Final Initial Study/
Mitigated Negative Declaration

Water Pipeline Installation Project (from Well V817 to First Los Angeles Aqueduct)

Los Angeles Department of Water and Power
Environmental Services
111 North Hope Street, Room 1044
Los Angeles, California 90012

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Project Description

1.1 Overview of the Project

The Los Angeles Department of Water and Power (LADWP) is proposing to implement the Well V817 Rose Valley Pipeline Installation Project ("proposed project"). The purpose of this proposed project is to recover water seepage of Los Angeles aqueduct water from South Haiwee Reservoir. The proposed project is located on LADWP-owned land in the Rose Valley Area of Inyo County, east of Highway 395 and south of South Haiwee Reservoir. ~~The proposed project would provide 1,100 acre feet per year (AFY) of water recovered from seepage losses from the Haiwee Reservoir to the Los Angeles Aqueduct.~~ The proposed project would install an 8-inch polyvinyl chloride (PVC) pipeline along a dirt access road that would extend from the existing Well V817 and connect to the existing First Los Angeles Aqueduct (LAA1) at an existing concrete access box at Station 156+94. Additionally, the existing Well V817 would be equipped to pump approximately 1.~~5~~25 cubic feet per second (cfs) of water through the new pipeline to the existing LAA1 using an approximately 100 horsepower (hp) pump and motor. The proposed installation of the pipeline is intended to support a recommended long-term pumping test activities and potentially subsequent long-term operation of the well, in compliance with the Inyo/Los Angeles Long Term Water Agreement (Water Agreement). The proposed project would initiate long-term pumping test of Well V817 needed to collect data to improve the estimate of water seepage of Los Angeles aqueduct water from the South Haiwee Reservoir, long-term pumping capacity of V817, and the effect of this pumping on groundwater levels in nearby monitoring wells. The long-term well pumping test must be conducted to improve the current estimate of the seepage rate. Pending favorable hydrogeologic conditions, operation of Well V817 would be included as part of LADWP's Annual Operation Plan for operation of groundwater wells. ~~The proposed project is located on LADWP-owned land in the Rose Valley Area of Inyo County, east of Highway 395 and south of South Haiwee Reservoir.~~

1.2 California Environmental Quality Act

The California Environmental Quality Act (CEQA) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. CEQA Guidelines Section 15367 states that the "lead agency," LADWP, has the principal responsibility for carrying out or approving a project and is responsible for compliance with CEQA. As the lead agency, LADWP must complete an environmental review to determine if implementation of the proposed project would result in significant adverse environmental impacts. In compliance with CEQA, an Initial Study has been prepared to assist in making that determination. Based on the nature and scope of the proposed project and the evaluation contained in the Initial Study

environmental checklist (contained herein), LADWP has concluded that a Mitigated Negative Declaration (MND) is the appropriate level of analysis for this project. The MND shows that impacts of the proposed project are either less than significant or significant but mitigable with the incorporation of appropriate mitigation measures.

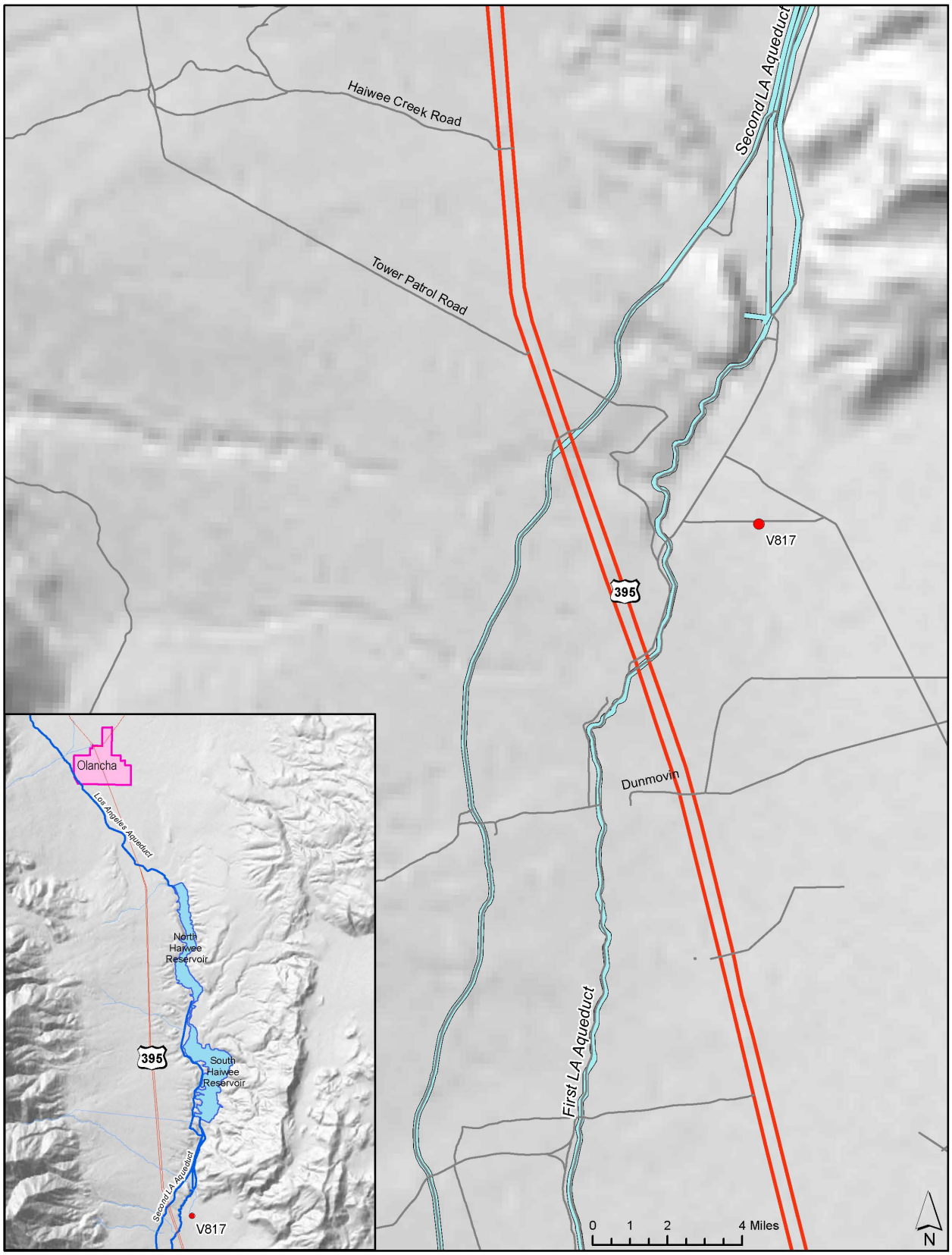
As stated in CEQA Guidelines Section 15070, an MND can be prepared when "(a) the initial study shows that there is not substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) the initial study identifies potentially significant effects, but (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment."

1.3 Project Location and Environmental Setting

The proposed project is regionally located in the Rose Valley Area of Inyo County as shown in **Figure 1**. Inyo County is bounded by Mono County to the north, Nevada State to the east, San Bernardino County to the south, Kern County to the southeast, and Tulare and Fresno Counties to the west. Inyo County encompasses 10,140 square miles and is the second largest county in California; it is bounded by the Sierra Nevada Mountains on the west and on the east by the White Mountains and the Inyo Mountains. Inyo County is also characterized by its natural environment including the Badwater Basin, Death Valley National Park, Mount Whitney, and Owens Valley. Rose Valley is a small valley located between Indian Wells Valley and Owens Valley, and contains Little Lake, Red Hill, and Haiwee Reservoirs (Schweich, 2012).

As shown in Figure 1, the proposed project area is located east of Highway 395 and south of South Haiwee Reservoir in the Rose Valley area of Inyo County. The project site is located within Township 21S, Range 37E, Section 23. As shown in **Figure 2**, the 8-inch water pipeline would~~ill~~ have a length of 1,542 feet and would traverse an abandoned agricultural field that was in operation for a few years until the late 1980s. The field is now covered with sparse vegetation. The LAA1 runs along the west side of the proposed project area; V817 is one of two inoperative wells (V816 is the other) that are located within the project area.

The proposed project includes groundwater pumping from existing Well V817 located in Rose Valley, which is situated in the ~~southeastern California desert~~ southwestern Great Basin Desert in eastern California. The project area lies within an arid desert region that receives about 6 inches of precipitation per year. Surface water is limited; however, the alluvial valley includes a groundwater aquifer that is recharged from precipitation in various surrounding sources, including the Sierra Nevada Mountains (BLM, 2008). The ground surface of the valley floor slopes gently to the south at a rate of 30 to 35 feet per mile. The alluvial portion of the groundwater basin is approximately 16 miles long from the southern end of the Haiwee Reservoir to just south of Little Lake and has a maximum width of approximately 6 miles at its widest point (BLM, 2008).

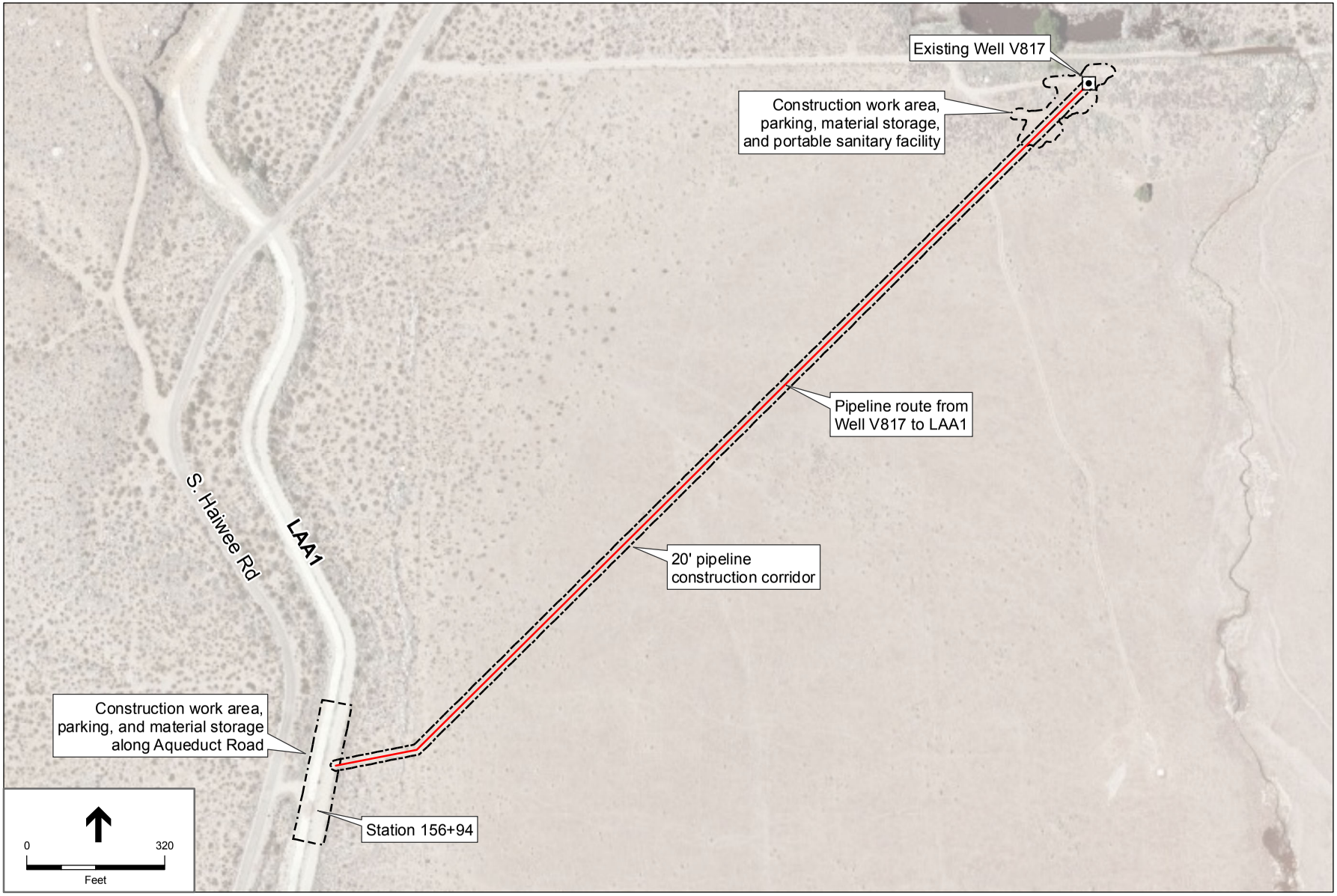


SOURCE: ESRI; ESA, 2013

LADWP - Water Pipeline Installation Project . 211490.04

Figure 1

Regional Location



SOURCE: ESA 2012, ESRI

LADWP – Water Pipeline Installation Project . 211490.04

Figure 2

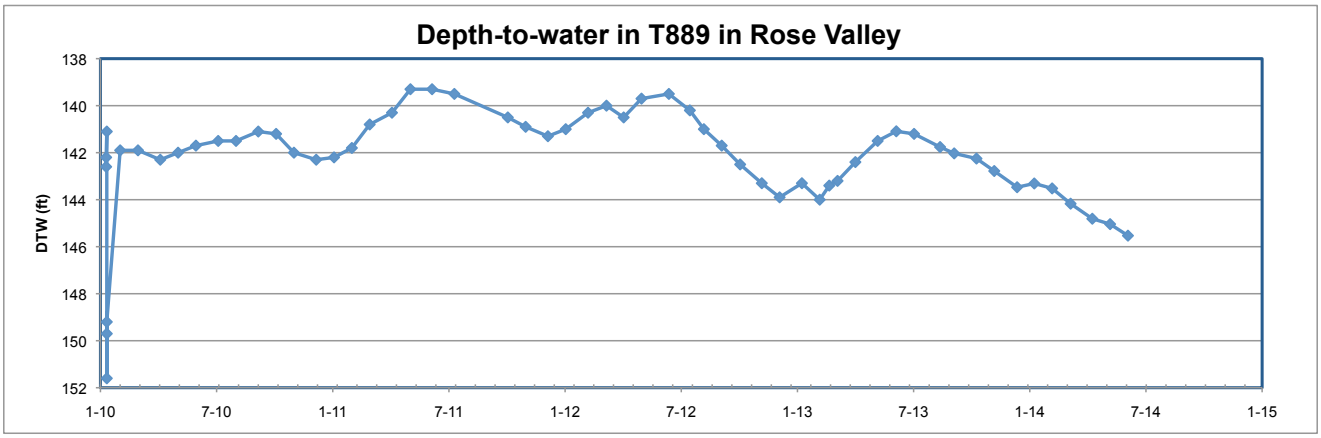
Project Vicinity Map

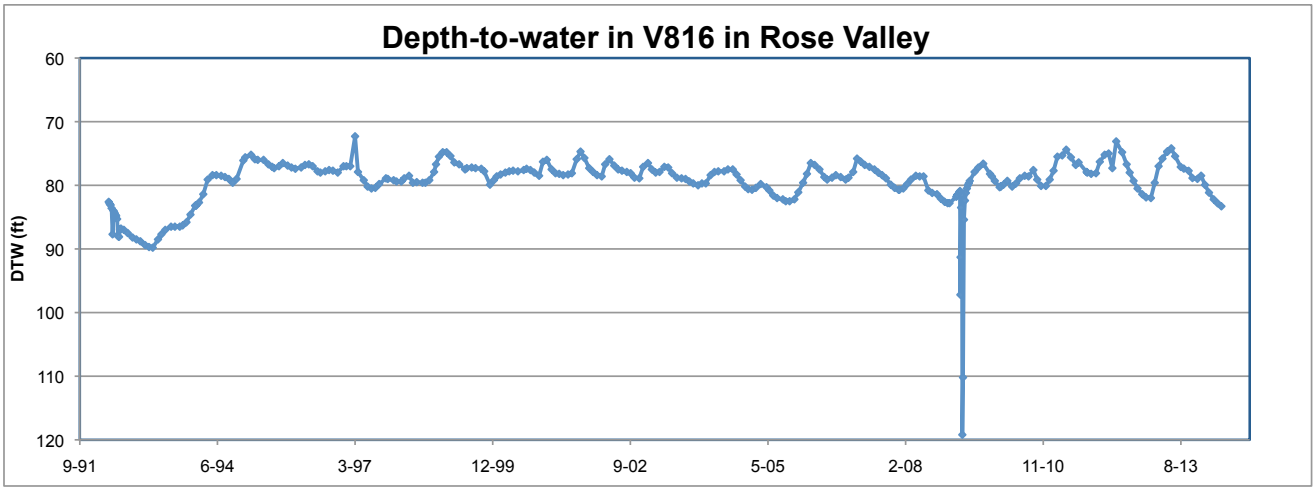
Groundwater Occurrence and Flow

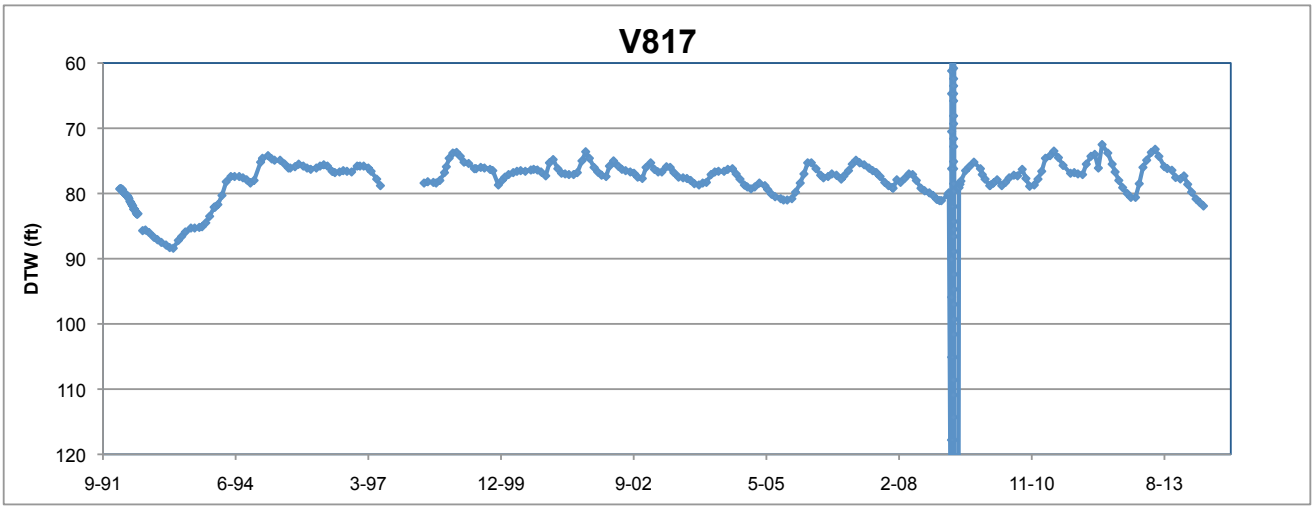
The groundwater table in the Rose Valley project area ranges from ~~140~~ 70 to 150 ~~240~~ feet below ground surface (bgs) in the northern and central parts of Rose Valley to approximately 40 feet bgs at the northern end of the Little Lake Ranch property, near the southern end of the valley. Groundwater generally flows to the southwest in the valley. ~~Groundwater generally flows to the southwest in the valley. Long term groundwater level monitoring indicates that groundwater levels have generally risen 1 to 2 feet throughout Rose Valley over the last 5 years. This is most likely a response to increased precipitation recharge in the mountains in the last few years. There was no significant change in groundwater extraction in Rose Valley or identified groundwater recharge other than precipitation infiltration at higher elevations (BLM, 2008).~~

Groundwater elevations in wells at the northern end of Rose Valley may be influenced by groundwater conditions outside Rose Valley (i.e., by variations in groundwater recharge, inflow from Owens Valley, and/or variations in seepage rates from the Haiwee Reservoirs). Groundwater levels in the LADWP wells (V816 and V817) have been fluctuating between 74 to 82 feet below ground surface since 1994. Recent pumping from Coso Operating Company well located south of City of Los Angeles property has had little effect on groundwater levels in V816 and V817, indicating a relatively stable aquifer condition. A comparison of water level data tabulated for the Haiwee South Reservoir, 2 miles north of the LADWP wells, to groundwater levels in the LADWP wells indicated no apparent correlation between water levels in the reservoir and groundwater levels between November and December 2007 (BLM, 2008). Refer to **Figure 3** for Groundwater Levels for LADWP Wells V816 and V817 and LADWP Monitoring Well T889.

Up to date information regarding groundwater conditions in the Rose Valley area can be found on the Inyo County Water Department website under a link to the Coso Hay Ranch Project (http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/). Hydrologic data for multiple monitoring and supply wells located south of Well V817 has been collected by the Coso Operating Company. A map of well locations, for which hydrographs displaying groundwater elevations are provided, is also available at the Coso Hay Ranch Project website. LADWP prepares an Annual Operations Plan each April for the twelve month runoff year beginning April 1st in accordance with the Water Agreement. Each plan includes projected amounts for runoff, pumping, reservoir storage, water used in the Owens Valley, and water exported to Los Angeles. Inyo County reviews the proposed operations plans, which regularly include an analysis of the effects of LADWP operations on groundwater levels in the Valley. Following a Technical Group meeting to resolve concerns raised by Inyo County relating to the proposed pumping program, LADWP finalizes and implements the plan.







SOURCE: ESA, 2014

LADWP - Water Pipeline Installation Project . 211490.04

Figure 3

Groundwater Levels for LADWP Wells V816 and V817 and LADWP Monitoring Well T889

Haiwee Reservoir

The South Haiwee Reservoir is located approximately three miles north of the project site and is owned and operated by LADWP as part of the LAA system, which supplies drinking water to the Los Angeles area. The crest of south Haiwee Dam is located at approximately 3,766 feet above mean sea level (amsl). Because of seismic stability concerns, the water level in the reservoir is currently limited to a maximum elevation 3,742 feet amsl. The water level in the reservoir typically rises during the winter rainy season.

1.4 Project Objective

The objectives of the proposed project are to:

- Construct a new pipeline connection from an existing Well V817 to the LAA1.
- Perform a Long-Term Pumping test of Well V817.
- Improve the estimate of water seepage from Haiwee Reservoir to Rose Valley groundwater basin using the data collected from the long-term pumping test.
- Estimate the long-term pumping capacity of Well V817 and the effect on groundwater levels in nearby monitoring wells, including the new monitoring well T889 to the south.
- Operate Well V817 to recover seepage of Los Angeles aqueduct water from Haiwee Reservoir
- ~~Recover water seepage from Haiwee Reservoir to provide an additional water source for LADWP.~~
- ~~Construct a new pipeline connection from an existing well to the LAA1.~~

1.5 Project Background

Inyo/Los Angeles Long Term Water Agreement

The County of Inyo and the City of Los Angeles Department of Water and Power are parties to a court-ordered agreement stipulating groundwater management by LADWP in Inyo County know as the Water Agreement (California Superior Court Case No. 12908). This Water Agreement established the overall goal of managing the groundwater resources within Inyo County to avoid certain described decreases and changes in vegetation and to cause no significant effect on the environment which cannot be acceptably mitigated while providing a reliable supply of water for export to Los Angeles and for use in Inyo County.

Under the Water Agreement, future groundwater pumping by LADWP would be managed to avoid causing significant adverse impacts on water levels or water quality of non-LADWP owned wells. Should any such measurable, significant impacts attributable to LADWP occur, they must be promptly mitigated by LADWP. The *Green Book* contains the management practices that would be implemented to avoid such impacts. The *Green Book* contains procedures for determining the effects of groundwater pumping and surface water management practices on

spring flow. The standardized procedures for monitoring, data interpretation, and determination of effects are set forth in the *Green Book*. The *Green Book* is the instrument that sets forth the methods and techniques that will be used by the two parties to implement the goals of the Water Agreement.

According to the Water Agreement, LADWP's current groundwater pumping capacity may be increased to provide increased operational flexibility and to facilitate rotational pumping. LADWP may replace existing wells and construct new wells in areas where hydrogeologic conditions are favorable, and where the operation of that well will not cause a change in vegetation that would be inconsistent with these goals and principles of the Water Agreement. The Water Agreement includes provisions for installing new wells and operating existing wells, including requirements for joint evaluation of new wells by the Technical Group.

1991 EIR

An Environmental Impact Report (EIR) was prepared by LADWP in 1991 as required by the Los Angeles Court of Appeal. The EIR was presented and approved by the Court in conjunction with the Water Agreement. The 1991 EIR evaluated all water management practices and facilities that were implemented or constructed in Owens Valley to supply water to the second aqueduct, which was completed in 1970, together with the projects and water management practices contained in the Water Agreement (LADWP, 1990). The 1991 EIR identified that all future groundwater pumping and surface water management practices in Owens Valley will be governed by the Water Agreement.

The 1991 EIR identified measures to mitigate or compensate for the adverse effects and included enhancement and mitigation projects already implemented by Inyo County and LADWP, environmental projects implemented by LADWP, mitigation measures provided for in the Water Agreement and mitigation measures developed as part of the 1991 EIR. The 1991 EIR stated that implementation of the mitigation measures will reduce adverse impacts of the Water Agreement on vegetation to a less-than-significant level (LADWP, 1990). The 1991 EIR stated the Water Agreement itself also serves as a mitigation measure.

Pumping Test of Well V817

LADWP conducted a short-term constant rate pump test to better understand the aquifer characteristics in Rose Valley. The test was performed in late March and early April of 2009 on Well V817. A constant rate pump test of V817 started on March 23, 2009 with a pumping rate of 2.97 cfs. Water levels were measured at the pumping well and seven nearby monitoring wells. The depth to water in all of the monitoring wells was measured. Water levels in Well V817 and the adjacent Well V816 were recorded every minute and the remaining monitoring wells were recorded every 15 minutes (LADWP, 2009).

The first test was conducted from March 23-25, 2009 over a 37 hour period at an average pumping rate of 2.54 cfs (1,138 gpm). During the 37 hours of pumping Well V817, while the above ground valve was fully open, the flow rate dropped from 2.97 cfs to 2.3 cfs and water

levels in the well dropped 270 feet. The water level fell just below the airline and immediately above the pump intake, and as a result, the pumping test was stopped. After the full recovery of water levels in the pumping well and the closest monitoring well, a second pumping test was started (LADWP, 2009).

A second test was conducted from April 7-13, 2009, over a 6.5 day period. The pumping rate remained relatively stable at an average pumping rate of 1.84 cfs (824 gpm). The data from this test was utilized to evaluate the water level response and calculate aquifer characteristics for the area in the vicinity of LADWP wells (LADWP, 2009). Manual water level measurements from Well V817 showed a total drawdown of 270 feet at the well in response to the 6.5 days of pumping at 1.84 cfs, resulting in a calculated specific yield of approximately 3 gpm/feet of drawdown. This represents a very steep water level response to pumping and a deep cone of depression near Well V817 (LADWP, 2009). A review of the data collected from Well V816 shows a pre-pumping depth to water of approximately 81.4 feet below reference point. After pumping Well V817 at an average rate of 1.84 cfs for about 6.5 days, water level in Well V816 dropped to 128.6 feet, or 47.2 feet of drawdown. Water level measurements showed full recovery in about 20 days after cession of pumping (LADWP, 2009). The results of this test shows that while pumping V817 would cause a drawdown, the extent of the drawdown will be limited to the immediate vicinity of the well and that groundwater levels will recover within a relatively short time.

Water level measurements in nearby monitoring wells beyond the immediate vicinity of the pumping well showed minimal or no effect from this pumping test beyond the background water level fluctuations. When considering collective water response to pumping at Well V817, the cone of depression was very deep with a very limited radius of influence. Well V816 shows a noticeable change in the rate of drawdown at about three days after pumping started. This could be an indication of a recharge or drainage into the producing zone near the pumping well. However, given the short length of the pumping test, long-term effects on the surrounding wells could not be determined. To get a better understanding of this recharge component, it was recommended to conduct a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. A six month pumping test at a rate of 1.25 cfs is recommended as part of evaluation of long-term operation of Well V817 (LADWP, 2009). A copy of the pumping test is provided in Appendix A.

The Well V817 pumping test report also recommended installation of a monitoring well approximately 1,000 feet south of Well V817 to collect geologic and geo-physical logs, and then use it to monitor groundwater levels south of Well V817. LADWP installed a monitoring well, identified as T889, in January 2010 approximately 1,200 feet south of Well V817. This monitoring well is 340 feet deep, four inches in diameter, and screened from 240 to 340 feet depth. LADWP has been monitoring this well since its installation. Refer to Figure 3 for Groundwater Levels for LADWP Wells V816 and V817 and LADWP Monitoring Well T889. The current depth-to-water in Well T889 is approximately 145 feet below ground surface. Data collected from this well during the proposed long-term pumping test will be an important component of determining the effect of pumping Well V817 on groundwater levels south of this well.

Coso Operating Company

In late 1980s, LADWP purchased a 120 acre property (including the project site) in northern Rose Valley. The property included two production wells (V816 and V817) that were used to supply water for irrigation for the now abandoned farming activity. The main purpose for the purchase of the property was to use the property as an aquifer storage and water recovery site, where surplus LAA water would be stored during wet and very wet years and pumped back during the dry and very dry years.

In 2008 the Coso Operating Company filed an application for a special use permit with Inyo County to pump approximately 4,800 acre-feet of groundwater each year from Hay Ranch property, located south of LADWP's 120-acre property, to export out of Rose Valley for their geothermal project in Coso Range, located east of Rose Valley. The geothermal project was approved by the Inyo County Planning Commission and, on appeal, by the Board of Supervisors. ~~Additional information can be found at: http://inyoplanning.org/projects/Coso%20Geothermal/index.html.~~

As a part of the ~~Environmental Impact Report (~~EIR~~)~~ preparation conducted for the geothermal project, Coso Operating Company conducted groundwater modeling studies of flows into Rose Valley that showed that over 900 acre-feet per year of water ~~seeps out of LADWP's South Haiwee Reservoir~~ flows into Rose Valley, ~~and travels south through Haiwee Canyon to Rose Valley~~ a portion of which may be seepage from the Haiwee Reservoir. ~~This finding prompted LADWP to find a way to recover seepage losses and pump it back into the LAA1. During the Coso Operating Company's EIR approval process,~~LADWP entered into a ~~Memorandum of Understanding (~~MOU~~)~~ with Coso Operating Company (LADWP, June 2009) that would allow LADWP to ~~the~~ recover~~y of~~ seepage losses of Los Angeles aqueduct water from South Haiwee Reservoir as a priority use over the geothermal project. Should it be necessary to reduce groundwater pumping to avoid significant impacts to the environment as a result of both projects, Coso Operating Company agreed to initially reduce groundwater pumping prior to any reduction or cessation by LADWP. ~~Recovery will be accomplished by modifying the existing well V817 for use as a production well and transporting the water via pipeline to LAA1. Changes in groundwater supply from pumping the recovered groundwater seepage is addressed in the MOU; the Coso Operating Company agreed to reduce its groundwater pumping by the same amount recovered in the event that pumping impacts the groundwater basin.~~ Under Coso's Special Use Permit from Inyo County, ~~the~~operating criteria are estab~~li~~as~~h~~ed based on certain drawdown limits at a number of monitoring wells throughout Rose Valley. If water levels fall below trigger levels, Coso will have to reduce its pumping. As part of the MOU, if groundwater extractions by both parties resulted in groundwater levels falling below permitted trigger levels, requiring reductions in pumping, Coso Operating Company agreed to first curtail pumping by the amount necessary to allow LADWP to continue to pump an amount equal to the seepage of Los Angeles aqueduct water from Haiwee Reservoir. In the event that the allowed pumping by Inyo County falls below the amount agreed by LADWP and Coso, LADWP will operate V817 ~~LADWP would operate the well~~ consistent with the terms of Water Agreement, which has specific measures to identify, avoid, or mitigate a significant impact or potentially significant impact.

A copy of the MOU between Coso Operating Company and LADWP is provided in Appendix B.

1.6 Project Description

LADWP proposes to quantify the water seepage rate from Haiwee Reservoir and subsequently recover water seepage of Los Angeles aqueduct water from the Haiwee Reservoir by capturing the seeped water by reactivating an existing well previously used for irrigation purposes down-gradient from South Haiwee Reservoir. Seepage rates are preliminarily estimated ~~between~~ at 900-1,100 AFY. In order to improve the estimated rate of seepage from the reservoir, a long-term pumping test is proposed at the existing Well V817 in compliance with the Water Agreement. The proposed pipeline will be installed to convey the pumping test water from V817 to the LAA1. Approximately 450 AF of water would be pumped by temporary operation of the well pump for testing. Recovered water from the pumping test would be conveyed to the LAA1 through a proposed 8-inch diameter water pipeline along an existing dirt access road across an abandoned agricultural field in the Rose Valley area in Inyo County. The 1,542 linear foot water pipeline would transport the pumping test water from Well V817 to the LAA1. The proposed pipeline would extend from Well V817 to the LAA1 near a concrete access box at Station 156+94. Well V817 would be equipped to pump approximately at 1.25 cfs to the LAA1 using a 100 hp pump and motor equipment.

An aquifer test of up to seventy-two (72) hours was conducted at Well V817 in 2009. However, the pump test was too short to determine the long-term effects on the surrounding wells. This project would include a longer duration pumping test of Well V817 while monitoring all nearby monitoring wells. A six month pumping test at a rate of 1.25 cfs is proposed to determine long-term effects on the surrounding wells (LADWP, 2009). Existing LADWP monitoring wells and Coso Operating Company monitoring wells would also monitor the effects of the pumping test on Well V817.

~~Approximately 1,100 AFY of water would be withdrawn by operation of the well pump. Recovered water would be conveyed to the LAA1 by installing an 8-inch diameter water pipeline along an existing dirt access road across an abandoned agricultural field in the Rose Valley area of Inyo County. The 1,542 linear foot water pipeline would transport pumped water from Well V817 to the LAA1. The pipeline would extend from Well V817 to the LAA1 near a concrete access box at Station 156+94. Well V817 would be equipped to pump approximately 1.5 cfs to the LAA1 with a 100 hp submersible pump and motor.~~

~~Two existing 25 feet by 25 feet concrete pads are located onsite. One concrete pad located northwest of the well would be used to upgrade an existing electrical panel and ancillary equipment would be mounted on racks in a fenced enclosure surrounding the pads. The second concrete pad is a well pad where a second abandoned well exists. This well, V816, is currently used as a monitoring well. The existing concrete pads would be used and construction of new pads would not be necessary. The fence enclosure around the concrete pads would be a maximum height of six feet. Electricity for Well V817 would be provided from an existing Southern California Edison (SCE) power line located northwest of the project area via an existing conduit.~~ ~~**Figures 3** and **4** provide views of the project site and locations of proposed improvements.~~

Project Construction

Two existing 25 feet by 25 feet concrete pads are located onsite. One concrete pad located northwest of the well would be used to upgrade an existing electrical panel and ancillary equipment would be mounted on racks in a fenced enclosure surrounding the pads. The second concrete pad is a well pad where a second abandoned well exists. This well, V816, is currently used as a monitoring well. The existing concrete pads would be used and a new 20x20 foot pad would be installed at V817. The fence enclosure around the concrete pads would be a maximum height of six feet. Electricity for Well V817 would be provided from an existing Southern California Edison (SCE) power line located northwest of the project area via an existing conduit. A transformer and electrical panel would be installed at the well within the fenced enclosure. An underground conduit would also be installed from the panels at V816 to Well V817. **Figures ~~3~~4** and **~~4~~5** provide views of the project site and locations of proposed improvements.

Construction of the proposed project would involve the installation of an 8-inch diameter water pipeline with a length of 1,542 feet that would transport pumped water from Well V817 to the LAA1. Access to the construction area would be from US Highway 395. All construction activities would occur within a 20-foot wide construction corridor along the project site to minimize disturbance to vegetation. All construction staging would also be located within the 20-foot-wide construction corridor and/or the staging areas shown on Figure 2. ~~Other construction and employee vehicles would park along the existing roadways or in turnouts from Highway 395.~~ No vehicle maintenance would be conducted at or near the project site and vehicle fueling would only occur on existing roadways.

Trenching would be required for the installation of the pipeline. Construction vehicles would include a backhoe, flatbed truck, water truck, and accessory vehicles. The construction corridor would provide enough room for a backhoe to excavate the pipeline and stockpile the dirt to one side of the trench. A flatbed truck would be used to bring in the new pipe material, which would be lifted into the trench, and the backhoe would backfill the trench with the excavated soils. Approximately two to three construction truck trips are estimated to deliver material during the construction stage of the project and approximately five to eight construction workers are anticipated to travel to the site each weekday.

The pipe ~~trenches~~trench would be excavated to ~~a minimum~~an approximate depth of ~~six~~42 inches ~~below the bottom~~and a width of ~~the 8 inch diameter pipe and six~~24 inches ~~on each side of the pipe~~. The pipe can be placed on sandbags placed adjacent to pipe bells. Alternatively, six inches of sand bedding material may be placed on the trench bottom for support under the pipe. The topsoil would be placed back on the surface of the disturbed areas to allow for vegetation restoration. Approximately 270 cubic yards (cy) of dirt and topsoil would be excavated and displaced, and then reused for backfilling after pipeline installation.

Construction of the proposed project would occur for approximately one month and would begin sometime in Spring of ~~2014~~ 2015. The duration of proposed project construction is based on an 8-

hour weekday work day between 6:00 a.m. to 4:30 p.m., Monday through Thursday. No nighttime or weekend construction activities are anticipated.

Project Operation

~~Operation and maintenance activities for~~Well V817 will be operated to recover the water seepage of Los Angeles aqueduct water from South Haiwee Reservoir. The ~~well would~~ pump and motor would be sized to pump approximately 1.25 cfs to the LAA1. It is anticipated that up to 900 AFY of water ~~would~~ may be quantified as seepage and subsequently ~~withdrawn from~~ recovered by operation of ~~the w~~Well V817 and ~~delivered~~conveyed to the LAA1. Operation of Well V817 would be included in the Annual Operations Plan that LADWP prepares each April and implemented following Inyo County's review and comment. ~~The pipeline would be located underground and would connect Well V817 to the LAA1.~~ The pipeline, well, and associated equipment would require minimal maintenance and monitoring that would be related to periodic inspection for possible pipeline leaks. Maintenance activities would occur routinely but infrequently.

1.7 Project Review and Approvals

Approvals and/or permits would be required to implement the proposed project. The CEQA environmental documentation prepared for this proposed project would be used to facilitate compliance with federal and state laws and the granting of permits by the various state and local agencies. Proposed project approval includes the following:

- LADWP Approval of the MND
- ~~Well~~ Pumping test~~ing~~ and operation of Well V817 would be conducted in compliance with the Water Agreement

Well V817 in its current state.

Well V816 and the adjacent, unused electrical junction box/panels (one is far left). Power to the well pump will be controlled from the upgraded panel components that will be installed at this location.

SOURCE: ESA, 2013

LADWP - Water Pipeline Installation Project . 211490.04

Figure 4
Existing Setting

This is the existing dirt access road that will be excavated to allow placement of the pipeline connecting V817 to the First Los Angeles Aqueduct. Pipeline will deliver the pumped water to a concrete access box (in this picture, marked by barricades along the right side of the road in the distance)

Concrete access box atop the concrete cover for LAA1. Pipeline from well V817will connect to this access box to deliver pumped well water.

SOURCE: ESA, 2013

LADWP - Water Pipeline Installation Project . 211490.04

Figure 5
Existing Setting

SECTION 2
Environmental Checklist

The following discussion of potential environmental effects was completed in accordance with Section 15063(d)(3) of the CEQA Guidelines (2012) to determine if the proposed project may have a significant effect on the environment.

2.1 CEQA Initial Study Form

Project Title	Well V817 Rose Valley Pipeline Installation Project
Lead Agency Name	Los Angeles Department of Water and Power
Lead Agency Address	111 N. Hope Street, Room 1044, Los Angeles, CA 90012
Contact Person	Charles Holloway
Contact Phone Number	(213) 367 – 0285
Project Sponsor	Los Angeles Department of Water and Power
Project Location	Lat:36.10068, Long: -117.956061 Township 21S, Range 37E, Section 23 at Rose Valley in Southern Inyo County
General Plan Designation	Natural Resource (NR)
Zoning	Open Space (OS-40)
Description of Project	Please refer to the Chapter 2, Project Description.
Surrounding Land Uses and Setting	Please refer to the Chapter 2, Project Description.
Responsible/Trustee Agencies	Los Angeles Regional Water Quality Control Board
Reviewing Agencies	City of Los Angeles Department of Planning

2.2 Environmental Factors Potentially Affected

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geology, Soils and Seismicity
☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials	☐ Hydrology and Water Quality
☐ Land Use and Land Use Planning	☐ Mineral Resources	☐ Noise
☐ Population and Housing	☐ Public Services	☐ Recreation
☐ Transportation and Traffic	☐ Utilities and Service Systems	☒ Mandatory Findings of Significance

2.3 Determination: (To be completed by Lead Agency)

On the basis of this initial study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Signature	Date
Charles Holloway Manager of Environmental Assessment and Planning Los Angeles Department of Water and Power	For

SECTION 3
Environmental Impact Assessment

3.1 Aesthetics

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
1.	**AESTHETICS — Would the project:**				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	☐	☐	☐	☒

Discussion

a) **No Impact.** The proposed project would be located in the remote area of Rose Valley, Inyo County. The project area and immediate surrounding area is undeveloped and has not been designated as a scenic vista. The proposed project consists of installation of underground water infrastructure, and improvements to existing well pads that would include new electrical panels and ancillary equipment within a fenced enclosure. The fenced enclosure around the concrete pads would be a maximum height of six feet, which would not adversely impact, block, or alter views of any scenic vistas. As a result, no impacts to scenic vistas would occur.

b) **No Impact.** There are no officially-designated State Scenic Highways in the vicinity of the project site, nor are there any known scenic resources, rock outcroppings, or historic buildings within the project site. The nearest roadway is US Highway 395, which is not designated as scenic and is located 0.5 mile west of the project area. Proposed project construction activities would be short-term and temporary and would not be visible from the highway due to its distance from the project site. Therefore, the proposed project would not impact scenic resources within a designated State Scenic Highway corridor. No impacts would occur.

c) **Less than Significant.** The existing visual character of the proposed project and surrounding area is characterized as previously disturbed unpaved areas with a generally flat topography and sparse vegetation. Views in the distance to the west show the Sierra

Nevada Mountains and views to the east include the Basin and Range Region (Trans-Sierra), which include high mountain ranges and deep valleys. Construction activities could create an impact to the visual character or visual quality to the site; however, impacts would be short-term and temporary, lasting approximately one month. The well improvements would be confined to the existing well pad and the water pipeline alignment located entirely underground. At the end of construction, the site would be returned to pre-construction conditions, with exception of the new well equipment and new fence by the existing well pad. As a result, the proposed project would not substantially degrade or change the existing visual character or quality of the site and its surroundings. Therefore, impacts to visual character of the site and its surroundings would be less than significant.

d) **No Impact.** Construction activities would occur during permitted daylight hours between 6:00 a.m. and 4:30 p.m. and no nighttime construction is anticipated. The use of external night lighting would not be required. At the end of construction, the water pipeline would be located entirely underground and the only aboveground structure would be the well pads and existing Well V817, which is of a subdued color and finish that would reduce reflection or glare. Operational inspection and maintenance activities would be minimal and infrequent. No security lighting is proposed for project operation. Therefore, implementation of the proposed project would not result in a substantial new source of light or glare that could affect nighttime views in the area. No impact would occur.

3.2 Agricultural and Forest Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
2. AGRICULTURAL AND FOREST RESOURCES — In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

a) **No Impact.** The project site has a land use designation of NR (Natural Resources) and is zoned as OS-40 (Open Space, 40-acre minimum lot size), which identifies the area for natural resource and open space uses. The adjoining areas are also designated NR and zoned OS-40. The project area was previously used as agricultural land but agricultural uses were abandoned in the late 1980s. According to the California Resources Agency Farmland Mapping and Monitoring Program, there is no Prime Farmland, Unique Farmland, or Farmland of Statewide Important within or adjacent to the project site.[1] Therefore, no impacts would occur.

b) **No Impact.** The project site has a land use designation of NR and is zoned OS-40, which identifies the area for natural resource and open space uses. Inyo County does not offer a Williamson Act program. Thus, the project site is not under a Williamson Act contract.

[1] Source: Farmland Mapping and Monitoring Program , http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx. Accessed 8/28/12.

The proposed project would not conflict with agricultural zoning or a Williamson Act contract and no impact would occur.

c) **No Impact.** The project site has a land use designation of NR and is zoned as OS-40, which identifies the area for natural resource and open space uses. The project site and adjacent lands are not zoned for forest land, timberland, or timberland zoned for timberland production. Thus, no impacts would occur to lands zoned for forest land.

d) **No Impact.** The project area is zoned OS-40, which identifies the area for natural resource and open space uses, and is not zoned as forest land. Furthermore, the proposed project site has sparse vegetation and is not located within or near a forest. The proposed project would install an underground water pipeline and well equipment that would not impact any trees. Thus, no impacts to forest land or forest use would occur.

e) **No Impact.** See response 3.2 (a) and (d) above. The proposed project would involve the installation of a water pipeline and well facilities to convey water supplies. The proposed project would not convert potential farmland or forest land to non-agriculture/non-forestry use. Therefore, no impacts would occur to agriculture or forestry resources.

3.3 Air Quality

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
3. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion

a) **Less than Significant Impact with Mitigation Incorporated.** The proposed project is located in the Great Basin Unified Air Pollution Control District (GBUAPCD), which has jurisdiction over the Great Basin Valley's Air Basin. The purpose of GBUAPCD is to enforce federal, state, and local air quality regulations to ensure federal and state air quality standards are met. The proposed project is located within Coso Junction PM_{10} Planning Area. The Coso Junction Planning area has been designated by the State and the United States Environmental Protection Agency (USEPA) as a non-attainment area of the state 24-hour average particulate matter of 10 microns or less (PM_{10}) standards. In 2010, GBUAPCD prepared the 2010 Coso Junction PM_{10} Maintenance Plan requesting that the Coso Junction PM_{10} Planning area be redesignated from nonattainment for the NAAQ Standard for PM_{10} (federal standard) to attainment. The Coso Junction is designated as an attainment area for PM_{10} under federal standards (ARB, 2011). The primary PM_{10} violations in the Owens Valley Planning Area stem from the wind-blown dust from the dry bed of Owens Lake, located north of the project area. The area has been designated as attainment or unclassified for all other ambient air quality standards including ozone. Air quality is considered excellent with the exception of PM_{10}. Pursuant to the Federal Clean Air Act, the GBUAPCD is required to reduce emissions of criteria pollutants for which it is in nonattainment under state standards, which in this case is PM_{10}.

The proposed project would involve short-term construction activities that include trenching, which could generate emissions of particulate matter. However, the proposed project would comply with applicable rules, ordinances, plans, and policies that would minimize emissions during the short-term construction activities, such as GBUAPCD

Rule 401 that requires fugitive dust emission control measures to be implemented to adequately prevent visible dust from leaving the property and to maintain compliance with the PM_{10} standard from the air quality plan. In addition, Mitigation Measures AQ-1 through AQ-4 would be implemented to reduce impacts to less than significant levels. As a result, implementation of the proposed project would not ~~with or~~ obstruct implementation of the applicable air quality plan.

b) **Less than Significant Impact with Mitigation Incorporated.** The GBUAPCD has not established numerical air quality significance thresholds to quantitatively evaluate air quality impacts. However, projects located within the jurisdiction of the GBUAPCD have utilized the numerical standards of the Mojave Desert Air Quality Management District (MDAQMD). The air quality and pollutant attainment status in portions of the Mojave Desert Air Basin (MDAB) are similar to those of the Great Basin Valley Air Basin (GBVAB); therefore, the numerical thresholds set for MDAB by the MDAQMD are considered adequate to serve as significance thresholds for the proposed project.

Air Quality Emissions Thresholds

Based on the MDAQMD thresholds, the proposed project construction emissions would result in a significant impact if regional emissions from both direct and indirect sources would exceed any of the following threshold levels:

- 137 pounds per day for nitrogen oxides (NO_X);
- 137 pounds a day for volatile organic compounds (VOC);
- 82 pounds per day for PM_{10};
- 82 pounds per day $PM_{2.5}$;
- 550 pounds per day for carbon monoxide (CO); and
- 137 pounds per day for sulfur oxides (SO_X).

The proposed project includes recovering Haiwee Reservoir water seepage and installation of a water pipeline from Well V817 to the LAA1. Construction equipment would include a backhoe, flat bed truck, water truck, and accessory vehicles. Construction activities for pipeline and well improvements <u>including power facilities</u> would create minimal short-term temporary air quality impacts resulting from construction equipment, worker trips, and truck hauling trips. Approximately 10 to 16 vehicle round-trips would occur per day for the duration of the construction. As shown in **Table 1**, projected emissions for vehicles and construction equipment would be substantially below significance thresholds and would therefore not result in a significant impact. In addition, GBUAPCD Rule 401 requires that fugitive dust emission control measures be implemented to adequately prevent visible dust from leaving the property and to maintain compliance with the PM_{10} standard. LADWP would be required to comply with Rule 401. Implementation of Mitigation Measures **AQ-1** through **AQ-4** would further reduce air quality dust emissions during construction.

TABLE 1
MAXIMUM DAILY EMISSIONS FROM PROJECT CONSTRUCTION
(pounds per day)

	Estimated Emissions (lbs/day)					
Activity	**VOC**	**NO_X**	**SO_2**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Pipeline Trenching	0.93	4.36	0.01	6.2	0.54	0.35
MDAQMD Significance Thresholds	*137*	*137*	*137*	*550*	*82*	*82*
Significant Impact (Yes or No)	No	No	No	No	No	No

Project construction emissions estimates for off-road equipment were calculated using CalEEMod Version 2011.1.1. See **Appendix A** for data emission sheets.

SOURCE: ESA, 2012.

Upon completion of construction activities, operation of the proposed project would not include components that would generate emissions that would impact the air quality of the area. Operations and maintenance activities including pipeline inspection, maintenance, and/or repairs would be minimal resulting in negligible emissions that would not exceed significance thresholds. Therefore, operational impacts related to air quality would be less than significant.

Mitigation Measures

AQ-1: Construction areas in unpaved easements and staging areas shall be sprayed with water as necessary during construction to prevent excessive amounts of dust; preferably in the late morning and after work is done for the day.

AQ-2: Construction vehicles shall be limited to 15 mph on unpaved roads and construction areas.

AQ-3: All dust generating activities (e.g. trenching and excavation) shall cease during periods of high winds (i.e. greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 dust episodes.

AQ-4: Construction vehicles shall limit and minimize idling time whenever possible.

Significance after Mitigation: Less Than Significant

c) **Less than Significant Impact.** The project area is located in the Coso Junction Planning area which is characterized as a non-attainment area for PM_{10}. Proposed project construction would result in dust emissions from trenching activities during the construction and installation of the water pipeline. GBUAPCD Rule 401 requires that fugitive dust emission control measures be implemented to adequately prevent visible dust from leaving the property and to maintain compliance with the PM_{10} standard. LADWP would be required to comply with Rule 401. As discussed above in 3.3 (b), the proposed project would not significantly increase emissions of PM_{10}. Implementation of Mitigation Measures AQ-1 through AQ-4 would further reduce project-related emissions. As the proposed project would not exceed the maximum daily emissions of criteria

pollutants (Table 1), would comply with all applicable rules and regulation, and implement recommended mitigation measures, the proposed project would not result in a cumulative considerable net increase of any criteria pollutant. Therefore, impacts would be less than significant.

d) **No Impact.** The proposed project would not emit air pollutants in substantial concentrations that would affect nearby sensitive receptors. As shown in Table 1, projected emissions for vehicles and construction equipment would be substantially below significance thresholds and would therefore not result in a significant impact. No sensitive receptors are located in proximity to the project area. In addition, operational emissions would be negligible. Because no sensitive receptors are located in proximity to the project area and construction emissions would be short-term, temporary, and well below significance thresholds, no impacts would occur.

e) **Less than Significant Impact.** Project construction could result in construction-related emissions that could generate objectionable odors. However, these odors would be short-term and temporary and no sensitive receptors are located in proximity to the project area. Operation of the proposed project would not emit odors that would affect a substantial number of people. Therefore, the proposed project would not result in significant sources of odor during construction or operation and impacts would be less than significant.

3.4 Biological Resources

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
4.	**BIOLOGICAL RESOURCES — Would the project:**				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Refer to updated biological resources information in the Corrected Habitat Assessment, located in Appendix C of this document.

a) **Less than Significant with Mitigation Incorporation.** To identify potential biological resources in the project area, a query of special-status species that have been recorded in the vicinity (and region) was conducted. This query included the California Natural Diversity Database (CNDDB), which is maintained by the California Department of Fish and Wildlife (CDFW). The query consisted of a search of nine U.S. Geological Survey (USGS) 7.5-minute quadrangles, including Coso Junction, Haiwee Reservoir, Upper Centennial Flat, Cactus Peak, Volcano Peak, Little Lake, Sacatar Canyon, and Long Canyon and Haiwee Pass. In addition, a query of the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants On-line Inventory was conducted, which also included these nine USGS quadrangles. The United States Fish and Wildlife Service (USFWS) special-status species list for Inyo County was also accessed to identify any listed species previously recorded in the region of the project site. The approximate location of special-status species identified in the database searches are provided in

Figure ~~5~~6 (CDFG 2012a; CNPS 2012; USFWS 2010), which shows all recorded occurrences within a five mile radius of the project area.

The special-status plants and wildlife identified in the database search are provided in **Tables 2 and 3**, respectively. These tables identify the protective status of each species, the preferred habitat, and the probability of occurrence in the project area. The "Potential for Occurrence" category is defined as follows:

- **Unlikely:** The project site and/or immediate area does not support suitable habitat for a particular species, and therefore the project is unlikely to impact this species.
- **Low Potential:** The project site and/or immediate area only provides limited habitat for a particular species. In addition, the known range for a particular species may be outside of the immediate project area.
- **Medium Potential:** The project site and/or immediate area provides suitable habitat for a particular species, and proposed development may impact this species.
- **High Potential:** The project site and/or immediate area provides ideal habitat conditions for a particular species and/or known populations occur in the immediate area

TABLE 2
SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status (Federal/State/ CRPR List)	Preferred Habitat	Flowering Period	Probability of Occurrence on Project Site
Ripley's aliciella (gilia) (*Aliciella ripleyi*) (formerly *Gilia ripleyi*)	–/–/2.3	Perennial herb. Mojave Desert in Inyo and San Bernardino Counties; Nevada. Carbonate soils in Mojavean desert scrub; 305 - 1,900 meters in elevation.	May-Jul	Low. Suitable desert scrub habitat exists within the project site; however, there is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted.
Darwin Mesa milk-vetch (*Astragalus atratus* var. *mensanus*)	–/–/1B.1	Perennial herb. Desert mountains north and west of Panamint Valley, Inyo County. Volcanic clay or gravelly soils in Great Basin scrub, Joshua tree woodland, pinyon-juniper woodland; 1,340 - 2,315 meters in elevation.	Apr-Jun	None: Project site is outside the range of the species.
Kern Plateau milk-vetch (A*stragalus lentiginosus* var. *kernensis*)	–/–/1B.2	Perennial herb. Meadow and seeps and subalpine coniferous forests. From 2,240 - 2,750 meters in elevation.	Jun - Jul	None: Project site is outside the range of the species.

TABLE 2
SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status (Federal/State/ CRPR List)	Preferred Habitat	Flowering Period	Probability of Occurrence on Project Site
common moonwort (*Botrychium lunaria*)	–/–/2.3	Perennial rhizomatous herb. Meadow and seeps, subalpine coniferous forest, and upper montane coniferous forest. From 1,980 – 3,400 meters in elevation.	Aug	None: Project site is outside the range of the species.
mingan moonwort (*Botrychium minganense*)	–/–/2.2	Perennial rhizomatous herb. Lower montane coniferous forest. From 1,455 – 2,105 meters in elevation.	Jul - Sep	None: Project site is outside the range of the species.
white pygmy-poppy (*Canbya candida*)	–/–/4.2	Annual herb. Typically found in Joshua tree woodland. From 600 - 1,460 meters in elevation.	Mar-Jun	Unlikely: No suitable habitat exists within the project site.
Kern Canyon clarkia (*Clarkia xantiana* ssp. *parviflora)*	–/–/4.2	Annual herb. Found in chaparral, cismontane woodland, Great Basin scrub, and valley and foothill grassland. From 700 - 3,620 meters in elevation.	May-Jun	Low: No suitable habitat exists within the project site; however one CNDDB occurrence is documented within five miles of the project site. There is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted.
Cordyylanthus eremicus ssp. *kernensis* Kern Plateau bird's-beak	–/–/1B.3	Annual herb hemiparasitic. Found in Great Basin scrub, Joshua tree woodland and cismontane woodland. From 1,675 – 3,000 meters in elevation.	Jul-Sep	None: Project site is outside the range of the species.
Ripley's cymopterus (*Cymopterus ripleyi* var. *saniculoides*)	–/–/1B.2	Perennial herb. Found in Inyo County and Nevada in Joshua tree woodland, and Mohavean desert scrub on sandy, carbonate soils. From 1,000 – 1,660 meters in elevation.	Apr-Jun	Low. Suitable desert scrub habitat exists within the project site; however, there is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted.
Mojave tarplant (*Deinandra mohavensis*)	–/Endangered/1B.3	Annual herb. Found in chaparral and riparian scrub. From 640 – 1600 meters in elevation.	May - Jan	None: No suitable habitat exists within the project site.

TABLE 2
SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status (Federal/State/ CRPR List)	Preferred Habitat	Flowering Period	Probability of Occurrence on Project Site
Booth's evening-primrose (*Eremothera boothii* ssp. *boothii*)	–/–/2.3	Annual herb. Occurs in Joshua tree woodland and pinon and juniper woodlands. From 900 – 2,400 meters in elevation.	Apr - Sep	Low: No suitable habitat exists within the project site; however two CNDDB records exist within 5 miles of the project site. There is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted.
Pinyon Mesa buckwheat (*Eriogonum mensicola*)	–/–/1B.3	Perennial herb. Found in Great Basin scrub, pinon and juniper woodlands, and upper montane coniferous forest. From 1,800 – 2,805 meters in elevation.	Jul - Sep	None: Project site is outside the range of the species.
Olancha Peak buckwheat (*Eriogonum wrightii* var. *olanchense*)	–/–/1B.3	Perennial herb. Found in alpine, alpine boulder and rock field, and subalpine coniferous forest. From 3,260 – 3,535 meters in elevation.	Jul - Sep	None: Project site is outside the range of the species.
field ivesia (*Ivesia campestris*)	–/–/1B.2	Perennial herb. Found in meadows and seeps, subalpine coniferous forest, and upper montane coniferous forest. From 1,975 – 3,350 meters in elevation.	Jun - Aug	None: Project site is outside the range of the species.
Father Crowley's lupine (*Lupinus padre-crowleyi*)	–/Rare/1B.2	Perennial herb. Found in Great Basin scrub, riparian forest, riparian scrub, and upper montane coniferous forest. From 2,200 – 4,000 meters in elevation.	Jul - Aug	None: Project site is outside the range of the species.
creamy blazing star (*Mentzelia tridentata*)	–/–/1B.3	Annual herb. Occurs in Mohavean desert scrub in rocky, gravelly, or sandy soils. From 700 – 1,160 meters in elevation.	Mar - May	Low. Suitable desert scrub habitat exists within the project site; however, there is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted. The CNDDB indicates that one recorded occurrence is within 5 miles of the project site.

TABLE 2
SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

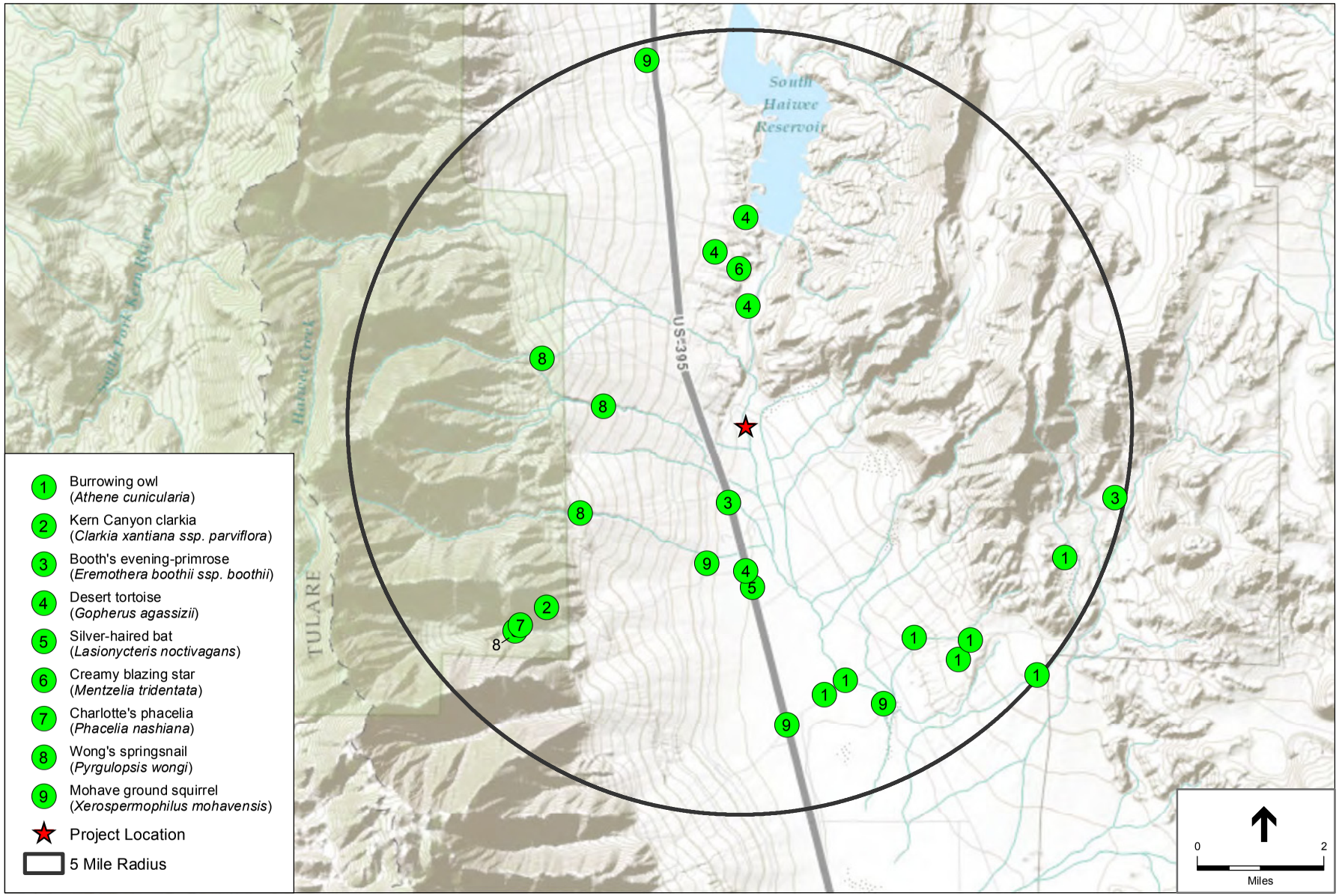
Species	Status (Federal/State/ CRPR List)	Preferred Habitat	Flowering Period	Probability of Occurrence on Project Site
Sweet-smelling monardella (*Monardella beneolens*)	–/–/1B.3	Perennial rhizomatous herb. Found in Inyo, Kern, and Tulare Counties: known from few occurrences on the eastern Sierran crest. Granitic substrates in alpine boulder and rock field, subalpine and upper montane coniferous forest; 2,500 - 3,500 meters in elevation.	Jul - Sep	None: Project site is outside the range of the species.
Death Valley beardtongue (*Penstemon fruticiformis* var. *amargosae*)	–/–/1B.3	Perennial herb. Found in Inyo and San Bernardino Counties and in Nevada. Occurs in Mohavean desert scrub; 850-1,400 meters in elevation.	Apr - Jun	Low. Suitable desert scrub habitat exists within the project site; however, there is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted.
Charlotte's phacelia (*Phacelia nashiana*)	–/–/1B.2	Annual herb. Occurs in Joshua tree woodland, Mohavean desert scrub, and pinon and juniper woodland in granitic and sandy soils. From 600 – 2,200 meters in elevation.	Mar - Jun	Low. Suitable desert scrub habitat exists within the project site; however, there is a low potential that this species would be present within the 0.23 acre of Mohave scrub that would be temporarily impacted. The CNDDB indicates that one recorded occurrence is within 5 miles of the project site.
Owens Valley checkerbloom (*Sidalcea covillei*)	–/Endangered/1B.1	Perennial herb. Occurs in Great Basin scrub, limestone, meadows and seeps, and other wetland habitats. From 1,095 – 1,415 meters in elevation.	Apr - Jun	Unlikely: No suitable habitat exists within the project site.
cut-leaf checkerbloom (*Sidalcea multifida*)	–/–/2.3	Perennial herb. Occurs in Great Basin scrub, Joshua tree woodland, lower montane coniferous forest, meadows and seeps, and pinon and juniper woodlands. From 1,750 – 2,800 meters in elevation.	May – Sep	Unlikely: No suitable habitat exists within the project site.

TABLE 2
SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status (Federal/State/ CRPR List)	Preferred Habitat	Flowering Period	Probability of Occurrence on Project Site
Dedecker's clover (*Trifolium dedeckerae*) (syn. *T. macilentum* var. *dedeckerae*)	–/–/1B.3	Perennial herb. Found in the eastern Sierras in Tulare and Inyo Counties, the White Mountains in Inyo County, south to Spanish Needle area in Kern County. Rocky, gravelly slopes in variety of arid vegetation types including coniferous forest, pinyon-juniper woodland, and sagebrush scrub; 2,100 – 3,500 meters in elevation.	Jun-Jul	None: Project site is outside the range of the species.
grey-leaved violet (*Viola pinetorum* var. *grisea*)	–/–/1B.3	Perennial herb. Occurs in subalpine coniferous forest and upper montane coniferous forest. From 1,500 – 3,400 meters in elevation.	Apr - Jul	None: Project site is outside the range of the species.

CNPS California Rare Plant Rank (CRPR) Status
List 1B = Plants Rare, Threatened, Endangered in California and elsewhere
List 2 = Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

Threat ranks
.1 = seriously Endangered in California
.2 = fairly Endangered in California
.3 = Not very threatened in California (low degree/immediacy of threats or no current threats known)



SOURCE: ESA 2012, ESRI, CNDDB

LADWP - Water Pipeline Installation Project . 211490.04

Figure 6

California Natural Diversity Database
Special-Status Species Occurrences

TABLE 3
SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status: Federal/State	Preferred Habitat	Probability of Occurrence on Project Site
Invertebrates			
Wong's spring snail (*Pyrgulopsis wongi*)	**– / –**	Found in Great Basin flowing waters and in meadows and seeps.	None: No suitable habitat present.
Fish			
Volcano Creek golden trout (*Oncorhynchus mykiss aguabonita*)	–/Sp. of Special Concern	Found in aquatic habitats with flowing waters (Sacramento and San Joaquin).	None: No suitable habitat present.
Owens speckled dace (*Rhinichthys osculus* ssp. 2)	–/Sp. of Special Concern	Found in aquatic habitats with flowing waters in the Great Basin	None: No suitable habitat present.
Reptiles			
Desert tortoise (*Gopherus agassizii*)	Threatened/Threatened	Desert scrub, desert wash, and Joshua tree woodland habitats. Requires friable soil for burrow and nest construction. Prefers creosote bush habitat with large annual wildflower blooms.	Low: Suitable habitat is present and known populations exist within the vicinity of the project site (USFWS 2011). No individuals or sign of recent activity was observed during 2012 field assessments and the potential for desert tortoises to be present within the 1.12 acre project site is low.
Birds			
burrowing owl (*Athene cunicularia*)	–/Sp. of Special Concern	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. A subterranean nester dependent upon burrowing mammals, particularly the California ground squirrel	Low: Suitable habitat present; however, no sign of burrowing owls our suitable-size burrows were observed during field assessments conducted in 2012. Borrowing owls could winter within the Mohave scrub on the project site; however, the potential for burrowing owls to be present within the 1.12 acre project site is low.
Swainson's hawk *(Buteo swainsoni)*	–/Threatened	Stands with few trees, juniper-sage flats, riparian habitat, and oak savannah. Forages in adjacent grasslands and agricultural fields and pastures.	Low. No suitable nesting habitat is present on the project site. Although there is suitable foraging habitat, the potential for Swainson's hawk to be present within the 1.12 acre project site is low.

TABLE 3
SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status: Federal/State	Preferred Habitat	Probability of Occurrence on Project Site
loggerhead shrike (*Lanius ludovicianus*)	–/Sp. of Special Concern	Lowlands and foothills throughout California. Prefers open habitats with scattered shrubs, trees, posts, fences, and other perches.	Observed: A loggerhead shrike was observed on a shrub located on the project site. This species is expected to inhabit the area. However, the potential for loggerhead shrikes to be present within the 0.23 acre of Mohave desert scrub that would be temporarily disturbed is low.
Le Conte's thrasher (*Toxostoma lecontei*)	–/Sp. of Special Concern	Resident of desert areas, primarily in open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats. Nests in dense, spiny shrub or densely branched cactus, usually 2-8 ft. above ground in desert wash habitat.	Medium: Suitable foraging habitat is present in the scrub habitats on and around the project site; however, no suitable nesting habitat is present.
Mammals			
pallid bat (*Antrozous pallidus)*	–/Sp. of Special Concern	Occurs throughout California except the high Sierra from Shasta to Kern County and the northwest coast, primarily at lower and mid elevations. Occurs in a variety of habitats from desert to coniferous forest. Most closely associated with oak, yellow pine, redwood, and giant sequoia habitats in northern California and oak woodland, grassland, and desert scrub in southern California. Relies heavily on trees for roosts.	None: No suitable habitat present.
Townsend's big-eared bat (*Corynorhinus townsendii*)	–/Sp. of Special Concern	Most common in mesic sites throughout California. Roosts in the open, hanging from walls and ceilings.	Low: No suitable roosting habitat present, but foraging habitat is present in project vicinity.
silver-haired bat (*Lasionycteris noctivagans*)	**– / –**	Occurs in lower montane coniferous forest and old-growth riparian forests.	None: No suitable habitat present.
Owens Valley vole (*Microtus californicus vallicola*)	–/Sp. of Special Concern	Typically inhabits meadow and seeps and other wetland habitats.	None: No suitable habitat present.

TABLE 3
SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN PROJECT AREA

Species	Status: Federal/State	Preferred Habitat	Probability of Occurrence on Project Site
Mohave ground squirrel (*Spermophilus mohavensis*)	–/Threatened	Open desert scrub, alkali scrub, and Joshua tree woodland. Endemic to the Mojave Desert. Prefers sandy-to-gravelly soils and avoids rocky places. Finds cover and nests in burrows at the base of shrubs.	Low: The open and disturbed non-native grassland along the proposed pipeline alignment does not provide suitable habitat. However, Mohave ground squirrels could use the shrubs located within and adjacent to the perimeter of the site for migrating to the north and south. Known populations occur in the vicinity (Leitner 2008). However, the potential for Mohave ground squirrel to be present within the 0.23 acre of Mohave desert scrub that would be temporarily disturbed is low.

On July 29, 2012, LADWP biologists conducted a habitat assessment of the project alignment and a 200-foot buffer area to evaluate the potential for burrowing owl (*Athene cunicularia*), desert tortoise (*Gopherus agassizii*), Mohave Ground Squirrel (MGS) (*Xerospermophilus mohavensis*), rare plants, and other regionally sensitive species to occur. In addition, ESA's Director of Biological Resources, Greg Ainsworth, conducted a site reconnaissance on March 9, 2012, to characterize on-site and adjacent habitat conditions. The results of the habitat assessment are described below.

On September 26th, 2013 a biological assessment was conducted for the proposed pipeline route between Well V817 and LAA1 by LADWP biologists to evaluate the potential for the federally and state threatened desert tortoise (*Gopherus agassizii*), the state threatened Mohave ground squirrel (*Spermophilus mohavensis*), and the burrowing owl (*Athene cunicularia*), a state listed Species of Special Concern. The survey route included walking a dirt road from the LA Aqueduct Station to the V817 well with a 200-foot buffer on both sides of an existing dirt road through the middle of a heavily disturbed agricultural field. The results of the habitat assessments are described below and in more detail in Appendix C.

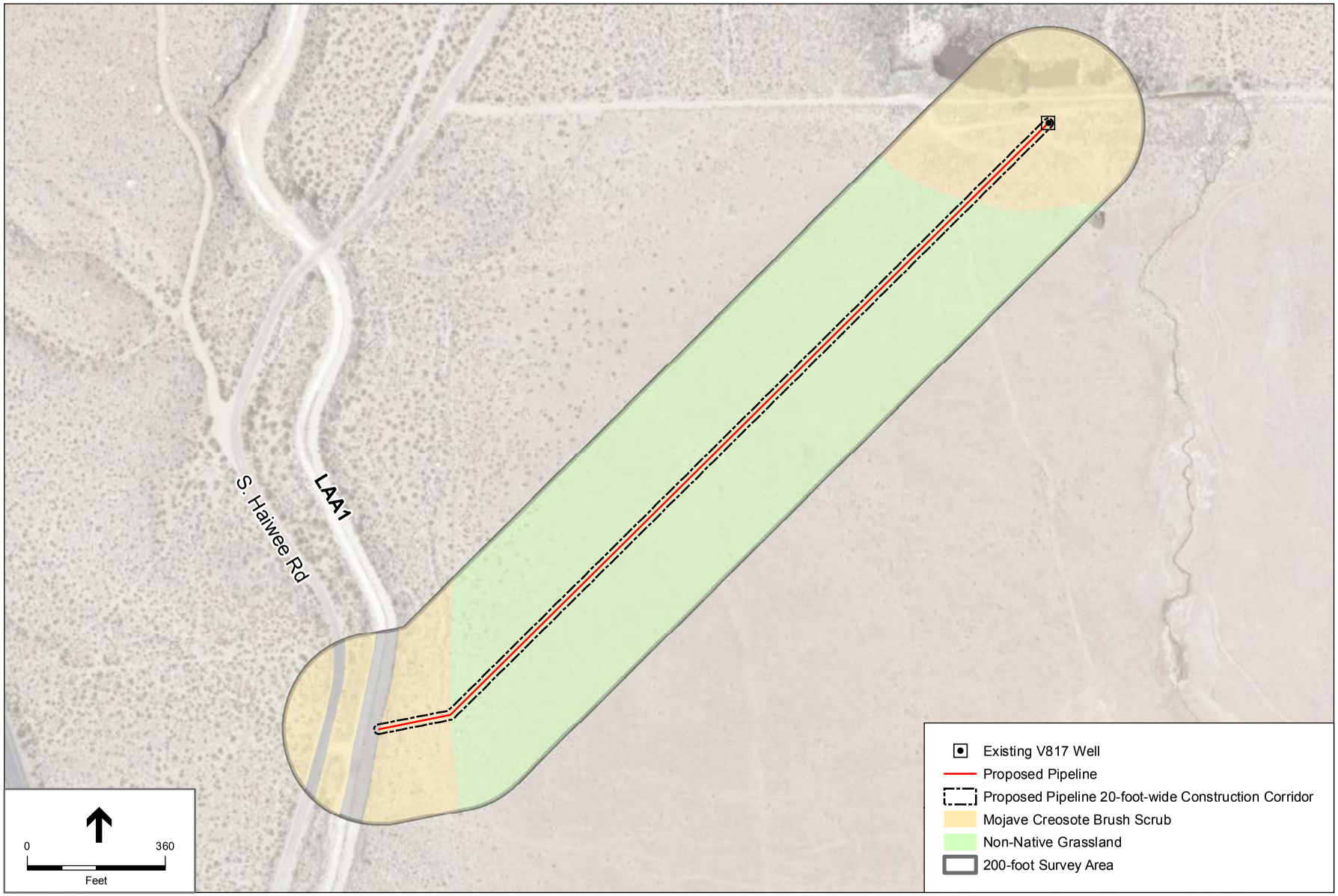
The majority of the project site has been disturbed by previous cattle grazing activities. In general, the shrub cover within the project site is sparse. The two plant communities that occur on and adjacent to the project site include Mojave Creosote Bush Scrub and Non-native Grassland. The proposed pipeline alignment is dominated by non-native grasses and Mojave Creosote Bush Scrub around Well V817 and LAA1 Station 156+94 (See **Figure ~~6~~7**). The dominant shrub species observed on the proposed project site include

creosote (*Larrea tridentata*) and allscale (*Atriplex polycarpa*). Other species observed in much lower densities include rayless goldenhead (*Acamptopappus sphaerocephalus*), white bur-sage (*Ambrosia dumosa*), cheesebush (*Ambrosia salsola*), Cooper's goldenbush (*Ericameria cooperi* var. *cooperi*), fiddleneck (*Amsinckia* spp.), western tansy mustard (*Descurainia pinnata*), Mojave indigo bush (*Psorothamnus arborescens*), gilia (*Gilia* spp.), cholla (*Cylindropuntia* spp.) and beavertail pricklypear (*Opuntia basilaris*).

Several other common (annual) plant species that were not observed due to the timing of the field visits but may occur onsite because they are known to occur in the vicinity include: coreopsis (*Coreopsis bigelovii*), rosy gilia (*Gilia sinuata*), chick lupine (*Lupinus microcarpus* var. *horizontalis*), white fiesta flower (*Pholistoma membranaceum*) and thistle sage (*Salvia carduacea*) (BioHere 2012).

Wildlife species observed are typical for the region. No habitat for amphibians exists onsite and one reptile species, side-blotched lizard (*Uta stansburiana*), was observed. Bird species observed during the assessment included loggerhead shrike (*Lanius ludovicianus*), Bullock's oriole (*Icterus bullockii*), red-tailed hawk (*Buteo jamaicensis*), and black phoebe (*Sayornis nigricans*). The Loggerhead shrike is a California Species of Special Concern; however, no evidence of breeding or nesting was observed, the observed bird was likely foraging or passing through the site. The only mammal observed was Antelope ground squirrel (*Ammospermophilus leucurus*). This species had many burrows along the project alignment both under shrubs and out in the open.

Common wildlife species not observed but expected to occur in the area include mule deer (*Odocoileus hemionus*), bobcat (*Lynx rufus*), and vagrant shrew (*Sorex vagrans*) (Jameson & Peeters 2004). Additionally, many migratory birds forage and stopover in the area and numerous other birds are known to breed and nest in the vicinity, including chukars (*Alectoris graeca*), Gambel's quail (*Lophortyx gambelii*), mountain quail (*Oreortyx pictus*) and mourning dove (*Zenaidura macroura*). Raptors including golden eagles (*Aquila chrysaetos*), prairie falcon (*Falco mexicanus*), and long-eared owls (*Asio otus*) are also known to forage in the area (BioHere 2012) (Sibley 2003).



SOURCE: ESA 2012, ESRI

LADWP - Water Pipeline Installation Project . 211490.04

Figure 7

Existing Vegetation

Habitat Impacts

Direct impacts as a result of project-related construction activities would include the temporary disturbance of native and non-native plant communities utilized as habitat by both common and rare wildlife, fugitive dust, and increased noise from operation of heavy equipment in these areas. Clearing, grading and trenching (within a 20-foot-wide corridor over the length of the alignment) would temporarily impact 0.18 acre of disturbed Mojave Creosote Bush Scrub and 0.71 acre of non-native grassland along the project alignment. This totals 0.89 acres of temporary ground disturbance impacts to habitat, as listed in **Table 4**.

TABLE 4
PROJECT IMPACTS TO HABITAT (ACRES)

Plant Community	Temporary Impacts
Mojave Creosote Bush Scrub	0.18
Non-Native Grassland	0.71
Total	**0.89**

SOURCE: ESA, 2013

The temporary disturbance from project construction activities would not result in a substantial loss of habitat that would affect the ability of species to disperse and persist throughout the project area and surrounding vicinity. In addition to the direct impacts, indirect temporary impacts to biological resources could include the establishment of non-native and invasive weeds. Operational project activities would include periodic/intermittent human presence for maintenance activities that would not result in significant impacts to onsite habitat. Furthermore, no permanent impacts to existing onsite plant and habitat communities would occur from implementation of the proposed project.

Special-Status Plant Impacts

No special-status plant species were identified on or adjacent to the proposed project ~~site~~alignment; therefore, the potential for such species to occur is low. The proposed project, however, has potential to result in the removal of some native desert scrub vegetation, including native cacti such as cholla and beavertail pricklypear. The following CNPS “Rare” herbaceous species have a moderate potential to occur within the Mohave scrub community that occurs at the ends of the pipeline alignment (Figure 4~~3~~): Ripley’s aliciella, Ripley’s cymopterus, creamy blazing star, Death Valley beardtongue, and Charlotte’s phacelia. However, the non-native grassland habitat that exists within the majority of the pipeline alignment does not provide suitable habitat for these species. The likelihood of these rare plants to be present within the 0.18 acre of Mojave Creosote Bush Scrub that would be temporarily impacted is low. If present, the removal of these species would not cause the regional population to drop below self-sustaining levels. Impacts to

these potentially occurring rare plants would be less than significant with the implementation of Mitigation Measures.

Wildlife and Special-Status Species Impacts

Direct mortality of small mammals and reptiles could occur during construction of the proposed project. Depending on the timing of construction, eggs and nestlings of bird species with small, well-hidden nests could also be subject to loss. Impacts to animals would result primarily during habitat clearing, earth removal, grading, digging, and equipment movement. Mobile species like birds and larger mammals are expected to disperse into nearby habitat areas during construction.

In addition, the use of access roads by construction vehicles could result in accidental mortality to wildlife. Diurnal reptiles and small mammals such as western fence lizards, desert cottontails, and ground squirrels are the most likely to be subject to vehicle-caused mortality. Vehicle collisions with coyote and other large species may also occur, but are unlikely since such species are typically easy to detect. Injury to or mortality of a special-status species during construction would be significant. However, since vehicle use would be minimal and speeds would be limited in the dirt road segments, mortality is unlikely.

Vehicle and equipment travel on access roads during operation and maintenance may also disturb wildlife. Vehicles could cause direct mortality or injury to wildlife that are unable to move out of the way of vehicles. As with construction, injury to or mortality of a special-status species during operations and maintenance would be significant. However, use of access roads during operations and maintenance would be of low volume. All construction activities would occur within the 20-foot-wide construction corridor to minimize disturbance to adjacent habitats. All construction staging would also be located within the 20-foot-wide construction corridor and/or the staging areas that are shown on Figure 2. ~~Other construction and employee vehicles would park along the existing roadways or in turnouts from State Route 395 and no vehicle maintenance would be conducted at or near the project site.~~ No vehicle maintenance would be conducted at or near the project site and ~~V~~vehicle fueling would occur on existing roadways. In addition, no nighttime lighting is proposed and vehicle access onto the proposed project site during nighttime hours would be minimal.

Desert Tortoise. Although desert tortoises are known to occur in the region (USFWS 2011), no evidence of desert tortoise was observed on or adjacent to the project site during the site assessment and field reconnaissance. The total project footprint is 0.89 acres and impacts to plants and habitat would be temporary. If a desert tortoise were to migrate through the project site during construction activities, direct impacts or harassment ~~"take"~~ could occur from construction equipment or entrapment in open trenches. However, direct impact to individuals and desert tortoise habitat would be less than significant with implementation of Mitigation Measures. The potential for desert tortoise to visit the site is very low.

Mohave Ground Squirrel (MGS). According to *The Current Status of the Mohave Ground Squirrel* (Leitner 2008), there are approximately 11 to 20 known records of MGS in the vicinity of the project site. MGS could migrate through the site within the Mojave Creosote Bush Scrub that occurs near the east and west perimeters. A total of 0.18 acre of Mojave Creosote Bush Scrub would be temporarily disturbed and the potential for MGS to be present within this small area is low. If a MGS were to migrate through the project site during construction activities, direct impacts or "take" could occur from construction equipment or entrapment in open trenches. However, direct impact to individuals and MGS habitat would be less than significant with implementation of Mitigation Measures. The potential for MGS to visit the site is very low.

Burrowing Owl, Swainson's Hawk, Loggerhead Shrike, Le Conte's Thrasher, and Bats. Burrowing owl, Swainson's hawk, loggerhead shrike, Le Conte's thrasher and Townsend's big-eared bat are known to forage in the region, and a loggerhead shrike was observed on the project site during the site assessment. No burrows suitable for supporting burrowing owls are present within the project site. The potential for these species to forage or winter within the 0.18 acre of Mojave Creosote Bush Scrub that would be temporarily impacted is low, since the affected area is disturbed from previous grazing activity and is small in size. The project site does not support suitable nesting habitat for the aforementioned bird species, nor is suitable ~~rooting~~roosting habitat present for bats. Moreover, the project site is not a significant foraging area for any of these species. In addition, all of these species are highly mobile; therefore, if present, they are expected to disperse into nearby habitat areas during construction activities and maintenance visits. As a result, impacts to nesting and foraging avian species would be less than significant with implementation of Mitigation Measures.

Nesting Birds. Indirect impacts to nesting birds and seasonal migrants are expected to be low, because of the relatively small area of low quality nesting and foraging habitat such as Mojave Creosote Bush Scrub that would be temporarily impacted by project activities ~~Mojave Creosote Bush Scrub~~, as listed in Table 4. The majority of birds observed during field visits, including other passerines and raptors known to occur in the area that otherwise have no special status, are covered by the Migratory Bird Treaty Act (MBTA) and any direct impacts to breeding and nesting birds would be significant. However, impacts would be less than significant with implementation of Mitigation Measure.

Mitigation Measures

BIO-1: LADWP shall minimize the removal of native plant species during site preparation and construction activities. Native vegetation within the construction work area, including native cacti, should be flagged for protection. If construction requires removal of native plant species, the plant species shall be salvaged and transplanted in undisturbed areas adjacent to the construction work areas.

~~**BIO-2:** Exclusionary fencing (i.e., silt fence) shall be installed around the perimeter of the proposed project site. The fencing material shall be buried at least 12 inches~~

~~below the surface, so that animals cannot burrow under the fence and enter the work area.~~

BIO-2~~3~~: ~~A qualified biologist with possession of a California Department of Fish and Wildlife Scientific Collection Permit shall conduct a preconstruction survey immediately prior to vegetation removal activities. If a listed or sensitive species is identified (i.e., desert tortoise, Mohave ground squirrel or burrowing owl), the biologist shall document the location of the observance and prepare a letter to LADWP to notify the project manager of the occurrence. If a listed species is identified within the work area, no ground disturbance activities shall be initiated prior to written approval from the United States Fish and Wildlife Service and California Department of Fish and Wildlife.~~ Prior to any ground disturbing activities for the proposed project, a pre-construction clearance survey will be conducted by a qualified LADWP biologist to search for any mammal or reptile burrows potentially found onsite at an appropriate time of year for maximum detectability, with particular emphasis on Mohave ground squirrels and desert tortoise. If any sign of these species is found present, no ground disturbing activities shall be initiated prior to written approval from the United States Fish and Wildlife Service and the California Department of Fish and Wildlife.

BIO-3~~4~~: ~~A qualified biological monitor with possession of a California Department of Fish and Wildlife Scientific Collection Permit shall be present during vegetation removal and construction activities. The biological monitor shall inspect the exclusionary fencing daily for animals that may have moved in to the area.~~ Open trenches, or other excavations that could entrap wildlife shall be inspected by a qualified ~~the~~ biological monitor a minimum of three times per day and immediately before backfilling, with at least one inspection occurring prior to the onset of construction activities each morning and another conducted at the end of each day. If wildlife is trapped, construction shall not occur until the animal has left the trench or has been removed and relocated by the biological monitor. Any trapped animals shall be removed and relocated outside of the construction limits.

BIO-4~~5~~: If an injured or dead special-status species is encountered during construction, the construction contractor shall stop work within the immediate vicinity and notify the biologist, who shall subsequently notify the appropriate resource agency (e.g., USFWS or CDFW) before construction is allowed to proceed.

BIO-5~~6~~: The qualified biologist shall provide environmental training to all personnel that will be working on the site during project construction and operation. The training shall include a review of special-status species known to occur in the project site and measures to avoid inadvertent impacts to all animal species.

BIO-6~~7~~: ~~Construction vehicles shall be limited to 15 mph on unpaved roads and construction areas. If construction is scheduled to occur during the bird nesting season (February 1–August 31) a qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitats within 500 feet of~~

~~construction activities. Surveys shall be conducted no more than 30 days prior to construction activities. If construction activities are scheduled outside of the nesting season, no preconstruction surveys would be necessary.~~

~~If active nests are found, no-disturbance buffers delineated with orange mesh construction fencing (or similar material) at least three feet in height shall be implemented around each nest as follows: a 500-foot buffer shall be created around any confirmed active raptor nest; a 250-foot buffer shall be created around active nests of non-raptor special-status bird species (such as loggerhead shrike); and a 100-foot buffer shall be created around any other nests of bird species protected by the MBTA or Fish and Game Code. The buffers should be implemented until it is determined by a qualified wildlife biologist that young birds have fledged and no additional attempts to utilize the nest are made, or as otherwise authorized by CDFW. If a nest is found in an area where ground disturbance is scheduled to occur, LADWP shall avoid the area either by delaying ground disturbance until a qualified wildlife biologist has determined that the birds have fledged or by re-siting the project component(s) to avoid potential nesting sites.~~ Prior to any ground disturbing activities for the proposed project, all potential bird nesting habitat within the project site will be surveyed within 72 hours prior to project activities. If an active bird nest is located, a qualified biologist shall protect the nest site from project-related impacts until the young have fledged or the nest otherwise becomes inactive. If threatened or endangered bird species are observed in the area, no work shall occur during the breeding season (March 1 through September 1) to avoid take of listed species.

Significance After Mitigation: Less Than Significant.

b) **No Impact.** The project area and pipeline easement do not contain riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or the USFWS. Therefore, no impacts would occur.

c) **No Impact.** The proposed project is not located within or in the vicinity of federally protected wetlands. Therefore, no impact would occur.

d) **Less than Significant with Mitigation Incorporation.** Direct impact to MGS individuals and MGS habitat would be less than significant with implementation of Mitigation Measures listed above. Following installation of the new facilities, activities onsite would be limited to intermittent and limited maintenance activities that would not impact wildlife movement corridors.

e) **No Impact.** The proposed project is located in Inyo County. Inyo County's adopted goals call for maintaining and enhancing biological diversity and healthy ecosystems throughout the County, and maintaining a balanced approach to resource protection and recreational use. In addition, there are no biological/wildlife or tree specific ordinances in the Inyo County Code. Because

the proposed project is temporary and would not result in permanent impacts, the biological diversity and ecosystem on the site and in the area would be maintained. Moreover, Mitigation Measures would reduce or avoid potential impacts to biological resources to less-than-significant levels. Therefore, the proposed project would not conflict with any local policies or ordinances protection biological resources.

f) **No Impact.** The project is included within the West Mojave Habitat Conservation Plan. The project area is not within a BLM-designated Mohave Ground Squirrel Conservation Area or Mohave Ground Squirrel Coso Range-Olancha Population Core Area (Leitner 2008). The project area is also not located within USFWS-designated Critical Habitat or any other conservation areas for desert tortoise. No other adopted Habitat Conservation Plans/Natural Community Conservation Plans (HCP/NCCP), or other approved local, regional, or state HCPs occur within the vicinity of the project site. Implementation of the proposed project would not conflict with the provisions of any adopted conservation plan, and no impacts would occur.

3.5 Cultural Resources

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
5.	**CULTURAL RESOURCES — Would the project:**				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

The following analysis is based on findings from the following reports: *Draft Report Cultural Resources Survey for LADWP's Water Pipeline Installation from Well V817 to LAA1, Rose Valley, Inyo County, California* (Denardo et al., 2010); *Archaeological Testing and Evaluation of an Archaeological Site along the Option B Corridor and Cultural Resource Survey along the Option C Corridor for LADWP's Water Pipeline Installation from Well V817 to Los Angeles Aqueduct # 1, Rose Valley, Inyo County, California* (Weaver and Denardo, 2011); and *Los Angeles Department of Water and Power Well V817 Rose Valley Pipeline Installation Project: Extended Phase I Cultural Resources Study* (Vader et al., 2012)

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less Than Significant With Mitigation Incorporated. A Phase I study (Denardo et al., 2010) and two extended Phase I/ Phase II testing programs (Weaver and Denardo, 2011; Vader et al., 2012) were conducted in the project area in order to identify historical or archaeological resources that could be impacted by the proposed project.

The Phase I study consisted of archival research, Native American contact program, and pedestrian survey (Denardo et al., 2010). A records search conducted at the Eastern Information Center (EIC) revealed that two prehistoric archaeological resources (CA-INY-372, CA-INY-6980/H) and two multi-component archaeological resources (CA-INY-7306 and CA-INY-7307) had been previously recorded within a 0.50 mile radius of the project alignment. Of these four resources, one, CA-INY-6980/H, was originally mapped as being located within the project area. However, further research revealed that this resource had been mis-plotted at the EIC and was in fact located about 500 feet north of the project area. A Sacred Lands File (SLF) search performed by the Native American Heritage Commission (NAHC) did not reveal the presence of any sacred sites within the project area. As a result of contact with Native American representatives, as suggested by the NAHC, Charlie Cooke of the Tehachapi Indian Tribe and Barbara Durham of the

Timbisha Shoshone Tribe expressed interest in the project. Ms. Durham recommended that a Native American monitor be present during project ground-disturbing activities.

A Phase I pedestrian survey of the project area was performed in March of 2010 (Denardo et al., 2010). The survey resulted in the identification of one archaeological resource (temporary designation 1309-15-12-1/H) within the project area. Resource 1309-15-2-1/H consists of a sparse-to-moderate density prehistoric lithic debitage and tool scatter, and a sparse historic refuse scatter.

In 2011, resource 1309-15-2-1/H was subject to Extended Phase I and Phase II testing, in order to delineate the site's boundaries, and to determine whether the site qualified as a historical or unique archaeological resource under CEQA (Weaver and Denardo, 2011). During the testing program, 18 shovel test pits and two test excavation units were excavated. Artifacts recovered during testing included 56 prehistoric lithic artifacts (including 52 flaked debitage and four tools) and 18 historical artifacts (including 1 glass fragment and eight metal objects). The site possessed a very sparse subsurface component, and no prehistoric or historic subsurface features were identified. It was observed that various disturbances have affected portions of the site. Based on the scant deposits, lack of cultural features, and lack of temporally diagnostic artifacts, resource 1309-15-2-1/H was recommended not eligible for listing in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR), does not qualify as a unique archaeological resource, and is not otherwise considered a historical resource under CEQA §15064.5 (Weaver and Denardo, 2011).

Immediately following this testing program, on August 12, 2011, project archaeologists surveyed Option C, a pipeline option that is no longer under consideration (Weaver and Denardo, 2011) . As a result of this survey, resource CA-INY-6980/H was relocated and its boundaries significantly expanded. Resource CA-INY-6980/H consists of a 6.9-acre high-density scatter of prehistoric artifacts, including obsidian tools, along with some historic-period artifacts. Although the majority of the site is located outside of the project area, CA-INY-6980/H overlaps a part of the project area and a proposed staging area.

An Extended Phase I surface survey and subsurface testing of the 0.3-acre portion of site CA-INY-6980/H that overlaps part of the project area was conducted on October 31 and November 1, 2012 by ESA archaeologists (Vader et al., 2012). The testing program was designed to sample the broadest extent of the affected portion of site CA-INY-6980/H that overlaps the project area ("XP1 investigation area") in order to identify the surficial extent of the site within the project area and to identify whether the site contained a sub-surface component. The Extended Phase I investigation commenced with a close interval survey (transects no more than 5 meters apart) of the XPI investigation area. A total of 48 obsidian lithic artifacts, designated Artifacts 1 through 48, were identified as a result of the survey. Identified artifacts included flake tools that exhibit utilization, flake shatter, angular shatter, pressure flakes, and a possible unifacially worked projectile point base.

Following the surface investigation, ESA archaeologists excavated 10 shovel test pits (STPs) (STP 1-10) within the XPI investigation area. Each STP measured approximately

30 centimeters in diameter. All STPs were excavated in 10-centimeter (cm) increments until two culturally sterile soil levels were reached. Soils from each 10-cm level were screened through 1/8-inch hardware mesh and the result of each STP excavation was recorded on an ESA STP form. Nine of the ten STPs (STP 2-10) were negative for cultural materials. A single artifact (Artifact 49), an obsidian flake tool that exhibits utilization, was recovered from the 0-10 cm level of STP 1.

Based on the results of the Extended Phase I Investigation, the portion of CA-INY-6980/H located within the XPI investigation area does not contain adequate data to contribute to the site's eligibility and is not considered eligible for listing in the NRHP or the CRHR under Criterion D/4, nor does it meet the definition of a unique archaeological resource under CEQA. The types of data that would typically contribute to a prehistoric archaeological site's eligibility include the presence subsurface features, the presence of datable materials such as charcoal, and diagnostic artifacts. These types of data should be sufficient to contribute to regional research topics such as paleoenvironmental reconstruction, settlement patterns, technology, and travel and trade. The Extended Phase I investigation did not uncover any features, diagnostic artifacts, or datable materials that would contribute to regional research topics (Vader et al., 2012).

Although the portion of site CA-INY-6980/H tested during the present field effort failed to encounter data sufficient to be recommended eligible for listing in the NRHP or CRHR, the study tested only approximately 4 percent of the site as it is presently defined by surface artifacts. This finding does not preclude the possibility that portions of the site not tested as part of this study may contain eligible components. Therefore, for the purposes of this project, the portion of site CA-INY-6980/H located outside of the project area is assumed eligible for listing in the NRHP and the CRHR under Criterion D/4.

Concurrent with the Extended Phase I testing of site CA-INY-6980/H, the proposed staging area along the LAA1 was surveyed. Approximately 15-18 obsidian flakes were observed during this survey, all of which were found atop the concrete surface of the LAA1 Staging Area. Many of the flakes appeared to be worn and battered with rounded edges. The condition of the flakes in conjunction with their location atop the LAA1 indicates that they most likely represent a secondary deposit, and that the artifacts were likely transported to their current locations as a result of ground disturbance from the construction of the LAA1 or as a result of fluvial activity. Because of the displaced nature of the artifacts, they were not recorded as an archaeological site, and are not considered significant historical resources or unique archaeological resources (Vader et al., 2012).

The Los Angeles Aqueduct (LAA1) may be considered a historical resource under CEQA. Construction of LAA1 began in 1908, and was completed by 1913 Originally, four reservoirs, including Haiwee, Fairmont, Dry Canyon, and San Fernando, were completed as part of LAA1. The aqueduct is historically associated with bringing the first consistent water source to Los Angeles, and is a potentially historic resource due to its age and historical significance. Construction and operation of the project would not impact the historic integrity of LAA1. The proposed pipeline would connect to LAA1 at a concrete access box (Station 156+94). Station 156+94 is an above ground concrete

facility that sits above the aqueduct structure and provides access for operational activities to LAA1. The project would connect the proposed 8-inch pipeline through the station box 156+94. The project would continue the historic uses of LAA1, which are to regulate and provide water supplies as needed. No visible changes would occur to LAA1, and the project would not result in a significant impact to LAA1.

Neither archaeological resource 1309-15-2-1/H nor the portion of archaeological resource CA-INY-6980/H located within the project area are considered to be historical resources. The LAA1, which could be considered a historical resource, would not be significantly impacted by the project.

However, the portion of resource CA-INY-6980/H not located within the project area is considered, for the purpose of this project, to be eligible for listing in the NRHP and CRHR. Impacts to this portion of the site by construction activities and personnel would be a significant impact. However, Mitigation Measures CUL-1 and CUL-2 would mitigate impacts to the portions of resource CA-INY-6980/H that are not located within the project area.

Additionally, if project boundaries are modified, significant impacts to resource CA-INY-6980/H or to other as-yet undocumented sites may occur. Moreover, given the archaeological sensitivity of the project area, previously undocumented subsurface archaeological resources, which may qualify as historical resources per CEQA §15064.5 may be uncovered during project ground disturbance. Implementation of Mitigation Measures CUL-3, -4, and -5 would mitigate impacts to unknown historical resources to a less than significant level.

Mitigation Measures

CUL-1: Construction Worker Cultural Resources Sensitivity Training. A qualified archeologist, or an archaeologist working under the direction of a qualified archaeologist, shall conduct pre-construction cultural resources worker sensitivity training to inform construction personnel as to the areas to be avoided (the portions of CA-INY-6980/H that are not within the project footprint), the types of cultural resources that may be encountered, and to bring awareness to personnel of actions to be taken in the event of a cultural resources discovery.

CUL-2: Establishment of an Environmentally Sensitive Area. For the purpose of preventing inadvertent impacts to resource CA-INY-6980/H, prior to ground disturbing activities the portions of the resource that are not located within the project area shall be delineated by the qualified archaeologist and a temporary impenetrable, highly visible protective fence shall be placed and secured around the resource where it is located adjacent to the construction work areas. The ESA shall be avoided during all project construction.

CUL-3: Additional Survey and Cultural Resources Evaluation if Project Boundaries are Modified. In the event that the project boundaries are modified at any time prior to or during ground disturbing activities, and such

modifications result in the inclusion of areas not subject to cultural resources survey within the past 5 years, an additional survey and cultural resources evaluation of the modified project areas shall be conducted.

CUL-4: Archaeological and Native American Monitoring. Prior to the start of any ground-disturbing activity, a Native American consultant shall be selected from the NAHC's list of representatives with ties to the area to discuss project specifics and is invited to observe the work as it progresses. An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards shall be retained by the project proponent to monitor ground-disturbing activities including, but not limited to, brush clearance and grubbing, grading, trenching, excavation, and the construction of fencing and access roads. The archaeological monitor shall also observe the boundaries of the Environmentally Sensitive Area defined in Mitigation Measure CUL-2 to make sure that no inadvertent impacts occur. Archaeological monitoring shall be conducted by a qualified archaeologist familiar with the types of historic and prehistoric resources that could be encountered within the project area. The archaeological monitor shall have the authority to re-direct construction activities to assess the significance of discoveries. If ground-disturbing activities occur simultaneous in two or more locations located more than 500 feet apart, additional archaeological monitors may be required.

The archaeological monitor shall keep daily logs. After monitoring has been completed, a monitoring report that details the results of monitoring will be prepared and submitted to LADWP.

CUL-5: Unanticipated Discoveries. In the event of a discovery of historic or archaeological material, the contractor shall immediately cease all work activities in the area (within approximately 100 feet) of the discovery until the materials can be evaluated by a qualified archaeologist. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone or concrete footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. The archaeological monitor and/or Native American monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find until the archaeological monitor and the Native American monitor have evaluated the find, determined whether the find is culturally sensitive, and designed an appropriate short-term and long term treatment plan.

Significance after Mitigation: Less Than Significant.

b) ***Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?***

Less than Significant with Mitigation Incorporated. As discussed in 3.5(a), resource 1309-15-2-1/H and the portion of resource CA-INY-6980/H located within the project area were determined not to be unique archaeological resources per the provisions of CEQA Guidelines Section 15064.5.

However, the portion of resource CA-INY-6980/H not located within the project area is considered, for the purpose of this project, to be eligible for listing in the NRHP and CRHR, and may additionally be considered a unique archaeological resource. Impacts to this portion of the resource by construction activities and personnel would be a significant impact. However, Mitigation Measures CUL-1 and CUL-2 would mitigate impacts to the portions of resource CA-INY-6980/H that are not located within the project area.

Additionally, if project boundaries are modified, significant impacts to the significant portion of resource CA-INY-6980/H or other as-yet undocumented sites may occur. Moreover, given the archaeological sensitivity of the project area, previously undocumented subsurface archaeological resources, which may qualify as unique archaeological resources per CEQA §15064.5 may be uncovered during project ground disturbance. Implementation of Mitigation Measures CUL-3, -4, and -5 would mitigate impacts to unknown archaeological resources to a less than significant level.

Mitigation Measures

Implement **Measures CUL-1** through **CUL-5**.

Significance after Mitigation: Less Than Significant.

c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation Incorporated. A paleontological records check at the Natural History Museum of Los Angeles County (NHMLA) Vertebrate Paleontology Section was conducted by NHMLA staff member Samuel P. McLeod, Ph.D. on October 11, 2012.

The records search indicated that surficial deposits in the project area consist of younger Quaternary Alluvium of Late Pleistocene and Holocene age that may contain a typical Late Pleistocene to recent faunal assemblage. The uppermost layers of the deposits do not typically contain significant vertebrate fossils. The closest vertebrate fossil locality found in these deposits is LACM 4538, located north of the project area near the dam of the North Haiwee Reservoir, southeast of Olancha. The locality produced a specimen of the Columbian mammoth, *Mammuthus columbi*, collected by William Mulholland during the construction of the LAA. The next closest cluster of fossil vertebrate localities from these deposits are LACM 7716-7719, located north-northeast of the project area near the old

railroad grade on the northeast shore of Owens Lake. These localities produced specimens of bony fish, Teleostei, bird, Aves, jack rabbit, *Lepus*, pocket gopher, *Thomomys*, and even-toed ungulate, Artiodactyla. The next closest locality is LACM 4691, located north of the project area on the south margin of Owens Lake. The locality produced probosidean remains and a fossil specimen of mountain lion, *Felis concolor*.

Very shallow excavations in the younger Quaternary Alluvium in the proposed project are unlikely to produce significant fossil vertebrate remains in the uppermost layers. However, deeper excavations that extend down into the older Quaternary deposits may encounter significant vertebrate fossils. Implementation of Mitigation Measures CUL-6 and CUL-7would mitigate impacts to unknown subsurface paleontological resources to a less than significant level.

Mitigation Measures

CUL-6: Paleontological Resource Sensitivity Training. A qualified paleontologist shall conduct pre-construction paleontological Resource worker sensitivity training to inform construction personnel as to the types of paleontological resources that may be encountered, and to bring awareness to personnel of actions to be taken in the event of a paleontological resources discovery. The applicant shall complete training for all construction personnel and retain documentation showing when training of personnel was completed. This training may be conducted concurrently with the cultural resources sensitivity training required under Mitigation Measure CUL-1.

CUL-7: Discovery of Paleontological Resources. If paleontological resources are encountered during the course of construction and monitoring, the project operator shall halt or divert work and notify a qualified paleontologist who shall document the discovery as needed, evaluate the potential resource, assess the significance of the find, and develop an appropriate treatment plan in consultation with LADWP.

Significance after Mitigation: Less Than Significant.

d) ***Would the project disturb any human remains, including those interred outside of formal cemeteries?***

Less than Significant with Mitigation Incorporated. There is no indication that any portion of the project area has been used for human burial purposes in the recent or distant past. Therefore, it is unlikely that human remains would be encountered during construction of the proposed project. However, in the event that human remains were discovered during subsurface activities, Mitigation Measure **CUL-8** would be implemented to reduce impacts to a less than significant level.

Mitigation Measure

CUL-8: If human remains are uncovered during project construction, the project proponent shall immediately halt work within 100 feet of the discovery, contact

the Inyo County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the Native American Heritage Commission (NAHC) will be notified, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). The NAHC shall designate a Most Likely Descendent (MLD) for the remains per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

Significance after Mitigation: Less Than Significant.

3.6 Geology, Soils, and Seismicity

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
6. GEOLOGY, SOILS, AND SEISMICITY — Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion

a.i) **Less than Significant Impact.** The project area is located within Rose Valley, which is a deep north-south trending basin, located between the Sierra Nevada to the west and the White-Inyo Mountains to the east. Geological formations in the area are of Cenozoic age, chiefly Quaternary. The proposed project is not located on or adjacent to any known or potentially active faults. The nearest fault line is Southern Sierra Nevada fault zone and Owens Valley fault zone located approximately two miles and six miles from the project area, respectively. Several smaller unnamed older faults are also located within proximity of the project area (USGS, 2012) and are not anticipated to create strong seismic activities. Nonetheless, the project area was not identified on an Alquist-Priolo Earthquake Fault Zoning Map or within an established Alquist-Priolo Earthquake Fault Zone.

The proposed project includes recovering Haiwee Reservoir water seepage and installation of an underground water pipeline and aboveground associated well equipment. No habitable structures would be developed. Implementation of the proposed

project would not result in an increase in population on the project site. Construction activities would require up to eight construction workers to access the site for the one month construction duration. Operational activities would be limited to infrequent maintenance activities. Therefore, due to the distance of the project site from an active fault and the infrequency of human presence onsite, the proposed project would not substantially expose people or structures to adverse effects related to ground rupture, and impacts would be less than significant.

a.ii) **Less than Significant Impact.** As stated above in 3.6(a)(i), the proposed project is not located within an established Alquist-Priolo Earthquake Fault Zone. However, the project site is within a seismically active region and earthquakes in the region could produce strong ground shaking on the project site. Since habitable structures will not be built as part of the proposed project, and onsite activities will be limited to infrequent maintenance, exposure to substantial adverse effects involving seismic ground shaking onsite would be limited.

All infrastructure improvements in the State of California must comply with the seismic design parameters contained in the California Building Code (CBC) seismic requirements. Compliance with the CBC standards in the design and construction of the proposed project would reduce potential damage to the new infrastructure from ground shaking. The proposed project includes wells, pipelines, electrical panels, fences, and associated equipment to provide an additional water supply source to the aqueduct. Potential damage to these facilities from ground shaking could be repaired. Thus, implementation of the proposed project would result in less than significant impacts related to ground shaking.

a.iii) **No Impact.** Liquefaction occurs in saturated and loose soils in areas where the groundwater table is 50 feet or less below ground surface (bgs). During an earthquake, a sudden increase in high core water pressure can cause soils to lose strength and behave as a liquid. Well V817 is located at an elevation of 3,512 feet MSL and the depth to groundwater is approximately 80 feet bgs; however, annual variations occur. Well V817 was monitored from June 2004 through December 2007, and the depth to groundwater varied from 72.90 to 79.06 feet, respectively. Similarly, the adjacent Well V816 was monitored from May 2003 through December 2007, and the depth to groundwater ranged from 77.08 in 2003 to 80.39 in 2007[2]. Because the depth to groundwater is below 50 feet, the project area is not prone to liquefaction conditions. In addition, all infrastructure improvements in the State of California must comply with the seismic design parameters contained in the CBC seismic requirements. Compliance with the CBC standards in the design and construction of the proposed project would reduce potential damage to the new infrastructure from liquefaction. Therefore, the proposed project would not expose people or structures to potential substantial adverse effects related to liquefaction.

[2] Source: Coso Operating Company Hay Ranch Water Extraction and Delivery System July 2008 - http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/ridgecrest/ea.Par.34604.File.dat/HayRanchEAAppendix_H-Hydrology.pdf. Downloaded 8/23/12.

a.iv) **No Impact.** Landslides are characterized as deep-seated ground failures, in which a large section of a slope detaches and slides downhill. The proposed project is located approximately four miles from the Sierra Mountain ranges located to the west and more than 0.5 mile from the mountain ranges of the Transierra area. The project area and immediate surrounding vicinity consist of an undeveloped flat land area with no slope, which does not have the potential to be impacted by a landslide. As a result, impacts related to landslides would not occur.

b) **Less than Significant Impact.** The proposed project would include trenching activities within the 20-foot construction corridor. The trench would be approximately two feet wide, three and a half feet deep, ~~by two feet deep~~ and approximately 1,800 linear feet long. Approximately 270 cubic yards of dirt and topsoil would be excavated and reused as backfill after the pipeline installation. The proposed project would not contribute to soil erosion or loss of topsoil.

Construction of the proposed project would require compliance with the Construction General Permit and would require preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the construction phase of the proposed project in accordance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges associated with Construction and Land Disturbance Activities. The SWPPP shall list all practicable and applicable BMPs in order to inhibit erosion during construction. Compliance with the NPDES standards will ensure that no substantial adverse construction related erosion impacts would occur, and impacts would be less than significant. As described below in Section 3.9 Hydrology and Water Quality, the proposed project would implement best management practices (BMPs) to minimize the occurrence of soil erosion or loss of topsoil. Therefore impacts related to soil erosion or the loss of topsoil would be less than significant.

c) **Less than Significant Impact.** Refer to discussions in responses 3.6(a)(i) through 32.6(a)(iv). The project site is not located within an area that is subject to landslides or liquefaction. Thus, impacts to landslides, liquefaction and lateral spreading would not occur. Subsidence occurs when a void is located or created underneath the ground surface causing the surface to collapse. Causes can include, tunnels, wells, covered quarries, and caves beneath a surface. In addition, subsidence usually occurs as a result of excessive groundwater pumping or oil extraction. As described in response a.iii, above, the depth to groundwater is approximately 80 feet bgs. Similarly, the depth to groundwater at the adjacent Well V816 is approximately 80 feet bgs. Operation of the proposed project would result in the extraction of approximately ~~1,1~~900 acre feet per year (AFY) of water seepage from Haiwee Reservoir, which would not lower groundwater levels. In addition, the proposed project would not expose people to seismic-related ground failure because the onsite facilities would be unmanned, and no habitable structures would be built as part of the proposed project. Further, onsite activities would be limited to infrequent maintenance activities, and any seismic damage to the proposed project facilities, such as the pipeline and well equipment could be easily repaired or replaced should a seismic event that damages the infrastructure occur. As previously stated, all infrastructure improvements in the State of California must comply with the seismic design parameters

contained in the CBC seismic requirements. Compliance with the CBC standards in the design and construction of the proposed project would reduce potential damage to the new infrastructure from on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. As a result, the proposed project would not expose people or structures to potential substantial adverse effects related to unstable soils, and impacts would be less than significant.

d) **Less than Significant Impact.** Soils mapped within the project area and surrounding vicinity include quaternary alluvial fan, basin-fill, and lacustrine deposits that could contain concentrations of clay. However, as described above, the proposed project would provide unmanned equipment and facilities that could be repaired if soils move, and no habitable structures are proposed as part of the proposed project. All infrastructure improvements in the State of California must comply with the seismic design parameters contained in the CBC seismic requirements. Compliance with the CBC standards in the design and construction of the proposed project would reduce potential damage to the new infrastructure from ground movement, including movement from expansive soils. Therefore, proposed project impacts related to expansive soils are less than significant.

e) **No Impact.** The proposed project includes recovering Haiwee Reservoir water seepage and installation of a water pipeline and its associated equipment from Well V817 to the LAA1. No septic tanks or alternative wastewater disposal systems are existing or proposed. No impact would occur.

3.7 Greenhouse Gas Emissions

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
7. GREENHOUSE GAS EMISSIONS — Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** Greenhouse gas (GHG) impacts are considered exclusively cumulative impacts. Greenhouse gasses include but are not limited to CO_2, CO, NO_X, hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF6). As discussed above in Section 3.3, emissions related to construction of the proposed project emissions would be well below thresholds, including those for CO and NO_X. In addition, the proposed project would not add any new stationary sources of emissions. Therefore, impacts regarding the generation of GHG emissions would be less than significant.

b) **No Impact.** The proposed project would not increase emissions of GHGs and is not anticipated to conflict with applicable GHG plans, policies, or regulations. State of California Assembly Bill 32 (AB 32) requires that the California Air Resource Board (CARB), in coordination with state agencies, adopt regulations to require the reporting and verification of statewide GHG emissions and monitor and enforce compliance with the program. State of California Senate Bill 375 (SB 375) requires the reduction of GHG emissions by discouraging sprawl development and dependence on car travel. SB 375 assists in the implementation of AB 32 by integrating land use, regional transportation, and house planning. The proposed project involves recovering Haiwee Reservoir water seepage and consists of a water pipeline installation that would require minimal and infrequent operational activities. In addition, the proposed project would not generate GHG emissions that would significantly impact the environment. The proposed project would not conflict with AB 32 or SB 375 and no impacts would occur.

3.8 Hazards and Hazardous Materials

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
8. HAZARDS AND HAZARDOUS MATERIALS — Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Discussion

a) **Less than Significant Impact.** The short-term construction activities of the proposed project would require transportation and use of limited quantities of fuel, oil, sealants, and other hazardous materials related to construction. Construction activities would occur for one month and within a 20-foot construction corridor. Thus, the proposed project's use of hazardous materials would be short-term in minimal quantities and within a limited area. Additionally, the use of hazardous materials and substances during construction would be subject to federal, state, and local health and safety requirements for handling, storage, and disposal.

Operation of the pipeline and well equipment would not require the use of chemicals that could create a hazard through routine transport, use, or disposal of hazardous materials. Because the use of hazardous materials would be minimal and temporary, hazards to the

public or the environment related to the transport, use, or disposal of hazardous materials would be less than significant.

b) **Less than Significant Impact.** As discussed above in 3.8(a), the use of hazardous materials would be minimal during construction activities that would last approximately one month. However, hazardous materials may accidently be spilled or otherwise released into the environment. To minimize potential impacts from release of hazardous materials, use of such substances during construction would be subject to federal, state, and local health and safety requirements for handling, storage, and disposal. Furthermore, vehicles would not be fueled or maintained on site and a limited volume of hazardous materials would be stockpiled. Therefore, impacts related to upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

c) **No Impact.** The proposed project is located in an undeveloped area within Rose Valley and is not located within one-quarter mile of an existing or proposed school. No impacts would occur.

d) **No Impact.** The project area was not identified as having permitted underground storage tanks (PUST) or leaking underground storage tanks (LUST), nor is it listed as a hazardous materials site under the State Water Resources Control Board (SWRCB) GeoTracker and Department of Toxic Substances Control (DTSC) EnviroStor databases. Therefore, the proposed project would not create a significant hazard to the public or the environment. No impacts would occur.

e) **No Impact.** The proposed project is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest public airport is Inyokern County Airport located one mile northwest of Inyokern County in Kern County and approximately 36 miles south of the project area The nearest private airport to the project site is Porter Ranch Airport located approximately 10 miles west of the project area. Therefore, no airport related hazard impacts would occur.

f) **No Impact.** The proposed project is not located within the vicinity of a private airstrip. The nearest private airport is Porter Ranch Airport located approximately 10 miles west of the project area. No airstrip related hazard impacts would occur.

g) **No Impact.** The proposed project is not located within an adopted emergency response plan or emergency evacuation plan. The proposed project would be located in an undeveloped land area that is not near any existing development. Staging areas would be located within the 20-foot construction corridor. Further, the proposed project-related vehicles would not block existing street access to the site. Therefore, no impacts related to an emergency evacuation plan would occur.

h) **Less than Significant Impact.** The project area is not located within a designated wildland fire area. In addition, the proposed project does not include construction of habitable structures or onsite operational personnel. The majority of the new

infrastructure would be located underground and any aboveground well equipment could be replaced in the event of a wildfire. Therefore, the proposed project is not anticipated to impact people or structures from wildland fires, and impacts would be less than significant.

3.9 Hydrology and Water Quality

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
9. HYDROLOGY AND WATER QUALITY — Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** The proposed project would not violate any water quality standards or waste discharge requirements. The proposed project includes the installation of a water pipeline that would transport recovered Haiwee Reservoir water seepage from Well V817 back to LAA1. Well V817 would be equipped to pump approximately 1.25 cfs to the LAA1 and approximately ~~1,19~~00 AFY of recovered Haiwee Reservoir water seepage would be withdrawn.

Construction related soil activities would be limited to trenching, stockpiling, and backfilling the trench after installation of the pipe with the excavated soils. The proposed project would comply with a SWPPP in accordance with the NPDES General Construction Permit. The SWPPP is required to list and implement all practicable BMPs in order to protect water quality during construction. Compliance with the NPDES standards would ensure that no substantial adverse impacts would occur. Therefore, impacts would be less than significant.

b) **Less than Significant Impact.** The proposed project involves recovering seepage losses from the South Haiwee Reservoir and the installation of a pipeline from Well V817 to transport the recovered seepage losses ~~water~~ back to the LAA1. The recovered seepage water from the South Haiwee Reservoir from this project would augment the water supply of LAA1. ~~As described in Section 1.5, Project Background, previous groundwater modeling studies of flows in Rose Valley show that over 900 acre-feet per year of water seeps out of LADWP's South Haiwee Reservoir into Rose Valley.~~

Operation of the proposed pumping from Well V817 would be subject to the Water Agreement (*Agreement Between the County of Inyo and the City of Los Angeles and its Department of Water and Power on A Long Term Groundwater Management Plan For Owens Valley And Inyo* [1991California Superior Court Case No. 12908]. The Water Agreement sets goals to manage ~~annual~~ groundwater pumping so that the total pumping from any well field area over a 20 year period (the then current year plus the 19 previous years) does not exceed the total recharge to the same well field area over the same 20 year period.

LADWP proposes to quantify the water seepage rate from Haiwee Reservoir and subsequently recover the quantified water seepage from the Haiwee Reservoir by reactivating an existing well previously used for irrigation purposes down-gradient from South Haiwee Reservoir. Seepage rates are preliminarily estimated between 900-1,100 AFY. In order to improve the estimated rate of seepage from the reservoir, a long-term pumping test is proposed at the existing Well V817. A proposed pipeline will be installed to convey the water from the pumping testto the LAA1. Approximately 450 AF of water would be pumped by temporary operation of the well pump for testing activities. Recovered water from the pumping test would be conveyed to the LAA1 through a proposed 8-inch diameter water pipeline along an existing dirt access road across an abandoned agricultural field in the Rose Valley area of Inyo County.

A six month pumping test at a rate of 1.25 cfs is proposed to determine long-term effects on the surrounding wells (LADWP, 2009). Existing LADWP monitoring wells, and through coordination with Coso Operating Company, their monitoring wells would also monitor the effects of the pumping test on Well V817.

LADWP will operate well V817 to avoid significant adverse impacts to the environment.

In a 2009 MOU with the LADWP, the Coso Operating Company agreed to subordinate its groundwater pumping rights to LADWP in its effort to recover seepage losses from

South Haiwee Reservoir, as would be done by the proposed project. In addition, the MOU provides that the Coso Operating Company would reduce groundwater pumping by the same amount as LADWP pumping in the event that total groundwater pumping lowers ~~impacts~~ groundwater levels below the trigger levels set by Inyo County ~~supplies~~. Under Coso's Special Use Permit from Inyo County, the operating criteria are based on certain drawdown limits at a number of monitoring wells throughout Rose Valley. If groundwater levels fall below trigger levels, Coso will have to reduce its pumping to mitigate the effects of pumping on groundwater levels until a time when groundwater in monitoring wells recover to levels above trigger levels. ~~Drawdown tests and operational data indicate that the current Coso drawdown has had no effect on recharge at the specified wells. If the withdrawal of 4,800 acre feet (AF) of water does not trigger reductions in pumping, then aquifer recharge must keep pace with the drawdown from that aquifer, or deficits in recharge will cause reduced baseline flows and trigger reductions.~~

~~The Coso Operating Company is currently withdrawing the 4,800 AF of water that its permitted to draw, without approaching drawdown limits in the monitoring wells. The proposed project would recover groundwater lost by seepage. If the withdrawal of 4,800 AF of water has not had a significant impact on groundwater recharge, then the influence from the withdrawal of a smaller volume (900 AF) of water from an upgradient well should also be less than significant on groundwater recharge.~~

~~On its own, the loss of 900 AF from the aquifer would not amount to a significant impact given the conditions. However,~~The cumulative ~~loss from the~~ pumping by the Coso Operating Company and up to 900 AF from the proposed project may cumulatively affect the groundwater levels in the aquifer ~~recharge~~. This cumulative effect has been addressed in the existing MOU between the Coso Operating Company and LADWP which specifies that if trigger levels are reached resulting in an significant impact, the Coso Operating Company must subordinate to LADWP and reduce its pumping levels, thereby ensuring that groundwater supplies are protected. In a 2009 MOU with the LADWP, the Coso Operating Company agreed to subordinate its groundwater pumping rights to LADWP in its effort to recover seepage losses from South Haiwee Reservoir should Inyo County identify significant impacts to the groundwater basin. The MOU provides that the Coso Operating Company would reduce groundwater pumping by the seepage amount in the event that pumping impacts groundwater trigger levels. LADWP will operate well V817 in accordance with the goals and principles of the Water Agreement, which ensure that well operations are monitored and significant impacts to the environment are avoided.

The well will be equipped to pump approximately 1.25 cfs of recovered water to the LAA1. It is anticipated that up to approximately 900 AFY of Los Angeles aqueduct water may be quantified as seepage and subsequently recovered by operation of Well V817 and delivered to the LAA1. Operation of Well V817 will be described in the Annual Operations Plan that LADWP prepares each April. The pipeline, well, and associated equipment would require minimal maintenance and monitoring that would be related to periodic inspection for possible pipeline leaks. Maintenance activities would occur routinely but infrequently.

Since the proposed project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge, impacts would be less than significant.

c) **Less than Significant.** The proposed project includes recovering Haiwee Reservoir water seepage and the installation of a water pipeline and associated equipment to connect the LAA1 with and recover Haiwee Reservoir water seepage from Well V817. Construction related soil activities are limited to trenching, stockpiling, and backfilling the trench after installation of the pipe with the excavated soils. The proposed infrastructure installation and operation would not alter the existing drainage pattern of the project site. The proposed project would adhere to all NPDES regulations and implement BMPs to ensure that construction does not result in erosion impacts. In addition, there are no streams or rivers within the project area. Therefore, the proposed project would not substantially alter the existing drainage pattern of the site or area and substantial erosion of siltation would not occur. Impacts would be less than significant.

d) **No Impact.** The project area is rural, undeveloped and generally covered with pervious soils. The proposed project includes recovering Haiwee Reservoir water seepage ~~and~~by the installation of a water pipeline and well equipment that would not ~~generate~~result in an increase in impervious surfaces. The proposed project would not alter the existing natural drainage pattern of the project area or alter the course of a stream or river. The proposed project would not increase the rate or amount of surface runoff, and the proposed project would not result in on- or off-site flooding. The proposed project would have no impacts related to flooding hazards.

e) **Less than Significant Impact.** There are no existing or planned stormwater drainage systems in the project vicinity. The vacant undeveloped project area is generally flat and covered with pervious soils. Stormwater currently infiltrates into the onsite soils. The proposed project would not increase impervious surfaces, would not generate additional runoff, and would not change the course of stormwater runoff. Construction soil activities are limited to trenching and backfilling the pipeline alignment, and the use of hazardous substances during construction would be minimal. The proposed project would adhere to all regulations and implement BMPs pursuant to the SWPPP to ensure that construction does not result in sources of pollution in runoff. As a result, the proposed project would not create or contribute to polluted runoff water or runoff that would exceed the existing drainage capacity of the project area, and impacts would be less than significant.

f) **Less than Significant Impact.** The proposed project would involve a short-term construction and minimal maintenance activities that would not substantially degrade water quality. The proposed project would comply with a SWPPP and would implement BMPs to minimize any impacts to water quality. Therefore, impacts related to the degradation of water quality would be less than significant.

g) **No Impact.** The proposed project is not located within a 100-year flood hazard area as mapped on the Federal Emergency Management Agency (FEMA) 100-year Flood

Insurance Rate Map. In addition, the proposed project does not include housing or other habitable structures. Therefore, no impact would occur.

h) **No Impact.** The proposed project is not located within a 100-year flood hazard area and would include the construction of structures that would impede or redirect flood flows. The proposed project would install an underground water conveyance pipeline and equipment on existing well pad locations that would not impede or redirect flood flows. Therefore, no impact would occur.

i) **Less than Significant Impact.** The South Haiwee Reservoir is located approximately three miles north of the project site and is owned and operated by LADWP as part of the LAA system. The crest of the South Haiwee Dam is approximately 3,766 feet above mean sea level (AMSL), with a spill elevation of 3,742 feet, though the average water level elevation is 3,723 feet.[3] Water levels will generally rise during the rainy season. Regardless, the water level elevation is more than 40 feet below the crest height and approximately 20 feet below its spill elevation. In addition, as previously stated, the proposed project is not located in a 100-year flood zone, and the probability of a flooding event would be nominal. The proposed project would involve installation of an underground water conveyance pipeline and associated equipment on existing well pad locations and would not result in construction of any structures that may be affected in the event of catastrophic failure. In addition, no levees or dams are located on the project site and no off-site levees or dams would be modified as part of the proposed project. As a result, the proposed project would not expose people or structures to a significant risk of loss as a result of the failure of a levee or dam.

j) **No Impact**. Tsunamis are usually caused by displacement of the ocean floor causing large waves and are typically generated by seismic activity. The project site is located more than 200 miles from the nearest ocean, therefore a tsunami hazard is not present for project site. A seiche is a standing wave in an enclosed or partly enclosed body of water. Seiches are normally caused by earthquake activity, and can affect harbors, bays, lakes, rivers, and canals. The South Haiwee Reservoir is located approximately three miles north of the project site, which is too far to be impacted by a seiche event at the reservoir. Lastly, mudflow is a mixture of soil and water that runs like a river of mud down a hillside and is usually generated by heavy rainfall. As described in responses 3.6(a.iv) and 3.9(e), the proposed project is located well away from the mountain fronts surrounding the valley in which it lies. The project area and surrounding vicinity consists of undeveloped flat land with no slope, which does not have the potential to be impacted by mudflows. As a result, impacts related to mudflows would not occur.

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[3] LADWP, 2012. LA Aqueduct Conditions Report. Accessed: http://wsoweb.ladwp.com/Aqueduct/realtime/sorealtime.htm; http://wsoweb.ladwp.com/Aqueduct/operations/southowens.htm, 12 Sept 2012.

3.10 Land Use and Land Use Planning

Issues (and Supporting Information Sources):		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
10.	**LAND USE AND LAND USE PLANNING — Would the project:**				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion

a) **No Impact.** The proposed project involves recovering Haiwee Reservoir water seepage and the installation of a water pipeline from Well V817 to the LAA1. The project area is located within a completely uninhabited, undeveloped, vacant area that is surrounded by open space. Project construction activities would be short-term (approximately one month), require a maximum of eight construction workers, and be located within the 20-foot construction corridor. The pipeline would be located underground, with fenced well equipment located at the existing Well V817. No communities are located in proximity to the project site. No changes to land uses would occur with the proposed project, and the proposed project would not physically divide an established community. No impacts would occur.

b) **No Impact.** The project site has a land use designation of NR (Natural Resource) and is zoned as OS-40 (Open Space, 40-acre minimum lot size).The adjoining areas are also designated NR and zoned OS-40. The proposed water pipeline would be located underground and would not constrain or change the existing vacant undeveloped lands within the project area. The new aboveground well equipment would be located on the existing well pad, and would also not conflict with the existing land uses and OS zoning of the project area. As a result, no impacts related to conflict with applicable land use plans, policies, or regulations related to avoiding or mitigating an environmental effect would occur.

c) **No Impact.** The project area is not located within an adopted HCP/NCCP. Therefore, no impacts would occur.

3.11 Mineral Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
11. MINERAL RESOURCES — Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

a) **No Impact.** According to the United States Geological Survey (USGS), the project site is not identified as a known mineral resource area and does not have a history of mineral extraction uses. In addition, according to the State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, no oil well exists on the project site. Therefore, the proposed project would not result in the loss of availability of a known mineral resource and no impacts would occur.

b) **No Impact.** The project area is not used for mineral extraction and is not known as a locally important mineral resource recovery site. Further, the project area is not delineated on any plan for mineral resource recovery uses, and no impacts would occur.

3.12 Noise

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
12. NOISE — Would the project:				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☒
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** Construction activities within 500 feet of existing noise sensitive uses located in Inyo County are limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. Construction of the proposed project would include the use of a backhoe to excavate the pipeline trench, a flat bed truck to transport the new pipe material, a water truck, and accessory vehicles (i.e., pick-up trucks) to take the construction crew to and from the project site. Construction activities would occur 6:00 a.m. to 4:30 p.m., Monday through Thursday for a duration of approximately one month. There are no sensitive receptors located within 500 feet of the project site. Additionally, construction-related noise would be short-term (approximately one month) and temporary and would not expose sensitive receptors to noise. Noise generated by truck travel to and from the project area would also be short-term and temporary and would not produce substantial increases in traffic that could result in a significant increase in noise levels. Operation of the proposed water pipeline and well equipment would generate minimal noise. The onsite facilities would be unmanned with exception of infrequent maintenance activities on the equipment that would not exceed noise standards. As a result, the proposed project would not generate noise levels in excess of adopted standards and noise impacts would be less than significant.

b) **Less than Significant Impact.** Proposed project construction would not include the use of construction equipment that would generate excessive groundborne vibration or groundborne noise levels. Construction equipment includes a backhoe, flat bed truck, a

water truck, and accessory vehicles that would not generate substantial groundborne vibration from activities on the soil surface of the project area. In addition, there are no sensitive receptors in proximity to the project area. Furthermore, operation of the proposed water pipeline and well equipment would not generate groundborne vibrations or groundborne noise levels. The onsite facilities would be unmanned with exception of infrequent maintenance activities on the equipment that are not anticipated to generate vibration. Therefore, impacts related to groundborne vibration and noise would be less than significant.

c) **No Impact.** Construction noise would be short-term and temporary and would not result in a permanent increase in ambient noise levels. At the end of construction, the water pipeline would be located underground and would not create an increase in ambient noise levels. The above ground well equipment would also not generate a permanent increase in ambient noise levels. The onsite facilities would be unmanned with exception of infrequent maintenance activities on the equipment that would not create a permanent increase in ambient noise levels. Therefore, no impacts related to permanent increases in noise would occur from the proposed project.

d) **Less than Significant Impact.** See responses 12. a through c above. Construction noise would be short-term (approximately one month) and would result in a temporary increase in ambient noise levels. However, the project area is undeveloped and vacant, There are no sensitive receptors located in proximity to the project site that could be affected by the temporary construction noise increase. Thus, construction-related noise is not considered to be substantial. Operation of the pipeline and well equipment would be unmanned with exception of infrequent maintenance events, and would not result in a substantial increase in ambient noise. Therefore, impacts related to substantial temporary or periodic increases in ambient noise levels would be less than significant.

e) **No Impact.** The proposed project is not located within an airport land use plan or within two miles of a public airport or public use airport that would expose people residing or working in the area to experience noise levels. The nearest public airport is Inyokern County Airport located approximately 36 miles south of the project area. The nearest private airport is Porter Ranch Airport located approximately 10 miles west of the project area. Therefore, noise impacts related to airport uses would not occur.

f) **No Impact.** The proposed project is not located within the vicinity of a private airstrip. The nearest private airport is Porter Ranch Airport located approximately 10 miles west of the project area. As a result, noise impacts related to private airstrip uses would not occur.

3.13 Population and Housing

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
13. POPULATION AND HOUSING — Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** The proposed project does not include housing or commercial development that would directly affect the number of residents or employees in the area and would not contribute to the creation of additional housing or jobs in the Rose Valley area of Inyo County. Instead, the proposed project would provide an additional source of water to the LAA1 to meet the existing demands of water use by LADWP customers. The proposed project would not directly or indirectly induce growth or remove an obstacle to growth as the proposed project would be implemented to meet demands of the existing population that would occur based on the City's approved build-out and growth control policies. The proposed project's potential to induce population growth is considered to be less than significant.

b) **No Impact.** The project area is undeveloped and vacant. The proposed project does not involve the construction or demolition of housing. Therefore, the proposed project would not displace people or housing, and there would be no impact.

c) **No Impact.** The proposed project includes the installation of a water pipeline and associated well facilities. The project area is undeveloped and vacant. No housing is located in proximity to the project area and the proposed project would not displace people or require the construction of replacement housing. No impact would occur.

3.14 Public Services

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
14. PUBLIC SERVICES — Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	☐	☐	☐	☒
ii) Police protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

Discussion

a.i) **No Impact.** The proposed project involves recovering Haiwee Reservoir water seepage and the installation of a water pipeline and associated well equipment to convey water from an existing well to an existing aqueduct. Construction activities would be short-term and limited to a maximum of eight personnel. The proposed project would operate as an unmanned facility and would not introduce inhabitants or visitors to the project area that would require additional fire protective services. Therefore, no impacts to fire services would occur.

a.ii) **No Impact.** The proposed project involves recovering Haiwee Reservoir water seepage and the installation of a water pipeline and associated well equipment to convey water from an existing well to an existing aqueduct. Construction activities would be short-term and limited to a maximum of eight personnel. The proposed project would operate as an unmanned facility and would not introduce inhabitants or visitors to the project area. In addition, the new well equipment would be enclosed within a six foot fence to secure the equipment. As a result, the proposed project is not anticipated to require additional police protective services, and no impacts would occur.

a.iii) **No Impact.** The proposed project involves the installation of unmanned water facilities and would not introduce inhabitants to the project area that would require additional schools. No impacts would occur.

a.iv) **No Impact.** The proposed project involves the installation of unmanned water facilities and would not introduce inhabitants to the project area that would require construction of parks. No impacts would occur.

a.v) **No Impact.** The proposed project involves the installation of unmanned water facilities and would not introduce inhabitants to the project area that would require additional public facilities. No impacts would occur.

3.15 Recreation

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
15. RECREATION — Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a) **No Impact.** The proposed project involves recovering Haiwee Reservoir water seepage and the installation of an underground water pipeline and associated aboveground well equipment to convey water from an existing well to an existing aqueduct. The project would be an unmanned facility and would not introduce inhabitants or visitors that would use recreational facilities. Other than the open space that the project area lies within there are no known recreation facilities within the vicinity of the proposed project. The proposed project would not result in physical deterioration of the open space area or any recreation facilities, and no impacts would occur.

b) **No Impact.** The proposed project does not involve or require the construction or expansion of recreational facilities. No impacts would occur.

3.16 Transportation and Traffic

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
16. TRANSPORTATION AND TRAFFIC — Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion

a) **Less than Significant Impact.** Construction of the proposed project would temporarily increase local traffic due to the transport and delivery of construction equipment and materials as well as from daily worker trips. Construction activities would result in a up to three construction trips to deliver construction material to the project site. Approximately five to eight daily construction workers are anticipated to be needed, which would result in 10 to 16 roundtrip daily worker trips. Construction access would be via US Highway 395, Haiwee Creek Road, and a private adjacent roadway. All construction activities would occur within the 20-foot construction corridor, and no roadway or lane closures are anticipated. Because proposed project construction trips would be minimal and short-term (approximately one month), they are not anticipated to impact the existing circulation system performance. As a result, traffic impacts to the roadway system from construction would be less than significant.

Traffic related to operation of the unmanned water conveyance equipment would be minimal and limited to inspection, maintenance, and/or repair activities that would occur infrequently. Therefore, the operation of the proposed project would not result in significant operational traffic increases.

b) **No Impact.** Inyo County does not have a congestion management plan, and no other congestion management plans are applicable to the project area. As a result, impacts to applicable congestion management plans would not occur.

c) **No Impact.** The proposed project is not located in the immediate vicinity of an airport of private airstrip. The nearest public airport is Inyokern County Airport located approximately 36 miles south of the project area. The nearest private airport is Porter Ranch Airport located approximately 10 miles west of the project area. Project activities would be on and under the ground surface. No project activities would alter the existing air traffic patterns, levels, or locations that result in safety risks. No impact would occur.

d) **No Impact.** The proposed project would install water conveyance infrastructure that is not within any public roadway right-of-way. The proposed project would not alter existing roadways nor include any hazardous design features such as sharp curves or dangerous intersections. No incompatible uses such as farm equipment are proposed. As such, no impacts would occur.

e) **Less than Significant.** Access to the project area is from U.S. Highway 395, Haiwee Creek Road, and a private road adjacent to the project area. Construction activities would be located within a 20-foot construction corridor within the project area and would not impact any access roads adjacent to the project site. Construction activities would be outside of the roadways and within the project site construction corridor, and are not anticipated to interfere with traffic flow or emergency response access to the project area. Onsite operational activities involve minimal and infrequent maintenance operations and would not result in interference with emergency response access. Impacts would be less than significant.

f) **No Impact.** No policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities are developed within the project area. The proposed project would install water conveyance facilities (most of which are underground) and would not propose any activities that would conflict with any policies, plans, or programs support alternative transportation. No impacts would occur.

3.17 Utilities and Service Systems

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
17. UTILITIES AND SERVICE SYSTEMS — Would the project:				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion

a) **No Impact.** The proposed project involves installing water conveyance infrastructure from a well to an existing aqueduct. The proposed project would not produce wastewater and would not require a discharge permit from the Regional Water Quality Board (RWQCB). No Impact would occur.

b) **No Impact.** The proposed project involves installing water conveyance infrastructure from an existing well to an existing aqueduct, and would not require or result in the need for water or wastewater treatment facilities. The proposed project does not involve construction of wastewater infrastructure; and the proposed project would not generate wastewater. Therefore, environmental impacts related to the construction of treatment facilities would not occur.

c) **No Impact.** The proposed project is located in an undeveloped vacant area with no existing stormwater drainage infrastructure. The proposed project would install new water conveyance infrastructure, much of which is located underground, and would not affect stormwater drainage in the project area. The vacant undeveloped project area is generally flat and covered with pervious soils. Stormwater currently infiltrates into the onsite soils. The proposed project would not increase impervious surfaces, would not

generate additional runoff. As a result, no new stormwater drainage infrastructure would be required from implementation of the proposed project. Thus, no impacts would occur.

d) **Less than Significant Impact.** See responses 9.b above regarding groundwater impacts. The proposed project involves identifying and recovering seepage losses from the South Haiwee Reservoir and the installation of a pipeline from Well V817 to transport the recovered water to the LAA1. The seepage recovered from the South Haiwee Reservoir from this project would augment the water supply of LAA1. ~~As described in Section 1.5, Project Background, previous groundwater modeling studies of flows in Rose Valley show that over 900 acre-feet per year of water seeps out of LADWP's South Haiwee Reservoir into Rose Valley. LADWP has an MOU with Coso Operating Company that allows LADWP to recover the seepage losses from South Haiwee Reservoir, which would be done by the proposed project. In addition, the MOU provides that the Coso Operating Company would reduce groundwater pumping in the event that pumping impacts groundwater supplies. As a result, t~~The project would recover lost groundwater and the existing Water Agreement and MOU would ensure that groundwater supplies are protected. As the overall objective of the project is to recover water supplies (instead of utilizing water supply), the proposed project would not result in the need for additional water resources or expanded entitlements. Impacts related to water supply are less than significant.

e) **No Impact.** The proposed project involves installing water conveyance infrastructure from an existing but currently unused well to an existing aqueduct. The proposed project would not produce wastewater and would not receive wastewater service. Thus, no impacts to wastewater treatment capacity would occur.

f) **Less than Significant.** Construction of the proposed project would result in excavation activities to prepare a trench. The trench would be approximately two feet wide~~by two~~, three and a half feet deep, and approximately 1,800 linear feet long. Approximately 270 cy of dirt and topsoil would be excavated and set aside to be used as backfill over the new pipeline. No excavated soils would be hauled offsite to a local landfill. The Lone Pine Landfill is the closest existing landfill facility to the site, and is permitted to accept 22 tons of solid waste per day. The amount of solid waste generated from the one-month construction activities would not be substantial and would not place a great demand on landfills. Operation of the facility would be unmanned with the exception of infrequent maintenance activities, which would not generate substantial volumes of solid waste. Therefore, impacts to solid waste facilities would be less than significant.

g) **No Impact.** Construction and operation of the proposed project would result in minimal solid waste that would be hauled offsite to a local landfill in compliance with federal, state, and local statues related to solid waste. No impacts would occur.

3.18 Mandatory Findings of Significance

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
18. MANDATORY FINDINGS OF SIGNIFICANCE — Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

a) **Less than Significant Impact with Mitigation Incorporation.** The proposed project involves recovering Haiwee Reservoir water seepage and installation of a water pipeline that would extend from Well V817 to the LAA1 and is not anticipated to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The proposed project would incorporate mitigation measures related to air quality, biological resource, and cultural resources as described in this IS/MND to reduce impacts related to the proposed project. Therefore, impacts would be less than significant with the incorporation of mitigation measures.

b) **Less than Significant Impact.** The potential project specific impacts of the proposed project (as described throughout this IS/MND) would occur during project construction, which is anticipated to last approximately one month. There are no other known construction projects planned for the project vicinity that could result in significant cumulative impacts during construction. Therefore impacts would be less than significant.

c) **Less Than Significant with Mitigation Incorporation.** Based on the analysis above, the proposed project would have potentially significant environmental effects on air quality, biological resources, and cultural resources that could cause substantial adverse effects on human beings, either directly or indirectly. However, implementation of mitigation measures as provided within each of these resource topic sections of this environmental

checklist would reduce project-related potentially significant impacts to a less than significant level. Therefore, after implementation of mitigation measures, the proposed project would result in a less than significant environmental impact to human beings.

SECTION 4
Response to Comments

The Initial Study/Mitigated Negative Declaration for the Well V817 Rose Valley Pipeline Installation Project ("proposed project") was circulated for public review for 30 days (August 5, 2013 through September 4, 2013. LADWP received 11 comment letters during the public review period. The comment letters have been bracketed and numbered and are presented in the table below. The responses are provided below and are labeled to correspond to the numbered bracketed comments that appear in the margins of the comment letter.

Where the responses indicate revisions, additions or deletions to the text of the Initial Study/Mitigated Negative Declaration, additions are indicated in <u>underline</u> and deletions in ~~strikeout~~.

COMMENT LETTERS RECEIVED

Comment No.	Commenting Agency / Interested Party	Date of Comment
State Agencies		
1	Native American Heritage Commission (NAHC)	August 5, 2013
2	California Department of Fish and Wildlife	September 4, 2013
Local Agencies		
3	County of Inyo Water Department	August 27, 2013
4	California Department of Transportation	August 22, 2013
5	Lahontan Regional Water Quality Control Board	August 28, 2013
Interested Parties		
6	A to Z Law | Arnold LaRochelle Mathews VanConas & Zirbel LLP	August 29, 2013
7	Big Pine Paiute Tribe of the Owens Valley	September 3, 2013
8	Richard	September 4, 2013
9	Sara J. Manning, Ph.D.	September 3, 2013
10	Terra-Gen Power, LLC	August 29, 2013
11	The Owens Valley Committee	September 4, 2013
12	State Clearinghouse	September 4, 2013

STATE OF CALIFORNIA Edmund G. Brown, Jr. Governor

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

August 5, 2013

Mr. Michael Mercado, Environmental Planner
City of Los Angeles Department of Water & Power
111 North Hope Street, Room 1044
Los Angeles, CA 90012

Sent By FAX to: 213-387-4710
No. of Pages: 4

Re: Request for Sacred Lands File Search and Native American Contacts list for the "**Notice of Intent to adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the Proposed Well V617 Rose Valley Pipeline Installation Project;**" located in the Rose Valley; southern Inyo County, California

Dear Mt. Mercado:

A record search of the NAHC Sacred Lands File failed to indicate the presence of Native American traditional cultural place(s) in the project sites submitted, based on the USGS coordinates submitted as part of the 'Area of Potential Effect. (APE). However, there are numerous Native American cultural resources in close proximity to the APE; Also, note that the NAHC SLF Inventory is not exhaustive; therefore, the absence of archaeological or Native American sacred places does not preclude their existence. Other data sources for Native American sacred places/sites should also be contacted. A Native American tribe of individual may be the only sources of presence of traditional cultural places or sites. 1

In the 1985 Appellate Court decision (170 Cal App 3rd 604; *EPIC v. Johnson*), the Court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

Attached is a list of Native American tribes, individuals/organization who may have knowledge of cultural resources in or near the project area. As part of the consultation process, the NAHC recommends that local governments and project developers contact the tribal governments and individuals to determine if any cultural places might be impacted by the proposed action. If a response is not received in two weeks of 2

notification the NAHC requests that a follow telephone call be made to ensure that the project information has been received. 2

If you have any questions or need additional information, please contact me at (916) 373-3715.

Sincerely,

Dave Singleton
Program Analyst

Attachment

Native American Contacts
Inyo County
August 5, 2013

Big Pine Band of Owens Valley
Virgil Moose, Chairperson
P. O. Box 700 — Owens Valley Paiute
Big Pine , CA 93513
bigpinetribaladmin@earthlink
760- 938-2003
(760) 938-2942-FAX

Ron Wermuth
P.O. Box 168 — Tubatulabal, Kawaiisu, Koso, Yokuts
Kernville , CA 93238
warmoose@earthlink.net
(760) 376-4240 - Home
(916) 717-1176 - Cell

Bishop Paiute Tribe
Dale Chad Delgado, Chairperson
50 Tu Su Lane — Paiute - Shoshone
Bishop , CA 93514
(760) 873-3584
(760) 873-4143

Big Pine Band of Owens Valley THPO
Bill Helmer, Tribal Historic Preservation Officer
P.O. Box 700 — Paiute
Big Pine , CA 93513
amargosa@aol.com
(760) 938-2003
(760) 937-3331 - cell
(760) 938-2942 fax

Fort Independence Community of Paiute
Israel Naylor, Chairperson
P.O. Box 67 — Paiute
Independence CA 93526
Israel@fortindependence.
(760) 878-5160
(760) 878-2311- Fax

Kern Valley Indian Council
Robert Robinson, Co-Chairperson
P.O. Box 401 — Tubatulabal, Kawaiisu, Koso, Yokuts
Weldon , CA 93283
brobinson@iwvisp.com
(760) 378-4575 (Home)
(760) 549-2131 (Work)

Timbisha Shoshone Tribe
George Gholoson, Chairperson
121 W. Line Street — Western Shoshone
Bishop , CA 93514
george@timbisha.com
(760) 872-3614
(760) 873-9004 FAX

Bishop Paiute Tribe THPO
Raymond Andrews, THPO
50 Tu Su Lane — Paiute - Shoshone
Bishop , CA 93514
(760) 873-8435 ext 250
(760) 920-0357 - cell - cell
gwest@ovcdc.com
(760) 873-4143 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Well V817 Rose Valley Pipeline Installation Project; located in Inyo County, California.

Native American Contacts
Inyo County
August 5, 2013

Lone Pine Paiute Shoshone Reservation
Mary Wuester, Chairman
P.O. Box 747 Paiute
Lone Pine , CA 93545 Shoshone
(760 876-1034
760-876-8302
(760) 876-8302

Lone Pine Paiute Shoshone Reservation
Kathy Bancroft, Cultural Resources Officer
P.O. Box 747 Paiute
Lone Pine , CA 93545 Shoshone
406-570-5289
kathybncrft@yahoo.com
760-876-8302 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Well V817 Rose Valley Pipeline Installation Project; located in Inyo County, California.

Letter 1, Native American Heritage Commission (NAHC)

Response to NAHC-1

This comment states that the NAHC performed a Sacred Lands File (SLF) search for the Project and did not identify any tribal resources, but states that there are resources in the vicinity and that other data sources should be consulted.

This comment is noted; please see response to comment NAHC-2.

Response to NAHC-2

The commenter recommends contacting the attached list of tribal organizations and individuals in order to identify cultural resources in the Project area.

As stated on page 3-26 of the Draft ISMND, the NAHC was contacted and a SLF search for the project was performed. Native American contacts, as recommended by the NAHC, were contacted to provide input on the project. The commenter is referred to page 3-26 and 3-27 of the Draft IS/MND, Cultural Resources section, which summarize the results of the NAHC SLF search and the Native American contact program.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region-R6
Bishop Field Office
407 West Line Street
Bishop, CA 93514
(760) 872-1171
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

September 4, 2013

Los Angeles Department of Water and Power
Environmental Assessment and Planning
Attention: Mr. Michael Mercado
111 North Hope Street, Room 1044
Los Angeles, California 90012
Email: michael.mercado@ladwp.com

Notice of Intent to Adopt and Initial Study/Mitigated Negative Declaration for the Proposed Well V817 Rose Valley Pipeline Installation Project, Inyo County, California.
(State Clearinghouse Number: 2013081005)

Dear Mr. Mercado:

Thank you for providing the California Department of Fish and Wildlife (Department) the opportunity to review and comment on the Initial Study/Mitigated Negative Declaration (IS/MND) for the Proposed Well V817 Rose Valley Pipeline Installation Project (Project), Inyo County, California (State Clearinghouse Number 2013081005). The Department is providing comments on the IS/MND as the State agency which has the statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish and Game Code §711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish and Game Code §1802). The Department's fish and wildlife management functions are implemented through its administration and enforcement of Fish and Game Code (Fish and Game Code §702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (see CEQA Guidelines, 14 Cal. Code Regs. §15386(a)).

The Department may also assume the role of Responsible Agency. The Department often becomes a responsible agency when a 2081(b) California Endangered Species Act Incidental Take Permit is needed for a project. The Department has regulatory authority over projects that could result in "take" of any species listed by the State as threatened or endangered, pursuant to the California Endangered Species Act (CESA). If a project could result in take of any species listed as threatened or endangered under CESA, an Incidental Take Permit (ITP) pursuant to Fish and Game Code Section 2081(b) for the project would be warranted. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (sections 21001{c}, 21083, Guidelines sections 15380, 15064, 15065).

The Project identifies activities which could clearly result in the potential take and habitat impact to desert tortoise (Gopherus aggassizzi) and Mohave ground squirrel (Spermophilus mohavensis), both CESA Threatened species. Additionally, potential impact to burrowing owl (Athene cunicularia), a state listed Species of Special Concern, may result from project activities. Additionally, the IS/MND fails to present survey details in support of established field survey protocols for these species which would validate the conclusions within the IS/MND regarding no significant impact to these species. 1

The Department does not support the IS/MND as being CEQA complaint and recommends reevaluating the accuracy of the IS/MND pursuant to both CEQA and CESA as relates to potential impacts to biological resources from the project, especially concerning state listed species and species of special concern. The Department looks forward to additional consultation in this regard and working with LADWP to resolve our concerns, and appreciates the opportunity to review and comment on the IS/MND. 2

Questions regarding this letter and further coordination on these issues should be directed to me at Bruce.Kinney@wildlife.ca.gov, Department of Fish and Wildlife, 407 W. Line Street, Bishop, CA 93514, (760) 872-1129 or (760) 872-1171.

Sincerely,

Bruce Kinney, Staff Environmental Scientist

cc: State Clearinghouse

Ec: Heidi Sickler, CDFW

Lacey Greene, CDFW

Letter 2, California Department of Fish and Wildlife (CDFW)

Response to CDFW-1

The comment states the IS/MND fails to present survey details in support of established field protocol for protected species (i.e., desert tortoise, Mohave ground squirrel, and burrowing owl), which would violate the conclusions of the IS/MND regarding no significant impact.

In response to the comment, LADWP biologists re-visited the project site to evaluate the potential for the existing habitat in the construction area to support protected species including Mohave ground squirrel, desert tortoise and burrowing owl. The results of the survey are summarized in the Corrected Habitat Assessment included in Appendix C of this document. The Corrected Habitat Assessment notes that the proposed pipeline alignment would follow existing dirt roads that are devoid of vegetation. The proposed alignment crosses an old agricultural field with sparse vegetation. The Assessment concludes that the poor habitat quality, in particular the lack of suitable vegetation needed for foraging, makes the area very unlikely to support sensitive species. As a precaution, the Assessment recommends inclusion of pre-construction surveys to ensure the lack of desert tortoise, Mohave ground squirrel, or burrowing owl within the construction zone. With inclusion of mitigation measures BIO-1 through BIO-6, LADWP concludes that the project would not have the potential to significantly impact listed species directly or indirectly.

Response to CDFW-2

The comment states CDFW does not support the adequacy of the IS/MND and recommends revaluating impacts pursuant to CEQA and CESA as they relate to biological impacts, particularly for protected species.

Comment noted; refer to response to comment CDFW-1.

(760) 878-0001
FAX: (760) 878-2552

EMAIL: mail@inyowater.org
WEB: http://www.inyowater.org

P.O. Box 337
135 South Jackson Street
Independence, CA 93526

COUNTY OF INYO
WATER DEPARTMENT

August 27, 2013

Los Angeles Department of Water and Power
Environmental Assessment and Planning
Attention: Mr. Michael Mercado
111 North Hope Street, Room 1044
Los Angeles, CA 90012

Subject: Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration for the Proposed V817 Rose Valley Pipeline Installation Project

---

Dear Mr. Mercado:

This letter presents the comments of the County of Inyo on the Initial Study/Mitigated Negative Declaration (IS/MND) for the Proposed Well V817 Rose Valley Pipeline Installation Project (Project). The County thanks LADWP for the opportunity to comment on the Project.

The Inyo/Los Angeles Water Agreement. The IS/MND correctly acknowledges on page 3-43 that the Project is subject to the Inyo/Los Angeles Long Term Water Agreement (Agreement); however, the IS/MND only addresses one of several provisions of the Agreement that are applicable to the Project (compliance with the Agreement's provisions concerning groundwater mining). The Agreement also has requirements that impacts to springs, private wells, groundwater-dependent vegetation, and any other significant effect on the environment be identified and avoided. The Agreement further requires that the Inyo/Los Angeles Technical Group test the well and develop an operational plan. (A copy of Section VI of the Agreement which establishes the provisions for constructing and activating new wells is attached.) These requirements of the Agreement should be addressed in the CEQA document. In addition, the term "Compliance with the Inyo/Los Angeles Water Agreement" should be included in the section discussing "Project Review and Approvals" (currently, section 1.7 of the IS/MND). 1 2

More important than the omission of discussion of the Water Agreement in the IS/MND, is the fact that the Technical Group has not performed any of the work required by the Agreement with regard to LADWP's proposed project. An adequate project description cannot be established until the Technical Group's work has been performed. Therefore, the analysis of the project in the IS/MND is inadequate because the IS/MND does not contain an accurate project description. 3

The IS/MND should be withdrawn and a new CEQA analysis conducted only after the completion of the work required of the Technical Group by the Agreement. 4

Potential Significant Effects. There is substantial evidence that the Project may have significant effects on the environment that are not avoided or mitigated by actions described in the IS/MND. In May, 2009, the Inyo County Board of Supervisors approved Conditional Use Permit #2007-03/Coso, which allows Coso Operating Company, LLC to extract groundwater from their property immediately south of the Project site and transfer that water to their geothermal plant east of Rose Valley. The term of the permit is thirty years, and Coso Operating Company's groundwater pumping is subject to monitoring and mitigation to prevent significant impacts. The EIR (SCH #2007101002) that was prepared by Inyo County for Coso Operating Company's project identified reduced groundwater discharge to Little Lake as a potentially significant impact of the Coso Operating Company's groundwater pumping. The mitigation measures adopted to prevent significant impacts from Coso Operating Company's pumping require that Coso Operating Company reduce pumping rates if groundwater levels in a network of groundwater monitoring wells indicate that pumping-induced drawdown is evolving such that groundwater discharge will be reduced at Little Lake. The EIR is available from the Inyo County Planning Department, 168 N. Edwards St., Independence, California. Section 3.4 of the Initial Study (Biological Resources) should identify a potentially significant effect on riparian habitat (3.4 (b)) and federally protected wetlands (3.4 (c)) due to potential reductions in water availability to Little Lake. 5

Groundwater modeling conducted as part of Coso Operating Company's monitoring and mitigation plan estimated that a sustainable rate of pumping for the term of the permit is 790 acre-feet per year, as summarized in the attached addendum to the mitigation and monitoring plan for the Coso Operating Company project. Coso Operating Company's pumping has been limited to a rate and duration that will approach, but not exceed, a significant reduction in water available to Little Lake. Further documentation is provided in the Revised Groundwater Flow Model and Predictive Simulation Results, available on the Inyo County Water Department's web page (http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/). Coso Operating Company began pumping in December, 2009 and have pumped 11,267 acre-feet as of June, 2013. Contrary to statements made on page 3-43 of the IS/MND, there has been drawdown observed due to Coso Operating Company's groundwater pumping, and drawdown limits in two monitoring wells have been exceeded (monitoring results for the Coso Operating Company's project are on the web site given above). Therefore, the Project's pumping, both alone and cumulatively with Coso Operating Company's pumping, may cause a significant impact. Section 3.9 of the Initial Study (Hydrology and Water Quality) should have found that there is a potentially significant impact due to depletion of groundwater supplies and a lowering of the water table, and interference with operation of nearby wells that has already been permitted (3.9 (b)). 6

In contrast to the above statements concerning the effects of the Project's groundwater pumping, on page 3-43 to 3-44, the IS/MND concludes that the Project's groundwater pumping will not have a significant effect on the environment. On these pages, the IS/MND states:

The Coso Operating Company is currently withdrawing the 4,800 AF of water that its [sic] permitted to draw, without approaching drawdown limits in the monitoring wells. The proposed project would recover groundwater lost by seepage. If the withdrawal of 4,800 AF of water has not had a significant impact on groundwater recharge, then the influence from the withdrawal of a smaller volume (900 AF) of water from an upgradient well should also be less than significant on groundwater recharge. 6

On its own, the loss of 900 AF from the aquifer would not amount to a significant impact given the conditions. However, the cumulative loss from the pumping of 4,800 AF by the Coso Operating Company and 900 AF from the proposed project may cumulatively affect recharge. This has been addressed in the existing MOU between the Coso Operating Company and LADWP which specifies that if trigger levels are reached, the Coso Operating Company must subordinate to LADWP and reduce its pumping levels, thereby ensuring that groundwater supplies are protected. Since the proposed project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge, impacts would be less than significant. 7

As admitted in the above quotation, "...the cumulative loss from the pumping of 4,800 AF by the Coso Operating Company and 900 AF from the proposed project may cumulatively affect recharge." The IS/MND then states that this potential significant impact will be effectively reduced to less than significant because, under an MOU with LADWP, if trigger levels are reached, the Coso Operating Company will reduce its groundwater pumping by the amount pumped by LADWP under its Project.

As described in the IS/MND, the MOU between LADWP and Coso Operating Company is effectively a mitigation measure; however, the IS/MND does not identify it as a mitigation measure. Because it is in actuality a mitigation measure, it should be identified as such in the document. Identifying the MOU as a mitigation measure will allow the public to monitor the implementation of the measure through the mitigation monitoring and reporting program that will be adopted if LADWP approves the Project. Further, either a copy of the MOU should be included in the IS/MND or a written statement from Coso Operating Company should be included that verifies that the statements on pages 3-43 to 3-44 concerning its reduction in pumping are accurate. Without such documentation, there is no way to know whether the mitigation measure is enforceable as required by Public Resource Code Section 21081.6(b). If the measure is not enforceable, the IS/MND cannot conclude that the Project's groundwater pumping will have no significant impact. 8

Moreover, the IS/MND is inadequate because it is silent as to what level of groundwater pumping will occur under the Project if Coso Operating Company's pumping is reduced to less than the amount of LADWP's pumping. Because the IS/MND does not state that LADWP will manage its groundwater pumping so that the cumulative total of the annual groundwater pumping by Coso Operating Company and by LADWP will not exceed the total amount allowed to be pumped Coso Operating Company during the year, the conclusion in the IS/MND that LADWP's groundwater pumping will not have a significant effect on the environment is not supported by any evidence. To the contrary, if Coso's pumping is reduced to less than LADWP's pumping because triggers to protect against a significant effect at Little Lake are exceeded, if 9

LADWP continues to pump from the groundwater basin, there is substantial evidence in the EIR for the Coso project that a significant effect at Little Lake will occur. 9

For the reasons given above, the mandatory findings given on page 3-59 should find that the project has potentially significant impacts to the quality of the environment, may substantially reduce wildlife habitat (3.18 (a)), and have impacts that are cumulatively considerable in connection with the past and ongoing operation of the Coso Operating Company project (3.18 (b)). 10

Conclusion. The IS/MDN should be withdrawn and a new CEQA analysis prepared after the Technical Group has conducted the work related to the Project that is required by the Agreement. If the IS/MND is not withdrawn, based upon the substantial evidence presented above, the IS/MND is legally inadequate. 11

Sincerely,

Robert Harrington, Water Director

cc: Inyo County Board of Supervisors
Inyo County Water Commission
Kevin Carunchio, County CAO
Margaret Kemp-Williams, County Counsel
Greg James, Special Counsel

Letter 3, County of Inyo Water Department (CIWD)

Response to CIWD-1

The comment states the project is subject to the Inyo/Los Angeles Long Term Water Agreement (Water Agreement) but that the IS/MND only addresses one of several provisions of the Water Agreement concerning groundwater mining. The comment further states the Water Agreement has requirements related to impacts to springs, private wells, groundwater-dependent vegetation, and other significant effects on the environment be identified and avoided. The comment states that the Water Agreement requires Inyo/Los Angeles Technical Group test the well and develop an operational plan.

In response to this comment, the Project Description and Project Objectives have been revised in the Final MND to clarify the project's conformance with the Water Agreement.

The overall goal of the Water Agreement is to "avoid certain described decreases and changes in vegetation and to cause no significant effect on the environment which cannot be acceptably mitigated while providing a reliable supply of water for export to Los Angeles and for use in Inyo County." Under the Water Agreement, groundwater pumping would be managed to avoid causing significant adverse impacts on water levels or water quality of non-LADWP owned wells. Should any such adverse impacts occur (attributable to LADWP pumping), they must be promptly mitigated by LADWP. The *Green Book* contains the management practices that would be implemented to avoid such impacts. The *Green Book* contains procedures for determining the effects of groundwater pumping and surface water management practices on spring flow. The standardized procedures for monitoring, data interpretation, and determination of effects are set forth in the *Green Book*. The *Green Book* is the instrument that sets forth the methods and techniques that will be used by the two parties to implement the goals of the Water Agreement.

The proposed project would initiate long-term pumping test of Well V817 needed to collect data for improving the estimate of water seepage losses from the Haiwee Reservoir to Rose Valley. The proposed installation of the pipeline is intended to support the recommended long-term well pumping test activities and potentially subsequent long-term operation of the well. Pending favorable hydrogeologic conditions, Well V817 would be included as part of LADWP's Annual Operation Plan for operation of groundwater wells in accordance with the Water Agreement. Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement.

According to the Water Agreement, LADWP's current groundwater pumping capacity may be increased to provide operational flexibility and to facilitate rotational pumping. LADWP may replace existing wells and construct new wells in areas where hydrogeologic conditions are favorable, and where the operation of that well will not cause a change in vegetation that would be inconsistent with the goals and principles of the Water Agreement. The Water Agreement includes provisions for installing new wells and operating existing wells, including monitoring during initial operation of a well. . Well V817 will be tested and operated in accordance with the provisions of the Water Agreement.

LADWP conducted a short-term constant rate pump test to better understand the aquifer characteristics in Rose Valley. The test was performed in late March and early April of 2009 on Well V817. However, due to the short length of the pumping test, long-term effects on the surrounding wells could not be determined. To get a better understanding of this recharge component, it was recommended to conduct a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. It is recommended, as part of evaluation of long-term operation of Well V817 to conduct a 6 month pumping test at a rate of 1.25 cfs (LADWP, 2009). A copy of the pumping test is provided in Appendix A. All available information on well V817 was provided to the Inyo County Water Department and made available to LADWP's and Inyo County's Technical Group representatives. Any additional information obtained through long-term testing of Well V817 will be made available to the Inyo/Los Angeles Technical Group.

Coso Operating Company and LADWP entered into a MOU to memorialize their understanding regarding Coso Operating Company's approved Coso Hay Ranch Project and LADWP's water gathering or Haiwee Reservoir seepage recovery and other activities in the region. Coso Operating Company and LADWP sought to maintain a cooperative working relationship outside the County of Inyo's requirements for the Coso Hay Ranch Project through implementation of the MOU. A copy of the MOU between Coso Operating Company and LADWP is provided in Appendix B.

The MOU identified the South Haiwee Reservoir Seepage Recovery (SHRSR) project. SHRSR and Aquifer Storage and Recovery Projects were collectively termed, recovery projects. The MOU identified LADWP-owned wells (V816 and V817) as integral parts of the recovery projects. The MOU identified the following activities for an Pumping Test of LADWP well V817:

- Prior to May 29, 2009, LADWP intends to conduct a short-term pump test of LADWP's well V817.
- Prior to May 29, 2009, LADWP intends to conduct a long-term test of LADWP's well V817 for up to two months, unless parties agree to a different time period.
- LADWP plans to install water level monitoring equipment on its wells, including V816 and V817 and other LADWP wells located north of V817 and two private monitoring wells, the Dunmovin and Calpomus wells.
- During the test period, Coso will monitor the two monitoring wells on its Hay Ranch property and provide monitoring data to LADWP.
- LADWP will analyze the data collected during the course of the test and for a period afterwards (approximately two weeks) to determine the aquifer characteristics in the vicinity.
- LADWP will provide Coso the data collected, the analysis methodology, the analysis results, and other data LADWP utilized in its analysis.

Coso Operating Company and LADWP agreed to utilize the County of Inyo's Coso Hay Ranch Project Hydrologic Monitoring and Mitigation Plan (HMMP) guidelines to apply to LADWP

Wells V816 and V817. The HMMP guidelines include trigger levels which require Coso Operating Company to decrease or stop pumping when certain trigger levels are reached.

- Prior to June 30, 2009, LADWP will conduct a pump test and propose trigger levels for Coso's consideration. These trigger levels shall be known as LADWP trigger levels. The LADWP trigger levels may be changed based on data collected during the long-term test or other new information and with agreement between Coso and LADWP.

LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement. Operation of Well V817 would be included in the Annual Operations Plan LADWP prepares each April.

Coso Operating Company agreed to subordinate its groundwater pumping rights to LADWP's Recovery Projects, including the SHRSR project, up to the amount of water ("Seepage Amount") which is determined to be seeping from Haiwee Reservoir, to the extent required by Inyo County as a mitigation measure for the recovery projects. The MOU states should Inyo County Water Department identify a potential impact on resources in connection with its approval process related to LADWP's Recovery Projects, Coso Operating Company agrees to reduce its groundwater pumping, as necessary, up to a maximum of the seepage amount, to reduce the impact of LADWP's pumping to a level that does not cause a significant effect on the environment.

Inyo County Water Department issued a letter to Coso Operating Company regarding groundwater pumping and its effects on Little Lake, south of the project site. There was concern the Coso Hay Ranch Project was resulting in lowering Little Lake water levels such that a substantial impact was occurring from Coso Hay Ranch Project groundwater pumping. However, Inyo County Water Department concluded that the drawdown trigger exceedances that occurred at Little Lake North monitoring wells were a result of seasonal fluctuation and not a result of reduced groundwater discharge to Little Lake. As such, on August 30, 2013, Inyo County Water Department approved continuation of Coso Operating Company's pumping at a rate of 3,040 acre-feet per year until June 30, 2014, subject to revised groundwater level triggers identified in the letter from Inyo County Water Department. Since January of 2013, the average groundwater pumping by Coso Hay Ranch Project has been about 1,600 acre-feet per year.

Response to CIWD-2

The comment states "Compliance with the Inyo/Los Angeles Water Agreement" should be included in the section discussion, "Project Review and Approval."

Refer to the Final MND for revisions and clarifications to the project description. "Compliance with the Inyo/Los Angeles Water Agreement" was added to "Project Review and Approval, of the Final IS/MND."

Response to CIWD-3

The comment states that because the Technical Group has not performed any of the work required by the Water Agreement, an adequate project description cannot be established until the Technical Group's work has been performed. As a result, the comment states the IS/MND analysis is inadequate because the IS/MND does not contain an accurate project description.

The proposed project would initiate long-term pumping test of Well V817 needed to collect data for estimating water seepage losses from the Haiwee Reservoir and determining long-term pumping capacity of Well V817 as a first step in complying with the Water Agreement. The proposed project initiates a long-term well pumping test and potentially subsequent long-term operation of the well, in compliance with the Water Agreement. Refer to response to comment CIWD-1.

Response to CIWD-4

The comment states the IS/MND should be withdrawn and a new CEQA analysis conducted only after the completion of the work required by the Technical Group.

Comment noted; refer to response to comment CIWD-1.

Response to CIWD-5

The comment provides information relating to the Coso Operating Company's Geothermal Project and associated Environmental Impact Report (EIR). The comment states the EIR identifies mitigation measures to reduce groundwater pumping impacts on Little Lake. The comment further states the Initial Study should identify a potentially significant impact on riparian habitat and federal wetlands due to reductions in water availability to Little Lake.

Refer to response to comment CIWD-1. The results of the 2009 Well V817 pumping test showed that water level measurements in nearby monitoring wells beyond the immediate vicinity of the pumping well showed minimal or no impact from the pumping test beyond the background water level fluctuations. However, given the short length of the pumping test and the complexity of the geo-hydrology near Well V817, long-term effects on the surrounding wells could not be determined. To get a better understanding of this recharge component, it was recommended to conduct a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. It is recommended, as part of evaluation of long-term operation of Well V817 to conduct a 6 month pumping test at a rate of 1.25 cfs (LADWP, 2009). A copy of the 2009 pumping test is provided in Appendix A.

In order to obtain a more accurate estimate of seepage from the reservoir, a long-term pumping test is proposed at the existing Well V817. This project would allow a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. A six month pumping test at a rate of 1.25 cfs is proposed to determine long-term effects on the surrounding wells (LADWP, 2009). The existing LADWP monitoring wells and a new monitoring well drilled approximately 1,200 feet south of Well V817 in 2010 would be used to monitor the effects of the pumping test on the groundwater basin.

LADWP will provide the pumping test data to Inyo County for review and input, consistent with the Water Agreement. Operation of Well V817 would be included in the Annual Operations Plan LADWP prepares in accordance with the Water Agreement.

Response to CIWD-6

The comment states that there has been a drawdown observed due to Coso Operating Company's groundwater pumping and drawdown limits in two monitoring wells have been exceeded. The commenter states the project's pumping, both alone and cumulatively would result in a significant impact. The comment further states that the Initial Study should have found a significant impact due to depletion of groundwater supplies and lowering the water table.

Refer to response to comment CIWD-1 and CIWD-5. Refer to revisions to response 3.9.b in the IS/MND Checklist regarding groundwater impacts.

Response to CIWD-7

The comment states that on its own, the loss of 900 AF from the aquifer would not amount to a significant impact given the conditions; however, the cumulative loss of 3,040 AF by Coso Operating Company and 900 AF from LADWP may cumulatively affect recharge.

Refer to response to comment CIWD-1 and CIWD-5. Refer to revisions to response 3.9.b in the IS/MND Checklist regarding groundwater impacts.

Response to CIWD-8

The comment states that the MOU between LADWP and Coso Operating Company is effectively a mitigation measure; however, the IS/MND does not identify it as such. The comment states a copy of the MOU should be included in the IS/MND.

Refer to response to comment CIWD-1. A copy of the MOU between Coso and LADWP is provided as Appendix B.

Response to CIWD-9

The comment states that the IS/MND is inadequate because it is silent as to what level of groundwater pumping will occur if the Coso Operating Company's pumping is reduced to less than the amount of LADWP's pumping. The comment further states should LADWP continue to pump, there is substantial evidence in the EIR for the Coso project that a significant effect at Little Lake would occur.

Refer to response to comments CIWD-7 and CIWD-8. The amount of pumping by LADWP is constrained by the Water Agreement to levels that avoid impacts. If LADWP pumping could result in significant impacts, the Water Agreement requires LADWP to reduce or cease pumping. The MOU with Coso provides LADWP with first priority pumping. Coso is subject to Inyo County's Special Use Permit and LADWP operates pursuant to the terms of the Water Agreement. Under Coso's Special Use Permit from Inyo County, operating criteria are established based on certain drawdown limits at a number of monitoring wells throughout Rose

Valley. If water levels fall below trigger levels, Coso will have to reduce its pumping. As part of the MOU, if groundwater extractions by Coso Operating Company and LADWP were to fall below trigger levels, requiring reductions in pumping, Coso Operating Company pumping would curtail first by the amount necessary to allow LADWP to continue to pump an amount equal to the seepage of Los Angeles aqueduct water from Haiwee Reservoir.. Should the groundwater levels continue to fall below the trigger levels after Coso Operating Company has ceased all pumping, LADWP would operate well V817 in accordance with the terms of the Water Agreement and the procedures outlined in the Green Book, which requires monitoring of groundwater levels and other environmental conditions and operating the well to avoid causing significant impacts to the environment. The Inyo/Los Angeles Technical Group would be required to evaluate the operation of Well V817 and to take measures to avoid significant impacts to the environment in conformance with the Water Agreement.

Response to CIWD-10

The comment states that the mandatory findings in the IS/MND should find that the project has potentially significant impacts to the quality of the environment, may substantially reduce wildlife habitat, and have impacts that are cumulatively considerable.

Commented noted; refer to response to comments CIWD-5 through CIWD-10.

Response to CIWD-11

The comment states the IS/MND should be withdrawn and a new CEQA analysis prepared after the Technical Group has conducted the work related to the Project that is required by the Water Agreement.

Comment noted; refer to response to comment CIWD-1.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

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August 22, 2013

Michael Mercado
Los Angeles Department of Water and Power
Environmental Assessment and Planning
111 North Hope Street, Room 1044
Los Angeles, CA 90012

File: Iny-395-21.3
IS/MND
SCH #: 2013081005

Dear Mr. Mercado:

Notice of Intent (NOI) to adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed well V817 Rose Valley Pipeline Installation Project

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment on the proposed Rose Valley Pipeline Installation Project. Assuming project access to US 395 will be located at the median crossover located at post mile 21.344, we only have the following comment:

- In reference to the IS/MND page 1-9, no parking or fueling is allowed within the State Highway Right of Way. 1

We value our cooperative working relationship concerning project-related State highway impacts in Inyo County. You may contact me at (760) 872-5203, with any questions.

Sincerely,

Rick A. Franz

RICK A. FRANZ
Acting IGR/CEQA Coordinator

c: State Clearing House
Mark Reistetter, Caltrans

Letter 4, California Department of Transportation District 9

Response to DOT-1

The comment states that no parking or fueling is allowed within the State Highway Right of Way.

The proposed project would install water conveyance infrastructure that is not within any public roadway right-of-way. As a result, no parking or fueling would occur within the State Highway Right of Way for construction of this project.

CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

Lahontan Regional Water Quality Control Board

August 28, 2013

File: Environmental Doc Review
Inyo County

Michael Mercado
Los Angeles Department of Water and Power
111 North Hope Street, Room 1044
Los Angeles, CA 90012
Email: michael.mercado@ladwp.com

COMMENTS ON THE NOTICE OF COMPLETION OF AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED WELL V817 ROSE VALLEY PIPELINE INSTALLATION PROJECT, INYO COUNTY, STATE CLEARINGHOUSE NO. 2013081005

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Notice of Completion of an Initial Study and Mitigated Negative Declaration (IS/MND) for the above-referenced project (Project) on August 5, 2013. The IS/MND was prepared by the Los Angeles Department of Water and Power (LADWP) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations, title 14, section 15096. Based on our review of the proposed Project, we have determined that a combination of sediment and erosion control best management practices (BMPs) must be implemented to effectively treat post-construction stormwater runoff or other clear-water discharges during the life of the Project. We recommend that LADWP consider our comments and value our mission to protect waters of the State and maintain water quality in the Lahontan Region. 1

Project Description

Haiwee Reservoir is owned and operated by LADWP and used as drinking water source for the Los Angeles area. It is estimated that the reservoir loses from 900 to1100 acre-feet of water per year due to seepage and groundwater recharge. LADWP proposes to recover the groundwater seepage by reactivating well V817, which is located downgradient of the reservoir. The recovered water would be pumped back to the Los Angeles aqueduct system via an 8-inch diameter pipeline installed below grade along an existing dirt access road. The proposed pipeline is 1,542 feet in length, and all construction and disturbance would occur within a 20-foot wide corridor.

Authority

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

Specific Comments

Our comments on the Project are outlined below.

1. Post-construction stormwater management must be considered a significant Project component, and BMPs that effectively treat post-construction stormwater runoff should be included as part of the Project. The IS/MND needs to specify those temporary sediment and erosion control BMPs that will be implemented to mitigate potential water quality impacts related to stormwater. The temporary BMPs need to be implemented for the Project until such time that vegetation has been restored to pre-Project conditions. We request that vegetation clearing be kept to a minimum and, where feasible, existing vegetation be mowed so that vegetation could more readily reestablish post-construction. 2

2. The IS/MND did not discuss the need to purge well V817 or to perform hydrostatic testing of the new pipeline. Both of these activities have the potential to generate significant quantities of wastewater and may require separate permits (see Permitting Requirements below). We request that LADWP consider capturing these waste streams for reuse as dust control over the Project site. Should land disposal of these clear-water discharges be necessary, such discharge should be done in a manner that maximizes infiltration and does not concentrate flows or result in erosion. An appropriate combination of sediment and erosion control BMPs must be implemented for all clear-water discharges. 3

3. We request that construction staging areas be sited in upland areas outside stream channels and other surface waters on or around the Project site. Buffer areas should be identified and exclusion fencing used to protect the water resource and prevent unauthorized vehicles or equipment from entering or 4

otherwise disturbing the stream channel. Construction equipment should use existing roadways to the extent feasible. 4

4. All temporary impacts should be restored (recontoured and revegetated) to match pre-Project conditions. 5

5. Obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required. The environmental document must specifically describe the BMPs and other measures used to mitigate Project impacts. 6

Permitting Requirements

A number of activities associated with the proposed Project appear to have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include:

6. Land disturbance of more than 1 acre may require a CWA, section 402(p) stormwater permits, including a NPDES General Construction Stormwater Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or individual stormwater permit obtained from the Lahontan Water Board; 7

7. Clear-water discharges, including hydrostatic pipeline and tank testing discharges, to the onsite ephemeral drainages may be subject to discharge and monitoring requirements under the NPDES General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2008-0023; 8

8. Clear-water discharges, including hydrostatic pipeline and tank testing discharges, to the ground may be subject to discharge requirements under the Statewide General Waste Discharge Requirements (WDRs) For Discharges to Land With A Low Threat To Water Quality, Water Quality Order No. 2003-003-DWQ; and 9

9. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board. 10

Please be advised of the permits that may be required for the proposed Project, as outlined above. We request that specific Project activities that may trigger these permitting actions be identified in the appropriate sections of the environmental document. Should Project implementation result in activities that will trigger these permitting actions, the Project proponent must consult with Water Board staff. Information regarding these permits, including application forms, can be downloaded from our web site at http://www.waterboards.ca.gov/lahontan/.

Thank you for the opportunity to comment on the IS/MND. If you have any questions regarding this letter, please contact me at (760) 241-7376 (jzimmerman@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Jan M. Zimmerman, PG
Engineering Geologist

cc: State Clearinghouse (SCH 2013081005)
(via email, state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife, Inland Deserts Region
(via email, askregion6@wildlife.ca.gov)

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Letter 5, Lahontan RWQCB

Response to RWQCB-1

The comment states that based on review of the project, the RWQCB has determined that a combination of erosion and sediment control BMPs must be implemented to effectively treat post-construction stormwater runoff or other clear-water discharges during operation.

Refer to Section 3.9.a Hydrology and Water Quality. LADWP would comply with the NPDES Construction General Permit and would prepare a project-specific SWPPP for the project. The SWPPP is required to list and implement all practicable BMPs in order to protect water quality during and after construction.

Response to RWQCB-2

The comment states that the IS/MND needs to identify those temporary sediment and erosion control measures that will be implemented to mitigate water quality impacts. In addition, they request vegetation clearing be kept to a minimum and, where feasible, only mow vegetation to help it reestablish post-construction.

Refer to Section 3.4.a Biology, the majority of the project site has been disturbed by previous cattle grazing activities; the shrub cover within the project site is sparse. Clearing, grading and trenching (within a 20-foot-wide corridor over the length of the alignment) would temporarily impact disturbed Mojave Creosote Bush Scrub and non-native grassland along the project alignment. Vegetation disturbance would be limited and mitigation measure BIO-1 requires that native vegetation within the construction work area, including native cacti, should be flagged for protection. If construction requires removal of native plant species, the plant species shall be salvaged and transplanted in undisturbed areas adjacent to the construction work areas.

In addition, the project would prepare a SWPPP in accordance with the NPDES General Construction Permit. The SWPPP would identify BMPs that are directed at implementing both sediment and erosion control measures and other waste and material management measures to control potential chemical contaminants. The SWPPP would also include descriptions of the BMPs to reduce pollutants in storm water discharges after all construction phases have been completed at the site (post-construction BMPs). The SWPPP must remain on the site during construction activities, commencing with initial mobilization and ending with the termination of coverage under the Construction General Permit. The following practices would provide effective temporary and final erosion control during construction:

- Preserve existing vegetation, to maximum extant feasible.
- The area of soil disturbing operations shall be controlled such that the Contractor is able to implement erosion control BMPs quickly and effectively.
- Stabilize non-active areas within 14 days of cessation of construction activities or sooner if stipulated by local requirements.
- Control erosion in concentrated flow paths by applying erosion control methods.

- Prior to the completion of construction, apply permanent erosion control to remaining disturbed soil areas.

Response to RWQCB-3

The comment states that IS/MND did not discuss the need to purge Well V817 or hydrostatic testing of the new pipeline; they suggest LADWP capture and reuse this water.

Construction of the proposed project would involve the installation of an 8-inch diameter water pipeline that would transport pumped water from Well V817 to the LAA1. Well V817 is in operable condition and would require only minimal purge activities. In addition, the hydrostatic testing of the new pipeline would be discharged directly to LAA1. As a result, minimal water would be discharged to the ground surface. To the extent feasible, discharge water would be reused for dust control or re-vegetation purposes.

Response to RWQCB-4

The comment states that construction staging areas be located outside of stream channels and other surface waters and buffer areas provided for the water resources.

Refer to Section 3.9.a Hydrology and Water Quality, construction of the proposed project would not impact stream channels or other surface waters.

Response to RWQCB-5

The comment states that the site should be restored to preconstruction conditions.

Refer to response to comment RWQCB-2. The project would comply with the Construction General Permit which requires implementation of permanent erosion control to remaining disturbed soil areas to achieve soil stabilization.

Response to RWQCB-6

The comment states that obtaining a permit and conducting monitoring does not constitute adequate mitigation and the environmental document must specifically describe the BMPs and other measures to mitigate project impacts.

Refer to response to comment RWQCB-2. The project results in minimal disturbance to a relatively flat area. Implementing a SWPPP would mitigate potential construction impacts of the project. The SWPPP would identify BMPs that are directed at implementing both sediment and erosion control measures and other waste and material management measures to control potential chemical contaminants; which would be sufficient measures to protect against the potential impacts identified in the IS/MND. No further mitigation measures are required.

Response to RWQCB-7

The comment states that compliance with the General Construction Permit or other individual stormwater permit may need to be obtained from the Lahontan RWQCB.

Refer to response to comment RWQCB-1 and RWQCB-2.

Response to RWQCB-8

The comment states that the NPDES General Permit, Limited Threat Discharges to Surface Waters may apply to the project.

Refer to response to comment RWQCB-3.

Response to RWQCB-9

The comment states that the Statewide General WRD for Discharges to Land with a Low Threat to Water Quality may apply to the project.

Refer to response to comment RWQCB-3.

Response to RWQCB-10

The comment states that a streambed alteration agreement, CWA Section 401 Water Quality Certification may be required for the project.

Refer to response to comment RWQCB-3 and RWQCB-4.

AtoZ LAW | ARNOLD LAROCHELLE MATHEWS VANCONAS & ZIRBEL LLP

Writer's Email
garnold@atozlaw.com

Via Federal Express

August 29, 2013

Los Angeles Department of Power & Water
Environmental Assessment & Planning
Attn: Mr. Michael Mercado
111 North Hope Street, Room 1044
Los Angeles, CA 90012

Re: Initial Study/Mitigated Negative Declaration for the Proposed Well V817 Project

Dear DWP:

This law firm represents Little Lake Ranch, Inc., ("LLR") which owns approximately 1,200 acres of real property situated on the southern boundary of Rose valley in the County of Inyo which will be directly affected by the water extraction and transportation project described in the Initial Study/Mitigated Negative Declaration ("MND") for the Water Pipeline Installation Project-Well V817 to the First Los Angeles Aqueduct ("DWP Project") proposed by the Los Angeles Department of Water and Power ("DWP"). The property owned by LLR includes the navigable body of water known as Little Lake ("Little Lake"), downstream ponds, valuable wildlife habitat, water resources, improvements and very unique and environmentally sensitive wetlands (collectively "Little Lake Property").

We believe the DWP Project has not been subject to adequate environmental review and poses a significant threat to the ecology of the Little Lake Property, and in particular Little Lake itself. The purpose of this letter is to outline LLR's objections to the DWP Project, and urge DWP to reject the DWP Project and the MND until a complete environmental review of the DWP Project has been performed, reviewed by the public and ultimately approved, if at all. 1

The California Environmental Quality Act ("CEQA") carries a strong presumption in favor of requiring the preparation of an environmental impact report ("EIR"). Under CEQA's "fair argument" standard, DWP must prepare an EIR whenever substantial evidence supports a fair argument that a project may have a significant effect on the environment. (*Laurel Heights Improvement Association v. Regents of University of California* (1993) 6 Cal.4th 1112, 1123, [26 Cal. Rptr. 2d 231].) If a project may cause a significant effect on the environment, the lead agency must prepare an EIR. (*Pub. Res. Code* §§21100, 21151). In fact, if substantial evidence supports a "fair argument" that a project may have a significant environmental effect, the lead agency must prepare an EIR even if it is also presented with other substantial evidence indicating 2

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that the project will have no significant effect. (See *Brentwood Association for No. Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491 [184 Cal.Rptr.664].).

When a project applicant has tailored a project to avoid potential impacts and is willing to accept mitigating conditions, it may be able to avoid an EIR by relying on a negative declaration or a mitigated negative declaration. (*Running Fence Corp. v. Superior Court* (1975) 51 Cal.App.3d 400 [124 Cal.Rptr. 339].) However, a mitigated negative declaration may only be adopted if ALL potentially significant effects will be avoided or reduced to insignificance. (*Pub. Res. Code* §21080(c)(2).) If the DWP Project may have one or more significant impacts on the environment despite modifications, a negative declaration is improper, and an EIR is mandatory. (*Pub. Res. Code* §21064.5.) A mitigated negative declaration is appropriate only if project revisions would mitigate the potentially significant effects "to a point where clearly no significant effect on the environment would occur" and there is no substantial evidence in the record before the agency "that the project, as revised, may have a significant effect on the environment." (*Id.*)

2

Proper mitigation measures may not include future study or the formulation of future mitigation measures. (See *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 306.) Deferring evaluation of environmental impacts until after a project's approval improperly avoids the required public review and agency scrutiny which are the foundation of the CEQA process. The public and appropriate agencies must be given the opportunity to review and comment on mitigation measures before an MND is approved

Based upon all the evidence in the record, there is a fair argument that the DWP Project will adversely impact Little Lake. Thus, a full EIR must be prepared and certified before DWP may approve the DWP Project for implementation.

The LLR Property is managed by LLR, formerly known as Upper Little Lake Ranch or ULLR, to provide wildlife habitat and wildlife-oriented recreation, including hunting, fishing, and wildlife viewing. The LLR Property includes a shallow 90 acre navigable body of water known as "Little Lake" and the ponds and wetlands areas including the Upper Pond, Lower Pond, Teal Pond, Lava Pond, and Chukar Pond.

During recent years, LLR completed an ambitious habitat restoration project to substantially improve the LLR Property ("LLR Project"). The details of the LLR Project are described in the Upper Little Lake Ranch Habitat Restoration and Improvement Plan, as approved October 14, 2000 ("Habitat Plan"), a copy of which is attached. The objectives of the LLR Project were to restore 90 acres of lacustrine wetlands, 10 acres of palustrine emergent wetlands, and about 6 acres of palustrine forested habitat along a 1.6-mile long creek corridor. It also enhanced about 220 acres of wetlands-associated uplands and LLR acquired 1 acre of palustrine emergent wetland and associated upland habitats.

The Habitat Plan notes that the intent of the LLR Project was "to restore and improve its habitat for waterfowl and other wildlife". The LLR Project included:

- "Protecting and increasing the effective use of ULLR's surface water is the keystone around which this Habitat Restoration and Improvement Plan is built. With better control of its surface water, the property's natural wetlands can be restored and expanded, and the habitat for waterfowl and other wildlife will improve."

- "Several other projects listed will allow ULLR to control the flow of its surface water, thereby allowing it to (a) manage the levels of the lake and other impoundments, and (b) better use of this water for wildlife management."

- "When completed, this Plan will restore most of ULLR's wetlands to a more natural condition, thereby increasing their carrying capacity for migratory waterfowl; increase ULLR's total wetland and upland acreage; and improve the property's habitat for waterfowl, small game, and other wildlife."

- "Average annual rainfall is less than 6 inches...The area also sits on one of the most productive aquifers in North America. This aquifer, not rainfall or surface water, is the source of Little Lake's water."

- "Little Lake is spring fed, and at full capacity averages approximately 3 feet in depth with 90 acres of surface area. The lake was created in 1905 by damming the stream created by these springs."

- "The outflow of the lake and all springs is absorbed into the ground at the last impoundment. Thus, no surface water enters or leaves the property."

- "The ranch also attracts migrating doves each fall and sustains native populations of quail, rabbit, chukar, partridge, and various rodents, raptors, varmints, and predators."

The work comprising the LLR Project replaced a dam at the south end of Little Lake to provide better water management capabilities, removed sediment and non-native and rank vegetation, established native riparian habitat, reconstructed certain basins and stream capabilities, established native food and cover for upland species, and restored wetlands habitat at Lava Pond. The LLR Project was further refined and developed pursuant to the Upper Little Lake Ranch Habitat Restoration and Enhancement Project, dated November 30, 2000 ("Habitat Plan Update"), a copy of which is enclosed.

The Habitat Plan Update at page 7 noted that the LLR property is adjacent to U.S. Highway 395 and that the LLR Project would be highly visible to numerous people traveling along this route. The LLR Project would generate additional public support for migratory birds and wetlands conservation. With respect to the impacts on waterfowl, it is noted that "wetlands are extremely limited along the Eastern Sierras. Much of the wetlands habitat that historically occurred in the region has been lost to water diversions and agricultural conversions. Little Lake is one of the few sizable wetlands sites remaining along the Eastern Sierras. This 90-acre lake is

used extensively by waterfowl and likely receives more use by diving ducks than any other wetlands in the Eastern Sierra region."

The Habitat Plan Update at page 8 noted that "this project will provide substantial benefits to non-game migratory birds. It will create a riparian corridor along a 1.6-mile long section of the creek where riparian habitat is currently very limited. This will increase the habitat diversity at ULLR and should attract many neotropical migratory song birds, such as blue-gray gnatcatcher and ash-throated flycatcher. Proper water management, made possible by the project, will also improve habitat conditions in the wetlands for shorebirds and other waterbirds, priority species that will benefit from this project will include long-billed curlew, Clark's grebe, western grebe, northern harrier, black-chinned hummingbird, and willow flycatcher." Moreover, the Project was further intended to benefit 3 species that are state and/or federally endangered, including the southwestern willow flycatcher, bald eagle, and Inyo brown towhee.

The LLR Project required LLR to seek and obtain all necessary permits, including an EIR and Streambed Alteration Agreement from the California Department of Fish and Game, a Clean Water Act Permit from the U.S. Army Corps of Engineers, a National Historic Preservation Act consultation with the California State Historical Preservation Office, a Clean Water Act Water Quality Certification from the California Regional Water Quality Control Board ("Control Board"), and a National Pollutant Discharge Elimination System Permit from the Control Board. As such, the possible reduction of water resources and surface flow at Little Lake directly caused by the DWP Project might affect or impact the environmental conditions which caused LLR to seek the permits. To this extent, the prior approval from each of these agencies may be required if LLR's work is affected by the DWP Project. 3

Because of the scope of the work, LLR initially prepared mitigated negative declaration, much like the pending MND, but the governmental agencies supervising the work determined more environmental analysis was required. The California Department of Fish and Game ("DFG") was the lead agency in connection with the LLR Project. LLR was compelled to prepare, submit and obtain approval of a Final Environmental Impact Report for the Upper Little Lake Ranch Habitat Restoration and Enhancement Project ("LLR FEIR"), a copy of which is enclosed.

The LLR FEIR contains much of the same information as was provided by the Habitat Plan and Habitat Plan Update. There are, however, several important statements in the LLR FEIR which should be emphasized.

At page 2.1, the LLR Project was further described and included such things as replacing existing dams and spillways, providing water management capabilities, removing sediment, removing non-native and other vegetation, establishing native riparian habitat, installing water control structures, establishing native cottonwood and willow cover at 7 primary sites, establishing native food and cover for upland species, and restoring wetland habitat at Lava

Pond. All of these projects are jeopardized through the loss of surface flow directly related to, and caused by, the DWP Project.

At page 2.10, the LLR FEIR states that the LLR Project does lie within the range of the Mojave ground squirrel ("MGS"), which is a state-listed threatened species. Because of the location of Little Lake within the MGS range, LLR was required to obtain as part of its LLR Project a California Endangered Species Act Incidental Take Permit. Despite the location of the DWP Project within the same range of the MGS, no similar permit is noted in the MND. 4

Impacts to air quality were summarized in the LLR FEIR at page 4.3. Inyo County is located in a non-attainment area for PM_{10}, which are particulate matters less than 10 microns in diameter. While it is noted that the principal cause for non-attainment is wind-raised dust from Owens Dry Lake accounting for 99% of the problem, the loss of valuable wetlands at Little Lake, and perhaps even Little Lake itself as a body of water, could substantially exacerbate wind-raised dust from the Little Lake area. 5

At page 4.5 of the LLR FEIR, the biological resources located throughout the Little Lake area were summarized. All of these biological resources are directly impacted and potentially threatened by the declines in surface flows at Little Lake caused by the DWP Project. 6

Beginning at page 4.6 of the LLR FEIR, the impacts to, and mitigation measures for, the MGS were thoroughly covered. Page 4.8 also contains a map reflecting the MGS range, which clearly encompasses Little Lake and the full scope of the DWP Project. Why is DWP's Project seemingly exempt from the same or similar mitigation measures imposed upon LLR with respect to the MGS habitat which will be disturbed and impacted during its construction work? 7

At page 4.17, the hydrology and water quality impacts from the LLR Project are noted. Among other items, the LLR FEIR notes several major springs are located within Little Lake and the flow from these springs supports the existing wetlands system. A substantial reduction in such water flows must necessarily impact hydrology, water quality, and the survivability of the wetlands area throughout Little Lake. 8

After LLR completed the LLR Project, Coso Operating Company, LLC ("Coso") sought permission from the Bureau of Land Management ("BLM") and the County of Inyo ("County") to design, build and operate a water extraction and transportation project ("Coso Project"). The Coso Project contemplated the pumping and transfer of over 4,900 acre feet per year ("AFY") of water from the Rose Valley Aquifer to its geothermal facilities 9 miles to the east. The Coso Project encountered significant opposition from many local parties, including LLR.

Coso first prepared a Final Draft Environmental Assessment, dated as of May, 2006 ("EA"), a copy of which is enclosed. The EA contains significant information which reflects significant impacts to Little Lake, that would be caused by the Coso Project and the same impacts arise as a result of the pending DWP Project. The significant impacts arising from the Coso Project that were outlined in the EA include:

1. The EA states at page 32, that Little Lake is an emergent underflow lake and that it exists because the Rose Valley groundwater flows north to south and is forced to the surface by the low permeability of shallow bedrock or volcanic material. An interruption or reduction in groundwater would clearly impact and reduce the ability of Little Lake to exist. Any loss of water in the Rose Valley Aquifer could reduce the water pressure available at Little Lake to stop the upward pressure of water which supplies Little Lake. 9

2. At page 33 the EA states that it is presumed that the Rose Valley Aquifer is in a steady-state. This indicates the recharge into the Rose Valley Aquifer is near or equal to the outflow. If accurate, an increased level of outflow due to the DWP Project would cause the Rose Valley Aquifer to be over drafted. To the extent the Rose Valley Aquifer is overdrafted, there should be no exportation of water from the Rose Valley Aquifer to any other areas. 10

3. Beginning at page 45, the EA describes various presumed cumulative impacts from the Coso Project. The EA suggested that there were no impacts on vegetation or surface water. What the EA failed to address is the impact upon these resources if, and to the extent that, surface water flow at Little Lake is in fact impacted by the pumping activities through the Coso Project, and now the DWP Project. 11

Coso also attempted to obtain the approval of the Coso Project upon mere reliance of an MND. Once the full scope and the impacts of the Coso Project became widely known, it was apparent that the Coso Project would indeed have a very real and significant impact on Little Lake, absent some intensive monitoring and mitigation measures. Ultimately, Coso withdrew its MND and agreed to prepare a full EIR for the Coso Project. Enclosed are complete copies of the Draft EIR, dated July, 2008 and the Final EIR dated December, 2008, for the Coso Operating Company Hay Ranch Water Extraction and Delivery System (collectively "Coso FEIR").

The purpose for the preparation of the Coso FEIR was because of the real and imminent threat posed by the Coso Project to Little Lake and all of the flora and fauna within the Rose Valley. The DWP Project has the exact same potential consequences and cannot be approved on the basis of the MND alone. 12

DWP now proposes to pump and transport off of the Rose Valley Aquifer over 20% of the same amount of water that has been pumped by Coso. However, such pumping and transportation would be cumulative to Coso, and not merely an offset or replacement 13

The MND is fatally flawed and lacking in any evidentiary support to provide any assurances that the DWP Project will not cause significant environmental impacts. DWP assumes without any substantive evidence that water is leaking from Haiwee Reservoir based solely upon the three-dimensional numerical groundwater flow model for the Rose Valley Aquifer ("Hydrology Study") that was contained in the Coso FEIR. While DWP lists the Coso EIR as a reference, it does not even bother to summarize its findings, or the separate mitigation 14

requirements contained in the hydrologic monitoring and mitigation plan ("HMMP"), a copy of which is enclosed.

DWP has conducted no testing or sampling of the water from Haiwee Reservoir to verify whether there is any water leakage into the Rose Valley Aquifer. Moreover, the Hydrology Model does not stand for the proposition that 1,100 AFY is actually leaking from Haiwee. The Hydrology Model indicates that the modeled inflows, not actual inflows, from the entire Owens Valley Aquifer, only a part of which includes Haiwee, to the Rose Valley Aquifer could occur. It is not permissible to conclude that all of the inflows are generated from Haiwee Reservoir. 14

There are numerous misstatements and representations in the MND. All of these errors must be corrected. The following represent some of the most obvious errors in the MND:

Page 1-2: Since the inception of water pumping by Coso in December, 2009, groundwater levels have not increased. Indeed, nearly all underground water levels have decreased to a substantial amount. Refer to all of the monitoring reports related to the Coso Project available on-line at http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/.

Page 1-2: The MND states that: "There has been no significant change in groundwater extraction in Rose Valley or identified groundwater recharge other than precipitation infiltration at higher elevations." This statement is patently false and misleading despite the reference to a BLM 2008 report. Please refer to all of the underground monitoring reports detailing the water pumping by Coso. Coso has pumped and transported over 11,565 acre feet ("AF") of water off the Rose Valley Aquifer since December 2009, severely impacting the Rose Valley Aquifer. It is unclear what DWP means about precipitation at higher elevations. 15

Page 1-5: No evidence is provided that the DWP property located south of Haiwee Reservoir is actually used as an "Aquifer Storage and Water Recovery Site". No environmental studies have been conducted with respect to such alleged purpose or project. If DWP conceived of and tried to implement a water storage project, such a project itself would have required an independent EIR and approval only after public input under CEQA. 16

Page 1-5: Although the DWP Project is stated as the recovery of water leakage, there is no proof that Haiwee actually leaks any water, nor is there any proof as to the amount thereof.

Page 1-5: The Hydrology Model suggests that there are inflows from Owens Valley, but not that over 900 AFY from Haiwee.

Page 1-6: The agreement between DWP and Coso has been designated as the Memorandum of Understanding, dated June 5, 2009 ("MOU"), a copy of which is enclosed. The MOU is a private agreement between Coso and DWP, and the terms cannot replace the need for an EIR. Effective September 1, 2013, Coso is precluded from any further pumping with respect to the Coso Project until additional studies are completed by the County to determine whether Coso is permitted to pump any additional water over any period of time. Thus, there is no 17

surplusage of available water pumping on which DWP could rely to recover its alleged leakage from Haiwee Reservoir. 17

MOU

The MOU cannot serve as or constitute a satisfactory environmental document under CEQA. The MOU by itself does not and cannot prevent environmental damage from the DWP Project, nor does its terms provide for mitigation of the adverse impacts. Paragraph 1 of the MOU dictates that Coso and DWP want to maintain a cooperative, working relationship with each other, but expressly "outside of the mitigation measures the County of Inyo has required for the Coso Hay Ranch Project contained in the HMMP". DWP expressly exempted itself from the mitigation measures of the HMMP, and apparently does not consider itself bound by the HMMP, although Coso certainly is. Accordingly, it must be assumed that DWP has every intention of pumping, removing and transporting as much as 1,100 AFY of water from the Rose Valley Aquifer, regardless of whether Coso would have been permitted to pump the same water.

The MOU indicates that DWP was to conduct a short-term pump test of Well V817. The results of this test have not been produced. Please provide the same. In addition, DWP was to conduct a longer term test of Well V817. What were the results of that test?

DWP indicates it was going to conduct additional monitoring of its wells under the MOU. Please provide copies of all monitoring studies since the commencement of the Coso Project. Why have not these monitoring reports been made available? Why are they not discussed as part of the MND? Such monitoring data must be provided as part of a full EIR for the DWP Project. 18

Paragraph 5 of the MOU indicates that Coso and DWP would establish a water baseline water level for Well V816. What is the baseline?

Paragraph 7 of the MOU indicates that Coso and DWP would use the same HMMP guidelines, but DWP did not agree to recognize the triggers or cessation of pumping requirements of the HMMP. Moreover, the MOU is only between Coso and DWP. It provides no enforceable rights in favor of the County, LLR or any other party that may be dependent upon the water resources of Rose Valley.

While Coso apparently agreed to subordinate its own groundwater pumping rights in favor of DWP under Paragraph 8, such subordination is limited to the amount "determined to be seeping from Haiwee Reservoir". No such determination has been made. DWP currently recognizes some ability of the County to insist upon mitigation measures for DWP's so-called "Recovery Projects", as defined in the MOU. DWP has apparently not sought the County's input with respect to any mitigation measures. No such mitigation is contained in the MND. Apparently, Coso only agreed to reduce its own pumping if the County required such reduction or cessation related to DWP's Recovery Projects. This has not occurred.

Coso's pumping has already lowered underground water levels below the triggers set by the County in the HMMP. Within days from the date of this letter, Coso's pumping will have stopped entirely. We do not know how long it may take County to recalibrate the Hydrology Model, or whether County will allow any additional pumping. Thus, Coso cannot reduce any groundwater pumping in order to accommodate or allow DWP's pumping. DWP cannot be allowed to pump any water, unless (a) DWP complies with its separate agreements with County, (b) County determines that Coso is allowed to resume pumping, and (c) Coso agrees to reduce its pumping in favor of DWP, so that DWP pumps no more water than allowed by County. (See Paragraph 8.c.) 18

The MOU further expressly states that nothing contained therein creates any rights in any third party. (See Paragraph 15.) Thus, neither the County, LLR nor any other party can enforce the provisions of the MOU. As such, the MOU cannot replace or be considered as a substitute for an appropriate environmental study. Moreover, nothing contained therein establishes any mitigation measures that could be used to reduce environmental impacts, caused by the DWP Project, let alone the damage caused by Coso.

Page 1-6: Monitoring conducted as a result of the Coso Project proves that underground water levels have fallen below the triggers set for the Coso Project. The triggers at the Little Lake Ranch North Well and Cinder Road Wells have both been exceeded. Coso is required to stop all pumping as of September 1, 2013. Until County determines that Coso is allowed to resume pumping, at some unknown level and for an uncertain time, DWP cannot pump any water, as such pumping would violate the HMMP requirements. 19

Aesthetics.

Page 3-1: The Initial Study completely ignores the loss of habitat and wetlands adjacent to U.S. Highway 395 and the LLR Project at Little Lake. Will the permanent depletion of the underground water level adversely impact the surface flora and fauna? The suggestion that there are no trees or scenic resources which may be affected by the DWP Project is wrong. (*See* the discussion in the LLR FEIR.) There should be a baseline study of the surface habitat and all wildlife which rely upon surface water and a functional ecosystem. 20

The maintenance and preservation of the LLR Project is entirely dependent upon LLR's ability to manage its water sources and, in particular, the available surface flows of water. The devastation which will be suffered by Little Lake and its LLR Project is manifest, resulting in enormous losses to the viewshed along Highway 395, which cannot be mitigated. The MND contains NO discussion of these impacts.

Air Quality.

Page 3-5: The DWP Project, Coso Project and Little Lake are all located within the Great Basin Unified Air District. The overall air quality is considered poor, principally as a result of wind erosion of the dry Owens lakebed. Surface flows of water at Little Lake will be impacted and will decline as a result of the DWP Project. The underground water levels in the 21

Rose Valley Aquifer have already reached their maximum limits permitted by the County as a result of the Coso Project. No further pumping can be permitted without causing Little Lake to suffer more than a 10% loss of its water surface flows. Any reduction would likely destroy all or a portion of Little Lake, the downstream ponds, creeks and wetlands. In this event, Little Lake would resemble the dry Owens lakebed and would contribute to the poor air quality throughout the County of Inyo.

21

The loss of valuable wetlands at Little Lake, and perhaps even Little Lake itself as a body of water, could substantially exacerbate wind-raised dust from the Little Lake area. To the extent that the underground water table is lowered, will this have an adverse effect on the surface plants which rely upon the underground water for survival? Will this further contribute to windborne dust and pollution? These impacts must be studied and evaluated as a potential significant impact.

Biological Resources.

Page 3-9: The Initial Study limits its analysis to the portions of land on which the DWP Project will be located. The MND failed to evaluate the potential for reduced outflows from Little Lake that would negatively impact the downstream ponds, wetlands and riparian corridor. Little Lake's riparian corridor and series of shallow ponds extend downstream from Little Lake and are completely dependent on the flow of water from Little Lake. Like Little Lake itself, these wetlands are especially significant and add supply critical habitat due to the arid nature of the surrounding environment. The MND fails to address these sensitive wetlands and the potential impacts which may be caused by the DWP Project's transfer of water from the Rose Valley Aquifer. All of these areas are potentially impacted by the DWP Project. The permanent loss of water resources within the Rose Valley may have a profound impact upon many biological resources, including at least 2 endangered species, the Desert Tortoise and the Mojave Ground Squirrel ("MGS").

22

The MND at page 3-9 avoids any discussion of the impacts to the MGS and desert tortoise. The lack of adequate mitigation measures to protect the MGS are solely lacking when compared to the mitigation measures required of LLR during its LLR Project. LLR was required to provide a conservation easement of approximately 50 acres to provide suitable potential habitat for the MGS. No similar obligations have been proposed by DWP.

Given the scarcity of water in the Rose Valley area, these wetlands at Little Lake are a critical environment to a variety of native plant and wildlife species as well as migratory birds. DWP's disregard of the potential impacts on such a vibrant habitant defies explanation.

The DWP's assessment of the potential impacts of Biological Resources set forth at page 3-9 of the initial Study at section 4 (b) is misleading. It suggests that there are no riparian habitats or sensitive natural communities within the physical confines of the DWP Project, but ignores the predicted loss of water flows to the wetlands and habitats of Little Lake, as well as

loss of numerous natural springs and artesian wells throughout the Rose Valley on which wildlife depend.

The MND mentions at page 3-18 alleged field observations or assessments conducted in 2012. Such assessment was limited to the precise location at which the pipeline will be located, but completely ignores the impacts on the entirety of Rose Valley from the loss of water sources if the DWP Project is approved. The areas at which surveys must be conducted should include the LLR Property and all of the Rose Valley.

It is wrong to assert that the DWP Project will not impact or impair riparian habitat or other central natural communities as stated at page 3-24. The loss of water resources throughout Rose Valley and the LLC Property do contain such riparian areas and will be directly impacted. There are no proposed monitoring or mitigation measures to prevent such impacts leading to the conclusion that the MND cannot approved. Adverse impacts might not be felt for 4 or 5 years after DWP begins its pumping and would continue during the foreseeable future even if all pumping were to cease. The MND fails to take into account such damage. The conclusion that there are no riparian habitats or sensitive natural communities affected by the DWP Project is simply not supportable by the admitted evidence submitted. 22

The MND, at page 3-24, further states that the DWP Project would have no substantial adverse effect on federally protected wetlands. This conclusion is also contrary to the evidence, as impacts to local springs and the Little Lake outflow are conceded. There is extensive wetlands habitat on the Little Lake property. The DWP Project will indeed impact and affect wetlands. See all of the information contained in the Coso FEIR, and LLR EIR and the monitoring requirements set forth therein.

Hydrology and Water Quality.

Page 3-42: The assertion that there is a "Less Than Significant Impact" with respect to items 9 (b) regarding the depletion of underground water supplies and item 9(f) with respect to water quality are patently erroneous. Both of these subjects should be regarded as having "Potentially Significant Impact". The MND does not consider that ANY drawdown in the underground water levels could dry up the natural springs dependent on the water level. The MND does not explain why a depletion of underground water in the Rose Valley Aquifer of 4,800 AFY caused by the Coso Project and further increased as a result of the proposed DWP Project is not significant. 23

Without explanation or comment, the MND utterly fails to address the need for any monitoring associated with the DWP Project nor does it offer any mitigation measures such as required by County on the Coso Project. No mitigation measures have been proposed to eliminate such environmental impacts, contrary to the dictates and requirements of CEQA. These almost meaningless measures are not sufficient because:

- The MND does not provide for an immediate cessation of pumping in the event water levels significantly decline.

- Once the Little Lake Property has suffered potentially catastrophic losses of water, biologic resources and habitat due to the DWP Project, no amount of study or belated pumping reductions will restore the natural balance.

- Groundwater extractions are not stopped or reduced, regardless of impacts.

- Absent objective and definitive mitigation measures, there can be no assurance that the adverse impacts to Little Lake will be prevented or restored.

- While the DWP Project contemplates only 1,100 AFY of water will be extracted, there are no terms as to how long this pumping can continue, and it completely ignores the cessation of all pumping by Coso. What triggers are implemented to insure DWP does not pump when Coso is allowed to pump? Will the DWP adhere to the pumping directions of the County in relationship to the Coso Project?

- There are no proposed water well monitoring plans related to the DWP Project, independent of the Coso monitoring.

23

- Monitoring alone and minimal pumping reductions, after the water and habitat is lost, cannot be considered adequate to reduce impacts to "insignificance".

- Because of the expected delays before appreciable drops in the water levels or surface flows are first noticed, during which pumping would continue unabated, the monitoring cannot be expected to prevent harm even if pumping were reduced after 4 to 5 years.

- Once the water is gone, it will not be recharged.

- Once Little Lake's habitat loses its water sources, there is no assurance that a cessation of pumping would restore Little Lake to its former condition, regardless of what harm it may have suffered in the interim.

- There are no mitigation measures regarding the surface flow of water into and through Little Lake. It is the reduction of surface flows that would be more environmentally damaging to the Little Lake Property than the relative level of the underground aquifer

It is inexplicable why DWP would consider sections 9 (b) regarding the depletion of underground water supplies and the degradation of water quality as having a less than significant impact. Coso was compelled to conduct a full EIR investigation of its project. No less should be required of the DWP, in light of the cumulative water pumping proposal. Any drawdown of the underground water levels near Little Lake could severely impact the level of Little Lake.

Little Lake is shallow. Due to its shallow depth and the relatively flat angle of incline of its banks, even a small decrease in water level has the potential to (a) significantly decrease its surface area, (b) harm the quality of water, and (c) damage the ability of Little Lake to sustain plants, biological resources and fish in the lake and ponds.

As with most bodies of water, Little Lake's water quality depends on the movement and exchange of water. A reduction of inflow and/or outflow is likely to result in the stagnation of Little Lake's water and seriously diminish its quality. This, in turn, could have serious ramifications for dependent vegetation and wildlife. No study or evaluation of this issue has been performed or addressed as part of the DWP Project.

The removal of water from the Rose Valley Aquifer will cause each and every property owner relying upon water wells to (a) increase the depth of their wells, (b) increase the capacity and efficiency of the wells, and/or (c) expend more energy to extract the depleted water supplies to the surface for reasonable use. Any drawdowns in the underground water levels may also cause the natural springs throughout the Rose Valley to go dry. No mitigation measures are offered to prevent these obvious impacts.

Other than the Hydrology Model, there is no proof that there are any water seepage losses from Haiwee Reservoir. Not a single study has been performed to determine whether any of the water in the Rose Valley Aquifer is the same water that appears in the Haiwee Reservoir. No chemical analyses have been performed, no monitoring has occurred. Until such alleged water seepage losses have been proven, the DWP Project cannot be approved and the MND must fail. 23

The Long Term Groundwater Management Plan ("GMP"), a copy of which is enclosed, between County and DWP will be violated by the DWP Project. The Coso Project already removes all of the groundwater recharge that would be otherwise available to the Rose Valley Aquifer. The condition of the underground water levels have been steadily declining since the Coso Project began. The reductions in the underground water levels suggest that the Coso Project may be mining or overdrafting the Rose Valley Aquifer, since the Hydrology Model concludes that Little Lake will suffer a 10% decline in surface flow caused by the Coso pumping alone. DWP has not offered any mitigation for its pumping. It appears DWP intends to pump annually without restriction of limit on the duration of pumping, despite the harm that will be imposed on Rose Valley and Little Lake. Any additional pumping by DWP with respect to the DWP Project would further exacerbate the problem and might cause ever greater destruction of Little Lakes water flows.

The MND states at page 3-43, without any supporting evidence whatsoever, that drawdown tests and operational data indicate the Coso drawdown "has had no effect on recharge at the specified wells". Please provide the monitoring data, tests or other operational data to support such a view. To which water wells is this statement related? Similarly, DWP argues that Coso continues to pump water "without approaching drawdown limits in the monitoring wells". Both of these statements are disputed and contrary to existing evidence.

I am enclosing a copy of the most recent manual Hydrograph published in connection with the Coso Project ("July 2013 Hydrograph"), and the related Monitoring Summary letter prepared by TEAM Engineering ("July 2013 Summary"). The Triggers for both the Little Lake Ranch North monitoring well, RV180 ("LLR North") and the Cinder Road monitoring well, RV150 ("Cinder Road") have been exceeded. The HMMP that was the mitigation centerpiece of the Coso EIR. The HMMP was designed to minimize, but not prevent, substantial impacts to Little Lake. It was thereafter amended by the Addendum to the Hydrolic Monitoring and Mitigation Plan for Conditional Use Permit No. 2007-003/Coso Operating Company, LLC, dated April 1, 2011 ("HMMP Addendum"). The HMMP Addendum dictates that Coso's pumping must end on September 1, 2013. A copy of the HMMP Addendum is enclosed. Thus, there is no surplus or unpumped water from the Coso Project that could be pumped by DWP.

As part of the monitoring, DWP water well 816 ("Well 816") is monitored. While the underground water level at Well 816 does not appear to have been significantly impacted by the Coso pumping, the same cannot be said of all of the other monitoring wells. Please recall that Well 816 is far north of the Coso Hay Ranch. The general direction of underground water levels in the Rose Valley Aquifer slopes from the north to the south. Because Well 816 is north of, and higher than, the Hay Ranch, it stands to reason that the cone of depression emanating from the Coso pumping would have less of an impact on Well 816 than the balance of the monitoring wells. Nonetheless, it is also clear that any additional pumping by DWP from Well 817 would further reduce the total water in storage throughout the Rose Valley Aquifer and that such pumping would have a direct impact on Little Lake. 23

There is no monitoring data for DWP Well 817. Please provide.

The purpose of the HMMP was to avoid Little Lake from ever suffering more than a ten percent (10%) decline in its surface flows. The Hydrology Model predicts that Little Lake will suffer such a ten percent reduction based solely upon the pumping that has already been allowed and completed by Coso. Any additional pumping by Coso or DWP would exceed the level of "significance" that was defined in the Coso FEIR. DWP has not proposed any different measure of what would constitute a "Significant Impact" to Little Lake. Accordingly, we must assume that the significance level adopted by County should also govern the pending MND which, by necessity, would prevent DWP from pumping any additional water.

DWP produces no evidence or evaluation of its assertion that the Coso pumping "has not had a significant impact on groundwater recharge". It is not even clear what this statement means. The Rose Valley Aquifer is constantly recharged through a number of sources including precipitation, drainage, runoff from the mountains and water transfers from adjoining basins. The question is not about recharge, but whether the proposed DWP pumping would mine the existing water in the Rose Valley Aquifer resulting in an overdraft. The evidence from the attached July 2013 Hydrograph demonstrates that water levels are being lowered and that the Rose Valley Aquifer is being depleted of water.

There is no evidence or evaluation of DWP's claim that an additional loss of 900 to 1100 AF of water would not be a significant impact. Any overdraft of the Rose Valley Aquifer is significant. Moreover, Little Lake has already been forced to suffer a ten percent (10%) reduction of its water flows based upon only the Coso pumping done to date. Any additional pumping would cause Little Lake to suffer an even larger impact, contrary to the assertions of DWP. 23

Whatever water leakage now exists from Haiwee Reservoir is now part of the historical background of the Rose Valley Aquifer. DWP proposes to alter the natural condition that has existed for decades. This constitutes a significant impact.

Mandatory Findings Significance.

Page 3-59: Each of the three items designated at Item 3.18(a), (b) and (c) must be marked as having a "Potentially Significant Impact". See the discussion above 24

Long-Term Groundwater Management Plan.

In partial settlement of decades of litigation between County and DWP, the parties entered into an agreement that comprised the Long-Term Groundwater Management Plan ("GMP") for Owens Valley and Inyo County, a copy of which is enclosed. Page 28 of the GMP briefly discusses the possibility of groundwater banking and recharge facilities in Rose Valley. DWP was not permitted to conduct this project without the agreement of County, and only following a procedure that would define the scope of the proposed project and establish appropriate mitigation measures. Such procedures have not been followed and no agreement has been reached between County and DWP. Moreover, any such project that might be proposed by DWP cannot cause a significant decrease or change in vegetation or have a significant effect on the environment.

25

The GMP is not a substitute for environmental analysis of the DWP Project. Indeed, the GMP at page 29 further provides that any such recharge and extraction process would be subject to a subsequent CEQA review. The MND is not adequate to address this project.

DWP further agreed that any significant effects on the environment related to DWP's water pumping would be subject to further mitigation measures. (Pages 12-13.) No such mitigations have been proposed in violation of the GMP.

DWP was further mandated under the GMP to avoid causing significant adverse effects on water quality or water levels in private water wells that were not owned by DWP. (Page 13.) To our knowledge, DWP has not sought to address such management and mitigation activities with the Technical Group. The DWP Project cannot be approved pending compliance with the GMP.

Cumulative Impacts.

DWP has provided no real analysis of the cumulative impacts its DWP Project may have when considered in conjunction with Coso. It provides no procedures about how and when it will commence its pumping for the DWP Project nor how its DWP Project will be influenced by the Coso Project. If Coso is not allowed to pump any water pursuant to the Coso Project, as supervised by the County, does that mean that DWP is also automatically unable to pump? No monitoring arrangements or protocols have been set forth. No mitigation measures are provided with respect to the curtailment of pumping by DWP.

As stated, the DWP Project is nothing more than a naked attempt to pump additional water sources from the Rose Valley Aquifer, regardless of whether such water leaks from Haiwee Reservoir or not. DWP is clearly just seeking to pump additional water sources from the County of Inyo without mitigation. As such, it clearly poses a significant impact to the Rose Valley Aquifer and Little Lake, in particular. 26

Despite some of the statements in the MND to the contrary, it must be concluded that DWP intends to pump water from Well 817 in addition to the water pumped by Coso, and not merely as a reduction in Coso's pumping. The cumulative impacts from both projects must be considered, evaluated and mitigated.

Project Alternatives.

As part of any environmental study, DWP must also consider alternatives to the proposed DWP Project. The full range of the alternatives should be studied, including the No Project alternatives. At a minimum, the following alternatives should be considered:

1. What are the possible alternative sources of water available to DWP?

2. Rather than relying solely upon water supplied by the Rose Valley Aquifer, can a combination of one or more alternative sources of water be used to minimize the damage to the Rose Valley Aquifer? 27

3. Is DWP using "best practices" to minimize and reduce water loss from Haiwee Reservoir?

4. Should DWP propose or adopt a Groundwater Management Plan under Water Code Section 10750 et. seq. to protect and manage the underground water resources of the Rose Valley Aquifer before any consideration of the DWP Project?

5. What is the effect of "No Project".

Mitigation.

The most obvious mitigation measure that should be adopted by DWP in order to avoid, or at least substantially reduce, adverse environmental impacts from the DWP Project would be for DWP to adopt and include in either the MND or a full EIR the terms and conditions of the HMMP and HMMP Addendum. DWP must agree to abide by the oversight and mandates of the County. Moreover, DWP must not be permitted to pump a single drop of water that would be in addition to the amount of water Coso is allowed to pump under the Coso Project. The DWP Project must not be cumulative to Coso or allow any more water to be pumped and transported off the Rose Valley Aquifer than Coso is allowed to pump and transport.

Succinctly stated, if Coso is not allowed to pump any water under the Coso Project, then DWP must not be allowed to pump any water either, whether such water is determined to be leakage from Haiwee Reservoir or otherwise.

The description of the DWP Project is unclear and uncertain. DWP has failed to clearly and unequivocally assert that it will not pump any water unless Coso would be permitted to do so. 28

According to the HMMP and HMMP Addendum, the amount of water already pumped and transported by Coso will cause an eventual ten percent (10%) decline in the surface flows to Little Lake. The ten percent (10%) loss of water was established as the amount of impact that would not be considered "significant".

DWP has failed to state what it considers to be a <u>significant</u> environmental impact with respect to the water flowing into Little Lake. Accordingly, DWP should adhere to the level of significance determined by the Coso EIR. Since the environmental impact has already reached a level of significance, any more water pumping and transportation off of the Rose Valley Aquifer must lead to a significant impact.

If DWP is willing to give the authority and discretion to future pumping to the County, consistent with the mandates of the HMMP and HMMP Addendum, then DWP would at least address the significant environmental impacts arising from its Project and attempt to mitigate the same. Absent such a mitigation measure, the DWP Project must and will lead to significant environmental impacts and compel the preparation of an EIR for the DWP Project.

Evidence.

All the documents referenced in the foregoing letter are enclosed herewith. In addition, we are enclosing a compact disc on which all of the evidence and this letter have been stored electronically. Additional copies are available upon request.

Conclusion.

The MND falls far short of an adequate environmental evaluation under CEQA. Before the DWP Project can be approved by DWP, there must be a full EIR on the DWP Project.

Under CEQA, the DWP must prepare an EIR whenever substantial evidence supports a fair argument that a project may have a significant effect on the environment. The overwhelming evidence in the record proves that the DWP Project will in fact cause severe and unmitigated injury to the environment not just a "fair argument" of adverse impacts. The DWP Project cannot be approved on the basis on the MND alone. DWP must reject the DWP Project until a thorough and appropriate EIR is prepared for public comment and approved.

Very truly yours,

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

Gary D. Arnold

GDA:ck
Enclosures
cc: Little Lake Ranch
County of Inyo

Letter 6, A to Z Law (AtoZ)

Response to AtoZ-1

The comment states that the project has not been subject to adequate environmental review and poses a significant threat to the ecology of the Little Lake Property. The comment urges DWP to reject the project and MND until a complete environmental review has been completed.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. The project would be subject to the Water Agreement which imposes pumping constraints designed to prevent impacts to surface resources.

The County of Inyo and the City of Los Angeles Department of Water and Power are parties to a court-ordered agreement stipulating groundwater management by LADWP in Inyo County is subject to the Water Agreement (California Superior Court Case No. 12908). This Water Agreement established the overall goal of managing the groundwater resources within Inyo County to avoid certain described decreases and changes in vegetation and to cause no significant effect on the environment which cannot be acceptably mitigated while providing a reliable supply of water for export to Los Angeles and for use in Inyo County.

An EIR was required by the Los Angeles Court of Appeal; the EIR was presented and approved by the Court in conjunction with the Water Agreement. The 1991 EIR evaluated all water management practices and facilities that were implemented or constructed in Owens Valley to supply water to the second aqueduct, which was completed in 1970, together with the projects and water management practices contained in the Water Agreement (LADWP, 1990). The 1991 EIR identified that all future groundwater pumping and surface water management practices in Owens Valley will be governed by the goals and provisions of the Water Agreement.

The 1991 EIR identified measures to mitigate or compensate for the adverse effects and include enhancement and mitigation projects already implemented by Inyo County and LADWP, environmental projects implemented by LADWP, mitigation measures provided for in the Water Agreement and mitigation measures developed as part of the 1991 EIR preparation process. The 1991 EIR stated that implementation of the mitigation measures will reduce adverse impacts of the Water Agreement on vegetation to a less-than-significant level (LADWP, 1990).

LADWP conducted a short-term constant rate pump test to better understand the aquifer characteristics in Rose Valley. The test was performed in late March and early April of 2009 on Well V817. However, given the short length of the pumping test, long-term effects on the surrounding wells could not be determined. To get a better understanding of this recharge component, it was recommended to conduct a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. A six month pumping test at a rate of 1.25 cfs is recommended as part of evaluation of long-term operation of Well V817 (LADWP, 2009). A copy of the pumping test is provided in Appendix A.

LADWP proposes to identify the water seepage rate from Haiwee Reservoir and subsequently recover water seepage from the Haiwee Reservoir by capturing the seeped water by reactivating an existing well previously used for irrigation purposes down-gradient from South Haiwee Reservoir. In order to obtain a more accurate estimate ofthe rate of seepage from the reservoir, a long-term pump test is proposed at the existing Well V817 in compliance with the Water Agreement. The proposed pipeline is being installed to discharge the pump test water into the LAA1. LADWP will provide the pumping test data to the Technical Group for review and input, consistent with the Water Agreement.

Operation of Well V817 would be included in the Annual Operations Plan LADWP prepares each April in accordance with the Water Agreement. The operation of Well V817 would be in accordance with the goals and principles of the Water Agreement. Under the Water Agreement, future groundwater pumping would be managed to avoid causing significant adverse impacts on water levels or water quality of non-LADWP owned wells. Should any such adverse impacts occur, they must be promptly mitigated by LADWP. The *Green Book* contains the management practices that would be implemented to avoid such impacts. The *Green Book* contains procedures for determining the effects of groundwater pumping and surface water management practices on spring flow. The standardized procedures for monitoring, data interpretation, and determination of effects are set forth in the *Green Book*. The *Green Book* is the instrument that sets forth the methods and techniques that will be used by the two parties to implement the goals of the Water Agreement.

Response to AtoZ-2

The comment states that based upon the evidence in the record there is fair argument that DWP project will impact Little Lake, thus a full EIR must prepared.

The IS/MND reflects a good faith effort to investigate and disclose environmental impacts of the project. The IS/MND compiles an adequate inventory of resources; provides adequate baseline information and a description of the environmental setting; sufficiently evaluates potential impacts against established thresholds of significance; and identifies mitigation measures to reduce any significant impacts. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to AtoZ-3

The comment states that the possible reduction of water resources and surface flow at Little Lake directly caused by the DWP project may affect or impact the environmental conditions which caused Little Lake to restore their site.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. Refer to response to comment AtoZ-1.

The proposed project would initiate long-term pump testing of Well V817 needed to collect data on water seepage losses from the Haiwee Reservoir. The proposed installation of the pipeline is intended to support the recommended long-term well pumping test activities and potentially

subsequent long-term operation of the well, in compliance with the Water Agreement. LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement. Pending favorable hydrogeologic conditions, Well V817 would be included as part of LADWP's Annual Operation Plan for operation of Inyo County groundwater wells in accordance with the Water Agreement. Operation of Well V817 would be subject to the Annual Operations Plan LADWP prepares each April in accordance with the Water Agreement.

Response to AtoZ-4

The comment states the DWP Project lies within the range of the Mojave ground squirrel (MGS), which is a state-listed threatened species and due to the location of the DWP Project, a California Endangered Species Act Incidental Take Permit should be obtained.

Comment noted; refer to response to comment CDFW-1.

Response to AtoZ-5

The comment states that the loss of wetlands at Little Lake could degrade air quality. The comment states that this loss could substantially exacerbate wind-raised dust from the Little Lake area, and as a result, could induce non-attainment of PM10 matter (adding to the already-existing problem of non-attainment caused by Owens Dry Lake).

Refer to response to comment AtoZ-1 and AtoZ-3.

Response to AtoZ-6

The comment states that all the biological resources at Little Lake are directly impacted and potentially threatened by the declines in surface flows at Little Lake.

The Water Agreement established the overall goal of managing the groundwater resources within Inyo County to avoid certain described decreases and changes in vegetation and to cause no significant effect on the environment which cannot be acceptably mitigated. Under the Water Agreement, future groundwater pumping would be managed to avoid causing significant adverse impacts on water levels or water quality of non-LADWP owned wells. Should any such adverse impacts occur, they must be promptly mitigated by LADWP. The *Green Book* contains the management practices that would be implemented to avoid such impacts. The *Green Book* contains procedures for determining the effects of groundwater pumping and surface water management practices on spring flow. The standardized procedures for monitoring, data interpretation, and determination of effects are set forth in the *Green Book*. The *Green Book* is the instrument that sets forth the methods and techniques that will be used by the two parties to implement the goals of the Water Agreement.

Should impacts to the groundwater basin be identified, Coso Operating Company agreed to subordinate its groundwater pumping rights to LADWP's Recovery Projects, including up to the amount of water ("Seepage Amount") which is determined to be seeping from Haiwee Reservoir, to the extant required by Inyo County as a mitigation measure for the recovery projects.

Response to AtoZ-7

The comment states that while the LLR FEIR addresses the impacts to and mitigation measures for the MGS, the DWP Project is "seemingly exempt" from the same or similar mitigation measures imposed on Little Lake Ranch for the MGS.

Comment noted; refer to response to comment CDFW-1.

Response to AtoZ-8

The comment states that the DWP Project will yield a substantial reduction in water flows that support the existing wetlands system, including hydrology, water quality, and overall survivability of the wetlands area throughout Little Lake.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6.

Response to AtoZ-9

The comment states that any loss of water in the Rose Valley Aquifer could reduce the water pressure availability at Little Lake to stop the upward pressure of water which supplies Little Lake.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6.

Response to AtoZ-10

The comment states that to the extent the Rose Valley Aquifer is overdrafted, there should be no export of water from Rose Valley Aquifer to any other areas.

According to the Water Agreement, LADWP's current groundwater pumping capacity may be increased to provide operational flexibility and to facilitate rotational pumping. LADWP may replace existing wells and construct new wells in areas where hydrogeologic conditions are favorable, and where the operation of that well will not cause a change in vegetation that would be inconsistent with these goals and principles of the Water Agreement. The Water Agreement includes provisions for installing new wells and operating existing wells, including requirements to conduct an aquifer test of up to seventy-two (72) hours duration. Well V817 will be tested and operated in accordance with the provisions of the Water Agreement.

Response to AtoZ-11

The comment states that cumulative impacts in regards to Little Lake should surface flow be reduced should be discussed.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6.

Response to AtoZ-12

The comment states that the DWP project has the potential of real and imminent threat to Little Lake and all flora and fauna within Rose Valley.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6.

Response to AtoZ-13

The comment states that DWP proposed to pump and transport off of the Rose Valley Aquifer over 20% of the same amount pumped by Coso and would be cumulative to Coso and not just offset or replacement.

The proposed project would initiate long-term pump testing of Well V817 needed to collect data on water seepage losses from the Haiwee Reservoir. The proposed installation of the pipeline is intended to support the recommended long-term well pumping test activities and potentially subsequent long-term operation of the well, in compliance with the Water Agreement. Pending favorable hydrogeologic conditions, Well V817 would be included as part of LADWP's Annual Operation Plan for operation of Inyo County groundwater wells in accordance with the Water Agreement.

Response to AtoZ-14

The comment states that DWP assumes without any substantive evidence that water is leaking from the Haiwee Reservoir based solely on a three dimensional model that was contained in the Coso FEIR.

LADWP conducted a short-term constant rate pump test to better understand the aquifer characteristics in Rose Valley. The test was performed in late March and early April of 2009 on Well V817. However, due to the short length of the pumping test, long-term effects on the surrounding wells could not be determined. To get a better understanding of this recharge component, it was recommended to conduct a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. It is recommended, as part of evaluation of long-term operation of Well V817 to conduct a 6 month pumping test at a rate of 1.25 cfs (LADWP, 2009). A copy of the 2009 pumping test is provided in Appendix A. All available information on well V817 was provided to the Inyo County Water Department and made available to LADWP's and Inyo County's Technical Group representatives. Any additional information obtained through testing of Well V817 will be made available to the Inyo/Los Angeles Technical Group.

Response to AtoZ-15

The comment states that since Coso pumping, the groundwater levels have decreased to a substantial amount and that the groundwater data presented is outdated.

In response to this comment, the Environmental Setting regarding Groundwater Occurrence and Flow on page 1-5 has been revised with updated available groundwater information.

Response to AtoZ-16

The comment states that there is no proof that Haiwee Reservoir is leaking or how much is leaking.

Refer to response to comment AtoZ-14.

Response to AtoZ-17

The comment states that the Coso Project is precluded from any further pumping with respect to the Coso Project until additional studies are completed by the County to determine whether Coso is permitted to pump any additional water over any period of time. Thus, there is no surplus available on which DWP could rely.

On August 30, 2013, Inyo County Water Department approved continuation of Coso Operating Company's pumping at a rate of 3,040 acre-feet per year until June 30, 2014, subject to revised groundwater level triggers identified in the letter from Inyo County Water Department.

Response to AtoZ-18

The comment states that the MOU identified that short and long-term pump test must be performed and provided. The comment states the MOU cannot replace or be considered an environmental document.

Refer to response to comment AtoZ-14.

Response to AtoZ-19

The comment states that Coso was required to stop pumping by September 1, 2013, until the County determines that Coso is allowed to resume pumping.

Refer to response to comment AtoZ-17.

Response to AtoZ-20

The comment states that the Initial Study ignores the loss of habitat and wetlands, resulting in enormous viewshed losses.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6.

Response to AtoZ-21

The comment states that the loss of valuable wetlands at Little Lake could exacerbate wind-raised dust.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6.

Response to AtoZ-22

The comment questions the impacts to biological resources from the project.

Refer to response to comment AtoZ-1, AtoZ-3 and AtoZ-6; refer to response to comment CDFW-1.

Response to AtoZ-23

The comment questions the impacts to hydrology and water quality from the project.

Refer to response to comment AtoZ-1, AtoZ-3, AtoZ-6 and AtoZ-14.

Response to AtoZ-24

The comment states that Mandatory Findings of Significance should all be checked potentially significant.

The IS/MND reflects a good faith effort to investigate and disclose environmental impacts of the project. The IS/MND compiles an adequate inventory of resources; provides adequate baseline information and a description of the environmental setting; sufficiently evaluates potential impacts against established thresholds of significance; and identifies mitigation measures to reduce any significant impacts. The final conclusions of the IS/MND are that the project with mitigation incorporated would not result in any significant impacts. Therefore, the conclusions in the IS/MND's Mandatory Findings of Significance are appropriate.

Response to AtoZ-25

The comment states that the Long-Term Groundwater Management Plan has procedures to define the scope of project and apply mitigation measures that have not been followed.

Refer to response to comment AtoZ-1.

Response to AtoZ-26

The comment states that cumulative impacts needs to be adequately addressed.

The Water Agreement covers all of LADWP's groundwater extraction activities cumulatively. Compliance with the Water Agreement ensures that groundwater extraction including from the proposed project would not result in cumulatively significant impacts. The Coso Operating Company is also subject to Inyo County groundwater extraction limitations designed to avoid cumulatively significant drawdown of the aquifer. LADWP will operate well V817 in accordance with the goals and principles of the Water Agreement, which ensure that well operations are monitored and significant impacts to the environment are avoided.

Response to AtoZ-27

The comment states that DWP needs to consider alternatives to the project.

The IS/MND describes that the proposed project, subject to the mitigating oversight of the Water Agreement would not result in any potentially significant impacts. CEQA does not require that a project with no significant impacts be subject to an alternatives assessment.

Response to AtoZ-28

The comment states that additional mitigation is required for the project impacts.

Refer to response to comment AtoZ-2.

BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY
Big Pine Paiute Indian Reservation
P.O. BOX 700 · 825 SOUTH MAIN STREET · BIG PINE, CA 93513
(760) 938-2003 · FAX (760) 938-2942
www.bigpinepaiute.org

September 3, 2013

Mr. Michael Mercado
Los Angeles Department of Power & Water
Environmental Assessment & Planning
111 North Hope Street, Room 1044
Los Angeles, CA 90012

Re: Initial Study/Mitigated Negative Declaration for the Proposed Well V817 Project

Dear Mr. Mercado:

The Big Pine Paiute Tribe of the Owens Valley (Tribe) is federally recognized and has a long history of working to protect the land, air, and water of the Eastern Sierra. The Tribe has followed and commented on groundwater pumping issues in the Rose Valley area for several years, in particular with regard to the Coso Operating Company and their Hay Ranch Project but also regarding other geothermal development issues. For many reasons, the Tribe objects to pumping excessive amounts of water for use somewhere else. Rose Valley is a region of great cultural importance to the Native American tribes which have occupied or used this area for thousands of years. From the Haiwee area to Rose Spring to Coso Hot Springs to Little Lake and elsewhere, there are significant multi-component sites in the Rose Valley area. Perhaps because the lands are owned and/or managed by several different entities, there is no comprehensive approach to protection of the valuable resources. Despite the Tribe's comments and attempts at involvement, there is a sense of hopelessness as resources are permanently altered or destroyed, because future generations will be deprived of a legacy that until recently has persisted since time immemorial. It is hoped that Rose Valley will not be subject to further degradation.

Comments on the Initial Study/Mitigated Negative Declaration (MND)

The Inyo/LA Water Agreement applies to the proposed project. Because of its legacy in Inyo County, the Los Angeles Department of Water and Power (LADWP) must fully comply with the terms of the Inyo/LA Water Agreement. V817 is considered a "new" LADWP well, and it is located in an undefined "wellfield." Much work needs to be carried out by the Technical Group, including: modeling and reporting on the well's hydrological characteristics; defining the wellfield and management area; developing reasonable "baseline" conditions; and

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understanding the well's potential effects on resources throughout the region. Results of studies need to be presented publicly so the issues and consequences are given a fair hearing. Should Inyo County agree that the well may be operated, the Technical Group must jointly develop a project description. Any pumping must be consistent with the Water Agreement goal of avoiding adverse changes caused by pumping. Because the Rose Valley would be a wellfield not previously subjected to LADWP pumping, the standard for significance must be set very high. 1

The project objective is to recover water seepage from Haiwee Reservoir, but the MND contains insufficient evidence of seepage. While it is not unreasonable to assume some reservoir water seeps from south Haiwee, the evidence provided in the MND is weak and does not satisfactorily demonstrate that seepage of stored water occurs. Because of this, no reliable quantity of seepage is presented. So-called seepage from south Haiwee could also be part or all natural baseflow from the west (Sierra Nevada), north (Owens Valley), and east (Coso Range, which rises abruptly east of the project area and dam toe drains). It is not realistic for the project to proceed based solely on an assumption that water stored in the reservoir is consistently leaking. 2

The MOU between LADWP and Coso Operating Company is not provided. Page 1-6 of the MND refers to a MOU between LADWP and Coso Operating Company (Coso) that was entered in June 2009. It is unclear why LADWP and Coso think they may agree between themselves that LADWP may recover seepage losses from South Haiwee Reservoir by pumping the water and exporting it. According to the MND, Coso agreed to reduce its groundwater pumping by the same amount LADWP recovered from seepage, in the event that pumping impacts the groundwater basin. The MOU is not attached or otherwise disclosed in the MND. It is completely inappropriate to refer to and perhaps abide by a management strategy that is not subject to public scrutiny or accountable to public officials. If the project is allowed to proceed, LADWP must follow the management guidelines dictated by the Water Agreement; no private agreement may supersede that process. 3

The MND relies on outdated and now false information to describe hydrologic conditions in Rose Valley. For example, the MND (p. 1-2) makes this false statement:

> *Long term groundwater level monitoring indicates that groundwater levels have generally risen 1 to 2 feet throughout Rose Valley over the last 5 years. This is most likely a response to increased precipitation recharge in the mountains in the last few years. There was no significant change in groundwater extraction in Rose Valley or identified groundwater recharge other than precipitation infiltration at higher elevations (BLM, 2008).*

While the statement may have been true when environmental documents were prepared in 2008, the situation in Rose Valley changed dramatically with pumping which began on Christmas Day 2009. Outdated information in the MND undermines the credibility of all information presented in the document. 4

The current hydrologic status of Rose Valley – and its threat to Little Lake -- must be disclosed. Existing data indicate Rose Valley may be on the verge of serious significant environmental impacts. Data the county has been collecting to monitor the Coso Hay Ranch pumping show not a "possible impact" to Little Lake, but an imminent threat. Precipitous water 5

table drawdowns have occurred due to Hay Ranch pumping, but patterns have not been fully consistent with the hydrological modeling. Drawdowns have been more extreme in the southern part of Rose Valley. As of July 2013, monitoring results for the ongoing Hay Ranch pumping project show that two wells have gone below their trigger points. (Refer to the ICWD website : http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/ for all the graphs and reports.) Considering that the Little Lake Ranch North well was not supposed to decline at all with the pumping that has been allowed, and considering it has been in jeopardy for a while now, the Tribe suggests the hydrological modeling that lead to this state of affairs is flawed. Recall that the complicated scenario under which the Hay Ranch project is operating allowed the Hay Ranch wells to pump their maximum for 2.9 years (until Sept. 1, 2013). Come the end of this time period, the model predicted that the Little Lake Ranch North well would not decline below its baseline. The modeling scenario predicted that when the pumping stopped after the 2.9 years, there would be an ongoing reduction in flow of groundwater to Little Lake which would continue for "about 9 years and 2 months" after the pumping stopped. This ongoing decline would result in a 9.7% lowering of Little Lake, which according to the Inyo County Water Director is acceptable, because it was arbitrarily decided that a 10% lowering is "significant." However, here at the end of the 2.9 years, the water table has already begun to decline where it wasn't supposed to. This is a serious problem. Hay Ranch pumping needs to cease immediately. Once the data are evaluated, it could become apparent that there is no water left for Coso, LADWP or anyone to export from Rose Valley.

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This project requires an Environmental Impact Report (EIR). Should LADWP proceed through the Inyo/LA Water Agreement process to the point of developing a project description, the Tribe recommends an EIR be prepared and circulated. In addition to the comments raised in this letter, there are other issues such as endangered species, cultural resources, recreation, air quality, and cumulative impacts.

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Thank you for considering the Tribe's comments.

Sincerely,

Genevieve Jones

Genevieve Jones
Tribal Chairperson

Letter 7, Big Pine Paiute Tribe of the Owens Valley (BPPT)

Response to BPPT-1

The comment states that the Water Agreement applies to the proposed project but has not been adequately addressed. Well V817 is considered to be a "new" well, and the commenter states that modeling the well's hydrological characteristics, defining the well field management area, developing reasonable baseline conditions, understanding the well's potential effects on resources, and developing a project description for pumping is necessary.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. In addition, refer to responses to comment letter CIWD, comments CIWD-1 through CIWD-11, regarding the Water Agreement and use of the proposed Well V817.

Response to BPPT-2

The comment states that the project objective is to recover water seepage from Haiwee Reservoir, but the MND contains insufficient evidence of seepage. So called seepage could be part of natural baseflow. It is not realistic for the project to proceed based solely on an assumption that water stored in the reservoir is consistently leaking.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. The proposed installation of the pipeline is intended to support the recommended long-term well pumping test activities and potentially subsequent long-term operation of the well, in compliance with the Water Agreement. The proposed project would initiate long-term pump testing of Well V817 needed to collect data on water seepage losses from the Haiwee Reservoir. Long-term well test must be conducted to confirm the seepage rates and comply with the Water Agreement. Pending favorable hydrogeologic conditions, Well V817 would be included as part of LADWP's existing Operation's Plan for operation of Inyo County groundwater wells in accordance with the Water Agreement. In order to obtain a more accurate estimate of the rate of seepage from the reservoir, a long-term pump test is proposed at the existing Well V817 in compliance with the Water Agreement. The proposed pipeline is being installed to discharge the pump test water into the LAA1, rather than surface discharge. LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement.

Response to BPPT-3

The comment states that the MOU (Memorandum of Understanding) between LADWP and Coso Operating Company (Coso) is not provided. According to the MND, Coso agreed to reduce its groundwater pumping by the same amount LADWP recovered from seepage, but the MOU is not disclosed. The comment states that it is inappropriate to refer to a management strategy that is not subject to public scrutiny.

A copy of the MOU between Coso and LADWP is provided as Appendix B.

Response to BPPT-4

The comment states that the MND relies on outdated and now false information to describe hydrologic conditions in Rose Valley. Since pumping began in 2009, the situation in Rose Valley changed dramatically from that which existed in 2008 when environmental documents were prepared.

The Environmental Setting regarding Groundwater Occurrence and Flow on page 1-5 has been revised with updated available groundwater information. Refer to the Final MND for revisions and clarifications to the project description and the proposed long-term well pumping test activities to determine the hydrogeologic conditions.

Response to BPPT-5

The comment states that the current hydrologic status of Rose Valley – and its threat to Little Lake – must be disclosed. The Tribe suggests that prior hydrological modeling is flawed because the Little Lake Ranch North well has been in jeopardy due to Coso Hay Ranch pumping, despite the fact that it was not supposed to have declined at all. The Tribe comment states that the rapid decrease in water is a "serious problem," that Hay Ranch pumping needs to stop immediately, and that once the data are evaluated, there could be no water left for the proposed project.

Refer to response to comments CIWD-2, CIWD-5, CIWD-9 and BPPT-2.

Response to BPPT-6

The comment states that the project requires an Environmental Impact Report (EIR). In addition to the previous topics commented upon, other issues such as endangered species, cultural resources, recreation, air quality, and cumulative impacts exist.

The IS/MND reflects a good faith effort to investigate and disclose environmental impacts of the project. The IS/MND compiles an adequate inventory of resources; provides adequate baseline information and a description of the environmental setting; sufficiently evaluates potential impacts against established thresholds of significance; and identifies mitigation measures to reduce any significant impacts. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

FW Rose Valley Pumping

-----Original Message-----
From: Nancy Hadlock [mailto:aspenluv1@suddenlink.net]
Sent: Wednesday, September 04, 2013 4:52 PM
To: Mercado, Michael
Subject: Rose Valley Pumping

Hi Michael: I wanted to chime in on the plan to pump water from a well in Rose Valley. I am opposed to certifiying the Negative Declaration until the Technical Group has had the time and opportunity to examine

thoroughly the impacts of such a water drafting proposal. The proposal should also follow the proper protocol channels spelled out in the LTWA. Even with additional scrutiny, I am opposed to additional groundwater extraction 1

in this area already being impacted by Coso's groundwater pumping. I don't feel that areas should be sucked dry just because of limitations on groundwater pumping in the Owens Valley and environmental restrictions on

Mono Lake diversions. If the city initiated a program to install greywater systems in existing and new construction in Los Angeles, more then 3,000 ac. ft would be saved and not necesitate further degradation of an already 2

degraded environment. Please withdraw this proposal immediately as well as the proposal to pump from under Owens Lake. 3

Sincerely, Richard

Letter 8, Richard (R)

Response to R-1

The comment states that the Technical Group must examine thoroughly the impacts of the water drafting proposal and that the proposal should follow the protocol channels detailed in the LTWA. The commenter believes that areas should not be sucked dry just because of limitations on groundwater pumping in the Owens Valley.

According to the Water Agreement, LADWP's current groundwater pumping capacity may be increased to provide increased operational flexibility and to facilitate rotational pumping. LADWP may replace existing wells and construct new wells in areas where hydrogeologic conditions are favorable, and where the operation of that well will not cause a change in vegetation that would be inconsistent with these goals and principles of the Water Agreement. LADWP conducted a short-term constant rate pump test to better understand the aquifer characteristics in Rose Valley. The test was performed in late March and early April of 2009 on Well V817. However, given the short length of the pumping test, long-term effects on the surrounding wells could not be determined. To get a better understanding of this recharge component, it was recommended to conduct a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement. Operation of Well V817 would be subject to the Annual Operations Plan LADWP prepares each April in accordance with the Water Agreement.

Response to R-2

The commenter suggests that if the city installed greywater systems in Los Angeles, more than 3,000 acre-feet would be saved and further degradation of the environment could be avoided.

This comment does not state a specific concern about the adequacy of the Draft IS/MND or otherwise comment on the content of the Draft IS/MND. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to R-3

The commenter requests that the proposal be withdrawn immediately and that no further action to pump from under Owens Lake be carried out.

This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment Letter 9

401 E. Yaney St.
Bishop, CA 93514
(760) 873-3790
smanning@telis.org

September 3, 2013

Los Angeles Department of Power & Water
Environmental Assessment & Planning
Attn: Mr. Michael Mercado
111 North Hope Street, Room 1044
Los Angeles, CA 90012 sent VIA EMAIL

Subject: Initial Study/Mitigated Negative Declaration for the Proposed Well V817 Project

Dear Mr. Mercado:

It's known that Little Lake in Rose Valley used to be referred to as Little Owens Lake. It is well known what the City of Los Angeles did to big Owens Lake! With the latest proposal to initiate pumping for export in Rose Valley, Los Angeles Department of Water and Power (DWP) is extending its reach into new territory, and the consequences will be devastating for the relatively small Rose Valley and Little Lake. My hope is that DWP decides to withdraw this ill-conceived proposal. DWP should be spending its time and resources restoring its Owens Valley land holdings that have been ravaged by water-gathering activities and developing sustainable water use in southern California. 1

With regard to DWP's Mitigated Negative Declaration (MND) on pumping well V817 for export, I offer the comments presented below. As far as credentials, I am an Ecological Society of America certified Senior Ecologist. My long-term area of expertise is groundwater-dependent ecosystems of Owens Valley, and I have authored or collaborated on numerous peer-reviewed studies on this topic. In 2009, I commented extensively on the Coso Hay Ranch project. Copies of items I prepared for that period are attached. I enter them into the record on this MND as examples of the harm that will come to Rose Valley with excessive pumping for export. 2

The proposed project must fully abide by the goals and terms of the Inyo/LA Water Agreement. Well V817 is a *new* well for DWP, not listed or analyzed in any previous environmental reviews or the Water Agreement's EIR or Green Book. Rose Valley has not been delineated or defined as a "wellfield." As a result, the Technical Group has a fair amount of work to do to understand the well's potential effects on resources throughout the region. 3

Any pumping from this well or from Rose Valley must be consistent with the Water Agreement goal of *avoiding* adverse changes caused by pumping. Because the Rose Valley would be a wellfield not previously subjected to LADWP pumping, the standard for significance must be set very high. Pumping in Rose Valley should be analyzed with regard to cumulative environmental impacts. Because DWP pumps groundwater from Laws (north of Bishop) and all valley areas 4

southward to Lone Pine, cumulative impacts should be evaluated throughout the entire Owens Valley region owned/managed by DWP. This evaluation, if performed correctly, will reveal extensive ecological damage in areas where groundwater-dependent habitats, such as alkali meadow, used to prevail. Adding additional groundwater pumping impacts must not be permitted. 4

As a plant ecologist, I strongly object to the assertion, put forward by the Inyo County Water Department (ICWD) Director (who is not a biologist or ecologist so has no qualifications to make such a call), that a long-term 10% decline in inflows into Little Lake is within natural variation and that this amount of decline will not adversely affect the lake and its ecology or the region if it becomes the norm. I raised and explained these concerns in lengthy letters submitted on the Hay Ranch project in 2009. I also helped write a newsletter article for Owens Valley Committee on this subject. Some of these documents are being submitted with my comments: Please refer to the attachments. 5

The project description relies on the hypothesis that there is seepage of stored water from Haiwee Reservoir. Information in the MND does not scientifically support the hypothesis. No reliable quantity of the seepage is presented. Supposed seepage from south Haiwee Reservoir could be partly or wholly natural subterranean recharge from the west, north, and/or east. There are steep mountains surrounding Rose Valley on these three sides, and all could account for water in the dam's toe drains as well as locations groundwater recharge is occurring. 6

The MND refers to a June 2009 MOU between DWP and Coso Operating Company. Where is this MOU and what does it say? This must be disclosed. 7

DWP has no compelling legitimate claim to the water, even if it is leakage from the reservoir. If further evidence reveals and quantifies leakage from DWP's reservoir, it can be reasoned that, because the reservoirs have been in place for a century, the leaking water has not been put to beneficial use by DWP. For a hundred years (if it is leakage), this water has been contributing to recharge in Rose Valley, and not simply the small plot of Rose Valley land owned by DWP but where DWP has not used water. The presumed leaked water, if this is its origin, has helped support economic development, ranching, tourism, wetlands, springs, and a lake in Rose Valley. Some (e.g. Coso Operating Company) cling to the belief this water supports geothermal energy production. DWP has no right to diminish the uses that have become dependent on this water. 8

The MND quotes directly -- but without appropriate acknowledgment – from out-of-date former environmental documents. MND verbiage, for example on pp. 1-2 and 1-6, are lifted from the Coso Hay Ranch EIR from five years ago. Much more up-to-date information exists, so it is unclear why the preparers of DWP's MND did not refer to data and reports presented on Inyo County Water Department's webpage: http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/ . It is not fair to the public to present out of date information when current, relevant information is readily available; this is contrary to the intent of the California Environmental Quality Act (CEQA) and may be illegal. 9

Hydrologic conditions in Rose Valley have changed dramatically since pumping for export began December 25, 2009. DWP's CEQA analysis must disclose and analyze these current, relevant 10

conditions. The latest data indicate Rose Valley (particularly Little Lake) is on the verge of long term or possibly permanent ecological change. Data Inyo County and Coso Operating Company have been collecting to monitor the Coso Hay Ranch pumping show unanticipated water table declines at the north Little Lake Ranch well. Water table drawdowns have occurred in many parts of Rose Valley due to Hay Ranch pumping, but patterns have not been fully consistent with the hydrological modeling anticipated by the Daniel B. Stephens (DBS) consultants. Drawdowns have been more extreme in the southern part of Rose Valley. July 2013 water table monitoring results show that two wells have gone below their trigger points. (See the ICWD webpage for the information; for examples, reports for conditions in July and August 2013 are attached.) The Hay Ranch project was allowed by ICWD to pump maximum amounts for 2.9 years, until Sept. 1, 2013. At the end of this time period, the DBS model predicted that the northern Little Lake Ranch well would not decline below its baseline. Furthermore, the modeling scenario predicted that when the pumping stopped on September 1, 2013, diminished groundwater flow to Little Lake would continue for "about 9 years and 2 months" in the absence of pumping. After the 9 years and 2 months, Little Lake was expected to be robbed of 9.7% of its annual water supply. Now, at the end of the 2.9 years, the water table has declined where it wasn't supposed to, and the likelihood of robbing the lake of much more than 9.7% of its water supply exists. A reasonable person would say Hay Ranch pumping needs to cease immediately. Once the data are evaluated, it will become apparent that there is no water left for Coso, DWP or anyone to export from Rose Valley.

10

A project like this pumping proposal requires an Environmental Impact Report (EIR), because there are potentially significant adverse environmental impacts. An EIR needs to be prepared and circulated. In addition to the comments raised in this letter, there are other issues such as endangered species, cultural resources, recreation, air quality, and cumulative impacts that need to be addressed in an EIR. Had DWP gone through the CEQA scoping process, these issues would have been brought to light, and they would mirror the issues raised during the Coso Hay Ranch CEQA process.

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Sincerely,

Sara J Manning

Sara J. "Sally" Manning, Ph.D.

Enclosures:

Attachment 1 – Rainshadow0609, the newsletter of Owens ValleyCommittee
Attachment 2-text of the Rainshadow article, When green power turns brown
Attachment 3:-Copy of ManningCosoAppealBoSletter
Attachment 4: HR Monitoring Summary_July_13
Attachment 5: HR Monitoring Summary_Aug_13

Letter 9, Sara J. Manning (SJM)

Response to SJM-1

The comment states that the consequences of the DWP project will be devastating for the relatively small Rose Valley and Little Lake. The commenter suggests that the DWP withdraw the project proposal and instead spend its time and resources on restoration of its Owens Valley land holdings and development of sustainable water use in Southern California.

This comment does not state a specific concern about the adequacy of the Draft IS/MND or otherwise comment on the content of the Draft IS/MND. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to SJM-2

The comment states their credentials and area of expertise. In addition, the commenter provided information they commented extensively on the Coso Hay Ranch project.

This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to SJM-3

The comment states that the project must fully abide by the terms of the Water Agreement. The commenter requests that the Inyo/Los Angeles Technical Group conduct a more in-depth analysis of Well V817 and its potential effects on resources, because it is a new well not previously assessed in other environmental reviews.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. In addition, refer to response to comment letter CIWD, comments CIWD-1 through CIWD-11, regarding the Water Agreement and use of the proposed Well V817. LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement. Operation of Well V817 would be subject to the Annual Operations Plan LADWP prepares each April in accordance with the Water Agreement.

Response to SJM-4

The comment states that pumping in Rose Valley should be analyzed with regard to cumulative environmental impacts throughout the entire Owens Valley region. The comment states that the cumulative evaluation will likely reveal extensive ecological damage in areas where groundwater-dependent habitats used to prevail.

Refer to response to comments CIWD-1, CIWD-8 and CIWD-9. Refer to revisions to response 3.9.b in the IS/MND Checklist regarding groundwater impacts.

Response to SJM-5

The comment states that a long-term 10 percent decline in inflows into Little Lake is not within natural variation and that this amount of decline will adversely affect the lake and its ecology if it becomes the norm.

This comment does not state a specific concern about the adequacy of the Draft IS/MND or otherwise comment on the content of the Draft IS/MND. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to SJM-6

The comment states that the project objective is to recover water seepage from Haiwee Reservoir, but the MND contains insufficient evidence of seepage. So called seepage could be part of natural baseflow. It is not realistic for the project to proceed based solely on an assumption that water stored in the reservoir is consistently leaking.

Refer to response to comment CIWD-1, CIWD-5 and BPPT-2.

Response to SJM-7

The commenter calls for the revelation of the MOU between DWP and Coso Operating Company, referred to in the MND but not detailed to any extent.

A copy of the MOU between Coso and LADWP is provided as Appendix B.

Response to SJM-8

The comment states that DWP has no legitimate claim to the water, even if it is leakage from the reservoir. If said water is actually leakage, it has been contributing to recharge in Rose Valley and has helped support economic development, ranching, tourism, wetlands, springs, and a lake in Rose Valley. The comment states that DWP has no right to diminish these uses.

Refer to response to comment R-1.

Response to SJM-9

The comment states that the MND relies on outdated and now false information to describe hydrologic conditions in Rose Valley. Since pumping began in 2009, the situation in Rose Valley changed dramatically from that which existed in 2008 when environmental documents were prepared.

In response to this comment, the Environmental Setting regarding Groundwater Occurrence and Flow on page 1-5 has been revised with updated available groundwater information.

Response to SJM-10

The comment states that the current hydrologic status of Rose Valley – and its threat to Little Lake – must be disclosed. The commenter suggests that prior hydrological modeling is flawed because the Little Lake Ranch North well has been in jeopardy due to Coso Hay Ranch pumping, despite the fact that it was not supposed to have declined at all. The commenter states that the rapid decrease in water is a serious problem, that Hay Ranch pumping needs to stop immediately, and that once the data are evaluated, there could be no water left for the proposed project.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. In addition, refer to response to comment letter, comments CIWD-1 through CIWD-11, regarding the Water Agreement and use of the proposed Well V817. Refer to response to comment SJM-4.

Response to SJM-11

The comment states that the project requires an Environmental Impact Report (EIR). In addition to the previous topics commented upon, other issues such as endangered species, cultural resources, recreation, air quality, and cumulative impacts exist.

The IS/MND compiles an adequate inventory of resources; provides adequate baseline information and a description of the environmental setting; sufficiently evaluates potential impacts against established thresholds of significance; and identifies mitigation measures to reduce any significant impacts, including to endangered species, cultural resources, recreation, air quality, and cumulative impacts. As such, the environmental document is in compliance with CEQA. Further, there is no substantial evidence of a fair argument that the project may result in any significant environmental impact that cannot be mitigated.

Terra-Gen Power, LLC

August 29, 2013

Via FedEx and Facsimile [213-367-4710]

Michael Mercado
Los Angeles Department of Water and Power
Environmental Assessment and Planning
111 North Hope Street, Room 1044
Los Angeles, CA 90012

Re: Initial Study/Mitigated Negative Declaration for the Proposed Well V817 Rose Valley Pipeline Installation Project

Dear Mr. Mercado,

Coso Operating Company, LLC ("Coso") has been made aware of the Los Angeles Department of Water and Power ("LADWP") Notice of Intent to adopt an initial study/mitigated negative declaration ("MND") for the Proposed Well V817 Rose Valley Pipeline Installation Project ("the Project"). Under the terms of the 1991 Long Term Agreement and related agreements between LADWP and the County of Inyo, we assume that LADWP is working with the County to ensure the Project's consistency with that Agreement's terms and other controlling regulations applicable to water resources in the Rose Valley. However, Coso Operating Company ("Coso") also wanted to take this opportunity to point out some apparent inconsistencies between the MND and Coso's existing environmental documents for purposes of providing an accurate and complete record.

First, the MND seems to make mis-statements regarding the environmental impact report certified by the County in 2009 for Coso's Hay Ranch Water Extraction and Delivery System Conditional Use Permit ("Coso EIR"). The MND states, "As part of the [EIR] for the geothermal project, Coso Operating Company conducted groundwater modeling studies of flows in Rose Valley that showed that over 900 acre-feet per year of water seeps out of LADWP's South Haiwee Reservoir into Rose Valley…" This is incorrect. The Coso EIR only modeled drawdowns across the valley and estimated (as model input) how much water was entering the valley. (See Draft EIR, pp. 3.2-16, 3.2-17, 3.2-19 [Table 3.2-3].) The model assumed an input of approximately 900 AFY enters the Rose valley "from the north" but never modeled the precise amount of actual groundwater inflow from the north. As written, the MND incorrectly implies that modeling specific to Haiwee Reservoir leakage has already taken place, when in fact Coso's EIR was not specific to leakage rates. To our knowledge, a precise leakage volume has not been determined. 1

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Second, the MND indicates that all 900 AFY of inflow from the north assumed in the Coso EIR was attributed solely to seepage from Haiwee Reservoir. This is also incorrect. The Coso EIR assumed an inflows of 900 AFY from the north, in total. The EIR stated that a portion of this may be attributed to seepage from the Haiwee Reservoir. (See Draft EIR, p. 3.2-16 ["Principal inflow components to Rose Valley consist of Sierran mountain front recharge, groundwater inflow from Owens Valley to the north, and/or outseepage from Haiwee Reservoir."].) Accordingly, the Coso EIR did not model what portion (if any) of the 900 AFY was attributable to seepage from Haiwee Reservoir. 2

Third, the MND estimates that seepage from Haiwee is actually between 900 and 1,100 AFY. Given the Coso EIR's discussion summarized above, it is unclear where the 1,100 AFY figure originated from. Ultimately, LADWP's project proposes to pump greater volumes of water than even the total northerly flows assumed in Coso's EIR. 3

Finally, the MND states, "During the Coso Operating Company's EIR approval process, LADWP entered into a Memorandum of Understanding (MOU) with Coso Operating Company [] that would allow the recovery of seepage losses from South Haiwee Reservoir.... [T]he Coso Operating Company agreed to reduce its groundwater pumping by the same amount recovered in the event that pumping impacts the groundwater basin." Coso would like to clarify that the MOU was entered into after the completion of the EIR process, and not during the approval process. The Coso EIR was certified and the project approved in May 2009. LADWP and Coso then entered into an MOU in June 2009 to resolve potential concerns as between the parties. 4

Under the MOU, any obligation on the part of Coso to subordinate its groundwater pumping rights is subject to pre-conditions which have not yet occurred. First, LADWP must determine what the amount of seepage from Haiwee Reservoir actually is. Second, the County must review LADWP's Recovery Project proposal and make a determination as to whether LADWP's proposed Recovery Project requires that mitigation measure be implemented. As Coso's EIR did not determine what any precise seepage amounts actually are, and as we understand that LADWP has not yet consulted with the County of Inyo regarding implementation of the Project, any obligation by Coso to reduce groundwater pumping under Coso's existing CUP has not yet matured. 5

Thank you for the opportunity to clarify the record and to bring to LADWP's attention some of the factual concerns that Coso has identified in the proposed MND. We look forward to continuing to work with LADWP in the Rose Valley.

Sincerely,

Mark A. Casper
Vice-President Environmental Affairs

Letter 10, Terra-Gen Power, LLC (TGP)

Response to TGP-1

The comment states the IS/MND mis-represents information from the Coso Hay Ranch Water Extraction and Delivery System Environmental Impact Report (EIR), specifically in regards to the amount of seepage from the Haiwee Reservoir.

Refer to the Final MND for revisions and clarifications. Refer to response to comment letter CIWD.

In order to improve the estimate of the rate of seepage from the reservoir, a long-term pump test is proposed at the existing Well V817 in compliance with the Water Agreement. This project would allow a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. A six month pumping test at a rate of 1.25 cfs is proposed to determine long-term effects on the surrounding wells (LADWP, 2009). Existing LADWP monitoring wells and through coordination with Coso Operating Company, their monitoring wells would also monitor the effects of the pumping test on Well V817. LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement. Operation of Well V817 would be subject to the Annual Operations Plan LADWP prepares each April in accordance with the Water Agreement.

Response to TGP-2

The comment states the Coso Hay Ranch Water Extraction and Delivery System EIR did not model what portion of the 900 AFY was attributable to seepage from Haiwee Reservoir.

Refer to response to comment TGP-1. The MND was revised to identify Coso Operating Company conducted groundwater modeling studies of flows into Rose Valley that showed that over 900 acre-feet per year of water flows into Rose Valley, a portion of which may be seepage from the Haiwee Reservoir.

Response to TGP-3

The comment states that the MND estimates that seepage from Haiwee Reservoir is between 900 and 1,100 AFY and that LADWP plans to pump greater volumes of water than even the total northerly flows assumes in Coso Hay Ranch Water Extraction and Delivery System EIR.

Refer to response to comments TGP-1 and CIWD-1. Seepage rates are preliminarily estimated between 900-1,100 AFY. In order to estimate the rate of seepage from the reservoir, a long-term pump test is proposed at the existing Well V817 in compliance with the Water Agreement.

Response to TGP-4

The comment provides clarification regarding the MOU between LADWP and Coso Operating Company.

Commented noted; the MND was revised accordingly to reflect the correct timing on the MOU.

Response to TGP-5

The comment states the MOU is subject to pre-conditions which have yet occurred, including determining what amount seeps from Haiwee Reservoir and if the County of Inyo has determined that pumping that seepage back to LAA1 would result in a significant impact requiring mitigation.

Refer to response to comment TGP-1. Refer to response to comment letter CIWD.

September 4, 2013

Mr. Michael Mercado
Los Angeles Department of Power & Water
Environmental Assessment & Planning
111 North Hope Street, Room 1044
Los Angeles, CA 90012

Re: Initial Study/Mitigated Negative Declaration for the Proposed Well V817 Project

Dear Mr. Mercado:

The Owens Valley Committee (OVC) submits the following comments on the Initial Study/ Mitigated Negative Declaration (IS/MND) for the Proposed Well V817 Rose Valley Pipeline Installation Project (Project). OVC objects to the Project on the grounds that the IS/MND violates the requirements of the California Environmental Quality Act (CEQA), Public Resources Code, section 21000 *et seq.* More specifically, as substantial evidence supports a fair argument that the Project may have significant environmental impacts, CEQA requires that the Los Angeles Department of Water and Power (DWP) prepare an environmental impact report (EIR) for the Project. 1

In evaluating a proposed project, a public agency must evaluate whether a possibility exists that the project may have a significant environmental effect. If so, then the agency must conduct an initial threshold study. (Pub. Resources Code § 21080.1; CEQA Guidelines § 15063.) If the initial study determines that any aspect of the project may cause a significant

effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the agency must prepare an EIR. (CEQA Guidelines § 15070(b); see also *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 304-305.) The EIR "with all its specificity and complexity, is the mechanism prescribed by CEQA to force informed decision making and to expose the decision-making process to public scrutiny. (*Planning and Conservation League v. Department of Water Resources* (2000) 83 Cal.App.4th 892, 910; citing *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 86.) The EIR is "the heart of CEQA" and "an environmental alarm bell whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological point of no return." (*Laurel Heights Improvement Association v. The Regents of the University of California ("Laurel Heights I")* (1988) 47 Cal.3d 376, 392.) The EIR is the "primary means" of ensuring that public agencies "take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state." (*Id.*, quoting Pub. Resources Code § 21001(a).) The central purpose of an EIR is to identify the significant environmental effects of the proposed project, and to identify ways of avoiding or minimizing those effects through the imposition of feasible mitigation measures or the selection of feasible alternatives. (Pub. Resources Code §§ 21002, 21002.1(a), 21061; CEQA Guidelines § 15002(a)(3); *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41.) The EIR is also a "document of accountability," intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its actions." (*Laurel Heights I, supra,* 47 Cal.3d at p. 392 (quoting *No Oil, Inc., supra,* 13 Cal.3d at p. 86.) Thus, "[t]he EIR process protects not only the environment but also informed self-government." (*Ibid.*)

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A. The Fair Argument Standard

An agency must prepare an EIR whenever substantial evidence in the record supports a fair argument that a project may have a significant effect on the environment. (Pub. Resources Code, §§ 21080(a); 21151(a); *see Laurel Heights Improvement Ass'n v. Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d at pp. 75, 82, 118.) "In reviewing an agency's decision to adopt a negative declaration, a trial court applies

the "fair argument" test." (*City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 405; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1399; see also *Pala Band of Mission Indians v. County of San Diego* (1998) 68 Cal.App.4th 556, 571.) The fair argument test requires that agency "prepare an EIR whenever substantial evidence in the record supports a fair argument that a proposed project may have a significant effect on the environment." (*City of Redlands, supra,* 96 Cal.App.4th at p. 405: quoting *Gentry v. City of Murrieta, supra,* 36 Cal.App.4th at pp. 1399-1400.) If such evidence exists, an agency's decision to adopt a negative declaration constitutes an abuse of discretion and violates CEQA. (*City of Redlands, supra,* 36 Cal.App.4th at p. 406; *Pala Band of Mission Indians v. County of San Diego, supra,* 68 Cal.App.4th at p. 571.)

The "fair argument" standard is "a low threshold requirement for preparation of an EIR." (*No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d 68, 84.) The fair argument standard reflects CEQA's "preference for resolving doubts in favor of environmental review." (*Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1316-1317.) Thus, an EIR must be prepared "whenever it can be fairly argued on the basis of substantial evidence that the project may have significant environmental impact" (*No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d at p. 75) even if there is substantial evidence to the contrary (*Arviv Enterprises, Inc. South Valley Area Planning Com.* (2002) 101 Cal.App.4th 133, 1346; *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.app.3d 988, 1002.) CEQA defines "environment" as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water...flora, fauna, noise...." (Pub. Resources Code § 21060.5.) "Significant effect upon the environment" is described as "a substantial or potentially substantial adverse change in the environment." (See Pub. Resources Code § 21068; CEQA Guidelines § 15382.) A project may have a significant effect on the environment if there is a reasonable probability that it will result in a significant impact. (See *No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d at p. 83; *Sundstrom v. County of Mendocino, supra,* 202 Cal.App.3d at p. 309.) Even if the overall effect of the project is beneficial, the lead agency must prepare an EIR if any part of the project "either individually or cumulatively, may cause a significant effect on the environment." (CEQA

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guidelines § 15063(b)(1).) Thus, CEQA creates "a low threshold requirement" for the initial preparation of an EIR and reflects a preference for resolving doubts in favor of environmental review when the question is whether any such review is warranted. (See *No Oil, Inc. v. City of Los Angeles, supra,* 13 Cal.3d at p. 84; *Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 880-881.)

CEQA and the CEQA Guidelines provide assistance in evaluating what constitutes substantial evidence to support a "fair argument". (See CEQA Guidelines § 15384(a) ("'substantial evidence' means enough relevant information and reasonable inferences...that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.").) Substantial evidence consists of "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code § 21080(e)(1); see also CEQA Guidelines § 15384(b).) It does not include "argument, speculation, unsubstantial opinion or narrative, evidence that is clearly inaccurate ...or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment." (Pub. Resources Code § 21080(e)(2).) Comments that present evidence of facts and reasonable assumptions from those facts may constitute substantial evidence to support fair argument that the project may have a significant effect on the environment. (See *City of Redlands, supra,* 96 Cal.App.4th at p. 590; see also *Stanislaus Audubon Society, Inc. v. County of Stanislaus,* (1995) 33 Cal.App.4th 144, 152-153.) Relevant personal observations of area residents on nontechnical subjects, such as traffic conditions, qualify as substantial evidence for a fair argument. (*Ocean View Estates Homeowner's Assn., Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 402; *Citizens Ass'n for Sensible Development v. County of Inyo* (1985) 172 Cal.App.3d 151, 173 (owner of adjacent property may, based upon personal observations, testify to existing traffic conditions). Thus, while an individual may not be an expert, their firsthand observations should not casually be dismissed as immaterial because "relevant personal observations are evidence. (*Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 402.)

1

The IS/MND must provide the factual basis and the analysis for the determination that a project in implementing mitigation measures will not have a significant impact on the environment. (See CEQA Guidelines § 15063(d)(3); *City of Redlands, supra,* 96 Cal.App.4th at

p. 408; *Sundstrom v. County of Mendocino, supra,* 202 Cal.App.3d at p. 311.) "An agency should not be allowed to hide behind its own failure to gather relevant data." (*Id.*) A mitigated negative declaration may only be prepared when, in light of the whole record, no substantial evidence exists that the project will have a significant environmental effect after mitigation measures have been implemented. As discussed below, and in the comments submitted by the Inyo County Water Department, Big Pine Paiute Tribe of the Owens Valley and by Sara J. Manning, substantial evidence supports a fair argument that the Project may have potentially significant environmental impacts after the mitigation measures discussed in the IS/MND have been implemented, thus CEQA mandates the preparation of an EIR. 1

B. Inadequacy Describing Current Hydrologic Conditions

The IS/MND fails to provide an accurate description of the current hydrological conditions in Rose Valley. Section 3.9 of the IS/MND includes hydrologic information copied from a 2008 Bureau of Land Management document (*Hay Ranch Water Extraction and Delivery System Environmental Assessment, Appendix H: Coso Operating Company Hay Ranch Water Extraction and Delivery System/ Conditional Use Permit #2007-3 Draft EIR, Hydrology)* which is no longer accurate regarding trends in groundwater levels in Rose Valley. The 2008 document was written to evaluate impacts of a project by Coso Operating Company to extract water from Rose Valley through groundwater pumping. Since the implementation of the project, impacts have been documented through monthly reports accessible at the Inyo County Water Department's website at http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/.[1] The implementation of the Coso Operating Company project has caused a lowering of the water table in Rose Valley and two monitoring wells are past their trigger points. Statements in the IS/MND declare that "drawdown has had no effect on recharge" and that the Coso 2

[1] OVC requests that the record of proceedings for this matter include the monthly reports submitted by Coso Operating Company which are accessible at the Inyo County Water Department's website at http://www.inyowater.org/projects/groundwater/coso-hay-ranch-project/

Operating Company is pumping water "without approaching drawdown limits in the monitoring wells." This information is false. Furthermore, any further environmental analysis developed for this Project must have accurate and current information to properly consider impacts. 2

C. Inaccuracy of Current Modeling

The IS/MND relies on existing models that must be revised to accurately describe how groundwater pumping impacts the water table. Data from the Coso Operating Company pumping suggests that existing models underestimate the potential for drawdowns affecting Little Lake. The actual drawdowns encountered by the pumping have occurred sooner and are deeper than the models predicted. Revised models based on actual data must be developed for a more accurate understanding of the hydrologic conditions which exist in Rose Valley. An EIR must include a revised model that accurately describes the current hydrologic environment in order to credibly discuss potential impacts of the proposed Project. 3

D. Inadequate Support for Seepage Rate from Haiwee Reservoir

The basis for the implementation of the Project presupposes seepage of water from Haiwee Reservoir into Rose Valley. However, information in the IS/MND does not adequately support this presupposition. The information presented in the IS/MND asserts that modeling conducted by Coso Operating Company concluded that 900 acre/feet of water per year was seepage from the Haiwee Reservoir into Rose Valley. However, modeling by the Coso Operating Company used a figure of 900 acre/feet as an assumption for all inflow coming from the north. Therefore, no modeling has been conducted to determine seepage rates from the Haiwee Reservoir into Rose Valley. Since the purpose of the Project is to capture water that has seeped out of the Haiwee Reservoir, DWP must conduct an evaluation to determine an actual seepage rate before attempting to pump water out of an aquifer which has already been impacted by groundwater pumping. If project proponents wish to assert the water originates in Haiwee Reservoir they should provide data supporting the assertion especially since there are other plausible sources of the water in question. 4

E. Lack of a Cumulative Impacts Analysis

Any analysis of the proposed project must include a cumulative impacts analysis. Specifically, impacts of the project relative to those of pumping for the Coso Operating Company project must be analyzed. The EIR for the Hay Ranch project sets a threshold of significance at a 10% reduction in flows to Little Lake. Existing pumping for the Hay Ranch project is predicted to reduce flows up to 9.7%. Thus, it will be virtually impossible for the proposed project to avoid creating a significant impact to Little Lake. 5

The IS/MND states that a Memorandum of Understanding (MOU) between DWP and Coso Operating Company is in effect which accounts for cumulative impacts, but the IS/MND does not include the MOU for the public to review. Since there is no MOU to review, it is not clear how cumulative impacts will be mitigated by the Project. Without the full text of this document it is impossible to evaluate its enforceability and know whether it is being accurately summarized by DWP. The EIR developed for this Project must include the MOU, an analysis of cumulative impacts and associated mitigation measures. 6

F. Fails to Meet Terms of the Inyo-LA Long Term Water Agreement

The IS/MND correctly identifies that this Project is subject to the Inyo-LA Long Term Water Agreement (LTWA). Since well V817 is a "new well" under the terms of the LTWA, DWP must follow the requirements for activating new production wells. These requirements are specified in Section IV. B. in the Technical Appendix to the LTWA. These requirements have not been met making the IS/MND a premature document. The EIR for the Project must specify when and how these requirements will be met. 7

G. Conclusion

The IS/MND is inadequate and contains false information. Therefore, the IS/MND needs to be withdrawn. If the Project is pursued, a full EIR must be written after the Project has been evaluated as a new well, in a new wellfield, under terms of the 1991 Inyo-LA Long Term Water Agreement. 8

Sincerely,

Alan Bacock
Owens Valley Committee President

Letter 11, The Owens Valley Committee (OVC)

Response to OVC-1

The comment states that the IS/MND violates the requirements of the California Environmental Quality Act (CEQA), that the project may have significant environmental impacts, and that an EIR should be prepared for the project. The commenter makes a general statement that the Draft IS/MND is inadequate under CEQA and that improper determinations were made on the significance of the impacts, thus requiring recirculation. The commenter further states that to address these deficiencies, the analyses in an EIR must be prepared and circulated for public review.

Concerning the suggestion that the analysis is inadequate and is not supported by substantial evidence, the IS/MND reflects a good faith effort to investigate and disclose environmental impacts of the project. The IS/MND compiles an adequate inventory of resources; provides adequate baseline information and a description of the environmental setting; sufficiently evaluates potential impacts against established thresholds of significance; and identifies mitigation measures to reduce any significant impacts. As such, the environmental document is in compliance with CEQA.

Response to OVC-2

The comment states that the IS/MND fails to provide an accurate description of the current hydrological conditions in Rose Valley. The IS/MND includes hydrologic information copied from a 2008 Bureau of Land Management document, which is now outdated and inaccurate information.

In response to this comment, the Environmental Setting regarding Groundwater Occurrence and Flow on page 1-5 has been revised with updated available groundwater information.

Response to OVC-3

The comment states that the IS/MND relies on existing models that must be revised to accurately describe how groundwater pumping impacts the water table. The actual drawdowns affecting Little Lake have occurred sooner and are deeper than the models predicted. Revised models based on actual data should be included in the EIR.

Refer to the Final MND for revisions and clarifications. Refer to responses to comment letter CIWD, comments CIWD-1 through CIWD-11.

In order to obtain a more accurate estimate of the rate of seepage from the reservoir, a long-term pump test is proposed at the existing Well V817 in compliance with the Water Agreement. This project would allow a longer lasting pumping test of Well V817 while monitoring all nearby monitoring wells. A six month pumping test at a rate of 1.25 cfs is proposed to determine long-term effects on the surrounding wells (LADWP, 2009). Existing LADWP monitoring wells and through coordination with Coso Operating Company, their monitoring wells would also monitor

the effects of the pumping test on Well V817. LADWP will provide the pumping test data to the Inyo/Los Angeles Technical Group for review and input, consistent with the Water Agreement. Operation of Well V817 would be subject to the Annual Operations Plan LADWP prepares each April in accordance with the Water Agreement.

Refer to revisions to response 3.9.b in the IS/MND Checklist regarding groundwater impacts.

Response to OVC-4

The comment states that the project presupposes seepage of water from the Haiwee Reservoir, but no actual modeling has been conducted to determine seepage rates from the Haiwee Reservoir into Rose Valley. The comment states that DWP must conduct an evaluation to determine an actual seepage rate before attempting to pump water out of an aquifer already impacted by groundwater pumping.

Refer to response to comments OVC-3.

Response to OVC-5

The comment states that any analysis of the proposed project must include a cumulative impacts analysis. Currently no cumulative impacts analysis exists. The comment states that it will be virtually impossible for the proposed project to avoid creating a significant impact to Little Lake.

Refer to response to comment CIWD-1. Coso Operating Company agreed to subordinate its groundwater pumping rights to LADWP's Recovery Projects, including the SHRSR project, up to the amount of water ("Seepage Amount") which is determined to be seeping from Haiwee Reservoir, to the extant required by Inyo County as a mitigation measure for the recovery projects. The MOU states should Inyo County Water Department identify a potential impact on resources in connection with its approval process related to LADWP's Recovery Projects, Coso Operating Company agrees to reduce its groundwater pumping, as necessary, up to a maximum of the seepage amount, to reduce the impact of LADWP's pumping to a level that does not cause a significant effect on the environment. Should Coso Operating Company be required to reduce groundwater pumping levels, as directed by Inyo County Water Department for the Coso Hay Ranch Project, LADWP would reduce or cease pumping groundwater consistent with Coso Operating Company's approved groundwater pumping amounts.

Response to OVC-6

The comment states that a EIR should be developed for this project and in it should be included the MOU between DWP and Coso, an analysis of cumulative impacts and mitigation measures. The comment states that without the full text of the MOU it is impossible to evaluate its enforceability.

Refer to response to comment CIWD-1. A copy of the MOU between Coso and LADWP is provided as Appendix B.

Response to OVC-7

The comment states that the IS/MND fails to meet the terms of the Inyo-LA Long Term Water Agreement (LTWA). DWP must follow the requirements for activating new production wells under the terms of the LTWA for well V817.

Refer to the Final MND for revisions and clarifications to the project description and the Water Agreement. Refer to response to comment CIWD-1.

Response to OVC-8

The comment states that the IS/MND is inadequate and contains false information; the IS/MND needs to be withdrawn.

Refer to response to comment OVC-1.

Letter 12, State Clearinghouse (OPR)

Response to OPR-1

The letter is a cover letter from Office of Planning and Research (OPR) noting receipt of two comment letters received for the document. The comment states that the MND complies with the State Clearinghouse review requirements.

The cover letter conveys the Caltrans letter (Letter 4) and the Water Board (Letter 5). Comments from these letters are responded to above. No other response is required.

SECTION 5 4
References, Acronyms, and Report Preparers

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54.2 Acronyms

AF	acre-feet
AFY	acre feet per year
AB32	State of California Assembly Bill 32
BMPs	best management practices
CARB	California Air Resources Control Board
CBC	California Building Code
CDFG	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
cfs	cubic feet per second
the City	City of Los Angeles
CO	carbon monoxide
CRHR	California Register of Historical Resources
cy	cubic yards

DTSC	Department of Toxic Substances Control
EIC	Eastern Information Center
FEMA	Federal Emergency Management Agency
GBUAPCD	Great Basin Unified Air Pollution Control District
GBWAB	Great Basin Valley Air Basin
GHG	greenhouse gas emissions
HCP	Habitat Conservation Plan
HFC	hydrofluorocarbons
hp	Horsepower
IS	Initial Study
kW	kilowatts
LAA1	First Los Angeles Aqueduct
LADWP	Los Angeles Department of Water and Power
LUST	leaking underground storage tanks
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MND	Mitigated Negative Declaration
OS-40	Open Space, 40-acre minimum lot size
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NO_X	Nitrous oxides
NPDES	National Pollutant Discharge Elimination System
NR	Natural Resource
NRHP	National Register of Historic Places
OS-40	Open Space, 40-acre minimum lot size
PFC	perfluorocarbons
$PM_{2.5}$	particulate matter of 2.5 microns or less
PM_{10}	particulate matter of 10 microns or less

PUST	permitted underground storage tanks
RWQCB	Regional Water Quality Board
SB375	California Senate Bill 375
SCE	Southern California Edison
SF6	sulfur hexafluoride
SO_X	sulfur oxides
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VOC	volatile organic compounds

45.3 Report Preparers

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Appendix A: Well V817 Pumping Test

Pumping Test of Well V817 in Rose Valley

Introduction

The Coso Operating Company, LLC has submitted an application to the Inyo County Planning Department for a 30-year Conditional Use Permit (CUP 2007-003) for the Hay Ranch Water Extraction and Delivery System project. The project includes extraction and delivery of groundwater from two existing wells on Coso's Hay Ranch property in Rose Valley to Coso's geothermal reservoir located in the northwest area of the China Lake Naval Air Weapons Station.

Hay Ranch is located approximately ½ miles south of Dunmovin, 2 miles north of Coso Junction (to the east of, but adjacent to, U.S. Highway 395), and south of the City of Los Angeles' Haiwee Reservoir Complex, which consists of North and South Haiwee Reservoirs and the Haiwee Hydroelectric Power Plant. LADWP also owns two wells (V816 & V817) that are approximately 1.5 miles north of Coso's Hay Ranch and are abandoned irrigation wells and could be utilized as parts of the Recovery Projects (Aquifer Storage and Recovery project and the South Haiwee Reservoir Seepage Recovery project)

While reviewing the project's CUP and Environmental Impact Report (EIR), there was uncertainty in the aquifer characteristics of the area between Coso's existing wells and the South Haiwee Dam. As a result, LADWP conducted a short-term constant rate pump tests to better understand the aquifer characteristics in Rose Valley. The test was performed in late March and early April of 2009.

Description of the Well

Well V817 is located at the northern end of Rose Valley and approximately 1,700 feet east of the Los Angeles Aqueduct 1 (LAA1). The elevation difference between the top of Well V817 casing and the LAA1 is 62 feet.

The total depth of V817 is 470 feet and has an 18 inch diameter steel casing that was observed to be in generally good condition with a video log that was performed a few of years ago. The well casing is perforated from a depth of 265 to 465 feet below ground surface and it appears that the well construction does not include a gravel pack. The depth to water in this well has fluctuated between 74.0 and 81.0 feet from the well reference point for the last 10 years.

No driller's or geophysical log of either V817 or V816 is available to provide an understanding of the type of formation at this location. However, as these wells are located on the valley floor of Rose Valley, based on similar aquifers in the Owens Valley it is estimated that the associated aquifer could be categorized as a semi-confined to confined. The Rose Valley area is bound by the Sierra Mountains to the west and the Coso Mountain Range to the east. To document water level response to the pumping test of V817, a number of wells were monitored before, during, and after the pumping test.

Description of the Test

Based on available documents indicating that V817 has had a pumping capacity of about 3 cfs, a constant rate pump test of V817 started on March 23, 2009 at 9:03 p.m. with a pumping rate of 2.97 cfs. Water levels were measured at the pumping well and seven nearby monitoring wells. Wells T832 (Cal-Pumice well) and Dunmovin private well to the south, monitoring wells T801, T802, VS360 and VS093 to the north, and Monitoring well V816 immediately west of V817. The depth to water in all of the monitoring wells was measured using pressure transducers. Water levels in wells V817 and V816 were recorded every minute and the remaining monitoring wells were recorded every 15 minutes.

The first test was conducted from March 23 and 25, 2009 over a 37 hour period at an average pumping rate of 2.54 cfs (1,138 gpm). During the 37 hours of pumping well V817, while the above ground valve was fully open, the flow rate dropped form 2.97 cfs to about 2.3 cfs and water level in the well dropped 270 feet. This water level is just below the airline and immediately above the pump, and as a result, the pump test was stopped. After the full recovery of water levels in the pumping well and the closest nearby monitoring well, the second pumping test was restarted.

The second test was conducted between April 7 and 13, 2009 over a 6.5 day period. The pumping rate remained relatively stable at an average pumping rate of 1.84 cfs (824 gpm). The data from this test was utilized to evaluate the water level response and calculate aquifer characteristics for the area in the vicinity of LADWP wells.

Water Level Response

Water levels were measured prior to, during, and after the pumping test in Well V817 and a number of nearby monitoring wells. Water level in the pumping well was measured both manually and automatically using a Level Toll pressure transducer. Unfortunately, the automated data collected from the pumping well was corrupted and was not used for analysis.

The LADWP staff monitored wells V832, V816, V817, TS802, VS093, TS801, and VS360. Table 1 lists water levels in these wells before, at the completion of the constant discharge test, and 20 days after completion of the pumping test. Automated water level measurements from V816, located 197 feet west of V817 were used for calculating aquifer characteristics calculations near LADWP production wells.

Manual water level measurements from V817 are shown on Figure 2, showing a total drawdown of 270 feet in response to the 6.5 day of pumping at 1.84 cfs, resulting a calculated specific yield of approximately 3 gpm/ft of drawdown. This represents a very steep water level response to pumping and a deep cone of depression near well V817.

A hydrograph of water levels in V816 is shown on Figure 3. A review of the hydrograph from V816 shows a pre-pumping depth to water of approximately 81.4 feet below reference point. After pumping V817 at an average rate of 1.84 cfs for about 6.5 day, water level in V816 dropped to 128.6 feet, or 47.2 feet of drawdown. Water level measurements showed continues recovery with a full recovery in about 20 days after cession of pumping.

Water level measurements in all other nearby monitoring wells showed minimal or no impact from this pumping test beyond the background water level fluctuations. Hydrographs of water levels are shown in Figure 2 for reference. When considering collective water response to pumping at V817, the cone depression was very deep with a very limited radius of influence. A hydrograph of V816 shows a noticeable change in the rate of drawdown at about 3 days after pumping started. This could be an indication of a recharge or drainage into the producing zone near the pumping well. Unfortunately the pumping test was not long enough to clearly identify this trend. To get a better understanding of this recharge component, it is recommended to conduct a longer lasting pumping test of V817 while monitoring all nearby monitoring wells.

Table 1. Water level measurements during pumping test of V817 in feet

Well	Total Depth	DTW Pre-test	DTW end cnst. Q test	DTW after recovery	Relative well location
V832	?	241	241	NA	0.61 mi South
V816	3	81	129	81	197 ft West
V817*	470	148	350	NA	Test location
TS802	158	151	151	NA	0.85 mi North
VS093	81	39	39	NA	1.76 mi North
TS801	90	2.1	2.1	NA	2 mi North
VS360	113	17.5	17.5	NA	2.4 mi North

* Manual number used for well v817 due to skewed auto transducer data collected during test.

NA: Recovery levels are not applicable in these wells since no draw down was observed. More data is recommended.

Based on the water level data recorded during the pumping test, it can be concluded that the zone of influence for well V817 is relatively small. At well V832 (only 0.6 miles to the south) no drawdown was observed, and the only well where drawdown was observed was V816 located 197 miles to the west. Given the short length of the pumping test, long-term effects on the surrounding wells can not be determined.

Aquifer Characteristics

Water level measurements in V816 and V817 were used to calculate aquifer characteristics. Well V816 is located approximately 197 feet west of V817. Water levels in these wells were recorded continuously using data-loggers during the constant pump testing. Figure 2 shows the water level measurements in all monitoring wells during the constant pumping test.

The software AQTESOLV for Windows® was utilized to calculate aquifer characteristics, using recognized methods, in both confined and unconfined aquifers. As mentioned earlier, the drawdown graph for V816 shows a change in the slope about 3 days into the pumping, which could indicate that the drawdown cone has reached a source of recharge. The later part of the time-drawdown curve was used to calculate aquifer characteristics. Figure 4 through 6 shows the output from AQTESOLV for each of the runs. Table 2 lists three different methods used and the resulting estimates of the aquifer characteristics. The transmissivity estimates ranged from 1,342 ft^2/day (10,038.16 gpd/ft) to 1,449 ft^2/day (10,838.52 gpd/ft) with an average of 1,395 ft^2/day (10,434.46 gpd/ft). Similarly, the calculated storage coefficient ranged from 0.0006 to .005 using Cooper Jacob and Theis method for confined aquifers respectively. Therefore the aquifer can be classified as semi-confined to confined aquifer with an average transmissivity of 1,500 ft^2/day and storage coefficient of 0.003.

Coso Operating Company conducted a two week long pumping test of the Hay Ranch south well in November and December 2007 (reference). The well was pumped at a rate of 4.29 cfs. This pumping test resulted in a Transmissivity of 165,700 ft^2/day (1,239,000 gpd/ft) and a storage coefficient of 0.0014 using water level data collected from Hay Ranch North well.

A comparison of the aquifer characteristics calculated from the Hay Ranch well and the pumping test of LADWP well indicates a much tighter formation, by at least one order of magnitude, in the north portion of Rose Valley. When modeling the groundwater flow in Owens Valley, USGS (Danskin, 1999) used a transmissivity of 1,100 to 2,200 ft^2/day for various alluvial fan areas which is about the order of magnitude as calculated in the area near V817.

Table 2. Aquifer characteristics using water level data from V816

Analysis method	Transmissivity, T ft^2/day	Storage Coefficient, S
Confined Theis	1,106	0.0054
Cooper-Jacob	1,863	0.00064
Papadopulos-Cooper	1,108	0.0054
Average	1,500	0.003

Well Efficiency

Well efficiency is a measure of how efficient pumping wells transport water from the aquifer through the well screen and to the pump bowl. There are several methods for calculating well efficiency. Mogg (1968) defined well efficiency as the ratio of the actual specific capacity at the designed well yield after 24 hours of continuous pumping to the maximum specific capacity possible, calculated from formation characteristics and well geometry.

The actual specific capacity after 24 hours of pumping at an average of 1.84 cfs (826 gpm) and 190 feet of drawdown was 0.0097 cfs/ft (4.3 gpm/ft). Using the average T and S values calculated from the constant Q test data, the theoretical specific capacity is 0.141 cfs/ft (63 gpm/ft). Therefore, the calculated efficiency of V817 is 0.0068/0.141 = 7%, which represents an extremely inefficient well design.

Pump Design

Table 3 shows the calculations of the required horsepower for a pump at Well V817. This table provides horsepower requirements for pumping rates ranging from 1 to 2 cfs. In calculating the horsepower, a one-year continuous operation of V817 was assumed. On a long-term basis, 10 feet of decline in water levels was considered. Based on the horsepower requirements in the Table 3, a 120 horsepower pump will satisfy power requirement for pumping at a rate of 1.5 cfs and transferring the pumped water to LAA1. Therefore, it is recommended to install a 150 hp pump for an approximately 1.5 cfs discharge rate.

Long-Term Pumping Test

It is recommended, as part of evaluation of long-term operation of V817 to conduct a 6 month pumping test at a rate of 1.5 cfs. This pumping test should allow determining the possible long-term impacts of pumping V817. It also is recommended installing a monitoring well approximately 1,000 feet south of V817. Drilling a new monitoring well will allow collection driller's log and geophysical logs to characterize the aquifer at this location. The monitoring well should then be used to measure water level in the aquifer to the south of production well V817.

Table 3. Horsepower Requirement for Pumping Rates of 1.0 to 2.0 cfs from V817

	Flow Rate		
cfs	1	1.5	2.0
gpm	448	896	1,344
Static Water Level	80	80	80
Long term drawdown	230	260	300
Pump column head loss	6	9	12
Long term water level fluctuation	10	10	10
Long term pumping lift	326	356	396
Required suction cover	10	10	10
Head Loss to LAA	71	79	91
Total pumping head	407	445	497
Wire to Water efficiency	0.67	0.67	0.67
Required Horsepower	68	112	167

Notes	
Transmissivity	T = 11,220 gpd/ft
Storage coefficient	S = 0.003
Column diameter	D = 6 inch
Friction coefficient	f = 0.021
Column length	L = 360 ft
Distance to LAA	D = 1,700 ft
Elevation change to LAA	H = 62 ft
Pipe diameter to LAA	D = 8 inch
Long term Drawdown, s :	$s = \frac{264Q}{T}\log\frac{0.3Tt}{r^2S}$
Head loss, h_f :	$h_f = f\frac{L}{D}\frac{V^2}{2g}$
Horsepower, Hp :	$H_p = \frac{QL}{8.883}$

Figure 1. Rose Valley, CA

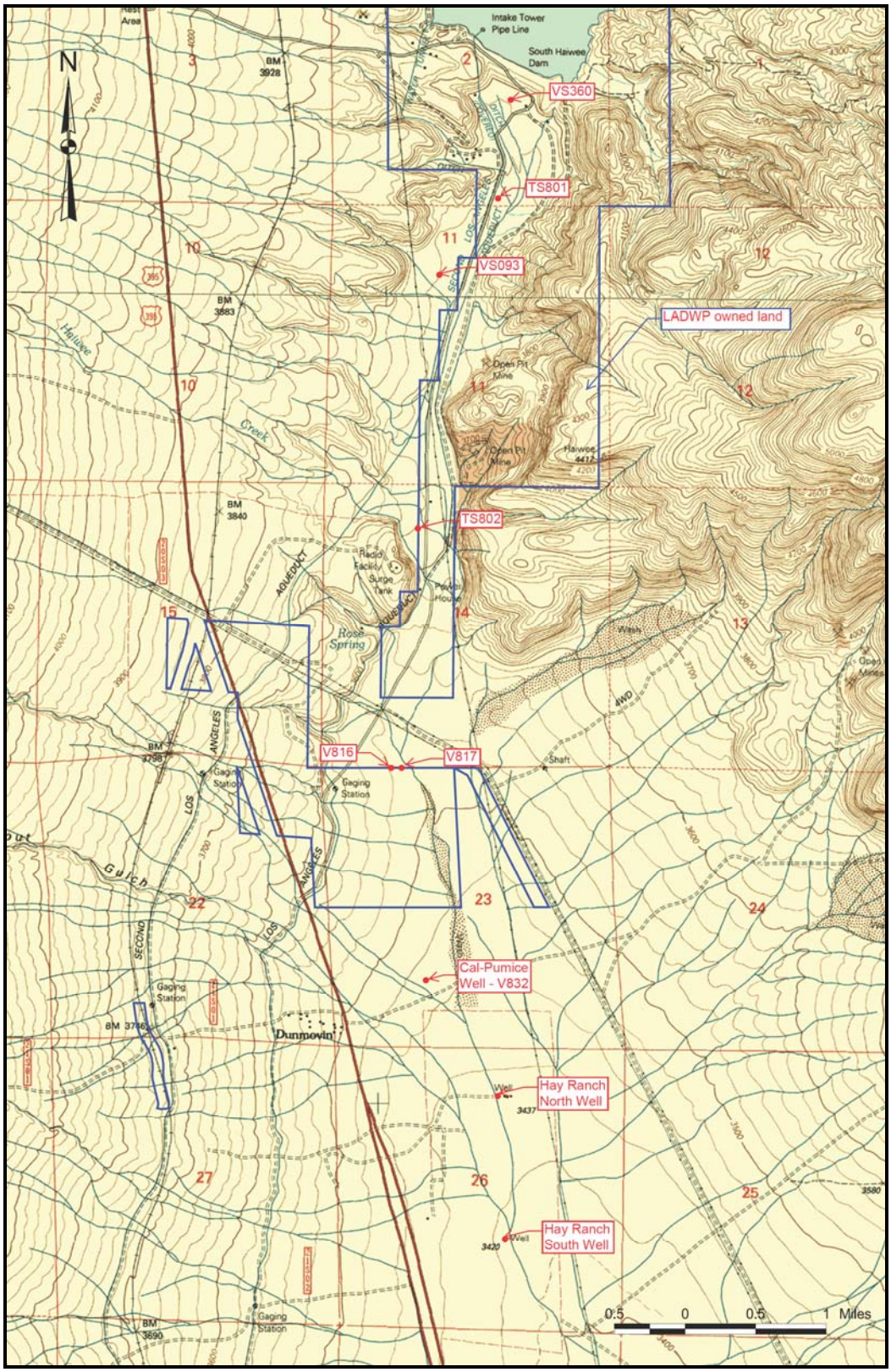
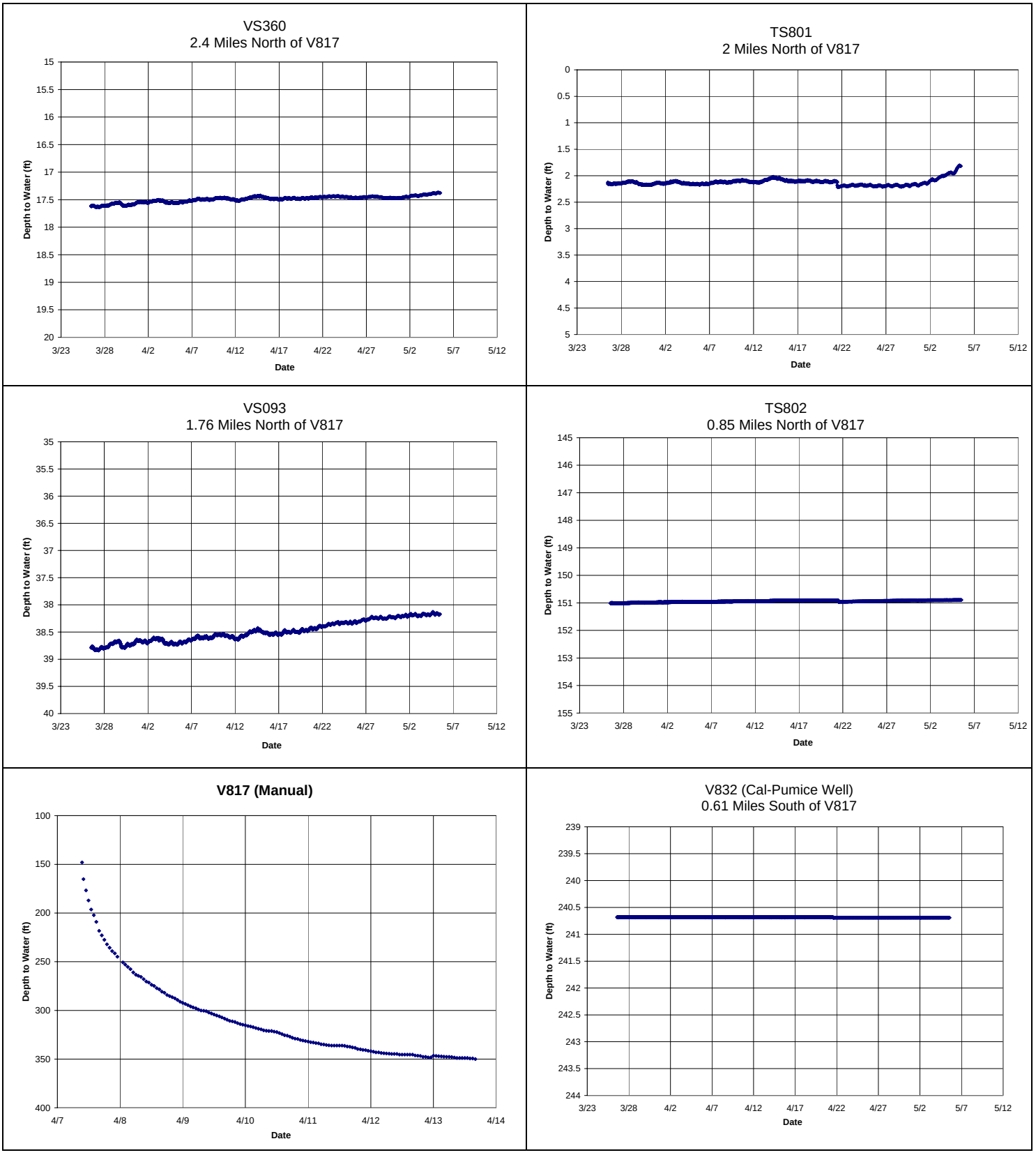


Figure 2. Observed Monitoring Well Hydrographs



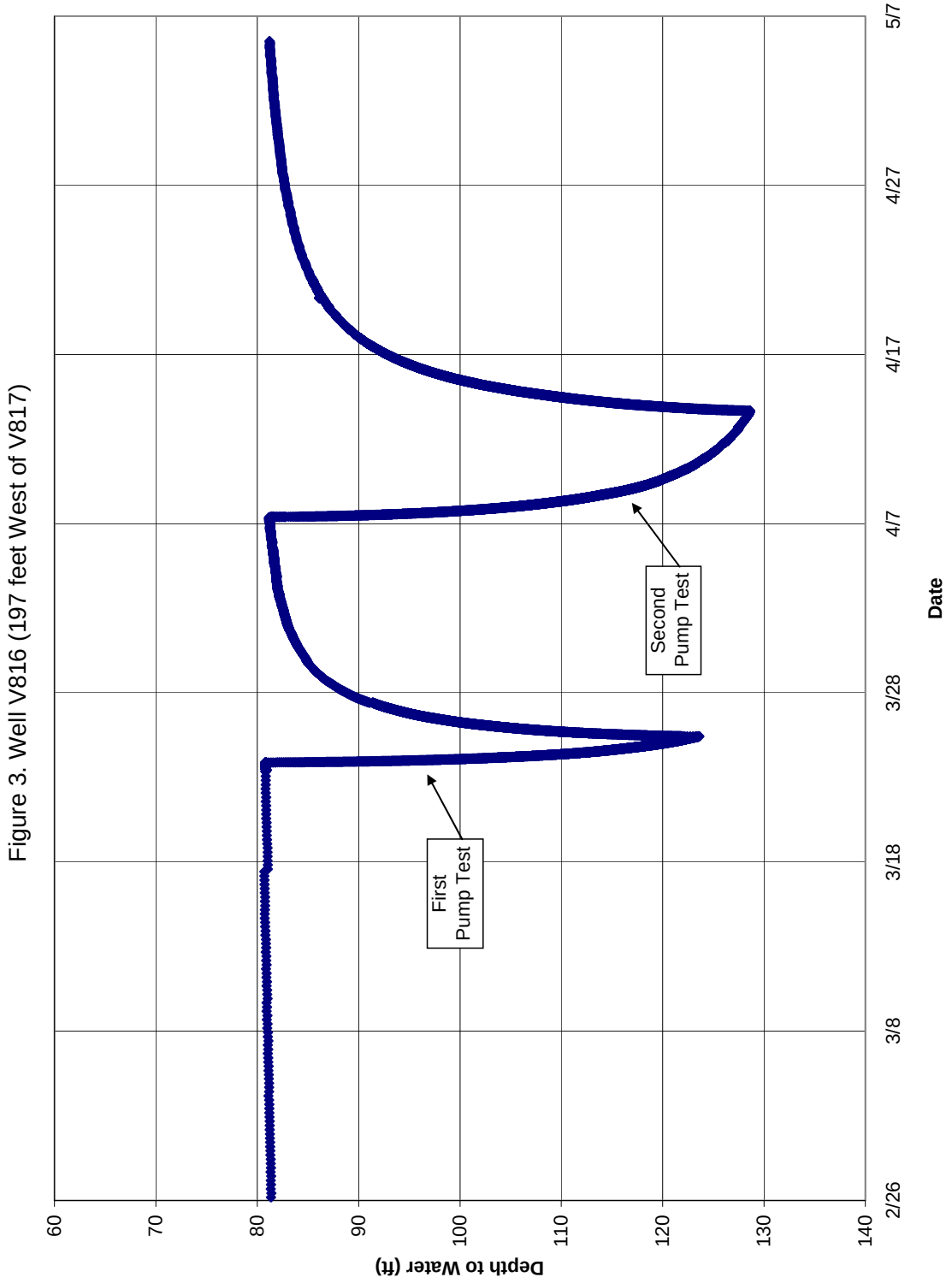
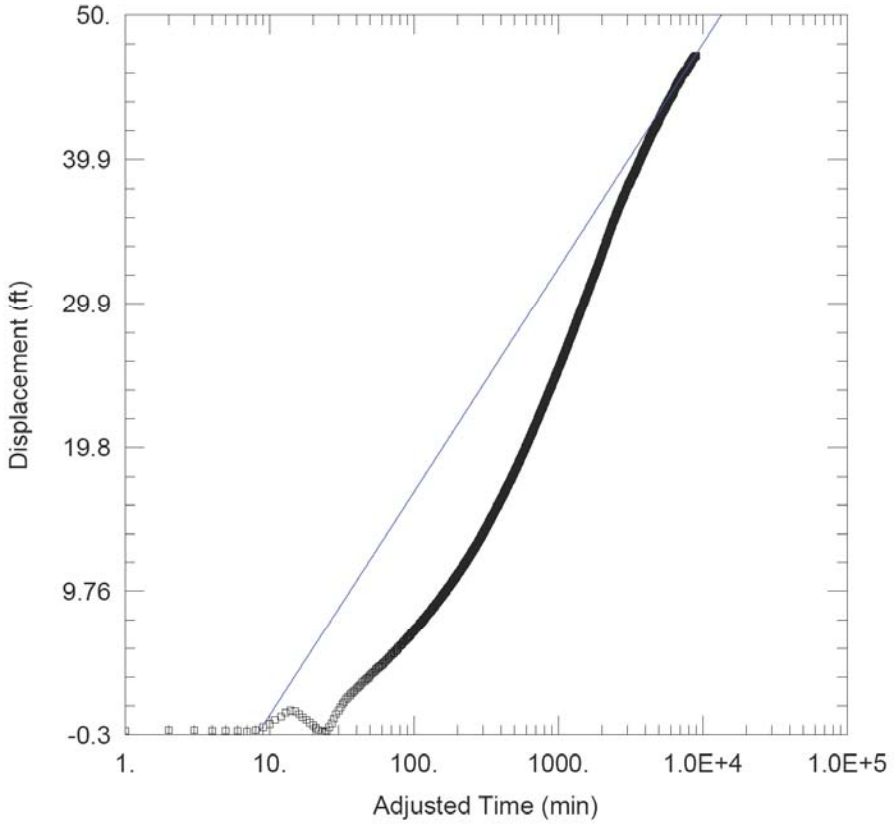


Figure 3. Well V816 (197 feet West of V817)

Figure 4a. Cooper-Jacop Method Assuming a Confined Aquifer



WELL V817 IN ROSE VALLEY - SHORT-TERM PUMPING TEST

Data Set: Y:\Water Rights\Rose Valley\AQTESOLV files\V817 w-V816 obs 2nd test.aqt
Date: 06/01/09 Time: 09:05:15

PROJECT INFORMATION

Company: LADWP
Project: Haiwee Reservoir Seepage Recov
Location: Roze Valley
Test Well: V817
Test Date: 4/7-13/2009

AQUIFER DATA

Saturated Thickness: 385. ft Anisotropy Ratio (Kz/Kr): 3.819E-5

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
V817	0	0

Observation Wells

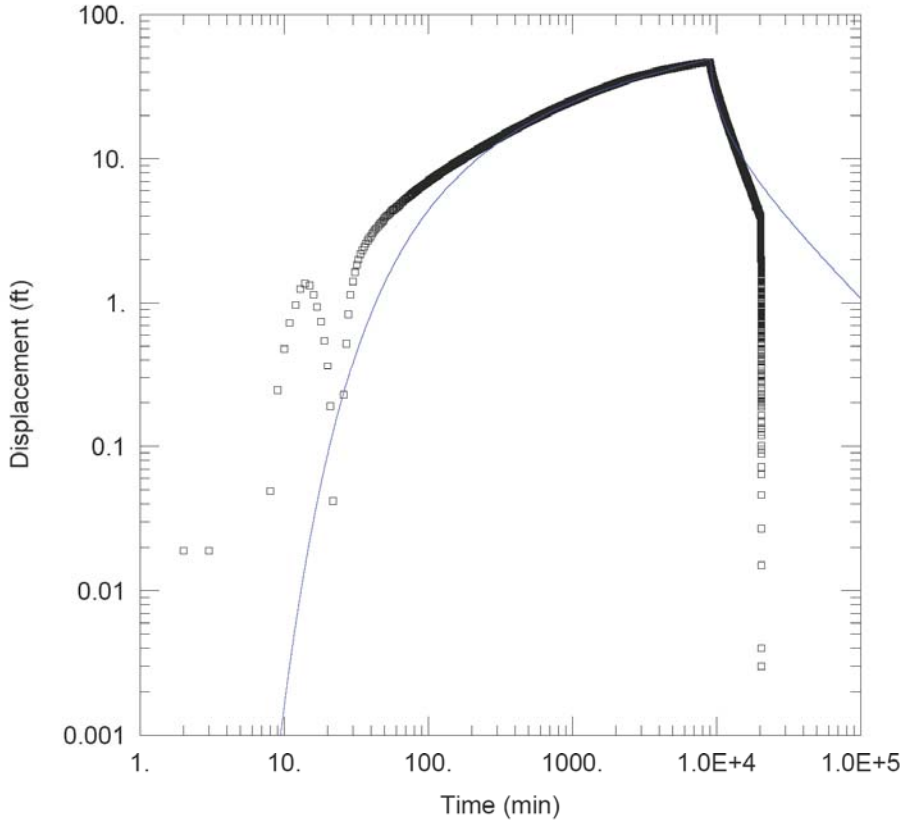
Well Name	X (ft)	Y (ft)
V816	197	0

SOLUTION

Aquifer Model: Confined Solution Method: Cooper-Jacob

T = 1862.6 ft^2/day S = 0.0006417

Figure 4b. Theis Method Assuming a Confined Aquifer



WELL V817 IN ROSE VALLEY - SHORT-TERM PUMPING TEST

Data Set: Y:\Water Rights\Rose Valley\AQTESOLV files\V817 w-V816 obs 2nd test.aqt
Date: 06/01/09 Time: 09:27:47

PROJECT INFORMATION

Company: LADWP
Project: Haiwee Reservoir Seepage Recov
Location: Roze Valley
Test Well: V817
Test Date: 4/7-13/2009

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
V817	0	0

Observation Wells

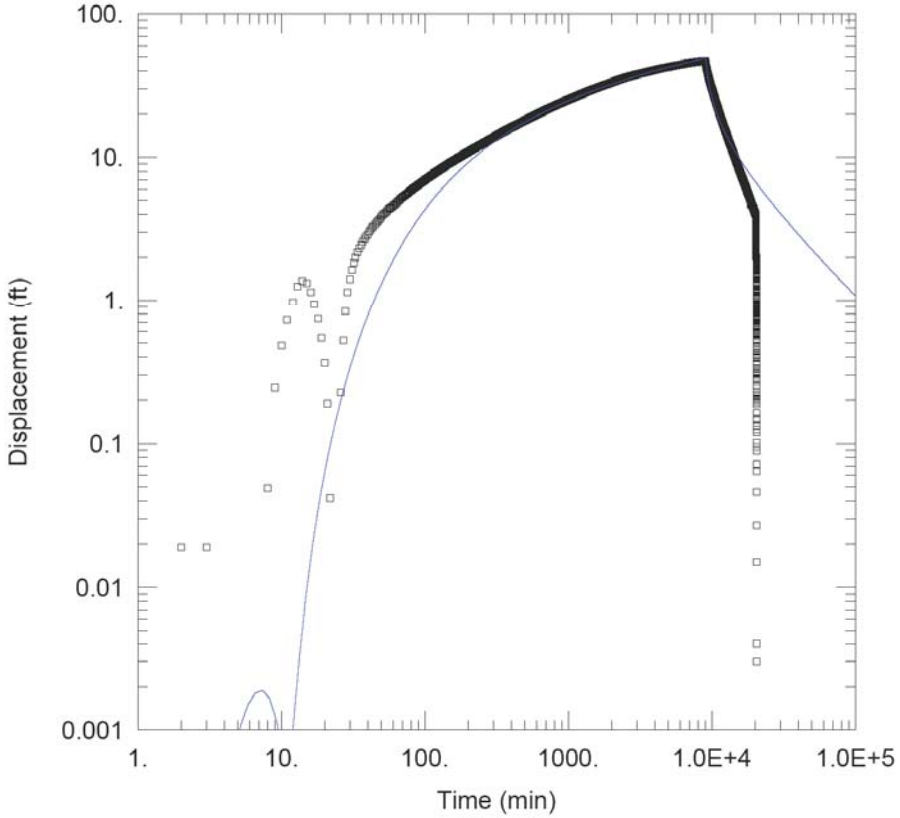
Well Name	X (ft)	Y (ft)
V816	197	0

SOLUTION

Aquifer Model: Confined
Solution Method: Theis

T = 1106.4 ft^2/day
S = 0.00543
Kz/Kr = 0.1
b = 385. ft

Figure 4a. Papadopulos-Cooper Method Assuming a Confined Aquifer



WELL V817 IN ROSE VALLEY - SHORT-TERM PUMPING TEST

Data Set: Y:\Water Rights\Rose Valley\AQTESOLV files\V817 w-V816 obs 2nd test.aqt
Date: 06/01/09 Time: 09:31:37

PROJECT INFORMATION

Company: LADWP
Project: Haiwee Reservoir Seepage Recov
Location: Roze Valley
Test Well: V817
Test Date: 4/7-13/2009

AQUIFER DATA

Saturated Thickness: 385. ft Anisotropy Ratio (Kz/Kr): 0.1

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
V817	0	0

Observation Wells

Well Name	X (ft)	Y (ft)
V816	197	0

SOLUTION

Aquifer Model: Confined Solution Method: Papadopulos-Cooper

T = 1107.6 ft^2/day S = 0.005408
r(w) = 1. ft r(c) = 0.75 ft

Appendix B: MOU – Coso and LADWP

Memorandum of Understanding (MOU) by and between Coso Operating Company ("Coso") and the City of Los Angeles Department of Water and Power ("LADWP"), collectively referred to as the "Parties"

Coso and LADWP desire to enter into a Memorandum of Understanding to memorialize their understanding regarding Coso's Hay Ranch Water Extraction and Delivery System (Inyo County Conditional Use Permit (CUP 2007-003) Application SCH #2007101002) ("Coso Hay Ranch Project") and LADWP's watergathering or Haiwee Reservoir seepage recovery and other activities in the region.

RECITALS:

Coso has been granted a 30-year Conditional Use Permit to extract groundwater from two existing wells on Coso's Hay Ranch property in Rose Valley, which is approximately ½ mile south of Dunmovin and two miles north of Coso Junction (to the east of, but adjacent to, U.S. Highway 395). The extracted water will be piped approximately nine miles east of the wells and be delivered to Coso's geothermal reservoir, which is located in the northwest area of the China Lake Naval Air Weapons Station. The extracted water will provide the additional supplemental injection water needed by the geothermal power generating facilities in order to offset declines in its productivity and increase renewable production to previous levels.

On May 6, 2009, the Inyo County Board of Supervisors approved Inyo County CUP 2007-003.

The parties recognize that the County of Inyo has jurisdiction to approve the Coso Hay Ranch Project and to make decisions with respect to final mitigation measures. LADWP owns approximately 314,000 acres of land in the Eastern Sierra region, including Haiwee Reservoir, which is used to generate power and as a terminal reservoir for the water supply for the City of Los Angeles.

The City of Los Angeles possesses groundwater rights as an overlying landowner in the Eastern Sierra region. The City of Los Angeles also maintains the rights to recover water it has stored or caused to be stored beneath its lands, subject to applicable legal requirements.

The City of Los Angeles and the County of Inyo are parties to an agreement for the long-term groundwater management in Inyo County, which states: "The overall goal of managing the water resources within Inyo County is to avoid certain described decreases and changes in vegetation and to cause no significant effect on the environment which cannot be acceptably mitigated while providing a reliable supply of water for export to Los Angeles and for use in Inyo County."

LADWP foresees the implementation of 1) a project to store water from the Los Angeles Aqueduct when available and to pump back same water when needed; and 2) a project to recover the water that has leaked to the groundwater table from Haiwee Reservoir. These projects are known as the Aquifer Storage and Recovery (ASR) project and the South Haiwee Reservoir Seepage Recovery (SHRSR) project. Additionally, LADWP, reserves the right in the future to exercise its overlying groundwater rights for other purposes

consistent with its mission, subject to applicable legal requirements. Collectively, these projects are known as the "Recovery Projects."

LADWP-owned wells (V816 &V817), approximately 1.5 miles north of Coso's Hay Ranch, are integral parts of the Recovery Projects.

Coso operates three power facilities that will receive water from the Coso Hay Ranch Project. Coso represents that each of these facilities is a qualifying facility under the Public Utilities Regulatory Policies Act 16 USC §2601 *et seq.* ("PURPA") and is, therefore, exempt from Federal Energy Regulatory Commission jurisdiction.

Agreement

1. The Parties seek to maintain a cooperative working relationship outside of the mitigation measures the County of Inyo has required for the Coso Hay Ranch Project contained in the Hydrologic Monitoring and Mitigation Plan (HMMP) portion of the Coso Hay Ranch Project Environmental Impact Report ((EIR) (Table 2-1, Appendix C4)). The HMMP was established to mitigate any detrimental effects of Coso's pumping on groundwater levels and water resources to "below a level of significance" under the California Environmental Quality Act.

2. LADWP agrees not to file a writ of mandate or otherwise participate in or support in any legal challenge of the Coso Hay Ranch Project based on the County of Inyo's approval of the Environmental Impact Report and Conditional Use Permit on May 6, 2009. If Coso breaches any of the covenants contained within this MOU, LADWP shall have the right to immediately terminate this MOU and may challenge the Coso Hay Ranch Project in any manner it deems appropriate.

3. The Parties understand that LADWP, as a public agency, is subject to the requirements of the California Public Records Act (Government Code §6250 et seq., "CPRA") and the Ralph M. Brown Act requirements for open meetings for local legislative bodies (Government Code §54950 et seq.) and therefore, it must allow members of the public the opportunity to inspect and copy public records within its possession.

4. Aquifer Pumping Test of LADWP well W817.

    a. Prior to May 29, 2009, LADWP intends to conduct a short-term pump test of LADWP's well V817.

    b. Prior to May 29, 2010, LADWP intends to conduct a long-term test of LADWP's well V817 for up to two (2) months, unless the parties agree to a different time period. (Long-Term Test).

    c. LADWP plans to install water level monitoring equipment on its wells, including V816, V817, and other LADWP wells located to the north of

V817 and two private monitoring wells, the Dunmovin and Calpomus wells.

d. During the test period, Coso will monitor the two monitoring wells on its Hay Ranch property and provide monitoring data to LADWP.

e. LADWP will analyze the data collected during the course of the test and for a period afterwards (approximately two weeks to determine the aquifer characteristics in the vicinity).

f. LADWP will provide Coso the data collected, the analysis methodology, the analysis results, and other data LADWP utilized in its analysis.

5. The Parties will work cooperatively to arrive at a mutually-agreeable depth-to-water baseline water level for LADWP's monitoring well V816 based on past 10 year water levels in this well and the results of LADWP's pumping test for the purposes of this Agreement.

6. Notwithstanding anything to the contrary set forth in this MOU, Coso agrees it shall not commence groundwater pumping for the Coso Hay Ranch Project until LADWP Trigger Levels are established. The parties agree that time is of the essence to establish LADWP Trigger Levels in accordance with the procedures outlined herein.

7. Coso and LADWP agree to utilize the same HMMP guidelines to apply to LADWP Well V816 (located at UTM coordinate of 3995339N and 413874E). The HMMP includes trigger levels, which require Coso to decrease or stop pumping when certain trigger levels are reached as set forth therein.

   a. Prior to June 30, 2009, LADWP will conduct a pump test and propose trigger levels for Coso's consideration. These trigger levels shall be known as LADWP Trigger Levels. The LADWP Trigger Levels may be changed based on data collected during the Long-Term test or other new information and with agreement between Coso and LADWP.

   b. The Parties will attempt to mutually agree upon the appropriate LADWP Trigger Levels for Well #816 on or before October 1, 2009.

   c. Coso agrees to abide by the LADWP Trigger Levels as long as it operates the Hay Ranch Project unless other trigger levels are universally agreed upon with Inyo County and LADWP without adverse impact to the rights of LADWP under this Agreement.

8. Coso agrees to subordinate its groundwater pumping rights to LADWP's Recovery Projects up to the amount of water ("Seepage Amount") which is determined to be seeping from Haiwee Reservoir, to the extent required by Inyo County as a mitigation measure for the Recovery Projects. If Inyo County identifies a potential impact on resources in connection with its approval process

related to LADWP's Recovery Projects, Coso agrees to reduce its groundwater pumping, as necessary, up to a maximum of the Seepage Amount to reduce the impact of LADWP's pumping to a level that does not cause a significant effect on the environment.

a. LADWP shall be responsible for all permits and environmental analysis for its Recovery Projects.

b. Coso shall support the goals of LADWP's Recovery Projects so long as they are carried out in accordance with all legal requirements and with this MOU.

c. Once the Recovery Projects commence, if LADWP's pumping up to the Seepage Amount causes the lowering of groundwater levels in monitoring wells listed in Table 3.2-7 of Coso Hay Ranch Draft EIR below trigger levels established by Inyo County, in accordance with HMMP, Coso will reduce its groundwater pumping by an amount equivalent to such LADWP's pumping. Coso will maintain its reduced pumping levels until groundwater levels return to levels above those established LADWP Trigger Levels.

d. Coso agrees that it has no right to pump water LADWP releases from the Los Angeles Aqueduct and stores in Rose Valley with the intention of pumping out at a later time. Such a project would be known as a conjunctive use project. Coso agrees not to oppose LADWP's proposed conjunctive use projects in Rose Valley so long as they are approved by Inyo County in accordance with all applicable legal requirements.

9. Dispute Resolution

a. If the parties are unable to agree upon appropriate LADWP Trigger Levels relative to this MOU by October 1, 2009, or future proposed changes to the LADWP Trigger Levels based on new information, or have disputes relating to other matters within this MOU, the matter shall be submitted to mediation/temporary arbitration for resolution.

b. If the parties have not agreed upon LADWP Trigger Levels prior to October 1, 2009, the parties shall submit the matter to Mediation/temporary arbitration on that date.

c. Three (3) mediators shall conduct Mediation/temporary arbitration unless the Parties to this agreement agree to a single mediator. One mediator shall be selected by Coso and one mediator shall be selected by LADWP. The two mediators selected by the parties shall select a third mediator. The selection of the mediators shall be complete within 15 days of the initial notice of dispute. Mediation/temporary arbitration shall be fully complete within 45 days.

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d. In the event of mediation, each party will pay its own costs and one-half of the costs of the mediation. If, by the forty-fifth day after a party has invoked mediation, there is no mediated resolution, the mediators shall present written findings to the Parties.

e. If a dispute over the initial establishment of LADWP Trigger Levels has not been resolved by December 14, 2009, Coso shall be able to commence groundwater pumping. Coso's groundwater pumping shall utilize a temporary LADWP Trigger Level established by the mediators. The temporary LADWP Trigger Level shall remain in effect until resolved by agreement of the parties or a final court order.

f. If LADWP determines a change of LADWP Trigger Levels is necessary based on the Long Term test or new information, it shall notify Coso in writing. Upon receipt of LADWP's notification, Coso shall respond in writing within 10 days. The parties shall meet and confer to attempt to resolve their disagreement. If, by the twentieth day after LADWP's original notice is sent, the parties disagree over whether new LADWP Trigger Levels are necessary, the mediation/temporary arbitration process shall commence. After the initial 30-day meet and confer period has lapsed, LADWP shall have the right to immediately seek equitable remedies (temporary and permanent restraining orders) from a court prior to the conclusion of the dispute resolution process.

g. If a dispute has not been resolved through mediation/temporary arbitration, a Party may submit that dispute or claim for resolution to the Superior Court of the State of California. Such claim shall be limited to the resolution of LADWP Trigger levels based on harm to LADWP's interests, but shall not extend to challenging the underlying conditional use permit and related approvals and environmental reports issued or certified for the Coso Hay Ranch Project by Inyo County.

h. The Parties agree that venue for any disputes involving this MOU shall be Los Angeles, California.

10. This MOU shall be effective upon execution by both Parties and shall expire in 30 years or upon the earlier termination of the Conditional Use Permit for the Coso Hay Ranch Project. LADWP shall have the right to terminate this MOU upon 90 days notice to Coso in the event of a change in circumstances that is not foreseeable.

11. The Parties must obtain written consent of the other Party prior to any assignment of rights not to be unreasonably withheld, other than to project lenders and equity participants. Upon assignment, this MOU shall be binding upon the Parties, their agents, successors, and permitted assigns. Coso shall provide LADWP with 30 days notice prior to assigning rights to project lenders and equity participants.

(9)

12. This MOU is the final integrated agreement between the Parties regarding the matters addressed herein, and may not be modified except in a writing signed by both Parties.

13. This MOU only covers what is written herein.
14. This MOU shall be construed in accordance with the laws of the State of California.

15. This MOU shall not create any rights in any third party.

16. Nothing in this MOU shall diminish the water rights of the City of Los Angeles.

17. In the event of breach, damages may not be sufficient as compensation. Equitable remedies, including without limitation specific performance, injunctive relief (temporary and permanent restraining orders) may be available to the Parties upon a proper showing of irreparable injury in a court of competent jurisdiction.

18. Both Parties represent they have the legal authority to perform and carry out all covenants and obligations to be performed under and pursuant to this MOU. The execution, delivery and performance by both parties has been duly authorized by all necessary action, and do not and will not require any consent or approval of senior management or governing bodies, other than that which has been obtained.

19. This MOU may be signed in counterparts. Signatures sent via facsimile or electronic mail shall be valid.

Executed this 5 day of June, 2009.

COSO OPERATING COMPANY, LLC

By_____

Joseph C. Greco
Senior Vice President

CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER

By_____

H. David Nahai, Chief Executive Officer
and General Manager

Appendix C: Updated Habitat Assessment

Updated Habitat Assessment for the Initial Study and Mitigated Negative Declaration for Water Pipeline Installation Project- Well V817 to the First Los Angeles Aqueduct

October 4, 2013

Los Angeles Department of Water and Power
300 Mandich Street
Bishop, California 93514
Contact: Mr. Dave Martin
(760) 873-0312

Summary of this Document

This document assesses the potential environmental impact(s) of the proposed route of the Project, as required by the California Environmental Quality Act (CEQA) (California Public Resources Code 21000 et seq.) and in compliance with the State Guidelines (Title 14 California Code of Regulations). A habitat assessment was conducted for the project by Los Angeles Department of Water and Power (LADWP) biologists on July 29, 2012. ESA Consultants utilized this habitat assessment for the current proposed Project route and included the resulting information in the Mitigated Negative Declaration (MND). However, the 2012 biological assessment conducted by LADWP biologists covered *only* an alternative project route to the north of the current proposed route, which was not discussed in the MND.

The Los Angeles Department of Water and Power, as Lead Agency under CEQA, will consider the potential environmental impacts of the proposed Project updated habitat assessment. This is an informational document, intended to be used in the planning and decision making process as provided for under Section 15164 of the CEQA guidelines.

The fundamental conclusion of this document is that the corrected habitat assessment to the Project will not result in any new significant environmental impacts and will in fact, substantially decrease the severity of previously disclosed impacts already identified by ESA consultants in the MND. Thus, a subsequent or supplemental MND need not be prepared.

California Environmental Quality Act

Under CEQA Guidelines Section 15073.5, recirculation of a negative declaration that has been revised is not required under certain circumstances. One applicable circumstance is the incorporation of new project revisions in response to written or verbal comments on

the project's effects identified in the proposed negative declaration which are not new avoidable significant effects. This updated habitat assessment serves as a response to a written comment received from the California Department of Fish and Wildlife. The findings of the updated habitat assessment have also led to revisions of the mitigation measures for biological resources.

Background

A MND for the Project was drafted to analyze the potential environmental impacts of installing an 8-inch PVC pipe along a dirt access road that would extend approximately 1,542 linear feet from well V817 and connect to the first Los Angeles Aqueduct (LAA1) at a concrete access box at Station 156+94. Additionally, well V817 would be equipped to pump approximately 1.5 cubic feet per second (cfs) of water through the new pipe to the LAA1 with a 100 horsepower submersible pump and motor. The MND anticipated the construction of the new pipeline along an existing dirt road through an old abandoned agriculture field, located on LADWP –owned land in the Rose Valley area of Inyo County, east of Highway 395 and south of Haiwee Reservoir.

Updated Habitat Assessment

On September 26th, 2013 a biological assessment was conducted for the proposed pipeline route between well V817 and LAA1 by LADWP biologists to evaluate the potential for the federally and state threatened desert tortoise (*Gopherus agassizii*), the state threatened Mohave ground squirrel (*Spermophilus mohavensis*), and the burrowing owl (*Athene cunicularia),* a state listed Species of Special Concern. The survey route included walking a dirt road from the LA Aqueduct Station to the V817 well with a 200-ft buffer on both sides of an existing dirt road through the middle of a heavily disturbed agricultural field (refer to Figure 1).

Overall, vegetation within the Project site is very sparse (refer to Attachment 1). The dominant vegetation was creosote bush (*Larrea tridentata*) and allscale (*Atriplex Polycarpa*). Other plant species present include spiny bur-sage (*Ambrosia dumosa*), cheesebush (*Hymenoclea Salsola* var. *salsola*) and non-native Russian thistle (*Salsoa tragus).* There were two annuals present during the time of the survey, including manybristle cinchweed *(Pectis papposa var. papposa)* and a non-native agricultural weed, red-stemmed filaree (*Erodium cicutarium).* There is an approximate 150-ft long section of the route on the west side of the proposed Project from the LAA1 to a fence that has a community of creosote bush, allscale, and cheesebush more dense compared to the rest of the plant community along the 200-ft buffer (refer to Attachment 1 photos 1-4). Headed northeast along the Project route is an estimated 1,200-ft of the

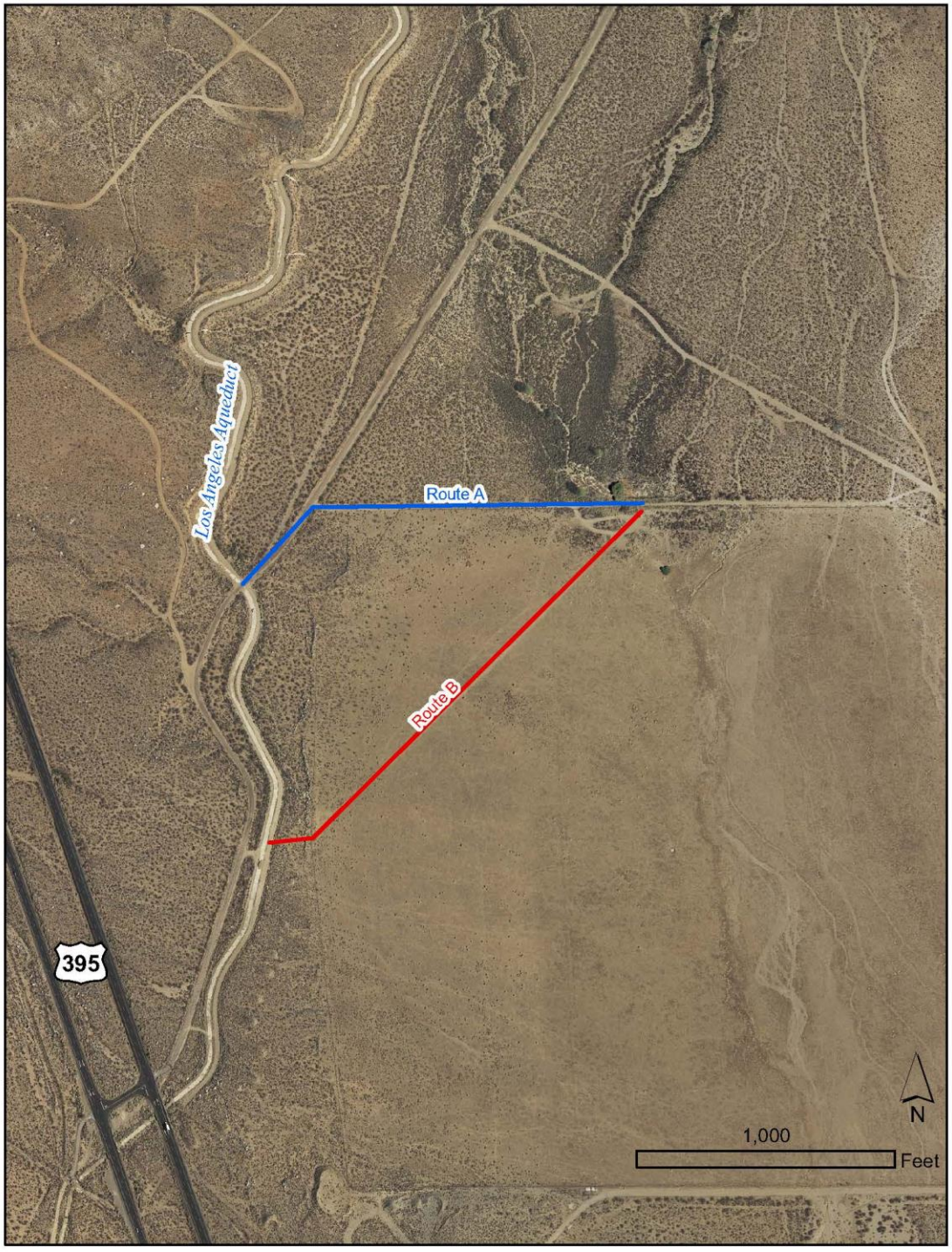

Figure 1. The updated habitat assessment for the proposed pipeline was conducted along Route B, whereas the original habitat assessment conducted by LADWP biologists and incorporated into the MND by ESA consultants was conducted along Route A.

route that is almost barren in all directions, with a few allscale bushes scattered to the north and south of the Project route (refer to Attachment 1 photos 5-8). The remaining 200-ft of proposed route at the northeast end of the project where the pipeline would connect to well V817 is an open barren circular area that may have once been utilized for parking or staging equipment. Allscale is dense outside this barren area and there is a red willow (*Salix laevigata)* and dead cottonwood (*populous fremontii)* to the north as well as a large non-native saltcedar (*tamarix ramosissima)* to the south (refer to Attachment 1, photos, 9-12).

Bird species observed along the route included loggerhead shrike (*Lanius ludovicianus*), horned lark (*Eremophila alpestris*) and common raven (*Corvus corax*). Along the northeast end of the Project approximately 300-ft southeast of the V817 well where a large saltcedar is present, a Wilson's warbler (*Cardellina pusilla*) and a northern flicker (*Colaptes auratus*) were observed.

The proposed Project is close to geographic locations where desert tortoise and Mohave ground squirrel have been found present. The desert tortoise is seldom seen above ground during the day. However, the presence of this species can be detected by locating burrows, tracks, scat or carcass remains. No sign was observed to detect presence of this species. The Mohave ground squirrel emerges from hibernation in early to late March and estivation begins between July and September (depending on the amount of precipitation in a given year). Normally the presence of this species is determined by trapping. However, no burrows were observed large enough to house any squirrel species, which would include a perfect round vertical hole a minimum of 2-inches in diameter at the base of a shrub. No burrows with these characteristics were found. There was presence of small rodent burrows scattered sparsely throughout the Project route and 200-ft buffer. These burrows were approximately 1-1.5 inches in diameter with horizontal entrances in open exposed substrate, and most likely are being occupied by mice and kangaroo rats in the Heteromyidae family. Another way to determine presence of Mohave ground squirrel is by evaluating the habitat characteristics present in an area. This species requires soft sand or alluvial substrate for burrow excavation, which is present within the Project. The second and most important requirement is food availability. Mohave ground squirrels eat the leaves and seeds from specific shrubs and forbs. The vegetation communities in which they subsist is variable; however, four primary important forage species include boxthorn (*Lycium cooperi*), Anderson's wolfberry (*Lycium andersonii*), blackbush (*Coleogyne ramosissima*) and winterfat (*Krasscheninnikovia lanata*). These species are not present within the Project site. Secondary species that help determine foraging habitat for Mohave ground squirrels include goldenhead (*Acamptopappus sphaerocephalus*), indigo bush (*Psorothamnus arborescens*), Cooper's goldenbush (*Ericameria cooperi*), spiny bur-sage, and cheesebush. Of these species, only spiny bur-sage and cheesebush were found present within the Project route and buffer and their presence is very sparse. Based on the lack of sign, as well as the lack primary forage species and sparse thermal and hiding cover within the Project, suitable habitat for Mohave ground squirrels is not present. Burrowing owl (Athene cunicularia), a state listed Species of Special Concern can also potentially be found in the area. However, no burrowing owls, burrows large enough to support owls (4.5" in diameter or greater), or burrowing owl sign (tracks,

pellets) were observed on the proposed project site or in the surrounding areas during the habitat assessment.

Conclusion

Based on the corrected habitat assessment, a temporary disturbance of 0.89 acres from the proposed Project through an abandoned agricultural field would not result in any significant environmental impacts to wildlife or plant species. The results of the corrected habitat assessment have determined there will be a decrease in potential significant environmental effects previously considered in the MND. Therefore, the "mitigation" measures identified in the original MND are proposed to be revised to reflect this conclusion. The revisions made to the biological resources minimization and avoidance measures can be found in Section 3.4.a Biological Resources.

Attachment 1

Photo 1-from LAA1 looking east along route towards fence

Photo 3-from fence looking east along route

Photo 2-from fence looking north off of route

Photo 4-from fence looking south off of route

Attachment 1

Photo 5-standing half-way along route looking west towards fence

Photo 7-standing half-way along route looking east

Photo 6-standing half-way along route looking north

Photo 8-standing half-way along route looking south

Attachment 1

Photo 9-east end of route looking west

Photo 11-east end of project looking east to the V817 well

Photo 10- east end of route looking north

Photo 12-east end of project looking south