MINUTE ITEM
This Calendar Item No. 57
was approved as Minute Item
No. 57 by the State Lands
Commission by a vote of 3
to 0 at its 5/5/95
meeting.

MINUTE ITEM 57

W 24777

PRC 7633

S. SEKELSKY

APPROVE A GENERAL PERMIT — PUBLIC AGENCY USE, A MEMORANDUM OF AGREEMENT FOR DUST MITIGATION ON OWENS LAKE, A JOINT POWERS AGREEMENT AND RELEASE OF FUNDS

Three letters were submitted into the record from Department of Water and Power, Los Angeles, CA; Keeler Community Service District, Keeler, CA; and California Department of Fish and Game, Bishop, CA, in regards to the proposed Negative Declaration.

After a brief discussion Calendar Item 57 was approved 3-0.

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CALENDAR PAGE
MINUTE PAGE 1525

STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

May 4, 1992

File Ref.: W 24777

Mr. Dennis C. Williams
Engineer in Charge
Department of Water and Power
Los Angeles Aqueduct Division
Box 111
Los Angeles, California 90051-0100

Dear Mr. Williams:

We wish to thank you for your comments on the proposed Negative Declaration for the Owens Lake projects. We appreciate the time spent on this project and the nature of the comments.

We have made the editorial changes you suggested, including the substitution of "mitigation" for "bioremediation", the inclusion of "recorded" in the air quality section and "project" in the mitigation section, and the introductory material you submitted for the history section.

The Mill Site pump station will require electrical power to be brought to the site. Existing power lines run along Highway 136, but a line will have to be run for 1/3 of a mile to the pump site. The impacts, if any, of this line are being addressed by the BLM, since the line crosses their land.

The threshold velocity of 10 mph for blowing sand comes from the December, 1991, report prepared by AeroEnvironment Inc., for the Los Angeles Department of Water and Power, page 2-4, paragraph 3.

The values for water flows in the Owens Valley were taken from the Negative Declaration prepared by the Great Basin Unified Air Pollution Control District for their State Implementation Plan, done in December, 1988. This document includes a hydrology report prepared by the Department of Water and Power in October of the same year.

The issue of the permanence of the wetlands created by the pilot project is complicated by our lack of knowledge of which method or methods will be chosen for the final mitigation of the Owens Lake dust problem. If the various flooding pilot projects prove to be the most efficient system of reducing dust, then the wetlands created during the pilot may become permanent. If the other methods prove more efficient, then the fate of the wetlands is less certain.

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Again, we appreciate the comments you prepared on this program, and your continuing involvement in the solution to the dust problems in the Owens Valley.

Sincerely,

Dwight E. Sanders

Dwight E. Sanders
Chief, Division of Environmental
Planning and Management

PAGE
1037

File 24777
Copy

Department of Water and Power the City of Los Angeles

TOM BRADLEY
Mayor

Commission
MICHAEL J. GAGE, *President*
RICK J. CARUSO, *Vice President*
ANGEL M. ECHEVARRIA
DOROTHY GREEN
MARY D. NICHOLS
JUDITH K. DAVISON, *Secretary*

DANIEL W. WATERS, *General Manager and Chief Engineer*
ELDON A. COTTON, *Assistant General Manager - Power*
JAMES F. WICKSER, *Assistant General Manager - Water*
NORMAN L. BUEHRING, *Assistant General Manager - External Affairs*
NORMAN J. POWERS, *Chief Financial Officer*

April 24, 1992

Mr. Goodyear K. Walker
California State Lands Commission
Division of Environmental Planning and Management
1807 13th Street
Sacramento, California 95814

Dear Mr. Walker:

Proposed Negative Declaration for Owens Lake Projects

This letter is in response to the Notice of Public Review of a Proposed Negative Declaration, dated March 27, 1992. The Negative Declaration addresses the potential impacts which may result from implementing the Proposed Dust Mitigation Pilot Program - Owens Lake. Our comments are enclosed.

If you have any questions regarding the comments, please contact Mr. David F. Allen at (213) 482-7412.

Sincerely,

Dennis C. Williams

DENNIS C. WILLIAMS
Engineer in Charge
Los Angeles Aqueduct Division

Enclosure

c: Mr. David F. Allen

111 North Hope Street, Los Angeles, California 90012 *Mailing address:* Box 111, Los Angeles 90051-0100
Telephone: (213) 481-4211 *Cable address:* DEWAPOLA *FAX* (213) 481-8701

Comments on the Proposed Negative Declaration
for Owens (Dry) Lake Projects to be
Conducted during the 1992-93 Fiscal Year

Prepared by the City of Los Angeles
Department of Water and Power

General Comments

The State Implementation Plan (SIP) which was submitted by the Great Basin Unified Air Pollution Control District outlines a Dust Mitigation Plan and not a Dust Bioremediation Plan. Such references to bioremediation may limit the types of mitigation measures which may be utilized in the future. It is acceptable to use the term bioremediation so long as it applies to a specific project but the term should not be used when referring to potential mitigation measures, the SIP, or the Long Range Plan to control the fugitive dust emissions from Owens Lake.

The section that describes the environmental setting of vegetation contains excellent references, however the remaining sections within the environmental setting do not contain any references. Sources of information should be cited whenever values are stated or figures are used. This is particularly important for the environmental setting of water and the amounts of water entering and leaving the Owens Lake system. Whether or not these values are correct is questionable and if these values are known then some of the proposed studies are unnecessary.

It is extremely important to emphasize that the wetlands project is a temporary project and will be removed after completion of the test. By creating wetlands, the lands may become subject to the jurisdictional authority of the US Army Corps of Engineers even though these would be artificially created wetlands.

Detailed Comments

Additions are in **boldface** type and deletions are ~~stricken~~.

PROPOSED DUST REMEDIATION PILOT PROGRAM FOR OWENS LAKE

Initial Study -- Introduction

No comments.

SIDAR PAGE
E PAGE

Detailed Project Description

(Throughout each component of the project description, all references to **bioremediation** should be changed to **mitigation** since the underlying intent is to control fugitive dust emissions. The term "bioremediation" should only be used if it is applicable to a specific project.)

(page 1, para. 3, line 9)
... monitoring has verified that the highest recorded PM_{10} readings in ...

(page 2, para. 2, lines 8-10)
(A State Implementation Plan (SIP) for the Owens Valley has already been adopted by the California Air Resources Board.)

Component 1 - Wetlands Project
(page 3, para. 4, line 2)
A pump station will be constructed ...
It is not clear as to the source of power for the pump station (i.e. electrical or diesel). Currently there does not exist an electrical power source for the proposed Mill Site pump station. Supplying an electrical power source to this pump station would require installing a transmission line and power poles across a parcel of land which is managed by the US Bureau of Land Management (BLM). The entire Negative Declaration fails to address this issue. Such a construction process will require the issuance of a permit from BLM.

Potential Impacts and Mitigations Incorporated Into The Program

(This section does not include nor mention the potential impacts due to the construction of a pump at the Mill Site or the impacts associated with supplying the pump with a power source.)

(page 10, para. 1, line 2)
... crews, maintenance over the life of the pilot project, and investigators ...

Environmental Setting

(page 12, para. 4) - Add the following sentence at the beginning of the paragraph. -
Use of the Owens River water for agriculture in the Owens Valley and variation in annual precipitation caused the level of Owens Lake to drop considerably by the turn of the century. In ~~1917~~ 1913, the City of Los Angeles ...

Climate

(page 15, para. 1, line 9)

... important threshold velocity for surface winds is ~~10~~ 18 mph.

(The source of reference should be cited.)

Water

(page 16, para. 1-4)

(All values listed within these paragraphs should be referenced.)

(page 16, para. 6, line 2)

... flowing intermittently and others flowing ~~permanently~~ **continuously.**

Environmental Impact Assessment Checklist
Discussion of Environmental Evaluation

C. Water

(page 26, C1., line 3)

... temporary ponds or wetlands on the lakebed **which will dry up at the completion of the test.**

D. Plant Life

(page 27, D1., last line)

... minimize any vegetation disturbance. **The creation of wetlands or ponds, referred to in C1. above, may encourage growth of new vegetation in or near the ponds. The new vegetation will die off when the ponds dry up at the conclusion of the test.**

E. Animal Life

(page 28, E1., last line)

... encountered while in the field. **The creation of wetlands or ponds, referred to in C1. above, may provide new wildlife habitat area. The new wildlife habitat area will be eliminated when the ponds dry up at the conclusion of the test.**

STATE OF CALIFORNIA

PETE WILSON *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

May 4, 1992

File Ref.: W 24777

Richard M. Lopez, Chairman
Board of Directors
Keeler Community Service District
P.O. Box 63
Keeler, California 93530

Dear Mr. Lopez:

The staff of the State Lands Commission has reviewed the two letters you sent in response to its circulation of the proposed Negative Declaration for the Dust Remediation Program at Owens Lake. We appreciate the time you have taken to review and comment on the program and its components. Our responses are organized to correspond to the order of your comments.

The well located closest to Keeler's production well will not be used for pumping purposes, only for monitoring. This will help our staff ensure that no changes to the amount or quality of Keeler's water supply are taking place during this test.

This is a pilot project that will test dust control methodologies which have not been applied previously. We do not know for certain that any of these effects will take place, so the "maybe" response is appropriate. One of the major goals of this program is to verify the extent of the impacts that could be generated by different mitigations if they were implemented on a larger scale. Until the tests are made we will only have approximate answers.

We do not believe that any of these impacts will occur, but the purpose of the small scale pilot is to prove that this is the case. If there are significant adverse impacts, the project will cease immediately.

The pumps will be working intermittently over the course of one year. The volume of water pumped will vary with each episode to test a range of water volumes and its effect on the blowing dust and sand. The wells have been tested, pumping for 24 hrs/day for three full months at 1500 gpm x 3 wells, or 4500 gpm.

CALENDAR PAGE
MINUTE PAGE

As the monitoring data is developed over the course of the pilot project, it will be shared with the Community Service Board and any other interested parties. It should be stated again that the purpose of the extensive monitoring is to detect any changes in the subsurface water supply early enough to stop any phase of the program that appears to be threatening those supplies.

The net effect of this project will be to increase the wetland area in and around Owens Lake. This increase may be temporary if the flooding mitigation is not adopted on a permanent basis, but there will be no decrease in the existing wetlands in any event.

Although we received your second letter after the public review period had ended, staff wishes to respond to those comments as well. Because of the mitigations and monitoring included in the pilot program, staff concludes that there will not be any significant impacts on any portion of the environment, including the local water supplies. Therefore, a Negative Declaration is the appropriate environmental document. When the data from these small pilot projects is available, and a full-scale dust mitigation project proposed, it will be appropriate to produce additional environmental documentation.

Thank you again for your interest and concerns.

Sincerely,

Dwight E. Sanders

Dwight E. Sanders
Chief, Division of Environmental
Planning and Management

...R PAGE
...TE PAGE 1023

File W24777

KEELER COMMUNITY SERVICE DISTRICT

POST OFFICE BOX 83
KEELER, CALIFORNIA 93530

April 27, 1992

GOODYEAR K. WALKER
Division of Environmental
Planning and Management
State Lands Commission
1807 - 13th Street
Sacramento, CA 95814

Re: Comments - Negative Declaration - Proposed Dust Remediation Pilot Program - Owens Lake

Dear Mr. Walker:

The Keeler Community Service District Board of Directors have the following comments regarding the above project:

1) We hereby formally request that the test well of the Great Basin Unified Air Pollution Control District, located approximately one mile from our production well for the town of Keeler, not be used in any proposed projects on Owens Dry Lake, because of the likelihood that pumping from the test well would draw down our aquifer, and/or reduce or negatively affect the quantity and quality of Keeler's water supply. Similarly, we wish to go on record as opposing any other type of pumping from nearby areas which would negatively affect our water supply.

2) A general comment on the "Environmental Impact Assessment Checklist - Part II" is that it does not include any "Yes" responses; only "Maybe" or "No" responses. Therefore it would seem unnecessarily vague in its required assessment of the expected impacts.

3) We are concerned about items 6, 7 and 8 on page two of the checklist, which are all answered with a "Maybe":
6. "Alteration of the direction or rate of flow of groundwaters";
7. "Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations"; and
8. "Substantial reduction in the amount of water otherwise available for public water supplies".

4) Apparently, Keeler lies in the middle of the areas to the north and the south which will involve pumping and formation of wetland areas. We note that you plan to use 10" pipes for water transport. The Negative Declaration document does not identify the volume of water which will be pumped from each area, nor the length of time of the pumping. Again, our concern is that large scale pumping will negatively affect our town water supply. We request that our Board be advised of

APR-29-92 WED 9:32 P.02

the volume and length of time of pumping which will be undertaken at the two pumping stations, and

5) We request that you work closely with our Board in your monitoring of water levels in these areas as well as at our Keeler well so that our town water supply is not threatened in any way when you begin your pumping program.

5) Keeler residents, along with the KCSD Board members, have expressed concerns regarding safeguarding existing local wetland areas; for example, the wildfowl habitat about a mile northwest of Keeler, and those along the lakebed edge south of Keeler. There are many existing wetland areas on Owens Lake, which should be documented and protected.

We would be happy to discuss the above with you or members of your staff. I can be reached at (619)876-4238 or (619)876-4633 (evenings); or you can contact our Secretary at (619)876-4777.

Very truly yours,

Richard M. Lopez

RICHARD M. LOPEZ
Chairman
Board of Directors

cc: Senator Bill Leonard
400 N. Mountain Ave., Suite 109
Upland, CA 91786

Inyo County Board of Supervisors
P.O. Drawer N
Independence, CA 93526

Robert Kennedy, Director
Inyo County Environmental Health Dept.
P.O. Box 427
Independence, CA 93526

Ellen Hardebeck, Director
Great Basin Unified Air Pollution Control District
157 Short St., Suite 6
Bishop, CA 93514

Wayne Lemieux
Attorney at Law
200 N. Westlake Blvd., Suite 102
Westlake Village, CA 91362-3755

APR-29-92 WED 9:33 P.03

File 24777

Not received until 4-30-92

KEELER COMMUNITY SERVICE DISTRICT

POST OFFICE BOX 63
KEELER, CALIFORNIA 93530

April 29, 1992

GOODYEAR K. WALKER
Division of Environmental
Planning and Management
State Lands Commission
1807 - 13th Street
Sacramento, CA 95814

Re: Further Comments - Negative Declaration - Proposed Dust Remediation Pilot Program - Owens Lake

Dear Mr. Walker:

The Keeler Community Service District Board of Directors have the following further comments regarding the above project, in addition to those concerns outlined in my letter to you dated April 27, 1992:

We believe an Environmental Impact Report is necessary for this work. We do not feel that it is appropriate for this project to be broken down into increments, and Negative Declarations prepared for each section of the project. Instead, an Environmental Impact Report should be prepared for the entire project, including this Pilot Program. We do not feel that a Negative Declaration will provide the necessary review and protections required for a project of this scope, particularly in light of the anticipated impacts on local water supplies.

Please contact me at (619)876-4238, (619)876-4633 (evenings), or the Board Secretary at (619)876-4777 if you have any questions.

Sincerely,

Richard M. Lopez

RICHARD M. LOPEZ
Chairman
Board of Directors

STATE OF CALIFORNIA — PETE WILSON, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95[illegible]

CHARLES WARREN
Executive Officer

May 4, 1992

File Ref.: W 24777

Denyse Racine
Wildlife Biologist
California Department of Fish and Game
407 W. Line Street
Bishop, California 93514

Dear Ms. Racine;

We appreciate your continued involvement with the proposed dust mitigation pilot projects for the Owens Valley, and the comments which we received from you on our proposed Negative Declaration.

We will be adding to the final document wording to incorporate your suggestions. Component 1 will be modified to include monitoring of the effects of pumping on springflow, and on the wetland vegetation associated with those springs. The contractor for the vegetation portion of this component will be advised to consult with both you and our own biologist when selecting test species for the test plots. The mitigation section has been modified to add the fact that all plant surveys must be conducted at the most appropriate time of year to ensure the highest probability to identify these plants. The sentence you suggested regarding notification of Fish and Game and the California Natural Diversity Data Base has also been added.

It is our intent to keep you informed of the progress of the various components of the pilot program, and to involve you in the process of designing a final dust mitigation plan for which additional environmental documentation will be prepared.

Again, thank you for the time you have spent with us on this project, and for the comments you submitted.

Sincerely,

Dwight E. Sanders
Chief, Division of Environmental
Planning and Management

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON Governor

DEPARTMENT OF FISH AND GAME
407 W. Line Street
Bishop, CA 93514
(619) 872-1171

April 29, 1992

State Lands Commission
Executive Office
1807 13th Street
Sacramento, CA 95814
Attention: Goodyear K. Walker

Dear Mr. Walker,

The Department of Fish and Game has reviewed the Negative Declaration for the Proposed Dust Remediation Pilot Program-Owens Lake, SCH No. 92032104, located in Inyo County. The project consists of a pilot program to reduce dust emissions from the bed of Owens Lake, consisting of nine components. We have the following comments for your consideration:

1) Page 3, paragraph 2. Objective 6 should be expanded to include documentation of the effects that pumping has on springflow and associated wetland vegetation.

2) Page 4, paragraph 3. As the state trustee agency for fish and wildlife resources (including plants), we request that the Department be given the opportunity to provide input on the selection of plant species and planting techniques to be used on the test sites. We support the use of native species only for the test plots.

3) Page 10, paragraph 3. The document should state that the rare plant surveys must be conducted during the appropriate time of year (generally when the plants are flowering) to detect the presence of the target species.

4) Page 10, Potential Impacts and Mitigations Incorporated into the Program. We request that this section be expanded to include the following sentence: "If, during the course of the biological survey work being conducted for this project, any occurrence of any sensitive plant or animal is discovered, the Bishop office of the Department of Fish and Game shall be notified as soon as possible following the discovery. The California Natural Diversity Data Base will also be notified at the end of the survey period of all sensitive species noted during the project."

5) Page 11. We support the various mitigation measures which have been incorporated into the project to minimize disturbance to western snowy plover nesting areas.

[illegible] PAGE
[illegible] PAGE 1023

Thank you for the opportunity to comment on this document. If you have any questions, please call me at the above telephone number.

Sincerely,

Denyse Racine

Denyse Racine
Associate Wildlife Biologist

CALENDAR ITEM

A 34
S 15

57

05/05/92
W 24777 PRC 7633
S. Sekelsky

APPROVE A GENERAL PERMIT - PUBLIC AGENCY USE, A MEMORANDUM OF AGREEMENT FOR DUST MITIGATION ON OWENS LAKE, A JOINT POWERS ACREEMENT AND RELEASE OF FUNDS

APPLICANT:
Great Basin Unified Air Pollution Control District (GBUAPCD)
157 Short Street, Suite 6
Bishop, California 93514

AREA, TYPE LAND AND LOCATION:
Approximately 13,960 acres of State-owned sovereign lands in the dry bed of Owens Lake, Inyo County.

LAND USE:
Mitigation and dust abatement projects to limit particulate pollution from the dry bed of Owens Lake.

TERMS OF PROPOSED PERMIT:
Initial period:
Three (3) years beginning May 1, 1992.

CONSIDERATION:
The public health and safety; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant has jurisdiction over the implementation of emission limitations, rules and regulations, and enforcement procedures to maintain State and federal ambient air quality standards in the Owens Valley basin.

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PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:
N/A

OTHER PERTINENT INFORMATION:
1. Until 1987, Owens Lake was exempted from meeting Federal Air pollution standards by the environmental Protection Agency (EPA) under their "Rural Fugitive Dust Policy". The exemption was removed in 1987 at the request of the local air pollution district, the Great Basin Unified Air Pollution Control District (GBUAPCD), because the lake and adjacent areas produced measured violations up to 12 times the new Federal Standard (PM-10) and because of the severe impact on the region during dust episodes.

   The EPA now requires that a comprehensive plan to control the dust from the Owens Lake area be developed by 1994 and that an air quality standard (PM-10) be met by the year 2001.

   If approved, the program would provide the GBUAPCD, in conjunction with the University of California, Davis; University of Nevada; Air Resources Board (ARB); and Los Angeles Department of Water and Power (LADWP), with the ability to implement a mitigation and dust abatement program to reduce the (PM-10) level. The program, as set forth in exhibits "C" and "D" consists of research and construction components that involve wetland development (controlled flooding), sand fences, dune arrays, water availability, and vegetation regeneration. Each of the components is a pilot or exploratory project. The final design of a dust mitigation strategy will use the scientific information developed by each of these pilot projects. The final dust mitigation plan will require additional environmental documentation and Commission action.

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MINUTE PAGE 1054

The entire four-year project is expected to cost $5,381,989, $300,000 of which is attributable to the UCD project components, and the remainder of $5,081,989 is attributable to the GBUAPCD project components.

While the State Lands Commission staff is providing direct assistance in the areas of environmental and permit processing, the funding will be provided by approved legislation, U.C. Davis, LADWP, EPA, and ARB.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration (ND) identified as EIR ND 587, State Clearinghouse No. 92032104. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

3. Subsequent to circulation of the ND, changes in the project description of one of the components of the proposed program, namely, the Sand Dune Array Mitigation Test (Component No. 2 - Proposed Negative Declaration), Exhibit "C", were made.

   The only change in this component is in the location. The original location for this component is shown on figures 3, 4, and 5 in Exhibit "C". The location of this component has been changed and will now occur in the southern part of the lakebed as shown in Exhibit "D". This proposed location has been addressed in the proposed Negative Declaration.

   All mitigation measures incorporated into the project description will also apply to the project at the new location. Staff of the Department of Fish and Game have been contacted regarding the change to the proposed program and have indicated that identified mitigation measures would avoid impacts to plants and animals.

4. A Mitigation Monitoring Plan has been prepared and is attached to the Proposed Negative Declaration. The

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University of California, Davis, and the Great Basin Unified Air Pollution Control District are responsible for monitoring as specified in both the Proposed Negative Declaration and the Monitoring Plan.

5. Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto. There is no substantial evidence that the program will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

6. This activity involves lands which have not been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq.

7. The Memorandum of Agreement, Exhibit "E", describes the dust abatement and mitigation program and the areas in which the State Lands Commission and GBUAPCD will cooperate.

8. The Joint Power Agreement and fund release, Exhibit "F", sets forth the parameters for the transfer of funds between the State Lands Commission, GBUAPCD, and U. C. Davis.

EXHIBITS:

A. Land Description
B. Location Map
C. Negative Declaration/Monitoring Program
D. New Location Map - Component No. 2
E. Memorandum of Agreement
F. Joint Powers Agreement and Fund Release

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 587, STATE CLEARINGHOUSE NO. 92032104, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

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CALENDAR ITEM NO. 57 (CONT'D)

3. ADOPT THE MITIGATION MONITORING PLAN ATTACHED AS EXHIBIT "C".

4. AUTHORIZE THE EXECUTIVE OFFICER, OR HIS DESIGNEE, TO ENTER INTO AND EXECUTE A MEMORANDUM OF AGREEMENT AND A JOINT POWER AGREEMENT BETWEEN THE STATE LANDS COMMISSION AND GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT IN SUBSTANTIALLY THE FORM ATTACHED AS EXHIBITS "E" AND "F".

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EXHIBIT A

All that portion of the following described lands lying waterward of the U.S. meander line of Owens Lake, Inyo County.

T. 16 S., R. 36 E., M.D.B. & M.

Projected Sections 13, 23, 24, 25, 26, 35 & 36

T. 16 S., R. 37 E., M.D.B. & M.

Projected Sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 & 36

T. 17 S. R. 37 E., M.D.B. & M.

Projected Sections 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 24, 25, 35 & 36

T. 17 S., R. 38 E., M.D.B. & M.

Projection Sections 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32 & 33

T. 18 S., R. 37 E., M.D.B. & M.

Projected Sections 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, & 34

T. 18 S., R. 38 E., M.D.B. & M.

Projected Sections 5, 6, 7, 8, 18 & 19

T. 19 S., R. 37 E., M.D.B. & M.

Projected Sections 4, 5 & 6

Excepting all lands not under the jurisdiction of or presently under lease with State Lands Commission.

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