

Mr. Clarence Martin
Los Angeles Department of Water and Power
300 Mandich Street
Bishop, CA 93514

Jan 14 2003

Dear Mr. Martin,

I am writing to comment on the Lower Owens River Project Draft Environmental Impact Report and Environmental Impact Statement.

I appreciate the great potential of the LORP. However, the DEIR/EIS fails to describe essential components of the project and presents project alternatives that directly violate the 1991 Long Term Water Agreement and the established project goals. Some of my concerns include:

224-1 1) Size of the pump station and delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. LADWP has not justified using a larger pump station that is three times larger than the water agreement allows. A larger pump station won't allow enough water to reach the Delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the Water Agreement.

224-2 2) Funding: Monitoring and adaptive management are absolutely essential to the success of the LORP, but the DEIR/EIS repeatedly states that funding limitations may prevent their full implementation. To meet its obligations, LADWP should select funding option 2, which is the only option that adequately funds the LORP.

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Mr. Martin, the LORP is a valuable project, and I want it to work. I urge LADWP to abide by the terms of the Water Agreement and the goals of the project, thoroughly describe all management plans to the public, choose the least environmentally damaging alternatives, and guarantee adequate funding.

Thank you for your consideration of my comments.

Sincerely, *Steve Weibold*
2421 Apache Drive
Bishop Ca.

1766 872 4720

Republican voter and taxpayer

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JAN 13 2003

AQUEDUCT MANAGER
BISHOP ADMINISTRATIVE OFFICE

15457 Eto Camino Road
Victorville, CA 92394
January 10, 2003

Clarence Martin, LADWP
300 Mandich Street
Bishop, CA 93514

RE: Lower Owens River Project

Dear Mr. Martin:

While the Los Angeles Department of Water and Power is legally obligated to compensate for severe groundwater pumping damage for period between 1970 and 1990, the DEIR/EIS for the project does not precisely prohibit increased pumping and also inadequately describes the implementation of the restoration of the 62 miles of the lower Owen's River.

225-1

The proposal to increase the pump size for exportation of water must not be allowed. The legal agreement specifies a maximum 50 cfs capacity, so there is no need for the larger pump. Further, the proposed lower flows to the delta would not maintain the existing habitats as required by the LORP goals. To reach the required goals the pump must remain no larger than 50 cfs at the pump station and the average annual delta baseflows of 9 cfs must be maintained.

225-2

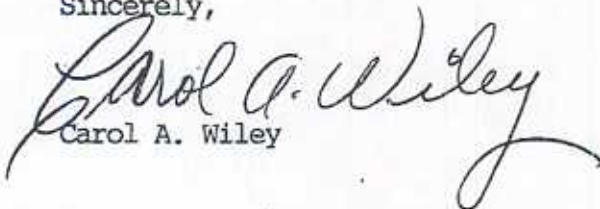
The plan must include mandatory monitoring and adaptive management. The plan must require that the LADWP meet its legal obligation and commit to funding the full project. Choosing funding Option 2 is critical to the success of the project.

225-3

The proposed project fails to adequately address plans for recreational uses which would protect natural habitat, cultural resources and balance them with the increase of recreational uses and grazing. The plan fail to fund the effective, long term control of saltcedar, although the control of this invasive noxious weed is vital to the success of the plan.

This plan must adequately require LADWP to do what they are legally obligated and required to do to protect this area from further degradation and damage and to restore the critical habitats for wildlife habitat, plants and people.

Sincerely,



Carol A. Wiley

15457 Eto Camino Road
Victorville, CA 92394
January 10, 2003

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300 Mandich Street
Bishop, CA 93514

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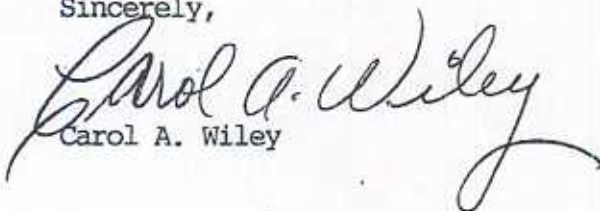
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January 10, 2002

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 Los Angeles Department of Water and Power
 300 Mandich Street
 Bishop, CA 93514

Subject: Comments on the Lower Owens River Project Draft EIR/EIS

Dear Mr. Martin,

I appreciate the opportunity to comment on this very important project. The LORP has enormous potential benefits. However, there are many statements in the Draft EIR/EIS which call into question the successful implementation of the project and which could result in significant project impacts that would not be mitigated. Please consider my comments on the following issues:

226-1 Pump station and Delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. A larger pump station won't allow enough water to reach the Delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the Water Agreement.

226-2 Lack of commitment to monitoring, adaptive management and mitigation measures: Monitoring and adaptive management are absolutely essential to the success of the LORP, but the DEIR/EIS repeatedly states that funding limitations may prevent their full implementation. To meet its obligations, LADWP should select funding option 2, which is the only option that adequately funds the LORP. However, option 2 should be restated to say LADWP would fund all of Inyo County's shortfall not "*some or all of Inyo County's shortfall,*" as it does in the draft document (p.2-8). Additionally, option 2 lacks funding for mitigation measures PS-2 and V-2. A commitment to fully fund these measures should also be included in funding option 2. In light of LADWP's tremendous financial resources, the project should not be compromised by lack of funding.

226-3 Lack of funding for noxious weed control: All of the LORP areas and habitat goals are at risk if saltcedar and other noxious weeds are not controlled. The spread of saltcedar presents a serious problem in the Owens Valley and the LORP Draft EIR/EIS must realistically address this problem. The document states that new saltcedar growth resulting from the LORP would be a significant Class I impact, but defers control of this problem to the separate pre-existing Inyo County saltcedar control program that has unsecured funding (mitigation measure V-2). If the LORP is truly to be "one of the most environmentally significant river habitat restorations ever undertaken in the United States," as Mark Hill, LADWP consultant, states it is, then it must include provisions for guaranteed funding for

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AQUEDUCT MANAGER
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control of saltcedar and other noxious weeds in order to avoid significant impacts and meet the project goals.

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226-5 **Impact To Brine Pool Transition Area:** The Class I impact to shorebird habitat in the brine pool transition area, identified in Draft EIR/EIS Table S-1, can and must be avoided. This is an area that is used by thousands of ducks and geese and tens of thousands of shorebirds. It is in an area that has been recognized by the National Audubon Society as a Nationally Significant Important Bird Area and is part of the U.S. Shorebird Conservation Plan. This is a very important wildlife habitat. The existing flows to this transition area have been released by LADWP for many years. Have they been in violation of the existing court injunction that they say would prohibit mitigation of this impact? If the current flows are allowable, it is inappropriate to argue that maintaining those flows under the project is not feasible. LADWP can and must avoid this impact by maintaining existing flows and by not allowing this area to dry up in late spring and summer as currently happens. Additionally, if LADWP insists that this impact is unavoidable, they have an obligation under CEQA to explore mitigation alternatives that are feasible.

226-6 **Source of additional water to supply the LORP:** The Draft EIR/EIS fails to disclose whether or not LADWP will attempt to recover the additional 16,000 acre-feet/year of water that the project will require beyond the current releases. Where will the additional 16,000 acre-feet/year of water that the LORP will require come from? Will there be increased groundwater pumping? Will there be new wells drilled? Will it come from existing aqueduct supplies? What will be the impacts of the need for 16,000 acre-feet/year more water? The DEIR/EIS should clearly disclose LADWP's intention to replace or not replace the 16,000 acre-feet/year with groundwater pumping. The document fails to recognize the inadequacy of current pumping management to attain the vegetation protection goals of the Long Term Water Agreement. The Draft EIR/EIS therefore greatly underestimates the likelihood of potential future impacts due to any groundwater pumping associated with the LORP.

226-7 **Grazing:** Understory impacts as a result of current grazing are severe in riparian habitats in much of the LORP area. In many places there is no understory and there are no young willows or cottonwoods. Several habitat indicator species such as the yellow-breasted chat are dependent on habitats with trees and a dense understory in the riparian zone. Unless the diversity of habitat provided by understory growth significantly improves, the habitat goals for the river system will not be met. Monitoring for understory development as described on p. 2-78 will not be conducted unless the need for it is determined in some unspecified future time by unspecified means. Whether or not this important monitoring function is needed should not be left to some future decision. There should be a clear commitment to conduct this monitoring, as the need for it is obvious. Protocols for this monitoring data collection and analysis should also be included in the EIR/EIS.

226-8

Additionally, individual grazing lease management plans are not provided in the document and LADWP has denied requests by reviewers to see them. Without these critical documents and with no evaluation of the present lease condition and trend presented in the Draft EIR/EIS there is no way to compare change over time when evaluating whether the goals of the project are being met. There is no way for commenters to evaluate proposed management, monitoring and the need for mitigation. This is inadequate.

As one of the most significant river habitat restorations in the country, the LORP represents an unprecedented opportunity if the Los Angeles Department of Water and Power properly implements the project. I hope the Final EIR/EIS will reflect a real commitment to make the project live up to its full potential.

Sincerely,

Earleen J. Williams
(Earleen J. Williams)
311 So. Barlow Ln.
Bishop, CA 93514

January 14, 2003

Mr. Clarence Martin
Los Angeles Department of Water & Power

For 10,000 years, human beings have lived in this Owens River Valley. For the last 100 years catastrophic changes have occurred in this valley paradise. Every change to the Valley's environment has occurred due to the water extradition practices and policies of the Los Angeles Department of Water & Power (LADWP). How to make a desert, seems to be the historical policy of LADWP for death to deceit.

In 1991 a legal agreement was reached after decades of legal battles for damages done to the entire valley's plant life, animal habitat and human habitat. The catastrophic water extradition policies and practices of LADWP were to be addressed as compensatory damages done to the valley by pumping and water diversions. The mitigation projects were legally agreed too and accepted and approved and signed by all parties. Even Los Angeles celebrated the passage of this historical document. There is no honor to the intent of any document LA signs concerning the Owens River Valley.

Since the LADWP's only intent for being in the Owens River Valley is water extraction. Their policy is to get as much water out of the valley as possible any way they can, regardless of any damages done to the valley's environment and people. Owens Lake and Mono Lake are perfect examples of these tactics; they denied any damages occurring at all in both cases. LADWP fought copability until ordered to by the courts.

Today the EIR for the lower Owens River Project is the battleground. The draft EIR took a court order to get it released, Los Angeles's historical tactic.

227-1 | *The final EIR should contain only language that holds LADWP fully responsible for all cost associated with the LORP including but not limited to: resource management, cultural management, recreation management, delta sustainability and that the pump back station have a maximum 50 CFS.*

227-2 | *The final EIR should also have provisions written in it to address future uses of the LORP systems as a tool for increased water extraction, if so, another EIR needs to be written for those impacts.*

Sincerely,



Harry C. Williams
145 S. Barlow Lane
Bishop, CA 93514

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AQUEDUCT MANAGER
BISHOP ADMINISTRATIVE OFFICE

January 10, 2002

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Sincerely,

Jack R. Williams Jr
103 S. BARLOW LN
BISHOP, CA. 93514

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Thank you for your consideration of my comments.

Sincerely,

John C Williams, Ph.D
 586 Grove St. #C
 Bishop, CA 93514

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 JAN 10 2003
 AQUEDUCT MANAGER
 SHOP ADMINISTRATIVE OFFICE

Date: 1/12/03

Comment Letter No. 230

To: Mr. Clarence Martin
Los Angeles Department of Water and Power
300 Mandich Street
Bishop, Calif. 93514

From: Earl Wilson, PO Box 830, Lone Pine, Calif., 93545

Subject: Comments on Draft EIR/EIS -LORP

Thank you for this opportunity to make the following comments.

I was born and raised in the Owens Valley and have been a resident here for greater than 40 years with the majority of that time living in Lone Pine.

As an amateur astronomer one of my concerns is the potential impact that night lighting might incur with implementation of this project and in particular the pump back station above the Owens River Delta.

230-1

Sec. 3.5 I note that "aesthetics" was omitted as an issue not having any direct impacts. In the case of the pump back station I totally disagree. With very few exceptions the nighttime viewscapes east of Hwy. 395 and in particular east of the Owens River along the entire length of the proposed project area are light free. Night lighting at the pump back station will be visible, due the clear atmospheric visibility extant in the Owens Valley, as far north in the Owens Valley as the Poverty Hills, many parts of Hwy.s 136 & 190, many parts of Inyo National Forest, Sequoia National Park, Golden Trout Wilderness, and the John Muir Trail.

Inyo County is a popular destination for thousands of tourists from all over the world that come here to experience the natural beauty of this area - dark night skies are a part of that experience. I personally know that many of these visitors are amateur astronomers, including several internationally well known astro-photographers. These people come specifically to the Owens Valley to utilize our dark skies and to get away from the light polluted city environments where they live. Many of these people are also DWP customers that recreate in this area.

In addition to the above another of my concerns is that the pump back station is being located in an area that experiences a lot of nighttime travel by wildlife. I have traveled the lower river road many times at night, occasionally several times a week, for the last 10 years during the course of my employment. In the area of the proposed pump back station nighttime sightings of coyotes, fox, and elk were frequent, and occasionally a bobcat or raccoon would be observed. There are also studies that have shown adverse impacts to nocturnal wildlife migration patterns by night lighting.

Since the size of the pump station has not been finalized, as yet, the incorporation of "night friendly" lighting elements into the design could be easily accomplished. I would suggest the following measures be employed to limit these impacts.

Any permanent night lighting at the proposed pump back station be limited to:

The lowest wattage luminaries and least number of lights possible to ensure employee safety.

All lighting be full cutoff, shielded, and downward pointing luminaries.

All lighting normally OFF - unless performing necessary nighttime maintenance.

Motion detectors installed at points of entrance/egress to buildings with manual overrides.

Max. height of 8 feet for any free standing light posts/poles.

No light spill or glare beyond the facility vard footprint.

230-1 (continued)

Construction lighting is not a major issue as it is temporary and transient in nature but should be directed only toward immediate work areas - if used at all.

In conclusion I would like to point out the fact that the City of Los Angeles is a member of the International Dark Association (IDA) and as such actively promotes sensible and night friendly lighting practices, this includes the production of a 24-minute video overview of light pollution.

Thank you for your consideration of the above comments.

Earl Wilson
Lone Pine, California

Officer and Member of the Board of Western Amateur Astronomers (WAA)
WAA is an association of Astronomy Clubs and Societies of the Western United States, including Orange County Astronomers and Los Angeles Astronomical Society.
WAA represents more than 2000 individuals.

Member of China Lake Astronomical Soc. (CLAS)
CLAS is a member of WAA and the International Dark-Sky Assoc. (IDA)

Member of Sierra Wave Astronomical Soc. (SWAS)
SWAS is also member of WAA

Member of International Amateur Professional Photoelectric Photometrists - Western Wing. (IAP3-W2)

Date: 1/14/03

Comment Letter No. 231

To: Mr. Clarence Martin
Los Angeles Department of Water and Power
300 Mandich Street
Bishop, Calif. 93514

From: Earl Wilson, PO Box 830, Lone Pine, Calif., 93545

Subject: Comments on Draft EIR/EIS -LORP

Thank you for this opportunity to make the following comments.

I was born and raised in the Owens Valley and have been a resident of Lone Pine for more than 40 years.

I have serious concerns about the potential impacts with implementation of this project and in particular the Owens River Delta area. My basis for these concerns are my experiences over the years hunting, fishing, horseback riding, and just hiking around the lower parts of the Owens River including the delta wetlands. My employment for the last 10 years with Great Basin Unified – APCD, during which I have regular work assignments in and around the delta area, has also contributed my knowledge of delta. The following comments are strictly my own, as a citizen, and not to be perceived in any context as those of my employer.

Any reduction of flows to the delta below the 9 cfs annual average is unacceptable.

Maintaining an adequate fresh water lens above the saltier shallow groundwater is essential for maintaining this area in its current condition. This is regardless of which pump back station option is implemented. 231-1

The elimination or reduction of outflows to the brine pool transition zone is unacceptable.

This area is an important year round habitat for birds and other animals and needs to be preserved and maintained as such. This area is also an Audubon Society Nationally Significant Important Bird Area. 231-2

Construction in the delta of roads, berms, and "excavated depressions" is not acceptable.

Considering the scale of the construction and the projected 8 miles of earthworks, as presented in Fig. 11-1, - the construction impacts would cause more damage than any possible positive impact in the riparian areas of the delta. Modifications of this scale contradict the basic management premise of minimal intervention and letting "Mother Nature do her job" as advertised for the rest of the river. All construction activities should be restricted to the main river channel and open areas of the playa north, easterly, and westerly of the riparian zones. Properly designed shallow and open-ended ditches are more than adequate for water spreading due to the stated 2 foot topographic relief of the delta - without the construction of massive earthworks. No modifications should be implemented to the current braiding of the East Channel and any ditching should be done with the lightest piece of equipment capable of accomplishing the work. 231-3

All travel within the current riparian wetlands between the Main Channel and the current easterly vegetated boundary of the delta should be restricted to foot traffic or the minimal use of ATVs only on established routes to be determined as need demands. If any berms are constructed below the current easterly channel diversion they should be limited to 2 feet high and only wide enough for ATV travel for maintenance and monitoring activities. Creating new motor vehicle access routes into this area would be detrimental to the wetlands and might drive the elk herd and other wildlife out of the area due to increased human activity.

Sec 6.3.2.4, para. 3 describes a "low-lying area along the western bank of the river channel." This is an accurate description of that point and during a recent inspection in that area the water conditions in the river as being "about a foot lower than the breach" are currently the same. This is a very weak point in the west river bank and could be opened to flow by one person with a shovel in about an hour. 231-4

Sec. 6.4.1 para. 3 states that under higher flows this point will top out and discharge into the westerly channel under both pump back station options. The assumption that there is "nowhere to go" is potentially erroneous. If a large amount of water were to breach the bank, at this point, the final destination would be the lower part of the Zone #1 pipe line corridor and ultimately onwards into Area 10 in Zone #1 of the dust mitigation project. A control structure would be recommended at this point and managed flows released to the areas west of the main river channel to prevent erosion and potential damage to roads, the pipeline, and other impacts to your own mitigation project due to sedimentation. The aerial photography in the document clearly shows this channel and its course.

DWP must fund the continuing monitoring program as outlined under funding option #2. Monitoring of this project over the long term is essential to achieve the long-term goals you purport to subscribe to in your PR advertising. 231-5

I would also remind you that the MOU with Inyo County calls for a 50 cfs pump station. 231-6

The lack of a recreational assessment and management plan for this project was disappointing. 231-7

Thank you for your consideration of the above comments,

Earl Wilson
Lone Pine, California

John Wilson
174 Willow
Bishop, CA

JAN 10, 2003

CLARENCE MARTIN
LADWP
300 MANAKA ST.
Bishop

DEAR MR MARTIN,

232-1 I am troubled by LADWP's apparent efforts to avoid the intent of the LORP agreement and efforts to increase pump rates above the amount agreed upon in the 1991 Long Term Water agreement.

232-2 I would like to see LADWP keep the water flow to the delta the same as it has been over the last several years.

232-3 Also I would like to see LADWP insure full funding for BORP including Option 22 in the DWR/DWS.

Sincerely
John Wilson

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AQUEDUCT MANAGER
SHOP ADMINISTRATIVE OFFICE

1/14/02

Dear Mr. Clarence Martin:

233-1 Although I am attending college, I have grown up in Bishop and care tremendously for the Owens Valley. The Lower Owens River Project has the potential to be a great benefit for the Owens Valley from an economical and environmental stand point. What concerns me is the push by the OVC to force feed citizens to make responses to an EIR the majority of which have not read.

The 150 cfs pump station makes sense, as it allows environmental goals to be met in a water efficient manner, as well as increase river management flexibility. Coming from San Diego, I know how valuable water resources are. The groundwater pumping fears seem to be exaggerated as the Inyo/LA agreement, CEQA guidelines will need to be fully addressed and if followed properly should prevent impacts from this perceived threat. I am also amazed by the fact that when Inyo County renigs on the Inyo/LA agreement stipulations it is completely ignored by the public. When LADWP is perceived to do this the cry is, "A deal is a deal." The county should meet their agreement obligations and live up to their funding commitments to facilitate implementation of the LDRP.

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The Owens Delta proposal that is being supported by LADWP makes sense as it applies water to the Delta when plants and vegetation need water the most. Currently the water is delivered to the Delta in mid-winter when wetland plants are dormant. Biologically, White Horse Associates and Ecosystems Sciences' approach for the Delta makes more sense for the biodiversity of the area.

If other counties in the state had the opportunity for such a project they wouldn't hesitate for a moment. I urge the County and LADWP to move forward and not let unfounded concerns stall such a wonderful project.

Sincerely,

Breanne Zaragoza

Breanne Zaragoza
5538 Waring Rd
San Diego CA
92120

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JAN 14 2008

REGIONAL MANAGER
SOUTH COAST REGION

1/14/02

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AQUEDUCT MANAGER
BISHOP ADMINISTRATIVE OFFICE

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JAN 14 2008

REGISTRATION & COMPLIANCE
WATER RESOURCES DIVISION

Mr. Clarence Martin
 Los Angeles Department of Water and Power
 300 Mandick Street
 Bishop, California 93514

January 13, 2003

Dear Mr. Martin:

This Letter is a comment on the Lower Owens River Project Draft Environmental Report, and Environmental Impact Statement. My husband and I have lived in the Owens Valley for forty years and we have enjoyed every minute of it. We care deeply about the Valley, and what is being done to protect it - especially in terms of water export by the Los Angeles Department of Water and Power (LADWP).

The Lower Owens River Project (LORP) has been an exciting promise as well as a legally required mitigation project to restore 62 miles of the local Owens River, to create, enhance and maintain hundreds of acres of new habitat for waterfowl and other wildlife, and to greatly improve the warm water fishery. What a great restoration project this is for the people of the valley, including your local employees. It not only has enormous potential for enhancing recreation, but also the local economies. How could it go wrong?

Lately we've been reading and hearing about the disagreement between LADWP and Inyo County, and the Owens Valley Committee regarding the size of the pump station and water flow, inadequate funding of the project by LADWP, and lack of a recreation plan.

234-1 Our opinion is that no additional water should be pumped from the pump station beyond the 50 cfs pump, and 9 cfs annual maintenance average to delta basic flows. This was agreed to by LADWP in the 1991 water agreement. There is no way that LADWP can legally and responsibly do otherwise.

Regarding funding, why would LADWP agree to this project

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 AQUEDUCT MANAGER
 BISHOP ADMINISTRATIVE OFFICE

and then claim funding limitations, thereby failing to maintain what it has created? Funding should be fully adequate and continuing for the entire LORP.

234-2 Many people in the valley have anticipated great recreational opportunities accompanying this endeavor, but now we read there is no recreation plan. Please don't respond that it is too costly. LADWP has made many millions of dollars in profits from Owens Valley Water, and will spend more on public relations in one year than the predicted fifteen-year budget shortfall for the LORP!

Please honor your legal obligations and your responsibility to complete this project as you originally agreed. Be respectful to the Owens Valley that has provided so much for you by making the LORP an attractive destination for recreational use by those who live here and the many visitors who come here. Plan habitat protection well and implement it, as we know you can do. Continue to fund and protect it as it deserves. It is the least you can do for this valley.

Respectfully,

Barbara Roth

Roth

267 Grandview Rd.
Bishop, California 93514

Copies to: Inyo County Board of Supervisors
Owens Valley Committee