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COUNTY OF INYO
WATER DEPARTMENT

June 2, 2009

TO: Paul Dabbs
Strategic Water Planning
Statewide Integrated Water Management
California Department of Water Resources
PO Box 942836
Sacramento, CA 94236-0001

FROM: Bob Harrington
Water Director, Inyo County

SUBJECT: Comments on Public Review Draft of the California Water Plan Update 2009

On behalf of Inyo County, the following comments are provided on the Public Review Draft of the California Water Plan Update 2009. We are submitting these comments with the understanding that the State Water Plan Update 2009 provides no authority to the State of California to regulate local governments. Thank your for the opportunity to comment.

Volume 1, Imperative to Act, page 2-16. Recommendation 2 stresses the need for continuous and stable funding for regional integrated water management. Rural areas such as Inyo County have been less able to access state funding for integrated planning because high population areas tend to have greater institutional capability for developing plans, grant applications, and funding projects. Statewide, the same areas that tend to be under-represented and under-funded in the regional planning process also are the source areas for state water supplies. This recommendation should recognize the need for funding capacity building projects in rural supply source areas.

Volume 1, Imperative to Act, page 2-18. Recommendation 6 states "Local governments should update General Plans to address drought, water quality, and flood risks in light of existing and future climate change impacts." Inyo County opposes any legislation, regulation, or component of the State Water Plan that diminishes local control over land use decisions, and supports legislation that reduces or

eliminates State requirements and mandates for county general plans. Mandates for comprehensive updates to General Plans should include provisions for state funding to support such updates.

Volume 1, Managing an Uncertain Future, page 5-12. The "Blueprint Growth" scenario should be renamed, so as to not confuse or erroneously associate the State Water Plan with the California Regional Blueprint Planning Program. As we understand the Plan, there is not an intended association between the scenario and the Blueprint Planning Program, so the use of similar terminology could lead to a misunderstanding that this scenario is related to the Blueprint Planning Program.

Volume 2, Conveyance Local/Regional, page 5-8. Recommendations for promoting conveyance should include a recommendation that improvements to existing conveyances or development of new or expanded conveyance should consider and analyze the effect of conveyances on the economy and environment of areas of origin. Performance metrics should not be limited to how urban and agricultural users are affected; they should also address how conveyances affect areas of origin.

Volume 2, Ecosystem Restoration, page 22-6. Under potential costs of ecosystem restoration, it would serve the Plan well to identify how water commitments to ecosystem restoration have changed over time. This would provide context for this chapter.

Volume 2, Land Use Planning, page 24-15, and Recharge Area Protection, page 25-8. Chapter 25, recommendation 4, proposes an amendment to state law restricting local land use decision making authority until it is known if a parcel of land is needed for recharge for a local agencies groundwater management program. We are opposed to any legislation that would diminish local control over land use decisions. We propose that recommendation 4 be replaced with the following language: "Provide funding to local decision-makers for consideration and analysis of recharge areas when making decisions regarding development of potential recharge areas." Chapter 24, recommendation 4.b and Chapter 25, recommendation 7 require that local governments include a water element in their General Plan that discusses costs and values of protecting recharge areas versus the cost of not protecting them. As mentioned previously, Inyo County opposes any legislation, regulation, or component of the State Water Plan that diminishes local control over land use decisions, and supports legislation that reduces or eliminates State requirements for county general plans. General Plan amendments are expensive and time consuming for small local governments to conduct. If General Plan water elements are to be mandated (which we oppose), we recommend inclusion of provisions for financial and technical support for local governments to develop a water element for their General Plan.

The remaining comments pertain to Volume 3, Chapter 10, South Lahontan Hydrologic Region (SLR).

Page 10-1, Setting. "Crawley" should be "Crowley."

Page 10-1, Watersheds. The Amargosa watershed should also be considered a major watershed within the region. This section should note that numerous closed basins exist within the South Lahontan Region.

Page 10-3, Mono Basin. "almost 12,000 feet" should be "over 13,000 feet."

Page 10-3, Owens River. Suggest replacing "…man made feature in the watershed" with "water resources infrastructure."

Page 10-3, Owens River. Additional DFG fish hatcheries in the Owens River watershed are Fish Springs Hatchery, Blackrock Hatchery, and Mt. Whitney Hatchery.

Page 10-4, Land Use. Agricultural acreage in the Owens watershed is considerable. In Inyo and Mono County, approximately 22,000 and 71,000 acres respectively are under irrigation for alfalfa, miscellaneous hay, and irrigated pasture. In Inyo County, irrigation practices on LADWP lands are maintained under the Inyo/Los Angeles Long-Term Water Agreement (LTWA). The LTWA requires that LADWP maintain water related uses that existed on their land in the 1981-1982 runoff year. Under the LTWA, irrigated acreage in the Owens Valley will remain stable.

Page 10-4, Economy. The John Muir Trail is almost entirely outside the SLR.

Page 10-4, Long Valley. Insert "Valley" between "Long" and "Hydrologic." Delete "An ancient volcano."

Page 10-4. Suggest replacing the paragraph starting with "LADWP" with the following:

Since 1970, LADWP water exports from the eastern Sierra Nevada have ranged from 100,000 to 500,000 acre-feet/year, and groundwater pumping has ranged from 50,000 to 200,000 acre-feet/year.

LADWP and Inyo County have entered into a Long-Term Water Agreement (LTWA) for management of LADWP land and water in Inyo County. The LTWA maintains irrigation on LADWP lands, manages LADWP surface water and groundwater pumping to avoid significant impacts to native vegetation and other groundwater dependent resources, and provides for numerous mitigation projects related to LADWP water exportation. The largest mitigation project undertaken under the LTWA is the Lower Owens River Project (LORP), which rewatered sixty miles of river channel between the diversion point of the Los Angeles Aqueduct and Owens Lake. At Owens Lake, a pumping station returns LORP flows to the Los Angeles Aqueduct.

LADWP has been compelled to mitigate dust originating from Owens Lake. Shallow flooding, managed cultivation of salt grass, and gravel are recognized as effective dust control measures on the Owens Lake playa, and to date, the dust control has primarily been implemented using shallow flooding. The dust control program is currently using approximately 60,000 acre-feet/year, and as the program expands, it is anticipated that as much as 90,000 acre-feet/year may be used for dust control. LADWP is currently investigating potential groundwater sources beneath Owens Lake to supply dust control measures.

Page 10-4, last paragraph. The project referred to at Convict Lake is not a LTWA project.

Page 10-5 and 10-6. Material discussing ecosystems in Inyo and Mono Counties should be added here. Sierra East, edited by Ginny Smith, UC Press, would be a useful reference for an overview of eastern Sierra ecosystems. California Deserts, Bruce Pavlik, UC Press would be a useful reference for desert ecosystems.

Page 10-6, Demographics. This section should discuss that the population in the northern portion of the SLR has been stable due to unavailability of developable private land, and not subject to the explosive growth present in the southern portion of the region. Only 1.7% of the land in Inyo County is in private ownership.

Page 10-9, Environmental Water. LADWP has committed water to enhancement mitigation projects (11,000 acre-feet/yr), recreation and wildlife uses (10,000 acre-feet/yr), the Lower Owens River Project (22,000 acre-feet/yr), and dust mitigation at Owens Lake (67,000 acre-feet/yr) (data for 2007). It is anticipated that expansion of dust control measures at Owens Lake will increase water commitment there to nearly 90,000 acre-feet/yr within a few years.

Page 10-9, Water Supplies. This section should note that since 1970, an average of approximately 360,000 acre-feet/year has been exported from Inyo and Mono Counties to southern California.

Page 10-10, Water Supplies. Regarding groundwater in the Owens Valley, it should be noted that since 1970, groundwater extraction by LADWP has averaged approximately 90,000 acre-feet/yr and ranged from 50,000 to 200,000 acre-feet per year for export to southern California and uses in the Owens Valley.

Page 10-11, Water Supplies. The paragraph starting "The Los Angeles Aqueduct…" and the two paragraphs following should be relocated so all the material pertaining to Inyo and Mono counties is in one continuous section.

Page 10-14, Water Governance. Inyo County's water policy "…is to protect the County's environment, citizens and economy from adverse effects caused by activities relating to the extraction and use of water resources and to seek mitigation of any existing or future adverse effects resulting from such activities." This policy is implemented through the Inyo/Mono Long-Term Water Agreement (LTWA), which controls LADWP's surface water and groundwater management and water exports from Owens Valley, and Inyo County's groundwater ordinance. The LTWA provides for maintaining groundwater dependent vegetation conditions comparable to those prevailing during the mid-1980s, preventing harm to non-LADWP well owners, and joint management of water resources between LADWP and Inyo County. Inyo County's groundwater ordinance requires a conditional use permit for projects transferring water between groundwater basins.

An additional component of water governance in the northern SLR is the Mono Lake decision requires that certain lake level targets be achieved before water exportation from the Mono Basin be resumed or increased.

Page 10-18, Relationship with Other Regions. LADWP water exports for water year 2002 were 195,000 acre-feet, 2003 – 219,000 acre-feet, 2004 – 213,000 acre-feet, and 2005 – 343,000 acre-feet, 2006 – 368,000 acre-feet.

Page 10-20, Figure 10-6. This map needs to be updated to include the Inyo/Mono IRWMP boundaries, and have the Owens Valley boundary that is shown removed. The boundary for the Owens Valley that is shown is from a 2005 application that was not accepted by DWR as a functional equivalent to a regional plan.

Page 10-20 – 10-21. It should be noted that Inyo County completed two AB303 Local Groundwater Assistance projects that improved estimates of evapotranspiration from groundwater dependent vegetation communities, and developed groundwater modeling capability for portions of Owens Valley. Additionally, it should be noted that the LORP is jointly managed and funded by the LADWP and Inyo County.