

MINUTES

County of Inyo WATER COMMISSION

November 16, 2020

The Chairperson called the Water Commission meeting to order at 6:00 p.m. via videoconference. Water Commissioners in attendance were Chairperson Teri Red Owl, Randy Keller, Nate Gratz, Paul Huette, and Holly Alpert. Present from the Water Department were Aaron Steinwand, Laura Piper, and Larry Freilich.

1. Pledge of Allegiance

The Chairperson led the pledge of allegiance.

The Chairperson welcomed the newly appointed Water Commissioner, Holly Alpert.

2. Public Comment

Sally Manning stated she was hoping for an update on W415 and a tribal consultation request was also submitted to LADWP.

3. Approval of minutes from the August 26, 2020 meeting

Motion by Nate Gratz, seconded by Randy Keller to approve the minutes of the August 26, 2020 meeting, motion passed.

4. Commissioners' reports

Holly Alpert thanked the Supervisors for appointing her and the opportunity to be on this Board and stated she is pleased to participate in water issues. Commissioner Huette requested to know roles and responsibilities of the Water Commission. The Chairperson requested a workshop covering this subject. Dr. Steinwand stated he would try to provide something at the next meeting.

5. Director's report

a. Runoff and operations update

Dr. Steinwand presented a table with runoff information through September 2020 and provided a detailed report. The Board and staff discussed this in detail. Commissioner Keller suggested adding a line of pumping vs. what the County suggested. The Chairperson asked who decides on/off of wells; Dr. Steinwand stated according to the procedure described in the Green Book; vegetation measurements turn into water requirements which both Inyo and LADWP measure and monthly soil water measurements by Inyo at several monitoring sites. He provided information on the detailed mechanism to determine the on/off.

b. Status of 385W pump test

Dr. Steinwand provided a brief summary of the well, its location, and the status of the test. He stated both Inyo and LADWP have completed reports on the results of the test; both are on the Inyo County website; both reports are complimentary; and Fish & Wildlife are preparing a report also. Commissioner Huette asked if both Inyo and LADWP are in agreement, Dr. Steinwand stated yes, mostly. Sally Manning asked why the County is recommending any pumping; she can't find any documentation leading up to the testing of the monitoring wells that just went in at Five Bridges a few weeks ago with the exception of Saeed Jorat's report; she stated the Five Bridges area is not fully mitigated and it's wrong to mess with this sensitive area. Edie Trimmer asked if there is a mitigation plan for the Five Bridges area; how is that going to be implemented; and does it have any relation to the pumping test. Dr. Steinwand stated yes, that was the subject of previous litigation between LADWP and the County; and the plan has been implemented as well as additional considerations. She asked what the current

mitigation plan is; Dr. Steinwand stated it is the 1999 revegetation plan that is on the Inyo County website. Daris Moxley stated 385/386 were turned off permanently by a court order. Dr. Steinwand stated the wells were permanently shut off as a mitigation measure in the 1999 revegetation plan, not by a court order; the 1999 plan can be revised. Lynn Boulton inquired if DWP is already over the planned pumping in Laws what happens in October through March. Dr. Steinwand stated yes, they will be over but overall they should come in under the 93,000 af.

c. Status of Owens Lake Groundwater Project

Dr. Steinwand stated LADWP has revised their test plan on Owens Lake due to the Counties objections to part of the test procedure and the CEQA compliance; the County will participate in a stakeholder meeting in January 2021; and comment on the CEQA document. Sally Manning provided comments on item b regarding the 1999 revegetation plan stating that it was a “fill-in” and never the final plan; stated LADWP has put a couple big wells on the lake; proposed pumping for testing; the tribe has objected to any pumping under the lakebed; it’s not sustainable and will draw down the water; and they have to consult the tribe under AB52. Daris Moxley inquired if 385 was not shut down permanently by the court, where is the mitigation project. Edie Trimmer asked what are the impacts of the earthquakes on Owens Lake and does that alter the lakebed. Dr. Steinwand stated he does not have the answer to that question; no data has been made available. Nancy Masters stated is there going to be impact on the western side of the fault, has there been further studies; is the lake covered by the Water Agreement; and is that still in dispute; Dr. Steinwand stated it is still unresolved; yes there has been a considerable amount of study on the springs and seeps; this test is designed to specifically figure out if those faults act as a significant barrier to pumping. She stated have the invertebrates been studied around the lake, Dr. Steinwand stated yes. She asked if LADWP were to move to pump those wells would they be able to move forward without settling the matter of who’s in charge, the Water Agreement or State Land (Commission). Dr. Steinwand stated probably not.

d. Fish Springs Hatchery update

Dr. Steinwand provided a brief update; both Fish Springs and Blackrock fish hatcheries were infected with a biological bacterial infection requiring (Ca) Fish and Wildlife to shut off the wells; dispose of all the fish; and go through a disinfecting process; and they expect to bring new fish in sometime during the winter. He provided details on the various wells; normal daily flow; and fluctuations from the two large wells at the hatchery. The Board and staff discussed this in detail. Sally Manning stated there is a spring, with natural flowing water; the big wells are turned off and water table recovery is happening in the deep aquifer ; this is an opportunity to turn wells off to see if that spring will flow again and not put stress on Big Pine. The Chairperson asked if the request could be made to delay bringing back the fish and turning the pumps back on and allow more recovery time. Dr. Steinwand stated he could inquire; the pumping of those wells is a mitigation measure to the spring and hatchery. Edie Trimmer stated the Water Commission is an advisory Board, how much influence do they have with the Standing Committee, etc. Commissioner Keller stated the Water Commission is advisory to the Board of Supervisors so it is the Water Commission’s job to provide information and concerns to the Inyo County Board so that they can make an informed decision; and two Commissioners sit on the Standing Committee. Sally Manning stated she wanted to remind the Board that pumping at the hatchery is mitigation and the Technical Group has the say to make change. She stated this is an opportunity for Inyo County and Fish & Wildlife to work together to make changes.

e. Review of October 15 Standing Committee meeting

Dr. Steinwand stated the majority of the meeting was the status of mitigation projects and trying to improve performance on the LORP; blackrock waterfowl management area; McNally ponds and pasture project; and the revegetation projects. A new plan for the Blackrock waterfowl management area has been drafted, staff is currently reviewing; if approved, changes will be implemented in 2021.

6. McNally Ponds E/M project virtual field trip

Larry Freilich provided background on the McNally ponds project, and shared a virtual tour of the project area and its history. Sally Manning stated vegetation, hydrology and agriculture in Laws area is wrecked; the McNally ponds and pasture were mitigation; Farmer’s Pond is on the Bishop Cone, Bishop is green, so why should Bishop get additional mitigation. The Board and staff discussed this item in detail. Edie Trimmer stated the water was high and wasn’t going to the lower ponds; is there something that can be done to better manage the ditches. Daris Moxley stated in the 1950’s there were willows on both sides of the Jean Blanc Rd. and it was wet; it is all dried up now and not like it used to be; and what

happened to the 4H tree field by McNally ponds. Larry Freilich stated it was abandoned. Lynn Boulton stated the water is too high (in Farmer's Pond) and there should be a way to send flow to the lower ponds; if water is taken away, how will you revegetate the area. Sally Manning stated you can't just walk away from the project; there needs to be value in the replacement, but Laws will continue to be pumped and continue with wrecked vegetation.

7. Future meeting schedule

The next meeting was scheduled for Thursday, January 21, 2021.

8. Adjourn

The Chairperson adjourned the meeting at 8:37 p.m.