

# the RAINSHADOW

*we watch the water*



THE OWENS VALLEY COMMITTEE • VOL. I NO. I • WINTER/SPRING 2005 • WWW.OVCWEB.ORG

## President's Message

The Owens Valley Committee (OVC) enters 2005 with a renewed sense of both frustration and purpose as we continue to advocate for the water-related resources in the Owens Valley. Since 1984, we have been a patient and continuous presence in the on-going negotiations regarding water in our region. Although the Lower Owens River Project (LORP) was a mitigation legally required in 1997 for numerous environmental impacts caused by the water gathering activities associated with the second barrel of the Los Angeles Aqueduct in 1970, the re-watering of 62 miles of the river that was to have begun in June 2003 has yet to be implemented. The OVC, with the Sierra Club, has recently filed a lawsuit that, for the first time in this lengthy battle, seeks sanctions for the delays, requesting that the court order LADWP to reduce groundwater export until the LORP is implemented. This bold move is very appropriate at this time, and is entirely reasonable. The OVC will continue to focus on the LORP this year, and will also work to bring issues such as vegetation decline associated with groundwater pumping to the forefront of public awareness in our region.

Carla Scheidlinger  
President  
Owens Valley Committee

## New OVC Visitor Center to open in Lone Pine

The new Owens Valley Committee Visitor Center will be opening in Lone Pine on Saturday, February 19, 2005. A reception is scheduled from 4:00-6:00 P.M. with refreshments. The Visitor Center will house a research library comprised of books and documents covering the years of land and water history here in the Owens Valley. High speed internet access for researchers and for residents

with water issue inquiries will also be available. In addition, there will be interpretive displays to help explain many of the complex land and water concepts in the Owens Valley like groundwater pumping impacts, vegetation monitoring, wildlife habitat, surface water manipulation and Owens Lake. The OVC Visitor Center is located at 134 E. Bush St., Lone Pine, directly across from the post office.

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This is the first in a series of bi-annual newsletters from the Owens Valley Committee. OVC is a non-profit citizen's action group dedicated to the protection, restoration and sustainable management of water and land resources affecting the Owens Valley.

Peter Knapp

## pumping GROUNDWATER

While Owens Valley has an arid climate and a wonderful diversity of desert vegetation, tens of thousands of acres on the valley floor historically supported groundwater-dependent meadows. The EIR to the LTWA documented the presence of at least 60,000 acres of alkali meadow, wetland, and desert riparian communities in 1986. Unfortunately, because of the shallow water tables in these areas, they are the site of many groundwater wells and are vulnerable to desertification.

Photo #1 was taken in 1988 at permanent monitoring site TS2. Total vegetative cover was about 33%, more than three quarters of which was grass.



*Inyo County Water Dept.*

Photo #2 was taken in 2004 at the same monitoring site. Total vegetative cover is only about 14%, more than one half of which is shrub cover. Groundwater-dependent grasses are being replaced by dryland shrubs and total vegetative cover is greatly reduced.



*Daniel Pritchett*

Photo #3 was taken in 2004 where the vegetative cover in parcel Laws52 was measured at about 9% - of which about half was annual weeds - and the other half shrub cover. Only a trace of groundwater-dependent grasses were measured, total vegetative cover is greatly reduced, and bare ground increased.



*Inyo County Water Dept.*

# Desertification:

## Groundwater management under the Inyo-L.A. Long Term Water Agreement

### Introduction

In 1991 Inyo County and Los Angeles signed the historic Inyo-LA Long Term Water Agreement (LTWA), settling 19 years of litigation over LADWP's groundwater pumping. The LTWA requires that pumping be managed to avoid significant impacts while providing a reliable water supply for Los Angeles. It also specifies measures to mitigate impacts which had occurred since excessive pumping began in 1970. Completion of the LTWA and associated EIR and MOU was widely reported to mark the beginning of a new era of cooperation between Inyo County and LADWP.

After fourteen years of "cooperation," LADWP continues to export huge volumes of water from Owens Valley, pumping continues to impact ecosystems, and some mitigation projects are years behind schedule, if started at all. Inyo County has twice initiated Dispute Resolution proceedings under the LTWA while the Owens Valley Committee and the Sierra Club (Range of Light Group) have had to litigate to try to force LADWP to carry out required mitigation. Meanwhile, LADWP asserts vegetation cover has exceeded baseline conditions, when, at the same time, annual average pumping exceeds that which caused the impacts which led to the LTWA in the first place.

### Excessive pumping

There are at least 26 vegetation parcels throughout Owens Valley where pumping drawdowns have held water tables below vegetation rooting zones continuously since the LTWA was signed in 1991. The drawdowns

are causing impacts to groundwater dependent meadows, grasslands, and woodlands best described as "desertification." Drawn down water tables are unlikely to recover unless LADWP substantially reduces pumping.

In the Big Pine wellfield LADWP violated the LTWA's prohibition against groundwater-mining in 2004. Under the LTWA, groundwater mining occurs when the volume of the 20 year cumulative annual pumping exceeds the 20 year cumulative estimated annual recharge. The "inherent limitations on pumping" in the LTWA's vegetation protection requirements were supposed to have prevented pumping from ever approaching groundwater mining limits. Exceeding the mining limit means that over the last 20 years LADWP pumped more than one drop of water for every drop of water estimated to have recharged the Big Pine aquifer.

Valleywide pumping is also excessive. The USGS estimated the long term average annual volume of pumping consistent with vegetation protection requirements of the LTWA to be about 70,000 af/yr. This is based on estimates of vegetation water requirements that may be too low, however, so the 70,000 af/yr is generous. For comparison, during the period from 1970-1986 (when LADWP admits pumping impacts occurred), LADWP pumped an average 93,792 af/yr of groundwater. (Annual Owens Valley Report, 2004-2005 Runoff Year). For the period 1987-2003, LADWP reports that since mapping of the baseline vegetation conditions for the LTWA was completed in 1986, an-

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nual pumping has actually increased to average 95,756 af/yr, and LADWP still wants more.

### What is to be done?

Inyo County plans to initiate another LTWA Dispute Resolution proceeding regarding groundwater pumping and other complaints. This, however, will be expensive and will probably lead to litigation which is even more expensive. Inyo County has limited financial resources, and,

as one LA Board of Water and Power Commissioner has thoughtfully pointed out, LADWP's litigation budget alone exceeds Inyo County's entire annual budget. LADWP has stated that litigation is cheaper than water.

Enforcement of the LTWA depends, in the long run, not on litigation but upon LADWP abandoning its exploitative management and implementing the LTWA in good faith. We in Owens Valley can document

and publicize LADWP's abuses, but reform of the agency will only occur when voters in Los Angeles and LADWP ratepayers insist upon it.

An expanded version of this article, with notes and citations to source material is available on the OVC web site at [www.ovcweb.org](http://www.ovcweb.org).

Daniel Pritchett  
 skypilots\_2@yahoo.com  
 Groundwater Committee

## Just Add Water, Stir and Instant Owens Lake!

Mike Prather

Although not that simple, the addition of significant amounts of water at Owens Lake for dust control continues one of the largest wildlife resurrections in the west. It was not the intention of Los Angeles to create new habitat that has lured tens of thousands of migrating shorebirds back to Owens. It was not their plan to foster the largest inland snowy plover nesting site in California. But because of the Clean Air Act the Los Angeles Department of Water and Power (LADWP) is trickling water on square miles of the dry surface of Owens Lake in order to control the extremely hazardous regional PM-10 dust particle emissions. This, in turn, grows algae that nourishes seething masses of alkali flies and that 'sets the table' for the return of the birds.



Owens Lake Avocets

Mike Prather

By the December 31, 2006 deadline for clean air at Owens Lake there will be approximately 25 square miles of shallow flooding for dust control. Much of this recreates the historic

shallow lake food stopover that was Owens Lake before it was dried up in the 1920s. However, current policy of Los Angeles is that water is for dust and not necessarily for birds. Methods of dust control may be changed to

ones that don't use water such as gravel or that use less water and have less wildlife value such as managed vegetation.

As part of its permits for dust con-

trol Los Angeles was required to mitigate loss of habitat by creating and dedicating in perpetuity 1,000 acres of shorebird habitat where water would serve the dual purpose of dust control and wildlife enhancement. LADWP has submitted a habitat management plan for this area to the California Department of Fish and Game. In addition, further permitting has required up to 1,000 more acres of habitat for shorebirds to also be dedicated in perpetuity. All of this is a good start on the road to a final resolution of how much of the habitat for dust control should be managed in perpetuity for the dual purposes of dust control and wildlife. May the birds as well as the dust settle on Owens Lake.

### Post script:

The Sierra Club has filed a CEQA lawsuit on the Lower Owens River Project (LORP) Environmental Impact Report (EIR) arguing that the LORP will dry up the outflow of the delta onto Owens Lake. This area is a known habitat location for migrating and nesting shorebirds and for waterfowl. It is hoped that this area can be defended or that an equivalent area can be found in the nearby dust control zones for off-site mitigation.

# The Lower Owens River Project (L.O.R.P.)

## Roll on little river...someday

Mike Prather

In 1997 the City of Los Angeles signed a Memorandum of Understanding (MOU) with the Owens Valley Committee and others promising to re-water 62 miles of the dry Lower Owens River by June 2003. This stretch of river was cut off with completion of the 1913 Los Angeles Aqueduct. Sadly this re-watering has not occurred and therefore the largest mitigation resulting from the 1991 Long-term Water Agreement between Inyo County and Los Angeles still waits until 'possibly' 2006 or 2007. Millions of dollars worth of water that should be



Long dry lower Owens river bed

creating a green rich riparian wildlife corridor and a warm-water fishery in the Owens Valley as promised is instead flowing south to Los Angeles. A measure of relief for Los Angeles Department of Water and Power's (LADWP) devastating groundwater pumping impacts to wetlands, springs and wildlife since 1970 remains to be seen. Dehydration without representation is the status of local residents and others throughout the state who love the Owens Valley.

In response to the endless delays of LADWP, the Owens Valley Committee and the Sierra Club have filed a lawsuit asking the court for sanctions (reduction in groundwater pumping for export by LADWP) until water that was promised eight years ago commences to flow. It is reasonable to expect that promises given are promise kept and that the 1997 MOU that took OVC six years to negotiate with Los Angeles was negotiated in good faith.

Inyo County has been unwilling to approve the Lower Owens River Project's state-required Environmental Impact Report (EIR) because the county requires Federal EPA grant money for its share of the project costs. LADWP broke off promised joint preparation with EPA and Inyo County of a federally-required Environmental Impact Statement (EIS) and without this EIS no money can be forthcoming to Inyo County. Owens Valley waits for Los Angeles and EPA to work out their differences before any water can begin to flow through the thirsty river channel.

## Volunteer Opportunities

- Tamarisk removal work parties (Volunteer to become a "Taminator")
- Leaders for field trips (birds, flora, history, geology, photography, etc.)
- Program presenters – slide show or Power Point (travel opportunity)
- Adopt-a-Highway crew (every even month). Check web site for dates.
- OVC Visitor Center volunteers
- Spring and Fall shorebird surveys at Owens Lake

**Call 760.876.1845**

## Artist at Owens Lake

David Maisel had several exhibitions across the country of "The Lake Project," his aerial photography work at Owens Lake.

To view some images go to [www.davidmaisel.com/fine.asp](http://www.davidmaisel.com/fine.asp)  
Click on "Black Maps" and then "The Lake Project."

# Lone Pine Well #416

Mike Prather

The Inyo County/Los Angeles 1991 Long-term Water Agreement allowed 15 new LADWP production wells in the valley to make possible rotational pumping or the

spreading out of impacts. Cooperative testing and operation protocols are to be drafted by Inyo County and LADWP. Impacts are to be avoided.

The first new well is now in place in

Lone Pine next to the aqueduct just north of the Whitney Portal Road. It has been tested minimally and is not yet in operation. However, if allowed to pump it will withdraw more than 2,000 acre-feet (one acre 2,000 feet high) of water per year for export to Los Angeles. Currently the entire town of Lone Pine pumps up to 550 acre-feet per year for its own use. Since Well #416 is located in parallel earthquake faults running north and south, it will draw down water as if in a long trough potentially harming trees and other ground-water dependent plants to the north and south from Pangborn to the Lone Pine Golf Course. Inyo County notes the low water table in the area and that any recovery of water levels after pumping may be very slow. It asks that the water tables rise more before any short-duration testing of Well #416 takes place.



Mike Prather

## Field Trips

### Eastern Sierra Audubon:

**Saturday, March 5th** - Big Pine Winter Wildlife Tour - leaders Tom and Jo Heindel - Driving tour between Klondike Lake and Tinemaha Reservoir. Meet at the Glacier View Campground in Big Pine at 8:00AM. Bring binoculars, lunch, water, scopes. Should last until noon. For further information call Tom or Jo Heindel at 760-938-2764.

**Sunday, April 17th** - Owens Lake with Mike Prather - Shallow flooding projects during the peak of spring shorebird migration. Meet at 8:00AM at the Diaz Lake parking lot 3 miles south of Lone Pine. Bring a lunch, binoculars, scope, hat, sunscreen, etc. If you have a hard hat or safety vest bring them, as they are required on the lake. Otherwise hard hats and vests will be provided. Call Mike at 760-876-5807, or visit [www.esaudubon.org](http://www.esaudubon.org) for more information.

### Bristlecone Chapter of the California Native Plant Society:

Visit [www.bristleconecnps.org](http://www.bristleconecnps.org) for 2005 Owens Valley trips.

# 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.



*Peter Knapp*

# 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.

- \$25 Riverine
- \$50 Tule Elk
- \$100 Winneduma
- \$500 Snowy Plover
- \$1000 Artesian

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

E-mail \_\_\_\_\_

Volunteer Skills \_\_\_\_\_

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