

Worksheet
Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)
Bishop Field Office

Section A

DNA No.: CA-170-06-04

Lease/Serial/Case File No.: CACA 45793 Pipeline/Shallow Flood
CACA 47581 34,5 Kv Power line
CACA 47622 Sulfate Road
CALA 0087399 Telephone Cable

Proposed Action Title/Type: LADWP Owens Lake PM10 Dust Mitigation Project

Location of Proposed Action:

Mount Diablo Meridian,
T. 16 S., R. 37 E., Section 23, S1/2SE1/4NW1/4, N1/2NE1/4SW1/4,
SE1/4NW1/4SE1/4, SE1/4SE1/4;
Section 24, SW1/4SW1/4;
Section 25, NW1/4, SW1/4;
Section 26, NE1/4NE1/4, NE1/4SE1/4NE1/4;

T. 17 S., R. 38 E., Section 10, NW1/4NE1/4SW1/4, (Sulfate Road).

Need for Proposed Action:

A long history of water diversion from the Owens River for agricultural use and as a water supply for the City of Los Angeles contributed to drying up of much of the Owens Lake. These relicted lands and lands surrounding Owens Lake have been identified as contributing significant PM10 emissions, exceeding air quality standards under the 2003 State Implementation Plan EIR and Phase V Mitigated Negative Declaration. In this final implementation phase to reduce these emissions, the Los Angeles Dept. of Water and Power (LADWP) will utilize various dust control methods for the project.

In 2003, the Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan showed that about 162 acres of public land located west of Swansea and known as Dust Control Area (DCA) 18 and 19 would require dust mitigation. DCA 18 and 19 are part of a larger area of lakebed which is being mitigated. LADWP has proposed to mitigate

the dust problem on public land in DCA 18 and 19 and the BLM has accepted the offer. The mitigation is expected to reduce health hazards for residents of the nearby towns of Keeler, Olancho, Cartago and Lone Pine, improve the ability to control and manage PM10 concentrations, and improve air quality in the neighboring environment. Three out of the four proposed ROWs analyzed in this EA are needed for this portion of the dust mitigation project. In addition to the above, Sulfate road will be improved. Improvement to Sulfate Road will provide access to the new Operations Facility and Owens Lake Dust Mitigation Program (OLDMP) operations on the Owens Dry Lake.

Description of the Proposed Action:

The proposed action would be; the issuance of a 30-year renewable right-of-way (ROW) CACA 045793 to LADWP for a 162 acre Dust Control Area 18 and 19 shallow flooding area (DCA 18 and 19), the issuance of a 30-year renewable ROW CACA 047581 to LADWP for realignment of an existing 34.5 KV power line, the issuance of a 30-year renewable right-of-way (ROW) CACA 047622 to LADWP for the Sulfate road improvement, and an amendment to an existing ROW CALA 0087399 held by Verizon for realignment of a buried communication cable. The construction activity would begin in February 2006 and be completed by December, 2006.

The 162 acre ROW would be for the DCA 18 and 19 shallow flooding areas (See Exhibit B and C) within which would be located the wetland mitigation area, the flooding berms, access roads, irrigation pipelines, two monitoring wells (See Exhibit F), and any other equipment or structures required for the shallow flooding project. This area would be completely regraded to accommodate proper shallow flooding slopes. It is expected that about 30 acres of vegetation would be removed, the remainder of the area is lakebed shoreline without vegetation. The vegetation removal breakdown would be 10 acres of desert saltbush scrub and 20 acres of dry alkaline meadow. In addition, 10 acres of wetland alkaline meadow would be restored in Section 23 (See Exhibit D). Within the shallow flooding area, three areas would be avoided for cultural concerns until cultural mitigation, as acceptable to the BLM and the State Historic Preservation Officer (SHPO), is satisfied (See Exhibit E). The shallow flooding would continue for the life of the project and would require periodic renewal of the ROW.

The 34.5 KV power line realignment would be 50 feet total width and 2,000 feet long and would include a 50 foot wide temporary construction zone. Fifteen new poles would be installed for the relocation. A permanent maintenance road would run within the ROW corridor. The existing power line within the flooding area would be removed. It is expected that 1.3 acres of desert saltbush scrub habitat would be removed. See Exhibit C.

The Sulfate road improvement ROW would be 70 feet total width and 150 feet long with a 200 foot wide temporary construction zone. Construction would consist of regrading the 24 foot wide roadbed, establishing drainage channels along both sides of roadbed, and asphalt paving of the roadbed. It is expected that 0.24 acres of desert saltbush scrub vegetation would be removed. See Exhibit G.

The Verizon communication cable realignment would be the installation of the communication cable at poles north of Area 18 and on the realigned LADWP pole line. Five new telephone poles would be installed to make the transition of the cable from a buried-to-aerial state. The existing buried cable would remain in place. No vegetation loss would be expected. See Ex. C.

Applicant (if any): Los Angeles Department of Water and Power

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP: Bishop Resource Management Plan **Approved:** March 25, 1993

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

Under the 1993 Bishop RMP General Policies; Management will be on the basis of multiple use and sustained yield as per FLPMA section 102 (a)(7). As part of the multiple-use and sustained yield, the BLM can authorize Rights-of-Way (FLPMA section 501(a)(1-7) such as pipelines, roads, power lines, wells, and other facilities on the public lands for the public good..

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

The Great Basin Unified Air Pollution Control District November 13, 2003 State Implementation Plan (SIP) Environmental Impact Report (EIR) Volume III and the underlying draft SIP EIR documents Volume I and II.

The Great Basin Unified Air Pollution Control District, Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan 2003 Revision.

The Los Angeles Department of Water and Power June, 2005 Owens Lake Dust Mitigation Program (OLDMP)- Phase V Project Mitigated Negative Declaration (PVMND) analysis developed and approved for the Owens Valley PM10 Planning Area Demonstration of Attainment Plan. The above documents describe, analyze, and mitigate the proposed action.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Yes. The above cited documents were specifically written for the Owens Lake Dust Mitigation Program as directed by either the Great Basin Unified Air Pollution Control District or the Los Angeles Department of Water and Power. The proposed action is a part of the “Proposed Project” as defined in the SIP EIR Volume I and revised in Volume III and specifically as defined in the Mitigated Negative Declaration for Owens Lake Dust Mitigation Program-Phase V Project. The Proposed Project was selected from five alternatives including a “No Project” alternative.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?

Yes. Besides the Proposed Project alternative, four additional alternatives were considered. 1. No Project Alternative, 2. Emissive Wetland Avoidance Alternative, 3. Mosaic Alternative, and 4. Habitat Shallow Flooding Alternative (the environmentally superior alternative).

The ability of the proposed project and alternatives under consideration to meet the objectives of the proposed project were evaluated. The proposed project would meet all of the basic objectives of the Great Basin Unified Air Pollution Control District. The No Project Alternative would not meet most of the basic objectives of the proposed project.

Public involvement consisted of consultation with seven Federal agencies, six State agencies, nine Regional agencies including the general area Tribes, five departments within the County of Inyo, seven private organizations, the LADWP, and CH2MHill (consultant). The EIR was available at five local area libraries. In addition, the Notice of Availability and EIR were also sent to private individuals and land owners identified during the preparation of the EIR. Two Draft EIR scoping meetings were held: Independence on November 13, 2002, and Bishop on November 14, 2002. Two public comment meetings were held for the 2003 Revised SIP: Independence on July 24, 2003 and Bishop on July 25, 2003. LADWP requested comments on the Mitigated Negative Declaration-Phase V Project during June-July, 2005.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

Yes. The Phase V Mitigated Negative Declaration cited impacts to cultural resources for the BLM public land involved in the project. The proposed project is currently designed to avoid the affected cultural areas. The cultural report has been reviewed by the Bishop FO archeologist and concurs with its findings. LADWP still needs to complete the cultural recovery for the avoided area and obtain concurrence with the SHPO and the BLM before the area can be flooded. This will be stipulated in the Dust Mitigation Area ROW CACA 045793.

Yes. There has been no new information relevant to the project or changes to the project which would result in more analysis or changes to the existing SIP EIR, the SIP 2003 Revision and the Phase V Mitigated Negative Declaration.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes. The methods and analysis of the SIP EIR, the SIP 2003 Revision and Phase V Mitigated Negative Declaration are currently relevant and applicable to the proposed action and would not differ in any new NEPA analysis.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes. An internal scoping process conducted by the BLM staff on December 9, 2005 determined that the direct and indirect impacts of the current proposed action would be the same as identified in the SIP EIR, the SIP 2003 Revision and Phase V Mitigated Negative Declaration. There are no changes relating to environmental conditions or resources that would require changes to the SIP EIR, the SIP 2003 Revision and Phase V Mitigated Negative Declaration.

Yes. The SIP EIR, the SIP 2003 Revision and Phase V Mitigated Negative Declaration were written specifically for the proposed action and addresses site-specific impacts. The scoping also determined that the site specific impacts would be the same as identified in the SIP EIR, the SIP 2003 Revision and Phase V Mitigated Negative Declaration.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. Generally this project has impact on the environmental resources and mitigation has been used to minimize cited impacts or lower to a non-significant level. It is expected that cumulative impacts would be as stated in the EIR.

The proposed action is expected to contribute to cumulative effects as follows: PM10 dust mitigation on public land will dramatically reduce PM10 emissions originating from public land located west of Swansea and will contribute to overall reduction of PM10 emissions from Owens Lake. There is an overall health benefit from PM10 emission reduction and a general improvement of air and visual quality for the Owens Valley especially during high wind events. It is not expected that the loss of 33 acres of vegetation will have a cumulative effect in the local area due to the large amount of intact acreage having vegetative characteristics similar to that lost. Restoration of 4 acres of wetland alkaline meadow habitat on public land will be a net gain for the Bishop Field Office.

E. Interdisciplinary Analysis:

Persons/Agencies Consulted:

<u>Name</u>	<u>Title</u>	<u>Represented</u>
Liz Cutler	Consultant	CH2MHILL, LADWP
Milad Taghavi	Manager	LADWP Eastern Sierra Environmental Group
Anna Halford	Botanist	BLM
Kirk Halford	Archeologist	BLM
Larry Primosch	Realty Specialist	BLM
Terry Russi	Supervisor Wildlife Biologist	BLM

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

The following mitigation would be required on the ROW grant documents.

1. Right-of-Way holder agrees to incorporate any and all mitigations measures which apply to the construction of the irrigation pipeline, monitoring wells, wetland mitigation area, telephone cable realignment, and the shallow flooding Dust Control Area (DCA) 18 and 19 project, as cited in the Great Basin Unified Air Pollution Control District 2003 Owens Lake PM10 Planning Area Demonstration of Attainment State Implementation Plan (SIP) Environmental Impact Report (EIR) Volume III, and its July 1, 2003 Revision, as well as the LADWP Mitigated Negative Declaration for Phase V of the Owens Lake Dust Mitigation Program and any superseding environmental mitigation measures promulgated by LADWP affecting the public land covered by the Grant. Mitigation measures for the action are located in Section 3 of the 2003 State Implementation Plan EIR and 2005 Phase V Mitigated Negative Declaration.
2. The three cultural sites located within DCA18 which have been identified and would be impacted by the shallow flooding construction are to be avoided until the proper cultural mitigation is adopted and accepted by the BLM and State Historic Preservation Office.

CONCLUSION

I have reviewed the 2003 State Implementation Plan (SIP) Environmental Impact Report (EIR) Volume III, the Great Basin Unified Air Pollution Control District July 1, 2003 Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan 2003 Revision, and the 2005 Owens Lake Dust Mitigation Program (OLDMP) - Phase V Mitigated Negative Declaration (PVMND) analysis developed and approved for the Owens Valley PM10 Planning Area Demonstration of Attainment Plan. The above cited documents describe, analyze, and mitigate the proposed actions to below non-significant levels and are acceptable to the BLM.

The documents fully cover the proposed action and constitute BLM compliance with the requirements of NEPA.

Based upon the review documented above, I conclude that this proposal is in conformance with the Bishop Resource Management Plan, which was approved March 25, 1993. This plan has been reviewed, and the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5.

I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required.

There will be no effect on threatened or endangered species as a result of the action due to the cited mitigation per the SIP EIR, the SIP 2003 Revision, and the OLDMP Phase V Mitigated Negative Declaration documents.

I have determined that the “No Action” alternative is not acceptable. Although there will be minimal or mitigated impacts to various resources on the public land under the proposed action, the no action alternative would result in the continuation of PM10 emissions from the public land. These emissions are a human health, air quality, and visual quality problem which override the potential resource impacts resulting from the Owens Lake dust mitigation construction and operation project.

It is my decision to implement the proposed action and issue to the Los Angeles Department of Water and Power the following Right-of-Ways (ROWs): the issuance of a 30-year renewable ROW CACA 045793 to LADWP for a 162 acre dust control shallow flooding area (DCA 18 and 19) which includes: the wetland mitigation area, the flooding berms, access roads, irrigation pipelines, two monitoring wells, and any other equipment or structures required for the shallow flooding project on public land; the issuance of a 30-year renewable ROW CACA 047581 to LADWP for realignment of an existing 34.5 KV power line which includes a temporary 50 foot wide construction zone; and the issuance of a 30-year renewable ROW CACA 047622 to LADWP for the Sulfate road improvement with a 200 foot wide temporary construction zone. In addition, I will amend the existing ROW CALA 0087399 held by Verizon for realignment of a communication cable. The mitigation measures described below are required for the proposed action. The ROWs will be in full force and effect upon issuance.

Although there will be impacts to various resources on the 162 public land acres under the proposed action, such as; loss of 33 acres of vegetation, permanent removal of nesting and brooding snowy plover habitat, and loss of common wildlife habitat; there will be a reduction of PM10 emissions from the public land. These emissions are a human health, air quality, and visual quality problem which override the potential resource impacts resulting from the Owens Lake dust mitigation construction and operation project. The loss of 33 acres of mixed desert shrub vegetation is an unavoidable impact, but the surrounding public land has thousands of acres of similar vegetation. The proposed wetland mitigation will replace wetland impacted by the shallow flooding in other areas of the basin and will result in a 4 acre wetland gain for the

Bishop Field Office area. The shallow flooding will provide new habitat for the snowy plover and other shore-bird types.

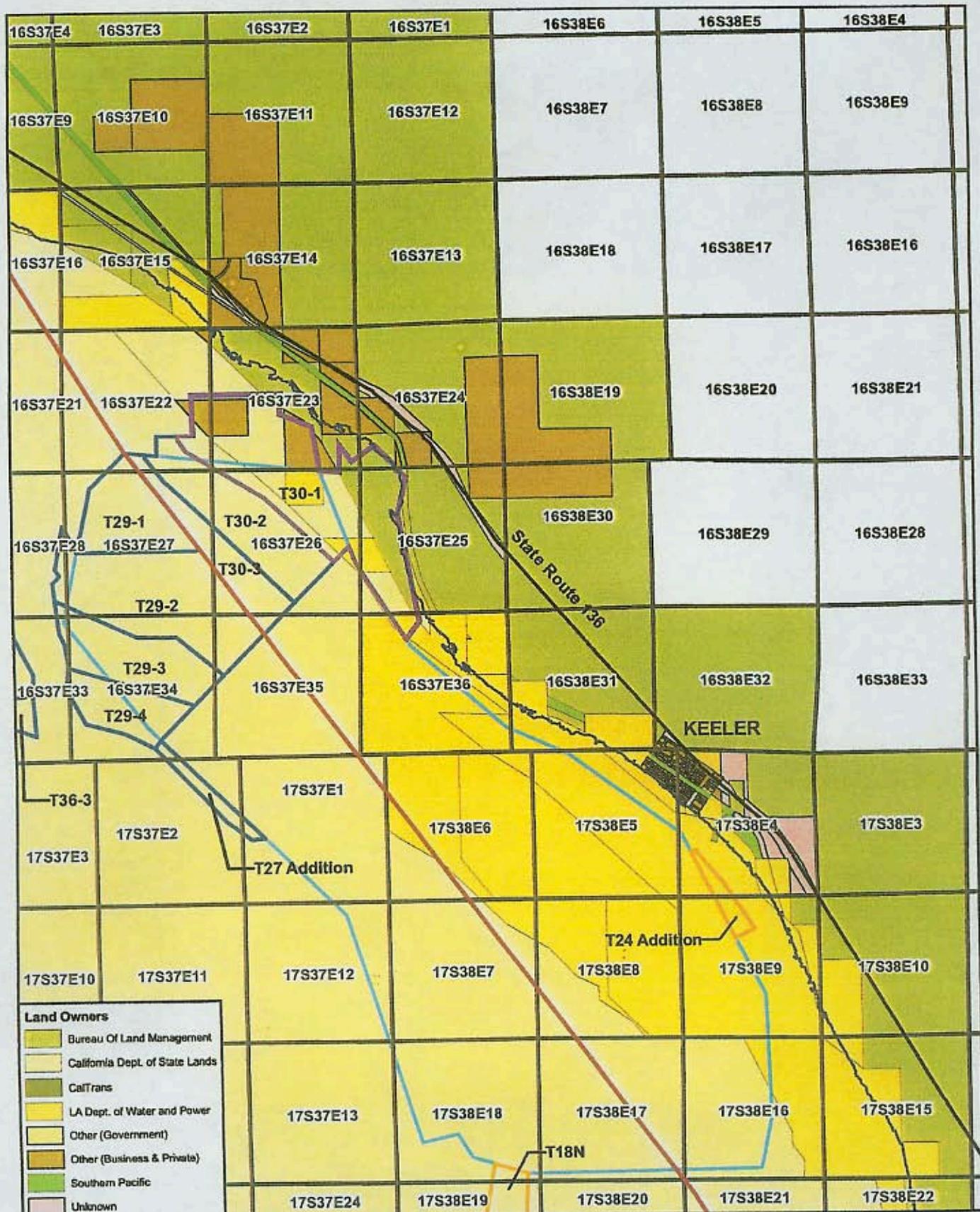
It is in the public interest to issue the various ROWs to the Los Angeles Department of Water and Power and the Verizon amendment so that the 2003 State Implementation Plan and the Phase V Project for the Owens Lake Dust Mitigation Program can be carried out on public land. PM10 dust mitigation on public land will dramatically reduce PM10 emissions originating from public land located west of Swansea and will contribute to the overall reduction of PM10 emissions from Owens Lake. There is an overall health benefit from PM10 emission reduction and a general improvement of air and visual quality for Keeler, Olancho, Cartago, Lone Pine and the Owens Valley especially during high wind events. The PM10 Dust Mitigation Project is a comprehensive effort to reduce dust emissions from lands in the Owens Lake basin. The public land identified as Dust Control Area 18 and 19 is contributing to the emission problem and should be part of this effort.

Mitigation Measures/Remarks:

1. Right-of-Way holder agrees to incorporate any and all mitigations measures which apply to the construction of the irrigation pipeline, monitoring wells, wetland mitigation area, telephone cable realignment, and the shallow flooding Dust Control Area (DCA) 18 and 19 project, as cited in the Great Basin Unified Air Pollution Control District 2003 Owens Lake PM10 Planning Area Demonstration of Attainment State Implementation Plan (SIP) Environmental Impact Report (EIR) Volume III, and its July 1, 2003 Revision, as well as the LADWP Mitigated Negative Declaration for Phase V of the Owens Lake Dust Mitigation Program and any superseding environmental mitigation measures promulgated by LADWP affecting the public land covered by the Grant. Mitigation measures for the action are located in Section 3 of the 2003 State Implementation Plan EIR and 2005 Phase V Mitigated Negative Declaration.
2. The three cultural sites located within DCA18 which have been identified and would be impacted by the shallow flooding construction are to be avoided until the proper cultural mitigation is adopted and accepted by the BLM and State Historic Preservation Office.

Bill Dunkelberger, Bishop Field Manager

Date



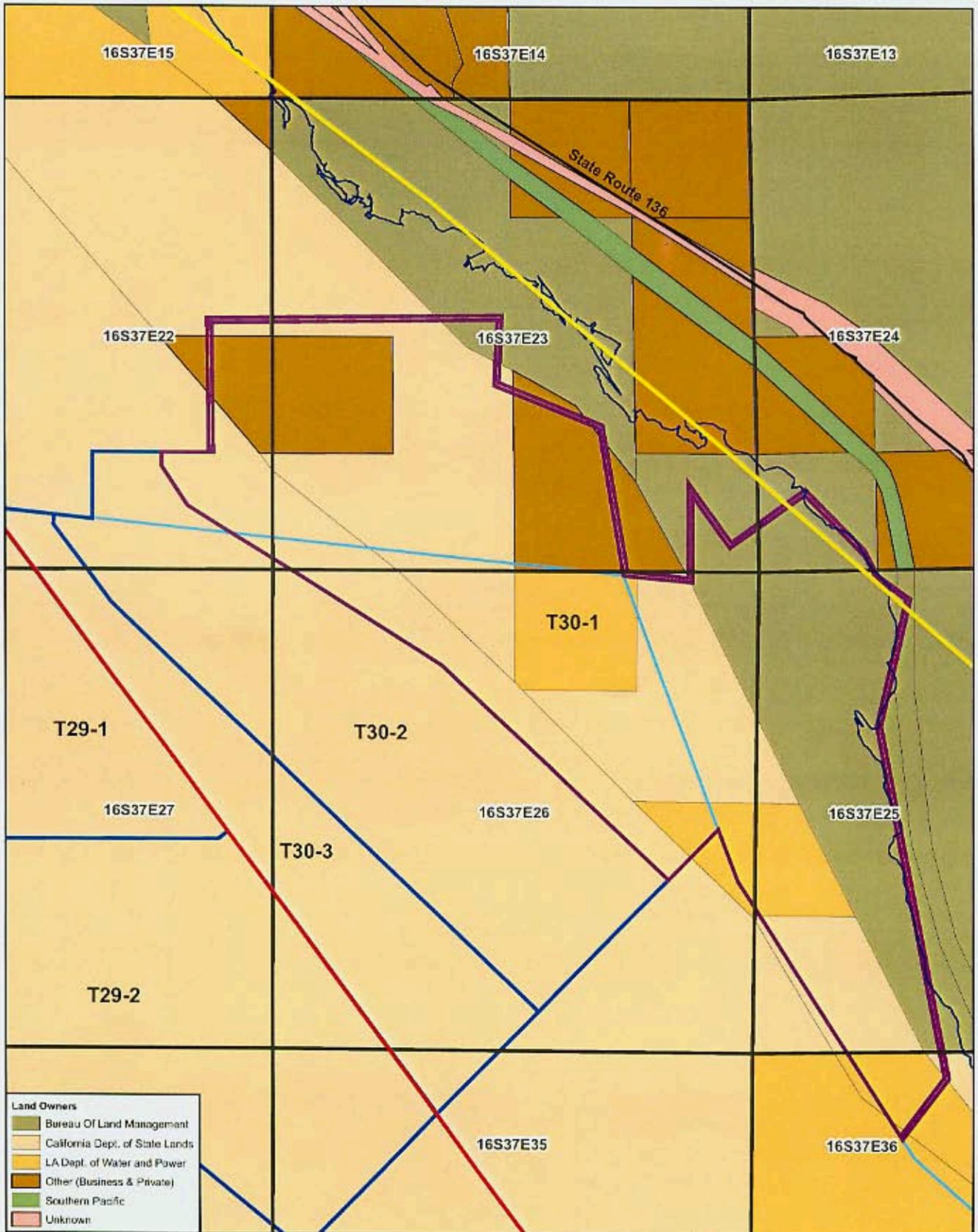
Land Owners

	Bureau Of Land Management
	California Dept. of State Lands
	CalTrans
	LA Dept. of Water and Power
	Other (Government)
	Other (Business & Private)
	Southern Pacific
	Unknown

Legend

	Mainline / Utility Corridor / Access Road		Phase IV Design		Existing Shallow Flooding
	Highways		Phase V Design		Township/Range/Section
	LA Aqueduct		Phase V Dust Control Area		
	Historic Shoreline		T30-1 (Modified Area 18)		

Figure 1
Owens Lake Dust Mitigation Program - Phase V Project and Property Ownership
 Owens Lake Dust Mitigation Program
 Inyo County, California
 Created on 08/16/05
 (Mount Diablo Meridian)



Land Owners

	Bureau Of Land Management
	California Dept. of State Lands
	LA Dept. of Water and Power
	Other (Business & Private)
	Southern Pacific
	Unknown

Legend

	Power Line		Highways		Existing Shallow Flooding
	Mainline / Utility Corridor / Access Road		Phase V Design		Township/Range/Section
	Historic Shoreline		Phase V Dust Control Area T30-1 (Modified Area 18)		

Figure 2 - Proposed Area T30 and Existing Power Line
 Owens Lake Dust Mitigation Program
 Inyo County, California

Created on 09/26/05

Scale: 0 100 200 Feet
 (Mount Diablo Meridian)

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EXHIBIT C 10-26-05 *[Signature]*

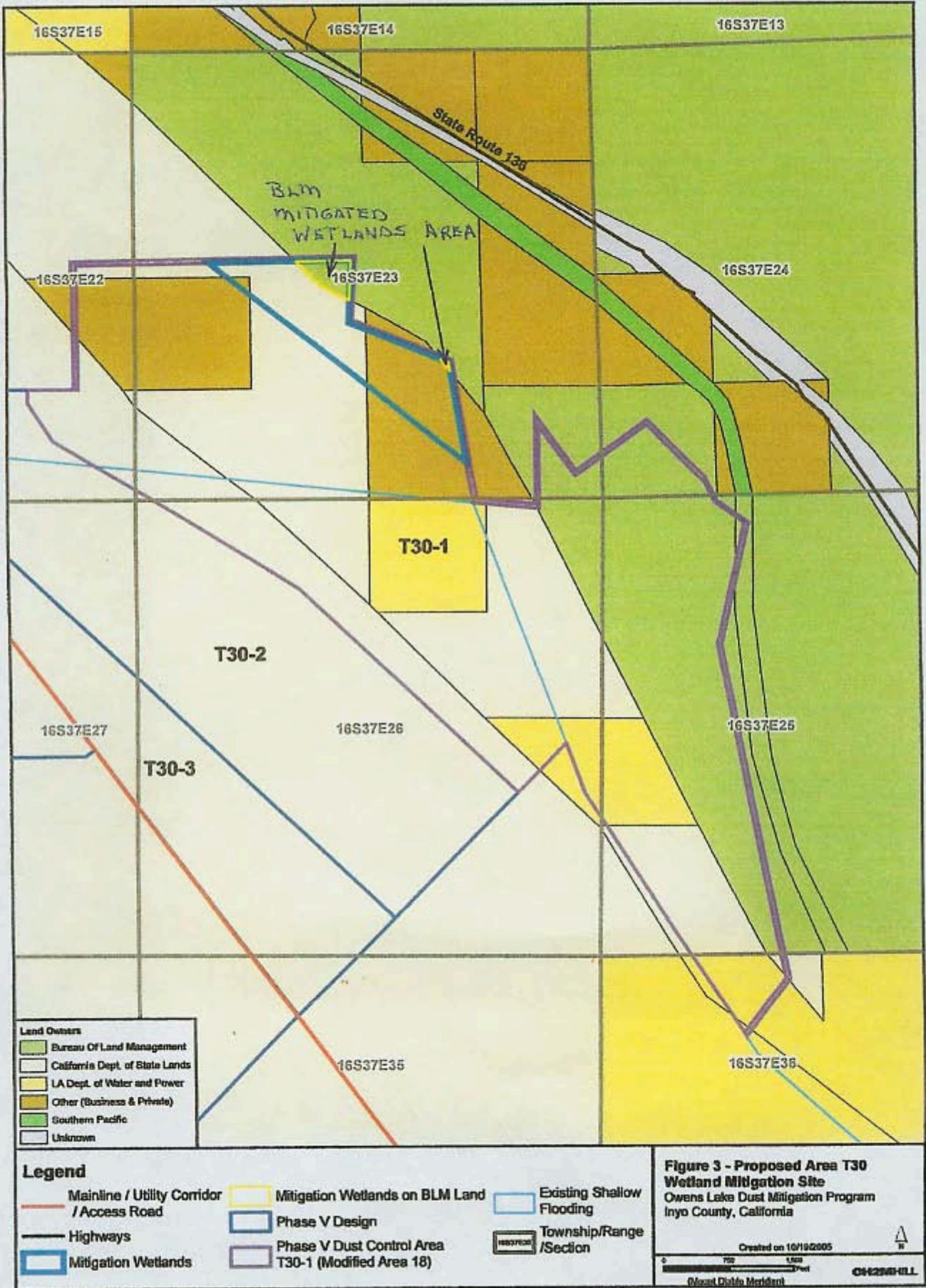
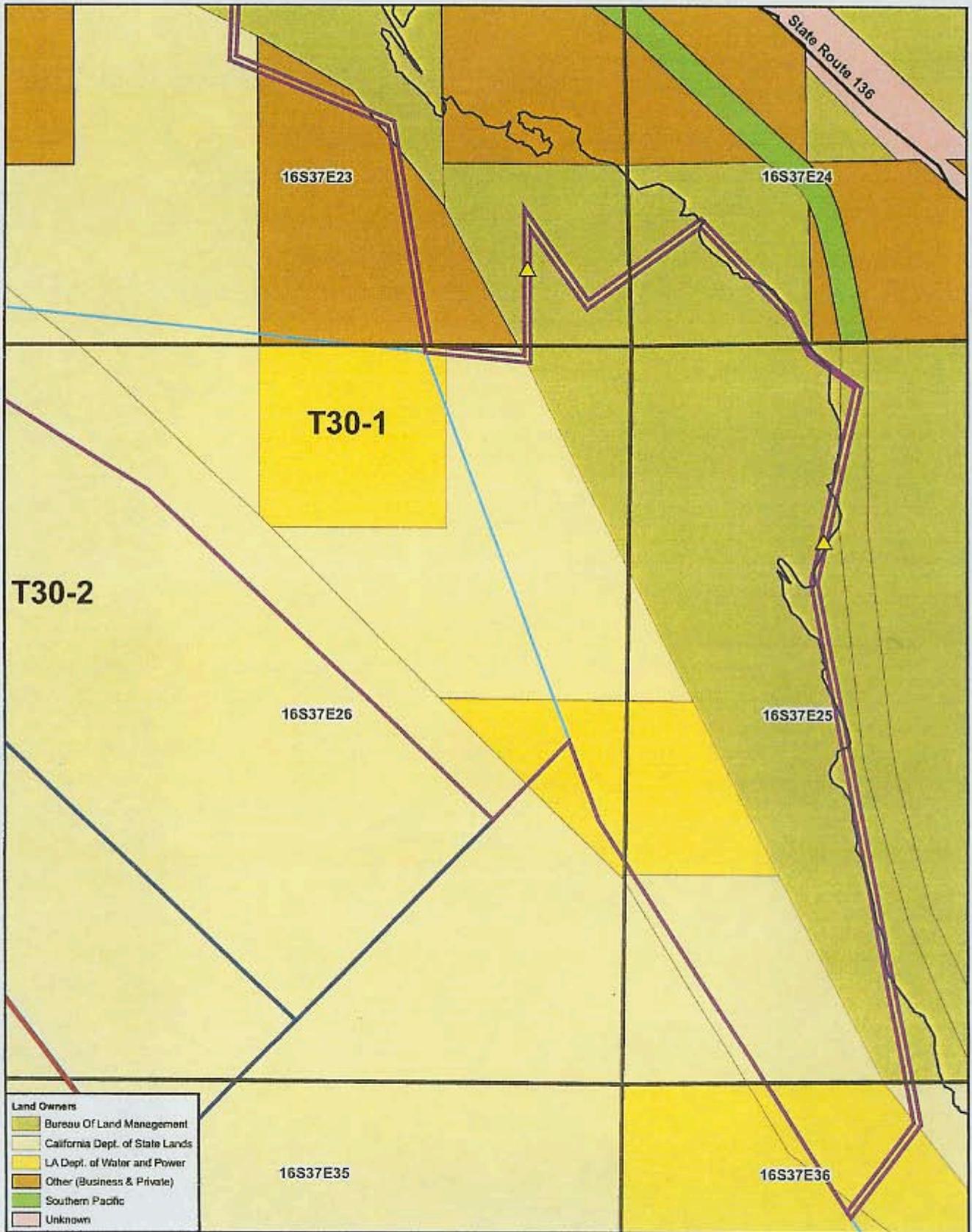


EXHIBIT D 10-26-05 YRP



Land Owners

	Bureau Of Land Management
	California Dept. of State Lands
	LA Dept. of Water and Power
	Other (Business & Private)
	Southern Pacific
	Unknown

Legend

	Monitoring Wells		Highways		Existing Shallow Flooding
	Mainline / Utility Corridor / Access Road		Phase V Design		Township/Range/Section
	Historic Shoreline		Phase V Dust Control Area T30-1 (Modified Area 18)		

Figure 2 - Proposed Area T30-1 and Proposed Monitoring Well Locations
 Owens Lake Dust Mitigation Program
 Inyo County, California

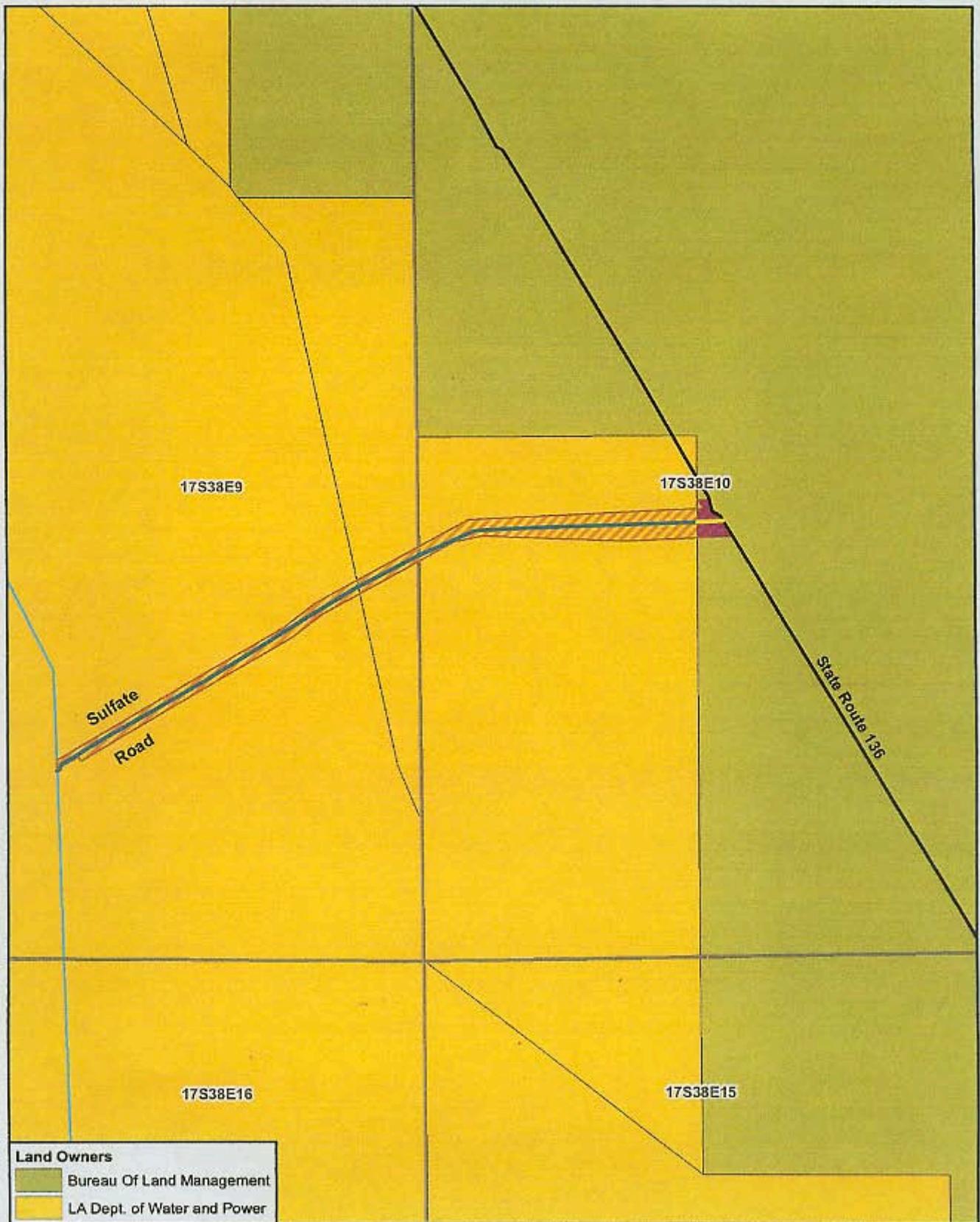
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0 500 1,000 Feet
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EXHIBIT F 10-26-05

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Land Owners

	Bureau Of Land Management
	LA Dept. of Water and Power

Legend

	Sulfate Road on BLM		Sulfate Road Construction Zone on BLM		Township/Range/Section
	Sulfate Road (Access Roads / Utility Corridor)		Proposed Sulfate Road Construction Zone		
	Highways / Roads		Existing Shallow Flooding		

Figure 3 - Proposed Sulfate Road Construction Zone
 Owens Lake Dust Mitigation Program
 Inyo County, California

Created on 03/08/05

0 375 750 Feet

Mound Dabbs Meridian

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