

# **Mono County Tri-Valley Groundwater Management District**

Post Office Box 936  
Benton, CA. 93512

## **BOARD OF DIRECTORS**

Carol Ann Mitchell, Chairperson

Phil West, Vice-Chairperson

Geri Bassett, Secretary

Marion Dunn

Richard Moss

Greg Allen

Rhonda Duggan, Mono County District 2 Supervisor (Ex-Officio Member)

## **REGULAR AMENDED MEETING AGENDA Wednesday, February 23, 2022 at 6:30 p.m. via Zoom**

### **Important Notices to the Public Regarding COVID-19**

In observance of recommendations by the Centers for Disease Control and Prevention (CDCP), the California Department of Public Health (CDPH), and local public health officials related to minimizing the spread of COVID-19, please note that this meeting will be conducted remotely via telephone and video- conferencing services. As authorized by Governor Newsom's Executive Order, N-29-20, dated March 17, 2020, members of the Board may attend and participate in this meeting from separate remote locations.

**Topic: Tri-Valley Groundwater Management District**

**Time: Feb 23, 2022 06:30 PM Pacific Time (US and Canada)**

### **Join Zoom Meeting**

**<https://us02web.zoom.us/j/87276480950?pwd=KzZLMFdVUi9pVWNZUUVBnOHAAzJPU T09>**

**Meeting ID: 872 7648 0950**

**Passcode: 223057**

**One tap mobile**

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**+1 669 900 9128 US (San Jose)**

- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Washington DC)

**Meeting ID: 872 7648 0950**

**Passcode: 223057**

**Find your local number: <https://us02web.zoom.us/j/87276480950>**

To join the meeting on your computer, go to [www.zoom.com](http://www.zoom.com) and enter the meeting id and passcode:

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## AGENDA

### 1. TVGMD Advisory Board

- A. Appointment of Dennis Murphy to the TVGMD Advisory Board (Hammil) for a term of 1 year (tabled in January).
- B. Advisory Board composition according to District legislation.
- C. Letter from Andy Puhvel requesting appointment to the Advisory Board to represent Hammil Valley. (Attachment A) for a term of 1 year.
- D. Advisory Board Report and Comment.

### 2. Public Comment (on any matter).

### 3. Approval of minutes of the January 26, 2022 meeting (Attachment B)

### 4. Clarification of the County boundary in regard to Fish Slough and the Northeast Spring.

### 5. Mono County may assume IRWMP project for groundwater modeling in the Tri-Valley

### 6. Board of Directors Items:

- A. Oath of Office of Greg Allen
- B. Board Member Reports
- C. Reimbursement for web page cost to Director West for up to \$150.00 and direct Treasurer to request warrant.

### 7. Report from Board Representatives and staff on the Owens Valley Groundwater Authority

- A. Report on OVGA Meeting 2/10/2022

- B. Discussion on GSA request and OVGA boundary change.
- 8. 2022 Strategic Plan (Attachment C)
- 9. Adoption of resolution allowing for continued virtual meetings under AB 361 (Attachment D)
- 10. Discussion on Key Wells, CASGEM, and volunteer training.
  - a. Possible funding opportunity from Department of Water Resources/United States Geological Survey
- 11. Public Comment (on any matter).
- 12. Adjournment to Wednesday, March 23, 2022, 6:30 p.m., in Benton (pending Covid-19 status).

"A"



Carol Ann Mitchell <rick.and.carol.ann@gmail.com>

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## Andy Puhvel Letter for Joining TVGWMD Advisory Board

2 messages

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Yo! Basecamp <climb@yobasecamp.com>

Wed, Feb 9, 2022 at 8:12 PM

To: Carol Ann Mitchell <rick.and.carol.ann@gmail.com>

Dear Board Members of the Tri-Valley Groundwater Management District,

My name is Andy Puhvel, and I am a resident of Hammil Valley. I am requesting a position on the Advisory Board of the TVGWMD.

My wife Lisa and I have lived in the heart of Hammil on Hammil Road for 20 years and have raised our two sons here since they were born. We love the open space, the amazing views, and vast nature that make our Tri-Valley area so special. Our home is off the grid and we live off of our solar system with a back-up generator, while at the same time growing quite a bit of food in our garden beds and irrigating 25 fruit trees we planted when we first moved onto the land.

When we moved to Hammil I was informed by many neighbors that the water table drops an average of 2 feet per year. After measuring our well for the past twenty years I can confirm that number is about right, although lately it has even increased to about 2.5 feet per year. I realize that although it is nice to ignore problems because it is difficult to deal with them, and sometimes inconvenient to fix them, this problem has dropped my well water level to a point where I feel as though I must take action to prevent the inevitable draining of our aquifer. This continuous drop will eventually make this area we all call home uninhabitable. I would like to see our groundwater work for everyone, but if our area will be ruined for everyone then something has to change. Moving forward as a community of property holders and water-dependent people, we need to find a balance where we achieve some semblance of sustainability.

If I am allowed to be on the Advisory Board, I promise to be an open-minded and constructive participant in solving our groundwater management issues. I will do my best to attend meetings and dedicate my time outside of meetings to getting projects done.

I appreciate your time and dedication on the Board and for considering me for a position on the Advisory Board.

Sincerely,

Andy Puhvel  
Hammil Valley

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Carol Ann Mitchell <rick.and.carol.ann@gmail.com>

Thu, Feb 10, 2022 at 11:31 AM

To: Yo! Basecamp <climb@yobasecamp.com>

Thank you for your letter. Our next meeting is February 23, 2021. I do not know if it will be in person yet. Watch for the agenda 72 hours in advance.

Carol Ann Mitchell, Chair  
TVGMD

[Quoted text hidden]

## MINUTES

### MONO COUNTY TRI-VALLEY GROUNDWATER MANAGEMENT DISTRICT Regular Meeting of January 26, 2022 6:30 P.M. Community Centers closed (COVID) – Zoom only

Chairperson Mitchell called the meeting to order at 6:31 P.M. on January 26, 2022. Meeting was held via zoom.

#### Roll Call:

Directors Present: Mitchell, West, Dunn, and Bassett.

Directors Absent: Moss (excused due to health issues) and Duggan (family emergency).

Advisory board present: M. Cook and G. Barsi

Mono County Personnel in attendance: Asst. County Counsel Emily Fox; Planning Dept. Michael Draper

#### 1. Advisory Board

##### A. Appoint Dennis Murphy to the TVGMD Advisory Board (Hammil) for a term of 1 Year.

Dennis lives on Cinnamon Ranch Road in Hammil Valley and has been in the area for approx. 1 year. He was not able to attend the 1/26/22 meeting. The appointment was deferred to the February 23, 2022 meeting.

##### B. Advisory Board Report and Comment.

Mike Cook – Advisory Board (A.B.) meeting held 1/6/2022. Gina Barsi, Mike Cook, Carol Ann Mitchell attended.

1. The plan is for the A.B. to meet at least quarterly.
2. In order to know "what they are solving for", the A.B. feels that an up-to-date Tri-Valley dashboard showing water levels, historical water trends, etc. would benefit the TVGMD board and members of the community, from which the A.B. could solicit input. The dashboard should be able to easily and readily allow access to all interested parties concerning current and historical water levels. With this information the A.B. can then meet to discuss and plan, as what they will be solving for will vary if the water levels are maintaining, declining, or increasing.

#### 2. Public Comment (on any matter):

Betsy McDonald (Chalfant) – has lived here for approx. 18 years and is excited to hear about the A.B. soliciting public input. She is very concerned about the Northeast spring in Fish Slough and feels that the groundwater modeling is the first step. She reports that Aaron Steinwand (Director of the Inyo County Water Department and staff to the Owens Valley Groundwater Authority) feels that there is funding available through the Integrated Regional Water Management Program (IRWMP) and Betsy wants to know if

those funds are still available to TVGMD. Carol Ann responded that she is not sure and is going to ask OVGA.

Andy Puhvel (Hammil) – groundwater monitoring is an enormous task; data collection is essential. He monitors his own well and could put the data on the dashboard that Mike Cook mentioned. Chalfant is being monitored routinely by DWP (Los Angeles Department of Water and Power) but Hammil needs data. Maybe we can talk about well monitoring at the next meeting.

Director Mitchell – California Statewide Groundwater Elevation Monitoring Program (CASGEM) is a statewide program in which you can enter your well data. TVGMD enters data for wells at the Benton dump and the Chalfant dump, monitoring in the Spring and the Fall seasons. She suggested that Andy contact one of the A.B members to follow up on this.

Betsy McDonald added to the “Chat” box - Here is a link to information about CASGEM, which is part of the Department of Water Resources.

<https://water.ca.gov/programs/groundwater-management/groundwater-elevation-monitoring-CASGEM>

**3. Approval of minutes of the November 17, 2021 meeting (attachment A).**

Motion made by Director Dunn and seconded by Director West to approve minutes as presented. Vote – all directors in attendance – “yes”.

**4. Election of Officers for 2022.**

Motion made by Director Dunn for Officers as follows:

Chairperson – Carol Ann

Vice-Chairperson – Phil West

Secretary/Treasurer – Geri Bassett

Director Bassett seconded the motion for Carol Ann and Phil West as Chair and Vice-Chair, respectively.

Roll Call Vote - all directors in attendance – “yes”.

**5. Brief Report of Director Activities.**

A. In Rhonda Duggan’s absence, Director Mitchell read the report from Duggan:

- Mono County is an active member of OVGA through June 30, 2022
- OVGA has expressed the desire to redraw the district boundaries now that the GSP is complete and has been submitted.
- TVGMD has access to the GSP as a blueprint to craft a sustainability strategy more aligned with the needs of the Tri-Valley residents.
- The hard work begins now and this is a great opportunity for everyone to contribute to the effort.

B. Director Mitchell – reported that she has been having issues with the laptop she uses for the Zoom meetings. TVGMD received a laptop many years ago from Mono County. The only programs on it are Google and Zoom. It is available for TVGMD use and we might need to consider a replacement for it in the near future.

**6. Resignation of Matt Doonan as a member of the Board of Directors effective December 6, 2021.**

Per the Board's direction at the November 17, 2021 meeting, a letter was sent to Director Matt Doonan regarding his Board participation. The deadline for his response was December 6, 2021. No response was received. Therefore, he is considered to have resigned from the Board.

Motion to accept Director Matt Doonan's resignation was made by Director West and seconded by Director Dunn. Roll Call Vote – all directors in attendance – “yes”.

**7. Appointment of Greg Allen (Benton) to fill an unexpired term of the Board of Directors with the term of office to end November 30, 2024.**

Greg Allen (Benton) stated that he has lived in Benton since 2014 and has been in the Bishop area since 1999. He and his wife live on a small ranch just outside the town of Benton. They also own a Pack Outfit on the South Fork of Bishop Creek. They are permittees of the Inyo National Forest, Commercial Use Authorization holders and contractors for Sequoia and Kings Canyon National Park, a contractor for the State Of California Department of Water Resources, Snow Survey Department, a lessee with the City of Los Angeles, and a client of the USDA Farm Services Agency. He has had over 22 years dealing with these mentioned agencies. He has very strong opinions on water usage and feels it is best left in the hands of those it affects the most, the local citizens and land owners for they are the stewards of the land, the true stakeholders. He feels as a member of the board he can help educate the local residents and users of this valuable resource in a positive and constructive manner for the benefit of all of our local residents and to help protect our rights and resources.

Director Mitchell asked if he has a well, separate from his domestic well, that pumps at least 100 gallons per minute (gpm). Mr. Allen stated that in addition to their domestic well, he has a well that is 305 feet deep and can pump approx. 550gpm.

Director Bassett asked for confirmation that they own their property that they are farming. Mr. Allen replied that, yes, they do.

Peter Stickle asked about the status of the third agricultural position that the Board has. Has there been any discussion to change the by-laws to allow lease-holders such as Jarret Phillips to be eligible for the Board, any discussion of previous Board members to rejoin the Board, and/or any outreach to fill that third position?

Director Mitchell stated that, yes, there has been outreach and publication as required by law. The position will be listed on the upcoming election.

Assist. County Counsel Emily Fox pointed out that the District rules are in the California water statutes. A change to District law is a Legislative matter and that the Board cannot change them on their own. The district would have to ask a one of our representatives to carry a bill to change the District statutes.

A motion to appoint Greg Allen to the TVGMD Board ag. position vacated by Director Matt Doonan's resignation was made by Director Bassett and seconded by Director Dunn. Roll Call Vote – all directors in attendance – “yes”.

**8. Report from Board Representatives and staff on Owens Valley Groundwater Authority activities.**

**A. OVGA meetings and activities.**

Michael Draper mentioned that Mono County did vote to withdraw from the OVGA.

Director Bassett - The OVGA meeting scheduled for January 27, 2022 is primarily to vote on the AB361 resolution.

**B. Discussion on GSA (Groundwater Sustainability Agency) request.**

Asst. County Counsel Fox – OVGA might keep the Tri-Valley GSA on hold until June 30, 2022, but, after Mono County withdraws, OVGA has no jurisdiction over any Mono County issues. She anticipates that this will be on the agenda for the next OVGA meeting, which is February 10, 2022.

Peter Stickles asked Asst. County Counsel Fox – if OVGA doesn't adjust the boundary until June 2022, does the TVGMD need to request anything from DWR? Fox replied that if the issue is not resolved by June 2022, TVGMD should notify DWR and let them know that OVGA has no jurisdictional authority in Mono County.

Betsy McDonald – would TVGMD's GSA include Fish Slough?

Asst. County Counsel Fox replied that the GSA would include the part of Fish Slough that is in Mono County, which is a very small part of Fish Slough.

Betsy McDonald asked if the Northeast spring is in Mono County. No one was able to answer that question during the meeting.

**9. Report on the January 11, 2022 meeting of the Board of Supervisors regarding OVGA withdrawal.**

Mono County Board of Supervisors notified OVGA that they were withdrawing from the Joint Powers Authority (JPA) that forms OVGA effective June 30, 2022.

**10. Review and possible adoption of the Board of Directors Rules as amended (Attachment B).**

The draft rules amendment adds section 110. Document Requests, allowing the Board to charge for the reasonable costs of providing and transmitting hard copies of documents requested by members of the public.

After minimal discussion, a motion to amend the rules as presented was made by Director West and seconded by Director Dunn. Roll Call Vote – all directors in attendance – “yes”.

**11. Adoption of resolution allowing for continued virtual meetings under AB 361 (Attachment C).**

The resolution allows for Zoom meetings to be held and still comply with the Brown Act. This needs to be done every 30 days to continue Zoom meetings.

With the note of a date correction needed (2022 instead of 2021), a motion to approve



AB 361 R-1-22 was made by Director West and seconded by Director Bassett.  
Roll Call Vote – all directors in attendance – “yes”.

**12. CASGEM Program.**

Director Mitchell reported that the TVGMD Board is looking for volunteers to assist with well monitoring and keeping data for the CASGEM Program.

Director Dunn reported that the water levels in the well in Benton and the well in Chalfant can both be checked in about an hour, including drive time. She also reported that the TVGMD Board has three sets of monitoring equipment; one is for a deep well, we don't monitor any deep wells. The Benton well has snow on it at this time and whoever does the monitoring will need help getting the cap off of the Chalfant well.

**13. Public Comment on any matter.**

Betsy McDonald asked if Asst. County Counsel Fox will still be assisting us when Mono County withdraws from the OVGAs. Director Mitchell replied that Asst. County Counsel Fox is a Mono County employee. So, yes, she will continue to assist the TVGMD Board.

**14. Adjournment to Wednesday, February 23, 2022, 6:30 p.m., in Benton  
(pending Covid-19 status)**

The meeting will be in-person if possible.

Motion to adjourn the meeting was made by Director Dunn and seconded by Director Bassett. Vote – all directors in attendance – “yes”.

Meeting was adjourned at 7:41 P.M.

Next meeting will be held on the fourth Wednesday of February 2022:

**February 23, 2022**

**At 6:30 P.M. at the Benton Community Center (pending COVID status)**

*by Geri Bassett*

"C"

## MONO COUNTY TRI-VALLEY

### GROUNDWATER MANAGEMENT DISTRICT

#### 2022 Strategic Plan

##### TVGMD Core Vision:

*To preserve the ground water within the boundaries of the District (Chapter 844 of 1989 California Statutes).*

**Mission:** To comply with the California Sustainable Groundwater Management Act (2014) and other applicable laws (government code, water code etc.) as the law pertains to the District.

##### Key Issues:

1. Rebuild reputation with community members of the Tri-Valley.
2. Adopt values of mutual respect between the Board of Directors and the Advisory Board.
3. To move forward as a Groundwater Sustainability Agency after being stationary with circumstances from the Owens Valley Groundwater Authority.
4. Improve our communication with each valley through newsletters or announcements on radio etc.
5. To build functioning accountable teams for well monitoring with approval from the Board of Directors. Rules for well monitoring are needed.

#### Essential Projects for Remainder of 2022:

1. **Re-instate Well Monitoring Program:**
  - a. Assign monitoring team for county dump wells.
  - b. Assign TVGMD Director to CASGEM to enter data for DWR.
  - c. Have legal counsel review previous Key Well documents.
  - d. Schedule Training for Key Well volunteers.
2. **Secure District Records and Well Monitoring Equipment:** Work with county to secure records and well monitoring equipment.
3. **Revise District Environmental Handbook and Permit Rules and Fees:** District to work with legal counsel to update required CEQA statutes.

4. **Funding for Groundwater Model:** Work with Mono County to obtain funding for groundwater model.
5. **District Finance:** Develop options for funding of District operations.
6. **Work on a Multi-Year Strategic Plan for use in a future GSP**

"D"

Resolution 22-02

**A RESOLUTION OF THE TRI-VALLEY GROUNDWATER MANAGEMENT DISTRICT BOARD OF DIRECTORS AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF FEBRUARY 23, 2022 THROUGH MARCH 25, 2022 PURSUANT TO AB 361**

**WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, which Proclamation remains in effect; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, modifying the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), subject to compliance with certain requirements; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, providing that the modifications would remain in place through September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361, providing that a legislative body subject to the Brown Act may continue to meet under modified teleconferencing rules if the meeting occurs during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing; and

**WHEREAS**, the Local Health Officer and the Director of Mono County Public Health have recommended that measures be implemented to promote social distancing, including the holding of virtual meetings of legislative bodies within the County of Mono, a copy of that recommendation is attached as an exhibit and incorporated herein; and

**WHEREAS**, in the interest of public health and safety, and in response to the local recommendation for measures to promote social distancing, the Tri-Valley Groundwater Management District Board of Directors (the "Legislative Body") deems it necessary to invoke the provisions of AB 361 related to teleconferencing;

**NOW, THEREFORE, THE LEGISLATIVE BODY FINDS AND RESOLVES** that:

**SECTION ONE:** The recitals set forth above are true and correct and are adopted as findings of the Legislative Body.

**SECTION TWO:** The Legislative Body has reconsidered the circumstances of the State of Emergency.

**SECTION THREE:** State or local officials have recommended measures to promote social distancing, including the holding of virtual meetings for legislative bodies within the County of Mono that are subject to the Brown Act.

**SECTION FOUR:** Meetings of the Legislative Body may be held 100% virtually through March 25, 2022.

1           **SECTION FIVE:** Staff is directed to return to the Legislative Body no later than thirty  
2 (30) days after the adoption of this resolution for the Legislative Body to consider whether to  
3 again make the findings required to continue meeting under the modified teleconference  
4 procedures of AB 361.

4           **PASSED, APPROVED and ADOPTED** this 23rd day of February 2022, by the  
5 following vote, to wit:

6 **AYES:**

7 **NOES:**

8 **ABSENT:**

9 **ABSTAIN:**

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13 Carol Ann Mitchell, Chair  
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