

# OWENS VALLEY GROUNDWATER AUTHORITY

Big Pine CSD – City of Bishop – County of Inyo – County of Mono – Indian Creek-Westridge CSD  
Interested Parties: Lone Pine Paiute Shoshone Tribe - Owens Valley Committee

---

P.O. Box 337  
135 Jackson Street  
Independence, CA 93526

Phone: (760) 878-0001  
Fax: (760) 878-2552  
www.inyowater.org

## Staff Report

Date: December 9, 2021

Subject: Item #6: Public Hearing pursuant to California Water Code section 10728.4 to consider adoption of the Owens Valley Groundwater Authority Groundwater Sustainability Plan (GSP). Consider and potentially adopt GSP and direct staff to submit GSP to the California Department of Water Resources in accordance with required procedures. Provide any other desired direction to staff.

---

The OVGA will consider adopting the proposed Final Groundwater Sustainability Plan (GSP) for the Owens Valley and potentially provide direction to staff. The Public Review Draft GSP was released for public comment on September 23, 2021. Comments were reviewed by the OVGA on November 18, and staff have prepared responses to all comments for inclusion in the GSP. In the process of developing the response to comments included in Appendix 6 and in revisions to the GSP, staff identified policy issues the OVGA should consider as part of this agenda item. This staff report outlines those issues to assist the OVGA Board.

### **Program for Impacts Caused by Management Activities Outside the Basin**

The Final GSP recognizes that the OVGA has no authority and cannot mutually manage water activities on lands subject to the Long Term Water Agreement (LTWA). Several letters, however, commented on the inability of the OVGA to regulate pumping by the Los Angeles Department of Water and Power (LADWP) or how to coordinate the GSP with the LTWA. These comments were addressed in General Comment #2 and by elaborating on LTWA provisions that apply to the GSP area added to several places in the GSP. Specifically, pumping impacts from LADWP wells are subject to the LTWA provisions to protect private wells and avoid other significant effects, and the OVGA will coordinate with LADWP and Inyo County in identifying and mitigating such impacts. While LADWP was the focus of public comments, the issue extends to any groundwater use or management outside of the Basin or GSP area that may trigger undesirable effects exceed minimum thresholds within the Basin.

While the method and means of engaging with an entity causing such impacts is unknown and cannot be prescribed at this time, a policy could be added to the GSP to guide how the OVGA would engage with entities outside the Basin or GSP area to manage such impacts.

Potential proposed project or policy addition:

*If undesirable results or minimum thresholds are determined to be triggered by groundwater use or management outside of the Owens Valley Basin, the OVGA shall*

*engage with the appropriate parties and regulatory mechanisms to coordinate on mitigating and alleviating the impacts caused within the GSP boundaries.*

The GSP contains similar language at several points in the Final GSP, but staff request guidance whether to include an explicit project or statement to this effect. It could be added as a policy statement to the Guiding Principles pertaining to governance previously adopted by the Board as part of the Communications and Engagement Plan and included in the GSP Section 1.2. The policy would guide engagement with other agencies, and technical analyses would be completed on a case-by-case basis. Budgets would be developed in the future to accomplish these activities. Alternatively, it could be included as a project in this Final GSP. Because it could entail hydrologic evaluation and associated costs, those would have to be developed by staff. Amending the GSP in the future to include such a project is also an option if the need to engage with other agencies or complete hydrologic analyses arises regularly.

### **Miscellaneous issues or refinements to the GSP.**

In most instances, public comments were address directly and often were incorporated as revisions to the Final GSP. Several miscellaneous refinements to GSP are recommended for Board consideration or staff direction:

1. The GSP should reflect that the LTWA is not a court-ordered adjudication.

Staff discussion: We addressed this comment in General Comment #3 and in the GSP. References to the GSP area (lands subject to the GSP) were changed, but we retained the term adjudicated lands (LADWP lands in Inyo County) reflecting the representation in California Department of Water Resources maps and documents. The GSP states this usage is not meant as a legal definition to imply that the entire Basin is adjudicated.

2. In current or future iterations of the GSP, OVGA should advocate for legislative and regulatory language that includes LTWA areas within the Basin governed under SGMA.

Staff recommendation: The GSP has no authority over legislation that defines whether LTWA areas within the Basin are governed under SGMA. If desired, the Board could pursue this request as a policy position rather than incorporating into the GSP. In early 2022, the OVGA will necessarily consider what portion of the GSP to implement as well as other activities the OVGA could undertake.

3. OVGA encourage the City of Los Angeles and LADWP to include OVGA, tribal leaders, community members and other in important planning efforts such as Operation NEXT and the five-year cycle of the Urban Water Management Plan.

Staff Recommendation: The OVGA may direct staff to bring back support letters or resolutions encouraging the City of Los Angeles and LADWP to include the agencies mentioned in important planning efforts that affect the Basin. The issue is outside of the GSP and no additional language is recommended for inclusion in the GSP.

4. Two additions to the Final GSP were made following discussion at the November 18, 2021 OVGA meeting. A potential project to refine the GDE map and implement remote sensing vegetation monitoring was added as a potential project (Section 4.5.3). Similarly, a public outreach program in conjunction with development of a groundwater model for the Tri-Valley Management Area was added to Management Action #4, Groundwater Model Development (Section 4.4).

Staff discussion: Are these GSP additions consistent with the direction on November 18?