

# **Chapter 1. Introduction**

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This document is intended to serve as the final environmental impact report (EIR) as required under the California Environmental Quality Act (CEQA) for the review of the Mono Basin Water Rights of the City of Los Angeles. This final EIR consists of the draft EIR, comments on the draft EIR, responses to comments, and errata for incorrect information in the draft EIR. As provided for by law, the draft EIR is not being revised and republished.

## **PUBLIC REVIEW OF THE DRAFT EIR**

On May 28, 1993, a Notice of Availability of a Draft Environmental Impact Report for the review of the Mono Basin Water Rights of the City of Los Angeles was filed with the Secretary for Resources and the draft EIR was distributed to the public.

Copies of the report were provided to 242 individuals and groups, based on a list of parties so requested during and after the public scoping process. Another 41 copies were transmitted to local, state, and federal agencies as required by law. More than 80 copies were provided to public and university libraries. The availability of the draft EIR was publicized in newspapers across the state and announcements were mailed to several hundred parties on a mailing list, which was compiled during and after the scoping process.

A 90-day review period was established, extending from May 28, 1993, to August 30, 1993. Readers of the draft report were asked to submit comments on its adequacy in writing by the close of the review period. Public hearings were not held on the EIR because they would have duplicated the water rights hearings that commenced on October 4, 1993. The first 3 days of the hearing, however, involved a public review of the draft EIR.

## **COMMENTERS ON THE DRAFT EIR**

By the close of the comment period, a total of 4,075 letters had been received by the California State Water Resources Control Board (SWRCB). The letters were of two types. Approximately 4,000 letters contained recommendations to SWRCB concerning choice of alternative and related actions or approaches to the water rights issue. These letters did not comment on the adequacy or accuracy of the draft EIR. These recommendations have been brought to the attention of SWRCB.

A total of 74 letters were identified as containing comments on the accuracy and adequacy of the draft EIR. Some of these letters also contained recommendations. The sources of these letters were:

- # water rights permittee (Los Angeles Department of Water and Power [LADWP]),
- # two federal agencies,
- # four state agencies (in addition to the State Clearinghouse),
- # six local and regional agencies,
- # 12 environmental organizations and their attorneys,
- # seven other organizations, and
- # 41 individuals.

These commenters are listed below, along with the number assigned by SWRCB to each commenter's letter.

### **Water Rights Licensee**

Los Angeles Department of Water and Power 1  
James F. Wickser, Assistant General Manager - Water  
August 27, 1993 - letter  
Los Angeles, CA

### **Federal Agencies**

U.S. Fish and Wildlife Service, Ecological Services 2  
Craig Faanes, Field Supervisor  
August 27, 1993 - letter  
Ventura, CA

U.S. Forest Service, Inyo National Forest 3  
Dennis W. Martin, Forest Supervisor  
August 30, 1993 - letter  
Bishop, CA

### **State Agencies**

California Department of Fish and Game 4  
John L. Turner, Chief - Environmental Services Division  
August 30, 1993 - letter  
Sacramento, CA

California Department of Parks and Recreation Donald W. Murphy, Director August 25, 1993 - letter Sacramento, CA	5
California Department of Water Resources Robert G. Potter, Chief Deputy Director August 26, 1993 - letter Sacramento, CA	6
California Governor's Office of Planning and Research Christine Kinne, Deputy Director, Permit Assistance August 25, 1993 - letter Sacramento, CA	7
State Lands Commission Mary Griggs, Environmental Review Section - Division of Environmental Planning and Management August 30, 1993 - letter and two attachments (includes comments from Scott Stine, Ph.D.) November 9, 1993 - letter of clarification Sacramento, CA	8

### **Local and Regional Agencies**

California Regional Water Quality Control Board, Lahontan Region Harold Singer, Executive Officer August 30, 1993 - letter and three attachments South Lake Tahoe, CA	9
City of Cerritos Ann Joynt, Mayor Pro Tem August 26, 1993 - letter Cerritos, CA	10
County of Mono, Board of Supervisors Andrea Lawrence, Supervisor, District 5 August 26, 1993 - letter Mammoth Lakes, CA	11

County of Mono, Planning Department Scott Burns, Planning Director August 30, 1993 - letter Bridgeport, CA	12
Great Basin Unified Air Pollution Control District Ellen Hardebeck, Control Officer August 24, 1993 - letter and two attachments Bishop, CA	13
Metropolitan Water District of Southern California Duane L. Georgeson, Assistant General Manager August 27, 1993 - letter and one attachment September 17, 1993 - letter of clarification Los Angeles, CA	14

### **Environmental Organizations**

California Native Plant Society, Bristlecone Chapter Carla R. Scheidlinger, Conservation Co-Chair August 27, 1993 - letter Bishop, CA	15
California Trout Jim Edmondson, Vice President August 30, 1993 - letter and six attachments San Francisco, CA	16
Defenders of Wildlife Richard Spotts, California Representative August 23, 1993 - letter Sacramento, CA	17
Desert Fishes Council Edwin P. Pister, Executive Secretary August 22, 1993 - letter Bishop, CA	18
Environmental Defense Fund Thomas J. Graff, Senior Attorney August 27, 1993 - letter Oakland, CA	19

Mono Lake Foundation David Marquart, President August 26, 1993 - letter Lee Vining, CA	20
Morrison & Foerster, Counsel for the National Audubon Society and the Mono Lake Committee F. Bruce Dodge, Patrick J. Flinn, and Bryan J. Wilson, Attorneys August 30, 1993 - letter Palo Alto, CA	21
Natural Heritage Institute, Counsel for California Trout Richard Roos-Collins, Cynthia Koehler, and Michelle Schwartz, Attorneys August 27, 1993 - letter and four attachments San Francisco, CA	22
Natural Resources Defense Council Everett DeLano, Staff Attorney, NRDC Urban Program, and Hamilton Candee, Senior Staff Attorney, NRDC Western Water Project August 30, 1993 - letter San Francisco, CA	23
Sierra Club Legal Defense Fund Laurens H. Silver, Counsel August 27, 1993 - letter and one attachment San Francisco, CA	24
The Desert Protective Council, Inc. Douglas W. Allen, President August 22, 1993 - letter Valley Center, CA	25
Western Hemisphere Shorebird Reserve Network Julie M. Sibbing, Program Manager August 17, 1993 - letter Manomet, MA	26

### **Other Groups**

Committee to Save Crowley Lake Randy Witters, President August 24, 1993 - letter Crowley Lake, CA	27
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Haselton Associates, representing John Arcularius Frank L. Haselton, Principal (and signed by other ranching interests) August 25, 1993 - letter Anaheim, CA	28
Inaja Land Company, Ltd. Millard G. Reed, President August 30 and September 8, 1993 - letters Reno, NV	29
League of Women Voters of California Marilyn Hempel, Natural Resources Director August 23, 1993 - letter Claremont, CA	30
Mono Lake Indian Community William J. Andrews, Chairman August 19, 1993 - letter Lee Vining, CA	31
Trihey & Associates, representing the Planning Team of the Restoration Technical Committee E. Woody Trihey, P.E. August 30, 1993 - letter Concord, CA	32
Yosemite Park and Curry Co. Edward C. Hardy, President August 18, 1993 - letter Yosemite National Park, CA	33

### **Individuals**

Except for the last three, individuals on this list are given in alphabetical order.

Mark Bagley August 30, 1993 - letter Bishop, CA	34
Dan Bean, Ph.D. August 26, 1993 - letter Chapel Hill, NC	35

T. R. Bottalico August 30, 1993 - letter Chino, CA	36
Allen G. Brown, Ph.D. and Elisabeth M. Brown, Ph.D. August 30, 1993 - letter Laguna Beach, CA	37
Jenny Brown August 30, 1993 - letter Winters, CA	38
Laurence L. Brunton, Ph.D. August 23, 1993 - letter San Diego, CA	39
Joelle Buffa August 23, 1993 - letter Oakland, CA	40
Steve Case July 30, 1993 - letter Lomita, CA	41
Lynn Chiapella August 19, 1993 - letter Palo Alto, CA	42
Daniel R. Dawson, Director August 24, 1993 - letter Santa Barbara, CA	43
John and Pat Eaton August 24, 1993 - letter Long Valley, CA	44
Melanie Findling August 24, 1993 - letter Sonora, CA	45
Benjamin Green August 2, 1993 - letter Trinidad, CA	46

Mr. and Mrs. Walter T. Hansen August 23, 1993 - letter Lee Vining, CA	47
David B. Herbst, Ph.D. August 20, 1993 - letter and one attachment Mammoth Lakes, CA	48
Robert and Harriet Jakovina August 24, 1993 - letter San Jose, CA	49
Emily S. Johnson August 20, 1993 - letter Bishop, CA	50
Sally Kabisch August 20, 1993 - letter Homer, AK	51
Richard Kattelmann August 20, 1993 - letter Mammoth Lakes, CA	52
Lawrence A. Lawver No date - letter Austin, TX	53
Anne Jones-Lee, Ph.D. and G. Fred Lee, Ph.D., D.E.E. August 30, 1993 - letter El Macero, CA	54
Nick Levinson August 25, 1993 - letter San Francisco, CA	55
Michael E. McLane August 23, 1993 - letter Concord, CA	56
Barbara G. Moore August 25, 1993 - letter Lee Vining, CA	57



Kathy Morey August 24, 1993 - letter Mammoth Lakes, CA	58
Phyllis Mottola August 22, 1993 - letter Bishop, CA	59
Edna L. Nicely August 27, 1993 - letter Lee Vining, CA	60
Kathleen Norton August 30, 1993 Elk Grove, CA	61
Stephen Osgood August 28, 1993 - letter Washington, DC	62
Darrell G. Parcher August 26, 1993 - letter Location unknown	63
Katharine Ratliff August 21, 1993 - letter Napa, CA	64
Margaret Rubega July 22, 1993 - letter and two attachments Reno, NV	65
Donald W. Sada, Ph.D. August 27, 1993 - letter Bishop, CA	66
Alexander Saxton September 17, 1993 - letter Lone Pine, CA	67
Emilie Strauss August 29, 1993 - letter Berkeley, CA	68

Laurie, Jack, and Chris Trefry August 26, 1993 - letter June Lake, CA	69
Elden H. Vestal August 7, 1993 - letter Napa, CA	70
Peter Vorster August 30, 1993 - letter Oakland, CA	71
Walt Anderson August 16, 1993 - letter Prescott Valley, AZ	72
Howard C. Arcularius August 29, 1993 - letter Bishop, CA	73
Catherine A. Toft August 13, 1993 - letter Davis, CA	74

## EVALUATION OF COMMENTS

### Identifying Major Issues

All EIR comment letters received were read by SWRCB staff and consultants. Individual comments were identified and enumerated within each letter, and each comment was assigned to a resource topic or legal issue. Specialists read all comments on topics for which they were responsible and, by grouping the comments, formulated statements of the 88 major issues that had been raised. Each major issue was carefully analyzed. These major issues are listed in Table 1-1 and are summarized and responded to in Chapter 4. Although recurrence of an issue was considered grounds for considering the issue "major", a single comment sometimes raised a major issue.

### Responding to Other Issues

Some comments were not considered major and were responded to individually. These miscellaneous responses appear in Chapter 5 following reproductions of the comment letters. Still other

comments were determined not to require a response, primarily if they were recommendations, opinions, or advice, but also for other reasons noted below.

## **Coding of Comments and Responses**

### **Comment Enumeration**

To facilitate the response effort, codes to track individual comments, and responses to them, were written in the left and right margins of each comment letter.

The comment enumeration code consists of two parts: the first number, shown on the upper right-hand corner of each page, is the comment letter number and the second number, shown in the left margin of the letters, is the particular comment, usually in the order that it appears. In some cases, however, a comment is introduced and then explained more fully later in the letter. In these cases, the same comment number is used and "(cont)" indicates this situation.

### **Response Codes**

The response codes, given in the right margin of the letters, are interpreted in Table 1-1. As shown in the table, some codes indicate major legal issues. Other major issues are organized by resource topic area, employing the same topic lettering system used in the draft EIR. Miscellaneous comments needing an individual response are coded with an asterisk following the topic letter.

Certain comments require special responses. These are given "Y" and "Z" response codes. The Y responses are useful to:

- # acknowledge a recommendation or opinion,
- # accept a factual correction,
- # refer the commenter to a discussion in the draft EIR that already answers the comment,
- # identify a request for information that is not germane to the SWRCB's decision, or
- # identify a comment that was not understood.

The Z response code indicates a rhetorical comment.

In many cases, more than one response code appears in the right margin, indicating that the comment is responded to in more than one way.

## CONTENT AND ORGANIZATION OF FINAL EIR

This two-volume final EIR consists of responses to comments on the draft EIR and presents a revised version of one of the environmentally superior alternatives. This alternative was addressed in detail in the draft EIR. The modifications are intended primarily to mitigate adverse effects related to loss of Mono Basin exports.

Each chapter is dedicated to this approach as follows:

### Volume 1

- # Chapter 2 is a summary of the proposed project, project objectives, and project alternatives considered in the draft EIR.
- # Chapter 3 is a summary of major conclusion drawn from the environmental analyses. It was developed from summary tables that appeared in the draft EIR, as modified by pertinent information submitted in the comment process.
- # Chapter 4 contains a discussion of the major issues raised during the review process and SWRCB's response to those issues.
- # Chapter 5 is a presentation and discussion of the Modified 6,390-Ft Alternative.

### Volume 2

- # Chapter 6 contains copies of all letters commenting on the draft EIR with response codes shown in the margins; it also presents responses to the miscellaneous comments not considered in Chapter 4.
- # Chapter 7 is the errata to the draft EIR, based on the foregoing comments and responses.
- # Chapter 8 is a list of preparers of the final EIR.
- # Chapter 9 is a bibliography of printed references and personal communications cited in the report.



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