

2011-2012 Director's Report

The Inyo County Water Department's efforts during 2011-2012 were aimed, as in prior years, at our overall mission of assisting in the implementation of the County's water resources policies through the Inyo/Los Angeles Long-Term Water Agreement, which provides for County involvement in LADWP water-related activities, County Ordinance 1004 (Groundwater Ordinance), which regulates inter-basin groundwater transfers proposed by non-LADWP entities, and other water-related issues faced by the County. This mission is accomplished through four general Department activities: oversight of LADWP water management through the Inyo/Los Angeles Technical Group and Standing Committee; environmental monitoring to assess impacts of LADWP activities and compliance with Water Agreement goals; planning, monitoring, and implementation of mitigation measures associated with the Water Agreement; and assessment of impacts and development of monitoring and mitigation measures related to non-LADWP water management activities.

In addition to core monitoring activities and implementation of mitigation projects, 2011-2012 found the Water Department embroiled in two disputes with LADWP concerning the Annual Operations Plan, cooperating with LADWP on investigations into the feasibility of developing groundwater at Owens Lake to supply dust abatement projects, coordinating with other County departments and the California Energy Commission to analyze the effects of a proposed solar development in the California portion of Pahrump Valley, and finalization of an addendum to the Hydrologic Monitoring and Mitigation Plan for the Coso/Hay Ranch Groundwater transfer project.

Evaluation of LADWP's Annual Operations Plan is an annual task for the Water Department. The Water Agreement provides for the Water Department and LADWP to jointly manage groundwater pumping through the Annual Operations Plan, monitoring of plant water requirements and soil moisture at key monitoring sites, and turning wells on or off according to whether monitoring results show that adequate soil moisture is present. In 2011-2012, LADWP planned to pump 91,000 acre-feet in Owens Valley. Of particular concern to the Water Department was the 17,200 acre-feet of pumping proposed for Thibaut-Sawmill well field and the 14,000 acre-feet of pumping proposed for the Taboose-Aberdeen well field. Vegetation conditions in parcel Blackrock 94, a 336 acre parcel southwest of the Black Rock Fish Hatchery, have been the subject of a Technical Group evaluation for the past several years (see below). Because there is an ongoing investigation into whether vegetation conditions in this area have been negatively impacted, the County requested that pumping should be reduced to levels less than proposed by Los Angeles. Despite the County's request, LADWP finalized their Annual Operations Plan with the pumping levels unchanged. In response, on June 29, 2011, the County filed a notice of dispute seeking to reduce pumping in the Taboose-Aberdeen well field to 10,000 acre-feet and to reduce pumping the Thibaut-Sawmill well field to 12,800 acre-feet. After much discussion at the Technical Group, LADWP eventually agreed to reduce pumping in these well fields, but offset the reductions with increases in other well fields, and also filed a counter-dispute concerning the Water Agreement procedures that must be followed by the Technical Group for evaluating proposed Annual Operations Plan. That dispute resulted in a finding that the Technical Group should follow the Water Agreement's process for developing mitigation plans to consider an allegation that an Annual Operations Plan could have significant negative impacts (concurring with LADWP's position). The finding also addressed a number the County's concerns by stating that when dealing with disagreements and disputes, the Technical

Group must cooperate expeditiously and in good faith to report such disagreements to the Standing Committee.

The technical appendix to the Water Agreement, the "Green Book," describes the methods and protocols for conducting the measurements and analysis to manage pumping. The Green Book was developed and adopted over twenty years ago, and since then, it has been recognized that managing pumping based on water table conditions would be more effective than the present method based on soil moisture and vegetation abundance. The Water Department has continued development of water table based methods for managing pumping. For the purpose of assessing vegetation conditions relative to the mid-1980s baseline conditions as established by the Water Agreement, the County has continued its annual program of monitoring approximately 111 vegetation parcels valley-wide. Among the Water Agreement's primary goals are commitments to avoid adverse impacts to groundwater dependent vegetation, and collecting vegetation data to assess those goals is a central activity at the Water Department.

The Technical Group is evaluating whether there has been a measurable and significant change due to LADWP water management in vegetation parcel Blackrock 94, in the Thibaut-Sawmill well field. The Water Department requested that the Technical Group examine this question in June, 2009, and LADWP agreed to the evaluation in October, 2009. To facilitate this effort, the Water Department took the lead in conducting the analysis, and presented its results in a comprehensive report (February, 2011), concluding that LADWP activities had resulted in and were continuing to cause negative changes to groundwater-dependent vegetation in the parcel. To date, LADWP's response to the Water Department's report has been incomplete. The Technical Group's work on this evaluation is an important test of the effectiveness the Water Agreement's provisions for avoiding and mitigating negative impacts due to LADWP water management.

The Water Agreement and 1991 Final Environmental Impact Report specify over fifty mitigation projects associated with the Water Agreement. The Department's role in these projects includes implementation of the Saltcedar control program, joint implementation with LADWP of the Lower Owens River Project (LORP), development of plans for as-yet unimplemented projects, and monitoring progress of projects that have been implemented. With the support of a grant from the Sierra Nevada Conservancy, Inyo County developed a draft Recreational Use Plan (RUP) for the LORP. The development of the RUP resulted from collaboration between the Water Department, the County Administrator, the County Planning Department, LADWP, and a consultant (MIG Inc.). We are currently exploring funding opportunities to complete the Plan. The Water Department obtained a grant from the California Wildlife Conservation Board for \$385,000 to support continuation of our Saltcedar control program. This grant will support the program for a further three years.