

MINUTES

Owens Valley Groundwater Authority

Board Members:

EASTERN SIERRA CSD	Ron Stone	COUNTY OF MONO	Fred Stump
INDIAN CREEK-WESTRIDGE CSD	Luis Elias	CITY OF BISHOP	Chris Costello
		COUNTY OF INYO	Dan Totheroh
		BIG PINE CSD	BryAnna Vaughan

March 12, 2020

The Owens Valley Groundwater Authority meeting was called to order at 2:00 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 7 after Public Comment to accommodate a request from the Executive Director.

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 all Board members present.

4. Approval of minutes from the February 13, 2020 OVGA Board meeting

The Chairperson requested a motion to approve the minutes of the February 13, 2020 meeting. Motion to approve the minutes as presented by Ron Stone, seconded by Chris Costello. Motion passed, 6 yes.

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 the OVGA cash balance is \$213,219.94, \$101,241.19 was moved from the grant advance to the OVGA operating budget; transactions since the previous meeting were consultant charges in the amount of \$39,085.85, \$24,660.93, and Inyo staff services for Oct-Dec 2019 in the amount of \$11,624.67. The Chairman asked what the total grant award was, Ms. Piper stated \$713,155; the grant advance amount, Ms. Piper stated \$316,530 that needs to be expended by May 9, 2020. John Vallejo stated that at the last IWVGMD meeting there was consternation regarding Rose Valley and that BLM has proposed to open up new lands for geothermal leasing; and he stated they are waiting to see when the IWVGMD gets sued, which is likely. Philip Anaya stated a related item on the Inyo Board of Supervisors agenda was [Inyo Code, Chapter] 7.02, the groundwater ordinance and stated the Owens Valley Groundwater Authority is named in the ordinance. John Vallejo stated the Inyo County Board had its first reading of a groundwater pumping ordinance this past Tuesday. He explained these activities will be regulated under police power and not land use authority.

7. Presentation of draft 2020-2021 OVGA budget

Aaron Steinwand stated the three year developmental budget would be reviewed annually according to the JPA. He stated he has provided a staff report with the proposed budget for the upcoming year, 2020-2021; the budget is similar to the previous year; it assumes the budget shortfall from Wheeler Crest and Tri Valley will be made up; all of the consultants GSP costs will be reimbursed by the Prop 1 grant; the website development is included again in this year's budget; and the final budget will be submitted with any recommended changes at the April meeting. Chris Costello stated he calculated that \$7,500 was being spent per each monthly meeting; he suggested quarterly meetings; having one lawyer for each meeting instead of two; and limiting the consultants to conference calls and attendance only when necessary. John Vallejo stated the frequent meetings are based on the steps necessary to put the GSP together; the Board could reduce effort on staff's part in the respective contracts; and also have the attorney's alternate. Stacey Simons stated with the Governor's executive order, it will enable meetings by teleconference and not requiring that the locations be open to the public with the current public health issues. Ron Stone concurred with Chris Costello. Philip Anaya stated he is not in favor of fewer meetings.

8. Consideration of Members' Funding the GSP Development Budget in accordance with Article IV, section 1.1 of the OVGA JPA and Amendment of Member Funding Agreements to provide for revised funding contributions

The Chairperson provided a brief overview of the options available to the Board due to the departure of former Board Members. Eastern Sierra stated no comment; Indian Creek and Big Pine stated they would continue at the current level; Inyo stated they would fund up to 50% of the shortfall; Bishop stated no additional funding at this time; Mono stated they would cover the entire shortfall for the current year from Tri-Valley and Wheeler Crest; and also participate in the following years to split with Inyo County. John Vallejo stated the immediate refund will be \$18,878 to Tri Valley/Wheeler Crest and expect to lose \$45,378 from future contributions; it appears Inyo and Mono will split the shortfall for the coming year (\$22,689 each); and the draft agreement will be updated and finalized between both counties. The Chairman asked when the upcoming contribution invoices will be sent out, Ms. Piper stated after the budget is finalized, approximately in May.

9. Consideration and possible approval of Associate and Interested Party applications for Meadowcreek Mutual Water Co. and Wilson Circle Mutual Water Co., 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

John Vallejo stated at the April 2019 meeting, direction to staff was to negotiate with the Lone Pine Tribe; offer Owens Valley Committee an Interested Parties seat; with one mutual water company for a shared or their own Associate member seat; and what to require for minimum funding for the mutual water company to join the JPA is a policy decision before the Board. Ken Toy stated he would need to know the exact particulars of the financial aspect to bring back to his Board for a decision whether to join the OVGA or not and they would only be representative of themselves, the Meadowcreek Mutual Water Company. The Board decided the contribution for Meadowcreek Mutual Water Company to join the JPA as a two vote Associate member would be \$22,654 for the 2020-2021 year and if they joined in April, it would be \$1887.83 x 3 months this fiscal year for a total of \$5,663.49. Ken Toy stated Meadowcreek would not be interested in being an Interested Party. Philip Anaya stated the different between the two votes with Eastern Sierra CSD and the mutual water company is that Eastern Sierra CSD is an eligible GSA, whereas the mutual water company is not and he would like the mutual water company to make an offer of funding. Dave Tanksley stated the mutual water companies have the right to be part of the association; his opinion is two votes with no fee or minimal funding; and what about other mutual water companies that wish to join. The Board stated the local water companies were contacted; Meadowcreek is the only one to show interest; and there is one Associate seat being offered for mutual water companies. The Board and staff discussed this item in great detail. Director Vaughan suggested putting the various options together so the Board has time to evaluate them. A motion was made by BryAnna Vaughan with a second by Dan Totheroh for staff to provide a brief summary staff report next meeting to include the following options for Meadowcreek membership:

- 2 votes as Associate member with \$1.00 fee to join
- 2 votes as Associate member funding half of the regular contribution
- 2 votes as Associate member with full funding pro-rated for this year and full funding next year
- 1 vote as an Interested Party w/no financial contribution

Motion passed 5 yes, 1 abstention.

Debbie Murphy inquired about the voting shares; John Vallejo stated it will need to be recalculated based on the formula in the JPA due to the changing composition of the Board.

The Chairperson called a break at 3:39 pm and reconvened the meeting at 3:48 pm.

John Vallejo stated at the previous meeting staff was directed to enter into discussions with the Lone Pine Tribe regarding their application to become an Associate member; there was issue whether the GSA would be implemented on the sovereign tribal lands; the JPA states any associate member will implement the GSP on their lands; based on that discussion, they applied as an Interested Party. He stated the decision before the Board today is whether to allow the Lone Pine Tribe a seat on the Board as an Interested

Party. Mel Joseph stated the tribe was unwilling to provide the groundwater data on tribal lands and therefore decided to apply as an Interested Party. Philip Anaya stated the tribes are the traditional actual inhabitants of this basin; they should be an Associate member without compliance with the GSP; and have a management area. April Zrelak stated the Board needs a tribal voice that covers the entire basin; it's the voice and presence on the Board that counts; and stated some of the tribes have no control over their groundwater, it's LADWP. Keith Rainville stated there is sufficient monitoring data outside the tribal area. Luis Elias stated there is cultural history throughout the valley and the tribes should have a seat on the Board. Motion by BryAnna Vaughan to accept Lone Pine Tribe as a non-funding Interested Party on the OVGGA Board with one vote and provide an agreement approved by Lone Pine Tribe by next meeting for Boards approval, seconded by Dan Tothoroth. Motion passed, 6 yes.

Dr. Steinwand stated the Owens Valley Committee applied to be an Interested Party as well as the Sierra Club; the Sierra Club withdrew; it was the Boards intent at that time, April 2019, to offer the OVC an Interested Party seat. Mary Roper stated the OVC would like a voice on the Board; the SGMA is to protect the environment. Chris Costello stated one concern he has is that there is a misconception that this Board can make a change to how LADWP functions; Mary Roper stated the OVC knows better and is aware they are an adjudicated basin. He stated if that was the case, it would muddy the waters of what they are trying to sustain. The majority of the Board stated they supported the addition of OVC on the Board. The Chairman expressed his concern regarding special interest groups having a seat on the Board. Mary Roper stated that DWR sent representatives to the valley of which OVC was interviewed three times; the intent was to involve environmental groups; she expressed her concern that she hopes the Board knows she will not filibuster; she will give her input and not obstruct; and will bring another perspective; the goal is to produce the best GSP that can be done which can't be done by eliminating important voices. Philip Anaya stated he supports the OVC inclusion. Eddie Trimmer, Bristlecone Chapter, Ca Native Plant Society stated the health of the vegetation was part of the LTWA; and she feels the voice of the environmental community is important. BryAnna Vaughan made a motion to invite the OVC on the OVGGA Board as an Interested Party, one vote, and have staff prepare the necessary agreement, seconded by Luis Elias. The Board requested a roll call vote; Ron Stone – Y, Luis Elias – Y, BryAnna Vaughan – Y, Dan Tothoroth – Y, Chris Costello – N, Fred Stump – No, motion passed, 4 Yes, 2 No.

10. Consideration of Communications and Engagement Plan Guiding Principles

The Chairperson suspended this item. Dan Tothoroh stated since the Board composition has increased, would the Board like to add an additional Ad hoc group member, The Chairperson stated that would come forth as a future agenda item.

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

Tony Morgan provided a PowerPoint presentation regarding upcoming events; groundwater model review; data files from LADWP not received as of yet; needs additional results for DPWM; the April meeting will be ecosystems; some of future presentations will be achieved remotely; reviewed the sustainable management criteria; defining management areas; and minimum threshold exceedances. Sally manning asked if climate change is going to be documented as part of the plan; Tony Morgan stated yes and they are working on it now to determine what those change factors will look like. Eddie Trimmer asked how vegetation is going to be monitored when groundwater is the main focus. The Chairperson stated the documents for past presentations are available on the webpage and would assist with this information. Tony Morgan stated the guidance documents on the DWR website are a good start as well.

12. Owens Lake update

Dr. Steinwand stated LADWP withdrew the notice of exemption that they filed for their six month pumping test; and cancelled the meetings of the Owens Lake working groups and will probably revisit this in the future. John Vallejo mentioned they stated there is no current project at the moment; Inyo questioned was there a project; and if so how was it approved with no response from LADWP at this time.

13. Discussion regarding future agenda items

The Board and staff stated the upcoming agenda items will be; Owens Lake update; formalizing new members; reconsideration of Meadowcreek Mutual Water Company; final budget; list of goals that are necessary to obtain quarterly meetings; and discussion regarding additional Ad Hoc member.

14. Set next meeting

The next meeting was not discussed due to the current situation of the Corona virus.

15. Adjourn

The Chairperson adjourned the meeting at 5:04 pm.