

# MINUTES

# County of Inyo WATER COMMISSION

February 24, 2022

The Chairperson called the Water Commission meeting to order at 6:01 p.m. via videoconference. Water Commissioners in attendance were Teri Red Owl, Nate Gratz, Paul Huette, and Holly Alpert. Present from the Water Department were Aaron Steinwand, Laura Piper, Larry Freilich, and Keith Rainville.

## 1. Pledge of Allegiance

The Chairperson led the pledge of allegiance.

## 2. Public Comment

Sally Manning stated there are only four Commissioners' and are they missing Randy Keller. Teri Red Owl stated his term expired in December 2021; he applied for re-appointment which goes before the Board on March 1, 2022 and is participating as a member of the public this evening.

## 3. Approval of minutes from the September 14, 2021 meeting

Motion by Commissioner Alpert, seconded by Commissioner Gratz to approve the minutes of the September 14, 2021 Water Commission meeting. The Chairperson called a roll call vote; Teri Red Owl – Y, Nate Grate – Y, Paul Huette – Y, Holly Alpert – Y. Motion passed.

## 4. Commissioners' reports

Commissioner Red Owl thanked all the firefighters and first responders that defended Big Pine and the surrounding area from the recent fire and thanked Commissioner Huette for his volunteer service on the Big Pine Fire Department. Commissioner Huette thanked all the firefighters as well.

## 5. Request that the Water Commission adopt findings pursuant to AB 361 that: A) the Commission considered the circumstances of the existing State of Emergency issued on March 4, 2020, in response to the COVID-19 pandemic; and B) local officials continue to recommend measures to promote social distancing, and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

Commissioner Red Owl and Dr. Steinwand provided a brief overview of the current emergency status and the legislation driving AB 361. Motion by Commissioner Gratz, seconded by Commissioner Huette to find A) the Commission considered the circumstances of the existing State of Emergency issued on March 4, 2020, in response to the COVID-19 pandemic; and B) local officials continue to recommend measures to promote social distancing, and/or the state of emergency continues to directly impact the ability of the members to meet safely in person. Motion to approve by Nate Gratz, seconded by Paul Huette. The Chairperson called a roll call vote; Teri Red Owl – Y, Nate Grate – Y, Paul Huette – Y, Holly Alpert – Y. Motion passed.

## 6. Director's report

### a. Runoff and operations update

Dr. Steinwand shared the current precipitation conditions; stated we are at 64% of normal if no precipitation in the next month; and discussed the LADWP pumping table. Sally Manning stated the Big Pine pumping table has jumped way up; wells 218 and 219 are on as well as the the fish hatchery wells; LADWP stated pumped water is used in the valley but the pumped water is not; and all that water is going into Tinnemaha and probably to Owens Lake.

**b. Fish Springs Hatchery update**

Dr. Steinwand stated both wells at the fish hatchery began pumping in December as expected; most of the wells in Big Pine start a decline in the fall and rise in the summer which is a normal seasonal pattern; there will be further updates at the next meeting; CDFW and LADWP continue to look at engineering changes from the wells to the hatchery to permit CDFW to vary the flows from the wells to the hatchery.

**c. Update on Blackrock Waterfowl Management Area Interim Plan**

Dr. Steinwand stated last year the Standing Committee adjusted wetted acreage in the Blackrock Management area to follow an interim plan developed by staff and provided to the Technical Group, Standing Committee and MOU parties. The sites were wet up in September; met the targeted wetted 500 acres in early November; staff has conducted avian surveys this winter and wetted acreage will be measured again the beginning of March; diversions will be shut off at that time and the drawdown rate will be monitored. Nancy Masters asked the status of the burned river and the woody vegetation. Dr. Steinwand stated it was approximately 4,100 acres and appeared a lot of trees burned. Commissioner Huette stated there are still fires crews out there and more information will be forthcoming but from the river out about 100 feet, everything is gone.

**d. Status of McNally Ponds E/M report**

Dr. Steinwand stated this report will examine the conditions at existing mitigation site, McNally Ponds and an alternate site, near Farmer's Pond and is currently in a draft status; it will be presented at a Technical Group meeting scheduled prior to the upcoming Standing Committee meeting on March 24, 2022. Sally Manning asked if it was a joint document between Inyo and LADWP; she stated the EM projects between LADWP and Inyo are very controversial; and sometimes just benefiting a person. She stated this project seems to be just at the staff level with no public opportunity to broaden the perspective; and she feels this isn't the right way. She stated the Water Commission has the authority to make this a public process because otherwise it's not going to happen. Dr. Steinwand stated any change to an EM projects requires CEQA steps that need to be complied with and obviously that is a public process. The Board and staff discussed this item in detail. Lynn Boulton offered to take any of the Commissioners to the Farmers & McNally Ponds. Daris Moxley stated she's been on one of the Water Commission field trips to McNally to pond which was just a dry hole in the ground with a bunch of willows around it and now they are moving it somewhere else. Sally Manning asked how much water has not been delivered to the McNally Ponds. Dr. Steinwand stated he didn't have the sum total but it's been filled 15 of the 31 years. Sally Manning stated she thought there would be more of a report on fish springs; Big Pine Paiute Tribe sent a letter to CDFW with options on how to achieve the 12% pumping reduction; and Fish Springs deserves more attention. Nancy Masters stated she looks forward to reading the draft report; reviewed what mitigation is; asked those writing the plan to not describe the McNally ponds as infeasible; and that the new project gets described as additional mitigation. Lynn Boulton provided information on the water provided to the McNally Ponds from LADWP annual reports.

**7. Demonstration of Mitigation Projects Portfolio**

Larry Freilich provided a brief introduction to the mitigation projects portfolio and its functionality. Eileen Kelsey shared the mitigation map and gave a brief tutorial of how to navigate the information provided with Larry touching on the highlights. The Board and staff discussed this item in detail with possible changes. The Board thanked Eileen & Larry for their work on this project. Dr. Steinwand also provided recognition for the project to Zach Nelson. Nancy Masters thanked Eileen Kelsey. Sally Manning thanked Eileen; stated the Technical Group is supposed to have monitoring and mitigation plans on each of the projects; and they are missing the final EIR. Daris Moxley thanked Eileen & Larry and stated she can hardly wait to use the map. Nancy Masters asked if there was any way to include LADWP's canal and ditch maintenance program; some of the Ag projects and tree lots are habitat promoting as well; and presumably LADWP is going to remove 100 trees from the Independence Tree lot.

**8. Presentation and status of Coso Hay Ranch project**

Dr. Steinwand stated he wished to introduce this item and provided a brief background of the Coso Hay Ranch project. Keith Rainville provided a detailed Power Point presentation on the project and its history; the hydrology and monitoring system and data; adaptive management; the groundwater modeling; and the pumping extension. Sally Manning stated this is gambling with hydro geologic modeling; the water has done nothing for generating power at Coso geothermal; it continues to decline; and when will we see recovery. Randy Keller stated he was involved in this and the idea was to protect the resource out there which is the lake, it's nice to see the models to make sure a negative effect isn't caused on the lake and thanked Keith Rainville for the presentation. The Commissioners and staff discussed this in detail. Nancy

Masters asked if water will continue to be available to Rose Valley from the Haiwee reservoirs after the repairs to the dams. Sally Manning stated that the Inyo County Water Commission voted 3-2 against his project; and please update the Hay Ranch PP on the Inyo County Water Department website.

## **9. Future meeting schedule**

Dr. Steinwand explained the requirements for meeting remotely with regard to AB 361 and the timeline of the pumping plan. The Board wished to have a virtual meeting on April 25 and a workshop with the Board on Tuesday, April 26, 2022. For AB 361 purposes, a meeting will be scheduled the week of March 14, 2022.

## **11. Adjourn**

The Chairperson adjourned the meeting at 8:50 p.m.