

Owens Valley Groundwater Authority

Big Pine CSD — City of Bishop — County of Inyo — County of Mono — Eastern Sierra CSD — Indian Creek-Westridge CSD — Keeler CSD —
Sierra Highlands CSD — Starlite CSD — Tri Valley Groundwater Management District — Wheeler Crest CSD

May 30, 2018

Mark Norberg, GSA Project Manager
Sustainable Groundwater Management Section
California Department of Water Resources
P.O. Box 942836
Sacramento, California 94236-0001

Subject: Notice of Decision to Become a Groundwater Sustainability Agency for the Owens Valley Groundwater Basin

Dear Mr. Norberg:

Pursuant to the Sustainable Groundwater Management Act of 2014 (SGMA) §10723.8(a) the Owens Valley Groundwater Authority (Authority), a joint exercise of powers agency, hereby gives notice to the California Department of Water Resources (DWR) of the Authority's decision to be the groundwater sustainability agency (GSA) for the entirety of the Owens Valley Groundwater Basin (Basin Number 6-012, henceforth "Basin"). California Water Code (CWC) §10723.8(a) requires that this notification include:

- 1) The GSA's service area boundaries, the boundaries of the portion of the Basin that GSA intends to manage, and the boundaries of other agencies within the Basin managing or intending to manage groundwater pursuant to SGMA.
- 2) A copy of the resolution forming the GSA.
- 3) A copy of any new bylaws, ordinances, or new authorities adopted by the GSA.
- 4) A list of interested parties developed pursuant to CWC §10723.2 and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the GSA's sustainability plan.

The Basin extends from Haiwee Reservoir northward to the Nevada border, a distance of 125 miles, which is the largest linear extent of any groundwater subbasin in California. Prior to Bulletin 118 – Update 2016, the Owens Valley Groundwater Basin was considered a single basin, but Bulletin 118 – Update 2016 added a small subbasin, the Fish Slough Subbasin (6-012.02), to the Owens Valley Groundwater Basin. This notice includes both the new Fish Slough subbasin and the Owens Valley Subbasin (6-012.01).

Exhibit A shows the Authority's service area boundaries, which correspond to the boundaries of the Basin. Also shown are the boundaries of the four current GSAs. The four existing GSAs – County of Inyo, County of Mono, City of Bishop, and Tri-Valley Groundwater Management

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District – are each members of the Authority, along with seven community service districts that have water supply or water management responsibilities.

After giving notice as required by California Government Code §6066 and CWC §10723, the Board of Directors of the Owens Valley Groundwater Authority held a public hearing on May 10, 2018 to consider deciding to become a GSA for the Basin. Proof of publication of notices announcing this public hearing are included here as Exhibit B. At that meeting, the Board of Directors decided to become a GSA for the region indicated in Exhibit A, and adopted a resolution to that effect, included here as Exhibit C. The Joint Exercise of Powers Agreement forming the Owens Valley Groundwater Authority is attached here as Exhibit D. The four existing GSAs have taken action to withdraw their GSA status contingent on the Authority becoming the GSA for the entire Basin. Resolutions to that effect from each of the existing GSAs’ governing boards, along with a joint letter from the four GSAs expressing their support for formation of a single basin-wide GSA, are attached as Exhibit E.

Exhibit F provides a list of groundwater users, stakeholders, eligible agencies, interested parties, and interested individuals (phone numbers and e-mail addresses redacted). Below is an explanation of how the interests of beneficial users of groundwater and other interested parties will be considered in the development and implementation of a GSP, in accord with CWC §10723.2 and §10723.8(a)(4).

General consideration of rights and interests. The Authority’s formation document allows for voting participation by federally recognized tribes, privately owned water companies regulated by the Public Utilities Commission, the Los Angeles Department of Water and Power, federal agencies, and “interested parties,” including the numerous entities identified in CWC §10723.2.

Holders of overlying groundwater rights – agricultural users. Agricultural users in the Basin use a combination of surface water and groundwater. In the central part of the Basin, most agricultural users are lessees of the Los Angeles Department of Water and Power (LADWP), and their supply comes from both surface water and groundwater. The water supply for these lessees is regulated under the Inyo/Los Angeles Long Term Water Agreement (LTWA), a court-enforceable settlement to CEQA litigation that has been in place since 1991. Pursuant to CWC §10720.8(c), areas managed under the LTWA are treated as adjudicated, and thus exempt from SGMA’s requirement for a GSA and GSP. The interests of these users are addressed in the LTWA by provision for continued supply of water to specified areas owned by LADWP. Other agricultural users are present in the Basin in the Tri Valley area in Mono County, in Round Valley, near Big Pine, and near Olancha. The interests of these private pumpers will be addressed either through their representation in the Tri-Valley Groundwater Management District, through participation in the GSA as interested parties, or on advisory committees. Concerning LADWP’s water management activities, we recognize the importance of including LADWP in the GSA/GSP process and are working with them to find a mutually agreeable way for them to participate in the GSA.

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Holders of overlying groundwater rights – domestic well owners. Domestic well owners are present throughout the basin, at a relatively high density in the residential neighborhoods west of Bishop, and at lesser density in other less developed parts of the Basin. Their interests will be represented either as interested parties, or through the GSA’s public process, and through the LTWA’s provisions for avoiding negative impacts to non-LADWP wells from LADWP pumping.

Municipal well operators. Municipal well operators in the Basin include the City of Bishop, LADWP, community service districts (CSDs), and mutual water companies. The City of Bishop is a member of the Authority. LADWP supplies groundwater to three small water systems owned by the County, as well as exporting groundwater for municipal use in Los Angeles, both activities being subject to the LTWA. CSDs, as eligible local agencies, were contacted concerning their interest in joining the Authority, and seven decided to join the Authority.

Public water systems. Numerous public water systems are present in the Basin. Their supply will be protected through SGMA’s requirement that significant and unreasonable effects on water quality or reductions in groundwater levels and storage be avoided, and through the LTWA’s requirement that LADWP pumping not negatively impact non-LADWP wells.

Local land use planning agencies. Local land use agencies include Inyo and Mono Counties and the City of Bishop. These three agencies are members of the Authority.

Environmental users of groundwater. Groundwater supports a number of habitats in the Basin. The California Department of Fish and Wildlife (CDFW) holds trust responsibilities for these habitats, and uses groundwater to support waterfowl habitat at Owens Lake. LADWP uses groundwater to support habitat-related mitigation projects, and the LTWA requires that LADWP’s pumping be regulated to avoid significant impacts to groundwater dependent habitat, which include springs, wetlands, groundwater dependent meadows and scrublands, and baseflow to the Owens River. Springs and wetlands are present on the margin of the Owens Lake playa on lands administered by the State Lands Commission. The effect of groundwater management activities on these ecosystems will be evaluated in the GSP. The Fish Slough Subbasin contains extensive groundwater-supported habitat and has been federally designated as an Area of Critical Environmental Concern.

Surface water users, if there is a hydrologic connection between surface and groundwater bodies. Surface water originates in the mountains to the east and west of the Basin, and flows into the Owens River system via numerous tributaries. Surface water is closely linked to groundwater at spring and wetland areas supplied by groundwater discharge, outflow from flowing wells, and along the Owens River. The majority of these features are owned by LADWP and regulated by the LTWA. Fish Slough, a spring fed wetland in Mono County, is owned in various parts by LADWP, CDFW, and the US Bureau of Land Management (BLM). The Fish Slough area was recently added as a subbasin, number 6-012.02, to the Owens Valley Groundwater Basin. The

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effect of groundwater management in the Basin on Fish Slough will be evaluated in the GSP. Federal and LADWP participation in the Authority is provided for.

The federal government, including, but not limited to, the military and managers of federal lands. The US Forest Service (USFS) and Bureau of Land Management (BLM) manage extensive lands in the basin, and there is a small National Park Service National Historic Site in the Basin. The USFS land is generally at higher elevations in the basin in recharge areas and largely unaffected by groundwater extraction. BLM land, though lower, is primarily on alluvial fans where streams are losing or disconnected, and the water table deep. BLM has land in Fish Slough where regional groundwater discharge supports groundwater dependent habitat. The effect of regional groundwater management on Fish Slough will be addressed in the GSP. The NPS unit is on the valley floor and may be affected by LADWP pumping and surface water management, which are subject to the LTWA. Federal agencies have been contacted and invited to participate in GSA formation process.

California Native American tribes. There are four federally recognized tribes within the Basin: the Bishop Paiute Tribe, the Big Pine Paiute Tribe, the Fort Independence Paiute Tribe, and the Lone Pine Paiute Tribe. All four tribes operate community water systems supplied with groundwater and receive a certain amount of surface water either through tribal-held water rights (Fort Independence) or through an allotment of 4 acre-feet/per acre of reservation land (Bishop, Big Pine, and Lone Pine) supplied by LADWP. The Authority's governance includes participation by tribes.

Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems. Disadvantaged communities (DAC) are prevalent within the Basin, and are primarily served either by domestic wells or small community water systems. As discussed above, the interests of domestic well owners, mutual water companies, and community service districts will be addressed within our GSA structure and plan.

Entities listed in CWC § 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency. The Tri Valley Groundwater Management District is the monitoring and reporting entity within their region (see Exhibit A), the LADWP is the monitoring and reporting entity within the Inyo County portion of the Basin, and Mono County is the monitoring and reporting entity in the northwest portion of the basin within Mono County. Mono County and Tri-Valley Groundwater Management District are members of the Authority, and participation by LADWP is provided for in the Authority's governance.

This letter, with attached Exhibits A through F, provides all information required by CWC §10723.8(a) to be included in an entities notice to become a GSA. Additionally, the joint letter and resolutions from the four existing GSAs in Exhibit E explain that the withdrawal of their respective GSA statuses is contingent on designation of the Authority's as the exclusive GSA,

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and that each of the four existing GSAs considers this to be a non-material change in their boundaries.

Feel free to contact me if you have any questions or concerns about this notice. We look forward to working closely with the Department of Water Resources as we move ahead with local implementation of the Sustainable Groundwater Management Act.

Sincerely,



Robert Harrington, Water Director, Inyo County

Attachments:

Exhibit A: (1) Map of proposed GSA boundaries, service area boundaries, and (2) boundaries of four existing GSAs intent on withdrawing their GSA status contingent of the OVGA becoming exclusive GSA for the Basin.

Exhibit B: Proofs of publication of notices of intent to hold public hearing.

Exhibit C: OVGA Board of Directors Resolution 2018-02 indicating the OVGA's decision to become the GSA for the Owens Valley Groundwater Basin.

Exhibit D: Joint Exercise of Powers Agreement forming the Owens Valley Groundwater Authority.

Exhibit E: Resolutions and a letter from the four existing GSAs in the Basin indicating their joint action to withdraw their GSA status contingent on the OVGA becoming the exclusive GSA for the Basin.

Exhibit F: List of interested parties, groundwater users, and stakeholders, with contact information redacted.

Cc:

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