

EXHIBIT E
Alternate CEQA Findings and Authorization for Approval of Lease Amendment
Prepared by Commission Staff

CEQA FINDING:

FIND THAT A SUBSEQUENT EIR 2008 OWENS VALLEY PM₁₀ PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN (SCH NO. 2007021127) WAS PREPARED AND CERTIFIED FOR PHASE VII THAT INCLUDED MOAT AND ROW DUST CONTROL MEASURES BY THE GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT ON OR ABOUT JANUARY 28, 2008, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

FIND THAT A SUPPLEMENTAL EIR OWENS LAKE MOAT AND ROW REVISED DUST CONTROL MEASURES (SCH NO. 2008121074) WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY THE CITY OF LOS ANGELES, DEPARTMENT OF WATER AND POWER ON SEPTEMBER 15, 2009, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h), AS CONTAINED IN EXHIBIT F, ATTACHED HERETO.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT H, ATTACHED HERETO.

ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15093, AND 15096 (h) AS CONTAINED IN EXHIBIT G, ATTACHED HERETO.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 8079.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS LOCATED ON OWENS LAKE AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE DECEMBER 17, 2009, TO CONSTRUCT, INSTALL, OPERATE, MONITOR AND MAINTAIN 3.5 SQUARE MILES OF MOAT AND ROW DUST CONTROL MEASURES; AMEND THE LEASE AS SHOWN IN EXHIBIT D; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

