



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

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Sacramento Court Issues Order Against Los Angeles Department of Water and Power In Pollution Dispute

Patsiata, Payahuunadü (Owens Lake, CA) – On September 27, the Sacramento County Superior Court issued its order against the City of Los Angeles Department of Water and Power (LADWP), rejecting LADWP's attempt to avoid responsibility for controlling air pollution on the dried Owens Lake Bed in an area containing cultural resources.

The LADWP's historic diversion of the Owens River causes the dried lake bed to become emissive, releasing tons of dangerous particulate air pollution. The pollution can lodge deep in the lungs and creates health risks and respiratory diseases, especially to children and the elderly.

In 2014, LADWP lost its lawsuit against the Great Basin Unified Air Pollution Control District (Great Basin) and the California Air Resources Board, resulting in a stipulated judgment against it. LADWP was compelled to implement air pollution controls.

But in July 2021, LADWP refused a tribal-led project developed in cooperation with the Great Basin to place low-impact measures on a portion of the lakebed that contained cultural resources. LADWP argued the project did not have unanimous consent of all the tribes. When Great Basin ordered LADWP to control the pollution, LADWP filed its unsuccessful motion against Great Basin in the Sacramento Court. The Court ruled the stipulated judgment does not allow LADWP to avoid implementing these control measures.

The Great Basin's Air Pollution Control Officer, Phill Kiddoo, said "Our community, including our tribal communities, our parents and our children, have a right to clean, healthy air. We can also protect our cultural resources, consistent with the tribal recommendations presented to the Patsiata Cultural Resource Task Force consisting of all interested stakeholders. The LADWP made this into a false choice between protecting the environment or protecting cultural resources, when we can do both."

Mr. Kiddoo added, "This project will protect the residents and visitors to the Owens Valley by reducing windblown dust emissions from Owens Lake while also preserving sensitive cultural resources. After three years of collaboration with stakeholders, including LADWP, the solution-based approach to develop and implement a new and unique tribally-led dust mitigation project will finally commence to enhance existing vegetation and reduce air pollution for public health protection."

Attached to this press release is the Court's order, and the Great Basin's court brief to provide additional background facts.

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