

# MINUTES

# County of Inyo WATER COMMISSION

April 24, 2023

The Chairperson called the Water Commission meeting to order at 6:00 p.m. at the Inyo County Water Department. Water Commissioners in attendance were Teri Red Owl, Randy Keller, Nate Gratz, Paul Huette, and Dan Berry. Present from the Water Department were Holly Alpert, Laura Piper, and Tim Moore.

## **1. Pledge of Allegiance**

The Chairperson led the pledge of allegiance.

## **2. Public Comment**

Sally Manning stated she would like public comment at the end of the agenda and that it was previously there, and for agenda items to be identified as action or discussion. Wendy Schneider requested more advance notice of meetings, and more outreach. Mike Godbe stated he would like the Water Commission to make specific recommendations to the Inyo County Board of Supervisors to provide direction to the Water Department, specifically regarding the 10-day pumping plan window; Inyo Board to have a special meeting the last weekday before May 1 to give sufficient time for public comment; and the Board to direct the Water Department to have outreach meetings in this period to plan ahead and explain this hard-to-understand pumping plan document to the public. Allison Weber seconded the above comments and supported more public outreach for the pumping plan.

## **3. Election of Water Commission Chairperson and Vice Chairperson**

Motion by Randy Keller to elect Teri Red Owl as Chairperson, seconded by Nate Gratz Motion passed.

Motion by Paul Huette to elect Nate Gratz as Vice Chairperson, seconded by Randy Keller. Motion passed.

## **4. Approval of minutes from April 25, 2022**

Motion to approve the April 25, 2022, minutes by Paul Huette, seconded by Nate Gratz. Motion passed, one abstention – Dan Berry.

## **5. Commissioner's reports**

Dan Berry provided an introduction; stated he looks forward to serving on the Commission; he grew up here, his family has been in the valley since the 1800's; and he recently returned to the valley. Paul Huette stated he serves on the Commission because he cares about our area and would like to bring some indigenous perspective as well as his own on how the water should be kept in our area. Teri Red Owl stated she attended a 3-day California Tribal Water Summit in Sacramento; stated they are trying to conserve water resources; and be more inclusive with Tribes and giving the Tribes a voice in how water policies are set. She encouraged the public to stay involved and continue to provide input.

## **6. Discussion of LADWP's 2023/24 Draft Annual Operations Plan**

Holly Alpert provided a PowerPoint presentation and gave an in-depth review of LADWP's 2023/24 Draft Annual Operations Plan. Holly Alpert and the Commissioners discussed this item in detail and at length. Sally Manning questioned the depth to water comparison and if there are any changes in depth to water south of Big Pine, specifically the

Fish Hatchery? She stated if there are changes, LADWP has been turning wells on and off and is the Water Department is monitoring it frequently. Dr. Steinwand stated they are monitored monthly. Commissioner Huette stated this should be closely monitored. Sally Manning stated Fish Springs Hatchery is a mitigation project, has it been fulfilled or changed; LADWP can't stop or change a mitigation project without telling anyone; maybe this project can be a future agenda item. She stated the white dot isn't useful on the graph, it should be lower or higher for vegetation. Tim Moore stated the readings are not done on the same day, but in the course of a month so there is variability, it is not exact. Commissioner Huette asked for the coloring to be different for the dots on the graph. Commissioner Gratz stated there were maps that showed the different vegetation types, but he hasn't seen the difference indicated for some time. Dr. Alpert stated she would follow up with Zach Nelson. Commissioner Keller stated there were also maps regarding shrubs/grass cover which had shown shrubs taking over grass areas which is what we are supposed to prevent and stated that is something that should be focused on because it's changing conditions. He stated maybe in the fall that could be reviewed after the measurements are taken. Sally Manning stated the Cover/Shrub/Grass graph doesn't share enough information and it's wrong to show it this way because they are just percent cover and all the vegetation out there is not the same, shrubs are increasing, and grass is declining; and how is pumping managed with a graph like this. Commissioner Huette stated how can we be proactive without a big runoff year when you are in drought. Sally Manning stated in approximately 2010, the field methods changed; she questioned the low range pumping in the Big Pine wellfield. Dr. Steinwand stated the Water Dept is planning to follow up on that. Nancy Masters asked if the Water Department knew of any water banking outside the area other than the news report regarding Ridgecrest and Freeman Gulch. Dr. Alpert stated they are spreading in both Indian Wells and Rose Valley. Commissioner Red Owl stated at the last Standing Committee meeting when the discussion came up regarding possible spreading in Rose Valley, she stated she was not in favor and requested the water stay in this basin. Nancy Masters asked if LADWP had a plan of action to remedy the wells that read below baseline, there are many in south county that have consistently read below baseline.

Commissioner Keller stated last year in Taboose-Aberdeen and Thibaut-Sawmill they pumped close to the maximum and everything else was down towards the minimum and it doesn't look like there has been an effort to reduce pumping in that area. Commissioner Huette asked to see a line for baseline on the DTW well graphs for comparison. Sally Manning stated the monitoring sites status was not shown, on/off. Lynn Boulton asked if the stop light map was comparing to baseline, Dr. Alpert stated that is correct. Lynn Boulton stated she has been out to those type C parcels and the shrubs look like they are transitioning from Type C to B or even A and water is just going to bring more shrubs. She stated she'd like to see the slides separated by vegetation type; page 2-29 figure 2.25 all wellfields are below baseline except Taboose- Aberdeen; the pumping plan shows uses but the whole pumping plan doesn't show how each of those types of uses will be supplied, by surface water or pumping. Dr. Steinwand stated it varies and the Water Dept. never agreed with the calculation. Lynn Boulton also stated it's not clear in LADWP's report which E/M projects are counting against us; are they applying the water spread towards our deficit; and how much went to the Blackrock Waterfowl Management Area, she would like to see these separated out. She also had questions regarding the Bishop Cone. Commissioner Keller stated the County never agreed with the whole deficit idea, Lynn Boulton asked if there was a way to remove it. Commissioner Keller stated there are many things the County doesn't agree with in the report, but Inyo is on the Standing Committee, so they do have the opportunity to raise the flag. Lynn Boulton also requested a field trip to Reinhackle Spring; requested the OVGA database be updated with current information, it's a few years behind. Tim Moore stated it is current up through September 2022. He stated water level information is provided by LADWP annually in the fall, so that is when the database is updated. Philip Anaya inquired about the LADWP transducers; Tim Moore explained the process. He stated the Bishop Cone is not included in the plan for indicator wells for the basin. Philip Anaya stated he would like to see Bishop Cone included in the discussions of the indicator wells; would like to see Inyo County and LADWP together do a groundwater sustainability plan on the adjudicated portion of the basin; stated the water that goes in the aqueduct is comingled; it's hard to distinguish something that comes out of the ground and something that is surface flow and it's his understanding groundwater is not allowed to be transferred from this basin to another; if the Supervisors are going to allow water exports to go to the Indian Wells Valley, the Supervisors need to approve that according to the JPA that we have in the Indian Wells Valley. Edie Trimmer stated she agreed with Lynn Boulton on the concern with Reinhackle Spring and we have lost many springs in the Owens Valley; what does the Water Commission feel their role is in evaluating how well the vision of the LTWA has been met and providing a review of how well it's working. Commissioner Red Owl stated we share our thoughts on the Operations Plan and the goals typically come through workshops with the Inyo County Board of Supervisors. She stated they do not have the authority to make changes even if all agreed goals were not being met; however, they can bring the public's comments and concerns to the attention of the Board of Supervisors that do have the power to initiate change. Sally Manning stated time passes, things change, and what exactly are the conditions and what have we done in the past thirty years. Edie asked about having

a hearing regarding the plan, Teri stated we could break it down into sections and put it on the agenda, but it is too large to cover in one meeting. Commissioner Huette stated he was disheartened last year when they brought their recommendation to the Board on the pumping plan, and nothing was changed. Commissioner Huette stated maybe it can be changed through a process where the Commission has authority to effect change. Commissioner Keller stated the Water Commission is an advisory Board and does not have the power to go out on their own unless the Board directs the Commission. He stated as far as the Water Agreement working, it has standards that are to be achieved and it's fallen short in some places and done well in others. He stated he does not feel the Commission is ineffective, and restated we are an advisory Board; It is to hear public comments and make sure they are brought before the Board; and he stated that is important. To put the Commission into a management agency in the county would be a complete rewrite of the charter, which the Board can do, but it would be a big deal. Commissioner Huette stating meeting with the Board once a year for 20 minutes to relay the public's comments doesn't seem due diligence. Lynn Boulton stated she would like to see outreach to the Eastern Sierra Community so that people who live here understand the pumping plan and Water Agreement and how things stand; there was a lot of discussion in the pumping plan regarding the maximum capacity that LADWP could pump and it grew this year because so many more wells are turned on because all the on/off wells are on with the exception of three so they put in the maximum capacity of each of those wells; they can't pump the maximum because the criteria in the LTWA are limiting so it's deceptive. Philip Anaya stated he would like to see the Water Commission establish some priority projects or issues and reach out to the people who attend the meetings or interested parties to form an ad hoc committee to work on establishing some of those goals; he would like to see the water rights under every reservation that does not have them, get them; and stated it's ridiculous to him that the Bishop Tribe does not have the water rights under the Bishop reservation. Sally Manning stated in last year's comments on the pumping plan the Inyo County Water Department stated the minimal pumping was 55,000 af for in-valley and this year LADWP is only proposing to pump about 40,000 af; where does the minimum pumping come from. Dr. Steinwand stated there is a paragraph in Inyo County's response letter that describes what that is and where it comes from. Nancy Masters stated this is addressing the areas of the wells that haven't recovered to baseline; we have a tremendous amount of water this year and this is the year for our natural water courses to receive the benefit of that; there's environmental benefit having water course down Oak Creek/Independence Creek for example but LADWP has established diversions high up on the alluvial fan, and doing a lot of work that has not been subjected to oversight or CEQA by creating dikes and all kinds of things. She stated she personally knows the Boards are set low on the South Fork of Oak Creek so the water spreads on the alluvial fan instead of heading down creek; and who has the authority to change that paradigm: Forest Service or CDFW. She stated this could also be the year we get a lot of water down the LORP. Dr. Steinwand stated in a year like this, public safety will be the main concern. Commissioner Huette stated so they won't be exporting water, Dr. Alpert stated in the second half of the year they would review their needs. Commissioner Huette stated they gave a number of 40,000 AF; with all this water why are they exporting at all. Dr. Alpert stated the Water Dept. recommendation is that no pumped water be exported, there is ample surface water and stated the pumped is for in-valley uses. Commissioner Gratz stated two years ago there was a riparian study being conducted and did anything ever come of that study. Dr. Alpert stated Meredith Jabis has two years of results with another summer of fieldwork and come this fall when the data are processed, we will bring it back to the Water Commission. Commissioner Red Owl stated the Water Commission concurred with the Water Department on the pumping response to go with the low range of pumping and no groundwater be exported. Commissioner Red Owl stated she would like to see all the water spreading here in the valley unless it poses a health and safety risk, then to Rose Valley or other areas. The Commissioners discussed this in detail.

## **7. Future meeting schedule**

The next Water Commission meeting was scheduled for Tuesday, July 25, 2023.

## **9. Adjourn**

The Chairperson adjourned the meeting at 8:33 p.m.