KEELER DUNES DUST CONTROL PROJECT

FINDINGS OF FACT

(SCH #2011101065)

Prepared for:
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TABLE OF CONTENTS

TABLES ***PAGE***

SECTION I
INTRODUCTION

I.A CERTIFICATION

Findings of Fact Regarding the Final Environmental Impact Report / Environmental Assessment for the Keeler Dunes Dust Control Project (State Clearinghouse Number 2011101065)

The Great Basin Unified Air Pollution Control District (District) hereby certifies the Final Environmental Impact Report / Environmental Assessment (EIR/EA) for the Keeler Dunes Dust Control Project. The EIR/EA to support the District's decision-making process related to the Keeler Dunes Dust Control was prepared as a joint environmental document, an EIR/EA, to fulfill the requirement of both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Compliance under NEPA is triggered by the need to apply control measures on lands administered by the Bureau of Land Management (BLM) to meet the National and State Ambient Air Quality Standards (NAAQS) for PM_{10} in the community of Keeler. The Keeler Dunes Dust Control Project is located in Sections 30, 31, and 32, Township 16 South, Range 37 East; and Sections 24, 25, and 36, Township 16 South, Range 38 East, Mount Diablo Baseline and Meridian, California, approximately 65 miles south of the City of Bishop, 10 miles west of the boundary of Death Valley National Park, 11 miles to the east of the boundary of Sequoia National Park, and 48 miles north of the City of Ridgecrest. The EIR/EA consists of Volume I: Draft EIR/EA, dated March 21, 2014; Volumes II and III: Technical Appendices to the Draft EIR/EA, dated March 21, 2014; and Volume IV: Clarifications and Revisions to the Draft EIR/EA, Comment Letters on the Draft EIR/EA, and Response to Comments, dated June 23, 2014. The EIR/EA has been completed in compliance with the NEPA; CEQA; State CEQA Guidelines; the Inyo County General Plan; and all applicable federal, state, and local statutes and regulations that govern the management of environmental resources. The District has received, reviewed, and considered the information contained in the Final EIR, all hearings, and submissions of testimony from officials representing the District and BLM, as well as from other agencies, organizations, and private individuals with a particular vested interest in the project.

Having received, reviewed, and considered the foregoing information, recommendations of the District, as well as any and all other information in the record, and Section I herein, the District hereby makes findings pursuant to and in accordance with Section 21081 of the Public Resources Code as presented in Sections II through VII of these Findings of Fact.

I.B PROJECT LOCATION

The 870-acre study area is located north-northwest of the community of Keeler, California, and east of the Owens Lake bed within the Owens Valley, Inyo County, California. The project area is located in Sections 30, 31, and 32, Township 16 South, Range 37 East; and Sections 24, 25, and 36, Township 16 South, Range 38 East, Mount Diablo Baseline and Meridian, California, approximately 65 miles south of the City of Bishop, 10 miles west of the boundary of Death Valley National Park, 11 miles to the east of the boundary of Sequoia National Park, and 48 miles north of the City of Ridgecrest.

The recommended project, evaluated as proposed project / proposed action Alternative 5 in the EIR/EA (hereinafter "recommended project"), is located on lands administered by the BLM and the Los Angeles Department of Water and Power (LADWP). The recommended project site that

requires dust controls includes 194 acres out of the 870-acre study area. The recommended project site is located on the base of the Keeler alluvial fan situated between the Inyo Mountains to the east-northeast and the dried bed of Owens Lake to the west-southwest. The recommended project area extends approximately 2.5 miles to the northwest from the community of Keeler.

The recommended project site appears on the U.S. Geological Survey (USGS) 7.5-minute series Dolomite and Keeler topographic quadrangles. Elevations at the recommended project site range from approximately 3,600 feet above mean sea level (MSL) to approximately 3,680 feet above MSL.

I.C PROJECT GOAL AND OBJECTIVES

The overall purpose of the recommended project is to reduce the exposure of residents of the communities of Keeler and Swansea to unhealthful levels of PM_{10} emissions and to bring the communities of Keeler and Swansea into attainment with the federal NAAQS and California State 24-hour PM_{10} standard as soon as possible. The 2008 SIP requires that the Owens Valley Planning Area (OVPA) (including the emissions from the Keeler Dunes) be in attainment of the federal PM_{10} NAAQS by March 2017, but due to delays in getting funding for the recommended project and in completing this EIR/EA, this deadline will not be achieved. Implementation of the recommended project will reduce the PM_{10} emissions from the Keeler Dunes to levels below the federal and state 24-hour standards such that the communities of Keeler and Swansea will be in attainment by spring 2018.

The District's goal for control of dust emissions, consistent with the provisions of the federal and state Clean Air Acts, is to utilize measures that reduce PM_{10} exceedances while minimizing impacts to natural and cultural resources located within the Keeler Dunes and surrounding area. The dust control strategy includes establishment and management of native vegetation and the use of straw bales as temporary wind breaks to provide immediate control and to aid in vegetation establishment. The ultimate goal of the recommended project is to implement a strategy that not only controls dust emissions from the Keeler Dunes, but also protects resources and creates a natural landscape that is self-sustaining and can be operated and maintained with minimal inputs.

The District identified and prioritized six basic objectives that are important to achieving the recommended project goals:

- Reduce the levels of windblown dust that are causing and contributing to exceedances of the NAAQS and California State standard for particulate matter (PM_{10}) air pollution
- Attain the NAAQS and California State PM_{10} standards in the communities of Keeler and Swansea
- Minimize impacts to natural resources
- Minimize impacts to historic and prehistoric properties below the threshold of adverse effect

- Create a landscape that mimics comparable natural environments
- Be self-sustaining and operated with minimal resources

The BLM's purpose and need for action is to respond to the District's application for a right-of-way (ROW) to implement the recommended dust control measures (DCMs) on public land in the Keeler Dunes. Based on the analyses in this EIR/EA, the BLM Bishop Field Manager will decide whether to grant a ROW for the recommended project or one of the alternatives and, if granted, what terms and conditions including minimizing measures and mitigation will be applied to the grant. The BLM is authorized to grant ROWs on public lands for "facilities which are in the public interest and which require rights-of-way over, upon, under, or through such lands" (Section 501 [a][7]). A ROW application is required to implement the District's project to construct, operate, and maintain DCMs on public land under the jurisdiction of the BLM.

I.D PROJECT ELEMENTS

The goal of the recommended project is to temporarily stabilize the surface with straw bales and then create a permanently stabilized natural vegetated dune environment that mimics natural environments such as the existing Swansea Dunes (located to the northeast) and other stable shoreline dunes in the region (found both at Owens Lake and Mono Lake). The established native shrubs will act to prevent high emissions of dust by disrupting the wind and lowering the wind speed at the surface in order to reduce sand motion activity. The District designed the recommended project and project alternatives to minimize environmental impacts. The District conducted a pilot study to test the effectiveness of this DCM within the Keeler Dunes. A description of each DCM component is presented below, along with the preliminary results of the pilot study. Common elements of the recommended project and alternatives include placement of straw bales as temporary wind breaks and planting and establishing native vegetation along the base of the straw bales to eventually replace the bales as a permanent DCM.

Straw Bales

Straw bales will be used to stabilize emissive dust areas and provide a sheltered environment for plants during establishment. The bales will degrade over time as the plants are established. The recommended project will utilize straw bales (24 x 16 x 48 inches or similar size) installed in an irregular pattern across the recommended project area. All straw bales used at the dunes will be certified weed-free to minimize the threat from invasive weeds. Straw bales are anticipated to degrade and will provide organic material to the existing soil. Limited maintenance of straw bales (replacement of broken bales) is anticipated. After the project maintenance period of approximately 3 years, when the plants are expected to be established, any non-organic material used to bind the bales will be removed from the recommended project site and disposed of properly in a landfill or recycled to avoid the potential of generation of litter in the area.

Recent research has found that surface roughness can influence the rate of sand transport (and associated dust emissions)[1] and that, using established relationships, the prediction of sand flux reduction using known geometric properties is possible. The District designed a pilot test study for an active and emissive portion of the Keeler Dunes to evaluate a specific array of roughness

[1] There is an established relationship between the rate of sand motion (or sand flux) and the amount of PM_{10} generation for the material in the dunes. Based on this relationship, it is possible to estimate the amount of PM_{10} reduction that will occur for a measured reduction in sand flux.

elements (straw bales), designed based on published empirically defined relationships between sand flux reduction and roughness density. Using the modeled relationship between predicted sand flux and roughness elements, the number of straw bales required to meet the design criterion of 85 percent control efficiency was calculated. From this, it was estimated that 502 bales were required within the 5,000 m^2 test area.

The pattern of the straw bale array in the test area was developed by copying a natural vegetation pattern adjacent to the Keeler Dunes. This pattern was then scaled until 502 points fell within the 50 x 100 m test area, representing the 502 straw bales. Each of the 502 points was assigned a geographic position within the test area, and bales were then placed at these positions in the field. The winds causing the highest magnitude dust emissions come from the northwest, thus the centerline of the array was oriented to 326 degrees azimuth to best capture the highest-magnitude sand transport events. The longest side of each bale was oriented perpendicular to the mean prevailing wind direction. Instrumentation to monitor sand motion and wind was installed within and adjacent to the test area.

In April 2013, prior to placement of the straw bales, the sand motion and wind monitoring instrumentation was installed to measure the baseline sand flux within the test area. Between April 30 and May 22, 2013, 18 wind events that resulted in measurable sand motion were recorded. Based on the measurements captured throughout the test area, it was determined that sand flux was relatively uniform across and along the test area prior to the placement of the straw bales.

Straw bales were placed on the site on May 23 and June 12, 2013. Between the time of the first bale placement and August 7, 2013, 74 separate sand transport events of varying duration and magnitude were recorded. The mean sand flux was observed to decrease from both the north and south border of the test area to its interior. Data from the middle of the straw bale array measured a sand flux reduction of 94 percent as compared to the outside of the array. The predicted control level for the test was 85 percent; thus the initial measurement of 94 percent sand flux reduction in the array interior indicates the roughness may be performing better than expected. Similar rates of sand flux decrease were recorded from both north and south wind events.

The pilot test project has continued to collect data during the environmental review process to further refine the relationships and observations recorded during the pilot study and guide the final design of the recommended project.

Native Vegetation

A mix of native vegetation will be established in association with the straw bale placement, described above. In addition to acting as roughness, the straw bales will shelter young native plants. It is expected that as the straw bales degrade over time, the dust control function will be transferred to the native plants as they mature and grow. Native vegetation to be planted within the dust control areas includes *Atriplex polycarpa* (ATPO) (66 percent) and a mixture of other native plant species (34 percent). ATPO was selected for its physiological characteristics, such as seed availability, low water needs, relatively rapid growth, and adaptation to the regional area. A list of native vegetation that will be considered for planting at the dunes in addition to the ATPO is shown in Table I.D-1, *Native Vegetation List*. In addition to planting seedlings, scattering native seeds in selected areas may be considered as a supplemental means of increasing the distribution and diversity of the vegetation and additional control of the mobile sand within the recommended project area. Species selection will be influenced by seed availability. Finally, it is anticipated that as the sand dunes become stabilized, seeds that are naturally transported by wind and wildlife will

establish and provide additional diversity and cover. Seed produced by the introduced plants themselves as they mature will also ensure that the vegetation is self-sustaining.

TABLE I.D-1
NATIVE VEGETATION LIST

Scientific Name	Common Name	Form
Atriplex polycarpa (ATPO)	Cattle spinach, cattle saltbush	Shrub
Atriplex confertifolia (ATCO)	Shadscale saltbush	Shrub
Atriplex parryi (ATPA)	Parry's saltbush	Shrub
Atriplex phyllostegia (ATPH)	Arrowscale	Annual herb
Cleomella obtusifolia (CLOB)	Mojave stinkweed, Mojave cleomella	Annual herb
Cleome sparsifolia (CLSP)	Fewleaf cleome, fewleaf spiderflower	Annual herb
Psathyrotes ramoissima (PSRA)	Turtleback	Annual or perennial herb
Sarcobatus vermiculatus (SAVE)	Greasewood	Shrub
Suaeda moquinii (SUMO)	Inkweed, Mojave seablite	Perennial herb/subshrub

Native plants will be cultivated, from seed collected from local sources in the Owens Valley, in nurseries and to approximately 6 inches in height prior to planting in the recommended project area. The District shall work with representatives of the local Native American tribes, to include their participation, to the maximum extent practicable, in the installation of the plants, particularly in sensitive areas.

Ground preparation for planting involves initial placement of a straw bale, followed by application of approximately 5 gallons of water under and along the edge of each straw bale. Work crews will then install up to three native plants and one watering tube along the base of each straw bale by digging a shallow trench approximately 12 inches deep and sufficient in size to place the plants and a temporary watering tube. Excavated soil will be placed back in the hole around the plants and the watering tube and tamped to ensure good firm soil contact with the soil from the plants. The watering tubes consist of slotted or perforated 2- to 4-inch pipe with caps at both ends. The watering tube is 14 to 16 inches in total length and will be installed so that they extend 12 inches into the soil adjacent to the planted shrubs. During irrigation events, the cap at the top of the watering tube will be removed so that water can be applied into the watering tube in order to direct it directly to the root zone of the plants. At the end of the water application at each bale, the top cap will be replaced on the water access tube. Additionally, bales sites that are planted with SUMO and SAVE will have a wire protective cage installed in order to reduce the impact to these species from small mammal browsing. The wire cages will extend approximately 12-16 inches in height and be constructed out of wire mesh supported by dowels and attached to the side of the straw bale. The protective cages will be open on the top. Watering tubes and plant protective cages will be removed at the end of the 3-year plant establishment phase of the recommended project.

In addition, seeds of native plants may be dispersed in open areas between the straw bales. Initially, the dust control reduction will be achieved through the array of straw bales. Over time, as the bales stabilize the surface and allow the plants to become established, dust control will be taken over by the plants and the straw bales will naturally decompose. Although the recommended project is designed to achieve the required control levels immediately with the placement of the straw bales, it is expected that the level of dust control achieved by the plants will improve over time as the plants increase in size and ultimately become larger than the original straw bales. The

long-term goal of this DCM is the establishment of a self-sustaining native vegetation community to control dust with minimal or no long-term maintenance.

The design of the recommended project requires that the contractor provide a comprehensive, adaptive Weed Control Plan for review and approval by the BLM. The purpose of the plan will be to minimize the establishment and spread of nonnative and invasive weed species within the recommended project area. Minimum requirements for the Weed Control Plan are included in the project design.

The District will continue to collect data during the environmental review process to further refine the observations and results recorded during the pilot study and to guide the final project design.

Staging Areas

The recommended project includes four temporary staging areas to provide contractor(s) with storage and placement of equipment, straw bales, native plants, and supplies. The staging area(s) will be located on land near the recommended project area. The total area of the staging areas is approximately 3.2 acres. A portion of each staging area will have standard fencing installed to secure materials and equipment as necessary.

Staging Area 1, measuring 50 feet by 300 feet, will be established within the northwestern edge of the recommended project area on land administered by the BLM. Staging Area 1 will be located east of Old State Highway, the staging facility and will be used by the contractor(s) for the storage of project materials and equipment, fuel, all-terrain vehicles (ATVs), native plants, and other supplies.

Staging Area 2 will also be located along the Old State Highway, on land managed by the LADWP. Staging Area 2 will measure 200 feet by 400 feet and the construction crew may park at this location.

Staging Area 3 is located along the Old State Highway on land managed by the BLM and will measure 150 feet by 300 feet, and has been designed to allow trucks delivering straw and plants to turn around. Both Staging Area 2 and 3 will be used for the temporary storage of equipment and materials needed for DCMs in the central and southern portions of the recommended project area.

Staging Area 4 will be established along the edge of the gravel haul road constructed by the LADWP for dust mitigation on the Owens Lake, adjacent to the turn-off onto SR 136. This staging area will be sited on previously disturbed land within the graveled limits of the existing road; thus, no vegetative removal is necessary. Stage Area 4 will measure approximately 10 feet by 200 feet and will be used primarily for temporary straw bale storage.

Staging areas may be watered or may have temporary geotextile fabric or matting used to help stabilize the soils. The matting or geotextile/geocell material would be removed either at the end of the recommended project or when the staging areas are reduced in size. If the areas are watered, the source for the water would be the Fault Test well and would require the use of water trucks.

Access routes and Staging Areas 1, 2, and 3 will require the brushing and grubbing of vegetation in order for them to function and to avoid the greater visual impact of grading. All of the staging areas may be reduced in size by approximately 50 percent following the construction period. The portion that is reduced will start to be restored at the end of the construction period. These staging

areas will be restored and revegetated in their entirety after the recommended project has been completed.

Access Routes

A designated temporary access route for ATV travel will be used during placement of straw bales and during planting and watering activities. ATVs will be used to haul straw bales and plants to the dust control areas. The temporary access route will be sited to minimize impacts to existing vegetation and avoid cultural resources. The temporary access route will be sited by laying out an alignment that avoids vegetation and sensitive resources, to the maximum extent practicable. Access routes will be established by ATV use. Where vegetation blocks access to a requisite location, selected modification may be undertaken to top vegetation to accommodate clearance for ATVs. No supplemental materials such as asphalt or gravel will be used.

Restoration of disturbed areas, including the staging areas and the temporary access routes, will occur at the end of the first 3 years of the project when the installed plants on the project site are established enough such that they do not need any supplemental watering. Restoration will include de-compaction of staging areas, as needed. After de-compaction, the staging areas will be mechanically or manually smoothed. The areas will then be seeded with the recommended seed mixture shown in Table I.D-2, *Seed Mix for Restoration*. Seed will be sourced from within the Owens Valley. The seed will be broadcast, and then raked in. Both broadcasting and raking will be done by hand. Erosion control BMPs will remain in place, or will be repositioned, around the staging areas. Seeding will be appropriately timed for optimal germination, such as late fall or late winter/early spring.

TABLE I.D-2
SEED MIX FOR RESTORATION

Species	Common Name	Pounds PLS per Acre
Atriplex parryii	Parry saltbush	2
Sarcobatus vermiculatus	Greasewood	2
Sueda moquinii	Alkali seepweed	1
Atriplex hymenoletra	Holly-leaf saltbush	1
Distichlis spicata	Saltgrass	2
Cleomella obtusifolium	Mohave cleomella	1
Achnatherum hymenoides	Indian ricegrass	1

NOTE: PLS = Pure Live Seed

The temporary access routes between the staging areas and the project area will not be de-compacted, but will be smoothed, seeded, and raked in the same manner as the staging areas. Restoration will not be required along the temporary access routes within the project site, as the routes will have been established avoiding vegetation.

The temporary access route from all of the staging areas will be approximately 13,478.7 feet long (2.5 miles) by 20 feet wide following the existing grade (total temporary access route disturbance area is 6 acres). Currently, the recommended project and alternatives area can be accessed from SR 136 via the gravel haul road to the north. The Old State Highway through Keeler to the south (the Keeler Dump Road) is not anticipated to be used to access the recommended project. The access is from SR 136 and the gravel haul road. Management and ownership of the Old State Highway has been transferred to the Inyo County Road Department. However, that portion of the Old State

Highway proposed to be used for the recommended project is not in the Inyo County Road Department's maintained mileage system. Sediment and debris that has been deposited on the Old State Highway will be cleared for the recommended project. Additionally, potholes will be filled and general light maintenance work will be completed. Maintenance work may include watering. Water would come from the Fault Test well site.

Water Supply, Conveyance, and Distribution

Approximately 5 gallons of water will be applied under each straw bale prior to planting. The plants will also be watered with approximately 3 gallons of water per bale immediately after the plants are placed in the ground. Total water needs during planting are expected to amount to approximately 3.02 acre-feet (985,480 gallons). It is expected that supplemental watering may be provided to the plants during the first 3 years of the recommended project when rainfall is less than 50 percent of the average annual rainfall or is needed based on poor plant health. A total of about 5.29 acre-feet of water may be applied during the first year of the recommended project (including the initial pre-planting watering and watering at the time of planting). During each of the first, second, and third years of the recommended project, the estimated total annual water duty will be about 2.27 acre-feet. The total water demand for the recommended is estimated at up to 9.83 acre-feet (3.2 million gallons) over the 3-year period (Table I.D-3, *Water Requirements for Recommended Project*).

TABLE I.D-3
WATER REQUIREMENTS FOR RECOMMENDED PROJECT*

Irrigation Event	Year	Gallons per Bale	Gallons	Acre-feet
Initial irrigation	Fall 2014	5	615,925	1.89
Irrigation at time of planting	Fall 2014	3	369,555	1.13
Supplemental #1	Spring 2015	3	369,555	1.13
Supplemental #2	Fall 2015	3	369,555	1.13
Supplemental #3	Spring 2016	3	369,555	1.13
Supplemental #4	Fall 2016	3	369,555	1.13
Supplemental #5	Spring 2017	3	369,555	1.13
Supplemental #6	Fall 2017	3	369,555	1.13
	Total		**3,203,120**	**9.83**

NOTE: * The amounts of water shown here are the target amounts for each irrigation event. Actual water use for the project may be up to 25 percent higher due to system operations and to ensure that the plants are not under-watered. Thus the total amount of water used for irrigation within the recommended project over 3 years may be as high as about 12.3 acre-feet.

The plants will be delivered from the nursery to the project staging areas prior to planting within the recommended project. To ensure that the plants maintain health prior to planting, they may be watered and stored in a temporary shaded area. Water used during temporary storage of the plants will come from the District's Fault Test well via water truck. The amount of water needed for plant care during storage is not known, but it is anticipated that it will be less than 1 gallon per plant.

During the time of planting, there will be two irrigation events associated with planting. The first will be conducted prior to planting to pre-wet / pre-condition the soil. The second irrigation will be conducted immediately following planting of the shrubs. Additionally, during the first year of the recommended project, the plants may be provided with supplemental water, if needed, in the springtime when they are breaking dormancy for the growing season and again in the late summer

as they go into their late season growth spurt. A decision to provide supplemental water will be based on the precipitation and the overall health of the plants.

During each of the first, second, and third years of operation of the recommended project, there may be up to two supplemental watering events. The decision to provide supplemental water will be based on the precipitation during the year and the overall health of the plants. The potential watering events will occur in the late winter / early spring and late summer / early fall.

The recommended project assumes that the water for plant irrigation will be supplied from the Keeler Community Services District (KCSD) well located within the southeastern portion of the recommended project study area. As the recommended project will deliver water directly to the site via a water line from the KCSD system, there will be no water trucks required to support the irrigation system. Water obtained from the KCSD well will be transported to the recommended project site via a temporary pipeline that connects into the KCSD water system near the KCSD well site. The pipeline will be routed under SR 136 using directional drilling under the existing roadway to avoid impacts to SR 136. In order to install the pipe under the SR 136, a temporary disturbance of approximately 50 feet by 50 feet on each side of the road will be required for the drilling equipment. In order to have sufficient water pressure in the irrigation system, a small 5 horsepower electric booster pump and 85-gallon pressure tank will be used installed within the existing fence surrounding the KCSD well. Water will be supplied directly to the temporary irrigation system from the KCSD Well. The recommended project will include a temporary aboveground irrigation system installed within the 95-percent control level area to provide water to the recommended project area. Plants within the 85-percent dust control area will be watered by hand using a water tank (~150-200 gallon capacity) mounted on an ATV trailer. The ATV trailer mounted tank will be filled with water from the temporary aboveground irrigation system and hauled into the 85-percent dust control areas, and water will then be applied to the plants via a hose attached to the water tank (~150 to 200 gallon capacity) into the 85-percent dust control area.

The temporary irrigation system will be designed such that irrigation laterals are placed every 150 to 160 feet across the site, rather than extending directly to each straw bale. The water from the lateral lines will be delivered to the plant locations through detachable hoses. The recommended project includes travel into the recommended project area by ATV from the staging areas to the hose attachment points along the lateral lines. Watering of individual plants in the vicinity of the hose attachment points will be conducted by a worker on foot. All travel associated with irrigation would be along the designated access routes and lateral lines. At locations where the access route crosses irrigation lines, temporary protective covers will be placed over the piping to allow travel over the system and prevent damage to the irrigation system. There will be approximately 100 to 124 total crossings of the irrigation lines (with 50 to 62 crossings of the 1.5 to 2-inch distribution laterals and 50 to 62 crossings of the 4-inch transmission line).

Site preparation for portions of the staging areas and temporary access route will require minimal brushing and grubbing, although impacts will be minimized to the extent practicable. Construction of the recommended project will result in a total temporary disturbance of 33.8 acres. The estimated time period for construction is less than 11 months, with planting occurring in the fall and early winter (October through December). The initial irrigation during planting will require approximately 8 weeks to complete. Supplemental watering, if necessary, will be conducted in late winter / early spring and late summer / early fall and will require approximately 5 weeks to complete for each watering event. Following the completion of each irrigation event, the irrigation system will be drained of water. Each distribution lateral will have a drain valve installed.

Approximately 200 gallons of water will be drained from each lateral in a manner to prevent flows off of the recommended project area.

Effectiveness Monitoring Program

The District currently monitors sand motion activity in the recommended project study area with a network of 16 sand motion monitoring sites. The monitoring program will continue to operate during and after DCM implementation. Review of sand motion monitoring, plant, and PM_{10} data will be completed at least one time per year and will be evaluated by the District to determine the progress of the recommended project in attaining the NAAQS and state standard for PM_{10} and for the need to add supplemental plants and/or straw bales. The District will periodically keep the BLM apprised of general dust abatement progress and fully share the monitoring results if requested.

I.E EIR/EA PROCESS

The District and BLM prepared an EIR/EA for the Keeler Dunes Dust Control Project in accordance with NEPA; CEQA; the State CEQA Guidelines; the Inyo County General Plan; and all applicable federal, state, and local statutes and regulations that govern the management of environmental resources.

The District and BLM have taken steps to encourage the public to participate in the environmental process for the project. On October 25, 2011, in accordance with California Code of Regulations (CCR) Section 15082, the District circulated a Notice of Preparation (NOP) for an EIR for the project to the State Clearinghouse and to various federal, state, regional, and local government agencies. The NOP was sent to the State Clearinghouse on October 26, 2011, and distributed to various federal, state, regional, and local government agencies. A public Notice of Availability (NOA) of the NOP was provided in *The Inyo Register* on November 5 and 8, 2011. The NOP was mailed directly to more than 160 agencies and interested parties and posted at the District's Keeler Office, 190 Cerro Gordo Avenue, Keeler, California; at the Eastern Sierra Inter Agency Visitor Center, Highway 395, Lone Pine, California; and at the Keeler, Lone Pine, and Olancha post offices. The NOP advertised two public scoping meetings for interested parties and agencies to receive information on the project and the CEQA and NEPA process, as well as to provide an opportunity for the submittal of comments. 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 EIR. This EIR considers alternatives that are capable of avoiding or reducing significant effects of the recommended project. The comment period on the NOP closed on November 25, 2011. Five comment letters were received in response to the NOP.

The EIR/EA was prepared to inform public agency decision makers and the general public about the project and its significant environmental effects, to suggest possible ways of minimizing those significant effects, and to describe a reasonable range of alternatives that could feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project. The Draft EIR/EA provides a detailed description of the proposed project / proposed action, five action alternatives, and a no project / no action alternative; the regional and local environmental setting; and identification of project impacts, cumulative impacts, and mitigation measures. The EIR/EA also addresses, other CEQA-required considerations, and impacts found not to be significant. A Notice of Completion (NOC) announcing the start of the public review period for the Draft EIR/EA was filed with the State Office of Planning and Research by the

District. Although CEQA requires only a 30-day public review period, the Draft EIR/EA was distributed to various federal, state, regional, and local government agencies and interested organizations and individuals for a 45-day public review period. The Draft EIR/EA was provided to the State Clearinghouse on March 21, 2014, for additional distribution to agencies. In addition, a public NOA and NOC of the Draft EIR/EA appeared in *The Inyo Register* and was mailed directly to interested parties requesting the document. The public review period was March 24, 2014 to May 8, 2014. Two public workshops were hosted by the District and BLM on April 2, 2014 (in Lone Pine) and April 16, 2014 (in Bishop) to solicit comments from public agencies and the general public on the Draft EIR/EA.

The Final EIR/EA was prepared based on the comments provided in response to circulation of the Draft EIR/EA for public review and clarifications and revisions resulting from public review of the Draft EIR/EA. A total of four letters of comment were received on the Draft EIR/EA; four letters were received from public agencies and no letters were received from individuals. Upon completion of the evaluation, this Final EIR/EA was prepared and provided to the Great Basin Unified Air Pollution Control District Governing Board for certification of compliance with CEQA and for review and consideration as part of the decision-making process for the project. In accordance with CCR 15090, the District will certify that the Final EIR/EA has been completed in compliance with CEQA; that the information contained in the Final EIR/EA was presented to the District's Governing Board for review and consideration; and that the Final EIR reflects the District's independent judgment and analysis. If the Final EIR/EA is determined to be adequate and complete, the District will consider certification of the EIR/EA at a public hearing scheduled for July 7, 2014, at the City of Los Angeles Department of Water and Power Owens Lake Operations and Maintenance facility located at 100 Sulfate Road, Keeler, CA 93530.

The BLM will act subsequent to the District Governing Board regarding the environmental analysis contained in the EA portion of the EIR/EA, as to whether a Finding of No Significant Impact, a mitigated Finding of No Significant Impact, or that there are potentially significant impacts that warrant consideration in an environmental impact statement. If the BLM makes a Finding of No Significant Impact, the District may then proceed with processing a ROW application for the dust control project.

I.F GENERAL FINDINGS

The District has evaluated all environmental impact areas recommended by CEQA and the State CEQA Guidelines during the environmental evaluation of the project.

Environmental Impact Report

The EIR portions of the EIR/EA determined that the recommended project is not expected to result in significant impacts to thirteen (13) environmental impact areas: agriculture and forestry resources, biological resources, cultural resources (including paleontological resources), geology and soils, greenhouse gas emissions and climate change, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, public services, recreation, and utilities and service systems.

The EIR determined that the recommended project is expected to result in less than significant impacts to four (4) environmental issue areas: aesthetics/visual resources, air quality, hydrology, and transportation and traffic. The project description in the EIR was refined to avoid significant impacts for each of the 11 environmental issue areas.

Alternatives

As a result of the evaluation of the proposed project / proposed action, five project/action alternatives, and a no project/no action alternative, the District has identified Alternative 5 as the environmentally superior action alternative, capable of meeting most of the basic objectives of the project and has recommended approval of this alternative to the Governing Board. The District and BLM explored alternatives to the proposed project / proposed action, dust control measures applied to 194 acres using irrigation water delivered via water trucks / ATVs, to assess their ability to meet most of the objectives of the project and reduce significant effects of the project. Five project alternatives were evaluated: Alternative 1, dust control measures applied to 214 acres using irrigation water delivered via water trucks / ATVs; Alternative 2, dust control measures applied to 197 acres using irrigation water delivered via water trucks / ATVs; Alternative 3, dust control measures applied to 194 acres using irrigation water delivered via water trucks / tanks / plastic or metal irrigation system and selected manual watering; Alternative 4, dust control measures applied to 194 acres using irrigation water delivered via water trucks / plastic or metal irrigation system and selected manual watering; and Alternative 5, dust control measures applied to 194 acres using irrigation water delivered via KCSD water well / pipeline to plastic or metal irrigation system and selected manual watering. In addition, Alternative 6, the No Project / No Action Alternative, as required by CEQA, was analyzed.

Alternative 5 was determined to be the environmentally superior alternative because it significantly reduces the vehicle miles traveled for the ATVs and eliminates the need for water trucks hauling water to the recommended project, thus minimizing the amount of time required within the dunes and disturbance of the dunes in the vicinity of environmentally sensitive resources. Alternative 5 also removes the need to place three 20,000-gallon water tanks at the staging area, which was a concern articulated by the Native American representatives during the Section 106 consultation. The end result of Alternative 5 will be a natural landscape similar to the Swansea Dunes, a comparable environment located to the north that is generally non-emissive, self-sustaining and maintained with minimal resources.

In accordance with Section 21081.6 (a) (2) of CEQA, the District has specified the location and custodian of the documents and other materials that constitute the record of decision used in the decision-making process for the project.

In accordance with Section 21082.1 (c) (1), the District has independently reviewed and analyzed the information contained in the reports and environmental documents required by CEQA; have circulated draft documents, which reflect its independent judgment; and find that the Final EIR/EA reflects the independent judgment of the District.

This report constitutes the required findings pursuant to Section 15091 of the State CEQA Guidelines.

SECTION II
POTENTIAL ENVIRONMENTAL EFFECTS THAT WERE DETERMINED TO HAVE NO IMPACTS

This analysis documents the evaluation of Alternative 5, dust control measures applied to 194 acres using irrigation water delivered via KCSD water well / pipeline to plastic or metal irrigation system and selected manual watering, the recommended project/action alternative that best meets the goals and objectives for the Keeler Dunes Dust Control Project. As documented in Section 1.12 of the Environmental Impact Report / Environmental Assessment (EIR/EA), there are seven (7) environmental issue areas related to the California Environmental Quality Act (CEQA) that were not carried forward for further analysis for which the recommended project and five action alternatives will have no impacts, either because the specified environmental resource is not present in the study area or the recommended project and project/action alternatives will not be expected to have any effect (Section II.A): agriculture and forestry resources, hazards and hazardous materials, mineral resources, noise, population and housing, public services, and utilities and service systems.

The remaining environmental issue areas identified in Appendix G of the State CEQA Guidelines were carried forward for detailed evaluation in Sections 3, 4, and 5 of the EIR/EA. This analysis documents the evaluation of the recommended project. As documented in Sections 3, 4, and 5 of the EIR/EA, there are 10 environmental issue areas related to CEQA that were carried forward for detailed evaluation in the EIR/EA for which the recommended project and five action alternatives will have no impacts or for which impacts will be avoided or below the level of significance due to refinements to the project description for the recommended project: aesthetics, biological resources, cultural resources (addressed in two sections cultural resources and paleontological resources, as specified by the *BLM Handbook*), geology and soils, hydrology and water quality, land use and planning, recreation, and transportation/traffic.

Based on the analysis undertaken in the EIR/EA, it was determined that the recommended project will have no impacts on the following six (6) environmental issue areas described in Section II.B: biological resources, cultural resources and paleontological resources, geology and soils, greenhouse gas (GHG) emissions, land use and planning, and recreation.

Additionally, the analysis undertaken in support of the EIR/EA for the Keeler Dunes Dust Control Project determined that there are nine (9) resources related to the National Environmental Protection Act (NEPA) that do not exist in the recommended project study area and therefore have no impacts resulting from implementation of the recommended project. Based on analysis contained in the EIR/EA, it was determined that the recommended project will have no impacts on the following resources that are described in Section II.C: agricultural land and forestry resources; essential fish habitat; farmlands, prime and unique; rangelands/livestock management; threatened and endangered species; wild and scenic rivers; wild horses and burros; wilderness characteristics; and wilderness and/or wilderness study areas.

II.A CEQA ENVIRONMENTAL ISSUE AREAS NOT CARRIED FORWARD FOR DETAILED EVALUATION IN THE EIR/EA

II.A.1 Agriculture and Forestry Resources

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to agriculture and forestry resources. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12, *Issues Scoped out for Further Environmental Review of the EIR/EA*, for the Keeler Dunes Dust Control Project. The California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP) and the County of Inyo General Plan were reviewed in this evaluation. The recommended project study area is comprised of un-vegetated sand dunes, interspersed with sparse patches of native vegetation. There are no agricultural uses at the site, nor have there been agricultural uses in the past. There are no Prime Farmlands, Unique Farmlands, or Farmlands of Statewide Importance present within or near the recommended project site. No Farmlands will be converted to nonagricultural use, and the recommended project will not conflict with zoning for agriculture or any Williamson Act contracts. A site visit and a review of the Bishop Resource Management Plan (RMP) confirmed that there are no forest resources on or adjacent to the study area. The recommended project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The recommended project will not result in the loss of forest land or conversion of forest land to non-forest use. The recommended project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

II.A.2 Hazards and Hazardous Materials

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to hazards and hazardous materials. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12 for the Keeler Dunes Dust Control Project. Hazards and hazardous materials at the

recommended project site were evaluated based on expert opinion supported by facts, a review of environmental databases and additional technical reports and environmental investigations related to the recommended project site. The recommended project consists of installation and monitoring of dust control measures, which do not involve the use of hazardous materials. The recommended project does not involve the routine transport, use, or disposal of hazardous materials, other than fuel and oil used in project vehicles and equipment during project construction, and no hazardous or solid waste will be generated within the recommended project area. The nearest school to the recommended project site is Lone Pine High School in Lone Pine, California, over 10 miles to the northwest, and therefore, there will be no impacts related to hazardous materials to schools within one-quarter mile of the recommended project site. There are no hazardous waste sites pursuant to Government Code Section 65962.5 located within a 0.5 mile radius of the recommended project site. There are no public or private use airports within 2 miles of the recommended project site, and therefore, there are no impacts related to the proximity from an airport and the safety hazard for people residing or working in the recommended project study area. There will be no expected impacts from hazards and hazardous materials that will impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The recommended project is located entirely within a non-urbanized, undeveloped wildlands area. The recommended project site is not located within a Fire Hazard Severity Zone. Therefore, there will be no expected impacts from exposure of 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.

II.A.3 Mineral Resources

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to mineral resources. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12 for the Keeler Dunes Dust Control Project. Mineral resources at the recommended project site were evaluated with regard to California Division of Mines and Geology publications, the Inyo County General Plan, and various published studies. Inyo County is rich in mineral resources, with over 150 minerals identified in the last century. Minerals in the Inyo Mountains immediately to the east of the recommended project study area include gold, silver, lead, zinc, tungsten, talc, and bismuth. The recommended project study area is located in or adjacent to an alluvial fan expanding west out of the Inyo Mountains. Trace amounts of valued mineral resources may have been transported into the recommended project study area through the alluvial fan, but there are no substantial mineral resources identified within the recommended project study area.

Historically, Owens Lake has been exploited for salt extraction and soda ash processing; however, Rio Tinto Minerals (U.S. Borax) is the only current mineral extraction company operating at Owens Lake. The existing mineral lease is held by Rio Tinto Minerals–Owens Lake Operations (referred to as the U.S. Borax Lease by the California State Lands Commission), which mines trona (sodium carbonate and sodium bicarbonate mineral) and leases a large area at the southern portion of Owens Lake nearly 10 miles southwest of the recommended project area for mineral extraction activities. There are no active mineral resource recovery sites within the recommended project site.

The recommended project site is located on young sediments located a considerable distance from valuable mineral-bearing rocks in the Inyo Mountains. Although trona mining has historically occurred in the area of the project site, the only current mineral extraction operation on Owens Lake is located nearly 10 miles southwest of the recommended project site. Therefore, there will be no expected impacts to mineral resources related to the loss of availability of a known mineral resource recovery site important to the state of California.

According to the Conservation and Open Space element of the Inyo County General Plan, there are no known mineral resource recovery sites of local importance located within the recommended project site. The recommended project site is designated by the Inyo County Zoning Code as OS – 40 - Open Space, 40-Acre Minimum. Therefore, there will be no expected impacts to mineral resources related to the loss of availability of a known locally important mineral resource recovery site.

II.A.4 Noise

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to noise. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12 for the Keeler Dunes Dust Control Project. Noise at the recommended project site was evaluated with regard to the Noise Element of the Inyo County General Plan. The construction phase of the recommended project is anticipated to require up to 11 months. During this time period, workers and delivery vehicles, ATVs, and other equipment will be operating on-site. However, noise impacts to residents of Keeler are not expected to be significant because the recommended project is located approximately 0.4 mile from the nearest resident and construction work will comply with the Noise Element of the Inyo County General Plan as well as all relevant codes and ordinances. Due to the nature of the recommended project, groundborne vibrations are expected to be negligent and only occur as a result of infrequent vehicular traffic during construction and maintenance of dust control measures. Additionally, the groundborne vibration impacts to residents of Keeler are not expected to be significant because the recommended project is located

approximately 0.4 mile away to the nearest resident. While the construction phase of the recommended project may result in intermittent increases in ambient noise levels from construction equipment, operation and maintenance of the dust control measures will require minimal usage of construction equipment, and thus not result in a substantial permanent increase or temporary increase in ambient noise levels in the vicinity of the recommended project site. There are no public or private use airports within 2 miles of the recommended project site, and therefore, there are no impacts related to exposing people residing or working in the project areas to excessive noise levels.

II.A.5 Population and Housing

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to population and housing. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12 for the Keeler Dunes Dust Control Project. Population and housing at the recommended project site was evaluated with regard to the Inyo County General Plan, the 2010 Census, and the California Department of Transportation's Inyo County Economic Forecasts. No new homes or businesses are proposed as part of the recommended project. No growth-inducing extensions of infrastructure, including roadways, are proposed as a part of the recommended project. The recommended project will not affect the existing supply or demand for permanent housing or rental housing in the community of Keeler or surrounding communities. There are currently no housing units located within the boundary of the recommended project study area or within 650 feet of the boundary; therefore, no housing units will be removed. The recommended project will not alter the location, distribution, density, or growth of the human population in the area. No residential buildings will be demolished as part of the recommended project. As such, there will be no displacement of any person or persons.

The recommended project will provide a small number of temporary employment opportunities during construction. These jobs will be expected to be filled with the local workforce in the surrounding communities; therefore, no indirect population growth is anticipated. There is little need for future housing near the recommended project area, as the nearby community of Keeler contains 67 housing units, 40 percent of which were recorded as vacant in the 2010 Census. The population in Inyo County is forecasted by the California Department of Transportation to grow at a slow average rate of 1.0 percent per year from 2012 to 2017, which indicates a low future housing need within the land surrounding Owens Lake. As such, the recommended project will not be expected to stimulate population growth beyond that already projected to occur.

II.A.6 Public Services

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to public services. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12 for the Keeler Dunes Dust Control Project. Public Services at the recommended project site were evaluated with regard to the Inyo County General Plan and the State of California Fire Hazard Severity Zones. The recommended project does not entail the construction of housing, commercial space, or other developments that will substantially affect the provision of fire protection services, police protection services, schools, parks, or other public facilities.

The California Department of Forestry and Fire Protection (CAL FIRE) is responsible for fire protection for the nearby community of Keeler and land owned by the LADWP within the southwestern edge of the recommended project boundary. The BLM administers the majority of the land in the recommended project area and provides fire protection services for the lands they within the recommended project site.[2] Cooperation for fire protection services during a large wildfire within or near the recommended project boundary will occur between the BLM, CAL FIRE, LADWP, Lone Pine Volunteer Fire Department, U.S. Forest Service, and Inyo County Sheriff. Additionally, the Keeler Volunteer Fire Department provides fire protection to the community of Keeler from a small fire station 0.7 mile southeast from the recommended project located on Old State Highway, and the Lone Pine Fire District provides fire protection and ambulance services to communities within the area from the Lone Pine Fire Department station, located approximately 12 miles northwest of the recommended project boundary. Safety protection is provided by the Inyo County Sheriff's Department. An Inyo Sheriff Station is located in the community of Lone Pine approximately 12 miles northwest of the recommended project study area. Construction will not significantly affect fire protection or police protection response times because temporary access roads and staging areas will be located along Old State Highway instead of California State Route 136 to reduce traffic impacts.

The Lone Pine Unified School District serves the communities surrounding the recommended project area including Keeler, Olancha, and Lone Pine. Lo-Inyo Elementary School and Lone Pine High School, which are both located approximately 12 miles northwest of the project study area in the community of Lone Pine, provide K-12 education for Lone Pine and the surrounding rural communities. Construction will not affect commute times from the community of Keeler to the K-12 schools in Lone Pine because temporary access roads and staging areas will be located along Old State Highway instead of California State Route 136 to reduce traffic impacts.

No parks are located within the vicinity of the recommended project site. The two closest parks to the recommended project site are County-maintained Spainhower Park (formerly Lone Pine Park) and Diaz Lake Recreation Area located approximately 12 miles northwest of the recommended project site within the community of Lone Pine. Spainhower Park is an active recreation park with playgrounds, shaded picnic facilities, basketball and tennis courts, a gazebo, horseshoes, and a creek running through it, while Diaz Lake Recreation Area contains boating, fishing, picnic, and campground facilities surrounding an 80-acre lake.

The Southern Inyo Local Healthcare District provides medical services to the area including the recommended project site, with Southern Inyo Hospital located approximately twelve miles northwest of the recommended project site in the community of Lone Pine. The proposed dust control measures will not entail the construction of housing, commercial space, or other developments that will substantially affect the provision of parks or other public facilities.

II.A.7 Utilities and Service Systems

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to utilities and service systems. Therefore, no mitigation is required.

Facts:

The finding of no significant impact is made based on the analysis included in Section 1.12 for the Keeler Dunes Dust Control Project. Utilities and service systems at the recommended project site was evaluated with regard to the Inyo County General Plan. Construction crews will use portable bathrooms and best management practices will be implemented during construction to meet wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Water for plant irrigation will be supplied from the KCSD well located within the recommended project study area, approximately 0.25 mile to the southeast of the recommended project area, which can supply all of the project irrigation needs for the recommended project. Therefore, there will be no expected impacts from the recommended project to utilities and service systems, resulting in the construction of new water or wastewater treatment facilities.

The recommended project requires the placement of straw bales in the Keeler Dunes and the planting of native vegetation to control dust emissions. The establishment of native vegetation will require watering for the first 3 years. Water will be transferred to the small ATV trailer-mounted water tanks for the 85-percent dust control level area directly from the temporary irrigation system from the existing KCSD well which will provide irrigation for the 95-percent dust control areas. The plants in the 85-percent dust control area will be watered by hand using ATVs and trailers traveling along designated temporary access routes. No storm water drainage facilities will be constructed. The recommended project will utilize water from the KCSD well to irrigate the plants in the dust control measure.

Approximately 5 gallons of water will be applied under each straw bale prior to planting, and another 3 gallons at the time of planting. Total water needs during planting are expected to amount to approximately 3.02 acre-feet (985,480 gallons).

It is expected that supplemental watering will be implemented when rainfall is less than 50 percent of the average annual rainfall during the first 3 years until plants are well established. It is assumed that up to 3.09 acre-feet of water would be applied annually during this time period. The total water demand for the proposed project and alternatives is estimated at up to 12.3 acre-feet (4.0 million gallons) over a 3-year period. The recommended project does not trigger the requirement for a Water Supply Assessment because it is not residential, commercial, or industrial, and will not demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project (approximately 50 to 200 million gallons per year).

The recommended project does not require wastewater treatment through a regional provider. Solid waste generated during construction of the recommended project will be transported to the Lone Pine Landfill, a permitted solid waste facility. Based on previous documentation, the Lone Pine Landfill has a remaining site life of approximately 15 years. In addition, the recommended project will be expected to generate relatively small amounts of solid waste during construction and operation. Any solid waste generated at the site would be disposed of at a permitted landfill with sufficient capacity. Therefore, there will be no expected impacts from the recommended project to utilities and service systems related to exceeding wastewater treatment requirements, constructing new water or wastewater treatment facilities or expansion of existing facilities, constructing new storm water drainage facilities or expanding existing facilities, having sufficient water supplies available from existing entitlements and resources, sufficient capacity to accommodate solid waste disposal needs, or compliance with federal, state, and local statutes and regulations related to solid waste, including compliance with the California Solid Waste Reuse and Recycling Access Act of 1991.

II.B CEQA ENVIRONMENTAL ISSUE AREAS CARRIED FORWARD FOR DETAILED EVALUATION IN THE EIR/EA AND DETERMINED TO HAVE NO OR LESS THAN SIGNIFICANT IMPACTS

II.B.1 Biological Resources

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to biological resources. Therefore, no mitigation is required. However, the ability to avoid impacts is based on the requirement that the recommended project site remains outside the two ephemeral drainages subject to the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife (CDFW), as described in the project description.

Facts:

The above finding is made based on the analysis included in Section 4.3, *Environmental Consequences* of the EIR/EA for Biological Resources, and Section 5.3, *Cumulative Impacts* for Biological Resources, of the EIR/EA for the recommended project. The analysis considered a review of the federal Endangered Species Act (ESA); the 1940 Bald and Golden Eagle Protection Act (16 USC 668-668c); Section 404 of the Federal Clean Water Act; the Migratory Bird Treaty Act; the Conservation and Open Space Element of the Inyo County General Plan; the Bishop RMP; a query of the California Natural Diversity Database (CNDDB) for the U.S. Geological Survey (USGS) 7.5-minute series, Bartlett, Dolomite, Keeler, Lone Pine, Owens Lake, Cerro Gordo Peak, Olancha, Vermillion Canyon, and Centennial Canyon, as well as an additional two surrounding 7.5-minute series topographic quadrangles, Union Wash and Haiwee Reservoirs; the 1981 California Desert Native Plants Act; a review of the California Native Plant Society database; the Native Plant Protection Act; the California ESA; Sections 2080 and 2081 of the State Fish and Game Code in regard to state-listed endangered, threatened, or candidate species; Sections 3503 and 3503.5 of the State Fish and Game Code in regard to resident and migratory birds; a review of published and unpublished literature germane to the project including field efforts conducted between April 2002 and May 2006 in preparation of the *2008 Owens Valley PM_{10} Planning Area Demonstration of Attainment State Implementation Plan* and *Rare Plant Survey Report Owens Dry Lake Dust Control Project Site*. Coordination regarding plant and wildlife species with the potential to occur in the project area was undertaken with the U.S. Fish and Wildlife Service, the BLM, and the CDFW.

The ground-truthing of the recommended project site was conducted through six types of field surveys between 2011 and 2013: habitat assessments, four general biological surveys, a wetlands survey, a plant community survey, a vertebrate community survey, and an invertebrate survey. No special status plant species; federally or state listed rare, threatened, or endangered wildlife species; BLM designated sensitive species; California species of special concern; migratory bird species; or state-designated sensitive habitats; wildlife migratory corridors or nursery sites were identified on-site during the biological surveys. A federally listed wetland was identified as a former wetland that has been covered by sand migration during surveys. One locally important species, the Owens dune weevil, was found at the recommended project site; however, the recommended project area constitutes a small proportion (approximately 4.5 percent) of the Owens dune weevil's overall available habitat. It was determined that implementation of the recommended project will have no effect on state-designated sensitive habitats; no expected impacts to rare, threatened, or endangered species pursuant to the federal ESA and California ESA; no expected impacts to sensitive species designated as species of special concern by the CDFW or designated as sensitive species by the BLM; no expected impacts to locally important species; no expected impacts to federally protected wetlands pursuant to Section 404 of the federal Clean Water Act; no expected impacts to migratory routes or nursery sites; no expected impacts to local policies related to threatened or endangered species; and no effect on an adopted Habitat Conservation Plan (HCP) and/or Natural Community Conservation Plan (NCCP).

II.B.2 Cultural Resources and Paleontological Resources

II.B.2.a Cultural Resources

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to cultural resources. Therefore, no mitigation is required. However, the ability to avoid impacts is based on the requirements that straw bales placement and the planting and establishment of native vegetation is conducted with minimal ground disturbance from vehicle and foot traffic in the immediate area of identified cultural resources; the dust control measures within the 85-percent dust control efficiency area are implemented through hand-carried vegetation and straw bales along designated footpaths and the hand excavation of small holes less than 1 foot in depth for the placement of individual plants; a pre-placement pedestrian survey be conducted by a qualified archaeologist with a Native American monitor prior to the initiation of construction activities; an inadvertent discovery plan will be prepared for the District and BLM before implementation of the dust control measures to serve as a guidance document for both the archaeological and Native American monitors; and that the District shall submit a final proposed construction scenario to the BLM for approval depicting the location of project elements and their relation to surface artefacts and features prior to the initiation of ground-disturbing activities, as described in the project description and Section 4.4.3.1A of the EIR/EA.

Facts:

The above finding is made based on the analysis included in Section 4.4, *Environmental Consequences* for Cultural Resources, and Section 5.4, *Cumulative Impacts* for Cultural Resources, of the EIR/EA. Section 106 and the National Register of Historic Places (NRHP) as established under the National Historic Preservation Act; the Native American Graves Protection and Repatriation Act of 1990; the American Indian Religious Freedom Act of 1978; Executive Order 13007 (Indian Sacred Sites); the Federal Land Policy and Management Act (43 USC 1701 *et seq.*); the California Register of Historical Resources (CRHR); Section 5097.91 of the Public Resources Code in regard to the Native American Heritage Commission (NAHC); the Health and Safety Code, Sections 7050 and 7052; Penal Code, Section 622.5; Public Resources Code, Section 5097.5; and the Land Use Element and Conservation and Open Space Element of the Inyo County General Plan were reviewed in this evaluation. Additionally, a cultural resources records search was conducted at the Eastern Information Center at the University of California, Riverside, including a search through the California State Historic Resources Inventory, the NRHP, the listing of California Historical Landmarks, and the California Points of Historical Interest, to ascertain the presence of known prehistoric and historic archaeological resources within the cultural resources study area, which consisted of the recommended project property plus a 1-mile buffer, and is located on the USGS 7.5-minute series, Dolomite, Owens Lake, Keeler, and Cerro Gordo Peak topographic quadrangle maps.

BLM archaeologist, Mr. Greg Haverstock, completed a search of the site files housed at the BLM Bishop Field Office to identify the cultural resources in the recommended project area that are located on BLM land. An intensive pedestrian survey was conducted by a Sapphos Environmental, Inc. archaeologist on July 23, 2013, where three previously undocumented archaeological sites were recorded. A supplemental survey of areas associated with Area of Potential Effect (APE) for the recommended project was conducted on February 20, 2014 by BLM; Lone Pine Paiute-Shoshone Tribal representatives; and Sapphos Environmental Inc. archaeologists, during which the BLM recorded one archaeological site and 17 archaeological isolates that were formally recorded and evaluated for inclusion on the NRHP and CRHR. Four Native American tribes were identified and invited by BLM to consult on the recommended project pursuant to Section 106 of the NHPA and other relevant regulations including Executive Order 13007, and the BLM initiated government-to-government consultation by letter on October 17, 2011; October 24, 2011; and December 2013. The BLM (Ms. Bernadette Lovato and Mr. Haverstock) conducted meetings with the tribes on November 5, 2011; January 20, 2012; and February 21, 2012, including a field visit to the recommended project area. Upon reinitiating Section 106 consultation, the BLM (Mr. Steve Nelson and Mr. Haverstock) conducted additional meetings with the tribes and the District on February 2, 2014, and February 11, 2014.

As a result of the records search, pedestrian surveys, and Section 106 consultation, twenty-two (22) cultural resources have been identified within the APE, including two significant archeological resources that are also considered significant historical resources under CEQA. The Old State Highway was once a significant transportation corridor within the Owens Valley that may be eligible for inclusion on the NRHP under Criterion A for its association with important events and trends that have contributed to the broad patterns of history; however, the road suffers a severe lack of integrity due to erosional processes and realignment of portions of the roadway. Due to the loss of integrity of the road, the portion of this cultural resource within the recommended project property is ineligible/not significant for listing on the NRHP or CRHR. The recommended project has been designed to avoid impacts to significant cultural deposits associated with the two significant historical and archaeological resources and sensitive areas that may contain human remains as identified in the APE. It was determined that implementation of the recommended project will have no adverse effect on culturally sensitive areas associated with historical resources; no expected impacts to archaeological resources; no adverse effect on paleontological resources; and no adverse effect on sacred sites or human remains.

II.B.2.b Paleontological Resources

Although paleontological resources are normally evaluated as part of cultural resources pursuant to the State CEQA Guidelines, it was evaluated separately in the EIR/EA, consistent with the recommendations of the BLM *Guidelines for Determining Paleontological Significance* under NEPA.

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to paleontological resources. Therefore, no mitigation is required.

Facts:

The above finding is made based on the analysis included in Section 4.6, *Environmental Consequences* for Paleontological Resources, and Section 5.6, *Cumulative Impacts* for Paleontological Resources, of the EIR/EA. The Paleontological Resources Preservation Act (Omnibus Act) of 2009 and Public Resources Code, Section 5097.5 were reviewed in this evaluation; records searches were conducted at the Natural History Museum of Los Angeles County and the San Bernardino County Museum; and pedestrian paleontological surveys of the APE were conducted by qualified paleontologists on July 23, 2013, and February 20, 2014. The field surveys focused on examining those portions of the APE that encompassed the staging areas and temporary access routes, as these locales were expected to be subject to some ground disturbance. The primary goal of the field work was to inspect the study area for surface fossils and exposures of potentially fossil-bearing geologic units and to determine areas in which fossil-bearing geologic units could be exposed during project-related ground disturbances.

No paleontological resources were identified during the paleontological surveys of the APE in areas that are subject to ground disturbance by operations of the recommended project. However, results of the field visit confirmed the presence of lacustrine deposits in portions the staging areas and along the access routes. These geological units have a high paleontological sensitivity. As a result, should ground disturbances exceed one foot, spot checking / monitoring by a qualified paleontologist is recommended; however, the recommended project is not anticipated to exceed over a foot of ground disturbance. The recommended project will not be expected to result in significant impacts related directly or indirectly to the destruction of a unique paleontological resource or unique geologic feature. The majority of the recommended project site is located within Class 2 – Low sensitivity surficial aeolian sediments consisting of active sand sheets and sand dunes interspersed with smaller surficial deposits of quaternary alluvium that overlay Class 4 – High sensitivity lacustrine sediments. However, construction activities within this area and associated with the recommended project are expected to be minimal, with ground disturbance limited to clearing and grubbing of vegetation. Therefore, the implementation of the recommended project will not be anticipated to result in significant impacts to these geological deposits associated paleontological resources.

II.B.3 Geology and Soils

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to geology and soils. Therefore, no mitigation is required. However, the ability to avoid impacts is based on the requirements that best management practices are incorporated by the construction

contractor consistent with the guidelines in the *California Storm Water Quality Handbook: Construction Site Best Management Practices Manual* that will reduce or eliminate impacts from water erosion; that the recommended project will comply with all provisions of the National Pollutant Discharge Elimination System administered by the California RWQCB, Lahontan Region, to avoid impacts from storm water runoff during construction, including preparation of a Notice of Intent and a Storm Water Pollution Prevention Plan (SWPPP) are prepared in accordance with the General Construction Permit prior to the start of soil-disturbing activities; and all activities on the recommended project site will be subject to uniform site development and construction standards that are designed to protect public safety, as described in the project description.

Facts:

The above finding is made based on the analysis included in Section 4.5, *Environmental Consequences* for Geology and Soils, and Section 5.5, *Cumulative Impacts* for Geology and Soils, of the EIR/EA. The Federal Land Policy and Management Act of 1976, the Bishop RMP, the State of California Geological Survey (CGS), the Alquist-Priolo Earthquake Fault Zoning Act of 1972, the Seismic Hazards Mapping Act of 1990 (PRC Section 2690–2699), and the Inyo County General Plan were reviewed in this evaluation. The recommended project does not involve the installation of buildings or structures; therefore, there will be no exposure of people or structures to potential adverse risks from seismic ground shaking. The recommended project study area is not delineated by the CGS as an APEFZ or a SHZP and, therefore, will not be expected to be exposed to surface fault rupture or severe ground shaking. . Inyo County is not delineated as a seismic hazard zone, which includes areas prone to landslides by the CGS under the SHZP. There are no recorded fault scarps in the recommended project study area.

The project site is located well away from the Sierra Nevada and Inyo Mountain fronts that have slopes steep enough to initiate a landslide during seismic events. The recommended project will not be expected to result in significant impacts from seismic related ground failure, including liquefaction and seismically induced landslides. The majority of soils in the study area are primarily gravelly alluvium and fine to medium-grained loamy sands, which are soil types that do not exhibit shrink-swell patterns and are not considered expansive soils. The recommended project will not be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the recommended project, potentially resulting in on- or off-site landslides or lateral spreading. Additionally, since habitable structures will not be built as part of the recommended project, people will not be exposed to adverse effects involving surface fault rupture, strong seismic ground shaking, liquefaction, or landslides.

The recommended project will not be expected to result in significant impacts related to a substantial increase in soil erosion or loss of topsoil beyond that which occurs in the existing condition, where erosion is an ongoing process. As evidenced by stable dune systems at other locations around the edge of Owens Lake, the recommended project will be expected to result in a net increase in vegetative cover and stabilization of the dunes, as well as a net decrease in the susceptibility to erosion as a result of the enhanced vegetative cover. The objective of the recommended project is to stabilize the dunes in order to reduce the levels of windblown dust and prevent erosion, which are causing and contributing to exceedances of federal and state standards for PM_{10} air pollution. Temporary impacts from construction activity associated with the recommended project

will result from site preparation activities including preparation of the staging areas and temporary access routes, placing the straw bales, planting the native vegetation, and watering activities. This impact is considered short-term in nature since the potential for significant impact will end after construction is finished due to the placement of straw bales and vegetation.

The recommended project does not include plans for septic tanks or alternative waste water disposal systems; therefore, there is no impact on the ability of soils to adequately support the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. It was determined that implementation of the recommended project will have no adverse effect related to surface fault rupture; no adverse effect from strong seismic ground shaking; no adverse effect from seismic related ground failure, including liquefaction; no adverse effect from seismically induced landslides; no adverse effect related to a substantial increase in soil erosion or loss of topsoil beyond that which occurs in the existing condition; and no adverse effect related to the location of the recommended project on a geologic unit that is unstable or that will become unstable as a result of the recommended project.

II.B.4 Greenhouse Gas Emissions and Global Climate Change

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to GHG emissions and global climate change. Therefore, no mitigation is required.

Facts:

The above finding is made based on the analysis included in Section 4.7, *Environmental Consequences* for Greenhouse Gas Emissions and Climate Change, and Section 5.7, *Cumulative Impacts* for Greenhouse Gas Emissions and Climate Change, of the EIR/EA. The United Nations Framework Convention on Climate Change, Section 202(a) of the federal Clean Air Act, Federal Order No. 3289, the draft Guidance Memorandum for Heads of Federal Departments and Agencies, State Executive Order S-3-05, State Assembly Bill 32, and guidance in August 2010 published by the California Air Pollution Control Officers Association were reviewed in this evaluation. The California Emissions Estimator Model (CalEEMod 2013.2.2) and the California Climate Action Registry's General Reporting Protocol were used to quantify the amount of GHG emissions contributed by construction and operation of the recommended project.

Construction impacts associated with the recommended project will be limited to temporary impacts from airborne dust emitted by ATVs during the placement of straw bales on the site, planting native vegetation, and preparation of staging areas and therefore below the level of significance. Operational Impacts associated with the recommended project will be limited to airborne dust emitted by ATVs during maintenance and supplemental watering activities. As the recommended project involves an 80 percent reduction in ATV trips compared to the proposed project / proposed action, analyzed in the EIR/EA, and the

reduction of vehicle miles traveled for water trucks, to the maximum extent practicable, operational impacts will be below the level of significance. Operational local impacts associated with the recommended project include increases in pollutant concentrations, primarily CO, which will be limited and therefore below the level of significance due to the fact that the recommended project will not result in significant traffic increases in the immediate vicinity of the recommended project, as well as any toxic and odor emissions generated on-site. The recommended project will not result in a significant impact on the environment through the generation of GHG emissions. With the exception of minor emissions associated with construction activities, the recommended project will provide a reduction of GHG emissions through the sequestration of GHG by the native plants. The recommended project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. The recommended project will reduce GHG emissions in compliance with the goals of AB 32.

II.B.5 Land Use and Planning

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to land use and planning. Therefore, no mitigation is required.

Facts:

The above finding is made based on the analysis included in Section 4.9, *Environmental Consequences* for Land Use and Planning, and Section 5.9, *Cumulative Impacts* for Land Use and Planning, of the EIR/EA. The Federal Land Policy and Management Act of 1976, the Bishop RMP, the Inyo County General Plan, and the County of Inyo Land Use Ordinance were reviewed in this evaluation. Implementation of the recommended project will not be expected to physically divide an established community because all of the dust control measures will be implemented outside of the communities within the vicinity of the recommended project area. The two communities in the vicinity of the recommended project site are the community of Keeler, which is located 1.7 miles southeast of the center of the recommended project site and adjacent to the recommended project area, and the community of Swansea, which is located 1.3 miles to the north. Additionally, one designated Native American reservation (Lone Pine Paiute-Shoshone Indian Reservation) and the town of Lone Pine is located approximately 10 miles to the northwest of the recommended project area. Due to the distance of the communities from the recommended project area, there will be no expected substantial impact with regard to the physical division of an established community. The recommended project will not be expected to result in substantial impacts in regard to conflicts with environmentally related plans and policies in the recommended project study area because the dust control measures will be consistent with the Inyo County General Plan, Lower Owens River Project, Owens Valley Management Plan, Owens Lake Master Project, and other applicable local plans.

The recommended project will maintain the current open space and support the preservation of natural resources while maintaining low-impact recreational opportunities. The recommended project will be consistent with the Land Use Element of the Inyo County General Plan, particularly Goal LU-5 and Policy LU-5.4; the recommended project will support the conservation of natural resources in the Keeler Dunes and vicinity. In addition, the recommended project will be consistent with Inyo County Zoning Ordinance, OS-40 Open Space Zone, because the recommended project will support the protection of areas and other mandated lands from erosion, pollution, and soil destruction.

The recommended project will place straw bales and plant native vegetation to stabilize emissive dust areas in a portion of the Keeler Dunes and associated sand deposits. The implementation of the dust control measures will be consistent with all other existing uses in the recommended project area. All activities related to dust control measures will occur on BLM lands and LADWP lands. The District will obtain a ROW permit from the BLM for that portion of the project on federal lands. Permission for the project was provided to the District from the LADWP through the 2013 Settlement Agreement. The LADWP has provided written notification to the District of authorization to use lands controlled by LADWP to implement, maintain, and monitor the Keeler Dunes Dust Control Project.[1] Securing approval from the BLM is considered to be administrative and not a substantial land use impact. No portion of the recommended project area is included in any applicable HCP or NCCP. The Lower Owens River Project EIR discusses the potential to create an HCP for federally listed species with the potential to occur within the area of the Lower Owens River Project; however, the goals and objectives of the Lower Owens River Project and any potential HCP that may result will not conflict with the recommended project. The recommended project will not be expected to result in impacts related to any applicable HCP or NCCP.

II.B.6 Recreation

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to recreation. Therefore, no mitigation is required.

Facts:

The above finding is made based on the analysis included in Section 4.10, *Environmental Consequences* for Recreation, and Section 5.10, *Cumulative Impacts* for Recreation, of the EIR/EA. Section 4(f) of the U.S. Department of Transportation Act of 1966, the Bishop RMP, the Inyo County General Plan, and the Lower Owens River Project Plan were reviewed in this evaluation. There are no neighborhood parks in the vicinity of the recommended project site. The recommended project involves construction, monitoring, and maintenance activities that require a crew of limited size, and the time required for installation and

[1] James G. Yannotta, Los Angeles Department of Water and Power. 11 June 2014. Letter to Theodore Schade. Subject: Keeler Dunes Project and Settlement Agreement.

maintenance and monitoring of the plants is of short duration and will not expected to result in an increase in use at the nearest regional park, Diaz Lake. Therefore, there will be no anticipated impact to recreation from the recommended project related to increased use of federal, state, or regional parks or other recreational facilities such that substantial physical deterioration of a facility will occur or be accelerated. Construction, maintenance, and monitoring of the recommended project will not require the construction or expansion of recreation facilities; therefore, there will be no impact in regard to the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

II.C NEPA RESOURCES THAT HAVE NO OR LESS THAN SIGNIFICANT IMPACTS

II.C.1 Agriculture and Forestry Resources

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to agriculture and forestry resources. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. The CDC FMMP and the Los Angeles County General Plan (County General Plan) were reviewed in this evaluation. There are no Prime Farmlands, Unique Farmlands, or Farmlands of Statewide Importance present within or near the recommended project site. No Farmlands will be converted to nonagricultural use, and the recommended project will not conflict with zoning for agriculture or any Williamson Act contracts. The recommended project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The recommended project will not result in the loss of forest land or conversion of forest land to non-forest use. The recommended project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

II.C.2 Essential Fish Habitat

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to essential fish habitat. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. As a result of the studies documented in the Biological Resources Technical Report; review of the USGS 7.5-minute, Dolomite, California, topographic quadrangle; and consultation with local experts on biological resources within the region of the Keeler Dunes, no documented, known, or potential fisheries or essential fish habitat were determined to be present within or adjacent to the recommended project area. Essential fish habitat is defined as those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity. The recommended project area lacks aquatic habitat. The nearest habitat capable of sustaining fish populations is located at the Owens River approximately 4 miles to the west of the recommended project site.

II.C.3 Farmlands, Prime and Unique

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to farmlands, prime and unique. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. The CDC FMMP and the Los Angeles County General Plan (County General Plan) were reviewed in this evaluation. There are no Prime Farmlands, Unique Farmlands, or Farmlands of Statewide Importance present within or near the recommended project site. No Farmlands will be converted to nonagricultural use, and the recommended project will not conflict with zoning for agriculture or any Williamson Act contracts. The recommended project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

II.C.4 Rangelands/Livestock Management

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to rangelands/livestock management. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. Biological surveys of the recommended project area did not identify the presence of any rangelands or livestock. No livestock species were identified as having the potential to occur within the survey area and none were identified during biological surveys. This was based on the literature review, previously prepared reports, a query of the CNDDB for the topographic quadrangles for the recommended project area and vicinity, coordination with the BLM, consultation with experts on the area's biological resources, and biological surveys. Directed surveys and habitat assessments were guided by information on the distribution, description, and habitat requirements gathered from the following sources: CNDDB search and the District's summary list of flora and fauna observed in the Keeler Dunes.

II.C.5 Threatened and Endangered Species

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to threatened and endangered species. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. No wildlife species listed as proposed, candidate, threatened or endangered under the federal ESA were identified as having the potential to occur within the survey area and none were identified during biological surveys. This was based on the literature review, previously prepared reports, a query of the CNDDB for the topographic quadrangles for recommended project study area and vicinity, and field surveys.

II.C.6 Wild and Scenic Rivers

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to wild and scenic rivers. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. The recommended project site consists of sand sheets and sand dunes on top of alluvium. No wild and scenic rivers exist at or in the vicinity of the recommended project

area. There are no perennial surface water inflows to the Owens Lake bed from the recommended project site. The recommended project area consists of alluvial fan, aeolian, lacustrine, and anthropogenic landforms. The surface hydrology of the study area can be described as a system with multiple channels descending the alluvial fan of Slate Canyon (Keeler Fan). The recommended project area lacks aquatic habitat. The nearest river is the Owens River approximately 4 miles to the west of the recommended project site.

II.C.7 Wild Horses and Burros

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to wild horses and burros. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. No wild horses or burros were identified as having the potential to occur within the survey area and none were identified during biological surveys. This was based on the literature review, previously prepared reports, a query of the CNDDB for the topographic quadrangles for the recommended project study area and vicinity, consultation with experts on the area's biological resources, and biological surveys.

II.C.8 Wilderness Characteristics

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to wilderness characteristics. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. No wilderness characteristics were identified as having the potential to occur within the survey area and none were identified during biological surveys. This was based on the literature review, previously prepared reports, a query of the CNDDB for the topographic quadrangles for the recommended project area and vicinity, coordination with the BLM and U.S. Fish and Wildlife Service, consultation with experts on the area's biological resources, and biological surveys.

II.C.9 Wilderness and/or Wilderness Study Areas

Significant Impact:

None

Finding:

The recommended project is expected to result in no impacts to wilderness and/or wilderness study areas. Therefore, no mitigation is required.

Facts:

The above finding is made based on the preliminary analysis included in Section 1.12 of the EIR/EA. No wilderness and/or wilderness study areas were identified as having the potential to occur within the survey area and none were identified during biological surveys. This was based on the literature review, previously prepared reports, a query of the CNDDB for the topographic quadrangles for the recommended project area and vicinity, consultation with the BLM and other experts on the area's biological resources, and biological surveys.

SECTION III
POTENTIAL ENVIRONMENTAL EFFECTS THAT ARE LESS THAN SIGNIFICANT

The analysis is undertaken in support of the District's recommended project for the Keeler Dunes Dust Control Project, analyzed as Alternative 5, dust control measures applied to 194 acres using irrigation water delivered via KCSD water well / pipeline to plastic or metal irrigation system and selected manual watering, in the Environmental Impact Report / Environmental Assessment (EIR/EA). Of the seventeen (17) issue areas, Section 4 of the EIR/EA determined that there are four (4) environmental issue areas related to the California Environmental Quality Act (CEQA) that are expected to have less than significant impacts resulting from implementation of the recommended project. The project description in the EIR/EA was refined to avoid significant impacts for each of the 10 environmental issue areas. Based on the results of the EIR/EA completed, it was determined that the recommended project will have less than significant impacts on the following four (4) environmental issue areas: aesthetics/visual resources, air quality, hydrology, and transportation and traffic.

III.A AESTHETICS/VISUAL RESOURCES

Significant Impact:

Less than significant

Finding:

The recommended project is expected to result in less than significant impacts to aesthetics/visual resources. Therefore, no mitigation is required. However, the ability to avoid impacts is based on the requirement that the straw bales are installed in an irregular pattern to mimic a natural vegetation pattern adjacent to the Keeler Dunes and the requirement that restoration of disturbed areas will occur at the end of 3 years or when the plants are established enough such that they do not need any supplemental watering, as described in the project description.

Facts:

The above finding is made based on the analysis included in Section 4.1, *Environmental Consequences* for Aesthetics/Visual Resources, and Section 5.1, *Cumulative Impacts* for Aesthetics/Visual Resources, of the EIR/EA for Alternative 5. Section 4(f) of the U.S. Department of Transportation Act of 1966, the Federal Land Policy and Management Act of 1976, the Bishop Resource Management Plan, the California Department of Transportation California (Caltrans) Scenic Highway Program, and the Inyo County General Plan were reviewed in this evaluation and visual simulations were created to evaluate the visibility of the recommended project from each key observation point that was established during site surveys. There are no scenic vistas within or near the recommended project site; nor is the recommended project site visible from any designated scenic vista. There are no state scenic highways within or near the recommended project site; nor is the recommended project site visible from the nearest designated scenic highway, a portion of SR 190 located approximately 16.7 miles south of the recommended project site on the opposite side of a mountain range. The recommended project components will be visually compatible with

the existing visual character, which contains vegetation that is similar in color and height to the existing native vegetation and nearby utility infrastructure, including water storage wells and tanks and vertical electrical transmission line poles passing through the recommended project site. The pipe would be laid on the ground and would be covered by sand from wind events over time. If metal irrigation pipes are used, they would be painted a color that blends in with the surrounding landscape and reduces the potential glare from the reflective metal surface of the pipelines. If black plastic pipe is used, any areas where the black pipe is considered a visible nuisance would be manually covered with sand or painted or camouflaged in a manner to avoid visibility from the highway. The recommended project will create a less than significant source of daytime glare from the irrigation pipelines and not create a source of nighttime light or glare.

III.B AIR QUALITY

Significant Impact:

Less than significant

Finding:

The recommended project is expected to result in less than significant impacts to air quality. Therefore, no mitigation is required. However, the ability to avoid impacts is based on the requirement that fugitive dust emissions are controlled and minimized to comply with District Rules 400 and 401 through the application of best available control measures during all construction activities, including the restriction of travel speed of ATVs to below 15 mph to minimize dust emissions during project implementation activities, as described in the project description.

Facts:

The above finding is made based on the analysis included in Section 4.2, *Environmental Consequences* for Air Quality, and Section 5.2, *Cumulative Impacts* for Air Quality, of the EIR/EA for Alternative 5. The Inyo County General Plan, the National Ambient Air Quality Standards (NAAQS), the Bishop Resource Management Plan (RMP), the California Ambient Air Quality Standards (CAAQS), and the Clean Air Act (CAA) were reviewed in this evaluation. The recommended project will not conflict with the applicable air quality plan, the 2008 State Implementation Plan (SIP), or have any significant impact to air quality related to a violation of an air quality standard or contribution to an existing or projected air violation because the recommended project is designed to facilitate implementation of elements of the plan related to control of PM_{10} emissions from the Keeler Dunes to meet the requirements of the NAAQS. The recommended project will not contribute to a cumulatively considerable net increase in any criteria pollutant for which the project region is non-attainment because the Owens Valley Planning Area (OVPA) is already at a level of non-attainment for PM_{10} emissions and the recommended project is designed to facilitate implementation of elements of the 2008 SIP related to control of PM_{10} emissions from the Keeler Dunes to meet the requirements of the NAAQS. The recommended project will result in less than significant impacts to air quality as a result of exposure of sensitive receptors to substantial pollutant concentrations of carbon monoxide, toxic air contaminants, or visibility-reducing particles because implementation of the recommended project will have a net benefit in relation to reduction of exposure of sensitive receptors in

the community of Keeler and the community of Swansea. The recommended project will result in less than significant impacts to air quality related to the creation of objectionable odors because the recommended project site is located approximately 0.4 mile away from the nearest residence in the community of Keeler, and construction emissions will be expected to be confined within ¼ mile of the construction site and limited in duration due to the less than 11-month construction period and relatively low levels of equipment use.

III.C HYDROLOGY AND WATER QUALITY

Significant Impact:

Less than significant

Finding:

The recommended project is expected to result in less than significant impacts to hydrology and water quality. Therefore, no mitigation is required. The recommended project has been designed to avoid waters of the United States and waters of the State, where effects are limited to crossing with rubber tired vehicles and foot traffic. However, the ability to avoid impacts is based on the requirement that soil erosion, sedimentation, and runoff (e.g. runoff containing grease, oil, sediment, and heavy metals) shall be controlled during construction in accordance with an NPDES Construction General Permit, approved Storm Water Pollution Prevention Plan (SWPPP), and associated best management practices (BMPs) as described in the project description.

Facts:

The above finding is made based on the analysis included in Section 4.8, *Environmental Consequences* for Hydrology and Water Quality, and Section 5.8, *Cumulative Impacts* for Hydrology and Water Quality, of the EIR/EA for Alternative 5. Section 401, 402, and 404 of the Federal Clean Water Act of 1972; the National Flood Insurance Act of 1968; the Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.); the State Water Resources Control Board Construction General Permit Order No. 2010-0014-DWQ; the Lahontan Regional Water Quality Control Board Basin Plan; the Bishop Resource Management Plan; the Inyo County Groundwater Ordinance; and the Inyo County General Plan were reviewed in this evaluation. The recommended project will not include any perennial water bodies within the recommended project limits nor will it involve demolition activities or building of any permanent structures or impervious surfaces. Soil erosion, sedimentation, and runoff (e.g. runoff containing grease, oil, sediment and heavy metals) shall be controlled during construction in accordance with an NPDES Construction General Permit, approved SWPPP, and associated BMPs.

The incorporation of an irrigation system under the recommended project will result in roughly 80 percent less ATV traffic than that anticipated for the proposed project / proposed action. As a result, there will be fewer pollutants such as oil, fuel and lubricants associated with vehicle maintenance to adversely affect water quality. The irrigation system will potentially increase the risk of the amount of surface runoff from any malfunction in the delivery of water to the plant locations. However, potential flows will be of a low volume and will be confined to the recommended project area.

The District has also identified BMPs to reduce the potential for fuel spills and transport of pollutant runoff with the development of approved Hazardous Materials Business Plan and Spill Prevention Control Plan. The recommended project site is not located within a 100-year flood zone area. Due to the low surface gradient and the distance from the ocean and other water bodies, the recommended project is not subject to inundation by seiche, tsunami, or mudflow. Therefore, less than significant impacts under CEQA will occur relative to surface water quality, drainage, groundwater, 100-year flood zone, or seiche, tsunami, or mudflow. The recommended project has been designed to require minimal maintenance. Activities will include maintenance of the air quality monitoring stations, supplemental watering and monitoring of plant growth and straw bale condition, and activities associated with the replacement of broken bales and dead plants.

The recommended project elements have been designed to avoid active and inactive blue line drainages, with the exception of limited crossing by rubber-tired vehicles. The staging areas and access routes of the recommended project have been designed to minimize disturbance of the ground surface. Sufficient groundwater exists for use by the recommended project for the watering of the native vegetation from the KCSD well. Groundwater used for watering will not leave the Owen Lake Hydrological Basin. The temporary irrigation system will have irrigation laterals that utilize detachable hoses to deliver water to the plant locations. Therefore, less than significant impacts under CEQA will occur relative to surface water quality, drainage, and groundwater.

III.D TRANSPORTATION AND TRAFFIC

Significant Impact:

Less than significant

Finding:

The recommended project is expected to result in less than significant impacts to transportation and traffic. Therefore, no mitigation is required. However, the ability to avoid impacts is based on the requirement that an encroachment permit be obtained from Caltrans to ensure compliance with traffic regulations, as described in the project description.

Facts:

The above finding is made based on the analysis included in Section 4.11, *Environmental Consequences* for Transportation and Traffic, and Section 5.11, *Cumulative Impacts* for Transportation and Traffic, of the EIR/EA for Alternative 5. The State of California Water Code, Division 12, Part 5, Chapter 1, Article 4, Section 31060, titled "Construction of Rights of Way;" the Inyo County Regional Transportation Plan (RTP); and the Circulation Element of the Inyo County General Plan were reviewed in this evaluation. The recommended project proposes the addition of a temporary aboveground irrigation system and involves the least amount of travel in the dunes. Since the recommended project involves a direct water line from the KCSD system, no water trucks are required except for potentially limited use for stabilization of staging areas 1–3, watering of plants prior to planting, and light maintenance activities along the Old State Highway; therefore, the recommended project will not substantially increase traffic volumes under Year 2012 Plus

Proposed Project / Proposed Action Conditions. All study area highway segments will continue to operate at Level of Service (LOS) A. Likewise, construction traffic on roadway and highway segments will not exceed V/C ratios. Therefore, construction traffic impacts under Year 2012 Plus Proposed Project / Proposed Action Conditions are considered less than significant under CEQA.

The recommended project will not result in impacts to transportation and traffic in relation to inadequate parking capacity. Parking will be provided on the site to accommodate routine maintenance and monitoring vehicles. During construction, employees will park in the main staging area (Staging Area 2), east of the Old State Highway. The Old State Highway segment is owned by Inyo County and managed by the Inyo County Road Department. However, that portion of the Old State Highway proposed to be used for the recommended project is not in the Inyo County Road Department's maintained mileage system. Sediment and debris that have been deposited on the Old State Highway will be cleared as part of the recommended project. Additionally, potholes will be filled and general light maintenance work will be completed. Maintenance work may include watering.

Due to the 60-mile distance between the recommended project site and the nearest public or private airport, the Eastern Sierra Regional Airport in Bishop, and the types of uses associated with the recommended project, no impacts to traffic and transportation related to a change in air traffic patterns that result in substantial safety risks are expected to occur. The recommended project will not affect air traffic patterns or air traffic levels; therefore, there are no impacts to transportation and traffic related to air traffic.

The recommended project will not require any changes to the existing design of the roadway network or increase in compatible uses and construction and operation of this alternative includes the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan to ensure the safe transport of equipment and materials in a manner that safeguards vehicular traffic on US 395, SR 136, and SR 190. Construction is using existing public roads to access the site and does not involve the addition of new roads or roadway modifications. The existing access route (haul road) turnouts will be used in conjunction with Staging Area 4. During construction, access to the recommended project will be provided from SR 136. Trips are substantially reduced during the operations and maintenance phase of the recommended project. As with the construction phase, access to the project for operations and maintenance activities will be provided from SR 136 using the existing haul road. Potential impacts associated with encroaching on Caltrans right-of-ways will be addressed by obtaining a Caltrans encroachment permit to protect public safety. In addition, any work requiring traffic control on SR 136 will be conducted in accordance with a Traffic Control Plan approved by Caltrans. Therefore, compliance with Caltrans requirements will reduce the potential for direct impacts associated with design features to below the level of significance.

The recommended project will not result in impacts to transportation and traffic in relation to inadequate emergency access. SR 190 and SR 136 operate at LOS A, immediately adjacent to the recommended project area in the Future with Proposed Project / Proposed Action condition. Thus, the construction and operations phases of the recommended project will not adversely affect the capacity of the local highways to accommodate vehicular traffic during an emergency response or evacuation. Therefore, there will be no expected impacts to transportation and traffic related to inadequate emergency access on

the surrounding highway system. Emergency access to the recommended project site during the construction and operations and maintenance phases of the recommended project will be provided from SR 136. No direct or indirect impacts are anticipated to occur with regard to emergency access during construction.

The recommended project will not result in impacts to transportation and traffic in relation to conflicts with adopted policies, plans, or programs supporting alternative transportation. There are no existing or planned facilities for public transit, bicycles, or pedestrians in the vicinity of the recommended project. Therefore, the recommended project will not result in a significant adverse impact related to adopted policies, plans, or programs supporting alternative transportation. It was determined that implementation of the recommended project will have no conflicts with applicable circulation plan, ordinance or policy; no impact with regard to an increase in traffic or level of service relative to an Inyo County threshold; no effect related to a change in air traffic patterns; and potentially adverse effect due to turning vehicles or heavy trucks transporting materials to the site causing a possible safety hazard and potential damage to roadways from site-related equipment. The recommended project will result in an 80 percent reduction in ATV trips compared to the proposed project / proposed action, and the minimization of vehicle miles traveled for water trucks, to the maximum extent practicable.

SECTION IV
FINDINGS REGARDING ALTERNATIVES

Alternatives were analyzed in the Environmental Impact Report / Environmental Assessment (EIR/EA) for the Keeler Dunes Dust Control Project consistent with the recommendations of Section 15126.6 of the State of California Environmental Quality Act (CEQA) Guidelines, which require evaluation of a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant project effects. The analysis of alternatives is limited to those that the Great Basin Unified Air Pollution Control District (District) has determined could feasibly attain most of the basic objectives of the project. Section 15126.6(f) of the State CEQA Guidelines describes feasibility as being dependent on site suitability, economic viability, availability of infrastructure, general plan consistency, consistency with other plans or regulatory limitations, jurisdictional boundaries, and the ability of the project proponent to gain access to or acquire an alternative site. As a result of the analysis contained in the EIR/EA regarding the environmental, health, and social characteristics of the project and alternatives, the District recommends approval of Alternative 5. Support for Alternative 5 is directly responsive to the ability to attain all of the objectives of the project and reduce significant impacts. Alternative 5 meets all of the objectives of the project and minimizes the environmental effects of the project, to the maximum extent practicable.

Six alternatives were considered and evaluated in detail in the EIR/EA, including the No Project / No Action Alternative and five action alternatives capable of feasibly attaining most of the basic objectives of the project. The alternatives are largely the outgrowth of response to comments received from the public and through the consultation under Section 106 of the National Historic Preservation Act, undertaken by the U.S. Department of the Interior Bureau of Land Management with recognized tribes with an interest in the project. Specifically, the proposed project / proposed action described in the Notice of Preparation was revised to avoid and minimize impacts related to aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions and climate change, geology and soils, hydrology and water quality, and transportation and traffic. Additional refinements resulted from the pilot study that was conducted to test the feasibility of the proposed project / proposed action. As a result of the project formulation process, the District and BLM explored the alternatives to assess their ability to fulfill most of the basic objectives of the project, while being responsive to input from the Tribes and other stakeholders, resulting in the consideration of five proposed project / proposed action alternatives and a no project / no action alternative:

- Proposed Project / Action, Dust Control Measures Applied to 194 Acres Using Irrigation Water Delivered via Water Trucks / ATVs
- Alternative 1: Dust Control Measures Applied to 214 Acres Using Irrigation Water Delivered via Water Trucks / ATVs
- Alternative 2: Dust Control Measures Applied to 197 Acres Using Irrigation Water Delivered via Water Trucks / ATVs
- Alternative 3: Dust Control Measures Applied to 194 Acres Using Irrigation Water Delivered via Water Trucks / Tanks / Plastic or Metal Irrigation System and Selected Manual Watering

- Alternative 4: Dust Control Measures Applied to 194 Acres Using Irrigation Water Delivered via Water Trucks / Plastic or Metal Irrigation System and Selected Manual Watering

- Alternative 5: Dust Control Measures Applied to 194 Acres Using Irrigation Water Delivered via KCSD Water Well / Pipeline to Plastic or Metal Irrigation System and Selected Manual Watering, Recommended Alternative

- Alternative 6: No Project / No Action Alternative

As required by CEQA, the No Project / No Action Alternative considers the effects of not implementing a program to control the dust emitted from the Keeler Dunes. The action alternatives evaluated the effectiveness of application of the straw bales and revegetation to a larger area, altering the method of irrigation for the native vegetation, and altering the source of water for irrigation.

The comparative ability of the recommended project (Alternative 5), the other action alternatives, and the No Project / No Action Alternative to meet the objectives of the project is summarized in Table IV-1, *Summary of Recommended Project and Alternatives' Ability to Attain Project Objectives*.

TABLE IV-1
SUMMARY OF RECOMMENDED PROJECT AND ALTERNATIVES' ABILITY TO ATTAIN PROJECT OBJECTIVE

	Recommended Project: Alternative No. 5 (194 acres) KCSD Water Well / Plastic or Metal Pipeline Irrigation System / Selected Manual Watering	**Proposed Project (194 Acres) Water Trucks / ATVs**	**Alternative No. 1: (217 acres) Water Trucks / ATVs**	**Alternative No. 2: (197 acres) Water Trucks / ATVs**	**Alternative No. 3: (194 acres) Water Trucks / Tanks / Plastic or Metal Pipeline Irrigation System / Selected Manual Watering**	**Alternative No. 4: (194 acres) Water Trucks / Plastic or Metal Pipeline Irrigation System / Selected Manual Watering**	**Alternative No. 6: No Project / No Action**
1. Reduce the levels of windblown dust that are causing and contributing to exceedances of the NAAQS and California State standard for particulate matter (PM_{10}) air pollution	Yes	Yes	Yes	Yes	Yes	Yes	No
2. Attain the NAAQS and California State PM_{10} standards in the communities of Keeler and Swansea	Yes	Yes	Yes	Yes	Yes	Yes	No
3. Minimize impacts to natural resources	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Minimize impacts to historic properties below the threshold of adverse effect	Yes	Yes	Yes	Yes	Yes	Yes	No
5. Create a landscape that mimics comparable natural environments	Yes	Yes	Yes	Yes	Yes	Yes	No
6. Be self-sustaining and operated with minimal resources	Yes	Yes	Yes	Yes	Yes	Yes	Yes

The recommended project, Alternative 5, meets all of the basic objectives of the District and is the environmentally superior alternative because it is capable of attaining the NAAQS and California State standard for particulate matter (PM_{10}) in the nearby communities of Keeler and Swansea, it minimizes the vehicle miles traveled for trucks and ATVs during construction and operation of the project, and substantially reduces the amount of time for staff and crew to be present within the dunes and the associated environmentally sensitive resources. The recommended project also removes the need to place three 20,000-gallon water tanks at the staging area, which was a concern articulated by the Native American representatives during the consultation undertaken pursuant to Section 106 of the National Historic Preservation Act.

Based on the analysis provided in the EIR/EA, the proposed project / proposed action and alternatives 1, 2, 3, 4, and 5 are all capable of reducing the significant and unavoidable impacts to air quality associated with the No Project / No Action Alternative through the components of the project. Evaluation of a no project alternative is required, as well as an environmentally superior alternative if the no project alternative is the environmentally superior alternative. For this project, the environmentally superior action alternative is Alternative 5, which also meets all six of the project objectives and will result in no impacts to thirteen (13) CEQA environmental issues and impacts below the level of significance to four (4) CEQA environmental issues.

Table IV-2, *Comparative Analysis of Impacts for Recommended Project and Alternatives,* provides a comparative analysis for the recommended project, the No Project / No Action Alternative, and the five alternatives discussed in this document.

TABLE IV-2
COMPARATIVE ANALYSIS OF IMPACTS FOR RECOMMENDED PROJECT AND ALTERNATIVES

Resource	Recommended Project: Alternative 5 (194 acres) KCSD Water Well / Pipeline to Plastic or Metal Irrigation System / Selected Manual Watering	Proposed Project / Proposed Action (194 acres) Water Truck / ATVs	Alternative 1 (214 acres) Water Trucks / ATVs	Alternative 2 (197 acres) Water Trucks /ATVs	Alternative 3 (194 acres) Water Trucks / Tanks Plastic or Metal Irrigation System Selected Manual Watering	Alternative 4 (194 acres) Water Trucks / Roadside Plastic or Metal Irrigation System Selected Manual Watering	Alternative 6 No Project / No Action
Aesthetics/ Visual Resources	Implementation of Alternative 5 will result in a less than significant impact for creating a new source of light or glare. The temporary plastic or metal pipe irrigation system will be barely visible and produce a source of glare below the level of significance. *Impact:* None[1]	Unlike Alternative 5, the proposed project / proposed action would have no impact for creating a new source of light or glare. *Comparative Impact:* Positive	Unlike Alternative 5, Alternative 1 would have no impact for creating a new source of light or glare. *Comparative Impact:* Positive	Unlike Alternative 5, Alternative 2 would have no impact for creating a new source of light or glare. *Comparative Impact:* Positive	Like Alternative 5, Alternative 3 would result in a less than significant impact for creating a new source of light or glare. Although water storage tanks would be visible, they would occupy less than one percent of the viewshed and be consistent with other public infrastructure in the vicinity of Owens Lake. The temporary plastic or metal pipe irrigation system would be barely visible and produce a source of glare below the level of significance. *Comparative Impact:* Negative	Like Alternative 5, Alternative 4 would result in a less than significant impact for creating a new source of light or glare. The temporary plastic or metal pipe irrigation system would be barely visible and produce a source of glare below the level of significance. *Comparative Impact:* Neutral	Unlike Alternative 5, Alternative 6 would have no impact for creating a new source of light or glare. Existing impacts of dust on aesthetics would not be alleviated because dust control measures would not be implemented. *Comparative Impact:* Negative
Air Quality	Implementation of Alternative 5 will result in improved implementation of the applicable air quality plan, reduce an existing air quality violation, facilitate attainment for PM_{10} emissions after producing a less than significant impact to PM_{10} emissions during the 4 years of construction and operations, and provide a net benefit in relation to reduction of exposure of sensitive receptors. *Impact:* None	Unlike Alternative 5, the proposed project / proposed action would require an 80 percent increase in ATV trips during operation, which would still result in impacts below the level of significance. *Comparative Impact:* Negative	Unlike Alternative 5, Alternative 1 would require an increase in ATV trips and water delivery truck trips during operation, which would still result in impacts below the level of significance. *Comparative Impact:* Negative	Unlike Alternative 5, Alternative 2 would require an increase in ATV trips and water delivery truck trips during operation, which would still result in impacts below the level of significance. *Comparative Impact:* Negative	Unlike Alternative 5, Alternative 3 would require several water delivery truck trips to fill the water tanks during operation, which would still result in impacts below the level of significance. *Comparative Impact:* Negative	Unlike Alternative 5, Alternative 4 would require several water delivery truck trips to irrigate the native vegetation during operation, which would still result in impacts below the level of significance. *Comparative Impact:* Negative	Unlike Alternative 5, the no project / no action alternative would result in continued significant impacts to air quality because it does not accomplish the proposed project / proposed action's goals and objectives for reducing PM_{10} emissions to meet NAAQS and California state standards. *Comparative Impact:* Negative

[1] The term "none" is used in table IV-2 to identify impacts issue areas that resulted in "no impact" or "less than significant" impacts that did not require mitigation and were not found to be significant after mitigation.

TABLE IV-2
COMPARATIVE ANALYSIS OF IMPACTS FOR RECOMMENDED PROJECT AND ALTERNATIVES, *Continued*

Resource	Recommended Project: Alternative 5 (194 acres) KCSD Water Well / Pipeline to Plastic or Metal Irrigation System / Selected Manual Watering	Proposed Project / Proposed Action (194 acres) Water Truck / ATVs	Alternative 1 (214 acres) Water Trucks / ATVs	Alternative 2 (197 acres) Water Trucks /ATVs	Alternative 3 (194 acres) Water Trucks / Tanks Plastic or Metal Irrigation System Selected Manual Watering	Alternative 4 (194 acres) Water Trucks / Roadside Plastic or Metal Irrigation System Selected Manual Watering	Alternative 6 No Project / No Action
Biological Resources	No significant impacts related to biological resources will arise from implementation of Alternative 5. *Impact:* None	Like Alternative 5, no significant impacts related to biological resources will arise from implementation of the proposed project / proposed action. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 1. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 2. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 3. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 4. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to biological resources will arise from the no project / no action alternative. *Comparative Impact:* Neutral
Cultural Resources	No significant impacts related to cultural resources will arise from implementation of Alternative 5. *Impact:* None	Like Alternative 5, no significant impacts related to cultural resources will arise from implementation of the proposed project / proposed action. However, the proposed project / proposed action would involve ATV trips for hand watering in the 95-percent control area that would not occur under Alternative 5 and poses a higher risk of affecting environmentally sensitive resources. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 1. However, Alternative 1 would involve ATV trips for hand watering that would not occur in the 95-percent control area under Alternative 5 and pose a higher risk of affecting environmentally sensitive resources. Additionally, Alternative 1 would involve installation of 90- and 95-percent dust control levels in the environmentally sensitive area where a reduced density of plants and straw bales (85-percent) would be installed under Alternative 5. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 2. However, Alternative 2 would involve ATV trips for hand watering that would not occur in the 95-percent control area under Alternative 5 and poses a higher risk of affecting environmentally sensitive resources. Additionally, Alternative 2 would involve installation of 95-percent dust control levels in the environmentally sensitive area where a reduced density of plants and straw bales (85-percent) would be installed under Alternative 5. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 3. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 4. *Comparative Impact:* Neutral	Unlike Alternative 5, historically buried significant cultural resources would continue to be exposed as a result of the continued movement of the sand in the dunes under the no project / no action alternative. *Comparative Impact:* Negative
Geology and Soils	No significant impacts related to geology and soils will arise from implementation of Alternative 5. *Impact:* None	Like Alternative 5, no significant impacts related to geology and soils will arise from implementation of the proposed project / proposed action. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 1. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 2. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 3. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 4. *Comparative Impact:* Neutral	Unlike Alternative 5, the no project / no action alternative would continue to result in destabilization of the Keeler Dunes as a as a result of the continued wind erosion and movement of the sand in the dunes. *Comparative Impact:* Negative

TABLE IV-2
COMPARATIVE ANALYSIS OF IMPACTS FOR RECOMMENDED PROJECT AND ALTERNATIVES, *Continued*

Resource	Recommended Project: Alternative 5 (194 acres) KCSD Water Well / Pipeline to Plastic or Metal Irrigation System / Selected Manual Watering	Proposed Project / Proposed Action (194 acres) Water Truck / ATVs	Alternative 1 (214 acres) Water Trucks / ATVs	Alternative 2 (197 acres) Water Trucks /ATVs	Alternative 3 (194 acres) Water Trucks / Tanks Plastic or Metal Irrigation System Selected Manual Watering	Alternative 4 (194 acres) Water Trucks / Roadside Plastic or Metal Irrigation System Selected Manual Watering	Alternative 6 No Project / No Action
Greenhouse Gases (GHG) Emissions / Global Climate Change	No significant impacts related to GHG emissions will arise from implementation of Alternative 5. *Impact:* None	Like Alternative 5, no significant impacts related to GHG emissions will arise from implementation of the proposed project / proposed action. However, the proposed project / proposed action would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5, during the initial three year maintenance period. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 1. However, Alternative 1 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5, during the initial three year maintenance period. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 2. However, Alternative 2 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5, during the initial three year maintenance period. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 3. However, Alternative 3 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5, during the initial three year maintenance period. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 4. However, Alternative 4 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5, during the initial 3-year maintenance period. *Comparative Impact:* Negative	Like Alternative 5, no significant impacts related to GHG emissions will arise from the no project / no action alternative. *Comparative Impact:* Neutral
Hydrology and Water Quality	Implementation of Alternative 5 will result in a less than significant impact on the depletion of groundwater supplies. *Impact:* None	Like Alternative 5, the proposed project / proposed action would result in a less than significant impact on the depletion of groundwater supplies. Unlike Alternative 5, the proposed project / proposed action would require an 80 percent increase in ATV trips during operation, for which runoff would be prevented pursuant to the SWPPP. *Comparative Impact:* Neutral	Like Alternative 5, Alternative 1 would result in a less than significant impact on the depletion of groundwater supplies. Unlike Alternative 5, Alternative 1 would require an increase in ATV trips during operation, for which runoff would be prevented pursuant to the SWPPP. *Comparative Impact:* Neutral	Like Alternative 5, Alternative 2 would result in a less than significant impact on the depletion of groundwater supplies. Unlike Alternative 5, Alternative 2 would require an increase in ATV trips during operation, for which runoff would be prevented pursuant to the SWPPP. *Comparative Impact:* Neutral	Like Alternative 5, Alternative 3 would result in a less than significant impact on the depletion of groundwater supplies. *Comparative Impact:* Neutral	Like Alternative 5, Alternative 4 would result in a less than significant impact on the depletion of groundwater supplies. *Comparative Impact:* Neutral	Unlike Alternative 5, the no project / no action alternative would result in no impact on the depletion of groundwater supplies. *Comparative Impact:* Positive
Land Use and Planning	No significant impacts related to land use and planning will arise from implementation of Alternative 5. *Impact:* None	Like Alternative 5, no significant impacts related to land use and planning will arise from implementation of the proposed project / proposed action. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 1. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 2. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 3. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 4. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to land use and planning will arise from the no project / no action alternative. *Comparative Impact:* Neutral

TABLE IV-2
COMPARATIVE ANALYSIS OF IMPACTS FOR RECOMMENDED PROJECT AND ALTERNATIVES, *Continued*

Resource	Recommended Project: Alternative 5 (194 acres) KCSD Water Well / Pipeline to Plastic or Metal Irrigation System / Selected Manual Watering	Proposed Project / Proposed Action (194 acres) Water Truck / ATVs	Alternative 1 (214 acres) Water Trucks / ATVs	Alternative 2 (197 acres) Water Trucks /ATVs	Alternative 3 (194 acres) Water Trucks / Tanks Plastic or Metal Irrigation System Selected Manual Watering	Alternative 4 (194 acres) Water Trucks / Roadside Plastic or Metal Irrigation System Selected Manual Watering	Alternative 6 No Project / No Action
Recreation	No significant impacts related to recreation will arise from implementation of Alternative 5. *Impact:* None	Like Alternative 5, no significant impacts related to recreation will arise from implementation of the proposed project / proposed action. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 1. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 2. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 3. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 4. *Comparative Impact:* Neutral	Like Alternative 5, no significant impacts related to recreation will arise from the no project / no action alternative. *Comparative Impact:* Neutral
Transportation and Traffic	Implementation of Alternative 5 will result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. *Impact:* None	Like Alternative 5, the proposed project / proposed action would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, the proposed project / proposed action would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks. *Comparative Impact:* Negative	Like Alternative 5, Alternative 1 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 1 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks. *Comparative Impact:* Negative	Like Alternative 5, Alternative 2 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 2 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks. *Comparative Impact:* Negative	Like Alternative 5, Alternative 3 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 3 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks. *Comparative Impact:* Negative	Like Alternative 5, Alternative 4 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 4 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks. *Comparative Impact:* Negative	Unlike Alternative 5, no impacts related to transportation and traffic will arise from the no project / no action alternative as the dust control measures would not be developed. *Comparative Impact:* Neutral

IV.A PROPOSED PROJECT / ACTION, DUST CONTROL MEASURES APPLIED TO 194 ACRES USING IRRIGATION WATER DELIVERED VIA WATER TRUCKS / ATVS

Description of Alternative: Under the proposed project / proposed action, the same dust control measures would be applied to 194 acres, 177 acres within a 95-percent dust control level area with lower environmental sensitivity and 17 acres within an 85-percent dust control level area with higher environmental sensitivity, the latter of which would still be watered by hand using ATV mounted tanks as with Alternative 5. However, under the proposed project / proposed action, the native vegetation within the 95-percent control level area would be irrigated by transferring water from 8,000-gallon water trucks that would park at three staging areas to ATVs towing a trailer with a 150- to 200-gallon capacity water tank instead of using a plastic or metal pipeline irrigation system that would be installed under Alternative 5. Additionally, the proposed project / proposed action involves water supply for plant irrigation from the Fault Test well instead of the KCSD well that will supply water under Alternative 5.

Effectiveness in Meeting Project Objectives: Under the proposed project / proposed action, all of the project objectives would be met. The summary of this alternative's ability to meet the objectives is described in Table IV-1.

Comparison of Effects of the Alternative to Effects of the Recommended Project: The regulatory framework and existing conditions would be the same as that described for the recommended project. A summary comparison of this alternative to impacts of Alternative 5 is presented in Table IV-2. The analysis presented in the table shows that this alternative would result in no significant impacts but have a more negative effect to air quality, cultural resources, greenhouse gas emissions, and transportation and traffic when compared to Alternative 5.

- **Aesthetics/Visual Resources:** As with Alternative 5, the proposed project / proposed action would result in no impacts on scenic vistas, scenic highways, or substantially degrading existing visual character and quality. Unlike Alternative 5, the proposed project / proposed action would have no impact for creating a new source of light or glare because the proposed project / proposed action would not involve the installation of a plastic or metal pipeline irrigation system.

- **Air Quality:** As with Alternative 5, the proposed project / proposed action would result in improved implementation of the applicable air quality plan, reduce an existing air quality violation, facilitate attainment for PM_{10} emissions after producing a less than significant impact to PM_{10} emissions during the 4 years of construction and operations, provide a net benefit in relation to reduction of exposure of sensitive receptors in nearby communities, and not create objectionable odors. Unlike Alternative 5, the proposed project / proposed action would require an 80 percent increase in ATV trips during operation, which would still result in impacts below the level of significance.

- **Biological Resources:** As with Alternative 5, no significant impacts related to biological resources will arise from implementation of the proposed project / proposed action.

- **Cultural Resources:** As with Alternative 5, no significant impacts related to cultural resources will arise from implementation of the proposed project / proposed action. However, the proposed project / proposed action would involve ATV trips for hand watering within the 95-percent control area that would not occur with the plastic or

metal pipeline irrigation system under Alternative 5 and therefore poses a higher risk of affecting environmentally sensitive resources.

- **Geology and Soils:** As with Alternative 5, no significant impacts related to geology and soils will arise from implementation of the proposed project / proposed action.

- **Greenhouse Gas Emissions and Global Climate Change:** As with Alternative 5, no significant impacts related to GHG emissions will arise from implementation of the proposed project / proposed action. However, the proposed project / proposed action would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5.

- **Hydrology and Water Quality:** As with Alternative 5, the proposed project / proposed action would result in no violation of water quality standards or waste discharge requirements during construction and operation, a less than significant impact on the depletion of groundwater supplies, no impact related to altering the existing drainage pattern of the site or project study area that would result in substantial erosion or siltation either off-site or on-site, no impact to hydrology and water quality related to runoff or groundwater, no impact in relation to the 100-year flood zone, and no impact related to in inundation by a seiche, tsunami, or mudflow. Unlike Alternative 5, the proposed project / proposed action would require an 80 percent increase in ATV trips during operation, for which runoff would be prevented pursuant to the SWPPP.

- **Land Use and Planning:** As with Alternative 5, no significant impacts related to land use and planning will arise from implementation of the proposed project / proposed action.

- **Recreation:** As with Alternative 5, no significant impacts related to recreation will arise from implementation of the proposed project / proposed action.

- **Transportation and Traffic:** As with Alternative 5, the proposed project / proposed action would result in no conflicts with an applicable circulation plan, ordinance or policy; no impact with regard to an increase in traffic or level of service relative to an Inyo County threshold; no impact related to a change in air traffic patterns; no impact to emergency access, and no conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Like Alternative 5, the proposed project / proposed action would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, the proposed project / proposed action would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks.

Feasibility: This alternative is feasible. This alternative would be feasible, but it would require an 80 percent increase in ATV trips during operation for hand watering within the 95-percent control area and the additional use of water trucks for operations when compared to Alternative 5.

Facts: The above feasibility finding is based on the following:

- The proposed project / proposed action would meet all six of the project objectives.
- Although the proposed project / proposed action would reduce potentially significant impacts to air quality, greenhouse gas emissions and climate change, and transportation and traffic to below the level of significance, the additional use of water trucks for operations would still result in additional vehicle miles traveled on SR 136, lower air quality, and greater GHG emissions than Alternative 5.
- Although the proposed project / proposed action would reduce potentially significant impacts to cultural resources to below the level of significance, the 80 percent increase in ATV trips during operation for hand watering within the 95-percent control area poses a higher risk of affecting cultural resource deposits than Alternative 5.

IV.B ALTERNATIVE 1: DUST CONTROL MEASURES APPLIED TO 214 ACRES USING IRRIGATION WATER DELIVERED VIA WATER TRUCKS / ATVS

Description of Alternative: Under Alternative 1, dust control measures would be applied to a 20-acre larger area of 214 acres, with 140 acres within a 95-percent dust control level area with lower environmental sensitivity and 74 acres within a 90-percent dust control level area with higher environmental sensitivity, the latter of which would still be watered by hand using ATV mounted tanks as with Alternative 5. Under Alternative 1, the native vegetation within the 95-percent control level area would be irrigated by transferring water from 8,000-gallon water trucks that would park at three staging areas to ATVs towing a trailer with a 150- to 200-gallon capacity water tank instead of using a plastic or metal pipeline irrigation system that would be installed under Alternative 5. Additionally, Alternative 1 requires a greater number of plants and straw bales to cover the larger area with more closely spaced plants and straw bales, and involves water supply for plant irrigation from the Fault Test well instead of the KCSD well that will supply water under Alternative 5.

Effectiveness in Meeting Project Objectives: Under Alternative 1, all of the project objectives would be met. The summary of this alternative's ability to meet the objectives is described in Table IV-1.

Comparison of Effects of the Alternative to Effects of the Recommended Project: The regulatory framework and existing conditions would be the same as that described for the recommended project. A summary comparison of this alternative to impacts of Alternative 5 is presented in Table IV-2. The analysis presented in the table shows that this alternative would result in no significant impacts but have a more negative effect to air quality, cultural resources, greenhouse gas emissions, and transportation and traffic when compared to Alternative 5.

- **Aesthetics/Visual Resources:** As with Alternative 5, Alternative 1 would result in no impacts on scenic vistas, scenic highways, or substantially degrading existing visual character and quality. Unlike Alternative 5, Alternative 1 would have no impact for creating a new source of light or glare.

- **Air Quality:** As with Alternative 5, Alternative 1 would result in improved implementation of the applicable air quality plan, reduce an existing air quality violation, facilitate attainment for PM_{10} emissions after producing a less than significant impact to PM_{10} emissions during the 4 years of construction and operations, provide a net benefit in relation to reduction of exposure of sensitive receptors in nearby communities, and not create objectionable odors. Unlike Alternative 5, Alternative 1

would require an increase in ATV trips and water delivery truck trips during operation, which would still result in air quality impacts below the level of significance.

- **Biological Resources:** As with Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 1.

- **Cultural Resources:** As with Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 1. However, Alternative 1 would involve ATV trips for hand watering that would not occur in the 95-percent control area under Alternative 5 and pose a higher risk of affecting environmentally sensitive resources. Additionally, Alternative 1 would involve installation of 90- and 95-percent dust control levels in environmentally sensitive areas where a reduced density of plants and straw bales (85-percent) would be installed under Alternative 5.

- **Geology and Soils:** As with Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 1.

- **Greenhouse Gas Emissions and Global Climate Change:** As with Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 1. However, Alternative 1 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5.

- **Hydrology and Water Quality:** As with Alternative 5, Alternative 1 would result in no violation of water quality standards or waste discharge requirements during construction and operation; a less than significant impact on the depletion of groundwater supplies; no impact related to altering the existing drainage pattern of the site or project study area that would result in substantial erosion or siltation either off-site or on-site; no impact to hydrology and water quality related to runoff or groundwater; no impact in relation to the 100-year flood zone; and no impact related to in inundation by a seiche, tsunami, or mudflow. Unlike Alternative 5, Alternative 1 would require an increase in ATV trips during operation, for which runoff would be prevented pursuant to the SWPPP.

- **Land Use and Planning:** As with Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 1.

- **Recreation:** As with Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 1.

- **Transportation and Traffic:** As with Alternative 5, Alternative 1 would result in no conflicts with an applicable circulation plan, ordinance or policy; no impact with regard to an increase in traffic or level of service relative to an Inyo County threshold; no impact related to a change in air traffic patterns; no impact to emergency access; and no conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Like Alternative 5, Alternative 1 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to

obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 1 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks.

Feasibility: This alternative is feasible. This alternative would be feasible, but it would require an increase in ATV trips during operation for hand watering within the 95-percent control area, 90- and 95-percent control areas instead of the 85-percent control area in environmentally sensitive area, and the additional use of water trucks for operations when compared to Alternative 5.

Facts: The above feasibility finding is based on the following:

- Alternative 1 would meet all six of the project objectives.
- Although Alternative 1 would reduce potentially significant impacts to air quality, greenhouse gas emissions and climate change, and transportation and traffic to below the level of significance, the additional use of water trucks for operations would still result in additional vehicle miles traveled on SR 136, lower air quality, and greater GHG emissions than Alternative 5.
- Although Alternative 1 would reduce potentially significant impacts to cultural resources to below the level of significance, the increase in ATV trips during operation for hand watering within the 95-percent control area and the installation of an increased density of plants and straw bales in the environmentally sensitive area for 90- and 95-percent efficiency pose a higher risk of affecting cultural resource deposits than Alternative 5.

IV.C ALTERNATIVE 2: DUST CONTROL MEASURES APPLIED TO 197 ACRES USING IRRIGATION WATER DELIVERED VIA WATER TRUCKS / ATVS

Description of Alternative: Under Alternative 2, dust control measures would be applied to a 3-acre larger area of 197 acres, with 170 acres within a 95-percent dust control level area with lower environmental sensitivity and 27 acres within a 90-percent dust control level area with higher environmental sensitivity, the latter of which would still be watered by hand using ATV mounted tanks as with Alternative 5. Under Alternative 2, the native vegetation within the 95-percent control level area would be irrigated by transferring water from 8,000-gallon water trucks that would park at three staging areas to ATVs towing a trailer with a 150- to 200-gallon capacity water tank instead of using a plastic or metal pipeline irrigation system that would be installed under Alternative 5. Additionally, Alternative 2 requires a greater number of plants and straw bales to cover the larger area with more closely spaced plants and straw bales, and involves water supply for plant irrigation from the Fault Test well instead of the KCSD well that will supply water under Alternative 5.

Effectiveness in Meeting Project Objectives: Under Alternative 2, all of the project objectives would be met. The summary of this alternative's ability to meet the objectives is described in Table IV-1.

Comparison of Effects of the Alternative to Effects of the Recommended Project: The regulatory framework and existing conditions would be the same as that described for the recommended project. A summary comparison of this alternative to impacts of Alternative 5 is presented in Table IV-2. The analysis presented in the table shows that this alternative would result in no significant impacts but have a more negative effect to air quality, cultural resources, greenhouse gas emissions, and transportation and traffic when compared to Alternative 5.

- **Aesthetics/Visual Resources:** As with Alternative 5, Alternative 2 would result in no impacts on scenic vistas, scenic highways, or substantially degrading existing visual character and quality. Unlike Alternative 5, Alternative 2 would have no impact for creating a new source of light or glare.

- **Air Quality:** As with Alternative 5, Alternative 2 would result in improved implementation of the applicable air quality plan, reduce an existing air quality violation, facilitate attainment for PM_{10} emissions after producing a less than significant impact to PM_{10} emissions during the 4 years of construction and operations, provide a net benefit in relation to reduction of exposure of sensitive receptors in nearby communities, and not create objectionable odors. Unlike Alternative 5, Alternative 2 would require an increase in ATV trips and water delivery truck trips during operation, which would still result in impacts below the level of significance.

- **Biological Resources:** As with Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 2.

- **Cultural Resources:** As with Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 2. However, Alternative 2 would involve ATV trips for hand watering that would not occur in the 95-percent control area under Alternative 5 and poses a higher risk of affecting environmentally sensitive resources. Additionally, Alternative 2 would involve installation of 95-percent dust control levels in the environmentally sensitive area where a reduced density of plants and straw bales (85-percent) would be installed under Alternative 5.

- **Geology and Soils:** As with Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 2.

- **Greenhouse Gas Emissions and Global Climate Change:** As with Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 2. However, Alternative 2 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5.

- **Hydrology and Water Quality:** As with Alternative 5, Alternative 2 would result in no violation of water quality standards or waste discharge requirements during construction and operation; a less than significant impact on the depletion of groundwater supplies; no impact related to altering the existing drainage pattern of the site or project study area that would result in substantial erosion or siltation either off-site or on-site; no impact to hydrology and water quality related to runoff or groundwater; no impact in relation to the 100-year flood zone; and no impact related to in inundation by a seiche, tsunami, or mudflow. Unlike Alternative 5, Alternative 2 would require an increase in ATV trips during operation, for which runoff would be prevented pursuant to the SWPPP.

- **Land Use and Planning:** As with Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 2.

- **Recreation:** As with Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 2.

- **Transportation and Traffic:** As with Alternative 5, Alternative 2 would result in no conflicts with an applicable circulation plan, ordinance or policy; no impact with regard to an increase in traffic or level of service relative to an Inyo County threshold; no impact related to a change in air traffic patterns; no impact to emergency access; and no conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Like Alternative 5, Alternative 2 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 2 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks.

Feasibility: This alternative is feasible. This alternative would be feasible, but it would require an increase in ATV trips during operation for hand watering within the 95-percent control area, a 95-percent control area instead of the 85-percent control area in the environmentally sensitive area, and the additional use of water trucks for operations when compared to Alternative 5.

Facts: The above feasibility finding is based on the following:

- Alternative 2 would meet all six of the project objectives.
- Although Alternative 2 would reduce potentially significant impacts to air quality, greenhouse gas emissions and climate change, and transportation and traffic to below the level of significance, the additional use of water trucks for operations would still result in additional vehicle miles traveled on SR 136, lower air quality, and greater GHG emissions than Alternative 5.
- Although Alternative 2 would reduce potentially significant impacts to cultural resources to below the level of significance, the increase in ATV trips during operation for hand watering within the 95-percent control area and the installation of an increased density of plants and straw bales in the environmentally sensitive area for 95-percent efficiency pose a higher risk of affecting cultural resource deposits than Alternative 5.

IV.D ALTERNATIVE 3: DUST CONTROL MEASURES APPLIED TO 194 ACRES USING IRRIGATION WATER DELIVERED VIA WATER TRUCKS / TANKS / PLASTIC OR METAL IRRIGATION SYSTEM AND SELECTED MANUAL WATERING

Description of Alternative: Under Alternative 3, the same dust control measures would be applied to 194 acres, 177 acres within a 95-percent dust control level area with lower environmental sensitivity and 17 acres within an 85-percent dust control level area with higher environmental sensitivity. As with Alternative 5, Alternative 3 involves the installation of a temporary above-ground plastic or metal pipeline irrigation system to water the plants within the 95-percent control level area and the use of ATV mounted tanks to water the 85-percent control level area. However, under Alternative 3, the native vegetation within the 95-percent control level area would be irrigated by transferring water from 8,000-gallon water trucks to temporary storage tanks at three staging areas to supply the irrigation system. Additionally, Alternative 3 involves water supply for plant irrigation from the Fault Test well instead of the KCSD well that will supply water under Alternative 5.

Effectiveness in Meeting Project Objectives: Under Alternative 3, all of the project objectives would be met. The summary of this alternative's ability to meet the objectives is described in Table IV-1.

Comparison of Effects of the Alternative to Effects of the Recommended Project: The regulatory framework and existing conditions would be the same as that described for the recommended project. A summary comparison of this alternative to impacts of Alternative 5 is presented in Table IV-2. The analysis presented in the table shows that this alternative would result in no significant impacts, but have a more negative effect to aesthetics / visual resources, air quality, greenhouse gas emissions, and transportation and traffic when compared to Alternative 5.

- **Aesthetics/Visual Resources:** As with Alternative 5, Alternative 3 would result in no impacts on scenic vistas, scenic highways, or substantially degrading existing visual character and quality, and a less than significant impact for creating a new source of light or glare. Although water storage tanks would be visible, they would occupy less than one percent of the viewshed and be consistent with other public infrastructure in the vicinity of Owens Lake. The temporary plastic or metal pipe irrigation system would be barely visible and produce a source of glare below the level of significance.

- **Air Quality:** As with Alternative 5, Alternative 3 would result in improved implementation of the applicable air quality plan, reduce an existing air quality violation, facilitate attainment for PM_{10} emissions after producing a less than significant impact to PM_{10} emissions during the 4 years of construction and operations, provide a net benefit in relation to reduction of exposure of sensitive receptors in nearby communities, and not create objectionable odors. Unlike Alternative 5, Alternative 3 would require several delivery truck trips to fill the water tanks during operation, which would still result in impacts below the level of significance.

- **Biological Resources:** As with Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 3.

- **Cultural Resources:** As with Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 3.

- **Geology and Soils:** As with Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 3.

- **Greenhouse Gas Emissions and Global Climate Change:** As with Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 3. However, Alternative 3 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5.

- **Hydrology and Water Quality:** As with Alternative 5, Alternative 3 would result in no violation of water quality standards or waste discharge requirements during construction and operation; a less than significant impact on the depletion of groundwater supplies; no impact related to altering the existing drainage pattern of the site or project study area that would result in substantial erosion or siltation either off-site or on-site; no impact to hydrology and water quality related to runoff or

groundwater; no impact in relation to the 100-year flood zone; and no impact related to in inundation by a seiche, tsunami, or mudflow.

- **Land Use and Planning:** As with Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 3.

- **Recreation:** As with Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 3.

- **Transportation and Traffic:** As with Alternative 5, Alternative 3 would result in no conflicts with an applicable circulation plan, ordinance or policy; no impact with regard to an increase in traffic or level of service relative to an Inyo County threshold; no impact related to a change in air traffic patterns; no impact to emergency access; and no conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Like Alternative 5, Alternative 3 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 3 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks.

Feasibility: This alternative is feasible. This alternative would be feasible, but it would require the installation of three water storage tanks at the staging areas and the additional use of water trucks for operations.

Facts: The above feasibility finding is based on the following:

- Alternative 3 would meet all six of the project objectives.
- Although the water storage tanks described under Alternative 3 would be barely visible, occupying less than one percent of the viewshed and consistent with other public infrastructure in the vicinity of Owens Lake, the water tanks would affect visual character more than Alternative 5 and require the additional use of water trucks at the staging areas for operations.
- Although Alternative 3 would reduce potentially significant impacts to air quality, greenhouse gas emissions and climate change, and transportation and traffic to below the level of significance, the additional use of water trucks for operations would still result in additional vehicle miles traveled on SR 136, lower air quality, and greater GHG emissions than Alternative 5.

IV.E ALTERNATIVE 4: DUST CONTROL MEASURES APPLIED TO 194 ACRES USING IRRIGATION WATER DELIVERED VIA WATER TRUCKS / PLASTIC OR METAL IRRIGATION SYSTEM AND SELECTED MANUAL WATERING

Description of Alternative: Under Alternative 4, the same dust control measures would be applied to 194 acres, 177 acres within a 95-percent dust control level area with lower environmental sensitivity and 17 acres within an 85-percent dust control level area with higher environmental sensitivity. As with Alternative 5, Alternative 4 involves the installation of a temporary above-ground plastic or metal pipeline irrigation system to water the plants within the 95-percent control level area and the use of

ATV mounted tanks to water the 85-percent control level area. However, under Alternative 4, the native vegetation within the 95-percent control level area would be irrigated by transferring water from 8,000-gallon water trucks parked at three turnouts along SR 136 to supply the plastic or metal pipeline irrigation system. Additionally, Alternative 4 involves water supply for plant irrigation from the Fault Test well instead of the KCSD well that will supply water under Alternative 5.

Effectiveness in Meeting Project Objectives: Under Alternative 4, all of the project objectives would be met. The summary of this alternative's ability to meet the objectives is described in Table IV-1.

Comparison of Effects of the Alternative to Effects of the Recommended Project: The regulatory framework and existing conditions would be the same as that described for the recommended project. A summary comparison of this alternative to impacts of Alternative 5 is presented in Table IV-2. The analysis presented in the table shows that this alternative would result in no significant impacts, but have a more negative effect to air quality, greenhouse gas emissions, and transportation and traffic when compared to Alternative 5.

- **Aesthetics/Visual Resources:** As with Alternative 5, Alternative 4 would result in no impacts on scenic vistas, scenic highways, or substantially degrading existing visual character and quality, and a less than significant impact for creating a new source of light or glare. The temporary plastic or metall pipe irrigation system would be barely visible and produce a source of glare below the level of significance.

- **Air Quality:** As with Alternative 5, Alternative 4 would result in improved implementation of the applicable air quality plan, reduce an existing air quality violation, facilitate attainment for PM_{10} emissions after producing a less than significant impact to PM_{10} emissions during the 4 years of construction and operations, provide a net benefit in relation to reduction of exposure of sensitive receptors in nearby communities, and not create objectionable odors. Unlike Alternative 5, Alternative 4 would require several water delivery truck trips to irrigate the native vegetation during operation, which would still result in impacts below the level of significance.

- **Biological Resources:** As with Alternative 5, no significant impacts related to biological resources will arise from implementation of Alternative 4.

- **Cultural Resources:** As with Alternative 5, no significant impacts related to cultural resources will arise from implementation of Alternative 4.

- **Geology and Soils:** As with Alternative 5, no significant impacts related to geology and soils will arise from implementation of Alternative 4.

- **Greenhouse Gas Emissions and Global Climate Change:** As with Alternative 5, no significant impacts related to GHG emissions will arise from implementation of Alternative 4. However, Alternative 4 would involve the use of water trucks for operations that would not be used under Alternative 5, therefore resulting in greater GHG emissions than Alternative 5.

- **Hydrology and Water Quality:** As with Alternative 5, Alternative 4 would result in no violation of water quality standards or waste discharge requirements during construction and operation; a less than significant impact on the depletion of

groundwater supplies; no impact related to altering the existing drainage pattern of the site or project study area that would result in substantial erosion or siltation either off-site or on-site; a less than significant impact to hydrology and water quality related to runoff or groundwater; no impact in relation to the 100-year flood zone; and no impact related to in inundation by a seiche, tsunami, or mudflow.

- **Land Use and Planning:** As with Alternative 5, no significant impacts related to land use and planning will arise from implementation of Alternative 4.

- **Recreation:** As with Alternative 5, no significant impacts related to recreation will arise from implementation of Alternative 4.

- **Transportation and Traffic:** As with Alternative 5, Alternative 4 would result in no conflicts with an applicable circulation plan, ordinance or policy; no impact with regard to an increase in traffic or level of service relative to an Inyo County threshold; no impact related to a change in air traffic patterns; no impact to emergency access; and no conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Like Alternative 5, Alternative 4 would result in a less than significant impact due to turning vehicles or heavy trucks transporting materials to the site, causing a possible safety hazard and potential damage to roadways from site-related equipment because construction and operation include the requirement to obtain an encroachment permit from Caltrans and preparation of a Traffic Control Plan. Unlike Alternative 5, Alternative 4 would result in the addition of approximately 1,807 vehicle miles traveled on SR 136 for water trucks.

Feasibility: This alternative is feasible. This alternative would be feasible, but it would require the additional use of water trucks for operations.

Facts: The above feasibility finding is based on the following:

- Alternative 4 would meet all six of the project objectives.
- Although Alternative 4 would reduce potentially significant impacts to air quality, greenhouse gas emissions and climate change, and transportation and traffic to below the level of significance, the additional use of water trucks for operations would still result in additional vehicle miles traveled on SR 136, lower air quality, and greater GHG emissions than Alternative 5.

IV.F ALTERNATIVE 6: NO PROJECT / NO ACTION ALTERNATIVE

Description of Alternative: Under the No Project / No Action Alternative, the existing conditions described in this document would remain unchanged. During high wind events, the Keeler Dunes would continue to emit levels of windblown dust that cause and contribute to exceedances of the NAAQS and California State 24-hour standard for PM_{10} air pollution in the communities of Keeler and Swansea. In addition, under the No Project / No Action Alternative, one of the continuing dust sources in the Owens Valley Planning Area would not be remediated, contributing to noncompliance in this area and jeopardizing attainment of NAAQS for PM_{10}, as required under the 2008 SIP.

Effectiveness in Meeting Project Objectives: Under the No Project / No Action Alternative, 4 of the 6 project objectives would not be met. This alternative meets only two of the objectives discussed in the EIR/EA. The summary of this alternative's ability to meet the objectives is described in Table IV-1.

Comparison of Effects of the Alternative to Effects of the Recommended Project: The regulatory framework and existing conditions would be the same as that described for the recommended project. A summary comparison of this alternative to impacts of Alternative 5 is presented in Table IV-2. The analysis presented in the table shows that this alternative would result in significant impacts to air quality that would be resolved as a result of the project and Alternatives 1, 2, 3, 4, and 5. Additionally, this alternative would result in no significant impacts but have a more negative effect to aesthetic/visual resources, air quality, cultural resources, and geology and soils when compared to Alternative 5.

- **Aesthetics/Visual Resources:** As with Alternative 5, the No Project / No Action Alternative would result in no impacts on scenic vistas, scenic highways, or substantially degrading existing visual character and quality. Unlike Alternative 5, the No Project / No Action Alternative would have no impact for creating a new source of light or glare. Existing impacts of dust on aesthetics would not be alleviated because DCMs would not be implemented.

- **Air Quality:** Unlike Alternative 5, the No Project / No Action Alternative would result in continued significant impacts to air quality because it does not accomplish the recommended project's goals and objectives for reducing PM_{10} emissions to meet NAAQS and California state standards.

- **Biological Resources:** As with Alternative 5, no significant impacts related to biological resources will arise from the No Project / No Action Alternative.

- **Cultural Resources:** Unlike Alternative 5, historically buried significant cultural resources would continue to be exposed as a result of the continued movement of the sand in the dunes under the No Project / No Action Alternative.

- **Geology and Soils:** As with Alternative 5, the No Project / No Action Alternative would have no impacts from exposure of people or structures to potential adverse risks from seismic ground shaking, surface fault rupture, severe ground shaking, liquefaction, or seismically induced landslides; no impact related to the location of the proposed action on a geologic unit that is unstable or that would become unstable as a result of the proposed action; and no impacts associated with septic tanks or alternative waste water disposal systems. Unlike Alternative 5, the No Project / No Action Alternative would continue to result in soil erosion or loss of topsoil as a as a result of the continued movement of the sand in the dunes. Unlike Alternative 5, the No Project / No Action Alternative would allow the unstabilized Keeler Dunes to continue to migrate toward the community of Keeler resulting in inundation of local properties with sand from the dunes and loss of property value and function.

- **Greenhouse Gas Emissions and Climate Change:** As with Alternative 5, no significant impacts related to GHG emissions will arise from the No Project / No Action Alternative.

- **Hydrology and Water Quality:** As with Alternative 5, the No Project / No Action Alternative would result in no violation of water quality standards or waste discharge requirements during construction and operation; no impact related to altering the existing drainage pattern of the site or project study area that would result in

substantial erosion or siltation either off-site or on-site; no impact to hydrology and water quality related to runoff or groundwater; no impact in relation to the 100-year flood zone; and no impact related to in inundation by a seiche, tsunami, or mudflow. Unlike Alternative 5, the No Project / No Action Alternative would result in no impact on the depletion of groundwater supplies.

- **Land Use and Planning:** As with Alternative 5, no significant impacts related to land use and planning will arise from the No Project / No Action Alternative.

- **Recreation:** As with Alternative 5, no significant impacts related to recreation will arise from the No Project / No Action Alternative.

- **Transportation and Traffic:** Unlike Alternative 5, no impacts related to transportation and traffic will arise from the No Project / No Action Alternative as there would be no mobilization of vehicles, construction equipment, or watering trucks.

Feasibility: This alternative is considered infeasible.

Facts: The above feasibility finding is based on the following:

- The No Project / No Action Alternative would only meet two of the project objectives.
- The No Project / No Action Alternative would contribute to exceedances of the NAAQS and California State 24-hour standard for PM_{10} air pollution in the communities of Keeler and Swansea and noncompliance in the project area, jeopardizing attainment of NAAQS for PM_{10} as required under the 2008 SIP.
- The No Project / No Action Alternative would present no improvements to the baseline existing conditions.
- The No Project / No Action Alternative would not address the existing need for dust control measures in the Owens Valley Planning Area and would not be a feasible alternative.

SECTION V
FINDINGS REGARDING LOCATION AND CUSTODIAN OF DOCUMENTS

V.A LOCATION AND CUSTODIAN OF DOCUMENTS

Section 15091(e) of the California Code of Regulations, California Environmental Quality Act Guidelines requires the public agency to specify the location and custodian of the documents or other materials that constitute the record of proceedings upon which the decision is based. Section 9.0 of the Environmental Impact Report / Environmental Assessment (EIR/EA) contains a list of all references used in the preparation of the environmental analysis. Unless otherwise noted, reference materials are available by contacting the Great Basin Unified Air Pollution Control District office, which shall also serve as the custodian of the documents constituting the record of proceedings upon which the Great Basin Unified Air Pollution Control District Governing Board has based its decision related to the project:

Great Basin Unified Air Pollution Control District
Attention: Ms. Tori DeHaven
157 Short Street
Bishop, CA 93514-3537
Phone: (760) 872-8211
Email: info@gbuapcd.org
Website: http://www.gbuapcd.org/

SECTION VI
CERTIFICATION REGARDING INDEPENDENT JUDGMENT

Pursuant to Section 21082.1(c) of the Public Resources Code, the Great Basin Unified Air Pollution Control District (District) and the Governing Board verify that they have independently reviewed and analyzed the Environmental Impact Report / Environmental Assessment (EIR/EA). The District and the Governing Board have reviewed the EIR/EA and supporting technical appendices and required changes to those documents prior to circulation for public review. The Governing Board certifies that the EIR/EA reflects the independent judgment of the District and the Governing Board.

SECTION VII
SECTION 15091 FINDINGS

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

- Changes or alterations have been required in, or incorporated into, the recommended project that avoid or substantially lessen the significant environmental effects to below the level of significance as identified in the Environmental Impact Report / Environmental Assessment (EIR/EA).

- The changes and alterations are within the responsibility and jurisdiction of the District in relation to construction and operation of the recommended project. The District may designate other parties to implement certain measures as part of pre-construction, construction, and post-construction activities.

- The District has coordinated with the BLM to ensure that measures that would be anticipated to be required, as conditions of the Right-of-Way permit have been incorporated in to the project description.

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

- All significant effects on the environment due to the recommended project have been eliminated or substantially lessened to below the level of significance as long as the requirements that have been incorporated into the project description have been met.