

INYO/LOS ANGELES STANDING COMMITTEE

Dedicated to the advancement of mutual cooperation



MEMORANDUM

To: Inyo/Los Angeles Standing Committee

From: Technical Group

Date: May 26, 2023

Subject: Agenda Item 6b: Setting the 2023 Lower Owens River Project Seasonal Habitat Flow

Lower Owens River Project Seasonal Habitat Flow

Lower Owens River Project (LORP) annual seasonal habitat flows (SHF) are intended to create a natural disturbance to establish and maintain native riparian vegetation and channel morphology as described in the *2004 Lower Owens River Project Environmental Impact Report* (2004 LORP EIR). A primary LORP goal is the establishment of a healthy, functioning Lower Owens riverine-riparian ecosystem. Other goals call for the establishment of a healthy, functioning ecosystem in other physical features of the LORP for the benefit of biodiversity and threatened and endangered species, while providing for the continuation of sustainable uses including recreation, livestock grazing, agriculture, and other activities. The goal for the riverine--riparian system is to create and sustain healthy and diverse riparian and aquatic habitats and a healthy warm water recreational fishery with healthy habitat for native fish (1997 Memorandum of Understanding).

The *2009 Lower Owens River Project Post Implementation Agreement between the Los Angeles Department of Water and Power and the County of Inyo Concerning Operation and Funding of the Lower Owens River Project*, (Post Implementation Agreement) describes the process for establishing the SHF and consultation with California Department of Fish and Game (CDFG) or (DFG), now known as California Department of Fish and Wildlife (CDFW). Section II.O.5.a requires that:

“Soon after the first of April each year, LADWP will develop its annual runoff year forecast for the Owens River Basin. The runoff year forecast will be developed as described in Section 2.3.5.3 of the LORP EIR. By approximately the second or third week in April, LADWP and the County will transmit the recommendation

concerning the amount, duration, timing, and ramping of the seasonal habitat flow, along with LADWP's annual runoff year forecast for the Owens River Basin, to DFG. DFG will be requested to, within ten business days from the receipt of the recommendation, provide their concurrence with the recommendations or provide their own recommendation as to the amount, duration, timing, and ramping of the seasonal habitat flow along with the scientific basis for its differing recommendation."

The 2004 LORP EIR, Section 2.3.5.3, describes the means for determining the LORP SHF velocity and ramping schedule based on the Owens River Basin Runoff Forecast, which for runoff year 2023-2024 has been determined to be 233% percent of normal. According to the 2004 LORP EIR, this will result in a 14-day seasonal habitat flow with the peak release of 200 cubic feet per second (cfs). Because of the unprecedented high runoff of 2023, flows will likely exceed 200 cfs for the entirety of the SHF.

Requested Action

The 1997 MOU and the 2009 Post Implementation Agreement require that the Standing Committee set the annual SHF. Based on guidance from the LORP EIR, the Inyo/Los Angeles Technical Group requests that the Standing Committee approve a 14-day seasonal habitat flow with a peak of 200 cfs.