

April 11, 2018

Dr. Robert Harrington, Director
Inyo County Water Department
P.O. Box 337
Independence, CA 93526

Dear Dr. Harrington:

Subject: Feasibility Study for Reclaimed Water Project in Big Pine

Thank you for providing the Los Angeles Department of Water and Power (LADWP) a copy of the "Feasibility Study for the Use of Reclaimed Water to Support Restoration and Community Projects in Big Pine" (Study) for review. In this Study, Inyo County's consultant evaluated 18 potential reclaimed water projects in the vicinity of Big Pine, California. LADWP has reviewed the Study and has concerns with regard to the preferred alternative proposed at Big Pine 160 on City of Los Angeles (City) property.

The Study's preferred alternative will add additional water demands onto the City over and above its obligations. This would result in a loss of water for the City and result in replacement water having to be purchased at the expense of the LADWP Ratepayers. The Study proposes to provide reclaimed water onto the revegetation parcel Big Pine 160 in exchange for LADWP providing surface water from the Big Pine Canal to irrigate the Bartell Parcel. LADWP has no obligation, nor any responsibility to provide irrigation water onto the Bartell Parcel.

The revegetation parcel Big Pine 160 is already being naturally restored since it was seeded by LADWP two years ago. The plants in this area are comprised of 7 perennial species that have naturally germinated from seed and have grown utilizing natural precipitation without supplemental water. These plants are not only well adapted to the dry and harsh conditions of the site, but are thriving. Ultimately, this approach is the most beneficial to the sustainability of the environment.

In addition, given that we are in the nascent stages of plant establishment, it is premature to destroy the existing native vegetation, which is uniquely adapted to the site, to install a reclaimed water drip line irrigation system to grow the same vegetation that

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currently exists at the site. Further, the vegetation at the site ultimately needs to be self-sustaining, relying upon precipitation.

The reclaimed water Study proposes to use is secondary treated and undisinfected wastewater which poses a public health and safety issue. Title 22 of the California Environmental Health Code allows only a very few uses of this classification of water (Undisinfected Secondary Treated). Some of the uses that are not allowed for this type of water in Title 22 include "any non-edible vegetation with access control to prevent use as a park/playground/schoolyard". The site will likely be visited by the public and LADWP employees. Therefore, there are potential hazards associated with human contact.

This project could result in a high cost for an obligation that the City does not have a fiduciary obligation or responsibility. The report describes that the project will be funded by LADWP as a potential grant funder.

Given the additional water obligations to the City, potential harm to the environment, health risk to the public and LADWP staff that may be onsite, and costs to the City of Los Angeles, LADWP cannot provide support for the preferred alternative as proposed. We encourage you to focus your efforts on the other potential reclaimed water projects in the Big Pine area identified in your study that do not occur on City property.

Sincerely,



James Yannotta
Manager of Aqueduct

GL:fj

Enclosure

c: Mr. Larry Freilich

Mr. Gregory Loveland

Mr. David Martin



Inyo County Water Department

May 10, 2018

James Yannotta, Aqueduct Manager
300 Mandich Street
Bishop, CA 93514

Mr. Yannotta:

Thank you for commenting on the Feasibility Study for the Recycled Water for Restoration & Community Projects in Big Pine, CA, produced by the Engineering Firm RO Anderson. While the review was appreciated, the County does not understand why LADWP appears to have applied a blanket rejection to the proposal.

Back in July 2015, LADWP provided a letter of support for pursuing a Proposition 84 grant through the Integrated Regional Water Management Plan (IRWMP), to explore opportunities to develop and use recycled water in the town of Big Pine. The Inyo-Mono IRWMP has as its regional vision the development of...

...a landscape that is ecologically, socially, and economically resilient. As diverse stakeholders, we identify and work toward our common goals. We achieve a broad-based perspective that benefits our regional ecosystems and human communities by combining our interests, knowledge, expertise and approaches. We strive to have every voice heard within our region and our collective voice heard in the state and nation.

With these goals and a collaborative vision in mind, the County developed a grant proposal that would conserve water in The Owens Valley, and reestablish a landscape that provides ecological, social, and economic value. The County was awarded the grant funds and the feasibility study you reviewed was a product of those funds.

At the time the grant was developed, the thought was to supply reclaimed water to LADWP's Bartel parcel. This pasture was abandoned by LADWP when its irrigation supply was cut off with the widening of Highway 395, and is now a dirt field in the middle of town.

The County sought creative ways to assist LADWP in providing water to this parcel, and based on the feasibility study such a means has been found. The mutually beneficial solution proposed in the study is not only water neutral, it provides for a safe, regulatory compliant water supply for revegetating the Big Pine Area Revegetation E/M Project (160 acres). As recently as 2016, LADWP has reported that this revegetation mitigation effort is not meeting goals and is a project in need of a water supply:

LADWP is in the process of developing a drip irrigation system for this site. However, a water source must be determined for this site. Potential water sources are currently being evaluated for this site.

– 2016, LADWP Owens Valley Report

LADWP wrote in their grant support letter that they believed locally-beneficial recycled water projects exist, but wanted to see a proper study. To develop the feasibility study, the County held two public meetings and invited LADWP to participate in these events, and/or meet informally, to help develop a scope of a study that could lead to a plan that would meet both the County's and LADWP's needs; however, LADWP declined to participate in any manner or form until they could review the Feasibility Study. This defeated the community's needs to have all potential partners at the table.

The County, having spent considerable time and money on this project, was discouraged by LADWP's rejection of the feasibility study. We shared your comments with our engineer consultants, and asked for their reaction. Their response, which is attached, leads us to believe that the project is feasible and of benefit to LADWP and the community. If, after reading the consultant's response, LADWP is still not interested in further review and refinement of the proposal, we would look to LADWP to put efforts into an alternative plan to provide water for both the Bartell parcel, and to complete the decade's old E/M revegetation project.

Sincerely,

Bob Harrington, Inyo County Water Department Director

cc: Mr. Gregory Loveland

Mr. Marty Adams

Mr. Kevin Carunchio

Inyo County Board of Supervisors

April 24, 2018

Dr. Robert Harrington, Director
Inyo County Water Department
P.O. Box 337
Independence, CA 93526

Los Angeles Department of Water & Power Response to Feasibility Study

Dear Dr. Harrington:

We are in receipt of the April 11, 2018 letter from Mr. James Yannotta of the Los Angeles Department of Water and Power (LADWP) regarding the preferred alternative for the Recycled Water for Restoration and Community Projects in Big Pine (Project). As you know, the preferred alternative identified during the preliminary stages of the Project consists of applying recycled water produced from the Big Pine Community Services District (BPCSD) Water Resource Reclamation Facility (WRRF) to vacant lands east of the Big Pine Canal. This preferred alternative was selected from 18 other identified alternatives and discussed at two public meetings held in Big Pine during the summer of 2017. Although invited, LADWP did not have a representative at either meeting.

LADWP's position, as represented in the letter, is that the preferred alternative is unacceptable and cannot be supported by LADWP, citing the following reasons:

1. The [Project] will add additional water demands onto the City...
2. The revegetation parcel Big Pine 160 is already being naturally restored...
3. It is premature to destroy the existing native vegetation...
4. The vegetation at the site ultimately needs to be self-sustaining...
5. There are potential hazards associated with human contact.

We disagree with the characterization of the Project and the identified objections provided by LADWP and offer the following responses for your consideration:

The Project as identified and described in the report prepared by our office was contemplated as a water neutral project with the specific intent of not adding additional water demands to LADWP but instead to provide an equitable means of supplying necessary water for LADWP's state mandated obligation to mitigate the environmental damage incurred to the project area known as the Big Pine 160, in exchange for surface water from the Big Pine Canal to irrigate another location known as the Bartell Parcel. The Bartell Parcel presently stands vacant and covered in non-native weed species and being situated directly adjacent to US Highway 395 serves as a constant reminder to residents and visitors of Big Pine of the cultural and economic conditions now precedent in rural communities of the Owens Valley.

LADWP is obligated to revegetate the Big Pine 160 as an identified mitigation in the 1991 Environmental Impact Report (EIR) resulting from CEQA litigation that first commenced in 1972 following construction of the Second Los Angeles Aqueduct. The 1991 EIR identified 64 mitigation projects throughout the Owens Valley, and the Big Pine 160 Project area was identified as Impact No. 10-19, which is actually a part of larger mitigation project required by the 1991 EIR known as the Big Pine Area Revegetation Project. LADWP has expended efforts

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to meet the requirements of Impact No. 10-19 dating back to 1998 which, to date, have been unsuccessful as most recently captured in both the Inyo County Water Department 2016-2017 Annual Report and the LADWP 2017 Owens Valley Annual Report, stating that the project has been fully implemented but not meeting goals. The obvious reason for the project's perpetual lack of success is the absence of a consistent source of water necessary to establish a viable root zone for the seeded plants. In fact, identification of a water source for an irrigation system has been included as a necessary action in LADWP's most recent Draft Revised Revegetation Plan. Clearly, these documented considerations would appear contrary to the assertion that the project site is being naturally restored.

While we agree that it would be unfortunate to disturb those plants that have naturally germinated, they presently only provide about 2% native cover and long-term viability has not yet been established. Further, self-sustaining native plants are clearly the goal of the Project and underground drip irrigation has been successfully implemented in other locations within the Valley to accomplish that very goal. Successful establishment of self-sustaining native plant communities may take decades even in the presence of supplemental drip irrigation. There is no aspect of the proposed Project that is adverse to the goals of Impact 10-19 and it would be advantageous to all stakeholders for implementing an immediately available and consistent source of water to begin establishing the revegetation of the Big Pine 160. It should also be noted here that it would be possible to avoid disturbing areas where native vegetation is established while implementing the proposed irrigation system.

We also take exception to the assertion that the Project identified use of recycled water is not allowed under Title 22. To the contrary, subsurface disposal of undisinfected secondary treated recycled water for irrigation of native non-edible crops most certainly is allowed by the California Department of Public Health Regulations and the Water Recycling Criteria contained in Section 60301 through 60355, California Code of Regulations. The site is presently fenced and has been fenced since 1998 by LADWP to "reduce disturbance." The site fencing will remain and with minimal administrative controls excluding public access such as signs that identify the application of recycled water the Project can certainly be implemented with all public safety concerns adequately addressed. Protection of LADWP staff during operation and maintenance at the site is described within our report. A properly designed, constructed, and operated underground disposal system would mitigate the "potential hazards connected with human contact."

Finally, as described in our report the cost of appropriating recycled water is substantially less than an equivalent quantity of water secured from the local public water system. Additionally, LADWP has elsewhere established values for recycled water, and the lifecycle cost analysis for the Project is consistent with other recycled water costs for projects completed by LADWP, having been estimated at \$1,085/AF. While the capital cost of building the irrigation and conveyance system would likely be the responsibility of LADWP, it is important to note that LADWP's 2016 Annual Report states that "LADWP is in the process of developing a drip irrigation for this [Big Pine 160]" but that first "...a water source must be determined," indicating that the cost of an irrigation system has been previously contemplated by LADWP. Further, the potential to offset the project's operation and maintenance costs through solar power generation as described in the report makes the Project even more financially feasible and fiscally responsible. The assertion that the project "could result in a high cost for... the City" therefore seems to be unsupported.

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We have demonstrated in the report that the Project can be safely implemented in a cost-effective manner for the very purpose of environmental restoration to the benefit of the entire community. The project is consistent with the goals of the California Recycled Water Policy and LADWP's stated commitment to water recycling. The Project has broad community support from its stakeholders and would, in our opinion, serve as a step in the right direction for the community of Big Pine and other communities in the Owens Valley. For these reasons, we do not agree with the assessment in LADWP's letter regarding additional water obligations to the City, harm to the environment, risk to the public or LADWP staff, or unreasonable costs to the City of Los Angeles.

Should any questions arise during your review please do not hesitate to contact me.

Yours Sincerely,

R.O. ANDERSON ENGINEERING, INC.



Jonathan Lesperance, P.E.
Project Engineer

EC: Larry Freilich