



Meeting Highlights: October 20, 2010 Owens Lakebed Planning Committee

Prepared by the Center for Collaborative Policy
With assistance from Maryann Thomas, MWH

Meeting in Brief

The Planning Committee reviewed its plan outline and revised objectives. The key roles and responsibilities for plan implementation would be dust control regulation, dust control operations, wildlife preserve or refuge management, plan implementation, and access, recreation and interpretation. The Planning Committee is still determining who will perform some of these functions and the legal framework for the plan.

The Master Plan existing conditions will be the same as the environmental impact report's baseline to measure current public trust resources and potential future values to be realized through plan implementation.

The State Lands Commission introduced ESA, the consultants who will conduct the environmental review of the Master Plan.

Next Meeting: December 8, 2010, 9:30-3:30 (location to be announced)

Web site: <https://owenslakebed.pubspsvr.com>

Action Items

Who	Due 2010	Action Item	Status Update
Bill VanWagoner		Get legal counsel together to discuss NCCP	
		Recommend that someone follow up with Jacqui to discuss view shed concerns raised during Chris Langley's briefing	
Richard Cervantes	11/10	Share Public Access & Recreation proposal in writing	
Planning Committee reps	12/15	Meet with Inter-Agency Visitor Center Board to brief on Master Plan & possible coordination on public access	
Coordinating Committee	11/15	Choose independent science panel	
Margot Griswold & ESA		Agree on framework for Master Plan existing conditions and EIR baseline	

Master Plan

Plan Outline

The Planning Committee reviewed the outline for the plan and provided feedback:

- Remove 3.4.1.2 Exceptional Events Rule; too detailed for the plan
- Add Mining as a plan element
- Add infrastructure and services as a plan element

Objectives

Inyo County identified an issue that the Master Plan must consider. The County and LADWP have a disagreement over the applicability of the Long Term Water Agreement to the Owens Lakebed. The County supports moving forward with the monitoring study. The County and DWP will work to resolve this issue.

Another issue is the objective to coordinate with the Lower Owens River Project. The County and other responsible parties have fiscal responsibilities associated with the Lower Owens River Project plan. Those responsible parties will have to evaluate any changes that may be required.

Master Plan Existing Conditions to be the same as EIR Baseline

The technical staff and consultants have been working, primarily with the habitat work group, to develop a baseline. The baseline would be used to measure existing public trust values to document that the plan is increasing public trust values over time. The goal is to compare public trust values now with the potential public trust values in the future.

The State Lands Commission introduced the environmental consultants ESA. After a brief discussion, the Planning Committee and ESA agreed that the "baseline" for the plan and the environmental impact report (EIR) should be the same. After discussing appropriate legal language, everyone concurred that the Master Plan *existing conditions* (formerly called the baseline) would be the same as the EIR *baseline*. ESA will work with Margot Griswold and other technical staff on the methodology.

The existing conditions for recreation are rather straight-forward. Plan author Margot Griswold has these numbers. The method to measure habitat is the most complicated. Each type of bird requires different kinds of habitat. The habitat work group has identified variables that can be ranked according to the species. This method is called a habitat suitability index.

Public Access

Supervisor Richard Cervantes discussed his ideas for public access. Mike Prather than supplemented the report. These ideas were presented as a straw proposal for Planning Committee consideration. The Planning Committee did not reach any outcome at this meeting, but will consider proposals as the plan progresses.

Supervisor Cervantes has met twice with local leaders to explore economic development ideas associated with public access and the Master Plan. He proposed

access associated with the refuge, primarily visits via car and bike. The access would rely on local resources such as the Inter-Agency Visitor Center, Diaz Lake, the Alabama Hills National Scenic Area and Boulder Creek Resort. Environmental education would be a primary objective of the refuge.

One entrance might be near the Boulder Creek Resort at US 395 and Lubkin Road. Other possible points of entry might be Cartago Springs, Dirty Socks, Sulfate Road, the river, Willow Dip and Rio Tinto Road. Richard proposed building a 10-acre river park along the west side of the river, south of the pump-back station. The river park would be planted with native plants.

Habitat enhancement would occur through the expansion of the Delta. The refuge would allow cattle grazing. Newly constructed roads would allow wildlife viewing in the refuge. Existing roads would be used when possible. Other elements of the proposal include an auto tour route and a hiking and biking tour route. Hiking, biking, hunting and photography would all be part of the experience.

Educational information could highlight mining history, dust projects, Native American history and renewable energy. Various funding options would be employed.

Metabolic Studio is working with private landowners at Swansea (one segment north and one segment south of Phase 8) to explore some options for public access. The studio is also meeting with some landowners from Olancho.

Nine students from the University of Southern California are studying possibilities for access, especially aesthetics. The south end provides an interesting view. The brine pools are particularly of interest. The students plan to brainstorm recreational opportunities.

Ideas

- Create a more “natural looking” lakebed through dust control activities over the next 5 or so years.
- View shed provided by brine
- Work with Inter-Agency Visitor Center (the Forest Service runs it for 8 agencies)
- Have a visitor center with educational kiosks
- Provide research opportunities
- If having motorized access, consider providing a charger for electric vehicles at Visitor Center
- Use solar to power picnic sites
- Build a green house to provide plants and local jobs
- Work with the Olancho School District on educational opportunities
- Metabolic Studio working with private landowners around Phase 8 at Swansea
- Hunters
- Consider a trail system around or near the Delta

Issues and Concerns

- The DWP solar proposal at Boulder Creek might conflict with the straw proposal.

- New road construction: considerations would include infrastructure necessary to construct, the costs, dust control operations and impacts on wildlife management
- Services such as potable water and sanitation can be difficult to secure on the lakebed so this would have to be considered for any facilities
- Delta: The straw proposal to have a road cross the Delta is problematic because it would constrain the Delta. Also, designating the Delta as a refuge could provide another level of management and create constraints for ranching. Calling it a wildlife viewing area might be preferable. Recreational access to the Delta would raise both logistical and funding concerns that would have to be addressed.
- Hunting / shooting must consider the location of other people and facilities. Most hunting occurs on the ponds at the northeast end of the lakebed.
- Security concerns are many: vandalism of facilities or construction equipment; cattle protecting calves can be a concern; and solar panels are prone to theft; and cultural resources must be protected. Certain areas need to be off limits due to safety.
- Elk herds occasionally pass through the area.
- Illegal off-road activity.

Cultural Resources

Theresa Stone, Bishop Paiute Tribal Historic Preservation Officer, organized a tribal meeting Oct. 19 in Bishop to discuss cultural resources. Facilitators Gina Bartlett and Mindy Meyer attended. Participants discussed the definition of significance as it affects how a site is managed. Archaeologists, project proponents and Native Americans tend to have differing definitions about significance. There's support for public education on cultural resources regarding a "hands-off" policy and what to do if cultural resources are found (i.e. call the experts). Given the natural conditions on the lakebed, artifacts sometimes rise up due to shifting sand and soil composition. If artifacts emerged in a public access area, near a trail for example, placing these artifacts in a museum might make the most sense. Those present support the concept of a governing board to oversee plan implementation. Owens Valley Paiute Visitor Center would be a recommended option for a museum repository. Theresa will convene a second meeting December 7, 2010, to review the draft text on cultural resources.

Implementation

The Planning Committee broke into 2 groups to discuss monitoring and implementation. This summarizes the discussion that took place regarding implementation. The governance structure for the plan could be a joint power authority, non-governmental/nonprofit organization or conducted through a memorandum of understanding.

Key Roles in Implementation	Organization & Notes
Dust Control Regulation	Great Basin Unified Air Pollution Control District
Dust Control Operations	LADWP
Refuge Manager	<i>Undecided</i>

	Options Discussed: DWP, DFG, Non-profit entity (501c3) or State Lands
Access, Recreation and Interpretation	<i>Undecided</i> Consider using existing Inter-Agency Visitor Center
Coordinate Plan Implementation	<i>Undecided</i> Notes: NCCP would require a plan administrator Seeking assurances that plan will be implemented Monitoring will play a key role
Assurance that Plan will be Implemented	
Governing Board to Guide Implementation	

State Lands staff attending were uncertain if State Lands had ever played a role as a refuge manager. Department of Fish & Game has managed wildlife areas, but recently has been unable to hire the positions necessary to staff this type of an effort.

Someone raised the concern that dust control would always override wildlife reserve area issues. This might be difficult to overcome. Another person highlighted that the Master Plan has expanded beyond dust control, and the reserve would need expertise to manage it. Some felt that DWP was the obvious choice while others seemed to imply that a refuge or wildlife manager might be preferable. DWP has the obligation to implement the dust control and to incur fines if something isn't working. For this reason, a few advocated that DWP be the manager drawing on one or more internal specialists with this experience. Some reported that conservancies exist in California that involve multiple agencies. Some expressed concern that the entity not be too bureaucratic.

Funding plan implementation and a non-profit entity if created would have to be identified in the plan. Another person suggested that the plan would state what has to happen; this was more important than having a separate non-profit entity.

Monitoring

The breakout group determined that monitoring should be aligned with the objectives, and any monitoring plan would need these four components to be successful.

SIMR

S = Structure

I = Implementation

M = Monitoring

E = Evaluation

R = Response

Examples of what would fit in these components would be:

- Structure
 - Monitoring needs to incorporate existing requirements and agreements from all other permits, EIRs, etc.
 - Establish metrics (Zone to Zone and in relationship to stakeholder)
 - Longevity of monitoring
 - Make data accessible to stakeholders
 - Identify roles and responsibilities, i.e. who is doing what and how are they being paid?

- Implementation
 - Align monitoring to objectives
 - Frequency of monitoring and would there be triggers that would change the timeline

- Monitoring
 - Ask the same base questions for each objective
 - Monitor for salinity and water depth

- Evaluation
 - Data would be quality assured
 - How do you measure use and overuse of:
 - trails
 - roads
 - parking lots
 - emergency services
 - potable water
 - sewage service
 - garbage disposal
 - impromptu areas used in different ways than originally intended (what is the impact)
 - Monitoring to insure infrastructure is adequate to needs
 - Compare against metric (zone-to-zone and in relationship to stakeholder)
 - Comparison to baseline

- Response
 - Has the data been corrected based on the results of quality assurance

Methods

The group agreed group that monitoring information needs would dictate the method is used and that methods should be efficient, cost-effective, and designed to answer specific questions (for example, is the population of snowy plovers improving). Additional comments included:

- Dust monitoring should continue the way it is currently being conducted
- Consider using traffic monitors
- Track number of guests to visitor center

Communication & Outreach

Announcements

November Planning Committee Cancelled: The November Planning Committee is cancelled to allow more time to develop materials. The next meeting will be December 8th. The location will be announced.

County Solar Ordinance Meetings

Oct 21, 7:00, in Bishop | Nov 4, 7:00 in Lone Pine | Nov 18, 7:00 in Independence

DWP Solar Scoping Meeting, Oct 28, 6:30

State Lands Commission Meeting Oct. 29 in Southern California: The groundwater monitoring well and the Owens Lakebed items are on the consent calendar

Agency Forum Meeting

The Agency Forum met and discussed planning zones and the Natural Communities Conservation Community Plan (NCCP) as a legal framework. The Agency Forum recommended moving forward with the NCCP and shifting to a Master Plan with a Master Stream and Lakebed Agreement if a significant issue emerges.

Briefings Conducted

Planning Committee members are conducting briefings to solicit input on the plan's development. These briefings were reported during the meeting. One concern emerged regarding view shed. Keeler residents are concerned about insect problems.

Organization	Date	By
Eastern Sierra Audubon Sierra Society Board of Directors Membership	9-8-10	Pete Pumphrey
Rio Tinto Minerals Environmental Group	9-15-10	Paul Lamos
Business Leaders of Lone Pine	9-15-10	Supervisor Richard Cervantes
Board of Directors, Bristlecone Chapter, California Native Plant Society	9-15-10	Steve McLaughlin
Inyo Associates	9-20-10	Chris Langley
Inyo County Board of Supervisors	9-20-10	Josh Hart, Supervisors Arcularius and Cervantes
Eastern Sierra Land Trust Board of Directors	9-25-10	Karen Ferrell-Ingram
Independence Lyons Club	9-28-10	Jim Stroh
Keeler CSD	10-12-10	Josh Hart
Lone Pine Chamber of Commerce	10-19-10	Chris Langley
Inyo County Board of Supervisors	10-19-10 & 10-28-10	Josh Hart, Supervisors Arcularius and Cervantes
Owens Valley Committee Board	9-2010	Mark Bagley