

Bishop Creek Water Association

Monthly Board Meeting Agenda

November 14, 2023

7:00 pm

1. Opening and Introduction
2. Acceptance of the Monthly Board Meeting Summary for October 10, 2023
3. Approval of the October 2023 Financial Report
4. Bishop Creek Precipitation, Flow, and Storage Report
5. Old Business
 - a. Flow Regulation on Reinhackle Ditch at Mt. Tom Rd.
 - b. Culvert Blockage at 3068 Laurel
 - c. Gate Tampering at S/S Barlow Ln at Underwood Ln
 - d. Water Rights Filing
 - e. Membership Reconciliation (mapping)
 - f. Obstructed Street Culvert in Sarah Way
 - g. Collection of Past Due Assessments
 - h. Ditch Diversion Box Repair/Rebuild Project
 - i. Ditch Relocation at NW corner of Carol Ln. (parcel no 011-510-27)
 - j. Inyo County Road Department Policy regarding Plugged/Deteriorated Street Culverts
 - k. Bishop Tribe BCWA Membership?
6. Watermaster Report
7. New Business
 - a. Other (by Board or members in good standing)
8. Next Meetings: Monthly Board – December 12, 2023, at 7:00 p.m.
9. Adjournment

Bishop Creek Water Association
Monthly Board Meeting Summary
October 10, 2023
7:00 pm
Meeting Conducted via Zoom

1. Opening and Introduction

BWCA meeting called to order 7:03 pm. Trustees in attendance: Merry Armstrong, Gene Coufal, Don Kunze and Mark Frumkin. Trustee Eric Tillemans was absent. Watermaster Matt Durkee was present.

2. Acceptance of the Monthly Board Meeting Summary for September 12, 2023

The September 12th, 2023, meeting summary was accepted as written.

3. Approval of the September 2023 Financial Report

The financial report for September 2023 was approved unanimously. Mark reported findings of local options for CD accounts. After Board discussion, Don seconded Marks' motion to invest \$10,000 into a 7-month CD account and \$20,000 into an 11-month CD account. The Board unanimously approved.

4. Bishop Creek Precipitation, Flow, and Storage Report

Bishop Creek dropped below 100 cfs as of October 2nd. SCE has been holding Bishop Creek outflow steady. A chart showing releases at SCE Power Plant #6 was attached to the meeting package.

5. Old Business

a. Flow Regulation on Reinhackle Ditch at Mt. Tom Rd.

Gene spoke with Eric regarding operations since the beginning of operating the two rebuilt structures in 2017, (one at Grah, and one at Lozito) in the Reinhackle Ditch at Mtn Tom Road. Gene reported that he met onsite with the property owners, Dave Grah on 9/18 and George Lozito on 9/19, and discussed their recent letters to the Board.

Also, Gene reiterated the understanding and directions to the BCWA Watermaster in 2017 at the completion of the reconstruction of the two flow control structures. During normal and above normal runoff years, the Watermaster was instructed to distribute most of the flow through the Reinhackle Ditch to downstream users while utilizing the two rebuilt structures to diverting a sufficient volume of flow of water out of the Reinhackle Ditch, to the pond to the north, to keep it fresh and not stagnating while minimizing the transfer of water from the Reinhackle Ditch to the Matlick Ditch. The flow diverted through the new structures was to be distributed equally between the two new diversion structures. During below normal runoff years flow will have to be adjusted as the conditions dictate. The instructions to the Watermaster have not changed since 2017.

After reviewing the situation and talking to the property owners two things were recognized: 1) a staff gage may be needed at the outlet of the pond to assist the

Watermaster in regulating the flow; and 2) the Reinhackle Ditch, which originates as a diversion from the Matlick Ditch on LADWP property, flows through a number of private properties with conveyance capacity issues, before going back onto LADWP property. Close coordination between the BCWA Watermaster and LADWP personnel is required. Gene stated the issue could be re-examined in the future if necessary.

Merry questioned the flow management of two approximately 6-inch pipes flowing onto the Lozito property. A field meeting will be set up to look at them.

- b. **BCWA Policy for Handling of Plugged Street Culverts**

The approved letter was sent to all members (attached to the meeting package). Board members have received only a few responses, mostly for clarification. Gene received a call from 1st District Supervisor Orrill who said that she has been working with Inyo County personnel regarding this issue.
 - c. **Culvert Blockage at 3068 Laurel**

Matt will notify Gene when the property owner completes the reinforcing/screening work.
 - d. **Gate Tampering at S/S Barlow Ln at Underwood Ln.**

Matt reported no tampering has occurred in the past month. The camera is still in operation and signage remains posted.
 - e. **Water Rights Filing**

Gene will meet with Ben Arcularius at LADWP in the coming weeks.
 - f. **Membership Reconciliation (mapping)**

LADWP sent the revised map and shapefile to the Inyo County assessor's office, who built a database for the BCWA. An excel spreadsheet of the database has been received and will now be checked and compared with the current database that is being used. Differences will be reconciled, so that a transition can begin. The spreadsheet can now be used for contacting membership as needed. The maps will be gone through one final time by Merry and Matt.
 - g. **Obstructed Street Culvert on Sarah Way**

On going issue due to high water levels.
 - h. **Collection of Past Due Assessments**

On hold, pending completion/reconciling of the new database.
 - i. **Ditch Diversion Box Repair/Rebuild Project**

Nothing new. Don proposes compiling a list of the top 5 diversion boxes for repair this winter. Gene suggested waiting for feedback from NRCS regarding potential funding/discounts.
 - j. **Ditch Relocation at NW corner of Carol Ln (parcel no 011-510-27)**

No Change
 - k. **Inyo County Road Department Policy Re: Plugged/Deteriorated Street Culverts**

No change, awaiting County feedback.
 - l. **Bishop Tribe BCWA Membership**

Nothing new.
6. **Watermaster Report**

Matt received 33 calls and 13 texts in September. Matt reported that operations are going along smoothly, adapting to lower flows.

7. New Business

None.

8. Next Monthly Board Meeting– The next monthly Board meeting will be held on November 14th, 2023, at 7:00 p.m.

The board is attempting to hold meetings in person, pending conference room availability. Gene has requested use of a conference room at JKB School.

9. Adjournment

The meeting was adjourned at 8:08 p.m.

Respectfully Submitted,



Eric Tillemans

Secretary

Bishop Creek Water Association

BISHOP CREEK WATER ASSOCIATION
FINANCIAL REPORT FOR THE MONTH

SEPTEMBER 2023

CHECKING ACCOUNT BALANCE		\$	18,012.82
SAVINGS ACCOUNT BALANCE			<u>70,186.52</u>

TOTAL BANK BALANCES - August 31, 2023			88,199.34
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DEPOSITS:

Customer Deposits - Into Checking	\$	1,036.00
Customer Deposits - Into Savings		14.90
Workers Comp Refund		-
Interest Income		-
Transfer from Savings		<u>-</u>

TOTAL DEPOSITS			1,050.90
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CHECKS WRITTEN:

Water Master Pay -	921.35 x 2	\$	1,842.70
Truck Allowance -	225.00 x 2		450.00
Additional Pay - Vacation Time			-
Telephone			74.81
Payroll Taxes - IRS			-
Payroll Taxes - State			-
Payroll Taxes - IRS Unemployment			-
USPS - Stamps			528.00
Alex Printing			-
Cal Rural Water Insurance			-
State Fund Insurance			-
Holland & Allred - Quarterly Accounting			-
Don Kunze - Batteries			63.53
Don Kunze - Sign			10.16
Transfer to Savings			<u>-</u>

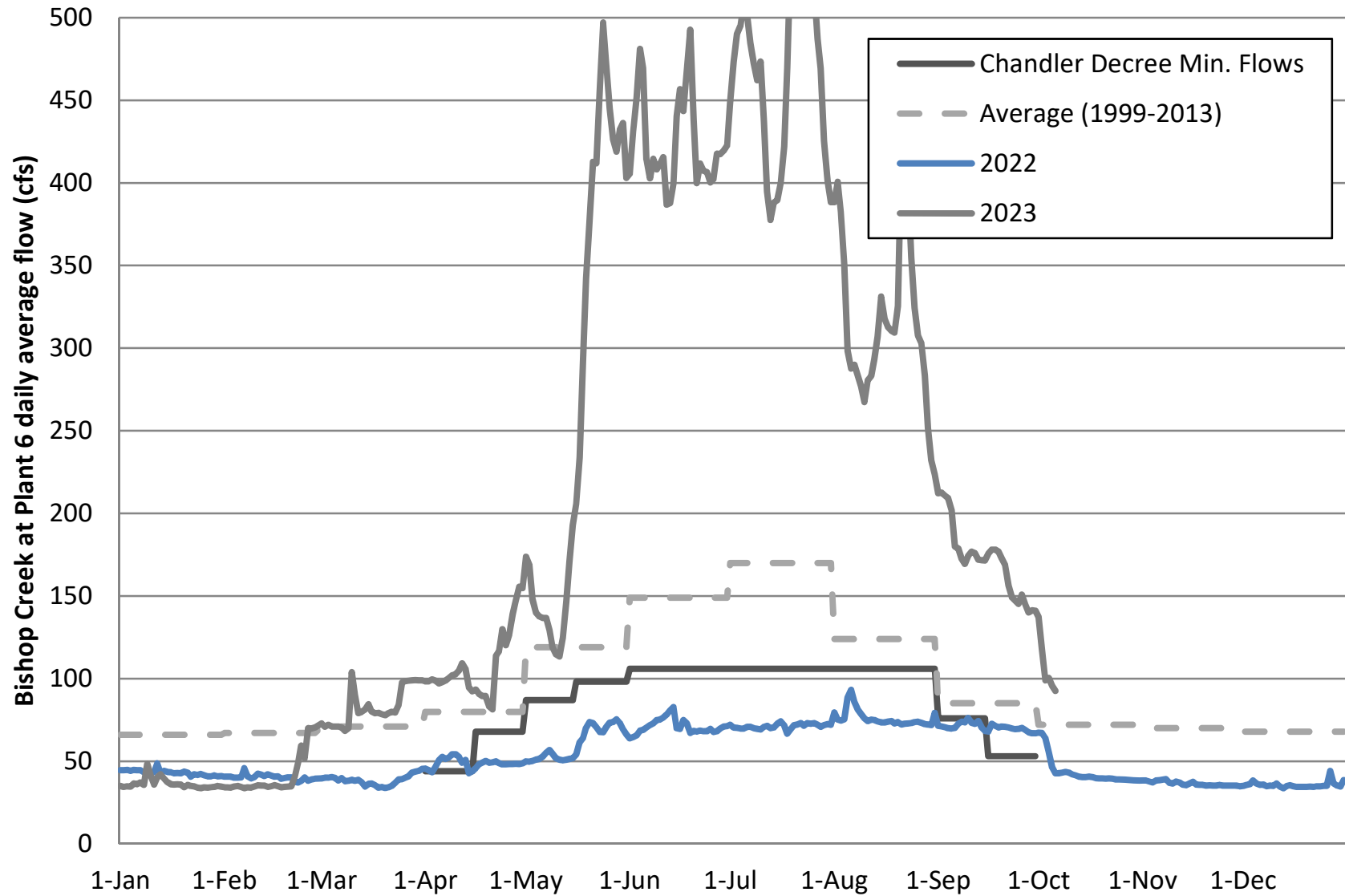
TOTAL CHECKS WRITTEN			<u>(2,969.20)</u>
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USBANK CHECKING ACCOUNT	\$	16,079.62
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USBANK BANK SAVINGS		<u>70,201.42</u>
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TOTAL BANK BALANCES - September 30, 2023	\$	86,281.04
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Bishop Creek Flows at Plant 6



BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

September 20, 2023

Dear Member,

Subject: Street Culverts Carrying Bishop Creek Water

We need your help. As you may or may not be aware, beginning about three years ago the Inyo County Road Department (ICRD) took the position that they can no longer assist the Bishop Creek Water Association (BCWA) in unplugging and replacing deteriorated street culverts. They have taken this position claiming that California Water Code Section 7034 is not applicable, and ignoring the fact that throughout Bishop and the surrounding area the BCWA ditches provide for significant flood control. Think back to where we would be if BCWA ditches were not available and utilized during the managing of this past winter's runoff or the handling of storm waters from Hurricane Hilary. The Watermaster was extremely busy juggling ditch flows to adjust for street runoff into the BCWA ditches so that flooding did not occur or was minimized. The benefit that the BCWA ditches provides should not go unrecognized.

In the past, recognizing the responsibilities and benefits provided, and the court requirements of the Chandler Decree to provide water to members, the BCWA worked cooperatively with the ICRD and LADWP to unplug and replace street culverts. Despite numerous attempts by the BCWA Board of Trustees, Inyo County has not been willing to change from this newly taken position. The BCWA Board continues to work for a fair and reasonable resolution to this issue. In the meantime, since the ICRD is no longer cooperatively participating in unplugging and replacing street culverts, it is going to fall on the BCWA and its members to resolve issues with culverts to keep water flowing in ditches as required by the court's order.

In addition, recently, Inyo County personnel have communicated that Inyo County Counsel has opined that property owners are responsible to the center of the street and as such would be responsible for any plugging or deterioration of culverts in the street to the centerline. This opinion certainly clouds the issue and makes it ever more important for all members to keep debris from entering ditches, potentially plugging downstream street culverts.

The most significant problems with plugged street culverts occur during the fall and winter months when leaves, debris and ice get into the ditch system, entering the street culverts. The most effective means of keeping debris from plugging street culverts is for property owners immediately upstream of street culverts to install and maintain grates at the culvert to restrict leaves, twigs, and debris from entering the culvert, and downstream property owners to keep street culvert outlets free of obstructions, accumulating sand, and debris so that water exiting flows free and clear without restriction. This will create additional work, but in the long run, it should alleviate a lot of headaches, work, and cost due to plugged street culverts. The BCWA By-Laws make it clear that the responsibility for keeping ditches clean and clear of debris is the

BISHOP CREEK WATER ASSOCIATION

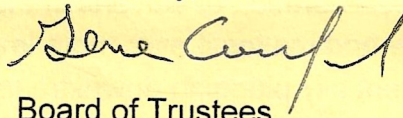
Post Office Box 1273
Bishop, California 93515

responsibility of property owners. Property owners are responsible for all effects, and maintenance of the water conveyance on their property. As it is the case with any ditch, where the BCWA relies on each property owner to do their part, street culverts for now will need to be handled similarly (pertinent BCWA By-Laws sections are ARTICLE IX, Sections 4 and 5, and ARTICLE XII, Section 2, items 3-6).

In conclusion, regardless of Inyo County's position on assisting with plugged/deteriorated street culverts, we the members of the BCWA need to comply with the responsibilities of the BCWA Articles and By-Laws. For the benefit of all members, property owners need to maintain a clean, clear, and unencumbered flow leaving their property. If your property is immediately upstream of a street culvert a grate should be installed and maintained at the culvert inlet. If your property is immediately downstream of a street culvert the culvert outlet needs to be kept free of obstructions, accumulating sand, and debris. If Inyo County Counsel's opinion is correct, consistent with the BCWA By-Laws Article IX, Section 5, culvert maintenance and integrity would be the responsibility of the property owners immediately upstream and downstream of street culverts. To ensure an equitable distribution of water to all members, if the BCWA must get involved in clearing/replacing a street culvert, the upstream/downstream property owners may have to be assessed the cost of the work (BCWA By-Laws Article IX, Section 5).

If you have an issue with water in your ditch, please contact the BCWA Watermaster at (760) 920-7981. If you have any questions or comments regarding this or any other Water Association related issue, please contact me or any one of the Board members. Or you may bring your questions to the BCWA Board of Trustees at the monthly board meeting. The BCWA Board of Trustees meets on the 2nd Tuesday of each month at 7:00pm. Information regarding the meeting location, agenda, and the meeting package is posted on the BCWA website.

Sincerely,



Board of Trustees

Gene Coufal – President – 760- 873-6209

Merry Armstrong – 760-920-9959

Don Kunze – 760-873-3375

Mark Frumkin – 818-590-0554

Eric Tillemans – 760-920-8989

Cc: BCWA Watermaster

1st District Supervisor T. Orrill

2nd District Supervisor J. Griffiths

3rd District Supervisor S. Marcellin

4th District Supervisor J. Roeser

Bishop Creek Water Association Monthly Meeting

Date 10/10/23 _____

Attendance Sheet

Name	Address	Email
Merry Armstrong		
Don Kunze		
Mark Frumkin		
Gene Coufal		
Matt Durkee		
Susan Kunze		
George Lozito		

BISHOP CREEK WATER ASSOCIATION
FINANCIAL REPORT FOR THE MONTH

OCTOBER 2023

CHECKING ACCOUNT BALANCE		\$	16,079.62
SAVINGS ACCOUNT BALANCE			<u>70,201.42</u>
TOTAL BANK BALANCES - September 30, 2023			86,281.04
DEPOSITS:			
Customer Deposits - Into Checking		\$	-
Customer Deposits - Into Savings			48.94
Workers Comp Refund			-
Interest Income			-
Transfer from Savings			<u>-</u>
TOTAL DEPOSITS			48.94
CHECKS WRITTEN:			
Water Master Pay -	921.35 x 2	\$	1,842.70
Truck Allowance -	225.00 x 2		450.00
Additional Pay - Vacation Time			-
Telephone			75.29
Payroll Taxes - IRS			924.89
Payroll Taxes - State			54.47
Payroll Taxes - IRS Unemployment			-
USPS - Stamps			-
Alex Printing			354.83
Cal Rural Water Insurance			-
State Fund Insurance			460.50
Holland & Allred - Quarterly Accounting			-
USBank - Service Charge			16.00
Don Kunze - Sign			-
Transfer to Savings			<u>-</u>
TOTAL CHECKS WRITTEN			<u>(4,178.68)</u>
USBANK CHECKING ACCOUNT		\$	11,900.94
USBANK SAVINGS ACCOUNT			40,250.36
USBANK TIME CERTIFICATE			10,000.00
USBANK TIME CERTIFICATE			<u>20,000.00</u>
TOTAL BANK BALANCES - October 31, 2023		\$	82,151.30

Bishop Creek Flows at Plant 6

