

**MONO COUNTY TRI-VALLEY GROUNDWATER MANAGEMENT DISTRICT**

**123B Valley Road  
Chalfant, California 93514**

**BOARD OF DIRECTORS:**

Carol Ann Mitchell, Chairperson

Phil West, Vice-Chairperson

Geri Bassett, Secretary

Andy Puhvel

Greg Allen

Ed Parkinson

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

**REGULAR MEETING AGENDA**

**Wednesday, July 26, 2023 at 6:30 p.m.**

**Chalfant Community Center**

**123 Valley Road, Chalfant, CA. 93514**

*Mission: The mission of the Tri-Valley Groundwater Management District is to comply with the California Sustainable Groundwater Management Act (SGMA)\* of 2014 and other applicable laws (government code, water code etc.) as the law pertains to the District.  
Core Vision: To preserve the groundwater within the boundaries of the District (Chapter 844 of 1989 California Statutes).*

1. Advisory Board
  - a. Advisory Board comment.
  - b. Discussion and possible action on the Mono County approval process of new agricultural wells within the TVGMD boundaries.
2. Public Comment
3. Approval of minutes: May 17 and July 12, 2023 meetings.
4. TVGMD Board of Directors
  - a. Discussion and possible action on establishing a sub-committee of the Board to study, and recommend changes to the District statutes regarding the domestic and 100 gpm seats on the Board of Directors, in accordance with section 109 Rules of the Board.
  - b. Consider appointment of Director Andy Puhvel to serve as a member and Chairman of the sub-committee. Consider other members who have yet to volunteer.
  - c. Set date to adopt rules for this sub-committee and to report back to the Board of Directors.
5. Report and possible action regarding the mail-in election for November 7, 2023.
6. Report and possible action on the Groundwater Model Grant.
7. AEM Survey of Eastern Sierra in Fall 2023.
8. Report on funding request to Mono County for 2024.

9. Board of Directors Reports

a. Advertising of SGMA meeting 8/23/23

10. Adjournment to Wednesday, August 23, 2023, 6:30 p.m. at the Chalfant Community Center.



TVGMD Letterhead

Date

Mono County Board of Supervisors  
Mono County Environmental Health  
Mono County Community Development Department

Dear Mono County Board of Supervisors, Environmental Health and Community Development Department:

In order to do the work of managing the groundwater of the Tri-Valley Groundwater Management District (TVGMD) Groundwater Sustainability Area (GSA), it is essential to have notice of application to drill and extract large amounts of groundwater in the Tri-Valley area of Mono County. To that effect, the TVGMD is the county to notify the Board of Directors and the Advisory Board of the TVGMD of any well applications in their GSA that are capable of extracting over 2 acre feet/year. Timely notice of these applications will allow the TVGMD to use the 35 day window to review the application, connect with county counsel, assure that the Governor's Executive Order N-7-22 is being appropriately followed, and make comments to the decision makers in Mono County.

One of the Management Actions set forth in the Groundwater Sustainability Plan (GSP) produced by the Owens Valley Groundwater Authority when TVGMD was a part of that GSA states as an action to "review new permits for water supply wells. Regulate production if necessary to ensure water levels remain within SMC". Requiring a flow meter of all new wells of this capacity would be essential to be in compliance with this action. This request for review is a first step in this management action..

This has become an urgent request because In May of 2022, Mono County approved a well application from White Mountain Ranch for a 700 foot well after Executive Order N-7-22 was in place. Mono County used a study from Santa Barbara to approve an exemption to 9.b of the order and did not require CEQA for this well. The geology and hydrology of Santa Barbara in no way represents the geology and hydrology of the Tri-Valley area. This decision to consider this new well as ministerial was, in our opinion, egregiously inappropriate. Mono County should have consulted with a hydrologist that is familiar with the TV area if they desired to exempt this well. This well, which reaches depths of over 800 feet, is three times the depth of any LADWP well and potentially could impact other local aquifers in many ways, including contamination with arsenic, for example. Arsenic is common in the TV area and that was likely not considered in the Santa Barbara study.

Also, we suggest that Mono County consider the Powers Case when considering well applications. In this action challenging Stanislaus County's classification of well construction permits, the Supreme Court held that the blanket classification of all permit issuances as ministerial was unlawful.

We strongly urge you to honor this request.

With respect,

TVGMD Board of Directors.

**DRAFT  
MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER  
MANAGEMENT DISTRICT  
Special Meeting of  
July 12, 2023 5:00 P.M.  
Benton Community Center**

Chairperson Mitchell called the meeting to order at 5:00 P.M. on July 12, 2023. Meeting was held in person and one person via zoom.

**Roll Call:**

Directors Present: Mitchell, Allen (at 5:08), Parkinson, West, and Bassett.

Directors Absent: Puhvel (attending on Zoom as Public).

Advisory Board present: Janet Barth.

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

**1. Advisory Board Comment.**

Janet Barth reported that she wasn't really attending as the Advisory Board and didn't have any comment.

**2. Public Comment**

**Janet Barth** - I don't really define my position as of yet, it's pretty much that I realize that alfalfa is not a luxury item. I came from an area that has agriculture that has luxury items, in Napa Valley; it has grapes. And we went through our own water wars. So this is bringing back a lot of memories. I like; I'm hoping that we can figure out a way that we can have Ag and domestic wells. I think it's possible. That's about it.

**3. Discussion and possible adoption of Resolution 23-05A directing the type of election sought in Board Resolution 23-05 approved in May 2023. Resolution 23-05A corrects that the election sought for November 7, 2023 to fill a vacancy on the Board of Directors is to be a mail-in ballot election held within the Tri-Valley Groundwater Management District's boundaries. See attachments 3a and 3b.**

After input and background information from A.C.C. Beck, questions regarding timing of the election and minimizing costs to taxpayers, and minimal discussion, a motion to approve the Resolution 23-05A was made by Director Parkinson and seconded by Director West.

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

Nay – none.

**4. Adjournment to Wednesday, July 26, 2023, 6:30 p.m. at the Chalfant Community Center.**

A motion to adjourn was made by Director Allen and seconded by Director Parkinson.

Vote – all directors in attendance – “yes”.

**Meeting was adjourned at 5:15 PM.;**

**Next meeting is Wednesday, July 26, 2023 at 6:30 p.m. at the Chalfant Community Center.**  
**Geri Bassett, Secretary, TVGMD**



**DRAFT  
MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER  
MANAGEMENT DISTRICT  
Regular Meeting of  
May 17, 2023 6:30 P.M.  
Benton Community Center**

Chairperson Mitchell called the meeting to order at 6:30 P.M. on May 17, 2023. Meeting was held in person and via zoom. There were no attendees on zoom.

**Roll Call:**

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

Directors Absent: none

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

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

Director Mitchell started the meeting with a moment of silence for Marion Dunn, who had been active in the TVGMD as an Advisory Board member and then Board of Directors since the early 1990's. There was also a moment of silence for Ceal Gargan, who had been active in the community for many decades.

**1. Advisory Board**

**A. Advisory Board Report and Comment**

A.B. Murphy reported on the A.B. meeting held 5/10/2023. At the meeting there was quite a lively discussion and a lot of learning for many people. See attachment item #1A.

A.B. McDonald reported that:

1. she is continuing to work with M.C. I.T. on presenting hybrid meetings. There is a possibility of grant money available for equipment, etc.
2. a SWEEP grant is available and the deadline is in about a month.  
Director Duggan commented that she will contact the RCRC to get assistance from their grant writer.
3. there is a groundwater conference coming up in June. It is in Sacramento and she might go to it.

**B. Spring Newsletter – attachment #1B**

After minimal discussion on the newsletter, a motion to approve the newsletter was made by Director Puhvel and seconded by Director Bassett.

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

Nay – none.

A.B. McDonald and Peter Stickells are to contact each other regarding getting some alfalfa information in a workable format for the newsletter.

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### **C. Re-Appointment of Betsy McDonald for a 1 year term.**

A motion to re-appoint A.B. McDonald to another one-year term on the A.B. was made by Director Allen and seconded by Director Puhvel.

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

Nay – none.

### **D. Re-Appointment of Dennis Murphy for a 1 year term.**

A motion to re-appoint A.B. Murphy to another one-year term on the A.B. was made by Director Parkinson and seconded by Director West.

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

Nay – none.

## **2. Public Comment**

Director Mitchell reminded everyone that when someone is making a public comment, that they are entitled to their opinion and that they should not be interrupted or have their opinion rebutted. They should have time to speak. That is the whole purpose of public comment.

Director Duggan:

- A. gave a report on some free dump days and green waste days coming up in Mono County.
- B. reported that Mono County has their federal disaster declaration from FEMA. For more information contact <https://ready.mono.ca.gov/>
- C. Benton Crossing Road and Highway 120 East are being worked on and will hopefully reopen soon.

## **3. Approval of minutes from the April 26, 2023 meeting.**

There was some discussion about the length of the minutes. A.C.C. Beck replied that the requirement for the minutes is to create an accurate record of the public meeting and that they can continue to be done as they have been.

A motion to approve the April 26, 2023 minutes was made by Director Puhvel and seconded by Director West.

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

Nay – none.

## **4. TVGMD Board of Directors**

### **A. Public Comment on Board composition.**

**Betsy McDonald** - So I just want to say a few words and you guys have heard my opinion on this, but I want you to appreciate the last meeting in Chalfant saying that, wait a minute, we represent everybody. And even though there's certain positions for certain things that's what we hope the Board will do, is that you're here to listen and learn and represent the people of the Tri-Valley area. And I know that this Board does that. So, I really appreciate that. I think my concern was when we realized that, technically, all seven seats could be held by an Ag producer, if they lived here, because they would also have domestic wells and that's something that in my opinion, I think we need to tighten up. And then so I think Geri and Andy's, those will do that, and I appreciate your work on that. And then Phil's proposal very eloquently written was to try to take into account that there are people, or a person that could be people, that own land in the Tri-Valley area that don't live in the Tri-Valley area. So,



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they would not have a domestic well because they're not here. And so my concern about that rewrite is that that would mean that possibly three, and this is Inyo and Mono County. Hopefully everybody's read that, but possibly three people that don't live in the Tri-Valley area could potentially be on Board and that would make me wonder, you know how they would be seeing it when they don't have a domestic well here. So that would be my cautionary comment on that is that we have to look at the potential of how we work, how we change legislation, because it's not just about us, maybe it's because I'm getting older, but it's like we're talking about, yes now, but also the next generation and the next generation. And if we're changing legislation, we want to keep in mind what we're opening up and what we're shutting down. So that's my take on that and thank you for listening.

**Peter Stickells** - I just have a question or totally different. I'm not really sure, maybe this is historical, but I'm not exactly sure I understand why we break the seats up into four or three or three or four, and we just don't have an 8 member board with one being a supervisor and then seven other board seats and why do we really care whether it's four domestic or three domestic. Or 4 Ag or 3 Ag. I don't know why we're prostrating ourselves over this concept of whether it's four or three. I just throw that out there. Then maybe we don't need this distinction, and maybe this goes way back to when the Tri-Valley was looking at more exporting of water, which I don't think is really a concern. I think it should be the Board is representing the Tri-Valley, whether they're Ag or whether they're domestic. And I would expect that we're trying to put the best people, hope we're putting the best people on the Board that will represent or look at it from both perspectives. Rather than thinking they're Ag or thinking they're domestic.

**Chris Beck** – I tried to research it history for myself as well, for the purpose of crafting a memo to see what the history was because we saw the last legislative change, didn't change those, the two criteria for the seats, so I looked to try to find some sort of historical record and I couldn't find anything either, including in the legislative history.

**Peter Stickells** - That's great to have, Chris. But, I know, Carol Ann has probably the greatest history, but I don't really understand why we go and look at this one way versus the other. And why we just don't look at it as a collective.

**Betsy McDonald** - Yeah, I just kind of want to respond to that because I think one of the things I was thinking of as well, you could just throw out everything and say 2 reps from Benton, 2 reps from Hammil, 2 reps from Chalfant, one rep from Fish Slough. You know, so I kind of. I mean, yeah, I see what Peter is saying.

**Ed Parkinson** – It would solve allot of problems.

**Andy Puhvel** – I feel the same way in many ways. I believe one of my observations of this Board and Peter's comment regarding general positions. A straight up 7 Board members without any distinction as to who you represent. You represent everybody. My concern as a domestic well owner and as a person that just wants to solve, to come up with solutions to the issues that we all face would be that those positions would be voted on by the public at large. That would be my only concern. What really comes to mind is that it would always be done through an election process rather than a Board appointed process.



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**Greg Allen** – So if I can speak as a member of the public. I too have been struggling with this idea and I think it was Ed had said at the last meeting, why is it US against them, which is kind of the feeling that we have. We talked about equity. We talked about an equal playing field and I remember hearing last time we have 7 ranchers. And I think the number was 1100 homeowners, or 1100 other people. OK, so we say seven people were ranchers, but yeah, and I'm just going to look at this here. I see Peter and I see his wife Kathy sitting next to him. He's also somebody from that ranking. You know, I see his main guy sitting right there running his hay fields, there's somebody else who lives in the valley, who is a rancher.

**Peter Stickells** - But he's a property owner.

**Greg Allen** – Yes, he's a property owner and that's what I I'm drawing to the fact that we have a unique situation in the valley and I brought this up before. Because Carol Ann asked me, who are the people? Well, I think to the ranch behind me that's owned by Jesse Maldonado. Jesse owns the ranch. It's his property. He has an agricultural well and he has a domestic well. There is a home on the property. How many domestic wells do you have on your property Peter?

**Peter Stickells** – Several.

**Greg Allen** – So every agricultural property has a domestic well. Jesse does not live at his ranch. His son Jesus lives at his ranch. So it's family member that lives at the ranch. Jesse would not technically as a property owner be eligible to be on this Board. Same scenario with White Mountain Ranch. You know, we have numerous scenarios like this in the valley where we have that, where we are so closely in proximity to a larger population base. I thought and you said and why he lives in Bishop. His wife works in Bishop. She's done, retiring now because my wife's not going to travel from Benton to Bishop to do her home health care. We live in town because it works for us for the other part of it. I'm the one that travels to the ranch. So I am kind of struggling and I like that thing that Ed said. Why is it us against them? I like this idea that Peter puts out that if we are looking for the best information or that we are looking for equity within the Community. Why would we be afraid of them what the community votes on. The people that this is truly the voice of the people, it's truly the will of the people. Why would we want to limit that or to stop that and say no? And if we want to go that route then I would suggest that you look at it. No matter what you have, the us against them mindset, if we have three strong men against four strong men, who's going to win? The four strong men. Where is the equity in it? If we say I'm going to have 2 representatives on this Board as was said, 2 from Hammil, 2 from Chalfant. But I look at it differently, we're going to have two agricultural people, we're going to have 2 people that don't represent agriculture or large wells if you want to term it that way. Everyone else has an open position. You have those people that represent a certain side of it on the Board, but then the rest of it's open to a vote and we're concerned about having an unequal vote. I think there's a better way than literally segregating it to say X number X number because the X number always is going to have something in a favor of someone else. Yes, we realize there are more people that live in the valley, most likely who are not tied to agriculture, but I think when you look at it, you'll find it's much more than seven. And for equity sake, why do we not want to open it up to say, hey, we're not going to segregate these positions. We've had to in a great sense go against our own rules to bring people in and don't really fit that criteria. We did all this on technicality because we couldn't get the people we can alleviate that by saying just alleviate that title within.



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We've got 7 board positions. 8 Rhonda being ex officio, we're not going to put any title on any of them or we're going to have one or two of each of those categorize the rest of it is open. I don't like the feel of the US against them. I don't feel that we're going to be real effective in anything we do with that mindset and that's just reality. To me, you can't say well of course it's reality. Well, I don't see it in reality because we're always going to have something skewed if we're looking truly at what this country is, a Republic, what do we do? We gave voices to people to protect the minority portion of it. And I think that needs to still be considered in this Board, and how do we best do that? I think by opening it up and making it something where no, we're not really looking at that side of it. What do we have in our election system? You're red, I'm blue. I'm against you because you're blue. I'm against you because you're red. That's what's got us into in this country. And when we fight against ourselves continually as a member, you know, and I think we'll continue to fight against ourselves in a great sense. I don't think Andy and I have anything against each other. We have some different viewpoints, but yet we both utilize the mountains. You know, we both have things that we love in our lives. We both obviously love living here, but yet we put something in here that drives the division between us and I personally don't really feel it's necessary. I think it does the Board a disservice.

**Edie Trimmer** – I'd like to make a comment. I'm an outsider for the Tri-Valley area, but what I see and I understand that the Board members speak for everyone. But as an outsider, I have to say that it feels like certain members of the Board have dragged their feet and moving forward on some very important issues. And that is why it concerns me to have a board that is heavily weighted to agriculture. That's my concern.

**Ed Parkinson** - I'd like to say something first. You know I think a lot of these mis-skewed feelings, like people dragging their feet. I don't believe that's the case at all. I believe that this was brought on by us against you. You know a key part of the division thing here, I think if we eliminate that division there'd be a lot less problems. We're all supposed to be here for the people. Not for Ag, not for this. It's not me against you. I mean, that's really disappointing to me. To work in that type of an atmosphere or try to accomplish anything in that type of an atmosphere because everybody's working against everybody. My personal opinion is it just needs to be water Board members. We don't need this Ag against this or this against that. That's it's getting ridiculous.

**Amy Saladin** - I thought the board members were put on based on how much water they used. You know, de minimis wells and agricultural wells. And so, you know, you kind of want to get a balance there, of the population.

**Andy Puhvel** - My understanding of this all has been, I could be off on this, but that the 100 in the statutes, that we're basically talking about here, that we're considering rewriting, that the 100 gallon per minute was put there to ensure that the Ag that those that had over 100 gallon per minute had some sort of representation. It is not equal, but it is significant on the Board and I believe that what Greg's saying is I might agree with all of it and I do feel though that if we lean towards establishing just a Board without any distinctions, that it should be left to the popular voters, because I believe that, like you're saying I agree with you there aren't seven people in this area that are invested in agriculture, there is far more than that. But from what I've seen recently, a public comment at least that people attending the meetings, that there's a lot of domestic well owners that are concerned and I believe popular elections, that would basically solve the issue at to the balance of representation.



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**Dennis Murphy** - I just have a question. It seems like we're in the default mode. Right now where it goes to public election, at least this one seat, and then from there, if we could continue to move forward in that direction. That's not clear, but.

**Chris Beck** - Technically you could, because we could keep defaulting into it, or we can change the statute that says it's elected at large. Oh, I take it back, because we have an at large seats, so I don't want to say in that regard, but yes this one's going to go to elections because it's past due and then either seats could just expire and remain vacant for 60 days or until election. Or the statute can be amended to make the loop hole. But I do want to clarify from the Statute because I know we talked about Ag and domestic users. So from the water code, from SGMA particularly, the consideration of all interests of beneficial uses for the purpose of the Board and interest representing is, there's holders of overlying groundwater rights and articulates Ag users and domestic, I think that's where our Board may have got a bit confused as far as those. There's also municipal well operators, public water systems, local land use planning agencies, environmental uses, users of water groups, surface water users, the federal government, California Native American tribes and disadvantaged communities. And I think that's why, as I'm looking for the history of why the statute was written the way it was is that's why you have the at large. Because there's 15 interests, not just the two, to be considered. And so there is the carve out for the producers that can produce over 100 gallons per minute and the at large. I believe the intention in writing the statute that way was so that all of these people can be represented and I don't think that the federal government is going to take a seat on the Board. But everybody else I believe could.

**Peter Stickells** - I was just going to follow up on what Chris just said and that's very true and especially when you looked at the Owens Valley Groundwater Authority and how that was set up. I believe that this Board, initially it was established well before SGMA was even contemplated. And if this Board was to go in the direction of being it is a GSA of that. And so if we are going to go that direction, which would be appropriate, then I would say we should follow SGMA. But this Board historically has not been a SGMA type Board. So it just

**CA Mitchell** - That's because we just became a GSA in November.

**Peter Stickells** - I recognize that. So if we want to look at it in the GSA perspective, which is looking at SGMA, I think Chris is dead on, we don't have a community water system. Well, actually White Mountain may be a community water system, I'm not sure, but.

**Phil West** - I think Chalfant is

**Peter Stickells** - Does Chalfant have a community water system? Ok. So, it may be that we could look at it that way, you know the way SGMA intended these Boards to be structured, but it would mean that this Board would have to, I would think, have to go through a real restructuring process. And I'm just going back up my comment as to why I think we should look at this instead of four/three type of approach is, I just look at it from the Ag perspective that I honestly don't believe Ag is going to be as big an issue looking out five to 10 years, for other reasons, and therefore, you know the concern, I'm sure that was here in the in the 80s was that the Ag owners didn't want us, say, representation, being controlled by Chalfant who doesn't have members or residents that don't necessarily get out to Hammil or Benton and really have an



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understanding of what we do. But the reality is I believe that Hammil and Benton are going to change and you know, looking at it on a 4-3 or 3-4 basis, in my mind, we should be looking at the larger issues and that's going to be something that's going to have to be addressed by everyone in the Tri-Valley. So two different ways to look at it, I'm just throwing that out. But I agree with what Chris just said that, but that's if we go by SGMA.

**Chris Beck** – I'll clarify, I'm not making the policy position, I'm just reading code. Because if the Board proffers any sort of change, my legal analysis will be OK, does that change comport with the legislative policy intent? And so the legislative policy intent and intent is described there. Carol Ann has an important point is that the Board was established well before SGMA because the legislature dragged their feet for years and years on regulating groundwater. But if a decision determination is made, I will then render an opinion that will be made available to the Board as far as whether that complies with. It's really going to determine whether or not we believe the legislature would actually support the legislation because their analyst is going to go through it and say, look, this is an issue with SGMA or this is not. So section 10723 of the code, we're going to have to comply with that regardless. Your Board now, which is probably why it's composed the way it is, again, I can't find the history, is because having those at large seats represents those other interests listed on there.

**CA Mitchell** – When the legislature passed the original Tri-Valley Groundwater Management act, they said in their findings that the groundwater basin may become overdrafted, thereby depleting supplies for domestic users, curtailing reasonable growth and endangering the economic viability of the agriculture and otherwise, and adversely affecting the environment and the economy. So that was the reason that there was domestic and agriculture.

**Andy Puhvel** - I just like to say that I think everyone who's been part of these conversations the past three meetings or since February, when this all came up, is aware of how large a thing we're dealing with here, and I feel like, I sense that we're actually making progress on this and I do agree with I believe at this point it's important that everyone who's involved here, we've just been sort of put a new thing on the plate we've been. We've been in this 4-3 millue for the past couple of meetings with different interpretations of what that means. And now suddenly we've gone forward this model of no 4/3. You know seven seats and it includes distinctions of the at large definition like Chris, which will have to pass through all the SGMA qualifications, and I think this is all a natural evolution based on the fact that this board was established in, was it 1981?

**CA Mitchell** - 1989. It was, it went through the legislature and it became a Board a full district in January 1st of 1990.

**Andy Puhvel** - And is it true that it was the first ground water board

**CA Mitchell** – Second.

**Andy Puhvel** – Second groundwater board in all of California. So this board was well ahead of its time and SGMA is now a brand new thing that is obviously statewide, huge. And we are now morphing into what we are, which is this GSA under the auspices of the SGMA's legislation. So I believe that everyone here I would, I also think right now, because we just introduced this idea, thank you Peter for introducing this idea. I believe everyone needs to digest that before we go



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ahead with the vote on that. Because I think it opens up a whole different framework for how this Board is composed and I think we need more than just the next 10 minutes to dwell on the repercussions of that.

**CA Mitchell** - Yeah, whatever is decided as far as the composition of the Board, we need to have a policy. Written policy that we can say this is why we want it changed.

**Andy Puhvel** - So the legislature the state legislature then understands.

**CA Mitchell** - He (A.C.C Beck) will have to sell it to the county and also to the state and once you get into committee, through the environmental process over in the state legislature, you won't believe what will come up. There will be people, not just people here in the Tri-Valley, looking at the legislation there'll be people throughout the whole state and they're going to be asking why you did this. So you need to have a firm basis to go in there. Not just saying, oh, we want this, we want that. You got to have a firm statement.

**Chris Beck** - That's a good point because someone has to sponsor that legislation. You're, part of what we send in will be we'll do the legislative history of the Board, demonstrating there's been public hearings and you've met that threshold now. Right, it's been heard and discussed a lot. But to describe the intent, and they're going to want to see why are we going to spend our, someone's got to sponsor that legislation, ideally our representative. You have to demonstrate need and purpose because there are a lot of things before the legislature. But I will comment though of incredible need at this meeting is that resolution because this is our last meeting for all intents and purposes where we can pass the resolution where it's timely enough for the next election. So if we are going to have it. Don't table that tonight. That needs to be discussed tonight.

**Andy Puhvel** - Can I ask a question regarding how what you just said that the if the legislation needs to be sponsored, is that true just for this large this elimination of the Board as is or is that also true if we're trying to just tweak the language a little bit?

**Chris Beck** - Yeah, same thing, and that's what's so tough is normally another body has an opportunity to make all kinds of rules for themselves and they just didn't grant that latitude to GSA.

**CA Mitchell** - Actually, it was really Fred Stump who got it through last time. It wasn't the Board. It was his idea that the supervisor needed to be ex-officio.

**Phil West** - As a resident, I think it's incumbent upon the Board whoever sitting upon it to listen and take into consideration all of the facts presented by and I'm sorry I'm repeating what many of you have said. But I think this, to bring it around full circle, I think to a large extent this brings to the point of how important the Advisory Board committee is because that can be composed of numerous people, and maybe there's some language there that we need to look at changing more so than numbers composing this Board, does that make sense? And what I'm trying to say is that there's a lot of people that have responsibility to within our groundwater management district that need to have a say both residents, Ag, any anybody who has access to water in the valley and I think that's where it's very incumbent and important that the Advisory Board be an



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all-encompassing voice for that to bring it to a Board that will realistically interpret, listen to, and move forward with facts, figures and reality.

**Edie Trimmer** - And I intend, I think, with regard to Fish Slough, you know, time is really running short. I'm concerned for our Board to yet again, not make a decision so that you can move forward with the groundwater model, with getting funds, with having a Board that works together. I hope you don't. I know it would be difficult to craft a resolution tonight, but, I'd be very concerned, especially delays in having this resolved in the next election.

**Greg Allen** - So can I ask a question? Are you concerning we can't do anything right now? Because we can vote on anything right now because we have a quorum. No, we do have a quorum. We can pass anything you don't have to change anything to pass, you know to make a motion and pass it. So the Board has the ability to do that. There's not something we're doing that keeps us from that, it's not as though we're at a deadlock. We're not a lame duck board that can't do anything. As long as we have 4 affirmative votes, we can pass any motion.

**Peter Stickells** - I just have one small quick comment. Following up on Phil's comment. You know, I understand Carol Ann your position when it comes to outside residents on the Board. But that outside resident distinction also applies to the Advisory Board, which doesn't really have the vote with the Tri-Valley Water Board or Tri-Valley board. So, if you're going to make some changes, I would say that it would be helpful to have an Advisory Board that could represent people that might have ownership in in the Tri-Valley that might not live exactly in the Tri-Valley.

**Gina Cleland** - I agree with that as well.

**Chris Beck** - The only other thing that I'd proffer is that we can ask for. We can request somebody, an analyst or a staffer for one of the state senators on the Senate Committee on Natural Resources of Water, which is where this would land after it goes to DWR with comment from DWR rather and see if we can invite them to a meeting. The chair, I think is at Irvine. There's a handful of the state senators on here that we could ask if they could send. So Henry Stern I know has a water staffer. We could ask if they would like to attend the meeting and comment because they may say hey, you know, like here's what water, natural resources is dealing with or of course we'll entertain this. You know we deal with it for all the other GSA's. That may be an option just to tell you viability, because what they're going to say now they're going to look and say the intent and spirit of the law is that you represent all of these users. And look, hey, we've done that. So, we are going to allow changes or we aren't going to allow changes, or of course, we'd love to hear your input and we'll consider it, but it may give you a better sort of the litmus test of if you do make a policy decision and send that along to Sacramento, whether they're going to take it up. Now, how long did the last one take start to finish?

**CA Mitchell** - It took about 18 months.

**Chris Beck** - OK thanks. I figured because I was thinking even if we drafted something now it's not going until the fall session. We're not going to hit committee before the recess.



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And so you'll likely hit committee at the end of next year and then it goes, it kind of rolls back through the process again. So I would say the six months to 12 months after that. Thanks for the clarification.

**CA Mitchell** - I think that we should do something in our next newsletter and possibly have some public hearings on it once you decide what you want to do. You need to have public hearings on it. And I'm not talking one public hearing. I'm talking in Benton and Chalfant and to have the meeting. That's what you do.

**Chris Beck** - Yeah, especially before you adopt it is because they'll be even if there's a recommendation tonight there's drafted language with an opinion that's then discussed again. And once the language is finalized, that will come back as a full resolution. I would recommend at least two or three public hearings in that regard. Because we need to demonstrate that, for the intent of changing it, we've had a lot of discussion, which I think is very helpful rather than just pumping it out at one meeting because that seems a little bit submissive. But there's been a lot of discussion, but then once we have this actually it's going to, in effect, be an ordinance. It's a resolution that will require public hearing to pass, right?

**Greg Allen** - So I want to throw a question that Chris is we have a current composition of the Board. We say we're just going to stick with what it is, that leaves a kind of open-ended almost from where we are because it didn't give a designation as to the fact that you can run for this position. You can't, in this position, because you have an agricultural well, if we just say we're going to run with what we've got, we're going to take applications for people that are basically putting their hat in the ring to say I want to run for this position that fills that Board seat with whoever that person is selected. And we then come up with language after the fact looking at Advisory Board, looking at the Board composition itself. It gets that process down the road.

**Chris Beck** - Right. And again it can happen, there can be a change in legislation so that everything is elected at large the Board can let the seats expire and go to elections as well. So it's the full populace, but the big thing is we have an open seat. Nothing's going to change in advance of that, but that seat needs to be filled, so that needs to get off to Mono County and well, I have a couple of things to bring up with that as we discuss it on the next item as well.

**Greg Allen** - So to me it looks as though really what our best option is is we run with the language we have, we run this election, people put their hat in the ring and they run for that position. If they're elected, they're elected and we then come back and determine what kind of language change we want. That gives us something to run with. Don Moss is still in the running for that position. puts his hat in the ring. If anybody else here within the Tri-Valley area which doesn't even designate it as Tri-Valley. Or could it be somebody from Mammoth. So there's another wrench in the works. I live in Mammoth. I want to run for the Tri-Valley Water board. I live in Mono County.

**Chris Beck** - I get to say this in that regard. That's a policy decision and I only comment on legal issues. So you guys get to work on that.

**Greg Allen** - Just looking at it, so my recommendation would be to run it as it is and we have the language we have right now. We put this as we have done it as an open-ended seat. It's out there, we basically take people that are interested in running, it goes on to the ballot.



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Whoever that person is that wins the election by popular vote is on the Board to fill the Board. We can then determine, I think Carol Ann is right, I think we need to have some workshops, what the pros and cons are. What are these things going to do. Because like we're all saying, it's not for today, it's not for tomorrow. Right now we're talking for children. We are talking about down the road and that's the way we have to look at it. So that would be my recommendation.

**Andy Puhvel** – I agree with that.

**Ed Parkinson** - I think as Board members, it's our responsibility to work together and not Ag against domestic. We should all be here for one.

**Phil West** - Yeah, I agree. All the information has to be looked at equitably.

**Andy Puhvel** - And filling this Board seat is very important and I believe like Chris, I mean I know it's the next item on the agenda, but it sounds like the Board makeup is a slow roll. It's something that's going to take a consideration. We got to keep working on it. We can't just table it every time. That already this time there's been significant progress as to the options and the fact that we do have to evolve with SGMA and with the spirit of what the Board is right now expressing, which is we need to represent everybody and not have this Us and them.

**Chris Beck** - By law. By law you have to represent all those 14 agents.

**CA Mitchell** – I believe we need a committee and to report every single meeting on their progress. We need a committee to work on it.

**Chris Beck** – That would be efficient. We can do that, it's allowable for sure.

**CA Mitchell** - Because otherwise it just falls at the wayside.

**Andy Puhvel** - Is it possible, Chris, that the Board make up, if a committee, for instance, drew up various pieces of language, could go to a public a public election for popular vote?

**Chris Beck** – No.

**Andy Puhvel** - The actual makeup they can if it can't go to vote as to how it's going. But it can receive extensive public comment like you were saying, we'd have to have hearings.

**Chris Beck** - Right. And then as far as taking it for a vote, in the statute now there is not a mechanism that allows that. The mechanism is the Board makes a decision. So you would have to change the statute first to allow that and then send it to the electorate to make a recommended change to the legislature. It would be bureaucratic hoops. I don't know if I could, I know that was confusing as I have but that was

**Andy Puhvel** - But it basically says that eventually, when we do work on the language and the Board makeup that that has to come down to a Board vote on that language to progress further towards the next step.

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**Chris Beck** - The way it is right now, right. There is a mechanism where if a person got a very savvy, wealthy lawyer, they could basically call something forward for an election. I don't know that much time I know it works. We're California, we have referendums.

**CA Mitchell** – Plus we don't have allot of money to pay for that, you guys. We don't have it.

**Andy Puhvel** – Should we come up with a committee?

**CA Mitchell** – I think so.

**Chris Beck** - Just noting it's going to be a Brown Act eligible committee.

**CA Mitchell** - Right, you have to post it and do a; well, you guys want to think about it and then next month we're doing SGMA. He's giving all of us a workshop on that, but we could put also one other item, which would be to think about it, and appoint a committee to work on it.

**Chris Beck** - The SGMA meeting is going to be riveted. And we'll do it as a workshop for that one. I'm just, it is a workshop because again, with public comment, it's just received and you can't have a conversation. But for a workshop we can. So people have questions we're able to answer everything.

**Andy Puhvel** - Regarding the committee and then the Brown Act, does that mean that it would have to be a maximum of three Board members? Or would that all have to go public every single time the committee had discussions or how would that?

**Chris Beck** - Because of the nature of it even if you have less than a quorum, like an ad hoc committee, I would still say it's would be still bound by the Brown Act, and you can always opt into the Brown Act. Which I would recommend for something like that. Make it available to the public and I mean receiving the public input I think is probably the biggest thing that committee needs to do.

**Andy Puhvel** – Ok. During the meeting. Right.

**CA Mitchell** - That committee needs to work with the Advisory Board and go to the Advisory Board meeting and inform them and then they can bring back their opinions at our meeting. This is not going to happen really fast.

**CA Mitchell** - Do do you want to make a motion? OK, I'll make a motion that we set up a committee at our next meeting. And that the Board think about it and the ones that are ready to really tackle this, be ready to put their name forward.

**Phil West** - Can I can I add an addendum? That I think not only the current Board bylaws need to be looked at by the committee, but also the Advisory Board bylaws.

**CA Mitchell** - OK.

**Andy Puhvel** - I second that motion with addendum.



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**CA Mitchell** - OK. There's a motion and a second. Geri would you take a roll call?

**Geri Bassett** – Carol Ann, aye; Phil, aye; Geri, aye; Andy, aye; Greg, aye; Ed, aye. OK, so the motion was, at our next meeting, to set up a committee and the Board to think about what we want to do and put your hat in for being on the committee.

**Phil West** - For both the Advisory Board and the regular Board.

**Geri Bassett** - Right. And then you added to do the bylaws and the Advisory Board bylaws.

**B. Discussion and action from the Board on possible language changes to the District statutes regarding the domestic and 100 g.p.m seats on the TVGMD Board of Directors.**

See page 12 and top of page 13. A motion to form a committee at the next regular Board meeting was made by Director Mitchell and seconded by Director Puhvel. The committee would develop possible language changes for composition of the Board of Directors and for the Advisory Board bylaws.

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

Nay – none.

**C. Direction to staff on this issue.**

None at this time. Please see 4B.

**5. Report on election to fill Board vacancy, and resolution calling for election.**

A.C.C. Beck reported that: we've drafted a resolution calling for the election per the statutory requirement and then the other thing I've included in there is a request to Mono County to operate the election in association with their next scheduled election, which is really what the government code calls for. I'd like to propose an addendum, though, that we'll just add as long as it's adopted in the motion to adopt the resolution is that we also request that Mono County waive the fees for the election, it's a request and so we can pass the resolution with that, then we'll send it along to the county and ideally they give us a waiver. But that will tell us whether or not we're going to have to participate in a special election. And I'm sure there's other districts coming due, and pay the cost for that, which I'd imagine are much more than a general election, or participate in the next general election which still has fees. But, we're going to ask for a waiver from Mono County. So in addition to item 6 that we have about funding from Mono county, we're going to ask for waiver of fees on this specific item so long as the Board adopts that in adopting the resolution. I think it's necessary, we can at least try.

After some discussion, it was determined that the vacant seat is an at large seat, not a seat requiring 100 gpm pumping capability. A.C.C. Beck reiterated that the Board is required by law to post the vacant position in the next scheduled election; leaving the seat empty until the possible Board composition language change is not an option. On the resolution, (a) would be selected.

A motion to call for the election and to request that Mono County waive the fees was made by Director Allen and seconded by Director Parkinson.

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

A.C.C. Beck is to resend the resolution to Chairperson Mitchell and Secretary Bassett with the addition of Mono County waiving fees and marking the at large seat (a). They will complete the signatures and resend to A.C.C. Beck for final signature and forwarding to the Elections Clerk.

**6. Report on funding request to Mono County.**

Director Mitchell reported that she had nothing new to report on the funding request.

**7. Board of Directors Reports**

Director Allen reported that he had seen an article on YouTube from the University of Colorado that talked about drought issues, climate/weather/storm patterns, and projected forecasts for the Western United States. He was unable to relocate the article to print it out. Searching under water shadow in the United States, Western United States weather patterns, etc. should locate it.

**8. Adjournment to Wednesday, June 21, 2023, 6:30 p.m. at the Chalfant Community Center.**

A motion to adjourn was made by Director Allen and seconded by Director Puhvel.

Vote – – all directors in attendance – “yes”.

**Meeting was adjourned at 7:58 PM.**

**Next meeting is Wednesday, June 21, 2023 at 6:30 p.m.  
at the Chalfant Community Center.**

**Geri Bassett, Secretary, TVGMD**



# California Department of Water Resources

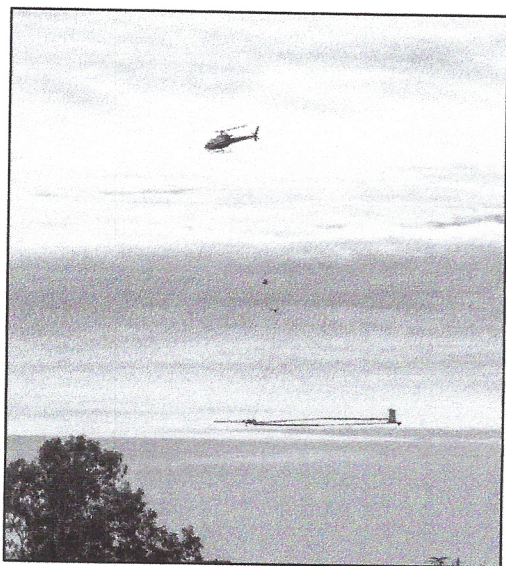
## Statewide Airborne Electromagnetic (AEM) Surveys

### Frequently Asked Questions

The California Department of Water Resources (DWR) is conducting airborne electromagnetic (AEM) surveys throughout California's high- and medium-priority groundwater basins, where data collection is feasible. The AEM surveys will provide information about large-scale aquifer structure that supports local groundwater management and the implementation of the Sustainable Groundwater Management Act (SGMA) and the development of Groundwater Sustainability Plans.

#### What is AEM?

AEM is a geophysical method that measures the electromagnetic properties of subsurface materials from helicopter towed equipment. The helicopter is flown by experienced pilots who follow all Federal Aviation Administration (FAA) regulations. The helicopter flies at 200 feet above ground, carrying the equipment approximately 100 feet above ground, and collects data along a defined flight path.



#### Why are AEM data being collected?

AEM data are being collected to detect and improve the understanding of aquifer structures, or layers, in a groundwater basin and show where there are thick layers consisting mostly of gravels and sands or silts and clays. This information supports the development and refinement of groundwater and hydrogeologic conceptual models and can be used to identify potential locations for groundwater recharge projects.

#### How does the AEM method map aquifer structures?

The AEM method measures the distribution of electromagnetic properties in the subsurface to a depth of approximately 1,000 feet below ground surface. The measured response can be displayed as a three-dimensional diagram and interpreted for the distribution of fine- and coarse-grained materials in the subsurface, which provides information about aquifer structures.

#### Is the AEM method safe?

The AEM method is not harmful to humans, animals, or plants. The method has already been used to safely conduct [pilot studies in California](#) and is used by local and government agencies both nationally and internationally (for example, Nebraska, Wisconsin, the Mississippi Alluvial Plain, Denmark, Australia).

#### Will the surveys be noisy?

The geophysical equipment does not generate any noise. The low flying helicopter will generate noise but will not cause a loud disturbance. The noise level generated from the low-flying helicopter will be less than the noise generated from operating a leaf blower or lawn mower.

#### When will the surveys be conducted?

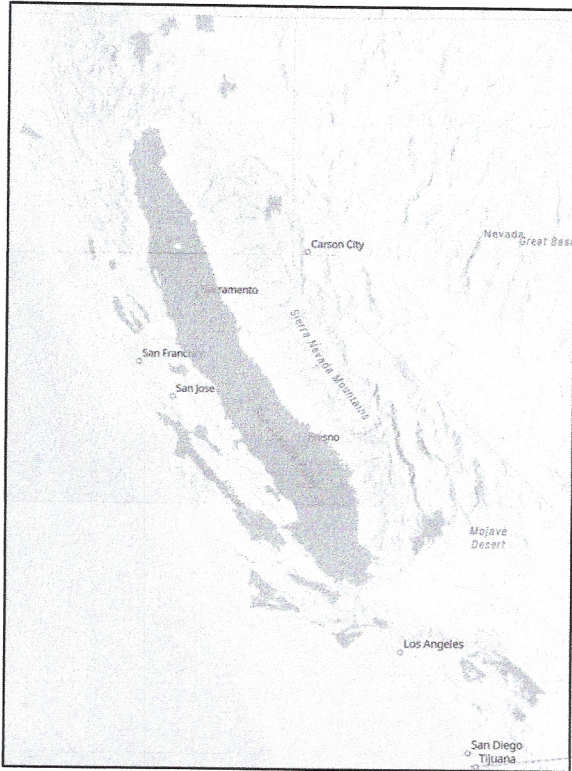
The AEM surveys will start in summer 2021 and will be conducted in different areas throughout the State over several years. The [AEM survey schedule](#) will be regularly updated on the AEM webpage.



# California Department of Water Resources Statewide Airborne Electromagnetic (AEM) Surveys Frequently Asked Questions

## Where will surveys be conducted?

The surveys will be conducted in all of California's high- and medium-priority groundwater basins as defined in DWR's [Bulletin 118 Basin Prioritization](#), where AEM data collection is feasible. AEM data will not be collected in basins that are mostly urban.



likely that you will only see the helicopter once during a survey in your area.

## Who is conducting the surveys?

DWR has contracted with Ramboll and GEI Consultants to conduct the AEM surveys. Ramboll has extensive experience collecting AEM data worldwide and GEI Consultants have expertise in California hydrogeology and regulations. Ramboll and GEI Consultants will be using vendor services from SkyTEM Canada and Sinton Helicopters to fly and collect the AEM data.

## Who is funding the surveys?

The AEM surveys are funded through voter-approved Proposition 68 and the General Fund. No additional funding is required from locals or Groundwater Sustainably Agencies.

## Will the AEM data be available to the public?

All AEM data and supporting data will be made available to the public through the [California Natural Resources Agency Open Data Portal](#). Data are not expected to be available until nine months after each survey is complete.

## Where can I get more information?

More information can be found at <https://water.ca.gov/Programs/SGMA/AEM>.

Questions can be emailed to [AEM@water.ca.gov](mailto:AEM@water.ca.gov).

## Will the helicopter fly over my house?

Flight paths will be designed to collect data over open spaces and avoid urban areas and structures containing people or confined livestock. The helicopter will make efforts to fly around people and large equipment.

## How long will the helicopter fly in my area?

AEM surveys will be conducted in each survey area over a few days to a couple of weeks, depending on the size of the survey area. The AEM data will be collected in lines that are several miles apart so it is