

# MINUTES

# Owens Valley Groundwater Authority

## Board Members:

INDIAN CREEK-WESTRIDGE CSD	Luis Elias	BIG PINE CSD	BryAnna Vaughan
COUNTY OF MONO	Rhonda Duggan	LONE PINE PAIUTE SHOSHONE TRIBE	Mel Joseph
CITY OF BISHOP	Karen Kong	OWENS VALLEY COMMITTEE	Mary Roper
COUNTY OF INYO	Dan Totheroh		

September 9, 2021

The Owens Valley Groundwater Authority meeting was called to order at 2:04 p.m. via videoconference.

### 1. Pledge of allegiance

The Chairperson led the pledge of allegiance.

### 2. Public Comment

Carol Ann Mitchell (TVGWMD) stated on behalf of the TVGWMD the Board of Directors asked her to make the following comments to your Board: "At the July 22, 2021 meeting of the OVG Board, you received a letter from County Counsel, Emily Fox regarding a Tri-Valley request to change the boundary of the Owens Valley basin to allow for their groundwater sustainability agency request to DWR to move forward. We wish only to point out today that your Board has not taken any action on this letter or this item to date".

### 3. Introductions

The Board introduced themselves with one alternate in attendance for Owens Valley Committee, Kammi Foote.

### 4. Approval of minutes from the August 12, 2021 Board meeting

The Chairperson requested a motion to approve the minutes of the August 12, 2021 meeting. Motion to approve the minutes by Dan Totheroh, seconded by Karen Kong. The Chairperson requested a roll call vote; Luis Elias – abstain, Rhonda Duggan – Y, Karen Kong – Y, Dan Totheroh - Y, BryAnna Vaughan – Y, Mel Joseph - Y, Kammi Foote – abstain. Motion passed 5 Yes, 2 abstentions.

### 5. Board Member Reports

The Chairperson opened up Board Member reports and there were no reports or updates provided.

### 6. OVG staff reports

#### a. Financial Report

Laura Piper, Inyo County Water Department provided the financial report and stated the OVG cash balance is \$404,389.19; expenses were \$3885.57 in staff services costs.

#### b. Tri-Valley survey update

Dr. Steinwand stated this is a preliminary purview of the results from the Tri-Valley survey mailer that was sent out in May; a total of 512 surveys were sent out; approximately 40 were received; Michael Draper has been leading the effort on this; and wanted to recognize Michael and Wendy for doing the heavy lifting.

### 7. Discussion and possible direction to staff regarding the administrative draft Groundwater Sustainability Plan

Mel Joseph stated the Lone Pine Paiute Shoshone Tribe has a comment; "there is additional information that needs to come forth because the Board may not be aware of the dispute issues that really affect the tribe and that would be that the GSP should apply to Owens Lake to govern any future projects to prevent any new impacts or changes to groundwater resources under SGMA; the jurisdictional dispute is a hindrance to this process, knowing that the California State Lands Commission makes the final decision for their property on the lakebed; the area around the lakebed must be regulated by the GSP to insure protections against negative impacts from the proposed pumping; and the OVG by design we feel is a better environmental steward". The Board and staff discussed this item in detail and at length. Dr. Steinwand stated the appendices are the JPA, LTWA, GDE chapter, groundwater dependent vegetation subsidence, the water balance, and the hydro conceptual model. Philip Anaya stated he wished to thank Dr. Steinwand for putting this

administrative draft document on the OVGA website; there is a lot of information within this document; he requested they identify state agencies with a C for reference; he doesn't believe the basin is managed sustainably; he's concerned about what happens across the adjudicated/non-adjudicated boundary; would like surface water recharge to be added to the projects; and thanked Dr. Steinwand and the consultant for all their hard work. April Zrelak stated on page 17 there's a comment that the Owens Lake management area has poor water quality; differentiates between the other management areas as having good water quality; then on page 24 it says that the water quality in that area will not currently be monitored or regulated unless something occurs; is the poor water quality now the baseline. Dr. Steinwand stated we will have to clarify that information. Sally Manning stated it sounds like public input you have been receiving to date is going to be stuffed into an appendix with some responses as opposed to taking good input of people that have been coming to these meetings for five and six years and incorporate the important ones; and is concerned this GSP will grandfather in DWP's damage to the Owens Valley to date; stated you are just filling in the blanks of a form the state sent; this should be a local plan for our water future; and the Board will have to live with this knowing they had the opportunity to take charge of planning for our own water future. Carol Ann Mitchell asked that the letter that Emily Fox wrote to the Board which is in your packet today be entered in as public comment. Philip Anaya stated if this was a local plan the things the public were talking about would be addressed within the plan; he doesn't think he saw anything about how we are going to address the adjudicated non-adjudicated boundary; and make it expensive for LADWP every time they have to file their annual report to the DWR. Lynn Boulton stated you were deciding to only have the minimum criteria and we were suggesting in public comments that there could be other criteria like timing and how long would you be at the lower threshold which could be incorporated into the mainstream text, not just an appendix. The Board and staff requested a paragraph of some history with LADWP within the GSP document. Dr. Steinwand shared the upcoming schedule for OVGA meetings, stakeholder outreach and the hearing to approve the final GSP in December.

**8. Action item: Direct staff to provide notice pursuant to Water Code Section 10728.4 of the OVGA's intent to adopt the proposed Groundwater Sustainability Plan and set the hearing date for the adoption of the proposed Groundwater Sustainability Plan**

Dr. Steinwand stated he would briefly introduce this, that it is a requirement of SGMA; that 90 days prior to adopting or amending the GSP that you provide notice. Dr. Steinwand read the following: "Notice is hereby given that, pursuant to California Water Code section 10728.4, the Owens Valley Groundwater Authority (Authority) will hold a Public hearing to consider adoption of the Owens Valley Groundwater Authority Groundwater Sustainability Plan (GSP) via Zoom on December 9, 2021, or as soon thereafter as the matter may be heard. All interested persons are invited to attend the above described public hearing. The Authority Board of Directors will receive and consider oral and written comments during the public hearing before making a decision regarding adoption of the GSP. The draft GSP will be available in its entirety on September 23, 2021 online at [www.ovga.us/documents](http://www.ovga.us/documents)".

The Chairperson requested a motion to approve the Owens Valley Groundwater Basin Management Areas as presented. Dan Totheroh made a motion to direct staff to do all they have suggested to meet the California Water Code section 10728.4, seconded by Rhonda Duggan. The Chairperson requested a roll call vote; Luis Elias – Y, Rhonda Duggan – Y, Karen Kong – Y, Dan Totheroh - Y, BryAnna Vaughan. – Y, Mel Joseph – absent, Kammi Foote - Y. Motion passed 6 Yes, 1 absent.

**9. Correspondence: comment letter from Tri-Valley Groundwater Management District, August 27, 2021**

Dr. Steinwand stated we had a request previously that this be included in public comment.

**10. Discussion regarding future agenda items**

Dr. Steinwand stated as he mentioned earlier he doesn't anticipate an October meeting and the November meeting would be one item to go over the response to comments and review the status and any correspondence. The meeting will be a special meeting held on November 18, 2021 due to the Veteran's Day holiday. Philip Anaya stated he felt Dr. Steinwand heard what he was asking for; he's supportive of Mr. Totheroh's idea of a de minimus owner of a well contributing to the expense down the road of the authority; and he feels having an October meeting would double opportunity for public input.

**10. Adjourn**

The Chairperson adjourned the meeting at 3:24 pm.