

# MINUTES

# Owens Valley Groundwater Authority

## Board Members:

<b>INDIAN CREEK-WESTRIDGE CSD</b>	Luis Elias	<b>BIG PINE CSD</b>	BryAnna Vaughan
<b>COUNTY OF MONO</b>	Fred Stump	<b>LONE PINE PAIUTE SHOSHONE TRIBE</b>	Mel Joseph
<b>CITY OF BISHOP</b>	Chris Costello	<b>OWENS VALLEY COMMITTEE</b>	Mary Roper
<b>COUNTY OF INYO</b>	Dan Totheroh		

December 10, 2020

The Owens Valley Groundwater Authority meeting was called to order at 2:06 p.m. via videoconference.

### **1. Pledge of allegiance**

The Chairman led the pledge of allegiance.

### **2. Public Comment**

The Chairperson opened up public comment and there was no one wishing to address the Board.

### **3. Introductions**

The Board introduced themselves with no alternates in attendance.

### **4. Approval of minutes from the November 12, 2020 OVGA Board meeting**

The Chairperson requested a motion to approve the minutes of the November 12, 2020 meeting. Motion to approve by Dan Totheroh, seconded by Mary Roper. The Chairperson requested a roll call vote; Luis Elias – Y, Fred Stump – Y, Chris Costello – Y, Dan Totheroh - Y, BryAnna Vaughan – Y, Mel Joseph - Y, Mary Roper - Y . Motion passed 7 Yes.

### **5. Board Member Reports**

The Chairperson requested this item be moved to the end of the meeting, the Board concurred.

### **6. OVGA staff reports**

- a. Financial Report
- b. Report on website development
- c. Report on Indian Well Valley Groundwater Authority activities
- d. Report on Stakeholder Engagement efforts

Laura Piper, Inyo County Water Department provided the financial report and stated the OVGA cash balance is \$331,184.41; expenses were \$115,077.75 to consultant; \$10,800 to website design consultant; \$8,673.75 in staff costs; and \$2,275 to Fechtor and Company for the 2018/19 audit. Ms. Piper stated the new OVGA website is complete and live (ovga.us); also an OVGA Facebook page; and thanked Julie Faber for the exceptional design of the new website. John Vallejo stated the lawsuits have started to flow in for the Indian Wells Groundwater Authority; they are being sued by a number of agricultural and commercial interests; the public water district (not IWVGA) is actively engaged with LADWP to get an aqueduct project to refill the basin down there. Lynn Boulton asked if they submitted an inquiry to the Montecito Water District to buy water from them; John Vallejo stated he was not aware of a specific inquiry to Montecito but IWVGA has hired a group to seek water sources that are available via the aqueduct. Sally Manning stated the conflicts that IWVGA is seeing is due to the different state policies towards water; the state should be involved to resolve this; and it's a problem at the state level. Lynn Boulton asked is there any legal way to say it's unrealistic to outsource for the water; John Vallejo said the state can deny approval of the GSP; the state can then step in and take over management. Wendy Sugimura, Mono County, provided the update on the stakeholder engagement efforts; she said there has been outreach to Tri-Valley GWMD; a few meetings have been attended for them to provide their input; OVGA staff will be providing a

presentation at their December 16, 2020 meeting; given the current COVID situation and that Wi-Fi service in that area is spotty, staff will provide a survey that will be mailed to all property owners in that area and if they have further input, staff will contact them via telephone on an individual basis; Aaron will provide the input on other areas at a future meeting; and similar presentations will be provided in other management areas. Jason Canger asked about timing for the Tri-Valley and broader Owens Valley, Wendy stated Aaron would announce dates in early January and for Tri-Valley there is the presentation on December 16 scheduled; and the survey will be provided timely to ensure there is time for input before the plan. He asked if Wendy would be providing outreach in the outlying areas as well, she stated it would be a coordinated effort between OVGA staff.

#### **7. Update on Tri-Valley Groundwater Management District request to Mono County and possible authorization for Executive Manager to submit public comment to the Mono County Board of Supervisors**

John Vallejo stated staff from Inyo and Mono discussed that at the Tri-Valley GWMD's last meeting and instructed their staff to write a letter to Mono County requesting that Mono County exit from the OVGA Board; Mono County will consider that request on December 15, 2020; Inyo County wrote a staff report with potential consequences should Mono County withdraw from the OVGA Board which is before the OVGA Board to decide if they would like to provide input to Mono County. The Board and staff discussed this item in great detail and at length. Geri Bassett, Tri Valley Board member, stated she was not speaking on behalf of the Board but she knows there is concern about adequate representation of the issues in Tri-Valley; Tri-Valley would not have joined the JPA if we were rated a low basin to start with; the Tri Valley Board feels it is best as things change for them to become a separate GSA if they can get the status back from DWR; and part of the request is to ask Mono County to withdraw from the OVGA. A public comment from Tai Devore, Bishop Area Climbers Coalition President was read into the record. Philip Anaya stated it seems that the GSA entities came together to form this authority to form one entire basin; instead of several GSP's trying to reconcile with each other; Tri Valley should consider rejoining the OVGA. Jason Canger stated he is representing Tri-Valley; the staff report makes an assumption that the GSP would change; he stated that's not a decision before the Board at this time; the grant agreement obligates the OVGA to prepare a GSP for the entire basin; Mono County's withdrawal doesn't prevent or change that obligation; implementation of the plan would be a separate issue; the comment that Mono County represents more than just the Tri-Valley area is true but the majority of the parts inhabited by people are the Tri Valley parts; he is still unclear that because the OVGA is still a low priority basin, will they move to implement the plan. John Vallejo stated the plan is not completed so the Board can't make a decision to implement until it is complete so there is not an answer to that at this time. Jason Canger asked if it is the Boards intent to craft a plan for implementation; the Chairperson stated that is more a question for the consultant and reiterated what John Vallejo stated previously. John Vallejo stated at this point they can't answer whether or not Tri-Valley will be regulated by the GSP. The Chairperson stated this discussion is not part of the agenda item. The Board requested that staff prepare a letter to the Mono County Board of Supervisors and staff should discuss the differences; Motion by Luis Elias, seconded by BryAnna Vaughan to write a letter to the Mono County Board from the OVGA to be delivered prior to the December 15, 2020 meeting. The Chairperson requested a roll call vote; Luis Elias – Y, Fred Stump – abstain, Chris Costello – Y, Dan Totheroh – Y, BryAnna Vaughan – Y, Mel Joseph – Y, Mary Roper – Y, motion passed 6 yes, 1 abstention.

#### **8. Election of OVGA Chairperson and Vice-Chairperson**

Dan Totheroh made a motion to appoint Bryanna Vaughan as Chairperson, seconded by Mary Roper. The Chairperson requested a roll call vote; Luis Elias – Y, Fred Stump – Y, Chris Costello – Y, Dan Totheroh - Y, BryAnna Vaughan – abstain, Mel Joseph - Y, Mary Roper - Y . Motion passed 6 yes, 1 abstention.

Luis Elias made a motion to appoint Dan Totheroh as Vice-Chairperson, seconded by Mary Roper. The Chairperson requested a roll call vote; Luis Elias – Y, Fred Stump – Y, Chris Costello – Y, Dan Totheroh - abstain, BryAnna Vaughan – Y, Mel Joseph - Y, Mary Roper - Y . Motion passed 6 yes, 1 abstention.

The Chairperson called a break at 3:47 pm and reconvened the meeting at 3:58 pm.

#### **9. Presentation from Daniel B. Stephens and Associates on elements of the Groundwater Sustainability Plan**

Tony Morgan provided a brief presentation on the GSP update; status on the sampling and analysis plan; draft monitoring plan and data gaps analysis report; data and water quality; and what is included in the GSP. Gus Tolley provided a presentation on the sustainable management criteria; detailed information on evaluating the SMC and changes every 5 years if necessary. The Board and staff discussed this in detail. April Zrelak stated she wanted to support the use of management triggers. Sally Manning stated she disagrees that the minimum thresholds should be the lowest groundwater elevation during the recent drought. Lynn Boulton inquired if you can report to DWR if LADWP is affecting the non-adjudicated area of the basin; John Vallejo stated the LTWA is its own GSP and the OVGA is trying to coordinate with that which is a court order. Sally Manning stated Inyo County needs to do a better job of upholding the LTWA. Lynn Boulton asked will this GSP monitor deep aquifer sustainability; is LADWP adjudicated groundwater basin applicable to the deep aquifer and not just shallow aquifers; if they tap deep aquifers will it be visible in OVGA GSP area. Gus Tolley & Keith Rainville provided a detailed response. Sally Manning reinstated she objects to the minimum thresholds. April Zrelak stated water banking may raise groundwater levels until it's pumped out, which wouldn't be a natural movement. Sally Manning stated this is late in the game to talk about sustainable criteria without having reached out to the various communities to see what they want. Tony Morgan stated these are suggestions; there is a stakeholder process that can change these

criteria. Lynn Boulton asked if a minimum threshold is set which is the drought, then the standard is set to low and we don't want to make the drought the standard.

#### **10. Discussion regarding future agenda items and set next OVGA meeting**

Change by-laws to elect Chair/Vice Chair at the first meeting of the calendar year. Philip Anaya stated he would like to see on a future agenda, the possibility that Keeler may be asked to provide water to the conglomerate mesa project.

The Chairperson thanked Fred Stump and Chris Costello for their service on the OVGA Board.

The next meeting was scheduled for January 14, 2020 via videoconference.

#### **11. Adjourn**

The Chairperson adjourned the meeting at 5:20 pm.