



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
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**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



December 14, 2020

Honorable Members of the Mono County Board of Supervisors  
[BOS@Mono.ca.gov](mailto:BOS@Mono.ca.gov)

## **Re: Mono County Groundwater Issues**

Dear Members of the Mono County Board of Supervisors:

The California Department of Fish and Wildlife (CDFW) is communicating our recommendations and concerns regarding groundwater management activities in the Tri-Valley area of Mono County and their potential impacts on spring discharge and groundwater levels at nearby Fish Slough, which contains groundwater-dependent habitats and numerous special status species. CDFW is also communicating our perspective regarding discussion at Tri-Valley Groundwater Management District's (TVGMD) November 18<sup>th</sup> Board Meeting regarding a request from TVGMD for Mono County to withdraw from the Owens Valley Groundwater Authority (OVGA) and the potential effect of such a decision on fish and wildlife resources. CDFW respectfully requests that Mono County stay on the OVGA board to ensure coordinated management for the entire Owens basin.

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.)

### Importance of Fish Slough

Fish Slough is the largest spring complex remaining in southeastern California. The lands of Fish Slough are recognized as an Area of Critical Environmental Concern by the Bureau of Land Management (BLM), an Ecological Reserve by the California Fish and Game Commission, a National Natural Landmark by the National Park Service, and designated Critical Habitat for Fish Slough milk vetch (*Astragalus lentiginosus* var. *piscinensis*) by the U.S. Fish and Wildlife Service. Additionally, the BLM and the Bishop Paiute Tribe have entered a formal Memorandum of Understanding relating to management ensuring that Fish Slough "be protected from degradation; that all prehistoric and historic, spiritual and cultural properties are preserved."

Fish Slough contains sensitive wetland communities which support threatened and endangered species that are dependent on groundwater discharging from Fish Slough's springs and seeps. In total, Fish Slough supports fourteen special status plants and nine

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threatened or endangered animal species. Two of these species, the federally threatened Fish Slough milk vetch and the Fish Slough springsnail (*Pyrgulopsis perturbata*), are unique species that are found nowhere else in the world. In addition, Fish Slough's springs support three of five remaining Owens pupfish populations (*Cyprinodon radiosus*), a federal and state endangered species, and the state species-of-special-concern Owens speckled dace (*Rhinichthys osculus*), which has been petitioned for listing under the federal Endangered Species Act. These unique animals and the riparian alkali meadow plant communities are extremely sensitive to changing soil moisture levels.

### Groundwater Declines

Existing spring gauges have documented on-going spring declines (Figure 1) that suggest at least one of Fish Slough's three springs will go dry by 2022 if on-going water management practices continue. The current decline in spring flows have already impacted Owens pupfish in the northern portion of Fish Slough, and it is likely that flows will diminish to the point where entire populations of threatened and endangered species will be lost as early as the summer of 2021.

Recent research, including water chemistry investigations (Zdon *et. al.* 2019) and geologic mapping (Jayko and Fatooh 2010), have shown that groundwater from portions of the Tri-Valley area—particularly around Hammil Valley—flows into the Fish Slough system where it is discharged (Figure 2). These springs at Fish Slough support shallow groundwater-dependent-ecosystems and then flow into the Owens basin near Laws.

### Implications for Fish Slough

If groundwater declines are not halted, it is anticipated that there will be irreversible impacts to groundwater-dependent-ecosystems and endangered species as spring flows within Fish Slough decline. CDFW expects that the spring closest to the Tri-Valley area, Northeast Spring, will cease discharging surface water by 2022 and may lose its groundwater recharge completely within the next decade (Figure 1). This will result in permanent loss of spring-obligate wetlands, and the desiccation of this unique feature. The Fish Slough milk vetch is immediately to the south of this spring. This federally threatened species is groundwater dependent and it is in imminent danger of being extirpated in this area.

### Implications for groundwater management

The OVGA has secured a grant from the Department of Water Resources to prepare a groundwater sustainability plan (GSP). The current GSP being prepared by the OVGA consultant will include management actions for the entire Owens basin that includes Tri-

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Valley and Fish Slough. Since these areas in Mono and Inyo Counties are hydrologically connected, it is logical to manage these areas under one plan in a coordinated fashion with common goals of sustainable management. If Mono County were to withdraw from the OVGA at this time, CDFW is concerned that groundwater issues in and affecting the Tri-Valley and Fish Slough areas will not be addressed. CDFW encourages Mono County to remain in the OVGA. CDFW believes this would better ensure groundwater management practices that would be sustainable in the Tri-Valley and Fish Slough areas.

In conclusion, CDFW believes that the development of a GSP by the OVGA will provide a coordinated effort to identify and fill data gaps necessary to better manage groundwater in the Tri Valley and closely linked Fish Slough areas. CDFW respectfully requests that the Mono County Board of Supervisors consider remaining in the OVGA at this time.

Feel free to contact me via email at [Alisa.Ellsworth@wildlife.ca.gov](mailto:Alisa.Ellsworth@wildlife.ca.gov) or via phone (760) 937-2519.

Sincerely,

DocuSigned by:  
  
AFEAC2ED7258498...

Leslie MacNair  
Regional Manager

Ec:

[Chris.Hayes@wildlife.ca.gov](mailto:Chris.Hayes@wildlife.ca.gov)

[Scott.Wilson@wildlife.ca.gov](mailto:Scott.Wilson@wildlife.ca.gov)

[Heidi.Calvert@wildlife.ca.gov](mailto:Heidi.Calvert@wildlife.ca.gov)

[Alisa.Ellsworth@wildlife.ca.gov](mailto:Alisa.Ellsworth@wildlife.ca.gov)

[Angela.Murvine@Wildlife.ca.gov](mailto:Angela.Murvine@Wildlife.ca.gov)

Attachment: Figures

Figure 1: Northeast Spring declines

Figure 2: Conceptual groundwater flow in Hammil, Chalfant and Fish Slough Valleys.

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Figures:

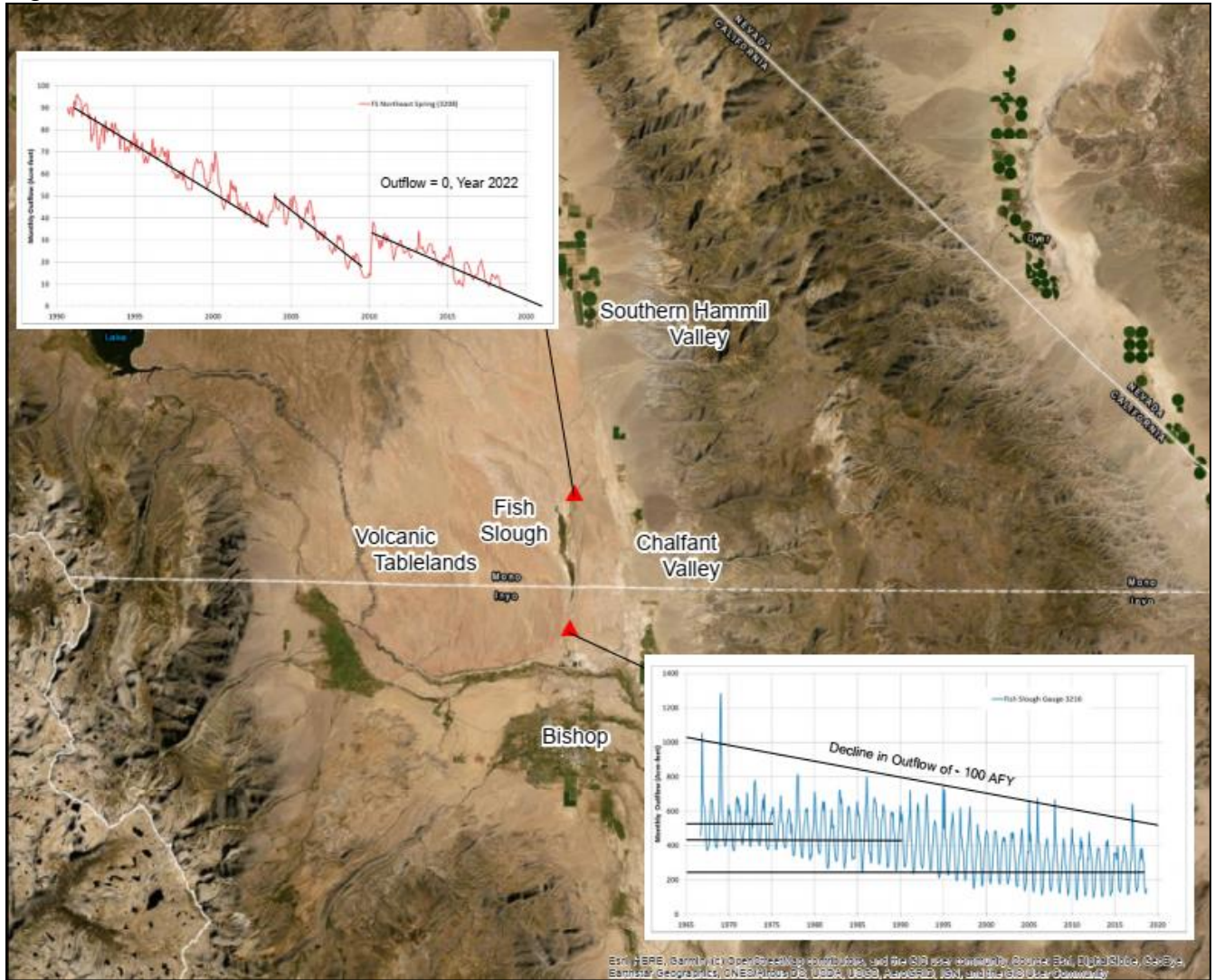


Figure 1: Northeast Spring declines  
*Hydrographs showing the steady decline in discharge from the Fish Slough Springs over the period of record maintained by the Los Angeles Department of Water and Power. The lower gauge has been active from 1965-2020, and the upper gauge, and the upper gauge has been active from 1995-2020. These declines in flow are leading to a drying of the marsh and eventual loss of the spring pools. This will imperil numerous sensitive and threatened species.*

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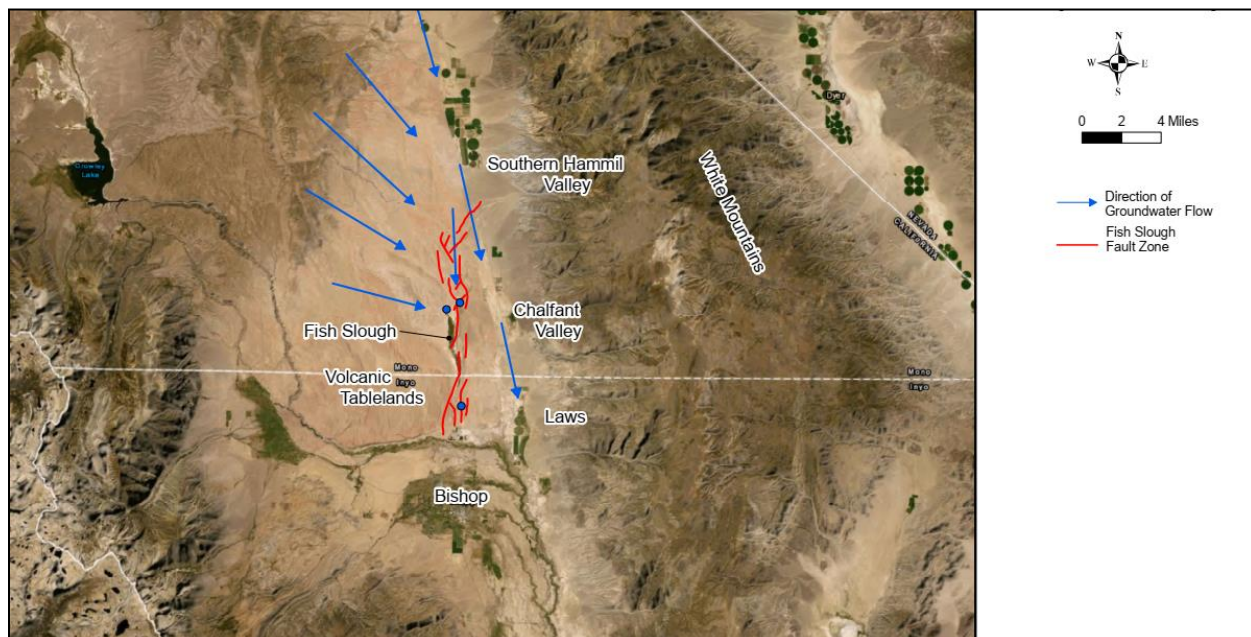


Figure 2: Groundwater flow direction in the southern Tri-Valley and Fish Slough area, CDFW Groundwater Monitoring Plan (2020).



# OWENS VALLEY GROUNDWATER AUTHORITY

Members: 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

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December 14, 2020

Mono County Board of Supervisors  
P.O. Box 715  
Bridgeport, CA 93517  
[skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)

Re: Mono County Board of Supervisors 12/15/2020 Agenda Item #7G.

Dear Honorable Board of Supervisors,

The Owens Valley Groundwater Authority (OVGA) Board of Directors recently became aware of the Tri-Valley Groundwater Management District's (TVGMD) request that Mono County seek to exit from the Owens Valley Groundwater Authority (OVGA) and offers these comments for your consideration of that request. The OVGA values Mono County's participation in our Sustainable Groundwater Management Act (SGMA) efforts, and asks Mono County to uphold its commitment to remain a part of the OVGA at least through the adoption of a groundwater sustainability plan (GSP) covering the Owens Valley Groundwater Basin.

As you are aware, Supervisor Stump has long provided valuable leadership to the OVGA as the Chair of the OVGA Board. Last year, Supervisor Stump informed the OVGA that Mono County considered and reaffirmed its commitment to staying on the OVGA through at least the completion of the GSP. This commitment was made when the California Department of Water Resources was poised to reprioritize the Owens Valley Groundwater Basin (Basin) as "low priority", which eliminated the mandate for a GSP. The OVGA Members relied on this commitment when unanimously directing the OVGA's consultant to press ahead and to expend grant funding to complete the GSP.

At our last meeting, the OVGA members expressed a variety of concerns about Mono's potential to exit the OVGA. These concerns include the potential for Mono's absence to cause the DWR to deny the OVGA's GSP due to lack of jurisdictional authority over the entire Basin which may have grant funding repercussions. Preparing a basin-wide plan with Mono's formal participation is considered important to ensure sound and considered public policy decisions are made about sustainable groundwater management that include the agency with ultimate jurisdictional authority over the areas covered.

Mono County is an important part of our collective ability to fulfill the Mission of the OVGA. That Mission Statement recognizes that sustainable groundwater management is critical “to protect and sustain the environment, local residents and communities, agriculture, and the economy”. The OVGA respectfully requests that Mono County follow through with its prior commitment to remain within OVGA at least until the GSP is complete.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Aaron S". The signature is written in a cursive style with a long horizontal stroke at the end.

Aaron Steinwand, Ph.D.  
Executive Manager



**COUNTY OF INYO**  
ADMINISTRATOR'S OFFICE  
**CLINT G. QUILTER**  
COUNTY ADMINISTRATIVE OFFICER



December 14, 2020

Mono County Board of Supervisors  
P.O. Box 715  
Bridgeport, CA 93517  
[skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)

Re: Mono County Board of Supervisors 12/15/2020 Agenda Item #7G

Dear Honorable Board of Supervisors,

I write this letter on behalf of the Inyo County Board of Supervisors to comment on the Tri-Valley Groundwater Management District's request that Mono County seek to exit from the Owens Valley Groundwater Authority (OVGA). Inyo County strongly encourages Mono County to uphold Mono County's stated commitment to remain a part of the OVGA at least through the adoption of a groundwater sustainability plan (GSP) covering our shared groundwater basin.

As you are aware, Supervisor Stump has acted as the Chair of the OVGA Board since its inception, providing valuable leadership to the agency. As recently as last year, Supervisor Stump informed the OVGA that Mono County reaffirmed its commitment to staying on the OVGA through at least the completion of the GSP. This commitment was made when the California Department of Water Resources was poised to reprioritize our shared groundwater basin to be "low priority" and eliminate the requirement for a GSP. The OVGA and its remaining Members relied on this commitment when unanimously directing the OVGA's GSP consultant to press ahead with the important GSP work and expend the required resources to do so. Inyo County is primarily concerned with how Mono's absence will impede the ability of the OVGA to complete a valid and legitimate GSP, and the potential for the OVGA to then be in breach of the grant funding agreement. These negative outcomes would result in an unnecessary waste of the monetary and staff resources expended thus far in this important shared endeavor.

Based on the difficult experience we've had implementing SGMA with our neighbors to the south, we are acutely aware of the negative long-term and far reaching consequences of failing to recognize the need for sustainable groundwater management. But we are confident that by working together we can fulfill the OVGA Guiding Principles that recognize sustainable groundwater management is critical to support, preserve, and enhance the economic viability, social well-being, environmental health, and culture of all beneficial users and uses including tribal, domestic, municipal, agricultural, environmental, and industrial users.

Thank you for your consideration.

Clint Quilter,  
Inyo County Administrative Officer

cc: OVGA Members



**MONO COUNTY  
Tri-Valley Groundwater Management District  
Post Office 936  
Benton, CA. 93514**

**December 14, 2020**

**Honorable Board of Supervisors  
Post Office Box 717  
Bridgeport, CA. 93517**

**Attention: Shannon Kendall**

**Re: Request from Tri-Valley Groundwater Management District  
For the County to withdraw from OVGA**

**Dear Members of the Board:**

**I am writing this letter in support of the Tri-Valley Groundwater Management District's request to your Board to withdraw from the Owens Valley Groundwater Authority (OVGA). I submit these comments as a 38 resident of the Tri-Valley area and 31 year member of the Tri-Valley Groundwater Management District. The Tri-Valley Groundwater Management District was the answer to threats of groundwater export in the late 1980s and early 1990s. We were created to protect the groundwater within our District boundaries.**

**Our District withdrew from the OVGA several months ago after attending meetings in Bishop for some time. Our representative returned from each meeting frustrated that our participation was not productive and he reported that the needs of our residents and ranchers were over looked by the needs of the Owens Valley members. After much discussion, the District Board elected unanimously to withdraw from OVGA. Your staff has excellently laid out the process in their reports.**

**I would like to respectfully outline some areas of personal concern to me. If an OVGA Groundwater Sustainability Plan were approved by the Department of Water Resources it could create a proposed management area (across county lines) for Fish Slough and Tri-Valley together. Issues relating to the Owens Valley pupfish and the agricultural production are entirely separate and this draft proposal would create problems with local ranchers. The ranchers may be told to pay extraction fees but also may be subject to OVGA "allocation" (pumping restrictions) of water in cases of drought. I have expressed my concern for years of the possibility of inter-basin water transfers allowed under SGMA where the lower Owens Basin could ask for water from Tri-Valley. Local control through our Board of Directors may be impacted by an OVGA plan to manage our portion of the basin's groundwater.**

**In these times of extreme weather, none of us know what the future will bring. However, I know I am comfortable working with my elected Mono County officials and staff to meet the many challenges which our District and residents face. I know this because it was the Supervisors and staff who worked to create our District 30 years ago.**

**Thank you for reading this letter. I wish to express my gratitude to Supervisor Stump who has worked in very trying conditions to deal with the water issues in District 2. We will always appreciate his commitment to our area. Many thanks for Jason Canger, our legal counsel, who guided us through the last few years under SGMA. Thank you for everything you also have done for District 2.**

**Sincerely,**

**Carol Ann Mitchell**



To: Mono County Board of Supervisors  
From: Tai Devore, Bishop Area Climbers Coalition President

Re: Groundwater Management in the Owens Valley Groundwater Basin  
Mono County Board of Supervisors Agenda 12/15/2020 Item #7G

Dear Mono County Board of Supervisors,

This comment is submitted on behalf of the Bishop Area Climbers Coalition. The BACC supports the community and climbing areas of the Bishop region through stewardship, education, and outreach. Our recent efforts as land stewards include collaboration with the BLM, USFS, and LADWP to fund and manage the Bishop Climbing Rangers. That program is aimed at helping to educate climbers in our region about the importance of caring for our beautiful outdoor recreation areas. To further support our community we host fundraisers to harness climber support for local organizations such as IMACA and Wild Iris.

We write to inform you of our concern about the potential of excessive groundwater pumping to negatively affect outdoor recreation opportunities, including climbing, in the Fish Slough area. One concern is if overdraft causes or contributes to reduced or eliminated natural spring flow, the area will begin to experience significant dust issues that will negatively impact the outdoor recreation experience. We understand that the Owens Valley Groundwater Authority is currently in a position to help avoid that outcome, and we support their efforts. We ask that you, and all members of the groundwater authority, also continue to support the ability of the Owens Valley Groundwater Authority's ability to carry out its mission to ensure sustainable groundwater management for the entire Owens Valley Groundwater Basin, including the Tri-Valley area.

Thank you for your consideration.

Tai Devore

**December 14, 2020**

**Honorable Board of Supervisors  
Post Office Box 717  
Bridgeport, CA. 93517**

**Attention: Shannon Kendall**

**From: Geri Bassett  
Tri-Valley Groundwater Management District Board Member**

**Re: Request from the Tri-Valley Groundwater Management District  
for Mono County to withdraw from the OVGA**

**Dear Members of the Board:**

**This letter is written in support of the Tri-Valley Groundwater Management District's request to the Mono County Board of Supervisors to withdraw from the Owens Valley Groundwater Authority (OVGA). The Tri-Valley Groundwater Management District (District) was initially formed as the answer to threats of groundwater export in the late 1980's and early 1990's; to protect the groundwater within the District boundaries.**

**The Tri-Valley Groundwater Basin was deemed by the California Department of Water Resources (DWR) to be part of the Owen's Valley Groundwater Basin. There was only one grant available per basin for preparing a Groundwater Sustainability Plan (GSP). Initially, DWR rated the basin as a high- or medium-priority basin, requiring a GSP. Because of these factors, the District decided to forfeit our Groundwater Sustainability Agency (GSA) status and join the Joint Powers Authority that would govern the Owens Valley Groundwater Authority (OVGA).**

**Once the basin was rerated by DWR to a low-priority basin, a GSP was no longer required, but, grant money had already been spent. Because of this and other reasons, the OVGA decided to proceed towards development of the GSP. The District, along with many other previous OVGA members, withdrew from the OVGA. The District decided to work toward regaining our GSA status and prepare our own GSP.**

**The OVGA, without adequate input from Tri-Valley residents and businesses, including agriculture, could potentially impose pumping restrictions and fees that would cause financial hardship, possibly leading to bankruptcy.**

**The District Board realizes the importance of having sustainable groundwater levels. As a member of the District Board, I feel that a GSP of our own will be more representative of the needs and concerns of the Tri-Valley residents and businesses than the OVGA GSP appears to be headed. And, by working with Mono**

County staff during the GSP process, put the Mono County Board of Supervisors in a more favorable position with their constituents. Because of this, I respectfully ask that Mono County withdraw from the OVGA, thus removing any regulatory authority the OVGA would have over Mono County residents.

Sincerely,

A handwritten signature in cursive script that reads "Geri Bassett".

**Geri Bassett**  
**Tri-Valley Groundwater Management**  
**District Board Member**

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**From:** Diane Doonan <[bxdana@gmail.com](mailto:bxdana@gmail.com)>  
**Sent:** Monday, December 14, 2020 6:09 PM  
**To:** Fred Stump <[fstump@mono.ca.gov](mailto:fstump@mono.ca.gov)>  
**Subject:** Public Comment for OVGA agenda item 12/15/20

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Fred,

First, thank you so much for all the ways you have worked to assist the residents of the Tri-Valleys and Mono County. It is deeply appreciated. Best wishes to you and your wife for the next chapter!

Second, I have written a public comment below for the OVGA agenda item tomorrow. I am not sure I can attend the meeting at public comment time, so I hope this can be included in the record. Again, thank you.

*Honorable Supervisors,*

*As a resident and a farm family in the Tri-Valleys, I encourage the Board to support the withdrawal of Mono County from the Owens Valley Groundwater Authority. Four generations of my family now live here and rely on the land and water for our livelihood, as well as our home, and our recreation. We have a substantial interest in protecting all resources being debated. We love the area as much as anyone and work hard to responsibly steward the resources we depend on now, as will future generations. We have no interest in drying up either the Tri-Valleys or Fish Slough, recognizing both the negative environmental and economic impacts to the County as well as our family if either were to happen.*

*To date, the OVGA has not demonstrated any recognition of the diverse values of Southern Mono County. The habitat values of ranches are well documented for example, supported by the conservation easements held by the Eastern Sierra Land Trust on the ranches owned by my husband and me and by my parents Richard and Barbara Moss. Local food production capacity is another value we feel is critical and strive to improve. We recognize that the ranches offer significant employment opportunities and add to the economic diversity of the region, apart from tourism and recreation. Lastly, I wish to point out the fact that, despite the social media publicity painting the greedy ranchers as the nemesis of Fish Slough, in fact the economic realities will not allow us to pump from ever increasing depths – the price for our products will simply not support it.*

*I recognize the need for responsible and sustainable water management, even as a State Department of Water Resources low priority basin, recognizing the diverse values and challenges associated with agriculture, recreation, and wildlife needs. I believe that will happen best under the auspices of the Tri-Valley Groundwater Management District and Mono County.*

*Thank you for your consideration*

*Diane Doonan  
Hammill Valley and Benton landowner and resident*