



**AGENDA REQUEST FORM**  
BOARD OF SUPERVISORS  
COUNTY OF INYO

For Clerk's Use Only:  
AGENDA NUMBER

- Consent     Departmental     Correspondence Action     Public Hearing  
 Scheduled Time for     Closed Session     Informational

**FROM:** Inyo County Planning Department

**FOR THE BOARD MEETING OF:** May 17, 2011

**SUBJECT:** Owens Lake Master Plan

**DEPARTMENTAL RECOMMENDATION:** Provide direction to staff and Supervisors Cervantes and Arcularius regarding the Owens Lake Master Plan.

**SUMMARY DISCUSSION:** The Los Angeles Department of Water and Power (DWP) has initiated a Master Plan for the Owens Lake following many years of dust mitigation efforts. The Plan will provide a framework for the future of the Lakebed, including potential solar energy development, water conservation, habitat enhancement, and further dust mitigation. The Board has received several presentations about the Plan from staff and DWP representatives (the most recent on December 28, 2010), and has appointed Supervisors Arcularius and Cervantes and the Planning Director to participate on the project Planning Committee.

The Planning Committee has been meeting about once per month since March 2010. Recently, the Planning Committee has been working on preparing preliminary draft Plan sections and discussing policy issues, and it is hoped that a draft Plan can be available this summer to begin environmental review in the fall (refer to Attachment 1). A number of working groups have formed to focus on specific issues, and Planning Committee members are undertaking a second round of community outreach. Additional information can be found on the project website.<sup>1</sup> Previous correspondence from the Board is included in Attachment 2. Primary issues discussed during the planning process include the following:

1. ***Implementing Mechanism*** – a debate occurred about whether a Memorandum of Understanding (MOU) or Natural Communities Conservation Plan should be the implementing tool for the Plan. The Board previously expressed its preference for an MOU. Ultimately, the MOU was selected. The current proposal is for the government agencies to approve an MOU committing them to participate in Plan implementation.
2. ***Long-term Water Agreement (LTWA)*** – DWP has proposed to utilize groundwater to replace aqueduct water currently spread on the Lakebed for dust control, and is proceeding with groundwater testing to determine feasibility. Water Department and DWP staffs have agreed to plans for the test. However, the County's position is that the LTWA applies to the use of groundwater for dust control on the Lakebed; DWP disagrees.
3. ***Solar Development*** – DWP is proceeding with plans to develop a pilot photovoltaic solar project on the lakebed. If successful, additional solar installations may be developed. The

<sup>1</sup> <https://owenslakebed.pubspsvr.com/default.aspx>.

County's Renewable Energy Ordinance applies to commercial scale solar energy development on the Lakebed.


4. **Lower Owens River Project (LORP)** – discussions occurred earlier in the planning process about including the LORP within the planning area. The current proposal excludes the LORP from the Plan boundary.
5. **Plan Boundary** – the proposed Plan boundary is the 3,600-foot contour, less the LORP. Private lands and County property lie within this boundary, and County planning and zoning policies and regulations apply.
6. **Dust Control** – the primary purpose of DWP's activities on the Lakebed is dust control. It was hoped that new measures for dust control would be developed through the planning process.
7. **Financial Feasibility** – the County has consistently expressed concerns about financing the Plan and has requested that financial feasibility be an integral Plan component.
8. **Infrastructure/Services** – the County has consistently expressed concerns about the Plan's potential impacts to infrastructure and services.
9. **Public Trust** – the State Lands Commission has determined that public trust values on the Lakebed include (a) habitat, (b) public access, and (c) scenic viewshed. The Plan should not diminish these values.
10. **Habitat Suitability Index (HSI)** – the Habitat Working Group has been devised an HSI to measure a baseline for specified habitat classifications on the Lake. It is hoped the HSI will allow for flexibility in future projects; for example, current areas that utilize large amounts of water and provide little habitat could be converted to areas that utilize less water and provide greater habitat, thus providing a higher HSI value and also minimizing water use.
11. **Water Utilization** – the County has consistently expressed that water utilization on the Lakebed be minimized. No target has been set.
12. **Invasive Species** – invasive species could take root on the Lakebed if more water is utilized in certain areas and soils begin to stabilize.
13. **Recreation** – the Recreation Working Group has been meeting and has identified a conceptual recreation Plan. Specific facilities may be proposed.

**OTHER AGENCY INVOLVEMENT:** Owens Lakebed Planning Committee and interested organization and individuals – DWP; Great Basin Unified Air Pollution Control District; State Lands Commission; Department of Fish and Game; Inyo County Water Department and other County Departments; Inyo and Mono County Agriculture Department; numerous tribes, business, community, agricultural, conservation, and other groups.

**FINANCING:** Resources from the County's general fund and Water Department budget are utilized to monitor DWP's activities and participate in related planning efforts.

<b>APPROVALS</b>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

**DEPARTMENT HEAD SIGNATURE:**  
(Not to be signed until all approvals are received)

  
\_\_\_\_\_ Date: 5-9-11

Attachments

1. Owens Lake Master Plan Update (April 2011)
2. Previous Correspondence

# MASTER PLAN UPDATE

## OWENS LAKE CONSERVATION AREA

The Owens Lake is a cultural resource with a long history and wildlife heritage in the Eastern Sierra of California. The Master Plan proposes an Owens Lake Conservation Area to realize the goals of improved air quality, enhanced public trust uses and values, cultural resources protection, water conservation, wildlife conservation, public access and education, and solar energy potential. The Master Plan integrates dust control with habitat protection and water conservation while developing public access and interpretive opportunities.

## PLANNING COMMITTEE DEVELOPING PLAN

Approximately 30 participants representing diverse interest groups are on the Planning Committee developing the plan. Governmental entities include the Lone Pine Paiute-Shoshone Tribe, the Owens Valley Indian Water Commission, California State Lands Commission, California Department of Fish & Game, Inyo County, Great Basin Unified Air Pollution Control District, and LA Department of Water & Power. Ranchers, residents, mining, local business, and the Lone Pine Chamber of Commerce are all contributing. Non-governmental organizations are active participants including Audubon, California Waterfowl, Ducks Unlimited, Eastern Sierra Land Trust, Owens Valley Committee, Native Plant Society and Sierra Club. Planning Committee meetings are open to the public, and about fifty people including Committee members have been attending the day-long meetings in Keeler and Bishop. The Planning Committee has met ten times since March 2010 and has small work groups focusing on water conservation, habitat, dust control, cultural resources, and public access. The Master Plan builds on conservation action planning that Audubon convened in 2008.



## BRIEFINGS HELP SHAPE PLAN

The Planning Committee conducted briefings with nearly 25 organizations in the fall. Feedback received is being integrated into the Master Plan. New briefings are taking place this spring.

## FINAL PLAN READY IN 2012

The goal is to complete the draft Master Plan in June 2011 and environmental review in early 2012. Once the environmental review is complete, implementing entities would consider final approval of the Master Plan.

In March, three independent scientists vetted by stakeholders conducted an independent review of the Habitat Suitability Index, an analytical tool that may be used to quantify the value of habitat considering different types of wildlife guilds (shorebirds, water fowl, and meadow wildlife).

## PLAN IMPLEMENTATION

The Master Plan will include an implementation schedule. Full implementation will involve state and local agencies, Tribes, and non-governmental organizations working together. Implementation will likely occur in phases as funding and other resources allow. The Planning Committee will continue to meet twice annually to guide implementation. The Planning Committee is a broad-based group with six non-governmental organizations, local residents, Tribes and other governmental representatives.

## TIMEFRAME

**Summer 2011:** Complete Draft Master Plan

**Early 2012:** Environmental Impact Report with Draft Master Plan Released for Public Comment

**Mid-2012:** Implementing Organizations Consider Approving Final Plan once Environmental Review Complete

**Schedule a Briefing to Learn More and Provide Feedback**

Planning Committee members will conduct briefings on the Master Plan at your organization.  
Call (760) 873-0214

## MASTER PLAN KEY ELEMENTS

The Owens Lake is a cultural resource with a long history and wildlife heritage in the region. The Master Plan proposes an **Owens Lake Conservation Area** to realize the multiple goals developed in the Master Plan. The Master Plan integrates all planning elements into a unified management approach. Dust control measures consider habitat needs and water conservation. Habitat enhancements blend water conservation with access opportunities. These objectives and goals are realized through an implementation schedule with monitoring and adaptive management.

### DUST CONTROL

The plan identifies measures to control dust that enhance habitat and conserve water. The plan sets a schedule for testing measures. Existing dust control measures combine to enhance habitat and use less water (adding islands into large ponds or reducing water on wetlands vegetation). Other measures explore lake resources, such as salt pans and brine that conserve water by reducing evaporation.

### CULTURAL RESOURCES

The educational program will provide information about the lake as a cultural resource and help the public understand how to protect cultural resources.

### WATER CONSERVATION

Water conservation will occur over time by modifying approved dust control measures to enhance habitat, testing new water efficient dust control measures, and identifying priority areas for habitat enhancement.

### PUBLIC TRUST

The Master Plan will enhance public trust values and uses include habitat, public access and scenic viewshed. Dust control activities will integrate efforts to improve habitat. Improving public access will include hiking trail, a scenic driving loop, and educational kiosks. Designing features that are sensitive to the landscape will enhance viewshed.

### HABITAT & WILDLIFE

The Master Plan proposes an Owens Lake Conservation Area to provide and protect habitat for native plant species, wildlife, and migratory birds.

### PUBLIC ACCESS & INTERPRETATION

Visitors will enjoy enhanced access, recreation, and educational opportunities. Recreation will include hunting, wildlife viewing, and hiking. Key educational themes are wildlife, cultural resources protection, water conservation, dust control, and economic development opportunities.

### SOLAR ENERGY

Developing solar energy on the lake will require a pilot project first, possibly in 2012. In the mean time, testing the ground conditions for a solar installation continues. If solar energy is ultimately deemed a feasible option to control dust, then developing a solar project will depend on technology, costs, and funding.

### MINING

Mineral mining has taken place on the lakebed for over a century. This is a significant economic development activity for the region and is included in the Master Plan.

### GRAZING

Grazing around the lake is included in designated areas in the Master Plan.

### ECONOMIC DEVELOPMENT

The Master Plan includes existing mining and grazing activities and creates the opportunity for renewable energy and enhanced public access.

### MONITORING AND ADAPTIVE MANAGEMENT

The Master Plan will include performance criteria to help determine if implementation activities are achieving plan goals. Monitoring will also evaluate habitat, wildlife, and public access activities.



**BOARD OF SUPERVISORS  
COUNTY OF INYO**

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526  
TELEPHONE (760) 878-0373 • FAX (760) 878-2241  
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD  
LINDA ARCULARIUS  
SUSAN CASH  
RICK PUCCI  
MARTY FORTNEY  
RICHARD CERVANTES

KEVIN D. CARUNCHIO  
*Clerk of the Board*

PATRICIA GUNSOLLEY  
*Assistant Clerk of the Board*

January 18, 2011

Owens Lakebed Planning Committee  
City of Los Angeles Department of Water and Power  
111 North Hope Street  
Los Angeles, CA 90012

**RE: Owens Lakebed Master Plan**

Members of the Owens Lakebed Planning Committee:

On behalf of the Inyo County Board of Supervisors, I wish to relay to you, the Department of Water and Power (DWP), and the City of Los Angeles our continued support for dust mitigation efforts on Owens Lake. If you may recall, the Inyo County Board of Supervisors authorized the attached correspondence to the Planning Committee describing the parameters of the County's support of any final Plan. Based on recent discussion at the Planning Committee, I wish to clarify the County's position regarding several important issues.

First, we remind the Committee that the primary purpose of DWP's activities on the Lakebed is to minimize particulate emissions and protect the public health and safety. A tremendous amount of fresh water is being utilized towards this end, resulting in greater demand to extract water from elsewhere in Inyo County. We emphatically support minimizing the use of fresh water on the Lakebed, and we expect that some portion of any water saved on the Lakebed will be made available for other uses in the Owens Valley.

Second, we understand that the following two options are being considered to implement the Master Plan: (1) a Memorandum of Understanding (MOU) and (2) a Natural Communities Conservation Plan (NCCP). The Board supports selection of an MOU due to its greater flexibility. The Board is concerned about the adequacy of the NCCP's assurances, as well as legal implications related to the NCCP's authority over public and private lands within the County's jurisdiction.

Third, the potential fiscal implications of the Plan must be analyzed. We had understood that financial feasibility would be considered in developing the Plan, and we are concerned that decisions are being made regarding the Plan without adequate financial analysis. We remind the Committee that in order for the Plan to be successful, it must be financially feasible. To be effective, the financial impacts of the Plan should be considered in the planning process prior to beginning the environmental analysis.

Finally, the County adamantly opposes including any portion of the Lower Owens River Project (LORP), such as the Owens River Delta, within the Master Plan. Along with DWP, the County is responsible for the operation and success of the LORP. This responsibility is separate from DWP's dust mitigation obligations on the lakebed. The County is not prepared to manage the LORP as an adjunct to those lakebed mitigation obligations under an MOU or NCCP. Additionally, and as you may know, the County is responsible for 50 percent of the LORP's implementation cost. If any portion of the LORP is included within the Master Plan, the expense to the County to implement the LORP could increase in unpredictable and unsustainable amounts. The County will not undertake this obligation and will not participate in an agreement that includes the LORP. Minimally, to gain the County's participation would require a renegotiation by the County and DWP, and approval by the Superior Court, of the County's obligations regarding the LORP, and assurances that the objectives of the LORP will be attained.

Thank you. We look forward to continue working with you as we move forward with this important planning effort for the Owens Lakebed, and commend your diligence and hard work. Please contact the County Administrative Officer, Kevin Carunchio, at (760) 878-0292 if you have any questions.

Sincerely,



Susan Cash  
Chairperson, Inyo County Board of Supervisors

Attachment

cc: Board of Supervisors  
Kevin Carunchio, CAO  
Randy Keller, County Counsel  
Honorable Mayor of Los Angeles, Antonio Villaraigosa  
Ron Nichols, DWP General Manager  
City of Los Angeles Board of Water and Power Commissioners  
James B. McDaniel, DWP  
Martin L. Adams, PE, DWP  
Gina Bartlett, Center for Collaborative Policy  
Ted Schade, Great Basin Unified Air Pollution Control District  
Board of the Great Basin Unified Air Pollution Control District  
State Lands Commission  
Curtis Fossum, State Lands Commission  
John McCamman, Department of Fish and Game  
Kimberly Nicol, Department of Fish and Game



## BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526  
TELEPHONE (760) 878-0373 • FAX (760) 878-2241  
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD  
LINDA ARCULARIUS  
SUSAN CASH  
BEVERLY BROWN  
MARTY FORTNEY  
RICHARD CERVANTES

KEVIN D. CARUNCHIO  
*Clerk of the Board*

PATRICIA GUNSOLLEY  
*Assistant Clerk of the Board*

May 11, 2010

Owens Lake Planning Committee  
City of Los Angeles Department of Water and Power  
111 North Hope Street  
Los Angeles, CA 90012

RE: Owens Lake Planning Effort

Members of the Owens Lake Planning Committee:

On behalf of the Inyo County Board of Supervisors, I wish to relay to you, the Department of Water and Power (DWP), and the City of Los Angeles our continued support for dust mitigation efforts on Owens Lake. In addition, the Inyo County Board of Supervisors encourages productive planning for the Lakebed, and is actively participating in this most recent planning initiative. While our participation will represent a significant outlay of our resources, we believe it is necessary to achieve successful outcomes.

The County's participation in the planning process and its ability to consider supporting the final Plan is guided by the following parameters:

1. Water management and groundwater development by DWP on the Lakebed are intrinsically related to and regulated by the Inyo/Los Angeles Long-Term Water Agreement. We look forward to continuing our work to implement this important Agreement within the context of Owens Lake planning.
2. Dust and other particulate mitigation efforts are paramount to reduce the risk incurred by County residents to the adverse health effects of chronic exposure to Lakebed sediments, many of which are toxic. Particulate control is the primary purpose of DWP's activities on the Lakebed, and the County supports reasonable alternatives to achieve this goal.
3. The County supports efforts to reduce water utilized on the Lake that still achieve particulate mitigation.
4. Potential fiscal impacts from any Plan that results from this effort must be analyzed as part of the Plan. Any Plan that is not fiscally sound will most assuredly be ineffective. A thoroughly vetted cost estimate to implement the Plan, including costs incurred by the County (e.g., police, fire, roads, schools, etc.), must be prepared, and permanent funding sources to offset these costs must be identified.



5. We have designated Supervisors Cervantes and Arcularius and the County's Planning Director to serve on the Planning Committee being formed to guide this effort. Other staff will be available on an as-needed basis, schedules permitting. We requested that DWP staff provide regular updates to the full Board of Supervisors, and we hope you will support and participate in these briefings.
6. Development on the Lakebed may result in potential impacts to the environment, culture, and/or economy of the County. We expect that DWP will fully analyze such effects, as required by law, and offer our assistance in this endeavor.
7. The County and its citizens should experience net positive benefits from development here.

In addition to the parameters identified above, the Board wishes to remind the Committee that the Inyo County Board of Supervisors represents all of the interest groups and stakeholders on the Planning Committee and, as such, reserves the right as the Board of Supervisors to accept or reject any aspect of the Plan on behalf of our constituents.

Thank you. We look forward to working with you as we move forward with this important planning effort for Owens Lake. Please contact the County Administrative Officer, Kevin Carunchio, at (760) 878-0292 if you have any questions.

Sincerely,



Supervisor Richard Cervantes, Chairperson  
Inyo County Board of Supervisors

cc: Board of Supervisors  
Kevin Carunchio, CAO  
Randy Keller, County Counsel  
Honorable Mayor of Los Angeles, Antonio Villaraigosa  
Austin Beutner, Interim DWP General Manager  
City of Los Angeles Board of Water and Power Commissioners  
James B. McDaniel, DWP  
Marin L. Adams, PE, DWP  
Gina Bartlett, Center for Collaborative Policy  
Ted Schade, Great Basin Unified Air Pollution Control District  
Board of the Great Basin Unified Air Pollution Control District  
State Lands Commission  
Paul Thayer, State Lands Commission  
John McCamman, Department of Fish and Game  
Curt Taucher, Department of Fish and Game

---