

Perspectives on the Owens Lake Agreement Conversation #93

March 23, 2015

Settlement between the
Great Basin Unified Air Pollution Control District
and
Los Angeles Department of Water and Power

2014 Stipulated Judgement



Main Provisions of the 2014 Stipulated Judgement

- Settlement of **ALL** legal disputes between GBUAPCD and LADWP.
- Provides for attainment of Federal PM-10 standard from dust sources on Owens Lake.
- Contains a maximum amount of dust control area to be implemented by the LADWP.
- Commits GBUAPCD and LADWP to develop new waterless and low water use dust control measures.
- Provides LADWP with methods to conserve amount of water used on the lake bed.

Dust Control Provisions in the 2014 Stipulated Judgement

- **Phase 9/10 Project = 3.62 square miles (sq. mi.)**
 - Phase 9/10 will use waterless or water neutral DCMs
- **Total dust control area with Phase 9/10 = 48.6 sq. mi.**
- **Contingency control area up to 4.8 sq. mi.**
 - District will identify contingency areas using protocol in SIP (Dust ID program)
 - Maximum dust control area = 53.4 sq. mi.
 - Contingency area control will use waterless or water neutral DCMs
 - Contingency areas complete within 3 years of order
- **District will revise SIP by Dec 31, 2015 to include provisions of Stipulated Judgement**

Phase 9/10 Dust Controls

- **Phase 9/10 Project = 3.62 sq. mi.**
 - 15 separate dust control areas
 - Phase 9 = 2.86 sq. mi.
 - Phase 10 = 0.76 sq. mi.
- **Waterless or water neutral project**
- **Project complete by December 31, 2017**
- **CEQA complete by July 1, 2015**

Water Conservation: **Tillage with BACM Back-up (TwB2)**

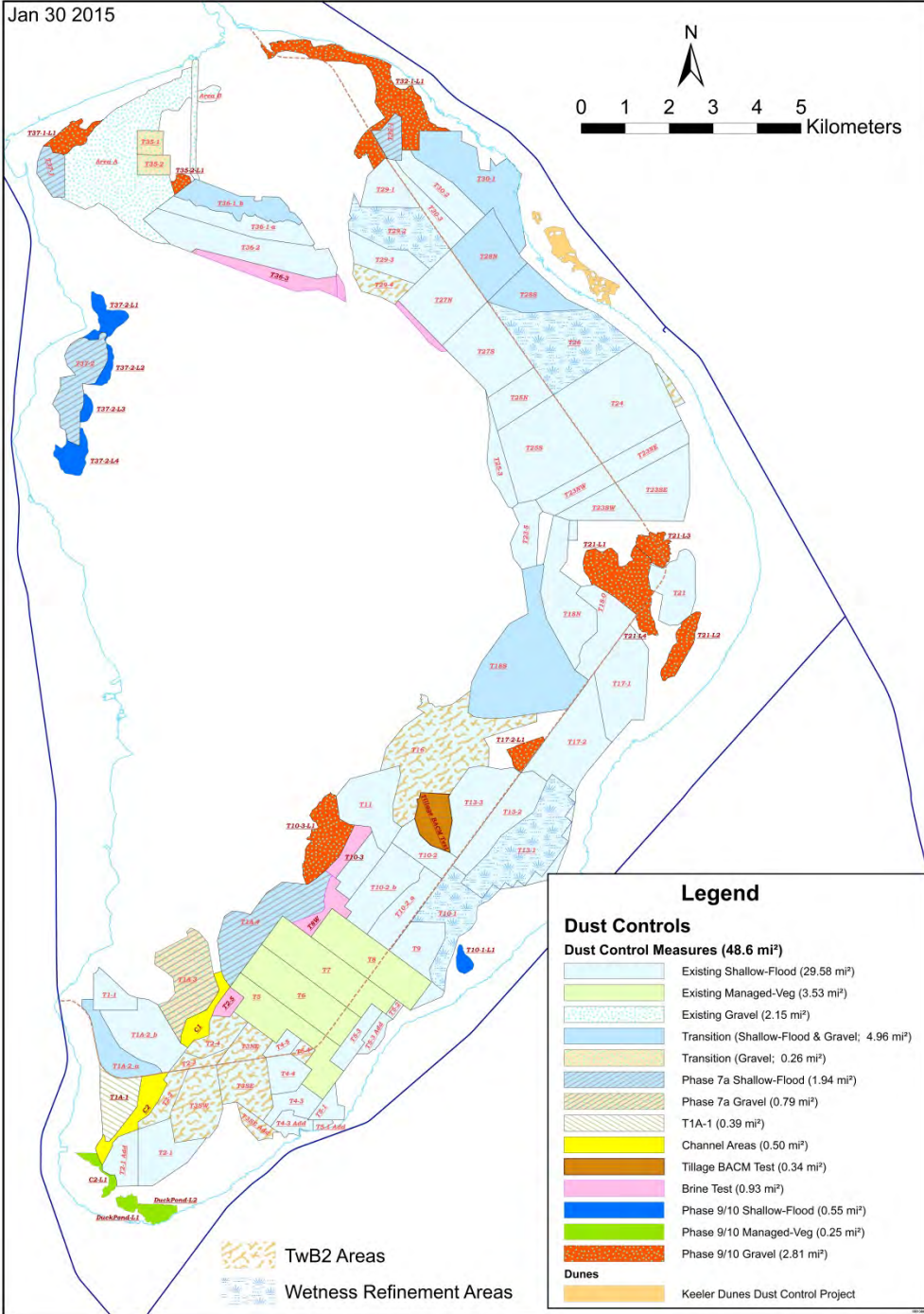
- Variation of Shallow Flooding that wets and/or roughens the surface.
- Implemented in areas with Shallow Flooding infrastructure.
- Detailed operations and monitoring protocols to be followed by both DWP and GBUAPCD.
- 37 days to re-wet tilled areas when they begin to deteriorate.
- No appeal or contest of re-flood order allowed.

Water Conservation:

New and Refined Dust Controls

- **Commitment by GBUAPCD and DWP to work together to test potential new waterless and/or low-water BACMs. Possible measures to be tested may include but are not limited to the following:**
 - Brine BACM
 - Roughness Elements
 - Tillage (without BACM back-up)
 - Dust Suppressants
- **Dynamic Water Management Plan**
 - Investigate ways to adjust dust season (such as with late wetting in the fall or early shut down in the spring).

Jan 30 2015



Dust Control Map

Phase 9/10 areas = 3.62 sq. mi.

Total control area = 48.6 sq. mi.

Natural Resources Protection

Article 9 - *“Cultural and biological resource protection and mitigation shall be incorporated to the extent feasible as required by law into the design of dust control areas.”*

Biological Resources: Habitat preservation will be completed using the habitat suitability modeling developed as part of the Master Project.

Cultural Resources: Preservation of cultural resources will follow the procedures developed in 2013 Stipulated Order for Abatement (Phase 7a and Keeler Dunes Settlement) for California Register of Historical Resources (CRHR) eligible areas within ordered dust controls. (Article 2.B.)

- LADWP’s archaeologist responsible for determining if resources are CRHR-eligible.
- Confirmation of new CRHR-eligible areas by Second Archaeologist.
- Cultural Resource Task Force (CRTF) will make recommendation to GBUAPCD and LADWP method and timing of treatment of CRHR-eligible areas.



2014 Stipulated Judgement

Available at:

<http://gbuapcd.org/owenslake/2011SCR/StipulatedJudgment20141230.pdf>

Questions?