



March 25, 2021

VIA E-MAIL

Los Angeles Department of Water and Power
111 North Hope Street, Room 1044
Los Angeles, CA 90012
Attn: Mr. James R. Howe
Email: james.howe@ladwp.com

Re: Comment Letter – Six Month Test of Owens Lake Test Well East

Dear Mr. Howe,

Thank you for the opportunity to comment on the Proposed Negative Declaration for a Six-Month Operational Test of Well TW-E at Owens Lake (Project). Please accept these comments on behalf of Friends of the Inyo and our nearly 1,000 members. Friends of the Inyo (FOI) is a grassroots non-profit organization based in Bishop, California. Our mission is to ensure the public lands of the Eastern Sierra exist in an intact, healthy natural state for people and wildlife through preservation, stewardship, exploration, and education. Over our 30-year history, FOI has actively engaged with land and water management agencies in the Eastern Sierra, including the LADWP.

The Project is one small piece of a larger project: LADWP is attempting to increase its extraction of water supplies from the Owens Valley by developing a program of consumptive groundwater use from the Owens Lakebed. We are not in agreement that groundwater pumping from beneath Owens Lake can be done in an environmentally sustainable manner, even for a limited period of time. LADWP has improperly piecemealed review of the incremental steps it is taking to achieve increased water withdrawals from the Owens Valley. It has done so without adequate disclosure or analysis of the cumulative and adverse impacts, both past and future, of LADWP's extractions, the interactive role of persistent drought conditions, and the sustained objections of tribal communities.



Piecemealed Environmental Review Is Inadequate

To mitigate the adverse air-quality impacts of exporting water from the Owens Valley, LADWP is required to provide approximately 65,000 acre-feet of surface water for dust control each year. In 2015, LADWP issued a Notice of Intent to develop an Environmental Impact Report for the Owens Lake Master Plan project, but it has not followed through with that environmental review process. Instead, LADWP drilled two very deep groundwater wells in the Owens Lakebed, and then proceeded to conduct test pumping at those wells, without any public review and comment, in reliance on a CEQA exemption. LADWP now proposes to conduct a larger scale six-month pumping experiment with very little time for public review and comment, and no mitigation measures, using a CEQA Negative Declaration.

This type of piecemealed review allows LADWP to escape its obligations to fully address the significant and cumulative impacts of its actions, and is not consistent with the purposes of CEQA. The proposed Negative Declaration expressly states that the “operational test of TW-E is part of the Owens Lake Groundwater Development Program (OLGDP), a component of the Owens Lake Master Project.” LADWP cannot begin to implement pieces of its Owens Lake Master Project, or even its smaller Owens Lake Groundwater Development Program, without conducting a thorough review of the impacts that such a program will have on the human and natural environment of the Owens Valley.

The proposed Negative Declaration states: “The OLGDP is being implemented under an adaptive management strategy. Groundwater development would start at a small scale with extensive monitoring, and adjustments would be made to the program as more is learned about the hydrogeologic system through monitoring and modeling.” This blatant admission that LADWP is using the proposed Project as one primary step in its larger groundwater development project is contrary to the law. *LADWP cannot implement its OLGDP without first conducting a thorough environmental review of all of the environmental consequences.*



A Six-Month Program of Pumping Will Have Significant Impacts

LADWP proposes to test its eastern well at Owens Lake by pumping it for 6 months, starting in late September or early October 2021 and concluding by early 2022. Pumping would be at a rate of 3 cfs, or 1,350 gallons per minute, allowing for up to 4.8 million gallons of water to be pumped from the well per day. As a result of the test pumping, the aquifer surrounding the well will be drawn down by 300 to 400 feet below its current elevation. The well, TW-E, is located within one mile of the regulatory shoreline of the lake, in an eastern portion of the lakebed where natural recharge is slower.

Impacts to Groundwater Dependent Ecosystems

LADWP estimates that as a result of the test pumping, groundwater levels will not “substantially recover” for 18 months, meaning that the groundwater-dependent ecosystems around the lake will endure two entire growing seasons with depressed groundwater levels, in the midst of significant drought conditions. According to the National Oceanic and Atmospheric Administration, more than 99% of Inyo County, including the Owens Lake area, is currently experiencing “extreme” drought.¹ The sensitive natural springs and seeps around the lake, and the vegetation and wildlife they support, are already under stress due to drought conditions.

And yet, LADWP proposes to use a “trigger” that would only require it to cease pumping if more than 50% of the natural flow of groundwater ceases to reach the springs and seeps in the area. Because LADWP is proposing project triggers as a part of its project description, rather than as mitigation measures, it will conduct its own monitoring without oversight or enforcement by a natural resource agency or the public.

The lengthy groundwater-level recovery period, coupled with existing drought conditions and overly-generous triggers that lack outside agency oversight are likely to cause significant adverse impacts on biological resources. LADWP should not undertake the proposed project, particularly now.

¹ <https://www.drought.gov/states/california/county/Inyo>, accessed March 23, 2021.



Impacts to Cultural Resources

It is unclear from the proposed Negative Declaration for the project whether LADWP has conducted a formal tribal consultation under AB 52. Owens Lake has significant cultural and spiritual significance for tribal communities in and around the Owens Valley, and the impact of the proposed Project (as well as the larger Owens Lake Groundwater Development Program and Owens Lake Master Project) must be thoroughly addressed before undertaking any groundwater extraction from beneath Owens Lake.

For the foregoing reasons we urge the LADWP not to proceed with the proposed Project.

Request for Supporting Documentation

Please send an electronic copy of the following reference document to:
Wendy@friendsoftheinyo.org

“Stantec. 2020. Technical Memorandum – Model Documentation Report for the Owens Lake Groundwater Model Update (Final). Prepared for Los Angeles Department of Water and Power. Prepared with H&H Water Resources, M2 Resource Consulting and GSI Environmental. June.”

Sincerely,

Wendy Schneider
Executive Director