

MINUTE ITEM
This Calendar Item No. C61 was approved as
Minute Item No. 61 by the California State Lands
Commission by a vote of 3 to 0 at its
06/28/07 meeting.

CALENDAR ITEM

C61

A 34

06/28/07

S 18

WP 8743

R. Greenwood

**CONSIDER AMENDMENT OF A
NON-EXCLUSIVE GEOLOGICAL SAMPLING PERMIT
ON STATE-OWNED SOVEREIGN LANDS,
LOCATED IN THE BED OF OWENS LAKE,
INYO COUNTY**

APPLICANT:

City of Los Angeles
Department of Water and Power
Attn: Mr. Ronald F. Deaton, General Manager
111 N. Hope Street
Los Angeles, CA 90012

AREA, LAND TYPE, LOCATION

The proposed Geologic Sampling Permit amendment, to accommodate regional dust abatement activities, provides for an addition of twelve (12) shallow borings and test pits to the presently permitted 170 shallow borings and test pits in an area of approximately 12.7 square miles of State-owned sovereign lands under the jurisdiction of the California State Lands Commission, located primarily in the southeastern portion of the bed of Owens Lake in Inyo County.

BACKGROUND:

The geological sampling surveys, authorized by permit PRC 8743 approved by the California State Lands Commission on April 9, 2007, are for the purpose of obtaining core samples and bulk samples for geotechnical information. Geological and geotechnical samples of the sediments are currently being collected at 170 locations. An additional 12 boring and test pit locations (shown on Exhibits A and B, attached hereto) will further enhance the future dust abatement program. The analysis of the samples will be used in engineering design to evaluate the proposed locations and design of water pipelines, valves and "moat and row" features for dust abatement. The shallow geologic samples

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(less than 50 feet deep) will be obtained by using a hollow stem auger drill and an excavator to dig shallow test pits.

The proposed sampling program is expected to be conducted within four to eight weeks from the time that the Geological Sampling Permit Amendment is approved. Field crews will work during daylight hours for up to 10 hours per day. The equipment to be used will consist of one CME-850 track-mounted all-terrain hollow stem auger drill and one track-mounted excavator, with a bulldozer available as needed. The borings and test pits will be spaced on a grid of approximately 1,000 to 2,000 feet intervals, as listed in Exhibit B, attached hereto. Most of the nine borings will be advanced to 15 to 20 feet in depth. The borings are typically seven to 10 inches in diameter. Standard soil samplers will collect soil and water samples at two feet and five feet below the ground surface and at five-foot intervals. The holes will be back filled with drill cuttings and compacted flat. The shallow test pits will be cut to a depth of approximately five feet deep using a track-mounted excavator. Shallow samples will be collected at these sites. Test pits will be back filled and compacted. No drilling mud or circulating fluids will be used under this Geologic Sampling Permit. A Spill Contingency Plan (including machine fuels and lubricants) has been provided. The California State Lands Commission will receive, on request, copies of all data derived from any and all surveys under this permit.

The Los Angeles Department of Water and Power (LADWP) has committed to the same environmental monitoring and protection measures described in its 2003 Owens Valley PM10 Planning Area Demonstration of Attainment of State Implementation Plan (2003 SIP EIR), which are also incorporated into its 2005 Phase V Initial Study/MND.

TERMS OF PRESENT PERMIT:

One year beginning April 10, 2007 through April 9, 2008.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Required fees, expense deposit and other security have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code section 6826
- B. California Code of Regulations, Title 2, section 2905(e)
- C. California Code of Regulations, Title 14, section 15061

OTHER PERTINENT INFORMATION:

1. The LADWP has included numerous provisions as part of its original project application to perform geotechnical survey work on Owens Lake in the permit amendment. These provisions are intended to protect sensitive resources that may be encountered during the course of the geotechnical survey and include:

Biological Resources

- A worker education program taught by a biologist approved by the CDFG focused on the snowy plover, other special status plant and wildlife species, and sensitive habitats that occur within the Owens Lake basin.
- Completion of Biological Surveys no more than seven days prior to the start of the geotechnical work, for the snowy plover, other special status plant and wildlife species, and sensitive habitats. Establishment of 200-foot well-marked buffers around all special status plants, sensitive habitats, and any nests of the snowy plover or other special status species, such as the burrowing owl, that may be observed during the pre-geotechnical sampling surveys.
- Vehicle speed limitations in areas, including buffers, occupied by the snowy plover, other special status plant and wildlife species, and sensitive habitats.
- Covers for all pipes or other structures greater than four inches and less than 12 inches in diameter within the geotechnical sampling area to preclude their use by the burrowing owl.

Cultural Resources

- A qualified archaeologist, with the authority to stop the work, will monitor all geotechnical sampling activities and will implement a monitoring and recovery program in any area identified as having the potential to contain unique archaeological resources.
- The qualified archaeologist will coordinate with local tribes, and a Native American monitor shall also be retained to monitor activities.
- Geotechnical sampling personnel will be briefed on procedures to be followed in the event a unique archaeological resource is encountered.
- The Inyo County Coroner will be notified should any human remains be encountered.

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- The qualified archaeological monitor will prepare daily monitoring logs that will be submitted weekly to the LADWP and to CSLC staff.

Hazards and Hazardous Materials

- The LADWP will ensure that all contractors transport, store, and handle all geotechnical sampling materials that may be considered hazardous in a manner consistent with applicable regulations and guidelines of the California Regional Water Quality Control Board, Lahontan Region, prior to implementing any geotechnical sampling work.
 - The LADWP will develop an emergency response plan for any potential mishaps that may occur during the routine transport, use, storage, handling and/or disposal of hazardous materials.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b) (3).

3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et. seq. However, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Because this declaration of significance is not based upon the requirements and criteria of Public Resources Code Sections 6370, et. seq., use classifications for these lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, Section 2954 is not applicable.

EXHIBITS:

- A. Location Map
- B. List of Sample Site Locations

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PERMIT STREAMLINING ACT DEADLINE:

July 30, 2007 (CSLC acting as lead agency under the CEQA).

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

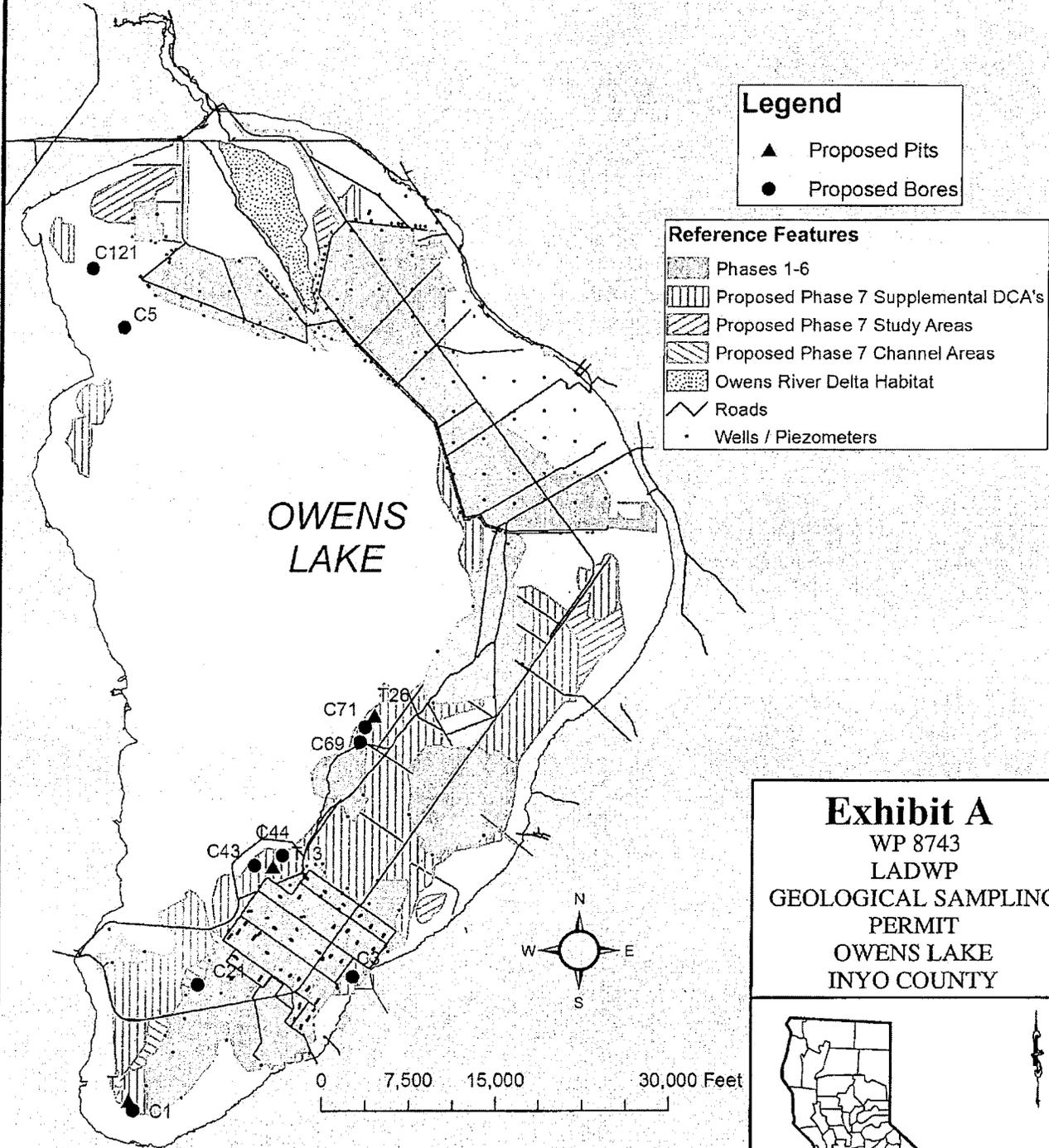
CEQA FINDINGS:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b) (3).

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF A NON-EXCLUSIVE GEOLOGICAL SURVEY PERMIT NO. PRC 8743 TO ALLOW FOR THE ADDITION OF 12 ADDITIONAL SHALLOW BORINGS AND TEST PITS AT THE LOCATIONS DESIGNATED ON EXHIBITS A AND B, ATTACHED HERETO. ALL OTHER TERMS AND CONDITIONS OF THE PERMIT SHALL REMAIN IN FULL FORCE AND EFFECT.

BORE AND TEST PIT LOCATIONS



Legend

- ▲ Proposed Pits
- Proposed Bores

Reference Features

- ▨ Phases 1-6
- ▨ Proposed Phase 7 Supplemental DCA's
- ▨ Proposed Phase 7 Study Areas
- ▨ Proposed Phase 7 Channel Areas
- ▨ Owens River Delta Habitat
- Roads
- Wells / Piezometers

Exhibit A
 WP 8743
 LADWP
 GEOLOGICAL SAMPLING
 PERMIT
 OWENS LAKE
 INYO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT B

WP 8743

LAND DESCRIPTION

Twelve (12) circular parcels of state sovereign land in the bed of Owens Lake, Inyo County, California, each having a diameter of 60.00 feet, the center points of said parcels having the following CCS83, Zone 4 (1986) US Survey Foot coordinates, respectively:

PARCEL ID	NORTHING	EASTING
C1	1,998,488	6,854,388
C3	2,009,899	6,873,508
C5	2,066,243	6,853,148
C21	2,059,995	6,849,995
C43	2,019,613	6,864,891
C44	2,020,466	6,867,300
C69	2,030,289	6,874,006
C71	2,031,578	6,874,434
C121	2,071,277	6,850,341
T1	1,999,312	6,854,001
T13	2,019,497	6,866,496
T26	2,032,542	6,875,254

END OF DESCRIPTION

Prepared 6/5/2007 by the California State Lands Commission Boundary Unit.



Michael J. Bell

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