

SECTION 1.0 INTRODUCTION

This Subsequent Environmental Impact Report (EIR) has been prepared by the Great Basin Unified Air Pollution Control District (District) to assess the environmental consequences of the 2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan (2008 SIP)¹ (proposed project). The District is the lead agency for the proposed project pursuant to the California Environmental Quality Act (CEQA).

1.1 PURPOSE AND SCOPE OF EIR

The District has prepared this EIR to support the fulfillment of the six major goals of CEQA:

- To disclose to the decision-makers and the public significant environmental effects of the proposed activities.
- To identify ways to avoid or reduce environmental damage.
- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency approvals of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

Although the Subsequent EIR neither controls nor anticipates the ultimate decision on the proposed project, the District (and other agencies that rely on this Subsequent EIR) must consider the information in the Subsequent EIR and make findings concerning each potentially significant impact identified.

1.1.1 Intent of CEQA

As provided in the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.), public agencies are charged with the duty to avoid or minimize environmental damage where feasible. In discharging this duty, the District has an obligation to balance a variety of public objectives, including economic, environmental, and social issues (Section 15021 of the State CEQA Guidelines). The findings and conclusions of the Subsequent EIR regarding environmental impacts do not control the District's discretion to approve, deny, or modify the project, but instead are presented as information intended to aid the decision-making process. Sections 15122 through 15132 of the State CEQA Guidelines describe the required content of an EIR: a description of the project and the environmental setting (existing conditions), an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. As a project-level EIR, this document primarily focuses on the changes in the environment that would result from construction and operation of the proposed project. The District is required to consider the information in the Subsequent EIR, along with any other relevant information, in making final decisions on the proposed project (Section 15121 of the State CEQA Guidelines).

¹ PM₁₀ refers to particulate matter up to 10 micrometers in size, a regulated air emission pursuant to the federal Clean Air Act Amendments of 1990.

1.1.2 Environmental Review Process

A Notice of Preparation (NOP) concerning the Subsequent EIR for the proposed project was circulated for a 30-day review period that began on February 27, 2007 and closed on March 27, 2007. An Initial Study was prepared to focus the environmental topic areas to be analyzed in the Subsequent EIR. A Copy of the NOP, comment letters submitted in response to the NOP and Initial Study, and a matrix addressing the comments are included in this document (Appendix A, *NOP Comment Letters, and Response Matrix*). The Initial Study prepared for the proposed project identified the contents of the Subsequent EIR on environmental issue areas potentially subject to significant impacts.

The NOP and Initial Study were sent to the State Clearinghouse on February 27, 2007 and distributed to various federal, state, regional and local government agencies. A public Notice of Availability of the NOP was provided in The Daily Independent on February 27, 2007. The NOP and Initial Study were mailed directly to more than 62 agencies and interested parties and posted at the Independence Library, the Big Pine Library, the Bishop Library, and the Lone Pine Library. The NOP advertised a public scoping meeting for interested parties to receive information on the proposed project and the CEQA process as well as providing an opportunity for the submittal of comments. The scoping meeting facilitated early consultation with interested parties in compliance with Section 15082 of the State CEQA Guidelines. The meeting was held on Wednesday, March 21, 2007, at 6:30, at the Board of Supervisors Chambers located at 224 North Edwards Independence, California 93526. A total of six individuals attended the scoping meeting. The District requested information from the public related to the range of actions under consideration, alternatives, mitigation measures, and significant effects to be analyzed in depth in the Subsequent EIR. All verbal and written comments related to environmental issues that were provided during public review of the NOP and at scoping meetings have been taken into consideration in the preparation of this Subsequent EIR. This Subsequent EIR considers alternatives that are capable of avoiding or reducing significant effects of the project. The comment period on the NOP and Initial Study closed on Tuesday, March 27, 2007 at 5:00 p.m. A total of 15 comment letters were received in response to the NOP and Initial Study (Appendix A), which included the California Department of Fish and Game, California Department of Transportation, California State Lands Commission (4 letters), the Bishop Piute Tribe, the Bridgeport Indian Colony, Lone Pine Piute-Shoshone Reservation, Range of Light Group Toiyabe Chapter of the Sierra Club, the Native American Heritage Commission, U.S. Borax, Inc., the Lone Pine Paiute-Shoshone Reservation, and the City of Los Angeles Department of Water and Power and one individual.

Based on the analysis undertaken in the Initial Study, the District determined that the proposed project may have a significant effect on the environment and that the preparation of an EIR would be required. As a result of the analysis undertaken in the Initial Study, it was determined that the proposed project would not be expected to result in impacts to aesthetics, agricultural resources, geology and soils, noise, public services, population and housing, and recreation.² Those issue areas will receive no further analysis. However, the analysis in the Initial Study concluded that the proposed project had the potential to result in significant impacts related to nine environmental topics, that are the subject of the detailed evaluation undertaken in this Subsequent EIR:

² Great Basin Unified Air Pollution Control District. 27 February 2007. *2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Initial Study*. State Clearinghouse Number 2007021127. Bishop, CA.

- Air quality
- Biological resources
- Cultural resources
- Hazards and hazardous materials
- Hydrology and water quality
- Land Use and planning
- Mineral resources
- Traffic and transportation
- Utilities and service systems

This Draft Subsequent EIR has been distributed to various federal, state, regional, and local government agencies and interested organizations and individuals for a 45-day public review period. This Draft Subsequent EIR was provided to the State Clearinghouse on September 14, 2007 for additional distribution to agencies. In addition, a public NOA of the Subsequent EIR will appear in The Daily Independent and will be mailed directly to interested parties requesting the document. The dates of the public review period are specified on the transmittal memo accompanying this Draft Subsequent EIR. In addition, copies of this Draft Subsequent EIR are available during the public review period at the following libraries:

Independence Library, 168 North Edwards Street, Independence, CA 93526

Telephone number: (760) 878-0260
 Hours of operation: Monday–Friday (12:00 p.m.–5:00 p.m.)
 Wednesday (6:00 p.m.–9:00 p.m.)
 Saturday (10:00 a.m.–1:00 p.m.)

Big Pine Library, 110 Main Street, Big Pine, CA 93513

Telephone number: (760) 938-2420
 Hours of operation: Monday (10:00 a.m.–1:00 p.m. and 2:00 p.m.–6:00 p.m.)
 Tuesday (12:00 p.m.–4:00 p.m. and 5:00 p.m.–8:00 p.m.)
 Wednesday (12:00 p.m.–5:00 p.m.)
 Thursday (Closed)
 Friday (10:00 a.m.–1:00 p.m. and 2:00 p.m.–6:00 p.m.)
 Saturday (10:00 a.m.–1:00 p.m.)

Bishop Library, 210 Academy Street, Bishop, CA 93514

Telephone number: (760) 873-5115
 Hours of operation: Monday–Thursday (10:00 a.m.–8:00 p.m.)
 Friday (10:00 a.m.–6:00 p.m.)
 Saturday (10:00 a.m.–1:00 p.m.)

Lone Pine Library, Intersection of Washington and Bush Streets, Lone Pine, CA 93545

Telephone number: (760) 876-5031
 Hours of operation: Monday–Friday (9:00 a.m.–12:00 p.m. and 1:00 p.m.–5:00 p.m.)
 Wednesday (6:00 p.m.–9:00 p.m.)
 Saturday (10:00 a.m.–1:00 p.m.)

Death Valley Library, Death Valley National Park, CA 92328
Telephone number: (760) 786-2408
Hours of operation: Monday–Friday (6:00 p.m.–8:00 p.m.)
Wednesday (6:00 p.m.–8:00 p.m.)

Tecopa Library, P.O. Box 177, Tecopa, CA 92389
Telephone number: (760) 852-4171
Hours of operation: September: Tuesday–Thursday
(7:00 a.m.–11:00 a.m. and 12:00 p.m.–3:00 p.m.)
October: Monday–Thursday
(7:00 a.m.–11:00 a.m. and 12:00 p.m.–3:00 p.m.)

The Draft Subsequent EIR will also be available for review at the following locations:

**Great Basin Unified Air Pollution Control District
157 Short Street
Bishop, CA 93514-3537**

Contact Mr. Theodore D. Schade for an appointment at (760) 872-8211, or via e-mail at
tedschade@yahoo.com.

**Sapphos Environmental, Inc.
133 Martin Alley
Pasadena, CA 91105**

Contact Mr. Edward Belden for an appointment at (626) 683-3547.

Written comments on this Draft Subsequent EIR should be transmitted during the public review period to Mr. Theodore D. Schade, Great Basin Unified Air Pollution Control District, 157 Short Street Bishop, California 93514-3537.

Written comments provided by the general public and public agencies will be evaluated and written responses will be prepared for all comments received during the designated comment period. Upon completion of the evaluation, a Final Subsequent EIR will be prepared and provided to the District for certification of compliance with CEQA and for review and consideration as part of the decision-making process for the proposed project.

1.2 ORGANIZATION AND CONTENT

This Draft Subsequent EIR consists of the following sections:

- **Section ES, Executive Summary** provides a summary of the existing setting, proposed project, identified significant impacts of the proposed project, and mitigation measures. Those alternatives that were considered to avoid significant effects of the project are identified in the Executive Summary. In addition, the Executive Summary identifies areas of controversy known to the District, including issues raised by agencies and the public. The Executive Summary includes a list of the issues to be resolved, including the choice among alternatives and whether or how to mitigate significant effects of the project.

- **Section 1, Introduction** provides information related to the purpose and scope of the Subsequent EIR, environmental review process, and the organization and content of the Subsequent EIR.
- **Section 2, Project Description** provides the location and boundaries of the proposed project, statement of objectives, a description of the technical, economic, and environmental characteristics of the project, considering the principal engineering proposals and supporting public service facilities. The project description identifies the intended uses of the Subsequent EIR, including the list of agencies that are expected to use the Subsequent EIR in their respective decision-making processes, a list of the related discretionary actions (permits and approvals) required to implement the proposed project, and a list of any related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. The project description lists the related projects that were considered in the evaluation of the proposed project.
- **Section 3, Existing Conditions, Significance Thresholds, Impacts, Mitigation Measures, and Level of Significance after Mitigation** describes existing conditions found at the project site and the surrounding area; lists the thresholds used to assess the potential for the proposed project to result in significant impacts; evaluates the potential impacts on environmental resources that may be generated by the proposed project, including the cumulative impacts of the proposed project in conjunction with other related projects in the area; identifies available mitigation measures to reduce significant impacts; and assesses the effectiveness of proposed measures to reduce identified impacts to below the level of significance. This portion of the Subsequent EIR is organized by the applicable environmental topics resulting from the analysis undertaken in the Initial Study.
- **Section 4, Alternatives to the Proposed Project** describes a range of reasonable alternatives to the proposed project or to the location of the proposed project. CEQA requires that the Subsequent EIR explore feasible alternatives that would avoid or substantially lessen any of the significant effects of the proposed project. To be feasible, an alternative must be capable of attaining most of the basic objectives of the proposed project. CEQA requires an evaluation of the comparative impacts of the proposed project, action alternatives to the proposed project, and the no-project alternative.
- **Section 5, Unavoidable Impacts** summarizes the significant effects of the proposed project.
- **Section 6, Significant Irreversible Environmental Changes** evaluates potential uses of non-renewable resources and potential irreversible changes that may occur during the course of the proposed project.
- **Section 7, Growth-Inducing Impacts** evaluates the potential for the proposed project to foster economic growth or population growth, either directly or indirectly, in the surrounding environment.

- **Section 8, Organizations and Persons Consulted** provides a list of all governmental agencies, community groups, and other organizations consulted during the preparation of this Subsequent EIR.
- **Section 9, Report Preparation Personnel** provides a list of all personnel that provided technical input to this Subsequent EIR.
- **Section 10, References** lists all sources, communications, and correspondence used in the preparation of this Subsequent EIR.
- **Section 11, Distribution List** provides a distribution list of agencies and libraries receiving this Draft Subsequent EIR that was made available during the 45-day public review period.