

## **Section 1**

### **Status of Restoration Compliance Report (SORC)**



# **Status of Restoration Compliance Report (SORC)**

Compliance with State Water Resources Control Board  
Decision 1631 and Order Nos. 98-05 and 98-07

May 2013

Los Angeles Department of Water and Power



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## Introduction

Pursuant to State Water Resources Control Board (SWRCB) Decision 1631 and Order Nos. 98-05 and 98-07 (Orders), the Los Angeles Department of Water and Power (LADWP) is to undertake certain activities in the Mono Basin to be in compliance with the terms and conditions of its water right licenses 10191 and 10192. In particular, the Orders state that LADWP is to undertake activities to monitor streamflows, and to restore and monitor the fisheries, stream channels, and waterfowl habitat. This chapter includes the Status of Restoration Compliance Report, which summarizes the status of LADWP compliance activities in the Mono Basin to date.

**Figure 1:** Aerial Photograph of Mono Basin showing major Streams and LADWP facilities.



## **Status of Restoration Compliance Report**

This document was first submitted as draft to the interested parties on April 1, 2013. It was developed to include a 21 day review period during which LADWP will review and address comments submitted by the interested parties. Following the 21 day review period, LADWP will finalize it as part of the May 2013 Status of Restoration Compliance Report as below.

### **Status of Restoration Compliance Report** **State Water Resource Control Board Decision 1631 and Order Nos. 98-05 & 98-07**

The Status of Restoration Compliance Report (“SORC Report”) is organized into the following sections:

1. **Introduction** – Description of the SORC Report
2. **Definitions** – Explanations of what each category represents
3. **Updates from Previous SORC Report** – Changes over the past year
4. **Plans for the Upcoming Runoff Year** – Planned activities for the upcoming year
5. **Requirements** – Categories of the entire list of LADWP’s requirements in the Mono Basin
6. **Completion Plans** – Long term plans for completing all requirements
7. **Ongoing Items Definitions** – Ongoing activities necessary for LADWP operations in the Mono Basin.

#### **1. Introduction:**

The SORC Report details the status of the Los Angeles Department of Water and Power’s (LADWP) restoration requirements in the Mono Basin as outlined by the State Water Resources Control Board (SWRCB) Decision 1631 and Order Numbers 98-05 and 98-07, and any subsequent decision letters distributed by the SWRCB.

This initial structure and content of the SORC report was cooperatively prepared by LADWP and the Mono Lake Committee (MLC) through an extensive series of staff discussions and a workshop held in the Mono Basin in August 2005. LADWP and MLC believe this report represents the most thorough and complete listing of Mono Basin restoration requirements and their current status available in a unified document. These requirements are categorized as ongoing, complete, in progress, incomplete or deferred as defined below in Section 2. The final section of the SORC Report details how LADWP plans to proceed with those items not listed as ongoing or completed (i.e. items in progress, incomplete, and/or deferred).

The SORC Report will be submitted by LADWP to SWRCB as part of the annual Compliance Reporting. The original SORC Report was distributed to the SWRCB and the

“interested parties<sup>1</sup>” on January 11, 2007. The second was distributed on May 15, 2007. LADWP will update the SORC Report annually with input from the interested parties. By April 1 each year, LADWP will update and submit a draft SORC Report to the interested parties. Within 21 days of the draft submission, LADWP will accept comments on the draft SORC Report from the interested parties. Then, LADWP will finalize the SORC Report, incorporating and/or responding to comments. The final SORC Report will then be included into the final Compliance Reporting to SWRCB by May 15 of each year.

## 2. Definitions:

Below are the definitions of the categories where each requirement has been grouped.

- A. Ongoing Items that are current and require continuous action (e.g. Maintain road closures in floodplains of Rush and Lee Vining Creeks)
- B. Complete Items that have been finalized (e.g. Rehabilitation of the Rush Creek Return Ditch)
- C. In-Progress Items started and not yet finalized because of time or the timeline extends into the future (e.g. Waterfowl monitoring and reporting)
- D. Incomplete Items not yet started or not complete because plans for completion not finalized.
- E. Deferred Items placed on hold which need input from the Stream Scientists and/or SWRCB before plans commence (e.g. Prescribed burn program)

## 3. Updates from Previous SORC Report:

Since the last SORC Report of May 15, 2012, there have been changes in the report, and those are outlined below.

- Section 4, Plans for the Upcoming Runoff Year, has been updated to cover Runoff Year 2013-2014 (RY 2013-14).
- Section 5, In-Progress Item C4, “Grant Lake Operation Management Plan (GLOMP)”, which eventually will be replaced with “Mono Basin Operations Plan (MBOP)”, is put on hold until the outcome of settlement talks between parties and expected subsequent SWRCB amended license. It is expected that the “Mono Basin Operations Plan” will contain product of the settlement talks. The SWRCB will then have to approve the settlement or determine the final flows for the Operations Plan to be finalized.
- Section 5, In-Progress Item C8, “Stream Monitoring to Assess Flow Regime” has now been submitted by the Stream Scientists titled “Synthesis of Instream Flow Recommendations” (Synthesis Report). In response, LADWP submitted a Feasibility Report. A facilitator-led process was initiated by LADWP to try to resolve differences between the interested parties, the Stream Scientists, and LADWP

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<sup>1</sup> The "interested parties" include those parties involved in SWRCB Decision 1631, the Mono Basin Settlement Agreement, SWRCB Order Nos. 98-05 and 98-07, and others who have, or may, similarly involve themselves in the Mono Basin restoration activities required by SWRCB.

regarding the recommendations in the Synthesis Report and the feasibility of implementing them. That was not fully successful and therefore the parties are currently in negotiation talks in attempt to reach an agreement.

- Section 5, In-Progress Items C18 and C19 remain in Category C, “In Progress”. Sediment bypass for Parker and Walker Creeks will continue in the next non-Dry year after 2013.
- Section 5, In-Progress Items C20 and C21 moved to Category B, “Completed Items”. Assessing the need to revegetate the areas affected by the side channel openings for Rush Creek side channel 4Bii and 8 in reach 4B five years following rewatering occurred in the summer of 2012. The result from the assessment is being reported in Section 4.

#### **4. Plans for the Upcoming Runoff Year:**

During the upcoming runoff year, RY2013-14, LADWP plans to:

1. Continue with all requirements listed under Category A – Ongoing Items, as needed based on the runoff year.
2. Continue with Category C – In-Progress Items C8 “Stream Monitoring to Assess Flow Regime”. The Stream Scientists have submitted their “Synthesis of Instream Flow Recommendations” (Synthesis Report) on April 30, 2010 to fulfill the requirements set forth in the SWRCB Orders. LADWP responded with a Feasibility Report. A facilitator-led process was initiated by LADWP to try to resolve differences between the interested parties, the Stream Scientists, and LADWP regarding the recommendations in the Synthesis Report and the feasibility of implementing them. That was successful for most items and therefore the parties are currently in settlement talks in attempt to resolve the remaining disagreements.
3. Complete Category C – In-Progress Items C16 “Test the physical capability for Rush Creek augmentation up to 150 cfs from the Lee Vining Conduit through the 5-Siphon Bypass facility”. However, this will only be possible if adequate runoff is available in Lee Vining Creek after the completion of peak operation (if any, depending on the forecasted year-type).
4. Complete Category C – In-Progress Items C17 “Evaluation of the effects on Lee Vining Creek of Rush Creek augmentation for diversions up to 150 cfs through the Lee Vining Conduit”.
5. Continue Category C – In-Progress Items C18 “Sediment Bypass for Parker Creek”. Sediment bypass will continue in the next non-Dry RY.
6. Continue Category C – In-Progress Items C19 “Sediment Bypass for Walker Creek”. Sediment bypass will continue in the next non-Dry RY.

## 5. Requirements:

The following pages contain lists of the individual requirements placed into categories based on the status of each item. The requirements are derived from SWRCB Decision 1631, and/or Order Nos. 98-05 and 98-07, and/or any subsequent decision letters distributed by SWRCB. The requirements are either described in the cited section of the order and/or are described in the cited page of the specified plan and/or document (Stream Plan, Waterfowl Plan, GLOMP, etc.) that the Order references, and/or detailed in the SWRCB letter. Plans for addressing in-progress, incomplete, and deferred items are further explained in Section 6, Completion Plans. Finally, plans for those items described as ongoing are detailed in Section 7, Ongoing Items Description.

### **Category A – Ongoing Items**

1. Maintain road closures in floodplains of Rush and Lee Vining Creeks – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
2. Base flow releases – *Stream Management Order 98-05 order 2.a.; GLOMP p. 2, table A*
3. Low winter flow releases – *Stream Management Order 98-05 order 2.b.*
4. Annual operations plan – *Stream Management Order 98-05 order 3; GLOMP p. 103, 104*
5. Notification of failure to meet required flows – *Stream Management Order 98-05 order 3*
6. Grant operations and storage targets – *Stream Management Order 98-05 order 1.a.; Decision 1631 order 1; GLOMP p. 84*
7. Amount and pattern of export releases to the Upper Owens River – *Stream Management Order 98-05 order 2; Decision 1631 order 7; GLOMP p. 84, 85*
8. Diversion targets from streams – *Stream Management Order 98-05 order 2; GLOMP p. 85*
9. Export amounts dependent on Mono Lake level – *Stream Management Decision 1631 order 6*
10. Year type designation and guidelines – *Stream Management Order 98-05 order 2; Decision 1631 order 3; GLOMP p. 87-96*
11. Dry and wet cycle contingencies for stream restoration flows and base flows – *Stream Management Order 98-05 order 2; GLOMP p. 97*

12. Deviations from Grant Lake Operation Management Plan (GLOMP) – *Stream Management*  
Order 98-05 order 2; GLOMP p. 98, 99
13. Ramping rates – *Stream Management*  
Order 98-05 order 2; Decision 1631 order 2; GLOMP p. 90-96
14. Stream restoration flows and channel maintenance flows – *Stream Management*  
Order 98-05 order 1.a.
15. Salt Cedar eradication – *Waterfowl*  
Order 98-05 order 4.e.; *Waterfowl Plan* p. 27
16. Aerial photography every five years or following an extreme wet year event –  
*Monitoring*  
Order 98-05 order 1.b; *Stream Plan* p. 103
17. Make basic data available to public – *Monitoring*  
Order 98-05 order 1.b as revised by Order 98-07; Order 98-07 order 1.b(2); *Stream Plan* p. 110
18. Operation of Lee Vining sediment bypass – *Stream Facility Modifications*  
Order 98-05 order 2
19. Operation of the Rush Creek augmentation from the Lee Vining Conduit when necessary – *Stream Management*  
Order 98-05 order 2
20. Make data from all existing Mono Basin data collection facilities available on an internet web site on a same-day basis – *Stream Management*  
Order 98-05 order 2.c

### **Category B – Completed Items**

1. Placement by helicopters of large woody debris into Rush Creek, completed fall 1999 – *Stream Work*  
Order 98-05 order 1; order 1.d.; *Stream Plan* p. 67, 68
2. Placement by helicopters of large woody debris into Lee Vining Creek, completed fall 1999 – *Stream Work*  
Order 98-05 order 1; order 1.d.; *Stream Plan* p. 67, 68
3. Rewater Rush Creek side channels in reach 3A, completed fall 1999 – *Stream Work*  
Order 98-05 order 1; *Stream Plan* p. 68-71
4. Rewater Rush Creek side channel in reach 3B, completed fall 1999 with changes (see LADWP annual Compliance Reporting, May 2000) – *Stream Work*

*Order 98-05 order 1; Stream Plan p. 68-71*

5. Rewater Rush Creek side channel in reach 3D, completed fall 2002 with changes (see LADWP annual Compliance Reporting, May 2003) – *Stream Work Order 98-05 order 1; Stream Plan p. 68-71*
6. Revegetate approximately 250 Jeffrey Pine trees on Lee Vining Creek, completed in 2000 – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
7. Revegetate willows on Walker Creek. No planting necessary in judgment of LADWP and MLC as area revegetated rapidly without intervention – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
8. Revegetate willows on Parker Creek. No planting necessary in judgment of LADWP and MLC as area revegetated rapidly without intervention – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
9. Limitations on vehicular access in Rush and Lee Vining Creek floodplains, completed fall 2003 – *Stream Work Order 98-05 order 1; Stream Plan p. 78-80*
10. Removal of bags of spawning gravel, completed fall 2003 – *Stream Work Order 98-05 order 1; Stream Plan p. 85, 86*
11. Removal of limiter logs, completed 1996 – *Stream Work Order 98-05 order 1; Stream Plan p. 86*
12. Removal of Parker Plug, completed by California Department of Transportation 2000 – *Stream Work Order 98-05 order 1; Stream Plan p. 87*
13. Sediment bypass facility for Lee Vining Creek, completed winter 2005 – *Stream Facility Modifications Order 98-05 order 1.f.*
14. Rehabilitation of the Rush Creek Return Ditch, completed 2002 – *Stream Facility Modifications Order 98-05 order 1, order 1.c.; Stream Plan p. 85, appendix III*
15. Flood flow contingency measures, completed by California Department of Transportation's Highway 395 improvements in 2002 – *Stream Management Order 98-05 order 1; Stream Plan p. 76*
16. Stream monitoring site selection, completed 1997 – *Monitoring Order 98-05 order 2; Stream Plan p. 109*
17. Waterfowl and limnology consultants, completed 2004 – *Monitoring*

*Order 98-05 order 4; Waterfowl Plan p. 27-29*

18. Status report on interim restoration in Mono Basin, completed 2006 – *Other Decision 1631 order 8.d (3)*
19. Cultural resources investigation and treatment plan report to SWRCB, completed 1996 – *Other Decision 1631 order 9, 10*
20. Revegetate or assess the need to revegetate Rush Creek side channels in reach 3A five years after rewatering, assessed annually and reported in May 2006 Monitoring Report – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
21. Revegetate or assess the need to revegetate Rush Creek side channels in reach 3B five years after rewatering, assessed annually and reported in May 2006 Monitoring Report – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
22. Revegetate or assess the need to revegetate Rush Creek side channel in reach 3D and reported in May 2008 Monitoring Report – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
23. Rewater Rush Creek side channel 11 in reach 4C. Final review was conducted by the Stream Scientists. After presentation of the final review, LADWP followed the recommendations of the Stream Scientists not to do any action on the channel. This item is now approved by SWRCB and is therefore considered completed in 2008. – *Waterfowl Order 98-05 order 4.a., order 4.d.; Waterfowl Plan p. 22*
24. Rewater Rush Creek side channel 14 in reach 4C. Final review was conducted by the Stream Scientists. After presentation of the final review, LADWP followed the recommendations of the Stream Scientists not to do any action on the channel. This item is now approved by SWRCB and is therefore considered complete in 2008. – *Stream Work Order 98-05 order 1; Stream Plan p. 68-71*
25. Revegetate or assess the need to revegetate Rush Creek side channel 11 in reach 4C for five years following rewatering. LADWP followed the recommendations of the Stream Scientists not to do any action on the channel. This item is now approved by SWRCB and is therefore considered completed in 2008. – *Waterfowl Order 98-05 order 4.a., order 4.d.; Waterfowl Plan p. 22*
26. Revegetate or assess the need to revegetate Rush Creek side channel 14 in reach 4C for five years after rewatering. LADWP followed the recommendations of the Stream Scientists not to do any action on the channel. This item is now approved by SWRCB and is therefore considered completed in 2008. – *Stream Work Order 98-05 order 1; Stream Plan p. 68-71*

27. Rewatering of Rush Creek side channel 1A in reach 4A. Final review was conducted by the Stream Scientists. After presentation of the final review, LADWP followed the recommendations of the Stream Scientists not to do any action on the channel and was awaiting final decision by SWRCB. This item is now approved by SWRCB and is therefore considered completed in 2008. However, further work on Channel 1A will be considered in the future if deemed appropriate. – *Stream Work Order 98-05 order 1; Stream Plan p. 68-71*
28. Assessing the need to revegetate the areas affected by the side channel openings for Rush Creek side channel 1A in reach 4A will occur for five years following rewatering. LADWP followed the recommendations of the Stream Scientists not to do any action on the channel and was awaiting final decision by SWRCB. This item is now approved by SWRCB and is therefore considered completed in 2008. – *Stream Work; Order 98-05 order 1; Stream Plan p. 68-71*
29. LADWP and MLC were to cooperatively revegetate pine trees on areas of Rush Creek and Lee Vining Creek including disturbed, interfluvial, and upper terrace sites targeted from reach 3B through 5A on Rush Creek. In 2005, remaining suitable areas were assessed resulting in a map showing those areas where planting pine trees may be successful and would add to habitat complexity. LADWP and MLC investigated locations suitable for planting by LADWP and MLC staff and volunteers. Acceptable Jeffrey Pine seedlings were procured by LADWP and were planted by MLC and volunteers on all available suitable sites. This item is considered complete and is moved to Category B "Completed Items." However, MLC may continue to water these seedlings. MLC may also plant cottonwoods with volunteers as opportunities arise – *Stream Work Order 98-05 order 1; Stream Plan p. 71-75*
30. Rewater Rush Creek side channel 4Bii in reach 4B, completed March 2007 – *Stream Work*. The rewatering of Rush Creek side channel 4Bii in reach 4B was deferred by the Stream Scientists. Final review was conducted by McBain and Trush. After presentation of the final review, LADWP followed the recommendations of the Stream Scientists and SWRCB has approved the plan. *Order 98-05 order 1; Stream Plan p. 68-71*
31. Rewater Rush Creek side channel 8 in reach 4B, completed March 2007 – *Waterfowl*. The further rewatering of Rush Creek side channel complex 8 in reach 4B was deferred by the Stream Scientists. Final review is being conducted by McBain and Trush. After presentation of the final review, LADWP followed the recommendations of the Stream Scientists and SWRCB has approved the plan *Order 98-05 order 4.a., order 4.d; Waterfowl Plan p. 22*
32. Assessing the need to revegetate the areas affected by the side channel openings for Rush Creek side channel 4Bii in reach 4B five years following rewatering (2007) occurred in the summer of 2012. The results from the assessment following the fifth year after rewatering are being reported in Section 4 of this report. The final assessment concludes that satisfactory revegetation has occurred through natural

processes. This item is considered complete and is moved to Category B “Completed Items”.

33. Assessing the need to revegetate the areas affected by the side channel openings for Rush Creek side channel 8 in reach 4B five years following rewatering (2007) occurred in the summer of 2012. The results from the assessment following the fifth year after rewatering are being reported in Section 4 of this report. The final assessment concludes that satisfactory revegetation has occurred through natural processes. This item is considered complete and is moved to Category B “Completed Items”.

### **Category C – In-Progress Items**

1. Placement by hand crews of large woody debris into Rush Creek on an opportunistic basis based on stream monitoring team recommendations – *Stream Work Order 98-05 order 1; order 1.d.; Stream Plan p. 67, 68*
2. Placement by hand crews of large woody debris into Lee Vining Creek on an opportunistic basis based on stream monitoring team recommendations – *Stream Work Order 98-05 order 1; order 1.d.; Stream Plan p. 67, 68*
3. Grazing moratorium for 10 years, assessed annually and status reported in May 2009 Monitoring Report. Grazing moratorium to continue until further notice. – *Stream Management Order 98-05 order 1; Stream Plan p. 83*
4. Grant Lake Operation Management Plan (GLOMP) preparation for revisions – *Stream Management Order 98-05 order 2; GLOMP p. 103, 104*
5. Waterfowl project funding – *Waterfowl Order 98-05 order 4.b.*
6. Salt Cedar eradication reporting– *Waterfowl Order 98-05 order 4.e.; Waterfowl Plan p. 27*
7. Stream monitoring team to perform duties – *Monitoring Order 98-05 order 1.b as revised by Order 98-07*
8. Stream monitoring for 8-10 years to inform peak flow evaluation and recommendations including the need for a Grant Lake Reservoir Outlet – *Monitoring Order 98-05 order 1.b as revised by Order 98-07*
9. Stream monitoring reporting to the SWRCB – *Monitoring Order 98-05 order 1.b as revised by Order 98-07; Order 98-07 order 1.b(2); Stream Plan p. 110*

10. Development, approval, and finalization of stream monitoring termination criteria for Walker and Parker Creeks – *Monitoring Order 98-07*
11. Development, approval, and finalization of stream monitoring termination criteria for Lee Vining and Rush Creeks – *Monitoring Order 98-07*
12. Hydrology monitoring and reporting – *Monitoring Order 98-05 order 4; Waterfowl Plan p. 27*
13. Lake limnology and secondary producers monitoring and reporting – *Monitoring Order 98-05 order 4; Waterfowl Plan p. 27, 28*
14. Riparian and Lake fringing wetland vegetation monitoring and reporting – *Monitoring Order 98-05 order 4; Waterfowl Plan p. 27, 28*
15. Waterfowl monitoring and reporting – *Monitoring Order 98-05 order 4; Waterfowl Plan p. 28; LADWP's 2004 "Mono Lake Waterfowl Population Monitoring Protocol" submitted to SWRCB on October 6, 2004*
16. Testing the physical capability for Rush Creek augmentation up to 150 cfs from the Lee Vining Conduit through the 5-Siphon Bypass facility – *Stream Management Order 98-05 order 2; GLOMP p. 82, 83*
17. Evaluation of the effects on Lee Vining Creek of Rush Creek augmentation for diversions up to 150 cfs through the Lee Vining Conduit – *Monitoring Order 98-05 order 1.b.*
18. Sediment bypass for Parker Creek – *Stream Facility Modifications Order 98-05 order 1.f.*
19. Sediment bypass for Walker Creek – *Stream Facility Modifications Order 98-05 order 1.f.*

#### **Category D – Incomplete Items**

None

#### **Category E – Deferred Items**

1. Recommend an Arizona Crossing or a complete road closure at the County Road Lee Vining Creek, if and when Mono County plans to take action – *Stream Work Order 98-05 order 1; Stream Plan p. 78-80*

2. Fish screens on all irrigation diversions – *Stream Facility Modifications Order 98-05 order 1; Stream Plan p. 84*
3. Prescribed burn program – *Waterfowl Order 98-05 order 4.b.(3)c.; Waterfowl Plan p. 25, 26*

## **6. Completion Plans:**

The descriptions below contain further explanations as to how LADWP plans to fulfill SWRCB requirements in the Mono Basin for each item above not categorized as complete or ongoing. This section will be reviewed annually by LADWP for revisions to reflect progress towards completion.

### **Category C – In-Progress Items**

- Item C1 – During walking surveys, large woody debris will be placed into Rush Creek and will continue to be done on an opportunistic basis based on recommendations made by the Monitoring Team. This item will remain “In-Progress” until the Monitoring Team indicates that no further work is required. At that time, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C2 – During walking surveys, large woody debris will be placed into Lee Vining Creek and will continue to be done on an opportunistic basis based on recommendations made by the Monitoring Team. This item will remain “In-Progress” until the Monitoring Team indicates that no further work is required. At that time, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C3 – The grazing moratorium in the Mono Basin was in effect until 2009. At this time LADWP does not intend to allow grazing on its lands in the Mono Basin and will continue the moratorium in 2013. This item will remain in the Category C “In Progress”.
- Item C4 – The Grant Lake Operation Management Plan (GLOMP) includes instructions to “review for revisions” every five years until Mono Lake reaches 6,391 feet above mean sea level. Although no revisions have been finalized to date, the plan was continuously under review. GLOMP is expected to be revised and replaced with “Mono Basin Operations Plan” (MBOP) after the in-progress settlement negotiation process and expected subsequent SWRCB final amended license. This item will remain in Category C “In-Progress Items” until a final operation/management plan is approved by SWRCB. It is expected that a final plan will be developed after the facilitated process. Once the plan is approved, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C5 – LADWP is to make available a total of \$275,000 for waterfowl restoration activities in the Mono Basin. This money was to be used by the USFS if they requested the funds by December 31, 2004. Afterwards, any remaining funds are to be made available to any party wishing to do waterfowl restoration in the Mono

Basin after SWRCB review. Currently, USFS has requested funds for a project estimated at \$100,000. MLC has requested that the remainder of the funds be applied toward the total cost of the Mill Creek Return Ditch upgrade which would provide benefits for waterfowl habitat. The Mill Creek Return Ditch rehabilitation is a component of a Federal Energy Regulatory Commission (FERC) settlement agreement. These funds will continue to be budgeted by LADWP until such a time that they have been utilized. Once the full \$275,000 has been utilized, this item will be considered complete and will be moved to Category B “Completed Items”.

Item C6 – Progress of the salt cedar eradication efforts is reported in the annual reports following the vegetation monitoring efforts. This was reported in the May 2010 Monitoring Report. This item will continue to be in progress until notice from SWRCB is received that LADWP’s obligation for this in the Mono Basin is complete. Once this notice is received, this item will be moved to Category B “Completed Items”.

Item C7 – The stream monitoring team continues to perform their required duties in the Mono Basin. This item will continue to be in progress until notice from SWRCB is received that LADWP’s obligation for funding and managing the monitoring team in the Mono Basin is complete. Once this notice is received, this item will be moved to Category B “Completed Items”, and LADWP will implement an appropriate monitoring program for the vegetation, stream morphology waterfowl, and fisheries.

Item C8 – The stream monitoring team is to evaluate the restoration program after “no less than 8 years and no more than 10 years” from the commencement of the restoration program. This evaluation is to cover the need for a Grant Lake outlet, Rush Creek augmentation, and the prescribed stream flow regime. According to SWRCB Order Nos. 98-05 and 98-07, evaluation of LADWP’s facilities to adequately provide proper flows to Rush Creek “*shall take place after two data gathering cycles but no less than 8 years nor more than 10 years after the monitoring program begins*”. The Monitoring Team submitted final recommendation, on April 30, 2010. LADWP had 120 days after receiving the recommendation from the monitoring team to determine whether to implement the recommendation of the monitoring team. On July 28, 2010, LADWP submitted a Feasibility Report evaluating the recommendations. Since then, LADWP has initiated to enter into a facilitator-led process with the main stakeholders to try to resolve differences of opinion regarding the recommendations and LADWP’s analysis. After the process, SWRCB is expected to make final determinations of the future of the Mono Basin operations and monitoring. Once LADWP complies with SWRCB final decision, this item will be considered complete and will be moved to Category B “Completed Items”.

Item C9 – Progress of the restoration efforts is reported in the annual reports. This item will continue to be in progress until notice from SWRCB is received that LADWP’s obligation for this in the Mono Basin is complete. Once this notice is received, this item will be moved to Category B “Completed Items”.

- Item C10 – The Stream Scientists have submitted final recommendations for termination criteria on Walker and Parker Creeks in 2007 to the SWRCB. There has been no decision from SWRCB. Once the termination criteria are finalized by the Stream Scientists and approved by SWRCB, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C11 – The Stream Scientists have submitted final recommendations for termination criteria on Lee Vining and Rush Creeks in 2007 to the SWRCB. There has been no decision from SWRCB. Once approved by SWRCB, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C12 – LADWP will continue to monitor and report on the hydrology of the Mono Basin including regular Mono Lake elevation readings, stream flows, and spring surveys until SWRCB approves that all or portions of the hydrology monitoring is no longer required. Once this occurs, all or portions of this item will be considered complete and will be moved to Category B “Completed Items”. Any portions of this requirement that are deemed to be ongoing by the SWRCB will be moved to Category A “Ongoing Items”.
- Item C13 – LADWP will continue to monitor and report on the Mono Lake limnology and secondary producers until SWRCB approves that limnological monitoring is no longer required. Once this occurs, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C14 – LADWP will continue to monitor and report on the vegetation status in riparian and lake fringing wetland habitats on five year intervals with the next one scheduled for 2014, until SWRCB approves that vegetation monitoring is no longer required. Once this occurs, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C15 – LADWP will continue to monitor and report on the waterfowl populations in the Mono Basin until SWRCB approves that waterfowl monitoring is no longer required. Once this occurs, this item will be considered complete and will be moved to Category B “Completed Items”.
- Item C16 – Testing augmentation of Rush Creek flows with water from Lee Vining Creek through the use of the Lee Vining Conduit is possible and can occur as needed as demonstrated during peak runoff in June 2005. The augmentation has been tested up to 100 cfs and the orders call for maximum augmentation to be 150 cfs. This will only be possible if adequate runoff is available in Lee Vining Creek after the peak operation is complete. Once augmentation is successfully tested through 150 cfs, this item will be moved to Category B “Completed Items”.
- Item C17 – Evaluation of the effects of Rush Creek augmentation on Lee Vining Creek needs to be completed to cover diversions up to 150 cfs. Once the evaluation is completed, this item will be moved to Category B “Completed Items”.

Item C18 – Sediment bypass for Parker Creek is now in trial implementation stage. Once a plan is finalized by SWRCB and becomes part of LADWP’s operation plans, this item will be moved to Category A “Ongoing Items”.

Item C19 – Sediment bypass for Walker Creek is now in trial implementation stage. Once a plan is finalized by SWRCB and becomes part of LADWP’s operation plans, this item will be moved to Category A “Ongoing Items”.

### **Category D – Incomplete Items**

None

### **Category E – Deferred Items**

Item E1 – Pending further action by Mono County to improve the county road crossing at Lee Vining Creek, LADWP will write a letter to Mono County recommending an Arizona crossing at that point. Once LADWP writes this letter, or the parties agree that this is unnecessary; this item will be moved to Category B “Completed Items”.

Item E2 – LADWP was to place fish screens on all of its irrigation diversions in the Mono Basin. Subsequently LADWP ended all irrigation practices and hence does not need to install fish screens. If at a later date LADWP resumes irrigation, fish screens will be installed and this item will be moved to Category A “Ongoing Items”.

Item E3 – LADWP began a prescribed burn program with limited success. LADWP requested to remove this item from the requirements and the SWRCB instead ruled that the prescribed burn program will be deferred until Mono Lake reaches 6,391 ft. Once Mono Lake reaches 6,391 ft. LADWP will reassess the prescribed burn. Based on results from the assessment, LADWP will either reinstate the program or request relief from the SWRCB from this requirement. If LADWP reinstates the program this item will be moved to Category C “In-Progress Items”, however if LADWP requests, and is granted relief from this SWRCB requirement, this item will be moved to Category B “Completed Items”.

## **7. Ongoing Items Description:**

See Section 5 for references where each requirement originates.

### **Category A – Ongoing Items**

Item A1 – *Road closures*. Periodically LADWP personnel will visit all road closures performed by LADWP in accordance with SWRCB Order No. 98-05, Order 1, in the Lower Rush and Lee Vining Creek areas to assess their effectiveness. Where evidence exists that a road closure is ineffective, LADWP will improve the road closures through means such as additional barriers.

- Item A2 – *Base flow releases*. LADWP normally will control flow releases from its facilities into Lower Rush, Parker, Walker, and Lee Vining Creeks according to agreed upon flow rate requirements as set forth in the SWRCB Decision 1631, Order Nos. 98-05 and Order 98-07, the Grant Lake Operations Management Plan, and any subsequent operations plans and decisions made by the SWRCB.
- Item A3 – *Low winter flow releases*. Per the California Department of Fish and Game recommendations, and SWRCB Order No. 98-05, order 2.b., LADWP will maintain winter flows into Lower Rush Creek below 70 cfs in order to avoid harming the Rush Creek fishery.
- Item A4 – *Annual operations plan*. Per SWRCB Order No. 98-05, order 3, LADWP will distribute an annual operations plan covering its proposed water diversions and releases in the Mono Basin. Presently the requirement is to distribute this plan to the SWRCB and all interested parties by May 15 of each year. If, in the future, this requirement changes, LADWP will comply with the new requirements.
- Item A5 – *Notification of failure to meet flow requirements*. Per SWRCB Order No. 98-05, order 3, and SWRCB Decision 1631, order 4, if at the beginning of the runoff year, for any reason, LADWP believes it cannot meet SWRCB flow requirements, LADWP will provide a written explanation to the Chief of the Division of Water Rights by May 1, along with an explanation of the flows that will be provided. If unanticipated events prevent LADWP from meeting SWRCB Order No. 98-05 Stream Restoration Flow requirements, LADWP will notify the Chief of the Division of Water Rights within 20 days and provide a written explanation of why the requirement was not met. LADWP will provide 72 hours notice and an explanation as soon as reasonably possible for violation of SWRCB Decision 1631 minimum instream flow requirements.
- Item A6 – *Grant storage targets*. LADWP will operate its Mono Basin facilities to maintain a target storage elevation in Grant Lake Reservoir between 30,000 and 35,000 acre-feet at the beginning and end of the runoff year. LADWP shall seek to have 40,000 acre-feet in Grant Reservoir on April 1 each year at the beginning of wet and extreme wet years.
- Item A7 – *Export release patterns to the Upper Owens River*. Per SWRCB Decision 1631, order 7, and SWRCB Order No. 98-05, order 2, LADWP will make exports from the Mono Basin to the Upper Owens River in a manner that will not have a combined flow rate below East Portal above 250 cfs, and will perform the exports in a relatively constant manner. LADWP will perform ramping of exports at 20% or 10 cfs, whichever is greater, on the ascending limb, and 10% or 10 cfs, whichever is greater, on the descending limb of the hydrograph as measured at the Upper Owens River.
- Item A8 – *Diversion targets from streams*. Per the 1996 GLOMP, diversion targets for exports from the Mono Basin will be divided between Rush, Lee Vining, Parker and Walker Creeks in the following manner. During all years except dry and extremely wet years, LADWP will seek to divert one-third to one-half of the export amount

from Lee Vining Creek, with the remaining water coming from Rush Creek. During dry years LADWP will seek to divert approximately 1,500 acre-feet from Parker and Walker Creeks combined. During extremely wet years, all exports will come from diversions off of Rush Creek.

Item A9 – *Export amounts dependent on Mono Lake level.* Normally, LADWP export amounts follow those ordered by SWRCB Decision 1631, order 2.

Item A10 – *Year type designation and guidelines.* Per SWRCB Decision 1631, order 4, SWRCB Order No. 98-05, and GLOMP, LADWP will perform runoff year forecasts for the Mono Basin with preliminary forecasts being conducted on February 1, March 1, and April 1, with the forecast being finalized on or around May 1 if necessary. LADWP developed a new May 1 forecast methodology without a need for May snow surveys. When Gem Pass snow pillow measures show an increase in water content between April 1 and May 1, the percentage change experienced by the pillow will be applied to all of the April 1<sup>st</sup> snow course survey measurements used in calculating the runoff.

Item A11 – *Dry and wet cycle contingencies for stream restoration flows and base flows.* During consecutive dry years LADWP will release channel maintenance flows (CMF) every other year. The CMF will commence in the second consecutive dry year. The channel maintenance flows for Rush Creek will be 100 cfs for five days, and for Lee Vining Creek it will be 75 cfs for five days. Ramping rates will be 10 cfs per day. The occurrence of a year type other than a dry year will terminate the dry year cycle. During consecutive wet years, LADWP will increase base flows above the minimum flow rate every other year. The increased base flows will commence in the second consecutive wet year. The occurrence of a year type other than a wet year will terminate the wet year cycle.

Item A12 – *Deviations from Grant Lake Operation Management Plan (GLOMP).* LADWP must maintain operational flexibility to adjust or react to unpredictable circumstances.

Item A13 – *Ramping rates.* LADWP will continue to operate its Mono Basin facilities in order to provide SWRCB ramping flow requirements for Lee Vining, Parker, Walker, and Rush Creeks.

Item A14 – *Stream restoration flows and channel maintenance flows.* LADWP will continue to operate its Mono Basin facilities in order to provide SWRCB peak flow requirements for Lee Vining, Parker, Walker, and Rush Creeks.

Item A15 – *Salt Cedar eradication.* LADWP will continue assisting in a Mono Basin wide effort to eradicate Salt Cedar (*Tamarisk*), and will continue to report on these efforts.

Item A16 – *Aerial Photography.* LADWP will capture aerial and/or satellite imagery of the Mono Basin (Stream Plan, 1" = 6,000' scale; SWRCB Order No. 98-05, Section 6.4.6(4), 1:6,000 scale) every five years or following an extreme wet year event,

which resets the five year clock.

Item A17 – *Make basic data available to public.* Per SWRCB Order 98-05, Order 1.b., as revised by SWRCB Order No. 98-07, order 1.b(2), LADWP will continue to make all basic monitoring data available to the public.

Item A18 – *Operation of Lee Vining sediment bypass.* In order to bypass sediment past the Lee Vining diversion facility, LADWP will operate the Lee Vining Conduit control gate to assist with ramping flows towards peak with the intention of having it be in the completely open position while peak flows are passing the diversion facility. After peak flows have passed the facility, the Lee Vining Conduit control gate will slowly close assisting with ramping flows back down towards base flow condition.

Item A19 – *Operation of the Rush Creek augmentation from the Lee Vining Conduit when necessary.* At times when peak flow requirements in Rush Creek exceed facility capacities, and Grant Lake Reservoir is not spilling, LADWP will operate the Lee Vining Conduit 5-Siphon Bypass to bring water from Lee Vining Creek to Rush Creek to augment flows to the required levels.

Item A20 – Data from existing Mono Basin data collection facilities is available on a same-day basis on the LADWP.com internet web site. The data collection and reporting works but as with any other system, can experience periodic short term communication problems and/or technical difficulties. LADWP will continue to monitor the data posting on a daily basis and will work to troubleshoot and correct problems as soon as possible. LADWP will continue to improve the data collection, computer, and communication systems as new technology(ies) become available.