

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

January 13, 2003

Mr. Martin:

In the past weeks the Lower Owens River Project and the Environmental Impact Report have become an item of interest to me. After seeing the brochure provided by the Owens Valley Committee and listening to their radio interviews, I am concerned they are attempting to influence the process by providing "canned" letters focusing on their jaded points of view. While they may provide some factual information it appears very self-serving and weighted towards their own agenda and against the Department of Water & Power.

111-1

I believe the rewatering of the river and restoration of the habitat is a very worthwhile endeavor. While the commitment from Inyo County, the US Environmental Protection Agency and the Department of Water & Power is commendable, it now appears that some of the parties are now attempting to step back from the agreement and expect the DWP to fund the majority of the project. This is not only unfair & unethical, it casts doubt on the commitment and ulterior motives of the other parties.

111-2

Monitoring and Recreation Planning, are very important aspects of the project, and should be the responsibility of all parties involved. Inyo County is charged with public recreation management and quality of life issues for the County citizens. It seems appropriate they take the lead in that endeavor. Both the Department and the County are staffed with employees capable of conducting monitoring. To place the entire responsibility on one agency seems wrong and should not stand!

111-3

The accusation that the Department will use the 150CFS pump station to steal additional water from the east side of the valley is ridiculous! It is common knowledge that any new wells would require another EIR, County permits and approval that could not be done without public comment and knowledge.

In closing, this project provides great opportunity for the citizens of the Owens Valley, new animal and plant habitat and the potential to generate tax revenue in the tourist industry. The Department of Water & Power has stepped up to the plate, please don't let the others step back and leave the DWP standing alone.



Mrs. Dorothy Dowell

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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

Dear Mr. Martin,

I am writing to comment on the Lower Owens River Project Draft Environmental Impact Report and the Environmental Impact Statement. I have lived and worked in the Bishop Area for over 15 years. I like to bird watch and use the free access that LADWP allows on their lands.

112-1

I am concerned about the limited amount of water to flow into the delta of Owens Lake that would result from the proposed change in the size of the pump station. I want water to flow into the delta and the brine pool transition area because it will provide a wetlands for birds. The Owens River, delta and Owens Lake are on the Pacific Flyway which extends from the Arctic down into the Southern Hemisphere. I have birded on the delta lands and found that the seasonal use by large numbers and wide varieties of birds is incredible. Please consider extending your stewardship of our very special valley to include wildlife from thousands of miles away. I know you can still be in the water-for-sale business and do this good public relations deed.

112-2

Please select funding option #2 which is the only option that adequately funds the LORP.

112-3

Also, I've learned there is no recreation plan in the DEIR/EIS, nor is there a description for current and anticipated uses of the LORP area. I am afraid that without guidelines, this sensitive area may become a free-for-all destination for uninformed users. Do we want ATVs driving in the wetlands, target shooting of birds, long term camping, dumping and wood cutting in this newly established area? Please consider a plan to manage recreation in order to protect natural habitats and to protect the cultural resources that are also there. Hopefully, you can get support from the local Chamber of Commerces for a more low key type of publicity. Thank you for this opportunity to comment.

Sincerely,



Kathy Duvall  
91 Oceanview Ave.  
Bishop, CA. 93514

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AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE



January 8, 2003

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

Re: Lower Owens River Project DEIR/EIS

Dear Mr. Martin:

The Lower Owens River Project has great potential for restoration of some of the areas damaged by years of DWP water diversion in the Owens Valley, and DWP is legally obligated to carry out the terms of the 1991 Long Term Water Agreement and the Project goals. However, the EIR/EIS fails to describe essential components of the project and presents project alternatives that directly violate this agreement.

113-1 The water agreement allows a 50 cfs pump station, and there's no reason for the 150 cfs pump station that DWP is requesting, other than for increased valley water extraction. LADWP should select the 50 cfs pump station and 9 cfs annual average delta baseflows.

113-2 LADWP must ensure full funding for the LORP by choosing funding option two.

113-3 There must be a thorough assessment of current and potential recreational use in the LORP area and a plan to manage that recreation in a way to protect natural habitats and cultural resources. And LORP 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.

We 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 these comments.

Sincerely,

*Jack Ferrell*  
*Marilyn Ferrell*  
Jack and Marilyn Ferrell  
514 Rocking K Road  
Bishop, CA 93514

Cc: Inyo County Board of Supervisors

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JAN 10 2003

CONDUCT MANAGER  
ADMINISTRATIVE OFFICE

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

Jan. 14, 2003

Dear Mr. Martin,

Regarding the DEIR/DEIS for the LORP, some of the concerns I would like to see addressed in the final EIR/EIS are:

• For the good of Delta habitat and for all-important public relations, the pumpback station should be limited to the size agreed upon in 1991 Water Agreement. If DWP has no intention of developing the capability to pump more water out of the Owens Valley, then why build an expensive larger pumpback station? 114-1

• To truly meet the objectives of the LORP, noxious weeds must be controlled. With the rewatering of 62 miles of river and much flooding, new habitat for saltcedar and pepperweed will be created. As this is a consequence of the LORP, this should be controlled with a LORP-specific weed control program, funded by LADWP. Saltcedar has thrived in the Owens Valley in disturbed habitats that were mostly created by LADWP's destructive groundwater pumping and water diversions. Noxious weed control for the LORP should not be dumped on the already under-funded Inyo-Mono Agricultural Department or the underfunded Inyo County Saltcedar program. Noxious weed control is a part of every well-planned and successful restoration project and for there to be inadequate and uncertain funding for this critical component is an example of deferred mitigation. 114-2

• Please reveal exactly where the 16,000 acre feet per year of water needed for the LORP is going to come from. The public needs to know if approval of the LORP will cause more groundwater pumping in the Owens Valley. 114-3

• The LORP is based on "adaptive management." This term has a nice sound to it until you realize that there is no funding for any management actions that will be required. Is this a cruel joke? For this project to be taken seriously, there MUST be funding identified up front for both monitoring and management. 114-4

Sincerely,

Karen Ferrell-Ingram  
140 Willow Road  
Swall Meadows, CA 93514

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JAN 14 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:

115-1 **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.

115-2 **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.

115-3 **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

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AQUEDUCT MANAGER  
BISHOP ADMINISTRATIVE OFFICE

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

115-4 **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.

115-5 **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.

115-6 **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.

115-7 **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.

115-8

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,

*Clara Fields*  
*2655 W Line St.*  
*Bishop, Ca 93514*

Mr. Clarence Martin  
LADWP  
300 Mandich Street  
Bishop, CA 93514  
Fax: 760-873-0266

January 12, 2003  
5375 Shirley J Lane  
Wrightwood, CA 92397  
760-249-5385

Re: Comments Regarding DEIR/EIS

Sir,

I am very concerned about the existing document for a variety of reasons I will outline below.

- 116-1 | We must provide for long-term control of noxious weeds. Funding must be guaranteed not optional or subject to discontinuance.
- 116-2 | There needs to be a recreational plan. A through assessment of current and potential recreational use in the LORP area is needed.
- 116-3 | LADWP must fully fund it legal obligations and choose funding option 2.
- 116-4 | There is no justification for a pumping facility greater than 50cfs. Any larger pumping capacity is inconsistent with 1991 agreements regarding pumping. The highest possible annual average delta base flows of 9cfs should be maintained.
- 116-5 | It is very important to avoid significant negative impacts on the shorebird habitat in the brine pool transition areas. Owens Lake is a part of the United States Shorebird Conservation Plan and needs to be protected.

The DEIR/EIR fails to adequately describe essential components as outlined above and presents alternatives that directly violate the 1991 Long Term Water Agreement.

Sincerely Yours,

Joyce E. Floyd



Mr. Clarence Martin  
LADWP  
300 Mandich Street  
Bishop, CA 93514  
Fax: 760-873-0266

January 12, 2003

Re: Comments Regarding DEIR/EIS

Sir,

I am very concerned about the existing document for a variety of reasons I will outline below.

- 117-1 | We must provide for long-term control of noxious weeds. Funding must be guaranteed not optional or subject to discontinuance.
- 117-2 | There needs to be a recreational plan. There needs to be a thorough assessment of current and potential recreational use in the LORP area.
- 117-3 | LADWP must fully fund its legal obligations and choose funding option 2.
- 117-4 | There is no justification for a pumping facility greater than 50cfs. Any larger pumping capacity is inconsistent with 1991 agreements regarding pumping. The highest possible annual average delta base flows of 9cfs should be maintained.
- 117-5 | It is very important to avoid significant negative impacts on the shorebird habitat in the brine pool transition areas. Owens Lake is a part of the United States Shorebird Conservation Plan and needs to be protected.

The DEIR/EIR fails to adequately describe essential components as outlined above and presents alternatives that directly violate the 1991 Long Term Water Agreement.

Sincerely Yours,

Kim F. Floyd

760-873-0266

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 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:

- 118-1 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.
- 118-2 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.
- 118-3 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,

  
Patricia Foley  
313 Shepard Lane  
Bishop, CA 93514

GAIL FOX  
 115 COTTAGE STREET  
 NEVADA CITY CA 95959

January 10, 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 have long been interested in water issues in California, including East side of the Sierras, Bay, Delta-Mendota Canal, as well as local issues when I lived in Marin County and here in Nevada County. I have had the chance to have some help writing this letter, because these issues are complex. Please take the time to read this letter, even if you have received others like it.

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:

119-1

**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.

119-2

**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.

119-3

**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.

119-4

**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.

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 BISHOP ADMINISTRATIVE OFFICE



119-5 **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.

119-6 **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.

119-7 **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.

119-8 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,



Gail E. Fox

Sally Gaines  
P.O. Box 8058  
Mammoth Lakes, CA 93546

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

January 10, 2003

Dear Mr. Martin:

I wish to comment on the Lower Owens River Project Draft Environmental Impact Report and Environmental Impact Statement. Although the LORP appears to have great promise, the combined Report/Statement presents project alternatives that appear to be contrary to the basic project goals and directly violate the 1991 Long Term Water Agreement with Inyo County.

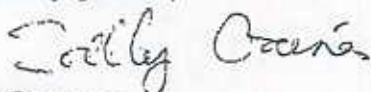
120-1 The proposed pump station has a capacity three times larger than what the Inyo County-LADWP Water Agreement allows. A 50 cfs capacity pump station would meet the terms of the Agreement and avoid local fears of excessive groundwater withdrawal.

120-2 A higher target for average annual baseflow to the Owens River delta (perhaps the 9 cfs suggested by the Owens Valley Committee) would have great potential to improve conditions for waterfowl. The response to the Owens Lake water spreading is very encouraging.

120-3 I recommend that funding option 2 is selected to ensure adequate financing for monitoring programs and feedback into operations.

120-4 I also hope that the LORP will make a stronger commitment to controlling saltcedar and other invasive plants along the lower Owens River. Sufficient funding for weed control must be part of the LORP if it is to realize its potential as a thorough restoration program. Thank you.

Sincerely yours,



Sally Gaines