

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		

February 13, 2020

The Owens Valley Groundwater Authority meeting was called to order at 2:02 p.m. at the Bishop City Council Chambers, Bishop, CA.

1. Pledge of allegiance

The Chairman led the pledge of allegiance.

The Chairman stated he would be moving item 11 prior to item 8 to accommodate a request from the City of Bishop.

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 two alternates in attendance, Carol Ann Mitchell - Tri Valley GWMD and Dave Allen - Big Pine CSD.

4. Approval of minutes from the January 9, 2020 OVGA Board meeting

The Chairperson requested a motion to approve the minutes of the January 9, 2020 meeting. Motion to approve the minutes as presented by Ron Stone, seconded by Dan Totheroh. Motion passed, 8 yes (34.18 votes).

5. Board Member Reports

The Chairperson suspended this item.

6. OVGA staff reports

- a. Financial Report
- b. Report on Indian Wells Valley Groundwater Authority activities

Laura Piper, Inyo County Water Department, provided the financial report and stated transactions since the previous meeting were consultant charges in the amount of \$48,631.61 and Inyo legal staff services of \$4,500.00. She stated the OVGA cash balance is \$187,350.21. John Vallejo stated the IWVGMD adopted their GSP on a 4/1 vote on 1/16/20; they are making corrections to the substance of the GSP; the GSP was submitted to the state on 1/31/20 ; once posted to the state website there will be opportunity for public comment; Inyo County intends to submit comments. Philip Anaya inquired if John Vallejo could expound on the components of imported water from the Owens Basin if it is included in their GSP. John Vallejo stated the IWV uses approximately four times more than it receives in natural recharge; no surface water sources in substantial amounts; and their goal is to import approximately 5,000 af. He stated they have two options available to them; an approximate \$170 million dollar project with AVEC, a water distribution agency in Kern County or an approximate \$50 million dollar project with LADWP; both projects don't include the cost

of water or ongoing maintenance. He stated IWVGMD received comments from the Mono County Planning Dept., the Lone Pine Tribe, and the Friends of the Inyo regarding their opposition to the LADWP project.

7. Termination of Members & Funding Agreements

- a. Consideration of requests from Members to terminate OVGA membership;**
- b. Consideration of requests from Members requesting membership termination to cancel their respective funding agreements with the OVGA**

The Chairperson stated two requests to terminate membership in the OVGA have been received, Tri-Valley GWMD, and Sierra Highlands CSD. Carol Ann Mitchell stated her Board voted unanimously to withdraw from the OVGA which the Board felt was the best decision for their constituents and residents of the Tri-Valley area. The motion was made subject to the provisions of the JPA allowing the removal of the Tri Valley GWMD, by Chris Costello, seconded by Carol Ann Mitchell, motion passed 8 yes (34.18 votes). John Camphouse stated his letter (Sierra Highlands) was self-explanatory; his Board considered the priority of the basin and felt it was in their best interest to withdraw. Dan Totheroh thanked John Camphouse for his participation on the OVGA Board and assistance with the draft Guiding Principles. Motion made subject to the provisions of the JPA allowing the removal of the Sierra Highlands CSD, by Luis Elias, seconded by Ron Stone. Motion passed , 7 yes (30.36 votes).

Aaron Steinwand stated there are two agreements provided to release Wheeler Crest and Tri-Valley GMD from the three year funding agreement. He stated each agency would be reimbursed approximately \$9,439.16, a prorated portion of their annual contribution, and would be effective 2/1/20. The Board suspended any decision until after discussion of item 11. The Board moved to item 11. The Chairperson made a motion on behalf of Wheeler Crest to terminate their funding agreement with the OVGA, seconded by Luis Elias. Motion passed 6 yes (30.36 votes) Motion by Chris Costello to terminate Tri-Valley GMD funding agreement , seconded by Dan Totheroh, motion passed 6 yes (30.36 votes).

8. Owens Lake update and direction to staff

Aaron Steinwand stated LADWP and their consultants proposed a six month pump test on Owens Lake; LADWP filed a notice of exemption from CEQA for the test; Owens Lake working group meeting is scheduled for 3/5/20; and requested that Tony Morgan of DBS&A attend the Owens Lake working group meetings. The Board and staff discussed the considerations and concerns in detail. Saeed Jorat, LADWP provided a very informative background on evaporation and groundwater usage on Owens Lake ; an overview of the geology surrounding Owens Lake; and the challenges with the zone of faults. He stated www.ladwp.com/OLG has the proposed test draft.

Chris Costello left the meeting at 3:05pm.

Phil Kiddoo, GBAPCD, wanted to clarify some of the questions regarding the salinity of the water put on Owens Lake during the test. He stated the test will coincide with the dust control period; there are no requirements from GBAPCD on what the salinity or freshness of that water is; as long as LADWP meets the wetness requirements they will be in compliance. He stated the salinity has always been a concern, and the area meets the wetness requirements for dust control. Philip Anaya stated protecting CEQA is a concern. He stated two categorical exceptions were filed by LADWP. The Board concurred that Tony Morgan, DBS&A attend the Owens Lake working group meetings.

The Chairperson called a break at 3:21 pm and reconvened the meeting at 3:34 pm.

9. Update on the Communications and Engagement Plan and discussion of draft Guiding Principles

The Chairperson thanked John Camphouse for his contribution to the draft Guiding Principles. Aaron Steinwand stated the Ad Hoc Committee has completed the draft Guiding Principles and introduced Meagan Wylie, the consultant, via teleconference. She stated the Committee had three meetings to develop this draft. She provided an overview of the document and the collaboration within the group. The Board requested this item be brought back to the March meeting for approval. Ms Wylie, provided the process followed for completing the Communication and Engagement Plan and the outreach to the IRWMP. Holly Alpert stated she will be meeting with Meagan Wylie and Aaron Steinwand.

10. Presentation from Daniel B. Stephens and Associates on elements of the Groundwater Sustainability Plan

Tony Morgan provided an introduction to the presentation and the upcoming topics of discussion with an emphasis on sustainable management criteria. Gus Tolley provided the presentation and update on the Owens Valley GSP. He reviewed the water budgets; how they are calculated; and the components involved. Philip Anaya asked if there is an outflow due to the export of alfalfa, Gus Tolley stated no that would be included in the evapotranspiration estimates. Tony Morgan presented and discussed the Distributed Parameter Watershed Model (DPWM) that DBS&A is working on; the model components; how it will predict the amount of

infiltration that will occur into the subsurface; the primary focus is the Tri-Valley and Fish Slough area due to lack of other data; the steps to develop different types of models; the data comes from USDA and published land use maps; and weather station information. Lyn Boulton inquired if the watershed for Tri-Valley stops at the Nevada/California border. Tony Morgan stated this model is cut off at the boundary definition approved by DWR which stops at the state line. She asked if they were not counting all the amounts coming in; Gus Tolley explained it was a very small fraction of the overall water budget in that portion of the valley; she inquired if there are any snow surveys in the White Mountain Range and if not how is the precipitation analyzed; will the consultants be going in the field to obtain measurements. Tony stated there are no measurements in that area so the model is extrapolating using existing data. Ian Bell asked if the consultants could elaborate more on the evapotranspiration. Jason Canger asked what the water level elevation declines are; Tony stated multiple feet. Richard Shore, Team Engineering stated in another high priority basins' sustainability plan it was approximately 400 feet in a 50 year decline. Philip Anaya asked how the models will balance the adjudicated area with the outside adjudicated area. Tony Morgan stated they will be able to once the data is received from LADWP.

11. Discussion of financial implications of adjustments to OVGA Board membership

Aaron Steinwand stated article 4 of the JPA spells out the member funding and voting procedures and how they are determined; the GSP Development budget should be revisited; and the JPA allows if there is a funding shortfall to have a GSP Developmental Budget meeting which staff is proposing in March. John Vallejo stated the JPA allows each member an equal opportunity to contribute funds to this agency and have equal vote share. Chris Costello asked how much of the grant is to cover grant administration; Dr. Steinwand stated approximately \$45,000. The Board and staff discussed this item in detail

12. Discussion regarding future agenda items

The Board and staff stated the upcoming agenda items will be; discussion of financial implications of adjustments to OVGA Board membership; draft OVGA budget, presentation by consultants, Owens Lake update, draft Guiding Principles, Interested Parties, and an RFP for OVGA website development.

14. Set next meeting

The next OVGA meeting was scheduled for March 12, 2020 in the Bishop City Council Chambers.

15. Adjourn

The Chairperson adjourned the meeting at 4:49 pm.

SORT ORDER: OBJECT within BUDUNIT

SELECT BUDGET UNIT: 621601

Lg BUDGET UNIT	Primary Ref	Transaction Description	SS Ref	Date	Job No	Debit	Credit	NET
GL 621601-2200	YEAREND	4. Balance forward 2018/2019	JE	07/01/19	02595280	0.00	52,859.66	52,859.66
GL 621601-2200	JE34553	CR113320:CITY OF BISHOP	JE	07/09/19	02475759	52,859.66	0.00	0.00
*****Total *OBJT 2200		DEFERRED REVENUE			CR	52,859.66	52,859.66	0.00
GL 621601-3000	YEAREND	1. Balance Forward 2018/2019	JE	07/01/19	02595280	0.00	235,193.56	235,193.56
GL 621601-3000	YEAREND	2. Balance Forward 2018/2019	JE	07/01/19	02595280	175,698.85	0.00	59,494.71
*****Total *OBJT 3000		FUND BALANCE AVAILABLE			CR	175,698.85	235,193.56	59,494.71
GL 621601-4301	INTERESTA	1ST QRT 19/20 INTEREST	JE	11/04/19	02571260	0.00	1,853.04	1,853.04
*****Total *OBJT 4301		INTEREST FROM TREASURY			CR	0.00	1,853.04	1,853.04
GL 621601-4599	JE34553	CR113320:CITY OF BISHOP	JE	07/09/19	02475759	0.00	52,859.66	52,859.66
GL 621601-4599	JE35319	19-20 INVO OVGA CONTRIBUTION	JE	11/08/19	02562429	0.00	52,859.66	105,719.32
GL 621601-4599	CR115470	11/13/19 I#2 OVGA-COB	CR	11/22/19	02571198	0.00	22,654.00	128,373.32
GL 621601-4599	JE35428	I#2 OVGA GSP DEVELOPEMENT	JE	11/25/19	02571702	0.00	22,654.00	151,027.32
GL 621601-4599	CR115556	I#2 WHEELER CREST	CR	12/02/19	02574746	0.00	22,654.00	173,681.32
GL 621601-4599	CR115556	I#2 TRI-VALLEY GWD	CR	12/02/19	02574746	0.00	22,654.00	196,335.32
GL 621601-4599	CR115557	I#2 COUNTY OF MONO	CR	12/02/19	02574746	0.00	52,859.66	249,194.98
*****Total *OBJT 4599		OTHER AGENCIES			CR	0.00	249,194.98	249,194.98
GL 621601-4998	JE36226	JAN-JUN 2019 DWP GRANT FUNDING	JE	03/09/20	02636773	0.00	101,241.19	101,241.19
*****Total *OBJT 4998		OPERATING TRANSFERS IN			CR	0.00	101,241.19	101,241.19
GL 621601-5129	IS1019	IS CANON BILLING Q1	JE	12/10/19	02580196	144.34	0.00	144.34
*****Total *OBJT 5129		INTERNAL COPY CHARGES (NON-IS)			DR	144.34	0.00	144.34
GL 621601-5155	JE34537	UA386949:GOLDEN STATE RISK MAN	JE	07/09/19	02475759	2,500.00	0.00	2,500.00
*****Total *OBJT 5155		PUBLIC LIABILITY INSURANCE			DR	2,500.00	0.00	2,500.00
GL 621601-5265	JE35066	UA390613:DANIEL B. STEPHENS	JE	10/07/19	02540790	13,714.77	0.00	13,714.77
GL 621601-5265	237187	DANIEL B STEPHE PROJECT#DB18.1	OH	10/14/19	02544634	844.50	0.00	14,559.27
GL 621601-5265	238057	DANIEL B STEPHE PROJECT#DB18.1	OH	11/04/19	02558022	29,180.45	0.00	43,739.72
GL 621601-5265	239100	DANIEL B STEPHE INVO CO PN#DB1	OH	01/02/20	02593644	48,631.61	0.00	92,371.33
GL 621601-5265	239619	DANIEL B STEPHE INVO CO OVGA P	OH	02/06/20	02617676	39,085.86	0.00	131,457.19
GL 621601-5265	239953	DANIEL B STEPHE PROJ#DB18.1418	OH	02/27/20	02630048	24,660.93	0.00	156,118.12
*****Total *OBJT 5265		PROFESSIONAL & SPECIAL SERVICE			DR	156,118.12	0.00	156,118.12
GL 621601-5291	10117	WHISKEY CREEK R 7/11/19 OVGA M	OH	07/16/19	02481900	450.00	0.00	450.00
*****Total *OBJT 5291		OFFICE, SPACE & SITE RENTAL			DR	450.00	0.00	450.00
GL 621601-5539	JE35095	JUL-SEPT19 COUNTY COUNSEL	JE	10/11/19	02544343	4,500.00	0.00	4,500.00
GL 621601-5539	JE35239	JUL-SEPT19 OVGA STAFF SERVICES	JE	10/31/19	02556858	9,767.85	0.00	14,267.85
GL 621601-5539	2018190420192	MONO COUNTY 4/19-9/19 OVGA STA	OH	12/09/19	02579315	8,959.00	0.00	23,226.85
GL 621601-5539	JE35780	OCT-DECI19 OVGA LEGAL	JE	01/07/20	02597217	4,500.00	0.00	27,726.85
GL 621601-5539	JE35990	OCT-DECI19 OVGA STAFF	JE	02/05/20	02617276	11,624.67	0.00	39,351.52
*****Total *OBJT 5539		OTHER AGENCY CONTRIBUTIONS			DR	39,351.52	0.00	39,351.52
*****Total *BUDG 621601		OVGA-CWENS VALLEY GROUNDWATER			DR-CR	1,047,752.19	1,047,752.19	0.00

SORT ORDER: OBJECT within BUDUNIT

SELECT BUDGET UNIT: 621601

Lg BUDGET UNIT	Primary Ref	Transaction Description	SS Ref	Date	Job No	Debit	Credit	NET
=====								
** GRAND TOTAL **						1,047,752.19	1,047,752.19	0.00

COUNTY OF INYO
UNDESIGNATED FUND BALANCES

AS OF 06/30/2020

		Claim on	Accounts Receivable	Loans Receivable	Prepaid Expenses	Accounts Payable	Loans Payable	Deferred Revenue	Computed Fund Balance	Encumbrances	Fund Balance Undesignated
		Cash 1000	1100,1105,1160	1140	1200	2000	2140	2200	Balance		
WDIR - WATER											
6272	OVGA-OWENS VALLEY	213,220							213,220	18,415	194,805
WDIR	Totals	213,220							213,220	18,415	194,805
Grand Totals		213,220							213,220	18,415	194,805

COUNTY OF INYO

Budget to Actuals with Encumbrances by Key/Obj

Ledger: GL

As Of 3/10/2020

Object	Description	Budget	Actual	Encumbrance	Balance	
Key: 621601 - OVGA-OWENS VALLEY GROUNDWATER						
Revenue						
4301	INTEREST FROM TREASURY	4,000.00	1,853.04	0.00	2,146.96	46.32
4498	STATE GRANTS	261,551.00	0.00	0.00	261,551.00	0.00
4599	OTHER AGENCIES	249,195.00	249,194.98	0.00	0.02	100.00
4998	OPERATING TRANSFERS IN	0.00	101,241.19	0.00	(101,241.19)	0.00
Revenue Total:		514,746.00	352,289.21	0.00	162,456.79	
Expenditure						
5129	INTERNAL COPY CHARGES	1,500.00	144.34	0.00	1,355.66	9.62
5155	PUBLIC LIABILITY INSURANCE	2,500.00	2,500.00	0.00	0.00	100.00
5263	ADVERTISING	2,000.00	0.00	0.00	2,000.00	0.00
5265	PROFESSIONAL & SPECIAL	309,771.00	156,118.12	18,414.77	135,238.11	50.39
5291	OFFICE, SPACE & SITE RENTAL	1,500.00	450.00	0.00	1,050.00	30.00
5311	GENERAL OPERATING EXPENSE	500.00	0.00	0.00	500.00	0.00
5539	OTHER AGENCY	97,500.00	39,351.52	0.00	58,148.48	40.36
5901	CONTINGENCIES	13,290.00	0.00	0.00	13,290.00	0.00
Expenditure Total:		428,561.00	198,563.98	18,414.77	211,582.25	
621601	Key Total:	86,185.00	153,725.23	(18,414.77)	(49,125.46)	

OWENS VALLEY GROUNDWATER AUTHORITY

Big Pine CSD – City of Bishop – County of Inyo – County of Mono – Eastern Sierra CSD – Indian Creek-Westridge CSD

Staff Report

Date: March 12, 2020

Subject: Agenda item # 7: Presentation of draft 2020-21 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 (GSPDB) outlined expected expenditures necessary for the OVGA to fulfill its SGMA obligations and guided members' decisions regarding funding contributions. It was expected that the GSPDB would be reviewed and adjusted annually. The Joint Powers Agreement (JPA) requires the Executive Manager 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 2020-2021 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). The 2020-2021 budget amends the GSPDB (Article II, Section 4.1).

The draft budget for the period of July 1, 2020 through June 30, 2021 is presented in Table 1. The 2020-21 budget is substantially the same as last year's annual budget with adjusted assumptions regarding revenues and expenditures contained in the GSPDB. The OVGA relies on locally derived funding from member contributions as well as state-derived funding, the Proposition 1 grant. Revenues and expenditures for both are included in Table 1. Expected expenditures for 2020-21 include fiscal and staff services, GSP contractors, the reserve fund contribution, and miscellaneous expenses. In accordance with the OVGA Bylaws (Article VII, Section 1), the projected expenses do not exceed projected revenues.

As mentioned above, the primary funding sources include the member contributions and the Proposition 1 grant (Grant Agreement #4600012668). Member contributions are deposited with the Inyo County Treasurer each year and can be expended at the discretion of the OVGA Board. An Advance Payment of \$316,530 on the Proposition 1 grant was received June 7, 2019 and deposited in a separate fund by Inyo County. The Advance Payment can be applied to grant administration (category A), stakeholder engagement (category B) and GSP development (category C). After the Advance Payment is exhausted or after the May 9, 2020 deadline to expend the Advance, expenditures for grant administration, stakeholder engagement, and GSP preparation are incurred and then reimbursed. 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 (Table 2). Anticipated revenues include member contributions and interest. The draft budget assumes the remaining Members will increase funding to make up for the revenue shortfall following termination of the funding Members Wheeler Crest CSD and Tri-Valley Groundwater Management District. If no Member volunteers to increase their funding commitment, the overall GSPDB budget will be reduced and that decision will be reflected in the final budget considered by the Board in April.

The anticipated carry over from 2019-20 into next year is dependent on approval from DWR to transfer funds from the Advance Payment, and the amount is uncertain at this time. Accessing the Advance Payment was delayed by the uncertainty in basin status and it has been difficult to obtain approval to finalize the fiscal reports to DWR. To date we have received authorization to transfer approximately \$101,000 in funds from the Advance Payment to the OVGA fund to cover costs incurred during the January-June 2019 period (approved March 5, 2020). Staff will endeavor to obtain approval to utilize Advance Payment funds for all applicable GSP costs incurred up until the May 9, 2020 deadline. In March, we expect to request approval to transfer funds for approximately \$200,000 in expenditures from July 2019 through March 2020 for grant administration and GSP development. After May 9, 2020, the Proposition 1 grant will revert to a reimbursable grant. Staff recommends a substantial balance be retained to support the consultants’ work unimpeded through 2020-21 to avoid any cash flow problems or delays in obtaining reimbursement from DWR. The proposed budget will accomplish that goal.

A summary table detailing how Member’s funds will be expended in 2020-21 is presented in Table 2. Proposed expenditures are similar to last year’s budget. Anticipated fiscal expenditures include general liability insurance and a contribution to the reserve fund. The OVGA entered into not-to-exceed contracts for staff services with Inyo County, City of Bishop, and Mono County in 2019 including acting as fiscal agent for the OVGA . The contract limits included in the draft 2020-21 budget are unchanged from the existing contracts (including the amendment to the Executive Manager contract in January) as they are adequate to fulfill staffing requirements. While the staffing model exceeds the assumptions and costs in the original GSPDB, no additional contributions are needed from Member Agencies to fund this staffing model. The primary advantages of the collaborative staffing model have been the ability to rely on geographic and technical expertise beyond that provided by the Water Department and the ability to delegate tasks among a larger staff. Miscellaneous expenses in the budget are the same as last year.

Professional Services in the 2019-2020 Draft Budget that will be paid by member contributions include costs for website development and the audit by Fechter and Company (Table 2). The Board approved a three year contract with the auditing firm last year. Website development was included in the GSPDB, but the OVGA has relied on a page linked to the Inyo County Water Department website. Given the uncertainty in the OVGA status for much of last year, the Water Department webpage was adequate and this task was shelved. The

Communications and Engagement Plan, however, will require a more substantial website to comply with SGMA, and website development was again included in the 2020-21 budget.

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 represent the three-year totals for each budget category within the Proposition 1 grant agreement. This information was presented last year and is included again for your information.

The Proposition 1 grant will provide \$713,155 towards the GSP development distributed according to the budget categories of the Grant Agreement. The member contributions 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 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.

Invoices submitted by the consultant to date and broken out by task are shown in Table 4. As of February 12, DBSA has invoiced \$259,027. Staff and the consultant revised the original budget in January 2020 largely to accommodate changes to the number of attended meetings and to recognize the lower priority or over-estimation in the original budget for some tasks. Overall expected expenditures remained the same, but funds were shifted between GSP tasks (category C). The revised budget is presented in blue text.

Table 1. Draft OVGA 2020-2021 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 Plan	\$0.00
(c) GSP Development	\$298,284.00
Total Revenue	\$564,478.98
Expenditures	
Fiscal Services	
Insurance	\$2,500
Reserve Fund	\$13,290
Subtotal	\$15,790
Staff Services	
Agency: Inyo, Executive Manager	
(a) Staff services	\$33,970
(b) Grant Administration	\$13,000
Agency: Inyo, Legal	\$18,000
Agency: Inyo, Fiscal Agent/Financial Services	\$4,000
Agency: Mono, Administrative & Legal	\$33,000
Agency: Bishop, Administrative	\$5,500
Subtotal	\$107,470
Professional Services	
Website Development	\$11,700
Outside Audit	\$4,850
DBS&A	\$298,284
Subtotal	\$314,834
Miscellaneous Expenses	
Internal Copy Charges	\$1,500
Advertising	\$2,000
Office, Space & Site Rental	\$1,500
General Operating	\$500
Subtotal	\$5,500
Total Expenditures	\$443,594
Anticipated carry over balance	\$120,884.58

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	\$15,790.40
Staff Services	
Agency: Inyo, Executive Manager	\$33,970.00
Agency: Inyo, Legal	\$18,000.00
Agency: Inyo, Fiscal Agent/Financial Services	\$4,000.00
Agency: Mono, Administrative & Legal	\$33,000.00
Agency: Bishop, Administrative	\$5,500.00
Subtotal	\$94,470.00
Professional Services	
Website Development	\$11,700.00
Outside Audit	\$4,850.00
Subtotal	\$16,550.00
Miscellaneous Expenses	
Internal Copy Charges	\$1,500.00
Advertising	\$2,000.00
Office, Space & Site Rental	\$1,500.00
General Operating	\$500.00
Subtotal	\$5,500.00
Total Expenditures	\$132,310.40
Anticipated carry over balance	\$120,884.58

Table 4. DBSA invoices for GSP development and public engagement submitted as of February 2020.

Proposition 1 Grant Agreement #4600012668 Budget			Inv. Date through																
Budget Category	Task #	Task Description	Task budget	Revised budget 2020	Invoice #0233732	Invoice #0234000	Invoice #0234663	Invoice #0235079	Invoice #0235695	Invoice #0236020	Invoice #0236956	Invoice #0237187	Invoice #0238057	Invoice #0239100	Invoice #0239619	Invoice #0239953	invoice sum to date	Original Budget Task Balance	2020 Budget Task Balance
Tasks listed below performed by contractor																			
C	1	Initial site visit	\$19,565	\$1,140		\$108.00	\$43.79		\$72.00	\$76.50	\$72.00	\$40.50	\$144.00	\$583.00	\$63.00		\$1,202.79	\$ 18,362.21	\$ (62.79)
B	2	Public engagement plan	\$14,378	\$14,378						\$250.00	\$8,627.77						\$1,202.79	\$ 18,362.21	\$ (62.79)
C	3	Data & document compilation & review	\$68,613	\$112,038	\$21,213.36	\$4,845.90	\$14,826.32	\$3,813.94	\$14,844.10	\$2,500.30	\$2,016.25		\$2,651.00	\$21,718.35	\$22,835.81	\$1,000.00	\$10,502.77	\$ 3,875.23	\$ 3,875.23
C	4	Develop interagency agreements	\$25,920	\$25,920													\$125,290.33	\$ (56,677.33)	\$ (13,252.33)
C	5	GSP area and GSA information	\$25,904	\$25,904													\$0.00	\$ 25,920.00	\$ 25,920.00
C	6	Basin setting	\$154,353	\$129,353			\$1,500.00	\$2,838.00	\$8,534.50	\$7,048.75	\$2,804.75	\$804.00	\$19,652.25	\$6,580.80	\$2,562.75	\$2,936.00	\$55,261.80	\$ 99,091.20	\$ 74,091.20
C	7	Sustainable management criteria	\$26,660	\$26,660						\$750.00							\$2,000.00	\$ 24,660.00	\$ 24,660.00
C	8	Progress report public meeting	\$14,613	\$39,613	\$1,157.41				\$373.59	\$11,163.65							\$2,000.00	\$ 24,660.00	\$ 24,660.00
C	9	Develop/refine monitoring program	\$25,322	\$25,322										\$14,741.46	\$10,124.30	\$3,202.93	\$40,763.34	\$ (26,150.34)	\$ (1,150.34)
C	10	Identify and describe projects to be sustainable															\$0.00	\$ 25,322.00	\$ 25,322.00
C	10a	Cost and rate study	\$22,000	\$22,000													\$0.00	\$ -	\$ -
C	10b	Assess & reconcile GW models	\$28,480	\$28,480					\$4,755.00	\$924.00							\$0.00	\$ 22,000.00	\$ 22,000.00
C	10c	Coordinate w/ Inyo-LA Water Agreement	\$21,032	\$21,032													\$5,679.00	\$ 22,801.00	\$ 22,801.00
C	10d	Coordination w/ stakeholders	\$7,280	\$7,280													\$0.00	\$ 21,032.00	\$ 21,032.00
C	10e	Monitoring network improvement	\$26,365	\$16,365													\$0.00	\$ 7,280.00	\$ 7,280.00
C	10f	Studies & plans for Owens Lake	\$5,168	\$5,168													\$0.00	\$ 26,365.00	\$ 16,365.00
C	10g	GW flowpath out of Tri-Valley	\$17,340	\$17,340													\$0.00	\$ 5,168.00	\$ 5,168.00
C	10h	Examine west Bishop GW	\$25,960	\$15,960											\$750.00	\$1,625.00	\$2,375.00	\$ 14,965.00	\$ 14,965.00
C	10i	Recommend other studies	\$4,504	\$4,504													\$0.00	\$ 25,960.00	\$ 15,960.00
C	11	Develop GSP schedule/budget	\$7,520	\$7,520													\$0.00	\$ 4,504.00	\$ 4,504.00
C	12	Develop annual reporting	\$11,280	\$11,280													\$0.00	\$ 7,520.00	\$ 7,520.00
C	13	GSP compilation-submittal	\$111,550	\$111,550													\$0.00	\$ 11,280.00	\$ 11,280.00
C	14	Address DWR comments-resubmit	\$16,578	\$16,578									\$1,480.00			\$1,497.00	\$2,977.00	\$ 108,573.00	\$ 108,573.00
C	15	Coordination/meetings/calls	\$30,450	\$25,450				\$183.75	\$303.50	\$754.25	\$194.00		\$5,003.20	\$4,036.00		\$375.00	\$10,849.70	\$ 16,578.00	\$ 16,578.00
			\$710,835	\$710,835	\$22,370.77	\$4,953.90	\$16,370.11	\$6,835.69	\$28,882.69	\$23,467.45	\$13,714.77	\$844.50	\$29,180.45	\$48,659.61	\$39,085.86	\$24,660.93	\$259,026.73	\$ 19,600.30	\$ 14,600.30
																	Remaining	\$ 451,808.27	\$ 451,808.27

OWENS VALLEY GROUNDWATER AUTHORITY

Big Pine CSD — City of Bishop — County of Inyo — County of Mono — Eastern Sierra CSD — Indian Creek-Westridge CSD

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

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Staff Report

Date: March 12, 2020

Subject: GSPDB Funding Meeting & Amendments to Funding Agreements

Recommended Action:

Conduct GSPDB Funding Meeting and authorize the Executive Manager to enter into Amendments to Funding Agreements with Members that increase their GSPDB Funding Agreements.

Discussion:

As your Board is aware, the departure of Tri-Valley and the Wheeler Crest CSD from the OVGA created a GSP Development Budget Funding Shortfall of approximately \$64,186.32 (\$18,878 for 2019-20 and \$45,378 for 2020-21). Due to the Board changes and consistent with Article IV Section 1.1 of the OVGA-JPA, the OVGA is conducting this subsequent GSPDB Funding Meeting to increase funding contributions for the purpose of covering the revenue shortfall.

Pursuant to Article IV Section 1.3 of the OVGA-JPA:

any Member [that originally made] a binding commitment to be a Funding Member will have the equal opportunity to become an Extra Funding Member by making an additional binding funding commitment toward the Funding Shortfall. This process of providing additional funding by Funding Members who choose to become Extra Funding Members shall continue until the Funding Shortfall is reduced to zero (0) through additional binding contributions. In this manner, all Members who [originally became] Funding Members will have an equal opportunity to become Extra Funding Members with equal standing in terms of voting shares.

All current Members of the OVGA except for the Eastern Sierra CSD originally made a binding commitment to become a Funding or Extra-Funding Member. As such those members now have an equal opportunity to increase their current contribution to cover the Funding Shortfall. If all five agencies desire to equally increase their respective funding commitments to cover the Funding Shortfall, the increase would be an additional \$12,837.26 for the remainder of the 3 year GSPDB cycle.

A draft amendment to the original Funding Agreement with placeholders for amounts and agency is attached to this staff report. This amendment changes the contributions for the current and future fiscal years, and reaffirms that the vote shares are determined by Article IV Section 2.1 of the OVGA-JPA.

**AMENDMENT #1 TO
AGREEMENT BETWEEN THE OWENS VALLEY GROUNDWATER AUTHORITY
AND THE [____INSERT NAME OF MEMBER AGENCY____] FOR CONTRIBUTION
OF FUNDING TOWARD THE GSP DEVELOPMENT BUDGET**

Whereas, on or about March 1, 2018, the Owens Valley Groundwater Authority (“OVGA”) and [____INSERT NAME OF MEMBER AGENCY____], (“Member Agency”) entered into a GSP Development Budget Funding Agreement (the “Funding Agreement”) attached hereto; and

Whereas, since that time, other member agencies providing funding to the OVGA GSP Development Budget have withdrawn their membership and funding from the OVGA creating a GSP Development Budget Funding Shortfall of approximately \$64,186.32 (\$18,878 for 2019-20 and \$45,378 for 2020-21); and

Whereas, consistent with Article IV Section 1.1 of the OVGA-JPA, the OVGA held a subsequent GSPDB Funding Meeting to increase funding contributions for the purpose of covering the \$64,186.32 Funding Shortfall; and

Whereas, each Member’s contribution will directly affect and result in the Member’s voting share as set forth in Article IV Section 2 of the OVGA-JPA; and

Whereas, the OVGA and the Member Agency (sometimes referred to herein individually as a “Party” and collectively as the “Parties”) desire to enter into this Agreement to satisfy the OVGA-JPA’s requirement for the Member Agency to make a legally binding commitment of its financial contribution toward the GSP Development Budget; and

Now, therefore, the OVGA and the Member Agency agree to amend the Funding Agreement as follows:

- I. The Contribution Amount required by Paragraph 1 of the Funding Agreement for the 2019/2020 and 2020/2021 fiscal years is hereby amended to be as follows:

1. Effective upon entry into this Amendment #1 to the Funding Agreement, and continuing until this Amendment #1 to the Funding Agreement is terminated, for the 2019/2020 and 2020/2021 fiscal years, the Member Agency shall make an annual contribution toward the GSP Development Budget of _____ dollars (\$_____) (“Contribution Amount”) unless adjusted pursuant to Article IV Paragraph 1.1 of the OVGA-JPA or any bylaws duly adopted by the OVGA. For purposes of the Member Agency’s contribution amount covering the 2019/2020 fiscal year that is an increase from the amount required by the Funding Agreement, said increase shall be due within 30 days after receiving an invoice from the OVGA, but not before July 1, 2020. After the OVGA’s annual review and adjustment of the GSP Development Budget in subsequent years, and consistent with Article 4 Section 1 of the OVGA-JPA, the OVGA shall send the Member Agency an invoice for that

year’s specific Contribution Amount. Within 30 days after the invoice is sent, the Member Agency shall make payment in the full amount of the invoice to the OVGA, in care of its treasurer and fiscal agent.

II. Paragraph 3 of the Funding Agreement is hereby amended in its entirety as follows:

3. The Member Agency’s commitment to make the Contribution Amount shall provide the Member Agency with the number of votes as set forth in Article IV Section 2 of the OVGA-JPA; provided, that the additional votes beyond the first two shall not be acquired if the Member Agency fails to pay the full amount of the invoice as required by this Amendment #1 to the Funding Agreement unless and until such payment is made; provided further, that the number of additional votes beyond the first two provided to the Member Agency shall be adjusted upon modification of the GSP Development Budget as set forth in Article IV Section 1.1 of the OVGA-JPA.

III. This Agreement is the joint product of the OVGA and the Member Agency and each provision hereof has been subject to the mutual consultation, negotiation, and agreement of the Parties and shall not be construed for or against any Party.

This Agreement is entered into this ____ day of _____ by:

Owens Valley Groundwater Authority

Fred Stump, Chairman

[insert agency name]

[name][title]

STAFF REPORT

Date: **March 12, 2020**

Subject: **Consideration and possible approval of Associate member applications for Meadowcreek Mutual Water Co. and Wilson Circle Mutual Water Co. and Interested Party applications for Owens Valley Committee and the Lone Pine Paiute-Shoshone Reservation, contingent upon entry into an agreement(s) as required by Article V Sections 1.2 and 1.3 of the OVGA JPA. Provide Direction to staff regarding agreement terms, including those required by Article V Sections 1.2 and 1.3 of the OVGA JPA.**

BACKGROUND

The Owens Valley Groundwater Authority (OVGA) Board initiated consideration of adding seats for Associate members (Associates) and Interested Parties at the October 2018 meeting. The Joint Powers Authority (JPA) provides for the following seats for Associates:

- 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.

For Interested Parties, the JPA provides a maximum of four seats with one vote each.

In addition, a public engagement plan is being developed as part of the Groundwater Sustainability Plan (GSP) process and will provide an opportunity for the public and stakeholders to be involved with development of the GSP. Forming advisory committees around constituent groups, technical issues, or other categories is also a possibility to provide for public engagement and direct input to the Board.

In the winter of 2019, an application period was opened for entities to request appointment as an Associate member or Interested Party. The following Statements of Interest (SOIs) were received and considered at the March 2019 Board meeting (see March 2019 staff report for the submitted SOIs):

Associates:

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

Interested Parties:

- 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.)

More SOI's for Interested Party status were received than the number of available seats, requiring the Board to decline some applicants or to consolidate some applicants into a single seat. Board member input at the March meeting resulted in the following informal tally:

- Five Board Members supported adding tribes; one stated the tribes should be subject to the GSP and two stated tribal sovereignty should be protected.
- Two Board Members supported adding mutual water companies.
- One member supported adding environmental groups.
- Three members supported advisory committees with no or few added seats or were undecided about whether seats should be added.
- Of these opinions stated, two Board Members supported adding 2-3 seats, three supported adding one seat (for tribes), one supported no new seats, and two were undecided.

Because no clear consensus emerged at the March 2019 meeting, the OVGA Board considered a series of specific decision points at the April 2019 meeting that were then compiled into a straw vote tally which is summarized as follows (see Attachment 1):

- **Tribes:** Offer one Associate Member seat to the Lone Pine Tribe with the understanding they will be subject to the GSP, and staff was also directed to discuss with the Tribe conditions that would be acceptable and contained in an additional agreement (pursuant to JPA Article V, Section 1.2.2).
- **Mutual Water Companies:** Offer one Associate Member seat for both mutual water companies.
- **State Agencies and Special Districts:** Invite the state agencies and special districts to sit on a future advisory committee.
- **Environmental Groups:** Offer one seat to the to the Owens Valley Committee (OVC). The Sierra Club withdrew its application, stating it would work with the OVC to be represented.
- **Private Business Interests:** Invite private business interests (e.g., CG Roxane, as Rio Tinto did not respond) to sit on a future advisory committee.

While the discussion below is based on this direction from the Board, the Board composition has changed since the April 2019 meeting and this current Board may choose to modify the direction given to staff.

Following the April meeting, the State Department of Water Resources (DWR) released draft reprioritizations of groundwater basins, which recommended the Owens Valley Basin be reclassified as low priority. Because a low priority rating had the potential to affect whether a GSP would continue to be developed, the agencies that would choose to remain in the OVGA,

and the apportionment of votes, the Associate members and Interested Parties discussion was placed on hold pending a final decision by DWR and potential reconfiguration of the Board.

DWR issued its final determination in December 2019, reclassifying the Owens Valley Basin as low priority. As a result, three member agencies withdrew from the OVGA (in addition to two that had already withdrawn), leaving a Board of six members. With the final priority determination and the Board reconfigured, the discussion of appointing Associate Members and Interested Parties is being reinitiated.

DISCUSSION

The Board direction to offer one Interested Party seat to the OVC and invite state agencies, special districts, and private business interests to future advisory committees remain intact. However, further discussion has resulted in modifications to the recommendations for Tribes and Mutual Water Companies.

Tribes: As directed by the Board, OVGA staff and the Lone Pine Paiute-Shoshone Tribe discussed conditions on Associate membership that would be acceptable to the Tribe and contained in an additional agreement. As a result, the Tribe decided to submit an Interested Party application in lieu of an additional agreement. The staff recommendation is now to appoint the Tribe as an Interested Party, as the Tribe has requested.

Mutual Water Companies: The Wilson Circle Mutual Water Company has not responded to discuss consolidation of mutual water companies into one Associate seat. Meadowcreek Mutual Water Company has attempted to contact Wilson Circle and other mutual water companies to discuss coordination and representation of the mutual water companies through one Associate seat. Interest has been weak, and therefore it is unlikely Meadowcreek Mutual could represent multiple mutual water companies. Because of the difficulties in coordinating the mutual water companies under one seat, the recommendation is now to appoint Meadowcreek Mutual Water Company to an Associate seat, and consider the appointment of Wilson Circle Mutual Water Company although their continued interest is uncertain at the time this staff report was drafted.

JPA Conditions

Article V, Sections 1.2 and 1.3 are specific to Associates. Section 1.2 describes 1) eligibility requirements and 2) requires an Associate to be subject to the GSP. The two mutual water companies meet eligibility requirements and are within the OVGA's jurisdictional boundary, and are therefore subject to the GSP whether appointed as Associates or not.

Article V, Section 1.3 is also specific to Associates and sets forth special requirements for tribal participation, federal participation, LADWP, and mutual water companies (Section 1.3.4). As only mutual water companies have applied for Associate membership, only Section 1.3.4 applies. In addition to establishing the maximum number of seats for mutual water companies, the section also states "*Any such participation in the GSA as an Associate shall be*

conditioned on their 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." Therefore, if the mutual water companies are appointed as Associates, the Board must also establish a minimum level of ongoing funding contribution that is required.

Vote Share

The JPA provides two votes for each mutual water company appointed to an Associate seat and one vote for each appointed Interested Party, provided the Board Member vote share remains at or above 70% (Article IV, Section 2.2). *"Should the votes allocated to Associates and Interested Parties result in the [Board] Members receiving less than 70% of the total voting share of the Authority, the [Board] Members shall be allocated the number of additional votes that will equate to an aggregate 70% of the voting share of the Authority."*

Board Member vote shares will be reallocated after the GSP Development Budget funding meeting to reflect the recent reconfiguration of the Board and any changes to the funding contributions. When that reallocation is complete, the proportion of vote shares for Board Members and Associates/Interested Parties will be calculated and, if necessary, vote shares will be revisited.

RECOMMENDATIONS:

1. Require Associates to pay a minimum level of ongoing funding of \$_____, required to be contributed to the OVGA annually when the Board member contributions are also due, including the 2020 Fiscal Year.
2. Appoint the Meadowcreek Mutual Water Company and Wilson Creek Mutual Water Company as Associate members subject to the minimum level of ongoing funding.
3. Appoint the Lone Pine Paiute-Shoshone Reservation and Owens Valley Committee as Interested Parties.

ATTACHMENTS

1. Informal Board Tally on Associate Members and Interested Party Applications from the April 18, 2019, meeting
2. Interested Party Statement of Interest for the Lone Pine Paiute-Shoshone Reservation

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 — Tri Valley Groundwater Management District — Wheeler Crest CSD

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April 23, 2019

MEMORANDUM

TO: OVGA Board Members

FROM: Aaron Steinwand, OVGA Executive Manager
Laura Piper, OVGA Board Secretary



Subject: April 18, 2019 OVGA Meeting Item#13 – Determination of Board Seats for
Associate and Interested Parties

The above item was agendized to provide direction to staff on possible options for additional seats on the OVGA Board. Several Board members requested during the meeting that the results of polling the members be provided once tallied. Staff has compiled the results and present the number of members supporting each option as well as the weighted result. Keeler CSD was absent (2 weighted votes). This agenda item was not an action of the Board, but the results will be used to prepare staff recommendations for next OVGA meeting.

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 GSP
- 1B 4 members 18.3 – offer one seat to Lone Pine Tribe with conditions to be contained in an additional agreement
- 2 0 members 0.0 – Offer one seat to Lone Pine Tribe as an Interested Party

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

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

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

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

Owens Valley Groundwater Authority (OVGA)		
STATEMENT OF INTEREST - INTERESTED PARTY		
Applicant	Name Lone Pine Paiute-Shoshone Reservation <small>(Agency(ies) or Entity(ies))</small>	
Interested Party Type	Interested Party Type Federally Recognized Tribe <small>(See JPA Exhibit B for list of Interested Party Types)</small>	
Interested Party Director	Name TBD (Tribal Chairperson, Mary Wuester) <small>(First) (Last)</small>	
Int. Party Dir. Contact Info.	US Mail <small>(Street or POB) (City) (Zip Code)</small>	
	E-mail	Phone 760-876-4690

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: Mary Wuester (Primary Director) Date: 6/12/19
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 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.

Owens Valley Groundwater Authority (OVGA)

Guiding Principles - Version 3 02.05.2020

The OVGA Ad Hoc Communications and Engagement Committee (Committee) members commenced review of Version 1 of the OVGA Guiding Principles at the Committee's initial meeting on January 15, 2020. Principles under the following categories were discussed: General Principles of Understanding, Governance, Communication and Education, and Funding. The Committee met again on February 5 and 6, 2020 to continue discussions on the Guiding Principles document. Version 3 reflects the discussions and agreements made by the Committee. The Committee is putting forth this version to the full OVGA for review and discussion at their upcoming February 13, 2020 Board Meeting.

The following describes commitments and common interests that combined leadership from the Owens Valley Groundwater Authority (OVGA) have agreed on as a way to influence current and future compliance with the Sustainable Groundwater Management Act (SGMA). The OVGA Joint Exercise of Powers Agreement (JPA) is the legal foundational document for the groundwater sustainability agency (GSA). These Guiding Principles are intended to be consistent with and in furtherance of the JPA. In the event of a conflict between the JPA and these principles, the JPA takes precedence. The OVGA will comply with all applicable State and Federal regulations and statutes in its efforts to implement SGMA.

Furthermore, the OVGA will act in support of the following Mission Statement and Strategies, as adopted by the Board of Directors on January 9, 2020:

Mission Statement

The Owens Valley Groundwater Authority safeguards the sustainability of the Owens Valley Groundwater Basin through locally tailored management of groundwater resources to protect and sustain the environment, local residents and communities, agriculture, and the economy.

OVGA Strategies

1. Prepare and implement a Groundwater Sustainability Plan (GSP) as described in the Sustainable Groundwater Management Act (SGMA).
2. Establish standards and criteria for sustainable groundwater conditions and management within the Basin.
3. Implement groundwater management policies, regulations, and projects of the GSP consistent with the authorities granted under SGMA.

4. Monitor groundwater resources as prescribed in the GSP, assess changes in the groundwater basin using best available models and data, and adjust or modify management practices when needed to achieve or maintain sustainability.
5. Report annually and as needed to the OVGA Board and public on groundwater uses and conditions in the Basin.
6. Ensure local resident and stakeholder voices including Federal and State recognized tribes are heard through effective public engagement that invites deliberation, collaboration, and action on groundwater management issues of common importance.

GENERAL PRINCIPLES OF UNDERSTANDING

- Gen1. SGMA requires that OVGA consider the interests of all Beneficial Uses and Users of groundwater. More specifically, SGMA requires that OVGA encourage the active involvement of diverse social, cultural, and economic elements of the population within a groundwater basin. The OVGA is committed to an inclusive approach through all aspects of GSP development and SGMA implementation.
- Gen2. The OVGA supports a collaborative approach among various local agencies and organizations to support SGMA implementation specifically including all parties interested in sustainable groundwater management. This approach is in the best interest of the Basin's Beneficial Users because it will maximize effectiveness, keep costs at a minimum, and capitalize on the skills and strengths of various partners. This approach will reflect mutual respect for each participant's role and mission, governmental authorities, expertise, knowledge of groundwater conditions, rights, needs, and concerns.
- Gen3. Implementation of SGMA for the OVGA incurs costs, which may be expensive, and all Beneficial Users will need to contribute in some way.
- Gen4. Local control of groundwater should be preserved to the maximum extent practicable, and State intervention to implement SGMA should be avoided.
- Gen5. Sustainable groundwater conditions in the Basin are critical to support, preserve, and enhance the economic viability, social well-being, environmental health, and culture of all Beneficial Users and Uses including tribal, domestic, municipal, agricultural, environmental, and industrial users.
- Gen6. The OVGA is committed to conduct sustainable groundwater practices that fairly consider the needs of and protect the groundwater resources for all Beneficial Users in the Basin.
- Gen7. The OVGA will have an open and transparent process for GSP development and SGMA implementation. Extensive outreach is a priority of the OVGA to inform Beneficial Users about implementation and potential effects of SGMA, and to ensure

the OVGA is informed of all Beneficial User input as a means to support OVGA decision-making.

Gen8. SGMA implementation is new with many unknowns and fears. Willingness by all OVGA members and Beneficial Users to adapt, adjust and collaborate in good faith during GSP development (based on science and facts) and SGMA implementation is crucial to the Basin’s success.

GOVERNANCE

- Gov1. The OVGA operates as a governing public agency, granted with regulatory authorities provided in SGMA.
- Gov2. The OVGA’s purpose is to implement SGMA in the Basin. The OVGA is committed to develop local SGMA compliance and sustainability solutions, and thereby maintain local control and avoid State intervention and management of local groundwater resources. It is also committed to solutions that will avoid costly litigation between stakeholders.
- Gov3. The OVGA Board of Directors and staff have unique responsibilities to serve their respective organizations and interests. While serving the OVGA, these individuals also have a responsibility to serve the interests and regulatory authorities of the OVGA in its required role to identify, achieve, and maintain sustainable groundwater conditions in the Basin. OVGA Directors and staff are committed to fulfill this SGMA-specific responsibility.
- Gov4. The OVGA represents and seeks to preserve the groundwater interests of all Beneficial Users and Uses in the Basin fairly and transparently.
- Gov5. Discussions among the OVGA Board of Directors, staff, and Beneficial Users may be challenging at times. The OVGA will conduct these discussions in a civil manner with a commitment to respectful discourse among all participants.

COMMUNICATION AND EDUCATION

- Com1. In addition to its statutory responsibilities and authorities, the OVGA is committed to provide consistent, transparent educational opportunities for all Beneficial Users about water resources, land uses, and water management in the Basin.
- Com2. The OVGA is committed to proactive, transparent, and inclusive outreach and engagement with stakeholders, agencies, and Basin community members in accordance with OVGA’s Communications and Engagement Plan.

Com3. The OVGA recognizes the value of open communication with neighboring basin groundwater resource managers and GSAs.

FUNDING

Fund1. The OVGA recognizes its duty to Basin residents, and future generations to ensure that financial resources are used effectively and responsibly to promote sustainable groundwater conditions. The OVGA is committed to carefully and prudently use funds to fully comply with SGMA and to avoid expanding beyond the scope of SGMA in a manner that might create undue costs to Beneficial Users.

Fund2. The budgeting process and ongoing management of the OVGA will be fully transparent to all stakeholders. Budgets may be changed by unexpected circumstances, but the OVGA Board and staff are committed to follow budget projections as closely as possible. The OVGA recognizes its duty to Basin residents and future generations to ensure that its financial resources are used effectively and responsibly to promote sustainable groundwater conditions.

Fund3. The OVGA is committed to pursuing financial and infrastructure solutions and beneficial partnerships to provide sustainable water supplies within the Basin.

Fund4. The GSP should encourage flexibility to adapt to changes in OVGA membership, funding, and planning oversight as the parties build relationships and mutual trust.

Fund5. Data collection and groundwater studies are essential to increase knowledge and to support fact-based groundwater management decisions. Funding and implementation is a priority and shared responsibility among all OVGA members and Beneficial Users.

Fund6. The OVGA will seek alternative sources of funding beyond Basin residents and is committed to prioritize funding choices outside of the local member agencies whenever feasible and appropriate.

SGMA IMPLEMENTATION AND SUSTAINABILITY

Sus1. Future sustainable groundwater conditions will depend on land uses and water demand targets being in balance with available water resources. The OVGA is committed to work with land use agencies in the Basin to promote land use practices and water demand targets that achieve sustainable water resources.

Sus2. The OVGA is committed to reducing groundwater vulnerability and protecting the Basin from undesirable results as defined by the six SGMA indicators of basin health and sustainability and outcomes of climate change.

- Sus3. OVGA members and Beneficial Users may have different requirements under different water resource conditions to ensure that minimum thresholds are achieved or exceeded. These potential different requirements will be defined in the GSP and implemented by the OVGA.
- Sus4. Groundwater conditions throughout the Basin are not uniform and vary by location, surface water, and runoff. While all Beneficial Uses and Users will share the obligation to achieve sustainability, solutions will need to reflect these geographic and hydrogeographic differences.
- Sus5. The OVGA recognizes that groundwater recharge occurs through many different means. Natural runoff, applied surface water, precipitation, and creek, canal and ditch losses utilized by Beneficial Users contribute to the Basin recharge. Studies will quantify the availability of such recharge and provisions will be included in the GSP to ensure that future groundwater extractions are consistent with quantified recharge and the sustainable yields of the Basin.
- Sus6. Integrated water management is a set of methods to extract, transport, store, use, and share groundwater and surface water throughout a groundwater basin to reduce water supply vulnerability for all water users. To support SGMA objectives and Basin-wide water needs, the OVGA will pursue an integrated water management approach for the Basin. An integrated water management approach will honor the social, cultural, natural, and economic diversity of the Basin. It will seek to ensure that all Beneficial Users have necessary water resources. An integrated water management approach may rely on but need not be limited to:
- a. Science-based decision-making.
 - b. Projects and methods to preserve, protect, recover, and restore the Basin aquifers.
 - c. Collective and individual groundwater use requirements to ensure that groundwater elevations are not depleted below minimum thresholds.

Groundwater dependent ecosystems (GDE's) such as riparian areas adjacent to surface water conveyances, creeks, and the Owens River, wetlands supported by springs and seeps, and terrestrial phreatophytic plant communities are habitat for a multitude of species, including those with State and Federal threatened and endangered status. Unsustainable groundwater management can reduce groundwater discharge and endanger the ecological value and beneficial uses of these GDE's.

- Sus7. The OVGA is committed to designing sustainability indicators that avoid significant and unreasonable impacts to GDE's. The OVGA acknowledges the interconnectedness of groundwater and surface water resources in the Basin and that groundwater is critical to sustain extensive areas of GDE's.
- Sus8. SGMA requires and the OVGA is committed to robust analysis of current and future climate-based conditions to ensure that the Basin accounts for climate

change-related impacts. The OVGA is also willing to partner with other natural resource agencies and water providers potentially affected by climate change.

- Sus9. Groundwater recharge, surface water quantities, and the base flows of the Basin's tributaries will be impacted by climate change and associated water conditions. The OVGA will utilize best available science to inform management decisions in light of varying climate.

Under SGMA, groundwater users that extract two acre-feet of groundwater or less per year for domestic purposes are defined as "de minimis." This classification limits the statutory financial and measurement responsibilities of these groundwater extractors and is a means through which some SGMA-related burdens are minimized for this select set of groundwater extractors. In this context:

- Sus10. The OVGA is committed to the definition of de minimis and will explore opportunities to minimize SGMA-related impacts to de minimis users, in particular those in disadvantaged communities who rely solely on groundwater.
- Sus11. The de minimis classification does not excuse a Beneficial User from their legal responsibility to comply with SGMA.
- Sus12. The OVGA will evaluate and account for the incremental impacts that de minimis water users have on the Basin' water budgets.
- Sus13. The OVGA is committed to provide appropriate compliance benefits that are afforded to de minimis users but to also ensure that potential groundwater use impacts are not imposed on other Beneficial Users that do not meet the de minimis definition.
- Sus14. The OVGA opposes groundwater export from the Eastern Sierra that would result in negative consequences to groundwater sustainability, the environment, local economy, and residents.

Owens Valley GSP Update

March 12, 2020




Questions from February Meeting?

• Topics covered:

• Historical Water Budgets

• Introduction to DPWM



Board Discussion Topics / Schedule

	Topic 1	Topic 2	Topic 3
Mar-2020	GW model review (DPWM Tri-Valley Results)	Intro to Sustainable Management Criteria	
Apr-2020	Projects & Management Actions	Sustainable Management Criteria, cont'd	Groundwater Dependent Ecosystems (GDEs)
May-2020	Monitoring Plan	Management Areas	Sampling & Analysis Plan (SAP)

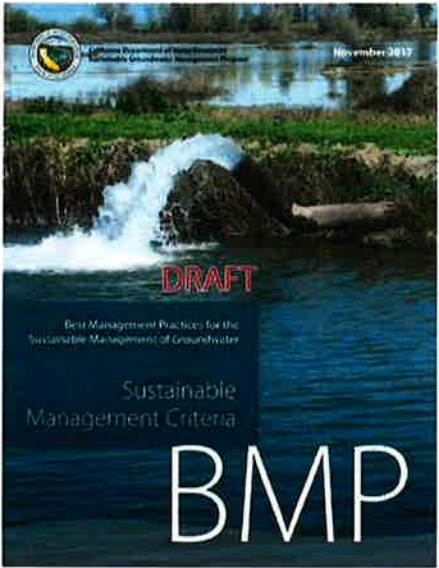
April 2020 Reference / Background Materials

- **BMP - Sustainable Management Criteria**
https://water.ca.gov/LegacyFiles/groundwater/sgm/pdfs/BMP_Sustainable_Management_Criteria_2017-11-06.pdf

SUBARTICLE 3. Sustainable Management Criteria

- **CCR 354.22. Introduction to Sustainable Management Criteria**
- **CCR 354.24. Sustainability Goal**
- **CCR 354.26. Undesirable Results**
- **CCR 354.28. Minimum Thresholds**
- **CCR 354.30. Measurable Objectives**

Sustainable Management Criteria



- Draft BMP developed by DWR
- **GOAL** - sustainable groundwater conditions within 20 yrs



Sustainability is the Goal

§ 354.24. Sustainability Goal

- A single sustainability goal for the basin
- Achieved within 20 years of GSP implementation
- Maintained without causing undesirable results



What is Sustainability?

...*sustainable groundwater management* - the management and use of groundwater in a manner that can be maintained during the planning and implementation horizons without causing undesirable results...

...so *sustainable groundwater management* - is not a number, but absence of undesirable results...

“Sustainable yield” means the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin, that can be withdrawn annually from a groundwater supply without causing an undesirable result.




What is Sustainability?

“Planning and implementation horizon” means a 50-year period over which a groundwater sustainability agency determines that plans and measures will be implemented in a basin to ensure that the basin is operated within its sustainable yield.


“Undesirable results” occur when significant and unreasonable effects for any of the six sustainability indicators are caused by groundwater conditions occurring throughout the basin. Used by DWR to determine whether the sustainability goal has been achieved within the basin.




Six Sustainability Indicators (aka *6 Deadly Sins of SGMA*)




Lowering
GW Levels




Surface Water
Depletion




Degraded
Quality



Land
Subsidence



Seawater
Intrusion



Reduction
of Storage

Chronic lowering of GW levels indicating S&U depletion of supply

Depletions of interconnected SW that have S&U impacts on beneficial uses of SW

S&U degraded water quality

S&U land subsidence that interferes with surface land uses

S&U seawater intrusion

S&U reduction of GW storage

S&U = significant and unreasonable


undesirable results have these effects

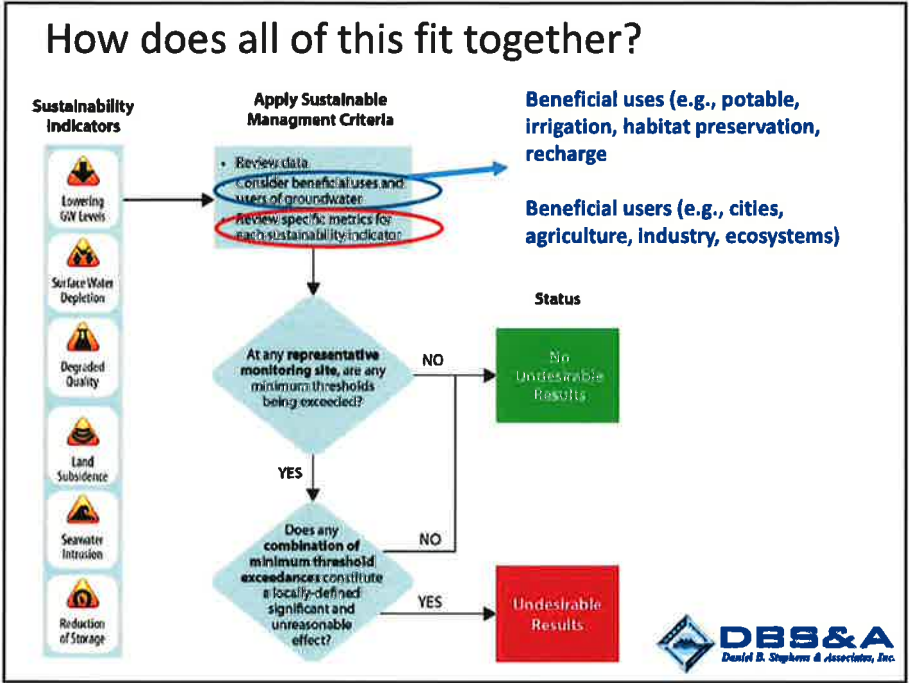
Sustainable Management Criteria

Significant and Unreasonable – defined by GSA. Basic element of “local control” inherent to SGMA.

Minumum Threshold – a numeric value for each sustainability indicator used to define undesirable results. A quantitative value that if exceeded may cause an “undesirable result” - cannot be an arbitrary number.

Measurable Objective – specific, quantifiable goals for the maintenance or improvement of specified groundwater conditions. Included in an adopted Plan to document progress towards achieving the sustainability goal for the basin.





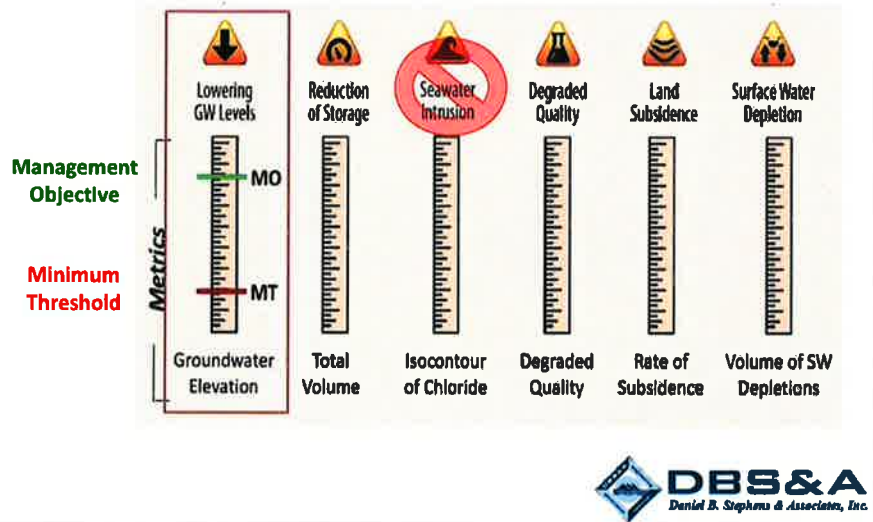
Sustainability Indicator Metrics

Sustainability Indicators	Lowering GW Levels	Reduction of Storage	Seawater Intrusion	Degraded Quality	Land Subsidence	Surface Water Depletion
Metric(s) Defined in GSP Regulations	• Groundwater Elevation	• Extraction Volume	• Chloride concentration isocontour	• Migration of Plumes • Number of supply wells • Volume • Location of Isocontour	• Rate and Extent of Land Subsidence	• Volume or rate of surface water depletion

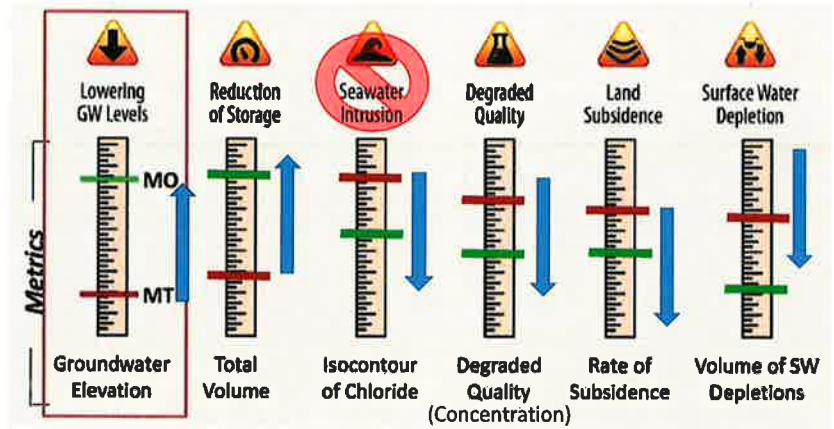
How are we going to measure the status of various groundwater sustainability indicators?

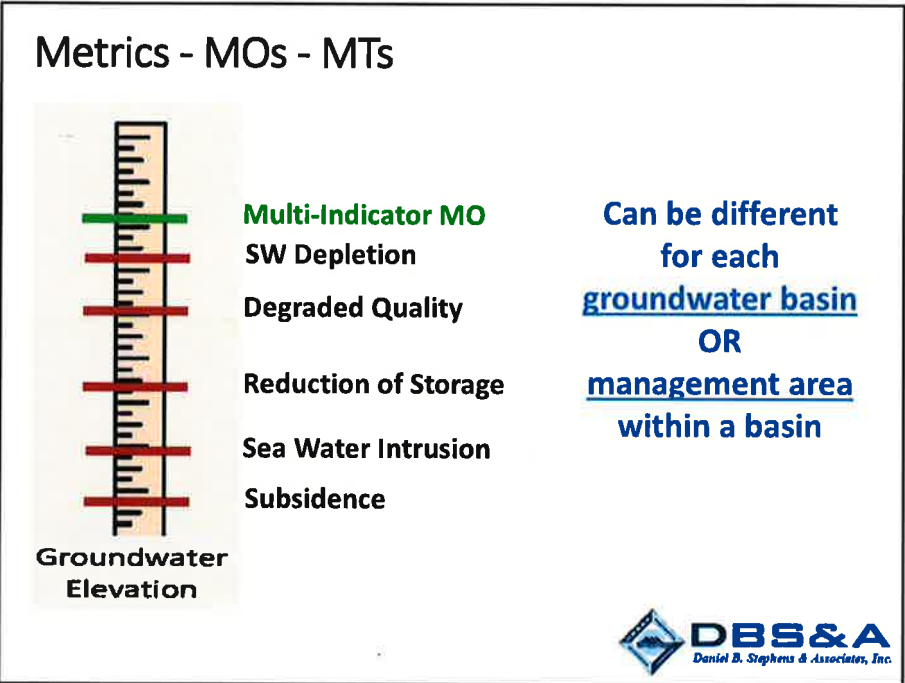
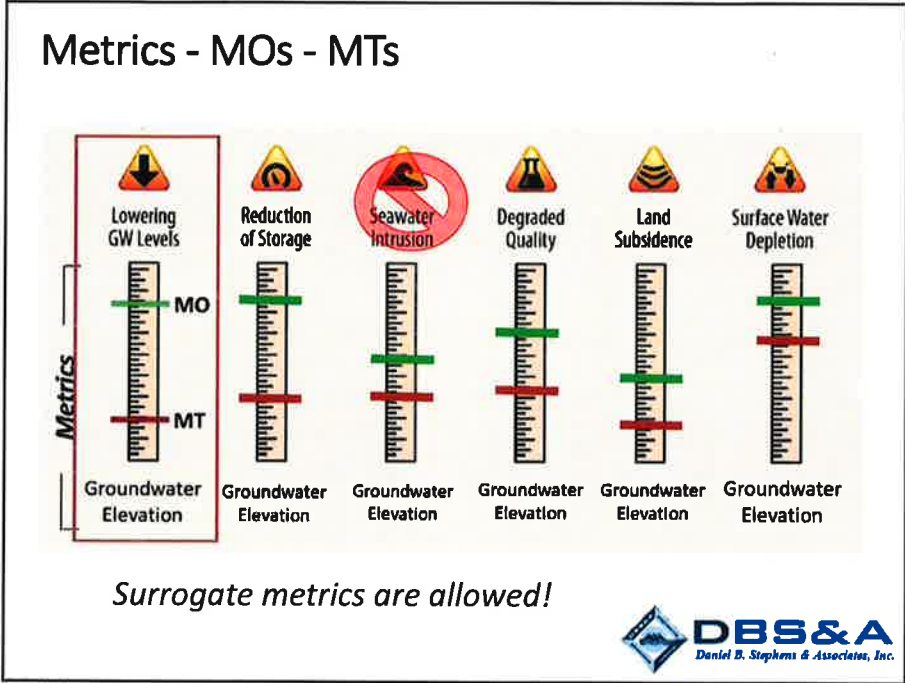
DBS&A
Daniel B. Stephens & Associates, Inc.

Metrics - MOs - MTs

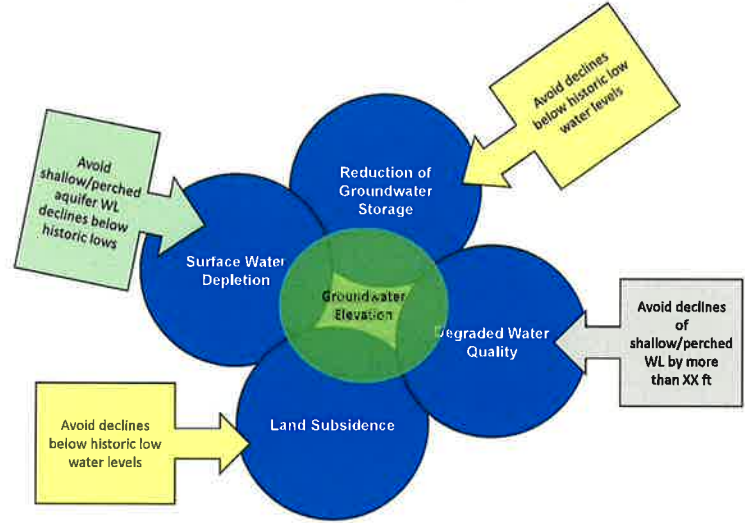


Metrics - MOs - MTs

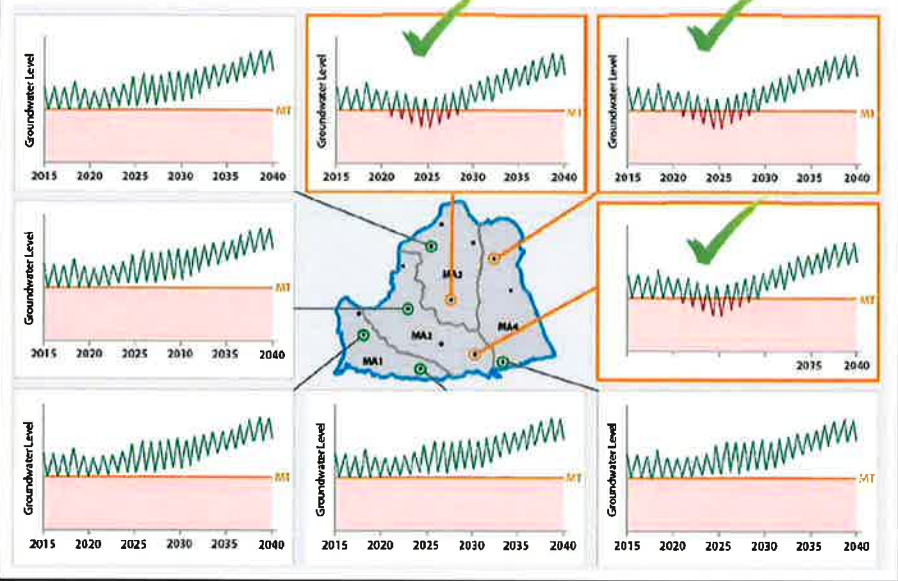


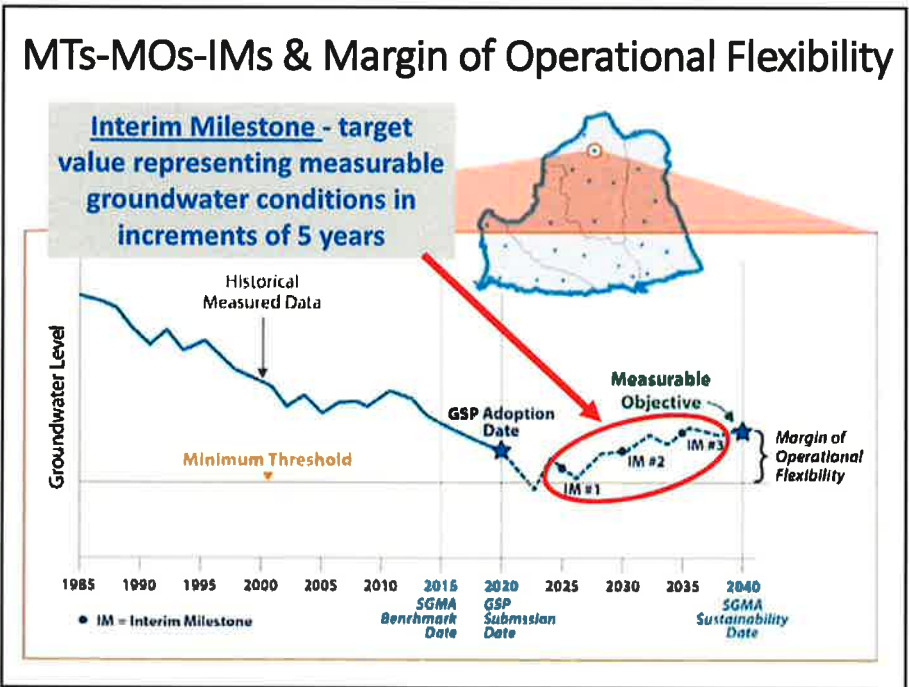
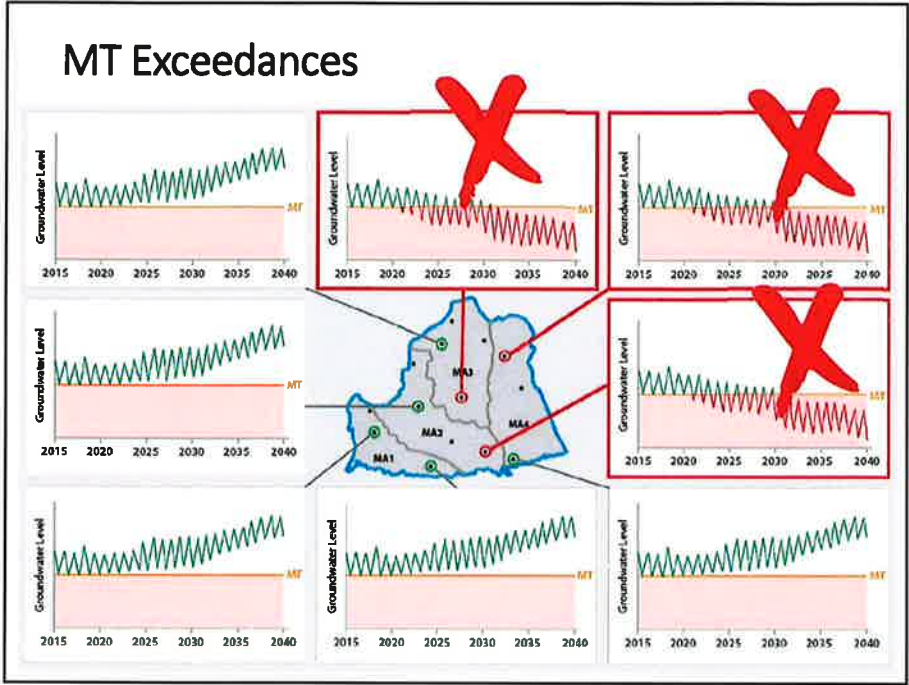


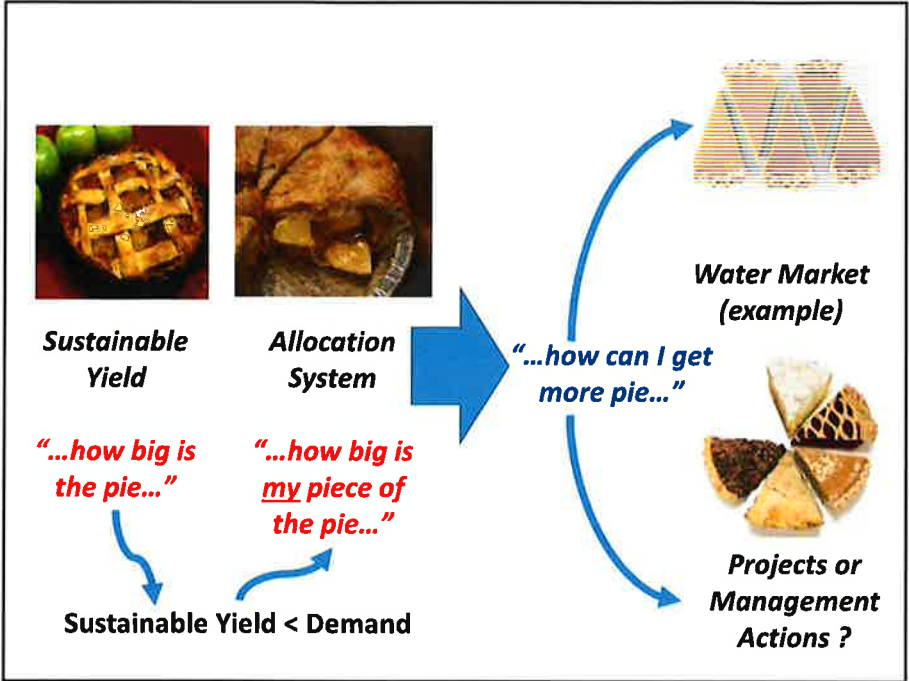
Sustainability Indicators and Minimum Thresholds (examples)



MT Exceedances







Questions ?

