

3.4 HAZARDS AND HAZARDOUS MATERIALS

As a result of the Initial Study, the Great Basin Unified Air Pollution Control District (District) determined that the 2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan (proposed project) had the potential to result in impacts to hazards and hazardous materials, thus requiring the consideration of mitigation measures or alternatives, in accordance with Section 15063 of the State of California Environmental Quality Act Guidelines (State CEQA Guidelines).¹ Therefore, this issue has been carried forward for detailed analysis in this Subsequent Environmental Impact Report (EIR). This analysis was undertaken to identify opportunities to avoid, reduce, or otherwise mitigate potential significant impacts from hazards and hazardous materials and identify potential alternatives.

The analysis of hazards and hazardous materials consists of a summary of the regulatory framework that guides the decision-making process, a description of the existing conditions at the proposed project area, thresholds for determining if the proposed project would result in significant impacts, anticipated impacts (direct, indirect, and cumulative), mitigation measures, and level of significance after mitigation. The potential hazards and hazardous materials that could be associated with the proposed project site were evaluated with regard to State of California Environmental Quality Act (CEQA) Guidelines. The Inyo County General Plan,² the 1997 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan EIR,³ the 2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan EIR,⁴ Addendum No. 1 to the Final Environmental Impact Report,⁵ the North Sand Sheet Shallow Flooding Project Initial Study,⁶ and the Southern Zones Dust Control Project Mitigated Negative Declaration.⁷

Hazardous wastes are byproducts of society that can pose a potentially substantial hazard to human health or the environment when improperly managed. Hazardous wastes possess at least one of four characteristics: ignitability, corrosiveness, reactivity, or toxicity (or they can appear on special Environmental Protection Agency lists).

Published and unpublished literature was reviewed. The potential for impacts to hazards and hazardous materials has been analyzed in accordance with the protocol established by the American Society of Testing and Materials (ASTM) Standard E 1527-05 titled *Standard Practice for Environmental*

¹ 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.

² Inyo County Planning Department. December 2001. *Inyo County General Plan, Public Safety Element*. Independence, CA.

³ Great Basin Unified Air Pollution Control District. 2 July 1997. *Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Final Environmental Impact Report*. State Clearinghouse Number 96122077. Bishop, CA.

⁴ Great Basin Unified Air Pollution Control District. February 2004. *2003 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Integrated Environmental Impact Report*. State Clearinghouse House Number 2002111020. Prepared by: Sapphos Environmental, Inc., Pasadena, CA.

⁵ Great Basin Unified Air Pollution Control District. 1998. *Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan Addendum No. 1 to the Final Environmental Impact Report*. State Clearinghouse Number No. 96122077. Bishop, CA.

⁶ City of Los Angeles Department of Water and Power. February 2000. *Initial Study for North Sand Sheet Shallow Flooding Project; Owens Lake Dust Mitigation Program, Owens Lake, California*. Prepared by: CH2M HILL, Santa Ana, CA.

⁷ City of Los Angeles Department of Water and Power. 2001. *Mitigated Negative Declaration Southern Zones Dust Control Project, Owens Lake Dust Mitigation Program, Owens Lake, California*. Prepared by CH2M HILL, Santa Ana, CA.

*Site Assessments: Phase I Environmental Site Assessment Process (Appendix F, Environmental Records Search: Owens Lake PM, Lone Pine, California).*⁸

3.4.1 Regulatory Framework

Federal

National Environmental Policy Act

The National Environmental Policy Act (NEPA) and its supporting federal regulations establish certain requirements that must be adhered to for any project "...financed, assisted, conducted or approved by a federal agency..." In making a decision on the issuance of federal grant monies or a permit to conduct work on federal lands for components of the proposed project, the federally designated lead agency pursuant to NEPA is required to "...determine whether the proposed action may significantly affect the quality of the human environment." Only those portions of the proposed project conducted of Bureau of Land Management (BLM) may require compliance with this regulation.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, also known as the Superfund, outlines the potential liability related to the cleanup of hazardous substances, available defenses to such liability, appropriate inquiry into site status under Superfund, statutory definitions of hazardous substances and petroleum products, and the petroleum product exclusion under CERCLA.⁹

Superfund Amendment and Reauthorization Act, Title III

The Superfund Amendment and Reauthorization Act (SARA), Title III of 1986 is the Emergency Planning and Community Right-to-Know Act.¹⁰ Facilities are required to report the following items on U.S. Environmental Protection Agency (EPA) Form R, the Toxic Chemical Release Inventory Reporting Form: facility identification, off-site locations where toxic chemicals are transferred in wastes, chemical-specific information, and supplemental information.

Form R requires a facility to list the hazardous substances that are handled on site and to account for the total aggregate releases of listed toxic chemicals for the calendar year. Releases to the environment include emissions to the air, discharges to surface water, and on-site releases to land and underground injection wells.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 was the first major federal act regulating the potential health and environmental problems associated with hazardous and non-hazardous solid

⁸ BBL. 12 December 2006. *Environmental Records Search: Owens Lake PM, Lone Pine* (Inquiry Number SAPP3412). Solana Beach, CA.

⁹ *United States Code*, Title 42, Chapter 103, Subchapter I: "Hazardous Substances Releases, Liability, Compensation." Available at: http://www.law.cornell.edu/uscode/html/uscode42/usc_sup_01_42_10_103.html

¹⁰ *United States Code*, Title 42, Chapter 116 et. seq: "Emergency Planning and Community Right-To-Know Act." Available at: http://www.law.cornell.edu/uscode/html/uscode42/usc_sup_01_42_10_116.html

waste.¹¹ RCRA and the implementation regulations developed by the U.S. EPA provide the general framework for the national hazardous and non-hazardous waste management systems. This framework includes the determination of whether hazardous wastes are being generated, techniques for tracking wastes to eventual disposal, and the design and permitting of hazardous waste management facilities.

RCRA amendments enacted in 1984 and 1986 began the process of eliminating land disposal as the principal hazardous waste disposal method. Hazardous waste regulations promulgated in 1991 address site selection, design, construction, operation, monitoring, corrective action, and closure of disposal facilities. Additional regulations addressing solid waste issues are contained in Title 40 Code of Federal Regulations (CFR), Part 258.

Federal Aviation Administration

The Federal Aviation Administration (FAA) requires review of any construction plans and specifications for development proximate to airports that exceed certain height criteria.¹² These minimum height requirements include any construction or alteration more than 200 feet in height above ground level and/or at a greater height than that of an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway.¹³

This review is initiated using FAA Form 7460, Notice of Proposed Construction or Alteration, if necessary. The FAA determines whether there is an obstruction to the safe and efficient use of airspace over part or all of a proposed land use change under Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, during this review.

State

Hazardous Waste Control Law of 1972

The Hazardous Waste Control Law of 1972 is the original hazardous waste control law in California. This law initiated programs that track hazardous waste generators, their hazardous waste streams, and their hazardous waste handling practices.

Title 22 and Title 23 of the California Code of Regulations

In California, Titles 22 and 23 of the California Code of Regulations (CCR) address hazardous materials and wastes. Title 22 defines, categorizes, and lists hazardous materials and wastes. Title 23 addresses public health and safety issues related to hazardous materials and wastes and specifies disposal options.

¹¹ *United States Code*, Title 42, Chapter 82, Subchapter I, §§ 6901 et. seq.: "Solid Waste Disposal Act, Resource Conservation and Recovery Act of 1986." Available at: http://www.law.cornell.edu/uscode/html/uscode42/usc_sup_01_42_10_82.html

¹² *Code of Federal Regulations*, Title 14, Part 77. 5. May 2003. "Aeronautics and Space, Objects Affecting Navigable Airspace." Available at: http://www.access.gpo.gov/nara/cfr/waisidx_05/14cfr77_05.html

¹³ *Federal Aviation Regulations*, Part 77, "Objects Affecting Navigable Airspace." Available at: http://www.pctpa.org/library/aluc/aluc_appB.PDF.

Hazardous Materials Release Response Plans and Inventory Law of 1986

The Hazardous Materials Release Response Plans and Inventory Law of 1986 (Business Plan Act)¹⁴ governs hazardous materials handling, reporting requirements, and local agency surveillance programs.

Local

County of Inyo General Plan

The Public Safety element of the County of Inyo General Plan assesses threats to public health and safety from a variety of hazards, and recommends strategies to reduce these threats, and includes the following goals:¹⁵

- To prevent or reduce loss of life, injuries, property damage from disasters
- To inform the public of risks associated with natural and manmade hazards (fire, geologic hazards, underground pumping, underground nuclear testing and radioactive material)
- To prevent or reduce socioeconomic dislocation

The proposed project may be subject to these goals of the General Plan related to public health issues due to the risk of accident or upset of refueling vehicles, which could involve the release of hazardous materials into the environment. The risk of accident or upset could also result in injuries, loss of life, or fire.

3.4.2 Existing Conditions

Routine Transport, Use, or Disposal of Hazardous Materials

The proposed project area is currently engaged in construction, operation, and maintenance of existing dust control measures (DCMs) that involve the routine transport, use, generation, storage, and disposal of hazardous materials. Hazardous materials currently used on the proposed project area include diesel fuel; gasoline; vehicle maintenance degreasers and solvents; and limited quantities of cleaners, detergents, and pesticides. Current operations include the use of secondary containment structures and spill control equipment.

The existing operations for Managed Vegetation consist of a fertilizer injection system located at four locations (turnouts T5 through T8) (Figure 3.4.2-1, *Fertilizer Injection System Locations*), consisting of seven above ground storage tanks (Figure 3.4.2-2, *Fertilizer Injection System Tank Layout*). The contents of these aboveground storage tanks are delivered by trucks.¹⁶

¹⁴ *California Health and Safety Code*, Chapter 6.8, §25500 et seq. (1985, as amended). Available at: <http://www.aroundthecapitol.com/code/code.html?sec=hsc&codesection=25404-25404.9>

¹⁵ Inyo County Planning Department. December 2001. *Inyo County General Plan, Public Safety Element*. Independence, CA.

¹⁶ Strub, Robert, City of Los Angeles Department of Water and Power, Owens Lake Operations, Keeler, CA. 31 July 2007. Personal Communication via e-mail with Mr. Edward Belden, Sapphos Environmental, Inc., Pasadena, CA.

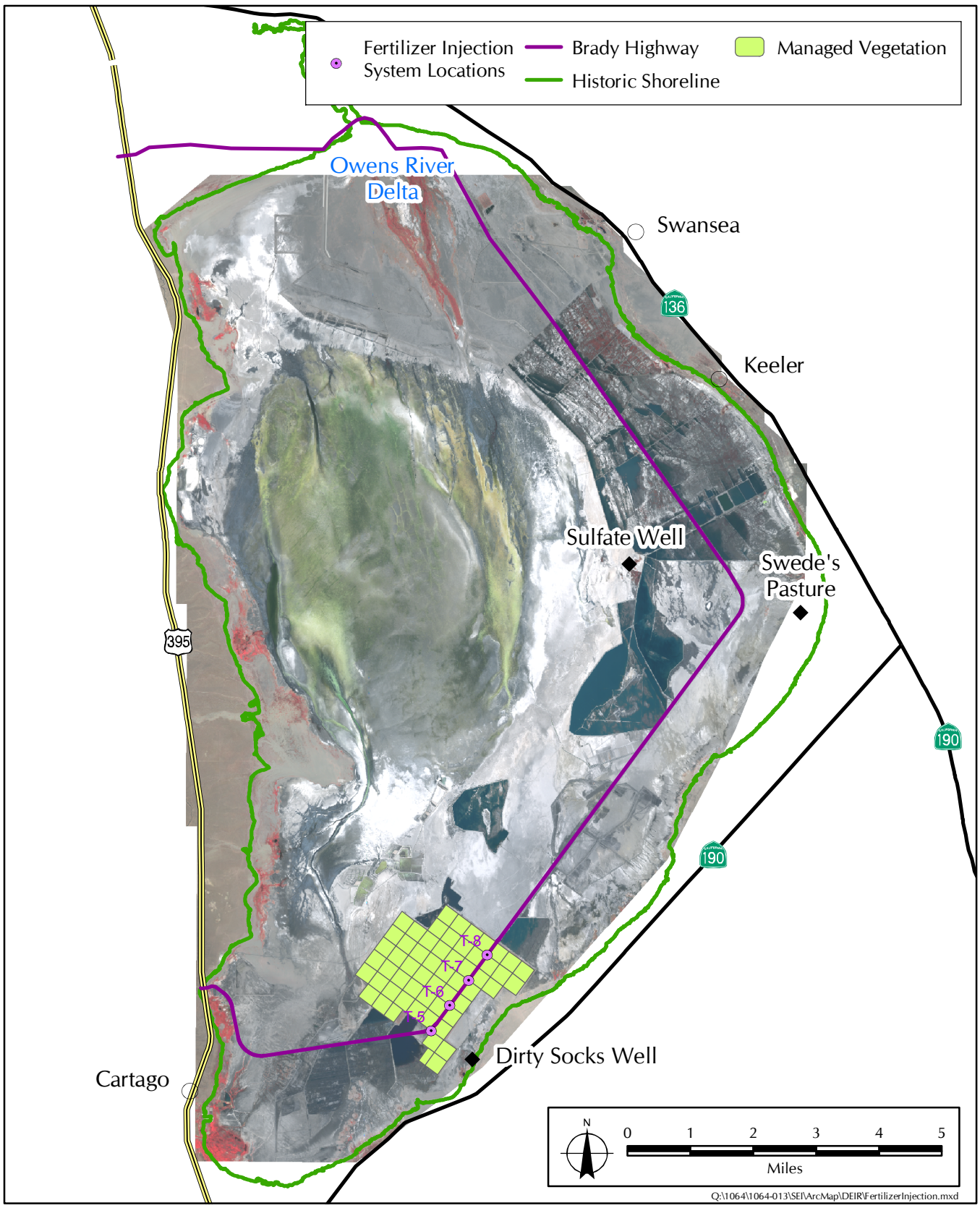


FIGURE 3.4.2-1
Fertilizer Injection System Locations

Chemical Tank Layout

(There are four (4) areas with this layout – Turnouts T5-T8, see(x) in tank layout below)

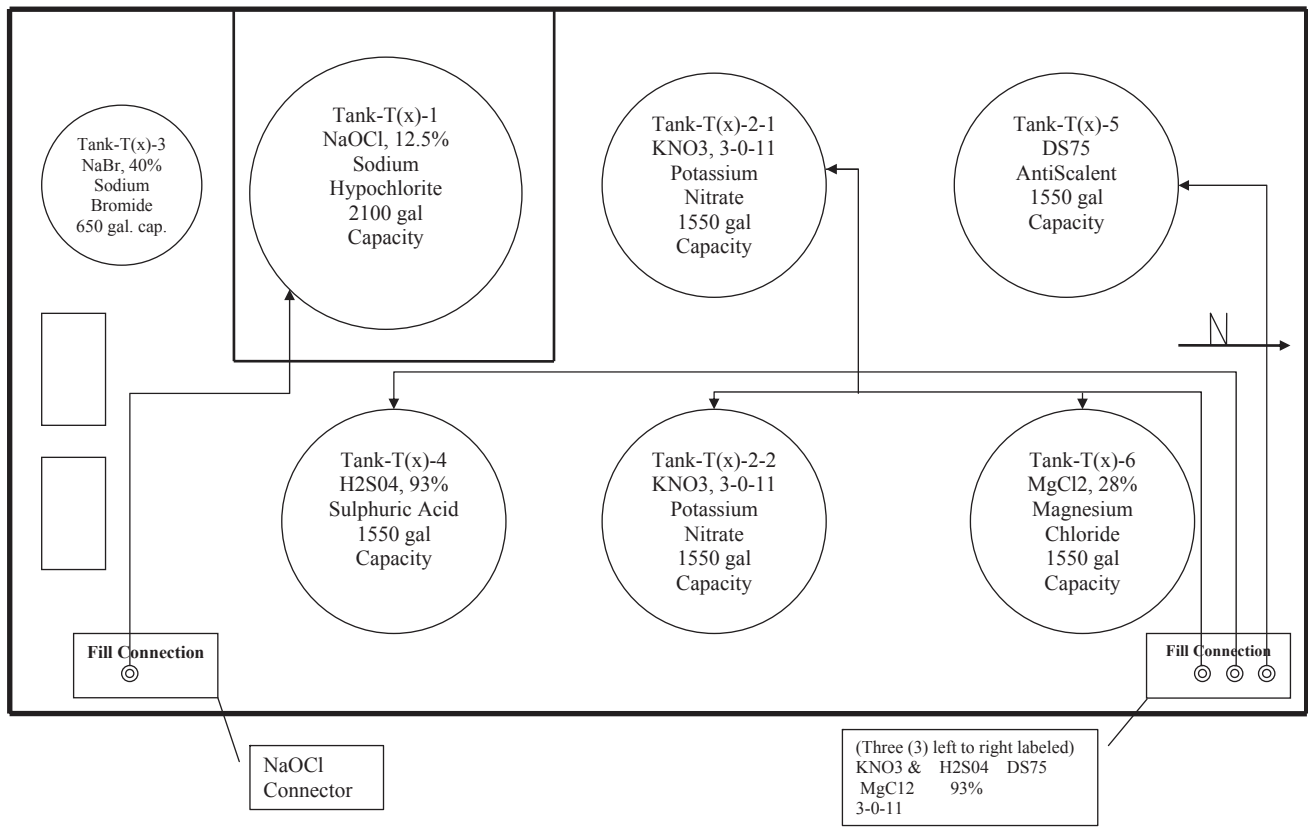


FIGURE 3.4.2-2
Fertilizer Injection System Tank Layout

The chemicals stored in these aboveground storage tanks are as follows:

- One 1,600-gallon tank to store DS-75, a descalent, to prevent lime (CaCO₃) formation in the drip tubes
- One 2,100-gallon tank to store 12.5 percent sodium hypochlorite (chlorine bleach) used as a biocide
- Two 1,600-gallon tanks to store liquid potassium nitrate (KNO₃) used as a fertilizer
- One 1,600-gallon tank to store 28 percent magnesium chloride (MgCl₂) used as a fertilizer
- One 1,600-gallon tank to store 93 percent sulfuric acid to be used to remove lime scale deposits in irrigation filters and to periodically reduce pH of irrigation water
- One 750-gallon tank to store 40 percent sodium bromide used in conjunction with sodium hypochlorite to increase biocidal effectiveness at high pH

The tanks associated with these systems are placed on 48-foot by 28-foot concrete pads and would have concrete spill containment walls. These tanks are enclosed by a 1-foot high secondary concrete containment wall. The sodium hypochlorite tank is segregated from the other tanks by an additional 1-foot-high secondary containment wall within the concrete pad. These chemicals are located on the lake bed due to the needed proximity of the chemicals to the Managed Vegetation areas.

In addition, a drinking water treatment system is in place at the City of Los Angeles Department of Water and Power (LADWP) operations and maintenance (O & M) facility, which is anticipated to consist of consists of two (2) 30-gallon tanks of sodium hypochlorite, one (1) 30-gallon tank of 47 percent ferric chloride, and one (1) 30-gallon tank of 1 percent cationic polymer.¹⁷

Release of Hazardous Materials into the Environment

The proposed project site is currently engaged in the construction, operation, and maintenance of existing air pollution control measures that involve the routine transport, use, generation, storage, and disposal of hazardous materials. The existing operations utilize fertilizers, de-scalent, and sodium hypochlorite in order to maintain the Managed Vegetation DCM stored in approved tanks adjacent to existing Managed Vegetation plots. The application rates of these chemicals have been decreased from recommended values based on operational experience, and are now as follows:

Potassium Nitrate: None applied in 2007

Magnesium Chloride: None applied in 2007

Sodium Bromide: None applied in 2007

HEDP (DS-75): Applied at the rate recommended to prevent buildup of lime scale in the irrigation system

Sodium Hypochlorite: Applied at the rate recommended to prevent the growth of bio-slime layer in the irrigation system

¹⁷ Strub, Robert, City of Los Angeles Department of Water and Power, Owens Lake Operations, Keeler, CA. 31 July 2007. Personal Communication via e-mail with Mr. Edward Belden, Sapphos Environmental, Inc., Pasadena, CA.

In addition, permanent above-ground fuel tanks for the vehicles that could potentially be a source of leakage or spillage during fuel transfer operations. Additional hazardous materials used on the proposed project area include vehicle maintenance degreasers and solvents, and limited quantities of cleaners, detergents, and pesticides. Current operations include the use of various containment and safety and control plans to reduce risk of release of hazardous materials.

Existing or Proposed Schools

The transportation route to the proposed project area passes within 0.25 mile of an existing or proposed school. Existing hazardous materials transported to the proposed project area include diesel fuel, gasoline, and, vehicle maintenance solvents and degreasers. No existing or proposed school sites are located within 0.25 mile of the proposed project site. The nearest schools are Lo-Inyo Elementary School located at 223 E. Locust Street and Lone Pine High School located at 538 Main Street, both in the City of Lone Pine, approximately 4.8 miles north-northwest of the proposed project site, and potentially along a hazardous materials transportation route.

Hazardous Materials Sites Pursuant to Government Code Section 65962.5

The proposed project site is not located on a hazardous materials site based on a review of the government databases compiled pursuant to Government Code Section 65962.5.¹⁸ The California Environmental Protection Agency, Department of Toxic Substances Control's Hazardous Waste and Substance List (Cortese List) did not identify public drinking water wells, hazardous substance sites, sites with known toxic materials, or known solid waste disposal facilities within 1 mile of the proposed project site.

Proposed Project Site Located in an Airport Land Use Plan; Within 2 Miles of a Public Airport or Public Use Airport

The proposed project would not be located within a 2-mile radius of an existing airport land use plan.^{19,20} The nearest public airport is Lone Pine Airport, 4.3 miles north of the proposed project airport.

Proposed Project Site Located In the Vicinity of a Private Airstrip

The nearest private airstrip is Amarogosa Airport in Death Valley Junction, 80 miles east of the proposed project area.

Emergency Response Plan or Emergency Evacuation Plan

The proposed project area does not impact current transportation routes. The proposed project site is not designated as an emergency staging area and would not contain elements that are anticipated to interfere with local emergency response or evacuation routes.

¹⁸ BBL. 12 December 2006. *Environmental Records Search: Owens Lake PM, Lone Pine* (Inquiry Number SAPP3412). Solana Beach, CA.

¹⁹ Inyo County Planning Department. December 2001. *Inyo County General Plan*. Independence, CA.

²⁰ Larson, Jan, Senior Planner, Inyo Planning Department, Independence, CA. 19 December 2006. Telephone conversation with Lorraine Cope, Sapphos Environmental, Inc., Pasadena, CA.

Wildland Fires

Review of U.S. Geological Survey (USGS) 7.5-minute series topographic quadrangles that include the proposed project area indicate that there are no land uses typically subject to wildland fires.^{21,22,23,24,25,26}

3.4.3 Significance Thresholds

Appendix G of the State of California Environmental Quality Act (CEQA) Guidelines recommends that impacts related to hazards and hazardous materials from construction, operations, and maintenance of projects be determined to be significant in eight situations:²⁷

- Creates a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
- Creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment
- Emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
- Is located on a site which is included on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment
- Is located within in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and results in a safety hazard for people residing or working in the project area
- Is within the vicinity of a private airstrip, and would result in a safety hazard for people residing or working in the project area
- Impairs implementation of or physically interferes with an adopted emergency response plan or emergency evacuation plan
- Exposes people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands

²¹ U.S. Geological Survey. 1987. 7.5-minute series Owens Lake, CA topographic quadrangle. Denver, CO.

²² U.S. Geological Survey. 1987. 7.5-minute series Keeler, CA topographic quadrangle. Denver, CO.

²³ U.S. Geological Survey. 1987. 7.5-minute series Dolomite, CA topographic quadrangle. Denver, CO.

²⁴ U.S. Geological Survey. 1987. 7.5-minute series Bartlett, CA topographic quadrangle. Denver, CO.

²⁵ U.S. Geological Survey. 1987. 7.5-minute series Vermillion Canyon, CA topographic quadrangle. Denver, CO.

²⁶ U.S. Geological Survey. 1994. 7.5-minute series Olancho, CA topographic quadrangle. Denver, CO.

²⁷ *California Code of Regulations*, Title 14, Division 6, Chapter 3, Section 15000-15387, Appendix G.

3.4.4 Impact Analysis

Routine Transport, Use, or Disposal of Hazardous Materials

The construction, operation, and maintenance of the proposed project would involve the routine transport, use, generation, storage, or disposal of hazardous materials. Operation and construction of the proposed project would involve the storage of diesel and gasoline in aboveground storage tanks located in the construction staging areas. The unauthorized release of hazardous substances and materials could occur in the construction staging areas and along pipeline corridors during refueling, vehicle maintenance, trenching, and pipeline construction. The unauthorized release of hazardous materials could also place the construction workers and operators at risk during refueling, cause vehicular accidents, or upset conditions.

The proposed project also includes the construction and operation of independent fertilizer injection and water treatment systems similar to those currently utilized for the operation of Managed Vegetation units. These systems are anticipated to be placed within the Moat & Row areas where Managed Vegetation would be incorporated. These systems, which would deliver fertilizer through the irrigation system, would be located at turnouts adjacent to the fresh water conveyance mainlines.

The potential for leakage or spillage from the tanks constitutes a significant impact related to the exposure of people, wildlife, and property to hazardous materials requiring consideration of mitigation measures such as an Operating Plan, a Spill Prevention Control and Countermeasure (SPCC) program, and a business plan for emergency response.

The impact from the routine transport, use, or disposal of hazardous materials related to the proposed project would be expected to be reduced to below the level of significance with the incorporation of mitigation measures.

Release of Hazardous Materials into the Environment

The impact from the potential release of hazardous materials into the environment from the proposed project would be expected to be reduced to below the level of significance with the incorporation of mitigation measures. Operations and maintenance of the proposed project could be supplemented by the fuel storage facilities of the previously constructed LADWP O & M building located on the east shore of the lake. This is a general purpose office building and facility operations area that includes a vehicle wash station, refueling station, fuel tanks, propane tanks, water treatment plant, a well, and septic system. In addition, the unauthorized release of hazardous substances and materials could occur in the construction staging areas (CSAs) and along pipeline corridors during refueling, vehicle maintenance, trenching, and pipeline construction, thus requiring specific mitigation measures to reduce the potential impact to below the level of significance.

Existing or Proposed Schools

The impact from hazards and hazardous materials handling within 0.25 mile of an existing or proposed school from the proposed project would be expected to be reduced to below the level of significance with the incorporation of mitigation measures. The proposed project would not involve the use, generation, or disposal of hazardous materials, or the emission of acutely hazardous materials or substances within 0.25 mile of an existing or proposed school. No existing or proposed school sites

are located within 0.25 mile of the proposed project site. The nearest schools are Lo-Inyo Elementary School located at 223 E. Locust Street and the Lone Pine High School located at 538 Main Street, both in the City of Lone Pine. These schools are located approximately 4.8 miles north-northwest of the proposed project site, and within 0.25-mile of a hazardous materials transportation route, U.S. Highway 395, used for fuel transport. Because of this, it is recommended that compliance with Department of Transportation (DOT) transport vehicle and container specifications with regard to fuel transport would reduce the impact to below the level of significance.^{28,29}

Hazardous Waste Sites

The proposed project site is not located on a hazardous materials site based on a review of the government databases compiled pursuant to Government Code Section 65962.5.³⁰ The California Environmental Protection Agency, Department of Toxic Substances Control's Hazardous Waste and Substance List (Cortese List) did not identify public drinking water wells, hazardous substance sites, sites with known toxic materials, or known solid waste disposal facilities within 1 mile of the proposed project. Therefore, the proposed project would not be expected to result in impacts related to the proposed project site being situated on a known hazardous materials site.

Proposed Project Located near Airport

The proposed project would not be located within a 2-mile radius of an existing airport land use plan.^{31,32} The nearest public airport is Lone Pine Airport, 4.3 miles north of the proposed project airport. The nearest private airstrip is Amarogosa Airport in Death Valley Junction, 80 miles east of the proposed project area. There would be no expected significant impacts from hazards and hazardous materials in relation to the proximity from an airport and the safety hazard for people residing or working in the project area.

Proposed Project Located near Private Airstrip

The proposed project would not be expected to result in hazards or hazardous materials impacts to private airstrips. The nearest private airstrip is Amarogosa Airport in Death Valley Junction, 80 miles east of the proposed project area. Based on the distance, there would be no impacts to people working in the proposed project area from safety hazards related to private airstrips.

²⁸ Department of Transportation. Accessed 30 August 2007. *Commercial Vehicle Operations Guide*. Available at: <http://www.dot.ca.gov/hq/traffops/trucks/trucksize/ops-guide/>

²⁹ Electronic Code of Federal Regulations. 2007. Title 49, Transportation; Subtitle B, Other Regulations Relating to Transportation; Chapter 1, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; Subchapter C, Hazardous Materials Regulations; Part 177, Carriage by Public Highway. Available at: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=ccc88ff5ea7e046446890a8ebd621c1d&tpl=/ecfrbrowse/Title49/49cfr177_main_02.tpl

³⁰ BBL. 12 December 2006. *Environmental Records Search: Owens Lake PM, Lone Pine* (Inquiry Number SAPP3412). Solana Beach, CA.

³¹ Inyo County Planning Department. December 2001. *Inyo County General Plan*. Independence, CA.

³² Larson, Jan, Senior Planner, Inyo Planning Department, Independence, CA. 19 December 2006. Telephone conversation with Lorraine Cope, Sapphos Environmental, Inc., Pasadena, CA.

Emergency Response Plan or Emergency Evacuation Plan

The proposed project would not be expected to result in impacts that impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan because the project does not impact current proposed transportation routes. The proposed project site is not designated as an emergency staging area and would not contain elements that are anticipated to interfere with local emergency response or evacuation routes. The proposed project development and the construction scenario would not physically impede any existing emergency response plans, emergency vehicle access, or personnel access to the proposed project site. Therefore, the proposed project would not be expected to result in significant impacts to adopted emergency response plans or emergency evacuation plans.

Wildland Fires

The review of USGS 7.5-minute series topographic quadrangles that include the proposed project area indicate that there are no land uses typically subject to wildland fires.^{33,34,35,36,37,38} In addition, as provided in Section 3.2, Biological Resources, the dominant plant community on the dry lake bed is Barren, consisting of alkali flats with no vegetation, the remaining vegetative areas consist of sparsely spaced shrub areas. The proposed project area currently lacks fuel, in terms of vegetation, to support wildfires.

The proposed incorporation of Managed Vegetation (saltgrass) with the Moat & Row DCM could result in an increase in the frequency and magnitude of fires in the area as compared to existing conditions. The areas in which the Managed Vegetation DCM would be implemented is currently unvegetated playa, and fires do not generally occur in this area. Installation of the Managed Vegetation DCM could result in areas of dormant saltgrass, which could be a source of fuel for fires. However, the proposed Managed Vegetation area is not adjacent to any existing communities or buildings, and there is minimal fuel in the unvegetated playa and wetlands between the proposed Managed Vegetation area and the communities proximate to the proposed project area. Therefore, the proposed project would not be expected to expose people or structures to a significant risk of loss, injury, or death involving wildland fires where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. However, a mitigation measure is required to provide adequate firefighting equipment and personnel to reduce the impacts related to the occurrence of wildland fires during construction and operation of the proposed project.

Cumulative Impacts

A total of three related projects were identified in the vicinity of the proposed project in Section 2.9, *Related Projects*. The potential impacts of the proposed project can be evaluated within the context of the cumulative impacts of all ongoing and proposed development.

³³ U.S. Geological Survey. 1987. 7.5-minute series Owens Lake, CA topographic quadrangle. Denver, CO.

³⁴ U.S. Geological Survey. 1987. 7.5-minute series Keeler, CA topographic quadrangle. Denver, CO.

³⁵ U.S. Geological Survey. 1987. 7.5-minute series Dolomite, CA topographic quadrangle. Denver, CO.

³⁶ U.S. Geological Survey. 1987. 7.5-minute series Bartlett, CA topographic quadrangle. Denver, CO.

³⁷ U.S. Geological Survey. 1987. 7.5-minute series Vermillion Canyon, CA topographic quadrangle. Denver, CO.

³⁸ U.S. Geological Survey. 1987. 7.5-minute series Olancho, CA topographic quadrangle. Denver, CO.

The effects of the proposed project when considered in connection with the effects of the 2003 SIP would cause a potential for the unauthorized release of hazardous materials. Where there would be potentially significant cumulative impacts due to the unauthorized release of hazardous materials as a result of the implementation of the 2003 SIP, requires the consideration of mitigation measures such as an Operating Plan, SPCC, and business plan for emergency response. The incremental impact of the combined components of the proposed project, when considered with hazards and hazardous materials impacts of current DCMs and the related past, present, or reasonably foreseeable, probable future projects may result in significant cumulative impacts from hazards and hazardous materials, requiring the implementation of mitigation measures for a less than significant impact.

The effects of the proposed project when considered in connection with the effects of the Lower Owens River Project (LORP) would not result in considerable cumulative impacts to hazard and hazardous materials.

The effects of the proposed project when considered in connection with the effects of the U.S. Borax Owens Lake Expansion Project/Conditional Use Permit #02-13/Reclamation Plant #02-1 may result in considerable cumulative impacts to hazards and hazardous materials because the Borax project would occur on playa areas adjacent to the proposed project dust control areas.

3.4.5 Mitigation Measures

Measure Hazards-1, Hazardous Materials Transport

To minimize impacts related to the unauthorized release of hazardous materials during routine transport, use, or disposal of hazardous materials, prior to construction work specified in the Revised 2008 State Implementation Plan, the City of Los Angeles Department of Water and Power shall ensure through its construction permitting process, or through enforcement of contractual obligations for its own projects, that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines established by the California Code of Regulations (Title 13, Division 2, Chapter 6); the California Department of Transportation; and the California Regional Water Quality Control Board, Lahontan Region, prior to construction. The City of Los Angeles Department of Water and Power shall submit proof of incorporation of this requirement in all construction contracts related to work specified in the Revised 2003 State Implementation Plan to the Great Basin Unified Air Pollution Control District and Inyo County. The City of Los Angeles Department of Water and Power shall submit an Operation Plan for the routine transport, use, storage, handling, and disposal of hazardous materials to the Great Basin Unified Air Pollution Control District and Inyo County prior to the operation of dust control measures specified in the Revised 2003 State Implementation Plan. The City of Los Angeles Department of Water and Power shall provide to the Great Basin Unified Air Pollution Control District and Inyo County an annual update as required for the transport, use, storage, handling, and disposal of hazardous materials.

Measure Hazards-2, Spill Prevention Control and Countermeasure Program

To minimize impacts related to the unauthorized release of hazardous materials into the environment, the City of Los Angeles Department of Water and Power shall prepare a Spill Prevention Control and Countermeasure program applicable to all statutes and regulations. The the City of Los Angeles Department of Water and Power shall submit a Spill Prevention Control and Countermeasure to Inyo County for review and approval. The City of Los Angeles Department of Water and Power shall demonstrate approval of the Spill Prevention Control and Countermeasure by Inyo County to the Great Basin Unified Air Pollution Control District prior to the use, storage, and handling of hazardous

materials in conjunction with construction or operation of work specified in the Revised 2008 State Implementation Plan. The Spill Prevention Control and Countermeasure shall address all above-ground storage tanks within the fertilizer injection and water treatment systems in accordance with all federal, state, and local laws and regulations. The City of Los Angeles Department of Water and Power shall enclose all the fertilizer injection and water treatment systems with a minimum 6-foot-high, barb-wire-topped, chain-link fence or equivalent enclosure and locked gate to prevent unauthorized access. The City of Los Angeles Department of Water and Power shall amend its existing lease with the State Lands Commission to allow for the improvement specified in this measure. The Spill Prevention Control and Countermeasure shall be in place throughout construction, operation, and maintenance of work specified in the Revised 2008 State Implementation Plan.

Measure Hazards-3, Emergency Response Business Plan

To minimize impacts related to the unauthorized release of hazardous materials into the environment, the City of Los Angeles Department of Water and Power shall develop a business plan for emergency response for the routine transport, use, storage, handling, and disposal of hazardous materials. The business plan for emergency response shall address preparation for possible emergencies involving hazardous materials. The City of Los Angeles Department of Water and Power shall provide copies of the approved business plan for emergency response to the Great Basin Unified Air Pollution Control District and Inyo County. The City of Los Angeles Department of Water and Power shall provide to the Great Basin Unified Air Pollution Control District and Inyo County an annual update to the approved business plan as required for the transport, use, storage, handling, and disposal of hazardous materials.

Measure Hazards-4, Fire Protection Services

To minimize the direct, indirect, and cumulative impacts related to the occurrence of wildland fires during construction and operation of work specified in the Revised 2008 State Implementation Plan, the City of Los Angeles Department of Water and Power shall provide for fire protection services for all dust control areas to the satisfaction of Inyo County. Fire protection services shall be provided prior to any further construction on the lake bed. Fire protection services shall include provision of adequate equipment and personnel as determined by Inyo County. Proof of compliance with this mitigation measure shall be submitted by the City of Los Angeles to Inyo County and the Great Basin Unified Air Pollution Control District prior to construction of any additional dust control measures.

3.4.6 Level of Significance after Mitigation

Implementation of mitigation measure Hazards-1 through Hazards-4 would reduce significant impacts related to hazards and hazardous materials to below the level of significance.