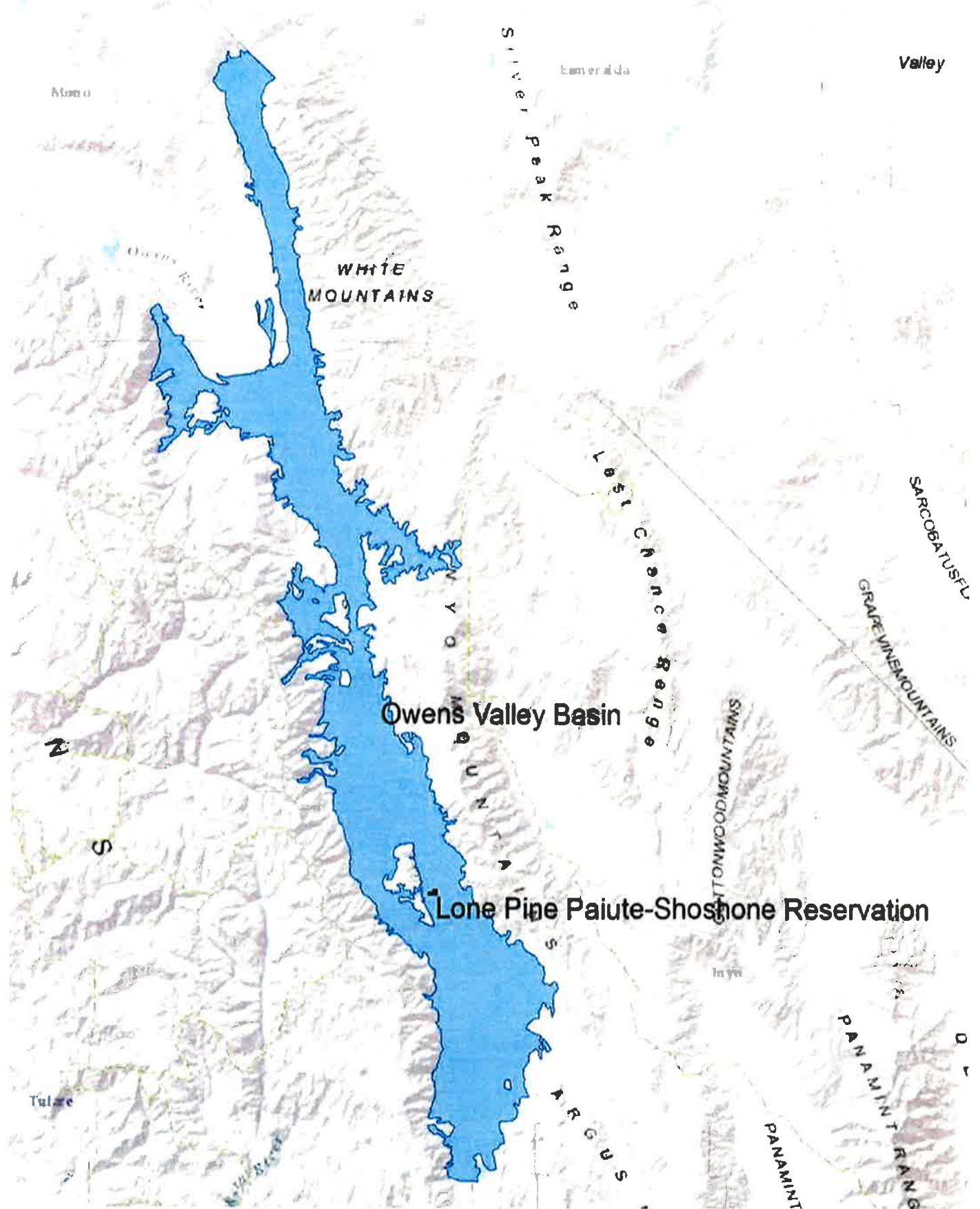
7 Describe, generally, how the Applicant will implement and fund the groundwater sustainability plan developed by the OVGA.

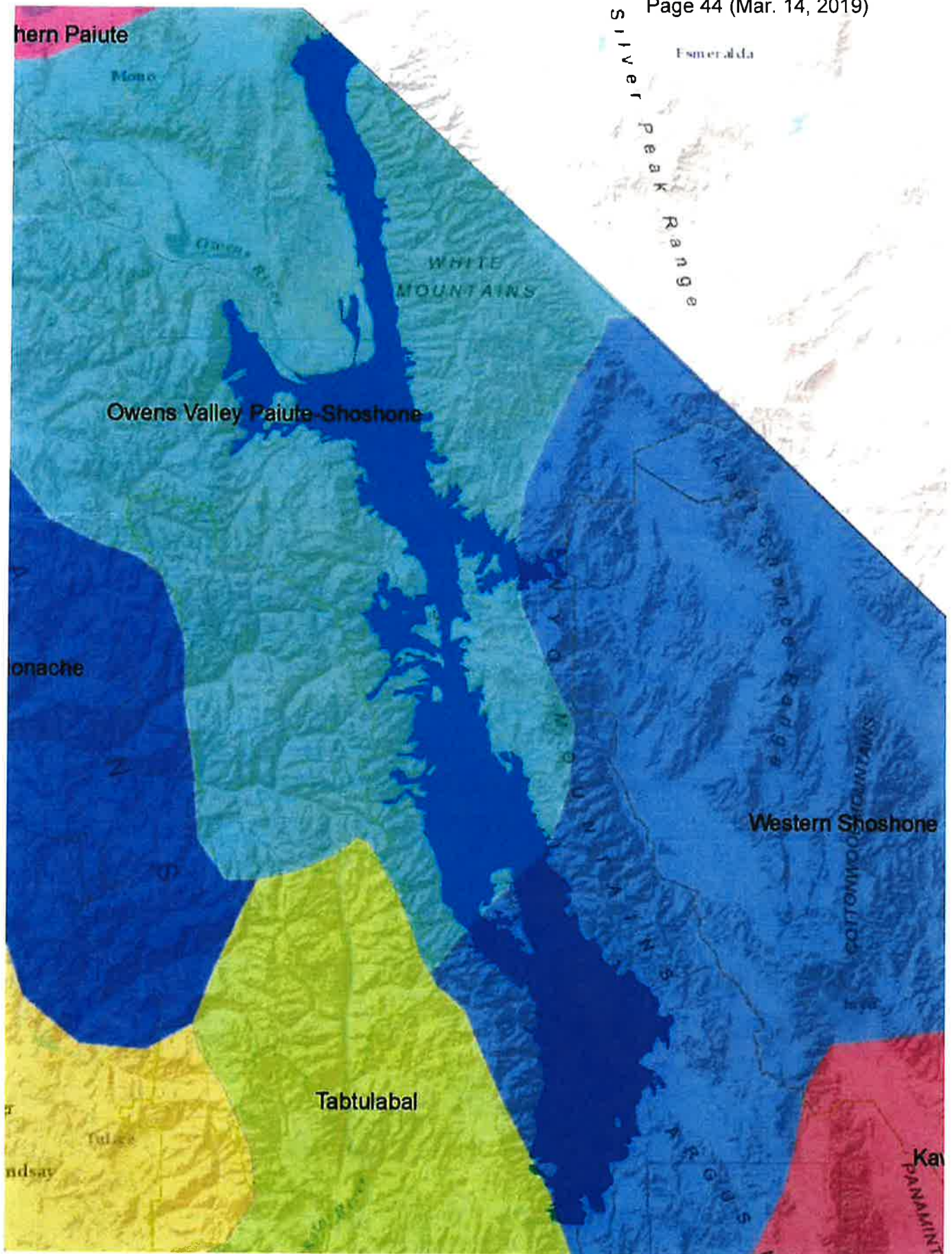
This is not applicable in that no GSP has been written. As stated above, LPPSR does not possess legal control over groundwater sources. For decades, LPPSR has been active and vocal in opposition to groundwater abuses. A position on the OVGA Board would elevate our activism. Two current OVGA Board members are non-paying, voting seats.

8 Describe the Applicant's Primary and Alternate Directors':

- i. Relevant educational background;**
- ii. Relevant employment background;**
- iii. Experience serving on any committee(s) or board(s);**
- iv. Personal interest in serving as the Applicant's Primary or Alternate Director;**
- v. Any business interests or positions that might conflict with his/her duties as the Applicant's Primary or Alternate Director;**
- vi. Any additional information or qualifications related to the Applicant Board Director's interest in serving on the OVGA Board.**

The Lone Pine Paiute-Shoshone Reservation cannot provide these details at this point in the process. This Letter of Intent should not bind LPPSR to specific Director and Alternate Director when these decisions may change by the time the application time-line and procedure are determined. Tribal representation choices will be made when as the dates and conditions are known.





Lone Pine Paiute-Shoshone Reservation

P.O. Box 747 • 1103 South Main Street

Lone Pine, CA 93545

(760) 876-1034

Fax (760) 876-8302

Web Site: www.lppsr.org

November 17, 2016

Dr. Robert Harrington, Director
Inyo County Water Department
PO Box 337
Independence, CA 93526

RE: Voting Membership in the Groundwater Sustainability Agency (GSA)

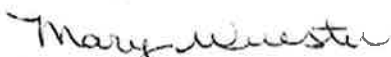
Dear Dr. Harrington:

The Lone Pine Paiute-Shoshone Reservation (LPPSR) is pleased with the direction Inyo County Supervisors have determined to take for groundwater protection under the Sustainable Groundwater Management Act (SGMA). We have followed the progress of this law and participated in workshops throughout the process. We have been involved with water issues of the southern Owens Valley for many years.

As a Tribe on federal trust land, we are exempted from the eventual management plan(s). However, our water sources are not currently within our authority. A long-standing legal dispute may eventually alter that position. Regardless, we are affected by water use and abuse under and around our communities. Further, our concern for environmental protection extends well beyond the artificial boundaries determined between the Los Angeles Department of Water and Power and the U.S. Department of the Interior. The exemption, in this case, is of no benefit to the Lone Pine Tribal community. We wish to continue as active participant in this important groundwater legislation.

The Lone Pine Paiute-Shoshone Reservation is requesting a voting membership in the Groundwater Sustainability Agency (GSA) that incorporates the LPPSR area or the entire groundwater basin; whichever is determined. We understand that access to funding may become available for the GSA through the Tribe's participation. Additionally, we respect the long-term commitment required to develop a management plan. Of all GSA potential members, Tribal presence represents the long view of sustainability and commitment to this land.

Sincerely,



Mary L. Wuester, Tribal Chairperson
Lone Pine Paiute-Shoshone Reservation

Lone Pine Paiute-Shoshone Reservation

P.O. Box 747 • 1103 South Main Street
Lone Pine, CA 93545
(760) 876-1034 Fax (760) 876-8302
Web Site: www.lppsr.org

October 16, 2017

Sustainable Groundwater Planning Grant Program
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

RE: Groundwater Sustainability Planning for the Owens Valley Groundwater Basin

To Whom It May Concern:

The Lone Pine Paiute-Shoshone Reservation has been an active and enthusiastic participant in SGMA workshops and planning since the legislation was approved. We intend to have continuous involvement in water issues affecting our homeland and diverse environment. These efforts have been addressed in the JPA/GSA documents to include local Tribes in the process.

The Owens Valley Basin has been in steady decline for the last 100 years as Los Angeles Department of Water and Power (LADWP) has drawn groundwater tables to levels that no longer support native trees and meadows throughout the valley. In addition to lost habitat, valley-wide dust storms have become routine. The Long Term Water Agreement (LTWA) between Inyo County and LADWP is only partially effective due to the disparity in economic power between the two government entities. With all its limitations, the LTWA jurisdiction is considered by this Act to be 'adjudicated'. Lands not covered by the LTWA will be managed by newly forming GSAs. A better management plan should positively influence outcomes for the entire basin. We finally see hope and opportunity through SGMA's mandate for protection of water, our most critical resource.

LADWP has a stranglehold over this basin, and was instrumental in removal of native people from our land and into the reservation system. As a result, Tribal communities have little power or financing to protect our natural resources. This is true of our county government and the small agencies who are volunteering to develop a sustainable management plan. We support Inyo County's grant application, and, further, request exemption to matching costs. Without financial aid in this endeavor, the important voices wishing to participate will continue unheard.

Sincerely,



Mary L. Wuester, Tribal Chairperson
Lone Pine Paiute-Shoshone Reservation

Cc: Robert Harrington, Inyo County Water Department

1.3 SPECIAL REQUIREMENTS. The following special requirements are in addition to any general requirements:

1.3.1 *Tribal Participation.* Tribes may be eligible to participate as authorized by Water Code Section 10720.3(c). To be eligible to participate as an Associate of the Authority a tribe must be federally recognized and have sovereign lands within the Basin.

1.3.2 *Federal Agency Participation.* While there are multiple Federal Agencies potentially eligible to become an Associate, there shall be a maximum of one Associate Board seat available for those Federal Agencies collectively. If the Federal Agencies are unable to agree on which agency among them is best suited to be an Associate of the Authority those agencies shall file competing applications to become the federal Associate of the Authority.

1.3.3 *LADWP.* The Los Angeles Department of Water and Power's participation in the GSA as an Associate shall be conditioned on its providing a minimum level of ongoing funding toward the Authority's budgets as determined by a majority of the votes of the Directors appointed by Members, and providing information deemed relevant to the preparation and implementation of the GSP. The GSP shall only otherwise apply to LADWP water management activities to the extent the City of Los Angeles and Inyo County agree that the GSP requirements do not directly conflict with the Water Agreement.

alternative:

The GSP shall apply to LADWP water management activities except where Los Angeles and Inyo County agree they directly conflict with the Water Agreement

minimum level of ongoing funding toward the Authority's budgets as determined by a majority of the votes of the Directors appointed by Members.

1.3.5 *Additional conditions.* Additional conditions required for Associates may be established by a majority of the votes of the Directors appointed by the Members.

1.4 ASSOCIATE BOARD APPOINTMENTS AND VOTES.

1.4.1 *In General.* All Associates shall appoint one Primary Director and one Alternate Director (sometimes referred to herein as a "Director") to the Board of Directors. The Alternate Director shall serve and assume the rights and duties of the

Lone Pine Paiute-Shoshone Reservation

P.O. Box 747 • 1103 South Main Street
Lone Pine, CA 93545
(760) 876-1034 Fax (760) 876-8302
Web Site: www.lppsr.org

February 22, 2018

SGWP@water.ca.gov.

California Department of Water Resources
Division of Integrated Regional Water Management
Financial Assistance Branch
Sacramento, CA 94236

Attention: Jason Brabec

The Lone Pine Paiute-Shoshone Reservation (LPPSR) has been active in the SGMA process from its inception. LPPSR is pleased to finally see California take steps to protect and preserve our precious groundwater resource.

Inyo County Water Department filed for Groundwater Sustainability Planning for the Owens Valley Groundwater Basin grant funding. With a score of 19 of 19 in category 2, the requested \$713,155 (of \$865,915 total budgeted) was recommended for approval.

The Owens Valley Groundwater Basin covers parts of Mono County, as well. Cooperation of all eligible agencies has been encouraged with this recognition of the financial burden to produce a groundwater sustainability plan. As a rural and economically disadvantaged area, such a costly and time-intensive project would be impossible to accomplish effectively without this grant funding.

With LADWP and Inyo County's Long-Term Water Agreement lands exempted from the eventual GSP, the future sustainability plan(s) will fill a large gap in groundwater data and protection. Without funding from this grant, dedicated participants in the GSP process will be challenged to produce a robust and comprehensive plan.

We strongly request funding of the Owens Valley Groundwater Basin activities as recommended.

Sincerely,



Mary L. Wuester, Tribal Chairperson
Lone Pine Paiute-Shoshone Reservation

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - INTERESTED PARTY	
Applicant	Name <i>Owens Valley Committee</i> <small>(Agency(ies) or Entity(ies))</small>
Interested Party Type	Interested Party Type <i>Non-profit environmental group</i> <small>(See JPA Exhibit B for list of Interested Party Types)</small>
Interested Party Director	Name <i>Owens Valley Committee</i> <small>(First) Mary (Last) Roper</small>
Int. Party Dir. Contact Info.	US Mail <i>P O Box 77 Bishop CA 93515</i> <small>(Street or POB) (City) (Zip Code)</small>
	E-mail <i>maryroper51@gmail.com</i> Phone <i>760 878 8056</i>

On separate pages attached to this application please provide the following information to the OVGA either via email to lpiper@inyocounty.us, mail at ICW, PO Box 337, Independence, CA, 93526 or in person at 135 S. Jackson St, Independence. Forms are due no later than February 28, 2019:

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2. Describe the Applicant's specific interest(s) in the OVGA.
3. Describe any prior involvement by the Applicant entity(ies) in Owens Valley groundwater issues.
4. Explain how the Applicant is a suitable representative of the Interested Party Type that the Applicant desires to represent (see JPA Exhibit B).
5. Describe the Applicant's governance structure.
6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).
7. Describe the Applicant's Interested Party Director's:
 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Interested Party Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Interested Party Director;
 - vi. Any additional information or qualifications related to the Applicant Director's serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to represent them as an Interested Party Director on the OVGA Board. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publically disclose personal financial information that may be required to comply with conflict of interest law.

Signature: *Mary Roper* (Primary Director) Date: *2/27/2019*
 Signature: _____ (Alternate Director) Date: _____

Owens Valley Committee
P. O. Box 77
Bishop, CA 93515

February 27, 2019

Dear Members of the Owens Valley Groundwater Authority,

Thank you for expanding the Owens Valley Groundwater Authority to include organizations dedicated to the environmental health of the Owens Valley. The beneficial use of water in the Owens Valley is largely environmental and agricultural, as well as providing municipal supply. Avoiding the undesirable effects and impacts to surface and groundwater is essential in the Owens Valley Basin, given the high environmental values here. One of the mechanisms to accomplish this is SGMA's requirement to engage stakeholders in the process of development of the Groundwater Sustainability Plan. The Owens Valley Committee has a 36 year history of involvement with Owens Valley groundwater issues – in the areas of environmental uses (groundwater pumping and export), public water systems (town water systems related to the Long Term Water Agreement), surface water uses (Lower Owens River, Off-River Lakes and Ponds), agricultural uses (Type E vegetation and water spreading), and land use planning (Owens Valley Land Management Plan). We have depth and breadth of knowledge, and members throughout California and the West.

1. The Owens Valley Committee (OVC) is a party to the 1997 Memorandum of Understanding (MOU) between the Los Angeles Department of Water and Power (LADWP) and other parties.

Through the MOU, we are obligated to work with the other MOU parties on the Lower Owens River Project (LORP), the Land Management Plan (LMP), groundwater pumping operations and various other mitigation areas.

2. The OVC is actively interested in all elements arising from the 1991 Inyo/LA EIR, the Long Term Water Agreement (LTWA) and the 1997 MOU. We want to ensure that groundwater levels and vegetation are returned to the baseline levels as defined in the legal documents, a position consistent with the environmental sustainability provisions of SGMA.

We are also concerned that individuals holding property with water rights (potential users of groundwater) within the area that is considered to be "adjudicated" have the right to engage in the development of the GSP. Their interest in creating a sustainable groundwater plan should be encouraged.

Additionally, we are interested in the intersection of the “adjudicated” area of the basin and the areas that the GSP will manage. Water doesn’t recognize jurisdictional boundaries, and in the Owens Valley, ultimately flows downward to Owens Lake.

Another concern that the OVC has is DWP’s regionalization of groundwater from our basin. Many areas of the Owens Valley Basin, including the “adjudicated” area in the basin, have not recovered from groundwater pumping to baseline levels after the second barrel of the aqueduct began exporting water in 1970. This “regionalization” now includes the specter of exporting water to other groundwater basins outside the Owens Valley, for recharge, storage, or use by another entity.

3. Please see our answers to question #1. The Owens Valley Committee has been involved with the water issues in our area since 1983 when it was formed as a citizens’ action group. We continue to be actively involved and have a deep understanding of the issues in this groundwater basin.
4. Please see our answer to question #1.
5. We are a non-profit corporation. We are governed by a 7-member board. We have many supporters and activists that sustain our organization.
6. The OVC brings a depth of knowledge and history of the water issues in the Owens Valley. We are unique in that there is no other local entity that has the history or involvement that we have had for over 36 years. We can offer support to the OVGA by helping to educate people and publicize the upcoming public meetings. We have an extensive email list of individuals and entities that want to be involved in the water issues in this area.
7. We will be appointing an attendee to the meetings. Our current OVC Board members consist of:

Kammi Foote: Inyo County Clerk-Recorder, background in private industry with land title issues, strong ongoing interest in the intersection of the electorate and public policy.

Mark Lacey: Local rancher with an extensive knowledge of on-the-ground conditions of the groundwater basin, current president of the California Cattlemen’s Association.

Earl Wilson: Retired Hydrology Tech for Great Basin Air Pollution Control District, current member of the Technical Advisory Committee for the Indian Wells-GA and is a frequent attendee at meetings concerning regional water issues.

Mary Roper: Retired Inyo County Clerk-Recorder, Vice-President of the Friends of the Eastern California Museum, Vice Chair of the Juvenile Justice Commission, Board

Member of Healthy Communities of Southern Inyo County, Treasurer of the Independence Civic Club, Board Member of the Owens Valley Growers Inc., Organizer of Inyo Associates meetings.

Rose Masters: Member of Inyo County Search & Rescue.

Dave Wagner: Retired geologist with the California Geological Survey (CGS) for 35 years, conducted regional geologic mapping, investigated the 1983 debris flows in western Marin County, the American River Canyon landslide that closed Highway 50 in 1997, and the 2008 Oak Creek debris flows in Owens Valley, registered professional geologist and a certified engineering geologist, currently works as a consulting geoarchaeologist, President of the Friends of the Eastern California Museum, President of the Owens Valley Growers Inc.


Nancy Masters: County Librarian – Inyo County Free Library, Past President of the OVC, Board Member Owens Valley Growers Inc., Past board member of the Owens Valley Unified School District, President of the Independence Civic Club, past employee of Lahontan Regional Water Quality Control Board, Biochemistry degree.

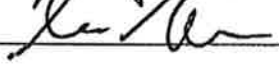
Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - INTERESTED PARTY			
Applicant	Name CG Roxane, LLC <small>(Agency(ies) or Entity(ies))</small>		
Interested Party Type	Interested Party Type Public Water System and Non-Agricultural Business with Private Wells <small>(See JPA Exhibit B for list of Interested Party Types)</small>		
Interested Party Director	Name Ryan Smith <small>(First) (Last)</small>		
Int. Party Dir. Contact Info.	US Mail 10 Pimental St Novato 94949 <small>(Street or P.O.B.) (City) (Zip Code)</small> E-mail r.smith@cgroxane.com Phone 415-339-8203		

On separate pages attached to this application please provide the following information to the OVGA either via email to lpiper@inyocounty.us, mail at ICW, PO Box 337, Independence, CA, 93526 or in person at 135 S. Jackson St, Independence. Forms are due no later than February 28, 2019:

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7. Describe the Applicant's Interested Party Director's:
 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Interested Party Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Interested Party Director;
 - vi. Any additional information or qualifications related to the Applicant Director's serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to represent them as an Interested Party Director on the OVGA Board. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publically disclose personal financial information that may be required to comply with conflict of interest law.

Signature:  (Primary Director) Date: 2/4/19

Signature:  (Alternate Director) Date: 2/4/19

Owens Valley Groundwater Authority

Statement of Interest – Interested Party

Supplemental Information

Crystal Geyser Roxane, LLC (CGR) requests to be included in the development and implementation of the Sustainable Groundwater Management Act (SGMA) for the Owens Valley groundwater basin, as well as to secure a seat on the Owens Valley Groundwater Authority (OVGA) Board as the Groundwater Sustainability Agency (GSA). CG Roxane LLC, is a private business and registered Inyo County public water system that employs over 150 full time employees in the southern Inyo County. The Company has been operating for over 25 years. We are keenly interested to be involved in this process and can bring great depth of technical knowledge and understanding as well as a fresh perspective of responsible and sustainable groundwater use within the basin. We are fully prepared to sign and abide by the Joint Powers Authority and all promulgations of the OVGA as well.

Provided below are responses to the supplemental information requested on the Interested Party Statement of Interest form.

1. CGR, operates a spring water bottling business in the far southern portion of the Owens Valley groundwater basin, in Olancho, California.
2. CGR is interested in meaningfully participating in the OVGA at a policy making level and technical advisor role for the development of the Groundwater Sustainability Plan and implementation of SGMA. The area of the basin in which CGR operates is sparsely populated and groundwater use in the area is dominated by agricultural industrial uses, in which CGR is uniquely positioned to provide a fresh perspective on sustainable groundwater use in this area. Since CGR exclusively bottles spring water at the Olancho location, it is of utmost priority to ensure that the springs and associated groundwaters sources are used and maintained in a responsible and sustainable manner. CGR's interests in protecting its sources, and ensuring that surrounding groundwater users act similarly, are directly in line with the SGMA goals.
3. CGR has been deeply involved in groundwater issues in the Owens Valley groundwater basin for nearly three decades. Most recently, CG operates a bottling facility in Olancho that is under the jurisdiction of an Inyo County Water Department Environmental Impact Report, in which CGR is required to closely monitor groundwater elevations, groundwater quality, spring water dependent habitat, and groundwater production totals. Additionally, the bottling plant in Olancho retains a public water system permit with the Inyo County Environmental Health Department in which numerous production wells and conveyance systems are regulated and monitored as a non-transient public water system.
4. CGR is well suited to represent the Interested Party Group based on our experience operating and maintaining a successful business that is based on the sustainable and responsible production of groundwater. Additionally, through the nearly three decades of operating, CGR has been a steadfast and engaged member of the local community which also relies upon groundwater for drinking water supply. We have a solid technical understanding of the Owens

Valley groundwater basin, and have for decades maintained a precious spring water resource through careful monitoring and understanding of groundwater supply and safe yield at our facility. It bears emphasis that the sustainability of the springs and groundwater source allow our business to exist. Unlike other users, the Company must also be careful that the water quality of the basin is protected to a level that will permit human consumption without treatment.

5. CGR is a privately held, family-owned business. The corporation is led by a President / CEO, who is also the Owner, and a Chief Operating Officer, who has worked for the Company for over 10 years. The Company employees Vice Presidents who manage various aspects of the corporation's business operations, including resource management, regulatory compliance, and water quality. The corporate headquarters are located in Novato CA.
6. CGR is willing to contribute to the OVGA in many areas. Principally, CGR is willing to contribute funds to go toward the development of the Groundwater Sustainability Plan (GSP) in the amount of up to \$10,000 per year until the GSP is completed. Additionally, as previously mentioned, CGR has gained considerable knowledge about the groundwater system in the basin. The Company has been and continues to collect groundwater level data as well as water quality data from numerous monitoring wells and production wells for many years. A Modflow predictive groundwater flow model as well as a hydrogeological site conceptual model, has been developed and maintained for our facility in Olancho. We are willing to contribute these monitoring data to assist in the development of the GSP.
7.
 - i. Ryan Smith, who will serve as the Company's representative, holds a Bachelor's of Science in Geological Sciences from University of California Santa Barbara (1999).
 - ii. Mr. Smith has worked in the geological sciences industry for the last 18 years. During his career, he has held positions with various engineering and environmental consulting firms. His longest tenure was at Geosyntec Consultants, a highly reputable national consulting firm, where he conducted environmental assessments and remediation of contaminated soil and groundwater projects as well as groundwater resource development projects. At Geosyntec, Mr. Smith spent considerable time in the Owens Valley monitoring and analyzing groundwater sources. Mr. Smith is currently employed with CGR as Vice President of Resource Management and Regulatory Compliance.
 - iii. Mr. Smith does not have relevant experience serving on a committee or board.
 - iv. Mr. Smith's personal interest to serve as the Interested Party director comes from a unique technical understanding of groundwater issues in the Owens Valley groundwater basin. His perspective in this regard is believed to be an important counterbalance to other members currently sitting on the OVGA board. As SGMA is intended to be a collaborative effort from all parties involved to bring groundwater basins into sustainability, a voice from the non-agricultural business community is important to ensure that the interests of all groundwater users within the Owens Valley Basin are heard.
 - v. While Mr. Smith does work for CGR, there is no potential conflict with his position as an Interested Party. As previous discussed, CGR's interests in protecting the groundwater resources in the area are directly in line with the goals and policy reasons behind SGMA's Implementation. Furthermore, Mr. Smith is personally interested in the

successful implementation of the GSP as well as being an equal representative of all interested parties within the jurisdiction of the OVGA as he understands the importance of groundwater needs for other businesses and industries. Mr. Smith's educational background and longstanding work experience as a hydrogeologist in the Owens Valley, and his unique understanding of the groundwater system within the basin will allow him to be a valuable Interested Parties Director in the OVGA. Therefore, his duties as the Interested Party's Director will not create conflicts.

- vi. Mr. Smith is a California certified Professional Geologist (since 2005, #7846), and California Certified Hydrogeologist (since 2015, #1005).

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - INTERESTED PARTY														
Applicant	Name Great Basin Unified Air Pollution Control District <small>(Agency(ies) or Entity(ies))</small>													
Interested Party Type	Interested Party Type Local Agency <small>(See JPA Exhibit B for list of Interested Party Types)</small>													
Interested Party Director	Name Phillip L. Kiddoo <small>(First) (Last)</small>													
Int. Party Dir. Contact Info.	<table border="0"> <tr> <td>US Mail</td> <td>157 Short Street</td> <td>Bishop</td> <td>93514</td> </tr> <tr> <td></td> <td><small>(Street or POB)</small></td> <td><small>(City)</small></td> <td><small>(Zip Code)</small></td> </tr> <tr> <td>E-mail</td> <td>pkiddoo@gbuapcd.org</td> <td>Phone</td> <td>(760) 872.8211</td> </tr> </table>		US Mail	157 Short Street	Bishop	93514		<small>(Street or POB)</small>	<small>(City)</small>	<small>(Zip Code)</small>	E-mail	pkiddoo@gbuapcd.org	Phone	(760) 872.8211
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	<small>(Street or POB)</small>	<small>(City)</small>	<small>(Zip Code)</small>											
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4. Explain how the Applicant is a suitable representative of the Interested Party Type that the Applicant desires to represent (see JPA Exhibit B).
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6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).
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 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Interested Party Director;
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Signature:  _____ (Primary Director) Date: 2/19/2019

Signature:  _____ (Alternate Director) Date: 2/1/2019

**Owens Valley Groundwater Authority (OVGA)
Statement of Interest – Interested Party
Supplemental Information**

Phillip L. Kiddoo, Great Basin Unified Air Pollution Control District

- 1. Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.**

Inyo County and Mono County.

- 2. Describe the Applicant's specific interest(s) in the OVGA.**

Potential negative impacts to air quality.

- 3. Describe any prior involvement by the Applicant entity(ies) in Owens Valley groundwater issues.**

None.

- 4. Explain how the Applicant is a suitable representative of the Interested Party Type that the Applicant desires to represent (see JPA Exhibit B).**

Local Agency - Responsible for enforcement of federal, state, and local air quality regulations.

- 5. Describe the Applicant's governance structure.**

The Great Basin Governing Board is comprised of seven publicly elected officials appointed as members by their respective Boards as followed:

Inyo County – two

Mono County – two

Alpine County – two

Town of Mammoth Lakes – one

- 6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).**

In-kind staff time and resources plus relevant data for the Owens Lake area.

- 7. Describe the Applicant's Interested Party Director's:**

- i. Relevant educational background;**

Bachelor of Science degrees in Zoology and Physiology with an environmental ecology focus.

- ii. Relevant employment background;**

Fourteen years employment with Great Basin Unified Air Pollution Control District.

- iii. Experience serving on any committee(s) or board(s);**

Eastern Sierra Audubon Board member 2001 - 2007

- iv. Personal interest in serving as the Applicant's Interested Party Director;**

Groundwater associated environmental impacts.

- v. Any business interests or positions that might conflict with his/her duties as the Applicant's Interested Party Director;**

None.

- vi. Any additional information or qualifications related to the Applicant Director's serving on the OVGA Board.**

None.

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - INTERESTED PARTY	
Applicant	Name Range of Light Group (Sierra Club) <small>(Agency(ies) or Entity(ies))</small>
Interested Party Type	Interested Party Type Environmental Organization <small>(See JPA Exhibit B for list of Interested Party Types)</small>
Interested Party Director	Name Warren Malcolm Clark <small>(First) (Last)</small>
Int. Party Dir. Contact Info.	US Mail PO Box 3328 Mammoth Lakes, CA 93546-3328 <small>(Street or POB) (City) (Zip Code)</small>
	E-mail wmalcolm.clark@gmail.com
	Phone 760-924-5639

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Signature: Warren Malcolm Clark (Primary Director) Date: February 15, 2019

Signature: [Signature] (Alternate Director) Date: February 23, 2019



*Range of Light Group
Toiyabe Chapter, Sierra Club
Counties of Inyo and Mono, California
P.O. Box 1973, Mammoth Lakes, CA, 93546
Rangeoflight.sc@gmail.com*



Supplementary Information: OVGA Statement of Interest – Interested Party

General: While the Range of Light Group (ROLG) of the Sierra Club is interested in possible “Interested Party” status, ROLG is not at this time certain we would apply for formal membership. We will continue to monitor activities of the OVGA through occasional attendance, minutes, and reports on Sierra Wave. As the OVGA meetings are open to the public, and past meetings have allowed for public comment, we are not certain whether voting membership is important for us. Still, we do wish to submit the statement of interest in order to leave open the possibility of applying should the Board pursue offering an Interested Party status.

1. ROLG has no jurisdictional/operational area within and/or adjacent to the Owens Valley Groundwater Basin.
2. ROLG has been a member of the Inyo-Mono Integrated Regional Water Management Group (IRWMG) since its founding. A member of the ROLG ExCom has served on the Administrative Committee (6 members) of the IRWMG for the past 5 or more years. The IRWMG has been following groundwater issues and I understand the OVGA has recently joined (or is in the process of joining) the IRWMG.
3. Locally, as well as statewide and nationally, the Sierra Club is very involved in conservation/environmental related water issues. ROLG has been involved in a number of water issues, mainly pertaining to LADWP. Most notable is ROLG involvement in the LORP agreement including the rewatering of the Lower Owens River and one or more MOU’s resulting from this process. ROLG has been more directly involved in groundwater issues arising from LADWP well projects which ROLG has maintained lowered or threatened to lower groundwater levels (such as the two “Bishop wells”) but also in some other groundwater pumping controversies. In some cases, ROLG involvement has resulted in ROLG being party to a lawsuit. ROLG is currently involved in a lawsuit, together with Mono County, against LADWP relating to the “dewatering” of specific ranch leases. I do not think any of these leases are in the ground water basin of the OVGA and generally they do not directly relate to groundwater issues. LADWP is an adjudicated agency, whose holdings in the basin are not subject to the OVGA (eventual) plan. But as the state considers exports from a basin in its entirety, and as LADWP is a major exporter of water in the basin, the link to LADWP issues is still relevant and a problem we for the OVGA.
4. ROLG (Sierra Club) is eligible as an Environmental Organization (Exhibit B:4) (and potentially as environmental user – Exhibit B:5)


5. Governance Structure: ROLG is one of four groups that make up the Toiyabe Chapter of the Sierra Club. ROLG's area is Inyo and Mono counties. The groups (and chapters) may not take positions on legislation that are contrary to the positions taken by higher level entities in the Sierra Club. But in most local matters, the individual group operates independently. ROLG has a six-member executive committee (ExCom) elected by all members (approximately 400 in the case of ROLG) of the group. The ExCom selects the chair of the group and such other officers and committee heads as are deemed necessary.
6. ROLG does not engage in any significant income producing activities. The local group receives a portion of its members annual dues paid to the Sierra Club – under \$1000 a year. The group is permitted to engage in fund-raising activities and can accept donations (above dues) and bequests. The group does not have a strong revenue stream. Groups may have hired staff, but ROLG operates with no paid staff. It is entirely a volunteer run organization. ROLG does have strong contacts with other environmental groups striving to achieve groundwater sustainability.
7. Director: note that should ROLG become an OVGA interested party, the ROLG ExCom might designate other qualified ROLG members to attend OVGA meetings and to represent ROLG at these meetings.
8. A. Primary Director: Warren Malcolm Clark, Vice-chair of ROLG ExCom and conservation chair of ROLG.
 - i. Ph.D. but in area unrelated to Groundwater Sustainability issues. Seminary and college professor for approximately 40 years. Retired.
 - ii. No relevant employment background.
 - iii. Served on various committees and as department chair during college teaching career. As previously mentioned, member of Administrative Committee of the Inyo-Mono IRWMG, and also on the board of the Eastern California Water Association (ECWA).
 - iv. Broad interest in water issues as relates to the environment locally and more broadly. Approximately 10 years involvement in the local IRWMG has given exposure to many water issues locally and contact (through IRWMG meetings) with other water groups in the Inyo-Mono region.
 - v. No business conflict of interest.
 - vi. Not related to the primary director, it might be of interest to note that one member of the ROLG ExCom is a farmer (San Paula and Ojai areas) who has extensive experience working with their local ground water sustainability plan and agency.


Owens Valley Groundwater Authority (OVGA)								
STATEMENT OF INTEREST - INTERESTED PARTY								
Applicant	Name Rio Tinto - U.S. Borax Inc. <small>(Agency(ies) or Entity(ies))</small>							
Interested Party Type	Interested Party Type Non-Agricultural Business / Private Pumper <small>(See JPA Exhibit B for list of Interested Party Types)</small>							
Interested Party Director	Name Ronald Ward <small>(First) (Last)</small>							
Int. Party Dir. Contact Info.	<table border="1"> <tr> <td>US Mail 209 North <small>(Street or POB)</small></td> <td>Lone Pine, CA <small>(City)</small></td> <td>93545 <small>(Zip Code)</small></td> </tr> <tr> <td>E-mail ronald.ward@riotinto.com</td> <td colspan="2">Phone (760) 876-4775</td> </tr> </table>		US Mail 209 North <small>(Street or POB)</small>	Lone Pine, CA <small>(City)</small>	93545 <small>(Zip Code)</small>	E-mail ronald.ward@riotinto.com	Phone (760) 876-4775	
US Mail 209 North <small>(Street or POB)</small>	Lone Pine, CA <small>(City)</small>	93545 <small>(Zip Code)</small>						
E-mail ronald.ward@riotinto.com	Phone (760) 876-4775							

On separate pages attached to this application please provide the following information to the OVGA either via email to lpiper@inyocounty.us, mail at ICW, PO Box 337, Independence, CA, 93526 or in person at 135 S. Jackson St, Independence. **Forms are due no later than February 28, 2019:**

1. Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.
2. Describe the Applicant's specific interest(s) in the OVGA.
3. Describe any prior involvement by the Applicant entity(ies) in Owens Valley groundwater issues.
4. Explain how the Applicant is a suitable representative of the Interested Party Type that the Applicant desires to represent (see JPA Exhibit B).
5. Describe the Applicant's governance structure.
6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).
7. Describe the Applicant's Interested Party Director's:
 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Interested Party Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Interested Party Director;
 - vi. Any additional information or qualifications related to the Applicant Director's serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to represent them as an Interested Party Director on the OVGA Board. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publically disclose personal financial information that may be required to comply with conflict of interest law.

Signature:  _____ (Primary Director) Date: **2/27/2019**


Signature:  _____ (Alternate Director) Date: **2/28/2019**

Owens Valley Groundwater Authority (OVGA) STATEMENT OF INTEREST - INTERESTED PARTY		
Applicant	Name California State Lands Commission <i>(Agency(ies) or Entity(ies))</i>	
Interested Party Type	Interested Party Type State Agency <i>(See JPA Exhibit B for list of Interested Party Types)</i>	
Interested Party Director	Name Jennifer Lucchesi <i>(First) (Last)</i>	
Int. Party Dir. Contact Info.	<div> <div>US Mail</div> <div>100 Howe Avenue, Ste 100-S Sacramento 95825 <i>(Street or POB) (City) (Zip Code)</i></div> </div> <div> <div>E-mail</div> <div>Jennifer.Lucchesi@slc.ca.gov</div> </div> <div> <div>Phone</div> <div>916-574-1800</div> </div>	

On separate pages attached to this application please provide the following information to the OVGA either via email to tpiper@inyocounty.us, mail at ICW, PO Box 337, Independence, CA, 93526 or in person at 135 S. Jackson St, Independence. Forms are due no later than February 28, 2019:

1. Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.
2. Describe the Applicant's specific interest(s) in the OVGA.
3. Describe any prior involvement by the Applicant entity(ies) in Owens Valley groundwater issues.
4. Explain how the Applicant is a suitable representative of the Interested Party Type that the Applicant desires to represent (see JPA Exhibit B).
5. Describe the Applicant's governance structure.
6. Describe resources that the Applicant has available to contribute to the OVGA (in-kind, monetary, and/or relevant data).
7. Describe the Applicant's Interested Party Director's:
 - i. Relevant educational background;
 - ii. Relevant employment background;
 - iii. Experience serving on any committee(s) or board(s);
 - iv. Personal interest in serving as the Applicant's Interested Party Director;
 - v. Any business interests or positions that might conflict with his/her duties as the Applicant's Interested Party Director;
 - vi. Any additional information or qualifications related to the Applicant Director's serving on the OVGA Board.

I hereby certify that I am authorized by the Applicant agency(ies) or entity(ies) to represent them as an Interested Party Director on the OVGA Board. I understand that this is a public document and by submitting this application my background and/or qualifications could become public knowledge, and that I will be required to publically disclose personal financial information that may be required to comply with conflict of interest law.

Signature:  *(Primary Director)* Date: 2/28/2019

Signature: _____ *(Alternate Director)* Date: _____

1. Identify any jurisdictional/operational areas of the Applicant within and/or adjacent to the Owens Valley Groundwater Basin.

The State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State, through the California State Lands Commission (Commission), holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On navigable non-tidal waterways, including lakes and rivers, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high-water mark, except where the boundary has been fixed by agreement or court decision.

More specifically, within the Owens Valley Groundwater Basin, the Commission has jurisdiction as landowner at Mono and Owens Lake.

2. Describe the Applicant's specific interest(s) in the OVGA.

The impact of groundwater use for dust mitigation purposes at Owens Lake.

3. Describe any prior involvement by the Applicant entity(ies) in Owens Valley groundwater issues.

The Commission has issued several leases for groundwater test and monitoring wells. The Commission is also a party to a 1997 Memorandum of Understanding with the City of Los Angeles, Inyo County, California Department of Fish and Wildlife, Sierra Club, and Owens Valley Committee to resolve certain conflicts related to the Lower Owens River Project and other provisions of the City's 1991 Environmental Impact Report concerning groundwater pumping operations and related activities. Upon conclusion of the Environmental Impact Report for the Owens Lake Master Project, the Commission will need to issue a lease for dust control activities on Owens Lake on sovereign land.

4. Explain how the Applicant is a suitable representative of the Interested Party Type that the Applicant desires to represent.

The Commission has been given the responsibility, as trustee, to manage California's waterways on behalf of the public. That trusteeship obligates the Commission to act as a fiduciary in protecting the public's rights and needs related to public trust resources. Any use of sovereign land, either at Mono or Owens Lake, requires the authorization of the Commission. Commission staff works closely with other regulatory bodies.

5. Describe the Applicant's governance structure.

The Commission consists of the Lieutenant Governor, the State Controller, and the

Governor's Director of Finance. The Commission is staffed by an Executive Officer, Jennifer Lucchesi, and consists of the following divisions: Administrative Services, Environmental Planning and Management, External Affairs, Information Services, Land Management, Legal, Marine Environmental Protection, and Mineral Resources Management.

6. Describe the resources that the Applicant has to contribute to the OVGA (in-kind, monetary, and/or relevant data).
While the Commission would be unable to contribute designated funding, it may be able to provide limited funding to specific actions taken that directly involve actions on sovereign land.
7. Describe the Applicant's Interested Party Director's:
 - a. Relevant educational background;
 - *Executive Officer: Bachelor's Degree (CalPoly), Juris Doctor (McGeorge Law School), Member of the State Bar Association (242295)*
 - b. Relevant employment background;
 - *Jennifer has been employed with the California State Lands Commission since November 1999, serving in capacities as a Public Land Management Specialist, Staff Counsel, Chief Counsel, and is currently the Executive Officer of the Commission.*
 - c. Experience serving on any committee(s) or board(s);
 - *Jennifer serves and has served on the following commissions and boards:*
 - *California Coastal Commission;*
 - *San Francisco Bay Conservation and Development Commission;*
 - *Delta Protection Commission;*
 - *San Joaquin River Conservancy;*
 - *Ocean Protection Council*
 - d. Personal interest in serving as the Applicant's Interested Party Director;
 - *Jennifer would delegate this responsibility to staff more familiar with the ongoing issues within Mono and Inyo Counties*
 - e. Any business interests or positions that might conflict with his/her duties as the Applicant's Interested Party Director;
 - *There are no known interests or positions that could conflict with her duties*
 - f. Any additional information or qualifications related to the Applicant's Director's serving on the OVGA Board



CUSTOMERS FIRST

February 28, 2019

RECEIVED

MAR - 4 2019

Inyo County Water Dept.

Page 66 (Mar. 14, 2019)

Board of Commissioners
Mel Levine, President
Cynthia McClain-Hill, Vice President
Jill Banks Barad
Christina E. Noonan
Aura Vasquez
Barbara E. Moschos, Secretary
David H. Wright, General Manager

Aaron Steinwand, Ph.D.
Inyo County Water Director
Owens Valley Groundwater Authority
135 Jackson Street
Independence, California 93526

Dear Dr. Steinwand:

Subject: Response to Invitation for Statement of Interest as an Owens Valley Groundwater Authority Associate or Interested Party

This is in response to your January 17, 2019 letter (enclosed), inviting the Los Angeles Department of Water and Power (LADWP) to express interest in participating as an Owens Valley Groundwater Authority (OVGA) Associate member or Interested Party. While your initiation and reaching out to LADWP is appreciated, as Article V.1.2 of the OVGA's Joint Power Authority requires Associate members to subject their area to the OVGA's jurisdiction, LADWP will not be applying to become an Associate member or Interested Party to the OVGA.

The Sustainable Groundwater Management Act (SGMA) has provided the framework and clearly defined criteria for Basin sustainability. Groundwater in the Basin meets the SGMA sustainability indicators. LADWP has been, and intends to continue, managing the Basin sustainably in accordance with the terms of the Inyo County/Los Angeles Long-Term Water Agreement. We are committed to ensuring future sustainability of the Basin and look forward to working with the OVGA to meet our mutual goals.

If you have any questions or concerns, please feel free to contact me at (213) 367-1001.

Sincerely,

Anselmo G. Collins
Director of Water Operations

SMJ:jm
Enclosure
c/enc: OVGA Board of Directors
Mr. Gregory Loveland, LADWP

OWENS VALLEY GROUNDWATER AUTHORITY

Big Pine CSD — City of Bishop — County of Inyo — County of Mono — Eastern Sierra CSD — Indian Creek-Westridge CSD — Keeler CSD —
Sierra Highlands CSD — Starlite CSD — Tri Valley Groundwater Management District — Wheeler Crest CSD

P.O. Box 337
135 Jackson Street
Independence, CA 93526

Phone: (760) 878-0001
Fax: (760) 878-2552
www.inyowater.org

January 17, 2019

Via Email

Anselmo G. Collins, Director of Water Operations
Los Angeles Department of Water and Power
111 North Hope Street
Los Angeles, CA 90012

RE: Statement of Interest as an OVGA Associate or Interested Party

Dear Mr. Collins,

The Owens Valley Groundwater Authority was created to comply with California's Sustainable Groundwater Management Act (SGMA) that requires local agencies develop and implement a plan to sustainably manage groundwater for the Owens Valley Groundwater Basin. The basin includes the Owens, Chalfant, Hammil, and Benton Valleys as well as Fish Slough. Your agency may be eligible to participate as an Associate or Interested Party on the OVGA Board of Directors as set forth in the OVGA's joint powers agreement.

By sending this letter, the OVGA seeks to determine your agency's interest in participating in the OVGA as an Associate which has a voting interest in the OVGA Board. Alternatively, your agency might participate as an Interested Party or through the public engagement process open to all. Accompanying this cover letter are Statement of Interest forms for Associates and Interested Parties with instructions and requests for necessary information for the OVGA to assess interest and desired level of participation of your agency. Completing the form(s) does not constitute an application for Associate or Interested Party status. The OVGA may request formal applications at a later time. The deadline for returning completed forms is **February 28, 2019**.

Specifics regarding the joint powers agreement and bylaws of the OVGA, the roles and responsibilities of Associates and Interested Parties, and additional copies of the Statement of Interest forms are available online at <http://www.inyowater.org/projects/sgma/> or by contacting the Inyo County Water Department (lpiper@inyocounty.us, 760-878-0001).

If you have any questions regarding SGMA, the OVGA, or require additional information regarding this request please contact the Water Department.

Sincerely,

A handwritten signature in dark ink, appearing to read "Aaron S.", with a horizontal line underneath.

Aaron Steinwand, Ph.D.
Inyo County Water Director
Interim Executive Manager
Owens Valley Groundwater Authority



BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY

Big Pine Paiute Indian Reservation

P.O. Box 700 · 825 SOUTH MAIN STREET · BIG PINE, CA 93513
(760) 938-2003 · FAX (760) 938-2942 www.bigpinepaiute.org

GENEVIEVE A. JONES
TRIBAL CHAIRWOMAN

February 28, 2019

Board of Directors
Owens Valley Groundwater Authority
c/o Inyo County Water Department
P. O. Box 337
Independence, CA 93526

Subject: Associate Membership, Owens Valley Groundwater Authority

Dear Honorable Board members:

The Big Pine Paiute Tribe of the Owens Valley ("Tribe") appreciates the invitation to apply to become an Associate member of the Owens Valley Groundwater Authority ("OVGA"). At this time, the Tribe declines the invitation for reasons stated in this letter.

The Tribe has had a long interest in ensuring all waters of the Eastern Sierra, including ground waters, are sustainably managed, but the Tribe has struggled to have its voice heard. When the Tribe learned in 2014 that the state legislature was contemplating the law which later became known as the Sustainable Groundwater Management Act (SGMA), Tribal officials participated in efforts to try to make it a truly protective law. Overall, SGMA as passed was a positive step for sustaining California's stressed aquifers because it calls upon local people to come together and develop plans tailored to their basins which prevent groundwater mismanagement. Sadly, immediately before the legislation passed, the Tribe learned that the County of Inyo and City of Los Angeles Department of Water and Power (LADWP) agreed between themselves, and out of sight of public view, to support SGMA if the majority of the Owens Valley Groundwater Basin was "treated as adjudicated" and exempted from the law. Despite the Tribe's objections, the exemption for LADWP-owned lands in Owens Valley was written into SGMA, and as a result SGMA was rendered largely worthless with regard to implementing it to protect and sustain ground water in Owens Valley. (A copy of the letter the Tribe sent to the State of California objecting to the LADWP exemption is attached for reference.)

Following the passage of SGMA, the Tribe actively participated in many meetings in which its application to Owens Valley was presented and discussed. The Tribe formally requested government to government consultation with Inyo County in March of 2016 to discuss the Tribe's role in SGMA and the development of sustainable groundwater management in Owens Valley, but County Supervisors responded that they were not willing to meet with Tribal leaders on this matter and instead desired an informal process for Tribal

engagement. On October 11, 2016, the County's consultant Lisa Beutler, in a presentation to the Inyo County Board of Supervisors, said that Inyo County should engage with tribes on SGMA matters because water knowledge and expertise within Owens Valley tribal communities was noteworthy and could be very helpful as the county attempts to navigate SGMA. The Tribe continued to request formal Tribal consultation with requests in 2017, but no formal consultation meetings on SGMA between the Tribe and County took place.

In mid-2017, the Tribe was dismayed to see the draft "Joint Exercise of Powers Agreement" ("JPA") when it was released to the public (or at least to the Tribe) in a near-final form. Inyo County provided no substantive public review period on the JPA and provided a short turnaround time for signatures from each entity within the boundaries of the Owens Valley Groundwater Basin which was eligible to become a SGMA Groundwater Sustainability Agency ("GSA"). The Tribe strongly objected to the JPA and transmitted a letter dated July 31, 2017, listing its objections (copy of letter attached).

The Tribe views the JPA and the actions of the OVGA as inconsistent with the intent of California Water Code. The JPA says in Section 1.3.1 "Tribal Participation. Tribes may be eligible to participate as authorized by Water Code Section 10720.3(c). To be eligible to participate as an Associate of the Authority a tribe must be federally recognized and have sovereign lands within the Basin." This statement in the JPA only partially reflects this section of California Water Code Sec. 10720.3(c), which states in full,

"The federal government or any federally recognized Indian tribe, appreciating the shared interest in assuring the sustainability of groundwater resources, may voluntarily agree to participate in the preparation or administration of a groundwater sustainability plan or groundwater management plan under this part through a joint powers authority or other agreement with local agencies in the basin. A participating tribe shall be eligible to participate fully in planning, financing, and management under this part, including eligibility for grants and technical assistance, if any exercise of regulatory authority, enforcement, or imposition and collection of fees is pursuant to the tribes *[sic]* independent authority and not pursuant to authority granted to a groundwater sustainability agency under this part."

In the Tribe's view, the law allows the Tribe the opportunity to work with local entities in the preparation and wording of the governing document defining terms of engagement, such as a JPA or MOU. However, the JPA which exists was written without Tribal input or agreement.

The Tribe is concerned that the OVGA has moved forward with several commitments which may determine the way SGMA is implemented in the Owens Valley prior to acquiring full representation of stakeholders on the OVGA Board of Directors. The JPA which created the OVGA is a complicated document, but a statement near the beginning of the JPA indicates the intent to have additional members (Associates and Interested) seated in time to make important decisions about spending money and hiring the entity to prepare the Groundwater Sustainability Plan ("GSP"). The JPA says, "WHEREAS, subsequent to forming the GSA via this Agreement, the Members intend to engage with other agencies and entities that are not eligible to form a GSA, ("Associates" or "Interested Parties") to allow them to participate in the GSA as contemplated by SGMA and by this Agreement." However, without adding additional

voices from groups and persons with extensive knowledge of Owens Valley water issues, the OVGA has moved forward with many actions, including hiring the consultant who is tasked with preparing the GSP.

The conditions in the JPA which would allow Tribal membership on the OVGA are not acceptable to the Tribe. Some reasons are listed below:

- The Tribe would be allotted only 2 votes, while other entities on the Owens Valley Groundwater Authority may be eligible for several more votes. The JPA creates a buy-your-vote system. Within the OVGA, wealthier stakeholders in the non-Indigenous communities of the Eastern Sierra are entitled to buy votes and thus exert more power over OVGA decisions.
- By becoming an Associate member under the current terms of the JPA, the Tribe would be forced to commit to implementing terms of a final GSP on the Reservation and Tribe's lands. The Tribe would be bound to this commitment even if the Tribe opposed the GSP by voting "no."
- Rules that would apply to the Tribe as an Associate member are not applied evenly to other potential Associate members. This is particularly concerning due to the privileges granted LADWP in the JPA if they should become an Associate member. Please note:
 - Should LADWP choose to join as an Associate member – the same membership category as being offered to the Tribe – LADWP would be allotted 4 votes compared to only 2 votes for the Tribe.
 - If a tribe participating as an Associate objects to the final GSP, the Tribe would still be bound by the GSP requirements. However, LADWP would not be obligated to implement any of the GSP.

The OVGA could change its course: Nothing in the series of events leading to the present situation rules out the OVGA working with the Tribe, now or in the future, to allow Tribal participation on terms agreeable to the Tribe. Even though the Tribe is not pursuing Associate membership under the terms presented, the Tribe intends to keep a close eye on the OVGA and preparation of the GSP, because the Tribe is gravely concerned about water management in Owens Valley. The Tribe may desire to become an OVGA Board member in the future, but the Tribe is unlikely to commit its resources unless some basic considerations are addressed to accommodate Tribal interests. Meaningful Tribal participation would include the following:

- The Tribe participating in preparing the document of agreement (e.g. JPA, MOU, etc.) describing the terms of the relationship with attention paid to respecting Tribal sovereignty.
- Tribal input on the work plan for producing the GSP.
- Meetings professionally facilitated by a non-stakeholder.
- Agreement by a form of consensus (and not weighted voting).
- A clear plan and commitments from the County of Inyo and City of Los Angeles showing steps they will take to meet and achieve the goals of the Inyo/LA Water Agreement. This is very important because a truly sustainable plan for water management will only be achieved for the Owens Valley Groundwater Basin if the entire basin is managed sustainably.

Finally, the Tribe notes that, by declining to accept the invitation to join as an Associate at this time, the OVGA and some of its individual Member groups, must comply with SGMA, California Assembly Bill 52, and other laws requiring transparency, public participation, and meaningful consultation before state or local agencies proceed with a plan.

The Tribe regrets the need to decline the invitation to join the OVGA at this time. The Tribe remains hopeful that sustainable management of our vital water resources may be achieved in the Owens Valley within a generation or two.

Respectfully submitted,

A handwritten signature in black ink that reads "Genevieve A. Jones". The signature is written in a cursive, flowing style.

Genevieve A. Jones,
Tribal Chairwoman

Attachments: Tribal letter to Governor Brown, et al., August 26, 2014
Tribal comments to Inyo County Supervisors, July 31, 2017

C (by email): Anecita Agustinez, Tribal Policy Analyst, California Department of Water Resources
Anita Regmi, DWR Point of Contact, Southern Region Office
Gita Kapahi, Tribal Liaison, California State Water Board



BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY

Big Pine Paiute Indian Reservation

P.O. Box 700 · 825 SOUTH MAIN STREET · BIG PINE, CA 93513
(760) 938-2003 · FAX (760) 938-2942

www.bigpinepaiute.org

August 26, 2014

The Honorable Jerry Brown
Governor of California

The Honorable Fran Pavley
Chair, Senate Committee on Natural Resources and Water

The Honorable Roger Dickinson
California State Assembly

Subject: SB 1168 AND AB 1739: OBJECTION TO EXEMPTION FOR OWENS VALLEY

Dear Governor Brown, Senator Pavley, and Assembly member Dickinson,

The Big Pine Paiute Tribe respectfully requests that you not exempt California's Owens Valley from the state's proposed groundwater-regulating legislation.

The Big Pine Paiute Tribe of the Owens Valley (Tribe) is federally recognized and has occupied land in Inyo County since time immemorial. Currently, the majority of our nearly 600 Tribal members reside on the Big Pine Indian Reservation, which is a small parcel of sovereign land provided to the Owens Valley Paiute people 75 years ago as the result of an agreement between the Los Angeles Department of Water and Power (LADWP) and U. S. Department of Interior. Lands surrounding the Reservation are owned by LADWP, and the aquifer beneath the Reservation and water throughout the valley is pumped and diverted for export to customers in the City of Los Angeles, about 230 miles to the south. Although the County of Inyo and LADWP entered into a groundwater management agreement in 1991 with the goal of protecting land and water resources in Owens Valley, their water agreement has failed to protect aquifers, wetlands, vegetation, habitat, and ranching lands. Furthermore, local stakeholders, such as tribal governments in the area were left out of the 1991 water agreement's decision-making and dispute resolution processes, thus the Tribe has no standing with regard to ensuring our water is protected.

When the Tribe learned earlier this year, that several entities at the state level were working on comprehensive groundwater regulation for all of California, we were pleased and hopeful that such long overdue regulation might provide a meaningful role for tribes and others with regard to managing local aquifers. However, it came to our attention that, in the final days before the deadline for changes and amendments to pending bills, staff from LADWP and County of Inyo (the two parties to the Owens Valley's water agreement) successfully managed to introduce language

into the bills that would exempt nearly all of Owens Valley. This amendment was done without transparency or public participation; certainly there was no effort at outreach to potentially affected stakeholders such as the Tribe.

The Tribe believes all citizens of Owens Valley are entitled to the benefits that may be provided by regulation of groundwater that is being proposed for the rest of California. The benefits include:

- Bringing local expertise and entities dependent on each priority groundwater basin to the table to formulate plans for long term management of the local aquifer;
- Considering regional environmental concerns along with water needs for people and agriculture; and,
- Providing authority to State agencies to act to ensure that local groundwater plans incorporate sustainability and that local agencies carry out the plans.

Too much surface and groundwater has been extracted and exported from Owens Valley for far too long. It is the Tribe's perspective that legislation such as the proposed bills is meant to counteract and potentially prohibit the type of exploitation Owens Valley and its citizens have endured for over a century. If the legislation is truly an effort to thoughtfully manage water resources by and for all Californians, it makes no sense to exempt Owens Valley from its worthy protections.

The Tribe respectfully requests consideration of this concern by the legislature and governor. To further discuss this matter, please contact Dr. Sally Manning, Big Pine Paiute Tribal Environmental Director, at the address listed above.

Thank you for your leadership on this important issue.

Sincerely,



Genevieve Jones,
Tribal Chairwoman

c: The Honorable Jean Fuller, State Senator, 18th District
 The Honorable Connie Conway, State Assemblywoman, 26th District
 Cynthia Gomez, State Tribal Liaison
 Sarah Ryan, Environmental Director Big Valley Rancheria and California Issues Committee
 Chair



BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY

Big Pine Paiute Indian Reservation

P.O. Box 700 · 825 SOUTH MAIN STREET · BIG PINE, CA 93513
(760) 938-2003 · FAX (760) 938-2942 www.bigpinepaiute.org

GENEVIEVE JONES
TRIBAL CHAIRWOMAN

July 31, 2017

Inyo County Board of Supervisors
P. O. Drawer N
224 N. Edwards Street
Independence, CA 93526
[Sent via email](#)

Subject: Tribal Request To Supervisors: Please Defer Action on August 1 "Joint Exercise of Powers Agreement Creating the Owens Valley Groundwater Authority" (JPA)

Dear Supervisors:

The Tribe respectfully requests your Board of Supervisors not vote in support of August 1, 2017, agenda item #31 to sign the "Joint Exercise of Powers Agreement Creating the Owens Valley Groundwater Authority" (JPA). The Tribe submits this request for the following reasons:

- The Tribe only learned very late last week that this item was going to be considered by your Board. Tribal leaders and key staff have a prior commitment and are unable to participate in the August 1 meeting.
- The Tribe has a long-standing request to engage in consultation with regard to the California Sustainable Groundwater Management Act (SGMA) between Inyo County decision-makers and Tribal leaders. The Tribe has sent at least two written requests and has made the request verbally. Inyo County has not acknowledged or responded to the Tribe's most recent request.
- Tribal staff had been participating with Inyo County's facilitator provided through the California Department of Water Resources. The Tribe was led to understand that the facilitator would create a forum for all interested parties and water stakeholders to be informed about and to participate in the dialog regarding formation of a Groundwater Sustainability Agency (GSA) and how this may result in a viable Groundwater Sustainability Plan (GSP). Meetings with the facilitator were sporadic during past months, and it was difficult, even with the facilitator, to obtain timely information from Inyo County. The Tribe learned recently that the facilitator's contract expired June 30, 2017, and there is no word that it will be renewed.
- As a result of the above, the process leading up to the proposed JPA has not been transparent. The proposed JPA was not shared directly with the Tribe and the Tribe was not granted an opportunity for meaningful input.

- The same appears to be the case for other stakeholders in the region. Were other tribes included in discussions? Were environmental or agricultural interests included? Were the mutual water companies or other private pumpers included? Was Los Angeles Department of Water and Power (LADWP) involved in discussions?
- The proposed JPA will create a set of rules for Inyo County to follow and which other agencies and stakeholders will be strongly advised to follow. Although perhaps not set in stone, it may prove very difficult and time-consuming to change the proposed JPA once Inyo County has signed it. This does not create a level playing field for the other stakeholders.
- A cursory review of the proposed JPA indicates it is a complicated document. It appears to be a complicated game, involving 13 local agencies each able to claim 4 "votes." Why 4? This sounds like a complicated card game! In the proposed JPA, Inyo County is willing to allow LADWP 4 votes. However, the most votes a tribe may acquire is 2. How is this fair?
- The proposed JPA has flaws and potential traps. For example, section 1.3.3 contains this statement, "The GSP shall only otherwise apply to LADWP water management activities to the extent the City of Los Angeles and Inyo County agree that the GSP requirements do not directly conflict with the Water Agreement." This leaves it to the discretion of LADWP to claim a provision of the future GSP somehow conflicts with the Water Agreement. If LADWP does this, and it will, the county and LADWP will find themselves at yet another impasse. Meanwhile, the other members of the JPA (if any) would be required by the rules to abide by the GSP, even if they voted "No" on it, but Inyo County will be prevented from acting due to an impasse with LADWP.
- Can a Supervisor solve this equation from the proposed JPA for number of votes if a group provides extra

money?:

$$V = 2 + 2MC/B$$

- V is the number of votes a Member has;

- M is the number of Members;

- C is the Members monetary contribution toward the total budget; and

- B is the total budget.

The Tribe suggests everyone needs more time to comprehend the rules presented in the proposed JPA.

Please defer action on the proposed JPA. Please schedule a meeting with the Tribe to discuss SGMA. The Tribe also supports your Board's reapplying for a state facilitator to help everyone through the SGMA process. Thank you for considering this request.

Sincerely,



Genevieve Jones, Tribal Chairwoman

EXHIBIT B
POTENTIALLY ELIGIBLE INTERESTED PARTIES

- 1** Agricultural Businesses
- 2** Disadvantaged Communities Not Already Represented
- 3** Domestic Well Owner Groups
- 4** Environmental Organizations
- 5** Environmental Users
- 6** Federal Agencies
- 7** Mutual Water Companies
- 8** Non-Agricultural Businesses with private wells
- 9** Public Water Systems
- 10** State Agencies
- 11** Tribes
- 12** Others as set forth in SGMA section 10727.8