



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 7, 2013

SUBJECT: Owens Lake Master Plan

DEPARTMENTAL RECOMMENDATION: Receive a presentation regarding the Owens Lake Master Plan and provide direction.

SUMMARY DISCUSSION: In early 2010, the Los Angeles Department of Water and Power (DWP) initiated a Master Plan for the Owens Lake following many years of dust mitigation efforts. The Plan is intended to provide a framework for the future of the Lakebed, including potential solar energy development, water conservation, habitat enhancement, and further dust mitigation.¹ After discussions about whether or not to participate, the Board appointed Supervisor Arcularius, former Supervisor Cervantes, and the Planning Director to participate on the project Planning Committee.² The Water Director also has participated in the planning process extensively. The Board has received numerous presentations over the years about the Plan from staff and DWP representatives, and has approved correspondence on several occasions in regards thereto (attached).

Planning Framework

DWP has been guiding the planning effort with the assistance of the Center for Collaborative Policy (CCP). The primary planning forum has been the Planning Committee, which is composed of numerous agencies, organizations, and interested individuals, including DWP, the County, Great Basin Unified Air Pollution Control District (GBUAPCD), State Lands Commission (SLC), California Department of Fish and Wildlife³ (CDFW), Audubon Society, Sierra Club, Owens Valley Committee, tribes, and local businesspeople, ranchers, and citizens. The Planning Committee was meeting about once per month in 2010 and 2011, but has met less frequently lately. The Planning Committee is scheduled to meet on May 15, 2013.

The Planning Committee primarily works through issues and provides input for DWP, CCP, and the Plan authors (Newfields). Several working groups have been formed, including for habitat, governance, implementation, water conservation, and dust control. A Coordinating Committee composed of DWP, SLC, CDFW, GBUAPCD, the County, and an Audubon representative also meets periodically to facilitate the Planning Committee discussions.

¹ Refer to <https://owenslakebed.pubspsvr.com/default.aspx> for more information regarding the Master Plan.

² Refer to <http://inyoplanning.org/projects.htm> regarding the County's previous input regarding the Master Plan process.

³ Formerly known as the California Department of Fish and Game.

To provide executive direction, an Agency Forum was convened that meets in Sacramento as needed. The Agency Forum includes representatives from DWP, SLC, CDFW, Department of Water Resources, Water Quality Control Board, and Inyo County, as well as observers from the Planning Committee.

Issues

Amongst many other goals, the Plan is primarily intended to result in water efficient dust control. Since its inception, the County has participated in development of the Plan and has focused on the following topic areas:

Water Conservation: The County has expressed its strong hope that some water conserved through the Plan be left in the Owens Valley. Many areas of the Valley used to receive water that has been diverted to the Lake.

County Property: The County owns property on the south side of the Lake. Discussions about including this property within the Master Plan were ongoing, and eventually the County agreed to consider including it.

Infrastructure, Utilities, Public Services, and Financing: The County has repeatedly requested that the Plan address infrastructure, utilities, and public services due to the increased demands that the Plan might place on these assets and the resulting costs to the County. The County also has requested that a financing plan be included to ensure that infrastructure, utilities, and public services be developed commensurate with the Plan's development.

County Planning: The County's planning goals, policies, and regulations relevant to the Master Plan should be addressed, which the County has conveyed to the Planning Committee on several occasions.

Vectors and Invasive Species: The Agricultural Commissioner has been concerned about the potential for the Plan to result in additional resources for vector control and invasive species management.

Economic Development: The County has expressed a desire for sustainable development of the lakebed that promotes local economic vitality. Ideas discussed include overlooks, trails, and a scenic roadway circling the lake.

Plan Boundary: A great deal of discussion arose early in the planning process about the Plan boundary, including private property, and whether to include the seeps and springs around the lake. Private lands are included in the Plan boundary, and the County has periodically reached out to those property owners to apprise them of the Plan's progress.

Long Term Water Agreement: DWP has proposed to pump groundwater to partially replace Aqueduct water utilized for dust suppression. The County has indicated that the Long-term Water Agreement (LTWA) applies to this proposed groundwater pumping, and DWP disagrees. Rather than enter into a dispute over the applicability of the LTWA to groundwater development at Owens Lake, the County and DWP agreed to cooperate with other agencies having jurisdiction at the Lake in studying groundwater availability in order to move forward. DWP has invited the

County, GBUAPCD, CDFW, and the SLC to participate in a program to develop, monitor, and manage groundwater at the Lake.

Implementation Mechanism: In order to implement the Plan, two options were considered (1) a Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA) and (2) a Natural Communities Conservation Plan (NCCP). An MOU/MOA would entail a basic agreement between the parties regarding the topics deemed appropriate. An NCCP would be guided by relevant State law and common practice. The current draft Master Plan contemplates several MOAs.

Habitat Suitability Index: The subject of much effort in the Plan's development was the Habitat Suitability Index (HSI). This tool rates habitat values for waterfowl, shorebirds, meadow, and open water guilds and projects a HSI value ranging from "0" (Low or non-suitable habitat) to "1" (highly suitable habitat).

Draft Master Plan

A partial draft Master Plan was released in December 2011. The goals address dust control, public trust, habitat, public access, cultural resources, viewsheds, economic development, and stakeholder involvement. The Board authorized correspondence (attached) regarding the draft Master Plan, primarily related to the County's previous input regarding the LTWA, the County's planning and zoning for the project, vector control and invasive species, public utilities, services, and infrastructure, and financing.

One consistent point of input regarding the draft Master Plan was that a physical plan for the Lake should be developed. In response, DWP has developed a map to illustrate dust control and habitat areas to be developed through the future dust control phases.

Groundwater Study

With the assistance of MWH, DWP prepared a groundwater study for Owens Lake. According to the study, groundwater modeling at Owens Lake has shown that approximately 9,000 to 15,000 acre feet per year (AF/yr) of groundwater development at Owens Lake can be environmentally sustainable, depending on what criteria for springflow is used. Water Department staff do not agree that the study justifies this conclusion. The study recommends that nine new monitoring wells be installed on the margins of the lake to serve to monitor flow to the springs surrounding the lake. Two new test wells are recommended to evaluate the hydrologic characteristics of the Owens Valley Fault. A phased implementation and adaptive management approach is recommended that develops new hydrogeologic information and modifies groundwater development plans accordingly, as information becomes available. The recommended initial phase of the implementation plan involves groundwater development at a rate of approximately 7,000 AF/yr, and three years of monitoring, before implementing additional groundwater development.

DWP Requirements

Work on the Master Plan has slowed since early last year. Recently, DWP published a number of requirements it deems necessary to create a balanced plan that warrants a renewed investment of resources, including the following:

- Acceptance of Master Plan elements that protect or improve the habitat and public benefit goals within the areas where DWP dust controls currently exist.
- Reduction in the amount of Aqueduct water applied to Owens Lake for dust mitigation by at least 50 percent to lessen water use from other resources.
- Legally establish a limit of 45 square miles of dust controls that DWP is responsible to construct and maintain.
- Approve new waterless dust control methods.
- Allowance to transition sufficient areas of the Lakebed without penalties.
- Easement or other indisputable, permanent right to execute and maintain the Lakebed according to the Plan provisions.
- Allowance to utilize groundwater under the Lakebed to achieve full habitat goals.

CCP staff is currently working with stakeholders to solicit opinions about if the Master Plan should proceed, and if so, how. It appears that most stakeholders support proceeding in some manner. Options being considered include short-term advances, such as memorializing the HSI or other Plan components via memoranda, to working through the groundwater issues for a comprehensive Master Plan, to a mixture thereof.

Master Project

Mr. Adams with DWP recently addressed the Board and presented a document entitled "Owens Lake Master Project". The document is available on the DWP website and includes the following goals:

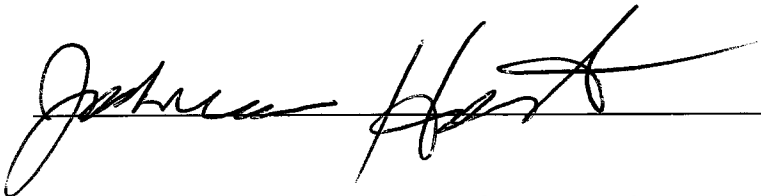
1. Control dust to obtain good air quality and reduce dust related risk to public health
2. Protect, create, and enhance habitat
3. Protect cultural resources, including Native American heritage sites
4. Promote area-wide economic development, including tourism and public use of Owens Lake
5. Explore opportunities for renewable energy development
6. Create a viewshed that is in harmony with the surrounding rural environment
7. Create a flexible adaptive management plan that allows future alterations in response to changing conditions in the Owens Valley and statewide
8. Reduce total lake-wide water use by at least 50%, through the strategic use of waterless or water efficient control measures and groundwater under Owens Lake for dust control

OTHER AGENCY INVOLVEMENT: Owens Lakebed Planning Committee and interested organization and individuals – DWP; GBUAPCD; SLC; CDFW; Inyo County Water Department, Inyo and Mono County Agriculture Department, and other County Departments; 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.

APPROVALS	
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: 4/29/13

Attachments: Previous County Correspondence



BOARD OF SUPERVISORS COUNTY OF INYO

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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



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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.

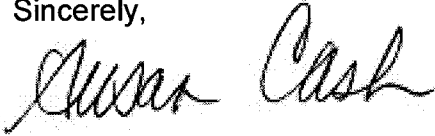
Second, we understand that the following two options are being considered to implement the Master Plan: (1) a Memorandum of Understanding (MOU) and (2) a Natural Communities Conservation Plan (NCCP). The Board supports selection of an MOU due to its greater flexibility. The Board is concerned about the 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



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Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

January 17, 2012

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

RE: Draft 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. Based upon our review of the draft Master Plan and our previous input, we offer the following comments:

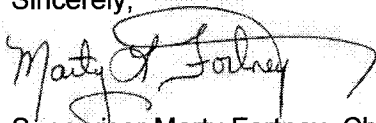
1. The Master Plan should include a goal to work to provide water for areas of the Owens Valley that historically received water that has been diverted to the Lake. The ecosystem of the Owens Valley as a whole should not be compromised for the Lake micro-ecosystem. We suggest that this goal be included with priority on page 1-8 and 1-9 (Section 1.4.2), as well as discussed in more detail in pages 2-1 through 2-3 (Section 2.1) and Chapter 5 (pages 5-1 through 5-8, and particularly Section 5-2 on page 5-6).
2. The Master Plan should acknowledge the County's General Plan, Zoning Ordinance, Renewable Energy Ordinance, and other relevant planning policies and regulations within and adjacent to the Plan boundary. We suggest a new section or chapter to address relevant plans, regulations, and policies more broadly. Possible locations include a new section in Chapter 1 (pages 1-1 through 1-9) or a new chapter describing the regulatory background between existing draft Chapters 2 and 3. Reference to the Renewable Energy Ordinance should be included in Section 7.4 (pages 7-24 through 7-26). (Please see attachment).
3. The Master Plan should provide additional background regarding the Long-term Water Agreement (LTWA) between the County and the City of Los Angeles. We suggest that this issue be elaborated in Chapter 5 (particularly in Section 5.3 on page 5-7) and/or in a new section or chapter regarding the regulatory background described above (Please see attachment). The Master Plan should not conflict with the Long-term Water Agreement.
4. The Master Plan should address public services, utilities, and infrastructure to provide for development of master plan components. We suggest a new section or chapter to discuss these and other relevant issues, such as within Chapter 7 (pages 7-1 through 7-28) or in a new chapter between existing Chapters 7 and 8. (Please see attachment).

5. The Master Plan should provide for vector control, such as for mosquito control, for communities bordering the planning area. These issues have been kept under control by extensive monitoring and control programs of the Inyo/Mono Agriculture Commissioner, and require continuing attention to avoid public health and ecological harm. The Plan should address these potentially negative impacts resulting from it. We suggest discussing these topics in Chapter 6 in a new section or integrated into Sections 6.5.2 and 6.6 (pages 6-35 through 6-40). Additionally, section 8.6 should include a section specific to the potential of unforeseen mosquito and biting insect problems arising from management actions. These issues may present undue strain on local jurisdictions and present significant health-related issues to surrounding populations. Some mention of the potential of these species to diminish public trust resources, such as recreation, access to recreation, and agricultural use, should exist. We suggest including this in sections 7.1 and 7.5.
6. The Master Plan should contain further specifics with regard to invasive species, including:
 - a. The Master Plan should note in section 3.4 that invasive plant species have been discovered within the planning area previously, and continue to pose a threat within the planning area. Indeed, a recent presentation by a scientist during an Owens Lake Committee gathering emphasized the potential for invasive plant colonization. The scientist expressed surprise that invasive plant species were not already a problem.
 - b. The Master Plan should provide for invasive species management within the planning area. Funding for invasive species management and eradication is being reduced, and the Plan may result in impacts from invasive species to nearby lands that will increase costs to the County and/or other entities, such as within the Lower Owens River Plan area. We suggest discussing these topics in Chapter 6 in a new section or integrated into sections 6.5.3 or 6.6 (pages 6-36 through 6-40). Table 6-9, Vegetation Structure and Vegetation Richness row, Potential Management column, should be rephrased "Add *native* plant species to increase structural diversity w/in current compliance criteria".
 - c. Some mention of the potential of these species to diminish public trust resources, such as recreation, access to recreation, wildlife habitat, agricultural use, and scenic amenities should exist. We suggest including this in sections 3.4, 7.1, 7.2, and 7.5.
7. The Master Plan should include financial feasibility analyses and identify funding opportunities. We suggest a new section in Chapter 8 to address financial feasibility and/or expanding Section 8.5 (pages 8-8 and 8-9).
8. Lands within the Lower Owens River Project (LORP) should continue to be excluded from the plan. They should, however, be recognized and any existing plans and/or regulations pertaining to them, such as the Inyo County, City of Los Angeles, Long Term Water Agreement, should be followed. We suggest clarifying these points on pages 1-5 and 1-6 (Sections 1.3.1- 1.3.2 and Figure 1-3).
9. While we previously indicated that the County's property should not be included within the plan, we now believe that the inclusion of this property may be appropriate and wish to analyze the issue further. We are concerned that the Plan may impact biological and/or other resources on our property, and believe that these issues need to be clarified.

10. The plan should encourage economic vitality on the Lakebed, including for current and future uses. We suggest expanding the fourth bullet on page 1-9 (lines 6 and 7, Section 1.4.2) as well as the discussion in Sections 7.5 and 7.6 (pages 7-26 through 7-28). (Please see attachment).

Thank you. We look forward to continue working with you as we move forward with this important planning effort for the Owens Lake, 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,



Supervisor Marty Fortney, 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
Board of the Great Basin Unified Air Pollution Control District
State Lands Commission
Curtis Fossum, State Lands Commission

Attachment
(Numbers correspond to numbering in letter)

2. Inyo County has several relevant plans, accompanying policies and regulations that are geographically within or adjacent to the Owen's Lake Master Plan (OLMP) Area. These include the County's General Plan and Zoning and Renewable Energy Ordinances, the Lower Owens River Plan, the Inyo County City of Los Angeles, Long Term Water Agreement, as well as, programs relating to agriculture and pest control. The OLMP efforts should not conflict or compete with these already established plans, regulations and programs.

- Inyo County General Plan. The OLMP area includes General Plan designations of: State and Federal Lands (SFL); Rural Protection (RP); Natural Resources (NR); Agriculture (A) and Residential Rural High Density (RRH). General Plan land use designations are the roadmap to the County's vision of how it wants to develop and they were vetted through a full public process. Major deviations from this vision, by promoting activities that do not agree with the general plan designations, could change the character of the County envisioned by its citizens.

The County's General Plan also contains policies related to Economic Development, Conservation/Open Space, Biological Resources and Public Safety that relate to activities recommended in the OLMP.

- Economic Development: the General Plan goals for economic development emphasize the County's many opportunities for tourism. The OLMP goals should help to promote the Lake and surrounding area as a visitor destination. Dust mitigation activities should be conducted in a way that does not make the lake, or areas surrounding the lake, undesirable to visitors.
- Conservation/Open Space (Agriculture): the General Plan establishes goals to encourage and protect agricultural activities in the County. The OLMP should not include program elements that might prohibit current, or limit future, agriculture practices.
- Conservation/Open Space (Water): the General Plan establishes goals for sustainable ground water withdrawal and maintaining water resolutions. Water that is used to implement the goals of the OLMP must follow the intent and specific regulations pertaining to water use in Inyo County.
- Biological Resources: the General Plan has a specific goal to work to restore the Owen's River channel. Dust mitigation programs for the lake, identified in the OLMP, need to work in conjunction with current and future river restoration programs.

- Public Safety (Air Quality): the general plan establishes goals to reduce emissions from the lake. The County supports the efforts of the OLMP in dust mitigation programs and encourages the OLMP to incorporate the activities listed on Table 9-1 in the General Plan.
- Inyo County Zoning Ordinance. The OLMP area includes Zoning Designations of: Open Space, with a minimum 40-acres (OS-40) and Rural Residential (RR). The County's zoning designations are the tools to implement the vision established by the General Plan. Deviating from the land uses designated by the zoning ordinance could change the character of the County envisioned by its citizens.
- Inyo County's Renewable Energy Ordinance. The OLMP includes the use of renewable energy facilities as a possible dust mitigation measure. At the end of chapter 7.4, the County's Renewable Energy Ordinance - Title 21 should be introduced. Language in the OLMP that encourages renewable energy development as a means to dust mitigation should follow Title 21.

3. Recognition of the Long Term Water Agreement between Inyo County and the City of Los Angeles is necessary for any water used for mitigation suggested in the OLMP. Some recommended language for additional information pertaining to the Long Term Water Agreement follows:

The extensive water resources of the Eastern Sierra attracted engineers from the City of Los Angeles to Inyo County in the early 1900's. Shortly thereafter, Los Angeles began land purchases to acquire water rights, and in 1913 the Los Angeles Aqueduct was completed to export water from the Owens Valley. This led to the long standing dispute between L.A. and local residents over the impacts of exporting surface and groundwater on the valley's environment and economy. In 1970, L.A. completed a second aqueduct to increase water export primarily by increasing surface water diversion in Owens River and Mono Lake watersheds, increasing groundwater pumping in the Owens Valley, and reducing the amount of agricultural land supplied with water for irrigation. Concern about the detrimental effects of the project prompted Inyo County to sue L.A. for failing to comply with CEQA. In 1991, Inyo County and Los Angeles attempted to settle the litigation by developing a long term groundwater management plan for the Owens Valley referred to as the Inyo/Los Angeles Long Term Water Agreement. The Water Agreement includes provisions to jointly manage groundwater pumping, to maintain irrigated agriculture, and to implement numerous mitigation projects. The goal for pumping management was to prevent adverse changes to groundwater-dependent vegetation in the Owens Valley while providing a reliable water supply for use in the County and for export to Los Angeles. The Water Agreement also includes provisions for financial assistance to the County, mechanisms for dispute resolution, and restrictions on the future expansion of the Los Angeles Aqueduct capacity. The Water Agreement was finalized by the courts in 1997.

4. The OLMP needs to include language that addresses public services and infrastructure needs to implement the plan components. An analysis of how much additional service obligations Inyo County will have as a result of the OLMP activities needs to be included. For example: will the use of County roads to implement plan elements lead to their degradation, and if so, will there be opportunities for compensation to the County? Will the increase of activities on the lake create a need for more emergency responders, and if so, will there be opportunities for compensation to the County? The OLMP calls for an increase of visitors to the lake: will any part of the cost for amenities for visitors, such as parking, trails, restroom facilities and etc. be expected to be shared by the County?

9. Promote economic development in the area that includes, but is not limited to tourism, public access and educational opportunities. Traditional economic drivers that have historically existed on the lake, such as mining and agriculture practices, primarily grazing, should also be encouraged.