

Carma Roper  
PO Box 473  
Independence, CA 93526

January 13, 2003

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

Dear Mr. Martin:

191-1 I am writing you regarding the LORP issues as addressed in Mike Prather's letter to the  
191-2 editor in the Jan. 7, 2003 Inyo Register. I agree with Mr. Prather's points, so without  
191-3 sounding too redundant I would like to insist on a 50-cfs pump station and a 9-cfs  
baseflow to the Owens River delta. I would also like to request that LADWP ensure full  
funding for the LORP. Funding option 22 must be utilized for the DEIR/DEIS. I would  
also like to ask for a recreation plan that will accommodate increased visitor use of the  
LORP.

Thank you for your attention to this matter.

Sincerely,



Carma Roper

Cc: Inyo County Board of Supervisors

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
BISHOP 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.

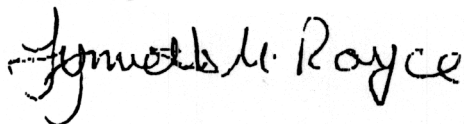
I appreciate the great potential of the LORP. However, the DEIR/EIS fails to describe essential components of the project and presents project alternatives that directly violate the 1991 Long Term Water Agreement and the established project goals. Some of my concerns include:

- 192-1 1) Size of the pump station and delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. LADWP has not justified using a larger pump station that is three times larger than the water agreement allows. A larger pump station won't allow enough water to reach the Delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the Water Agreement.
- 192-2 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.
- 192-3 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,



Lynnette Royce  
663 Sycamore Dr  
Bishop, CA 93514

Clarence MARTIN  
LADWP  
300 Manditch Street  
BISHOP CA 93514

DEAR SIR:

193-1 | I AM CONCERNED ABOUT THE LOWER  
OWENS RIVER PROJECT. The PUMP station  
must be 50 cfs per the 1991 agreement.  
The base flow should be 9 cfs to the delta.

193-2 | The funding should be per option #2  
and the project SHOULD be fully funded in  
all aspects to ensure a successfull project.

193-3 | A plan for recreation should be developed  
for the LORP Project AREA.

Please comply with past agreements and  
do not delay in meeting your obligations.

THANK YOU

TIM RUDOLPH  
RR2 Box 10 R  
BISHOP CA 93514

Mr. Clarence Martin  
LADWP  
300 Mandich Lane  
Bishop, CA 93514

Dear Mr. Martin,

I am an educator in the Owen Valley that is very concerned about the fate of the Lower Owens River Project. I teach science both in the classroom and as part of a local Outdoor Science Education program through the University of California, Santa Barbara. One of my areas of science education is wetlands, and I wish to recommend the following alternatives to your plan .


194-1 Please select the 50 cfs pump station and 9cfs annual average delta base flows. these are the numbers that will provide the minimum amount of water to sustain a viable wetland.

194-2 Please select funding option 2, the only possible adequate funding option

194-3 Please assess and develop a management recreation plan that will protect the natural habitats and cultural resources of the restored wetland.

Please chose the alternatives that are the right ones for this potential wetland  
You cannot over estimate the importance of doing the right things for this valuable resource.

Sincerely,



Barbara Schuck  
272 Shepard Lane  
Bishop, CA 93514

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
SHOP ADMINISTRATIVE OFFICE



638 Cottonwood Dr.  
Bishop, CA 93514

1/13/03

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

Dear Mr. Martin:

I write concerning the Lower Owens River Project (LORP) DEIR. The Lower Owens River currently is a nice, open area thanks in large part to the management of your agency. The LORP should, if implemented properly, make it a foremost environmental and recreational area, and one of the best restoration stories in the country. However, I am concerned that the DEIR does not direct us toward those goals.

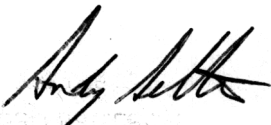
195-1 First of all, we have every reason to question why your agency plans to install a diversion pump of 150 cfs at the Owens Lake delta, when agreements called for a diversion maximum of 50 cfs. The larger pump of course would enable higher flows to be diverted from the area than the MOU or the EPA deem, and so can only be viewed with deep suspicion.

195-2 Second, I insist that your agency commit to funding option 2 of the DEIR, to make sure that the LORP is a long-term success. Funding also is necessary to keep saltcedar from taking over the newly watered habitat, and this will make more water available for all parties.

195-3 There should be an enhanced flow (9cfs) to the Owens delta area, as this is the area most valuable to wildlife.

195-4 Finally, there needs to be a plan to manage the area, balancing recreation, wildlife and grazing.

Sincerely,



Andy Selters

RECEIVED

JAN 15 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE

# Fax Cover Sheet

1/14/03

To : Clarence Martin

From : Edward H Shelander

Company :

Company : Chemresol

Fax Number : 8730266

Fax Number : 760 878 2724

Pages including this cover page : 1

Voice : 760 878 2724

Subject : DEIR/EIS, 1991 LORP, Edward  
Shelander

Comment Letter No. 196

## Message :

Edward Shelander  
205 West Market St.  
Independence, CA  
93526-0233

P.O. Box 233  
Independence, California  
93526-0233

Phone (760) 878 2724

January 14, 2003

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

Dear Mr. Clarence Martin:

In response for your request for comments on the Draft Environmental Impact Statement, I understand that this agreement was made before the court order to replace water on the Owens Lake bed. Since the court order supersedes the Long Term Owens Valley Agreement of 1991, is not the agreement now invalid and needs to be completely renegotiated? There is great potential in the Lower Owens River Project Agreement, but, (LORP 1991) has not been fully realized. The DEIR/EIS alters the 1991 pumping agreement amount of returned water; which is not the course that was expect in 1991 by us.

196-1

I feel that a pump station driven by variable pump rate pumps set to hold the by-pass to 9 CFS for the Owens River to Owens Lake Delta area should be considered to protect the grass planting and mining projects now mandated and underway. The only reason for the use of large capacity would be to capture unexpected runoff from areas below the current impoundment system. I suggest, having worked for the City of Brunswick, Georgia Water Wastewater Department, used ABB, Eton, Magnetic, and GE power inverters with Miltronic level sensors to maintain flows for The City of Brunswick Water Department. Can such devices be worked into a new agreement?

196-2

But, the bigger question is: "Where is the extra water coming from?" Being related to a land and water rights holder, it appears that water extraction from the Owens Valley Water Basin is already beyond the available resources here. Any increase in removals of water will result in loss of wild life, increased dust in the air and subsidence of land structures. The 1991 Lower Owens River Project was a step to correct some of the loss experienced in the Owens Valley.

# Fax Cover Sheet

1/14/03

To : Clarence Martin

From : Edward H Shelander

Company :

Company : Chemresol

Fax Number : 8730266

Fax Number : 760 878 2724

Pages including this cover page : 1

Voice : 760 878 2724

Subject : L O R P Attn. Clarence Martin

Comment Letter No. 197

## Message :

Hazel Shelander  
205 West Market St.  
Independence, CA  
93526-0233

P.O. Box 233  
Independence, California  
93526-0233  
Phone (760) 878 2724

January 14, 200

3

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

Dear Mr. Clarence Martin:

197-1 In response for your request for comments on the Draft Environmental Impact Statement, I see no reason for a pump station larger than a 50CFS pump back volume as determined by the experts of the Federal E.P.A. They have determined that: "A larger station is not economically or environmentally justified."

Why does the L.A. D.W.P. want to renege on the Owens Valley 1991 Long Term Agreement?

197-2 What about funding and management goals?

I believe this is a great opportunity for L.A.D.W.P. to mitigate some of harm that was done by over pumping in the past and demonstrate their concern for the beautiful Owens Valley and its people.

Sincerely,  
Hazel Dehy Shelander  
Valley Resident

173 Hanby Avenue  
Bishop, CA 93514  
January 13, 2003

**HAND DELIVERED**

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

**Re.: Draft EIR/EIS for the Lower Owens River Project**

Dear Mr. Martin,

I would like to thank the Los Angeles Department of Water & Power (DWP) for the opportunity to briefly comment on the Draft Environmental Impact Report (DEIR) describing the Lower Owens River Project (LORP). A significant effort has been undertaken by the DWP, MOU parties, contractors and the public over the past several years in anticipation of the first sustained flows through the lower reach of the Owens River in 90 years. The LORP is a complicated endeavor, one that will result in wide-ranging benefits to both the natural and human environments. In addition, the LORP, adequately and adaptively managed, could serve as a model project and test bed for ecosystem restoration. By-products of a successful project will include invaluable experience and positive publicity for all parties.

198-1

Unfortunately, the DWP presents a legally inadequate DEIR that does not include sufficient funding for future monitoring and adaptive management. The DEIR does, however, feature a preferred alternative that is opposed by all other parties to the MOU, will be more expensive to construct, and is not operationally justified given existing and projected flow regimes upstream of the Delta. Please consider the following comments on the DEIR/EIS:

198-2

- ⊗ The 150 cfs pump station is not 'consistent with the MOU' as stated on page S-3, nor is it justified in the Inyo-LA Water Agreement. Attachment of these documents to the DEIR/EIS with references to specific passages would be useful. The Water Agreement explicitly states that 'The pumpback system will be capable of pumping up to fifty cubic feet per second (50 cfs) from the river to the aqueduct'. A 50 cfs pumpback station should be the preferred alternative and average annual base flows to the Delta should be set at 9 cfs. There appears to be no justification, legal or otherwise, for the larger pump station. The 50 cfs pump station is reasonably feasible and the DEIR should be considered insufficient in its analysis and determinations.

RECEIVED

JAN 14 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE



198-3 The spread of saltcedar is listed as a Class I impact (S-5) with the No Project Alternative given as the method to avoid or reduce the impact. Funding for saltcedar control should be identified and potential control measures described. Consider several of the project goals as described in the MOU:

1. Establishment and maintenance of diverse riverine, riparian and wetland habitats in a healthy ecological condition. The LORP Action Plan identifies a list of "habitat indicator species" (Table 1, Attachment A) for each of the areas associated with the four physical features of the LORP. Within each of these areas, the goal is to create and maintain through flow and land management, to the extent feasible, diverse natural habitats consistent with the needs of the "habitat indicator species." These habitats will be as self-sustaining as possible.
2. Compliance with state and federal laws (including regulations adopted pursuant to such laws) that protect Threatened and Endangered Species.
3. Management consistent with applicable water quality laws, standards and objectives.
4. Control of deleterious species whose presence within the Planning Area interferes with the achievement of the goals of the LORP. These control measures will be implemented jointly with other responsible agency programs.

Riparian and wetland habitats are neither diverse nor in a healthy ecological condition when overrun by *Tamarix ramosissima*. Continuing control of saltcedar is required by the MOU.

198-4 The Class I impact to the brine pool transition area and associated bird habitat should be avoided by constructing a 50 cfs pump station, providing seasonal pulses up to 200 cfs, and delivering baseflows of 9 cfs or higher as necessary. If a State Court injunction precludes these releases in the future, why isn't the current flow regime objectionable? Develop mitigation measures to minimize fresh water inputs to the brine pool. What methods is the DWP currently utilizing on the Owens Dry Lake project vis-a-vis the brine pool? It is unconscionable that vitally needed existing habitat would be lost through operation of the pump station.

198-5 I strongly disagree with the DWP's conclusion that operation of a 50 cfs pump station would have the same impacts to native vegetation, fish and wildlife as the operation of a 150 cfs pump station. In addition to the Class I impact to the brine pool transition area, flow pulses could potentially be recaptured with the larger station but would pass the smaller facility. Construction of the larger station has significant secondary impacts.

198-6 Costs shown in Table 2-1 indicate that \$3,000,000 more would be spent to build the larger station. Wouldn't this money be better spent on monitoring, adaptive management and the control of exotic species? The subtotals in Table 2-1, by the way, appear to be added incorrectly; shouldn't Option 1 have a subtotal of \$12,669,500 and total of \$13,936,450?

RECEIVED

STATE OF CALIFORNIA

REGULATORY DIVISION  
SOUTH CENTRAL REGIONAL OFFICE

Finally, insistence on the larger station could very well cost all parties additional funds and result in project delay due to potential dispute resolution and litigation. As the LORP is designed as mitigation, delay of the LORP is a mitigable impact on the affected environment. Again, I urge the DWP to select the 50 cfs station.

198-7 & Why is it that the Bureau of Reclamation (BOR) and DWP have worked on this project for years and have only developed plans for a 150 cfs pump station? The two preeminent water agencies (DWP, BOR) in the West don't have the resources to prepare for the 50 cfs station? Work on the design drawings for the smaller station should begin posthaste.

198-8 & Although the LORP in and of itself does not include the construction of new groundwater wells or an increase in groundwater pumping, the construction of a 150 cfs pump station would provide the DWP with operational efficiency in the future. In other words, the larger station *could* facilitate the delivery of additional pumped water from below the Aqueduct Intake to either the dust control project or the Aqueduct. Given the higher initial cost of the larger station, the incremental increase in returned flows under the proposed flow regime, and current limitations on surface diversions in the Owens Valley, one has to wonder why the DWP insists on a larger station that contravenes the Water Agreement.

198-9 & Adequate funding should be set aside for future monitoring, data analysis and the preparation of project management recommendations. This isn't adaptive management if the project operator doesn't know what is going on and can't make and/or monitor modifications to the system. If the latest estimates of post-implementation costs call for \$6.7 million from the DWP and Inyo County, then provisions should be made to have a minimum of this amount available. Funding Option One as described on page 2-8 is inadequate. Any additional funding that Inyo County receives to cover its share of post-implementation should be matched by the DWP.

198-10 & I strongly object to the provisions regarding work program and adaptive management disagreements. The process as described (2-4 & 2-5) could result in a real dereliction of duty. Disagreement between the parties would paralyze the project. This is inadequate under CEQA. A timely dispute resolution process should be developed.

198-11

Q The y-axis of Chart 4-3 appears to be labeled incorrectly. Should this be acre-feet per year?

The Lower Owens River Project will be an exciting and complex laboratory for restoration science and art and an incredible opportunity for the natural environment of the Owens Valley. I hope that the DWP pursues the LORP as outlined in the MOU goals and fulfills its commitment to mitigation. A successful project will result from a good faith effort to meet these goals and adaptively manage a complex and interconnected organic process. I respectfully request that the DWP thoroughly consider and incorporate the comments that I have submitted. Again, thank you for the opportunity to participate in the DEIR/EIS review process.

Sincerely,



Nick Sprague

January 8, 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:

199-1 1) Size of the pump station and delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. LADWP has not justified using a larger pump station that is three times larger than the water agreement allows. A larger pump station won't allow enough water to reach the Delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the Water Agreement.

199-2 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.

199-3 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,  
*Jana Steek*

388 Shepard Lane  
Bishop, CA, 93514

RECEIVED  
JAN 10 2003  
AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE



## Comment Letter No. 200

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

January 9, 2003

### Subject: Comments on the LORP Draft EIR/EIS

Dear Mr. Martin:

I own rental property in Independence and Lone Pine and believe these communities will benefit substantially from the successful implementation of the LORP. I have the following comments:

- 200-1 1) Installation of a 50 cfs pump back station, while maintaining an annual average base flow of 9 cfs into the Owens Lake delta is the only option that meets the project's needs and cannot be criticized as possibly having a hidden agenda. Many believe a larger pump back station will allow DWP to use the Lower Owens River as a canal to transport water extracted from the White and Inyo Mountains. If DWP does have such an agenda, it should only be addressed after the river has been successfully rewetted.
- 200-2 2) It should be clear in the final EIR/EIS that all costs will be paid for by DWP. Funding option 2 should be restated to say DWP will fund all of Inyo County's shortfall not "*some or all of Inyo County's shortfall*," as it does in the draft document (p.2-8). I don't want to pay fees or increased property taxes because DWP's customers don't want to pay the full cost of the water they consume.
- 200-3 3) Monitoring of understory development within the River's riparian habitat must be performed until specific criteria have been achieved. Thus I believe a monitoring plan and performance criteria for riparian habitat understory development should be included in the final EIR/EIS. Additionally, DWP should provide individual grazing lease management plans for review and inclusion in the final EIR/EIS.
- 200-4 4) The party responsible for funding noxious weed control, including any necessary revegetation with native species, must be clearly identified in the final EIR/EIS. As in my comment #2, I believe DWP and its customers should bear all costs associated with restoration.
- 200-5 5) The Class I impact to shorebird habitat in the brine pool transition area, identified in Draft EIR/EIS Table S-1, must be avoided. Language must be added to the final EIR/EIS to prevent such an impact by maintaining existing flows and by not allowing this area to dry up in late spring and summer as currently happens.

- 200-6 6) Once rewatered, I believe recreational impacts and management necessary to minimize these impacts will be significant. The draft EIR/EIS is incomplete because it fails to consider and plan for recreation. As such, the final EIR/EIS must contain a thorough assessment of current and potential recreational use in the project area, as well as a recreation management plan emphasizing the protection of natural habitats and cultural resources.
- 200-7 7) Additional delays are unacceptable. This has been going on long enough. DWP's reputation as a robber baron has been challenged by the Owen's Lake Restoration Project. Why not continue this trend by doing a good job in a timely manner.

Please consider and include my comments in the final EIR/EIS and expedite its release. I greatly appreciate you and your staff's hard work and hope to see some results soon.

Sincerely,



Howard Steidtmann  
20720 Angus Way  
Hayward, California 94541

cc: Inyo County Board of Supervisors

January 10, 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:

- 201-1 1) Size of the pump station and delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. LADWP has not justified using a larger pump station that is three times larger than the water agreement allows. A larger pump station won't allow enough water to reach the Delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the Water Agreement.
- 201-2 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.
- 201-3 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,



RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE

January 10, 2002

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,

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

202-1

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

202-2

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

202-3

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

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE



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

202-4 **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.

202-5 **Impact To Brine Pool Transition Area:** The Class I impact to shorebird habitat in the brine pool transition area, identified in Draft EIR/EIS Table S-1, can and must be avoided. This is an area that is used by thousands of ducks and geese and tens of thousands of shorebirds. It is in an area that has been recognized by the National Audubon Society as a Nationally Significant Important Bird Area and is part of the U.S. Shorebird Conservation Plan. This is a very important wildlife habitat. The existing flows to this transition area have been released by LADWP for many years. Have they been in violation of the existing court injunction that they say would prohibit mitigation of this impact? If the current flows are allowable, it is inappropriate to argue that maintaining those flows under the project is not feasible. LADWP can and must avoid this impact by maintaining existing flows and by not allowing this area to dry up in late spring and summer as currently happens. Additionally, if LADWP insists that this impact is unavoidable, they have an obligation under CEQA to explore mitigation alternatives that are feasible.

202-6 **Source of additional water to supply the LORP:** The Draft EIR/EIS fails to disclose whether or not LADWP will attempt to recover the additional 16,000 acre-feet/year of water that the project will require beyond the current releases. Where will the additional 16,000 acre-feet/year of water that the LORP will require come from? Will there be increased groundwater pumping? Will there be new wells drilled? Will it come from existing aqueduct supplies? What will be the impacts of the need for 16,000 acre-feet/year more water? The DEIR/EIS should clearly disclose LADWP's intention to replace or not replace the 16,000 acre-feet/year with groundwater pumping. The document fails to recognize the inadequacy of current pumping management to attain the vegetation protection goals of the Long Term Water Agreement. The Draft EIR/EIS therefore greatly underestimates the likelihood of potential future impacts due to any groundwater pumping associated with the LORP.

202-7 **Grazing:** Understory impacts as a result of current grazing are severe in riparian habitats in much of the LORP area. In many places there is no understory and there are no young willows or cottonwoods. Several habitat indicator species such as the yellow-breasted chat are dependent on habitats with trees and a dense understory in the riparian zone. Unless the diversity of habitat provided by understory growth significantly improves, the habitat goals for the river system will not be met. Monitoring for understory development as described on p. 2-78 will not be conducted unless the need for it is determined in some unspecified future time by unspecified means. Whether or not this important monitoring function is needed should not be left to some future decision. There should be a clear commitment to conduct this monitoring, as the need for it is obvious. Protocols for this monitoring data collection and analysis should also be included in the EIR/EIS.

202-8

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

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

Sincerely,



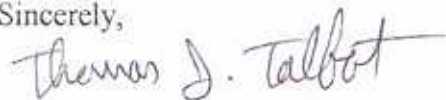
Mr. Clarence Martin  
Department of Water and Power  
City of Los Angeles  
300 Mandich Lane  
Bishop, Ca.93514

1/7/03

Comments on the proposed Lower Owens River Project

- 203-1 1) I strongly favor the 150 CFS pump back station. I think it is extremely important to allow the DWP to recover any water possible. Any water recovered on the lower end is that much less that needs to be shipped from the northern end of the Owens Valley. I have a great concern that the whole LORP is going to be accomplished at the expense of the environmental health of the northern Owens Valley.
- 203-2 2) I believe that utilization rates for grazing, mentioned throughout the document, are unnecessary. Since field evaluations will be completed every year and trend, either upward or downward, will be established, I believe that a downward trend should determine if utilization rates should be established.
- 203-3 3) I strongly support a yearly burning program. Without an annual burning program there will be a significantly larger amount of undesirable vegetation developing causing an increased fire danger and decreasing the quality of vegetation available for grazing. Also, I believe that money be made available for needed tule and muck removal.
- 203-4 4) I believe it is important that the 40 CFS baseflow be established over a 2 to 3 year period. This would give the DWP and ranch lessees more time and opportunity to make important grazing management decisions.
- 203-5 5) I hope that the LORP will be as committed to sustaining agriculture as it will be to providing habitat to so-called indicator species.

Sincerely,



Thomas J. Talbot

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE

Mr. Clarence Martin  
Department of Water and Power  
City of Los Angeles  
300 Mandich Lane  
Bishop, Ca.93514

1/7/03

Comments on the proposed Lower Owens River Project

- 204-1 1) I strongly favor the 150 CFS pump back station. I think it is extremely important to allow the DWP to recover any water possible. Any water recovered on the lower end is that much less that needs to be shipped from the northern end of the Owens Valley. I have a great concern that the whole LORP is going to be accomplished at the expense of the environmental health of the northern Owens Valley.
- 204-2 2) I believe that utilization rates for grazing, mentioned throughout the document, are unnecessary. Since field evaluations will be completed every year and trend, either upward or downward, will be established, I believe that a downward trend should determine if utilization rates should be established.
- 204-3 3) I strongly support a yearly burning program. Without an annual burning program there will be a significantly larger amount of undesirable vegetation developing causing an increased fire danger and decreasing the quality of vegetation available for grazing. Also, I believe that money be made available for needed tule and muck removal.
- 204-4 4) I believe it is important that the 40 CFS baseflow be established over a 2 to 3 year period. This would give the DWP and ranch lessees more time and opportunity to make important grazing management decisions.
- 204-5 5) I hope that the LORP will be as committed to sustaining agriculture as it will be to providing habitat to so-called indicator species.

Sincerely,



William A. Talbot

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE



January 13, 2003

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

Facsimile: (760) 873-0266

Dear Mr. Martin:

I have two comments on the Environmental Impact Report & Environmental Impact Statement for the Lower Owens River Project, dated November 1, 2002.

1. 205-1 I don't understand the purpose of the project. It is described as a habitat restoration project. But one of the major objectives of the project, apparently, is water conservation. If water conservation and habitat are the twin objectives, why not pave the river channel in concrete? This would prevent water from percolating into the ground. The fish would still have a river, and the city could install drip irrigation for the landscaping along the banks. It also would improve water quality because a concrete channel is cleaner than a dirt channel.
2. 205-2 The city seems very concerned with financing the project. Why not lease the river to Disney or Universal? They could build a theme park, with water rides, water slides, etc. Picture the Pirates of the Carribean, but instead of pirates, the "bad guys" would be the local ranchers that used to blow up the aqueduct. The theme park could be called "Water Wars". ("China Town" is another possibility, but that may be confusing since the park would be in Inyo County.)

Thanks for the opportunity to comment.

*Fred Tan*

Frederick E. Tan  
Encino

January 13, 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 (LORP) Draft Environmental Impact Report (DEIR) and Environmental Impact Statement (EIS). The LORP is a valuable project, yet it is inadequately described by the DEIR/EIS. These are my concerns:


206-1 **Noxious weeds.** Noxious weeds are the second largest cause of loss of biodiversity exceeded only by habitat destruction. The DEIR/EIS fails to plan for reducing the introduction of and preventing the spread of noxious weeds as a part of the LORP.

206-2 **Size of the pump station and delta flows.** A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement and won't allow enough water to reach the delta. LADWP should select a 50 cfs pump station and 9 cfs annual average delta baseflows in order to protect delta habitats and comply with the water agreement.

206-3 **Funding.** The DEIR/EIS states that "monitoring and adaptive management" will only be adopted if funding is available. Monitoring and adaptive management are essential to the success of LORP. To meet its obligations, LADWP should select funding option 2, which is the only option that adequately funds the LORP.

206-4 **Recreation.** Balancing recreation uses with grazing and habitat protection is essential to the success of LORP but there is no plan in the DEIR/EIS for an assessment of current conditions and potential recreational use in the Lower Owens River area. A thorough assessment of current and potential recreational use and a plan to manage that recreation in order to protect natural habitats and cultural resources is essential to the success of the LORP.

The LORP has the potential of restoring 62 miles of the lower Owens River, providing habitat for waterfowl and other wildlife, restoring a corridor of native vegetation, enhancing recreation and stimulating local economies. I urge LADWP to abide by the terms of the water agreement and the goals of the project, disclose all management plans to the public, choose the best environmentally sound alternatives and guarantee adequate funding. Thank you for considering my comments.

Sincerely,  
  
Sherryl Taylor  
P.O. Box 1638  
Mammoth Lakes, CA 93546



Thaddeus W. Taylor III  
240 Ocean View Ave  
Bishop, CA 93514  
760 387 0010  
Email [inyorepublican@earthlink.net](mailto:inyorepublican@earthlink.net)

14 January 2003

RE: LORP DEIR  
Attention: Mr. Clarence Martin  
Los Angeles Department of Water and Power  
VIA FACSIMILE

Questions regarding development of the Lower Owens River Project and public access.

- 207-1 | 1. Will the City of Los Angeles (LA) maintain access roads and parking areas for fisher folk and other recreation lists?
- 207-2 | 2. Will LA cooperate with other government agencies (state/county/federal) to allow development of roads and parking?
- 207-3 | 3. Will LA work with non-governmental organizations to develop and access plan that is sportsman friendly and environmentally sound?
- 207-4 | 4. Will LA allow for crushed gravel on the roads? Will LA be willing to do the work and bear the expense? Will LA allow others to do that work consistent with co-developed plans?
- 207-5 | 5. Does LA have any specific plans for road access?
- 207-6 | 6. Will LA provide any signage to direct visitors along the Owens River?
- 207-7 | 7. Are there any plans for bridges?
- 207-8 | 8. Are there any restrictions on bridges?
- 207-9 | 9. Are there any plans or restrictions on sanitation facilities?
- 207-10 | 10. Will LA install sufficient cattle guard fence crossings?
- 207-11 | 11. Will LA charge the leases for the cattle guards?
- 207-12 | 12. Will LA post signs announcing the increased flushing flows regimes?

Submitted by Thaddeus W. Taylor III

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

Dear Mr. Martin,

208-1 This letter is addressing the LORP DEIR/EIS. My main concern is the size of the proposed pump station. I am aware that LADWP wants to install a 150 cfs pump station. This not only violates the 1991 Water Agreement but has not in any way been justified by the LADWP. While they state that this pump station is for the better, I find myself unconvinced. I see it as an inappropriate waste of government funds. Money that would be better spent towards the successful implementation of the project. What I think LADWP is really trying to do is create the excess water to pump for themselves.

I have nothing against the LADWP, but I would hate to see them find future legal trouble by installing this larger pump station. I feel that it is very important that the LADWP stays true to the Water Agreement not only to keep the confidence of the community but to keep a friendly working relationship.

Thank You for your time and please take these thoughts into consideration along with the others.

Sincerely,

Robert J. Vance, Big Pine

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE



January 10, 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.

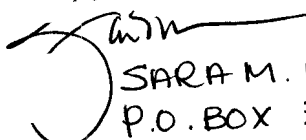
I appreciate the great potential of the LORP. However, the DEIR/EIS fails to describe essential components of the project and presents project alternatives that directly violate the 1991 Long Term Water Agreement and the established project goals. Some of my concerns include:

- 209-1 1) Size of the pump station and delta flows: A 150 cfs pump station violates the Inyo-LA 1991 Water Agreement. LADWP has not justified using a larger pump station that is three times larger than the water agreement allows. A larger pump station won't allow enough water to reach the Delta and may help LADWP to pump more groundwater from the valley. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows. This option allows the maximum amount of water flow to the delta under the agreements and approaches current flows. This is needed to meet the delta habitat goal of maintaining existing and new delta habitats for waterfowl and to comply with the Water Agreement.
- 209-2 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.
- 209-3 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,

  
SARA M. VANCE  
P.O. BOX 303  
BIG PINE CA 93513

DERRICK E. VOCELKA

January 13, 2003

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:

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

210-1

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

210-2

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

210-3

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

RECEIVED

JAN 13 2003

AQUEDUCT MANAGER  
 CHUD ADMINISTRATIVE OFFICE



210-4 **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.

210-5 **Impact To Brine Pool Transition Area:** The Class I impact to shorebird habitat in the brine pool transition area, identified in Draft EIR/EIS Table S-1, can and must be avoided. This is an area that is used by thousands of ducks and geese and 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.

210-6 **Source of additional water to supply the LORP:** The Draft EIR/EIS fails to disclose whether or not LADWP will attempt to recover the additional 16,000 acre-feet/year of water that the project will require beyond the current releases. Where will the additional 16,000 acre-feet/year of water that the LORP will require come from? Will there be increased groundwater pumping? Will there be new wells drilled? Will it come from existing aqueduct supplies? What will be the impacts of the need for 16,000 acre-feet/year more water? The DEIR/EIS should clearly disclose LADWP's intention to replace or not replace the 16,000 acre-feet/year with groundwater pumping. The document fails to recognize the inadequacy of current pumping management to attain the vegetation protection goals of the Long Term Water Agreement. The Draft EIR/EIS therefore greatly underestimates the likelihood of potential future impacts due to any groundwater pumping associated with the LORP.

210-7 **Grazing:** Understory impacts as a result of current grazing are severe in riparian habitats in much of the LORP area. In many places there is no understory and there are no young willows or cottonwoods. Several habitat indicator species such as the yellow-breasted chat are dependent on habitats with trees and a dense understory in the riparian zone. Unless the diversity of habitat provided by understory growth significantly improves, the habitat goals for the river system will not be met. Monitoring for understory development as described on p. 2-78 will not be conducted unless the need for it is determined in some unspecified future time by unspecified means. Whether or not this important monitoring function is needed should not be left to some future decision. There should be a clear commitment to conduct this monitoring as the need for it is obvious. Protocols for this monitoring data collection and analysis should also be included in the EIR/EIS.

210-8 Additionally, individual grazing lease management plans are not provided in the document and LADWP has denied requests by reviewers to see them. Without these critical documents and with no evaluation of the present lease condition and trend presented in the Draft EIR/EIS there is no way to compare change over time when evaluating whether the goals of the project are

January 13, 2003

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,



Derrick E. Vocelka