

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
<b>STATE AGENCY</b>			
<b>California Department of Fish and Game (March 28, 2007)</b>			
1	The Draft Environmental Impact Report (EIR) should include an assessment of rare plants and rare communities following California Department of Fish and Game (CDFG) May 1984 guidelines.	Section 3.2.2, Biological Resources	Plants and communities are characterized using the CDFG May 1984 guidelines (revised May 2000) for assessing impacts.
2	The Draft EIR should include an assessment of sensitive animal species with seasonal variations.	Section 3.2.2, Biological Resources	Previous surveys were augmented by sensitive species surveys following standard protocols, including seasonality.
3	The Draft EIR should address rare, threatened, and endangered species according to the California Environmental Quality Act (CEQA) definition.	Section 3.2.2, Biological Resources	Rare, threatened, and endangered species are addressed consistent with the State CEQA Guidelines.
4	The California Natural Diversity Database (CNDDDB) should be consulted for sensitive species and significant natural areas.	Section 3.2.2, Biological Resources	The result of the CNDDDB query for sensitive species and habitats are included in the Draft EIR.
5	The Draft EIR should address rare or unique regional resources.	Section 3.2.2, Biological Resources	Rare and unique regional resources are identified in the Draft EIR.
6	The Draft EIR should address impacts relative to off-site habitats.	Section 3.2.4, Biological Resources	The scope of the environmental analysis includes the potential for direct and indirect impacts to off-site habitats.
7	The Draft EIR should address impacts associated with lighting, noise, human activity, changes in drainage patterns, changes in water volume, velocity, and quality, soil erosion, and/or sedimentation in streams and water courses with mitigation measures proposed	Section 3.2.4, Biological Resources; Section 3.5.4, Hydrology and Water Quality	The scope of the impact analysis for biological resources includes the consideration of direct and indirect impacts on biological resources and hydrology and water quality on and near the 2008 Owens Valley PM <sub>10</sub> State Implementation Plan (SIP) dust control measure (DCM) areas.
8	The Draft EIR should address conflicts from wildlife-human interactions in nearby land uses and include mitigation measures.	Section 3.2.4, Biological Resources	The potential for wildlife-human conflict is included in the environmental analysis.
9	The Draft EIR should address cumulative effects.	Section 2.8, Project Description; Section 3.2.4, Biological Resources	Related projects were defined in coordination with federal, state, and local government. The potential for cumulative impacts to biological resources is evaluated.

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RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
10	Rare natural communities should be fully avoided and protected from project-related impacts.	Section 2.2, Project Description; Section 3.2, Biological Resources; Section 4.0, Alternatives	The purpose and need for DCMs and the development of the proposed project, including consideration of natural communities in the proposed project area, and alternatives are addressed.
11	CDFG does not support relocation, salvage, and/or transportation of rare, threatened, or endangered species as mitigation measures.	Section 3.2.1, Biological Resources	CDFG's position on relocation, salvage, and /or transportation of rare, threatened, and endangered species is disclosed.
12	Areas reserved as mitigation for project impacts should be protected from future direct and indirect impacts.	Sections 3.2.1 and 3.2.5, Biological Resources	The requirement for mitigation areas to be protected from future direct and indirect impacts is specified.
13	Experts should prepare restoration and revegetation plans. Each plan should include location, plant species, schematic, schedule, irrigation description, control of exotics, success criteria, monitoring program, contingency measures, and party responsible.	Section 3.2.6, Biological Resources	Mitigation measures involving restoration and revegetation plans specify the location, plant species, schematics, schedule, irrigation requirements, performance criteria, contingency measures, and the responsible party.
14	Mitigation areas for potential impacts to snowy plovers may include Sulfate Well outflow area, Cabin Bar Ranch outflow area, and Swede's Pasture outflows, and/or the removal of tamarisk.	Section 3.2.2, Biological Resources	The Sulfate Well outflow area, Cabin Bar Ranch outflow area, and Swede's Pasture outflows are addressed.
15	For projects that require a California Endangered Species Act (CESA) Permit, mitigation monitoring and reporting must satisfy CESA.	Section 3.2.1, Biological Resources	CESA requirements are disclosed.
16	CDFG-approved mitigation agreement and mitigation plan are required for plants listed as rare under the Native Plant Protection Act.	Section 3.2.1, Biological Resources	Conditions requiring CDFG-approved mitigation agreements and mitigation plans are noted.
17	Jurisdictional delineation of lakes, streams, and associated riparian habitats are required.	Section 3.2.2, Biological Resources	Characterization of existing conditions includes delineating "waters of the United States" and areas subject to Section 1600 of the State Fish and Game Code.

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No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
<b>18</b>	If the site has the potential to support aquatic, riparian, or wetland habitat, a jurisdictional delineation of lakes, streams, and associated habitat should be included in the Draft EIR.	Section 3.2.2, Biological Resources	Characterization of existing conditions includes delineating "waters of the United States" and areas subject to Section 1600 of the State Fish and Game Code.
<b>California Department of Transportation (March 22, 2007)</b>			
<b>1</b>	The California Department of Transportation (Caltrans) expresses its gratitude for the opportunity to comment during the Notice of Preparation phase of the EIR.	Section 1.1.2, Introduction	Coordination with Caltrans is acknowledged as part of the CEQA process.
<b>2</b>	Any utilities and/or fence installation within state right-of-way must meet Caltrans's standards and be installed under an encroachment permit (contact Stephen Winzenread).	Section 3.8.5, Traffic and Transportation	The mitigation measures regarding Caltrans encroachment permits have been acknowledged and documented in the mitigation measures section of the Traffic and Transportation section of the Draft EIR. The proposed project incorporates all Caltrans standard road safety requirements.
<b>3</b>	Although not affecting level of service (LOS), a desire to promote safety exists. Caltrans asks to use existing highway access points and to provide applicable safety improvement. The letter specifically cites the Sulfate Road approach, which is in violation by the City of Los Angeles Department of Water and Power (LADWP).	Sections 3.8.5, Traffic and Transportation	Caltrans specifications related to public safety at existing highway access points were incorporated into the mitigation measures sections of the Traffic and Transportation section of the Draft EIR. The proposed project incorporates all Caltrans standard road safety requirements.
<b>4</b>	Drainage pattern changes should not affect State Highway facilities.	Sections 3.5.4, Hydrology and Water Quality	The drainage study evaluated the potential for the 2008 SIP to affect State Highway facilities.
<b>5</b>	Lighting should be directed away from roadways to minimize impact to traveling public.	Section 2.6.2, Project Description Section 3.0, Environmental Analysis	The project description requires shielding lights. The effects of the proposed light and potential for resulting glare were found to be not significant.
<b>6</b>	Project updates should be provided to Caltrans. Caltrans wants to maintain a cooperative relationship with the Great Basin Unified Air Pollution Control District (District) to address transportation impacts.	Section 11, Distribution List	The specified Caltrans point-of-contact has been included in the Draft EIR distribution list.

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RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
<b>California State Lands Commission (March 23, 2007— C. Connor)</b>			
1	California State Lands Commission (CSLC) states its gratitude for the project tour and looks forward to the Draft EIR.	Section 1.1.2, Introduction; Section 8.1.2, Organizations Consulted	Coordination with CSLC is acknowledged as part of the CEQA process.
<b>California State Lands Commission (March 27, 2007 – M. Brand)</b>			
1	CSLC states that the State of California has sovereign ownership and jurisdiction over Owens Lake, which is to be held in the public's trust. CSLC also discusses the role of the agency.	Section 2.7, Project Description; Section 3.6.1, Land Use and Planning; Section 3.7.1, Mineral Resources	The delineation of state lands, the role of the agency, and public trust values are included in the Draft EIR.
2	The proposed DCMs overlap with existing mineral leases.	Section 3.6.2, Land Use and Planning; Section 3.7.2, Mineral Resources	The relationship between proposed DCMs and mineral leases is characterized.
3	Site-specific alternative DCMs should be included in the Draft EIR.	Section 2.0, Project Description; Section 4.0, Alternatives	Site-specific alternative DCMs are evaluated.
4	CSLC is interested in DCMs that restore and enhance historic public trust and natural resource values of the lands.	Section 3.6.1, Land Use and Planning	CSLC policies and guidelines related to public trust values are described.
5	CSLC recognizes that water conservation and dust control are important. Shallow flooding has been shown to provide important habitat. However, alternative DCMs such as gravel and moat and row may not protect, preserve, and restore public trust resources.	Section 4.0, Alternatives	CSLC concerns related to incompatibility of certain DCMs and public trust values are disclosed.
6	The Draft EIR should include description and depiction of existing biological habitat areas required to be maintained in perpetuity.	Section 3.2.6, Biological Resources	The location of the biological habitat areas, which are to remain in perpetuity, and the references to the various agreements are described and depicted.
7	The Draft EIR should include an analysis of noise impacts to sensitive species.	Section 3.2.4, Biological Resources	Impacts to sensitive species includes the consideration of noise from the construction, operation, and maintenance of the 2008 SIP DCMs.

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No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
8	The Draft EIR should include a discussion of the definition, operation, and maintenance requirements of habitat shallow flooding versus standard shallow flooding, and types of habitat created by both.	Section 2.6.1, Project Description	Operation and maintenance of shallow flooding and related habitat are described.
9	The Draft EIR should evaluate potential impacts of moat and row on movement and habitats of wildlife, including possible creation of microhabitats for native or nonnative species.	Section 3.2.4, Biological Resources	The potential impacts of moat and row on wildlife movement and habitat, including microhabitats for native and nonnative species, are described.
10	The Draft EIR should discuss maintenance procedures for the potential impacts associated with moat and row.	Section 2.6.1, Project Description; Section 3.2.4, Biological Resources	The maintenance procedure for moat and row is provided. Evaluation of impacts on biological resources includes the consideration of direct and indirect effects of maintenance activities.
11	The Draft EIR should include a discussion of potential impacts from noise and light to wildlife as a result of night work.	Section 3.2.4, Biological Resources	Evaluation of impacts on biological resources includes the consideration of night work and noise.
<b>California State Lands Commission (March 27, 2007—P. Thayer— Wildlife Assessment)</b>			
1	CSLC is pleased with the return of water, wetland, wet meadow, and habitat, and the increase in number and diversity of bird species.	Section 3.6.1, Land Use and Planning	The comment is noted in the discussion of the CSLC public trust doctrine.
2	CSLC requests that a wildlife assessment and long-term management plan be considered in the SIP.	Sections 3.2.5, Biological Resources	A mitigation measure regarding preparation of a Wildlife Area Management Plan is provided..
3	CSLC supports consideration of wildlife benefits in the environmental review and planning process.	Section 2.3, Project Description	The Draft EIR describes the scope of the District's regulatory authority to order the City to undertake actions.
<b>California State Lands Commission (March 27, 2007—P. Thayer—Mosquito Abatement)</b>			
1	CSLC has issued a lease to LADWP for the SIP.	Section 2.3, Project Description	The delineation of state lands and the role of the agency regarding public trust values are described.
2	CSLC states that the City is required to provide the application of mosquito control measures on all dust control areas as deemed necessary by the Inyo County Mosquito Abatement District.	Section 3.6.6, Land Use and Planning	A mitigation measure regarding application of mosquito control measures, consistent with the requirements of the Inyo County Mosquito Abatement District, is provided.

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No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
<b>Native American Heritage Commission (March 14, 2007)</b>			
1	The Native American Heritage Commission (NAHC) states that the lead agency is required to assess whether the project will have a significant impact on cultural resources according to CEQA and, if so, to mitigate the effect.	Sections 3.3.4 and 3.3.6, Cultural Resources	The potential for significant impacts to cultural resources and mitigation measures to ensure appropriate treatment of these resources are specified, in accordance with the State CEQA Guidelines.
2	The NAHC recommends contacting the appropriate California Resources Information Center (CRIS) for a records search.	Section 3.3.2, Cultural Resources	The results of the record search visits to the Eastern Information Center, at the University of California Riverside are provided.
3	The NAHC indicates that, if an archaeological survey is necessary, a professional report should be written addressing the results of the records search, field survey, findings, and recommendations. This report should be sent to the information center, and all information regarding archaeological sites should be kept confidential.	Section 3.3, Cultural Resources; Volume II, Technical Appendices, Cultural Resources Technical Report	The characterization and analysis of archaeological resources is based on a records search, field surveys, and analysis and recommendations that were completed as part of the Phase I archaeological survey.
4	The NAHC recommends contacting the commission and those tribes and individuals recommended by the commission for a Sacred Lands File (SLF) search of the proposed project area.	Section 3.3.2, Cultural Resources	The analysis of cultural resources includes the results of the SLF search and coordination with individuals listed by the NAHC.
5	The NAHC indicates that absence of surface evidence for cultural resources does not indicate a lack of subsurface deposit.	Sections 3.3.4 and 3.3.6, Cultural Resources	The mitigation measures specify that a qualified archaeologist shall monitor all earthmoving activities in areas that have the potential to contain unique archaeological resources.
6, 7, 8	The NAHC states that mitigation plans shall consider the discovery of Native American remains or unmarked cemeteries.	Section 3.3.6, Cultural Resources	Mitigation measures in the Cultural Resources section of the Draft EIR address the required procedures in the event that human remains are encountered during construction activities. These procedures are in accordance with State CEQA Guidelines, Health and Safety Codes, and Public Resources Code.

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
9	The NAHC states that avoidance should be considered if significant cultural resources are encountered during project planning.	Section 3.3.6, Cultural Resources	The preferred method of mitigation under CEQA is avoidance of the cultural resources. The purpose and need for DCMs and the development of the proposed project and alternatives is addressed.
<b>NATIVE AMERICAN TRIBE</b>			
<b>Bishop Paiute Tribe (March 26, 2007—Theresa Stone-Yanez)</b>			
1	The tribe appreciates the opportunity to comment on the Initial Study.	Section 1.1.2, Introduction	Receipt of the Bishop-Paiute Tribe comments is disclosed as part of the CEQA process.
2	The tribe concurs that efforts to document historic properties are sufficient for intended purposes.	Section 3.3, Cultural Resources	Coordination with Native American tribal representatives is acknowledged as part of the CEQA process.
<b>Bridgeport Indian Colony (March 20, 2007)</b>			
1	The colony supports the SIP, concurs that hazardous dust is a health risk over time, and states that the reservation is subject to remnants of hazardous dust blowing north.	Section 2.0, Project Description; Section 3.1.4, Air Quality	The potential for DCMs to mitigate PM <sub>10</sub> emissions is evaluated.
2	The colony requests updates on project implementation.	Section 11, Distribution List	The specified Bridgeport Indian Colony point-of-contact has been included in the distribution list.
<b>Lone Pine Paiute-Shoshone Reservation (March 23, 2007)</b>			
1	The reservation appreciates the opportunity to comment on the Initial Study and Notice of Preparation (NOP).	Section 1.1.2, Introduction	Receipt of the Lone Pine Paiute-Shoshone Reservation comments is disclosed as part of the CEQA process.
2	The reservation is concerned with potential impacts to Native American burial sites and requests conformance with the State CEQA Guidelines, Section 15064.5.	Sections 3.3.1, 3.3.2, 3.3.3, 3.3.4, and 3.3.6, Cultural Resources	Potential impacts and mitigation measures to Native American burial sites are addressed.
3	The reservation is concerned that the effectiveness of moat and row has not be analyzed.	Section 2.7.1, Project Description	The effectiveness of the moat and row DCM is addressed.
4	The reservation requests that the District require LADWP to complete sufficient analysis to ensure that the moat and row is a valid mitigation measure prior to use on 3 square miles.	Section 2.7.1, Project Description	Information on the effectiveness of the moat and row DCM and provisions for evaluating and ensuring effectiveness prior to site application are addressed.

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
5	The reservation requests that the District apply its regulatory authority by mandating that a proven DCM be implemented if moat and row is unsuccessful.	Section 2.3, Project Description	The scope of the District's regulatory authority to order the City to undertake actions is described.
6	The reservation requests that the Draft EIR evaluate green house gas emissions and mitigation measures related to the four different DCMs.	Sections 3.1.4, 3.1.5, and 3.1.6, Air Quality	An analysis of green house gas emissions and feasible mitigation measures is provided.
7	The reservation appreciates the District's efforts to bring the area into attainment for PM <sub>10</sub> emissions.	Section 1.1.2, Introduction	Coordination with Lone Pine Paiute-Shoshone Reservation is acknowledged as part of the CEQA process.
<b>LOCAL AGENCY</b>			
<b>City of Los Angeles Department of Water and Power (April 6, 2007)</b>			
1	LADWP requests that the December 2006 Settlement Agreement between the District and LADWP be referenced.	Section 2.2, Project Description	The December 2006 Settlement Agreement between the District and LADWP is referenced.
2	LADWP requests a revision from 3.0 square miles of moat and row to 3.5 square miles of moat and row.	Section 2.6.1, Project Description	The 3.5 square miles of proposed moat and row DCM, including 3.0 square miles that are addressed in this Draft EIR and the 0.5 square mile of moat and row test area that were covered separately, are described.
3	LADWP requests a revision to the minimum spacing of moat and row from 250 feet to 200 feet.	Section 2.6.1, Project Description	Minimum spacing of moat and row is revised to 200 feet.
4	LADWP requests a revision to the discussion of channel areas to denote "...emissive areas, thus, <u>may</u> require DCMs" and "type and location, <u>if any</u> , of DCM within these areas."	Section 2.6.1, Project Description	The requested language is incorporated.
5	LADWP requests a modification to the environmental checklist 2.7 a) regarding transporting hazardous materials to "Potentially Significant Impact Unless Mitigation Is Incorporated."	Section 3.4.7, Hazards and Hazardous Waste	The ability of mitigation measures to reduce impacts to below the level of significance is analyzed in the Draft EIR.



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No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
6	LADWP requests a modification to the environmental checklist 2.7 c) regarding emission of hazardous materials within 0.25 mile of a school to "No Impact."	Section 3.4.2, 3.4.4, 3.4.6, and 3.4.7, Hazards and Hazardous Waste	The ability to avoid impacts to schools from transport of hazardous materials is evaluated. No substantial evidence is provided to support the requested change.
7	LADWP requests a modification to the environmental checklist 2.8 i) regarding failure of levee or dam causing hazard to people or structures to "No Impact."	Section 2.6.1, Project Description; Section 3.5.4, Hydrology and Water Quality	The ability to avoid exposing people or structures to flooding is evaluated.
8	LADWP requests a modification to the environmental checklist 2.8 j) regarding inundation by seiche, tsunami, or mudflow to "No Impact."	Section 2.6.1, Project Description; Section 3.5.4, Hydrology and Water Quality	The ability of the project design to avoid significant impact from seiche and mudflow is evaluated. No substantial evidence is provided to support the requested change.
9	LADWP requests a modification to the environmental checklist 2.11 d) regarding temporary or periodic increase in ambient noise levels in the project vicinity to "No Impact."	Section 1.1.2, Introduction	Issue areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed. No substantial evidence is provided to support the requested change.
10	LADWP requests a modification to the environmental checklist 2.13 a) regarding public services provision of fire protection to "No Impact."	Section 1.1.2, Introduction	Issue areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed. No substantial evidence is provided to support the requested change.
11	LADWP requests a modification to the environmental checklist 2.13 a) regarding public services provision of police protection to "No Impact."	Section 1.1.2, Introduction	Issue areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed. No substantial evidence is provided to support the requested change.
12	LADWP requests a modification to the environmental checklist 2.13 a) regarding public services provision of parks to "No Impact."	Section 1.1.2, Introduction	Issue areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed. No substantial evidence is provided to support the requested change.
13	LADWP requests a modification to the environmental checklist 2.13 a) regarding public services provision of other public facilities to "No Impact."	Section 1.1.2, Introduction	Issue areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed. No substantial evidence is provided to support the requested change.

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RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
14	LADWP requests a modification to the environmental checklist 2.16 a) regarding utilities and services systems for potential to exceed wastewater treatment requirements to "No Impact."	Section 3.9.4, Utilities and Service Systems	Potentially significant direct and indirect impacts regarding wastewater are characterized and evaluated. No substantial evidence is provided to support the requested change.
15	LADWP requests that the listed construction activities be revised to be consistent with the construction scenario in the project description.	Section 2.6.2, Project Description	The construction scenario is updated as requested.
16	On page 3.4-3 of the Initial Study, language in the first paragraph suggests limited potential for adverse impacts; however, the checklist says "potentially significant." Please clarify.	Sections 3.2.4 and 3.2.5, Biological Resources	As recommended by CSLC and CDFG, the potential for direct, indirect, and cumulative impacts to rare, threatened, or endangered species was carried forward for detailed analysis.
17	On page 3.4-3 of the Initial Study, the last sentence regarding west central Inyo County is too overreaching and needs to be refocused to project site conditions.	Section 3.2.2, Biological Resources	Those species with the potential to occur within the proposed project site and adjacent areas are evaluated consistent with State CEQA Guidelines and through coordination with CDFG and U.S. Fish and Wildlife Service (USFWS).
18	Vegetation community types are stated to be 200 acres out of 14.6 square miles, a small fraction of the total project. The resources put into this aspect should reflect this fact.	Section 3.2.2, Biological Resources	Plants and communities are characterized using the CDFG May 1984 Guidelines (revised May 2000) for assessing impacts.
19	Any potential wetland mitigation has already been covered in an umbrella mitigation effort undertaken during previous dust control phases and may not need to be covered in this effort.	Section 3.2.2, Biological Resources	As specified by CDFG, a delineation of "waters of the United States" and areas subject to Section 1600 of the State Fish and Game Code within the 2008 SIP area is provided.
20	On page 3.4-4 of the Initial Study, Owens Valley mallow has not been documented in five years of surveys. No further efforts are necessary.	Section 3.2.2, Biological Resources	As specified by CDFG, previous surveys were augmented by sensitive species surveys following standard protocols, including seasonality.
21	LADWP requests that reasonable and appropriate monitoring and mitigation reflects the minimal useable habitat within the project site.	Section 3.2.6, Biological Resources	Mitigation measures that meet the nexus requirement of the State CEQA Guidelines are provided.

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No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
22	On page 3.4-17 of the Initial Study, sensitive species are treated as if they are federally listed, but they have no legal/jurisdictional foundation to require mitigation measures.	Sections 3.2.1 and 3.2.3, Biological Resources	The regulatory framework and significance threshold for evaluation of sensitive species, consistent with the State CEQA Guidelines, is provided.
23	On page 3.4-25 of the Initial Study, LADWP requests a revision of the sentence in the second paragraph of item (b) from "Implementation of dust control measures such as gravel, managed vegetation, shallow flooding, or moat and row may result..." to "Implementation of dust control measures such as shallow flooding or moat and row (including moat and row enhanced by combining with other dust control methods such as vegetation and gravel) may result..."	Section 2.6.1, Project Description	The requested change is incorporated in the Draft EIR.
24	LADWP requests a revision to the description of DCMs listed in comment number 23 for item (c) and item (d) of the Biological Resources sections.	Section 2.6.1, Project Description	The requested change is incorporated in the Draft EIR.
25	On page 3.4-26, item (d), of the Initial Study, CH2M HILL, Inc. documents should be helpful in determining presence/absence of species in tables.	Section 3.2.2, Biological Resources	CH2M HILL, Inc. quarterly monitoring reports are included in the site characterization.
26	On page 3.4-27 of the Initial Study, mitigation measures should not solely be selected to mirror techniques such as maintaining adequate shallow flood habitat and filled moats throughout the year, since LADWP does not maintain shallow flood habitat throughout the year and filling moats throughout the year may not be feasible.	Section 3.2.6, Biological Resources	Mitigation measures that meet the nexus requirement of the State CEQA Guidelines are provided.
27	Test excavations did not indicate that the areas with the highest sensitivity of cultural resources are located in the southernmost portion of the lake.	Section 3.3.2, Cultural Resources	The sensitivity of the area for containing cultural resources is based on the presence of surface (not subsurface) cultural deposits.

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28	The organization of the Cultural Resources section in the document should be reorganized to reflect the checklist format.	Section 3.3, Cultural Resource	The State CEQA Guidelines allow the Lead Agency to tailor the organization of the environmental analysis.
29	Analysis of paleontological resources should indicate whether the findings meet the CEQA criteria for unique paleontological resources.	Section 3.3.2.1 Cultural Resources	The definition of unique paleontological resources is provided.
30	The Cultural Resources section should indicate that monitoring efforts for archaeological and paleontological resources during the 2003 SIP did not result in the discovery of any unique paleontological resources or geological features.	Section 3.3.2, Cultural Resources	The results of the 2003 SIP and 2008 SIP related to the presence of paleontological resources and geological features are summarized.
31	The Cultural Resources section should clarify the term <i>deeper excavations</i> .	Section 3.3.4, Cultural Resources	The term <i>deeper excavations</i> has been replaced with more appropriate term.
32	The term <i>Area of Potential Effect</i> (APE) is incorrectly used since it is not applied by CEQA.	Section 3.3, Cultural Resources	Although not used by CEQA, the APE was defined in Section 3.5 (b) of the Initial Study. The term has been eliminated from Section 3.3 Cultural Resources and replaced with a more appropriate one..
33	Mitigation measures for unique paleontological resources should specify the need for focused monitoring.	Sections 3.3.4 and 3.3.6, Cultural Resources	Mitigation measures for paleontological resources are analyzed and established based on paleontological surveys conducted for the 2003 SIP and 2008 SIP.
34	Section 3.5 of the Initial Study states that 13.2 square miles constitute the supplemental dust control areas, whereas Section 1.9 indicates 12.2.	Section 2.6.1, Project Description	Supplemental dust control areas evaluated in the 2008 SIP constitute 12.2 square miles. The remaining proposed project area is 2.4 square miles (for a total of 14.6 square miles covered).
35	The term <i>historical resources</i> should be defined with all the components described in Section 15064.5 as defined by CEQA.	Section 3.3.1, Cultural Resources	The term <i>historical resource</i> is defined consistent with the State CEQA Guidelines.
36	LADWP requests the inclusion of language from Section 15064.5 regarding the definition of the terms <i>archaeological resources</i> and <i>historical resources</i> for the purposes of CEQA.	Section 3.3.1, Cultural Resources	The terms <i>archaeological resources</i> and <i>historical resources</i> are consistent with the State CEQA Guidelines.

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37	The likelihood of having a comparable number of archaeological sites as those found during the previous surveys is low when considering the suggested definition of a site for the Owens Lake area.	Section 3.3.2, Cultural Resources	The Phase I archaeological survey indicates a comparable number of archaeological resources in the new survey areas. Archaeological resources include prehistoric and historic archaeological sites and isolates.
38	Text describing shallow flooding infrastructure information should be added to Section 1.9, Project Elements, of the Initial Study.	Section 2.6.1, Project Description	The requested revisions have been incorporated.
39	Discussion of groundwater pumping should not be included in the document.	Section 3.5.2, Hydrology and Water Quality	The potential for land subsidence related to water withdrawal is relevant to characterization of existing conditions.
40	Regarding transporting hazardous materials, LADWP requests that the determination to be changed to "Potentially Significant Impact Unless Mitigation Incorporated."	Section 3.4.4, Hazards and Hazardous Waste	The ability to avoid impacts to schools from transport of hazardous materials is evaluated. No substantial evidence is provided to support the requested change.
41	Regarding routine transport, use, and disposal of hazardous materials, LADWP states that this project is no different from standard construction projects where impacts are determined to be less than significant. LADWP requests that determination of "Potentially Significant Impact Unless Mitigation Incorporated" be changed to "No Impact."	Section 3.4.4, Hazards and Hazardous Waste	The ability to avoid impacts to schools from transport of hazardous materials is evaluated. No substantial evidence is provided to support the requested change.
42	Regarding impacts within 0.25 mile of a school, LADWP requests that the determination of "Potentially Significant Impact Unless Mitigation Incorporated" be changed to "No Impact."	Section 3.4.4, Hazards and Hazardous Waste	Potentially significant direct and indirect impacts from hazardous materials near schools are fully characterized and evaluated. No substantial evidence is provided to support the requested change.
43	LADWP requests a modification to the Hydrology and Water Quality section (a), line 13 to specify "concentrated with naturally-occurring salts and other existing trace elements," and line 14 to "construction impacts."	Sections 3.5.4 and 3.5.6, Hydrology and Water Quality	The requested language is incorporated.

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
44	LADWP requests the definition of water quality control methods in the last sentence of the first paragraph of the Hydrology and Water Quality section (a).	Section 3.5.4, Hydrology and Water Quality	A discussion of water quality control methods is provided.
45	LADWP requests a modification to the findings for Sections (i) "Expose people and structures to a significant risk" and (j) "Inundation by seiche, tsunami, or mudflow" to "No Impact."	Section 3.5.4, Hydrology and Water Quality	The ability of the project design to avoid significant impacts related to seiche and mudflow is evaluated. No substantial evidence is provided to support the requested change.
46	LADWP requests that language be included in the project description regarding noise impacts of shallow flooding pumps.	Section 2.6.1, Project Description	Noise characteristics of shallow flooding pumps are provided.
47	LADWP requests a revision to the analysis in Noise section (d) to reflect "No Impact."	Section 1.1.2, Introduction	Issues areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed.
48	LADWP requests a revision to the analysis in the Public Services section to reflect "No Impact."	Section 1.1.2, Introduction	Issues areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed.
49	LADWP requests a revision to the wording on page 3.15-3 of the Initial Study to be consistent with the "No Impact" determination in the environmental checklist.	Section 3.8.4, Traffic and Transportation	Impacts to traffic and transportation are carried forward for analysis.
50	Shallow flood berms are applicable measures for storm water and drainage facilities. This issue is not pertinent for the checklist question related to transportation and traffic.	Sections 3.8.1 and 3.8.2, Traffic and Transportation	As requested by Caltrans, Caltrans specifications related to public safety at existing highway access points were incorporated into the regulatory framework and existing conditions sections of the Traffic and Transportation section of the Draft EIR. The proposed project incorporates all Caltrans standard road safety requirements.
51	Wastewater generation discussion should be limited to project site NOT from operation of DCMs. Impacts in checklist should be "No Impact."	Section 3.9.4, Utilities and Service Systems	Potentially significant direct and indirect impacts regarding wastewater are characterized and evaluated.

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
<b>OTHERS</b>			
<b>U.S. Borax (March 22, 2007)</b>			
1	U.S. Borax appreciates the opportunity to comment.	Section 1.1.2, Introduction	Coordination with U.S. Borax is acknowledged as part of the CEQA process.
2	The keying in down-gradient soil berms and installing down-gradient drain tiles to recover leaking is an important design element.	Section 2.0, Project Description; Section 3.5, Hydrology and Water Quality	Design and installation of down-gradient soil berms and drain tiles to recover leaking is described as an element of the project. The impact analysis assumes that this element is being effectively used
3	U.S. Borax requests that the analysis include the moat and row design to ensure that high flow velocity does not deepen channels and result in eroded sediment being washed onto the mineral resource.	Section 2.6.1, Project Description; Sections 3.5.4 and 3.5.5, Hydrology and Water Quality	The moat and row design is described. The potential for the moat and row DCM to result in erosion and off-site transport of sediment is evaluated.
4	The role of berms for shallow flooding is misleading as the berms do not provide additional protection. Failure of these berms results in discharge to the brine pool area of Owens Lake.	Section 3.5.4, Hydrology and Water Quality	The potential for shallow flooding to result in discharge to the brine pool is evaluated.
5	There are no habitable structures downgradient from the berms. However, there is the potential for people to be working in the area and damage to roads and mineral resources.	Section 3.5.4, Hydrology and Water Quality	The risk to humans and structures from flooding is evaluated.
6	U.S. Borax requests a revised map of the overlapping DCMs with the mineral lease, as modified in 2004.	Section 3.7.4, Mineral Resources	A map of the shallow flooding areas that overlap with mineral lease No. PRC 5464.1 was evaluated.
7	Discharges from shallow flooding areas that cross U.S. Borax's mining plan should be piped or otherwise controlled to prevent the dissolution of trona and its redeposition in the brine pool.	Section 2.6.1, Project Description; Section 3.7.4, Mineral Resources	Measures to avoid shallow flooding discharges that would affect U.S. Borax's mining plan are considered.
<b>Range of Light Group, Toiyabe Chapter of the Sierra Club (March 27, 2007)</b>			
1	The Range of Light Group appreciates the opportunity to comment.	Section 1.1.2, Introduction	Coordination with the Range of Light Group, Toiyabe Chapter of the Sierra Club is acknowledged as part of the CEQA process.
2	The Range of Light Group supports effort to reduce PM <sub>10</sub> emissions.	Section 2.3, Project Description	The scope of the District's regulatory authority to order the City to undertake actions is described.

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
3	The Range of Light Group expresses concern for snowy plovers. It is important to protect this site. A reference is made to the article "Effects of a Changing Environment on the Nesting Snowy Plovers at Owens Lake."	Sections 3.2.4 and 3.2.5, Biological Resources	The potential effects of the proposed project on western snowy plovers are evaluated.
4	Mitigation should include tamarisk.	Section 3.2.6, Biological Resources	Mitigation measures that meet the nexus requirement of the State CEQA Guidelines are provided.
5	Mitigation should be included to minimize light pollution and direct lighting downward.	Section 1.1.2, Introduction; Section 2.6.2, Project Description	The project description requires shielding lights. Issue areas that were not carried forward for further evaluation due to a finding of less than significant impact are discussed.
6	Enforce the "no hunting" and "dogs on leash" requirements.	Section 2.3, Project Description	The scope of the District's regulatory authority to order the City to undertake actions is discussed.
7	The Range of Light Group supports access for the public to view wildlife and interpretative programs.	Section 2.3, Project Description	The scope of the District's regulatory authority to order the City to undertake actions is discussed.
8	The Range of Light Group thanks the District for pursuing and enforcing mitigation of air pollution at Owens Lake.	Section 1.1.2, Introduction	Coordination with the Range of Light Group, Toiyabe Chapter of the Sierra Club is acknowledged as part of the CEQA process.
<b>INDIVIDUAL</b>			
<b>Mike Prather (March 24, 2007)</b>			
1	Death Valley National Park boundaries are pre-1994 Desert Protection Act.	Section 2.1, Project Description	The boundaries of Death Valley National Park have been updated.
2	Inyo Mountain Wilderness Area boundaries do not include Bureau of Land Management (BLM) portions.	Section 2.1, Project Description	The accurate boundaries of Inyo Mountain Wilderness Area are included.
3	Malpais Mesa Wilderness in the southern Inyo Mountains is not shown.	Section 2.1, Project Description	The accurate boundaries of Malpais Mesa Wilderness are provided.
4	Show Block 8 habitat shallow flood area in Zone 2 and Dirty Socks habitat shallow flood area.	Section 2.4, Project Description	The location of the biological habitat areas to remain in perpetuity and the references to the various agreements are provided.



**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

No.	Comment	Draft EIR Section(s) Addressing the Comment	Response to Comment
5	The additional habitat shallow flood area using "local" water, agreed to by Los Angeles for the Southern Sand Sheet environmental documents, is missing. The mitigation has possibly not been constructed. A new project should not begin until previous obligations are completed.	Section 2.4, Project Description	The location of the biological habitat areas to remain in perpetuity and the references to the various agreements are described.
6	Impacts to snowy plovers can be expected at Tubman Springs outflow, Carroll Creek / Bartlett outflows, Cartago Creek outflows, Swede's Pasture outflows, Sulfate Well outflows, and the "Channel" area.	Section 3.2.4, Biological Resources	Impacts to snowy plovers at Tubman Springs outflow, Carroll Creek / Bartlett outflows, Cartago Creek outflows, Swede's Pasture outflows, Sulfate Well outflows, and the "Channel" area are evaluated.
7	Possible mitigation sites for snowy plovers include the Sulfate Well outflow area, "Channel" outflow from Cabin Bar Ranch area, and Swede's Pasture outflows.	Section 3.2.6, Biological Resources	The suitability of the Sulfate Well outflow area, Cabin Bar Ranch outflow area, and Swede's Pasture outflows as mitigation sites for snowy plover is evaluated.
8	Mr. Prather requests the removal of tamarisk at wetlands on state lands near Owens Lake for additional mitigation.	Section 3.2.5, Biological Resources	Mitigation measures that meet the nexus requirement of the State CEQA Guidelines are provided.
9	Shallow flooding should be shallow enough to benefit snowy plovers.	Section 3.2.5, Biological Resources	Mitigation measures that meet the nexus requirement of the State CEQA Guidelines are provided.
10	Point Reyes Bird Observatory (PRBO) snowy plover survey reports for 2003, 2005, and 2006 are omitted from the Initial Study.	Section 3.2.2, Biological Resources	Mitigation measures that meet the nexus requirement of the State CEQA Guidelines are included in the characterization of baseline conditions.
11	Tamiko, D.R., G.W. Page, and L.E. Stenzel. 2006. "Effects of Changing Environment on the Nesting Snowy Plovers at Owens Lake." <i>Western Bird</i> , Volume 37, should be included in previous documentation.	Section 3.2.4, Biological Resources	The referenced report was considered in the evaluation of impacts to western snowy plover.
12	Mr. Prather requests a summary of the toxicology monitoring and mortality to date.	Section 3.2.2, Biological Resources	Relevant toxicology monitoring and mortality data are on file at the District.
13	Mr. Prather requests that lighting be minimized and directed downward.	Section 2.6.2, Project Description	Shielding lights are required.

**TABLE A-1  
RESPONSE TO SCOPING COMMENT LETTERS, Continued**

<b>No.</b>	<b>Comment</b>	<b>Draft EIR Section(s) Addressing the Comment</b>	<b>Response to Comment</b>
14	The enforcement of no hunting and dogs on leash is not currently occurring.	Section 2.3, Project Description	The scope of the District's regulatory authority to order the City to undertake actions is described.
15	Public access for wildlife viewing and provision of interpretation should be a mitigation measure.	Section 2.3, Project Description	The scope of the District's regulatory authority to order the City to undertake actions is described.
16	CDFG could manage recreational hunting as part of Owens Lake Wildlife Management Area.	Sections 3.2.5, Biological Resources	A mitigation measure regarding preparation of a Wildlife Area Management Plan is provided..
17	Regarding moat and row, if dewatering is required, there are possible significant impacts to local springs and their outflows.	Sections 3.5.4 and 3.5.6, Hydrology and Water Quality	Potential impacts to hydrology and water quality at local springs from the proposed project was evaluated.
18	Will the moats be filled with water?	Section 2.6.1, Project Description	The project description includes a description of the moat and row DCM.
19	What water quality impacts will occur if the moats are filled with water?	Section 3.5.4, Hydrology and Water Quality	The potential impacts to hydrology and water quality from the moat and row DCM is evaluated.