



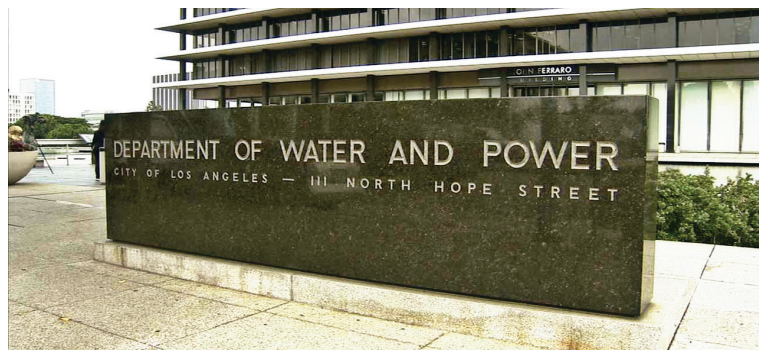
# the RAINSHADOW

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w e w a t c h t h e w a t e r

## PIG FARM ON HOPE STREET?

By the OVC Team



The City of Los Angeles maintains that it is exempt from Inyo County General Plan and ordinances regarding all 250,000 acres it owns in the Owens Valley. If that is the case, then the same would hold true for Inyo County if it owned property on Hope Street in Los Angeles.

Why Hope Street? At 111 North Hope sits a massive Department of Water and Power building. Following LADWP's reasoning, if Inyo County were to purchase property at, say, 113 N Hope Street (an as-of-yet unclaimed address), Inyo could do whatever it wants with that property—regardless of the ordinances of the City of Los Angeles. We've been idly thinking that it would be appropriate to bring a little agriculture to LA by inaugurating the Hope Street Pig Farm.

Reasonable people, of course, would agree that's outrageous.

Reasonable people, then, also would agree that the City of Los Angeles must comply with the laws of Inyo County.

With that in mind, here's a more serious discussion of the subject:

The Los Angeles Department of Water and Power contended in the Draft EIR for the Southern Owens Valley Solar Ranch that it is exempt from Inyo County building and zoning ordinances, as well as its general plans. LADWP cited California

Code section 53090 and a 1992 court decision in the case of *Lawler vs. City of Redding*. Sections 53090-95 are difficult-to-decipher pieces of codified legislative jargon resulting from Assembly Bill 156 passed by the legislature in 1959 with the intent of strengthening local planning authority. In *Lawler vs. City of Redding* the plaintiff argued that the City could not approve a development that was not consistent with the county general plan. The court rejected the plaintiff's argument citing a 1962 opinion by the California Attorney General that concluded the legislature intended to exempt cities and counties from each other's building and zone ordinances and general plans with passage of AB 156.

In an article published in the *Hastings Constitutional Law Quarterly* in 1999 (Vol. 26 pg. 621), Jared Eigerman discussed what he termed the intergovernmental immunity fiasco. According to Eigerman, the Attorney General opinion conclusion is actually the opposite to the true intent of the legislature. He mentioned *Lawler vs. City of Redding* specifically, saying the court arrived at an illogical decision following an erroneous opinion by the Attorney General and since then, courts have generally followed suit. Eigerman noted that county regulation should preempt city activities outside of its boundaries but as it stands now, that is not the law.

In a footnote to its decision, the Lawler court noted an unintended consequence of intergovernmental immunity: county voters elect officials who are powerless to deny or revise a proposed project to the voters' liking. The City of Los Angeles owns most of the private land and many historic structures in Owens Valley but contends it is exempt to Inyo County building and zoning ordinances as well as the general plan, including the recently enacted Renewable Energy Plan Amendment. The City of Los Angeles should be subject to the same regulations as any other landowner in the county but based on existing law, the City considers it optional. Thus, in Inyo County there is a crisis in governance.

Assembly Bill 2495 was passed by the California State Assembly in 2000 but apparently died in the Senate. AB 2495 would have added language to end immunity for cities and counties from each others' building and zoning ordinances and general plans.

Critical to the discussion is the fact that "The Attorney General's opinions are advisory, and not legally binding on courts, agencies, or individuals." (See <https://oag.ca.gov/opinions/faqs>.)

This issue is ripe for a legal challenge.



# DEAD & DYING TREES OF THE OWENS VALLEY

**H**ave you noticed trees dying in Owens Valley towns? Or stumps where tall street trees once stood? Or partially-dead cottonwoods in stands throughout the valley? So have we.

Over the past few years, formerly healthy, beautiful trees have been biting the dust all over the Owens Valley, from town to country, city street to irrigation ditch.

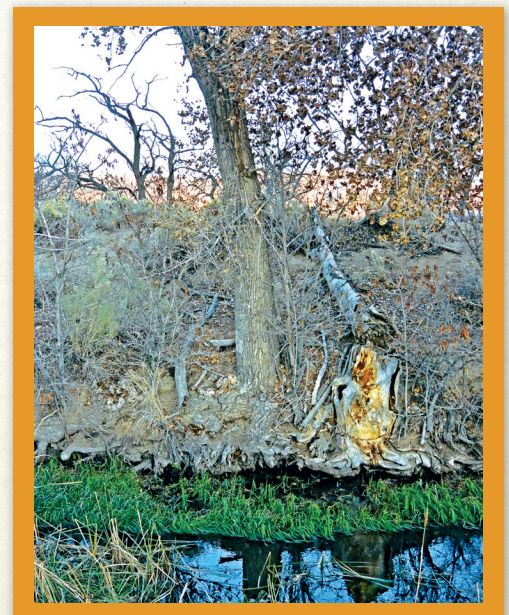
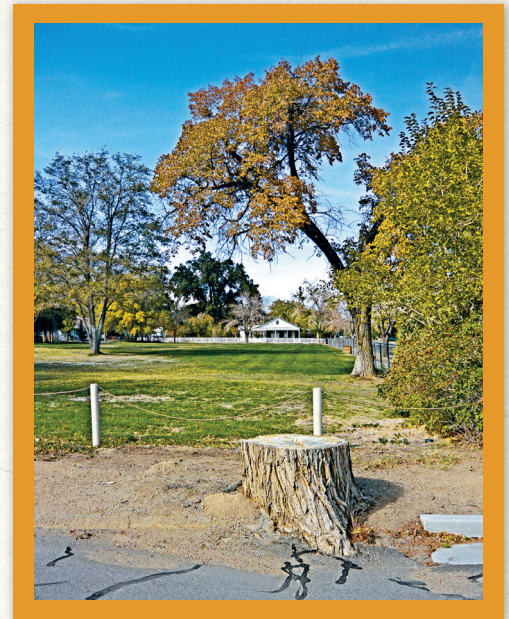
There are a few culprits behind these repeated death knells. First and most damning is the groundwater pumping of the Los Angeles Department of Water and Power. Exacerbating this constant pumping is the drought. Third, in the towns, are the changing watering policies of LADWP and the County of Inyo, both of which used to (but no longer) provide water to street trees. And fourth, perhaps surprisingly, is you and me.

*Did you know?* If you are a resident of one of the Owens Valley towns, you are a mitigation measure put in place to fight against the damages of LADWP's pumping, which drains the groundwater under Lone

Pine, Independence, Laws, and Big Pine. Inyo County and LADWP wrote into the 1991 Long Term Water Agreement and EIR that the town water systems would be transferred to the County or another public entity so that water rates would remain very low as incentive for residents to water their trees and put a bit of water back into that depleted water table. Because of LADWP pumping policies, those trees' roots are never going to be able to reach deep enough to touch water. It's up to us to keep them alive.

If you don't like seeing your street trees die, contact LADWP and Inyo County and encourage them to put back in place the Cooperative Tree Watering Program of the past.

If you don't like seeing stands of beautiful Owens Valley cottonwoods dying, attend a Technical Group meeting or write a letter to push them to follow through with the mandate to monitor native vegetation, document, and mitigate when damage occurs. Tell LADWP that enough is enough: the trees of the Owens Valley cannot handle any more groundwater pumping.





# Owens River Water Trail

In a step toward realizing the recreational potential of the Lower Owens River Project (LORP), Inyo County Water Department recently submitted a grant proposal to California River Parkways to develop a signature project: The Owens River Water Trail, the first dedicated water trail on a river in California.

Currently, numerous chokepoints of tules inhibit boating possibilities on the lower Owens. The 6.3 mile water trail within the re-watered stretch of the Owens River would provide canoeists, kayakers, and paddle-board enthusiasts a continuous stretch of open water.

After the river blockages are removed by mechanical means, 1.75 miles of narrow channel will need to be hand cleared by volunteers. In 2013, under permit from the California Department of Fish and Wildlife (CDFW) and the LADWP, volunteers organized by Inyo County opened up a 1.3 mile section of the river

in seven days. The primary cutting tool was an 8 inch rice knife attached to a six foot PVC shaft.

The half-million dollar grant also seeks to develop well-designed parking areas, accessible paths to the river, and formal paddle craft entry and exit points. According to the grant's author and Inyo County's LORP coordinator, Larry Freilich, the Owens River Water Trail improves aquatic habitat by opening up the river and improving transport of organic sediments. The LORP is jointly managed by Inyo County and LADWP.

The River Trail, centerpiece of a larger LORP Recreation Plan, has the support of the Owens Valley Committee and all other MOU parties, as well as local businesses and agencies who see this as a boost for Southern Inyo's recreational economy. Lone Pine's economic plan associated with the project includes a concessionaire running regularly scheduled drop-offs

and pick-ups of boaters between the river and the many local hotels.

If California River Parkways approves the grant, the river project will be subject to environmental review under CEQA.

As an OVC board member who has canoed the upper and lower Owens River numerous times and discovered the solitude and scenery our river has to offer, sharing this recreational resource with others through a minimal impact canoe trail has the potential to generate appreciation, awareness, and support for not only the LORP but for the Owens Valley and the entities, like the Owens Valley Committee, that work to protect this unique land.

For more information check out the water trail proposal on the Inyo County Water Department website, [www.inyowater.org](http://www.inyowater.org).

## PUMPING IN THE OWENS VALLEY By Sally Manning

### The DWP 2015-16 Annual Pumping Program Arrived in Two Installments

The Inyo/LA Water Agreement allows LADWP the option of preparing six-month operations plans (pumping programs) when dry weather prevails. The first installment is due to Inyo County on April 20th and the second is due on October 20th. Conditions allowed DWP to choose this option for the current 2015-16 runoff year. (A runoff year begins April 1 and ends March 31 of the following calendar year.) On both April 20th and October 20th, the plans DWP submitted continued the confusing practice of proposing a wide range of possible pumping amounts for each of the nine Owens Valley wellfields. The "plans" are thus a game of Wellfield Roulette!

### Water Table to Persist Below Baseline Level Needed for Vegetation

The Inyo County Water Department prepares comments on the annual pumping plan, but because there is no clear plan, Inyo must pick some pumping amount within the presented range. Inyo County then plugs the estimated runoff and pumping amounts into regression equations that have been developed for a handful of monitoring wells located throughout the wellfields of the valley. By knowing the April 1 depth to groundwater in 2015, Inyo

County calculates a predicted groundwater depth for April 1, 2016; that is, the regression equation predicts next year's water table based on current groundwater depth, forecasted runoff, and the anticipated amount of pumping. For any given monitoring well location, if the contribution of water due to runoff is expected to exceed the loss due to pumping, water levels will rise in the coming year, but if the pumping amount exceeds the effect of runoff, water levels will drop.

Inyo County's predictions for 2016 generally showed little change in water levels due to DWP's proposed pumping. While this may sound like good news, the sad fact is, despite negligible predicted change from 2015 to 2016, water levels in nearly every part of every wellfield remain below the mid 1980s baseline level. Parts of the valley affected by pumping have persisted in a depressed condition since the heavy DWP pumping which occurred 1987-1990, and the effect of this stressor has taken its toll on groundwater dependent vegetation. Despite this, Inyo County did not object to DWP's pumping plan. However, they did suggest DWP consider lowering the pumping amount very slightly in the Big Pine wellfield by 500 acre-feet (from 11,680 ac-ft to 11,180). Inyo County suggests that this reduction in pumping might offset the "accumulated... groundwater

deficit since the onset of the current drought." The Owens Valley Committee supports reducing pumping in the Big Pine and other wellfields, but strongly believes that the recommended reductions should be much greater. Otherwise they seem arbitrary, and fail to address the long term accumulated deficit—the depressed water levels resulting from chronic over-pumping.

### Expected Water Exports from the Eastern Sierra Reach an All-Time Low

LADWP's pumping program released April 20th indicated 42,377 acre-feet of water would be exported to Los Angeles during the winter months of this runoff year. Surprisingly, the export amount was adjusted downward when the October 20th plan was released: It shows only 21,754 acre-feet going to LA, which is an all-time low. Given DWP's estimate of water use by its LA customers, Eastern Sierra water will account for only about 4% of the total supply. If LADWP customers can cut back to 4% being supplied by us—in this driest year ever—why not whittle the Eastern Sierra contribution down to zero and be done with the dewatering of Owens Valley once and for all? To paraphrase John Lennon, "You may say I'm a dreamer"—I hope I'm not the only one!

# LAS VEGAS WATER GRAB

Southern Nevada Water Authority's (SNWA) gamble on a water importation scheme to steal water from eastern Nevada's rural counties and pipeline it to the unquenchable Las Vegas Valley continues to run into legal and political obstacles.

The pump and pipeline project, sounding painfully like a remake of the LADWP's Owens Valley fiasco, first surfaced in 1990. After buying up ranches and groundwater rights in Eastern Nevada, SNWA received permission from the Nevada State Engineer (NSE) to pump 84,000 acre-feet of groundwater in four valleys: Spring, Cave Dry Lake, and Delamar. That number is roughly what LADWP pumps annually in the Owens Valley.

The Groundwater Development Project would, by the authority's own admission, dry up or "adversely affect" more than 5,500 acres of meadows, more than 200 springs, 33 miles of trout streams, and 130,600 acres of sagebrush habitat for sage grouse, mule deer, elk, and pronghorn as water tables plunge by 200 feet.

The State Engineer's decision spurred the Great Basin Water Network (GBWN)—a coalition of environmental, tribal, and ranching groups spearheading an ongoing campaign to prevent this water grab—to file a judicial review of these rulings.

In examining the project, Nevada's Seventh Judicial District Court overturned the NSE's ruling granting the above mentioned water rights. Judge Robert Estes ruled that the state engineer hadn't sufficiently supported his decision to allow wells to be sunk in rural Lincoln and White Pine counties.

Appeals of Judge Estes decision were filed by SNWA and the State Engineer. This year, GBWN received legal victories when the Nevada Supreme Court denied these appeals. The court stated, "SNWA and the State Engineer must comply with the requirement that SNWA's proposed groundwater mining and export operation will be sustainable and will not cause impermissible impacts on the environment and

existing water rights holders, such as ranchers, farmers and local businesses." In other words, the SNWA will have to prove that an unsustainable project can be made sustainable.

The greater challenge may be in determining a safe level of water recharge in the aquifers to be tapped in the first place. These basins are currently used by ranchers and farmers and studies suggest that this current use seriously compromises their ability to recharge in an era of long term drought.



On the federal level, the Bureau of Land Management initially gave its blessing to the project by granting SNWA right of way privileges for a pipeline on its land. GBWN has appealed BLM's Record of Decision and its Final EIS and is waiting for a ruling.

SNWA also faces an embarrassing lawsuit by former longtime employees who allege that the agency squandered millions in buying up ranches in White Pine County's Spring Valley in an attempt to lock up groundwater rights in the area. Sounds like the ghosts of Mullholland and Eaton have taken up residence the minds of Las Vegas's water agency.

John Entsminger, Southern Nevada Water Authority boss, has downplayed the need to plow forward on the

project and seems to be in no hurry, hoping that the agency will outlast its opponents in court. Meanwhile, SNWA agreed to sell 300,000 acre-feet of water to the drought starved Metropolitan Water District. Will the environment and economy of Eastern Nevada be sacrificed for the water marketing motives of SNWA?

In the past, the GBWN and other opponents, have evoked the moniker "Remember the Owens Valley" to generate awareness for their cause. They have received legal advice from Greg James, attorney for the Inyo County Water Department. On a recent visit to Baker, Nevada two large pipes were prominently displayed with the message, "The water grab is a disaster for Las Vegas rate payers on the hook for a 15 billion dollar project and for Eastern Nevadans." The second pipe had Owens Valley in a circle with a slash through it.

Yet, many Las Vegas residents seem to remain oblivious to the fact they live in the driest city in the nation, where the famous fountains at the Bellagio casino still go off like clockwork. Some conservation and waste recycling measures have been implemented, but GBWN asks why SNWA is not asking residents to conserve more and making water wasters to pay more.

"Enough is enough," said Rob Mrowka, a Nevada-based senior scientist with the Center for Biological Diversity. "Despite hundreds of pages detailing the unthinkable harm that would be caused by this project, tens of thousands of people signing petitions against it, and setbacks in state district and supreme courts, the Southern Nevada Water Authority and BLM have closed their ears to reason, logic and plain common sense. They need to drop this disastrous water grab."

For more information on the Great Basin Water Network's legal and public outreach effort, contact: **Great Basin Water Network at: P.O. Box 75, Baker, NV 89311 or [www.greatbasinwaternet.org](http://www.greatbasinwaternet.org)**

## 2015 Fundraiser

The Owens Valley Committee held its annual social event and lecture on April 29, 2015 at the Mountain Light Gallery in Bishop. Good food, great conversation, and a chance to win wonderful items at the silent auction brought out the crowds. Topping the evening was a talk given by Bruce Embrey of the Manzanar Committee entitled "Partnering to Protect the Owens Valley." When groups that care about the Owens Valley choose to collaborate, powerful results happen—as when LADWP put its Southern Owens Valley Solar Ranch on hold due to pressure from the Manzanar Committee, the Owens Valley Committee and many other outraged citizens. The OVC Board thanks Bruce for his wonderful talk, and looks forward to working with the Manzanar Committee in the future. Many thanks also to all of the organizations, businesses, and people that donated to OVC. Your help, support, and donations make OVC effective.



# The People Need to Know: Wringing Public Records from DWP

As a result of 27 years of unremitting pressure from California residents and Inyo County government, the City of Los Angeles Department of Water and Power water extraction and export operations in Inyo County are subject to legal stipulations and Court-approved environmental documents. When the Appellate Court approved the 1991 Inyo-LA Environmental Impact Report (EIR) on June 13, 1997, the public's ability to obtain knowledge of LADWP's activities in the Owens Valley became critical to oversight of the powerful municipal utility. DWP has shared some data with the Inyo County Water Department. But with an army of workers throughout the Valley, DWP can and does perform activities that are not consistent with the Long Term Water Agreement (LTWA) and EIR. Recognizing this, the OVC has started a process to get DWP to release all of its data in real time.

As is so often true, it takes a crisis to trigger action. In the Spring of 2015, when LA threatened to cut off water to Owens Valley ranchers and farmers, it became imperative that the public be able to assess how water is delivered to each parcel of land (pumped or stream-fed), the quantity of water supplied to each parcel, how much water is supplied for stock use vs. irrigation, the method of measurement of water, and the location of the parcels.

In the Owens Valley, irrigation is essential to maintaining habitat for all kinds of plants and animals, and "tail water" from pastures continues beyond the irrigated parcel to create an expanse of trees, grass, and shrubs. Ranching and farming contributes significantly to the economic health of Inyo County, and ranch families are an intrinsic part of the fabric of Owens Valley's culture. As we wrote in the 2014 newsletter, DWP has "squeezed" ranch water, which is promised by the legal documents to be at least 5 acre-feet. Hedgerows have died off as DWP induces ranchers to utilize sprinkler irrigation, and in those fields, tail water is non-existent. Most importantly, groundwater recharge doesn't happen without flood irrigation, affecting a much larger area.

In the midst of a drought of historic proportions, being able to review and analyze DWP's data is critical to

verifying that the runoff estimates made by DWP are correct, and to determining whether water is being delivered fairly to each rancher. Transparency and collaborative management is the key to having a water agreement and EIR that works, even in a drought. In November of 2014, OVC and Sierra Club joined together to request information about ranch leases under the California Public Records Act. DWP has yet to respond. On April 29, 2015, OVC requested electronic map information for all wells and measuring stations in the Owens Valley, and the data collected from those wells and measuring stations, as well as depth to groundwater measurements. DWP responded on June 30, 2015, but is choosing to withhold the geographical information system (GIS)

map information based on "public safety related to water system security" citing California Government Code 6255, which provides that "on the facts of the particular case the public interest served by

not disclosing the record clearly outweighs the public interest served by disclosure of the record." DWP wishes to redact elements of the GIS maps, and to charge OVC \$885.78 to provide this incomplete information. DWP provided the database portion of the request, but without the corresponding map, it is useless.

The Los Angeles Department of Water and Power is a public agency. It has an obligation to provide public records. To assert that there is a public security issue in providing the locations of weirs that deliver water to a rancher's field is—for lack of a better term—completely bogus. Being able to review how water is delivered to ranchers, and how much each field receives over time will show whether DWP is acting truthfully in fulfilling its obligation to supply water to support vegetation as it existed in the 1981-82 runoff year. As the effects of climate change causes precipitation to fall as rain-fall rather than snow, being able to monitor delivery of water to irrigated lands will help ensure that recharge to the groundwater of the Owens Valley is occurring, and that surface runoff isn't being diverted to the Los Angeles Aqueduct to be exported and stored outside the Owens Valley.

The Owens Valley Committee is considering the next steps necessary to gain access to this public information.

**"As is so often true,  
it takes a crisis to  
trigger action."**

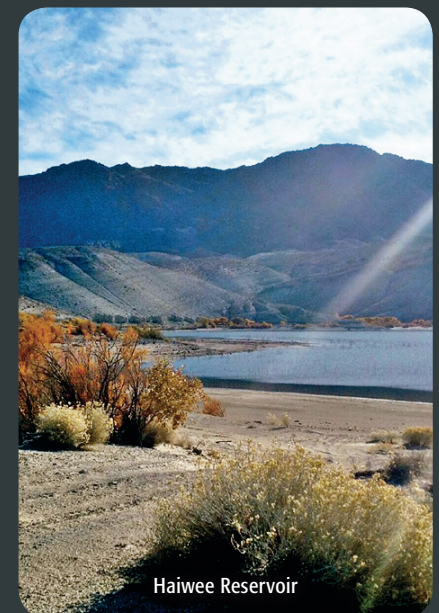
## Open Haiwee Reservoir

The Owens Valley Committee is seeking LADWP's cooperation in opening Haiwee Reservoir to the public for recreational uses. Public use of Haiwee Reservoir is specifically highlighted in the provisions of the Water Agreement and the 1991 EIR.

LADWP closed Haiwee Reservoir to public recreation on August 1, 2005 under the dubious claim that it could be vulnerable to an outside terrorist attack, which might impact the water supply of the City of Los Angeles. Of course, the truth is that north and south of Haiwee Reservoir the Los Angeles Aqueduct runs for hundreds of miles above and below ground in remote but accessible locations. Other LADWP reservoirs, like Crowley Lake, Tinnemaha, and Pleasant Valley have remained open to the public, and have been of economic benefit to the neighboring communities.

One of the goals of the Water Agreement and EIR was to provide economic enhancement that is compatible with LADWP's water export activities. The communities of Lone Pine and Olancha would benefit from the economic boost that opening Haiwee Reservoir would provide. Haiwee Reservoir should be reopened for recreation as required by the agreements approved by the Appellate court almost twenty years ago.

The Owens Valley Committee, with your support, will continue to work to achieve this goal.



Haiwee Reservoir



# Irrigation Season: Saved by Mother Nature — This Time

*"Years of drought and famine come and years of flood and famine come, and the climate is not changed with dance, libation or prayer."* – John Wesley Powell

The cover story for our 2014 annual Owens Valley Committee newsletter was an article titled Owens Valley Agriculture –The Squeeze is On. It was a timely examination of the relationship between Owens Valley agriculture, the environment, the local economy, and LADWP's tactics that make it difficult, if not impossible, for many ranchers to stay in business.

The challenges have continued into 2015. Here is an update on what transpired this spring and summer:

On April 27, 2015, LADWP sent letters to all of its leasees stating that irrigation would be cut off effective May 1, 2015. This was in direct violation of the Long Term Water Agreement and 1991 EIR.

Also in April, LADWP released its Operations Plan for Owens Valley for the first six months of the 2015-16 runoff year. This plan included a chart in the Executive Summary which stated that, because of the drought, only 16,500 acre feet of water would be provided for irrigation during the irrigation season. "Normal" irrigation water delivery is almost 50,000 acre feet. Many Inyo County residents, the Inyo County Board of Supervisors, environmental groups, and the Owens Valley Committee were strongly opposed to this drastic reduction.

On April 29, 2015, LADWP sent a letter rescinding the May 1st irrigation cut off. However, in both the letter and in a water workshop held on April 28, 2015, LADWP began to outline how water can be "saved" on the Owens Lake with the implication that this "saved" water could be used in the Owens Valley. As most people are aware, LADWP sees the use of water on Owens Lake as a "waste of water." DWP also mentioned reductions to "irrigation, enhancement/mitigation and other environmental projects" in order to up the amount of water that would be supplied for irrigation in the 2015-16 runoff year.

The Owens Valley Committee agreed to consider the temporary reductions to some of the enhancement/mitigation projects with the requirement that any "saved" water be used for in-valley irrigation.

And then came May. After months with little precipitation, over an inch of rain fell in the Owens Valley. Meanwhile the MOU party attorneys were working on the modifications to the 2007 Stip & Order and Temporary Modification to the MOU. One of the first paragraphs that LADWP eliminated in the Modification was this one:

WHEREAS, LADWP has agreed if there is a reduction in the amount of water supplied to other uses in the Owens Valley, including the LORP and the 1,600 acre feet projects, the amount of the reduction will be provided to irrigation in the Owens Valley.

In July the Owens Valley received another half inch of rain. By July 17th, after the respective attorneys for the MOU parties had worked tirelessly on the modifications of the documents, LADWP stated that they would be able to provide irrigation through the end of August. The Irrigation Season ended on September 30th. At this time it was also recognized that the only item that all MOU parties agreed on was eliminating the requirement to supply water to Warren Lake.

So where are we now? The Draft Owens Valley Operation Plan for the second half of the 2015-16 run-off year issued by LADWP states that, at the end of the runoff year, 39,629 acre feet will have been supplied for irrigation. This is almost exactly the figure that Inyo County representatives said was their bottom line, a 20% reduction. The water to mitigate dust on Owens Lake is forecast to have been cut by almost 12,000 acre feet by the end of the run-off year.

This year, thanks to the El Niño weather pattern in our forecast, the situation next year may not be as dire as in the past four years. But there are red flags for the future. According to several climatologists, the 20th century was one of the wettest in over 2,000 years. We built our cities in the west in extremely dry areas during an abnormally wet period. The City of Los Angeles—artificially constructed and maintained through the import of our water resources—will continue the attempt to wrestle every drop of water that they can from the Owens Valley, despite legal agreements.

We must guard against any attempt of LADWP to quantify the amount of water that stays in the Owens

Valley. We must guard against LADWP trying to store what they will term "excess" water in areas other than the Owens Valley. Whether in a wet year or in a dry year, Owens Valley water belongs in the Owens Valley—and that's the bottom line. Please join with the Owens Valley Committee in the fight to protect our water and our environment from further damage by LADWP.

## New OVC Website

In 2014, OVC signed a contract with Elevation Group LLC for assistance in designing a new website. Over the course of the past year we developed a new layout, converted content of portions of the existing website, and also wrote new content. We don't have a fixed date for bringing the new site online, but hope it will be available by the time you receive this newsletter. The process has taken some time, but the new site is an improvement over the old one.

Those of you who love the old site, do not despair. Because some of the content on the old site was of historic value and very difficult to re-create in the new site, we decided to keep the old site online in addition to the new one.

The new url will be [www.owensvalley.org](http://www.owensvalley.org). If you go to the old site, at [www.ovcweb.org](http://www.ovcweb.org) you will be automatically re-directed to the new site once the new site is online. However, in selected pages of the new site there will be links to relevant pages in the old one, which will remain intact for the time being.

OVC thanks photographers Dave Kirk, Cat Connor, Julie Vargo, and Jennifer Little for permission to use their photographs to bring the Owens Valley to life on our new webpage.



Early summer storms brought much-needed rain to the Owens Valley.



# OVC'S NO NEW LADWP WELLS CAMPAIGN

In a nationally televised interview with MSNBC's Chris Hayes last April, Los Angeles Mayor Eric Garcetti declared, "After 100 years of fighting with them, [people in Owens Valley] we made peace." Unfortunately, and unsurprisingly, LADWP didn't get the message.

DWP continues its war on Owens Valley in the form of plans to drill new wells: two in Bishop, one in Laws, and one in Big Pine. DWP also intends to drill an as-of-yet unspecified number of wells in southern Owens Valley as part of its "Owens Lake Master Project." Plus, DWP wants to begin pumping four more wells which have been deepened, and which are likely to have serious effects at Five Bridges north of Bishop and in the town of Lone Pine.

The Owens Valley Committee strongly opposes any new DWP wells in Owens Valley. We believe DWP ratepayers would be far better served by investments in water recycling in Los Angeles than drilling new Owens Valley wells, thereby increasing LA's unsustainable dependence on imported water.

While the 1991 Inyo-LA Long Term Water Agreement and EIR do not preclude the drilling and operation of new DWP wells, almost 25 years have elapsed since those documents analyzed the effects of additional wells

in the Owens Valley. Many significant changes have occurred since, especially the difficulty in working with LADWP in implementing mitigation and avoiding impacts from pumping. Climate change is anticipated to cause less snow pack and more runoff originating as rainfall. In response, the OVC Board decided to initiate a "No New LADWP Wells" education campaign. Its goal is to raise awareness of the folly and injustice of expanding DWP's pumping capacity in light of, 1) DWP's demonstrated inability to manage existing pumping consistent with the goals of the Inyo-LA Long Term Water Agreement; and 2) DWP's failure to comply with requirements to mitigate past impacts.

To this end we designed a simple ad with a link to our website for more information. We ran the ad in the Inyo Register and Sierra Reader and emailed it to everyone on the OVC distribution list.

Response was swift. An Inyo Register article (9/29/15) reporting on a meeting of the Inyo County Water Commission included references to OVC's No New DWP Wells campaign. This drew an OpEd response (10/10/15) attributed to DWP's James Yannotta. Inyo County Water Department Director Bob Harrington then wrote an OpEd (10/24/15) reviewing LTWA

provisions for new wells. Meanwhile, OVC Board member Daniel Pritchett published two letters discussing objections to the wells and promoting OVC's campaign. OVC Board members also transmitted their concerns at an Inyo County Board of Supervisors workshop where the Inyo Board heard about the proposed new wells from Inyo Water Director Harrington, and took input from members of the public. The Inyo Board of Supervisors listened intently to the comments of OVC members and others, and expressed frustration at DWP's lack of public engagement at the meeting.

We are succeeding in raising public awareness of the reasons why new wells are a very, very bad idea for Owens Valley, and why deepening existing wells does not prevent lowered water tables and impacts to plants. In this time of water scarcity and climate change, a new view of Owens Valley water resources is needed by LADWP – one that acknowledges that exporting most of the surface water and pumping heavily to fill the second aqueduct is passé, and that what is needed is a holistic approach that uses surface waters to naturally recharge depleted aquifers.

If you have not already done so, visit the OVC website and read our No New LADWP Wells information sheet.

## Owens Valley Lost Friends and Advocates in 2015

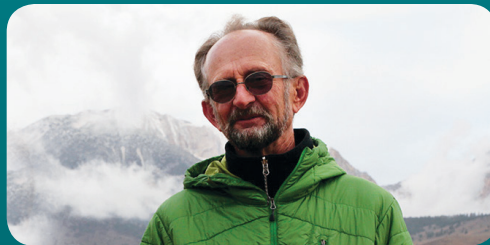


**Betty Gilchrist**

Long-time Alabama Hills resident Betty Gilchrist died peacefully in January (age of 96). A nurse by profession, Betty moved from Long Beach to Owens Valley in the 1970s when her husband retired.

She committed her capable skills to causes she cared about, and she was passionate about the flora and landscape of her new home. Betty was there in the beginning of the Owens Valley Committee and the founding of the Bristlecone Chapter of the California Native Plant Society. She was a close friend of Mary DeDecker, who was 10 years her senior.

Betty worked on several fronts to challenge LADWP's water exports and their impacts on the valley. She volunteered as a board member for local groups, wrote letters, and called decision-makers. She was interviewed for the 40th anniversary edition of the movie Chinatown and spoke as an advocate for the valley. She kept in touch with many of her friends, and often sweetened the day with a slice of pie. She was the kindest person in the fight.



**James Wilson**

The Owens Valley Committee extends condolences to the family of James Wilson, who died suddenly in July. James was a founding member of the Owens Valley Committee.

James worked every day to protect the beautiful Eastern Sierra. He shared the perspective that our best resources are the untrammelled scenic wonders, which provide places for personal fulfillment. In contrast to many local business people, James courageously spoke out against heavy-handed economic development and any project that might mar the land.

Although he was an unassuming speaker, everyone in the room would listen intently to what he had to say, and he didn't disappoint. He led trips into the mountains, recommended thoughtful books, and knew about the little things that could make a wilderness trek a truly rewarding journey. In this way, he inspired others to trust their sense that our natural environment is worth protecting.



**Bennett Kessler**

The Owens Valley was devastated to learn of Bennett Kessler's death in early January. For nearly 40 years, Bennett reported what others would not—especially concerning local water issues. Her courage was admirable, and she persevered despite regular agency efforts to obstruct her access to vital information. No one has filled the void she left behind.

To glimpse how Bennett found her calling, listen to her interview with Kim Stringfellow in the "There It Is Take It" audio series. Dr. Stringfellow says, "I feel that Bennett is one of the strongest voices of the program. I hope you all can take a moment and listen to her story and reflect on a life dedicated to public service and justice for both humans, wildlife, and the land itself."

<http://thereitistakeit.org/bennett-kessler-critical-voice-of-the-eastern-sierra-passes/>



# The Owens Valley Committee Needs Your Help!

Please renew your membership or consider making an additional donation. Just use the attached donation envelope, or send it to:

**Owens Valley Committee**  
**PO Box 77**  
**Bishop, CA 93515**

You can also donate on our website, [www.ovcweb.org](http://www.ovcweb.org).

## OVC Mission

OVC seeks just and sustainable management of Owens Valley land and water resources. We envision a valley in which existing open space is protected, historic uses sustained, and depleted ground water reserves and surface water flows are restored as Los Angeles phases out its dependence on Owens Valley water.

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Owens Valley water in the Los Angeles Aqueduct.



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## the RAINSHADOW

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. This is the combined Spring/Fall 2015 edition of The Rainshadow. Contact us with any suggestions or corrections on our website, [www.ovcweb.org](http://www.ovcweb.org).

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