

**DRAFT
MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER
MANAGEMENT DISTRICT
Regular Meeting of
October 25, 2023 6:30 P.M.
Chalfant Community Center**

Chairperson Mitchell called the meeting to order at 6:30 P.M. on October 25, 2023. The meeting was held in person.

Roll Call:

Directors Present: Mitchell, West, Puhvel, Allen, Parkinson, Duggan, and Bassett.

Directors Absent: none

Advisory Board present: Betsy McDonald, Dennis Murphy, Amy Saladin, Gina Barsi, and Janet Barth.

Mono County (M.C.) Personnel in attendance: Assistant County Counsel (A.C.C.) Chris Beck

1. Advisory Board (A.B.) Comment and Report

A.B. McDonald reported that:

A. They have not had a meeting recently.

B. She communicated with Jack Tung, from the Department of Water Resources (DWR), who has indicated that they just received grant funds for transducers, which are a method to monitor well depths. DWR can supply transducers to anybody who wants to volunteer from the Tri-Valley to have their well monitored. Jack suggested that we let people know so they get sufficient wells to monitor for the time involved in driving up this way. DWR would handle everything from examining the wells to see if they are appropriate for transducers to installing and reading the transducers. People can let the Board know if they are interested and Betsy hopes to get the list of people who indicated to Mono County a couple of years ago that they would like to be included in a well monitoring program.

Director Puhvel indicated that he could get that list to A.B. McDonald.

2. Public Comment

Rick Napoles (Bishop Paiute Tribe) – Hi, my name is Rick Napoles and I came up from Bishop and have been at a couple of meetings. And for those of you who didn't hear me the first time I talked was that I retired from the National Forest, have about 38 years in wildfire and also a member of the Bishop Paiute Tribe. I've been taking some notes and talking to a few people down there and there's some growing concern about the Fish Slough, about the environmental that's there, about the lowering water table there and about what this Board is going to do to help that ecosystem out. And I know you got a lot of, you got some issues going that concern water use. And I think the tribe has a lot of concerns too with that area and with all this area that was once our homeland, once they were involved in and certainly Fish Slough was a big part of that. I think I just wanted to say that and that I understand, you know the side of the people they use domestic water and also the people that ranch and raise cattle and stuff too. And hoping that the Board can find a find a way to get to navigate through that; that's all.

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Thank you.

Tim Manross (Chalfant) - On that measure there, on that issue, would it be possible to have somebody drill a well and just pump it when it gets low like DWP does? It would recycle the water from a ground water back into Fish Slough and it would slowly go back down and somebody could monitor it.

CA Mitchell - I don't know that this Board has resources for that. But maybe that could be something that's discussed. So are you talking about

Tim Manross - I'm just bringing it up.

CA Mitchell - you're talking about groundwater recharge? Is that what you

Tim Manross - Yeah, pumping it up to the top to satisfy the fish in the slough. And overtime it will go back down, there will be evaporation, but you could effectively fill it right away rather than waiting for years and years and years to see what happens with the water in Hammil Valley, if that affects Fish Slough. In the meantime, you could probably fix the problem. That's a suggestion.

CA Mitchell - Thank you very much. OK. Does the Board have any questions on that? Is there any other public comment?

John Allison (Chalfant) – I would like to make a comment. My name is John Allison, and I think when we talk about Fish Slough, which we're all concerned about and stuff. At the other meeting, we had the other night the question was asked if you take the whole geographical area of the Fish Slough, how much is the Tri-Valley District encompass in the whole dynamics of Fish Slough?

CA Mitchell - Very, very, very sliver of our District is.

Ed Parkinson - North spring.

John Allison – Exactly, which is great. So you know you were right by getting your representation, but is it, and I'm not telling you. But there's other entities involved with Fish Slough, not necessarily the Tri-Valley Water District. You know, things like that. So, I mean it gets emotional. I mean how you get concerned about something like that. The ancestry, history, and the beautiful area that it is. But you know what we're doing may or may not be any real major influence for an area that you know runs for 20 to 25 miles, North to South or something like that. So that's all I wanted to say thank you.

Rhonda Duggan - And then, just regarding that and looking at the area that we're talking about there, when you were represented by Owens Valley Groundwater Authority, there was some particular maps in 2017 that we're talking about. So maybe, it's just a suggestion, you might want to agendize this for a future meeting to show the maps in the area that give us some visual representation of Fish Slough in that area, so that would give us some time to explore the options that they're talking about and contact some resources with the Department of Water Resources to say there's been some remedies suggested and what would that look like

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there? That would be for future meeting because it's hard to envision without seeing it, and that would be very helpful to the group again. Some of us are intimately aware of where it is. But you know, after this last winter, a lot of lines have changed, things at the top. So for future meeting that might be very helpful.

CA Mitchell - We will put that on the list. Thank you. Is there any other public comment? Yes Sir.

Rick Naploes - Yes. The map she's talking about, would that be a map of the aquifer that lies under the ground, including Benton and Hammil and Chalfant?

CA Mitchell - I don't remember it.

Rick Napoles – Can you get a map of that?

Rhonda Duggan - We'll get as many maps as we have, but there was quite a bit of study from the ground. The Owens the OVGA map and that Groundwater Sustainability Plan. So that's where we'll start. And if there's anything, you'll get a good idea. I remember having that. If anybody wants to go to it, go to the OVGA site and those maps are available on there with their plan. That'd be good to see.

3. Discussion and possible approval of minutes for:

A. July 26, 2023 meeting (attachment # 3-1)

Without any discussion, a motion to approve the July 26, 2023 draft-2 meeting minutes with no changes needed was made by Director Puhvel and seconded by Director Parkinson.

Vote – ayes - Directors Mitchell, West, Bassett, Puhvel, Allen, and Parkinson.

Nayes – none.

B. September 27, 2023 meeting (attachment # 3-2)

Without any discussion, a motion to approve the September 27, 2023 draft meeting minutes was made by Director West and seconded by Director Puhvel.

Vote – ayes – Directors Mitchell, West, Bassett, Puhvel, Allen, and Parkinson.

Nayes – none.

4. County Counsel

A. Discussion regarding water usage in Coyote Springs, historical use, and inquiry letter to Blue Triton.

A.C.C. Beck commented:

I can clarify a bit more and really I'll start with what the ASK is here. So this item is really less about very particularly, what Coyote Springs is doing and more about what Blue Triton is doing, if anything. And so what I'm asking for is authority from the Board to send a letter to Blue Triton to say hey, do you have any operations here? I received good information that they very likely don't. But the reason I'm asking about it is we had an inquiry about what's going on, if Blue Triton has any operations out there. I go through our file and I have what's either a complete file or an incomplete file. I showed there was some good back and forth about possible operations by Blue Triton, which I digressed, it was Arrowhead, right? This is the new group that I guess owns either as subsidiary or owner and what pieces they bought them. But there was some back and forth about Blue Triton either operating in the

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area or potentially operating in the area. And what I see is there was direction that they were going to apply for permit, but not that a permit was actually ever pulled. And so to either complete my file or confirm that the file is complete, I'd like to be able to send a letter to Blue Triton that essentially says two things. Do you have any operations at this area or are you purchasing water and (b) do you have a permit for that? It seems from my record that it's not likely either of those are the case, but just to close the file and confirm that as a body we do our due diligence, we send an inquiry letter, so that's the ask. And the reason it's coming to the Board is because it's incumbent upon the Board because it is within your purview, if there's ground water being pumped, that a permit be issued, pursuant to section 706. Doesn't seem like that's the case, but I'd like to be able to send the inquiry out again for the purposes of due diligence. I'm available for any questions.

After just one question about the letter pertaining to Mono County as a whole or just Tri-Valley, a motion to have A.C.C. Beck send the inquiry letter to Blue Triton regarding possible operations in Mono County was made by Director Parkinson and seconded by Director West.

Vote – ayes – Directors Mitchell, West, Bassett, Puhvel, Allen, and Parkinson.

Nayes – none.

Jarret Phillips (Coyote Springs Ranch) commented:

Arrowhead was bought by Blue Triton, that's why they've been in the media a bunch because they got kicked off a spring down there in San Bernardino, wherever it was. Arrowhead hauled a bunch of water off of that ranch maybe 15 or 20 years ago, I wasn't here, but when all the trucks were rolling. Arrowhead shows up still every year, they test my water. They have not hauled a load of water off there in the 10 years that I've been there and you'll find the same information that I'm saying right now. But just that. The Nestle/Arrowhead, all the same deal, I'm just here to tell you they have not been on the ranch to haul water.

A.C. Beck added - Jarret gave me the opportunity to talk to him and introduced himself to me. That's where I got the information. It seems unlikely if at all there's an operation.

5. Report from the committee to recommend changes in the District statutes regarding the domestic and 100 g.p.m seats on the Board of Directors.

Director Puhvel reported that the committee has not met yet. And they plan to do so before the next meeting, so nothing to report.

6. Aerial Electromagnetic Survey to be held by DWR in the Owens Valley Basin and Tri-Valley area from November 5, 2023 to November 10, 2023. DWR will be doing press releases and is notifying the Mono County Sheriff's Department.

Director Mitchell reported that, per Director West, DWR had not yet notified the Sheriff's Department. Director West notified them himself. Director West received a card in the mail announcing the survey and we have not yet heard of anybody else that got a card. The District will follow up and make sure that they notify people before the helicopter starts flying up and down the valley, at low levels.

Director Duggan added that this will be weather permitting.

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Director West added that for anyone that hasn't received a card, he did bring the card that he and his wife received on Saturday. It has a QR code. Anyone interested can come up after the meeting and snap it with your cell phone, it takes you directly to the DWR website that explains about the electromagnetic surveillance.

7. BLM Bishop Field Office - update on the proposed installation of two groundwater monitoring wells in southern Hammil Valley. Aaron Johnson from California Department of Fish and Wildlife mentioned this project in presentation that he gave at a previous meeting.

Sherri Lisius, Field Manager for the Bishop BLM office, reported that she just wanted to make sure that people knew about these potential monitoring wells; Aaron (Johnson, Department of Fish and Wildlife) in April, presented the need for them and it was mentioned in this meeting the potential need to understand the water system out there and where things are connected, where they're not connected. So that's the goal of these wells. There are two potential wells, two wells that are proposed to be put in. Martin, BLM botanist, passed out a map of where the proposed wells would go (attachment item # 7). Neal Craig, assistant field manager, was also in attendance. This project is being done in partnership with DWR and USGS, who picked those locations. If someone has a lot of questions about why exactly, where things about the water, they should contact DWR and USGS folks. But BLM is partnering with them because it's a piece of information that's really important both for this group and for Fish Slough, of course. On the map are the two proposed locations, which were selected because they felt that those were going to give the best picture of what knowledge is needed. These will be deep wells, which is another source of data that is missing; a better idea of deeper lithology going up and down and then a better sense of what's going on with the water. At this point, the document is almost ready to be put out for public comment, which will probably be a 15-day period. It can be seen on the <https://eplanning.blm.gov/eplanning-ui/project/2026328/510> website (listed on the top of the map), but comments can't be made yet. Sherri will notify Director Mitchell when it is ready for public comment. Types of comments that would be helpful are if you have concerns about the location, input on why it's there, other places you'd rather have them, etc. She emphasized again that these locations were really chosen based on a lot of information and by specialists by the USGS and DWR to really get at the question of how these places are connected and what's going on with this water basin. Some of the locations were chosen because they're already disturbed locations; near a road, so there won't be a lot of additional vegetation disturbance.

On the back side of the handout is what the wells will look like; they will be pulling from different depths. Also is a picture of what the end product will look like.

Aaron Johnson (DFW) mentioned that he had plenty of copies of his April presentation (20 slides) for anyone that missed that meeting.

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8. Board of Directors:

A. Appoint a director to work on .gov project

The .gov email address issue to comply with AB 1637 was brought up by Director Mitchell at the September 27, 2023 meeting, item #5. Director West volunteered to take the lead on the project.

B. Appoint a director to work on insurance for the District

The need to follow up on the possibility of getting Director's insurance for the Board has been mentioned at recent meetings. Director Allen agreed to be in charge of that project. Director Bassett will send him meeting minutes that discuss the insurance.

Director Duggan will provide recommendations to Director Allen.

A.C.C Beck will work with his contacts to see what is available through Mono county.

Director Mitchell will provide any background information that she was able to find.

It was requested by Director Parkinson and agreed on by all Board members that the item needs to stay on the agenda until it is resolved.

C. November 15 Agenda.

The November meeting was moved to the third Wednesday of the month due to the Thanksgiving holiday and weekend.

D. Other reports

Director Bassett reported that Director Parkinson and she took another reading on the Benton monitoring well on Wednesday, October 11, 2023. The reading was 131.70 feet, which is down 0.15 foot from July 13, 2023 but is exactly the same as the reading on October 13, 2022.

She also reported that A.B. McDonald helped her get a reading on the Chalfant monitoring well on Sunday, October 15, 2023. The reading was 72.33 feet, which is down 0.02 foot from July 14, 2023 but is up 0.46 foot (5.52 inches) from October 14, 2022.

Olga Glidewell(Chalfant) asked how long the TVGMD had been monitoring the Chalfant well and what the historical trend had been. Director Mitchell replied that TVGMD has been monitoring the well for about 20 years. Director Bassett added that we have been inputting data to CASEM (California Statewide Groundwater Elevation Monitoring) since 2011. She will email the well monitoring data mentioned in the September 27, 2023 meeting to Olga.

Director Mitchell announced that she will be stepping down from the Chairperson position. She read a statement (see attachment item # 8).

I feel that trust has been broken on this Board since the election was approved. The following is a list of inaccuracies recently spoken to me in Tri-Valley:

The Advisory Board broke the Brown act and probably the Board of Directors too.

The Advisory Board took on projects without Board direction and all the Advisory Board are liberal.

Any further study of Tri-Valley groundwater will be death to AG in the Tri Valley.

The Board is too close to state agencies who govern SGMA.

Sierra Club, Cal Fish and Wildlife, or the DWR opinions are not valid.

These were spoken to me personally. It was also stated to me that I was against

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agriculture.

To set this record straight, I was the only dissenting vote to join the OVGA when we did that. When it became obvious that our comments on the OVGA plan were going nowhere, I worked to get us out of the OVGA by attending meetings at Bishop and Bridgeport. If I did not get us out of the OVGA, the ranchers in Hammil Valley would be registering your wells to OVGA right now because they have an ordinance requiring it. The straw that broke the camel's back for me was when I learned my fellow Board members got a rancher to do a public records request of the Board and Advisory Board emails so they could possibly get the "goods on Mitchell". Why couldn't they just ask the District secretary for documents? The other straw was when a Board member got up and walked out of the DWR presentation on SGMA, which I had worked on for six months to make it happen. There are members of this Board who do not want us to learn anything about groundwater and wish to not follow SGMA, which has been California law for the past decade. And further, I do not agree with the Board's intention to dismantle the Advisory Board, which has been spoken. The District has had an Advisory Board since its original statute, the California legislature set up an Advisory Board to ensure inclusiveness of the community and Board accountability. It has been a long standing behavior of some ranchers in meetings and other events to bully and to try to intimidate the women on this district. I'm calling out this behavior as inappropriate for government business and unacceptable and it needs to stop. And since I took a course recently on sexual harassment and abuse of conduct, I wish to warn District Board members to stop encouraging this behavior. It is now time for you residents to step up and get involved. The future of our valley will depend on your decision to give up because it's too complicated or continue to work towards sustainability. What began as an opportunity to do some planning for Tri-Valley has been ruined by the stagnation related to our nation's current politics. Therefore, I'm stepping down as chair, and whoever gets the majority in the coming election can select a chair on November 15th.

It was decided that Vice-chairperson West will assume the Chairperson position until the seats can be filled on their annual basis.

9. Adjournment to Wednesday, November 15, 2023, 6:30 p.m. at the Benton Community Center.

A motion to adjourn the meeting was made by Director Parkinson and seconded by Director Bassett.

Vote – ayes – Directors Mitchell, West, Bassett, Puhvel, Allen Parkinson.

Nayes – none.

Meeting was adjourned at 7:04 PM.

**Next meeting is Wednesday, November 15, 2023 at 6:30 p.m.
at the Benton Community Center.**

Geri Bassett, Secretary, TVGMD