

January 10, 2003

Lucinda Kamler
800 Keough Hot Springs Rd.
Bishop CA 93514 - 7205
#24

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

Comment Letter No. 151

Dear Mr. Martin:

I am writing to voice my opinions and concerns regarding the Lower Owens River Project Draft Environmental Impact Report and Environmental Impact Statement.

The potential of the LORP is tremendous and I hope that someday I will see a restored riparian habitat along the lower Owens River providing much-needed habitat for wildlife of all kinds.

However, the DEIR/EIS fails to describe essential components of the projects; in fact, it presents project alternatives in violation of the 1991 Long Term Water Agreement and project goals.

151-1

Pump station and delta flows: In the 1991 agreement, LADWP agreed to a maximum capacity pump station of 50 cfs; now you are seeking to triple that to a 150 cfs pump station. Please keep your word and **SELECT A 50 CFS PUMP STATION ALONG WITH 9 CFS ANNUAL AVERAGE DELTA BASEFLOWS, which** will allow maximum amount of water to the delta in order to meet the delta habitat goals.

151-2


Funding: The DEIR/EIS says that "monitoring and adaptive management" will only be adopted if funding is available. Without such management, full implementation of the LORP cannot happen successfully. Meet your legal obligations, commit to funding the entire project. **CHOOSE FUNDING OPTION TWO.**

151-3

Recreation Plan: The DEIR/EIS does not provide adequate plans for balancing differing recreational uses, grazing, and habitat protection. There are no plans for new and increased recreational uses—sure to happen as the habitat flourishes. Please make a **THOROUGH ASSESSMENT OF CURRENT AND POTENTIAL RECREATIONAL USE** in the area and come up with a **RECREATION MANAGEMENT PLAN** that will also protect natural habitats and cultural resources.

I urge LADWP to stop its delays and counter-proposals, abide by the water agreement, and work to make the LORP a model project.

Sincerely,


Cindy Kamler
Owens Valley Resident

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JAN 13 2003

AQUEDUCT MANAGER
SPACE ADMINISTRATIVE OFFICE

January 14, 2003

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

Dear Mr. Martin,

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

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

- 152-1 1) Size of the pump station and delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. LADWP has not justified using a pump station that is three times larger than the water agreement allows. A larger pump station won't allow enough water to reach the delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the water agreement.
- 152-2 2) Funding: Monitoring and adaptive management are absolutely essential to the success of the LORP, but the DEIR/EIS repeatedly states that funding limitations may prevent their full implementation. To meet its obligations, LADWP should select funding option 2, which is the only option that adequately funds the LORP.
- 152-3 3) Recreation plan: There is no recreation plan in the DEIR/EIS, nor is there a description of current and anticipated recreational uses of the LORP area. The document should contain a thorough assessment of current and potential recreational use in the LORP area and a plan to manage that recreation in order to protect natural habitats and cultural resources.

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

Thank you for your consideration of my comments.

Sincerely,

Karen M. Kechn
Teacher, Pine Street School

January 10, 2003

P.O. Box 21
Bishop, CA 93515

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

Dear Mr. Martin,

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

Thank you for your consideration of my comments.

Sincerely,

Vanessa Keller

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AQUEDUCT MANAGER
BISHOP ADMINISTRATIVE OFFICE

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

Dear Mr. Martin,

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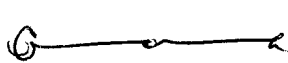
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Mr. Martin, the LORP is a valuable project, and I want it to work. I urge LADWP to abide by the terms of the Water Agreement and the goals of the project, thoroughly describe all management plans to the public, choose the least environmentally damaging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

Thank you for your consideration of my comments.

Sincerely,


ANDREA
P.O. Box 43
MAMMOTH LAKES
CA 93546


LAWRENCE

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JAN 13 2003

PROJECT MANAGER
SHOP & ADMINISTRATIVE OFFICE

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

Dear Mr. Martin,

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

I went to High School in the Owens Valley, graduating in 1978 from Big Pine High School. I now live in Bakersfield California but spend quite a bit of my recreational time in the Owens Valley because I so enjoy the natural beauty of the area. I have spent countless hours hiking trails from Mount Whitney to Convict Lake. I also return frequently for fishing trips and birdwatching outings, which means that I enjoy the free access that LADWP allows on their land. I am very excited about the great potential of the LORP and am hopeful that it will be successful beyond all our expectations. I am concerned, however, with what I feel are violations of the Water Agreement and MOU that LADWP has already signed and on which they have given their word.

155-1

Where does it state that the parties to the MOU agree that the pumpback station would be 150 cfs? A larger pump station will reduce the amount of water that will reach the delta during the seasonal flow. Water must flow into the delta and brine pool transition areas in order to provide wetlands for birds, some of which are threatened and endangered species. I suggest that LADWP ensure that they are not in violation of the Endangered Species Act, the Migratory Bird Treaty Act, and NEPA.

155-2

I am also concerned with the constant mention of "if funding is available" regarding the monitoring and adaptive management of the ecosystems that LADWP is supposed to "maintain, enhance, and create." "If funding is available" is an inadequate commitment too easily translated to "if it is a priority" as we all know the difficulty with funding issues. This must be a priority, well planned, including the basis for funding. LADWP is a public entity, and therefore responsible to the public to conduct itself in an honorable, respectable, and legal manner. To meet its obligations, LADWP must choose funding option 2, which is the only option that will insure the success of the LORP.

155-3

As a birdwatcher, I was disappointed at the brief and inadequate treatment given threatened, endangered and species of special concern. The Owens Valley has a long and impressive history of ornithology. If the LORP is successful, the next century will be even more impressive than the last. I hope that the final EIR/EIS will give the coverage to birds that were given to fish in the DEIR/EIS.

The LORP is an impressive and promising ecology project, one that will benefit all of the flora and fauna. If the environment is healthy, the plants and animals will be healthy. A healthy Owens Valley is a wealthy Owens Valley, in terms of nature, economics and the legacy left to our children and grandchildren.

Sincerely,

Kelli Levinson, M.A.
 1819 Locust Ravine
 Bakersfield, CA 93306

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JAN 14 2003

AQUEDUCT MANAGER
 BISHOP ADMINISTRATIVE OFFICE

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

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

Dear Mr. Martin,

Here are my comments on the LORP Draft.

156-1

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

156-2

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

It would make sense to me that some of the water from the LORP, which will probably be somewhat degraded in quality, would be used on the Owens Lake, in the existing dust mitigation projects. I have not heard this discussed much, so I suppose there are reasons why it is not feasible.

156-3

Lack of funding for noxious weed control: All of the LORP areas and habitat goals are at risk if saltcedar and other noxious weeds are not controlled. The spread of saltcedar presents a serious problem in the Owens Valley and the LORP Draft EIR/EIS must realistically address this

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AQUEDUCT MANAGER
 BISHOP ADMINISTRATIVE OFFICE


156-3 problem. The document states that new saltcedar growth resulting from the LORP would be a significant Class I impact, but defers control of this problem to the separate pre-existing Inyo County saltcedar control program that has unsecured funding (mitigation measure V-2). If the LORP is truly to be "one of the most environmentally significant river habitat restorations ever undertaken in the United States," as Mark Hill, LADWP consultant, states it is, then it must include provisions for guaranteed funding for control of saltcedar and other noxious weeds in order to avoid significant impacts and meet the project goals.

156-4 **Grazing:** Understory impacts as a result of current grazing are severe in riparian habitats in much of the LORP area. In many places there is no understory and there are no young willows or cottonwoods. Several habitat indicator species such as the yellow-breasted chat are dependent on habitats with trees and a dense understory in the riparian zone. Unless the diversity of habitat provided by understory growth significantly improves, the habitat goals for the river system will not be met. Monitoring for understory development as described on p. 2-78 will not be conducted unless the need for it is determined in some unspecified future time by unspecified means. Whether or not this important monitoring function is needed should not be left to some future decision. There should be a clear commitment to conduct this monitoring as the need for it is obvious. Protocols for this monitoring data collection and analysis should also be included in the EIR/EIS.

156-5 Additionally, individual grazing lease management plans are not provided in the document and LADWP has denied requests by reviewers to see them. Without these critical documents and with no evaluation of the present lease condition and trend presented in the Draft EIR/EIS there is no way to compare change over time when evaluating whether the goals of the project are being met. There is no way for commenters to evaluate proposed management, monitoring and the need for mitigation. This is inadequate.

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

Sincerely,



Joann Lijek
272 McLaren Ln.
Bishop, CA. 93514

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

January 13, 2003

Dear Mr. Martin,

Thank you for the opportunity to comment on the Lower Owens River Project EIR/EIS. My comments will be brief.

I strongly support pump station option 2 for the following reasons:

157-1 | 1. The Water Agreement had very little to say about the LORP, but it specifically called for a 50 cfs pump station. I am willing to bet money that this number, like virtually every other detail in that document, was argued, negotiated, and eventually agreed on by all parties. One of those parties should not arbitrarily change the rules in the middle of the game. (This is not a game.)

157-2 | 2. More water would reach the delta, and flow to the brine pool could be maintained. The dueling consultants all admit they don't really know what will happen in the delta under either option (hence the need for adaptive management) but there seems to be no disagreement that only option 2 will maintain the brine pool transition zone. This is very, very important shorebird habitat and, court injunction or not, I believe the DWP is obligated under CEQA to maintain it.

157-3 | 3. The EPA analysis concluded that a 150 cfs pump station doesn't make economic sense unless more groundwater pumping or a reduction in in-valley use of present supplies are planned. The DWP disputes this conclusion but doesn't offer any specific evidence. I am sorry to ask this rhetorical question, but which of these two do you think a long term resident of this valley is going to believe?

157-4 | I strongly support funding option 2. The phrase "subject to funding limitations" appears again and again in this document. The prospect of limitations on Inyo County's ability to pay for its share of the project appears likelier all the time as our state's budget situation grows increasingly dire. Inyo County absolutely needs to make a good faith effort to do its part, but the DWP needs to make the commitment to fully fund the LORP now.

The LORP is a unique and exciting project. I am thrilled to see it so close to becoming reality. The DWP will have every reason to be proud of the part it has played when the project is underway. Please, let's not return to the bad old days of delay and obstruction. Stop stalling and start designing a 50 cfs pump station now! Thank you!!
Sincerely,

Carolyn Lynch
Carolyn Lynch
25 Quail Lane
Bishop CA 93514

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JAN 13 2003

AQUEDUCT MANAGER
SHOP ADMINISTRATIVE OFFICE

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



Roberta McIntosh
3061 W. Line St.
Bishop, CA 93514

Dear Mr. Martin,

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

I am very concerned about the future of the Owens Valley in regards to many water issues. But the most pressing concern at this moment concerns LORP DEIR.

158-1

1) The pump size was discussed and decided upon in 1991. It seems patently unfair that LADWP should arbitrarily ask for a pump 3 times larger. My understanding is that the only reason for such a need would be to pump much larger amounts of water -- something I do not want to see happen.

158-2

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

158-3

3) Recreation plan: There is no recreation plan in the DEIR/EIS, nor is there a description of current and anticipated recreational uses of the LORP area. The document should contain a thorough assessment of current and potential recreational use in the LORP area and a plan to manage that recreation in order to protect natural habitats and cultural resources.

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

Thank you for your consideration of my comments.

Sincerely,

Roberta McIntosh

Roberta McIntosh
Bishop, CA

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JAN 10 2003

AQUEDUCT MANAGER
BISHOP ADMINISTRATIVE OFFICE

January 10, 2003

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

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Thank you for your consideration of my comments

Sincerely,

Merian McInerney
PO Box 136
Bishop, Ca 93515

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JAN 13 2003

AQUEDUCT MANAGER
BISHOP ADMINISTRATIVE OFFICE

Bruce + Cheryl Mack
P.O. Box 1
Big Pine, Ca 93513

January 10, 2003

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

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Sincerely,

Bruce + Cheryl Mack

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PROJECT MANAGER
OFFICE ADMINISTRATIVE OFFICE