

MONO COUNTY TRI-VALLEY GROUNDWATER MANAGEMENT DISTRICT
P.O. BOX 936
BENTON, CA 93512
www.tvgmd.org

BOARD OF DIRECTORS

Carol Ann Mitchell, chairperson

Phil West, Vice-Chairperson

Marion Dunn, Secretary

Richard Moss

Dr. Dave Doonan

Geri Bassett

Matt Doonan

Fred Stump, District 2 Supervisor (Ex-Officio Member)

REGULAR MEETING AGENDA

October 28, 6:30 p.m.

Teleconference Only - No Physical Location

Important Notices to the Public Regarding COVID-19

In observance of recommendations by the Centers for Disease Control and Prevention (CDCP), the California Department of Public Health (CDCP), and local Public Health Officials related to minimizing the spread of COVID-19. Please note that this meeting will be conducted remotely via tele-video conferencing services. As authorized by Governor Newsom's Executive Order, N-29-20, dated March 17, 2020, members of the Board may attend and participate in this meeting from separate remote locations.

To Join by Computer Video or Audio:

Join Zoom Meeting:

<https://us02web.zoom.us/j/85171250602?pwd=a0JscUFtM3dGNVBubVZaZkl1ZlJQdz09>

Meeting ID: 842 4557 7682

Passcode: 366799

To Join by Telephone Dial by your location:

One tap mobile

+16699009128,,85171250602#,,,,,0#,,073871# US (San Jose)

+12532158782,,85171250602#,,,,,0#,,073871# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 842 4557 7682

Passcode: 366799

Find your local number: <https://us02web.zoom.us/j/kmF9N3wbq>

To provide public comment (at appropriate times) during the meeting, press *9 to raise your hand.

AGENDA

Roll Call

1. Public Comment
2. Correspondence
 - a. California Department of Fish and Wildlife Public Records Act Request and Staff Response Letter (See Attachments A & B)
3. Brief Report of Director Activities
4. Discussion of Recent District Director Appointments (Dr. Dave and Matt Doonan)
 - a. Length of appointed terms
 - b. Need to make subsequent appointments
5. Discussion of October 8, 2020 Owens Valley Groundwater Authority Meeting
 - a. Presentation by Director Barrett
6. Discussion of District Participation in Owens Valley Groundwater Authority's Community Engagement/Outreach Processes
 - a. Director Assignments – OVGA meeting attendance; IRWMP outreach; engagement/outreach point of contact
 - b. Reviving interest in District Advisory Board within the Tri-Valley area
7. Discussion of Schedule for District Reclaiming Groundwater Sustainability Agency Status
 - a. Steps and actions
 - b. Schedule
8. Discussion of District Meeting Schedule/Dates for November and December
9. Discussion of Selecting District Chair, Vice-Chair, Secretary (if no December meeting)
10. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1. Facts and circumstances: Endangered Species Act liability related to endangered Fish Slough Pupfish
11. Public Comment
12. Adjournment.

ATTACHMENT A

From: [Fred Stump](#)
To: Ellsworth, Alisa@Wildlife; [Marion Dunn](#); [Jason Canger](#)
Cc: [Rick and Carol Ann Mitchell](#)
Subject: Re: FOIA Request
Date: Wednesday, October 21, 2020 4:51:24 PM

Alisa,

Jason Canger with the Mono County Counsel's office is the assigned legal staff for the Tri Valley Water Commission. I have included him in this email as well, no pun intended, in addition to the Chair of the Tri Valley Water Commission Board. Please be patient with your request as Tri Valley records are not digitized, Marion is in a Covid "at risk" group, as am I, which limits her activity, and there is no Tri Valley office containing reproduction equipment.

Fred

From: Ellsworth, Alisa@Wildlife <Alisa.Ellsworth@wildlife.ca.gov>
Sent: Wednesday, October 21, 2020 2:09 PM
To: Fred Stump <fstump@mono.ca.gov>; Marion Dunn <mariondunn1937@gmail.com>
Subject: FOIA Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Fred/Marion,

This is a request under the Freedom of Information Act. I, as a representative of the California Department of Fish and Wildlife (CDFW), would like to formally request all well log data collected by the Tri Valley Groundwater management District or their agents including the well logs of Wayne Hutton. CDFW understands that there may be costs associated with preparing this information and requests to have the invoice be prepared for: California Department of Fish and Wildlife

Attn: Alisa Ellsworth

787 N. Main Street, Suite 220

Bishop, CA 93514

Alisa.ellsworth@wildlife.ca.gov

Feel free to contact me via email or my phone number below with any questions.

Thank you,

Alisa Ellsworth

Senior Environmental Scientist

Lands North Program

787 North Main Street Suite 220

ATTACHMENT A

Bishop, Ca 93514

(760) 937-2519

Alisa.Ellsworth@wildlife.ca.gov

MONO COUNTY TRI-VALLEY GROUNDWATER MANAGEMENT DISTRICT

P.O. Box 936
Benton, CA 93512
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Carol Ann Mitchell, Chairperson
Phil West, Vice-Chairperson
Marion Dunn, Secretary
Geri Bassett
Dr. Dave Doonan
Richard Moss
Vacant
Fred Stump, Mono County District 2 Supervisor

October 22, 2020

VIA U.S. MAIL AND EMAIL

Alisa Ellsworth, Lands North Supervisor
California Department of Fish and Wildlife
787 North Main Street, Suite 220
Bishop, CA 93514
Alisa.Ellsworth@wildlife.ca.gov

RE: Public Records Act Request – Notice of 14-Day Extension

Dear Ms. Ellsworth,

The Mono County Tri-Valley Groundwater Management District (District) is in receipt of your email dated October 21, 2020, requesting copies of certain records under the California Public Records Act (CPRA)¹, Gov. Code, § 6250 *et seq.* The CPRA provides public agencies up to ten (10) days to determine whether they possess disclosable records responsive to a request. (Gov. Code, §6253, subd. (c).) Further, that 10-day period may be extended by 14 days in the event of “unusual circumstances,” which include:

- (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
- (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
- (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.
- (4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

(Gov. Code §6253, subd. (c)(1)-(4).)

¹ The District notes that your October 21, 2020 email requested documents and materials pursuant to the Freedom of Information Act, 5 U.S.C. § 552 *et seq.* (FOIA). FOIA applies only to federal agencies. Nonetheless, the District interprets your request as being made pursuant to the CPRA, which applies to California local public agencies and thus the District.

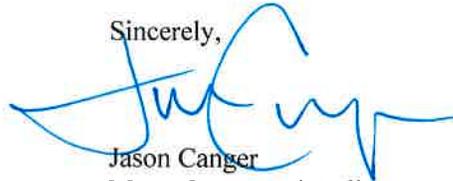
Ms. Ellsworth, California Department of Fish and Wildlife
RE: Public Records Act Request – Notice of 14-Day Extension
October 22, 2020
Page 2 of 2

The District finds that unusual circumstances exist in the present case. Your request for “all well log data collected by the Tri Valley Groundwater management District or their agents including the well logs of Wayne Hutton” requires the District to (1) search for and collect the requested records from facilities and offices throughout the District that are separate from the office processing your request; and (2) to search for, collect, and examine a voluminous amount of separate and distinct records. (Gov. Code §6253, subd. (c)(1)-(2).) Accordingly, the District will require the 14-day extension (i.e., a total of 24 days from the date the District received your request) to make the determination described in Government Code section 6253, and thus it will provide you a determination of whether it has disclosable records on or before November 13, 2020. Once that determination is made, the District will notify you of an estimated date and time when any such records will be made available and of the direct costs of making any such records available.

In the meantime, the District requests that you clarify, to the extent practicable, the scope of your request so as to reduce the time necessary to make an initial determination and disclose any disclosable records. You request “all well log” records without providing any period of time or date range for your request. If there is a particular period of time of records that you are most interested in, the District would appreciate any clarification from you to help its determination and disclosure.

Finally, please direct all future communications regarding this request to me. I can be contacted directly at (760) 924-1712 or jcanger@mono.ca.gov.

Sincerely,



Jason Canger
Mono County Tri-Valley Groundwater Management
District Counsel