

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	

April 18, 2019

The Owens Valley Groundwater Authority meeting was called to order at 2:02 p.m. at the Bishop Fire Training Center, Bishop, CA.

1. Pledge of allegiance

The Chairperson led the pledge of allegiance.

2. Public Comment

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

3. Introductions

The Board introduced themselves with one alternate present, Ted Williams of Indian Creek-Westridge CSD and one absence, Keeler CSD.

4. Approval of minutes from the March 14, 2019 OVGA Board meeting

The Chairperson requested a motion to approve the minutes of the March 14, 2019 meeting. Philip Anaya stated he would like his comment in item 11 revised. Motion to approve revised minutes by Dave Doonan, second by Chris Costello. Motion passed 9 yes (38 votes) 0 abstentions, 1 absent (2 votes).

5. Board Member Reports

The Chairperson opened this item and there were no Board Members' reports.

6. Financial Report

Laura Piper presented the financial reports and stated the OVGA's cash balance is \$164,306.11. She stated there was one transaction in the amount of \$417.00 for liability insurance for May-June 2019.

7. Status of Proposition 1 Grant Advance Payment Request

Dr. Steinwand stated the Proposition 1 grant advance payment request has been tentatively approved and pending the approval letter and check. He stated the withholding is 10% and not 5% as previously anticipated.

8. Approve 2019-2020 OVGA budget

Dr. Steinwand stated this budget was the same presented in detail at the last OVGA meeting with the exception of the Inyo County Counsel staff contract which was reduced \$5,000. Motion to approve 2019-20 budget by Dan Totheroh, seconded by Chris Costello. Motion passed 9 yes (38 votes) 0 abstentions, 1 absent (2 votes).

9. Approval of Agreement with Golden State Risk Management Authority and Authorize Insurance Purchase

Dr. Steinwand stated acceptance of this insurance also authorizes the joining of the Golden State Risk Management Authority JPA.

Motion to approve and authorize purchase by John Camphouse, seconded by Ted Williams. Motion passed 9 yes (38 votes) 0 abstentions, 1 absent (2 votes)

10. Approve Resolution Adopting a Reserve Policy of the OVGA

Dr. Steinwand stated this item was discussed at the previous meeting and is brought before the Board for approval. The Board and staff discussed funding of the reserve fund. John Camphouse stated he believed something other than a 4/5 vote was agreed upon, possibly 2/3. John Vallejo stated this was set up as a contingency fund which requires a 4/5 vote by most agencies which is standard. John Camphouse moved to make it a 2/3 vote instead of 4/5, there was no second. Motion by Chris Costello to approve the Resolution and Reserve Policy as stated, seconded by Dave Doonan. Motion passed 9 yes (38 votes) 0 abstentions, 1 absent (2 votes).

11. Approve Staff Services Contracts for Inyo County, Mono County, and City of Bishop

Deb Murphy asked if there was a maximum on the contracts and Dr. Steinwand stated they all have a not to exceed amount. The Chairperson requested a motion to approve the contract with City of Bishop, first by Dave Doonan, seconded by Dan Tothoroh. Motion passed 9 yes (38 votes) 0 abstentions 1 absent (2 votes); motion to approve the Executive Manager contract with Inyo County by John Camphouse, seconded by Glenn Inouye. Motion passed 9 yes (38 votes) 0 abstentions 1 absent (2 votes); motion to approve legal services with Inyo County by Chris Costello, seconded by John Camphouse. Motion passed 9 yes (38 votes) 0 abstentions 1 absent (2 votes); motion to approve the contract with Mono County for staff services by Dave Doonan, seconded by Ron Stone. Motion passed 9 yes (38 votes) 0 abstentions 1 absent (2 votes).

12. Approve contract with Dr. Robert Harrington for Hydrologic Consulting Services

Dr. Steinwand provided information regarding the inclusion of insurance on Dr. Harrington's contract. The Chairperson requested a motion, first by Glenn Inouye, seconded by Ted Williams. Motion passed 9 yes (38 votes) 0 abstentions 1 absent (2 votes);

13. Determination of Board Seats for Associate and Interested Parties

The Chairperson provided a brief overview of how they arrived at the Decision Points and how the discussion and votes today would provide further detail for staff to bring back to the May meeting for a confirmation and final appointment, if any, to add additional seats to the OVGA Board. Dr. Steinwand stated this will not be an official vote or decision today, and is only providing direction to staff for recommendations to bring back at the May meeting. Mr. Vallejo provided information on the new vote share numbers with Starlite CSD's removal from the Board. April Zrelak provided a statement regarding Lone Pine Tribes wish to be included on the JPA, and the need for an MOU for inclusion terms for the tribe and stated there is flexibility as stated in Article 5 of the JPA. The Chairperson asked what is the Lone Pine Tribes preference. April Zrelak stated item 3 and 4 are not appropriate. They are not opposed to option 2 but option 1 is preferable with conditions agreed upon by the Tribe and the OVGA Board. The Board and staff decided to make a 1A – as is with the JPA requirements and 1B will be an Associate seat coming back to the Board with a flexible agreement with the tribe.

Native American Tribes: options 3, 4 were not acceptable to Lone Pine Tribe

- 1A 5 members 19.7 – offer one seat to Lone Pine Tribe understanding they will be subject to the JPA
- 1B 4 members 18.3 - offer one seat to Lone Pine Tribe with conditions to be contained in an additional agreement

There were no representatives available to speak on behalf of the Mutual Water Companies.

Other Potential Associates – Mutual Water Companies

- 1 1 members 6.24 – offer both seats to companies
- 2 6 members 21.70 – offer a seat filled by one representative for both companies
- 3 0 members 0.0 – offer only one company a seat
- 4 1 members 6.24 – invite to sit on a future advisory committee
- 5 1 members 3.82 – determine participation in stakeholder process is sufficient

There were no representatives available to speak on behalf of the State Lands Commission. Mr. Phil Kiddoo of the GBAPCD provided a statement in that regardless of a Board seat appointment, the GBPPCD would remain an interested party. The Board, staff, and Phil Kiddoo discussed Owens Lake and the Master Plan. The Board and staff discussed this in detail.

Interested Parties – State Agency/Special District

- 1 1 members 3.82 – offer both agencies seats

- 2 4 members 14.06 – offer only one agency a seat
- 3 3 members 16.30 – both agencies invited to sit on a future advisory committee
- 4 1 members 3.82 – determine participation in stakeholder process is sufficient

The Chairperson called a break at 3:30 pm and reconvened the meeting at 3:39 pm.

Malcolm Clark stated the Sierra Club Range of Light would like to withdraw its Statement of Interest. He stated they feel an environmental group as well as a tribal entity on the Board is important and they support the Owens Valley Committee as well as a tribal seat. Mary Roper stated the OVC has been involved with land management plans for years and have an extensive history in being involved in water issues in this county. She urged the Board to provide the environmental group a seat on the Board and that they are not interested in being on an advisory committee. Philip Anaya stated he supports the OVC having a seat on the OVGA Board.

Interested Parties: Environmental Interests (Sierra Club withdrew, options 1 and 2 no longer applicable)

- 3 5 members 17.88 – offer one seat for OVC as an Interested Party
- 4 3 members 16.30 – invite to sit on a future advisory committee
- 5 1 members 3.82 – determine participation in stakeholder process is sufficient

There were no representatives available to speak on behalf of Rio Tinto. The Chairperson noted their Statement of Interest was incomplete. Staff contacted them with no response. Ryan Smith stated that CG Roxane is unique in the stakeholder process but rely solely on groundwater for their business and would like to see the Board move forward with option 1. They would like to have representation on the Board with the ability to vote; are capable of providing financial assistance; willing to implement anything the GSP recommends; and he is a registered hydrogeologist. April Zrelak stated if a private party that pumps groundwater becomes an Interested Party are they exempt from the requirement of implementing the GSP because as an Interested Party they are but as a groundwater user in the basin they would have to implement the GSP. John Vallejo stated their status on the Board does not affect whether they are or are not subject to the GSP, unless they become an Associate.

Interested Parties: Private Business Interests (Rio Tinto did not respond)

- 1 2 members 10.06 – offer one seat for CG Roxane as an Interested Party
- 2 5 members 22.12 – invite CG Roxane to sit on a future advisory committee
- 3 2 members 5.82 – determine participation in stakeholder process is sufficient

Reports from OVGA members' staff

John Vallejo stated Indian Wells Valley Groundwater Authority seeking water import from the Owens Valley and how that is a big concern to Inyo County. Dr. Steinwand stated an invoice was received from Daniel B Stephens and Associates which has been paid and the letter to Mr. Cutshall requested by the Board to terminate Starlite's CSD's participation on the OVGA Board has been sent.

14. Discussion regarding future agenda items

The Chairperson requested a standing agenda item with brief updates on Indian Wells Valley and water transfers. Dr. Steinwand stated he had requested the GSP consultant attend the May OVGA meeting to provide either the public engagement plan if complete or a status on data acquisition and provide a status on the conceptual module. Dr. Steinwand recommended a future workshop regarding a Brown Act refresher, how Board requests staff time, etc.

16. Set next meeting

The next OVGA meeting was tentatively scheduled for May 23, 2019.

17. Adjourn

The Chairperson adjourned the meeting at 4:28 pm.