

CHAPTER 11

Declaration of the Clerk of the Board and Resolutions Certifying the EIR and Approving the SIP

- 11.1 Declaration of the Clerk of the Board..... 11-1
 - Notice of Public Hearing
 - Proofs of Publication
 - Distribution List and Addressees

- 11.2 Board Clerk Certification of Resolution Certifying the Final EIR
 - Resolution Certifying the Final EIR for the 2008 SIP and
Incorporated Board Order
 - Notice of Determination

- 11.3 Board Clerk Certification of Resolution Adopting the 2008 SIP
 - Resolution Adopting the 2008 SIP and Incorporated Board Order,
Adopting a Mitigation Monitoring and Reporting Plan, and
Making Findings of Fact

BLANK PAGE

**DECLARATION OF THE
CLERK OF THE GOVERNING BOARD OF THE
GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT**

I, Wendy Sugimura, declare as follows:

1. I am the Board Clerk of the Governing Board of the Great Basin Unified Air Pollution Control District (District). The District is a unified air pollution control district consisting of Inyo, Mono and Alpine counties in the State of California.
2. At least thirty (30) days before the January 28, 2008, public hearing of the Great Basin Unified Air Pollution Control District Governing Board to adopt the proposed final 2008 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan, I served, in sealed envelopes or via e-mail, true copies of the following documents:
 - a. Notice of Public Hearing (attached hereto as **Exhibit A**); and/or
 - b. The proposed final 2008 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan

on the following persons or entities and addressed as indicated:

- Administrator of the United States Environmental Protection Agency via the appropriate regional office by sending to:

Federal Express Priority Overnight Delivery
Mr. Wayne Nasti
Regional Administrator
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

- Each local air pollution control agency significantly impacted by sending to:

Federal Express Priority Overnight Delivery
Mr. David L. Jones
Air Pollution Control Officer
Kern County Air Pollution Control District
2700 "M" Street, Suite 302
Bakersfield, CA 93301

- California Air Resources Board by sending to:

Federal Express Priority Overnight Delivery
Mr. James Goldstene
Executive Officer
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

- City of Los Angeles and the Department of Water and Power of the City of Los Angeles by sending to:

Federal Express Priority Overnight Delivery
Mr. David Nahai, General Manager
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1550
Los Angeles, CA 90012

Federal Express Priority Overnight Delivery
Mr. James McDaniel
Chief Operating Officer – Water System
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1455
Los Angeles, CA 90012

Federal Express Priority Overnight Delivery
Mr. Richard F. Harasick
Asst. Director of Water Resources
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1449
Los Angeles, CA 90012

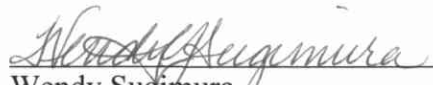
- c. At least thirty (30) days before the January 28, 2008, public hearing of the Great Basin Unified Air Pollution Control District Governing Board to adopt the proposed final 2008 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan, I caused to be published a notice of the public hearing of the Governing Board of the Great Basin Unified Air Pollution Control District in the form attached hereto as **Exhibit A**, in the: 1) Inyo Register, a newspaper of general circulation in the County of Inyo, California, the county wherein the entire Owens Valley PM₁₀ Planning Area is situated; 2) in the Mammoth Times, a newspaper of general circulation in Mono County, California; 3) in the Tahoe Daily Tribune, a newspaper of general circulation in El Dorado County, California (a county adjacent to Alpine County, California, which has no newspaper of general circulation); and 4) in the Ridgecrest Daily Independent, a newspaper of general circulation in Kern County, California. Copies of the proofs of such publication are attached hereto as **Exhibit B**.
- d. At least thirty (30) days before the January 28, 2008, public hearing of the Great Basin Unified Air Pollution Control District Governing Board to adopt the proposed final 2008 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan, and continuously through the date of the public hearing, a copy of the proposed final 2008 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan was made available for public inspection at the District's main office at 157 Short Street, Bishop, California, which office is located in Inyo County, California, the region in which the entire Owens Valley PM₁₀ Planning area and the affected source are located.
- e. At least thirty (30) days before the January 28, 2008, public hearing of the Great Basin Unified Air Pollution Control District Governing Board on adoption of the proposed final 2008 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation

Plan, I sent a copy of the notice of public hearing of the Governing Board of the Great Basin Unified Air Pollution Control District in the form attached hereto as **Exhibit A** to each and every addressee shown in the list attached hereto as **Exhibit C** via the United States Postal Service, postage prepaid.

- f. As authorized by District Governing Board Resolution No. 2008-02, I hereby certify on behalf of the District that the document contained within is the authoritative compilation of the *Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan* and Incorporated Board Order adopted July 2, 1997; as revised by the 1998 Revision and Incorporated Board Order adopted November 16, 1998; as revised by the 2003 Revision and Incorporated Board Order adopted November 13, 2003; and as revised by the 2008 Revision and Incorporated Board Order adopted January 28, 2008/February 1, 2008.

This compilation may be correctly referred to as the "Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, 2008 Revision."

I declare that the foregoing is true and correct under penalty of perjury. Done at Bishop, Inyo County, California, this 7th day of February, 2008.


Wendy Sugimura
Clerk of the Board

BLANK PAGE

Theodore D. Schade
Air Pollution Control Officer



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537
760-872-8211 Fax: 760-872-6109

NOTICE OF PUBLIC HEARING

*ADOPTION AND APPROVAL OF THE PROPOSED FINAL 2008 REVISION TO THE
OWENS VALLEY PM₁₀ PLANNING AREA DEMONSTRATION OF ATTAINMENT
STATE IMPLEMENTATION PLAN, INCORPORATED ORDER UNDER THE PROVISIONS OF
CAL. HEALTH & SAFETY CODE 42316 AND
FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT*

PLEASE TAKE NOTICE that on Monday, January 28, 2008, the Governing Board of the Great Basin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption a proposed final 2008 revision to the previously-adopted Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP). The public hearing, and the Governing Board's consideration for adoption, will occur at the District Governing Board's regular meeting on **Monday, January 28, 2008 at 10:00 a.m. in the Inyo County Administrative Center, Board of Supervisors Chambers, 224 North Edwards Street (US Hwy 395), Independence, California 93526**. At the meeting, the District Governing Board will: 1) consider and approve the Final 2008 Subsequent Environmental Impact Report (2008 SEIR) that analyzes the environmental impacts of the proposed project; 2) consider and approve the 2008 SIP, and 3) consider and adopt an order authorized by California Health & Safety Code Sec. 42316 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed. Other actions related to these actions may also be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on both the 2008 SIP and 2008 SEIR.

The GBUAPCD prepared the 2008 SIP for the control of fine dust emissions (PM₁₀) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM₁₀.

On November 13, 2003, the GBUAPCD approved the 2003 Revised State Implementation Plan for the Owens Valley Planning Area (2003 SIP), which was later approved by the California Air Resources Board. The 2003 SIP is currently implemented under GBUAPCD Board Order #03111301, which primarily addresses the PM₁₀ control requirements to reduce wind-blown PM₁₀ emissions from the exposed playa at Owens Lake. The 2003 SIP control strategy ordered the City to control PM₁₀ emissions from the dried bed of Owens Lake by using shallow flooding, managed vegetation, and/or gravel coverings on 29.8 square miles of the lake bed. The 2003 SIP was intended to demonstrate attainment with the PM₁₀ NAAQS by December 31, 2006 by implementing control measures over the three years prior to that date. By December 31, 2006, the City met their deadline and had implemented dust control measures on all 29.8 square miles of the lake bed as required in the 2003 SIP.

In 2006, a dispute arose between the GBUAPCD and the City regarding requirements to control dust from additional areas at Owens Lake beyond the 29.8 square miles of emissive area identified in the 2003 SIP. On December 4, 2006 a Settlement Agreement was approved by both parties to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement an additional 13.2 square miles of dust control measures on the lake bed (for a total of 43 square miles) by April 1, 2010 and the District agreed to revise the 2003 SIP before March 1, 2008 to incorporate the provisions of the Settlement Agreement.

The proposed project consists of additional dust control measures to be constructed on the dried bed of Owens Lake at the southern end of Owens Valley, in Inyo County, in eastern-central California. The primary goal of the proposed project is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM₁₀ by March, 2012. The 2008 SIP contains the project location, history, air quality setting, emission inventory, control measures, air quality modeling, control strategy, and enabling legislation.

A draft of the 2008 SIP and its incorporated order under the provisions of California Health and Safety Code Section 42316 were made available for public review and comment between September 16, 2007 and October 30, 2007. The GBUAPCD received, reviewed and responded to the comments. The draft 2008 SIP and order were then revised. The proposed final 2008 SIP and order will be available for public review after December 20, 2007 at the GBUAPCD's Bishop Office, 157 Short Street, Bishop, California, 93514, at the GBUAPCD web-site: www.gbuapcd.org, and at Inyo County Libraries in Independence, Big Pine, Bishop, Lone Pine, Death Valley and Tecopa, California. Copies of the 2008 SIP on CD are free of charge upon request and hardcopies will be available at reproduction cost (\$35). Copies of the Final 2008 SEIR will be available after January 17, 2008. All copy requests can be made by calling Wendy Sugimura, GBUAPCD Board Clerk, at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2008 SIP to attend the meeting on January 28, 2008 and submit written comments or make oral statements to the Governing Board prior to their approval of the Final 2008 SEIR and 2008 SIP.

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
COUNTY OF INYO

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the

The Inyo Register
a newspaper of general circulation,
Bishop, California
County of Inyo

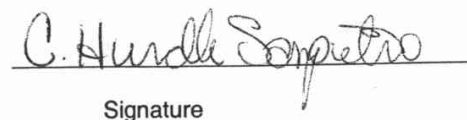
The Inyo Register has been adjudged a newspaper of general circulation by the Superior Court of the County of Inyo, State of California, under date of Oct. 5, 1953, Case Number 5414; that the notice, of which the annexed is a printed copy (set in type not smaller than non-par-eil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following dates, to wit:

**DECEMBER 6, 13, 2007 AND
JANUARY 10, 19, 24,**

in the year 2008

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Bishop, California,
this 28 day of January, 2008


Signature

NOTICE OF PUBLIC HEARING

ADOPTION AND APPROVAL OF THE PROPOSED FINAL 2008 REVISION TO THE OWENS VALLEY PM10 PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN, INCORPORATED ORDER UNDER THE PROVISIONS OF CAL. HEALTH & SAFETY CODE 42316 AND FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

PLEASE TAKE NOTICE that on Monday, January 28, 2008, the Governing Board of the Great Basin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption a proposed final 2008 revision to the previously-adopted Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP). The public hearing, and the Governing Board's consideration for adoption, will occur at the District Governing Board's regular meeting on Monday, January 28, 2008 at 10:00 a.m. in the Inyo County Administrative Center, Board of Supervisors Chambers, 224 North Edwards Street (US Hwy 395), Independence, California 93526. At the meeting, the District Governing Board will: 1) consider and approve the Final 2008 Subsequent Environmental Impact Report (2008 SEIR) that analyzes the environmental impacts of the proposed project; 2) consider and approve the 2008 SIP, and 3) consider and adopt an order authorized by California Health & Safety Code Sec. 42316 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed. Other actions related to these actions may also be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on both the 2008 SIP and 2008 SEIR.

The GBUAPCD prepared the 2008 SIP for the control of fine dust emissions (PM10) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM10.

On November 13, 2003, the GBUAPCD approved the 2003 Revised State Implementation

320 PUBLIC NOTICES

Plan for the Owens Valley Planning Area (2003 SIP), which was later approved by the California Air Resources Board. The 2003 SIP is currently implemented under GBUAPCD Board Order #03111301, which primarily addresses the PM10 control requirements to reduce wind-blown PM10 emissions from the exposed playa at Owens Lake. The 2003 SIP control strategy ordered the City to control PM10 emissions from the dried bed of Owens Lake by using shallow flooding, managed vegetation, and/or gravel coverings on 29.8 square miles of the lake bed. The 2003 SIP was intended to demonstrate attainment with the PM10 NAAQS by December 31, 2006 by implementing control measures over the three years prior to that date. By December 31, 2006, the City met their deadline and had implemented dust control measures on all 29.8 square miles of the lake bed as required in the 2003 SIP.

In 2006, a dispute arose between the GBUAPCD and the City regarding requirements to control dust from additional areas at Owens Lake beyond the 29.8 square miles of emissive area identified in the 2003 SIP. On December 4, 2006 a Settlement Agreement was approved by both parties to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement an additional 13.2 square miles of dust control measures on the lake bed (for a total of 43 square miles) by April 1, 2010 and the District agreed to revise the 2003 SIP before March 1, 2008 to incorporate the provisions of the Settlement Agreement.

The proposed project consists of additional dust control measures to be constructed on the dried bed of Owens Lake at the southern end of Owens Valley, in Inyo County, in eastern-central California. The primary goal of the proposed project is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM10 by March, 2012. The 2008 SIP contains the project location, history, air quality setting, emission inventory, control measures, air quality modeling, control strategy, and enabling legislation.

A draft of the 2008 SIP and its incorporated order under the provisions of California Health and Safety Code Section 42316 were made available for public review and comment between September 16, 2007 and October 30, 2007. The GBUAPCD received, reviewed and responded to the comments. The draft 2008 SIP and order were then revised. The proposed final 2008 SIP and order will be available for public review after December 20, 2007 at the GBUAPCD's Bishop Office, 157 Short Street, Bishop, California, 93514, at the GBUAPCD web-site:

320 PUBLIC NOTICES

www.gbuapcd.org, and at Inyo County Libraries in Independence, Big Pine, Bishop, Lone Pine, Death Valley and Tecopa, California. Copies of the 2008 SIP on CD are free of charge upon request and hardcopies will be available at reproduction cost (\$35). Copies of the Final 2008 SEIR will be available after January 17, 2008. All copy requests can be made by calling Wendy Sugimura GBUAPCD Board Clerk, at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2008 SIP to attend the meeting on January 28, 2008 and submit written comments or make oral statements to the Governing Board prior to their approval of the Final 2008 SEIR and 2008 SIP. (IR 12/6, 12/13, 1/10, 1/19, 1/24, #7455)

Proof of Publication

#07-424

STATE OF CALIFORNIA
COUNTY OF MONO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the

MAMMOTH TIMES

a newspaper of general circulation, published in

County of Mono.

The Mammoth Times was adjudicated on March 24, 1992, as a newspaper of general circulation for the Town of Mammoth Lakes and Mono County, CA.

The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dated, to wit:

12/06 12/13
all in the year **2007**
and 01/10 01/24
all in the year **2008**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mammoth Lakes, California,
The **24th** day of **January, 2008**



Signature

NOTICE OF PUBLIC HEARING

ADOPTION AND APPROVAL OF THE PROPOSED FINAL 2008 REVISION TO THE OWENS VALLEY PM10 PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN, INCORPORATED ORDER UNDER THE PROVISIONS OF CAL. HEALTH & SAFETY CODE 42316 AND FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

PLEASE TAKE NOTICE that on Monday, January 28, 2008, the Governing Board of the Great Ba-

320 PUBLIC NOTICES

sin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption a proposed final 2008 revision to the previously-adopted Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP). The public hearing, and the Governing Board's consideration for adoption, will occur at the District Governing Board's regular meeting on **Monday, January 28, 2008 at 10:00 a.m.** in the Inyo County Administrative Center, Board of Supervisors Chambers, 224 North Edwards Street (US Hwy 395), Independence, California 93526. At the meeting, the District Governing Board will: 1) consider and approve the Final 2008 Subsequent Environmental Impact Report (2008 SEIR) that analyzes the environmental impacts of the proposed project; 2) consider and approve the 2008 SIP, and 3) consider and adopt an order authorized by California Health & Safety Code Sec. 42316 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed. Other actions related to these actions may also be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on both the 2008 SIP and 2008 SEIR.

The GBUAPCD prepared the 2008 SIP for the control of fine dust emissions (PM10) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM10.

On November 13, 2003, the GBUAPCD approved the 2003 Revised State Implementation Plan for the Owens Valley Planning Area (2003 SIP), which was later approved by the California Air Resources Board. The 2003 SIP is currently implemented under GBUAPCD Board Order #03111301, which primarily addresses the PM10 control requirements to reduce wind-blown PM10 emissions from the exposed playa at Owens Lake. The 2003 SIP control strategy ordered the City to control PM10 emissions from the dried bed of Owens Lake by using shallow flooding, managed vegetation, and/or gravel coverings on 29.8 square miles of the lake bed. The 2003 SIP was intended to demonstrate attainment with the PM10 NAAQS by December 31, 2006 by implementing control measures over the three years prior to that date. By December 31, 2006, the City met their deadline and had implemented dust control measures on all 29.8 square miles of the lake bed as required in the 2003 SIP.

In 2006, a dispute arose between the GBUAPCD and the City regarding requirements to control dust from additional areas at

320 PUBLIC NOTICES

Owens Lake beyond the 29.8 square miles of emissive area identified in the 2003 SIP. On December 4, 2006 a Settlement Agreement was approved by both parties to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement an additional 13.2 square miles of dust control measures on the lake bed (for a total of 43 square miles) by April 1, 2010 and the District agreed to revise the 2003 SIP before March 1, 2008 to incorporate the provisions of the Settlement Agreement.

The proposed project consists of additional dust control measures to be constructed on the dried bed of Owens Lake at the southern end of Owens Valley, in Inyo County, in eastern-central California. The primary goal of the proposed project is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM10 by March, 2012. The 2008 SIP contains the project location, history, air quality setting, emission inventory, control measures, air quality modeling, control strategy, and enabling legislation.

A draft of the 2008 SIP and its incorporated order under the provisions of California Health and Safety Code Section 42316 were made available for public review and comment between September 16, 2007 and October 30, 2007. The GBUAPCD received, reviewed and responded to the comments. The draft 2008 SIP and order were then revised. The proposed final 2008 SIP and order will be available for public review after December 20, 2007 at the GBUAPCD's Bishop Office, 157 Short Street, Bishop, California, 93514, at the GBUAPCD web-site: www.gbuapcd.org, and at Inyo County Libraries in Independence, Big Pine, Bishop, Lone Pine, Death Valley and Tecopa, California. Copies of the 2008 SIP on CD are free of charge upon request and hardcopies will be available at reproduction cost (\$35). Copies of the Final 2008 SEIR will be available after January 17, 2008. All copy requests can be made by calling Wendy Sugimura, GBUAPCD Board Clerk, at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2008 SIP to attend the meeting on January 28, 2008 and submit written comments or make oral statements to the Governing Board prior to their approval of the Final 2008 SEIR and 2008 SIP.

12/06 12/13/07 01/10 01/24/08
(07-424)



3079 Harrison Avenue,
 South Lake Tahoe, CA 96150
 Phone (775) 881-1201
 Fax (775) 887-2408

Account Number: #33100039

Legal Acct.
 Great Basin Unified Air Pollution
 Control District/Shirley Ono
 157 Short Street
 Bishop, CA. 93514

Virginia Marsh says:
 That (s)he is a legal clerk of the **TAHOE DAILY TRIBUNE**, a daily newspaper published at South Lake Tahoe, in the State of California.

Notice of Public Hearing
 Adoption and Approval of the Proposed Final 2008 Revision to the Owens Valley PM10 Planning Area Demonstration ...
Ad #03527983

of which a copy is hereto attached, was published in said newspaper for the full required period of **4 times** commencing on **December 6, 2007**, and ending on **January 24, 2008**, all days inclusive.

Signed: Virginia Marsh

STATEMENT:

Date	Amount	Credit
01/24/08	\$0.00	

The proposed project consists of additional dust control measures to be constructed on the dried bed of Owens Lake at the southern end of Owens Valley, in Inyo County, in eastern-central California. The primary goal of the proposed project is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM10 by March, 2012. The 2008 SIP contains the project location, history, air quality setting, emission inventory control measures, air quality modeling, control strategy, and enabling legislation.

A draft of the 2008 SIP and its incorporated order under the provisions of California Health and Safety Code Section 42316 were made available for public review and comment between September 16, 2007 and October 30, 2007. The GBUAPCD received, reviewed and responded to the comments. The draft 2008 SIP and order were then revised. The proposed final 2008 SIP and order will be available for public review after December 20, 2007 at the GBUAPCD's Bishop Office, 157 Short Street, Bishop, California, 93514, at the GBUAPCD web-site: www.gbuapcd.org, and at Inyo County Libraries in Independence, Big Pine, Bishop, Lone Pine, Death Valley and Tecopa, California. Copies of the 2008 SIP on CD are free of charge upon request and hardcopies will be available at reproduction cost (\$35). Copies of the Final 2008 SEIR will be available after January 17, 2008. All copy requests can be made by calling Wendy Sugimura, GBUAPCD Board Clerk, at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2008 SIP to attend the meeting on January 28, 2008 and submit written comments or make oral statements to the Governing Board prior to their approval of the Final 2008 SEIR and 2008 SIP.

Pub: December 6, 13, January 10 & 24, 2007 Ad#03527983

Proof and Statement of Publication

NOTICE OF PUBLIC HEARING

ADOPTION AND APPROVAL OF THE PROPOSED FINAL 2008 REVISION TO THE OWENS VALLEY PM10 PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN, INCORPORATED ORDER UNDER THE PROVISIONS OF CAL. HEALTH & SAFETY CODE 42316 AND FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

PLEASE TAKE NOTICE that on Monday, January 28, 2008, the Governing Board of the Great Basin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption a proposed final 2008 revision to the previously-adopted Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP). The public hearing, and the Governing Board's consideration for adoption, will occur at the District Governing Board's regular meeting on Monday, January 28, 2008 at 10:00 a.m. in the Inyo County Administrative Center, Board of Supervisors Chambers, 224 North Edwards Street (US Hwy 395), Independence, California 93526. At the meeting, the District Governing Board will: 1) consider and approve the Final 2008 Subsequent Environmental Impact Report (2008 SEIR) that analyzes the environmental impacts of the proposed project; 2) consider and approve the 2008 SIP, and 3) consider and adopt an order authorized by California Health & Safety Code Sec. 42316 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed. Other actions related to these actions may also be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on both the 2008 SIP and 2008 SEIR.

The GBUAPCD prepared the 2008 SIP for the control of fine dust emissions (PM10) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM10.

On November 13, 2003, the GBUAPCD approved the 2003 Revised State Implementation Plan for the Owens Valley Planning Area (2003 SIP), which was later approved by the California Air Resources Board. The 2003 SIP is currently implemented under GBUAPCD Board Order #03111301, which primarily addresses the PM10 control requirements to reduce wind-blown PM10 emissions from the exposed playa at Owens Lake. The 2003 SIP control strategy ordered the City to control PM10 emissions from the dried bed of Owens Lake by using shallow flooding, managed vegetation, and/or gravel coverings on 29.8 square miles of the lake bed. The 2003 SIP was intended to demonstrate attainment with the PM10 NAAQS by December 31, 2006 by implementing control measures over the three years prior to that date. By December 31, 2006, the City met their deadline and had implemented dust control measures on all 29.8 square miles of the lake bed as required in the 2003 SIP.

In 2006, a dispute arose between the GBUAPCD and the City regarding requirements to control dust from additional areas at Owens Lake beyond the 29.8 square miles of emissive area identified in the 2003 SIP. On December 4, 2006 a Settlement Agreement was approved by both parties to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement an additional 13.2 square miles of dust control measures on the lake bed (for a total of 43 square miles) by April 1, 2010 and the District agreed to revise the 2003 SIP before March 1, 2008 to incorporate the provisions of the Settlement Agreement.

02/05/2008 17:26 17603754880
FOR THE COUNTY OF KERN

Notice of Public Hearing
Final Revision For Owens Valley

DECLARATION OF PUBLICATION

(2015.5 C.C.P.)

State of California, County of Kern, ss:

Declarant says:

That at all times herein mentioned declarant is and was a citizen of the United States, over the age of twenty-one years, and not a party to nor interested in the within matter; that declarant is the principal clerk of the printer and publisher of THE DAILY INDEPENDENT, a newspaper of general circulation printed and published daily in the City of Ridgecrest, Indian Wells Judicial District, County of Kern, State of California, which newspaper has been adjudged a newspaper of general circulation by the said Superior Court by order made and renewed July 8, 1952, in Civil Proceeding No. 58584 of said Court; that the instrument of which the annexed is a printed copy has been published in each regular and like issue of said newspaper (and not any supplement thereof) on the following dates, to-wit:

12-6-07

1-10-08

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON January 10th, 2008, at Ridgecrest, California.

Declarant Cherene M. Jones

DAILY INDEPENDENT PAGE 02/03
NOTICE OF PUBLIC HEARING

ADOPTION AND APPROVAL OF THE PROPOSED FINAL 2008 REVISION TO THE OWENS VALLEY PM10 PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN INCORPORATED ORDER UNDER THE PROVISIONS OF CALIFORNIA HEALTH & SAFETY CODE 42318 AND ENVIRONMENTAL IMPACT REPORT

PLEASE TAKE NOTICE that on Monday, January 28, 2008, the Governing Board of the Great Basin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption a proposed final 2008 revision to the previously adopted Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP). The public hearing and the Governing Board's consideration for adoption will occur at the District Governing Board's regular meeting on Monday, January 28, 2008 at 10:00 a.m. in the Inyo County Administrative Center, Board of Supervisors Chambers, 224 North Edwards Street (US Hwy 395), Independence, California 93526. At the meeting, the District Governing Board will: 1) consider and approve the Final 2008 Subsequent Environmental Impact Report (2008 SEIR) that analyzes the environmental impacts of the proposed project; 2) consider and approve the 2008 SIP; and 3) consider and adopt an order authorized by California Health & Safety Code Sec. 42318 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed.

be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on both the 2008 SIP and 2008 SEIR. The GBUAPCD prepared the 2008 SIP for the control of fine dust emissions (PM10) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM10. The proposed project consists of additional dust control measures to be constructed on the dried bed of Owens Lake at the southern end of Owens Valley, Inyo County, in eastern-central California. The primary goal of the proposed project is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM10 by March, 2012. The 2008 SIP contains the project location, history, air quality setting, emission inventory, control measures, air quality modeling, control strategy, and enabling legislation. A draft of the 2008 SIP and its incorporated order under the provisions of California Health and Safety Code Section 42316 were made available for public review and comment between September 16, 2007 and October 30, 2007. The GBUAPCD received, reviewed and responded to the comments. The draft 2008 SIP and order were then revised. The proposed final 2008 SIP and order will be available for public review after December 20, 2007 at the GBUAPCD's Bishop Office, 157 Short Street, Bishop, California, 93514, at the GBUAPCD web-site: www.gbuapcd.org, and to control dust from the 29.8 square miles of emissive area identified in the 2003 SIP. On December 4, 2006 a Settlement Agreement was approved by both parties to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement an additional 13.2 square miles of dust control measures on the lake bed (for a total of 43 square miles) by April 1, 2010 and the District agreed to revise the 2003 SIP before March 1, 2008 to incorporate the provisions of the Settlement Agreement.

On November 13, 2003, the GBUAPCD approved the 2003 Revised State Implementation Plan for the Owens Valley Planning Area (2003 SIP), which was later approved by the California Resources Board. The 2003 SIP is currently implemented under GBUAPCD Board Order #0311301 which primarily addresses the PM10 control requirements to reduce wind-blown PM10 emissions from the exposed playa at Owens Lake. The 2003 SIP control strategy ordered the City to control PM10 emissions from the dried bed of Owens Lake by using shallow flooding, managed vegetation and/or gravel covering on 29.8 square miles of the lake bed. The 2003 SIP was intended to demonstrate attainment with the PM10 NAAQS by December 31, 2008 by implementing control measures over the three years prior to the date. By December 31, 2006, the City met that deadline and has implemented dust control measures on all 29.8 square miles of the lake bed as required in the 2003 SIP. In 2006, a dispute arose between the GBUAPCD and the City regarding requirements to control dust from the

02/05/2008 17:25 17603754880

DAILY INDEPENDENT

PAGE 03/03

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KERN

Page #2

(Space below for Filing Stamp only.)

Notice of Public Hearing	Number Final Revision For Owens Valley
--------------------------------	----------------------------------------------------

DECLARATION OF PUBLICATION

(2015.5 C.C.P.)

State of California, County of Kern, ss:

Declarant says:

That at all times herein mentioned declarant is and was a citizen of the United States, over the age of twenty-one years, and not a party to nor interested in the within matter; that declarant is the principal clerk of the printer and publisher of THE DAILY INDEPENDENT, a newspaper of general circulation printed and published daily in the City of Ridgecrest, Indian Wells Judicial District, County of Kern, State of California, which newspaper has been adjudged a newspaper of general circulation by the said Superior Court by order made and renewed July 8, 1952, in Civil Proceeding No. 58584 of said Court; that the instrument of which the annexed is a printed copy has been published in each regular and like issue of said newspaper (and not any supplement thereof) on the following dates, to-wit:

12-6-07

1-10-08

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON January 10th
2008, at Ridgecrest, California.

Declarant: Blaine M. Jones

Tecopa, California.
Copies of the 2008 SIP on CD are free of charge upon request and hardcopies will be available at reproduction cost (\$35). Copies of the Final 2008 SEIR will be available after January 17, 2008. All copy requests can be made by calling Wendy Sugimura, GBUAPCD Board Clerk, at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2008 SIP to attend the meeting on January 28, 2008 and submit written comments or make oral statements to the Governing Board prior to their approval of the Final 2008 SEIR and 2008 SIP.

(12/08/2007 & 01/10/2008)

The Record-Courier

Proof and Statement of Publication

1503 Highway 395, Suite G,
Gardnerville, NV 89410
Ph: (775)782-5121
Fax: (775) 887-2408

Account Number: #33100039

Legal Acct
Great Basin Unified Air Pollution Control
District/Shirley Ono
157 Short Street
Bishop, CA 93514

Virginia Marsh says:
That (s)he is a legal clerk of the **RECORD COURIER**, a bi-weekly newspaper published at Gardnerville, in the State of Nevada.

Notice of Public Hearing

Adoption and Approval of the Proposed Final 2008 Revision to the Owens Valley PM10 Planning Area Demonstration Ad #03527732

of which a copy is hereto attached, was published in said newspaper for the full required period of **1 time** commencing on **December 12, 2007**, and ending on **December 12, 2007**, all days inclusive.

Signed: Virginia Marsh

STATEMENT:

Date	Amount	Credit	Balance
12/12/07	\$194.59	\$ 0.00	\$ 194.59

NOTICE OF PUBLIC HEARING

ADOPTION AND APPROVAL OF THE PROPOSED FINAL 2008 REVISION TO THE OWENS VALLEY PM10 PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN, INCORPORATED ORDER UNDER THE PROVISIONS OF CAL HEALTH & SAFETY CODE 42316 AND FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

PLEASE TAKE NOTICE that on Monday, January 28, 2008, the Governing Board of the Great Basin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption a proposed final 2008 revision to the previously-adopted Owens Valley PM10 Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP). The public hearing, and the Governing Board's consideration for adoption, will occur at the District Governing Board's regular meeting on Monday, January 28, 2008 at 10:00 a.m. in the Inyo County Administrative Center, Board of Supervisors Chambers, 224 North Edwards Street (US Hwy 395), Independence, California 93526. At the meeting, the District Governing Board will: 1) consider and approve the Final 2008 Subsequent Environmental Impact Report (2008 SEIR) that analyzes the environmental impacts of the proposed project; 2) consider and approve the 2008 SIP; and 3) consider and adopt an order authorized by California Health & Safety Code Sec. 42316 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed. Other actions related to these actions may also be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on both the 2008 SIP and 2008 SEIR.

The GBUAPCD prepared the 2008 SIP for the control of fine dust emissions (PM10) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM10.

On November 13, 2003, the GBUAPCD approved the 2003 Revised State Implementation Plan for the Owens Valley Planning Area (2003 SIP), which was later approved by the California Air Resources Board. The 2003 SIP is currently implemented under GBUAPCD Board Order #03111301, which primarily addresses the PM10 control requirements to reduce wind-blown PM10 emissions from the exposed playa at Owens Lake. The 2003 SIP control strategy ordered the City to control PM10 emissions from the dried bed of Owens Lake by using shallow flooding, managed vegetation, and/or gravel coverings on 29.8 square miles of the lake bed. The 2003 SIP was intended to demonstrate attainment with the PM10 NAAQS by December 31, 2006 by implementing control measures over the three years prior to that date. By December 31, 2006, the City met their deadline and had implemented dust control measures on all 29.8 square miles of the lake bed as required in the 2003 SIP.

In 2006, a dispute arose between the GBUAPCD and the City regarding requirements to control dust from additional areas at Owens Lake beyond the 29.8 square miles of emissive area identified in the 2003 SIP. On December 4, 2006 a Settlement Agreement was approved by both parties to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement an additional 13.2 square miles of dust control measures on the lake bed (for a total of 43 square miles) by April 1, 2010 and the District agreed to revise the 2003 SIP before March 1, 2008 to incorporate the provisions of the Settlement Agreement.

The proposed project consists of additional dust control measures to be constructed on the dried bed of Owens Lake at the southern end of Owens Valley, in Inyo County, in eastern-central California. The primary goal of the proposed project is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM10 by March, 2012. The 2008 SIP contains the project location, history, air quality setting, emission inventory, control measures, air quality modeling, control strategy, and enabling legislation.

A draft of the 2008 SIP and its incorporated order under the provisions of California Health and Safety Code Section 42316 were made available for public review and comment between September 16, 2007 and October 30, 2007. The GBUAPCD received, reviewed and responded to the comments. The draft 2008 SIP and order were then revised. The proposed final 2008 SIP and order will be available for public review after December 20, 2007 at the GBUAPCD's Bishop Office, 157 Short Street, Bishop, California, 93514, at the GBUAPCD web-site: www.gbuapcd.org, and at Inyo County Libraries in Independence, Big Pine, Bishop, Lone Pine, Death Valley and Teocopa, California. Copies of the 2008 SIP on CD are free of charge upon request and hardcopies will be available at reproduction cost (\$35). Copies of the Final 2008 SEIR will be available after January 17, 2008. All copy requests can be made by calling Wendy Sugimura, GBUAPCD Board Clerk, at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2008 SIP to attend the meeting on January 28, 2008 and submit written comments or make oral statements to the Governing Board prior to their approval of the Final 2008 SEIR and 2008 SIP.

Chapter 11 - Declaration of the Clerk of the Board and Resolutions

2/6/2008
12:00 PM

Agency	Contact	Title	Position	Street Address	Mailing Address	City	State	Zip
Agrarian Research & Management, Ltd.	Carla Scheidlinger and Frank Stradling	Ms.		162 East Line Street		Bishop	CA	93514
Air Sciences	Mark Schaaf	Mr.		421 SW 6th Avenue, Suite 1400		Portland	OR	97204
Alpine County	Judy Molnar	Ms.	Board Assistant	99 Water Street	P. O. Box 158	Markleeville	CA	96120-0248
Alpine County Counsel	William Richmond, Esq.	Mr.	District Attorney	270 Laramie	P. O. Box 248	Markleeville	CA	96120-0248
Alpine County Planning Department	Brian Peters			17300 State Route 89		Markleeville	CA	96120
Barnard Construction Company, Inc.	Scott Brady	Mr.			P.O. Box 99	Boseman	MT	59771-0099
Big Pine Distributors	Jesse Hutchings	Mr.		jessew101@earthlink.net	P. O. Box 779	Valley Center	CA	92082
Big Pine Paiute Tribe of the Owens Valley	Environmental Director	Mr.		825 S. Main Street	P.O. Box 700	Big Pine	CA	93513
Big Pine Paiute Tribe of the Owens Valley	Tribal Chair	Ms.		825 S. Main Street	P.O. Box 700	Big Pine	CA	93513
Bishop Paiute Tribe of the Owens Valley	Environmental Manager	Mr.		50 Tu Su Lane		Bishop	CA	93514
Bishop Paiute Tribe of the Owens Valley	Toni Richards	Ms.	Air Quality Specialist	50 Tu Su Lane		Bishop	CA	93514
Bishop Paiute Tribe of the Owens Valley	Tribal Chair			50 Tu Su Lane		Bishop	CA	93514
Bridgeport Indian Colony	EPA Coordinator			355 Sagebrush Drive	P.O. Box 37	Bridgeport	CA	93517
Bridgeport Indian Colony	Tribal Chair			355 Sagebrush Drive	P.O. Box 37	Bridgeport	CA	93517
California Air Resources Board	Lynn Terry			1001 "I" Street	P.O. Box 2815	Sacramento	CA	95812-2815
California Air Resources Board	Sylvia Oey	Ms.		1001 "I" Street	P.O. Box 2815	Sacramento	CA	95812-2815
California Air Resources Board	James Goldstene		Executive Director	1001 "I" Street	P.O. Box 2815	Sacramento	CA	95812-2815
California Department of Fish & Game	Denyse Racine and Brad Henderson	Ms.		407 West Line Street		Bishop	CA	93514
California Department of Fish & Game	Deputy Regional Manager	Mr.		407 West Line Street		Bishop	CA	93514
California Department of Transportation	Steve Rodarte			steve_rodarte@dot.ca.gov		Stockton	CA	95201
California Department of Transportation	Brad Mettam	Mr.	Planning and Programming		500 South Main Street	Bishop	CA	93514
California Department of Transportation	CEQA Coordinator	Mr.	Planning and Programming		500 South Main Street	Bishop	CA	93514
California Indian Legal Services	Delia Sharpe				287 Academy Street, Suite A	Bishop	CA	93514
California Indian Legal Services	Dorothy Alther	Ms.			609 S. Escondido Blvd.	Escondido	CA	92025
California Native American Heritage Commission	Debbie Pilas-Tredway	Ms.	Environmental Specialist III	915 Capitaol Mall, Room 364		Sacramento	CA	95814-4801
California Native American Heritage Commission	David Singleton			915 Capitaol Mall, Room 364		Sacramento	CA	95814-4801
California Native Plant Society, Bristlecone Pine Chapter	Daniel Pritchett	Mr.	Conservation Chair	401 E. Yaney Street	P.O. Box 364	Bishop	CA	93515
California State Lands Commission	Barbara Dugal			100 Howe Avenue, Suite 100 South		Sacramento	CA	95825
California State Lands Commission	Colin Connor			100 Howe Avenue, Suite 100 South		Sacramento	CA	95825-8202
California State Lands Commission	Greg Pelka	Mr.	Senior Mineral Resources Engineer	200 Oceangate, 12th Floor		Long Beach	CA	90802-4302
California State Lands Commission	Judy Brown			100 Howe Avenue, Suite 100 South		Sacramento	CA	95825
California State Lands Commission	Maurya Falkner	Ms.		200 Oceangate, Suite 900		Long Beach	CA	90802-4331
Carole Keegan Co.				3400 Ave. of Arts, #C107		Costa Mesa	CA	92626
China Lake NAWS	Becky Jensen	Ms.	Environmental Protection Specialist	rebecca.jensen@navy.mil	429 E. Bowen Road-STOP 4014	China Lake	CA	93555-6108
China Lake NAWS	Brenda Abernathy, Code N45NCW	Ms.	Air Quality Program Manager		429 E. Bowen Road-STOP 4014	China Lake	CA	93555-6108
China Lake NAWS	John O'Gara	Mr.	Commander	john.oqara@navy.mil	429 E. Bowen Road-STOP 4014	China Lake	CA	93555-6108
City of Bishop	David Grah	Mr.	Public Works Director	377 West Line Street		Bishop	CA	93514
City of Bishop	Gary Schley				P.O. Box 1236	Bishop	CA	93515
City of Bishop	Richard Pucci	Mr.	City Administrator/Planning Dept.		P.O. Box 1236	Bishop	CA	93515
Coso Operating Company, LLC	Colleen Brock	Ms.	Compliance Coordinator	2 Gill Station Coso Road	P. O. Box 1690	Inyokern	CA	93527
DM Miller Ranch	Daniel J. Miller			dmranch@yahoo.com		Independence	CA	93526
Eastern Sierra Audubon Society	James Wilson	Mr.		2689 Highland Drive	P.O. Box 624	Bishop	CA	93515
Environmental Mediation	David Nawi			2311 Capitol Avenue		Sacramento	CA	95816
Fanelli Stores Inc.	Peter Bogart	Mr.			Box 3663	Incline Village	NV	89450-3663
Fort Independence Indian Reservation	Environmental Director	Mr.		128 US Hwy 395	P.O. Box 67	Independence	CA	93526-2159
Fort Independence Indian Reservation	Tribal Chair			128 US Hwy 395	P.O. Box 67	Independence	CA	93526-2159
Fresno County Planning and Resource Management	Carolina Hogg	Ms.		2200 Tulare Street		Fresno	CA	93721

Chapter 11 - Declaration of the Clerk of the Board and Resolutions

2/6/2008
12:00 PM

Friends of the Inyo	Paul McFarland	Mr.	Executive Director	275 South Main Street, Suite C	P. O. Box 64	Lee Vining	CA	93541
GBUAPCD Board Member	Byng Hunt	The Honorable	Supervisor, County of Mono	52 Sunnyslope Lane	P. O. Box 2608	Mammoth Lakes	CA	93546
GBUAPCD Board Member	D. "Hap" Hazard	The Honorable	Supervisor, County of Mono	664 Owens Gorge Road, Sunnyslopes	P. O. Box 554	Mammoth Lakes	CA	93546-2608
GBUAPCD Board Member	Gunter Kaiser	The Honorable	Supervisor, County of Alpine		295 Nevada Road	Markleeville	CA	96120
GBUAPCD Board Member	Henry "Skip" Veatch	The Honorable	Supervisor, County of Alpine		60 Sage Avenue	Markleeville	CA	96120
GBUAPCD Board Member	Linda Arcularius	The Honorable	Supervisor, County of Inyo	225 N. Round Valley Road	225 N. Round Valley Road	Bishop	CA	93514
GBUAPCD Board Member	Neil McCarroll, Esq.	The Honorable	Council Member, Town of Mammoth Lakes	126 Old Mammoth Road, Suite 202	P.O. Box 3339	Mammoth Lakes	CA	93546
GBUAPCD Board Member	Richard Cervantes	The Honorable	Supervisor, County of Inyo		1044 Hunter Road	Lone Pine	CA	93545
GBUAPCD Board Member Alternate	John Eastman	The Honorable	Council Member, Town of Mammoth	437 Old Mammoth Road, Suite R	P. O. Box 1305	Mammoth Lakes	CA	93546
GBUAPCD Board Member Alternate	Phillip Bennett	The Honorable	Supervisor, County of Alpine		75 Circle Drive	Markleeville	CA	96120
GBUAPCD Board Member Alternate	Susan Cash	The Honorable	Supervisor, County of Inyo		431 Short Street	Bishop	CA	93514
GBUAPCD Board Member Alternate	Vikki Magee-Bauer	The Honorable	Supervisor, County if Mono	132 Leonard Avenue	P. O. Box 25	June Lake	CA	93529
Hydro Bio, Inc.	David Groeneveld	Dr.			1220 Cerro Gordo Road	Santa Fe	NM	87501
Indian Wells Water District	Tom Muluihill	Mr.	General Manager		P.O. Box 1329	Ridgecrest	CA	93556-1329
Interagency Visitors Center	Heidi Hayner	Ms.			P.O. Box R	Lone Pine	CA	93546
Inyo County	Jan Larsen	Ms.	Senior Planner	168 N. Edwards Street	P. O. Drawer L	Independence	CA	93526
Inyo County	Ron Juliff	Mr.		224 N. Edwards Street	P.O. Drawer L	Independence	CA	93526
Inyo County Board of Supervisors	Beverly Brown	Ms.	Inyo County Supervisor - District 2		2917 Indian Creek	Bishop	CA	93514
Inyo County Board of Supervisors	Jim Bilyeu	Mr.	Inyo County Supervisor - District 4		P. O. Box 388	Independence	CA	93526
Inyo County Clerk	Mary A. Roper	Ms.		168 N. Edwards Street	P.O. Drawer F	Independence	CA	93526
Inyo County Counsel	Paul Bruce, Esq.	Mr.		224 North Edwards Street	P.O. Box M	Independence	CA	93526
Inyo County Environmental Health	Marvin Moskowitz	Mr.	Environmental Health		207 West South Street	Bishop	CA	93514
Inyo County Library	Bev Brown	Ms.	Lone Pine Branch	Washington & Bush Street	P.O. Box 745	Lone Pine	CA	93545
Inyo County Library	Death Valley Branch				Death Valley National Park	Death Valley	CA	92328
Inyo County Library	Lidia Baldwin		Big Pine Branch	110 North Main Street		Big Pine	CA	93513
Inyo County Library	Nancy Masters	Ms.	Independence Branch	168 N. Edwards Street	P.O. Drawer K	Bishop	CA	93514
Inyo County Library	Sue Franz	Ms.	Bishop Branch	210 Academy Avenue		Bishop	CA	93514
Inyo County Library	Tecopa Branch				P.O. Box 177	Tecopa	CA	92389
Inyo County Mosquito Abatement	Jerry Oser			207 West South Street		Bishop	CA	93514
Inyo County Water Department	Water Director	Mr.		163 May Street		Bishop	CA	93514
Inyo Register					450 E. Line Street	Bishop	CA	93514
Keeler Community Service District	Directors				P. O. Box 107	Keeler	CA	93530-0107
Keeler Community Service District	Nylia Swanson			150 Railroad Avenue		Lone Pine	CA	93530
Kern County Air Pollution Control District	David Jones	Mr.	APCO	2700 "M" Street, Suite 302		Bakersfield	CA	93301-2370
Kern County Planning Department	Ted James	Mr.		2700 M Street		Bakersfield	CA	93301
Kern County Public Library	Ridgecrest Branch			131 East Las Flores		Ridgecrest	CA	93555
KIBS - KBOV Radio	Arnie Palu	Mr.	News - Sports Director	apalujii@yahoo.com	P. O. Box 757	Bishop	CA	93515-0757
KMMT - Radio & KRHV - Classic Rock	Shellie Woods	Ms.	Account Exec./Air Talent Manager		P. O. Box 1284	Mammoth Lakes	CA	93546-1284
KSRW FM & TV	Benett Kessler	Ms.			1280 N. Main Street	Bishop	CA	93514
Lahontan Regional Water Quality Control Board	Cindi Mitton	Ms.	Sr. Water Resource Control Engineer		14440 Civic Drive, Suite 200	Victorville	CA	92392
Lahontan Regional Water Quality Control Board	Harold J. Singer	Mr.	Executive Officer		2501 Lake Tahoe Boulevard	South Lake Tahoe	CA	96150
Lahontan Regional Water Quality Control Board	Mack Hakakian		Engineering Geologist		14440 Civic Drive, Suite 200	Victorville	CA	92392
Linscott, Law & Greenspan	Clare Look-Jeager	Ms.		234 E. Colorado Blvd., Suite 400		Pasadena	CA	91101
Lone Pine Paiute-Shoshone Reservation	Environmental Manager			975 Teya Road	P.O. Box 747	Lone Pine	CA	93545
Lone Pine Paiute-Shoshone Reservation	Mel Joseph	Mr.		mel@lpps.org	P.O. Box 747	Lone Pine	CA	93545
Lone Pine Paiute-Shoshone Reservation	Cultural Representative			880 Zucco Road		Lone Pine	CA	93545
Lone Pine Paiute-Shoshone Reservation	Marjianne Yonge		Tribal Chairwoman	975 Teya Road	P.O. Box 747	Lone Pine	CA	93545
Lone Pine Paiute-Shoshone Reservation	Wilfred J. Nabahe	Mr.	Acting Tribal Administrator	winabahe@lpps.org	P.O. Box 747	Lone Pine	CA	93545
Los Angeles Department of Water & Power	Robert Prendergast	Mr.		111 North Hope Street, Room 1468	Box 51111	Los Angeles	CA	90051-0100

Chapter 11 - Declaration of the Clerk of the Board and Resolutions

2/6/2008
12:00 PM

Los Angeles Department of Water & Power	Steve Fuller	Mr.		370 West South Street	370 West South Street	Bishop	CA	93514
Los Angeles Department of Water & Power	James McDaniel		Chief Operating Officer - Water System	111 N. Hope Street, Room 1455		Los Angeles	CA	90012
Los Angeles Department of Water & Power	Gene Coufal	Mr.	Manager - Aqueduct Business Group		300 Mandich Street	Bishop	CA	93514
Los Angeles Department of Water & Power	David Nahai		General Manager	111 N. Hope Street, Room 1550		Los Angeles	CA	90012
Los Angeles Department of Water & Power	Wayne Bamossy	Mr.			P. O. Box 105	Keeler	CA	93530
Los Angeles Department of Water & Power	William T. Van Wagoner			111 N. Hope Street, Room 1315		Los Angeles	CA	90012
Los Angeles Department of Water & Power	Richard Harasick	Mr.	Asst. Director of Water Resources	111 North Hope Street, Room 1449	Box 51111, Room 1449	Los Angeles	CA	90051-0100
Los Angeles Times	Marla Cone	Ms.			P. O. Box 6018	Los Angeles	CA	90060
Mammoth Times					P. O. Box 3929	Mammoth Lakes	CA	93546
Mammoth-Pacific L.P.	Cheryl Eanes	Mr.	General Manager	ceanes@ormat.com	P. O. Box 1584	Mammoth Lakes	CA	93546-1584
Maturango Museum	Jane Burbank			100 East Flores Avenue		Ridgecrest	CA	93555
Mojave Desert Air Quality Management District	Eldon Heaston		APCO	14306 Park Avenue		Victorville	CA	92392-2383
Mono County	Christy Robles	Ms.	Board Clerk	crobles@mono.ca.gov	P. O. Box 237	Bridgeport	CA	93517-0715
Mono County	Dave Wilbrecht	Mr.	Administrator		P. O. Box 696	Bridgeport	CA	93517
Mono County	Marshall Rudolph, Esq.	Mr.	County Counsel	452 Old Mammoth Road, Suite J3	P. O. Box 2415	Mammoth Lakes	CA	93546-2415
Mono County Development Department	Scott Burns	Mr.			P. O. Box 347	Mammoth Lakes	CA	93546
Mono Lake Committee	Geoffrey McQuilkin	Mr.		Corner of Hwy. 395 and 3rd Street	P.O. Box 29	Lee Vining	CA	93541
Morrison & Foerester, LLP	Peter Hsiao, Esq.	Mr.		555 W. Fifth Street, Suite 3500		Los Angeles	CA	90013-1024
National Park Service	Dick Anderson	Mr.	Environmental Specialist	Death Valley National Park	P.O. Box 579	Death Valley	CA	92328-0579
National Park Service	Frank Hays	Mr.	Superintendent	Manzanar National Historic Site	P.O. Box 426	Independence	CA	93526
National Park Service	James T. Reynolds	Mr.	Superintendent	Death Valley National Park	P.O. Box 579	Death Valley	CA	92328-0579
National Park Service	Judith Rocchio	Ms.	Regional Air Quality Coordinator	1111 Jackson Street, Suite 700		Oakland	CA	94607
National Park Service	Wayne Badder	Mr.	Cow Creek Maint. Station	Cow Creek Maintenance Yard	P. O. Box 579	Death Valley	CA	92328
Native American Heritage Commission	Dave Singleton			915 Capitol Mall, Room 364		Sacramento	CA	95814
Neubauer & Jennison	John Neubauer	Mr.			P. O. Box 3579	Mammoth Lakes	CA	93546
News Review					109 N. Sanders	Ridgecrest	CA	93555
Northern Inyo Hospital					150 Pioneer Lane	Bishop	CA	93514-2599
Owens Valley Committee					P.O. Box 77	Bishop	CA	93515
Owens Valley Indian Water Commission	Rosanna Marrujo	Ms.		rosanna@oviwc.com	46 Tu Su Lane	Bishop	CA	93514
Owens Valley Indian Water Commission	Teri Cawelti	Ms.		46 Tu Su Lane		Bishop	CA	93514
Rantec Corporation	Lloyd Marsden	Mr.	General Manager	17 Kukuchka Lane	P.O. Box 729	Ranchester	WY	82839
Sapphos Environmental, Inc.	Marie Campbell	Ms.		133 Martin Alley	P.O. Box 50241	Pasadena	CA	91105
Sapphos Environmental, Inc.	Tony Barranda	Ms.		133 Martin Alley	P.O. Box 50241	Pasadena	CA	91105
Sierra Club - Range of Light Chapter	Chair			80 Larkspur Lane	P.O. Box 4008	Mammoth Lakes	CA	93546
Sierra Club - Range of Light Chapter	Mark Bagley	Mr.		175 S. First Street	P.O. Box 1431	Bishop	CA	93515
Sierra Club - Range of Light Chapter	Wilma Wheeler				P.O. Box 1973	Mammoth Lakes	CA	93546
Sierra Nevada Aquatic Research Laboratory	David Herbst	Mr.		1016 Mt. Morrison Road	HCR 79, Box 198	Mammoth Lakes	CA	93546
Team Engineering & Management, Inc.	Walt Pachucki	Mr.		459 W. Line Street, Suite 100	P. O. Box 1265	Bishop	CA	93515-1265
The Sheet	Ted Carleton			3343 Main Street	P. O. Box 8088	Mammoth Lakes	CA	93546
Timbisha Shoshone Tribe	Barbara Durham	Ms.		760.786.2374	P.O. Box 206	Death Valley	CA	92328
Timbisha Shoshone Tribe	Joe Kennedy		Chairperson	785 North Main Street, Suite Q		Bishop	CA	93514
Timbisha-Shoshone Tribe of Death Valley	EPA Director	Ms.			P.O. Box 206	Death Valley	CA	92328-0579
Timbisha-Shoshone Tribe of Death Valley	Tribal Chair				P.O. Box 206	Death Valley	CA	92328-0579
Town of Mammoth Lakes	Rob Clark		Town Manager	437 Old Mammoth Road, Suite R	P.O. Box 1609	Mammoth Lakes	CA	93546
Town of Mammoth Lakes	Anita Hatter		Town Clerk	437 Old Mammoth Road, Suite R	P.O. Box 1609	Mammoth Lakes	CA	93546
Tulare County Resource Management Agency	George Finney	Mr.		5961 South Mooney Blvd.		Visalia	CA	93277
U.S. Army Corps of Engineers	Fred Egeler	Dr.			P.O. Box 532711	Los Angeles	CA	90053-2325
U.S. Army Corps of Engineers	Thomas Jay Field			911 Wilshire Boulevard		Los Angeles	CA	90017
U.S. Army Corps of Engineers	Bruce Henderson	Mr.		2151 Alessandro Drive, Suite 100		Ventura	CA	93001

Chapter 11 - Declaration of the Clerk of the Board and Resolutions

2/6/2008
12:00 PM

U.S. Borax, Inc.	Paul Lamos	Mr.		209 N. Main Street	P.O. Box 37	Lone Pine	CA	93545
U.S. Bureau of Land Management	Anne Halford			351 Pacu Lane, Suite 100		Bishop	CA	93514
U.S. Bureau of Land Management	Bill Dunkelberger	Mr.	Bishop Field Office		351 Pacu Lane, Suite 100	Bishop	CA	93514
U.S. Bureau of Land Management	Hector Villalobos	Mr.		300 S. Richmond Road		Ridgecrest	CA	93555-4436
U.S. Bureau of Land Management	Kirk Halford			351 Pacu Lane, Suite 100		Bishop	CA	93514
U.S. Bureau of Land Management	Terry Russi			351 Pacu Lane, Suite 100		Bishop	CA	93514
U.S. Department of the Interior	Glenn Harris	Mr.			300 So. Richmond Road	Ridgecrest	CA	93555-4436
U.S. EPA Region 9, Air Division	Larry Biland	Mr.		75 Hawthorne Street		San Francisco	CA	94105-3920
U.S. EPA, Region 9	Wayne Nastri	Mr.		75 Hawthorne Street		San Francisco	CA	94105
U.S. Forest Service	Tom Higley	Mr.			P. O. Box 429	Lee Vining	CA	93541
U.S. Forest Service	Garry Oye	Mr.	District Ranger		798 N. Main Street	Bishop	CA	93514
U.S. Forest Service	Mary Beth Hennessy			351 Pacu Lane, Suite 200		Bishop	CA	93514
Utu Utu Gwaitu Paiute Tribe	Environmental Coordinator			567 Yellow Jacket Road	Star Route 4, Box 56A	Benton	CA	93512
Utu Utu Gwaitu Paiute Tribe	Tribal Chair	Mr.	Chair	567 Yellow Jacket Road	Star Route 4, Box 56A	Benton	CA	93512
VSA N Associates	Mahabir Atwal	Dr.		12525 Lambert Road		Whittier	CA	90606
Wilson Geosciences	Ken Wilson	Mr.		1910 Pincrest Drive		Altadena	CA	91001
	Camm Swift			346 W. LeRoy Avenue		Arcadia	CA	91107
	Charles Chisholm	Mr.			Box 8676	Reno	NV	89507
	David Gemmill	Mr.		32034 Via Saltio		Temecula	CA	92592
	Derham Giuliani	Mr.			P.O. Box 265	Big Pine	CA	93513
	George & Adriana Roberts			755 Fifth Avenue		Los Angeles	CA	90049
	Jim Macy	Mr.			P.O. Box 131	Keeler	CA	93530
	Joanne Patterson (Stewart)	Ms.			P.O. Box 221	Keeler	CA	93530
	Judy Wickman	Ms.		101 Dominey Road		Lone Pine	CA	93545
	Kathleen Hunter	Ms.		700 Indian Spring Drive		Lone Pine	CA	93545
	Norman Hoffman	Mr.			P.O. Box 111	Keeler	CA	93530
	Patrick Hannan	Mr.		1162 County Line Road		Ridgecrest	CA	93555-9072
	Tony Barrett	Mr.		6201 Minaret Road, Suite 232	P. O. Box 2294	Mammoth Lakes	CA	93546-2294
	William McGill	Mr.		1119 E. 106th Street		Los Angeles	CA	90002
	William Vanherweg	Mr.		332 N. Stine Road		Bakersfield	CA	93309
	Dan and Carol Dickman			dickman@qnet.com	P.O. Box 213	Keeler	CA	93530
	Don Odell	Mr.			P. O. Box 128	Lone Pine	CA	93545
	Julie Robinson			julie.jrdune@gmail.com	P.O. Box 106	Keeler	CA	93530
	Ken Richmond	Mr.		3500 188th Street SW, Suite 600		Lynnwood	WA	98037-4763
	Mike Patterson	Mr.		Route 1, Box 5 (Swansea)	P.O. Box 221	Keeler	CA	93530
	Mike Prather	Mr.		prather@qnet.com	P.O. Drawer D	Lone Pine	CA	93545
	Peter Pumphrey			128 Ronda Lane		Bishop	CA	93514
	Sam Wasson	Mr.		2638 Sierra Vista Way, Bishop, 93514	P. O. Box 223	Keeler	CA	93530-0225

Theodore D. Schade
Air Pollution Control Officer



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537
760-872-8211 Fax: 760-872-6109

B/O #080128-02

January 28, 2008 / February 1, 2008

I HEREBY CERTIFY that at a regular meeting of the Great Basin Unified Air Pollution Control District Governing Board held in the Inyo County Supervisors Chamber, Inyo County Administrative Center, 224 North Edwards Street (Highway 395), Independence, California on February 1, 2008, continued from January 28, 2008, an order was duly made and entered as follows:

Adoption of Resolution 2008-01

Resolution of the Governing Board of the Great Basin Unified Air Pollution Control District Certifying the Final Subsequent Environmental Impact Report for the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order

A motion was made by Hunt and seconded by Arcularius to adopt Resolution 2008-01 certifying the Final Subsequent Environmental Impact Report for the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, and authorize the Board Chair to sign the Notice of Determination.

Ayes: Cervantes, Hunt, Arcularius, Hazard, McCarroll


Noes: Ø

Abstain: Ø

Absent: Kaiser, Veatch

Motion carried 5/0 and so ordered.

ATTEST:



Wendy Sugimura, Clerk of the Board

RESOLUTION NO. 2008-01

**RESOLUTION OF THE GOVERNING BOARD OF THE
GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT
FOR THE 2008 REVISION TO THE OWENS VALLEY PM₁₀ PLANNING AREA
DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN
AND INCORPORATED BOARD ORDER**

For reasons detailed below, the Governing Board of the Great Basin Unified Air Pollution Control District (the "Governing Board") certifies that the 2008 Final Subsequent Environmental Impact Report (FSEIR) prepared for the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, 2008 SIP) has been completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code §21000 *et seq.*); that the Governing Board has reviewed and considered the information and analysis contained in the FSEIR; and that the FSEIR reflects the independent judgment of the Great Basin Unified Air Pollution Control District (District);

WHEREAS, pursuant to the federal Clean Air Act Amendments of 1990, the State of California is required to submit to the Administrator of the United States Environmental Protection Agency a State Implementation Plan for the Owens Valley Planning Area that demonstrates timely attainment of the National Ambient Air Quality Standards (NAAQS) for PM₁₀, defined as particulate matter having an aerodynamic diameter of a nominal 10 microns or less; and

WHEREAS, the Great Basin Unified Air Pollution Control District is the body vested by law with the authority and responsibility to develop and adopt the Attainment Demonstration State Implementation Plan for the Owens Valley PM₁₀ Planning Area, and to submit the Attainment Demonstration State Implementation Plan to the California Air Resources Board for its approval and submittal to the U.S. Environmental Protection Agency Administrator on behalf of the State of California; and

WHEREAS, on July 2, 1997, the Governing Board adopted the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, 1997 SIP) to comply with the requirements of the state and federal air quality law; and

WHEREAS, on July 2, 1997, in conjunction with its adoption of the 1997 SIP, the Governing Board adopted a resolution certifying that the Final Environmental Impact Report for the 1997 SIP (1997 EIR) had been completed in compliance with CEQA, that the Governing Board had reviewed and considered the information and analysis contained in the 1997 EIR, and that the 1997 EIR reflected the independent judgment of the District; and

WHEREAS, on November 16, 1998, the 1997 SIP was revised with the adoption of the 1998 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, 1998 SIP) by the Governing Board to comply with the requirements of the state and federal air quality law; and

Resolution 2008-01
January 28, 2008
Page 1 of 3

WHEREAS, on November 16, 1998, in conjunction with its adoption of the 1998 SIP, the Governing Board adopted a resolution certifying that Addendum Number 1 to the 1997 EIR had been completed in compliance with CEQA, that the Governing Board had reviewed and considered the information and analysis contained in Addendum Number 1 to the 1997 EIR, and that Addendum Number 1 to the 1997 EIR reflected the independent judgment of the District; and

WHEREAS, on November 13, 2003, the 1998 SIP was revised with the adoption of the 2003 revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, 2003 SIP) by the Governing Board to comply with the requirements of the state and federal air quality law; and

WHEREAS, on November 13, 2003, in conjunction with its adoption of the 2003 SIP, the Governing Board adopted a resolution certifying that Final Environmental Impact Report for the 2003 SIP (2003 EIR) had been completed in compliance with CEQA, that the Governing Board had reviewed and considered the information and analysis contained in the 2003 EIR, and that the 2003 EIR reflected the independent judgment of the District; and

WHEREAS, the 2003 SIP requires the District to continue studying the sources of particulate matter air pollution from the Owens Lake bed area and to take appropriate of actions to reduce particulate emissions so that the Owens Valley PM₁₀ Planning Area will attain and maintain the NAAQS for particulate matter by the statutory deadlines; and

WHEREAS, on March 23, 2007, the U.S. Environmental Protection Agency (USEPA) published a finding that the Owens Valley Planning Area did not attain the 24-hour NAAQS for particulate matter of 10 microns or less (PM₁₀) by December 31, 2006 as mandated by the U.S Clean Air Act Amendments of 1990; and

WHEREAS, as a result of the USEPA finding, the 2003 SIP must be revised to include a control strategy that will provide for attainment in the Owens Valley Planning Area as soon as practicable and that said revised SIP must be submitted to the USEPA by December 31, 2007; and

WHEREAS, to comply with the requirements of the state and federal air quality laws and to comply with the provisions of a December 4, 2006 Settlement Agreement between the District and the City of Los Angeles, the District is required to adopt a 2008 revision to the 2003 SIP; and

WHEREAS, the District determined that it is the appropriate public agency to act as Lead Agency under CEQA for the adoption of the proposed 2008 SIP; and

WHEREAS, the adoption of the proposed 2008 SIP revision to the 2003 SIP is a “project” as defined by CEQA; and

WHEREAS, for the reasons set out in the FSEIR, the preparation of a subsequent environmental impact report was determined to be appropriate for the proposed adoption of the 2008 SIP under applicable CEQA statutory law and regulations; and

WHEREAS, the District prepared the FSEIR, supported by consultants with the District remaining responsible for managing the preparation of the FEIR and subjecting the consultant's drafts to its own independent review and analysis; and

WHEREAS, the Governing Board has reviewed the FSEIR in its entirety, has considered its contents, and has determined that the FSEIR for the 2008 SIP meets all the requirements for certification under CEQA and reflects the independent judgment of the District;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Great Basin Unified Air Pollution Control District as follows:

1. It is hereby certified that the 2008 SIP FSEIR has been completed in compliance with CEQA;
2. It is hereby certified that this 2008 SIP FSEIR has been presented to the Governing Board of the Great Basin Unified Air Pollution Control District, which has reviewed and considered the information and analysis contained therein;
3. It is hereby certified that this 2008 SIP FSEIR reflects the independent judgment and analysis of the Great Basin Unified Air Pollution Control District;
4. This certification does not represent approval or disapproval of the 2008 SIP and does not constitute final action on the 2008 SIP by the Great Basin Unified Air Pollution Control District.


APPROVED AND ADOPTED by the Governing Board of the Great Basin Unified Air Pollution Control District this ~~28th day of January 2008~~, by the following vote:
1st day of February 2008

AYES: Cervantes, Hunt, Arcularius, Hazard, McCarroll


NOES: ∅

ABSTAIN: ∅

ABSENT: Kaiser, Veatch


Richard Cervantes, Chair of Governing Board

ATTEST:


Wendy Sugimura
Clerk of the Governing Board

Resolution 2008-01
January 28, 2008
Page 3 of 3

AMENDED

Notice of Determination

To: Office of Planning and Research

For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

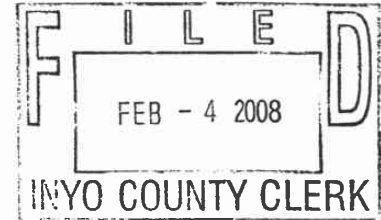
Street Address:
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk
County of Inyo
P.O. Drawer F
Independence, CA 93526

From:
(Public Agency)

Great Basin Unified Air Pollution
Control District
157 Short Street
Bishop, CA 93514

Contact: Theodore Schade, APCO
Phone: (760) 872-8211



Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan

Project Title

2007021127

State Clearinghouse Number
(If submitted to Clearinghouse)

Mr. Theodore Schade

Lead Agency
Contact Person

(760) 872-8211

Area Code /
Telephone/Extension

Owens Lake (bounded by S.H. 136, S.H. 190, and U.S. 395), Inyo County, CA

Project Location (include county)

2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan

Land Use / Zoning / General Plan Designations:

The dry Owens Lake is primarily owned and operated in trust for the people of the State of California by the California State Lands Commission. Although it is not subject to local regulatory authority by Inyo County (County), the County's General Plan recognizes the location of state-owned and federally owned lands at Owens Lake. The Land Use element of the Inyo County General Plan designates the project area as Natural Resources and State and Federal Lands. This land use designation "is applied to land or water areas that are essentially unimproved and planned to remain open in character, [and] provides for the preservation of natural resources, the managed production of resources, and recreational uses." The Inyo County Zoning Ordinance designates the project area as predominantly OS-40: Open Space Zone, 40-acre minimum lot size.

Project Description:

The project consists of additional dust control measures (DCMs) to be constructed on the dry Owens Lake bed at the southern end of Owens Valley in Inyo County, eastern-central California. The project is located approximately 5 miles south of the community of Lone Pine and approximately 61 miles south of the City of Bishop. The primary goal of the project is to continue to reduce dust emissions from the dry Owens Lake bed by implementing all Owens Lake bed fine particulate matter (PM₁₀) control measures by April 1, 2010, pursuant to the revised 2008 State Implementation Plan (SIP) to achieve the National Ambient Air Quality Standards (NAAQS) for PM₁₀. The Great Basin Unified Air Pollution Control District (District) has identified eight objectives to achieve the goal of the project, which are described in further detail in the Subsequent

08 - 00

Environmental Impact Report (EIR), including the State of California's obligation of land and resource stewardship.

The project consists of the installation of Shallow Flooding, Moat & Row, and Enhancement DCMs over up to an additional 15.1 square miles of the dry Owens Lake bed before April 1, 2010. Approximately 29.8 square miles of DCMs are already in place. These controls are required by the U.S. Environmental Protection Agency in order to attain the NAAQS for PM₁₀ by 2012. The project would include the construction and operation of the following project elements: DCMs, waterline and drainline connections, subsurface drainage and pumping systems, power supply and control, corridors for construction, utilities, power cables, and access roads.

The project site is not identified on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5 (Cortese List). No hazardous material sites are located within 1 mile of the project site.

This is to advise that the Great Basin Unified Air Pollution Control District has approved the above-described Lead Agency Responsible Agency

February 1, 2008

project on ~~January 28, 2008~~, and has made the following determinations regarding the above-described project:

1. The project will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations was was not] adopted for this project.
5. Findings were were not] made pursuant to the provisions of CEQA.

This is to certify that the Final EIR, with comments and responses and record of project approval, is available to the general public at: Great Basin Unified Air Pollution Control District, 157 Short Street, Bishop, CA 93514.


Signature (Public Agency)

February 4, 2008

~~January 28, 2008~~

Date

Chairman of the Governing Board

Title

Date received for filing at OPR: _____

Revised 2005

08- 00.

Theodore D. Schade
Air Pollution Control Officer



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537
760-872-8211 Fax: 760-872-6109

B/O #080128-03

January 28, 2008 / February 1, 2008

I HEREBY CERTIFY that at a regular meeting of the Great Basin Unified Air Pollution Control District Governing Board held in the Inyo County Supervisors Chamber, Inyo County Administrative Center, 224 North Edwards Street (Highway 395), Independence, California on February 1, 2008, continued from January 28, 2008, an order was duly made and entered as follows:

Adoption of Resolution 2008-02

Resolution of the Governing Board of the Great Basin Unified Air Pollution Control District Adopting the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order 080128-01, Adopting a Mitigation Monitoring and Reporting Plan, and Making Findings of Fact

A motion was made by Hazard and seconded by McCarroll to adopt Resolution 2008-02 adopting the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan, including its incorporated Board Order 080128-01, Mitigation Monitoring and Reporting Plan and Findings of Fact.

Ayes: Cervantes, Hunt, Arcularius, Hazard, McCarroll

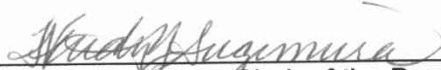
Noes: Ø

Abstain: Ø

Absent: Kaiser, Veatch

Motion carried 5/0 and so ordered.

ATTEST:



Wendy Sugimura, Clerk of the Board

RESOLUTION NO. 2008-02

**RESOLUTION OF THE GOVERNING BOARD OF THE
GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
ADOPTING THE 2008 REVISION TO THE OWENS VALLEY PM₁₀ PLANNING AREA
DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN
AND INCORPORATED BOARD ORDER 080128-01,
ADOPTING A MITIGATION MONITORING AND REPORTING PLAN,
AND MAKING FINDINGS OF FACT**

WHEREAS, pursuant to the federal Clean Air Act Amendments of 1990 (CAAA), the State of California is required to submit to the Administrator of the United States Environmental Protection Agency (U.S. EPA) a State Implementation Plan for the Owens Valley PM₁₀ Planning Area, located in southern Inyo County, California, that demonstrates timely attainment of the National Ambient Air Quality Standards (NAAQS) for PM₁₀, defined as particulate matter having an aerodynamic diameter of a nominal 10 microns or less; and

WHEREAS, the Great Basin Unified Air Pollution Control District (District) is the body vested by law with the authority and responsibility to develop and adopt the Demonstration of Attainment State Implementation Plan for the Owens Valley PM₁₀ Planning Area, and to submit the Demonstration of Attainment State Implementation Plan to the California Air Resources Board for its approval and submittal to the U.S. EPA Administrator on behalf of the State of California; and

WHEREAS, on March 23, 2007, the U.S. EPA published a finding that the Owens Valley Planning Area did not attain the 24-hour NAAQS for PM₁₀ by December 31, 2006 as mandated by the CAAA; and

WHEREAS, as a result of the U.S. EPA finding, the State Implementation Plan for the Owens Valley Planning Area that was approved by the District in 2003 must be revised to include a control strategy that will provide for attainment in the Owens Valley Planning Area as soon as practicable and that said revised SIP must be submitted to the U.S. EPA by December 31, 2007; and

WHEREAS, the District has prepared a proposed 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, 2008 SIP) and circulated the proposed 2008 SIP for public and governmental agency comment; and

WHEREAS, in Resolution 2008-01, which is incorporated by reference herein, the Governing Board of the Great Basin Unified Air Pollution Control District (Governing Board) certified that the 2008 Final Subsequent Environmental Impact Report (FSEIR) prepared for the 2008 SIP has been completed in compliance with the California Environmental Quality Act (CEQA); that the

Governing Board has reviewed and considered the information and analysis contained in the FSEIR; and that the FSEIR reflects the independent judgment and analysis of the District; and

WHEREAS, prior to the Governing Board's action certifying the FSEIR, the District and its consultants analyzed the environmental impacts of the proposed revisions contained in the 2008 SIP; and

WHEREAS, the FSEIR identified certain significant effects on the environment that would be caused by the City of Los Angeles' compliance with the 2008 SIP, absent the adoption of mitigation measures; and

WHEREAS, the District is required, pursuant to the California Environmental Quality Act (Public Resources Code §21000 *et seq.*), to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant impacts on the environment associated with a project to be approved, such as the 2008 SIP; and

WHEREAS, the Findings of Fact and Statement of Overriding Considerations adopted as Exhibit A to this Resolution 2008-02 demonstrate that, except for impacts to air quality related to greenhouse gas emissions, all of the significant impacts on the environment associated with the 2008 SIP can be avoided through the adoption of feasible mitigation measures; and

WHEREAS, with respect to the impacts of the proposed project to air quality related to greenhouse gas emissions, the District has included mitigation measures to reduce those impacts to the extent feasible; and

WHEREAS, the Governing Board has determined, for reasons set forth in Exhibit A hereto and described in the FSEIR, that the 2008 SIP is superior to all feasible project alternatives, that feasible project alternatives would not reduce any potentially significant and unavoidable impact of the 2008 SIP to less-than-significant levels; and that the No Project Alternative, which would avoid these impacts, would fail to achieve most of the objectives and benefits of the 2008 SIP; and

WHEREAS, the Governing Board is required by Public Resources Code §21081.6, to adopt a mitigation monitoring and reporting program to ensure that the mitigation measures adopted by the District are actually carried out; and

WHEREAS, the final Mitigation Monitoring and Reporting Program for the 2008 SIP has been prepared, and is adopted as Exhibit B to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Great Basin Unified Air Pollution Control District as follows:

1. Through this Resolution, the Governing Board hereby approves and adopts the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order 080128-01, which approval and adoption are effective immediately.

2. Through this Resolution, the Governing Board hereby adopts and issues to the City of Los Angeles, Great Basin Unified Air Pollution Control District Order No. 080128-01 set forth in Chapter 8 of the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, which adoption and issuance are effective immediately.

3. Through this Resolution, the Governing Board hereby reaffirms each of its findings and resolutions made in Resolution 2008-01, which is incorporated herein by reference.

4. Through this Resolution, the Governing Board makes all the findings set forth in the Findings of Fact and adopts the Statement of Overriding Considerations, which are incorporated herein by reference and included as Exhibit A to this Resolution.

5. Through this Resolution, the Governing Board, in order to satisfy its obligations pursuant to Public Resources Code §21081.6, hereby adopts and incorporates by reference the Mitigation Monitoring and Reporting Program, which is included as Exhibit B to this Resolution.

6. By adopting this Resolution, including the exhibits incorporated herein and attached hereto, the Governing Board has satisfied its obligations pursuant to Public Resources Code §21081 and California Code of Regulations, Title 14, §15091, in that the Governing Board has made one or more of the following findings with respect to the significant or potentially significant effects of the 2008 SIP: (1) Changes or alterations have been required in, or incorporated into the 2008 SIP which mitigate or avoid many of the significant environmental effects thereof as identified in the FSEIR; (2) Some changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been, or can and should be, adopted by that other agency; (3) Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or alternatives identified in the FSEIR; and (4) The Governing Board finds that specific overriding economic, legal, social, technological and other benefits of the project outweigh the significant effects on the environment as set forth in the incorporated Statement of Overriding Considerations.

7. The Clerk of the Governing Board is hereby authorized to compile and publish the complete 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, adopted on January 28, 2008 and shall certify on behalf of the District that said compilation is the authoritative version of the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order.

APPROVED, ADOPTED and ORDERED by the Governing Board of the Great Basin Unified Air Pollution Control District this ~~28th day of January 2008~~, by the following vote:

~~1st day of February 2008~~

AYES: Cervantes, Hunt, Arcularius, Hazard, McCarroll


NOES: ∅

ABSTAIN: ∅

ABSENT: Kaiser, Veatch


Richard Cervantes, Chair of the Governing Board

ATTEST:


Wendy Sugimura
Clerk of the Governing Board

Incorporated attachments:

- Exhibit A - Findings of Fact and Statement of Overriding Considerations
- Exhibit B - Mitigation Monitoring and Reporting Program

Resolution 2008-02
January 28, 2008
Page 4 of 4

**Governing Board of the Great Basin Unified Air Pollution Control District
January 28, 2008/February 1, 2008**

RESOLUTION NO. 2008-02

EXHIBIT A - FINDINGS OF FACT

**2008 Revision to the
Owens Valley PM₁₀ Demonstration of Attainment
State Implementation Plan and Incorporated Board Order**

**Findings of Fact Under the Provisions of California Health & Safety Code §42316(a);
Findings of Fact on Significant Environmental Impacts of the Proposed Project (2008 SIP);
Findings of Fact on Project Alternatives; and Other Findings of Fact**

Related Documentation:

Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plans as adopted on: February 1, 2008, November 13, 2003, November 16, 1998, and July 2, 1997

Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Environmental Impact Reports (EIRs) as follows:

February 1, 2008: Final Subsequent EIR (SCH No. 2007021127)
November 13, 2003: Final EIR (SCH No. 2002111020)
November 16, 1998: Addendum No. 1 to the EIR (SCH No. 96122077)
July 2, 1997: Final EIR (SCH No. 96122077)

Staff report on the subject of the 2008 SIP and EIR dated January 28, 2008 prepared for the Great Basin Unified Air Pollution Control District Governing Board

Project Files May Be Reviewed at:
Great Basin Unified Air Pollution Control District
157 Short Street, Bishop, California 93514
(760) 872-8211

RESOLUTION NO. 2008-02

Exhibit A - Findings of Fact Relating to:

**2008 Revision to the
Owens Valley PM₁₀ Demonstration of Attainment
State Implementation Plan and Incorporated Board Order**

Contents

- A. Findings of fact under the provisions of California Health & Safety Code §42316(a)
- B. Findings of fact regarding adoption of the 2008 SIP
- C. Findings of fact regarding the Final Subsequent Environmental Impact Report prepared for the 2008 SIP (State Clearinghouse No. 2007021127)

A. Findings of fact under the provisions of California Health & Safety Code §42316(a)

Section 42316(a) of the California Health and Safety Code provides the authority for the Great Basin Air Pollution Control District to “require the City of Los Angeles to undertake reasonable measures, including studies, to mitigate the air quality impacts of its activities in the production, diversion, storage, or conveyance of water and may require the City to pay, on an annual basis, reasonable fees, based on an estimate of the actual costs to the district of its activities associated with the development of the mitigation measures and related air quality analysis with respect to those activities of the City. The mitigation measures shall not affect the right of the City to produce, divert, store, or convey water and, except for studies and monitoring activities, the mitigation measures may only be required or amended on the basis of substantial evidence establishing that water production, diversion, storage, or conveyance by the City causes or contributes to violations of state or federal ambient air quality standards.”

On the basis of substantial evidence in the record, and for the reasons set forth in the staff report prepared for the Governing Board’s January 28, 2008/February 1, 2008 meeting regarding the adoption of the 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order Number 080128-01 (collectively, 2008 SIP), which is hereby incorporated herein by reference, the Governing Board of the Great Basin Unified Air Pollution Control District (Governing Board) makes the following findings:

1. The Governing Board finds that there are violations of the state and federal ambient air quality standards for PM₁₀ in the Owens Valley PM₁₀ Planning Area.
2. The Governing Board finds that the dried bed of the Owens Lake causes and is the primary contributor to the violations of the state and federal ambient air quality standards for PM₁₀ in the Owens Valley PM₁₀ Planning Area.
3. The Governing Board finds that the City of Los Angeles’ water diversions in the Owens Valley have uncovered essentially all of the dust source areas on the dried bed of Owens Lake, thus causing and contributing to violations of the state and federal ambient air quality standards for PM₁₀ in the Owens Valley PM₁₀ Planning Area.
4. The Governing Board finds that the dust control measures (DCMs) known as Shallow Flooding, Managed Vegetation, and Gravel Blanket, as required and permitted by the 2008 SIP, have been approved by the U.S. Environmental Protection Agency as Best Available Control Measures (BACM) for the control of PM₁₀ emissions from the dried bed of Owens Lake.
5. The Governing Board finds that the DCMs known as Shallow Flooding, Managed Vegetation, and Gravel Blanket, as required and permitted by the 2008 SIP, are reasonable and proven control measures for controlling PM₁₀ emissions from the dried bed of Owens Lake.

6. The Governing Board finds that the DCMs known as Shallow Flooding, Managed Vegetation, and Gravel Blanket, as required and permitted by the 2008 SIP, will be effective in mitigating the air quality impacts caused by the City of Los Angeles' water diversions.
7. The Governing Board finds that the alternative DCM known as Moat & Row has not been approved by the District, the state or the U.S. EPA as BACM and, although the 2008 SIP provides for the City to construct this alternative DCM, the District takes no position on its effectiveness or reasonableness, at this time.
8. The Governing Board finds that the DCMs and all their associated requirements contained in the 2008 SIP do not affect the right of the City to produce, divert, store or convey water.
9. The Governing Board finds the DCMs required and provided for by the 2008 SIP can be completed by the milestones and deadlines set forth in the 2008 SIP.
10. The Governing Board finds that the time period for implementation contained in the 2008 SIP is a reasonable period to complete the implementation of the DCMs.
11. The Governing Board finds that the contingency measures contained in the 2008 SIP are reasonable and adequate to ensure the Owens Valley PM₁₀ Planning Area attains the federal PM₁₀ ambient air quality standard as expeditiously as practicable.
12. The Governing Board finds that there are reasonable and valid mechanisms in place that allow the District to enforce compliance with the requirements contained in the 2008 SIP.
13. The Governing Board finds that California Health & Safety Code Section 42316(a) provides the District with the authority and resources necessary to insure compliance with the requirements set forth in the 2008 SIP.
14. The Governing Board makes each and every of the above findings on the basis of substantial evidence in the record. The District is the custodian of the materials that constitute the record of proceedings upon which the decision to approved the Proposed Project is based. These materials are located at the District's offices at 157 Short Street, Bishop, California 93514.

B. Findings of fact regarding the adoption of the 2008 SIP

15. Based upon the fact that the Owens Valley PM₁₀ Planning Area (Owens Valley) has been designated a serious non-attainment area by the USEPA, and that the Owens Valley is required by the Clean Air Act Amendments of 1990 to attain the PM₁₀ 24-hour standard as expeditiously and practicable, the GBUAPCD Governing Board finds that the adoption of the 2008 SIP is necessary.
16. Based upon the fact that California Health and Safety Code Section 42316(a) allows the District to require the City of Los Angeles to undertake reasonable measures to mitigate the air quality impacts of the City's water-gathering activities, the Governing Board finds that

the District has the authority to adopt the 2008 SIP, including the adoption and issuance of District Order No. 080128-01.

17. Based upon public comment on the Plan, the Governing Board finds that the 2008 SIP and Order are written clearly so that they can be easily understood by the persons affected.
18. Based upon an examination of the legal and regulatory history of the Owens Valley PM₁₀ Planning Area, and the above findings on the compatibility of the Plan and Order with Health and Safety Code Section 42316, the Governing Board finds that the 2008 SIP is consistent with existing statutes, court decisions, and state and federal regulations.
19. Based upon the fact that state law delegates to the District the responsibility for control of stationary sources of air pollution, the Governing Board finds that the 2008 SIP does not duplicate existing state or federal regulations.
20. The Governing Board references the Clean Air Act Amendments of 1990 and State of California Health and Safety Code Section 42316 as the laws that the District implements through the 2008 SIP.
21. The Governing Board finds that reasonable notice of the Governing Board's intention to hold a public hearing to adopt the 2008 SIP was given in compliance with the provisions of Title 40 of the Code of Federal Regulations, Section 51.102.
22. The Governing Board finds that notice of the public hearing to adopt the 2008 SIP was published in the following newspapers more than 30 days in advance of the hearing: the *Inyo Register* (Inyo County), the *Review Herald* (Mono County) and the *Tahoe Daily Tribune* (for Alpine County).
23. The Governing Board finds that the 2008 SIP was available for public inspection at the District's office in Bishop, California at least 30 days in advance of the public hearing to adopt the Plan.
24. The Governing Board finds that the Executive Officer of the California Air Resources Board was given notice of the public hearing and a copy of the 2008 SIP at least 30 days in advance of the hearing.
25. The Governing Board finds that the Administrator of the U.S. Environmental Protection Agency (through the Regional Administrator) was given notice of the public hearing and a copy of the 2008 SIP at least 30 days in advance of the hearing.
26. The Governing Board finds that the adjacent Kern County Air Pollution Control District was given notice of the public hearing and a copy of the 2008 SIP at least 30 days in advance of the hearing.
27. The Governing Board finds that the City of Los Angeles was given notice of the public hearing and a copy of the 2008 SIP at least 30 days in advance of the hearing.

28. The Governing Board finds that for the reasons and based on the facts set forth in the 2008 Final Subsequent Environmental Impact Report (2008 FSEIR) for the 2008 SIP, that a subsequent environmental impact report was the necessary and sufficient environmental review document required to be prepared under the California Environmental Quality Act (CEQA) for adoption of the 2008 SIP, and the District's decision to prepare a subsequent environmental impact report is both correct and adequately explained in the text of the 2008 FSEIR. The Governing Board finds as true the facts cited in the 2008 FSEIR to support the District's decision to prepare a subsequent environmental impact report.
29. The Governing Board makes each and every of the findings in this Exhibit on the basis of substantial evidence in the record. The District is the custodian of the materials that constitute the record of proceedings upon which the decision to approve the Proposed Project is based. These materials are located at the District's offices at 157 Short Street, Bishop, California 93514.

C. Finding of fact regarding the Final Subsequent Environmental Impact Report prepared for the 2008 SIP (State Clearinghouse No. 2007021127)

The revisions contained in the proposed 2008 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, 2008 SIP) is a "project" as defined by the California Environmental Quality Act (CEQA) (Public Resources Code §21000 *et. seq.*). The Great Basin Unified Air Pollution Control District (District) is the lead agency for the project.

On July 2, 1997, the Governing Board of the Great Basin Unified Air Pollution Control District (Governing Board) adopted and certified the Final Environmental Impact Report (1997 EIR) for the 1997 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (1997 SIP) concurrently with the adoption of that 1997 SIP. The 1997 SIP was revised when the Governing Board adopted the 1998 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order on November 16, 1998 (1998 SIP). The Governing Board, concurrently with the 1998 SIP adoption, certified an addendum to the 1997 EIR entitled Addendum No. 1 to the Final Environmental Impact Report for the 1998 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (1998 EIR). The 1998 SIP was revised when the Governing Board adopted the 2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order on November 13, 2003 (2003 SIP). The Governing Board, concurrently with the 2003 SIP adoption, certified the 2003 EIR entitled Final Environmental Impact Report for the 2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (2003 EIR).

For consideration of the revisions contained in the 2008 SIP, the District has prepared a 2008 Final Subsequent Environmental Impact Report for the 2008 SIP. Drafts of the proposed 2008 SIP and 2008 FSEIR were circulated to public agencies and the public for a 45-day review and comment period. Pursuant to the requirements of CEQA, the 2008 FSEIR describes the 2008 SIP (also referred to herein as the 'Proposed Project') and affected environment; it identifies, analyzes and

evaluates the potential significant environmental impacts that may result from the Proposed Project; it identifies measures to mitigate adverse environmental impacts; and it identifies and compares the merits of project alternatives.

CEQA Guidelines require the District Governing Board to consider the information in the 2008 FSEIR along with other information that may be presented to the District when deciding whether to approve the Proposed Project. The 2008 FSEIR sets forth the information to be considered in the Governing Board's evaluation of benefits and potential impacts to the environment resulting from the implementation of the 2008 SIP.

The 2008 FSEIR for the proposed 2008 SIP identifies potential adverse environmental impacts in the following environmental issue areas: air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, transportation and traffic, and utilities and service systems. The 2008 FSEIR determined that there was no potential for adverse environmental impacts in the following environmental issue areas: aesthetics, agricultural resources, geology and soils, noise, population and housing, public services and recreation. It was concluded in the 2008 FSEIR that no significant adverse impacts will remain after implementation of feasible mitigation measures for any issue area other than air quality. However, it was concluded in the 2008 FSEIR that significant adverse impacts will remain after implementation of feasible mitigation measures for air quality.

The final 2008 FSEIR summarizes the significant environmental impacts of the Proposed Project and project alternatives and describes how these impacts are to be mitigated. An MMRP will be adopted concurrently with these findings (Exhibit B). The MMRP sets forth a program to ensure that required environmental impact mitigation measures are properly implemented.

Based on the findings and the information contained in the record, the Great Basin Unified Air Pollution Control District (District) has made the following findings with respect to the significant impacts on the environment resulting from the 2008 SIP pursuant to Section 15091 of the State of California Environmental Quality Act (CEQA) Guidelines.

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effects as identified in the Final Subsequent Environmental Impact Report (EIR).
- The changes and alterations are within the responsibility and jurisdiction of the District. The District may designate an official representative, agent, or authorized party to implement certain measures as part of preconstruction, construction, and postconstruction activities. Pursuant to Section 15091(c) of the State CEQA Guidelines, the Mitigation Monitoring Program identifies responsible agencies for the mitigation measures.
- The mitigation measures identified in the Final Subsequent EIR are feasible and will be required as conditions of approval.

Based on the foregoing findings and the substantial evidence contained in the record, and as conditioned by the foregoing findings:

- All significant effects on the environment due to the project have been eliminated or substantially lessened where feasible.
- Any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding concerns set forth in the foregoing Statement of Overriding Considerations.

The details regarding the findings of fact regarding the 2008 FSEIR contain ten sections, are bound separately in the 2008 FSEIR and are hereby made part of this Exhibit.

BLANK PAGE