Department of Water and Power
City of Los Angeles

CEQA Initial Study

Yellow-billed Cuckoo Habitat Enhancement Plans at Baker Creek and Hogback Creek in Inyo County

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October 2005

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CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 395. CITY HALL
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY AND CHECKLIST

(ARTICLE IV – CITY CEQA GUIDELINES)

LEAD CITY AGENCY	**COUNCIL DISTRICT**	**DATE**
City of Los Angeles, Department of Water and Power 111 N. Hope Street, Room 1044 Los Angeles Ca 90012	N/A	October 28, 2005

PROJECT TITLE/NUMBER	**CASE Number**
Yellow-billed Cuckoo Habitat Enhancement Projects in Inyo County	N/A

PREVIOUS ACTIONS CASE NO	☐ **Does have significant changes from previous actions.** ☐ **Does not have significant changes from previous actions**
None	

PROJECT DESCRIPTION:

The proposed project includes the implementation of habitat enhancement plans for the yellow-billed cuckoo at Baker Creek and Hogback Creek in Inyo County. These plans are to be implemented in keeping with the 1997 MOU between LADWP and various parties to provide resolution of the conflict and settle concerns between the parties over the LORP and other provisions of the 1991 EIR. These enhancement plans guide actions or projects to maintain and/or improve habitat and supplemental irrigation to improve habitat for yellow-billed cuckoos over 740 acres of land already owned by LADWP. The plans also provide for altered grazing practices and recreational use of the sites to accommodate the plan to maintain and/or enhance habitat for the yellow-billed cuckoo.

PROJECT LOCATION:

The project sites are located within Inyo County. The Baker Creek site is located approximately one mile west of the community of Big Pine, and the Hogback Creek site is located seven miles north of the community of Lone Pine.

PLANNING DISTRICT	**STATUS:**
N/A	☐ **PRELIMINARY** ☐ **PROPOSED _____** ☐ **Adopted (Date_____)**

EXISTING ZONING	**MAX. DENSITY ZONING:**	☐ **DOES CONFORM TO PLAN**
OS-40 [1]	N/A	
PLANNED LAND USE AND ZONE NR [1]	**MAX. DENSITY PLAN:** N/A	☐ **DOES NOT CONFORM TO PLAN**
SURROUNDING LAND USES: Open Space, Agricultural Natural Resources	**PROJECT DENSITY** N/A	☒ **NO DISTRICT PLAN**

Note: 1) the proposed project includes nine parcels all of which are zoned Open Space, 40 acre minimum lot size, and designated as Natural Resources (NR) in the Inyo County General Plan.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☒ Agriculture Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☒ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☒ Utilities/Service Systems	☒ Mandatory Findings of Significance	

DETERMINATION : On the basis of this initial evaluation

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Charles C. Holloway
SIGNATURE

Supervisor of Environmental Assessment
TITLE

Charles C. Holloway
PRINTED NAME

Environmental Services, LADWP
FOR

1.0 INITIAL STUDY INTRODUCTION

1.1 OVERVIEW

This Initial Study has been prepared by LADWP to provide a preliminary evaluation of the proposed project. LADWP has determined that an EIR will be prepared for the proposed project, and will address potentially significant issues identified within this study. This initial study includes 1) an overview, 2) project description, 3) evaluation of the proposed project; and 4) a list of references cited in the document.

1.2 REGULATORY GUIDANCE

This Initial Study (IS) has been prepared in accordance with CEQA, Public Resources Code 21000 et seq., and the State CEQA Guidelines, Title 14 California Code of Regulations (CCR) 15000 et sq. An IS is prepared by a lead agency to determine if a project may have a significant effect on the environment, and guide the preparation of an environmental impact report (EIR). This IS follows the methods and format proposed in Appendix G of the CEQA Guidelines and relies on expert opinion based on facts, technical studies, and other substantial evidence to document its findings.

1.3 LEAD AGENCY

The lead agency is the public agency with primary responsibility over the proposed project. In accordance with State CEQA Guidelines 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The lead agency for the proposed project is the City of Los Angeles Department of Water and Power (LADWP).

1.4 PUBLIC PARTICIPATION

This is available for a 30-day public review period beginning October 31, 2005, and ending on November 31, 2005. Written comments may be submitted by 5:00 on November 31, 2005 to:

Charles Holloway
Environmental Program Manager
Los Angeles Department of Water and Power, Environmental Services
111 North Hope Street, Room 1044
Los Angeles, CA 90012

2.0 PROJECT DESCRIPTION

2.1 PROJECT BACKGROUND

This environmental document addresses yellow-billed cuckoo habitat enhancement plans proposed for Baker Creek and Hogback Creek located in Inyo County in the Eastern Sierra.

The enhancement of yellow-billed cuckoo habitat was identified in the Memorandum of Understanding between the City of Los Angeles Department of Water and Power, the County of Inyo, the California Department of Fish and Game, the California State Lands Commission, the Sierra Club and the Owens Valley Committee (MOU) that was signed in 1997. The MOU provided resolution to the conflict and settled concerns between the above named parties over the Lower Owens River Project and other provisions of Los Angeles Department of Water and Power's 1991 Environmental Impact Report (EIR) concerning groundwater pumping operations and related activities. The MOU became effective upon the discharge of the Court's writ. The commitments contained in the MOU were made solely for the purpose of resolving the conflicts associated with the EIR.

The MOU identified the evaluation of the condition of yellow-billed cuckoo habitat in the riparian woodland areas of Hogback and Baker Creeks. Based on the evaluation, yellow-billed cuckoo habitat enhancement plans were developed for these areas that identified reasonable and feasible actions or projects to maintain and/or improve the habitat of the yellow-billed cuckoo. Enhancement for yellow-billed cuckoo was further discussed in the Stipulation and Order dated August 2004.

2.2 PURPOSE

The proposed enhancement plans for the Baker and Hogback Creeks sites provide for the implementation of measures and policies that would improve habitat conditions for yellow-billed cuckoo. The goal of these plans is to increase the suitability of the areas for yellow-billed cuckoo by creating new riparian habitat and increasing the suitability of existing riparian habitat. Implementation of these plans would satisfy LADWP's obligations for yellow-billed cuckoo habitat enhancement as stated in the 1997 MOU.

2.3 PROJECT LOCATION

As illustrated on Figure 1, the project sites are located within Inyo County. The Baker Creek site is located approximately one mile west of the community of Big Pine, and the Hogback site is located seven miles north of the community of Lone Pine.

The Baker Creek site is accessed from Sugarloaf Road via Baker Creek Road and covers 411 acres. Surrounding land uses are open range with seasonal grazing managed by Bureau of Land Management (BLM), United States Forest Service (USFS) and LADWP. Elevation ranges across the site from 1,332 to 1,380 meters (4,370 to 4,525 feet). Bernasconi Education Center is located at the western boundary of the project site. The project site is entirely located on the 7.5 minute Big Pine U. S. Geological Survey (USGS) quadrangle.

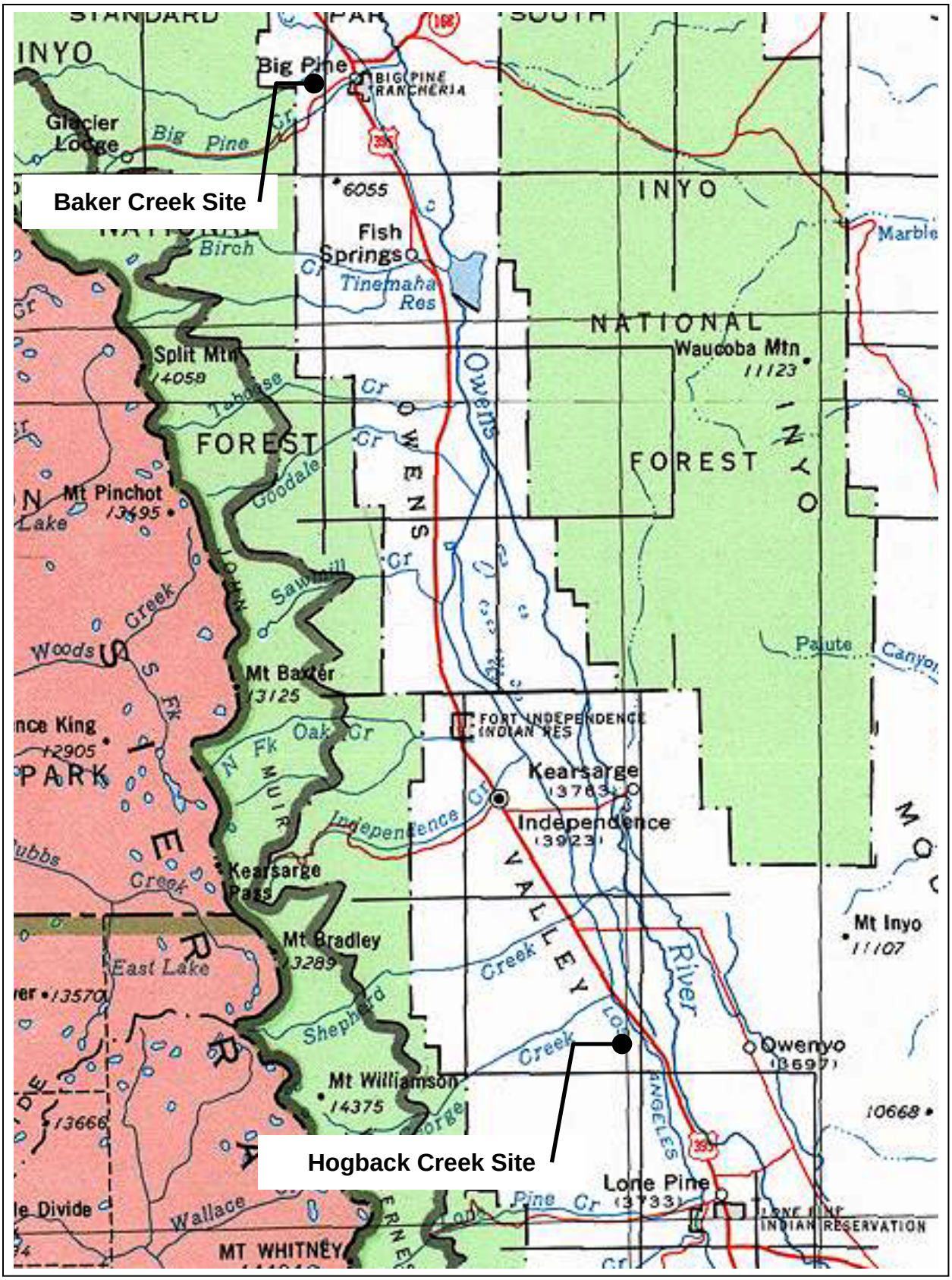


Figure 1. Vicinity of Baker Creek and Hogback Creek Sites

The Hogback Creek site is accessed from Highway 395 via Moffat Ranch Road which joins Hogback Road at the Hogback Creek crossing (at the southern boundary of the site). This site covers 330 acres, with topography ranging from 1,280 to 1,400 meters (4,200 feet to 4,600 feet). Surrounding land uses are open range with seasonal grazing. The project site is entirely located on the 7.5-minute Manzanar USGS quadrangle.

2.4 PROPOSED PROJECT

The proposed project would provide habitat enhancement for the yellow-billed cuckoo at two locations within Inyo County. Existing habitat conditions would be maintained and/or improved at each site through the implementation of habitat enhancement projects, alteration of grazing practices, amended recreation policies, altered trails, and implementation of fuels management programs. The following is a description of the proposed project elements specific to each site, followed by a description of the monitoring and adaptive management programs, recreation policies, and environmental protection measures that would be implemented at each site. This program would be implemented by LADWPs staff with the assistance of volunteers, contractors, and the lessee for each site. Each construction element described in the plan would be scheduled individually, construction schedules would not overlap.

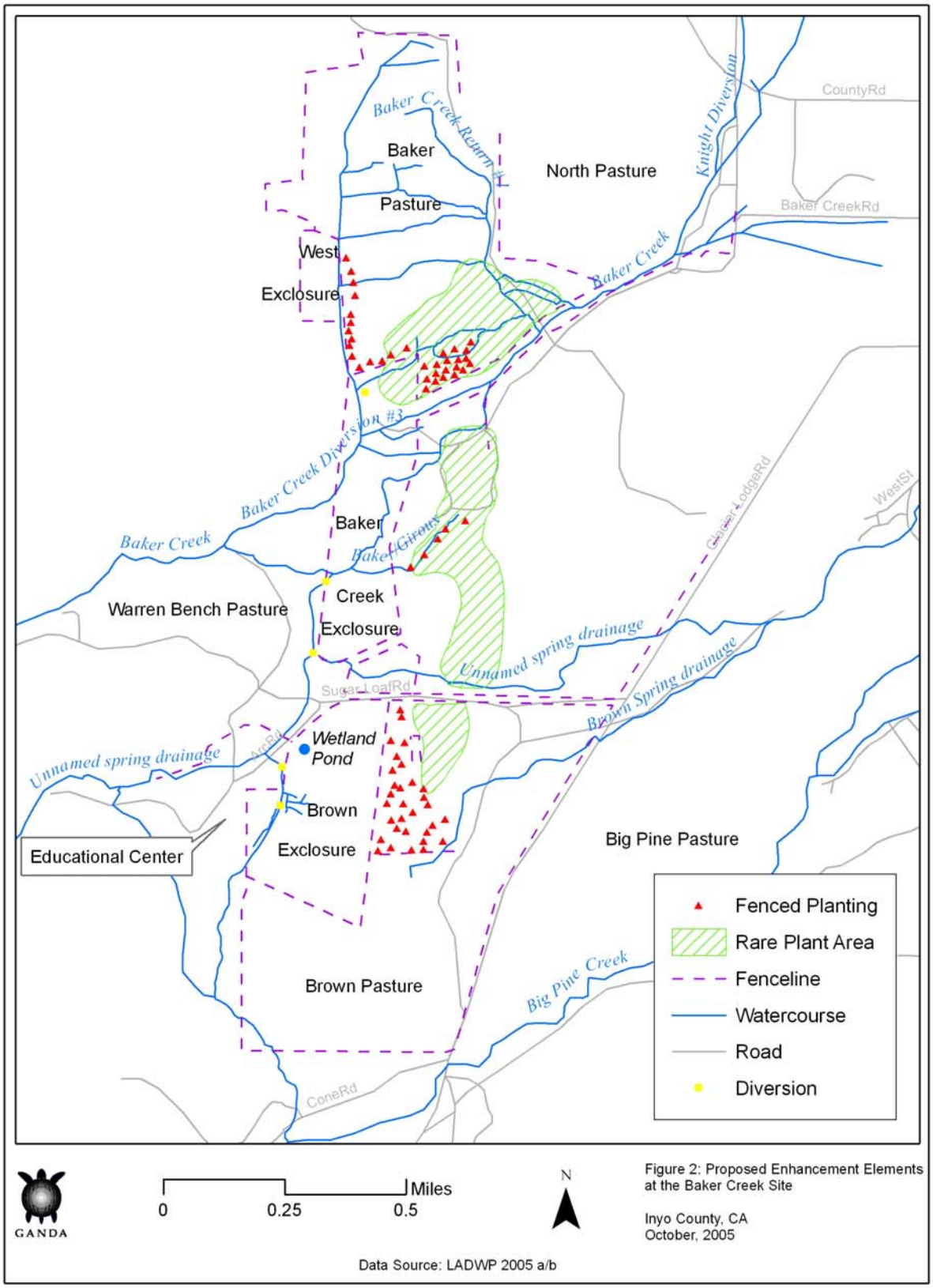
2.4.1 Baker Creek Enhancement Plan

The Baker Creek Enhancement Plan divides the project area into 10 management sections. Three of these sections are grazing exclusion areas where it is estimated that the maximum amount of riparian enhancement can take place. These exclosures include the majority of the best existing riparian habitat and the most suitable yellow-billed cuckoo habitat areas. The remaining areas will be grazed. The proposed plan is illustrated in Figure 2.

The proposed enhancement plan for Baker Creek would provide medium to highly suitable habitat that could potentially support two to four breeding pairs of yellow-billed cuckoos, while allowing for managed cattle grazing throughout the majority of the project area.

Habitat Enhancements. To provide for additional riparian cover for the yellow-billed cuckoo, LADWP proposes to 1) plant, maintain, and supplementally irrigate additional riparian vegetation; 2) construct three grazing exclosures, and 3) implement a black locust eradication program.

Planting. Plantings will take place throughout the Baker Creek site, within the Brown, Baker Creek and West Grazing Exclosures, as well as the Baker, Apple Orchard, and Brown pastures. Within the pastures, groups of riparian plantings will be fenced. A total of 61 grouped plantings will take place in the pastures, including 31 planting sites within the Brown pasture, 25 within the Baker Creek pasture, and five within the Apple Orchard pasture. Plantings will include black cottonwood, Fremont's cottonwood, river birch, arroyo willow, red willow, and other riparian understory species. Pole and rootstock plantings will be used based on substrate and hydrology conditions at each planting site. Planting would take place in fall and winter months.


Baker Creek Return #1
Baker
Pasture
North Pasture
Knight Diversion
CountyRd
Baker CreekRd
West
Exclosure
Baker Creek
Baker Creek Diversion #3
Baker
Baker Creek
Baker Gibbons
Creek
Exclosure
Warren Bench Pasture
Gerstner Lodge Rd
WestSt
Unnamed spring drainage
Sugar Loaf Rd
Brown Spring drainage
Unnamed spring drainage
Wetland
Pond
Brown
Exclosure
Educational Center
Big Pine Pasture
Brown Pasture
Big Pine Creek
Cone Rd
Fenced Planting
Rare Plant Area
Fenceline
Watercourse
Road
Diversion
GANDA
0
0.25
0.5
Miles
N
Figure 2: Proposed Enhancement Elements at the Baker Creek Site
Inyo County, CA
October, 2005
Data Source: LADWP 2005 a/b

Willow and cottonwood poles would be planted the first year, and container stock would be planted the second year. Replanting efforts would take place as needed on an annual basis.

Irrigation. The proposed planting areas would require supplemental irrigation for the establishment of the riparian plantings. Irrigation timing for the riparian plantings would follow the same schedule as the adjacent pasture irrigation. Within the Apple Orchard Pasture, up to 0.5 cubic feet per second (cfs) would be diverted from two locations along the Giroux Ditch and directed to existing relict channels.

Within the Brown Exclosure, two ponded wetlands would be created south of the Giroux Ditch with a tracked excavator. These wetlands would be 50 to 80 feet long and 20 to 40 feet wide, with depths ranging from 0.5 to three feet. Spoils generated from digging the wetlands would be placed along the down slope side of the excavation, creating a berm to retain water. Grading would take place in the fall or winter. Following construction, approximately 0.25 cfs would be diverted from the Giroux Ditch into each wetland. Water flow to these ponds would take place on a year-round basis.

Routine pasture irrigation in Baker Pasture is sufficient for existing riparian vegetation as well as proposed plantings. Current irrigation water will also provide enough water for the adjacent plantings in the Baker Pasture Exclosure. Drip irrigation may be used in lieu of ponds for supplemental irrigation to the Apple Orchard and Brown Exclosures.

Two new diversions are proposed for the Giroux Ditch. These would be used to irrigate the Brown Exclosure and the Apple Orchard Pasture. The ditches would be dewatered before construction and up to three days following construction.

Routine irrigation would require periodic manipulation of the irrigation system to turn the water on to the pastures and planting areas at various points along the ditch. These activities would take place approximately twice weekly during the irrigation season, and would require one person in a pickup or ATV. In addition, the irrigation system would require seasonal inspection and maintenance.

Black Locust Control. The Baker Creek Enhancement Plan includes replacing areas of black locust, a non-native tree species, with native cottonwood-willow forest. An aggressive black locust eradication and control program will be implemented. In order to avoid negative impacts from removing all the black locust at one time, the trees will be removed gradually over a period of eight to ten years. Locust eradication will be conducted using the method that will cause the least disturbance. Methods will include cutting trees down and treating the stumps with herbicide and either removing the trees from the site or leaving them in place. Some trees will be treated with herbicide and left standing as snags. This eradication and control work will take place during the fall and winter to avoid impacting wildlife species including nesting birds, and when the above ground portions of the rare plant species that grow in the project area are dry.

Grazing Exclosures. Grazing would be restricted from a total of 141 acres at three sites at the Baker Creek site; these sites include the 59 acre Brown Exclosure, the 72 acre Baker Exclosure, and the 10 acre West Exclosure. In addition, a drift fence will be

placed in Brown Pasture to direct cattle away from a wetland site. Approximately 3.4 miles of fence would be installed to protect these areas. Grazing exclosures will be constructed in the fall or winter.

Trail Relocation. The enhancement plan calls for the construction of a small section of new off-road vehicle (ORV) track to create a loop system for users in this area. The trail is being created because an existing loop trail is being eliminated by the construction of an exclosure fence. The fence line and the new track will be located to avoid impacts to cultural and sensitive biological resources.

Trails will be created with a combination of brushing, herbicide application and grading. Heavy equipment or hand labor will be used to clear the proposed trail routes. The trails will be graded as needed based on existing topography to create water bars and manage storm water runoff.

Grazing Management. The Baker Creek site is currently leased for livestock grazing. As noted above, grazing will be permanently or temporarily eliminated in three areas of the Baker lease. The other seven areas will remain open to grazing but management changes will be made to protect and maintain healthy riparian habitat, improve upland rangeland health, improve Baker Creek, and increase vegetation condition of irrigated pastures. This will be accomplished by decreasing animal numbers, changing the timing and duration of grazing, and setting grazing utilization criteria. Stocking will be reduced in the Baker Creek, Apple Orchard, and Brown Pastures. The timing of grazing will be modified for each pasture. Stocking will follow the schedule and rates listed in Table 1.

Table 1 Proposed Stocking for Baker Creek Lease

Pasture	Grazing Schedule	Stocking
Baker Creek	April 1 to Sept 15	140 to 165
	Sept 15 to Dec 31	170 to 205
Apple Orchard	Aug 15 to Dec 31	50 to 75
Brown	Sept 1 to Dec 15	30 to 40
Big Pine	Match BLM Regs	75 to 100
North	Match BLM Regs	75 to 100
Warren Bench	Match BLM Regs	BLM Regs
Brown Exclosure	No Grazing	No Grazing
Baker Creek Excl	No Grazing	No Grazing
West Exclosure	No Grazing	No Grazing

The lessee will follow LADWP guidelines for supplemental feeding and will be responsible for weed control on the lease. The grazing plan also allows for temporary adjustments in grazing practices in emergency situations.

Fuels Management. Removal of grazing and additional irrigation will promote more vegetative growth resulting in increased fire fuel loading. This will potentially increase

the risk of wildland fire within the Baker Creek area. A fire break will be created between the project area and the community of Big Pine. This fire break will be created by hand clearing 15 feet of brush on either side of a power line road that runs between the Baker Creek meadow and the Glacier Lodge Road. Native grasses and forbs will be left for groundcover. Trees branches will be trimmed to a height of ten feet. In addition, a pre-fire plan will be developed.

2.4.2 Hogback Creek Enhancement Plan

The 330 acre Hogback Creek area currently has approximately 128 acres of yellow-billed cuckoo habitat. There will be little change in the total acreage of cuckoo habitat but the planting of cottonwoods on the edge of habitat patches will widen the riparian corridors and enlarge patches of riparian species. The proposed plan is illustrated in Figure 3.

The proposed enhancement plan for the Hogback Creek site would provide suitable habitat to support two breeding pairs of yellow-billed cuckoos in the long term, while allowing for continued grazing of the site.

Habitat Enhancements. To provide for additional riparian cover for the yellow-billed cuckoo, LADWP proposes to 1) plant and maintain additional riparian vegetation; 2) construct one grazing exclosure, and 3) implement a black locust eradication program.

Planting. Cottonwood and tree willows will be planted within open areas. Planting will involve establishing pole cuttings in areas where depth to water is within four feet of the ground surface. In addition, habitat enhancement will come from natural recovery of the riparian habitat following fire.

Planting would take place in fall and winter months. Willow and cottonwood poles would be planted the first year, container stock would be planted the second year. Replanting efforts would take place as needed on an annual basis.

Grazing Exclosure. A 7.5 acre area adjacent to the Hogback Pasture will be fenced to exclude livestock grazing. This area is leased for livestock grazing but approximately 5.5 acres of this area is dense riparian vegetation so there will be little effect on the lessee operations. Restoration within the exclosure will include the planting of cottonwood and willows.

Black Locust Control. There are currently only a few black locust trees growing at the Hogback Creek project area. All of these locusts will be eradicated. Locust eradication will be conducted using the method that will cause the least disturbance. Methods include cutting trees down and treating the stumps with herbicide and either removing the trees from the site or leaving them in place. Some trees will be treated with herbicide and left standing as snags. This eradication work will take place during the fall and winter to avoid impacting wildlife species including nesting birds.

Grazing Management. The grazing within the remainder of the 330 acre site will be changed to promote riparian vegetation. Horses and mules that graze the area will be reduced from 40-55 head to 35 head. The four month grazing period will start December 1 and end March 31, to avoid grazing during willow and cottonwood leaf out.

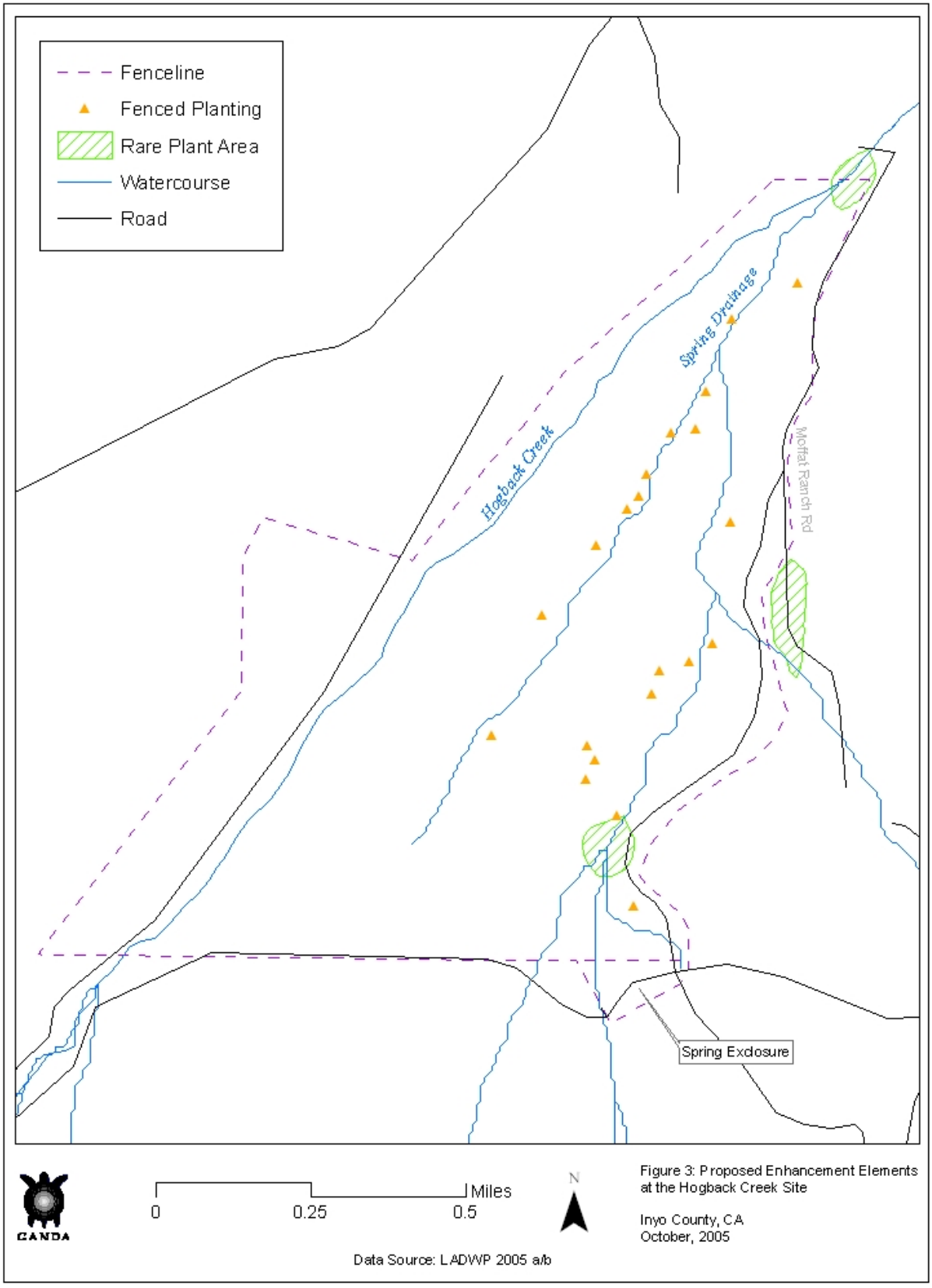


Figure 3: Proposed Enhancement Elements at the Hogback Creek Site

Inyo County, CA
October, 2005

Grazing utilization criteria will also be set for riparian and upland areas. The existing fence around the project area will be rebuilt and most gates will be removed. This will keep cattle that graze adjacent areas from grazing the project area.

The lessee will follow LADWP guidelines for supplemental feeding and will be responsible for weed control on the lease. The grazing plan also allows for temporary adjustments in grazing practices in emergency situations.

Fuels Management. LADWP will adopt fire protection measures that will require that fuel breaks would be installed around the Hogback site to prevent any adjacent wildfire from expanding into the Hogback site.

2.4.3 Monitoring and Adaptive Management

The proposed plan includes periodic monitoring for vegetation, occurrence of yellow-billed cuckoo, observation of bird use, and range and pasture conditions for grazing. Vegetation monitoring will include the review and comparison of aerial photographs from each site at five-year intervals, supplemented with onsite collection of vegetation cover and composition data. Surveys will be conducted using standard protocols for yellow-billed cuckoos. These surveys will also include point counts for all bird species observed on the sites. Range and pasture conditions will be monitored using utilization cages and permanent transects. Following monitoring, adaptive management recommendations will be made for vegetation management or grazing practices to help achieve the goals of the enhancement programs.

At Baker Creek, implementation of the range assessment and yellow-billed cuckoo monitoring programs would take place on an annual basis. Vegetation monitoring will take place annually with air-photo comparisons at five-year intervals following planting. At the Hogback Creek site, annual implementation of utilization monitoring and yellow-billed cuckoo monitoring programs take place on an annual basis. Vegetation monitoring will take place annually with air photo comparisons at five-year intervals following planting,

2.4.4 Recreation Use at the Hogback and Baker Creek Sites

The proposed enhancement plans for the Baker Creek and Hogback Creek sites provide for a variety of recreational opportunities with conditions as noted below. The plans also prohibit woodcutting, artifact-gathering, pot hunting, and fires. Overnight camping is directed to nearby designated campgrounds. LADWP will provide signage to direct recreational uses on the sites, and work with Inyo County Sheriff's Department when enforcement is needed.

Off-road Vehicle Use. To limit disturbance to plants, wildlife and grazing livestock, ORV use will be limited to existing roads and trails. ORV recreationists are requested to respect other trail users, and adjacent land uses.

Fishing. Access for fishing in Baker and Hogback Creeks will remain open. Fishing will be subject to the regulations of the State of California, Department of Fish and Game.

Recreation Access. Up to 75 percent of both the Baker Creek and Hogback Creek sites will continue to be open for recreational activities. Areas closed to recreation will be posted.

Hiking and Biking. Access for hiking, biking and day use will remain open at both sites; areas that are off limits for hiking or biking will be posted.

Hunting. The project sites are currently open for hunting, deer, and game birds. These activities will continue to take place on Hogback Creek and Baker Creek sites in keeping with the regulations of the State of California, Department of Fish and Game.

2.4.5 Environmental Protection Measures

LADWP has proposed several resource protection measures that would be implemented with both enhancement plans. These include: 1) avoidance of cultural resources, sensitive plants, and other sensitive resources during trail construction, wetland pond construction, fence construction, and while planting trees; 2) signage and enforcement measures for inappropriate recreational activities; and 3) development of best management practices (BMPs) or other measures for control of soil erosion and sedimentation, reduction of air and noise emissions, and safe handling of hazardous materials onsite. The proposed EIR will evaluate the effectiveness of these measures and propose modifications as needed to mitigate expected impacts.

2.4.6 Public Agencies Whose Approval May Be Required

The proposed project would require approval for funding and implementation from the City of Los Angeles. Other approvals may be required for ground disturbing activities if they are located within wetlands and waters of the US. The following agencies may issue permits for these activities: California Regional Water Quality Control Board, State Water Resources Control Board, California Department of Fish and Game; Bureau of Land Management, U.S. Forest Service, and U.S. Army Corps of Engineers. In addition, the following agencies may review the project before federal permits are issued: State Office of Historic Preservation and US Fish and Wildlife Service.

2.5 ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR will evaluate a reasonable range of alternatives, including the no project alternative. LADWP will develop alternatives based on the extensive enhancement plan planning process and the comments of reviewing parties. Alternatives will explore alternate proposal that can meet the proposed project purpose for enhancement of yellow-billed cuckoo habitat in keeping with the 1997 MOU.

3.0 EVALUATION OF ENVIRONMENTAL IMPACTS

Pursuant to Section 15063 of the CEQA Guidelines the following evaluation of the proposed project includes a brief explanation for each potential impact, including references as needed to support significance findings. This evaluation of the proposed project will be used to guide the preparation of the proposed EIR.

AESTHETICS -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Response to questions:

(a). The proposed project site at Hogback Creek is accessed from Highway 395 via Moffat Ranch Road. Hills located between the project site and the Highway obscure the project site from Highway 395. The Baker Creek site is accessed from Highway 395 via Baker Creek and Sugar Loaf Roads. This project site is more than one mile from Highway 395. The project sites are not located within the view sheds of a scenic vista, and therefore they are not likely to affect a scenic vista.

(b). Portions of Highway 395 in Inyo County between Fort Independence and Fish Springs are designated as State Scenic Highways (Caltrans 2005). The project sites are well removed from this designated section of Highway 395.

(c). The proposed project would include the alteration of existing vegetation patterns on the landscape. This may include the conversion of black locust forest to native stands of cottonwood and willow. The conversion process may take several years, with standing dead snags remaining emergent over native seedling and sapling trees. The alteration of the existing vegetation patterns may be considered less than significant impacts. The

nature and extent of these alterations, and their significance will be evaluated further in the proposed EIR.

(d). The proposed projects would provide for habitat enhancement for yellow-billed cuckoos. Proposed activities are expected to take place during daylight hours; no lighting sources would be required. No elements of the project are expected to introduce light or glare into the project areas.

AGRICULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime farmland, Unique farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	☒	☐	☐	☐

Response to questions:

(a). The Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency is administered by the California Department of Conservation (CDOC). This agency has not mapped lands within Inyo County (CDOC 2002). Therefore, the proposed project would not affect farmlands designated by the FMMP.

(b). The proposed project sites are not encumbered by Williamson Act contracts. The sites are zoned Open Space. The proposed project includes the enhancement of habitat for yellow-billed cuckoo through planting and maintenance of riparian vegetation, altered recreation policies and facilities, and continued grazing on the project sites. These activities are not expected to conflict with zoning or Williamson Act contracts.

(c). The proposed project would require changes in existing grazing practices on both the Hogback Creek and Baker Creek sites. In addition the proposed project would exclude

grazing from 141 acres on the Baker Creek site, and 7.5 acres at the Hogback Creek site. The proposed EIR will evaluate the significance of these impacts to the local agricultural economy.

AIR QUALITY -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Response to questions:

(a). The Great Basin Valleys Air Basin is comprised of a single air district, the Great Basin Unified Air Pollution Control District (GBUAPCD), and consists of Alpine, Mono, and Inyo Counties. Among other tasks, the GBUAPCD develops and enforces air quality regulations for stationary sources and participates in regional air quality planning.

The California Clean Air Act (CCAA) requires areas that are not in attainment of State ambient air quality standards for ozone, CO, SO_2, NO_2, or particulates to outline plans to attain standards by the earliest practicable date. Currently, the area surrounding the project sites is in nonattainment for both State 24-hour and annual average PM_{10} standards. The air basin is designated as unclassified for the State annual $PM_{2.5}$ standard and the project areas are also designated as unclassified for ozone. The majority of the

particulate pollution is a result of dust from high wind events with much of the dust originating in the Owens Valley. In response to the requirements of the CCAA, the GBUAPCD has adopted three State Implementation Plans (SIPs) for Coso Junction, Owens Lake, Mono Basin, and the town of Mammoth Lakes. Jointly, these documents provide the framework and strategy for reducing emissions of nonattainment pollutants.

Implementation of the Yellow-billed Cuckoo Enhancement Plans will temporarily increase the emissions of criteria pollutants, including non-attainment pollutants. The location of the project includes two sites, Baker Creek and Hogback Creek. These project sites are approximately 30 miles apart, and the activities for each site are independent of each other, allowing emission calculations from each creek to be considered separately. The contribution of emissions from this project's activities, from both locations, including land disturbance associated with tree planting and the application of herbicides on some existing trees, and other construction, is below the level of significance for air quality. Since the size and short duration of the project, and the activities it includes, will not significantly degrade the current air quality (Lague and Ferrari, 2005), it will not conflict with or obstruct the implementation of these plans.

(b). The following is an analysis of air quality violations in the vicinity of both sites. Data on local air quality for 2004 is available from the CARB website. Ambient monitoring data was collected via monitoring stations located throughout the Great Valleys Basin. According to historical data, only the state 24-hour and annual standards for PM_{10} and the 8-hour ozone standard have been exceeded in the region. This issue will be discussed further in the EIR.

(c). Near the Baker Creek site, there is currently a Regreening Project taking place in Big Pine. Given the nature of the Regreening Project and the activities it includes, it is unlikely to make a significant contribution to the degradation of air quality. The Hogback Creek site will be even less affected by this event. Since the emissions from this project is below the threshold of significance, the net emission of the proposed project will not cause or contribute to any considerable increase in emissions of a nonattainment pollutant or exceed quantitative thresholds for ozone precursors.

(d). Sensitive receptors including the very young, elderly, and persons suffering from illness are normally associated with locations such as schools, day-care facilities, convalescent homes, medical facilities, and residential areas. Air quality impacts of the proposed project will be evaluated more fully in the EIR.

Baker Creek. The location of the proposed site is approximately 0.2 miles to the east of the Bernasconi Education Center (Inyo County high school). The location of the school causes the emissions from the closest sections of Baker Creek (Brown Exclosure and Brown Pasture South) to be of particular interest. The activities planned for those sites include the excavation of new ponds, planting of new trees (land disturbance) and the application of herbicides. These activities have been determined to be below a level of significance. Total emissions from the entire project include emissions due to equipment exhaust, fugitive dust, soil transport, and herbicide application at the project site.

Hogback Creek. The location of the proposed site is in a remote area with no residences and/or facilities within 5 miles. The closest sensitive receptor site to the project area is an elementary school approximately 6.2 miles to the southeast. Emissions due to fugitive dust, soil transport, equipment emission, and herbicide application at the project site are below the significance threshold.

(e). The project will contain operations that will produce minor odors associated with equipment and materials. The site is located within the vicinity of sensitive receptors in the surrounding community of Big Pine (Baker Creek) and Lone Pine (Hogback Creek); however, the odors associated with this type of project are normally not considered offensive. Diesel fuel odors from equipment and vehicles fall into this category. No significant odor impacts are forecast to result from implementing the proposed project.

BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐

BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	☒	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional or state habitat conservation plan?	☐	☐	☐	☒

Response to questions:

(a). The proposed project sites are known, expected, or could potentially support a wide variety of special status species, including Owen's valley checkerbloom (*Sidalcea covillei*), Inyo County star-tulip (*Calochortus excavatus*), northern leopard frog (*Rana pipiens*), yellow-billed cuckoo (*Coccyzus americanus occidentalis*), southwestern willow flycatcher (*Empidonax traillii extimus*), Cooper's hawk (*Accipiter cooperii*), long-eared owl (*Anthene otus*), yellow warbler (*Dendroica petechia brewsterii*), yellow breasted chat (*Icteria virens*), least Bell's Vireo (*Vireo bellii pusillus*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii townsendii*), spotted bat (*Euderma maculatum*), western red bat (*Lasiurus blossevillii*), fringed myotis (*Myotis thysanodes*), long-legged myotis (*Myotis volans*), and Owens valley vole (*Microtus californicus vallicola*). The proposed EIR will consider the potential for significant impacts on these species due to the implementation of the proposed project, including direct and indirect impacts on habitat and habitat suitability.

(b)-(c). Implementation of the proposed projects at the Hogback Creek and Baker Creek sites will result in the expansion of wetland and riparian habitat and improvement in habitat quality. Wetland and riparian communities have been identified by the CDFG as sensitive natural communities (CDFG 2003). At the Baker Creek site, some riparian

vegetation may be lost due to construction of new fences and alteration of the existing trail system. These impacts may be mitigated within the context of the proposed project, which would ultimately result in the increase of wetland and riparian vegetation on the sites. These localized impacts at the Baker Creek site will be evaluated in the EIR.

(d). The project area supports herds of deer that have been known to frequent the project sites at Baker and Hogback Creeks. Fence construction may limit or restrict the movement of these animals at the project sites. The proposed EIR will address wildlife movement and modification of fences at specific locations to allow for movement of deer and other wildlife species. The EIR will also evaluate special structures that facilitate safe crossings of barbwire fences that will be installed at major game trails.

(e)-(f). There are no adopted habitat conservation plans (HCP), natural community conservation plans (NCCP), or local policies, plans, or ordinances for protection of biological resources within Inyo County (Jan Larson pers. omm, October 21, 2005). There is a an adopted Conservation Strategy for the Southwestern Willow Flycatcher in Inyo County but this project will not have an effect on this Conservation Strategy. Therefore, the project will not conflict with local policies protecting biological resources or conflict with the provisions of an HCP, NCCP, or other approved conservation plans.

CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Response to questions:

(a). This project will not cause a substantial adverse change in the significance of a historical resource as defined in 15064.5.

(b). Survey of the archaeological resources at Baker and Hogback Creek Project Areas revealed several historic and prehistoric sites scattered throughout the regions. The final technical report outlining the results of this investigation is expected to be completed before the end of 2005. Caution will be taken in the placement of new fencelines, fuels breaks, ORV tracks, fenced plantings, and in non-native tree removal to ensure that these archaeological resources and surrounding areas are not impacted during any phase of project implementation. Potential impacts to archaeological resources will be addressed in the EIR.

(c). The proposed project does not directly or indirectly destroy a unique paleontological resource or site or geologic feature.

(d). There was no evidence of human remains within the project site at the time the archaeological survey was conducted (April/May 2005). Upon finding any remains with the implementation of the project, LADWP will stop excavation or disturbance of the affected site until satisfying the steps outlined in CEQA Title 14, Chapter 3, Section 15064.5(e).

GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒

GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Response to questions:

(a)(i). The Baker Creek site is fully within a delineated Alquist-Priolo special studies zone for the Sierra Nevada Fault Zone. In contrast, the Hogback Creek site is near but not on active faults of the Sierra Nevada Fault Zone, as delineated on the Alquist-Priolo fault zone map for Northern and Eastern California (Davis 1985). These faults have exhibited historic (1872 Independence earthquake) or Holocene surface rupture and present-day seismicity (USGS 2005); surface rupture on these faults is also possible outside of the currently mapped active traces of these range-front faults in the vicinity of the project areas. Above-ground structures would be built within the project sites; these include diversions from existing irrigation ditches and fences. The relationship between the sites and the Alquist-Priolo special study zones will be shown in the EIR.

(a)(ii). The proposed project does not expose people or structures to potential substantial adverse effects involving strong seismic ground shaking. Strong ground shaking is probable at both the Baker and Hogback Creek sites in the event of an earthquake along

nearby surface expressions of the Sierra Nevada Fault Zone. However, no substantial above-ground structures will be built with the proposed project. The structures that would be built – diversions from existing irrigation ditches and fences – can be expected to withstand at least some strong seismic ground shaking from earthquakes with minimal loss, as evidenced by historical photographs of fence line offsets from prior quakes (e.g., the 1906 San Francisco earthquake, as seen in Pt. Reyes National Seashore). Outside of the period of vegetation installation and black locust eradication, people will be unlikely to regularly visit the project area; if such visits were to occur during a quake, substantial areas of relatively bare ground without overhead hazards located throughout the project sites would be safe locations for people to gather during and after an event.

(a)(iii). The proposed project does not expose people or structures to potential substantial adverse effects involving strong seismic-related ground failure. Ground failure by liquefaction requires saturated soils, which is not likely to occur most of the time at either site except immediately adjacent to flowing creeks. In addition, the coarse-grained, well drained and well graded soils such as occur at both sites are less susceptible to liquefaction than finer grained, poorly sorted soils such as occur closer to the axis of the Owens Valley. No structures are associated with the project that would involve substantial adverse effects if they were damaged in an earthquake.

(a)(iv). The proposed project does not expose people or structures to potential substantial adverse effects involving landslides because no structures are associated with the project that would involve substantial adverse effects if they were damaged. Both sites are located well away from the mountain front which has slopes steep enough to initiate a landslide during an earthquake—Baker Creek is located 1,500-2,000 feet toward the valley center from the toe slopes of the Sierra, while Hogback Creek is located over two miles from the valley margin. Portions of both locations could experience mudflows if saturated materials within nearby mountain stream valleys were released by a landslide during an earthquake or as a result of an extreme meteorological event (e.g., heavy rainfall, rapid melt of a high snowpack). However, damage to project infrastructure from such events—trees, fences, or ditches, etc.—would not reach the level of substantial adverse effect for the project proponent. These features could be rebuilt or re-established easily.

(b). There will be minor disturbances to topsoil during non-native tree removal, native tree plantings, ORV trail construction, fire break construction, and construction of water conveyance or storage features (i.e. wetland pond areas). Together, these disturbances would likely exceed one acre of ground disturbance. Site-specific BMPs to reduce impacts from soil erosion will be developed for the project. Soil erosion potential will be evaluated in more detail in the EIR.

(c). Both project sites are located on the alluvial apron of the Sierra Nevada Mountain front. Soils at these sites are geologically young and weakly developed on water-laid sediments that are themselves coarse grained, with a sandy matrix around gravels, cobbles, and boulders. These sediment likely extend to several 10s to 100s of feet below the land surface, overlying competent igneous bedrock (CDMG 1966, 1967). Except for stream banks and terrace margins, the land slope is gentle, between five and ten percent. Combined, the soils+bedrock+land surface slope conditions are not of the proper

character to become susceptible to landsliding. As described in 6(a)(iii) above, the soils are not particularly susceptible to liquefaction and related lateral spreading. Soil collapse, induced in coarse-grained soils by shaking (such as can occur during an earthquake or from heavy traffic), can be a risk for structures built on dry alluvial fan soils such as those found at the site. However, no structures that would be at risk in the case of soil collapse are planned for the site. The soils at the project sites are not susceptible to subsidence in the absence of additional site modification such as groundwater withdrawal, and no groundwater withdrawal that could induce subsidence is planned for the project site.

(d). It is unlikely that expansive soils (typically clay-rich, with smectite-group minerals as the dominant clays) are present at either site. However, the EIR will evaluate site soils in more detail.

(e). No septic or other wastewater systems are planned for either site as part of the proposed project. Therefore, the ability of the soil to provide adequate drainage and wastewater treatment is not applicable to this project.

HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

HAZARDS AND HAZARDOUS MATERIALS (continued)	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
H) Expose 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?	☒	☐	☐	☐

Response to questions:

(a). Implementation of the proposed enhancement plans will require the routine transport of limited quantities of fuel and herbicide. Fuel use associated with power equipment and vehicles that use petroleum-based fuels and lubricants will be limited, and will primarily occur only during the construction phase of the project. Limited use of herbicides may be necessary for eradication of black locust, control of rangeland weeds, and, in the future, during adaptive management of the site to control invasive non-native plants. Expected specific uses of power equipment containing petroleum products and herbicides will be detailed further in the EIR along with appropriate BMPs for the use, transport, and disposal of the hazardous materials.

(b). As described above, use of hazardous materials on the site will be very limited, and therefore, there is minimal risk of exposure through reasonably foreseeable accident or upset conditions.

(c). Portions of the Baker Creek site are within ¼ mile of the Bernasconi Education Center. Expected specific uses of power equipment containing petroleum products and herbicides, along with applicable BMPs to substantially eliminate release or accidental exposure to humans or the environment, will be detailed further in the EIR.

(d). Government Code Section 65962.5 refers to lists of facilities that may be subject to specific management requirements, past releases, cleanup activities, or deed restrictions related to hazardous waste. No disposal of hazardous waste is known to have occurred on this site. No sites listed on the CalEPA website (DTSC 2005) or Inyo County website are within the project area.

(e). The project is not located within two miles of an airport.

(f). The project is not in the vicinity of a private airstrip.

(g). The project is located in an area that would be accessible to emergency vehicles and would not interfere with any response or evacuation plan.

(h). The Baker Creek portion of this project will involve the permanent or temporary removal of livestock grazing from specified areas. Removal of grazing and additional irrigation will promote more vegetative growth resulting in increased fire fuel loading. This will potentially increase the risk of wildland fire within the Baker Creek area and could expose people and structures to a significant risk of loss, injury or death. The community of Big Pine lies approximately one mile east of the Baker Creek area, the Baker Creek Campground is approximately 0.75 miles to the east, the Bernasconi Education Center lies 0.15 miles to the west, and the Big Pine Power Plant lies 0.5 miles south of the project area.

To manage the potential risk of wildland fire at the Hogback Creek site, fire breaks will be installed prior to any controlled burns within the adjacent grazing leases. To decrease the potential risk of wildland fire the following measure has been incorporated into the Baker Creek portion of the project:

- Fuels treatments and maintenance along the Powerline Road between the Baker Creek Meadow and Glacier Lodge Road: the prescription for the fire fuels treatment will be to remove 15 feet of brush on both sides of the road by hand, leave native grasses and forbs for groundcover, and within the treatment area trim tree branches to a height of 10 feet. (Work is expected to affect 2.9 acres of brush outside the project area.). These activities will be described more fully in the EIR.

- Develop a Pre Fire Plan with the following sections: (fuels, maintenance, fire, suppression objectives, CAD update at dispatch).

The feasibility and effectiveness of these measures will be evaluated in the Draft EIR.

HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐

HYDROLOGY AND WATER QUALITY -- (continued)	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or Flood Insurance rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place structure within a 100-year flood hazard area, which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Response to questions:

(a). The proposed project may exceed water quality standards for sediment or turbidity due to construction of the proposed new diversions on the Giroux Ditch if diverted waters are returned by surface flow to jurisdictional waters. The EIR will evaluate these activities and propose BMPs and other measures to control siltation and erosion.

(b). The proposed project is not expected to significantly deplete groundwater supplies or interfere with groundwater recharge. However, surface water will be locally diverted to provide sufficient irrigation for plant establishment. Where this occurs, groundwater recharge will be locally enhanced. Some of this water may be used consumptively by the enlarged area of riparian vegetation proposed for the project. This element of the project may locally raise the groundwater table or change groundwater availability downgradient of the project site. Impacts from the proposed water use and diversion will be evaluated in the EIR.

(c). The Baker Creek portion of the project includes the construction of new and existing diversions off of two ditches. These diversions could result in localized and limited

alterations in surface water or groundwater hydrology that could result in erosion or sedimentation in project-affected drainages. The EIR will evaluate the potential for drainage alteration due to sedimentation and erosion.

(d). While the plantings at Hogback Creek will not require supplemental water, plantings in the Baker Creek project area will require supplemental water plus a continuation of current water supply and hydroperiod. A diversion for a drip irrigation system or other measures to aid plant establishment will be constructed. Other localized modifications to water distribution over the site may occur as the site is adaptively managed in the future. Modifications to the riparian corridor could affect the downstream surface water hydroperiod, including flow peaks and duration of those peaks. Details of the proposed project and potential subsequent water management and potential impacts will be evaluated in the EIR.

(e). The proposed project is not expected to alter local runoff patterns, and would continue to use natural stream channels for storm water conveyance. The project will. therefore, not contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of pollution.

(f). During the removal of non-native trees and the planting of native riparian species there may be minor amounts of sediment that enter ditches or Baker Creek. The Draft EIR will consider the magnitude and likely duration of these episodes and the feasibility and effectiveness of measures to control erosion.

(g). The proposed diversion structures are limited in size and, in the event of a failure, would not contribute to catastrophic flooding. No habitable structures are proposed for the project.

(h). No 100-year hazard areas are known to have been established within the project boundaries (FEMA, 1985). Additional evaluation of the extent of mapped jurisdictional floodplains will occur in the EIR. The new and existing diversions off of two ditches that will be used for the Baker Creek portion of this project will not be designed to impede or redirect flood flows. Additional evaluation of local flooding and the potential for adverse downstream impacts will also be performed for the EIR.

(i). The Inyo County General Plan (Policy FLD-1.2; Jones and Stokes [JSA] 2001) requires that project applicants demonstrate no adverse impact to downstream properties. The proposed project is not expected to expose people or structures to a significant risk of flooding.

(j). The project sites are not located in areas that are at risk of inundation by a seiche or tsunami. Portions of the project are at risk for inundation by mudflows. The Inyo County General Plan requires that "[n]atural washes . . .be kept free from development that would adversely impact floodway capacity or characteristics, natural/riparian areas, or natural groundwater recharge areas. (Implementation measure 3, Section 9.3; JSA 2001.) Mudflows are natural geomorphic processes on alluvial fans and washes, and native riparian habitats have evolved to recover following such events. The potential risk of loss associated with mudflows will be evaluated in the EIR.

LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Response to questions:

(a). Neither enhancement project would divide an established community. The town of Big Pine is approximately one mile from the Baker Creek site and the town of Lone Pine is approximately seven miles from the Hogback Creek site. Both sites are outside the towns' city limits.

(b). The proposed project does not conflict with any applicable land use plan or policy. The zoning overlay is for both sites is Open Space; 40-acre minimum. The Inyo County General Plan designates the area as Natural Resources and State and Federal Lands and these are part of the Open Space Elements of the plan (Gertz, T, pers. comm. October 21, 2005). The area is planned and used for recreation, as well as grazing. Permitted uses for Open Space include recreation, watershed protection, habitat protection, and rangeland (JSA 2001).

Policy LU-1.10, LADWP Land Holdings of the Inyo County Planning Policy states that all General Plan land use designations shall allow for the implementation of Enhancement/Mitigation Projects and/or mitigation measures as described in the Inyo County-Los Angeles Long Term Ground Water Management Agreement and/or the 1991 Final EIR that addressed that agreement (JSA 2001). The sites are well removed from the coast, and there are no local coastal programs. The LADWP is a participating agency since the enhancement sites are located on their land. The proposed plan does not conflict with their plans and there is an MOU specifically relating to this project.

(c). The proposed project does not conflict with any applicable habitat conservation plan or natural community conservation plan. The enhancement sites are part of the Yellow-billed Cuckoo Habitat Enhancement Plan.

MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Response to questions:

(a)(b). The proposed project sites are both designated for Natural Resources in the Inyo County General Plan and zoned Open Space, 40-acre minimum (Gertz, T, pers. Comm. October 21, 2005). These sites are not recognized for potential mineral sources for the state or local economies. Mineral sources are not limited within the county, or within this region of the State. Implementation of the proposed enhancement plans will have no affect on availability of mineral resources.

NOISE -- Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration noise levels?	☐	☐	☐	☒

NOISE -- Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Response to questions:

(a). The project will not generate offsite noise levels to violate any applicable standards at sensitive receptors. Noise sources that are anticipated to be associated periodically with the proposed actions at the Hogback Creek and Baker Creek sites may range from light car/truck travel on and off existing roads, to use of hand implements (e.g., shovels, picks, augers, chainsaws, etc.) to use of small trenchers for irrigation systems, to use of truck mounted internal combustion engine powered augers or direct-push equipment, to the use of heavy grading and excavation equipment. Such activities are characteristic of normal rural farming, ranching and residential maintenance and construction activities that occur sporadically throughout the region. Furthermore, these activities are expected to be moderate to low intensity and short-lived in any one location.

US Occupational Safety and Health Administration (OSHA) has established maximum permissible worker noise exposure levels to protect against hearing damage. The OSHA

limit for 8-hour exposure is 90 dB(A). Whenever, a worker's potential noise exposure exceeds 85 dB(A) over an 8-hour period, the worker shall provide hearing protection. California Department of Industrial Relations – Occupational Health and Safety (CalOSHA) has established permissible worker noise exposure levels that comply with federal OSHA criteria. LADWP will comply with applicable OSHA/CalOSHA requirements. Field Equipment operators will wear ear protection as necessary.

The US Environmental Protection Agency (EPA) has suggested an annual day-night average sound levels (Ldn) guideline of 55 dB(A) to protect public health and welfare from the effects of exterior environmental noise. Additionally, EPA has established a guideline that an individual's 24-hour equivalent sound level exposure (Leq) at the ear, should not exceed 70 dB(A) in order to protect against hearing damage. These guidelines are recommendations rather than standards or regulations.

Section 9.7 of the Inyo County General Plan Goals and Policy Report (JSA 2001) identifies two noise issues that would be potentially relevant to the proposed action: 1) Maintaining the rural atmosphere in the County; and 2) noise from roadways.

The proposed action will not significantly alter traffic in the project vicinity, including the nearby towns of Lone Pine and Big Pine, so roadway noise will not be a significant project impact.

Given the nature of the anticipated noise sources and the relatively significant distances to sensitive receptors, significant noise impacts will not occur at sensitive receptors. Typical residential activities and traffic along town streets and Hwy. 395 will likely overshadow any sounds that might travel from the Baker and Hogback Creek sites toward sensitive receptors in or near Big Pine and Lone Pine. Common sense execution of project activities will be sufficient, such as maintaining project-related vehicle traffic to normal road speeds, and focusing construction efforts during daytime hours.

Thus, proposed actions will result in a negligible change at nearby sensitive receptors, and impacts will be a less than significant.

Additionally, proposed project activities are consistent with (as noted above) and therefore to not threaten the rural atmosphere of Inyo county. The Inyo County Plan has established maximum allowable ambient noise exposure levels for several land use types. A maximum Ldn of 60 dB(A) applies to the most sensitive of these land use categories, which are: Residential, Schools, and Libraries, churches, hospitals, and extended care facilities

Given the nature of proposed activities and the distances involved, it is highly unlikely that the proposed action will subject the nearest sensitive receptors in these three land use categories to Ldn exposures greater than 60 dB(A). One possible exception may be the Bernasconi Education Center on intermittent occasions.

Given the nature of the anticipated noise sources and the relatively significant distances to sensitive receptors, it is unlikely that significant noise impacts will occur at sensitive receptors. It is also likely that common sense mitigation measures will be sufficient, such

as maintaining project-related vehicle traffic to normal road speeds, and focusing construction efforts during daytime hours. It is likely that typical residential noises and traffic along town streets and Hwy. 395 will overshadow any sounds that might travel from the project sites toward sensitive receptors in or near Big Pine and Lone Pine. In recognition of its close proximity to proposed fire break construction along the Giroux Ditch and other project activities that may occasionally occur nearby, LADWP will coordinate schedules with the Bernasconi Education Center as necessary to minimize disruption of educational activities.

(b). The project will not cause any excessive groundborne vibrations or noise levels.

(c). There will be no permanent increase in ambient noise as a result of the project. All noise generating activities will be intermittent.

(d). There will be a temporary and periodic increase in ambient noise levels in the project vicinity above existing levels during the non-native tree removal and other operations described above near the Bernasconi Education Center. This issue will be addressed further in the EIR, along with proposed noise reductions measures

(e). The project is not within two miles of an airport or in an airport land use plan.

(f). The proposed project area is not within the vicinity of a private airstrip.

POPULATION -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Response to questions:

(a). The proposed project would not induce population growth in the area. The project is a habitat restoration project and no dwellings will be constructed. There will not be any new road construction to the sites. The sites will be accessed by the existing roads of Glacier Lodge Road from Big Pine and Moffat Ranch Road from Lone Pine.

As of the 2000 Census, there are 1,350 people in Big Pine and 1,655 in Lone Pine. They are small communities with low residential density. The primary economic activities in the local vicinity are recreation and ranching. The proposed project is not expected to alter the nature and character of these communities.

(b). The proposed project would not displace any existing housing. The enhancement sites are located outside of established towns. There is currently no known housing on either site.

(c). The project would not displace any businesses or private residences because none are located within the proposed sites.

PUBLIC SERVICES -- Would the project	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☐	☒
b) Police Protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Response to questions:

(a)-(f). The proposed project would not alter the proposed enhancement sites in such away that additional government services or facilities would be required, including police protection, fire protection, schools, or parks and recreational areas. The proposed project is expected to provide improved fire fighting capabilities as discussed below.

Removal of grazing and additional irrigation will promote more vegetative growth resulting in increased fire fuel loading. The proposed project includes the creation of a fire break at Baker Creek between the project area and the community of Big Pine. This fire break will be created by hand clearing 15 feet of brush on either side of a power line road that runs between the Baker Creek meadow and the Glacier Lodge Road. Native grasses and forbs will be left for groundcover. Trees branches will be trimmed to a height of ten feet. In addition, a pre-fire plan will be developed.

LADWP will adopt fire protection measures that will require that fuel breaks be installed around the Hogback site before controlled burns are conducted.

Implementation of the proposed project is not expected to increase the need for fire protection services within the local communities. The proposed fuels management measures should enhance local firefighting capabilities.

RECREATION	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☒	☐	☐

Response to questions:

(a). The enhancement of cuckoo habitat in the Baker Creek Area may increase use at the nearby Baker Creek Campground by potentially drawing more users to the area. The Baker Creek Campground currently withstands light to moderate impacts from

recreational use. The habitat enhancement project may attract more recreationists interested in birding and wildlife viewing to the area, which may result in greater pressure on the campground facilities. Impacts to local parks and/or recreation areas in Big Pine are expected to be negligible. The proposed EIR will consider the potential for substantial physical deterioration at the Baker Creek Campground.

There are no formal recreational facilities (e.g., neighborhood or regional parks, campgrounds, etc.) in the vicinity of the Hogback Creek Project Area that would be influenced by the cuckoo enhancement project.

(b). The cuckoo enhancement project for the Baker Creek Area calls for the construction of a small section of new off-road vehicle (ORV) track to create a loop system for users in this area. Construction of the trail could disturb cultural resource sites, disrupt wildlife, and result in erosion. These impacts will be evaluated in the proposed EIR, and measures to reduce their significance will be considered.

The Baker Creek and Hogback sites are used for hunting game birds and deer. The proposed changes in the grazing season could overlap with the hunting seasons and result in conflicts with grazing operation and hunting activities. The proposed EIR will identify hunting seasons applicable to the project sites, and evaluate the potential conflicts.

TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒

TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Response to questions:

(a). The proposed project will not affect existing traffic patterns in the towns of Big Pine and Lone Pine. No new roads will be constructed to the sites, therefore, no new access points or intersections would be created in the nearest towns.

(b). The proposed project will not exceed the existing level of service for the area. Minimal trip generation as a result of the project is expected. During construction of the project there could be a temporary increase in traffic in and around the sites.

(c). The project will not affect air traffic patterns. The closest airport is 14.5 miles for the Baker project area and 6.5 miles away for the Hogback project area. The tallest features within the project will be trees, which will not interfere with the Imaginary Surface (FAR Part 77) surrounding an airport.

(d). The project will not increase road hazards because no new roads will be constructed. There will be some trail realignment for Off Road Vehicle use. It is not expected that standard vehicles or farm equipment would be using this trail.

(e). The project does include fencing. However, the fencing will have gates with locks that the local emergency services will have keys to.

(f). The proposed sites offer adequate parking for all of the proposed activities. The project will not affect any existing parking in Big Pine or Lone Pine.

(g). The project sites are located outside of town and the project focus is on restoration, not transportation uses. The project will not affect any alternative transportation facilities or routes.

UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☒	☐	☐	☐
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste.	☐	☐	☐	☒

Response to questions:

(a)-(c), (e). While the project proposes to use some water for irrigation, no wastewater should be generated for any reason. Therefore, the project will not exceed any wastewater requirements. In addition, the proposed project will not require construction of any storm water drainage facilities or expansion of any existing facilities.

(d). The amount of water called for in the project design is not currently available. The water could come from the Inyo County Farm's allocation and LADWP and ICWD will have to negotiate this for the benefit of the project.

The Big Pine Regreening Project is an Enhancement/Mitigation Project identified in the Inyo County-Los Angeles Long Term Ground Water Management Agreement and has been adopted as a mitigation measure by the City of Los Angeles to mitigate the impacts of its water gathering operations in Owens Valley from 1970 to 1990 (JSA 2001). The water supply for the proposed action may conflict with the Regreening Project. This issue will be addressed with other water resources issues in the Draft EIR.

(f)-(g). The project will not generate any solid waste, therefore, no disposal needs exist. Statutes and regulations related to solid waste are not applicable to the proposed project.

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?	☒	☐	☐	☐

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐		☒

Response to questions:

(a)-(b). This evaluation of the proposed project has identified potential impacts on cultural resources and biological resources. Additionally, the proposed project may affect water and soils resources. The proposed EIR will determine if these impacts are substantial enough to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The proposed EIR will also evaluate the significance of these potential impacts and recommend mitigation measures as needed to reduce the significance of these impacts. The proposed EIR will also include a cumulative assessment of impacts related to the resources associated with the project site.

(c). The proposed project is not likely to have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly. The EIR will evaluate environmental elements that could result in significant impacts, and propose BMPs or measures to reduce these impacts. The proposed project sites are well removed from inhabited areas and are not expected to result in substantial adverse effects on human beings.

4.0 PERSONS CONSULTED AND PREPARES

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5.1 REFERENCES

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5.2 PERSONAL COMMUNICATIONS

Larson, Jan. Sr. Planner, Inyo County Planning Department, e-mail October 21, 2005.

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