

**DRAFT  
MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER  
MANAGEMENT DISTRICT  
Regular Meeting of  
February 22, 2023 6:30 P.M.  
Chalfant Community Center**

**This meeting was canceled due to weather related issues.**

**Geri Bassett, Secretary, TVGMD**

- 1. Advisory Board**
  - a. Appointment of Janet Barth to Advisory Board representing Benton for a 1 year term.**
  - b. Advisory Board Comment**
- 2. Public Comment**
- 3. Reappointment of Phil West as Vice-Chairman for 2023.**
- 4. Workshop on the California Sustainable Groundwater Management Act (SGMA) and the TVGMD status as a Sustainable Groundwater Management Agency (GSA).**
- 5. Board of Directors Reports**
  - a. Director Puhvel on monitoring wells in Hammil Valley and possible supportive action.**
- 6. Public or Advisory Board Comment**
- 7. Adjournment to March 22, 2023 at 6:30 p.m. at the Benton Community Center.**

**TVGMD is inviting you to a scheduled Zoom meeting.**

**Topic: TVGMD 2/22**

**Time: Feb 22, 2023 06:30 PM Pacific Time (US and Canada)**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/89418808258?pwd=b2ZsZUhhYkYEs0a2VDh0t0VWpudTZ5QT09>**

**Meeting ID: 894 1880 8258**

**Passcode: 850832**

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One tap mobile

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Dial by your location

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+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

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Meeting ID: 894 1880 8258

Passcode: 850832

Find your local number: <https://us02web.zoom.us/j/89418808258>

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MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER  
MANAGEMENT DISTRICT  
Special Meeting of  
March 15, 2023 6:30 P.M.  
Chalfant Community Center**

Chairperson Mitchell called the meeting to order at 6:30 P.M. on March 15, 2023. Meeting was held in person and 2 people on Zoom due to weather and road issues.

**Roll Call:**

Directors Present: Mitchell, West, Allen, Puhvel (via Zoom), Parkinson, and Bassett.  
Directors Absent: Duggan.  
Advisory Board present: Betsy McDonald.  
Mono County (M.C.) Personnel in attendance: Assistant County Counsel (A.C.C.)  
Chris Beck (via Zoom)

**1. Advisory Board Comment**

A.B. McDonald reported that there was an A.B. meeting held on March 13, 2023. A full report will be given on 3/22/2023. The meeting was a hybrid meeting. Zoom worked well, as did the speaker/microphone that they used as a trial. Zoom can also be reached via cell phones and the phone screen used as a camera.

**2. Public Comment**

No public comment at this time.

**3. Discussion of AB 361 and AB 2449 (effective March 1, 2023) and the Brown Act. Possible adoption of Resolution No. 23-02 authorizing teleconference meetings from March 15, 2023 through April 15, 2023.**

A.C.C. Beck reported that AB2449 has replaced AB361. The biggest concern of AB2449 is that it requires most of the Board to be in one place.

There are 2 circumstances under which members of the Public Body can attend remotely:

- a. Just Cause Exception
- b. Emergency Exception

See attachment #1 for details.

A motion to approve the Resolution 23-02 was made by Director Allen and seconded by Director Parkinson.

Vote – all directors in attendance – “yes”.

**4. Public Comment**

None at this time.

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**5. Adjournment to Wednesday, March 22, 2023 at 6:30 p.m. at the Benton Community Center.**

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

Vote – all directors in attendance – “yes”.

The meeting was adjourned at 6:38 P.M.

**The next regular meeting will be:  
March 22, 2023  
6:30 P.M. at the Benton Community Center**

**Geri Bassett, Secretary, TVGMD**

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MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER  
MANAGEMENT DISTRICT  
Regular Meeting of  
March 22, 2023 6:30 P.M.  
Benton Community Center**

Chairperson Mitchell called the meeting to order at 6:32 P.M. on March 22, 2023. Meeting was held in person and Zoom.

Roll Call:

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

Directors Absent: Duggan (excused due to health issues).

Advisory Board present: Betsy McDonald, Dennis Murphy.

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

**1. Tri-Valley Groundwater Management District (TVGMD) Advisory Board (A.B.)**

**A. Appointment of Janet Barth to Advisory Board representing Benton for a 1 year term. (Attach. A)**

After minimal discussion, a motion to appoint Janet Barth to the A.B. for a one-year term was made by Director West and seconded by Director Bassett.

Vote – all Directors in attendance – yes.

**B. Re-appointment of A.B. member Amy Saladin to represent Chalfant for a 1 year term.**

A motion to reappoint Amy Saladin to the A.B. for a one-year term was made by Director Puhvel and seconded by Director Bassett.

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

Nay – none.

**C. Advisory Board Comment.**

A.B. McDonald read a report from the March 13, 2023 A.B. meeting. Please see attachment item 1.

Peter Stickells asked if the A.B. had had a meeting, as he had not received a notice.

There was discussion about the current method of sending out agendas. A.B. McDonald was to get Peter's email address.

**2. Public Comment**

**A.B. Dennis Murphy** – at the last meeting we are talking about the strategic plan and I was concerned that we talked about the distraction of trying to find alternate ways when really the strategic plan should simply be to get out of the dark into the clear on what our data is and strive for real data. So, we can see, maybe we're not in trouble. We don't even know. We need to know we're in trouble or not in trouble. And if we're in trouble? What do we do about it, but let's hope for the best. We can't know anything until we have data. So, sticking with the strategy of collecting real data is, anything else is only a distraction.

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**Director Mitchell** - We will probably be revisiting the strategic plan, reviewing it next month. So, we'll make sure that that gets discussed, OK? Is there any other public comment? Yes sir.

**Brett Wiley** - So once you have some of this information that you're looking forward to and you're drawing sheet plans and how vested is Mono County or the state if you identify things that we can do to where we can help the situation. So, I'm looking at all this water that went South to the Owens River and as soon as it gets there, DWP sends it to LA. So, is there anything we can do? The long term projection is we're going to have more screens on both ends of the weather system. So, we're going to have serious winters and it's going to be long droughts and then we're going to have serious winters. So that's what the prediction is for long term, so it seems important to me that during times when we have good water years that we try to somehow capture as much water as we can in the Tri-Valley area and not just let it run to LA. That is one thing, how much you pump out of the ground, that is another issue, what can we do to restore groundwater and how can we affect retaining as much groundwater as possible right here and not let it get shifted to Los Angeles. So, if we're looking at it from that point of view and we're talking to Mono County and the state, are they vested in joining up with any kind of projects we might have and infrastructure to where we could do that?

**Director Mitchell** - the County is currently. The state is hurrying up on a lot of projects to capture groundwater, to capture runoff. Right now, they're putting, I think it was \$26 million that they're putting into projects, mostly in the Central Valley right now, but we could apply for that money. The county will help us file for grants, but the person that was working on that has since left and that position is not filled right now. So, even though the state has got some things coming up right now because they want to capture every drop if they can, I don't think the county is prepared to help us on that right now.

**Brett Wiley** - You know that typically what you want is, you don't want flooding where there's residential or infrastructure, but you want, for groundwater, you want a whole water land if you can, because that's how the groundwater is stored plus seepage to, we have a lot of snow melt, seepage too. Sure, that helps restore that. But anytime we get significant rainfall or snow it makes sense to try to capture as much of that as we can because that helps restore the groundwater.

**Director Puhvel** - So my understanding is that most of what we do get does go into the groundwater and the size and price of infrastructure to actually create some sort of catch it's so astronomical that it's not really a realistic thing for the future of the Tri-Valley to, for instance, the culverts it would take just to prevent what happened in Hammil, flooding. Caltrans, I've been told they, the desert is constantly moving where the floods go, they won't even put in the massive amount of money it would take to actually deal with that right away. If it happens five years in a row, then they might have to deal with it, but we're talking billions of dollars pretty much as far as the size of projects.

**Brett Wiley** - All this water happens in Hammil, but you've got that canyon right down there between Chalfant and Hammil, where water runs through there. And it's not going to flood anybody. If there's any project, and they could be small, they're called beaver analog dams, where you retain water, slowing it down, and that would help also with flood control. If you've

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got water going, bank to bank in that canyon down there, that's not going to hurt you, but it's not going to flood anybody's home. And when it gets out in these flat parts of the valley where there's no housing, that's a good thing. We see water retained on our property. I'm guessing that it's helping our aquifer, but I understand there's also thousands and thousands of gallons that went south out to that wash and it ends up in Los Angeles and that's where it goes.

**Peter Stickells** - I just was going to add that one of the issues is that we're considered a low priority basin. So, getting any type of funding on a low priority basin where they've got high priority basins in the cities in the Central Valley isn't going to be very high on the list.

### 3. Reappointment of Director Phil West as Vice-Chairman for 2023.

Director Mitchell - Director West has agreed to be our Vice Chairman. Is there a motion? A motion to reappoint Director West to the position of Vice-Chairman was made by Director Allen and a second by Director Parkinson.

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

Nay – none.

Abstain – Director West.

### 4. Approval of minutes: February 15 and March 15, 2023 meeting minutes. February 22 meeting cancelled.

A discussion started regarding the agenda not including minutes approval and the draft agenda being sent out rather than the final agenda. Also, that the January 25, 2023 minutes still need to be approved.

**Peter Stickells** - Could I make a suggestion on minutes just for the future? I know we're recording the meetings now, but there was a lot of detail and a lot of back and forth conversation. Minutes, I think need to be a little more condensed, rather than trying to get all the conversation.

**Director Mitchell** - we wanted the conversation for the history books, so that's why we did them that way.

**Peter Stickells** - I would prefer to see the comments by Andy where he's claiming that Zack Ranch is pouring chemicals into the aquifer that that not be in the minutes.

**Director Puhvel** – that wasn't what I said.

**Peter Stickells** - you can use Zack ranch, I know you like to use us. But you use Zack ranch and you use chemicals. So, if you want me to hire a lawyer and come and ask them to take it out of the minutes, I'll do it, but I would recommend you take it out of minutes.

**Director Puhvel** - it was hypothetical.

**Peter Stickells** - But I prefer not to have Zack ranch and chemicals being poured into the aquifer.

**Director Puhvel** - That was a hypothetical situation being talked about, negative impacts on environmental situation. It was a very clearly stated when that conversation began that that

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was an example.

**Director Allen** – I would recommend that the Board look at it and if it's in the minutes, strike it from the minutes.

**At this point, A.C.C. Beck pointed out that, since the Zoom link posted on the website and in some agendas wasn't working, that the meeting should be adjourned to a future date. After some discussion, it was decided to adjourn the meeting and redo the meeting at a date to be decided and posted.**

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

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

Nays – none.

Meeting was adjourned at 7:13 P.M.

**Geri Bassett, Secretary, TVGMD**

5. **Discussion and possible approval of a letter of engagement for a District 5 year audit. Further discussion on the cost of audit. (Attach B)**
6. **Discussion and possible approval of letter regarding monitoring wells in Hammil Valley.**
7. **Discussion regarding the composition and representation on the Board of Directors:**
  1. **Discussion and direction from the Board on language changes to the District statutes regarding the composition of the TVGMD Board of Directors.**
  2. **Discussions on making language changes permanent in the district statutes.**
  3. **Nominations and possible appointment to fill current vacancy on the Board of Directors.**
8. **Further discussion and possible action on funding request to Mono County for Fiscal Year 2023-24.**
9. **Resolution allowing teleconference meetings during emergency declaration.**
10. **Board of Directors Reports**



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**11. Public or Advisory Board Comment**

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

**Zoom info:**

Topic: TVGMD Board 3/22/23

Time: Mar 22, 2023 06:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89738241751?pwd=MlpvaUFwanRWdHpXSVPoS1R6K0t5Zz09>

Meeting ID: 897 3824 1751

Passcode: 100021

One tap mobile

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+16694449171,,89738241751#,,,,\*100021# US

Dial by your location

Find your local number: <https://us02web.zoom.us/u/keHz6EcfbZ>



**DRAFT  
MINUTES**

**MONO COUNTY TRI-VALLEY GROUNDWATER  
MANAGEMENT DISTRICT  
Regular Meeting of  
April 3, 2023 6:30 P.M.  
Benton Community Center**

Chairperson Mitchell called the meeting to order at 6:31 P.M. on April 3, 2023. Meeting was held in person with Director Duggan and Mono County Assistant County Counsel Chris Beck attending via Zoom.

**Roll Call:**

Directors Present: Mitchell, Allen, Puhvel, Parkinson (arrived at 7:05), West, Duggan, and Bassett.

Directors Absent: none

Advisory Board present: Betsy McDonald, Dennis Murphy.

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

Director Mitchell explained that this meeting was the continuation of an adjourned regular meeting. At the meeting on March 22, 2023, there were problems with zoom. She asked for the Board to go through the first three items, which were already approved at the March 22, 2023 meeting, but needed to be redone.

A.C.C. Beck then asked for item #9, authorizing teleconferencing per AB 361 and AB2449, to be addressed first.

**9. Resolution regarding AB2449 allowing teleconference meetings during emergency declaration.**

A motion to approve Resolution 23-03 was made by Director Allen and seconded by Director West.

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

Nay – none.

Director Parkinson had not arrived yet.

**1. Tri-Valley Groundwater Management District (TVGMD) Advisory Board (A.B.)**

**A. Appointment of Janet Barth to Advisory Board representing Benton for a 1 year term. (Attach. A)**

**B. Re-appointment of A.B. member Amy Saladin to represent Chalfant for a 1 year term.**

Items 1A and 1B were voted on together.

A motion to appoint Janet Barth and reappoint Amy Saladin to the A.B. for one-year terms was made by Director West and seconded by Director Allen.

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

Nay – none.

Director Parkinson had not arrived yet.

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### C. Advisory Board Comment.

A.B. McDonald reported that she has set up a recurring Zoom link. Also, to make hybrid meetings more efficient, the Board needs to invest in some equipment like a camera that can be set up so Board members won't have to worry about bringing their own phones, etc. She requested that this be put on one of the agendas in the next month or so.

She also reported that she is hoping to have a newsletter ready for the April meeting so that it can go out in May. She requested that approval of the newsletter be put on the April 26th meeting agenda.

Director Mitchell replied that she will do that.

Director Mitchell commented that A.B. Murphy is the other Advisory Board member. He is waiting for the Board to finalize the vacancy and he needs to be reappointed to the Advisory Board, depending on what the Board does about the vacancy.

### 3. Reappointment of Director Phil West as Vice-Chairman for 2023.

A motion to reappoint Director West to the position of Vice-Chairman was made by Director Allen and was seconded by Director Puhvel.

Vote – ayes – Directors Mitchell, Puhvel, Allen, and Bassett.

Nay – none.

Abstain – Director West.

### 2. Public Comment

Director Mitchell commented that this is the last meeting where Public Comment will be on the agenda at the beginning of the meeting and at the end of the meeting.

After some discussion, it was clarified that public comment will be allowed during its item on the agenda and in response to any agenda items. When commenting on individual items, the comment is received by the Board and the meeting continues on. Conversations about the comment should not be engaged in.

Mr. Stickells voiced his concern that the Advisory Board agendas, with pertinent meeting information regarding location, date, time, etc. didn't seem to be posted per the Brown Act. He also commented that he again did not receive the agenda. A.B. McDonald said that she had mistakenly sent him a draft agenda, not the final agenda, and that the final agenda had the required information. In addition to posting it at the Community Centers, she had sent the agenda to Mono County for posting and assumed that it had been. Mr. Stickells reiterated his concern that Advisory Board meetings are being held and the public doesn't know about them.

### 4. Approval of minutes: January 25, February 15 and March 15 and March 22, 2023 meeting minutes. February 22 meeting was cancelled.

Mr. Stickells commented that he did not receive the March 22<sup>nd</sup> minutes, could not find them on the TVGMD website, and that none were available at this meeting.

Director Allen asked Mr. Stickells if the concern he raised at the March 22<sup>nd</sup> meeting, regarding usage of the Zack Ranch name in an example, had been rectified. Mr. Stickells replied that he has not seen the March 22<sup>nd</sup> meeting minutes and, therefore, couldn't answer that question. Director Bassett replied that, during the March 22<sup>nd</sup> meeting, at the time for minutes approval, the meeting was stopped due to issues with Zoom. Therefore, no action

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was taken on correction and/or approval of the minutes.

A motion to wait on the minutes approval until the minutes could be thoroughly reviewed was made by Director Allen. Director Mitchell said that approval of all of the minutes listed will be on the April 26<sup>th</sup> agenda and she expects the Board to read them all.

### **5. Discussion and possible approval of a letter of engagement for a District 5-year audit. Further discussion on the cost of audit. (Attach B)**

Director Mitchell explained that the audit was a regular thing that happens every five years. So, the letter that is in your agenda was also on the agenda last agenda and it is asking for approval of the letter of engagement.

Mr. Stickells voiced a concern about the nearly \$5,000 cost of the audit. Director Bassett clarified that Mono County had been paying for the yearly audits and, when the audit schedule was changed to 5 years, the County had agreed to pay for the 5-year cost. Also, Mono County Finance Department had set up the contract, which included all Mono County Special Districts, with the auditors.

A motion to approve the letter and authorize Director Mitchell to sign it was made by Director Allen and seconded by Director Puhvel.

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

Nay – none.

### **6. Discussion and possible approval of letter regarding monitoring wells in Hammil Valley. (Attachment #6)**

Directors Allen, West, and Parkinson raised concerns about the letter. They requested more information about who initiated the project, what the purpose of the project was, how the information would be used, etc. There was concern that data could be skewed to suit a specific agenda of one or more of the agencies involved.

Director West commented that data from well monitoring alone does not tell the whole picture. The aquifer characteristics, chemical make-up of the water, and water source(s) need to be considered.

A.B. Murphy commented that he didn't see what the issue was. The monitoring would simply provide data for an area that is admittedly lacking in data.

A.B. McDonald stated that the Advisory Board was in favor of Mono County taking ownership of the USGS monitoring wells. She suggested that someone from Fish and Wildlife come and address the Board on this issue.

Director Mitchell said that, since DWR started the project, maybe Tim Ross, from DWR should come and give a talk about the project.

Director Duggan commented that she has not heard anything about this project from

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Mono County staff, nor has she seen it on the Mono County Board of Supervisors upcoming agenda. She said that this well monitoring would potentially provide data for the groundwater model but is otherwise separate.

Director Puhvel said that he had some information on the project. But, that he could get more information from his contact at California Department of Fish and Wildlife, hopefully before the next Board meeting.

A motion to table the matter until the April 26<sup>th</sup> meeting or as soon thereafter as more information can be available was made by Director Puhvel and seconded by Director Allen.

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

Nay – none.

### **7. Discussion regarding the composition and representation on the Board of Directors:**

#### **1. Discussion and direction from the Board on language changes to the District statutes regarding the composition of the TVGMD Board of Directors.**

Discussion about the potential statute language changes was held. Issues talked about were needing to have adequate representation of both domestic and agricultural well owners, the use of the term “100 gallons per minute” well as signifying an agricultural well, needing agricultural producers on the Board, possible inclusion of Inyo County residents that are Tri-Valley property owners as potential Board members, and needing to be wary of language that could lead to proxy voices.

#### **2. Discussions and possible action on making language changes permanent in the district statutes.**

A.C.C. Beck commented that, as soon as he has consensus of the Board on potential specific language changes, he can prepare a draft legislation. Public input, comments, and a hearing would need to be achieved.

Directors are to bring their recommended language to the next Board meeting.

#### **3. Nominations and possible appointment to fill current vacancy on the Board of Directors.**

A motion was made to table the item until the Board composition language could be worked out was made by Director Parkinson and seconded by Director West.

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

Nay – Director Mitchell.

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### **8. Further discussion and possible action on funding request to Mono County for Fiscal Year 2023-24. (Attachment #8)**

Director Mitchell commented that we were still unsure about the cost of insurance.

A.B. Murphy raised the concern about the funds needed for Zoom related IT equipment not being included in the budget. Per Director Duggan's suggestion, that need would be sent separately to Mono County.

A motion to approve the proposed budget request and submit to Mono County was made by Director Puhvel and seconded by Director Allen. Director Mitchell to send the request to Mono County, via Megan Chapman.

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

Nay – None.

### **10. Board of Directors Reports**

Director Bassett reported that she had attended the March 9<sup>th</sup> OVGA meeting. The main item mentioned concerned the ordinance 2022-01 for owners to register their wells. Basically, that deadline had been April of 2023. The language wasn't ready and posted online until January of 2023, so that deadline has been moved to April of 2024. Also, their next proposed meeting is March 14<sup>th</sup> of 2024.

She also reported that, as of the March 16<sup>th</sup> General Ledger report, TVGMD balance is \$11,238.76.

Director Mitchell reported that she had sent a letter (attachment # 9) to the auditor in response to their request for information regarding a closed session in May of 2019.

### **11. Public or Advisory Board Comment**

None at this time.

### **12. Adjournment to Wednesday, April 26, 2023 at 6:30 p.m. at the Chalfant Community Center.**

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

**Meeting was adjourned at 8:25 PM.**

**Next meeting is Wednesday, April 26, 2023 at 6:30 p.m.  
at the Chalfant Community Center.**

**Geri Bassett, Secretary, TVGMD**

