

Inyo-Mono Regional Water Management Group Meeting Summary (DRAFT)
Wednesday, January 26, 2011
1:00 – 4:00 pm
Mammoth Community Water District Board Room
1315 Meridian Blvd (corner of Hwy. 203 and Meridian)
Mammoth Lakes, CA

Call-in locations:

1. Inyo County Water Department
135 South Jackson St.
Independence, CA 93514
2. Inyo National Forest/BLM/Sierra Nevada Conservancy Office
351 Pacu Ln
Bishop, CA 93514
3. Holly Gallagher's home
34264 Camino Capistrano #212
Capistrano Beach, CA
4. Leroy Corlett's home
1217 N. Inyo St.
Ridgecrest, CA

The public will be offered the opportunity to comment on each agenda item prior to any action on the item by the membership. The public will also be offered the opportunity to address the membership on any matter pertaining to IRWMP business. Agenda items indicated as "Action" require that members undertake activities subsequent to the meeting. Agenda items indicated as "Decision" are items where the membership will make a decision on the item at the meeting.

Agenda

1. Welcome and Introductions
2. Public comment period
3. MOU/Governance
 - * Discussion of MOU amendments (consolidated revisions and amendments attached)
 - * Discussion of Admin Committee Chair and Vice-Chair and their roles (proposal for selecting Chair and Vice-Chair attached)
 - * Discussion of selecting another Admin Committee alternate
 - * Discussion of selecting a Secretary for the Group, per the MOU
4. Big Pine Paiute Tribe Letter of January 6, 2011
 - * Recap of Admin Committee meeting on this topic
 - * Discussion/recommendation on how to respond
5. Debrief on Plan and Implementation proposal process
 - * Feedback to provide to DWR
 - * Where the process worked/where the process broke down

* Suggestions to staff and DWR for improvements for Plan revision and for Round 2 Implementation grants

* Please spend some time thinking about this topic before the meeting and come prepared to share your thoughts and ideas

* Discussion of next steps in early 2011

6. Updates

* Planning grant funding

* DAC funding

7. Announcements

8. Process Check

9. December 15, 2010, RWMG meeting summary (attached)

* Discuss comments, edits, corrections

* **DECISION ITEM:** Approve December 15, 2010, RWMG meeting summary

10. Future Meetings

* Develop recommendation to set a schedule of regular meetings each year

Notes

1. Welcome and Introductions

Attending in person

Mark Drew, CalTrout/IRWMP
Holly Alpert, IRWMP Staff
Bruce Woodworth, Central Sierra RC&D
Malcolm Clark, Sierra Club Range of Light Group
Darla Heil, Owens Valley Indian Water Commission
Morgan Lindsay, Mono Lake Committee
Tony Dublino, Mono County
Dan Moore, Round Valley School
Sally Manning, Big Pine Paiute Tribe
Gary Bacock, Big Pine Paiute Tribe
Rich Ciauri, June Lake PUD
Mindy Pohlman, June Lake PUD
Harvey Van Dyke, Wheeler Crest CSD
BryAnna Vaughan, Bishop Paiute Tribe
Bob Harrington, Inyo County Water Department

Peter Bernasconi, Town of Mammoth Lakes
Ceal Klingler, Owens Valley Committee
Alex Henson, Lone Pine Paiute-Shoshone Tribe
Irene Yamashita, Mammoth Community Water District
Greg Norby, Mammoth Community Water District

Attending via phone

Nathan Reade, Inyo-Mono Agriculture Commissioner's Office
Parker Thaler, DWR
Jen Wong, DWR Southern Region
Leroy Corlett, Indian Wells Valley Water District
Lori Dermody, LADWP
Dave Grah, City of Bishop

- Mark Drew celebrated the completion of the Plan and Implementation proposal
- We acknowledge the wonderful assistance of Center for Collaborative Policy in helping us complete and deliver the proposal

2. Public comment

- No comments at this time
- Greg Norby: welcomes everyone to the District offices; recognizes this as impressive effort to get us where we are and says congratulations.
- Mammoth Community Water District approved an additional \$3000 contribution to the IRWMP.

4. (in order) Big Pine Paiute Tribe (BPPT) letter

- The Administrative Committee (Admin. Committee, or AC), plus BPPT representatives, met just prior to RWMG meeting.
- Mark (and the rest of the RWMG) received a letter on January 5 from the BPPT regarding their dissatisfaction with the process of eliminating a project from the wish list in the Plan.
- Mark recognizes that the process could have been better, but it was difficult with time constraints.
- At the Admin. Committee meeting, everyone agreed that the process can be improved but that we should move forward in a positive manner.
- Admin. Committee recommends that a letter be drafted to DWR outlining the issue, acknowledging the concerns, and show that we are improving the process so that similar issues hopefully will not arise again. The letter will be fairly general without going into each of the BPPT complaints and responses. The letter will also include the recommendation that entities interested in hatcheries throughout the planning region form a work group to address issues around hatcheries. The goal of this work group will be to develop proposal(s) to put forward for funding through future rounds of Prop. 84 implementation grants as well as through other funding opportunities.
- The letter will be circulated among the Admin Committee (drafted by Mark within the next week) and BPPT representatives as an initial draft and then the letter would be presented to the RWMG for approval, likely in late February.
- Mark reiterated that all formal decisions are made by the RWMG.
- This letter would act as something as a follow-up to the original letter from BPPT, since they are on the contact list.
- **Action Item: Mark will draft letter and circulate among Admin Committee and BPPT within the next week. A “final” draft will be circulated to the RWMG in time to review before the next Group meeting.**
- **Action Item: Language regarding the consensus decision-making process will be included at the beginning of each agenda.**
- BryAnna Vaughan: each Member representative is responsible for bringing up any concerns at meetings when they arise.
- Gary Bacock: BPPT was not consulted about the elimination of the project before it was removed from the Plan.
- BryAnna reminded folks that this could happen to any entity and we will try to prevent it from happening again.

3. MOU

- Background: it was decided at an earlier meeting that concerns with the MOU will be addressed through amendments rather than revisions to the text of the MOU.
- It was decided that the Group would consider MOU amendments and agree upon a set of amendments by April, 2011, or soon thereafter. The decision item that was approved by the Group on December 15, 2010 states: “The first round of amendments to the planning/implementation MOU will be considered in February, 2011. MOU signatories

will submit suggested changes to the MOU to Holly no later than January 15, 2011. Submitted amendments and changes will be considered at the February (or later), 2011, RWMG meeting. Final decisions about amendments will be made by April, 2011.”

- Holly Alpert collated various comments and amendments
- Staff requested volunteers to serve on a work group for MOU amendments: Bruce, (it was suggested that involvement from Holly Gallagher, Greg James, and Stacey Simon should be solicited). Will provide opportunity to volunteer to non-attendees.
- Admin. Committee Chair/Vice-Chair and their roles: in the MOU, it is said that the Chair/Vice-Chair would Chair Group meetings
- Harvey Van Dyke referred to Bruce Woodworth’s draft
- The intent for this meeting was not to go through all of the comments and suggested amendments in detail, but rather to identify outstanding issues.
- There was a recommendation to form a work group, including legal experts, to consider the comments and amendments, as well as consider any legal issues, and come back to the RWMG with a recommended set of amendments for approval.
- It was agreed upon that the ability to vote on amendments will be limited to MOU signatories, as all other decisions are.
- Lori Dermody raised the concern that in order for DWP to sign the MOU, some of the issues they raised earlier need to be incorporated. She says it is difficult to take the MOU to the DWP Board because it still seems like a working document.
- It was reiterated that the body of the MOU will not change.
- Darla Heil suggested that this is a “living document”
- Bob Harrington compared DWP in this situation to a member of the public: they may provide input, but ultimately it is RWMG Members who will make the decision on amendments. (Dave Grah agreed as a non-MOU signatory). It was agreed that all comments provided will be considered.
- Three red flag issues were brought up: the Expulsion clause; the Revenue Sources clause; and Emergency Decisions by Administrative Committee clause.

- Expulsion clause:
 - Greg: he is not in favor of including clauses to deal with exceptional circumstances and suggests that instead the Group makes sure that there are adequate fail-safes in the MOU for worst-case scenarios.
 - Malcolm Clark: definition of extreme circumstances may be broad and vague
 - BryAnna suggested that a decision to remove an RWMG Member is simply a decision to be made by the Group at a regularly-scheduled and publicly-noticed RWMG meeting.
 - Being able to remove an RWMG member is a protection against wingnuts, which has been discussed at previous RWMG meetings. There is a concern that one individual or organization can bring down the entire group with their ability to veto any decision. This may be due to the individual and not the organization.
 - Dan Moore suggested making the language in the clause more specific.
 - Sally Manning brought up the question of a group that no longer exists or that has restructured substantially. How are they dealt with?
 - Bob pointed out that the last six months show that the consensus process within this Group can work.
 - Mark suggested that there is a process by which the Group will commit to solving problems constructively.
 - Irene Yamashita moved to object to the Expulsion clause amendment, and Bruce withdrew it.

- Emergency Decisions by Administrative Committee clause:
 - Darla suggested that in instances when a decision needs to be made quickly, an emergency meeting of the entire RWMG is convened with 24 hours notice. She does not want to see this decision-making power go to the Administrative Committee.
 - Mark suggested having the MOU work group deal with this proposed amendment.
 - Bob suggested that the RWMG should give IRWMP staff some latitude to make decisions and quick fixes if needed. There was some concern about the bounds of this latitude.
 - It was suggested that with proper wording, it is possible to give limited decision-making power to the Administrative Committee and project staff.
 - Whomever is affected by a decision (particularly if Admin. Committee is making the decision) needs to be consulted.
 - Tony Dublino: the standard for a quorum could be reduced in emergency situations, but the decision should go to the Group.
 - The RWMG should consider decision-making latitude for both Admin. Committee and staff.
 - Dan: recommended that consensus via electronic means could be obtained in emergency situations; this venue could also allow for discussion (Holly comment: but might this also be a Brown Act violation?)
- Revenue Sources clause:
 - This clause seems almost completely opposite of the second amendment suggested by Mammoth Community Water District
 - Darla opined that part (b) of the amendment discriminates against disadvantaged communities
 - Bob stated that the State typically holds 10% of the grant back until the end, and this could go to support IRWMP operations.
 - Bruce suggested that an entity could get a bridge loan for a few days; he would like to discuss financing the Group in general
 - Malcolm asked how volunteer organizations would comply with part (a) of the amendment. It was reiterated that organizations could contribute through in-kind time.
 - BryAnna suggested changing part (a) so that organizations would make their contribution within any fiscal year instead of at the beginning of it.
 - The discussion of this amendment and of financing will go to the MOU work group.
 - Bob wondered to what entity the money would be given. This gets to organizational structure issues.
- Discussion of Chair/Vice-Chair positions as set forth in the MOU:
 - Harvey asked what about the role of staff and emphasized the importance of continuity of running meetings.
 - Preparation for meetings is best handled by staff
 - Mark reminded the Group that none of these issues is very time-sensitive at this point and will all be handled during the course of the Planning Grant process. However, since choosing a Chair and Vice-Chair is in the MOU, that should be handled in a timely manner.
 - There was a suggestion that the Administrative Committee should be seven people and one should be the project director (in this case, Mark).

- It is common for boards (such as counties) to have staff to support the decision-making body.
- Tony suggested that the Chair simply runs meetings.
- Mark indicated his preference for maintaining structure and continuity of existing staffing and their roles. He also specifically expressed his desire to continue leading RWMG meetings and that he supported the notion of the project director being a member of the Administrative Committee.
- There was a suggestion that the project director become the Chair of the Group.
- There is only a generic clause about staff in the MOU – no real direction about its role.
- There was discussion about the role of the Admin. Committee: is it only oversight or does it include actual administrative work? If the latter, at what level does the Admin. Committee do its work?
- Bob is concerned with wasting Members' time by dealing with the same agenda issues at Admin. Committee meetings and then RWMG meetings. He suggested that the AC provide oversight for fiscal agent but should not be a policy group.
- It was stated that all actions by the AC need to be directed by the RWMG.
- Harvey suggested that Administrative Committee does all of the administrative work of the IRWMP and that staff concentrates on projects.
- Holly reminded the group that administrative tasks, including meeting organization and preparation, requires a good deal of time. Who would be willing to take this on?
- Bruce suggested that, through the bylaws of the Group, the Chair and Vice-Chair ask staff to run meetings. This will be agendized at the next meeting to develop a recommendation for a decision.
- BryAnna: it would be helpful to see an organizational chart of the IRWMP
- Also would be useful to see roles and responsibilities of staff and Admin. Committee as understood at this point.
- **Action Item: Staff will work with Administrative Committee to lay out roles and responsibilities of both entities and will bring the results to the next RWMG meeting.**
- The question came up whether the Chair needs to be a member of the Administrative Committee.
- Tony had recommended that if Mark were the Chair of the Admin Comm., that would solve the problem of finding a way for Staff to run the meeting. Bruce suggested that the Admin Comm. has a role in overseeing the Staff, and Mark would be put in a conflict of interest position were he Chair of the Admin Comm. Better to have an Admin Comm. policy that normally the Admin Comm. Chair would ask Staff to run the Group meeting.
- Chair would just help move meeting along.
- Darla thinks designating the Chair and Vice-Chair should be decided by the Group.
- The Group also needs to decide which of the initial AC members will serve for one year and which will serve two years.
- **Action Item: The Administrative Committee will do an initial development of bylaws delineating Chair and Vice-Chair selection, as well as terms of the current AC members.**
- Selecting another Admin. Committee alternate in place of LADWP
- There is no language in the MOU about Admin. Committee alternates; this was decided within the Group.

- There was discussion about simply having a back-up person for each Admin. Committee member in case the primary representative cannot attend a meeting or participate in another activity; this would be the only kind of alternate.
- **Action Item: The Admin. Committee will make a proposal (part of bylaws?) to handle alternate Admin. Committee members**

5. Debrief on Plan and Implementation proposal processes

- The goal here is that we want to capture feedback to these processes in the short-term while memories are still fresh, and then we will use this information throughout the development of the Phase II Plan and during the next round of Implementation grants.
- Staff is asking for three levels of feedback: feedback for project staff, feedback for the RWMG and its processes, and feedback for DWR.
- Mark suggested that feedback is provided in writing to IRWMP staff, and then Admin. Committee work with staff to synthesize and summarize this feedback. The results will be presented to the RWMG at a future meeting.
- Pete Bernasconi recommends project comments at a future meeting.
- Next Implementation grant round is expected to be spring or summer, 2012
- **Action Item: Submit written comments and feedback on Plan and Implementation proposal processes to Holly no later than Tuesday, February 15, 2011.**

6. Updates

- Thank you again to Mammoth Community Water District for its additional financial contribution to the IRWMP.
- Five people from the Center for Collaborative Policy helped with the delivery of the Implementation proposal. They went over budget in staff time and printing expenses by \$2,600. Mark is talking with the Sierra Nevada Alliance to cover \$2000, but we are looking to the RWMG to cover the \$650 in printing costs. CCP will invoice California Trout.
- Bob is going to the Inyo Board with a \$5,000 request next Tuesday, February 1. He suggested that the \$650 for printing expenses could be taken from that contribution if it is approved.
- Tony said that funding for the IRWMP will be part of the mid-year budget review for Mono County in February.
- Planning Grant funding: Mark met with DWR representatives in Sacramento Jan. 25; expect to hear final recommendation on Planning Grant funding in early February; DWR probably will not post public comments until that time.
- DAC project funding: no real update; they continue to move forward, but slowly; the timing is uncertain
- Implementation funding: April, 2011, should be the initial recommendation announcement. It is still expected that final funding decisions will be made around June 1, 2011.
- DWR is reviewing the Plan and the Implementation proposal simultaneously
- All four IRWM regions within our funding region submitted proposals and applied for the full amount (or close to it).
- Project Assistant position:
- Staff is proposing to start the process of developing the project assistant position now so that this person can be hired as soon as the Planning Grant money becomes available; this is a 35% time position; purpose is to move some of Holly's administrative duties to the project assistant.
- Holly has drafted a position description

- Staff made the suggestion that the project assistant be recruited from within RWMG Members and participants first before recruiting externally.
- It was suggested that the Admin. Committee could evaluate applicants.
- **Action Item: Holly will circulate the project assistant position description among the RWMG for comment. Comments are due February 8, 2011. The suggestion that the project assistant position be offered to RWMG Members and participants first will be included in the position description.**
- **Action Item: Staff will develop an implementation plan for the Planning Grant to be presented at the next RWMG.**
- **Action Item: Holly will make a PDF of the Implementation proposal available electronically.**
- Bruce asked whether the revised project ranking process will be in effect before the April, 2011, preliminary recommendations (expected in April) of the first round of Implementation funding are made. A discussion ensued. Holly confirmed that the notes from December 8, 2010, stated that the current project ranking will “serve as the basis” for the project ranking once the funding is awarded (expected in June).
- A clarification was made that the Group actually has until June, 2011, to finalize the ranking process.
- Irene suggested, and others agreed, that in the coming RWMG meetings this winter and spring, project proponents from the 15 submitted projects will present their projects. This will help to inform the RWMG if and how to allocate the money once awarded, assuming the Group decides to make changes to the current ranking. This will also allow RWMG to ask questions.
- **Action Item: Staff will schedule these project presentations for upcoming RWMG meetings.**

7. Announcements

- Irene: MCWD is in the process of updating its Urban Water Management Plan. This document will look 20 years into the future and develop demand and supply projections for that timeframe.
- DWR and the Water Education Foundation are convening an IRWM conference May 24-25 in Sacramento. Both Mark and Holly plan to attend. Interested participants can fill out a survey, which is due February 4, at this site: <http://www.zoomerang.com/Survey/WEB22BR36EMVYC/>. So far, 1500 people have responded to the survey. The cost is \$195 for both days, but there will be scholarships.
- There is a water policy conference in L.A. in early March: <http://www.cawaterpolicy.org/>
- This meeting is Mindy Pohlman’s (June Lake PUD) last meeting as she is retiring. Staff and the RWMG thank her for her strong commitment to the IRWM process over the past three years and wish her well in retirement. Rich Ciauri will continue June Lake PUD’s representation on the RWMG.

8. Process Check

- No comments

9. Approval of December 15, 2010, RWMG Meeting summary

- One correction: Dan Moore was present at the December 15 meeting
- Darla moved to approve the meeting summary with the one correction; Morgan seconded; all approved.

10. Future Meetings

- Next meeting: Wednesday, February 23, likely in the afternoon, and likely in Bishop.