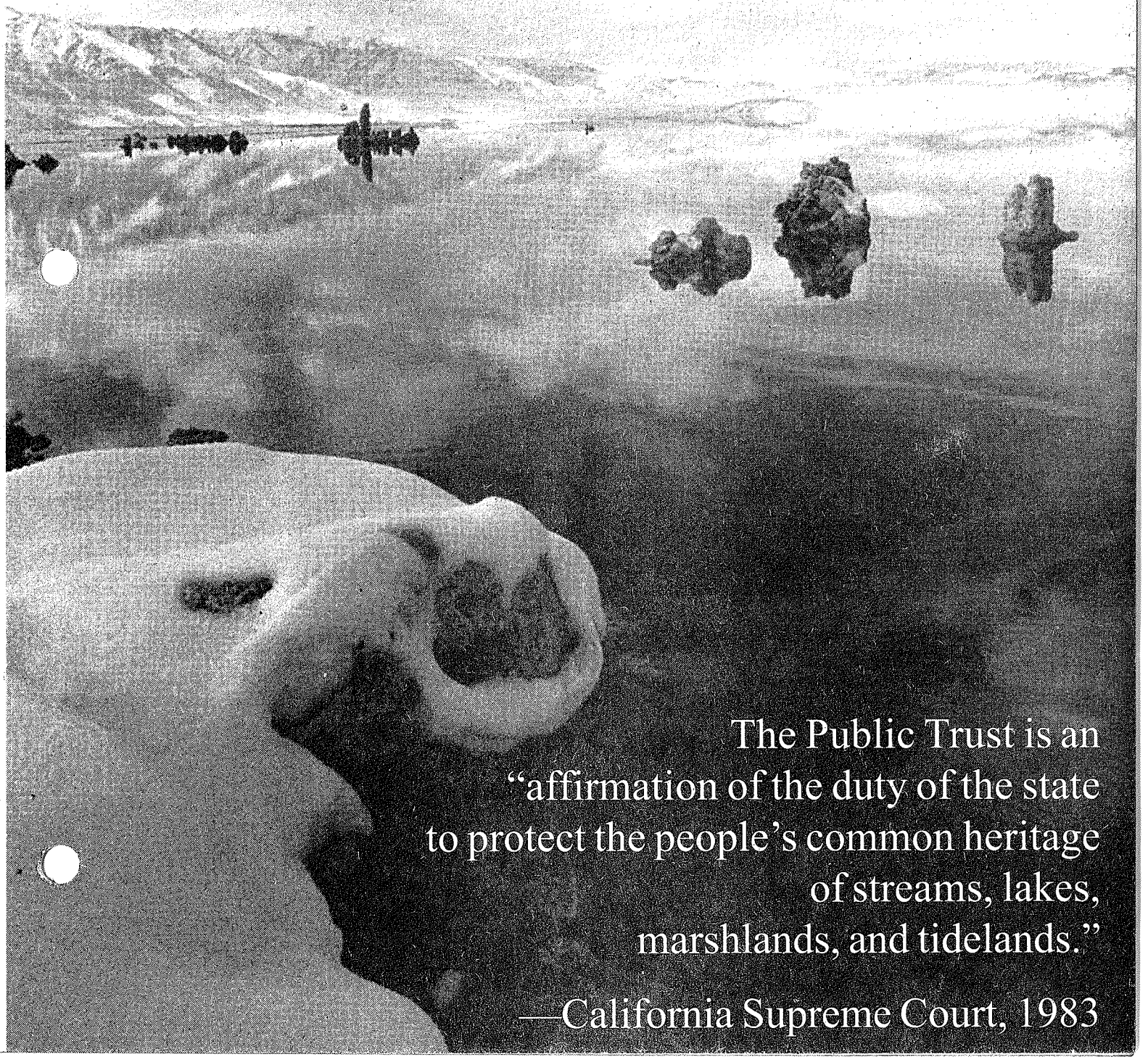


Winter

2001

# MONO LAKE

## NEWSLETTER



The Public Trust is an  
“affirmation of the duty of the state  
to protect the people’s common heritage  
of streams, lakes,  
marshlands, and tidelands.”

—California Supreme Court, 1983

# Mono Lake Newsletter

Winter 2001  
Volume 23, Number 3



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n February 17, 1983 the California Supreme Court declared that the public trust must be protected at Mono Lake. The decision was, is, and will continue to be monumental in its significance—not only at Mono Lake but throughout the United States, and even the world. Here at the Committee we wear the court's words

on the back of our staff T-shirt almost daily, a reminder of the source of Mono's protection, and the reason for our continued work here. Author John Hart wrote, "The public trust decision pointed the way to a permanent solution." It is that solution—balancing the needs of the environment with the social and economic needs of people—that is the thread that ties all of the Committee's programs together.

So, this issue of the Mono Lake Newsletter focuses on the public trust doctrine. I suggest starting on page 3 with Executive Director of Operations Geoff McQuilkin's overview of how the public trust fits into the Mono Lake story. On pages 4-5 U.C. Davis law professor Hap Dunning delves into some of the philosophy and depth of the doctrine. Don't miss the article with a global perspective by Sandra Postel on page 6. You'll find and update on Walker lake from on page 7. And of course, you'll find all of the traditional goodies as well, so enjoy!

—Arya Degenhardt

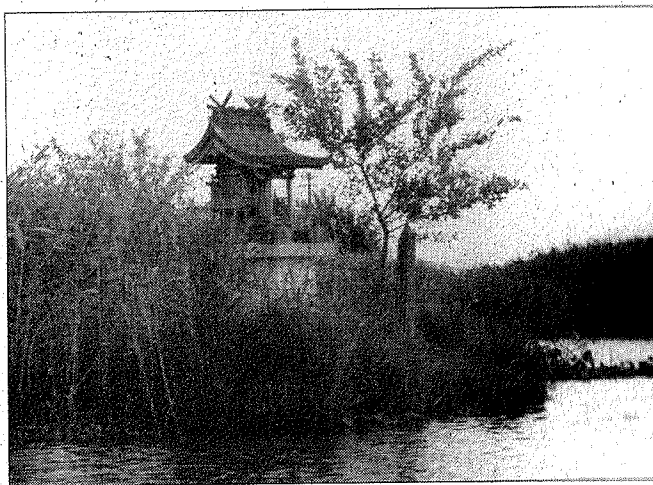


Photo by Arya Degenhardt

*A shrine amongst the reed beds of Lake Biwa, Japan. The 5th Living Lakes Conference, with the theme of "Education and Biodiversity," took place at Lake Biwa last November.*

## **Mono Lake Committee Mission**

The Mono Lake Committee is a non-profit citizens' group dedicated to protecting and restoring the Mono Basin ecosystem, educating the public about Mono Lake and the impacts on the environment of excessive water use, and promoting cooperative solutions that protect Mono Lake and meet real water needs without transferring environmental problems to other areas.

Mono Lake is a part of the Western Hemisphere Shorebird Reserve Network, a member of the international Living Lakes partnership ([www.livinglakes.org](http://www.livinglakes.org)), designated as an Outstanding National Resource Water under the Clean Water Act, and home to a National Forest Scenic Area and a California State Reserve.

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# The public trust and the Mono Lake story

by Geoffrey McQuilkin

**T**he Clean Water Act. The Clean Air Act. The National Environmental Policy Act. The Endangered Species Act. These laws are seen as some of the foremost expressions of our public desire to protect natural resources and the environment we live in. By and large, they have been formulated in the last 30 years. But just because these key environmental laws are relatively new doesn't mean the concept of protecting public resources for all generations is new itself. Indeed, the legal doctrine known as the public trust, dating back to Roman times, has articulated that concept for centuries.

What is the public trust? Author John Hart broadly describes it as "the concept that certain lands and resources belong to the whole people and that the government, which serves as guardian, has an inescapable duty to manage these properties well." In California, the public trust is incorporated into the state constitution, with a particular focus on water.

The public trust duties of the state, however, have not always been in the minds of resource managers. The excessive diversion of water from Mono Lake clearly illustrated this point: the state allowed water diversions to the detriment of the public trust values at the lake and its tributaries. In fact, when water rights were issued to Los Angeles in 1940, the responsible agency felt powerless to do anything else: "It is indeed unfortunate that the City's proposed development will result in decreasing the aesthetic advantages of the Mono Basin," it observed, "but there is apparently nothing that this office can do to prevent it."

As Mono Lake advocates know, lawsuits on the Mono Lake matter went to the California Supreme Court, and a landmark 1983 decision revitalized the concept of the state's continuing responsibility for public trust protection. The public trust, as the court wrote at the time, is an "affirmation of the duty of the state

to protect the people's common heritage of streams, lakes, marshlands, and tidelands."

The public trust is, in truth, a remarkably broad-minded concept. Well before talk of ecosystem management and ecological thinking, it recognized that there are certain parts of the natural world that no one can own individually, that benefit us all, that we must all be the caretakers of. It recognizes our common heritage and places on us a duty for our common future.

In balancing water rights with the state's duty to protect the public trust, the court underscored that that duty of protection can *never* be abandoned, writing, "The state is not confined by past allocation decisions." Despite the decisions made in the 1940s, the state still bore the responsibility of protecting the public trust at the lake, and it did so in 1994 through the State Water Board decision.

In the future, the public trust will be even more critical as we strive to protect our common natural heritage while our state population grows by a projected 20 million individuals. As at Mono Lake, the public trust can inspire us—and has the potential to force us—to examine difficult situations, such as balancing the water needs of people and the environment, well before we bankrupt our natural wealth.

Other paths are out there as well. Idaho has charted a different course. In 1990s the legislature passed a law specifically stating that the public trust should *not* be taken into account in the granting of water rights. Hawaii, on the other hand, went farther than California, ruling that the public trust protections there apply to groundwater as well as surface water.

As always, the support—and voices—of the people of this great, diverse, naturally rich, environmentally threatened state will be the force that keeps the public trust energized in public policy.

*Geoff McQuilkin is the Committee's Executive Director of Operations. He's ready to ski—he waxed his skis in August!*

## Public Trust timeline

1977	Mono Lake Ecological Study completed by a group of U.C. Davis undergraduate students
1978	Mono Lake Committee formed
1979	<b>Mono Lake Committee, Audubon Society, and Friends of the Earth combine forces with Morrison &amp; Foerster Law firm to begin the public trust case</b>
1980	First Mono Lake Bike-a-thon
1981	California created Mono Lake Tufa State Reserve
	<b>Supreme Court accepts public trust case and begins hearings</b>
1982	Lake hits historic low at 6,372 ft.
1983	<b>National Audubon Society v. Los Angeles decision reinvigorates the state's duty to protect the public trust particularly in regard to Los Angeles' water licenses</b>
1984	National Forest Scenic Area created by Congress as wet weather puts flows, and fish, down streams
1985	First stream lawsuits filed to sustain flows and viable fisheries
1989	AB444 funds \$60 million for water conservation and reclamation to offset Mono Lake diversions
	Preliminary injunction mandates the temporary halt of water diversions
1990	<b>Water Board begins the Mono Basin EIR</b>
1993	<b>40+ days of hearings on Mono Lake include public trust values analysis</b>
1994	<b>Water Board decision mandating restoration and target lake level of 6392</b>



# The public trust:

## Mono Lake's significance in California

by Harrison C. Dunning

*Editor's Note: In September of 1980 law professor Harrison Dunning organized a timely conference entitled "The Public Trust Doctrine in Natural Resources Law and Management" at U.C. Davis. This conference proved extremely influential in the National Audubon Society v. Los Angeles public trust case. His foresight into the power of the public trust doctrine was instrumental in securing this landmark decision. The following article was compiled from several of his essays.*

In the landmark 1983 Mono Lake case, the Supreme Court of California ruled that water rights are subject to limitations protecting the public trust in navigable waters. This is so, the court wrote, because the state as a sovereign entity has the authority and the duty "to protect the people's common heritage of streams, lakes, marshlands and tidelands."

Historically, the public trust doctrine has functioned to protect certain public values in navigable bodies of water—traditionally navigation, commerce, and fishing values; more recently, recreational and environmental values as well—against the unchecked exercise of ordinary property rights. In the Mono Lake case, the court defined a role for the public trust for the modern day.

In short, the court mandated protection for a lake by requiring an accommodation between the public trust doctrine and conventional principles of water law. The public trust values at stake were stated broadly. In the Mono Basin context, scenic views, air quality, and wildlife habitat were all mentioned as within the coverage of the public trust doctrine.

Two fundamental principles emerged: that public trust uses must conform to the constitutional reasonable beneficial use

standard; and that, where necessary to avoid harm to public trust values, water diversions must be restricted where feasible. And the decision spoke not only of the power of the courts and agencies in exercising concurrent jurisdiction to provide doctrinal integration, but also of their duty to protect insofar as feasible the common heritage resources of the people.

### The Public Trust doctrine and California water law

The roots of the public trust doctrine are found in Roman law concepts of common property—the *Audubon* opinion quotes the Institutes of Justinian for the proposition that by the law of nature, air, running water, the sea, and the shores by the sea "are common to mankind." This is the "common heritage" of which the California court speaks, and it is the "property of a special character" spoken of by the United States Supreme Court in the leading public trust case of *Illinois Central Railroad Co. v. Illinois*.

Conceptually, there has been some uncertainty as to the basis of the public trust doctrine. Is it a public property right perhaps but one subject to special rules constraining alienation? Is it a version of the police power, perhaps one owing its unique status to early development historically? Is it part of the common law, so that it is subject to modification or revocation by statutory or constitutional provisions?

None of the answers suggested by these questions quite fit what is articulated in the Mono Lake decision. Rather, the public trust doctrine appears to be an expression of the inherent prerogative of the sovereign state to restrict or reallocate property rights to protect the integrity of the "special" or "common heritage" natural resources. Although occasionally treated

semantically or procedurally as if it were a property right, the sovereign's prerogative exists because of the common property nature of the resource—a nature that dictates the recognition of unusually limited conventional property rights. And although somewhat similar to the police power, which permits the sovereign to protect public health, safety, and welfare from harm stemming from the exercise of property rights in any natural resource, the sovereign's public trust prerogative derives from the nature of the resource rather than from the need to protect public health, safety, and welfare.

The difference between the police power and the public trust is important, for an exercise of the police power that bears too heavily on the exercise of property rights can constitute a "taking" that requires the payment of just compensation. A proper assertion of the public trust, however, simply serves to define the boundaries of common property in the resource and thus is not vulnerable to characterization as a "taking" and the concomitant constitutional need to pay compensation. This result is a just one, for it simply expresses the fact that the legitimate expectations for protection of those with conventional property rights are less where the rights pertain to common heritage resources.

In fact, the analysis of the California Supreme Court in the Mono Lake case suggests that neither a statute nor a constitutional provision can authorize the granting of property rights "vested" so as to protect them from reexamination.

California, like other western states, has a well-developed water rights law organized primarily in terms of appropriative water rights. An appropriative water right permits the diversion of water for beneficial use by a

claimant, whether riparian to the source or not. Since 1913, the appropriation in California of unappropriated surface waters or waters from the rare subterranean stream has required administrative approval through a permit and license process.

In the early days of California's permit system the administrative agency was treated as having only a ministerial function: if unappropriated water was available in a particular source, an applicant was allowed to appropriate it to the extent beneficial use could be demonstrated. Later, however, statutory and judicial changes occurred, so that it is now established in principle that the state agency reviewing applications to appropriate can deny or condition them in appropriate circumstances. In practice, denial of applications where unappropriated water is available is very rare, and the role of the public trust doctrine in protecting navigable sources was never considered by the agency prior to the *Audubon* opinion.

In 1940 the principal tenet of California water policy was to put the state's water resources to beneficial use to the fullest extent of which they were capable—generally for irrigation or municipal and industrial supply. The objective was to avoid waste or unreasonable use, for example by allowing riparians with rights paramount to appropriators to claim water for wasteful use patterns. The central concern was a fair balance between competing diverters, rather than a fair balance between allocation to diverters and source protection for the benefit of instream uses.

Beginning in 1957, concern with the impact of diversion on the integrity of California's rivers and lakes was reflected with increasing intensity. Recreational and fish and wildlife uses of water were identified as "beneficial," and subsequently the legislature directed that the agency reviewing applications to appropriate unappropriated water "take into account, whenever it is in the public interest, the amounts of water needed to remain in the source for protection of



Photo by Arya Degenhardt

beneficial uses." A demanding water quality law was enacted, and provisions were made to integrate water quality control and water rights law. An environmental protection act was passed. And some rivers were placed "off-limits" for state or local water projects by enactment of a Wild and Scenic Rivers Act.

Each of these relatively recent provisions seems to have been of some value in requiring balancing of instream and appropriative uses of California's limited water resources, but none of the new statutes applies to the older water rights. The public trust doctrine is thus unique in its ability to provide strong source protection against damage from the exercise of water rights that were acquired long ago.

Decision 1631, the State Water Resources Control Board's 1994 order regarding Mono Lake water rights, demonstrates the role the public trust now must play in water resource decisions. In a sense, the public trust is the driving force of Decision 1631. A lake level of 6,391 feet is projected to provide "appropriate" protection to the full range of public trust resources at the lake. It is, nonetheless, 26 feet below the pre-diversion lake level of 6,417 feet. Certainly, in an age when some environmental problems are tackled legally by Endangered Species Act brinkmanship, the public trust doctrine has demonstrated its merit as a tool for early intervention to maintain

environmental viability.

When the *Audubon* Case was decided over ten years ago, there were cries of alarm from many water lawyers. To some, it seemed the very underpinnings of our property system in water had been attacked in some unprecedented fashion. Change, however, has come very slowly, as agencies and courts have absorbed the new learning and applied it in particular situations. Insofar as law is slowly changing to reflect new social values, nothing is new. The same thing happened at the behest of gold miners in the 1850s when rules favoring landowners were supplemented by those protecting trespassers on federal land who captured water and put it to beneficial use. Insofar as law is beginning to recognize the need for ecosystem management and an ecosystem approach, we do have something new. It is, in fact, something needed, something promising, and something even the Los Angeles Department of Water and Power has finally come to embrace.

*Harrison, "Hap," Dunning is currently on the faculty at the U.C. Davis School of Law. He focuses on Environmental Law and Natural Resource Law with an emphasis in water law. He is the author of the public rights portion of the leading national treatise on water law, and numerous articles on water law, particularly with regard to the public trust doctrine.*

# Rescued

by Sandra Postel

*Editor's Note: Sandra Postel took time out of her busy schedule directing the Global Water Policy Project in Amherst, Massachusetts to write the following essay for the Committee. Its message resonates with the idea that what has happened at Mono Lake, including the public trust decision, has significance that reaches far beyond Mono's watershed boundaries, and around the world.*

Hope is not an easy emotion to elicit when it comes to the world's water situation. Yet in our time of increasing competition for nature's finite sources of fresh water, Mono Lake looms large in my mind—a symbol of hope.

Globally we now extract three times more water from nature than we did in 1950. In many areas, farms and cities are pumping groundwater faster than nature is replenishing it, depleting aquifers and causing water tables to drop incessantly. Some of the world's major rivers—the Colorado, the Ganges, the Indus, the Nile, and the Yellow, to name a few—are now so heavily diverted that they no longer reach the sea for months at a time.

About 800,000 dams of all sizes now block the earth's freshwater arteries. Many rivers can no longer perform vital ecological functions because we have severed their connections to their floodplains, their deltas, and to the lakes and seas into which they empty. We have built hundreds of billions of dollars of hydraulic infrastructure—dams, diversions, dikes, and levees—that is literally killing the aquatic world. Worldwide one out of three fish species is to some degree at risk of extinction. Here in the United States, the Nature Conservancy warns that 38 percent of freshwater fish are at risk, along with 51 percent of crayfish and 69 percent of freshwater mussels.

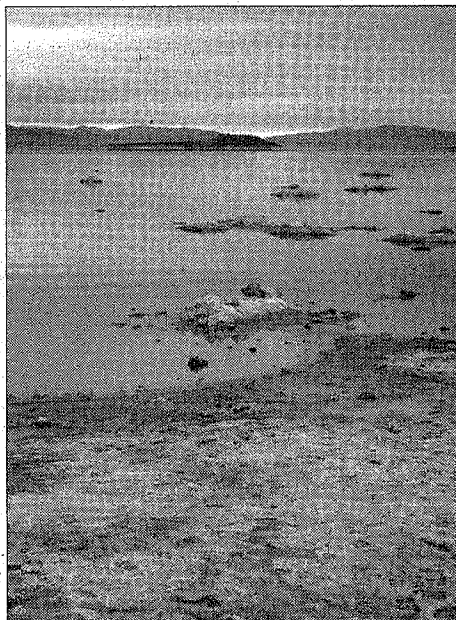


Photo by Arya Degenhardt

For me, these statistics really hit home when, in 1995, I traveled to the poster child of aquatic ruins—the fabled Aral Sea. Once the world's fourth largest lake, the Aral Sea in Central Asia has steadily been shrinking since Soviet engineers began siphoning its tributaries off to irrigate cotton in the desert. Over the last forty years, the Aral's volume has dropped by two-thirds, its surface area has shrunk by half, and its salinity has tripled. Outside the old port town of Muynak, I stood on what had once been a lakeside bluff but I saw no water—the sea was 25 miles away. A graveyard of ships lay before me, rotting and rusting in the dried-up seabed. Salt dusted the landscape like new-fallen snow. And toxic dust storms emanating from the exposed lake bottom made the air hazardous to breath and poisoned the land.

The economic and social landscape mirrored the physical one. Sixty thousand fishing jobs had been wiped out, and thousands of people had left the area. The people who remained in the “disaster zone” suffered from startlingly high rates

of anemia, respiratory ailments, and a variety of cancers. Infant mortality was high. Never before had I grasped so viscerally the connections between the health of an ecosystem and that of the economy, community, and people who depend on that ecosystem.

During my visit, a number of colleagues and I met in the city of Nukus with representatives of local agencies and groups working daily to combat this tragedy. It was a sobering experience I shall never forget. I was keenly aware that anything close to a total repair of the Aral Sea's destruction was impossible. What international agencies were likely to offer was paltry compared with the region's needs. As my turn to speak approached, I felt a strange mix of sadness and panic. I looked around the room at the dozens of people who had so passionately expressed their concerns, their needs, their desperation. What could I possibly say that would make a difference?

Then, as if by divine intervention, Mono Lake came to my mind. I realized that what I could do was to offer a story of hope. I had visited Mono Lake only once, in 1982. At that time, after four decades of Los Angeles's diversions of its tributaries, the lake was near its lowest recorded level. Its haunting beauty, and its extreme vulnerability, had made a deep impression on me. Over the years I carried its image, and I followed its story. It was just a year before I traveled to the Aral Sea region that the California State Water Resources Control Board had ordered Los Angeles to moderate its diversions from Mono Lake's tributaries so that the lake would rise to a surface elevation of 6,392 feet. Los Angeles would have to turn to conservation and other methods to meet its needs. Combined with earlier court decisions, it was a stunning environmental victory.

And so there in the Aral Sea basin, I

*Continued on page 18*

# Walker Lake, Nevada

## A new frontier for the public trust doctrine?

by Gary Nelson

In the idealistic and formative years of the Mono Lake Committee an early mission statement began, "Our purpose: to preserve the scenic, wildlife, and scientific values of Mono and other Great Basin Lakes ...." (see Fall 1978 *Newsletter*). In the context of its time, this far-reaching statement of purpose seems to represent the very height of audacity, coming as it did from an organization whose staff members were living in an Aspen grove on the eastern slope of the Sierra. Actually this goal transcended youthful idealism to show an understanding that Mono Lake is part of a larger whole, a single link in a chain of avian food sources stretching across the arid Great Basin.

It soon became apparent that saving Mono Lake alone would be an overwhelming task in itself and the Committee's mission statement changed to reflect a close focus upon the Mono Basin.

While Mono Lake's prospects steadily improved through the succeeding decades, the terminal lake of the neighboring drainage to the north was faring much worse. Just 40 miles northeast of Mono's shore, across the state line in Nevada, lies Walker Lake.

A remnant of Pleistocene Lake

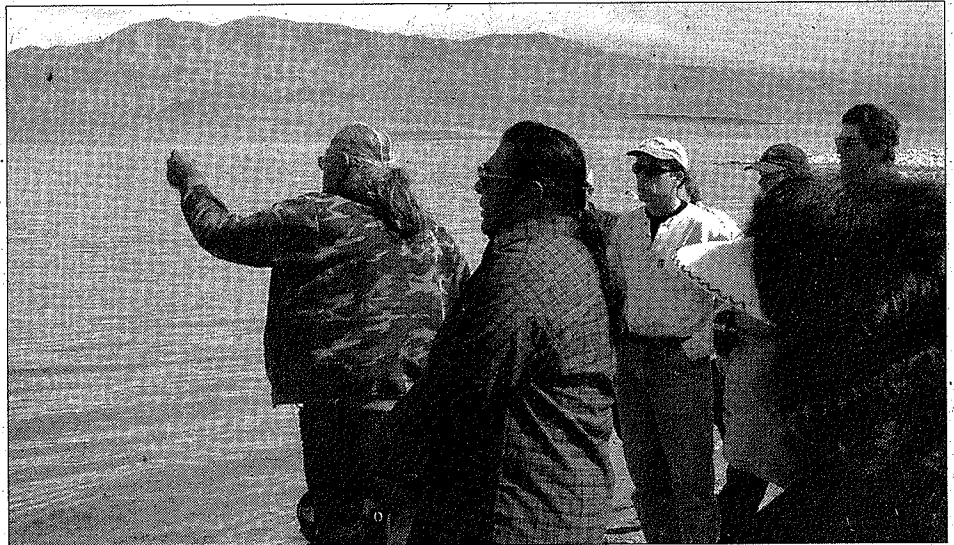


Photo by Jeff Darlington

Walker River Paiute leaders casting coins into Walker Lake at the Symposium, a symbolic gesture in hopes that the lake would be able to buy itself what it needs—water.

Lahontan, Walker Lake is one of only six freshwater terminal lakes in the world, supporting a native fishery of tui chub, Lahontan cutthroat trout and Tahoe sucker, as well as numerous bird species including Eared and Western Grebes, Snowy Plovers, Common Loons, Great Blue Herons, American White Pelicans, and Double-crested Cormorants.

Upstream diversions of the Walker

River for agriculture have caused Walker Lake to drop drastically. As is the case with Mono or any other terminal lake, a dropping lake level means that less fresh water is available to dilute the salts and other chemicals, or total dissolved solids (TDS) within the lake water.

By 1994, as Mono Lake supporters celebrated the California Water Board

*Continued on page 18*

## Walker Lake Symposium 2000

by Jeff Darlington

The Walker Lake Symposium was held on Oct. 12–13, 2000, sponsored by the Walker Lake Working Group (WLWG).

The Mono Lake Committee had a strong presence at the Symposium. Committee staff members guided canoe tours, and Committee Board Member Martha Davis gave the evening keynote address.

In front of a diverse crowd of government representatives, Walker River Paiute Tribe members, water managers,

scientists, ranchers, fishermen, environmentalists, and local businessmen, Martha Davis related the Mono Lake story. She stressed that while the public trust battle is fought in the courts, the way to forge a lasting victory is to facilitate cooperation and collaboration among the various water users.

"Hopefully the lessons we learned in protecting Mono Lake can work for Walker Lake as well," Martha said.

The Symposium also featured a rehy-

dration ceremony and native Paiute blessing at the lakeshore, similar to the Committee's annual Restoration Days activities. The WLWG hopes to make the symposium an annual event that, along with their yearly loon tours, draws more public attention to Walker Lake and the difficult water issues it faces.

For more information on Walker Lake, contact the WLWG at P.O. Box 867, Hawthorne, NV 89415, (775) 945-8243, [shirlou@famtree.hawthorne.nv.us](mailto:shirlou@famtree.hawthorne.nv.us).

# Policy notes

by Heidi Hopkins

## Conway Ranch purchased jointly by Mono County, BLM

Last fall, Mono County and the Bureau of Land Management (BLM) celebrated their joint purchase of the north Mono Basin's historic Conway Ranch. The acquisition concludes a multi-year effort by numerous parties to permanently protect this ranch's historic open space.

The acquisition was facilitated by the Trust for Public Land (TPL), which in 1998 acquired the property, ending a controversial 440-unit commercial and residential development plan approved for the site along U.S. Highway 395. Earlier this year, TPL conveyed 811 acres to Mono County and 220 acres to the BLM for permanent public ownership. The complex transaction involved a land exchange with the BLM, and the use of federal grants earmarked for preservation of highway viewsheds and wildlife habitat.

The ranch controls senior water rights to Mill Creek, historically Mono Lake's third largest tributary. The acquisition will ensure public control of the water rights and their use for local wetlands and streams, as well as for fish-rearing in support of Mono County's tourist economy. The Committee has strongly


supported the protection of Conway's open space and is pleased that the acquisition now opens the historic ranch meadows and lands (once off limits) for the enjoyment of all members of the public.

## Fall restoration meeting hosted by DWP

In November 2000, DWP hosted a post-season restoration meeting. This was the fourth such meeting of interested parties that DWP has voluntarily hosted since the State Water Board issued its restoration decision in the fall of 1998. In attendance were the scientists who are monitoring restoration progress, state Fish & Game representatives, members of People for Mono Basin Preservation (by phone), the Mono Lake Committee, and a staff member from the State Water Board.

While their season's data is not yet fully compiled and analyzed, the scientists were able to generally describe their summer's activities and overall trends they're seeing. With the relatively low flows on the streams in 2000, there was nothing dramatic to report. But it is the painstaking collection of data each year—whether dry, normal, or wet—that ultimately will round out the picture of how adequately the Mono Basin is being restored.

## Community committee organized to propose new relicted lands resolution for county

The Mono County Board of Supervisors met in December to consider the possibility of rescinding the February resolution R00-12—which included language that serves to undermine the land base of the Mono Lake Tufa State Reserve. A full house attended the workshop where the board decided that because certain landowners were close to an agreement, but had not yet concluded their land use negotiations with the State, that the resolution should not yet be rescinded. The board set a new date in February to look at this issue again and to consider adopting a new resolution that would replace R00-12. At the request of one affected landowner, the board formed an ad-hoc citizen committee that includes local landowners and the Mono Lake Committee to try and shape a new resolution that works for everyone. It's the Committee's hope that this coalition can arrive at language that both protects the Mono Lake Tufa State Reserve and acknowledges the legitimate historic land use opportunities on relicted lands. 

## www.monobasinresearch.com

We've been putting a lot of work into the Mono Basin Clearinghouse at [www.monobasinresearch.com](http://www.monobasinresearch.com) so if you haven't checked this site recently then it's time for a visit! The following resources have been added to the site:

- Reports from Point Reyes Bird Observatory's Eastern Sierra Riparian Songbird Conservation Project
- State Water Resources Control Board hearing transcripts from the 1993-94

evidentiary hearings and the 1997 hearings on the restoration plans

- A political chronology of the protection of Mono Lake, and topic profiles of meromixis, alkali dust sources, waterfowl habitat, and creeks
- Point Reyes Bird Observatory California Gull research reports
- Mono Lake Microbial Observatory update including a description of their May 17, 2000 vertical water profile

- A 1895 map of California
- An initial list of GIS data sets from the Inyo National Forest
- New links on topics ranging from US Government Webpages to a macroinvertebrate identification key

The site is continuing to grow so if you know of current research or updates for the reports already posted email Greg Reis ([additions@monobasinresearch.org](mailto:additions@monobasinresearch.org)) at (760) 647-6595.



# Caltrans update

by Lisa Cutting

Caltrans trucks and machinery continue to roll along through the Mono Basin. We are watching and responding when necessary. As reported in the last issue, the Committee remains focused on the current Rush Creek Four-Laning Project and the proposed Mono Lake Highway Widening Project. The Committee is talking to the community, reviewing in detail Caltrans' proposed plan, and rapidly coming to the conclusion that the project shouldn't move forward.

The Committee's alarm over the Rush Creek Project has generated greater public and agency scrutiny. The Lahontan Region of the State Water Quality Control Board and Department of Fish and Game have been in the basin recently to observe ongoing construction work. Mono County is negotiating additional mitigation measures required as a result of excessive, unplanned Caltrans disturbance. And Caltrans project representatives have increased communications—keeping the Committee updated with their progress.

Despite these positive actions, the excessive damage to the landscape is still a daily reminder of what *can* occur. For this reason, the Committee is critically



Photo by Aya Degenhardt

Highway 395 north of Lee Vining along Mono Lake where the highway widening is slated to take place. Note how little visual disturbance the highway currently makes.

reviewing the planned project north of Lee Vining—the Mono Lake Highway Widening Project. We're meeting with Caltrans in order to better understand this project. We're working with Supervisor Joann Ronci in establishing an advisory task force. And we've raised our concerns at Mono Basin Regional Planning Advisory Committee (RPAC) meetings.

Even though construction along Mono Lake is not scheduled until 2004, it is important to voice concerns now. While the project has some positive goals—creating 8-foot shoulders for bikes, adding scenic turnouts, and addressing rockfall problems—the environmental and

visual impacts that would result are excessive. In particular, large cut and fill slopes, extensive retaining walls, and damage to wetland areas are not acceptable along Mono Lake's shoreline.

Indeed, if Caltrans wants to pursue this project in a place where the State of California has spent tens of millions of dollars—and where the City of Los Angeles has agreed to reduced water diversions—to protect the public trust, then Caltrans must meet the same high standard of environmental protection. 🐦

*Lisa Cutting is the Committee's Environmental Resource Coordinator.*

## Zoning issue resolved on Mono's west shore

by Geoffrey McQuilkin

Public land management guidelines, county zoning, and property owner desires are not, generally speaking, all expected to align in the rural West. But they recently did just that in a zoning dispute along Mono Lake's west shore.

For nearly two years Mono County has been working to update its zoning plans. As part of this review, some west shore owners found that their existing business operations would not be adequately covered. The resulting zoning

change proposal, however, would have put several properties into an overly broad zone allowing operations ranging from homes to pet kennels to helipads.

As part of the National Forest Scenic Area, uses of these kinds would not be allowed, but the groundwork was being laid for a conflict between future property owner expectations and the Forest Service regulations.

Current property owners, however, simply wanted to keep things as they are. So when Scenic Area Manager Roger

Porter explained to the Mono County Planning Commission that regardless of zoning, that he had the responsibility and the authority to enforce the Scenic Area guidelines, property owners spoke out in support of those guidelines.

In the end, the County created a special zoning designation that specifically allows current land uses, references the Scenic Area guidelines, and recognizes the authority of the USFS to determine "compatibility" of future development proposals.



Lakewatch

# Monitoring the public trust resources of the Mono Basin

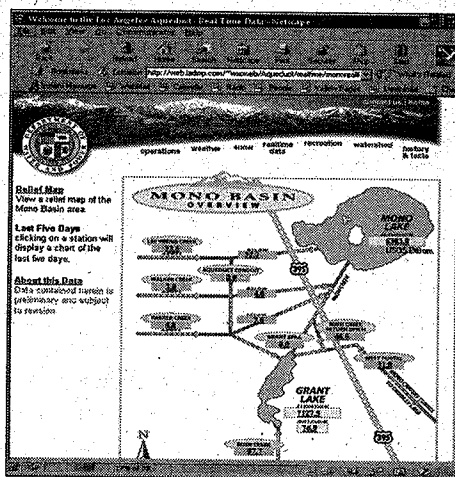
by Greg Reis

*"Once the state has approved an appropriation, the public trust imposes a duty of continuing supervision over the taking and use of the appropriated water. In exercising its sovereign power to allocate water resources in the public interest, the state is not confined by past allocation decisions which may be incorrect in light of current knowledge or inconsistent with current needs."*

—California State Supreme Court  
National Audubon Society v. Los Angeles 1983 Public Trust decision

The statement above summarizes why Mono Lake was saved. It also summarizes why Mono Lake will never be saved. And thus, it sums up why the Mono Lake Committee is here today, and one of the many reasons why our work continues in the Mono Basin.

No one is creating any more water, but we continue to add people and demands on our water supply. Through education and policy work we are not only strengthening the protection of Mono Lake in law and in public opinion, but we are also



LADWP's realtime Mono Basin hydrologic data Website.

beginning to restore the Mono Basin to its former ecological glory.

"Lakewatch" usually reports on stream flows and the lake level, two vital indicators of the health of the Mono Basin. Now you don't have to wait for this quarterly article anymore to find out how high the streams are, or how much water is being diverted. LADWP is posting real-

time hydrologic data for the Mono Basin on its new website at: <http://web.ladwp.com/~wsoweb/Aqueduct/realtime/monorealtime.htm>. This site, required by the Water Board, will make monitoring of the streams more efficient, and will make the Committee more effective in our Mono Basin watchdog role.

Never fear, though: "Lakewatch" will still report current lakelevel and streamflow information and analysis. So, as of early December, Mono Lake continued its autumn decline and stood at 6383.4 feet above sea level, its lowest in 2 1/2 years. But now, in addition to watching the WebCam to check in Mono Lake, online members can monitor Mono Basin creek flows—allowing anyone around the world with an internet connection to join in the protection and restoration of the Mono Basin ecosystem.

*Greg Reis is the Committee's Information Specialist. He's working on his desert-peaks-to-climb list this winter.*

## The Photopoint Project

The Mono Basin Photopoint Project is off and running! Armed with a camera, film, maps, and destination in mind, participants in the Committee's relatively new Photopoint Project embark on the essential task of documenting restoration around the basin. Five dedicated participants have already taken the benchmark photo for what will eventually be a series of yearly photos creating a visual representation of restoration over time.

Thanks to a start-up grant from the Advocacy Arts Foundation, the Photopoint Project began in August of

2000. Participants with all kinds of backgrounds and from Mono County and beyond expressed interest in the project. Often citing long histories with Mono Lake and the Mono Lake Committee, participants are enthusiastic about helping document restoration.

The photographs are posted at [www.monolake.org/photopoint](http://www.monolake.org/photopoint), a site that will continue to be updated as new photographs are taken. Based on the idea that restoration is part science and part art, the project will be just that—eventually becoming a tool to help illustrate the sometimes abstract concept

of restoration.

Reasons for participating are and will continue to be, as varied as the photopoints themselves. From the streams to the lakeshore, planned and unforeseen changes will be documented by project participants. If you are interested in participating in the program, or would like to know more about it, please contact Lisa Cutting ([lisa@monolake.org](mailto:lisa@monolake.org)) or Arya Degenhardt ([arya@monolake.org](mailto:arya@monolake.org)) at (760) 647-6595.

# **Mono Basin Journal**

*A roundup of less political events at Mono Lake*

*by Geoffrey McQuilkin*

**T**he full moon arcs high through the sky these cold, crisp winter nights; during the day, the sun charts a lower course, following an arc tugged toward the horizon. These are the subtle signs of winter. For a while, the sun crept a little further into homes each day, gaining a slight extra angle of entry into rooms looking for warmth. With the solstice now gone, the sunlight retracts; the path to summer begins, but the cold of winter is far, far from departure.

Walking to the lake is an ever changing experience. On a recent trip to the benchmark tufa, a surprising sound snuck through the pale willows and golden grasses: the not-so-distant rhythms of waves on the shore. I've been taking benchmark tufa photos for years, and I've imagined the rising lake approaching these legendary landmarks. The water hasn't arrived there yet, but the wave sounds are the advance notice. The photos now show the water out behind the towers, where two decades ago they showed alkali flats. A few years from now, it will be water lapping at the base of the



*Photo by Arya Degenhardt*

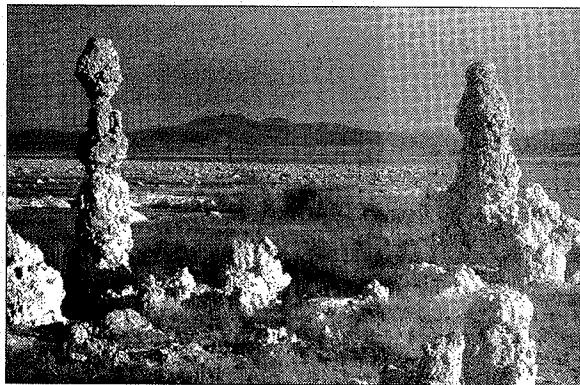
*A sheet of ice floating along the lake's surface.*

towers and, ultimately, halfway up the spires.

Along the west shore of the lake, the cold air tumbling off the mountains has chilled the ground deeply. Where springs still seep out along the lakeshore, they freeze into thin skims of ice that float on the lake's salty surface and spread out from the shore. Perfect reflections capture Negit and Black Point on the still water of the lake; sunrise pinks glow over pale Paoha; ripples radiate from a lone grebe plying the briny waters. All until the winds drift in, mere breezes at first, then full forces of their own presaging storm fronts ponderously advancing down the Sierra. As the wind first stretches and distorts the reflections across the lake, the ice begins to fracture; sheets launch on short, futile

journeys towards Nevada, and the wind seizes control, churns the water, flips the fragile frozen sheets, and the storm is underway. The next day the lake will be ice-free, the shoreline buried in snow, Black Point turned white, and the basin, once again, all new in appearance.

## **Benchmarks**



*Benchmark Tufa, 1982, lake level approximately 6372.*



*Photo by Arya Degenhardt*

*Benchmark Tufa, 2000, lake level 6383.4. Note all of the water in the lake through the willows!*

# Part IV: Los Angeles water—the soft path

by Frances Spivy-Weber

*Editor's Note: This is the final article in a four-part series that has examined the sources and infrastructure of Los Angeles' water. The other three articles, "A journey down the aqueduct," "From pueblo to city," and "Los Angeles' other water sources" can be found in the Spring, Summer, and Fall 2000 Newsletters.*

The Los Angeles Department of Water and Power (DWP), in its 2000 Urban Water Management Plan, sets a goal of meeting the challenges of growth by "pursuing cost-effective water conservation and recycling projects to increase supply reliability." This focus on wringing more water from existing water supplies is the theme that underwrote the protection of Mono Lake. In addition, DWP's positive experience with water use efficiency is proving to other water agencies that the so-called soft path—conserving and reclaiming rather than damming and diverting water—is equivalent to finding new supplies.

How is it possible that Los Angeles can expect to meet the bulk of its growth needs from conservation and reclamation? Annual water consumption in Los Angeles today is approximately 640,000 acre feet (AF) (one acre-foot equals 326,000 gallons). By the year 2020, the City expects to increase its water use to 800,000 AF. In the 1980s DWP's customers averaged a 2.1% growth in demand each year. Now, DWP expects the average annual increase in demand for water over the next twenty years will be 1.3%. Along with improved management of current water supplies and the City's groundwater basins, DWP forecasts that with continued improvements in water use efficiency there will be enough water available to the City to meet the 20-year needs of residents, business and industry, and government.

## Water Recycling

Over the next 20 years, DWP expects to increase its water supply with 74,000 AF of recycled water. Of that total amount, 42,000 AF will be used for recharging groundwater basins with highly treated water from local sewage treatment plants and nearly 32,000 AF will be used for



Photo by Arya Degenhardt

Committee board members and staff on a tour of the East Valley Water Reclamation Project with DWP.

irrigation, industry, and seawater intrusion barrier purposes.

The importance of reusing wastewater from sewage treatment plants lies in the nature of water. There is no new water. Yet, the wastewater stream is growing by leaps and bounds. It makes sense to reuse a source of water that is increasing—if it can be done safely. And, therein lies the challenge. As scientists improve their knowledge about health risks from recycled water, Federal and State regulatory agencies must add new rules or tighten old ones to ensure safety standards. As scientists learn more about effective water treatment, the cost of treatment is going down.

The Mono Lake Committee has made the challenge of turning recycled water into a safe water supply a high priority. The Committee will use its experience to help target federal and state dollars

toward Los Angeles reclamation and conservation projects. Now the focus is on helping Los Angeles and other water agencies secure the funds that are needed to provide treatment. The Committee will also use its experience in education and outreach to help the public understand the relative risks associated with recycled water in order to make informed choices about public investments in water reclamation and conservation.

## Water Conservation

Over the next 20 years, DWP also expects to use conservation measures to meet a substantial portion of increases in Los Angeles' water demands. One of the most successful conservation measures in Los Angeles has been the Ultra-Low-Flush Toilet (ULF) Replacement Program, which offers rebates and direct distribution of toilets by community-based organizations. Over \$83 million of its total \$100 million investment in conservation since 1990 has been used to install almost 900,000 ULF toilets in the City. DWP will continue to distribute these toilets and it estimates current water savings will double to over 66,000 AF per year by 2020.

Since the early 1900s when the City installed water meters, causing a 30% reduction in water use, water conservation in Los Angeles has come to its citizens through regulations, technology, financial incentives, and education.

- Between 1988 and 1999, the City adopted regulations requiring water-efficient landscaping in new construction, restructuring the price of water to encourage conservation, and mandating the installation of ULF toilets in single-family homes prior to resale.
- The City has promoted conservation technologies, such as ULF toilets and showerheads, and more recently, toilet flappers and water and energy-efficient washers for which there is a

Continued on page 13



Continued from page 12

High Efficiency Rebate Program at DWP. For landscaping there is a pilot program evaluating the effectiveness of evapotranspiration devices and a proposed program using a weather-based irrigation timer, which controls water application based upon actual local weather conditions.


- DWP gives financial incentives to residential, commercial, and industrial customers to retrofit their plumbing. The Department is developing a pilot program to provide city facilities with loans for water conservation incentives to commercial and industrial customers. DWP will also seek to enhance the incentives in its pricing structure.
- To support the statewide conservation effort, DWP is active in the California Urban Water Conservation

Council. This Council of agencies, environmental organizations—including the Mono Lake Committee—and water-related businesses monitors implementation of fourteen Best Management Practices for conservation.

- In addition to the programs described above, DWP is part of a regional effort to increase the capture and reuse of rain water on residential, school, and business sites.

Over the last decade the Mono Lake Committee has played an important role in DWP's conservation program. The Committee has helped support water conservation and recycling in many different ways—from helping to raise state and federal funds to educating inner

city youth through the Outdoor Experiences program. It is our goal to help Los Angeles develop even better and more aggressive water conservation programs in the future.

Lastly, DWP has done an excellent job on conservation in recent years—allowing the protection of Mono Lake without transferring water demands to other areas—and the Committee knows that Los Angeles is only beginning to scratch the surface of what is possible. 

*Frances Spivy-Weber is the Committee's Executive Director of Policy. She is planning a weekend ice-breaking canoe tour in January.*

## Free Drawing winners!

Thank you to everyone who participated in the free drawing and to the wonderful sponsors who made the event possible. We are happy to announce this year's winners....

Mono Lake Committee Field Seminar gift certificates go to Steve Brown of Mansfield, Pennsylvania and Mark Lewis of San Diego. A Mono Lake Library will be sent to David Livingston of Cayucos and Fred and Marianne Jacobs of Petaluma. Linda Petrilla of Placentia, Jack Robbins of Berkeley, and Eugene and Rita Russell of N. Highlands won Obata Artwork Packages. Mono Lake Gift Packs go to Ronald Orozco of Mammoth Lakes, Bruce Rorty of Palos Verdes, and Carol Wiley of Victorville.

The Flyfishing Package donated by The Trout Fitter in Mammoth Lakes was won by Ron Starr of Mohave Valley, Arizona. Watersaving showerheads donated by Whedon Products were won by Yvonne Israel-O'Hare of San Francisco and Richard Webster of San Diego. A black and white print by Richard



Photo by Arya Degenhardt


Event Coordinator Shannon Nelson and Membership Coordinator Brett Pyle chose this year's lucky winners.

Knepp goes to Bill and Pam Herrera of Walnut Creek.

Diane Harlan of Dublin won the Birdwatching Kit donated by Eagle Optics and the Mono Lake Committee. Ed Grat of Santa Barbara won gear donated by Patagonia and REI. The Friends of the River Whitewater Adventure was won by Adelia Lichau of Petaluma. Del Hodges of Sonora won the Mono Basin Weekend with donations from Murphey's Motel, The Lee Vining Market and the Mono Lake Commit-

tee. Joel Fithian of Santa Barbara won a weekend at Sorensen's Resort in Hope Valley. The Mammoth Getaway weekend with donations from The Royal Pines Resort and The Chart House was won by Ed Kern of Redwood City. Sara Calhoun of Martinez won a June Lake Weekend with donations from Reverse Creek Lodge and the Mono Lake Committee.

A great package of deluxe camping gear donated by Wilsons Eastside Sports was won by D.S. and B.J. Young of Sparks, Nevada. Gordon Frankie of Berkeley now has a 2000-2001 ski pass to Mammoth Mountain donated by Mammoth California. Dr. Carl Hopkins of Los Angeles won two round-trip airline tickets on Southwest Airlines. And Chester Kaczanowski of Dearborn Hts, Michigan now has a signed Ansel Adams Lithograph, donated by The Mono Inn at Mono Lake and The Ansel Adams Gallery.

The funds raised from this event go to help restore the Mono Basin, protect this natural resource, and educate people about Mono Lake. Thank you for your support! 

# Field Seminars 2001



## California Gull Research: Gull Response to a Rising Lake

Dave Shuford / Point Reyes Bird Observatory,  
May 24-28

\$120 per person per day; overnight; meals included

Join a research team directed by the Point Reyes Bird Observatory and Cornell University in collecting data on the gull colony. Gain hands-on experience in field survey techniques while investigating whether the lake's changing chemistry—due to Mono's recent lake level increase—is affecting gull reproductive success. Your help is needed in continuing this important research. The rare adventure of visiting Mono Lake's spectacular Negit Islets and observing at close quarters the second largest California Gull rookery in North America is for the stout of body and heart. Please contact the Field Seminar Desk for more information on this unique Mono adventure.

***Call (760) 647-6595 to register***

## Birds of the Eastern Sierra

David Lukas, June 9-10

\$95 per person/ \$80 for members

This field seminar will focus on the identification and ecology of birds in the Mono Basin. We will visit a wide variety of habitats, including desert scrub, marshes, riparian forests, and mountain slopes in search of breeding and migrating birds. With nearly 300 species having been observed in the Mono Basin, this course will interest both beginning and more advanced birdwatchers. We will intensively explore a number of sites, mixing short leisurely walks with periods of observation and discussion, taking time to learn about birds by watching them closely. Walks will be chosen for their accessibility, but participants should be prepared and capable of wandering off-trail in pursuit of special sightings. David Lukas lives in the Sierra Nevada and has led over one hundred birdwatching and natural history programs for the Nature Conservancy, Audubon Society, Elderhostel, and others. David is currently writing a Great Basin bird book and co-authoring a guide to Sierra Nevada birds.

# Field Seminars 2001

## California Gull Research: Chick Banding

Dave Shuford/Point Reyes Bird Observatory, July 1-4  
\$120 per person per day; overnight; meals included

This seminar will focus on the actual banding of the gull chicks of the Mono Lake gull colony. See description of California Gull Research seminar above for more details.

## Miwok Seed-Beater Basketry

Lucy Parker, June 29-July 1  
\$135 per person/ \$115 for members (primitive group  
campsite included)  
\$50 materials fee

Learn to weave a miniature seed beater basket in the tradition of the regional Yosemite Miwok. Participants will prepare and use willow strings and whole shoots to make a miniature oval basket. Plain twining will be used, and split California red bud and creek dogwood will be added to create design bands. This small oval-shaped basket was traditionally used for gathering grass seeds. Lucy Parker is a descendent of the Yosemite Miwok, Mono Lake Kutzadika'a, and Kayasha Pomo peoples. She learned traditional handiwork from her mother, a master basket weaver, and will pass on some of her knowledge in this special three-day/two-night camping seminar. You do not have to camp to participate, but the evenings will be spent around the campfire with traditional songs and stories. **This seminar is designed for those with prior basket weaving experience.**

## Mono Basin Wildflowers

Mark Bagley, July 7-8  
\$95 per person/ \$80 for members

From the sagebrush scrub to the aspen forests of Lundy Canyon, the Mono Basin is home to a wide variety of wildflower habitats. This workshop is for beginners, as well as dedicated wildflower enthusiasts who want to know more about the plant life of the Mono Basin. We will learn to identify many common wildflowers, trees, and shrubs. We will also review the names of some basic plant parts, describe how to identify an unknown plant and learn how to recognize a few California's most important plant families. Mark Bagley is a full-time consulting botanist in the Eastern Sierra and Mojave Desert. Mark is well-known among past seminar participants for his easy-going pace and engaging teaching style in the field.

## Ancient Landscapes of the Mono Basin

Wally Woolfenden, July 14-15  
\$95 per person/ \$80 for members

Climate and volcanism have been the chief architects of Mono environments during the past several millennia. Vegetation associations, animal populations, lake levels, weathering rates, glaciers and, more recently, human communities all responded to dramatic changes in climate. Occasional eruptions of magma created numerous rhyolite domes and covered the area with pyroclastic flows and ash. Prehistoric people also left their imprint on the landscape. This field seminar will explore geological and archaeological sites throughout the Mono Basin area and discuss the evidence and methods used by scientists to reconstruct past environments and human cultures. Dr. Wally Woolfenden has lived and worked in the Sierra Nevada as an archaeologist and paleo-ecologist for the Forest Service over the past two decades. He has recently studied vegetation and climate history from pollen deposited in the sediments of Owens Lake and Glass Creek Meadow. This seminar will involve moderately strenuous hiking into unique Eastern Sierra landscapes.

## Mono Basin, Bodie, and Full Moon ~ Photography

Don Jackson, August 3-6  
\$235 per person/ \$195 for members

Join award-winning photographer and 15-year Monophile Don Jackson in exploring and photographing the wonders of the Mono Basin and Bodie State Park during the full-moon weekend and peak phalarope visitation. This four-day workshop will be a combination of field sessions and classroom work. Topics covered include the art and technical aspects of creating impactful images, composition, perspective, lighting and exposure, the Zone System, new films, and more. Critiques of participants' work will be an important part of this workshop. Open to color as well as black and white photographers that have a fully-adjustable camera (35mm to view camera) and a basic understanding of its operation.

**Call (760) 647-6595 to register**

# Field Seminars 2001

## High Country Wildflowers

Ann Howald, August 11-12

\$95 per person/ \$80 for members

Late summer is the perfect time to enjoy the botanical riches of the eastern High Sierra. During meandering walks at about 10,000' we'll see streamside red columbine and blue larkspur, yellow sunflowers on the shores of subalpine lakes, a myriad of subalpine meadow wildflowers and their pollinators, all the conifers of the subalpine forest, and even some of the Sierra's above-timberline alpine beauties. We'll focus on plants of all kinds, but won't ignore the birds, bugs, and furry critters that keep them company. All of our leisurely walks will be in areas of moderate terrain. Ann is a biology teacher at Santa Rosa Junior College who has spent more than 25 summers teaching plant classes and studying plants in the eastern Sierra.

## Pomo Tule Work Basketry

Lucy Parker, August 24-26

\$135 per person/ \$115 for members (primitive group campsite included)

\$60 materials fee

Pomo Tule work baskets were traditionally made by men for fishing materials and tools. Today, Pomo tule work baskets are used for a variety of everyday work tasks. Made of seasoned tule gathered in the fall and winter months these materials are dampened to make them pliable for weaving. A plain twine technique will be used with a three-strand twine for design. Lucy Parker is a descendent of the Yosemite Miwok, Mono Lake Kutzadika'a, and Kayasha Pomo peoples. She learned traditional handiwork from her mother, a master basket weaver, and will pass on some of her knowledge in this special three-day/two-night camping seminar. You do not have to camp to participate, but the evenings will be spent around the campfire with traditional songs and stories. **This seminar is designed for those who either wish to learn a new basket material technique or are beginning basketweavers.**

## Surviving on the Edge: Sierra Bighorn Sheep in the Mono Basin

John Wehausen and Karl Chang, September 1-2  
\$120 per person/ \$105 for members

Controversy surrounds the fate of the Sierra bighorn, one of the most endangered mammals in North America. (USFW service listed the Sierra Bighorn Sheep as Federally Endangered in 1999). This field seminar will involve discussions of the biology and conservation of these animals with attempts to view them. This seminar involves strenuous hiking at the 10,000-foot elevation and above. There is a good chance of seeing Sierra bighorn sheep in the wild during this seminar, but no guarantee. John Wehausen is a research scientist at White Mountain Research Station in Bishop. He has been investigating various aspects of the Sierra bighorn and working for their conservation since 1974. In the late 1970s he initiated the restoration program that brought bighorn back to the Mono Basin. This field seminar is being offered in cooperation with the Yosemite Association.



## Paoha Island Kayak

Stuart Wilkinson and MLC Staff, September 8  
\$75 per person/ \$65 for members

Wind and weather permitting, visit Paoha Island for a picnic lunch. Join Stuart Wilkinson and a Mono Lake Committee staff member for a guided naturalist expedition to Paoha Island. Your leaders are well-versed in Mono Lake geology, ecology, history, and politics, and this natural history kayak tour will cover a wide variety of topics relating to this unique high desert lake. Plan on four to five hours for the tour. Some kayak experience is recommended for this trip. Kayaks and safety equipment are provided. This seminar is offered for the sixth year in a row, and is highly rated by past participants.

## Fall Bird Migration

Dave Shuford, September 8-9  
\$95 per person/ \$80 for members

The east slope of the Sierra Nevada is a major migration route for birds traveling from northern nesting areas to warm southern habitats. As a result, early autumn is the time of year to see the greatest diversity of landbirds, shorebirds, and

**Call (760) 647-6595 to register**



# Field Seminars 2001

waterbirds in the Mono Basin and on Crowley Reservoir. Dave Shuford has been a staff biologist at Point Reyes Bird Observatory for twenty years. He has conducted numerous surveys and research projects in the Mono Basin and beyond, and is well acquainted with where to find birds in the Eastern Sierra. This is one of our most popular field seminars so register early for this one!

## Drawing Mono

Moira Donohoe, September 22-23  
\$95 per person/ \$80 for members

Deepen and preserve your Mono Lake experience in a unique portfolio of your own drawings in this new weekend workshop. There will be instructor demonstrations, material discussion, and non-threatening and constructive group/individual critiques. Using the simple materials of charcoal, ink, brush, and graphite on paper, record your impressions of strange and mysterious Mono. We will spend most of each day in the field drawing. Moira will cover basic drawing techniques while encouraging individual style. Moira is a professional artist, art instructor, and long-time resident-artist of the Yosemite area. She holds a degree in Fine Art from Northern Arizona University and a Masters Degree in Painting and Drawing from CSU Fresno. She has shown her work professionally since 1983. This seminar is appropriate for beginner, intermediate, or advanced artists who want to further their skill with an experienced area artist.

## The Story Behind the Land: Geology of the Mono Basin

Tim Tierney, September 29-30  
\$95 per person/ \$80 for members

The Mono Basin is a geological showcase, featuring young volcanoes, glaciated landscapes, stark mountains, and weird mineral towers, all set about ancient and saline Mono Lake. Explore this land with geologist Tim Tierney (UC Santa Barbara instructor and author of the Committee's field guide *Geology of the Mono Basin*) and learn how to recognize the geology, know the reasons behind why things have happened, and what the future may hold. The first day of the seminar will be spent gaining an overview of the area via car and short walks. The second day will focus on thoroughly exploring a few select areas with extended hikes. Cool fall colors and brilliant colors will highlight the geologic wonders of this popular field seminar.

**Call (760) 647-6595 to register**

## Mono Basin Fall Photography

Richard Knepp, October 5-7  
\$165 per person/ \$135 for members

Autumn in the Mono Basin is one of the greatest photographic experiences in the country. Spectacular foliage and skies combine with exceptional light, presenting ample subject matter for photographers in both color and black and white. Join accomplished photographer Richard Knepp to explore varied shoreline locations at sunrise and sunset, and fall color in nearby canyons. Beyond his photographic expertise, Rick is intimately familiar with the Eastern Sierra and Mono Lake locale. Subjects for discussion include composition, exposure techniques, filtration, basic theory of the Zone System, and developing a personal vision. Photographers of all levels are welcome; a fully adjustable camera of any size or format is suggested. This photographic seminar is offered for the sixth year in a row, and is highly rated by past participants.

## Registration Information

Call the Mono Lake Committee at 760-647-6595 and ask for the seminar desk to register. A more complete seminar description is available upon request. Sorry, we cannot accept registration by mail.

### • Registration •

Seminars are limited to fifteen people except where noted. If a seminar receives less than six participants, the seminar will be cancelled two weeks in advance and full refunds will be given. If you cancel three weeks prior to the seminar start date, we will refund your payment (less a \$10 processing fee).

No refunds after that date, but tuition can be applied to another class in 2001. We accept VISA, MasterCard, and Discover or personal checks payable to the Mono Lake Committee. Participants must sign a liability release form. All seminars operate under permit from the Inyo National Forest.

### • Discounts •

Mono Lake Committee members receive discounted seminar prices where noted. If you are not a current member of the Mono Lake Committee, you may receive the discount by joining when you register.

### • Yosemite Association partnership •

For more information on Yosemite Field Seminars contact the Yosemite Association at: PO Box 230, El Portal, CA 95318 Phone: 209/379-2321 Fax: 209/379-2486

*Continued from page 6: Rescued*

told the Mono Lake story with all its David-and-Goliath-like qualities. I told how a small but extraordinarily dedicated group of people called the Mono Lake Committee had fought for the lake and, seemingly against all odds, had won. When I finished, I wondered if my intended message of hope had come through the translation. The roomful of smiles told me it had.

Several years later, the battle to restore our aquatic ecosystems is gearing up in earnest. Here in the United States, we are committing \$8 billion to repair Florida's Everglades, the famed river of grass. We are rethinking the costs and benefits of dams—both globally and nationally—and are deciding to operate some differently, not to build others, and even to take some down. Following the 1999 demolition of Edwards Dam in Maine, alewife, shad, and Atlantic salmon are returning in amazing numbers to the now free-flowing lower Kennebec River. A coalition of Mexican and U.S. groups is pushing for increased flows through the devastated Colorado River Delta. Even in the impoverished Aral Sea region, efforts are underway to improve the health of the people and a small portion of the ecosystem. And, of course, Mono Lake continues to rise.

The Mono Lake story offers compelling evidence that grassroots activism can indeed change the course of events, and that conservation can enable human needs to be met while protecting the water environment. Most of all, it is proof of the power of a guiding ethic that says our precious waters are held in trust for the public and deserve protection. A tale worth telling. A message of hope.

*Sandra Postel is the author of Pillar of Sand (W.W. Norton 1999) and of Last Oasis (W.W. Norton 1992), which now appears in nine languages and was the basis for a PBS television documentary that aired in 1997. From her base in the Connecticut River watershed, she works to promote more sustainable use and management of the world's freshwater through research, writing, teaching, consulting, and public speaking.*

*Continued from page 7: Walker Lake*

decision, Walker Lake had dropped to a level 138 vertical feet lower than it stood in 1882, losing half its surface area and 72% of its volume. TDS had increased fivefold, and prevented tui chub eggs from hatching. The lake was only a few inches away from losing its fishery entirely.

Five successive wet winters gave Walker Lake a temporary reprieve, but last year's snow pack was below normal. The Walker River is currently over-allocated to the point where it takes 143% of normal flow just to satisfy agricultural allocations. The Walker River stopped flowing into Walker Lake last fall. This means that the lake is now only four years away from losing its fishery unless it gets water from the Walker River, which supplies over 90% of its inflow.

Walker Lake and its fishery provide the basis for tourism which accounts for about 40% of surrounding Mineral County's economy.

In 1992 a small group of Mineral County citizens founded the Walker Lake Working Group (WLWG) in an attempt to save Walker Lake and the surrounding ecosystem. While the WLWG has raised public awareness of the problem, its attempts to negotiate a settlement with water rights holders have not been productive.

Last July, the WLWG and Mineral County filed an historic petition with the Nevada Supreme Court: "comprising the first case to directly place at issue the purposes, scope, and duties imposed upon the State by the public trust doctrine."

After review, the Court found the petition to have merit and referred it to the State of Nevada, asking them to show cause as to why the Court should not hear the case.

The state responded by saying that the issue is a federal matter and must be settled at the federal level, a move which effectively attempts to abrogate the State's public trust responsibilities in the Walker Basin. The Nevada Supreme court is currently deciding whether to hear the case.

Just as organizations such as the Audubon Society and California Trout helped the Committee in the battle for Mono Lake, the Committee is lending support to our neighbor to the north. Committee attorneys are now preparing to file an amicus (friend of the court) brief in

support of the WLWG/ Mineral County petition to apply the Public Trust doctrine to Walker Lake.

WLWG chairman Lou Thompson asked the Committee to give canoe tours on Walker Lake at the Walker Lake Symposium last November. I told him that I would bring the canoes, but that the chances of getting calm weather during the afternoon were probably iffy at best.

The morning session at the convention center featured representatives from the Walker River Paiute tribe, a hydrologist, and officials from state and federal agencies. The gist of the morning's presentations was that the Walker River now stopped about 800 yards short of flowing into the lake, and that without timely inflow the lake's fishery would die in four years. After receiving the sobering facts, it was definitely uplifting to go down to the lakeshore and see members of the Walker River Paiute Tribe conduct their ceremonies. Ancient Paiute songs once again echoed off of the stark mountains rising from the lake's western shore. One elder explained that he was casting coins into the waters so that the lake would be able to buy itself what it needed. Finally, tribal members standing next to the waters edge poured freshwater into the lake.

We then proceeded to our launch area to find that the clouds had cleared away, there was no wind, and it was a perfect day for canoeing. Paddling along the lake's southern shore, we saw numerous birds including pelicans, cormorants, herons, and grebes.

After reaching the lake's southern terminus we turned to the north and heard a faint call in the distance. Stowing our paddles, we floated and listened intently.

Emanating from somewhere towards the center of the lake came the call of the Common Loon. These plaintive, haunting cries were at once the very sound of all that is wild in the world ... and the most eloquent possible plea for the life of this strange desert lake.

*Gary Nelson is the Committee's Canoe Tour Supervisor. His tours on both Walker and Mono Lake are an experience not to be missed!*

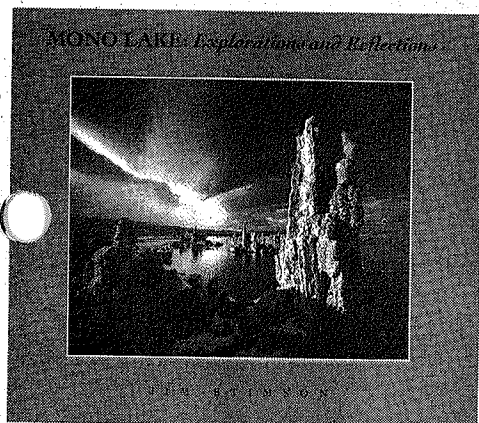
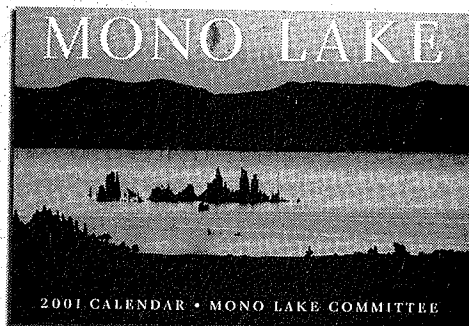
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With 12 full-color monthly images as well as insets of birds, flowers, and tufa towers, the 2001 Mono Lake Calendar captures the seasons and the beauty of the Mono Basin. Keep the Mono Basin's rushing creeks, spectacular sunsets, fall colors, snowfall on tufa towers, and the rising lake with you all year long. Featuring photographs by Kennan Ward, Larry Ulrich, Dennis Flaherty, William Neill, Jim Stimson, and more, this calendar will bring the Mono Basin to your home or office.

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Show your support with this double-insulated commuter mug by Aladdin. This Mono Lake Committee mug comes in both blue and green with a silver logo. Each mug stands 6 3/4" tall, holds 1 1/2 cups of your favorite hot or cold beverage. *Travel mug, specify blue or green: \$5.95 (#3615)*

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This coffee table book has full page color plates with an essay by noted writer and professor Charles Wilkinson. Stimson's stunning photography interwoven with notes on the political history of the Mono Basin, evokes a powerful message for preservation, and invites you to become part of Mono Lake. Jim Stimson has lived in the Eastern Sierra for 26 years, and was awarded the Sierra Club Ansel Adams Award for exemplary use of still photography to further environmental awareness.  
*Hardcover, Orion Publications, 115 pages, measures 12 1/4" x 11 1/4": \$55.00 (#806)*

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# Restoration Days 2000

by Jeff Darlington

**T**hanks to all those who came to see us at Restoration Days 2000! Your participation made the event successful in many ways. It was great to see long-time members and new supporters at our annual celebration of Mono Lake, and was nice to enjoy fun activities at the lake with all of our friends.

For those of you who couldn't make it, Restoration Days 2000 included events such as a garden reception with book and poster signing, the traditional Rehydration Ceremony and Annual Meeting, restoration walks, tours and projects, a Paiute basketry seminar, campfire s'mores and story-telling, State of the Lake and Living Lakes presentations, and lots of opportunities to discuss Mono Lake with Committee staff, directors, members, and friends.

Special thanks to those who contributed their time or services to Restoration Days, including Dave Martin, Jim Hetrick, Dave Carle, Genny Smith, Lucy Parker, Vireo Gaines, Daniel Klaus, Dave Marquart, Nick Buckmelter, Don Banta, Jim Stimson, Mono County, Los Angeles Department of Water and Power, Mono Lake Tufa State Reserve, Mono Basin National Forest Scenic Area, Walker Lake Working Group, Lee Vining High School, and Ross Middle School.

We hope to see you all again soon!



Photo by Bartshe Miller

Restoration Days participants making their annual pilgrimage down to the lakeshore for the rehydration ceremony.

## Mono Lake Luxury Bus Tour

**P**henomenal fall weather, a group that felt like long-time friends reunited, and gourmet wine and food—it was as if the Mono Lake Luxury Bus Tour last September was blessed! Under the guidance of Mono Lake Committee board member emeritus Grace de Laet and her husband Rick, no detail was overlooked!

California Parlor Car Tours provided an incredibly comfortable bus and a tremendous driver, Bob Johnson. Bob's anecdotes and knowledge of the region kept everyone entertained and informed. Highlights of the trip include:

- Gourmet meals at the Knight's Ferry Resort, the Mono Inn at Mono Lake, the County Park with Anything Goes catering, the Double Eagle Resort in June Lake, the Ahwahnee Hotel, the Tenaya Lodge, and at Espana Restaurant in Los Baños;
- excursions in the Mono Basin: canoeing, birding, exploring Bodie, walking along Lee Vining Creek, and strolling at South Tufa;
- stops in Yosemite at Olmstead Point overlooking Cloud's Rest, Tenaya Lake, El Capitan and Bridal Vail Falls, and the Giant Sequoia grove;
- a guided tour of the San Luis Wildlife Complex with John Fulton of the U.S. Fish and Wildlife Service;

- seeing the Zee Zee Mott painting exhibit at the Mono Inn.

The next chance to tour the Mono Basin and Yosemite in style is Friday, June 22 through Monday, June 25, departing from Los Angeles. For more details contact Shelly Backlar ([shelly@monolake.org](mailto:shelly@monolake.org)) at (818) 716-8488.

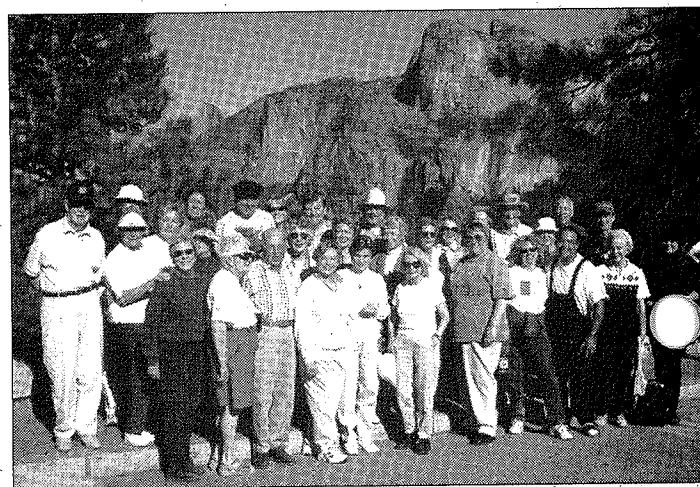


Photo by Bob Johnson

Luxury Bus Tour 2000 participants in Yosemite.



# High Sierra Fall Century 2000

by Shannon Nelson

**T**he Sixth Annual High Sierra Fall Century was a great success! Over seven hundred and fifty riders joined us for a fun (except when fighting tough headwinds near Wildrose Summit) day of cycling in the Eastern Sierra.

Highlights from last year's ride included the Mono Craters stop adopted by the Mono Lake Committee which had a water theme—complete with kayaks filled with cold drinks. This year's surprise stop was the Wildrose Lounge complete with rehydration cocktails.

The 2000 ride was dedicated to the memory of Dr. Mark Milford who was tragically killed in a car accident while going to participate in the Fall Century in 1999. A group of his friends decided to ride in this year's event, started training, and formed a non-profit organization, Ride to Remember, to raise funds for a scholarship in Mark's name. After months of hard work sixty Ride to Remember riders joined us on the course to celebrate the life of their friend Mark.

Have you always wanted to ride a century? Here is your chance to ride and support the Mono Lake Committee at the

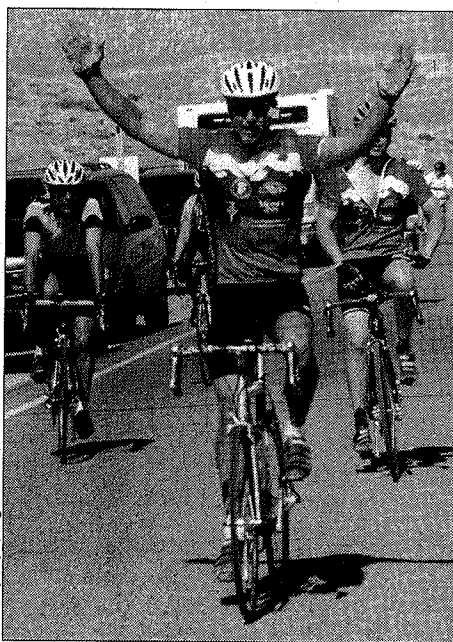


Photo by Arya Degenhardt

*Eastern Sierra resident and bicycling enthusiast Jack Trefry in a dramatic crossing of the High Sierra Fall Century finish line.*

same time. Start training now and we will see you on September 15, 2001. For more information contact Shannon Nelson ([shannon@monolake.org](mailto:shannon@monolake.org)) at (760) 647-

6595 and visit [www.monolake.org/century](http://www.monolake.org/century) too.

The Mono Lake Committee and the Sierra Cycling Foundation would like to thank the following sponsors whose support made this event a great success.

Barkley Meat Company • Base Camp Café  
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Designs Unlimited  
Eastern Sierra Cycling Service  
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Whiskey Creek and Mammoth Brewing Company



## Sponsors make bus tour a success

by Shelly Backlar

**S**pecial thanks to Mr. Bipin Ramaiya, President of California Parlor Car Tours and to our stalwart bus driver, Bob Johnson. We thank George Peyton and Kent Rosenblum of Rosenblum Cellars for donating two cases of their finest wines. Thanks also to St. Supery and Robert Dalvi Cellars for discounts on their selections. We thank Beverly Hay, owner of Knight's Ferry Resort, and Shelley Hay, Sarah Adams of the Mono Inn, Susan Beck and Mary Pipersky of Anything Goes Catering in Mammoth

Lakes, Connie Black of the Double Eagle Resort, Gene Hagberg of the Tenaya Lodge, and John Fulton of U.S. Fish and Wildlife Service. Finally thanks go to all of the Mono Lake staff and volunteers who guided us all over the Mono Basin.

And a special thank you to Grace de Laet—the underlying inspiration behind the Mono Lake Luxury Bus Tour. Grace's undying devotion to protecting and restoring Mono Lake has helped to sustain the Committee from the beginning. Alarmed by Mono's plight she has

spearheaded numerous fund raising events including the luxury bus trip to Mono Lake in the early '80s, and she did it again in 2000.

Over the years I've developed a treasured friendship with Grace and her husband Rick, and I've had the rare fortune to know this wonderful person whose tremendous conviction is surpassed only by her loving heart. Thank you Grace for your insight, for your guidance, and for your gentle spirit.



## Summer employment at the Committee!

**T**ake the job of a lifetime and come work for the Mono Lake Committee in the Summer of 2001! We have openings for five Interns, one Sales Assistant, and one Outdoor Experiences Coordinator.

**Interns** guide interpretive canoe tours on Mono Lake, lead interpretive walks in the Mono Basin, participate in environmental education programs, assist with communications and policy projects, and staff our busy information center and bookstore. We're looking for outgoing and enthusiastic individuals dedicated to solving environmental problems and able to communicate the Committee's mission to the public. Five internships are available for the summer of 2001, approximately late May through mid September. 40 hours/week, \$6.25/hour, housing available for \$100/month, bookstore discount, vehicle required.

The **Sales Assistant** works with our Retail & Wholesale Operations Manager to run the information center and bookstore. Retail experience, customer service skills and a desire to talk about Mono Lake are preferred! 40 hours/week from May through September, \$7.50-\$8.50/hour.

The **Outdoor Experiences (OE) Coordinator** shares responsibility for our educational program for groups of up to 25 inner-city youth, ensuring a safe, educational and enjoyable trip for visitors to the Mono Basin. The OE Coordinator develops and leads interpretive programs designed to give young people an appreciation for nature, the environment, and the Mono Basin watershed. Education and/or outdoor recreation experience



*Photo courtesy of Sally A.*

*Mono Lake Committee interns, staff, and friends working on a restoration project down at the County Park.*

preferred. Full-time exempt position from mid-May through mid-October, \$1,473/month.

For more information, please contact Office Director Jeff Darlington ([jeff@monolake.org](mailto:jeff@monolake.org)) at (760) 647-6595 or check out our job listings at [www.monolake.org/committee/jobs.htm](http://www.monolake.org/committee/jobs.htm).

## Staff migrations

**A** number of off-season migrations took place last year. We are extremely grateful for the help of those who stuck around long enough to see the first snow!

We couldn't have made it through the busy fall education season without the help of Santiago Escruceria. Now off to join his fiancée Lisa in Sonoma County we wish you both the best!

We've said good-bye to summer and fall intern Paul McFarland, but happily we still get to see him around! Paul is still in town and now works for Friends of the Inyo—congratulations!

Matt Moule is off to Utah to join former staff member Mike Klapp at Alternative Youth Adventures. We know you are both doing great things out there and hope that you will

come back to visit us every once-in-a-while.

We reluctantly sent volunteer Mona Kremer back to home to her friends, family, and German bread early this winter. Her work on translating the Living Lakes website ([www.livinglakes.org](http://www.livinglakes.org)), gathering GIS data layers for the digital archive ([www.monobasinresearch.org](http://www.monobasinresearch.org)), and her sense of humor are already missed.

We also bid farewell to summer and fall intern Sang Kim. Sang's connection to Mono Lake began through the Outdoor Experiences program and we know we'll be seeing him up here again soon!

# Member Corner: News from the membership desk

by Brett Pyle

## Celebrations

**D**iana, Rob, and Kathryn Dickerson of Windsor wish much happiness to **Craig and Kimberly Schieferstein** and made a donation in celebration of their wedding. Numerous donations were received in honor of **Grace de Laet** for the wonderful time everyone had on the Luxury Bus Tour last September. Donations came from **Mary Elizabeth Burton, Margaret Lee Blunt, Lorelee Durkee, Patricia Elward, Georgette and Pauline Goslovich, June Jones, Ben Slattery, Mary C. Wagner, and Betty and John Wood.**

Special thanks to the **Fresno Audubon Society, Tehipite Chapter of the Sierra Club, and the Sequoia Chapter of the California Native Plant Society,** for the generous donation of the proceeds from their yearly auction benefiting Mono Lake.

## Bequests

**W**hen you make a gift to the Mono Lake Committee as a part of your estate planning you are helping to ensure the long-term protection and restoration of Mono Lake and the Mono Basin ecosystem. What a wonderful way to be remembered!

If you would like to include the Mono Lake Committee in your will, designate the Mono Lake Committee as a beneficiary at the following address: Highway 395 at 3rd Street, Vining, CA 93541 (mailing address: Box 29, Lee Vining, CA 93541). For more information contact Membership Coordinator Brett Pyle ([brett@monolake.org](mailto:brett@monolake.org)) at the above address or at (760) 647-6595.

## In Memory

**L**orraine Dyson of Placerville made a donation in memory of her husband **Jack R. Dyson.** Mono Lake was one of his favorite places to visit. **Dean Lloyd** of Grass Valley gave a generous gift in honor of his wife **Marilyn Kennedy Lloyd.** He wrote us, "Of all the wild places she loved, Mono Lake and the Sierra escarpment west were her absolute favorites." **John W. Majeski, Jr.** of Torrence sent a gift in loving memory of his wife **Jacqueline I. Majeski.** We also received donations in memory of **Robert Mathews** from **Lee Borden,** of Pleasant Hill **Anita Kolesa** of Waggaman, Louisiana, **Frank and Carol Walsh** of Lafayette, and **Mark G. Mertens** of Castro Valley.

The boardwalk at County Park now has a wonderful new spot to sit and birdwatch, or just enjoy the scenery. This bench is dedicated to the loving memory of **William Wells Palmer.** Its purchase was made possible by the donations of numerous friends and family.



Pictured above the bench at County Park is the Palmer family: wife Marion Palmer (center) with her son John with wife Barbara (left) and son Ralph with wife Darlene (right).

We would also like to thank the **California State Parks** and especially **Dave Marquart** for help in acquiring the bench and placing it at County Park.

## Matched Gifts

**A**dobe Systems matched a donation from **Lawrence White** of Sunnyvale. **Microsoft** matched a gift from **Richard Bready** of Kirkland, WA. **Pacific Gas and Electric Company** matched a donation from **Guillermo Rodriguez** of San Francisco. **Anchor Brewing Company** matched 3 for 1 a gift from **Gordon MacDermott** of San Rafael. The **Charles Stewart Mott Foundation** matched 3 for 1 a gift from **Edmund J. Miller** of Ann Arbor, Michigan.

We currently have over a dozen more matching gift donation applications in process that have come in the last months. Thank you for going the extra mile with your support!

## Wish List thanks

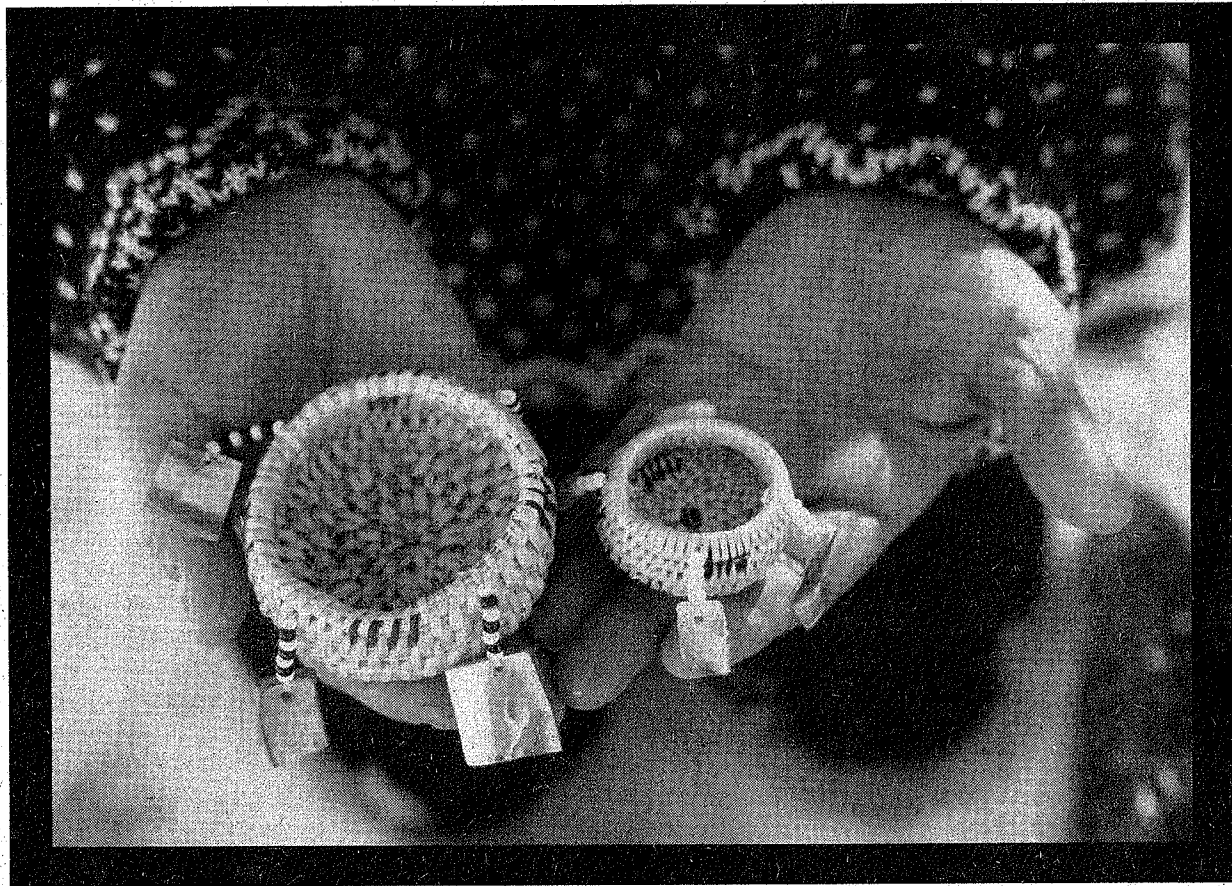
**A** special thank you to **Arjun Khanna** of Austin, Texas who made a generous donation for the purchase of a new canoe for our summer Canoe Tours!

We are currently looking for donations toward the purchase of several other items. These include:

- four flat screen monitors for the computers in the Information Center and Bookstore;
- sturdy wooden picnic tables and park-type benches for in front of the Committee Information Center and Bookstore.

*Brett Pyle is the Committee's Membership Coordinator. With the coming of winter he will spend most of his time reading Cummings and Suzuki and trying to figure out if mountains are mountains.*

Come take a closer look



# Field Seminars 2001

a full listing of seminars inside



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