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June 19, 2013

Ms. Barbara Evoy, Deputy Director
Division of Water Rights
State Water Resources Control Board
1001 I Street, 14th floor
Sacramento, CA 95812

Subject: Los Angeles Department of Water and Power violations in 2012 of Mono Basin minimum instream flows and reporting requirements established for protection of fish and streams

Dear Ms. Evoy:

The annual compliance report submitted by the Los Angeles Department of Water and Power (LADWP) on May 15, 2013 shows that a pattern of instream flow violations and reporting failures by LADWP took place in the Mono Basin in 2012. These violations indicate that remedies are necessary to assure that LADWP follows the State Water Board-ordered rules for the diversion of water and the protection of fisheries and streams.

The annual report provides data that document the following¹:

1. The LADWP report shows 128 violations of minimum instream flow requirements in 2012 on Rush, Lee Vining, Parker, and Walker creeks, the four Mono Basin streams from which LADWP is licensed to divert water.
2. LADWP did not report any of these violations within 72 hours, as is required by the State Water Board.²
3. LADWP did not explain cause or correction of these violations, as is required by the State Water Board.³ LADWP presented no plans to avoid repetition of these violations.⁴
4. LADWP reporting does not include the minimum instantaneous daily flow data necessary to fully evaluate compliance. Use of daily averages can mask hours of extremely low flow.

The standout violation was on Walker Creek. LADWP caused flow to fall up to 35% below the ordered instream minimum for a continuous month in duration. In total, 43 days are in violation, a full 58% of the days on which LADWP conducted diversions.

¹ MLC provides details and additional concerns in Attachment A to this letter.

² LADWP's water licenses state "Licensee shall report to the Chief of the Division of Water Rights within 72 hours any event when the flows required by this order are not met." (Decision 1631 ¶ 4)

³ LADWP's water licenses state "as soon as reasonably possible, Licensee shall provide an explanation of why the required flows were not met" (Decision 1631 ¶ 4)

⁴ MLC observed, for example, a minimum flow violation on Parker Creek on June 11, 2013.

The impacts of these flow deviations on the still-recovering fisheries and stream habitats are unknown. Due to LADWP's failure to report them, the State Water Board Stream Scientists, California Department of Fish and Wildlife, and interested public were unaware of the problems and unable to consider steps to evaluate possible impacts.

The diversion of flow from Parker and Walker creeks, although technically allowed in 2012, is directly contrary to the prescriptions of the 2010 Synthesis Report prepared by the State Water Board's independent Stream Scientists after more than a decade of study. The report specifies that no diversions be made from Parker and Walker for fisheries protection, temperature control, flow variability, and lower Rush Creek restoration reasons. (Synthesis Report, pg. 38)

There is limited purpose to LADWP conducting diversions from Parker and Walker creeks, both small tributaries to Rush Creek. The volume of water diverted from Parker and Walker creeks is *de minimus*. The small diversion amount (784 acre feet in 2012) does not increase LADWP's export; Mono Basin export is already set at 16,000 acre feet by the State Water Board and is routinely obtained from Rush and Lee Vining creeks. In fact, prior to 2012, LADWP had not diverted from Parker and Walker creeks for nearly two decades. The most significant 2012 violations occurred on Walker Creek, and LADWP is again diverting Parker and Walker creeks in 2013.

LADWP reporting failures plus its lack of communication prevented the State Water Board and interested parties from being able to observe the events as they took place. For example, the Mono Lake Committee closely monitors flow compliance but was unable to identify the Walker Creek violation when it was taking place due to LADWP having removed the "below diversion" data station from daily reports in May 2011. Small flow deviations may be attributable to facilities issues and data gathering inaccuracies, however, lack of reporting and communication leave the cause and remedy unknown.

In sum, LADWP operations in 2012 demonstrated a pattern of violations of the rules for minimum instream flows and reporting set forth by the State Water Board.

Remedy

MLC requests that the State Water Board take action to address these violations of State Water Board Decision 1631. MLC respectfully recommends the following:

1. Investigate the minimum flow violations and reporting failures above, and consider fines as provided for in the Water Code.
2. Order a halt to the diversion of water from Parker and Walker creeks until such time as the State Water Board takes final action on implementation on the Synthesis Report. This will protect these streams and their fisheries from additional flow violations without affecting LADWP's authorized water export from the Mono Basin.
3. Require reporting improvements including:
 - a. New protocols for 72-hour reporting. Reports should be made to the State Water Board and copied to the Mono Basin distribution list and should include explanation of cause, correction, and remedy to avoid repetition.
 - b. Initiate monthly reporting to document compliance for all four streams. Monthly reports should specify daily instantaneous minimum and daily average flows for all stations; water license minimum allowed instream flow for each "below diversion" station; and daily average diverted flow.
 - c. Expanded annual reporting to include the same flow data as monthly reports, and require that annual reporting provide complete data for the runoff year.

4. Require LADWP to provide a plan detailing the source of violations on Rush and Lee Vining creeks, how repetition of violations will be avoided in the future, and a timeline for implementation.

The Mono Lake Committee simply seeks to assure that LADWP follows the Mono Basin rules and obligations already set forth by the State Water Board. MLC would be happy to meet and confer in any manner that would be helpful to achieving compliance. Thank you for your attention to this matter.

Sincerely,



Geoffrey McQuilkin
Executive Director

Cc: Mono Basin distribution list

Attachment A

State Water Board Decision 1631 established requirements for instantaneous minimum instream flows on Rush, Lee Vining, Parker, and Walker creeks in the Mono Basin for the protection of fish. (Decision 1631 ¶ 1) The Los Angeles Department of Water and Power (LADWP) has water licenses to divert from these tributaries of Mono Lake, subject to various conditions. State Water Board Order 98-05 set additional flow requirements.

D1631 set requirements for “continuous instantaneous measuring devices” in order to “measure the streamflow above the diversion facility and immediately below the diversion facility.” (Decision 1631 ¶ 4)

D1631 requires that “Licensee shall report to the Chief of the Division of Water Rights within 72 hours any event when the flows required by this order are not met.” And D1631 specifies that “As soon as reasonably possible, Licensee shall provide an explanation of why required flows were not met.” (Decision 1631 ¶ 4)

On May 13, 2013, LADWP filed its annual compliance report with the State Water Board. The report contains final flow data from LADWP gauging stations for most of the 2012 runoff year. Mono Lake Committee (MLC) review of the LADWP data found 128 instances when the reported instream flow below the point of diversion fell below the State Water Board requirement, in one event for a month in duration. MLC provides the following review of flow and reporting compliance, followed by the supporting streamflow data.

Reporting failures

- None of the flow violations was reported within the 72 hour requirement to the State Water Board, as best MLC can determine.
- LADWP’s May 13, 2013 annual report does make note of the Walker Creek June 9 – July 10, 2012 flow violation as follows: “The minimum daily flow of 6 cfs was maintained except the period between June 9 and 22 due to the anticipation of continuous snowmelt activity.” (pg. 5) An explanation of why adjustments were not quickly made due to lower-than-expected snowmelt activity is not provided, nor is any plan to avoid repetition of the problem. Additionally, LADWP does not explain why this event was not reported within 72 hours of it taking place. The LADWP report states that “When the daily flow above Conduit kept dropping, the diversion gate was closed on June 22” (pg. 5) however the data show continued diversions causing minimum flow violations through July 10.
- Apart from the above incident, LADWP does not flag or discuss the remainder of the violations in the annual report.
- MLC recognizes that some violations shown in the data are small, scattered events that may be reasonably attributed to aqueduct facilities issues and data gathering inaccuracies. However LADWP does not report or discuss these violations, leaving their true cause and future remedy unknown. MLC also recognizes that 72-hour reporting may necessarily be based on preliminary data, however we note that any timely report can be amended once final data is made available.
- MLC notes and appreciates that LADWP returned the Walker Creek “below diversion” data station to the Aqueduct Daily Reports in June 2013. Identification of the Walker Creek violation when it was taking place in 2012 was difficult due to LADWP having removed the “below diversion” data station from Aqueduct Daily Reports in May 2011. Per Board order, LADWP does post near real-time information on the Internet including the Walker Creek below diversion station. The real-time reporting is valuable but, at

times, has not been reliable due to communication and software issues, making the Aqueduct Daily Reports important for assessing compliance.

Reporting is incomplete for runoff year

- The LADWP annual report is stated to be for the 2012 Runoff Year, which spans April 1 2012 – March 31, 2013. However flow data is missing for all gauging sites for March and portions of February. Compliance could not be evaluated for those periods.

Daily average data obscure possible instantaneous flow violations

- LADWP did not provide in its annual report the minimum instantaneous daily flow data necessary to satisfy the State Water Board's requirements for evaluating compliance with its minimum instream flow requirements. The average daily flow data provided raises the possibility that additional violations took place that cannot be currently evaluated; for example, daily average data could mask a situation in which a stream received extremely low flow for several hours.

LADWP facilities antiquated at Parker and Walker creeks

- The facilities at Parker and Walker creeks were designed and built in the 1930s to divert the full flow of each stream. They have had little to no use since the 1990s. They are not designed to conduct the "skimming" operation for which they are currently being used; for example, the facilities do not have components designed to assure minimum instream flow requirements are met.
- LADWP used unconventional means to attempt diversions in 2012 and is using similar means in 2013. Plywood is being used to level the diversion ponds and force spill of the minimum instream flows over the dam weirs. If the plywood were to fail or be vandalized, the pond levels would drop on the intake side, reducing the downstream flow below the minima or potentially drying up the creeks. The plywood does not appear to be easily or accurately adjustable with precision. The 2012 record shows that, even with frequent maintenance, this system is not reliable for assuring instream flow requirements are met.

Walker Creek

- LADWP reporting shows 43 days of minimum instream flow violation (data below).
- LADWP reported none of these violations within 72 hours as required by the State Water Board
- LADWP's annual report acknowledges flow violation for June 9 – 22 but does not discuss the delay in remedy, the apparent continuation of diversions causing violation through July 10, or steps taken to avoid repetition;
- Of 74 days that diversions were operational, 58% experienced violations.
- LADWP reporting does not provide daily minimum instantaneous flow and instead uses average daily data, which likely obscure additional instantaneous violations.

Parker Creek

- LADWP reporting shows 8 days of minimum instream flow violation (data below).
- LADWP reported none of these violations within 72 hours as required by the State Water Board
- LADWP's annual report does not identify or discuss these violations

- LADWP reporting does not provide daily minimum instantaneous flow and instead uses average daily data, which likely obscure additional instantaneous violations.

Rush Creek

- LADWP reporting shows 8 days of minimum instream flow violation (data below)
- LADWP reported none of these violations within 72 hours as required by the State Water Board
- LADWP's annual report does not identify or discuss these violations
- LADWP reporting does not provide daily minimum instantaneous flow and instead uses average daily data, which likely obscure additional instantaneous violations.
- MLC communicated with LADWP during the October, 2012, flow event and recommended reporting, but no action was taken

Lee Vining Creek

- LADWP reporting shows 69 days of minimum instream flow violation (data below).
- LADWP reported none of these violations within 72 hours as required by the State Water Board
- LADWP's annual report does not identify or discuss these violations
- LADWP reporting does not provide daily minimum instantaneous flow and instead uses average daily data, which likely obscure additional instantaneous violations.

Data

The following data for “above diversion” and “below diversion” stations were provided by LADWP in the May 2013 Compliance Report. MLC assumes that the data in the Compliance Report are considered final data.

The LADWP-reported data do not provide information about daily water diversion amounts, so MLC provides that information below by performing a manual calculation subtracting “below diversion” flow from “above diversion” flow. Negative calculated diversion amounts were ignored.

The Minimum Instream Flow Requirement listed below is provided for easy reference and can be found in State Water Board Decision 1631.

Walker Creek Data

Daily average flow data are shown starting a week before the diversion appears to have been turned on and ending a week after the diversion appears to have been turned off. The minimum instream flow requirement for Walker Creek between April 1 and September 30 is 6 cfs, or the streamflow at the point of diversion, whichever is less (D1631 ¶ 1). This means that if the “above diversion” flow is less than 6 cfs, diversions must be halted. Shaded cells with bold text indicate a flow below the minimum 6 cfs while a diversion was occurring.

Date	Walker Creek Above Conduit (daily avg. cfs)	Walker Creek Below Conduit (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily avg cfs)
4/21/2012	3.3	3.3	3.3	0
4/22/2012	5.3	5.3	5.3	0
4/23/2012	8.2	8.2	6	0
4/24/2012	8.5	8.5	6	0
4/25/2012	8.8	8.8	6	0
4/26/2012	9	9	6	0
4/27/2012	9.3	9.4	6	-0.1
4/28/2012	9.5	7.9	6	1.6
4/29/2012	8.8	7.4	6	1.4
4/30/2012	8.9	6.7	6	2.2
5/1/2012	9.4	6.6	6	2.8
5/2/2012	8.6	5.9	6	2.7
5/3/2012	9.3	6.6	6	2.7
5/4/2012	8.8	6.7	6	2.1
5/5/2012	7.4	5.9	6	1.5
5/6/2012	7.3	5.8	6	1.5
5/7/2012	6.8	5.6	6	1.2
5/8/2012	6.6	5.3	6	1.3
5/9/2012	6.8	5.5	6	1.3
5/10/2012	6.6	5.3	6	1.3
5/11/2012	7.7	6.3	6	1.4
5/12/2012	8.8	7.3	6	1.5
5/13/2012	9.5	7.7	6	1.8
5/14/2012	10.3	7.9	6	2.4
5/15/2012	9.7	7	6	2.7
5/16/2012	9.8	7.3	6	2.5
5/17/2012	9.8	7.6	6	2.2
5/18/2012	9.8	7.6	6	2.2

Date	Walker Creek Above Conduit (daily avg. cfs)	Walker Creek Below Conduit (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily avg cfs)
5/19/2012	9.5	7.4	6	2.1
5/20/2012	9.4	7.3	6	2.1
5/21/2012	10.1	7.9	6	2.2
5/22/2012	10.9	8.4	6	2.5
5/23/2012	10.5	7.5	6	3
5/24/2012	10	7.5	6	2.5
5/25/2012	9.4	7.7	6	1.7
5/26/2012	8.6	7.1	6	1.5
5/27/2012	7.6	6.1	6	1.5
5/28/2012	7.1	5.7	6	1.4
5/29/2012	6.6	5.2	6	1.4
5/30/2012	6.4	5.1	6	1.3
5/31/2012	7	5.6	6	1.4
6/1/2012	7.5	6.1	6	1.4
6/2/2012	8.3	6.8	6	1.5
6/3/2012	8.7	7.1	6	1.6
6/4/2012	9.4	7.8	6	1.6
6/5/2012	9.4	7.8	6	1.6
6/6/2012	8.8	7.4	6	1.4
6/7/2012	8.4	7	6	1.4
6/8/2012	7.8	6.5	6	1.3
6/9/2012	6.5	5.3	6	1.2
6/10/2012	6.2	5.1	6	1.1
6/11/2012	6.2	5.1	6	1.1
6/12/2012	6	4.9	6	1.1
6/13/2012	5.8	4.7	5.8	1.1
6/14/2012	5.9	4.8	5.9	1.1
6/15/2012	5.8	4.7	5.8	1.1
6/16/2012	5.9	4.8	5.9	1.1
6/17/2012	6.1	4.9	6	1.2
6/18/2012	6.1	4.9	6	1.2
6/19/2012	4.6	3.6	4.6	1
6/20/2012	4.5	3.6	4.5	0.9
6/21/2012	5.1	4.1	5.1	1
6/22/2012	4.8	3.8	4.8	1
6/23/2012	4.6	3.6	4.6	1
6/24/2012	4	3.1	4	0.9
6/25/2012	4.6	3.6	4.6	1
6/26/2012	3.4	2.5	3.4	0.9
6/27/2012	3.3	2.5	3.3	0.8
6/28/2012	3.6	2.7	3.6	0.9
6/29/2012	3.4	2.6	3.4	0.8
6/30/2012	3.7	2.4	3.7	1.3
7/1/2012	3.4	2.5	3.4	0.9
7/2/2012	3.5	2.6	3.5	0.9
7/3/2012	3.4	2.6	3.4	0.8
7/4/2012	3.5	2.6	3.5	0.9
7/5/2012	3.3	2.4	3.3	0.9
7/6/2012	3.3	2.4	3.3	0.9

Date	Walker Creek Above Conduit (daily avg. cfs)	Walker Creek Below Conduit (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily avg cfs)
7/7/2012	3.4	2.4	3.4	1
7/8/2012	3.5	2.6	3.5	0.9
7/9/2012	3.4	2.5	3.4	0.9
7/10/2012	3.1	2.3	3.1	0.8
7/11/2012	3	3	3	0
7/12/2012	2.9	2.9	2.9	0
7/13/2012	3.2	3.2	3.2	0
7/14/2012	2.9	2.9	2.9	0
7/15/2012	2.8	2.8	2.8	0
7/16/2012	2.8	2.8	2.8	0
7/17/2012	2.6	2.6	2.6	0

Parker Creek Data

The time period when the diversion was active (MLC's best estimate) is outlined with a black border. Some of the violations on Parker Creek may be due to errors in data reporting but no information was provided in the compliance report. Shaded cells with bold text indicate a flow below the minimum 9 cfs while a diversion was occurring.

Date	Parker Creek Above Conduit (daily avg. cfs)	Parker Creek Below Conduit (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily avg. cfs)
4/26/2012	15.2	15.2	9	0.0
4/27/2012	9	9.1	9	-0.1
4/28/2012	9	9.2	9	-0.2
4/29/2012	8.6	8.9	8.6	-0.3
4/30/2012	8.2	8.5	8.2	-0.3
5/1/2012	8.6	8.7	8.6	-0.1
5/2/2012	9.3	9	9	0.3
5/3/2012	9.8	9.2	9	0.6
5/4/2012	10.1	9.1	9	1.0
5/5/2012	10.6	8.8	9	1.8
5/6/2012	11	8.4	9	2.6
5/7/2012	11.4	8.3	9	3.1
5/8/2012	11.8	7.9	9	3.9
5/9/2012	12.3	7.7	9	4.6
5/10/2012	12.7	7.9	9	4.8
5/11/2012	13.1	9.6	9	3.5
5/12/2012	13.6	11.2	9	2.4
5/13/2012	14	12.2	9	1.8
5/14/2012	14.5	12.5	9	2.0
5/15/2012	15	9.8	9	5.2
5/16/2012	15.4	10.2	9	5.2
5/17/2012	15.9	11.1	9	4.8
5/18/2012	16.4	10.5	9	5.9
5/19/2012	16.9	9.6	9	7.3
5/20/2012	17.4	9.9	9	7.5
5/21/2012	17.9	11.5	9	6.4
5/22/2012	18.5	11.7	9	6.8
5/23/2012	19.6	11.2	9	8.4
5/24/2012	18.6	9.9	9	8.7
5/25/2012	15.8	10.4	9	5.4
5/26/2012	13.3	10.6	9	2.7
5/27/2012	11.2	9.9	9	1.3
5/28/2012	10.1	10.2	9	-0.1
5/29/2012	9.4	9.6	9	-0.2
5/30/2012	9.4	9.4	9	0.0
5/31/2012	10.4	10.6	9	-0.2
6/1/2012	13.9	13.6	9	0.3
6/2/2012	18.8	15.4	9	3.4
6/3/2012	20.7	14.6	9	6.1
6/4/2012	21.9	15.8	9	6.1
6/5/2012	19.6	13.8	9	5.8
6/6/2012	16.5	13	9	3.5
6/7/2012	14.1	12.1	9	2.0
6/8/2012	13.6	10.9	9	2.7

Date	Parker Creek Above Conduit (daily avg. cfs)	Parker Creek Below Conduit (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily avg. cfs)
6/9/2012	14.4	11.7	9	2.7
6/10/2012	14.1	11.5	9	2.6
6/11/2012	13	10.5	9	2.5
6/12/2012	12.8	10.3	9	2.5
6/13/2012	14	11.6	9	2.4
6/14/2012	16	13	9	3.0
6/15/2012	17.9	14.2	9	3.7
6/16/2012	18.3	14.5	9	3.8
6/17/2012	18.4	14.8	9	3.6
6/18/2012	19.1	15.1	9	4.0
6/19/2012	19	14.1	9	4.9
6/20/2012	17	13.3	9	3.7
6/21/2012	16.6	13.6	9	3.0
6/22/2012	17	14.3	9	2.7
6/23/2012	15.6	12.9	9	2.7
6/24/2012	13.7	10	9	3.7
6/25/2012	12	10	9	2.0
6/26/2012	11.1	10.8	9	0.3
6/27/2012	11.3	10.9	9	0.4
6/28/2012	11.6	11.2	9	0.4
6/29/2012	11.6	11.2	9	0.4
6/30/2012	12.2	11.9	9	0.3
7/1/2012	13.2	12.7	9	0.5
7/2/2012	14.4	12.4	9	2.0
7/3/2012	15.5	11	9	4.5
7/4/2012	16.7	10.7	9	6.0
7/5/2012	15.9	9.9	9	6.0
7/6/2012	15.2	10.2	9	5.0
7/7/2012	14.8	10.5	9	4.3
7/8/2012	15	10.8	9	4.2
7/9/2012	15.6	11.3	9	4.3
7/10/2012	16.6	12.3	9	4.3
7/11/2012	17.7	12.1	9	5.6
7/12/2012	18.4	10.9	9	7.5
7/13/2012	17.7	10.2	9	7.5
7/14/2012	17.4	10.5	9	6.9
7/15/2012	15.9	9.9	9	6.0
7/16/2012	14.5	10	9	4.5
7/17/2012	12.8	9.7	9	3.1
7/18/2012	11.4	10.1	9	1.3
7/19/2012	10.5	10.2	9	0.3
7/20/2012	9.2	8.9	9	0.3
7/21/2012	9.9	9.5	9	0.4
7/22/2012	11.1	10.6	9	0.5
7/23/2012	12.9	12.5	9	0.4
7/24/2012	14.2	13.7	9	0.5
7/25/2012	13.1	12.9	9	0.2
7/26/2012	11.8	11.6	9	0.2
7/27/2012	10.8	10.6	9	0.2
7/28/2012	10.3	10.1	9	0.2

Date	Parker Creek Above Conduit (daily avg. cfs)	Parker Creek Below Conduit (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily avg. cfs)
7/29/2012	10.1	9.9	9	0.2
7/30/2012	9.8	9.6	9	0.2
7/31/2012	9.6	9.5	9	0.1
8/1/2012	10	9.8	9	0.2
8/2/2012	10.6	10.4	9	0.2
8/3/2012	10.7	10.5	9	0.2
8/4/2012	10.4	10.4	9	0.0
8/5/2012	11	10.8	9	0.2
8/6/2012	11.5	11.5	9	0.0
8/7/2012	11.3	11.3	9	0.0
8/8/2012	11.3	11.3	9	0.0
8/9/2012	12	11.8	9	0.2
8/10/2012	13	12.8	9	0.2
8/11/2012	13.4	13.2	9	0.2
8/12/2012	13	12.9	9	0.1
8/13/2012	12.8	12.6	9	0.2
8/14/2012	14.7	14.4	9	0.3
8/15/2012	17.4	16.7	9	0.7
8/16/2012	16.1	15.2	9	0.9
8/17/2012	14.1	13.2	9	0.9
8/18/2012	15.5	14.6	9	0.9
8/19/2012	29.2	18.8	9	10.4
8/20/2012	22.7	12.4	9	10.3
8/21/2012	18.7	13.6	9	5.1
8/22/2012	16.8	13.7	9	3.1
8/23/2012	15.6	13.2	9	2.4
8/24/2012	13.9	12.8	9	1.1
8/25/2012	13.1	12.8	9	0.3
8/26/2012	12.5	12.5	9	0.0
8/27/2012	11.4	11.4	9	0.0
8/28/2012	10.2	10.2	9	0.0
8/29/2012	9.2	9.3	9	-0.1
8/30/2012	8.7	8.8	8.7	-0.1
8/31/2012	8.6	8.3	8.6	0.3

Lee Vining Creek Data

Shaded cells with bold text indicate a flow below the minimum 6 cfs while a diversion was occurring.

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
4/1/2012	17	17	17	0
4/2/2012	16	17	16	-1
4/3/2012	16	17	16	-1
4/4/2012	16	18	16	-2
4/5/2012	16	17	16	-1
4/6/2012	16	15	16	1
4/7/2012	16	17	16	-1
4/8/2012	16	16	16	0
4/9/2012	16	18	16	-2
4/10/2012	17	17	17	0
4/11/2012	19	19	19	0
4/12/2012	20	20	20	0
4/13/2012	20	21	20	-1
4/14/2012	20	21	20	-1
4/15/2012	20	21	20	-1
4/16/2012	20	21	20	-1
4/17/2012	20	22	20	-2
4/18/2012	19	22	19	-3
4/19/2012	14	16	14	-2
4/20/2012	20	17	20	3
4/21/2012	45	40	37	5
4/22/2012	80	59	37	21
4/23/2012	110	47	37	63
4/24/2012	129	41	37	88
4/25/2012	125	39	37	86
4/26/2012	110	38	37	72
4/27/2012	81	39	37	42
4/28/2012	78	39	37	39
4/29/2012	84	39	37	45
4/30/2012	95	40	37	55
5/1/2012	109	39	37	70
5/2/2012	120	39	37	81
5/3/2012	112	39	37	73
5/4/2012	96	39	37	57
5/5/2012	83	39	37	44
5/6/2012	79	39	37	40
5/7/2012	79	39	37	40
5/8/2012	75	39	37	36
5/9/2012	81	39	37	42
5/10/2012	101	39	37	62
5/11/2012	104	39	37	65
5/12/2012	105	39	37	66
5/13/2012	111	39	37	72
5/14/2012	118	39	37	79

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
5/15/2012	104	39	37	65
5/16/2012	110	39	37	71
5/17/2012	127	39	37	88
5/18/2012	101	38	37	63
5/19/2012	93	39	37	54
5/20/2012	93	39	37	54
5/21/2012	125	39	37	86
5/22/2012	121	39	37	82
5/23/2012	110	39	37	71
5/24/2012	101	38	37	63
5/25/2012	69	39	37	30
5/26/2012	49	38	37	11
5/27/2012	46	38	37	8
5/28/2012	45	38	37	7
5/29/2012	44	38	37	6
5/30/2012	43	38	37	5
5/31/2012	69	39	37	30
6/1/2012	98	41	37	57
6/2/2012	98	41	37	57
6/3/2012	99	39	37	60
6/4/2012	99	39	37	60
6/5/2012	89	39	37	50
6/6/2012	74	38	37	36
6/7/2012	53	37	37	16
6/8/2012	52	35	37	17
6/9/2012	52	39	37	13
6/10/2012	51	39	37	12
6/11/2012	50	38	37	12
6/12/2012	50	39	37	11
6/13/2012	50	39	37	11
6/14/2012	54	39	37	15
6/15/2012	73	39	37	34
6/16/2012	64	38	37	26
6/17/2012	70	38	37	32
6/18/2012	65	39	37	26
6/19/2012	65	38	37	27
6/20/2012	64	39	37	25
6/21/2012	57	39	37	18
6/22/2012	51	38	37	13
6/23/2012	44	39	37	5
6/24/2012	41	38	37	3
6/25/2012	41	38	37	3
6/26/2012	41	39	37	2
6/27/2012	41	39	37	2
6/28/2012	40	38	37	2
6/29/2012	41	39	37	2
6/30/2012	42	39	37	3
7/1/2012	42	39	37	3
7/2/2012	45	39	37	6
7/3/2012	47	40	37	7

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
7/4/2012	47	39	37	8
7/5/2012	45	39	37	6
7/6/2012	40	39	37	1
7/7/2012	40	38	37	2
7/8/2012	45	38	37	7
7/9/2012	45	39	37	6
7/10/2012	45	39	37	6
7/11/2012	46	39	37	7
7/12/2012	46	39	37	7
7/13/2012	47	39	37	8
7/14/2012	45	40	37	5
7/15/2012	40	39	37	1
7/16/2012	39	38	37	1
7/17/2012	36	38	36	-2
7/18/2012	36	36	36	0
7/19/2012	36	36	36	0
7/20/2012	35	36	35	-1
7/21/2012	36	35	36	1
7/22/2012	37	34	37	3
7/23/2012	35	33	35	2
7/24/2012	31	32	31	-1
7/25/2012	31	30	31	1
7/26/2012	30	30	30	0
7/27/2012	29	29	29	0
7/28/2012	29	29	29	0
7/29/2012	28	29	28	-1
7/30/2012	28	28	28	0
7/31/2012	21	27	21	-6
8/1/2012	19	21	19	-2
8/2/2012	20	18	20	2
8/3/2012	22	20	22	2
8/4/2012	23	22	23	1
8/5/2012	25	23	25	2
8/6/2012	24	25	24	-1
8/7/2012	24	24	24	0
8/8/2012	25	25	25	0
8/9/2012	25	25	25	0
8/10/2012	26	25	26	1
8/11/2012	29	25	29	4
8/12/2012	35	29	35	6
8/13/2012	35	35	35	0
8/14/2012	37	35	37	2
8/15/2012	45	39	37	6
8/16/2012	36	39	36	-3
8/17/2012	34	37	34	-3
8/18/2012	35	33	35	2
8/19/2012	35	34	35	1
8/20/2012	32	34	32	-2
8/21/2012	29	29	29	0
8/22/2012	29	28	29	1

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
8/23/2012	28	29	28	-1
8/24/2012	28	28	28	0
8/25/2012	27	28	27	-1
8/26/2012	27	27	27	0
8/27/2012	26	27	26	-1
8/28/2012	24	26	24	-2
8/29/2012	23	23	23	0
8/30/2012	23	23	23	0
8/31/2012	23	23	23	0
9/1/2012	22	23	22	-1
9/2/2012	22	23	22	-1
9/3/2012	22	23	22	-1
9/4/2012	22	23	22	-1
9/5/2012	21	22	21	-1
9/6/2012	21	23	21	-2
9/7/2012	21	23	21	-2
9/8/2012	21	22	21	-1
9/9/2012	20	23	20	-3
9/10/2012	20	22	20	-2
9/11/2012	20	21	20	-1
9/12/2012	21	21	21	0
9/13/2012	23	22	23	1
9/14/2012	22	22	22	0
9/15/2012	22	22	22	0
9/16/2012	22	21	22	1
9/17/2012	22	22	22	0
9/18/2012	20	19	20	1
9/19/2012	20	19	20	1
9/20/2012	21	20	21	1
9/21/2012	20	20	20	0
9/22/2012	20	19	20	1
9/23/2012	20	19	20	1
9/24/2012	20	19	20	1
9/25/2012	20	20	20	0
9/26/2012	20	20	20	0
9/27/2012	20	21	20	-1
9/28/2012	19	19	19	0
9/29/2012	19	18	19	1
9/30/2012	19	19	19	0
10/1/2012	19	18	19	1
10/2/2012	19	20	19	-1
10/3/2012	19	20	19	-1
10/4/2012	19	20	19	-1
10/5/2012	19	17	19	2
10/6/2012	19	18	19	1
10/7/2012	19	18	19	1
10/8/2012	19	18	19	1
10/9/2012	19	17	19	2
10/10/2012	19	18	19	1
10/11/2012	20	18	20	2

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
10/12/2012	20	18	20	2
10/13/2012	19	18	19	1
10/14/2012	19	17	19	2
10/15/2012	19	18	19	1
10/16/2012	18	17	18	1
10/17/2012	18	19	18	-1
10/18/2012	18	16	18	2
10/19/2012	18	19	18	-1
10/20/2012	18	19	18	-1
10/21/2012	18	18	18	0
10/22/2012	18	18	18	0
10/23/2012	18	17	18	1
10/24/2012	18	18	18	0
10/25/2012	18	17	18	1
10/26/2012	18	17	18	1
10/27/2012	18	17	18	1
10/28/2012	18	16	18	2
10/29/2012	23	16	23	7
10/30/2012	24	17	24	7
10/31/2012	30	26	25	4
11/1/2012	29	26	25	3
11/2/2012	30	25	25	5
11/3/2012	31	26	25	5
11/4/2012	26	26	25	0
11/5/2012	23	25	23	-2
11/6/2012	23	24	23	-1
11/7/2012	25	25	25	0
11/8/2012	25	25	25	0
11/9/2012	24	26	24	-2
11/10/2012	24	25	24	-1
11/11/2012	31	24	25	7
11/12/2012	19	23	19	-4
11/13/2012	19	22	19	-3
11/14/2012	17	21	17	-4
11/15/2012	14	19	14	-5
11/16/2012	14	16	14	-2
11/17/2012	15	16	15	-1
11/18/2012	15	17	15	-2
11/19/2012	14	17	14	-3
11/20/2012	14	16	14	-2
11/21/2012	14	15	14	-1
11/22/2012	14	15	14	-1
11/23/2012	14	15	14	-1
11/24/2012	14	14	14	0
11/25/2012	14	14	14	0
11/26/2012	14	13	14	1
11/27/2012	14	14	14	0
11/28/2012	14	14	14	0
11/29/2012	14	14	14	0
11/30/2012	17	14	17	3

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
12/1/2012	19	18	19	1
12/2/2012	26	20	25	6
12/3/2012	22	24	22	-2
12/4/2012	22	23	22	-1
12/5/2012	24	24	24	0
12/6/2012	24	25	24	-1
12/7/2012	23	24	23	-1
12/8/2012	23	24	23	-1
12/9/2012	23	24	23	-1
12/10/2012	21	24	21	-3
12/11/2012	19	23	19	-4
12/12/2012	19	20	19	-1
12/13/2012	19	20	19	-1
12/14/2012	19	20	19	-1
12/15/2012	19	20	19	-1
12/16/2012	18	20	18	-2
12/17/2012	18	20	18	-2
12/18/2012	18	19	18	-1
12/19/2012	23	20	23	3
12/20/2012	16	18	16	-2
12/21/2012	19	17	19	2
12/22/2012	18	19	18	-1
12/23/2012	18	21	18	-3
12/24/2012	18	19	18	-1
12/25/2012	19	20	19	-1
12/26/2012	19	20	19	-1
12/27/2012	14	20	14	-6
12/28/2012	18	15	18	3
12/29/2012	19	19	19	0
12/30/2012	19	20	19	-1
12/31/2012	18	19	18	-1
1/1/2013	20	19	20	1
1/2/2013	20	20	20	0
1/3/2013	20	18	20	2
1/4/2013	20	20	20	0
1/5/2013	20	19	20	1
1/6/2013	20	20	20	0
1/7/2013	20	19	20	1
1/8/2013	20	20	20	0
1/9/2013	18	21	18	-3
1/10/2013	18	18	18	0
1/11/2013	18	18	18	0
1/12/2013	19	19	19	0
1/13/2013	17	17	17	0
1/14/2013	15	12	15	3
1/15/2013	12	15	12	-3
1/16/2013	18	18	18	0
1/17/2013	12	12	12	0
1/18/2013	12	11	12	1
1/19/2013	15	15	15	0

Date	Lee Vining Creek Above Intake gauge (daily avg. cfs)	Lee Vining Creek at Intake gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)	Calculated Diversion (daily average cfs)
1/20/2013	16	15	16	1
1/21/2013	16	15	16	1
1/22/2013	16	15	16	1
1/23/2013	17	17	17	0
1/24/2013	24	16	24	8
1/25/2013	16	16	16	0
1/26/2013	16	15	16	1
1/27/2013	16	15	16	1
1/28/2013	16	15	16	1
1/29/2013	16	16	16	0
1/30/2013	16	16	16	0
1/31/2013	15	16	15	-1

Rush Creek Data

LADWP minimum instream flow requirements change annually on October 1. In 2012, LADWP failed to change the flow until October 9, causing an 8-day violation. MLC brought the issue to LADWP's attention within 72 hours of October 1, and reminded LADWP of the requirement to notify the State Water Board of the violation.

Date	Rush Creek @ Damsite Above gauge (daily avg. cfs)	Rush Creek @ MGORD Below gauge (daily avg. cfs)	Minimum Instream Flow requirement below diversion (instantaneous cfs)
9/24/2012	37	34	31
9/25/2012	38	34	31
9/26/2012	39	34	31
9/27/2012	39	34	31
9/28/2012	39	34	31
9/29/2012	39	34	31
9/30/2012	39	34	31
10/1/2012	39	34	36
10/2/2012	38	35	36
10/3/2012	37	35	36
10/4/2012	33	34	36
10/5/2012	23	34	36
10/6/2012	29	34	36
10/7/2012	35	34	36
10/8/2012	37	34	36
10/9/2012	37	36	36
10/10/2012	37	39	36
10/11/2012	38	40	36
10/12/2012	40	40	36
10/13/2012	39	40	36
10/14/2012	38	41	36
10/15/2012	38	43	36