



## 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

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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