

*The Rainshadow is the newsletter of the Owens Valley Committee. OVC is a 501(c)(3) non-profit citizen's action group dedicated to the protection, restoration and sustainable management of water and land resources affecting the Owens Valley.*

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## President's Message

What an incredible six months it's been for the OVC! It's impossible not to cite as a highlight seeing the first water course down through the long-dry channel of the Lower Owens River on December 6, 2006. I was invited to speak at the ceremony, as was Mark Bagley of the Sierra Club. In attendance were many long-time OVC activists, our steadfast attorney Don Mooney, and a lot of new supporters.

As tempting as it may be to rest on our laurels, we still have a lot of work to do. In November 2006 we submitted to the LADWP Commissioners a list of Owens Valley water issues that we believe still need active work to resolve. These issues are discussed more in depth in this newsletter, but I am going to outline them here. Commissioners, or their close designees, need to:

- (1) Be educated on the groundwater pumping provisions of the LA-Inyo Long Term Water Agreement (LTWA). Local staff should be instructed to address the documented conversion of meadow to scrub vegetation that the LTWA was supposed to avoid.
- (2) Instruct local LADWP staff to work with Inyo County to conduct a comprehensive evaluation of water and land management at Laws to determine how the goals of the LTWA can reasonably be met there and recommend changes to current management to achieve that.
- (3) Instruct local LADWP staff to report on mitigation measure problems identified by Inyo County and develop a schedule for their full and successful implementation, including development of plans as per the MOU.
- (4) Work with the Parties as directed to produce an adequate adaptive management plan, land management plan, and Habitat Conservation Plan for LORP lands as directed by the MOU. Continue the very positive work to develop projects associated with the Hines Spring mitigation and the yellow-billed cuckoo mitigation.
- (5) Settle the Wright's 40 Acres dispute, and soon.
- (6) Provide access to the public to view wildlife at the Owens Lake once dust control measures are complete.

You can see that there is a lot to be done! The OVC continues its work on the ad hoc process that is bringing spring mitigations closer to reality, and in its insistence that the LORP is not finished just because the first water has been released. We welcome the more "open door" policy that the LADWP commissioners have extended to us, and seek your on-going support to keep those doorways filled with well-informed OVC activists.

**Carla Scheidlinger**  
President  
Owens Valley Committee

# THERE IT IS. TAKE IT BACK.

Ceal Klingler



**OVC president Carla Scheidlinger, longtime OVC lawyer Don Mooney, and Sierra Club representative Mark Bagley celebrate the rewatering of the Lower Owens at the Aqueduct intake.**

With the flick of a switch by Los Angeles Mayor Antonio Villaraigosa, water flowed again into the Lower Owens River December 6, 2006. As the water poured from a new gate in the same aqueduct structure that diverted the lower river from its course in 1913, Mayor Villaraigosa, Los Angeles Water and Power commissioners, the Inyo County Board of Supervisors, and hundreds of others cheered the small flow as a first step in mending relations between Los Angeles and the Owens Valley.

Intended as partial mitigation for environmental damage from Los Angeles' groundwater pumping from 1970 to 1990, the project remained in dry dock for years until Superior Court Judge Lee Cooper, Jr., ordered Los Angeles to initiate flows by late January 2007 or lose the use of its second aqueduct. The ruling, issued in 2005, resulted from a lawsuit initiated by the Sierra Club and the Owens Valley Committee (OVC). Judge Cooper also ordered that Los Angeles

temporarily reduce its groundwater pumping and pay a \$5,000-a-day fee until flows in the Lower Owens River are fully implemented, which must occur by July 2007.

Los Angeles' continued groundwater pumping remains a significant environmental concern in the Owens Valley. Despite two high runoff years and the court-ordered pumping reduction, water tables have not recovered to levels set by a 1991 Long Term



**Los Angeles Mayor Antonio Villaraigosa, Board of Water and Power Commissioners and Inyo County Supervisors cheer as water reenters the Lower Owens River.**

Water Agreement (LTWA) established between Los Angeles and Inyo County. Many Owens Valley alkali meadows suffered significant declines during the last few decades. Meetings between Inyo County and the City to coordinate joint water management policy under the LTWA ceased without explanation in 2003. Those meetings, however, resumed in late 2006—a signal from Mayor Villaraigosa's administration that it hopes to stop the downward spiral in relations between Inyo County and Los Angeles.

"Like these waters behind us, we need to change course," said Villaraigosa. "...We have an historic obligation and an essential role to play."

Leaders of local groups echoed that hope. "Cities in the American West, and indeed all over the world, are engaged in a struggle to obtain adequate water supplies for their burgeoning populations. And the struggle has often been bitter and wasteful," said Carla Scheidlinger, OVC president. The rewatering ceremony, she said, marks "what we 'watchers of the water' fervently hope is the beginning of a new era of cooperation with Los Angeles."

"The commencement of the Lower Owens River Project is a symbol of the hope we have for the future," said Mark Bagley, a longtime local Sierra Club leader instrumental in Owens Valley water negotiations. "It's a symbol of the improvement that's occurred in our working relationship."



**A tumbleweed-filled Lower Owens River awaits rewatering.**



# The Eastern Sierra Watershed Project

Leigh Parmenter

The Eastern Sierra Watershed Project was developed by the Eastern Sierra Institute for Collaborative Education and has been taking 7th and 8th graders to the Lower Owens River for the last 4 years to collect baseline data in anticipation of the rewatering. The students, working with trained docents, have collected data on the soils, vegetation, water quality, wildlife, and stream channel shape. Upon arrival at the river, students are divided into small groups and given field notebooks to record data. Rotating from docent to docent, the student groups collect data as they learn real world science through hands-on, interactive activities.

During the water quality section, students also had an opportunity to use the latest technologies in field research by recording their data on hand-held palm pilots. Using both chemical tests and probe technology, students measured the water temperature, pH, dissolved oxygen, salinity and nutrients in the river. With glass beads as a model, the docents demonstrate the complex role dissolved oxygen plays in an aquatic ecosystem in a manner that the students can visualize. Once the information is collected, the students explore the relationship between water chemistry and the life in the river.

The students donned hip boots and waded into the slow moving water to determine the stream flow and map the shape of the channel. Using a survey rod, students measure, then plot the shape of the channel on a graph creating an annual record of the stream channel morphology. With water flowing in the channel they will also measure the stream flow.



In addition to learning about what's going on in the channel, the students also learn about the soils and vegetation near the river. Using an auger to dig into the soil, they collected soil data including: temperature, pH, moisture and salinity. On the field trips, the students learned to determine the soil texture by how it feels, and then back in the classroom they checked their results with a follow-up lab. The soil and vegetation data collected will provide a great opportunity for students to examine possible factors behind vegetation changes along the riverbanks. Students also learn to identify wildlife sign such as tracks and scat. Baited scent stations are used to attract wildlife for track identification.

Volunteer docents are the key to the success of this program. They attend trainings and reliably show up each morning cold or hot to work with small groups. Each fall Eastern Sierra Watershed Project takes all Inyo County 8th graders to the river to monitor the physical changes in the river and in the spring 7th grade students focus on invasive species. If you would be interested in volunteer as a docent for the Eastern Sierra Watershed Project contact Leigh Parmenter at 707-873-5736. Training is provided and workdays are flexible.



## LA and Inyo County Disagree in Order to Agree?

THE INYO COUNTY SUPERVISORS and the Los Angeles Board of Water and Power Commissioners recently agreed on a 3 year interim management plan (IMP) for groundwater pumping in the Owens Valley. This is good news and bad news.

The good news is that in the IMP DWP is agreeing, for the first time, to water table-based management. This means pumping will be managed so water tables stay at specified levels. This is a big step forward and the new Commissioners of the LA Board of Water and Power should be commended.

The bad news is that the specified levels (i.e. levels as of April 1 2007) are too low in most wellfields to comply with the 1991 Long-term Water Agreement's (LTWA) goal of "avoiding" pumping impacts. LADWP's excessive pumping in the late 1980's caused enormous water table drawdowns, and water table levels and vegetation have yet to fully recover. This means water tables have been too deep to support the meadow vegetation accepted as "baseline" for management under the LTWA since the late 1980's. This IMP postpones any attempt to fully recover water tables for at least three more years.

As a result, the ongoing loss of grass, invasions of meadows by shrubs, and elevated rates of wind erosion will continue for at least three more years. These primary pumping impacts, in turn, have secondary effects on insects, animals, birds, and all forms of life which attempt to inhabit wellfield meadows.

For the three year period of the IMP, Inyo and DWP staff will be having a series of closed meetings to attempt to revise the Green Book (the Technical Appendix to the LTWA) which contains the actual protocols for operating pumps. Whether these meetings will eventually produce revised management protocols that lead to full water table recovery is completely unknown. The only certainty is that the management goal for the next three years will be to maintain water table levels in most wellfields that will unfortunately foster continuing alkaline meadow degradation.

—Daniel Pritchett

# May the Birds As Well As the Dust Settle on Owens Lake?

Michael Prather

More shallow flooding dust control is coming to Owens Lake causing wildlife and birders everywhere, “yearning to breathe free,” to smile. Another 9.2 square miles of shallow flooding will be added by 2010 to the 25 square miles already constructed. Shorebird data has been collected at Owens Lake since the mid 1980’s and it shows numbers increasing dramatically as a result of habitat created by the Los Angeles dust control project. Today the largest wildlife numbers anywhere in Inyo County exist at Owens Lake. In 2001 the National Audubon Society designated Owens Lake a Nationally Significant Important Bird Area because of the large numbers of migrating shorebirds and also because it is the largest inland nesting site for snowy plovers in California.

The valuable Owens Lake wildlife heritage, which was lost in the 1920’s after Los Angeles diverted water south, has returned,



Western Sandpipers

albeit unintentionally. It has returned, but it has not been restored. No ‘permanent’ protection exists for the clouds of sandpipers and armies of foraging American Avocets. Methods of dust control can change from shallow flooding to gravel or managed vegetation. Is it possible that this huge public trust wildlife resource will be lost a second time?

Water spread on Owens Lake spills directly from the Los Angeles aqueduct. It is of high

quality, is collected at a lower cost to the City and it also produces valuable hydropower. It is understandable that LADWP would like to use less of its aqueduct water. So now Los Angeles proposes to study pumping water from under Owens Lake for some of its dust control use. Will pumping threaten the natural springs, wells and wetlands that have survived since the lake disappeared in the 1920’s? Will this groundwater be of poor quality and destroy the food web that has been created in the shallow flood dust control areas? What impacts will this have on shorebirds and waterfowl? What are the alternatives?

Los Angeles deserves strong praise for using nearly the same volume of water that it did 20 years ago with the addition of several hundred thousand citizens. But more water conservation is still possible. Water use can be reduced for outdoor landscaping (about 50% of a city’s consumption), more storm water can be captured for recharge, desalinization can play a role, polluted aquifers can be cleaned up, industrial use can be more efficient as can wastewater treatment and reuse. How can Los Angeles be given flexibility in its dust project and reasonable water savings? A wealthy and increasingly ‘green city’ like Los Angeles can reduce water consumption and still provide for the California wildlife heritage return that has occurred at Owens Lake.

## NEWS BRIEFS

### OVC Continues Contacts with Los Angeles Leaders

Carla Scheidlinger and Mark Bagley met with LADWP commissioners Mary Nichols and David Nahai in Los Angeles in early February to discuss water-related issues in the Owens Valley. It was a frank and substantive discussion. The announcement a few weeks later that the LADWP was prepared to approach management of groundwater pumping based on depth to the water table may have been a direct result of that meeting. We are going to continue these discussions as necessary, in order to keep our issues in the forefront with these two very influential people.

### OVC Fieldtrips and Programs Offered

The Owens Valley Committee offers fieldtrips to Owens Lake, the Lower Owens River Project and LADWP well fields. In addition, we have a ‘road show’ program on water issues in the Owens Valley that travels throughout California. To arrange a fieldtrip or program contact outreach@ovcweb.org. See our Owens Lake podcast at [www.channelg.tv](http://www.channelg.tv) (search Owens Lake).





# Cal Tech “Y” Spring Break Visits Lower Owens River

Michael Prather



The CALTECH “Y” crew.

Not all university students go wild during their spring break. Recently a group of eight students visited Lone Pine here in the Owens Valley as part of the Cal Tech “Y” 2007 Alternative Spring Break. This trip marked the fourth year that Cal Tech “Y” students came to the Owens Valley to do service projects. Other groups have worked along the Mississippi Gulf Coast and Tecolote, Mexico. A sense of public service and fun pervaded each of these young adults. Coming from New Jersey, Pennsylvania, Michigan, Colorado, South Korea, France and California, most had not previously known of the Owens Valley. Their major subjects were molecular biology, physics, synthetic chemistry, theoretical mathematics, geochemistry and atmospheric chemistry. Bright and hard working, they had to be ordered to take breaks during the work sessions!

Arriving on a Sunday afternoon, they unloaded at the Trinity Church in Lone Pine and immediately left on a tour of the Owens Lake dust project to discuss engineering and water policy and to view the wildlife resurgence associated the shallow

flooding. Early Monday morning the group headed for the bluffs overlooking the Lower Owens River just north of the Lone Pine landfill...locally known as “Dump Hill.” In four hours ten people filled the large dump truck, generously donated by Los Angeles Department of Water and Power, with two full loads. The treasure trove was composed of a discarded water heater, old stove, clothes washer, gas heater, freezer, car seats, old furniture and uncountable numbers of spent shotgun shells metal casings from skeet and target shooters (pick up those empties please). After lunch it was on to the LORP Intake for a tour with Chris Plakos of the Los Angeles Department of Water and Power. That night after dinner it was off to the Lone Pine Film Museum for a showing of ‘Bad Day at Black Rock’ with Chris Langley, the Inyo County Film Commissioner.

Tuesday morning was spent with Scott Justin of the Bureau of Land Management ‘vertical mulching’ off-highway vehicle damage in the Alabama Hills. This project was part of the local community-based stewardship program being developed in Lone Pine. After lunch the Cal Tech “Y” students

## Judge Denies LA Request to End Court Order That Threatens Second LA Aqueduct

IN A MARCH RULING, Inyo County Judge Lee Cooper found that the Los Angeles Department of Water and Power (DWP) has “proceeded with commendable diligence” in complying with his 2005 court order to rewater the Lower Owens River, but that DWP has not yet convinced him to vacate the order. “On the record before me, I cannot find that the City has complied with all of the conditions set forth,” Cooper wrote. “....All means all, not just some of the conditions!”

Cooper’s 2005 order found DWP in violation of an earlier order to complete the Lower Owens River Project and in violation of the California Environmental Quality Act for over 30 years. His order included an injunction that would permanently shut down the Second LA Aqueduct if the City did not meet certain conditions by January and July of 2007. Among other measures, the court order required Los Angeles to pay \$5,000 a day until the required 40 cfs baseflow has been fully implemented.

Los Angeles began flows into the Lower Owens River in early December last year, ahead of the January deadline, and by late February believed they had achieved the stable 40 cfs baseflow. Judge Cooper, however, noted that the City had constructed only nine of 17 stations required for monitoring flows throughout the river and was unable to provide adequate data about the volume of the flows as argued by the Sierra Club and other parties. In denying the request to vacate the order, Cooper “strongly urged” the parties to meet and “see if these issues can be resolved.”

—Mark Bagley  
March 15, 2007

spent the afternoon visiting the Manzanar National Historic Site where the theme of internment of innocent American citizens at Manzanar and the questioning of their patriotism resonated from the film showing of ‘Bad Day at Black Rock’ the previous evening. Dinner Tuesday night at the Pizza Factory was a bubbling rehash of the trip’s highlights and several large pizzas were quickly devoured. Wednesday was time to return to Pasadena, but that would include a stop to explore Fossil Falls—not a moment wasted.

# OVC Mission

OVC is a non-profit citizen action group dedicated to the protection, restoration and sustainable management of water and land resources affecting the Owens Valley. The Committee oversees compliance with the implementation of appropriate water management policy, educates the public, encourages participation in local government, and advocates an inclusive and open decision-making process.

## OVC Goals

1. "Watchdog" the 1991 LTWA between Inyo County and L.A.
2. Oversee the implementation and management of the Lower Owens River Project (LORP).
3. Educate the public and promote its involvement with water issues.
4. Seek a dual use designation for dust control water at Owens Lake for wildlife as well as dust.

**OWENS VALLEY COMMITTEE**  
**PO Box 77**  
**Bishop, CA 93515**



# YES!

I would love to join the Owens Valley Committee and help with protection, restoration and sustainable management of water and land resources in the Owens Valley.

<input type="checkbox"/> \$25	Speckled Dace
<input type="checkbox"/> \$50	Tui Chub
<input type="checkbox"/> \$100	Owens Pupfish
<input type="checkbox"/> \$250	Brook
<input type="checkbox"/> \$500	Spring
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