



ANTONIO R. VILLARAIGOSA
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December 16, 2008

NOTICE OF PREPARATION

To: State Clearinghouse, Responsible and Trustee Agencies, and Interested Individuals and Organizations

Subject: Notice of Preparation of a Supplemental Environmental Impact Report for the Owens Lake Revised Moat and Row Dust Control Measures Plan

Project Title: Owens Lake Dust Mitigation Plan

The City of Los Angeles Department of Water and Power (LADWP) will be the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and will prepare a Supplemental Environmental Impact Report (SEIR) for the *Owens Lake Revised Moat and Row Dust Control Measures Plan*. The SEIR will be a supplement to the *2008 Final Subsequent Environmental Impact Report (2008 FSEIR)* which was adopted on February 1, 2008 by the Great Basin Unified Air Pollution Control District (GBUAPCD). The SEIR is being prepared to evaluate the potentially significant environmental effects related to minor additions and changes to dust control measures previously approved for construction within the Owens Lake Planning Area.

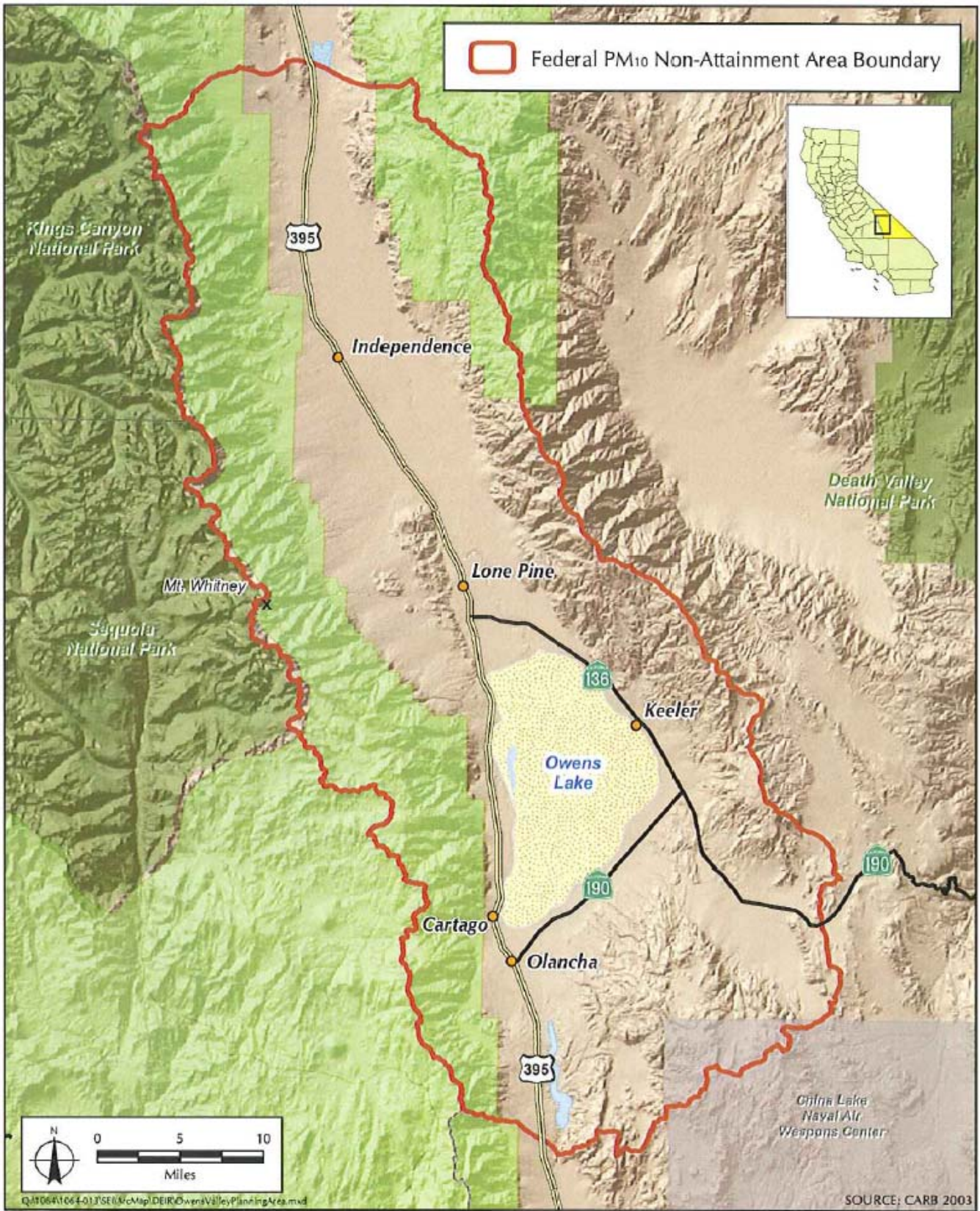
LADWP is requesting the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. To the extent that your agency has authority to issue permits or take other actions related to the project, your agency will be able to use the SEIR when considering your permit or other approval for the project. LADWP is also requesting comments regarding environmental issues associated with the proposed project from interested individuals and organizations.

PROJECT LOCATION

The proposed project encompasses approximately 3.5 square miles of the 110 square-mile dry Owens Lake bed (which is part of the Owens Lake Planning Area) located in Owens Lake. Owens Lake is located approximately 5 miles south of the community of Lone Pine and approximately 61 miles south of the City of Bishop. In addition, Owens Lake is located approximately 11 miles east of the easternmost boundary of Sequoia National Park and located approximately 19 miles west of the westernmost boundary of Death Valley National Park. Owens Lake is bounded by Highway 136 to the north, Highway 190 to the south, and Highway 395 to the west. A portion of the project is adjacent to the California Department of Fish and Game's Cartago Springs Wildlife Area (see Exhibits 1 and 2).

Water and Power Conservation ... a way of life

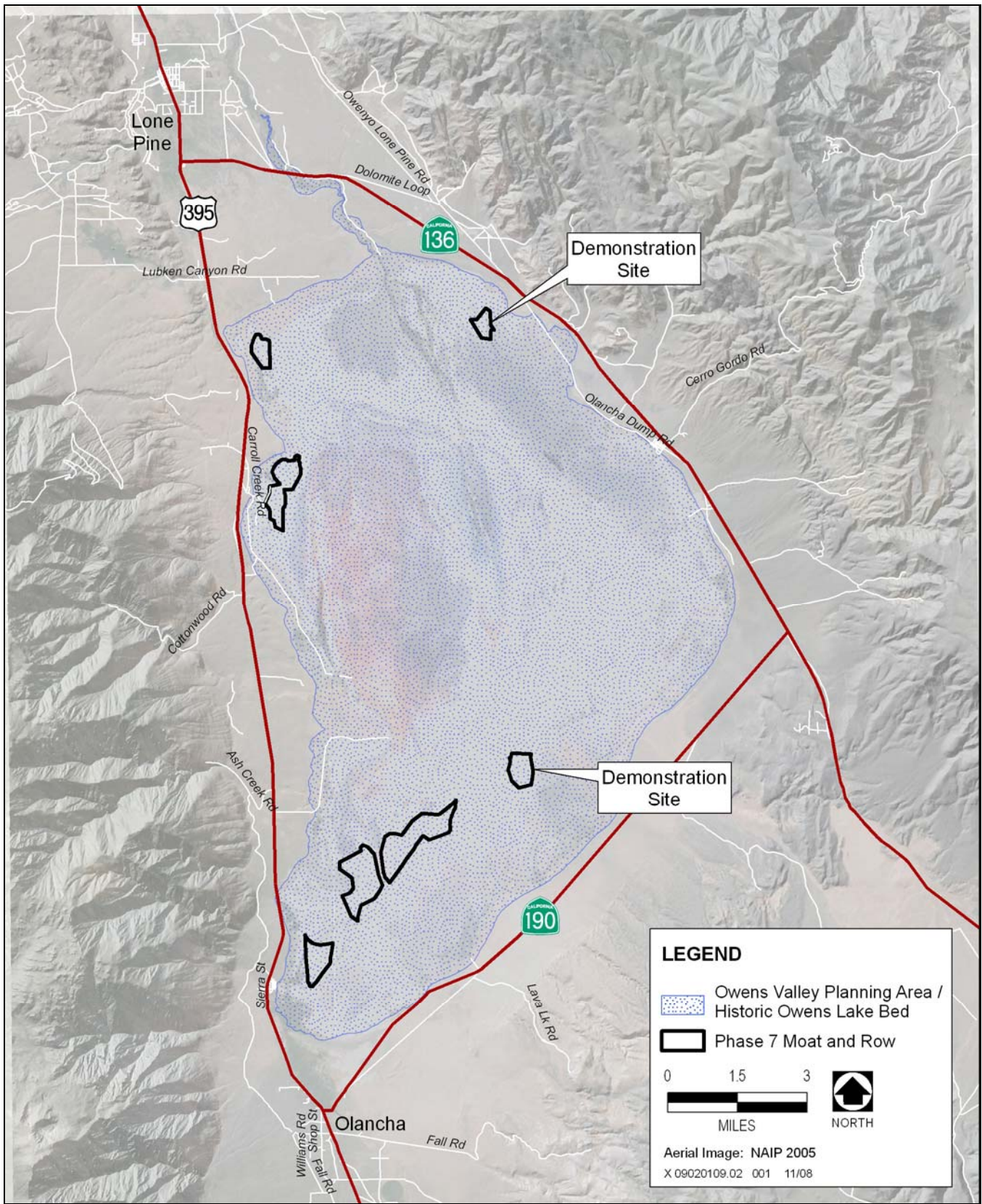
111 North Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles 90051-5700
Telephone: (213) 367-4211 Cable address: DEWAPOLA



Source: Adapted by EDAW 2008

Regional Location

Exhibit 1



Source: Adapted by EDAW 2008

Project Location

Exhibit 2

PROJECT BACKGROUND

The GBUAPCD regulates fugitive dust (PM₁₀) emissions in the Owens Lake Planning Area consistent with the requirements of the National Ambient Air Quality Standards (NAAQS). Prior to construction of dust controls in 2000, the dried Owens Lake bed, within the Owens Lake Planning Area, was the largest single source of PM₁₀ emissions in the United States, with annual PM₁₀ emissions of more than 80,000 tons and 24-hour concentrations as high as 130 times the federal air quality standard. The fugitive dust emissions at Owens Lake are the result of prevailing winds passing over the exposed lake bed. The dry lake bed is a result, in part, of LADWP's long-term diversion of water, which would otherwise feed the lake, from the Eastern Sierra to the City of Los Angeles via the Los Angeles aqueduct.

In 1987 the U.S. Environmental Protection Agency (EPA) designated the Owens Lake Planning Area as non-attainment for the NAAQS for PM₁₀. The GBUAPCD is the agency designated by the EPA and State of California to develop, implement and enforce a plan that addresses the problem. As a result, GBUAPCD was required to prepare a state implementation plan (SIP) that demonstrates how the NAAQS for PM₁₀ would be attained. GBUAPCD adopted SIPs for the Owens Lake Planning Area in 1997 and 1998. The SIP was then forwarded to the EPA who then approved the 1998 SIP. The 1998 SIP and its associated environmental document evaluated and approved the implementation of a variety of dust control measures (DCMs) on 19.4 square miles of the lake bed. The SIP also identified that GBUAPCD would continue to study the lake bed and revise the SIP to address changing conditions within the lake bed and/or to implement newer or more efficient dust control measures that were developed over time. Through monitoring of the lake bed and the effectiveness of dust control strategies already in place, GPUAPCD revised the SIP in 2003 to expand the area where dust control measures would be implemented by 10.4 square miles and required that LADWP implement all new DCMs by December 31, 2006. With approval for the 2003 Revised SIP, which was also approved by the California Air Resource Board, a total of 29.8 square miles of DCMs were implemented on Owens Lake by the end of 2006. Both the 1998 SIP and 2003 Revised SIP underwent comprehensive environmental review in compliance with CEQA. Table 1 describes the environmental documents prepared to address the DCMs proposed for the 1998 SIP and 2003 Revised SIPs as well as previous environmental documents addressing dust control within the Owens Lake Planning Area.

Table 1
Environmental Documents Addressing Dust Control Measures within the Owens Lake Planning Area

Adopted SIP	Environmental Document	Subject
1997 and 1998 Owens Valley PM₁₀ Planning Area Demonstration of Attainment SIPs	<i>Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Final Environmental Impact Report (1997)</i> , SCH Number 1996122077; GBUAPCD CEQA Lead Agency	This environmental document evaluated implementation of DCMs for approximately 19.4 square-miles within the Owens Lake Planning Area. DCMs evaluated and approved in this document included shallow flooding, managed vegetation, and application of gravel.
	<i>Owens Valley PM₁₀ Planning Area Demonstration of Attainment SIP Addendum No.1 to the Final Environmental Impact Report (1998)</i> , SCH Number 1996122077; GBAPCD CEQA Lead Agency	This environmental document addressed changes to the 1997 SIP project description approved in a MOA (July 28, 1998) between GBUAPCD and City of Los Angeles. No new or expanded DCAs were approved.

**Table 1
Environmental Documents Addressing Dust Control Measures within the Owens Lake Planning Area**

Adopted SIP	Environmental Document	Subject
<p>2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment SIP</p>	<p><i>2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment SIP Integrated Environmental Impact Report (February 2004)</i>, SCH Number 2002111020; GBUAPCD CEQA Lead Agency</p>	<p>The 2003 SIP was prepared in response to monitoring data on the effectiveness of DCMs implemented as part of the 1997 SIP. This environmental document evaluated implementation of an additional 10.4 square miles of DCMs (i.e., shallow flooding, managed vegetation), mainline and drainline water pipeline connections, subsurface drainage system improvements, power supply and control facilities, fertilizer and water treatment injection systems, utility corridors, power cables and access roads, and construction corridors. A total of 10.4 square miles of DCMs were approved with this project bringing the total area of DCMs approved to 29.8 square miles (19.4 square miles approved with 1997 SIP).</p>
	<p><i>Environmental Impact Report Addendum No. 1 to the 2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment SIP (2004)</i>; SCH Number 2002111020; LADWP CEQA Lead Agency</p>	<p>This environmental document evaluated the exchange of 1.3 square miles of DCAs originally designated for managed vegetation to shallow flooding and the addition of 223 acres of shallow flooding outside the area analyzed in the 2003 SIP EIR.</p>
<p>2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan</p>	<p><i>2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Integrated Subsequent Environmental Impact Report (2008)</i>, SCH Number 2007021127; GBUAPCD CEQA Lead Agency</p>	<p>This environmental document evaluated implementation of an additional 15.1 square miles of DCMs within the Owens Lake Planning Area. DCMs evaluated and approved included shallow flooding, moat and row, and application of gravel.</p> <p>Approximately 3.5 square miles of moat and row DCMs were evaluated and approved in this project.</p>
	<p align="center">– SUBJECT OF THIS NOP-</p> <p><i>Supplemental Environmental Impact Report for the 2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan (December 2008)</i>; LADWP CEQA Lead Agency</p>	<p>This environmental document evaluates changes to the design and operation and maintenance plan for the 3.5 square miles of moat and row DCMs evaluated within the 2008 SIP environmental document. No expanded DCAs are considered.</p>

The 2003 Revised SIP contains provisions requiring the GBUAPCD to continue monitoring dust emissions from the lake bed and to identify any additional areas beyond the 29.8 square miles of DCAs that may require DCMs in order to meet NAAQS for PM₁₀. As a result of the continued monitoring, the GBUAPCD identified up to 15.1 additional square miles of which 9.2 square miles will be shallow flood, 3.5 square miles will be moat and row, 1.9 square miles will be study areas and 0.5 square miles will be channel areas. The study areas and the channel areas may or may not require mitigation. Please see Table 2 below. These additional DCAs were outlined in the

2008 SIP. The environmental impacts were evaluated as part of the 2008 *Final Subsequent Environmental Impact Report* (see Table 1). Specific details regarding the operation and maintenance of the moats and rows were not available at the time the Subsequent EIR was certified and, therefore, could not be evaluated at a project-level of detail.

After publication and certification of the 2008 FS EIR, the California Department of Fish and Game (DFG) and the California State Land Commission (CSLC) raised concerns over specific features of the project-level description of the moat and row DCM and its impact on wildlife, as well as other issues.

**Table 2
2008**

Supplemental Dust Control Area/Measure	Square Miles	Acres	Percentage
Shallow Flood	9.2	5,888	61%
Moat & Row	3.5	2,240	23%
Study Area	1.9	1,216	13%
Channel Area	0.5	320	3%
Total Proposed Project Area	15.1	9,664	100%

In response to comments received, LADWP refined the design of the moat and row DCM to address DFG's concerns regarding wildlife impacts and developed additional details regarding the operation and maintenance plan. These refinements are the subject of this SEIR. The SEIR will be a supplement to the 2008 *Final Subsequent Environmental Impact Report*. While GBUAPCD was the CEQA lead agency for the 2008 FS EIR, it has taken its final action regarding the proposed project and it was agreed to by GBUAPCD and the responsible and trustee agencies, the California State Lands Commission and California Department of Fish and Game (CDFG), that LADWP would be the CEQA lead agency for the SEIR.

To comply with CEQA, LADWP is preparing a project-level SEIR for the construction and operation of up to 3.5 square miles of moat and row DCMs, based on the refined design and the operations and maintenance plan. The refined plan may result in some environmental impacts that were not identified or assessed in the 2008 FS EIR. LADWP has determined that a supplemental EIR is appropriate, based on Section 15163 of the CEQA Guidelines. A supplemental EIR is generally required when modifications to a project are made, following project approval, and the modifications result in one or more significant environmental effects that were not previously addressed. The supplemental analysis need only address the new significant impacts resulting from the project modification. The supplemental EIR will be prepared in accordance with CEQA and the CEQA guidelines. A draft of the supplemental EIR will be circulated for public comments and responses to those comments will be prepared. The lead agency is required to consider the supplement, together with the prior certified EIR, in determining the full extent of project impacts if it chooses to approve the project.

LADWP has prepared an Initial Study (IS) consistent with the requirements of CEQA (CEQA Guidelines Sections 15060 through 15065), to identify those areas or elements of the project that have been appropriately evaluated in previously approved environmental documents and to determine whether the proposed project would result in any new significant environmental effects that have not been previously evaluated and mitigated to the maximum extent practicable. Based on the results of the IS, LADWP has determined that with the exception of four resource areas (biological resources, construction-related air quality, construction-related traffic, and visual resources), the project would not result in any new potentially significant environmental impacts that were not sufficiently addressed and mitigated in previous environmental documents.

PROJECT DESCRIPTION

LADWP proposes to reduce dust emissions in the Owens Lake Planning Area in order to eliminate exceedances of the federal particulate matter (PM₁₀) standard, through the construction of a landform feature called moat and

row. The moat and row dust control measure, as initially configured, is a method of dust control that does not require the addition of supplemental water to reduce dust emissions from the lake bed. A moat and row element is up to an 89-foot wide disturbed linear corridor that consists of an earthen berm (row) approximately 5-foot-high with 1.5:1 (horizontal to vertical) sloping sides and a base of up to 19 feet wide, an access road on both sides of the row of up to 15 feet wide, flanked on the other side by ditches (moats) approximately 4 to 5.5-foot-deep and up to 20 feet wide at the widest point. Rows serve as wind breaks and the primary function of the moats is to capture sand. Moat and row elements would typically be arrayed in a grid pattern oriented to be perpendicular with the primary and secondary wind directions. Minimum spacing of the elements will be approximately 100 feet center to center. Generally, the rows would run the length of the dust control area (DCA) with breaks in the rows at distances determined to be suitable for the habitat requirements for biological species present in the area as determined through the SEIR analysis. Other features that would be constructed within the moat and row DCAs include sand fences. Sand fences are generally constructed of a mesh fabric up to 5-foot tall with 14-inch diameter round or square stainless steel or arsenic-free wood treated posts supporting the fabric. The sand fences would be placed on top of rows or in open playa areas as determined to be appropriate through on-site monitoring of prevailing wind direction and speed. A detailed description of the project is provided in the attached IS.

Construction of the moat and row DCMs may also include the application of a variety of enhancements within the moat and row areas to gain greater dust control efficiencies within the Owens Lake Planning Area. These enhancements would be implemented in response to air quality monitoring of PM₁₀ emissions in the moat and row DCAs. Five enhancement options would be considered and are evaluated as part of this SEIR as described below.

SHALLOW FLOOD ENHANCEMENTS

This enhancement would involve applying water to the lakebed surface during the dust emission season (i.e., October 1 through June 30) to stabilize air emission areas. The water would flood the playa between the moat and row elements and would sufficiently wet surface soils to prevent dust emissions.

MANAGED VEGETATION ENHANCEMENTS

This enhancement would be implemented within the moat and row elements and/or in open playa areas between moat and row elements. The enhancement would involve planting local, native drought- and/or salt-tolerant plant species. The root systems of the plants would serve to stabilize emissive or eroding areas and the plants would shelter the soils from blowing winds. Vegetation would be irrigated through the construction of an irrigation system that may include drip, surface flood, and/or sprinkler irrigation systems.

MOAT AND ROW AUGMENTATIONS

This enhancement involves the construction of additional moat and row elements between previously constructed moat and row elements to shorten unobstructed space (i.e., open playa areas) within the lake bed, provide a greater number of features to capture mobile sand, and reduce the rate of dust emissions. The additional moat and row elements would generally be constructed in between originally constructed moat and row elements, either in a parallel or perpendicular direction. This enhancement would be implemented if existing moat and row elements are determined to not be sufficiently controlling PM₁₀ emissions. In no case would the additional moat and row elements increase the density beyond the 100-foot center-to-center minimum spacing specified above.

ROW ARMORING ENHANCEMENTS

This enhancement would apply crushed rock or gravel on the side slopes of the rows and the access roads adjacent to the rows to reduce dust emissions in these areas. The gravel would provide a protective cover over surface soils to prevent dust emissions. This enhancement would not allow the placement of gravel on open playa areas outside the disturbed moat and row areas.

APPLICATION OF BRINE ENHANCEMENTS

This enhancement would apply brine to the moat and row side slopes and to access roads within the moat and row DCAs. Brine is water with a heavy concentration of salt. Brine is produced in shallow flooding DCAs on Owens Lake. Brine pipelines have been constructed within the shallow flooding areas to collect the brine. The brine would be collected from the brine pipelines in the shallow flooding areas and delivered to the moat and row DCAs via water trucks. The brine would stabilize surface soils by creating a hardened salt crust (through the evaporation of water) on top of the emissive soils that would substantially reduce dust emissions. This enhancement would not allow the application of brine on open playa areas outside the disturbed moat and row areas.

POTENTIAL ENVIRONMENTAL EFFECTS

Based on the analysis prepared in the attached IS, the potential environmental effects of the proposed project that will be addressed in the SEIR will include, but may not be limited to, the following:

- ▶ Biological Resources
- ▶ Aesthetics
- ▶ Construction-related Air Quality
- ▶ Construction-related Transportation/Traffic

PUBLIC COMMENT PERIOD

The 30-day public comment period for this NOP will commence on December 16, 2008 and conclude on January 13, 2009. Copies of the NOP and IS will be available for review at the following locations:

- ▶ Inyo County Free Library, 168 N. Edwards Street, Independence, CA, 93526, (760) 878-0260
- ▶ Big Pine Library, 110 North Main., Big Pine, CA, 93513, (760) 938-2420
- ▶ Lone Pine Branch Library, South Washington Street, Lone Pine, CA, 93545, (760) 876-5031
- ▶ Bishop Branch Library, 210 Academy Street, Bishop, CA, 93514 (760) 873-5115
- ▶ Ridgecrest Public Library, 131 E. Las Flores Avenue, Ridgecrest, CA, 93555 (760) 384-5870

A copy of the NOP will also be posted online at <http://www.ladwp.com/ladwp/cms/ladwp004156.jsp>. Please submit comments in writing to the address provided below. Comment letters must be received by 5:00 p.m. on January 13, 2009.

Department of Water and Power
City of Los Angeles
111 North Hope Street, Room 1044
Los Angeles, CA 90012
Contact: Tom Dailor
Fax: (213) 367-4710

If there are any questions regarding this Notice of Preparation, please contact Mr. Tom Dailor at (213) 367-0221.

PUBLIC MEETINGS

A public meeting will be held on January 7, 2009 at 6:00 p.m. in the community of Independence at the County Administrative Center, 224 North Edwards, to solicit input from interested parties on the proposed content of the Supplemental EIR. For more information, please contact Mr. Tom Dailor at the phone number listed above.

Date: 12/16/08

Signature: Thomas A. Dailor